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Congressional Record

PROCEEDINGS AND DEBATES OF THE 83d CONGRESS, SECOND SESSION

SENATE

TUESDAY, AUGUST 10, 1954

(Legislative day of Thursday, August 5, 1954)

The Senate met at 10 o'clock a. m., on the expiration of the recess.

Rev. F. Norman Van Brunt, associate pastor, Foundry Methodist Church, Washington, D. C., offered the following prayer:

Almighty and Eternal God our Father, we pause in this moment to dedicate our thoughts and motives to Thee. Look upon them, we pray, that as we face this new day, we may be blessed to use them to their fullest and best intent. We thank Thee that Thou hast set in our hearts a dream of life without futility, of faith without fear, of freedom without folly. Arise Thou within us as strength and healing and victory, overcoming all confusion of purpose, all haunting failure, and all that would keep us from the best to which Thou dost call us. In the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. KNOWLAND, and by unanimous consent, the reading of the Journal of the proceedings of Monday, August 9, 1954, was dispensed with.

REPORT ON PARTICIPATION IN THE UNITED NATIONS—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 492)

The VICE PRESIDENT laid before the Senate the following communication from the President of the United States, which was read, and, with the accompanying report, referred to the Committee on Foreign Relations:

To the Congress of the United States:

I transmit herewith, pursuant to the United Nations Participation Act, the eighth annual report, covering the year 1953, on United States participation in the United Nations.

This report surveys the first year of our activity in the United Nations since this administration took office, and I am happy to bring to your attention its evidence of benefits that have accrued to our country and the free world from participation in the United Nations.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *August 10, 1954.*

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the House had passed, without amendment, the following bills of the Senate:

S. 1585. An act to amend the District of Columbia Traffic Act, 1925, as amended;

S. 1611. An act to regulate the election of delegates representing the District of Columbia to national political conventions, and for other purposes;

S. 2798. An act for the relief of Azizollah Azordegan;

S. 3506. An act to repeal the act approved September 25, 1914, and to amend the act approved June 12, 1934, both relating to alley dwellings in the District of Columbia; and

S. 3655. An act to provide that the Metropolitan Police force shall keep arrest books which are open to public inspection.

The message also announced that the House had passed the following bills of the Senate, each with an amendment, in which it requested the concurrence of the Senate:

S. 2420. An act to amend section 32 of the Trading With the Enemy Act, as amended; and

S. 3482. An act to amend the District of Columbia Unemployment Compensation Act, and for other purposes.

The message also announced that the House had passed a bill (H. R. 9245) to establish a joint committee of Congress to study postal field service reclassification, to increase the rates of basic compensation of postmasters, officers, and employees in the postal field service pending reclassification pursuant to recommendations of such joint committee, and for other purposes, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the following concurrent resolution (H. Con. Res. 218) favoring the waiver of State residence requirements in elections of Federal officials, in which it requested the concurrence of the Senate:

Whereas many citizens are deprived of the right to vote because they have recently moved from one State to another and have not subsequent to such move complied with the residence requirements of the State to which they have moved; and

Whereas it is desirable that citizens should be entitled to vote for the office of President and Vice President whether or not they had moved from one State to another; and

Whereas such disfranchisement could be avoided by reciprocal arrangements between the several States which would recognize the right of a citizen who had moved from one State to another to continue to vote in the State from which he had moved for such reasonable period of time as would enable him to fulfill the residence requirements in the State to which he had moved: Therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress expresses itself as favoring, and suggests to the several States the consideration of appropriate legislation to enable a person to vote when such person would be eligible to vote but for the fact that he had moved from one State to another and had not yet fulfilled the residence requirements of such State to which he had moved.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. KNOWLAND, and by unanimous consent, the Committee on Rules and Administration was authorized to meet during the session of the Senate tomorrow.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. KNOWLAND. Mr. President, I ask unanimous consent that immediately following a brief executive session and a quorum call, there may be the customary morning hour for the transaction of routine business, under the usual 2-minute limitation on speeches.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. KNOWLAND. Mr. President, I move that the Senate proceed to the consideration of executive business, for action on nominations under "New Reports."

The motion was agreed to; and the Senate proceeded to consider executive business.

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. MARTIN, from the Committee on Public Works:

Herbert Davis Vogel, of Michigan, to be a member of the Board of Directors of the Tennessee Valley Authority, vice Gordon R. Clapp, term expired.

By Mr. CARLSON, from the Committee on Post Office and Civil Service:

Ninety-two postmasters.

By Mr. SMITH of New Jersey, from the Committee on Labor and Public Welfare:

Horace W. Harper, of Texas, to be a member of the Railroad Retirement Board for a term of 5 years (reappointment); and

Joseph H. Gerber and sundry other candidates for appointment in the Regular Corps of the Public Health Service.

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The VICE PRESIDENT. If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

UNITED STATES DISTRICT JUDGE

The Chief Clerk read the nomination of Hon. James C. Connell, of Ohio, to be United States district judge for the northern district of Ohio.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

UNITED STATES DISTRICT ATTORNEYS

The Chief Clerk read the nomination of Theodore E. Munson, of Alaska, to be United States district attorney for division No. 1, district of Alaska.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Herbert G. Homme, Jr., of North Dakota, to be United States attorney for Guam.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Robert Vogel, of North Dakota, to be United States district attorney for the district of North Dakota.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

UNITED STATES MARSHAL

The Chief Clerk read the nomination of Harry R. Tenborg, of North Dakota, to be United States marshal for the district of North Dakota.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

Mr. KNOWLAND. Mr. President, I ask that the President be immediately notified of nominations confirmed today.

The VICE PRESIDENT. Without objection, the President will be immediately notified of the nominations this day confirmed.

LEGISLATIVE SESSION

Mr. KNOWLAND. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CRIPPA in the chair). Without objection, it is so ordered.

Morning business is in order, under the 2-minute limitation on speeches.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LANGER, from the Committee on the Judiciary, without amendment:

S. 239. A bill for the relief of Mr. and Mrs. Frank Goto (Rept. No. 2365);

S. 2115. A bill for the relief of Gertraut Hildegarde Marie Hubinger and Franz Hubinger (Rept. No. 2383);

S. 2692. A bill for the relief of Hedwig Marie Zaunmuller (Rept. No. 2384);

S. 2694. A bill for the relief of Francis Bertram Brennan (Rept. No. 2385);

H. R. 697. A bill for the relief of Demetrios Christos Mataraggiotis, and Zoi Demetre Mataraggiotis, his wife, and Christos Mataraggiotis and Constantinos Mataraggiotis, their minor sons (Rept. No. 2386);

H. R. 717. A bill for the relief of Henriette Matter (Rept. No. 2387);

H. R. 822. A bill for the relief of Sister Giuseppina Giaccone (Rept. No. 2388);

H. R. 832. A bill for the relief of Katharine Balsamo (Rept. No. 2389);

H. R. 834. A bill for the relief of Arthur J. Boucher (Rept. No. 2366);

H. R. 839. A bill for the relief of Sister Mary Gertrude (Mary Gertrude Kelly) (Rept. No. 2390);

H. R. 877. A bill for the relief of Nasser Esphahanian (Rept. No. 2391);

H. R. 1622. A bill for the relief of Agustin Mondreal (Rept. No. 2392);

H. R. 1627. A bill for the relief of Johann Groben (Rept. No. 2393);

H. R. 1904. A bill for the relief of Patricia A. Pembroke (Rept. No. 2394);

H. R. 2480. A bill for the relief of Charlotte Margarita Schmidt (Rept. No. 2395);

H. R. 2483. A bill for the relief of Giacomo Bartolo Vanadia (Rept. No. 2396);

H. R. 2500. A bill for the relief of Stanislaw Majzner (alias Stanley Maisner) (Rept. No. 2397);

H. R. 2794. A bill for the relief of Mrs. Claire Godreau Daigle (Rept. No. 2398);

H. R. 3384. A bill for the relief of John B. Daniel, Inc. (Rept. No. 2367);

H. R. 3388. A bill for the relief of Louie Ella Attaway (Rept. No. 2399);

H. R. 3447. A bill for the relief of Maria Paccione Pica (Rept. No. 2400);

H. R. 3507. A bill for the relief of Major Elias M. Tsougranis (Rept. No. 2401);

H. R. 3520. A bill for the relief of Mrs. Erna Rosita Pont (formerly Erna Rosita Michel) (Rept. No. 2402);

H. R. 3665. A bill for the relief of Marko Ribic (Rept. No. 2403);

H. R. 3750. A bill for the relief of Inge Beckmann (Rept. No. 2404);

H. R. 3874. A bill for the relief of Roberto Johnson (Rept. No. 2405);

H. R. 4426. A bill for the relief of Andrew Paulette Quatrehomme and her child (Rept. No. 2406);

H. R. 4437. A bill for the relief of Louise Rank (Rept. No. 2407);

H. R. 4522. A bill for the relief of Petrus Van Keer (Rept. No. 2408);

H. R. 4815. A bill for the relief of Alexander Petsche (Rept. No. 2409);

H. R. 4908. A bill for the relief of Pietro Petralia (Rept. No. 2410);

H. R. 5119. A bill for the relief of Augusta Oppacher Bialek (Rept. No. 2411);

H. R. 5459. A bill for the relief of Takeko Ishiki (Rept. No. 2412);

H. R. 5553. A bill for the relief of Dr. Lu Jen-lung (Rept. No. 2413);

H. R. 5749. A bill for the relief of Maria Teresa Lubiat (Rept. No. 2414);

H. R. 6266. A bill for the relief of Frank Robert Gage (Rept. No. 2415);

H. R. 6355. A bill for the relief of Elena Scarpetti Savelli (Rept. No. 2416);

H. R. 6442. A bill for the relief of Tamiko Fujiwara (Rept. No. 2417);

H. R. 6498. A bill for the relief of Elfriede Lina Avitable, nee Roser (Rept. No. 2418);

H. R. 6752. A bill for the relief of Mrs. Maria Giuseppa De Lisa Quagliano (Rept. No. 2419);

H. R. 6762. A bill for the relief of Mrs. Irmgard (Chrapko) Broughman (Rept. No. 2420);

H. R. 6858. A bill for the relief of Mrs. Efthemia Soteralis (Rept. No. 2421);

H. R. 7031. A bill for the relief of Mrs. George A. Meffan (Rept. No. 2368);

H. R. 7033. A bill for the relief of Mrs. Anna J. Weigle (Rept. No. 2422);

H. R. 7151. A bill for the relief of Mazal Kolman (Rept. No. 2423);

H. R. 7217. A bill for the relief of Astor Vergata (Rept. No. 2424);

H. R. 7581. A bill for the relief of Gaetano Conti (Rept. No. 2425);

H. R. 7829. A bill for the relief of Shimasoi Michiko (Rept. No. 2426);

H. R. 7834. A bill for the relief of Erika Schneider Buonasera (Rept. No. 2427);

H. R. 7938. A bill for the relief of Miss Martha Heuschele (Rept. No. 2428);

H. R. 7947. A bill for the relief of Mrs. Erika (Hohenleitner) Stapleton (Rept. No. 2429);

H. R. 8065. A bill for the relief of Carlos Francisco, Manriqueta Mina, and Roberto Mina Ver (Rept. No. 2430);

H. R. 8183. A bill for the relief of Elfriede Ida Geissler (Rept. No. 2431);

H. R. 8244. A bill for the relief of Mrs. Dorothy Nell Woolgar Allen (Rept. No. 2432);

H. R. 8375. A bill for the relief of Ilse Radler Hughes (Rept. No. 2433);

H. R. 8424. A bill for the relief of Mrs. Else Johnson (Rept. No. 2434);

H. R. 8554. A bill for the relief of Maria M. Khoe (Rept. No. 2435);

H. R. 8557. A bill for the relief of Ezio Bertoni (Rept. No. 2436);

H. R. 8936. A bill for the relief of Dana Evanovich (Rept. No. 2437);

H. R. 9029. A bill for the relief of Paul James Patrie (Rept. No. 2438);

H. R. 9496. A bill for the relief of Elisabeth Hoeft (Rept. No. 2439);

H. R. 9512. A bill for the relief of Mrs. Franziska (Han) Rigau (Rept. No. 2440); and

H. R. 9953. A bill for the relief of Mr. Fu-Ho Chan, Mrs. Fu-Ho Chan, and their child, Richard Chan (Rept. No. 2441).

By Mr. LANGER, from the Committee on the Judiciary, with an amendment:

S. 1345. A bill for the relief of certain Palestinian Arab refugees (Rept. No. 2442);

S. 1504. A bill for the relief of the estate of Rev. Pang Wha Il (Rept. No. 2369);

S. 1892. A bill for the relief of Hildegarde Hiller (Rept. No. 2443);

S. 1920. A bill for the relief of Ashley G. Ogden (Rept. No. 2370);

S. 3362. A bill for the relief of Osker Aszmoneit (Rept. No. 2444);

S. 3602. A bill for the relief of Mrs. Hannah Mae Powell (Rept. No. 2371);

H. R. 1461. A bill for the relief of Kenneth McRight (Rept. No. 2372);

H. R. 2781. A bill for the relief of Nicholas Matook (Rept. No. 2373);

H. R. 3014. A bill for the relief of Dr. Alfred L. Smith (Rept. No. 2374);

H. R. 3232. A bill for the relief of Dennis F. Guthrie (Rept. No. 2375);

H. R. 3446. A bill for the relief of Mrs. Emily Wilhelm (Rept. No. 2376);

H. R. 3756. A bill for the relief of Allen Pope, his heirs or personal representatives (Rept. No. 2377);

H. R. 4281. A bill for the relief of Mr. and Mrs. Thomas V. Compton (Rept. No. 2378);

H. R. 6529. A bill for the relief of Raleigh Hill (Rept. No. 2445); and

H. R. 9357. A bill for the relief of S. H. Prather, Mrs. Florence Prather Penman, S. H. Prather, Jr. (Rept. No. 2379).

By Mr. LANGER, from the Committee on the Judiciary, with amendments:

S. 684. A bill for the relief of Ernest B. Sanders (Rept. No. 2380);

S. 1342. A bill for the relief of Palestinian Arab refugees (Rept. No. 2446);

S. 1343. A bill for the relief of certain Palestinian Arab refugees (Rept. No. 2447);

S. 2203. A bill for the relief of certain Palestinian Arab refugees (Rept. No. 2448); and

H. R. 1107. A bill for the relief of the J. A. Vance Co. (Rept. No. 2381).

By Mrs. SMITH of Maine, from the Committee on Government Operations, with an amendment:

H. R. 9835. A bill to provide for the termination of Government operations which are in competition with private enterprise (Rept. No. 2382).

By Mr. MARTIN, from the Committee on Public Works, with an amendment:

S. 1042. A bill to abolish the Commission for the Enlarging of the Capitol Grounds (Rept. No. 2449).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HICKENLOOPER:

S. 3851. A bill to provide rewards for information concerning the illegal introduction into the United States, or the illegal manufacture or acquisition in the United States, of special nuclear material and atomic weapons; to the Joint Committee on Atomic Energy.

(See the remarks of Mr. HICKENLOOPER when he introduced the above bill, which appear under a separate heading.)

By Mr. McCLELLAN:

S. 3852. A bill for the relief of Gerda Irmgard Kurella; to the Committee on the Judiciary.

By Mr. DOUGLAS:

S. 3853. A bill to provide for the relief of droughts in the United States; to the Committee on Interior and Insular Affairs.

By Mr. SMITH of New Jersey:

S. 3854. A bill for the relief of Young Bae Kim; to the Committee on the Judiciary.

By Mr. STENNIS:

S. 3855. A bill for the relief of certain dependents of the late James Anderson O'Donnell, lieutenant (junior grade), United States Naval Reserve; to the Committee on the Judiciary.

REWARDS FOR INFORMATION ON SPECIAL NUCLEAR MATERIAL AND ATOMIC WEAPONS

Mr. HICKENLOOPER. Mr. President, I introduce for appropriate reference, a bill to provide rewards for information concerning the illegal introduction into the United States or the illegal manufacture or acquisition in the United States, of special nuclear material and atomic weapons. This bill provides that rewards and other benefits will be available to aliens who give information about atomic weapons for introduction into or for use against this country.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 3851) to provide rewards for information concerning the illegal introduction into the United States, or the illegal manufacture or acquisition in the United States, of special nuclear material and atomic weapons, introduced by Mr. HICKENLOOPER, was received, read twice by its title, and referred to the Joint Committee on Atomic Energy.

PRINTING OF ADDITIONAL COPIES OF HEARINGS ENTITLED "COMMUNIST PROPAGANDA"

Mr. JENNER submitted the following resolution (S. Res. 311), which was referred to the Committee on Rules and Administration:

Resolved, That there be printed for the use of the Senate Committee on the Judiciary 20,000 additional copies of the hearings entitled "Communist Propaganda," held before a subcommittee of the above committee during the 83d Congress.

HOUSE CONCURRENT RESOLUTION REFERRED

The concurrent resolution (H. Con. Res. 218) favoring the waiver of State residence requirements in elections of Federal officials, was referred to the Committee on Rules and Administration.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Appendix, as follows:

By Mr. BEALL:

Digest of the tax-revision bill, H. R. 8300.

OPPOSITION TO COMPULSORY INCLUSION OF MEMBERS OF LEGAL PROFESSION IN SOCIAL-SECURITY COVERAGE

Mr. NEELY. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the minutes of the meeting of the executive council of the West Virginia Bar Association, held on the 16th day of July 1954, in opposition to compulsory inclusion in the social-security coverage of members of the legal profession.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION OF THE WEST VIRGINIA BAR ASSOCIATION

The following is an excerpt from the minutes of the meeting of the executive council of the West Virginia Bar Association, held on July 16, 1954:

"Upon motion of Mr. James, seconded by Mr. Scherr, this council records its opposition to compulsory inclusion in the social-security coverage of members of the legal profession and reiterates its former resolution approved at its meeting of March 13, 1954, that such inclusion be only on a voluntary basis."

Teste:

J. ROSS HUNTER, Jr.,
Executive Secretary-Treasurer, the West Virginia Bar Association.

The PRESIDING OFFICER. Is there further morning business?

If not, morning business is closed.

AGRICULTURAL ACT OF 1954

The Senate resumed the consideration of the bill (S. 3052) to encourage a stable, prosperous, and free agriculture, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Vermont [Mr. AIKEN], to the committee amendment on page 24.

The time is controlled, under the unanimous-consent agreement.

Mr. AIKEN. Mr. President, I yield myself 10 minutes, in which to explain this amendment to the committee amendment.

Mr. President, this amendment to the committee amendment, which I submit on behalf of myself and 6 of my colleagues on the Committee on Agriculture and Forestry, would strike from the committee amendment section 204, on page 24. That provision reads as follows:

SEC. 204. Title III of the Agricultural Act of 1949, as amended (7 U. S. C. 1447–1449), is amended by adding at the end thereof a new section as follows:

"SEC. 304. Notwithstanding the foregoing provisions of this title price support shall be made available to producers for the 1955 and 1956 crops of oats, rye, barley, and grain sorghums at not less than the level the Secretary shall determine is the feed-value equivalent ratio to the support level for corn."

Mr. President, this provision of the committee amendment should be deleted. Not only is it unworkable, but it is impractical and unwise. I do not know how the Department of Agriculture would administer it.

Mr. President, the reason why this provision of the committee amendment is unsound is that, first, it would make price support mandatory for these products, but would not require the use of acreage allotments. Thus, these commodities would have a status preferable to that for corn. Criteria other than feed value should continue in use as a determinant of price-support levels, as at present, under my amendment.

Second, feed is only 1 use for these 4 small grains. The estimated percentage of the crop of these grains used for feed in 1953–54, is as follows:

Eighty-eight percent of the corn crop is used for feed.

Eighty-eight percent of the oats crop is used for feed.

But only 49 percent, or less than one-half, of the barley crop is used for feed.

Seventy-six percent of the crop of grain sorghums goes into feed.

But only one-third, or 33 percent of our production of rye goes into feed.

Third, price supports for corn in the noncommercial areas are 75 percent of the support level in commercial areas. It is inappropriate to tie support prices for the feed grains, wherever grown, to the level of price supports for corn grown in the commercial areas. Only a part of the feed grain is produced within the commercial corn area.

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The various percentages of these feed grains produced within the commercial corn area are as follows:

Sixty percent of the oats are produced within the commercial corn area.

But only 45 percent, or less than one-half, of the rye is produced within the commercial corn area.

Twenty percent of the barley is produced within the commercial corn area.

Twenty percent of the grain sorghums are produced within the commercial corn area.

Mr. President, if we base the supports for these four small grains on, and tie them to, the feed value of corn within the commercial corn area, the following changes would occur:

At present, these feed grains are supported at 85 percent of parity. But the actual support of barley in 1954 was $1.15 a bushel. If this provision remains in the committee amendment and is enacted into law, tying the support price of barley to the present support price for corn grown within the commercial corn area, will make the support rate for barley $1.31 a bushel.

In the case of grain sorghums, the increase would be from $2.28 per 100 pounds to $2.89.

In the case of oats, the increase would be from 75 cents to 81 cents a bushel.

In the case of rye, the support price would drop from $1.43 to $1.38 a bushel.

If we go outside the commercial corn area and still tie the support for these small grains to the support given to corn in those areas, we find that a vastly different set of support levels will be in effect.

If it is the intention to provide two levels of price supports for oats, barley, rye, and grain sorghums, in a manner similar to the two-price support levels for corn, that would mean that outside the commercial corn area, the minimum level for rye would be lowered from the present support of $1.43 a bushel to $1.03 a bushel.

In the case of oats, the support price would be lowered from the present 75 cents a bushel to 61 cents a bushel; in the case of barley, from $1.15 to $1.08 a bushel; and in the case of grain sorghums, from $1.28 to $1.21 a bushel.

Since a large percentage of these four small grains is raised outside the commercial corn area, the net result would be to lower generally their price supports from the present levels. If these four small grains are supported outside the commercial area at the level of corn inside the commercial corn area, the result will be that these grains will be treated on a much different basis from that on which corn outside the commercial corn area is treated.

From what I have just set forth, it is quite obvious that this provision of the committee amendment is highly ambiguous and is impossible of rational administration. The confusion is greatly multiplied by the fact that no provision for production controls is provided in order to keep supplies in line with demand.

Mr. President, we know that this year the planting of barley on acres diverted from other crops has increased approximately 50 percent, as compared with the planting last year. In other words, we should not control the acreage planted to corn and let the acreage planted to oats, barley, rye, and grain sorghums run wild.

Mr. President, I think this is a prime example of the lack of wisdom in trying to operate our economic system by means of rigid political formulas. Supply and demand relationships are constantly changing. Prices reflect these changes. A frozen pattern, such as the one proposed in this section of the committee amendment, would seriously impair the economic workability of the signals of price which are needed by both producers and consumers.

Mr. President, I should like to point out what a small percentage of the farmer's total income is derived from these small grains. The following figures are based on the 1953 crop. Oats account for only three-fourths of 1 percent of the total farm income. Barley accounts for only fifty-five one-hundredths of 1 percent of the farmer's income. Grain sorghums account for only three-tenths of 1 percent of the total farm income. Rye accounts for only six one-hundredths of 1 percent of the total farm income.

These crops are, to a large extent, fed on farms where grown, rather than sold. Since sales are few, price support is not of major consequence, but some of these crops—oats in particular—are produced in large quantities.

If the support price for corn happened to be high, the Commodity Credit Corporation would acquire very large stocks of these feed grains, particularly as the committee amendment provides for no additional production controls.

Formidable administrative problems would be encountered because of conflicting crop years. Considerable quantities of barley and oats are sold in the fall. If section 204 were enacted it would be necessary to determine the support price for the corn crop 8 months before the corn crop was planted. It would be administratively unworkable.

I hope the Senate will accept the amendment which will delete section 204 from the bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Vermont [Mr. AIKEN] for himself and other Senators, to the committee amendment.

Mr. ELLENDER. Mr. President, will the Senator from Vermont yield for a question?

Mr. AIKEN. I yield.

Mr. ELLENDER. Is it not a fact that the small grains to which the Senator has referred have been supported by the Government in the past?

Mr. AIKEN. At present they are supported, I believe, at 85 percent of parity, which is as fair a level of support in relation to the support given to corn and other grain as the Department has been able to work out.

Mr. ELLENDER. The support is now permissive, and this amendment would make it mandatory, would it not?

Mr. AIKEN. That is correct; without any provisions for control of acreage.

Mr. YOUNG. Mr. President, I rise——

The PRESIDING OFFICER. The Senator from Texas [Mr. JOHNSON] has control of the time.

Mr. YOUNG. Mr. President, will the Senator yield me some time?

Mr. JOHNSON of Texas. How much time does the Senator desire?

Mr. YOUNG. Five minutes or less.

Mr. JOHNSON of Texas. I yield 10 minutes to the distinguished Senator from North Dakota.

Mr. YOUNG. Mr. President, I rise in support of a substitute I shall offer. I think that in his Kasson, Minn., speech, President Eisenhower made his position very clear with respect to support prices for oats, barley, rye, and soybeans. I do not have the text of that speech before me at the moment, but in it he was very specific in saying that these commodities should have the same price protection as that accorded major farm commodities. He did not say basic farm commodities, but he said major farm commodities. I should say that among the major farm commodities which are supported at 75 to 90 percent are dairy commodities, and basic farm commodities, supported at 90 percent of parity. The provision of the bill seeks to give them the same type of price support they have not, except that it is optional with the Secretary, and I propose to make it mandatory.

These feed grains are supported with corn on a feed ratio basis. I do not think that the support level would be changed one iota, except that it would be mandatory instead of optional.

I should hope, Mr. President, in view of the very fine statement made by President Eisenhower, which has never been contradicted by Secretary Benson or anyone else, that the Senate would very happily accept and approve my amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. KNOWLAND. Mr. President, I am about to suggest the absence of a quorum. Apparently the debate has run out. Are both sides willing to yield all time back, or do they desire to reserve 5 minutes so when a quorum is obtained, some time will remain available?

Mr. AIKEN. Yes. The Senator from Texas and I reserve 5 minutes in case of need. Otherwise, I am willing to yield the time back.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Burke	Clements
Anderson	Bush	Cooper
Barrett	Butler	Cordon
Beall	Byrd	Crippa
Bennett	Capehart	Daniel
Bowring	Carlson	Dirksen
Bricker	Case	Douglas
Bridges	Chavez	Duff

Dworshak	Johnston, S. C.	Neely
Eastland	Kefauver	Pastore
Ellender	Kennedy	Payne
Ervin	Kerr	Potter
Ferguson	Kilgore	Purtell
Fulbright	Knowland	Reynolds
George	Kuchel	Robertson
Gillette	Langer	Russell
Goldwater	Lehman	Saltonstall
Gore	Lennon	Schoeppel
Green	Long	Smathers
Hayden	Magnuson	Smith, Maine
Hendrickson	Malone	Smith, N. J.
Hennings	Mansfield	Stennis
Hickenlooper	Martin	Symington
Hill	Maybank	Thye
Holland	McCarran	Upton
Humphrey	McClellan	Watkins
Ives	Millikin	Welker
Jackson	Monroney	Wiley
Jenner	Morse	Williams
Johnson, Colo.	Mundt	Young
Johnson, Tex.	Murray	

Mr. SALTONSTALL. I announce that the Senator from Vermont [Mr. FLANDERS] is necessarily absent.

The junior Senator from Wisconsin [Mr. MCCARTHY] is absent on official business.

Mr. CLEMENTS. I announce that the Senator from Delaware [Mr. FREAR] and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

The PRESIDING OFFICER. A quorum is present.

The question is on agreeing to the amendment offered by the Senator from Vermont [Mr. AIKEN] for himself and other Senators, to the committee amendment.

Mr. THYE. Mr. President, I have just answered to the quorum call. May we have an explanation of the amendment?

The PRESIDING OFFICER. All time is controlled.

Mr. KNOWLAND. Mr. President, I believe the Senator from Minnesota merely wants to have the amendment explained. Five minutes are reserved on each side of the question for that purpose.

Mr. THYE. I should like to know what we are voting on. I have just answered the quorum call.

The PRESIDING OFFICER. The Secretary will read the amendment.

The CHIEF CLERK. On page 24 it is proposed to strike out lines 4 through 12, inclusive.

Mr. THYE. What does the amendment strike out? Am I to understand that it strikes out mandatory supports for oats, barley, rye, and sorghum?

Mr. AIKEN. That is correct.

Mr. THYE. And soybeans?

Mr. AIKEN. Not soybeans.

Mr. THYE. Just oats, barley, rye, and grain sorghum?

Mr. AIKEN. That is correct. The amendment would strike out section 204 of the committee amendment, which would require mandatory supports for small grains and tie such supports to the feed value of corn.

I pointed out earlier how this provision would be unworkable. There are a commercial and a noncommercial area for corn. Would the support prices for these feed grains be tied to the support price for corn in the commercial area or in the noncommercial area or both? In any event, the proposal of the majority of the committee would reduce the support price for rye from the present one.

I also pointed out that only a small percentage of the farmer's income is derived from these four commodities. I further pointed out that there is no provision for acreage control over these commodities. We already know how rapidly the plantings of barley and other small grains can increase. This provision is not contained in the House bill. I believe it is completely unworkable. Much of our rye is sowed in the fall. Oats also are sowed in the fall. We would have to figure out a support level for corn in order to apply it to those fall-sown small grains. The whole provision is unworkable, and I hope the amendment which I have proposed will prevail.

SEVERAL SENATORS. Vote! Vote!

Mr. JOHNSON of Texas. Mr. President, I yield to the Senator from North Dakota [Mr. YOUNG] 5 minutes.

Mr. YOUNG. Mr. President, as soon as I have an amendment drawn, I shall offer it as a substitute. It would provide mandatory supports for oats, barley, rye, soybeans, and grain sorghums at 75 to 90 percent of parity.

Let me read a statement from the President's Kasson, Minn., speech, and ask my Republican friends to place their own interpretation upon its meaning and intent:

> As provided in the Republican platform, the nonperishable crops so important to the diversified farmer—crops such as oats, barley, rye, and soybeans—should be given the same protection as available to the major cash crops.

The amendment which I shall propose would leave it within the discretion of the Secretary of Agriculture to support these very important commodities at a level anywhere between 75 and 90 percent of parity.

Mr. HOLLAND. Mr. President, will the Senator from North Dakota yield?

Mr. YOUNG. I yield.

Mr. HOLLAND. Does the Senator, in his substitute amendment, provide any machinery for controlling acreage?

Mr. YOUNG. The Secretary of Agriculture has that authority now, and he is doing a pretty good job of limiting the amount of acreage farmers can seed to oats, barley, rye, and other crops. In fact, he has as much or more authority than under the dairy price-support program. There is no effective means, so far as I am able to determine, under which the Secretary can control the production of dairy commodities.

Mr. HOLLAND. Mr. President, will the Senator from North Dakota yield for another question?

Mr. YOUNG. I gladly yield to the Senator from Florida.

Mr. HOLLAND. Is not the total production of the small grains approximately twice the volume of the total production of wheat?

Mr. YOUNG. Let me say to my friend from Florida that the production of oats each year is approximately 1,250,000,000 bushels. Only about 250 million bushels of that total production of oats ever reach the market place. All the rest of it is fed. The 250 million bushels that do reach the market place determine the price for all the rest of it. In the past year we have imported 151 million bushels of oats, barley, rye, and feed wheat.

I have on my desk a letter from a farmer at North Gate, N. Dak., which is on the Canadian border; I should like to read it. The writer points out that there are Canadian trucks backed up at the elevators waiting to get in. They somehow can find storage space and a place to handle Canadian oats, barley, and rye. Ironically, at the same time United States farmers who are required to reduce their production cannot even get their grain in.

There is presently no surplus of oats or of barley. The next crop looks pretty good. We import practically the whole Canadian crop of rye. These crops are very important to this Nation. We are not asking for 100 percent support; we are not asking mandatory 90 percent support, but we are asking for those crops the meager protection to which they are entitled. We seek the protection for these crops which the President of the United States very plainly indicated they should have in his Kasson, Minn., speech.

Mr. SCHOEPPEL. Mr. President, will the Senator from North Dakota yield?

Mr. YOUNG. I yield.

Mr. SCHOEPPEL. Did I correctly understand the Senator to say that under his amendment it would be discretionary with the Secretary of Agriculture whether he would support these commodities at from 75 to 90 percent?

Mr. YOUNG. That is correct. Let me again read from the President's speech. Will any Senator on the floor say it means anything other than what I have interpreted it to mean? I read:

> As provided in the Republican platform, the nonperishable crops so important to the diversified farmer—crops such as oats, barley, rye, and soybeans—should be given the same protection as available to the major cash crops.

Mr. President, I wrote to Secretary Benson twice and tried to get his interpretation of that statement. I always believed that after a campaign Members of Congress should try to carry out the campaign promises by the introduction and passage of bills to fulfill commitments. So, believing in that very strongly, I wrote to Secretary Benson shortly after this Congress convened and asked him for his interpretation. He has refused to give it to me in writing.

Mr. SCHOEPPEL. I should like to ask the Senator from North Dakota a further question. Does the Senator envision within his amendment the discretion which should be exercised by the Secretary of Agriculture, namely, to establish acreage controls on these crops, and, if necessary, to establish marketing quotas?

The PRESIDING OFFICER. The time of the Senator from North Dakota has expired.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KNOWLAND. As I understand, the Senator from North Dakota has an

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amendment to offer. I suggest that if he offers his amendment there will be, under the provisions of the agreement, an hour of debate on each side on his amendment.

The PRESIDING OFFICER. That is correct, if he offers the amendment.

Mr. YOUNG. Mr. President, I send to the desk and ask to have stated an amendment which is offered on behalf of the Senators from Minnesota and myself, and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from North Dakota for himself and other Senators to the committee amendment.

The LEGISLATIVE CLERK. It is proposed, in lieu of the language on page 24, lines 4 through 12, inclusive, to insert the following:

SEC. 204. (a) Title II of the Marketing Act of 1949, as amended, is further amended by adding at the end thereof a new section as follows:

"SEC. 202. The Secretary is authorized and directed to make available through loans, purchases, or other operations price support to producers of oats, barley, rye, soybeans, and grain sorghums at a level not in excess of 90 percent nor less than 75 percent of the parity price therefor."

(b) The amendment made by this section shall be effective with respect to 1955 and succeeding crops.

Mr. YOUNG. Mr. President, I yield myself 5 minutes.

Mr. KNOWLAND. The Senator has an hour.

Mr. YOUNG. I should like to answer the question posed by my good friend from Kansas [Mr. SCHOEPPEL], namely, whether it is possible to control the acreage of these crops. First, may I point out that we have mandatory supports on dairy commodities yet there is no provision to control effectively the production of dairy commodities. Presently farmers are required to limit their acreage next year on the commodities affected by the present amendment. The Secretary of Agriculture is now exercising his authority to limit farmers with respect to these crops.

Mr. KNOWLAND. Mr. President, will the Senator from North Dakota yield?

Mr. YOUNG. I yield.

Mr. KNOWLAND. Merely for the purpose of clarification, I read from the amendment of the Senator from North Dakota, section 202, as follows:

SEC. 202. The Secretary is authorized—

And I call the Senator's particular attention to the words—

and directed to make available through loans, purchases, or other operations price support to producers of oats, barley, rye, soybeans, and grain sorghums at a level not in excess of 90 percent nor less than 75 percent of the parity price therefor.

(b) The amendment made by this section shall be effective with respect to 1955 and succeeding crops.

I am merely asking the question for clarification, to determine whether or not the Senator would be satisfied with the language "the Secretary is authorized," leaving out the words "and directed," because, as I understand the Senator, this was to be permissive, and not mandatory. If the words "and directed" were included, would that not, with respect to other nonbasic crops, place the Secretary in a position where he would have the authority to provide price supports, but would not be directed to do it?

If the Senator were willing to accept the modification I suggest, and if the situation is as I have indicated, the Secretary would have authority under other sections of the law to impose acreage restrictions and, as I understood the Senator to say, there is, in his judgment, such authority. Then I think there would be an entirely different situation.

I am concerned about the words "and directed," which I think go beyond the stage of permissiveness. In fact, I think they would be mandatory, which is not the case with respect to other nonbasics, other than as is specifically provided by Congress.

Mr. YOUNG. No. I remind my friend that there are support prices for dairy commodities.

Mr. KNOWLAND. I am speaking about other nonbasic agricultural commodities.

Mr. YOUNG. Until recently there have been mandatory supports for tung nuts, mohair, wool, and many other commodities.

I may say that the words "and directed," are exactly what I desire to have in the amendment. I think the President himself promised such a provision in the last campaign. Furthermore, there are many rumors to the effect that the Secretary of Agriculture intends to eliminate price supports for these commodities entirely. Presently the support level for most of these commodities is near 85 percent of parity. I am not saying that they should be mandatory at 85 percent; I am leaving that to the discretion of the Secretary. He can reduce them below the present level if circumstances make it necessary. They have been maintained on that basis for 6, 8, or 10 years; perhaps longer. I am not seeking to change the present program for these commodities, except to make certain that there will be supports in the future. If the administration believes the supports should be continued and if the administration denies that they will be discontinued, then there should be no objection to this amendment.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. YOUNG. I yield.

Mr. AIKEN. First, I wish to say there is absolutely nothing to the rumors referred to by the Senator from North Dakota to the effect that the Secretary plans to drop supports for these commodities. The rumors are a part of a deliberate propaganda campaign to embarrass the Secretary and to rouse to a fighting pitch the farmers of the Dakotas, Minnesota, and that area.

Let me call the Senator's attention to section 302.

Mr. YOUNG. First, let me answer the Senator.

Mr. AIKEN. Supports are mandatory now on these grains.

Mr. YOUNG. No; they are not mandatory. If they were mandatory, what objection would the Senator have to the amendment?

Mr. AIKEN. Section 302 of the Agricultural Act of 1949 reads as follows:

Without restricting price support to those commodities for which a marketing quota or marketing agreement or order program is in effect, price support shall, insofar as feasible, be made available to producers of any storable nonbasic agricultural commodity for which such a program is in effect and who are complying with such program. The level of such support shall not be in excess of 90 percent of the parity price of such commodity.

Mr. YOUNG. I should like to answer the later statement first, and also the other question raised by the Senator from Vermont. It has always been my interpretation, and the interpretation of every Solicitor of the Department of Agriculture, that the present support program for these commodities is optional with the Secretary of Agriculture.

I am very happy to have the assurance of the Senator from Vermont, who is chairman of the Committee on Agriculture and Forestry, that there is no intention to delete this important part of the price-support program. The rumors, by the way, did not come from North Dakota. My friend, the Senator from Vermont, thinks that whenever rumors arise they come from North Dakota. The rumors came from farm group representatives in Washington.

I wish the Secretary of Agriculture would reassure the farmers of the Nation that he has no intention of lowering the support levels or of deleting them.

Mr. AIKEN. I do not think he can under the law because if the Senator will read title 3 of the act of 1949, he will find this provision:

Price support shall, insofar as feasible, be made available to producers of any storable nonbasic agricultural commodity for which such a program is in effect and who are complying with such program.

Mr. YOUNG. "If it is feasible." But the Secretary can say that price supports are not feasible, and can eliminate the supports entirely. Those words indicate very plainly that supports are entirely optional. The Secretary could find that they were not feasible, if he wished to. Anyway, if my friend from Vermont is correct, what is his objection to the amendment?

Mr. AIKEN. The act of 1949 contains a table providing a minimum support level for storable nonbasics from 90 to 75 percent; and then there is a proviso which might permit the Secretary to go below 75 percent, which reads as follows:

Provided, That the level of price support may be less than the minimum level provided in the foregoing table if the Secretary, after examination of the availability of funds for mandatory price-support programs and consideration of the other factors specified in section 401 (b), determines that such lower level is desirable and proper.

In other words, if there were not enough money to support everything, then the basic commodities would have preference. But if the money were available, the Secretary would be supporting other commodities already at between

75 and 90 percent, if they were storable—and all the commodities we are discussing are storable.

I do not know that the Senator's amendment would change the law at all, except that the present law says that if the Secretary runs out of funds, the basic commodities shall have preference.

Mr. YOUNG. I do not think there is any danger of the Secretary running out of funds. I remember last June, when the Department of Agriculture wanted to raise the borrowing authority of the Commodity Credit Corporation.

The PRESIDING OFFICER. The time of the Senator from North Dakota has expired.

Mr. YOUNG. I yield myself 10 additional minutes.

I remember when there was a rush to increase the borrowing authority to $8,500,000,000. I believed there was an emergency. I believed the Secretary. I was one of those who really worked to get the increased borrowing authority through Congress. My friend, the distinguished Senator from Delaware [Mr. WILLIAMS], did not think there was any need for it. I think he proved to be right. I do not believe that any of that borrowing authority was used.

Only recently the Department of Agriculture has been urging another increase of $1,500,000,000 to bring the borrowing authority up to $10 billion. Certainly, in view of the present crop conditions, that is entirely unnecessary. I do not think the administration will be found pushing it at all.

I think my amendment is entirely in order. If it is not in line with the Republican pledges in the last campaign, I wish some Senator would rise and tell me so. If I am misreading the Kasson, Minn., speech, I wish some Senator would rise and tell me how I am misreading it. If I am not misreading it, then I think it is time that the Republican Party kept one or two of its campaign pledges.

Mr. SCHOEPPEL. Mr. President, will the Senator yield?

Mr. YOUNG. I yield.

Mr. SCHOEPPEL. Again, as I understand the able Senator from North Dakota, he recognizes that if the prices are supported permissively under his amendment, and if the production should reach such a quantity that, in the judgment of the Secretary or those in charge of the enforcement of the program, it became necessary to impose acreage quotas or marketing quotas, then the Senator would recognize that that would be an order, and would have to be done. That would put the supports on the same basis as those for wheat.

Mr. YOUNG. The Senator has been a great advocate of flexible supports. This is flexibility. He has contended that flexibility would take care of the surpluses of corn and wheat. Is the Senator worrying about surpluses of these commodities when, after 10 or 12 years, we do not have surpluses, but, in fact, have shortages at present?

Mr. SCHOEPPEL. I am in sympathy with what the Senator from North Dakota is attempting to do. I assure him that I am; but I also want to be sure that the record will be clear as to what is proposed to be done. It might become necessary for the producers of these commodities to know that they could still have imposed on them acreage quotas and marketing quotas, the same as is the case with wheat. Those are things I wanted to be sure were crystal clear if we moved into such a program, so that there would be no misunderstanding.

Mr. THYE. Mr. President, will the Senator yield?

Mr. YOUNG. Let me first yield to the Senator from Vermont.

Mr. AIKEN. I do not see that the Senator's proposed amendment changes the practical effect of the present law, except insofar as the present law provides that if there is not money enough to go around, it will be necessary to reduce or eliminate price supports for nonbasics, because the basics would have first call on the money.

I should like to ask the Senator from North Dakota if he agrees that the present law does give the Secretary authority to require compliance with acreage allotments and controls in return for price supports. If the Senator does agree that the Secretary has authority to require compliance with acreage allotments, I would have no objection to the amendment.

Mr. YOUNG. I take it that the Secretary does have such authority.

Mr. AIKEN. This year, when large acreages were diverted from cotton and wheat, we found an increase in oats of 106.7 percent, in barley of 151 percent, in rye of 123.4 percent, and in sorghum of 149.1 percent above last year.

Mr. YOUNG. I understand the Secretary does have authority to control production.

Mr. WILLIAMS. Mr. President, will the Senator yield?

Mr. YOUNG. I yield to the Senator from Delaware.

Mr. WILLIAMS. I understand that under the existing law the Secretary has the authority to fix supports, but it is not mandatory. Under the proposed amendment, it would be mandatory that the Secretary fix supports at from 75 to 90 percent. Is that correct?

Mr. YOUNG. Yes.

Mr. WILLIAMS. The amendment of the Senator from North Dakota would make mandatory that which the Secretary merely has discretionary authority to do under the law. Is that correct?

Mr. YOUNG. Yes.

Mr. AIKEN. Mr. President, I would have no objection to the amendment of the Senator from North Dakota if I were sure that the Secretary now has full authority to require compliance with acreage allotments in return for price supports. I would, however, like to have the opinion of the Senator from New Mexico [Mr. ANDERSON] as to whether he believes the Secretary now has authority to require compliance.

Mr. ANDERSON. Mr. President, I should like to speak to the question after the Senator from North Dakota has completed his remarks, but the Secretary of Agriculture quite obviously does not have control over marketing quotas. He may be able to stretch the law so as to apply it to acreage allotments, but not to marketing quotas.

Mr. THYE. Mr. President, will the Senator yield?

Mr. YOUNG. I yield to the Senator from Minnesota.

Mr. THYE. If we are to have a program that is administratively possible, the Secretary of Agriculture must be given the opportunity to control the diverted acres, and he must have the authority to control the number of acres planted to oats, barley, rye, and even to soybeans and flax. Unless the Secretary is given such authorization, it will do little good to restrict the numbers of acres devoted to wheat or corn in the northern regions if at the same time, in the delta areas of the Southern States, corn can be planted, because by using irrigation methods on that land farmers can produce more corn per acre than can be produced in the North. Therefore, the amendment of the Senator from North Dakota, which I am cosponsoring, would give some control over the diverted acres, and some control over the number of acres planted to oats, barley, and rye. Only in that manner can there be a program under which it will be administratively possible to control the overall production. If barley and oats are allowed to be overproduced, they will become competitive with corn, and as a result we will find corn cribs sealed up, and oats and barley going into feed rations not only for hogs, but in some instances for poultry and beef cattle.

Therefore, the amendment of the Senator from North Dakota, making it mandatory, and discretionary within the limits provided to fix support prices at between 75 and 90 percent of parity, is absolutely sound. It would give the Secretary authority to limit the number of acres planted to those crops mentioned in the amendment. Unless such authority is put into the law, it will not be administratively possible to function under the law, and it will not be possible to control the surpluses. Senators who have any knowledge of planting should know that. If Senators do not have that knowledge, they are working in a vacuum of misunderstanding.

Mr. YOUNG. Mr. President, the existing law is so strict that I cannot plant any more rye on diverted acres than the Secretary allows me to. Likewise, I cannot plant any more barley, oats, or many other crops than the Secretary permits me to plant.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. YOUNG. I yield to the Senator from California.

Mr. KNOWLAND. I am merely trying to get some light on the subject in the hope that a satisfactory area of agreement may be reached. I understood the Senator to say that the amendment would fix the full range of supports at between 75 and 90 percent of parity. Is that correct?

Mr. YOUNG. That is correct.

Mr. KNOWLAND. Within that range, the Secretary would have discretion to fix the support prices. Is that correct?

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Mr. YOUNG. He would have complete discretion.

Mr. KNOWLAND. Secondly, it is my understanding that in the event the price support should be put into effect, there is now in the law sufficient authority to give the Secretary discretion to impose acreage limitations. From the explanations which have been made, I am not clear as to whether the Senator's statement applied only to acreage limitation, in the event a farmer went out of production of wheat, as an example, and into the production of some of the other named commodities, or whether, once having put the support into effect, the Secretary would have the authority to impose acreage limitations on new acres or acreage which had never been planted to wheat, but had been planted to various other commodities mentioned in the amendment of the Senator from North Dakota.

I think if the Senator can clear that up and agree that the Secretary definitely would have authority to impose acreage limitations on nonformer wheat acreage in the same manner in which he may apply limitations on, we will say, wheat, then we shall have clarified at least one basic point at issue.

Mr. YOUNG. I am advised by counsel for the Senate Committee on Agriculture and Forestry, that the Secretary now has authority to control production of such commodities, both for reasons of price support and for cost compliance.

Mr. KNOWLAND. I do not have a copy of the amendment of the Senator from North Dakota before me, because he has just offered it, but, for the purpose of making a record of its legislative history, I should like to have the Senator state whether his reply applies to each and every one of the commodities which is now included in his amendment.

Mr. YOUNG. I understand that it includes oats, barley, rye, soybeans, and grain sorghums. Most of those commodities are now supported at 85 percent, or near parity.

Mr. KNOWLAND. I understand that, but I was impressed as well by the statement of the Senator from Kansas [Mr. SCHOEPPEL], who raised a question as to whether this was to become a directive, so to speak, though the option existed as between 75 and 90 percent. The Senator from Kansas wished to be satisfied that the law would provide that the Secretary would have the same power of acreage limitation he has in the case of the basic commodities, once supports are given to these commodities, for each and every one of them.

If the Senator from North Dakota can assure the Senate, the Secretary would have that authority, so that the legislative history will be complete and cannot be challenged, then I think we shall have at least the facts upon which the Senate can vote.

Mr. YOUNG. I wish to assure my friend from California the Secretary would not have the full authority he has on the basic commodities. On the basic commodities the Secretary can ask for acreage allotments or quotas. The Secretary would not have the same authority in the case of these commodities as he would have in the case of the basic commodities, at least as to quotas. The same is also true with regard to many other commodities which are now being supported, such as wool.

Mr. KNOWLAND. Let me say I have been quite impressed with the reading by the Senator of the President's speech at Kasson, Minn., in relation to the treatment of certain specified commodities in the same manner the basic commodities are treated.

I submit, as a matter of equity and fairness, that if the Senator is going to rely upon the Kasson speech those commodities should be treated in a comparable fashion with the basic commodities.

The Senator from North Dakota should be prepared to take the other side of that coin, so to speak, and should be prepared to permit these commodities which are going to be covered on an optional basis between 75 and 90 percent also to bear the other responsibility; namely, that the Secretary will have the same power as to both quotas and acreage limitations with respect to these commodities that the Secretary has in respect to the basic commodities.

I understand now the Senator from North Dakota does not believe that the Secretary of Agriculture has that authority. Would the Senator from North Dakota be prepared to accept an amendment which would carry out both the implied and apparently the express statement of the President that those commodities would be treated on a comparable basis with the basic commodities; which would require, it seems to me, at least the same power as to both acreage limitations and quotas?

Mr. YOUNG. Mr. President, I desire to comment upon that matter. We have been talking about flexible price supports.

The PRESIDING OFFICER. The time of the Senator from North Dakota has expired.

Mr. YOUNG. I yield myself 10 minutes more.

For many months the proponents of flexible price supports have been proclaiming to the public that flexible price supports will solve the surplus problem, that there would be no surpluses if we only had flexible price supports.

We are not asking for rigid price supports by this amendment. We are adhering to the principle of flexible price supports, which the proponents of such price supports claim will take care of the surpluses.

The Secretary of Agriculture has full and complete authority to eliminate price supports or to require strict controls on production if he desires. I am not willing to permit any more regimentation, unless the Senator from California [Mr. KNOWLAND] is willing to apply that same regulation to dairy commodities and to other commodities. If the Senator from California desires to apply that principle straight across the board, I would be willing to consider his proposal. Otherwise I would not.

Mr. President, on July 1 of this year the expected carryover of oats was estimated at 240 million bushels. In 1953 the carryover was 254 million bushels. In 1952 it was 283 million bushels. The carryover is about the same amount now, if not less, than it was in any year since 1945.

The expected carryover of barley is 70 million bushels. We had a carryover of 100 million bushels in 1949. This carryover is approximately at the same level it has been for many years.

Mr. President, in conclusion I should like to read a letter which has a lot of meaning in it. I hope the Senators will listen to it.

This year we imported 151 million bushels of oats, barley, and rye.

The letter I desire to read, which was published in the Minot Daily News of August 5, 1954, was written by a farmer who lives at Northgate, a town on the border of Canada:

EDITOR, THE NEWS:

Being a farmer in the Northgate territory (a border town), I have witnessed thousands of bushels of Canadian grain coming across the border. Now they tell me that we have to cut down on our seeding acreage, and to prepare to store our 1954 crops in bins on our farms, because we have such a surplus.

I would like to know what goes on with the allotment program concerning wheat acreage and so on.

We are to cut down on rye acreage next year, and yet we let millions of bushels be imported from Canada. Why should we have to take care of Canada's surplus, when we have no room for our own? The grain coming across, too, takes up the space in elevators that we should have, and will need badly, if this crop comes through, and yet Mr. Benson tells us there is no room to store our grain, and we will have to cut down on seeding next year.

There is grain stored on farms from last year, and some in poor bins, but if you go to the elevator and try to get rid of it, they tell you they can't take it, but at the same time there is a line of Canadian trucks 80 rods long loaded with grain, coming to our elevators; they find a place to ship this.

Doesn't it look like we farmers in the United States of America should be first with our crops?

I believe his request is very reasonable.

Mr. HUMPHREY. Mr. President, will the Senator from North Dakota yield some time to me?

Mr. YOUNG. I yield 5 minutes to the Senator from Minnesota [Mr. HUMPHREY].

Mr. HUMPHREY. I should like to say a few words on the amendment offered by the Senator from North Dakota [Mr. YOUNG] of which I am proud to be a sponsor.

The provision in the pending bill, S. 3052, to my mind, should prevail as legislative policy. That provision relates the feed grains which have been mentioned—particularly oats, barley, rye, and grain sorghums—to the price support level of corn, on the basis of the feed value equivalent. Simply put, that means the price support levels of these alternate feed grains, which are interchangeable with corn as a feed grain, shall be related directly to the price support level of corn, which is a basic commodity.

It is true at the present time that the Department of Agriculture, in setting the

price supports for the so-called feed grains, gives a great deal of consideration to the feed value equivalent compared with corn. That is one of the major factors which is used to establish the price-support level to be accepted by the Secretary of Agriculture for the so-called feed grains.

The amendment of the Senator from Vermont [Mr. AIKEN] would strike from the bill section 204, which relates to these feed grains. The amendment would strike out that section completely, retaining the provisions of law presently written. The law as presently written is now operated on the basis of what we call the modernized parity formula, which, within itself, has reduced the cash price supports for feed grains.

The provision of the bill, which was adopted by a majority of the committee, would relate the cash price on feed grains to the support price on corn, on an equitable basis. In other words, we cannot use the old parity formula on one commodity and the new parity formula on another commodity without having some gross discrepancies.

What the language of the committee bill would do is to place all these commodities on a uniform standard and use as the common denominator the feed value equivalent.

Such a procedure is plain good sense. After all, anybody who knows the difference between a bucket of oats and a corncob must be aware that there is a feed value relationship between these respective grains. As has been pointed out on the floor, we have to watch what the price adjustments are, or else we are going to have one commodity all sealed up in storage bins because of a more favorable price under the loan program, and the other commodities being sold in the cash market and flooding the market.

The purpose of the provision in the committee bill was to make the appropriate adjustments. More than that, I think the purpose of the committee bill was to tell the Secretary of Agriculture very frankly what the standards would be for setting the price of these grains on the price-support program.

It might be said, "There is wide discretionary authority under the present legislation. Why do we need new legislation?"

I am going to be very honest. I do not trust the Secretry of Agriculture. I frankly do not put any faith in what the Secretary is going to do.

There is wide discretion under the present law, literally from zero to 90 percent. The Senator from Vermont [Mr. AIKEN] says that with respect to feed grains the present law is in essence mandatory. I ask the Senator from Vermont, if the provisions of law are mandatory why are they not under those sections of the bill which provide for mandatory price supports?

The present agricultural legislation, the act of 1949, has a section called Mandatory Price Supports.

Included in mandatory price supports are those basic commodities; included in mandatory price supports are dairy products, 75 to 90 percent. The feed grains are included under that section of the bill which covers discretionary authority.

I have no faith in the discretionary authority of the present Secretary of Agriculture. He has already proved to me beyond shadow of a doubt that he is primarily interested in lowering feed costs. He is primarily interested in lowering agricultural prices. He is primarily determined to lower agricultural income.

I will say for the Secretary that he is blunt about it. He says he thinks the farmers ought to have a little downward adjustment. He looks upon price supports as a sort of emergency exit for farmers. He has a kind of "parachute" philosophy of agricultural economics. In other words, if everything blows up and it looks as if there is to be general disaster, he will provide some sort of little parachute for the farmer possibly to glide, without too much disaster to him individually, into the bottom of the valley. I have no faith in that kind of philosophy. I would be less than candid with my colleagues and with myself if I did not say so.

Moreover, I have looked at the charts which the Secretary of Agriculture sent in. In those charts he tried to point out how small a proportion of agricultural income came from the so-called basic commodities. The purpose of those charts was to tell the Members of the Senate——

The PRESIDING OFFICER. The time of the Senator from Minnesota has expired.

Mr. HUMPHREY. My I ask for additional time?

Mr. YOUNG. How much additional time does the Senator wish?

Mr. HUMPHREY. Ten minutes.

Mr. YOUNG. I yield an additional 10 minutes to the Senator from Minnesota.

Mr. HUMPHREY. The purpose of those charts was to show to Members of the Senate that such a small amount of agricultural income came from the basics that there was no use becoming excited over 90 percent price support upon those commodities. But, Mr. President, I noticed in those charts that the Secretary of Agriculture did not suggest a program which would strengthen the price supports upon the so-called nonbasic commodities.

As has been related on the floor, the President of the United States, as a candidate, promised that the nonperishable crops would be given the same protection as that available to the major cash crops. Frankly this amendment should read "from 82½ to 90." That is the same kind of protection.

If there is real concern as to whether the pledges were tacit, as I heard the majority leader say a while ago, that concern went out the window yesterday by the action of the Senate. Let not the mantle of purity and political integrity be picked up at this date in the Senate by the majority leader and others. We threw that off by a majority vote in the Senate yesterday.

When we speak of feed grains we are talking about a great share of agricultural income; we are talking about thousands of farmers.

I have in my hand a listing of the respective States of the Union which produce a substantial or major part of the feed grain production in this Nation. For example, the State of Minnesota produced 1,742,000 bushels of rye in 1952; of oats, we produced 204,555 bushels; of barley, we produced 28,400 bushels; of soybeans, 21,945,000 bushels. The figure on soybeans has gone up since that time, because there is more shifting to soybean production.

In other States a comparable situation is found. Nebraska produced 46,626,000 bushels of oats, and Kansas produced 18,142,000 bushels of oats and 18,536,000 bushels of grain sorghums.

One can go from State to State and find that the feed grains account for a good part of the cash income and, of course, a very substantial part of the feed that is used on the farm for the purposes of cattle production, livestock, and pork production.

So the purpose of the committee bill was to stabilize the price relationships. That is the only way any reasonable control can be exercised over the balance of production or a balance afforded in production among these alternate feed grains.

The amendment which the Senator from North Dakota [Mr. YOUNG] offers is but an attempt to rescue something. It is an attempt to get something better than we now have. It should be done on the basis of the feed value equivalents of the respective grains as related to the feed value of corn, which is the basic commodity and basic feed. That is the way in which the program ought to be operated.

Very little argument to the contrary can be produced. Those who have studied this picture on the basis of scientific objectivity, those who have looked at it as producers, as feeders, as scientists, as economists, will agree with the position taken by the junior Senator from Minnesota, namely, that the feed value equivalent related to corn should be the basis of price support.

We now have the amendment of the Senator from North Dakota to amend the amendment of the Senator from Vermont [Mr. AIKEN]. The purpose of the amendment of the Senator from North Dakota and the purpose of those of us who are joining with him is to see to it that the Secretary is at least restricted between the 75- to 90-percent parity figures, so he will not go away down the ladder on the first excuse, so he will at least have to make his discretionary authority operate within those limited confines.

I think the Senator from North Dakota answered all questions, insofar as controls are concerned, when he pointed out that those who argue for flexible price supports think they have the "miracle cure" for surplus production. This is some kind of new—what did they call the old medicine shows they used to have? It is like the old liniments. Ward's liniment was the name I was trying to think of. I remember that we used to have Ward's liniment on the shelves in the drugstore. I can still see it. Ward's liniment was sold for everything from dandruff to warts. It cured

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one of everything from influenza down to Bright's disease. That may be compared to what are called flexible price supports. Just name the problem in agriculture and apply those simple words, "flexible price supports," and the difficulty all evaporates.

While Ward's liniment was a fine product in a drugstore, on which the druggist made a reasonably good profit, I am here to say, as one who spent a little time in that field, that it did not perform all the miracle cures claimed, but it did have a certain amount of psychological value because of its presence.

Mr. KERR. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. KERR. Did the Senator ever hear of Hadacol?

Mr. HUMPHREY. Yes; I have heard of that, too.

Mr. KERR. I should like to say it promised even more and delivered less than flexible price supports.

Mr. HUMPHREY. I thank the Senator. I have heard that Hadacol, however, did deliver some pretty good monetary rewards, even if it did not deliver the cure, without any reference to the quality of the product.

Finally, I hope that the legislative interpretation of the amendment of the Senator from North Dakota [Mr. YOUNG] would include what are now the present standards for adjusting price-support levels on feed grains. I recall that when we debated and argued, in the Senate committee, over the committee language in S. 3052, the majority bill, we pointed out then that one of the standards the Secretary used to establish price supports for feed grains, and possibly the most important standard, was the feed value equivalent to that of corn. I wish to make sure that that is included in the general legislative history. I have heard nothing which would deny that it was being included, but we want to make sure that the Secretary is not just again playing a game of arithmetic, but rather, is trying to relate this to the problem of agricultural economics and the problem of production.

Mr. President, I ask unanimous consent to have a statement which I have prepared upon mandatory supports for feed grains included at this point in the RECORD, along with a number of tables which apply to the committee bill as well as to the amendment which is before the Senate. Along with those are included tables which relate to the acreage and farm value of different feed crops in several States of the Union in the year 1952.

There being no objection, the statement and accompanying tables were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HUMPHREY ON MANDATORY SUPPORTS FOR FEED GRAINS

On September 6, 1952, at Kasson, Minn., the then Republican candidate for President declared:

"As provided in the Republican platform, the nonperishable crops so important to the diversified farmer—crops such as oats, barley, rye, and soybeans—should be given the same protection as available to the major cash crops."

Section 204 of the farm bill would make good that promise.

It provides mandatory rather than discretionary price support through 1956 for producers of oats, rye, barley, and grain sorghums.

It links the support levels for these alternative feed supplies to the support level for corn, on the basis of the feed-value ratio.

I believe this is the fairest and soundest method of determining the support level for these competitive feed grains, to keep from upsetting normal and proper marketing relationships between them.

We have seen how easily marketing conditions could be upset by distorting price relationship between commodities that compete with each other. The most recent example is the relationship between cottonseed and soybeans, where I regret to say that there is evidence of the Department of Agriculture playing one against the other to the detriment of both.

Feed grains are used interchangeably. The feed-value equivalent seems the logical way to establish and maintain proper price relationships.

If the Department of Agriculture does not now have adequate statistical evidence to support findings on feed value equivalents, it should have. I regret to say that there have been too many indications of the Department acting arbitrarily in setting support levels on some of these commodities without due regard to the effect it would have on the competing commodities.

Perhaps we need some feeding experiments conducted by our agricultural experiment stations under various conditions in various areas to properly determine the feed value relationship between these feed grains upon which a proper ratio of price-support levels could be established. By placing responsibility upon the Department of Agriculture to use the feed value equivalent as the basis of determining the support level, I believe we are quite properly calling for establishment of such standards, even if they must be achieved on an experimental basis subject to adjustment on the basis of actual feeding tests.

Failure to provide better assurance of support for these commodities in any farm bill coming out of this Congress would be breaking President Eisenhower's promise. There were no "ifs," "ands" or "buts" about this promise. We need to adopt this section to make good that promise, and take this phase of the support program away from the arbitrary discretion—or indiscretion—of the Secretary of Agriculture.

The view of the minority of the committee against the feed grains provisions raises the question if the feed grains provision of the bill sets different support levels for the secondary feed grains inside and outside the commercial corn area. The answer to that question is that the intent of the provision is to establish supports for the secondary grains at not more than 90 percent of old parity formula price, as is established for corn in existing legislation, and not less than a feed value equivalent level to the level at which corn is supported within the commercial corn area.

The producers of the secondary feed grains and the farm organizations who represent them have never accepted the validity of the rollback or so-called modernized parity formula in its application to these commodities. The theory of the rollback formula is that the 10-year moving average gadget will cause calculated parity prices to move toward some kind of normal or free market price reflecting underlying changes in supply and demand forces. This concept itself is, in the first place, inconsistent logically with the equity content of the parity idea. The rollback feature means that when a commodity gets into trouble and needs price support assistance the formula works year after year for 10 years to bring about a lower parity price, and thereby a lower support level.

The theory of the rollback idea was that while years of lower prices would pull down the parity level, on the other hand, years of higher prices would pull parity back up. But in the case of these secondary feed grains, the formula has not worked out that way. Imports from Canada combined with special efforts of the Government to encourage increased production in war years have both worked to hold down prices in years of scarcity and to make prices lower than they would otherwise be even in low price years. Thus the so-called modernized formula had only one way to work—that is to push down the parity price year after year.

If farmers had not been encouraged by the Government to grow ample supplies of oats, rye, barley, and grain sorghums, the market prices of these commodities would have been considerably higher during the Korean war than they were. It was in the national interest and in the best interest of the free world that increased supplies of these important grains were produced. But, and for that very reason, we should not allow some automatically operating mathematical gadget in our price-support laws to penalize the farmers who reacted so patriotically to the national need.

Every time in the past few years that oats, barley, rye, or grain sorghums prices started to rise and thus incorporate higher market prices in the 10-year moving average of the so-called modernized parity formula, a flood of imports from Canada would drive the price back down. Yes, we should have an internationalist foreign policy. But I don't think the entire cost of an intelligent foreign policy should be charged to the producers of the feed grains by the mechanical operation of the 10-year moving average in the rollback parity formula or any other way except through means shared by all the people. These Canadian imports come in and prevent the free market price of these grains from rising as the theory supposed they would.

1953 IMPORTS OF CANADIAN GRAINS

	Oats	Barley	Rye	Feed wheat	Total
January	7,062,659	1,411,042	470,984	836,950	9,781,635
February	4,449,013	782,024	None	291,913	5,522,950
March	2,729,313	205,589	416,946	381,775	3,733,623
April	6,703,271	3,354,364	1,524,475	343,542	11,925,652
May	6,525,091	2,388,231	991,387	625,342	10,530,051
June	4,439,337	1,548,875	522,394	486,852	6,997,458
July	6,938,999	2,148,529	502,048	352,280	9,941,856
August	6,871,017	4,221,222	1,307,091	11,090	12,410,420
September	6,923,396	4,205,322	2,371,316	12,297	13,512,331
October	9,889,841	4,360,311	824,673	6,500	15,081,325
November	13,657,860	6,173,325	4,398,389	729,495	24,959,069
December	10,214,830	4,005,559	2,537,225	321,506	17,079,120
Total	86,404,627	34,804,393	15,866,928	4,399,542	141,475,490
In bond Jan. 1, 1954	6,768,484	2,723,645	762,000	(1)	(10,254,129)

[1] Not available.

1954 IMPORTS OF CANADIAN GRAINS

	Oats	Barley	Rye	Feed wheat	Total
January	1,705,169	298,627	56,111	472,302	2,532,209
February	1,910,557	713,342	695,045	177,234	3,496,178
March	1,741,655	598,241	221,471	174,274	2,735,641
April	3,642,150	2,945,063	554,113	682,327	7,832,653
Total	8,999,531	4,555,273	1,526,740	1,506,137	16,587,681
May [2]	4,500,000	3,400,000	----------	600,000	8,500,000
June [2]	3,000,000	2,500,000	----------	800,000	6,300,000
Total	16,499,531	10,455,273	1,526,740	2,906,137	31,387,681
In bond July 2, 1954	----------	19,000	3,228,000	347,000	3,594,000

[2] Preliminary, based on Canadian reports of United States imports.

CANADIAN VERSUS UNITED STATES GRAIN

It is reasonable to asume that every bushel of Canadian feed grain replaced United States grain in domestic consumption causing CCC to take over an equivalent amount under price-support programs.

The following table shows the country warehouse cost for handling and storage of an equivalent amount of grain the first year. If the grain has to be moved to terminal storage, there would be additional costs for weighing, inspection, and transportation.

Oats	102,904,158×15.4 cents=	$15,847,240.33
Barley	45,249,666×20.8 cents=	9,411,930.53
Rye [1]	20,621,668×21.3 cents=	4,392,415.28
Feed wheat	7,305,679×22.3 cents=	1,629,166.42
Total	176,081,171	31,280,752.56
Storage cost per month		2,606,729.38
Storage cost per day		86,890.98

[1] Includes rye in bond, July 1, 1954.

Aside from the Government requests for increased production in wartime and the Canadian imports, other factors have intervened to prevent the transitional parity from achieving a fair balance.

During every crisis such as wartime price ceilings have been invoked at 100 percent of parity. As a result, with no opportunity for periods of high prices to offset periods of low prices, the only direction the 10-year moving-average could go is down.

Thus so-called modernized parity for these products has been constantly down, prevented by wartime demands and good international policy from rising as in theory they were supposed to do. The result is that all of the forces are tending to drive down the modernized parity price of these commodities toward zero. The report of the majority of the Committee on Agriculture shows what has happened to the so-called effective parity prices of these commodities. Barley parity dropped from the $1.73 per bushel level to $1.36; oats from $1.12 to 88 cents per bushel; rye, $2.02 to $1.71, and grain sorghums from $3.39 per hundredweight to $2.54.

Secretary Benson's action dropping the supports of three of these grains by another 5 percent from 1953 to 1954 will have the effect for the next 10 years of still further reducing the so-called modernized parity price. It will be 1966 before the depressing effect of his action of reducing supports for 1954 will have worked itself out of the 10-year moving acreage.

Because these commodities have already been on rollback parity ever since 1949 the minority view is able to attempt ridicule instead of stable argument to oppose the support levels the majority has recommended for the secondary feed grains in this bill. They point out that the levels we urge are above 90 percent of the new parity formula. What they don't point out is that the proposed levels vary between 68 and 90 percent of the true parity price of these commodities. What they don't point out is that while they propose to hold corn at the old parity price, they attempt to force the other feed grains into accepting a secondary position because these grains have already been put on the sliding parity formula. Since all of these feed grains compete in the market with corn, and in many areas compete for land, capital, and labor resources common sense requires that support levels of the different feed grains be kept in a reasonable relationship to each other.

This is what the proposal of the majority of your committee has recommended. A pound of meat, or milk, or eggs is just the same regardless of which kind of grain the livestock ate. I understand the animal is just as happy. The meat is just as valuable, and scientific feeding ratios considered, the different feeds are worth just as much for feed.

I am not opposed to firm adequate supports for the so-called basic commodities. I feel that we must provide that. But I do want to say this. Any product that a farm family produces is a basic to that family. The farmer that depends for his income upon the production of rye or oats or grain sorghums is as dependent upon the prices and income from his commodities as are the producers of dairy products, cotton, wheat, or any other of the so-called basics. And whether there are 10,000 or 1 million farmers in total who produce that commodity makes no real difference in that regard.

This body has already acted to extend 100 percent of parity price supports to the producers of wool. And I am for that, particularly since the supports will be carried out by means of production payments to farmers. My point is that there are few if any more wool producers than there are producers of oats, barley, grain sorghums, and rye.

The present law provides mandatory supports for tung nuts. There are more rye producers in my State than there are tung-nut producers in the entire United States. And I favor price supports for tung-nut producers and for peanut producers, but there are more feed-grain producers in the great Northwest States, than there are peanut producers in the Southern States. I favor adequate supports for the secondary feed grains for the same reasons I favor supports for wheat, cotton, corn, tobacco, rice, peanuts, dairy products, tung nuts and honey—all of which have mandatory supports in the existing law.

There are broad areas in this country where different ones of the secondary feed grains are as important within that area as any of the so-called basics are on a nationwide basis.

The 1950 Census of Agriculture reported 157,000 commercial farms in Minnesota. The same census shows that 122,000 farmers produce oats, 39,000 produce barley, and 9,000 produce rye.

In Nebraska there were 100,000 commercial farms and 60,000 oats producers; 10,000 barley producers; and 6,000 rye producers. In Kansas 112,000 commercial farms and 40,000 oats producers; 8,000 producers of barley. In Iowa almost as many farmers produce oats as produce corn. The same is true of Illinois. There are 71,000 oats producers in Indiana and 5,000 producers of rye. There are 24,000 oats producers in Texas. There are 35,000 oats producers in Ohio. There are more oats producers in Missouri than there are wheat producers.

In many of these States and others the acreage of land devoted to these secondary feed grains is a sizable proportion of the total cropland harvested figure. I ask unanimous consent to insert in the RECORD these tables of Census Bureau figures showing the acreage harvested, the production in bushels, the number of farms producing, and the number of commercial farms in selected States. These tables prove conclusively that the feed grains covered by this provision recommended by the majority of your Committee on Agriculture are very important in the farm situation in various States:

Acreage and farm value of different field crops in Minnesota, 1952

[Agricultural statistics, 1953]

	Acreage harvested for grain	Production (bushels)
Wheat	1,076,000	16,998,000
Rye	129,000	1,742,000
Corn	5,281,000	266,690,000
Oats	5,245,000	204,555,000
Barley	1,136,000	28,400,000
Sorghum for grain	(1)	(1)
Soybeans for beans	1,155,000	21,945,000
Flaxseed	1,048,000	10,845,000
Feed grains other than corn	6,510,000	231,697,000
Soybeans and flaxseed	2,203,000	32,790,000

[1] Not available.

NUMBER OF FARMS THAT PRODUCED DIFFERENT FIELD CROPS, 1949

[United States census]

Corn for grain		123,211
Sorghum for grain		21
Wheat		41,382
Oats, threshed		132,311
Barley, threshed		38,925
Rye, threshed		8,763
Flaxseed, threshed		50,802
Soybeans, for beans		34,334
Cropland harvested, 1949	acres	19,709,121
Total commercial farms		157,239

Acreage and farm value of different field crops in Nebraska, 1952

[Agricultural statistics, 1953]

	Acreage harvested for grain	Production (bushels)
Rye	170,000	1,700,000
Corn	7,080,000	261,960,000
Oats	2,454,000	46,626,000
Barley	172,000	3,440,000
Sorghum for grain	97,000	2,231,000
Feed grains other than corn	2,893,000	53,997,000

NUMBER OF FARMS THAT PRODUCED DIFFERENT FIELD CROPS, 1949

[United States census]

Corn for grain		87,235
Sorghum for grain		4,514
Oats, threshed		59,784
Barley, threshed		10,144
Rye, threshed		5,639
Cropland harvested, 1949	acres	19,406,990
Total commercial farms		99,934
Cottonseed production		(1)

[1] Not available.

Acreage and farm value of different field crops in Kansas, 1952

[Agricultural statistics, 1953]

	Acreage harvested for grain	Production (bushels)
Wheat	14,649,000	307,629,000
Rye	42,000	462,000
Corn	2,720,000	59,480,000
Oats	885,000	18,142,000
Barley	96,000	1,333,000
Sorghum for grain	1,324,000	18,536,000
Soybeans for beans	640,000	7,360,000
Flaxseed	7,000	38,000
Feed grains other than corn	2,337,000	38,473,000
Soybeans and flaxseed	647,000	7,398,000

NUMBER OF FARMS THAT PRODUCED DIFFERENT FIELD CROPS, 1949

[United States census]

Corn for grain		62,014
Sorghum for grain		34,635
Wheat		87,782
Oats, threshed		40,216
Barley, threshed		8,098
Rye, threshed		1,838
Flaxseed, threshed		1,492
Soybeans for beans		10,693
Cropland harvested 1949	acres	21,493,734
Total commercial farms		112,338

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Acreage and farm value of different field crops in Iowa, 1952

[Agricultural statistics, 1953]

	Acreage harvested for grain	Production (bushels)
Wheat	163,000	3,579,000
Rye	7,000	108,000
Corn	10,903,000	697,792,000
Oats	6,182,000	216,370,000
Barley	23,000	690,000
Sorghum for grain	(1)	(1)
Soybeans for beans	1,474,000	37,587,000
Flaxseed	40,000	540,000
Feed grains other than corn	6,212,000	217,168,000
Soybeans and flaxseed	1,514,000	38,127,000

[1] Not available.

NUMBER OF FARMS THAT PRODUCED DIFFERENT FIELD CROPS, 1949

[United States census]

Corn for grain	181,847
Sorghum for grain	89
Wheat	16,389
Oats, threshed	164,423
Barley, threshed	1,695
Rye, threshed	1,800
Flaxseed threshed	4,119
Soybeans for beans	56,112
Cropland harvested, 1949 acres	22,547,337
Total commercial farms	187,702

Acreage and farm value of different field crops in Illinois, 1952

[Agricultural statistics, 1953]

	Acreage harvested for grain	Production (bushels)
Wheat	1,810,000	41,630,000
Rye	33,000	462,000
Corn	8,911,000	516,838,000
Oats	3,359,000	124,283,000
Barley	22,000	649,000
Sorghum for grain	(1)	(1)
Soybeans for beans	3,547,000	85,128,000
Flaxseed	(1)	(1)
Feed grains other than corn	3,414,000	25,394,000
Soybeans and flaxseed	3,547,000	85,128,000

[1] Not available.

NUMBER OF FARMS THAT PRODUCED DIFFERENT FIELD CROPS, 1949

[United States census]

Corn for grain	160,618
Sorghum for grain	54
Wheat	55,670
Oats, threshed	113,694
Barley, threshed	2,606
Rye, threshed	3,699
Flaxseed, threshed	(1)
Soybeans, for beans	82,782
Cropland harvested, 1949 acres	20,364,489
Total commercial farms	160,867

[1] Not available.

Acreage and farm value of different field crops in Indiana, 1952

[Agricultural statistics, 1953]

	Acreage harvested for grain	Production (bushels)
Wheat	1,540,000	36,960,000
Rye	47,000	658,000
Corn	4,646,000	232,300,000
Oats	1,416,000	50,268,000
Barley	24,000	648,000
Sorghum for grain	2,000	66,000
Soybean for beans	1,638,000	38,493,000
Flaxseed	(1)	(1)
Feed grains or other than corn	1,489,000	51,640,000
Soybeans and flaxseed	1,638,000	38,493,000

[1] Not available.

NUMBER OF FARMS THAT PRODUCED DIFFERENT FIELD CROPS, 1949

[United States census]

Corn for grain	127,853
Sorghum for grain	65
Wheat	71,580
Oats, threshed	70,708
Barley, threshed	2,136
Rye, threshed	5,066
Flaxseed, threshed	(1)
Soybeans for beans	53,343
Cropland harvested, 1949 acres	11,000,662
Total commercial farms	123,222

[1] Not available.

Acreage and farm value of different field crops in Texas, 1952

[Agricultural statistics, 1953]

	Acreage harvested for grain	Production (bushels)
Wheat	3,011,000	34,626,000
Rye	27,000	216,000
Corn	2,232,000	41,292,000
Oats	820,000	20,910,000
Barley	60,000	870,000
Sorghum for grain	2,682,000	48,236,000
Soybeans for beans	(1)	(1)
Flaxseed	125,000	1,062,000
Feed grains other than corn	3,589,000	70,232,000
Soybeans and flaxseed	125,000	1,062,000

[1] Not available.

NUMBER OF FARMS THAT PRODUCED DIFFERENT FIELD CROPS, 1949

[United States census]

Corn for grain	146,230
Sorghum for grain	60,710
Wheat	34,227
Oats, threshed	23,996
Barley, threshed	4,578
Rye, threshed	(1)
Flaxseed, threshed	3,860
Soybeans for beans	41
Cropland harvested, 1949 acres	28,107,865
Total commercial farms	226,693
Cottonseed production tons	1,580,000

[1] Not available.

Acreage and farm value of different field crops in Missouri, 1952

[Agricultural statistics, 1953]

	Acreage harvested for grain	Production (bushels)
Wheat	1,199,000	26,378,000
Rye	25,000	300,000
Corn	4,232,000	173,512,000
Oats	1,194,000	26,268,000
Barley	60,000	1,500,000
Sorghum for grain	30,000	540,000
Soybeans for beans	1,724,000	32,756,000
Flaxseed	(1)	(1)
Feed grains other than corn	1,224,000	26,808,000
Soybeans and flaxseed	1,724,000	32,756,000

[1] Not available.

NUMBER OF FARMS THAT PRODUCED DIFFERENT FIELD CROPS, 1949

[United States census]

Corn for grain	138,083
Sorghum for grain	3,317
Wheat	53,549
Oats, threshed	64,425
Barley, threshed	66,306
Rye, threshed	2,712
Flaxseed, threshed	(1)
Soybeans for beans	24,717
Cropland harvested, 1949 (acres)	12,263,847
Total commercial farms	164,600
Total cottonseed production (tons)	168,000

[1] Not available.

Acreage and farm value of different field crops in Mississippi, 1952

[Agricultural statistics, 1953]

	Acreage harvested for grain	Production (bushels)
Wheat	9,000	234,000
Rye	(1)	(1)
Corn	1,721,000	27,536,000
Oats	167,000	6,179,000
Barley	(1)	(1)
Sorghum for grain	(1)	(1)
Soybeans for beans	455,000	6,142,000
Flaxseed	(1)	(1)
Feed grains other than corn	167,000	6,179,000
Soybeans and flaxseed	455,000	6,142,000

[1] Not available.

NUMBER OF FARMS THAT PRODUCED DIFFERENT FIELD CROPS, 1949

[United States census]

Corn for grain	183,713
Sorghum for grain	550
Wheat	376
Oats, threshed	3,517
Barley, threshed	(1)
Rye, threshed	(1)
Flaxseed, threshed	(1)

[1] Not available.

NUMBER OF FARMS THAT PRODUCED DIFFERENT FIELD CROPS, 1949—Continued

Soybeans for beans	4,314
Cropland harvested, 1949 (acres)	6,136,206
Total commercial farms	156,696
Cottonseed production (tons)	755,000

Acreage and farm value of different field crops in Virginia, 1952

[Agricultural statistics, 1953]

	Acreage harvested for grain	Production (bushels)
Wheat	357,000	7,590,000
Rye	16,000	240,000
Corn	958,000	31,614,000
Oats	143,000	4,719,000
Barley	82,000	2,788,000
Sorghum for grain	(1)	(1)
Soybeans for beans	174,000	2,958,000
Flaxseed	(1)	(1)
Feed grains other than corn	241,000	7,747,000
Soybeans and flaxseed	174,000	2,958,000

[1] Not available.

NUMBER OF FARMS THAT PRODUCED DIFFERENT FIELD CROPS, 1949

[United States census]

Corn for grain	103,368
Sorghum for grain	(1)
Wheat	35,434
Oats, threshed	11,462
Barley, threshed	8,085
Rye, threshed	2,438
Flaxseed, threshed	(1)
Soybeans for beans	6,388
Cropland harvested, 1949 acres	3,313,849
Total commercial farms	78,103
Cottonseed production tons	10,000

[1] Not available.

Acreage and farm value of different field crops in Alabama, 1952

[Agricultural statistics, 1953]

	Acreage harvested for grain	Production (bushels)
Wheat	11,000	209,000
Rye	(1)	(1)
Corn	2,388,000	26,268,000
Oats	114,000	3,249,000
Barley	(1)	(1)
Sorghum for grain	11,000	1,176,000
Soybeans for beans	92,000	1,748,000
Flaxseed	(1)	(1)
Feed grains other than corn	125,000	3,425,000
Soybeans and flaxseed	92,000	1,748,000

[1] Not available.

NUMBER OF FARMS THAT PRODUCED DIFFERENT FIELD CROPS, 1949

[United States census]

Corn for grain	169,251
Sorghum for grain	2,355
Wheat	920
Oats, threshed	3,376
Barley, threshed	(1)
Rye, threshed	(1)
Flaxseed, threshed	(1)
Soybeans for beans	1,579
Cropland harvested, 1949 (acres)	5,729,421
Total commercial farms	118,143
Cottonseed production (tons)	356,000

[1] Not available.

Acreage and farm value of different field crops in South Carolina, 1952

[Agricultural statistics, 1953]

	Acreage harvested for grain	Production (bushels)
Wheat	184,000	3,680,000
Rye	7,000	80,000
Corn	1,263,000	18,945,000
Oats	582,000	17,460,000
Barley	18,000	486,000
Sorghum for grain	4,000	74,000
Soybeans for beans	98,000	1,127,000
Flaxseed	(1)	(1)
Feed grains other than corn	604,000	18,020,000
Soybeans and flaxseed	98,000	1,127,000

[1] Not available.

NUMBER OF FARMS THAT PRODUCED DIFFERENT FIELD CROPS, 1949

[United States census]

Corn for grain	113,071
Sorghum for grain	892
Wheat, threshed	18,243
Oats, threshed	19,388
Barley, threshed	2,197
Rye, threshed	630
Flaxseed, threshed	(1)
Soybeans for beans	1,567
Croplands harvested, 1949—acres	3,959,822
Total commercial farms	84,231

[1] Not available.

Acreage and farm value of different field crops in Arkansas, 1952

[Agricultural statistics, 1953]

	Acreage harvested for grain	Production (bushels)
Wheat	22,000	396,000
Rye	(1)	(1)
Corn	929,000	13,935,000
Oats	123,000	3,998,000
Barley	5,000	105,000
Sorghum for grain	10,000	170,000
Soybeans for beans	866,000	13,856,000
Flaxseed	(1)	(1)
Feed grains other than corn	138,000	4,273,000
Soybeans and flaxseed	866,000	13,856,000

[1] Not available.

NUMBER OF FARMS THAT PRODUCED DIFFERENT FIELD CROPS, 1949

United States census]

Corn for grain	96,575
Sorghum for grain	1,263
Wheat, threshed	1,264
Oats, threshed	5,701
Barley, threshed	354
Rye, threshed	(1)
Flaxseed, threshed	(1)
Soybeans for beans	8,396
Cropland harvested, 1949 (acres)	5,930,093
Total commercial farms	113,189
Cottonseed production (tons)	543,000

[1] Not available.

Acreage and farm value of different field crops in Washington, 1952

[Agricultural statistics, 1953]

	Acreage harvested for grain	Production (bushels)
Rye	10,000	100,000
Corn	21,000	1,239,000
Oats	136,000	6,800,000
Barley	84,000	3,024,000
Sorghum for grain	(1)	(1)
Feed grains other than corn	230,000	9,924,000

[1] Not available.

NUMBER OF FARMS THAT PRODUCED DIFFERENT FIELD CROPS, 1949

[United States census]

Corn for grain	1,444
Sorghum for grain	(1)
Oats, threshed	8,055
Barley, threshed	3,315
Rye, threshed	251
Cropland harvested, 1949 (acres)	4,236,705
Total commercial farms	39,355
Cottonseed production	(1)

[1] Not available.

Acreage and farm value of different field crops in California, 1952

[Agricultural statistics, 1953]

	Acreage harvested for grain	Production (bushels)
Rye	8,000	96,000
Corn	78,000	2,730,000
Oats	170,000	5,525,000
Barley	1,497,000	53,892,000
Sorghum for grain	95,000	3,990,000
Feed grains other than corn	1,770,000	63,503,000

NUMBER OF FARMS THAT PRODUCED DIFFERENT FIELD CROPS, 1949

[United States census]

Corn for grain	1,460
Sorghum for grain	1,436
Oats, threshed	2,015
Barley, threshed	10,493
Rye, threshed	(1)
Cropland harvested, 1949 (acres)	7,956,671
Total commercial farms	99,164
Cottonseed production (tons) (1952)	741,000

[1] Not available.

Acreage and farm value of different field crops in Pennsylvania, 1952

[Agricultural statistics, 1953]

	Acreage harvested for grain	Production (bushels)
Wheat	845,000	19,012,000
Rye	12,000	204,000
Corn	1,347,000	66,003,000
Oats	755,000	21,895,000
Barley	148,000	5,476,000
Sorghum for grain	(1)	(1)
Soybeans for beans	19,000	361,000
Flaxseed	(1)	(1)
Feed grains other than corn	915,000	27,575,000
Soybeans and flaxseed	19,000	361,000

[1] Not available.

NUMBER OF FARMS THAT PRODUCED DIFFERENT FIELD CROPS, 1949

[United States census]

Corn for grain	96,681
Sorghum for grain	2
Wheat, threshed	71,097
Oats, threshed	70,693
Barley, threshed	17,464
Rye, threshed	2,426
Flaxseed, threshed	(1)
Soybeans for beans	2,151
Cropland harvested, 1949 (acres)	5,637,292
Total commercial farms	88,319
Cottonseed production	(1)

[1] Not available.

This section of the bill does nothing more than to require the Secretary of Agriculture to put into effect the principles of good administration with respect to price supports for the feed grains. All of these feed grains, including corn, can be used more or less interchangeably in the feeding of livestock and poultry. The livestock or poultry feeder naturally shops around to see which of these grains he can buy at the best bargain in relation to the feeding value. If the price of oats is lower in relation to feed value than corn at the supported market price the feeder will leave corn alone and buy oats. A feeder in the Corn Belt even may well find that he can store his corn under a price-support loan or purchase agreement and buy oats or barley or rye or grain sorghums in the market, if the support programs for these other commodities have allowed the market price to sag below the feeding value equivalent level with corn.

The result should be that when oats are relatively underpriced relative to feeding value in relation to corn, feeders bid up the price of oats and thus its price rises toward the relatively higher supported price of corn. The same situation is true with respect to the other secondary feed grains.

And that would have been the case these past few years except that every time the price of these grains rose a little we received more imports from Canada which served to hold down market prices. One result has been that the market prices of corn have been allowed to sag more than 10 percent below the support level for corn itself, owing to the pressure of these other grains which should have been, but were not, supported at a feeding value equivalent level with the support level for corn.

I am reliably informed that in the 18 months just past a total of 176,081,171 bushels of such grains have been imported into the United States. For the individual grains, these included 102,904,158 bushels of oats, 45 million bushels of barley, and 71 million bushels of rye. All of these imports served to depress the prices of secondary feed grains in the United States. These secondary grains were substituted in the domestic feed-using market for United States-produced corn; and an equivalent amount of corn undoubtedly found its way into the inventory of the Commodity Credit Corporation. A considerable share of the high storage costs that Secretary Benson has gone to such pains to talk about come from this source. Just to store the corn equivalent to these amounts of imported secondary feed grains come to a 1-year total of $31½ million; $2,606,729 per month; $86,890 per day.

This is the kind of pressures that a distorted feed grain support system places upon the price-support program for corn. I have heard that the Department of Agriculture has justified its distortion of the support levels of the different feed grains with the statement that it is more efficient to run the program with corn alone. This causes the entire job of supporting feed grains to fall upon the price-support operation for corn, which is one of the six basics.

Do I need picture for you the political effect of this? This kind of operation allows and encourages the Commodity Credit inventory on corn to build up artificially high. Then corn can be pointed to in alarm, like butter this year, as a program about to break down. Thus corn will be transformed to the political target commodity in 1955. Efforts will be made to remove it as a basic commodity by using the scare tactics that have been employed this year against dairy products.

Conceivably such tactics might work. And corn, like potatoes, might be made an "untouchable." If that happens the whole political structure supporting continued price supports for all the basic commodities as well as the designated nonbasics will be endangered. If corn goes, wheat could not conceivably be held. If corn and wheat go, it would be impossible to maintain the programs for tobacco, peanuts, cotton, and rice. If these were gone is there anyone in this Chamber that thinks that supports for dairy products would be continued?

Let us not kid ourselves, my colleagues. We are dealing here with a carefully designed plan to destroy the price-support program. To stop this attempt we must provide for mandatory supports for producers of the secondary feed grains.

The majority report on this bill shows the manner in which the 1954 supports established by Secretary Benson have distorted support levels in relation to feeding values. Corn is supported at $1.62, although the market price was allowed to sag as low as $1.40. Barley was supported at 80 percent of its parity feeding value equivalent price; oats at 83 percent; rye at 90 percent; and grain sorghums at only 71 percent of its parity feeding value equivalent price.

To argue that the levels we have suggested are too high relative to so-called modernized parity is no argument at all. I wish to read the remarks made by a Southern Congressman, Mr. WHITTEN, of Mississippi, on the floor of the House on this problem:

[From the CONGRESSIONAL RECORD of July 2, 1954, pp. 9633-9634]

"Mr. Chairman, I take this time to point out the difference between modernized parity and the other, or, as described, the old parity formula. Our Republican friends say 'Give us the modernized version.' We hear everybody speak of modernized parity. You know, it sounds nice to say something is modern. Lots of people think it must be good if it is modern.

"I would like to point out to you what is involved in this so-called modernized parity. The regular parity formula is based on an effort, 100 percent of it, to give the farmer the same comparative purchasing power that he had from 1909 to 1914. In order to give

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the farmer that comparative purchasing power that he had in that period, an index is kept of the selling price of various and sundry commodities which he buys and his support varies with the rise and fall of the cost of what he buys. So there is a tie-in on the old parity formula between what other things are costing and what the farmer gets for his commodity.

"What is modernized parity? Modernized parity ties the support program to the average price received by the farmer for the last 10 years. That means that there is no tie-in between the supports he gets and the cost of things he must buy. It does not recognize his costs. I tell you that modernized parity could conceivably, year by year, reduce supports down to where, over a period of years, there would be no support price at all; not only that but his costs could be going just as rapidly or more so in the other direction.

"The record shows that there is real reason to be disturbed about modernized parity, because it ignores rising costs to the farmer. You cannot afford to ignore rising costs. Since 1945 the costs attached to farm commodities from the farmers' hands to the consumer have increased 83 percent. Since World War II we have had 11 freight increases. Steel has gone up a number of times, and so with nearly everything else, and such trend will likely continue."

Mr. WHITTEN's remarks apply directly to this secondary feed grain problem. Let us not be fooled by attempts to ridicule producers of feed grains into taking action that will endanger the entire price-support program for all of the commodities including the six basics and dairy products. To preserve the price-support program from those who seek to destroy it, we must provide mandatory feeding value support levels for the secondary feed grains.

The opposition to firm adequate price-support programs sometimes urges the so-called vast accumulation of surpluses as a major argument against the price-support program. If that is the criterion they want to follow then they will support the majority of your committee and vote for supporting these secondary feed grains. The so-called "surplus" owned by the Commodity Credit Corporation or pledged to it for loans in the case of oats comes to the grand total of equaling a 10-day supply for the Nation's normal domestic consumption and exports; less than 1 day's supply is actually owned by CCC. We have 2 months and 26 days supply of rye held by Commodity Credit Corporation; 1 month and 7 days supply of barley; and 1 month and 12 days supply of grain sorghums. Amounts as low as this can hardly be called burdensome surpluses.

Even the total supply of corn owned by Commodity Credit Corporation and pledged to it for price-support loans on May 31, 1954, was equal only to a 3 months and 1½ days domestic consumption and exports. And remember through this year, corn has been required by administrative rulings to carry almost the entire burden of supporting the entire feed-grain market.

Normal prudence as a Nation would indicate that under present unsettled world conditions, and the risks of hydrogen bombs and biological warfare, we should have a safety reserve stockpile of a full year's needs of these storable commodities. Does it make sense to have only 10 days supply of oats, for example? It is easy to see what has happened. Secretary Benson has set the support levels for corn and rye at their feed value equivalent levels, while lowering the supports for oats, barley, and grain sorghums. As a result Commodity Credit Corporation accumulated supplies of corn and rye, while we have dangerously depleted our supplies of the other feed grains. I do not think we have too much corn on hand for national safety. Certainly no one can say that 10 days supply of oats is a burdensome surplus in the hands of the Commodity Credit Corporation.

Since this is such an important matter, I include in the RECORD at this point in my remarks the following table showing how long the present stocks of commodities of the Commodity Credit Corporation would last if the Nation had to call upon them in event of a catastrophe:

Quantity of commodities pledged for CCC loans and owned by CCC and months and days present supply (as of May 31, 1954) will last, based on 1952 requirements

Commodity	Unit	Total pledged for loans and owned by CCC	Quantity used per month, 1952	Month and days present supply will last, based on 1952 requirements
Corn	Thousand bushels	803,617	[1] 262,743	3 months 1½ days.
Cotton, upland	Thousand bales	7,230	1,015	7 months 3 days.
Peanuts, farmers' stocks and shelled.	Thousand pounds	156,288	[1] 50,620	3 months 2 days.
Rice	Thousand hundredweight	1,372	[1] 3,842	11 days.
Tobacco	Thousand pounds	610,392	170,251	3 months 18 days.
Wheat	Thousand bushels	878,620	84,107	10 months 14 days.
Butter	Thousand pounds	385,364	115,750	3 months 11 days.
Cheese	do	392,276	102,250	3 months 27 days.
Milk, dried	do	644,460	86,250	7 months 14 days.
Honey	do	1,098	23,438	1½ days.
Tung oil	do	28,098	4,274	7 months.
Wool	do	135,475		
Barley	Thousand bushels	28,206	22,830	1 month 7 days.
Beans, dry edible	Thousand hundredweight	2,050		
Cottonseed	Thousand tons	(2)		
Cottonseed meal	Thousand pounds	171,651	440,833	12 days.
Cottonseed oil	do	951,784	113,250	8 months 12 days.
Flaxseed	Thousand bushels	14,882	2,955	5 months 1 day.
Grain, sorghum	Thousand hundredweight	22,052	15,696	1 month 12 days.
Linseed oil	Thousand pounds	43,094	46,083	29 days.
Oats	Thousand bushels	36,778	113,703	10 days.
Rye	do	4,551	1,593	2 months 26 days.
Soybeans	do	2,198	[1] 23,588	2¾ days.

[1] 1951.
[2] Less than a thousand.

The provision requiring that secondary feed grains be supported in relation to the established support level for corn is not a temporary one-shot proposition but established a consistent rule of administration. The support level for oats, rye, barley, and grain sorghums would be established in relation to the support level of corn, whatever the support level for corn may be. The purpose of the provision is to establish the principle that the support levels of all of the feed grains should bear a commonsense relationship to each other. This provision does not establish some particular support level for these four commodities; merely the principle their supports shall be established in relation to corn in the same way that the free market does.

As you will note if you read the minority report itself, in the table on page 62, the market prices of the five feed grains bear a closer relationship to feed value equivalents than do the support levels Secretary Benson established for 1954. Only in the case of grain sorghums 6-year average has the so-called free market price dropped much below a feed value equivalent ratio to corn. Every time that free market prices deviated from feed value equivalents the forces I described earlier went to work to bring them back toward that level. I do not believe all this price instability for the secondary grains is a desirable thing for the producers nor for the feeders nor for the public generally.

Demand for all of the feed grains rises and falls together, not separately as the minority committee contends. These commodities are interchangeable as the price record indicates, and the market prices tend to maintain a feeding value equivalent even when price support levels and imports from Canada cause temporary disjointing. But if support levels of the secondary grains are set below the support level for corn, then corn goes into CCC loans and inventories, while the secondary feed grains go into the market. Economically this could do long-term damage to the market for corn. But, even more important, disjointing secondary feed support levels puts the full burden of feed grains market supports on the corn program, which is one of the keys to maintaining the entire price-support program. If we allow the program to be disjointed so that huge inventories of corn are built up, then we must accept that much more political pressure from the price flexers to fix the price of corn. At the same time, we shall have allowed the flexing forces to bring about income instability among the families of secondary feed grain producers as a byproduct of their attempt to "get" the corn program.

The provision that feed grains be supported at a feed value equivalent level to corn supports would mean that if the support level for corn is flexed, so will be the support level for these other four grains. The bill the Senate is considering assumes the support level for corn will go on the sliding scale after 1955 and that corn parity prices will go on transitional down to modernized parity. If that is the will of the next Congress to allow this "time bomb" to stand, and I hope the next Congress will not, this secondary feed grain provision will allow the level of support for oats, rye, barley, and grain sorghums to fall down the sliding scale and roll back parity right along with corn. I do not think any of these grains should be allowed to take such a loss. But my point is this: The provision now under consideration puts all of the feed grains in the same basket by law, an action that prudent and sensible administration would do anyway. The major effect of the provision to insure the forces inimical to the support program will be unable to use manipulation of grain price supports to discredit the entire support program, as has been apparently attempted in 1954.

The minority of your Agriculture Committee suggest that all eight of the factors in present law should be used rather than feeding value as the criteria for the support levels for the secondary feed grains. This suggestion will not stand up under close inspection.

One of the eight factors is "perishability of the commodity." Certainly oats, barley, rye, and grain sorghums possess storability in the same degree and in the same way

that corn does. Another of the eight factors is availability of funds. It will take less funds to support all of the feed grains in a correct relationship to each other than to put the entire burden of feed-grain supports on the single commodity, corn.

Another of the eight factors is the importance of the commodity to agriculture and the national economy. I find no difference here between these five commodities. Oats, as completely interchangeable as it is with corn, certainly has the same importance, measured in feeding value ratios, pound for pound, as has corn. Each of the dollars earned by farmers growing oats bears the same relationship to farm purchasing power and the national economy as a dollar earned growing corn. There are different types of corn, and the entire price-support program for corn could be destroyed if we allowed each type to be singled out and proved to be unimportant nationally. Yet that is the effect of the minority reasoning, when they say that oats, or grain sorghums, in a feed sense another kind of corn, is unimportant nationally because it is a small proportion of the total feed supply.

The ability to dispose of stocks acquired through a price-support operation is another of the eight factors. Certainly oats, barley, rye, and grain sorghums have this characteristic in the same manner and degree as corn. If corn can be disposed of so can rye, barley, oats, and grain sorghums in relation to feeding value equivalents. Another of the eight factors is the need for offsetting temporary losses of export markets. None of these feed grains enter importantly into United States exports. However, even if they did, the four secondary grains are interchangeable with corn at feeding value ratios.

Ability and willingness of producers to keep supplies in line with demand is another of the eight factors. The bill you are considering now abolishes marketing quotas with respect to corn. The Secretary of Agriculture has already demonstrated in his now well-known regimentation order setting up "cross compliance" and "total acreage allotments" for the entire farm that he already has the authority to limit the production of the secondary feed grains in the same manner that he will have under this bill to regulate the production of corn. Moreover, the bill you are acting on now reiterates and substantiates this authority of the Secretary. So this next year and in all years under this bill, the producers of the four secondary feed grains will be under the same regulations to keep supplies in line with demand as will the producers of corn. The Secretary will have the full authority, which he has already demonstrated that he is quite willing to use in its most stringent form, to control the supplies of rye, oats, barley, and grain sorghums in the same manner that he will control the supply of corn. So there is no difference here.

If secondary feed grains relate to all of the 7 factors, other than feeding-value equivalent, in the same way that corn relates to them, I see no basis for the minority contention that all of those 7, in addition to feeding value, need to be included in the provision we are now discussing. The contention of the minority, since it makes no logical sense, must be psychologically a "dodge" to bring in a lot of verbiage behind which the Secretary of Agriculture can hide when he deviates secondary feed-grain support levels from their feeding-value equivalents to the level of support for corn.

If corn is supported at 90 percent of parity in 1955, the support levels for these other 4 feed grains would be: Oats, 81 cents per bushel; barley, $1.31 per bushel; grain sorghums, $1.62 per hundredweight; and rye, $1.38 per bushel. These support prices are in direct ratio to feeding-value equivalents with the support for corn projected in 1955.

The bill now under consideration would allow corn support price in 1956 to drop to as low as $1.28 per bushel (75 percent of transitional parity price of corn). If the next Congress should allow this to happen to corn, the support levels for the 4 secondary feed grains under this provision now under consideration would drop to: Oats, about 58 cents per bushel; barley, about 94 cents per bushel; grain sorghums, about $1.17 per bushel; and rye, about 99 cents per bushel. By adopting this provision you will not be adopting the principle that their support levels should be kept in an intelligent ratio with corn supports.

I do not want to conclude this statement without calling the Senate's attention to an important consideration that we are apt to overlook in our global considerations at the debating level. That is this. The good farm families in Minnesota and other States that produce rye, oats, barley, and grain sorghums are living human beings who need decent incomes and family purchasing power just the same as the producers of corn. The producers of the secondary feed grains are just as patriotic Americans and depend upon their own work for their living to fully the same extent as do the producers of wool, whom this bill proposes to give price supports of at least 100 percent of parity. Let us not forget the people while we are debating the economics of price supports. Let us not forget that the businessmen on Main Street in areas of Minnesota where rye is a major crop are just as dependent upon good incomes for rye producers as the businessmen on Main Street in parts of Kansas are dependent upon good income from wheat production. Most of the Main Street businessmen of Minnesota know this. I have received many of their letters and petitions and these are in the CONGRESSIONAL RECORD of the past months. The same is true of the wage earners. The wage earners have seen tractor factory payrolls cut, production schedules slowed down, because the producers of rye, oats, barley, and grain sorghums have reduced incomes. The effect here, dollar for dollar, is the same as when wheat or cotton or corn incomes fall.

Mr. HUMPHREY. Finally, Mr. President, I hope every Senator knows what we have been doing during every hour of this debate. We have proceeded step by step, but not with the help of the junior Senator from Minnesota, to cut agricultural income. We have been ignoring the facts of population. We have ignored the growing food needs of this country. There has not been an intelligent speech made on the part of those who support flexible price supports which takes into consideration the need for millions of acres of new land and new crop acres to meet the food needs of America.

By 1960, 175 million Americans will be living in this blessed Republic. There will be 2,700,000 more mouths to feed every year, at a minimum. Think of it, Mr. President.

The only kind of vision I see here is the kind with the eyes in the back of the head, looking to the rear, to the good old days, which were not so "hot" in the first place.

I suggest that the Senate ought to think of itself as young men think of themselves, who have hope and faith in the future, and who can look at little cribs that will be filled. I hope that the love of life has not yet gone out of this Chamber.

There will be over 220 million Americans in this country by 1975, according to the most conservative estimates. There will be 175 million Americans by the time the terms of some of our Members run out after the coming election. By 1960 there will be a minimum of 175 million Americans, in a world in trouble, in a world where Communist forces are taking over the areas of food production right under our very noses.

The PRESIDING OFFICER. The time of the Senator from Minnesota has expired.

Mr. YOUNG. I yield 3 additional minutes to the Senator from Minnesota.

Mr. HUMPHREY. It will be in a world in which the Communist forces are taking over the Rice Bowl of the Indochina Delta, and in which the Communist forces are beginning to understand the application of food to world politics.

The Senate apparently has lost its good judgment. We vote billions of dollars for military assistance, and billions of dollars for defense. Yet here we sit with the greatest asset in the world, food, in a world of hunger, in a world of misery, and in a world of want, and we sit here as though we had been hit on the head with a hammer, not knowing what to do, while we hold in our hands God's greatest blessing, food.

It is that philosophy which is being embraced in this action by Congress on agricultural legislation, and I say it is a philosophy which is a negation of our history, and a negation of our faith in the future.

We are thinking about how to dispose of food, instead of thinking how to help people. We are thinking of how to control a surplus, instead of thinking about what this country is going to do 5 years from now, or 6 years from now, or 10 years from now.

Even if I never get back to the Senate, this will be a dark day in the history of the entire United States. It is a pathetic situation when Members of the Senate do not have the vision to recognize the needs of the future, do not even have faith in the present, and cannot, apparently, accept the challenge of imaginative leadership and use two of the greatest of God's gifts, food and fiber. I am ashamed. I regret what is taking place here. Not only have we ignored our own producers and consumers, but we have abrogated our leadership at home and abroad.

The PRESIDING OFFICER. The time of the Senator from Minnesota has expired.

Mr. AIKEN. Mr. President, I yield 20 minutes to the Senator from New Mexico.

Mr. ANDERSON. Mr. President, I regret that it is the considered judgment of the junior Senator from Minnesota that there has not been an intelligent speech made by those of us who are in favor of flexible price supports which takes into consideration the possibility of a rising population.

For years I have been pointing out, in the Senate and out of the Senate, that the day is not too far distant when we shall need all the agricultural resources

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of the United States. I have been pointing out that some day the population of this country will be such that we will be able to absorb the tremendous quantities of food we are producing, provided science does not keep pace with the increase in population and add tremendous quantities of food which will be produced under new scientific methods to offset the increase in population.

Perhaps our eyes are in the backs of our heads. Perhaps we do not know anything about what is going on in the world.

We might analyze some of the amendments which have been offered to this bill and prove that it is also possible that other people may have made mistakes.

For example, section 304, to which the Senator from Minnesota so strongly referred and of which he so vehemently reminded us and called our attention to, is supposed to stabilize prices, according to the statement of the junior Senator from Minnesota.

I voted against that amendment in committee, and I am glad I voted against it, because it provides that oats, rye, barley, and grain sorghums shall be supported at not less than the level the Secretary shall determine as the feed-value equivalent of the support level for corn.

What is the support level for corn? It is one figure inside the commercial corn areas and 75 percent of that outside the commercial corn areas. Eighty percent of all the barley produced in this country is produced outside the commercial corn areas. In order to stabilize the price, we are asked to fix the feed ratio one way in one area, and 85 percent of the country will have a feed ratio 75 percent less than that.

Let us realize that if we use the support level on corn it will be $1.62 inside the commercial corn area and $1.21 outside the commercial corn area.

There is before the Senate an amendment designed to stabilize prices which directs the Secretary to fix the price on the basis of $1.62 if the oats, rye, barley, and grain sorghums are produced inside the commercial corn areas, but that the Secretary shall support the price at $1.21 if the grains are produced outside the commercial corn areas.

We are told that we are looking out of the backs of our heads when we realize that 60 percent of the oats are produced in the commercial corn areas, that 45 percent of the rye is produced within those areas, and 20 percent of barley and 20 percent of the grain sorghums.

When I first read the amendment, it seemed as though it might be very interesting to my part of the country and to some other parts of the country, because in the case of grain sorghums, which are now being supported at 85 percent, the support level would be raised to 113 percent of parity.

We have heard much talk about equalizing everything. However, who has asked to raise the support level to 113 percent on grain sorghums? No grain-sorghum producer in my State has said he wanted it raised to that amount and no grain-sorghum producer in any area in my State has said he wanted 113 percent of parity. No producer in my State would get 113 percent of parity, because we are outside the commercial corn area. Therefore, a farmer who lives within a commercial corn area will get 113 percent and farmers who live outside a commercial corn area will get 75 percent of that figure in order to stabilize prices in this country.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. HUMPHREY. Does not that 113 percent refer to the modernized parity formula? We have two formulas. One is the corn formula, which is the old formula now in the law, and which will be the law until 1955, and the other is the modernized parity formula, which applies to feed grains. What would be the percentage of parity if the modernized parity program were used across the board as related to corn?

Mr. ANDERSON. Unfortunately, I must take the language of the Senator's amendment, and that is what throws the support price to 118 percent of parity.

Mr. HUMPHREY. Does not the amendment apply to parity programs relating to corn?

Mr. ANDERSON. Yes.

Mr. HUMPHREY. Does not the language also apply in such a manner that it would be uniform across the board?

Mr. ANDERSON. No; it would not be uniform across the board. That is what I have been trying to show. Within the commercial corn area the support price on oats, rye, barley, and grain sorghums would be one thing, and outside the commercial corn area the support price would be 75 percent of that. There is no reason anyone can advance for that sort of discrimination.

Let me turn to the amendment offered by the able Senator from North Dakota [Mr. YOUNG]. He said we had been talking about flexible price supports running from 75 to 90 percent on small grains. We wrote title III of the Agricultural Act of 1949, which authorized the Secretary to make available price supports on nonbasic agricultural commodities up to 90 percent of the parity price. We had complete flexibility. We had it from 0 to 90 percent. What has the Secretary done in the past? He supported grain sorghums from 1940 to 1953. He supported them from 55 percent of parity in 1940 to 85 percent in 1953. The price of grain sorghums is now being supported at 85 percent of parity. So far as I know, the producers are well satisfied with that figure. Seventy-five may be too high; 85 may be too high. Conditions change a great deal.

Oats have been supported from 48 percent of parity to 80 percent of parity. Rye has been supported from 38 percent of parity to 85 percent of parity.

The Secretaries of Agriculture of the United States have had to act upon these things as best they could, trying to find out what was the best thing to do for the agricultural population of the country.

What is wrong with the law the way it is now written? What are we complaining about? To be sure, references have been made to the Kasson, Minn., speech. What did the then candidate of the Republican Party, and now the President of the United States, promise to the farmers of this Nation? He promised that he would try to support the nonbasic commodities in line with the basic commodities, which he did. What has been the result? When we support them at 85 percent of parity, I think he fulfills his platform pledge. Who is complaining about it?

We can get ourselves into all sorts of trouble in connection with these matters. Take, for example, what happened in the case of potatoes. The Secretary of Agriculture had a right to determine eligibility for price supports, and in determining eligibility he could give price support on potatoes, provided the producers kept their supply within reasonable limits. So the Secretary of Agriculture announced that he would apply acreage allotments, but not marketing quotas. There is a difference between the two. When the Secretary said there would be acreage allotments, what did the producers do? They changed the distance between the rows and began using unusual and tremendous quantities of fertilizers and fungicides, and where previously we had had records running from 100 to 200 bushels of potatoes to the acre, we had records of 1,100 bushels to the acre. We could not control the potato situation under those circumstances. Therefore, it was realized that unless we made marketing quotas applicable to the situation we could not control production at all.

It is a wholly different story with reference to corn. It has been pointed out that a large quantity of corn is fed on the farms, but a large percentage of the potato crop is not consumed on the farms.

Mr. AIKEN. Mr. President, will the Senator from New Mexico yield?

Mr. ANDERSON. I yield.

Mr. AIKEN. Did the Senator notice an item in the press 2 or 3 weeks ago to the effect that the barley yield in Loudoun County, Va., was running over 60 bushels to the acre this year?

Mr. ANDERSON. That situation continues to change, and that is why parity is not the finest yardstick in the world. We all recognize that parity is an attempt to find a proper relationship, but it can get all out of kilter.

Here sits the able and genial Senator from Florida [Mr. HOLLAND], who has made a fine speech with reference to the pending measure. Has he ever asked for 90 percent support on citrus fruits? No. Why not? Because the level would run from 30 to 35 or 40 percent. If we tried to place 90 percent supports on citrus fruits, the producers would laugh the Secretary out of office.

Do we need price supports on soybeans? As of June 30, the price of soybeans was 124 percent of parity. Here comes an amendment which would provide for 85 percent or 75 percent, or some other flexible figure, for the producers of soybeans. Have they asked to be dropped to 75 percent? I have not heard of it. Does that measure the market price? Not at all. We do not want to place a limitation that will cause trouble. Prices are supported

under the discretion of the Secretary of Agriculture. Why provide something that is mandatory?

We talk about writing legislation on the floor of the Senate. Title III of the Agricultural Act of 1949 was discussed and debated in committee for weeks, and was debated on the Senate floor day after day; yet the pending amendment would wipe out completely, insofar as oats, rye, barley, soybeans, and grain sorghums are concerned, title III of the Agricultural Act of 1949.

People talk about not doing these things without a hearing. Have the people who produce soybeans and who are now receiving 124 percent of parity been given a hearing where they could indicate whether they want these new mandatory supports? If they have, I have not heard anything about it. We had better be very careful when we start writing this type of legislation on the floor of the Senate.

Reference was made a day or so ago, by the able and distinguished Senator from Florida, to the situation with reference to nonbasic crops, such as oats, rye, and barley. If I remember correctly, the Senator said the total production was something like 2 billion bushels a year, which is twice the production of wheat. He also stated that the stocks in the hands of the Commodity Credit Corporation were only 45 million bushels. I think that is very good evidence that the program has been working all right. Any time we can say that 2 billion bushels a year are produced and that only 45 million bushels are in the hands of the Commodity Credit Corporation, we do not have a very badly administered program.

Mr. HOLLAND. Mr. President, will the Senator from New Mexico yield?

Mr. ANDERSON. I yield.

Mr. HOLLAND. To make the figures specific, I wish to state again that the stocks on hand in the Commodity Credit Corporation, of the more than 2 billion bushels of the small grains which have been produced yearly, were just a little over 2 percent of the annual production, or between 40 million and 45 million bushels, as contrasted with 75 percent of an annual production in the case of wheat, which is roughly 1 billion bushels a year.

Mr. ANDERSON. I think that is a perfect example of what goes on. Seventy-five percent of the annual production of wheat is in the stocks of the Commodity Credit Corporation. Two percent of the annual production of small grains is in the stocks of the Commodity Credit Corporation. The only conclusion I can reach is that the purpose of the amendment is to get more of the small grains into the stocks of the Commodity Credit Corporation.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. HUMPHREY. Would the Senator from New Mexico tell me if in recent years—let us say the past 2 years—there has been any price-support level on small grains below 75 percent of parity?

Mr. ANDERSON. I do not think there has been.

Mr. HUMPHREY. What has been the price-support level? Has it not been from 90 to 85?

Mr. ANDERSON. It has been from 75 to 90.

Mr. HUMPHREY. What was the price support level last year on soybeans?

Mr. ANDERSON. It is 80 percent this year.

Mr. HUMPHREY. Was it not 85 percent last year?

Mr. ANDERSON. It seems to have been 90 percent.

Mr. HUMPHREY. Yet there is a deficit of soybeans, is there not?

Mr. ANDERSON. Yes.

Mr. HUMPHREY. The 90-percent support price did not produce a surplus, did it?

Mr. ANDERSON. No.

Mr. HUMPHREY. What was the price support last year on rye?

Mr. ANDERSON. The reason is that parity does not work properly with every commodity. As I have pointed out many times, 90-percent price supports on dairy products normally will not provide a sufficient milk supply in this country; but a 90-percent support price on eggs will have eggs running out of one's ears. It is not possible to buy all the eggs that will be produced at 90 percent of parity.

Mr. HUMPHREY. That is correct.

Mr. ANDERSON. Therefore, the Secretary is trying to balance these items off. I have not been opposed to support prices on soybeans; neither has the distinguished junior Senator from Minnesota. All I am trying to say is that the program is working reasonably well. I think it is working in accordance with the Kasson, Minn., speech. I am not committed to that speech and I did not vote for the man who made it. But just the same, I believe the Secretary of Agriculture, who did vote for the man who made it, is carrying out the program in good faith. I am satisfied that he is trying to do exactly what was promised to the farmers of the country.

Mr. HUMPHREY. I am merely making the point that the high price support levels, which have been utilized by not only the present Secretary of Agriculture, but by others, on feed grains, have not produced unusual surpluses. What price depression there has been in the market on some of the feed grains has been due to the flood of imports. I think that is a fair statement.

Mr. ANDERSON. I think it is a fair statement. No one has resented the flood of imports more than I have, unless it has been the Senator from North Dakota [Mr. YOUNG]. The senior Senator from Minnesota [Mr. THYE] also has resented it. All of us have resented the flood of imports.

All I am trying to say is that I do not think the way to cure the trouble is to destroy a program which is working well.

Mr. HUMPHREY. Mr. President, will the Senator yield for a further question?

Mr. ANDERSON. I yield.

Mr. HUMPHREY. I have respect and admiration for the distinguished Senator from New Mexico as an individual and as a great Senator, because of his knowledge in this field. What is being proposed by the 75 percent to 90 percent support levels is some safeguard within the law as it is now written. I heard the distinguished Senator from Vermont [Mr. AIKEN] say that he considered the present law to be mandatory, with the exception of a kind of escape hatch, namely, that if there were a shortage of money in the Commodity Credit Corporation, the basics instead of so-called nonbasics, would have first claim.

What is sought to be done under the 75 percent to 90 percent amendment is to put all the feed grains—corn, wheat, rye, barley, oats, grain sorghums, and soy beans—all on the same level of priority, insofar as protection is concerned under operations of the Commodity Credit Corporation.

I do not believe any Senator can prove that there is any problem in connection with feed grains. I do not think it can be proved that 90 percent price support on feed grains has glutted the market, or that 85 pecent or 80 percent has glutted the market.

Had the Secretary of Agriculture insisted upon his cross-compliance in respect to corn last year, namely, that one could not plant any soybeans, there would have been such a shortage of soybeans that the price would be absolutely out of reach. At present it is 124, which is far above parity.

I have no further questions to ask. I merely wish to clarify the RECORD, because I think there are some points of common agreement.

Mr. ANDERSON. I readily agree with the Senator from Minnesota that there are points of common agreement. I do not quarrel with much of what the Senator from North Dakota has said, or with what the two able Senators from Minnesota have suggested.

We have been trying to protect the small grains. I think the record speaks for itself. When this section was written in the Agricultural Act of 1949, very dire predictions were made to the effect that the producers of oats, rye, and barley would be badly treated. I want the RECORD to show that they have not been badly treated, and to suggest that this is one way to handle the situation.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. AIKEN. Much has been said about the trouble caused by the importation of grain from Canada. I think the RECORD should show that although we have imported as much as $174 million worth of grain from Canada in a year, at no time in recent years have we exported less than $250 million worth of agricultural products to Canada, and about 3 or 4 years ago we exported $300 million worth of agricultural products to Canada. Included in those exports were considerable amounts of corn and some of the other small grains. We should not think of exports and imports solely in terms of grain.

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Mr. ANDERSON. I agree with the Senator that there has been a good deal of trouble with certain types of imports from Canada. I think we did our very best to straighten out that situation.

There is now legislation on the books which permits the Secretary of Agriculture to support these commodities in a discretionary fashion. He has done so. He has one small weapon he can use, and that is to say to the farmers, "If these commodities get out of line, I can drop your supports. Be careful what you do. So long as you are careful, I will treat you fairly."

That is not the most satisfactory system in the world. I agree with the Senator from Minnesota in that I wish it were possible to have absolutely strict, mandatory controls on every commodity, such as we have on tobacco, so that every farmer would be as prosperous as the tobacco farmers have been. But such an arrangement does not seem possible. All I am saying is that I believe the legislation now on the books is satisfactory, and I do not believe we should tamper with it by this amendment. I believe agriculture would be better off if the Young amendment were rejected, and if the amendment offered by the Senator from Vermont [Mr. AIKEN] striking out the provision with reference to small grains, were adopted.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from North Dakota [Mr. YOUNG] for himself and the Senator from Minnesota [Mr. HUMPHREY] to the amendment of the Senator from Vermont [Mr. AIKEN].

Mr. HUMPHREY. I suggest the absence of a quorum.

Mr. KNOWLAND. Mr. President, the time is under control.

Mr. ANDERSON. The Senator from North Dakota [Mr. YOUNG], who controls the time on the other side of the question, is not present.

Mr. HUMPHREY. I do not think there will be any more speeches.

Mr. ANDERSON. I wonder if the majority leader would consider a suggestion. Instead of having additional speeches, would he consider having a quorum call, the time for the quorum call to be charged equally to both sides, with a vote on the amendment after the quorum call?

Mr. HUMPHREY. I suggest that we vote on the amendment.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that there may be a quorum call, with the time for the quorum call to be charged equally to both sides.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. KNOWLAND. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KNOWLAND. Will the Parliamentarian advise us as to the amount of time remaining?

The PRESIDING OFFICER. The Senator from Vermont has 38 minutes remaining and the Senator from North Dakota has 16½ minutes remaining.

Mr. AIKEN. Mr. President, I do not believe——

The PRESIDING OFFICER. How much time does the Senator from Vermont yield to himself?

Mr. AIKEN. I yield myself 3 minutes. I do not think the Senate should agree to the amendment offered by the Senator from North Dakota [Mr. YOUNG] and the Senator from Minnesota [Mr. HUMPHREY] in the nature of a substitute for my amendment. The support level for the 4 small grains is now at 85 percent of parity. It is relatively close to the feed value of corn. The support level for soybeans is now at 80 percent of parity, and soybeans are selling so far above the support level that the support is not applicable at all.

The Senate is asked to provide mandatory supports without adequate provision for marketing controls on commodities. The 4 small grains account for less than 1½ percent of the total farm income of the country.

I believe the Senate should vote down the amendment offered by the Senator from North Dakota and the Senator from Minnesota in the nature of a substitute for my amendment, and then vote favorably on the amendment which I have offered on behalf of myself, the Senator from New Mexico [Mr. ANDERSON], the Senator from Florida [Mr. HOLLAND], the Senator from Iowa [Mr. HICKENLOOPER], the Senator from Kansas [Mr. SCHOEPPEL], the Senator from Delaware [Mr. WILLIAMS], and the Senator from Idaho [Mr. WELKER].

I also wish it to be understood that the two amendments on which the Senate has acted so far were offered on behalf of myself and the Senators I have just enumerated.

I cannot approve of the amendment in the nature of a substitute which has been offered by the Senator from North Dakota and the Senator from Minnesota.

Mr. YOUNG. Mr. President, I yield myself 1 minute. The amendment merely proposes to establish mandatory supports at 75 to 90 percent of parity for oats, barley, rye, soybeans, and grain sorghums. The proposal is entirely in line with the Republican platform and the statements of President Eisenhower. At the present time most of these commodities are supported at 80 to 85 percent of parity. There are ample provisions in existing law to control production of these commodities. Furthermore, the commodities will be supported on a flexible scale at from 75 to 90 percent. Secretary Benson believes that flexible supports will take care of surpluses.

I see no reason why this amendment should not be acceptable. I hope the Senate will approve it. I ask for the yeas and nays.

Mr. KNOWLAND. Mr. President, before the request for the yeas and nays is acted on, I should like to ask if both sides are willing to yield back the remainder of their time.

Mr. AIKEN. I yield back the remainder of my time.

Mr. YOUNG. I yield back the remainder of my time.

Mr. KNOWLAND. Mr. President, I ask for the yeas and nays on the amendment of the Senator from North Dakota and the Senator from Minnesota in the nature of a substitute for the amendment of the Senator from Vermont.

The yeas and nays were ordered.

The PRESIDING OFFICER (Mr. REYNOLDS in the chair). The clerk will call the roll.

The legislative clerk called the roll.

Mr. SALTONSTALL. I announce that the junior Senator from Wisconsin [Mr. MCCARTHY] is absent on official business.

The Senator from Vermont [Mr. FLANDERS] and the senior Senator from Wisconsin [Mr. WILEY] are necessarily absent.

If present and voting, the junior Senator from Wisconsin [Mr. MCCARTHY] would vote "yea."

On this vote, the Senator from Vermont [Mr. FLANDERS] is paired with the Senator from Alabama [Mr. SPARKMAN]. If present and voting, the Senator from Vermont [Mr. FLANDERS] would vote "nay" and the Senator from Alabama [Mr. SPARKMAN] would vote "yea."

Mr. CLEMENTS. I announce that the Senator from Ohio [Mr. BURKE] and the Senators from North Carolina [Mr. ERVIN and Mr. LENNON] are unavoidably detained on official business at one of the executive departments, and, if present and voting, each of these Senators would vote "yea."

The Senator from Mississippi [Mr. EASTLAND] and the Senator from Delaware [Mr. FREAR] are necessarily absent.

I announce further that on this vote the Senator from Alabama [Mr. SPARKMAN], who is necessarily absent, is paired with the Senator from Vermont [Mr. FLANDERS]. If present and voting, the Senator from Alabama would vote "yea" and the Senator from Vermont would vote "nay."

The result was announced—yeas 33, nays 54, as follows:

YEAS—33

Case	Humphrey	Malone
Chavez	Jackson	Mansfield
Clements	Johnson, Tex.	Maybank
Cooper	Johnston, S. C.	Monroney
Daniel	Kefauver	Morse
Douglas	Kerr	Mundt
Ellender	Kilgore	Murray
Fulbright	Langer	Neely
George	Lehman	Symington
Hennings	Long	Thye
Hill	Magnuson	Young

NAYS—54

Aiken	Byrd	Goldwater
Anderson	Capehart	Gore
Barrett	Carlson	Green
Beall	Cordon	Hayden
Bennett	Crippa	Hendrickson
Bowring	Dirksen	Hickenlooper
Bricker	Duff	Holland
Bridges	Dworshak	Ives
Bush	Ferguson	Jenner
Butler	Gillette	Johnson, Colo.

Kennedy	Payne	Smathers
Knowland	Potter	Smith, Maine
Kuchel	Purtell	Smith, N. J.
Martin	Reynolds	Stennis
McCarran	Robertson	Upton
McClellan	Russell	Watkins
Millikin	Saltonstall	Welker
Pastore	Schoeppel	Williams

NOT VOTING—9

Burke	Flanders	McCarthy
Eastland	Frear	Sparkman
Ervin	Lennon	Wiley

So the amendment offered by Mr. YOUNG, on behalf of himself and Mr. HUMPHREY, to Mr. AIKEN's amendment was rejected.

Mr. AIKEN. Mr. President, I move that the vote by which the amendment to my amendment was rejected be reconsidered.

Mr. KNOWLAND. Mr. President, I move to lay on the table the motion of the Senator from Vermont to reconsider.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement I have prepared on the subject of feed grains.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HUMPHREY

RELATION OF FEED GRAIN SUPPORTS TO CORN

Price supports on feed grains (oats, rye, barley and grain sorghums) are discretionary with the Secretary of Agriculture at any level between zero and 90 percent of parity.

Section 401 (b) of the Agricultural Act of 1949, sets forth eight conditions to be taken into consideration by the Secretary in establishing price supports on "other nonbasic agricultural commodities."

The second of these eight conditions is: "(2) the price levels at which other commodities are being supported and, in the case of feed grains, the feed values of such grains in relation to corn."

Under this authority, Secretary Brannan supported the feed grains at about 75 percent of old parity with corn at 90 percent of parity. This seemed to work out as a practical relationship.

Upon the adoption of the modernized parity, the new problem arose of relating the four feed grains which were to be on the new parity to corn which was to remain on the old parity.

To compensate for the 5 percent transitional drop in parity, Secretary Brannan for 1952 raised the feed grain support to 80 percent of parity and for 1953 to 85 percent of parity. The 5 percent increase in support rate did not exactly compensate for the 5 percent drop in parity but quite nearly so.

General Eisenhower in his Kasson, Minn., speech said:

"As provided in the Republican platform, the non-perishable crops so important to the diversified farmer—crops such as oats, barley, rye and soybeans—should be given the same protection as available to the major cash crops."

In 1953, when it came time to set the 1954 support rate, Secretary Benson ignored both the Eisenhower pledge to raise the feed grains to the same level as the major cash crops, and also ignored the instruction in section 401 (b) that feed-grain supports should be related to corn supports according to the feed value relationship to corn.

Secretary Benson set the supports on rye, barley, oats, and grain sorghums at 85 percent, failing to compensate, as Secretary Brannan had done, for the drop in the modernized parity.

Thus, although he could claim that he had maintained the same support in terms of percentage of parity, Secretary Benson's support figure in actual dollars and cents was 5 cents a bushel lower on oats and 9 cents a bushel lower on barley than the supports of the previous year.

The modernized parity dropped sharply on the field grains in the 4 years from 1950 to 1953. The average annual drop in modernized parity values on oats for those years was 4.5 percent. The average annual drop in modernized parity values on barley for those years was 2.7 percent.

Thus, if Secretary Benson were to set feed-grain supports at 85 percent of parity for 1955 the dollars and cents support figure would again be likely to be lower than for the preceding year.

These cuts are serious for Minnesota farmers. Minnesota is the second-ranking State in oats production, third ranking in barley.

Minnesota produces 13 percent of the Nation's oats, 9 percent of the barley, and 10 percent of the rye.

This is what the Benson support cuts on oats and barley mean in Minnesota in 1954:

The July 1 indicated production of oats is 218 million bushels. The 5-cent-a-bushel support cut can potentially result in an income loss of $10,900,000 to Minnesota farmers.

The July 1 indicated production of barley is 31,610,000 bushels. The 9-cent-a-bushel support cut can potentially result in an income loss of $2,844,000 to Minnesota farmers.

The farmer will take the loss whether he sells the feed grains or whether he feeds them. Cheap feed cheapens the price of livestock, so the farmer does not avoid the loss by feeding up the grain.

The 1954 support cuts on feed grains is serious enough in itself but has other dangerous implications.

President Eisenhower in his agricultural message to Congress on January 11, 1954, said in substance "The Nation's agricultural problem is not one of general overproduction. The problem is rather one of unbalanced production."

One would suppose that if unbalanced production is our problem that the administration would devise some method of balancing production. On the contrary, Secretary Benson has tended to unbalance production still further by allowing the feed grain supports to drop below their former relationship to corn.

This can only result in farmers placing their corn under loan and feeding the other feed grains.

The trend is already noticeable from the fact that on April 15 of this year 43 percent of the total corn stock was either under loan or owned by CCC while only 9 percent of the oats was under loan or owned by CCC.

The July 1 crop production report indicates that 1954 oats production nationally will be 328 million bushels greater than 1953, barley will be 131 million bushels greater, rye will be 5.7 million bushels greater. Grain sorghum production is not estimated in bushels but the planted acreage is 39 percent greater than 1953. Hay production also is expected to be up over the 1953 figure.

These production figures indicate that there will be fair to large supplies of every feed grain.

About 120 million bushels of oats, barley, and grain sorghums were under loan or owned by CCC on April 15.

Production of oats, rye, barley, and grain sorghums are indicated at about 500 million bushels greater for 1954 than the 1953 production.

Therefore, there will be a sufficient stock of other feed grains in most areas to displace corn.

As much as 300 to 400 million bushels of corn may unnecessarily be forced into the loan program if the tinkering with the support level by the Secretary of Agriculture is allowed to stand.

Price supports on all the feed grains must be at a reasonable balance, otherwise we will pile up an unnecessary surplus of the higher-supported corn.

It seems very advisable then to adopt legislation making feed grain supports mandatory and at a level in relation to corn supports which fairly represents the feed value relationships.

To maintain the old relationship of 90 percent supports on corn and 75 percent on the other feed grains (all computed under the old parity formula) would require today a support under the new parity of about 93 percent of parity on oats and barley, 89 percent on rye, and 100 percent on grain sorghums, assuming that corn is to remain on 90 percent of the old parity.

If corn is to go on the sliding scale at either 75 percent or 82½ percent of parity, the supports on the feed grains will drop by a corresponding margin.

To break the corn price is the quickest way to break the general farm price level since other feed grains will be immediately affected as will the price of the livestock, dairy, and poultry products.

Using the average annual production, a 15-percent across-the-board cut on supports for corn, oats, rye, and barley would mean an income loss of $85 million in a year's time for Minnesota farmers.

If the support cut is made across the board, corn will still be the most attractive to produce. But as long as the feed-grain supports are out of kilter, the corn will tend to go under loan while the other feed grains will tend to displace it in feeding operations.

This will eventually cause a corn surplus and severe acreage controls. The surplus and the controls will be used by the enemies of the farm program to discredit the support program. It will be difficult to hold corn supports at 90 percent of parity if other grain price levels are allowed to sag.

The PRESIDING OFFICER. The question now recurs on agreeing to the amendment offered by the Senator from Vermont [Mr. AIKEN], on behalf of himself and certain other Senators, to the committee amendment on page 24.

Mr. HUMPHREY. Mr. President, on this question I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll.

Mr. SALTONSTALL. I announce that the junior Senator from Wisconsin [Mr. MCCARTHY] is absent on official business.

The Senator from Arizona [Mr. GOLDWATER] and the Senator from Idaho [Mr. WELKER] are absent on official committee business.

The Senator from Vermont [Mr. FLANDERS] and the senior Senator from Wisconsin [Mr. WILEY] are necessarily absent.

On this vote the Senator from Vermont [Mr. FLANDERS] is paired with the Senator from Alabama [Mr. SPARKMAN] and the junior Senator from Wisconsin [Mr. MCCARTHY] is paired with the Senator from Arizona [Mr. GOLDWATER]. If present and voting, the Senator from Vermont [Mr. FLANDERS] and the Senator from Arizona [Mr. GOLDWATER] would

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each vote "yea," and the junior Senator from Wisconsin [Mr. McCARTHY] and the Senator from Alabama [Mr. SPARKMAN] would each vote "nay."

Mr. CLEMENTS. I announce that the Senator from Ohio [Mr. BURKE] and the Senators from North Carolina [Mr. ERVIN and Mr. LENNON] are unavoidably detained on official business at one of the executive departments, and if present and voting, each of these Senators would vote "nay."

The Senator from Mississippi [Mr. EASTLAND], the Senator from Delaware [Mr. FREAR], the Senators from Tennessee [Mr. GORE and Mr. KEFAUVER], and the Senator from Louisiana [Mr. LONG] are necessarily absent.

I announce further that on this vote the Senator from Tennessee [Mr. GORE] is paired with the Senator from Louisiana [Mr. LONG]. If present and voting, the Senator from Tennessee would vote "yea," and the Senator from Louisiana would vote "nay."

I announce also that on this vote the Senator from Alabama [Mr. SPARKMAN], who is necessarily absent, is paired with the Senator from Vermont [Mr. FLANDERS]. If present and voting, the Senator from Alabama would vote "nay," and the Senator from Vermont would vote "yea."

The result was announced—yeas 52, nays 29, as follows:

YEAS—52

Aiken	Duff	Millikin
Anderson	Dworshak	Pastore
Barrett	Ferguson	Payne
Beall	Green	Potter
Bennett	Hayden	Purtell
Bowring	Hendrickson	Reynolds
Bricker	Hickenlooper	Robertson
Bridges	Holland	Saltonstall
Bush	Ives	Schoeppel
Butler	Jenner	Smathers
Byrd	Johnson, Colo.	Smith, Maine
Capehart	Kennedy	Smith, N. J.
Carlson	Knowland	Stennis
Cooper	Kuchel	Upton
Cordon	Malone	Watkins
Crippa	Martin	Williams
Dirksen	McCarran	
Douglas	McClellan	

NAYS—29

Case	Humphrey	Maybank
Chavez	Jackson	Monroney
Clements	Johnson, Tex.	Mundt
Daniel	Johnston, S. C.	Murray
Ellender	Kerr	Neely
Fulbright	Kilgore	Russell
George	Langer	Symington
Gillette	Lehman	Thye
Hennings	Magnuson	Young
Hill	Mansfield	

NOT VOTING—15

Burke	Goldwater	McCarthy
Eastland	Gore	Morse
Ervin	Kefauver	Sparkman
Flanders	Lennon	Welker
Frear	Long	Wiley

So the amendment offered by Mr. AIKEN, on behalf of himself and certain other Senators, to the committee amendment on page 24, was agreed to.

Mr. AIKEN. Mr. President, I move that the Senate reconsider the vote by which my amendment to the committee amendment was agreed to.

Mr. HICKENLOOPER. Mr. President, I move to lay on the table the motion of the Senator from Vermont to reconsider.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Iowa to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

Mrs. SMITH of Maine. Mr. President, I send an amendment to the desk and ask that the clerk state it. The amendment is offered on my own behalf and on behalf of my colleague [Mr. PAYNE].

The PRESIDING OFFICER. The Secretary will state the amendment.

The LEGISLATIVE CLERK. In the committee amendment, on page 34, line 5, after the word "lines," it is proposed to insert a comma and the words "Irish potatoes."

Mrs. SMITH of Maine. Mr. President, I wish to modify my amendment by striking out the word "lines" and inserting the word "limes."

The PRESIDING OFFICER. The Senator from Maine modifies her amendment accordingly.

Mr. AIKEN. Mr. President, will the Senator yield?

Mrs. SMITH of Maine. I yield.

Mr. AIKEN. Is this the amendment relating to the importation of foreign potatoes?

Mrs. SMITH of Maine. That is correct. Mr. President, I do not believe this amendment needs explanation or comment for its purpose and its justification are clear on its face. It would authorize the Government to limit imports of foreign potatoes which interfere with our own potato marketing and production activities.

There is no reason why we should permit the importation of foreign potatoes which do not measure up to the same standards we establish for our domestic crops.

The very spirit of this argument has been incorporated in the law, for section 22 of the Agricultural Adjustment Act of 1953 authorizes the Government to limit imports of a foreign agricultural commodity which interferes with a domestic crop under the agriculture adjustment program.

Mr. AIKEN. Mr. President, I understand that the purpose of this amendment is to provide protection against a situation which might arise if the potato growers of the United States should enter a marketing agreement, one purpose of which would be to keep culls off the market, and importers went into neighboring countries and purchased culls for little or nothing, and brought them into the United States. This seems to me to be a desirable amendment.

Mrs. SMITH of Maine. That is correct.

Mr. PAYNE. Mr. President, I ask unanimous consent that I may insert in the RECORD at this point a statement which I have prepared on the pending amendment.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR PAYNE

This amendment would include Irish potatoes in subsection 8e, section 401, title IV, entitled "Amendments to Agricultural Marketing Act of 1937," of the committee bill. Irish potatoes were included in the corresponding section of the House bill. Subsection 8e provides that when a marketing order is issued by the Secretary of Agriculture containing any terms or conditions regulating the grade, size, quality, or maturity of the listed perishable fruits and vegetables, imports are prohibited while the marketing order is in effect unless those imports comply with the grade, size, quality, and maturity provisions specified for the domestic crop.

This provision is designed to correct a condition which has long interfered with efficient functioning of marketing agreements. Imports of foreign crops into marketing-agreement areas without regard for the standards imposed on domestic crops defeat the prime purpose for which the marketing agreement was initially made. It is only just and fair that imports comply with domestic marketing requirements when official marketing agreements are in effect.

This amendment to the committee bill would merely afford the same protection to Irish potatoes which the committee has given to tomatoes, avocados, limes, and grapefruit. Imports of Irish potatoes would be prohibited if they did not comply with grade, size, quality, and maturity provisions of any marketing orders applicable to domestic Irish potatoes.

The PRESIDING OFFICER. The question is on agreeing to the amendment to the committee amendment offered by the Senator from Maine [Mrs. SMITH], for herself and the junior Senator from Maine [Mr. PAYNE].

The amendment to the amendment was agreed to.

Mrs. SMITH of Maine. I send amendments designated 7-26-54-A to the desk and ask that they be stated. These amendments are also offered by me on behalf of my colleague [Mr. PAYNE] and myself.

The PRESIDING OFFICER. The Secretary will state the amendments.

The LEGISLATIVE CLERK. In the committee amendment, on page 22, line 6, after "SEC. 203", it is proposed to insert "(a)."

On page 24, between lines 3 and 4, it is proposed to insert the following:

(b) Section 5 of the act of March 31, 1950 (7 U. S. C. 1450), as amended by section 5 (a) of Public Law 290, 83d Congress, is repealed.

The PRESIDING OFFICER. Does the Senator from Maine desire to have the amendments considered en bloc?

Mrs. SMITH of Maine. I do.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. SMITH of Maine. Mr. President, I shall be very brief in my remarks in support of this amendment because it is very simple, very direct, and does not require extended discussion to enable Members to decide how to cast their votes.

The purpose of this amendment is to remove discriminations against Irish potato producers and to extend to them a status with their Government equal to that of the producers of other vegetables and fruits.

This amendment does not seek any special favor. It seeks only equity. Potatoes now are the only agricultural commodity prohibited by law from receiving any type of price-support assist-

ance. This amendment would eliminate that discrimination. It asks for potato producers no more than that granted other vegetable and fruit producers.

Now let me make one point crystal clear. This amendment does not seek to restore mandatory price support to the potato industry. It is not designed to institute a price-support program for Irish potatoes. It would grant only discretionary authority to the Secretary of Agriculture.

The Secretary of Agriculture has stated clearly what would be his policy under such discretionary authority. He has written:

> It would be the Department's basic approach to treat potatoes the same as other fresh fruits and vegetables.

And the Secretary has stated his support of this proposal.

This amendment would give potato producers a legal basis equivalent to producers of other perishable commodities, enabling them to work with the Secretary of Agriculture relative to basic problems of the industry. It would permit potato producers to bring their problems to the Secretary of Agriculture and to have available the same services available to all other producers of fruits and vegetables.

Irish potatoes are very important to the health and life of our people. They are a basic American food, ranking sixth in terms of cash receipts. Potatoes are so essential as a food and so important in the Nation's agricultural economy, that they surely should not be excluded from the basic legislation designed to improve agriculture and stabilize the Nation's economy.

Surely it is clear that the restoration of potatoes to a comparable position with other vegetables and fruits is not only reasonable and justified but in the best interest of fair play.

Mr. DWORSHAK. Mr. President, will the Senator yield for a question?

Mrs. SMITH of Maine. I yield.

Mr. DWORSHAK. This amendment relates to price supports. What would the range be, both as to maximum and minimum supports?

Mrs. SMITH of Maine. From zero to ninety.

Mr. DWORSHAK. From zero to ninety?

Mrs. SMITH of Maine. From zero to ninety; and this is permissive, not mandatory.

Mr. BUSH. May we have some comment from the distinguished chairman of the committee [Mr. AIKEN]?

Mr. AIKEN. This amendment was inserted in the bill by the committee tentatively, and then removed. The effect of the amendment would be to put potatoes in the list of respectable vegetable citizens once more, from which list they were removed some 3 or 4 years ago.

This amendment does not establish any price-support program for potatoes. It would put potatoes in the same category as tomatoes, string beans, radishes, and other commodities for which price supports are permissive, from zero up to 90 percent.

In fact, at the present time, potatoes are the only commodity not eligible in any way for price supports. Personally, I would not want to see the Secretary of Agriculture establish a definite price-support program for potatoes. I think the Secretary can handle the situation as he has this spring, through the use of section 32 funds. On the other hand, it is discriminatory against potatoes to say that they are not respectable and cannot take their place along with 157 other agricultural commodities which are produced in the United States.

The Secretary of Agriculture did a beautiful job by the spending of, perhaps, a couple of million dollars in the program of taking potatoes off the market, with section 32 funds this spring. The price of potatoes went up from approximately 30 percent of parity to almost 100 percent of parity over the course of possibly 3 weeks; and potatoes today are selling at about 100 percent of parity.

However, as I have said, excluding potatoes from the list of ordinary vegetables which are eligible for price supports is discrimination, indeed. I believe, personally, I would support the amendment of the Senator from Maine [Mrs. SMITH].

Mrs. SMITH of Maine. I thank the Senator very much.

Mr. PAYNE. Mr. President, I ask unanimous consent that there be inserted in the RECORD at this point a statement I have prepared with reference to this amendment.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR PAYNE

The effect of this amendment is (1) to repeal the Ellender amendment (section 5 of the act of March 31, 1950) which has effectively prohibited price supports for Irish potatoes and (2) to transfer Irish potatoes from title II to title III of the Agricultural Act of October 31, 1949 (Anderson-Pace-Gore Act). Title II of the 1949 act provides for mandatory price supports for potatoes and other designated nonbasic agricultural commodities at 60 to 90 percent of parity; title III of the 1949 act authorizes the Secretary of Agriculture at his discretion to support all other nonbasic agricultural commodities at zero to 90 percent of parity.

In considering this amendment to the committee bill the basic characteristics and problems of the potato industry should be kept in mind.

GENERAL

Potatoes are a national agricultural crop. They are grown in every State in the Union, although commercial production does tend toward specialization and is concentrated in several important producing areas in Idaho, California, the Red River Valley of North Dakota and Minnesota, Long Island, Aroostook County in Maine, and other areas. In the 1953 crop year approximately 1.5 million acres of potatoes were planted in the United States and produced 373.7 million bushels, with a total estimated farm value of $295 million. The average annual farm value of potato production for the 10-year period 1943–52 was approximately $577 million. The July 1954 crop report published by the Agricultural Marketing Service, United States Department of Agriculture, estimates that 1,380,000 acres of potatoes have been planted with production estimated at 345.6 million bushels for this 1954 crop. From the standpoint of acreage, production, and farm income, Irish potatoes are the most important vegetable crop in the United States. This important crop is grown, according to the latest 1950 agricultural census, by 1,650,000 farmers.

Crop report as of July 1, 1954: Potatoes [1]

Group and State	Acreage			Yield per acre			Production		
	Harvested		For harvest 1954	Average, 1943–52	1953	Indicated, 1954	Average, 1943–52	1953	Indicated, 1954
	Average, 1943–52	1953							
	Thousand acres	*Thousand acres*	*Thousand acres*	*Bushels*	*Bushels*	*Bushels*	*Thousand bushels*	*Thousand bushels*	*Thousand bushels*
Late States:									
Maine	174	156	147	373	370	385	62,995	57,720	56,595
New Hampshire	5.7	4.2	3.4	218	255	250	1,178	1,071	850
Vermont	7.7	4.1	3.7	172	190	195	1,243	779	722
Massachusetts	15.8	8.7	8.3	199	240	240	2,935	2,088	1,992
Rhode Island	5.8	4.5	4.0	231	285	270	1,310	1,282	1,080
Connecticut	14.0	9.6	8.9	232	280	270	3,032	2,688	2,403
New York, Long Island	60	55	51	283	320	330	16,824	17,600	16,830
New York, upstate	90	51	45	201	260	260	16,481	13,260	11,700
Pennsylvania	110	62	58	189	210	210	19,147	13,020	12,180
West Virginia	23	15	14	98	90	95	2,251	1,350	1,330
9 Eastern	505.2	370.1	343.3	264.1	299.5	307.8	127,396	110,858	105,682

[1] Early and late crops shown separately for California; combined for all other States.

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Crop report, as of July 1, 1954: Potatoes [1]—Continued

Group and State	Acreage			Yield per acre			Production		
	Harvested		For harvest 1954	Average, 1943–52	1953	Indicated, 1954	Average, 1943–52	1953	Indicated, 1954
	Average, 1943–52	1953							
	Thousand acres	*Thousand acres*	*Thousand acres*	*Bushels*	*Bushels*	*Bushels*	*Thousand bushels*	*Thousand bushels*	*Thousand bushels*
Late States—Continued									
Ohio	43	24	22	176	200	210	6,737	4,800	4,620
Indiana	24.2	12.5	13	171	245	230	3,713	3,062	2,990
Illinois	14.4	5.5	5	91	75	85	1,226	412	425
Michigan	119	58	49	141	185	180	15,416	10,730	8,820
Wisconsin	98	61	52	146	235	210	12,562	14,335	10,920
Minnesota	128	78	79	139	160	170	16,211	12,480	13,430
Iowa	19	7	6	112	90	120	2,008	630	720
North Dakota	130	94	95	156	165	185	19,484	15,510	17,575
South Dakota	23.5	12.5	11	107	150	150	2,319	1,875	1,650
9 Central	599.2	352.5	332	145.1	181.1	184.2	79,676	63,834	61,150
Nebraska	54	28	24	188	209	210	9,592	5,852	5,040
Montana	14.4	10.5	9.8	179	215	210	2,448	2,258	2,058
Idaho	160	153	153	261	300	290	41,454	45,900	44,370
Wyoming	10.2	6.1	6.5	190	230	180	1,873	1,403	1,170
Colorado	69	54	50	269	335	250	17,939	18,090	12,500
New Mexico	2.5	.6	.6	107	125	125	251	75	75
Utah	15.1	14.0	13.0	206	245	240	3,066	3,430	3,120
Nevada	2.3	1.7	1.7	226	320	310	501	544	527
Washington	33	28	28	330	400	405	10,573	11,200	11,340
Oregon	42	37	39	284	320	325	11,622	11,840	12,675
California [1]	40	42	44	346	360	380	13,759	15,120	16,720
11 Western	442.7	374.9	369.6	261.4	308.6	296.5	113,079	115,712	109,595
29 late States	1,547.2	1,097.5	1,044.9	218.8	264.6	264.5	320,151	290,404	276,427
Intermediate States:									
New Jersey	51.2	24.6	22.7	218	265	255	10,698	6,519	5,788
Delaware	3.5	6.6	5.7	123	269	201	447	1,775	1,146
Maryland	13.1	6.6	6.1	127	132	109	1,594	871	665
Virginia	55	36	31	152	175	148	8,104	6,300	4,588
Kentucky	31	17	17	91	87	87	2,830	1,479	1,479
Missouri	22	11	10.8	108	62	117	2,351	682	1,264
Kansas	12.7	3.5	3.7	91	38	81	1,156	133	300
7 intermediate States	189.1	105.3	97.0	149.4	168.7	157.0	27,181	17,759	15,230
36 late and intermediate States	1,736.3	1,202.8	1,141.9	211.5	256.2	255.4	347,332	308,163	291,657
Early States:									
North Carolina	69	46	40	134	133	158	9,095	[2] 6,118	6,320
South Carolina	19	13	11	117	127	157	2,124	1,651	1,727
Georgia	14	6	5	73	76	78	1,022	456	390
Florida	28.8	42.0	32.7	180	243	300	5,048	[2] 10,206	9,810
Tennessee	31	16	14	87	80	97	2,658	1,280	1,358
Alabama	39	38	25	106	161	158	3,924	[2] 6,118	3,950
Mississippi	19	7	6.5	67	63	95	1,300	441	618
Arkansas	28.5	9.5	8.5	82	52	93	2,337	494	790
Louisiana	27.9	11.6	11.1	61	86	85	1,671	998	944
Oklahoma	15.4	3.5	3.5	74	57	87	1,065	200	304
Texas	39	23	20	101	108	108	3,818	[2] 2,484	2,160
Arizona	5.1	5.9	4.7	300	397	352	1,498	2,342	1,654
California [1]	66	84	57	395	390	420	26,135	[2] 32,760	23,940
13 early States	402.0	305.5	239.0	162.7	214.6	225.8	61,695	65,548	53,965
United States	2,138.3	1,508.3	1,380.9	202.3	247.8	250.3	409,027	373,711	345,622

[1] Early and late crops shown separately for California; combined for all other States.

[2] Includes the following quantities of commercial early potatoes not marketed (1,000 bushels): North Carolina, 105; Florida, 364; Alabama, 1,288; Texas, 494; California, 2,869.

A major characteristic of potato farming is the relatively wide fluctuation in prices to growers caused by relatively small changes in supply. For example, the 1951 crop of 320 million bushels returned an average United States farm price of $1.63 per bushel, or 91 percent of parity, and the total farm value was $522 million. Comparable figures for the 1952 crop are: production, 349 million bushels; United States average farm price $1.94 per bushel, or 114 percent of parity with a total farm value of $685 million. Preliminary figures for 1953 crop show production at 374 million bushels; United States average farm price 78 cents per bushel, or 50 percent of parity with a total farm value $295 million. The following table shows the wide variation in potato prices from month to month for the period 1950 through 1953:

Potatoes: Farm price as percent of parity, 1950–53 crops

Month	1950 crop			1951 crop			1952 crop			1953 crop		
	Parity price	Farm price	Percent of parity	Parity price	Farm price	Percent of parity	Parity price	Farm price	Percent of parity	Parity price	Farm price	Percent of parity
	Per bushel	*Per bushel*		*Per bushel*	*Per bushel*		*Per bushel*	*Per bushel*		*Per bushel*	*Per bushel*	
May	$1.72	$1.13	66	$1.80	$1.11	62	$1.73	$2.23	129	$1.61	$1.02	63
June	1.72	.975	57	1.82	1.33	73	1.73	2.55	147	1.58	.838	53
July	1.75	1.08	62	1.80	1.25	69	1.73	2.48	143	1.59	.868	55
August	1.76	1.12	64	1.80	1.05	58	1.73	2.65	153	1.59	.842	53
September	1.80	.935	52	1.80	1.21	67	1.73	2.14	124	1.59	.982	62
October	1.80	.738	41	1.83	1.30	71	1.73	2.01	116	1.58	.804	51
November	1.80	.741	41	1.83	1.67	91	1.73	2.06	119	1.59	.834	52
December	1.83	.734	40	1.83	1.82	99	1.72	1.85	108	1.59	.699	44
January	1.76	.84	48	1.73	1.96	113	1.66	1.92	116	1.52	.691	45
February	1.76	.909	52	1.73	1.98	114	1.65	1.59	96	1.52	.653	43
March	1.79	.934	52	1.73	2.08	120	1.66	1.42	86	1.53	.532	35
April	1.80	.969	54	1.73	2.26	131	1.64	1.12	68	1.53	.702	46
Season average	1.77	.901	51	1.79	1.63	91	1.70	1.94	114	1.57	.785	50

Specialization in potato production has resulted in increased yields per acre. Increased yields have resulted from, as well as been accompanied by, increased use of fertilizers, better production methods, and increased cash outlays per acre for seed, fertilizer, labor, machinery, and other production costs. The 1943–52 average yield per acre for the United States was 202 bushels per acre. Last year (1953) the average yield for all States was 247 bushels per acre. Current estimates, as shown in the July crop report, predict 250-bushel yield for 1954. However, this estimate is subject to many adjustments because of weather and other production hazards.

CONSUMPTION

Potatoes are an important basic food in the diet of most Americans. Consumption in general does not change appreciably because of price changes. Both household and institutional potato purchases tend to follow an established steady pattern. However, despite a rising trend in population, there has been a tendency for consumers to purchase fewer potatoes each year. Prior to World War I consumption was at the rate of approximately 180 pounds per capita per year which has declined to about 100 to 110 pounds per capita since World War II. The following table illustrates the decline in per-capita consumption of potatoes:

Vegetables: Civilian consumption per capita, United States, 1909–49 [1]

[Pounds]

Year	Fresh vegetables	Canned vegetables	Potatoes	Sweetpotatoes
1909	200	15.2	193	26.0
1910	192	14.4	195	26.1
1911	180	15.5	156	23.5
1912	195	18.5	180	24.1
1913	185	19.6	184	23.4
1914	185	19.1	161	22.1
1915	193	17.9	181	24.9
1916	187	16.1	140	24.3
1917	185	18.8	152	27.7
1918	188	22.1	171	25.9
1919	193	21.1	151	29.7
1920	218	18.3	145	28.8
1921	193	16.8	153	26.9
1922	210	17.0	153	28.9
1923	190	21.3	169	24.7
1924	206	22.4	157	17.4
1925	201	24.8	152	17.7
1926	202	25.6	129	21.0
1927	214	22.2	142	24.8
1928	206	22.9	154	20.5
1929	221	25.7	154	22.2
1930	213	27.8	135	18.3
1931	222	25.0	140	20.5
1932	227	21.9	139	27.5
1933	213	21.8	137	23.9
1934	218	23.2	138	24.3
1935	231	26.0	144	25.5
1936	219	27.4	132	19.6
1937	235	29.2	126	21.4
1938	247	30.8	132	21.2
1939	243	31.6	121	19.5
1940	240	34.2	130	16.2
1941	242	36.6	129	18.3
1942	256	39.6	128	20.3
1943	238	36.7	131	21.3
1944	255	34.2	128	19.6
1945	267	42.9	126	18.8
1946	272	46.5	127	18.2
1947	252	39.3	124	15.9
1948	261	37.0	113	13.0
1949	249	38.3	108	14.3
1950 [2]	252	41.8	104	12.8
1951	254	41.4	104	6.5

[1] Fresh vegetables, potatoes and sweetpotatoes, are in terms of quantities available for consumption at the farm level. Canned vegetables are on a canned weight basis.

[2] Preliminary.

Due to perishability each potato crop must be disposed of within a limited marketing season. Although some of the crop produced in the so-called late States, which is harvested in the late summer or fall, is stored for marketing throughout the winter months, potatoes do not lend themselves to a carryover from 1 year to the next. Consequently, changes in supply have a direct effect on the market within the comparatively short period when they must be disposed of. This applies not only to potatoes harvested in the fall and marketed throughout the subsequent winter months, but also, even more particularly and drastically, to the potatoes harvested during the late winter, spring, and summer months which have even more limited storage life and usually go directly from the field to packing shed, and then to market, with pressure to reduce all marketing delays to a minimum.

These characteristics result in an interplay of market forces between supplies still in storage from the crop dug the previous fall and potatoes which are harvested in the late winter or early spring. Each segment of the supply is not only part of the total affecting prices, but also changes in estimates of either segment have a direct effect on the respective position of the supply to which it belongs, as well as that portion of the supply with which it competes.

FOREIGN TRADE

Exports and imports of potatoes by the United States are relatively small compared with total production. Cuba and other Caribbean countries take approximately two to three million bushels a year. Some few so-called early potatoes are shipped to Canada, but this export movement invariably is more than offset by Canadian imports, especially from New Brunswick and Prince Edward Island. The New Brunswick potato-producing area is just across the boundary from the major potato-producing area in Aroostook County, Maine. Facilities for moving New Brunswick potatoes to eastern seaboard and southern markets are much the same as those available to Maine and other eastern potato growers. In addition, ocean freight is readily available to Prince Edward Island handlers and to a somewhat lesser extent to New Brunswick shippers. Movement from the Canadian potato-producing Provinces is heaviest immediately preceding and during planting in the early producing States when Canadian seed stock offers considerable competition to other northern-grown seed in the United States.

Canadian potatoes may be imported subject to duty. One million bushels of table stock and 2.5 million bushels of seed may be imported at 37.5 cents a hundred duty rate. Any imports over that amount are subject to 75 cents a hundred duty. However, if the September crop report shows a United States crop of less than 350 million bushels, the deficit may be added to the quota for low-duty table-stock imports.

Prices of potatoes grown in the Northern and Eastern States are followed relatively close by Canadian potato prices, although usually at a somewhat lower level. For the 1953 season a Canadian Government marketing pool operated in New Brunswick and Prince Edward Island through which an advance price of 75 cents per hundred was paid to growers in New Brunswick and 83 cents in Prince Edward Island. These prices were scheduled to increase as the season progressed and storage costs mounted. At the end of the season the Dominion Government is supposed to make up any deficit and the growers are to be paid any profit which exists between the season average price received and the guaranteed pool price. During the past season at the instigation of the Maine congressional delegation, representatives of the United States Treasury Department met with Canadian officials concerning statements that Canadian potato shipments to the United States were being subsidized from the marketing pool program. The Canadians were informed that countervailing duties would have to be invoked if, in fact, potato shipments to the United States were being subsidized. Following the discussions, the Canadian officials agreed that they would assure that no potatoes shipped to the United States would be eligible for subsidy payment.

POTATO PRICE LEGISLATION

Potatoes were a Steagall commodity and supported at 90 percent of parity from 1943 through 1948. The Agricultural Act of 1949 included potatoes under title II which allowed support at 60 to 90 percent of parity and the Department determined that they should be supported at 60 percent of parity for the 1949 and 1950 crops. During the 8 crop years 1943 through 1950 the total net dollar deficit resulting from Commodity Credit Corporation and section 32 purchases of potatoes was $553 million.

Public Law 471, 81st Congress, approved March 31, 1950, was passed after extensive debate on the Senate floor as shown by the CONGRESSIONAL RECORDS of February 23–24 1950. Section 5 of this law stated that "for the crop year of 1951 and thereafter no price support shall be made available for any Irish potatoes unless marketing quotas are in effect with respect to such potatoes." No marketing quota legislation for potatoes was passed at that session of Congress or at any session since. Therefore, there was no Commodity Credit Corporation or section 32 operation of potatoes for the 1951 or 1952 crop and none for the 1953 crop until the passage of section 5, Public Law 290, 83d Congress, which permitted the use of section 32 funds for limited purchases of potatoes. No additional legislation has been passed affecting purchases or prices of potatoes.

CONCLUSION

This amendment, which would repeal section 5 of the act of March 31, 1950, is sponsored as a matter of equity and justice. Irish potatoes are the only agricultural commodity specifically excluded from the Agricultural Act of 1949. Although there is no desire on the part of the vast majority of our potato farmers for direct price supports in the foreseeable future, conditions might develop so that the Secretary of Agriculture would deem it advisable to support potato prices somewhere between 0 and 90 percent of parity. This amendment would give the Secretary complete discretion as to whether or not potato prices should be supported. I want the legislative record to show that this amendment should be in no way construed as a directive to the Secretary to reinstitute potato price supports unless, at his complete discretion, he deems it advisable.

Potatoes should not be outside the regular framework of our agricultural laws. Potatoes are one of our most important agricultural crops. They are a staple commodity, a basic part of the American diet. The present discrimination in our agricultural laws against potatoes should be repealed as a matter of equity. It is hoped that the Senate will favorably consider the amendment proposed by the Senators from Maine.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Maine [Mrs. SMITH] for herself and her colleague [Mr. PAYNE].

Mr. ANDERSON. Mr. President, has section 201, title 2, of the 1949 act, ever been completely repealed, the effect of which repeal would be to take out the provisions with regard to Irish potatoes? I think it has not been repealed, and therefore this language would make mandatory the support of Irish potatoes.

Mr. AIKEN. No. As I understand the committee counsel, this does not make such support mandatory.

Mr. President, on page 22 of the bill the Senator from New Mexico might read section 203, which provides:

Section 201 of the Agricultural Act of 1949, as amended, is amended (1) by deleting "Irish potatoes," from the first sentence thereof.

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That takes them out of the mandatory price supports, according to the counsel.

Mr. ANDERSON. While it takes them out, so far as this bill is concerned, should the amendment offered by the senior Senator from Maine be adopted, potatoes would be supported between 60 and 90 percent, although that program heretofore cost the Government $500 million. Every time we have tried to get rid of price supports on potatoes by some device or other, we have never been able to get the Senators from Maine to agree with us.

Mr. PAYNE. Mr. President, will the senior Senator from Maine yield in order that I may reply to the statement made by the Senator from New Mexico?

Mrs. SMITH of Maine. I yield.

Mr. PAYNE. This amendment simply removes potatoes from the mandatory price supports in accordance with the action taken in the House of Representatives, placing them under title III, which is a permissive provision, making price support possible if, in the discretion of the Secretary of Agriculture, it is deemed advisable, on a basis of from zero to 90 percent. It has been acted upon by the House, and this amendment merely restores the House language.

Mr. AIKEN. Mr. President, if the Senator will yield, section 203 is in the House bill, as I understand, and, therefore, would not be in conference. It is true that if section 203 were thrown out and the amendment offered by the senior Senator from Maine were included, we might get the result which the Senator from New Mexico fears.

Mr. ANDERSON. Mr. President, will the Senator from Maine yield?

Mrs. SMITH of Maine. I yield.

Mr. ANDERSON. I remind the Senator that section 203 will be in conference. On page 22 there is language indicating an intention to throw it into conference, and we shall end up with 60-percent potato-price supports. I am not opposed to saying that we should have discretionary supports from zero to 90 percent, but if anyone wants to know what it is like to support potatoes at 90 percent and have them pile up by hundreds of millions of bushels, and have newspapers print stories about the Department of Agriculture spraying oil on them in order to burn them, let him come and talk to me.

Mr. AIKEN. I understand from counsel that the language offered by the Senator from Maine is identical with the language of the House bill and that it would not result in mandatory support prices for potatoes. I am relying on the advice of counsel. Certainly, there is no intent to restore mandatory supports for potatoes.

Mrs. SMITH of Maine. Mr. President, does the Senator from New Mexico have an amendment to offer which would correct the situation which he thinks is wrong?

Mr. ANDERSON. I do not question the intention or the good faith of the amendment at all. I know the Senator wishes to accomplish the same thing we wish to accomplish, namely, that if the Secretary of Agriculture feels that at sometime he should have authority to support prices at a discretionary level between 60 and 90 percent, he may be able to do so. Frankly, I know the bill as it came to the Senate committee contained language which, after we had translated it back and forth 2 or 3 times, meant that price supports could go back on potatoes by a specific act of the Congress of the United States, provided there would never be price supports unless some sort of control could be agreed on. That is what I wish to accomplish.

Mrs. SMITH of Maine. I am sure the amendment would make price supports permissive and not mandatory. We have no thought in Maine of asking for mandatory price supports.

Mr. AIKEN. Mr. President, will the Senator from Maine yield?

Mrs. SMITH of Maine. I yield.

Mr. AIKEN. The language in the House bill is not exactly identical with that in the Senate bill and the language of the proposed amendment of the Senator from Maine, but the purpose is identical.

Mr. ANDERSON. Since the language in the House bill is not identical with that in the Senate bill, if we can have some sort of assurance from the able Senator from Maine and from ranking Members on the Democratic side of the aisle that we are not going to bring in a conference report that would require mandatory price supports on potatoes from 60 to 90 percent, I am satisfied.

Mr. AIKEN. I am positive that there is no such intent on the part of the sponsors of the amendment, and I am sure there is no such intent on the part of the committee, either.

Mr. YOUNG. Mr. President, will the Senator from Maine yield?

Mrs. SMITH of Maine. I yield.

Mr. YOUNG. Mr. President, I do not think there is one Member of the Senate committee or of the House committee advocating mandatory supports for potatoes at 60 to 90 percent or from zero to 90 percent. I think the explanation of the Senator from Maine that she is not intending to do that should be sufficient.

Mrs. SMITH of Maine. The Senator from Maine would assure the Senator from New Mexico that she would give the word of the Maine Senators to the chairman of the Committee on Agriculture and Forestry that the amendment would be permissive and not mandatory.

The PRESIDING OFFICER. The question is on agreeing to the amendment to the amendment offered by the Senator from Maine [Mrs. SMITH] for herself and her colleague [Mr. PAYNE].

The amendment to the amendment was agreed to.

Mr. SCHOEPPEL. Mr. President, I call up my amendment 8–5–54–D, and ask that it be stated.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Kansas.

The LEGISLATIVE CLERK. In the committee amendment, on page 30, between lines 19 and 20, it is proposed to insert the following:

SEC. 310. Notwithstanding any other provision of law, no land leased from the United States shall be allotted any acreage for the production of any commodity subject to marketing quotas. This provision shall not affect any acreage allotment made prior to the enactment of this act.

Mr. SCHOEPPEL. Mr. President, I do not intend to labor the point——

The PRESIDING OFFICER. Will the Senator from Kansas state how much time he yields to himself?

Mr. SCHOEPPEL. I yield to myself about 8 minutes. I wish to say to the Members of the Senate that what the amendment does or is intended to do is to take care of this situation: During the war, and when we were preparing for the defense of the Nation, the Defense Department purchased by condemnation or otherwise hundreds and hundreds of airports and military installations in various places throughout the country. Since the war ended, many of those defense plants by way of air bases and other large tracts have been inactive. As a result of the inactivity at a number of those bases, many of which are in crop-producing areas, the Defense Department rightfully has leased for agricultural purposes to large operators or other operators many of the lands not now needed for defense purposes.

I did some checking with the Defense Department, and I found that on April 1 of this year there were 2,816 active leases involving 1,477,214 acres of either farm land or grazing land.

At present the situation is such that the Department of Agriculture, in the wisdom of its officials and because of the overall situation, has reduced acreages and imposed marketing quotas on certain crops. I am speaking largely in terms of wheat. In certain areas it may apply to corn.

I have ascertained from inquiries I have made, that in a number of these places, and in some of the installations, the Defense Department, not wanting to give a number of leases to small operators on contiguous acres adjacent to the leased bases, has refused to enter into contracts of leasing with the small farmers, but has leased to 1 or 2 individuals having large holdings, to enable them to go into the production of crops which, under the Department of Agriculture's present policy, are being restricted to certain acreages.

In other words, I do not believe it is good policy for one department of the Government to lease lands which it has purchased, and to which it has title, to operators in order that they may produce crops which are now under marketing quotas. My amendment seeks to prevent exactly that situation. I may say to the Members of the Senate that I should much prefer to have the matter handled in an administrative way.

Mr. KNOWLAND. Mr. President, will the Senator yield for a question?

Mr. SCHOEPPEL. I yield.

Mr. KNOWLAND. I want to be clear in my own thinking. I think the Senator has given a satisfactory explanation, but unfortunately I was called out of the Chamber during a part of his remarks.

As I understand, the amendment applies only to the leasing of the types of land indicated, which have been used for

Army, Navy, or Air Force installations, I assume.

Mr. SCHOEPPEL. That is correct.

Mr. KNOWLAND. It is restricted to land which has been leased for the purpose of raising crops which are under marketing quotas and acreage limitations. Is that correct?

Mr. SCHOEPPEL. That is correct.

Mr. KNOWLAND. So it would not in any way prevent the leasing of property for crops which are not involved in acreage limitations and quotas.

Mr. SCHOEPPEL. That is absolutely correct. I may say further, for the information of the Senate, that the provisions of my amendment would not affect any acreage allocations made prior to the enactment of the act.

Mr. KNOWLAND. Therefore, no existing lease would in any way be invalidated by the amendment of the Senator from Kansas.

Mr. SCHOEPPEL. That is correct.

Mr. WILLIAMS. Mr. President, will the Senator yield?

Mr. SCHOEPPEL. I yield.

Mr. WILLIAMS. The chairman of the committee is temporarily out of the Chamber. I have discussed the amendment with him, and he has said that he would have no objection to taking to conference the amendment proposed by the Senator from Kansas.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Kansas [Mr. SCHOEPPEL] to the committee amendment.

The amendment to the amendment was agreed to.

Mr. GOLDWATER. Mr. President, I call up my amendment designated "7-29-54-B," and ask that it be read. I offer it for myself and my colleague [Mr. HAYDEN].

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. In the committee amendment, on page 34, in line 12, after the period, it is proposed to insert the following:

In determining the amount of notice that is reasonable in the case of tomatoes the Secretary of Agriculture shall give due consideration to the time required for their transportation and entry into the United States after picking.

The PRESIDING OFFICER. Will the Senator from Arizona please state the amount of time he desires to yield to himself?

Mr. GOLDWATER. I yield myself 2 minutes.

Mr. President, I have discussed the amendment with the two distinguished Senators from Florida, and also with the distinguished Senator from Vermont. They have informed me that they will accept the amendment. If I am not correct in my understanding, I hope the senior Senator from Florida will so inform me.

Mr. HOLLAND. Mr. President, will the Senator yield two minutes to me?

Mr. GOLDWATER. I yield.

Mr. HOLLAND. The Senator is correct. We are willing to accept the amendment. As a matter of fact, we think that under the wording of the provision already in the bill perhaps the same result would be assured. But to make absolutely certain that the result desired will be assured—that is, that the time element concerned in the production and shipment of the tomatoes will be taken care of—we are willing to have the amendment offered by the Senator from Arizona written into this section of the bill.

Mr. GOLDWATER. Mr. President, I yield myself an additional minute, so that I may explain the amendment briefly.

On the west coast of Mexico, in the States of Sonora, Sinoloa, and Tamalpais, below Arizona, there have been developed in recent years a large number of acres which are now in production. One of the products which come out of northwestern Mexico is tomatoes. A great many persons from the United States are engaged in the agricultural business in those three states of Mexico, and the amendment has been offered to allow those persons time to get their tomatoes from the point of picking to the border, after a marketing agreement has been announced.

Mr. President, I ask unanimous consent that certain material in connection with the situation be printed at this point in my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CONFEDERACION DE ASOCIACIONES AGRICOLAS DEL ESTADO DE SINALOA,

June 1, 1953.

COMMITTEE FOR RECIPROCITY INFORMATION,
Tariff Commission Building,
Washington, D. C.

GENTLEMEN: Reference is made to earlier exchanges of communications between yourselves and the undersigned in regard to the importation into the United States from Mexico of fresh tomatoes produced in the latter country.

On May 27, 1952, you held hearings in connection with the importation of fresh tomatoes from Cuba and Mexico, wherein there became involved a purported agreement made September 14, 1951, between representatives of growers of those two countries and of Florida for the imposition of quotas upon such importation.

In consequence of action taken at a general meeting of the associations composing the undersigned confederation, the latter transmitted to you on July 14, 1952, a telegram which for present convenience is now quoted, in the following language:

"COMMITTEE FOR RECIPROCITY INFORMATION,
Tariff Commission Building,
Washington, D. C.:

"Confederacion de Asociaciones Agricolas del Estado de Sinaloa in convention today assembled voted its absolute opposition to any quota based upon quantity of fresh tomatoes which may be imported into the United States of America from Mexico and its rescission, cancellation, and nullification of any and all representation and actions heretofore made to the contrary. The views of our growers are that the imposition of such quotas in Mexico would require the use of governmental pressures prohibited by Mexico's fundamental principles guaranteeing freedom to the individual and that this association should not presume to usurp functions of the legally constituted Mexican authorities having jurisdiction in the matter of international trade agreements and that negotiations between this association and similar associations in other countries be limited to improvement of the marketed product through voluntary restrictions upon quality, sizing and pack. Confirmation follows by mail.

"CONFEDERACION DE ASOCIACIONES AGRICOLAS DEL ESTADO DE SINALOA,
"By C. A. CAREAGA, *Its President.*"

We have now been advised that the communication contained in such telegram should perhaps have been submitted in 12 written counterparts. Upon the assumption that such advice is accurate, and in order to meet your requirements as fully as we may in the light of our understanding thereof, we now fully and explicitly ratify such telegram and herein repeat the content thereof in full, in 12 counterparts and in order that your entire membership may have full knowledge of the substance of our views and position.

The Confederacion de Asociaciones Agricolas del Estado de Sinaloa (Confederation of Agricultural Associations of the State of Sinaloa) comprises all the associations of growers of the State of Sinaloa, Mexico, who grow tomatoes for export to the United States in fresh condition. The growers composing these particular associations produce and export approximately 75 percent of all fresh tomatoes of Mexican origin which are imported into the United States. Growers constituting the membership of similar associations of the State of Tamaulipas, Mexico, produce and export approximately 15 percent of all fresh tomatoes of like origin and so imported.

We are reliably informed that the associations of the State of Tamaulipas stated to you prior to your meeting of May 27, 1952, that neither they nor their membership consented to nor agreed to the purported agreement above mentioned.

We therefore respectfully submit that it is clear that growers of approximately 90 percent of the fresh tomatoes produced in Mexico and exported to the United States are now in accord with the purported agreement of September 14, 1951, and that such growers are opposed to imposition of quotas upon the importation to the United States of fresh tomatoes grown in Mexico.

Very truly yours,
CONFEDERACION DE ASOCIACIONES AGRICOLAS DEL ESTADO DE SINALOA.

STATE OF ARIZONA,
County of Santa Cruz, ss:

I have examined the original and the copy above and I certify that the above is a true copy of the original. Dated at Nogales, Ariz., this 3d day of December 1953.

GEORGE R. MARTIN,
Notary Public.

My commission expires November 24, 1954.

NOVEMBER 5, 1953.

Mr. S. R. SMITH,
Director, Fruit and Vegetable Branch,
Production and Marketing
Administration, United States
Department of Agriculture,
Washington, D. C.

DEAR MR. SMITH: Mr. G. R. Roberts, the Panhandle Fruit Co., Amarillo, Tex., has turned over to us your letter written to him on November 3, 1953, a copy of which is enclosed.

We believe there is some misunderstanding regarding a plan which was developed by the Florida Fruit and Vegetable Association concerning a proposed quota for Mexican-grown tomatoes imported into the United States. In your letter to Mr. Roberts you state that the plan was developed in cooperation with producer and governmental interests in Cuba and Mexico.

So far as we can learn, the Governments of Cuba and Mexico have never taken any part in the development of this plan.

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An agreement is on file with the Committee for Reciprocity Information, signed by representatives of Cuban and Mexican growers' associations. However, those signing on behalf of growers' associations in the State of Sinaloa were without authority to make an agreement, or sign an agreement, for the association named. In order to clear up the matter, the Confederacion de Asociaciones Agricolas del Estado de Sinaloa (Confederation of Farmers Associations of the State of Sinaloa) sent a telegram to the Committee for Reciprocity Information on July 14, 1952, and sent a letter to that committee on June 1, 1953. On May 22, 1953, and June 20, 1953, the confederation wrote letters to the Committee on Agriculture and Forestry of the United States Senate, by way of clarification of this point with the Senate committee. The growers represented by the confederation produce approximately 75 percent of all fresh tomatoes grown in Mexico for export.

Prior to the hearing held on May 27–28, 1952, by the Committee for Reciprocity Information tomato growers associations in the State of Tamaulipas, Mexico, met and revoked the agreement purportedly signed on their behalf in Mexico City on September 14, 1951. Information to that effect was forwarded to the Committee for Reciprocity Information prior to the hearing. Growers in the State of Tamaulipas produce approximately 15 percent of all tomatoes grown in Mexico for export to the United States. Together, the State of Sinaloa and Tamaulipas produce approximately 90 percent of all tomatoes exported from Mexico to the United States.

So far as we know, the growers in the State of Sonora, Mexico, are the only ones who made an agreement with Florida and Cuba and who now consider themselves bound by that agreement. The State of Sonora produces approximately 10 percent of all tomatoes grown in Mexico for export.

In view of the above, we do not believe that it can be said that an agreement between Florida, Cuba, and Mexico associations, or growers, exists today, nor has any such agreement existed insofar as growers who produce approximately 90 percent of tomatoes grown in Mexico for export to the United States since July 14, 1952, when the Confederacion de Asociaciones Agricolas del Estado de Sinaloa sent the telegram to the committee.

Of course there would seem to be no reason, legally, why the United States, acting unilaterally, could not place a quota on imports of Mexican tomatoes. However, under the Trade Agreement Act, it would seem that Florida, or other domestic growers of tomatoes, must first show they are injured, or threatened with injury, by imports. We believe that no domestic growers have yet shown any injury, or threat of injury.

We would appreciate a letter outlining your views on the question of whether any agreement exists between growers or their associations in Florida, Cuba, and Mexico.

Very truly yours,

GEORGE R. MARTIN,
Secretary-Manager.

STATEMENT BY SENATOR GOLDWATER

Since the war, using the 1946–47 season as the first complete postwar season, Florida has more than tripled their shipments, while Mexican imports have fallen off about 1,600 carloads when the 1946–47 season is compared with the current season ending May 29, 1954. Cuban shipments have, in recent years, fallen to such a low point that they are negligible.

During the season ending May 29, 1954, USDA figures show on their June 1, 1954 weekly summary of fruit and vegetable carlot shipments that Florida showed an increase over 1952–53 season from 17,159 carloads of tomatoes to 18,789 carloads—an increase of 1,630 cars. Also, it showed that imports from Mexico fell from 7,515 cars to 5,895 cars, a loss of 1,620 cars.

Facts appear to indicate that increased production in Florida and not excessive amounts of imports may be the cause of any surpluses that may develop.

The 1949–50 season distribution of tomatoes imported from west Mexico shows only 286 carloads shipped to the Eastern United States, while 3,145 cars were shipped to the West, and 1,215 to the Midwest.

There are sound economic reasons for this distribution when we consider the geographic locations of production areas in relation to the distribution. Freight rates from Florida to the West far exceed those from west Mexico, and the reverse is true from Florida to the Eastern United States. Therefore, freight rates, time in transit, and condition on arrival are dominant factors which must be considered prior to establishing quotas of any sort on the shipment of winter vegetables.

Comparing total tomato shipments from Florida, 18,789 cars in the season just closed with 5,895 cars from Mexico during the same season, it is easy to recognize that any limitation by the Secretary of Agriculture, with not less than 3 days' notice, would place an undue hardship on the Western half of the United States that would cause excessive price rises in the markets which would otherwise not occur.

We have used figures for tomatoes because they represent 85 to 90 percent of winter vegetables imported from Mexico and Cuba. For example, using the same 8 postwar years as a basis for comparison, west Mexico shipped 615 cars of green peppers in the season just ending, compared to an 8-year average of 713 cars, and 236 cars of green peas compared to the 8-year average of 252 cars. This again shows that any serious overproduction is not due to imports when we consider United States population growth and economic condition during these 8 years.

Tomatoes, fresh, imports into the United States by country of origin, fiscal years 1944–45 to 1953–54

[In thousands of pounds]

Fiscal year	Country of origin					
	Canada	Mexico	Cuba	British West Indies	Other	Total
1944–45	985	192,677	15,948	1,264	0	210,874
1945–46	1,411	168,243	32,723	686	2	203,065
1946–47	1,492	235,432	24,668	1,555	21	263,168
1947–48	1,676	233,665	26,677	1,493	15	263,526
1948–49	2,756	169,282	30,667	1,691	28	204,424
1949–50	731	142,852	23,469	3,294	769	171,115
1950–51	2,106	141,626	26,853	4,163	302	175,050
1951–52	1,736	171,307	17,263	2,010	2	192,318
1952–53	3,531	191,538	15,738	4,106	286	215,199
1953–54 [1]	2,806	139,168	14,354	2,187	12	158,527

[1] Incomplete, July 1953–April 1954.

Tomatoes, commercial crop for processing: Acreage, yield, production, season average price received by growers, and value, annual, 1951, 1952, and 1953

State	Harvested acreage			Yield per acre (tons, 2,000 pounds)			Production (tons, 2,000 pounds)			Price per ton [1]			Value (thousands)		
	1951	1952	1953	1951	1952	1953	1951	1952	1953	1951	1952	1953	1951	1952	1953
New York	20,000	18,800	16,600	9.5	12.6	10.6	190,000	236,900	176,000	$32.70	$33.20	$30.90	$6,213	$7,865	$5,438
New Jersey	34,000	34,000	27,700	9.3	5.5	10.8	316,200	187,000	299,200	34.00	34.60	33.30	10,751	6,470	9,963
Pennsylvania	23,600	26,100	24,800	9.2	6.8	8.4	217,100	177,500	208,300	33.30	34.40	30.90	7,229	6,106	6,436
Ohio	18,100	23,000	20,200	9.5	9.0	11.6	172,000	207,000	234,300	30.20	31.40	30.80	5,194	6,500	7,216
Indiana	49,000	48,000	33,800	8.5	6.0	9.0	416,500	288,000	304,200	31.00	30.00	28.60	12,912	8,640	8,700
Illinois	12,600	12,400	11,000	8.1	8.9	10.3	102,100	110,400	113,300	29.30	27.90	32.20	2,992	3,080	3,648
Michigan	8,100	8,100	7,000	7.1	8.2	10.9	57,500	66,400	76,300	29.50	29.00	30.40	1,696	1,926	2,320
Wisconsin	1,400	900	900	6.0	11.0	11.5	8,400	9,900	10,400	28.00	25.20	31.00	235	249	322
Iowa	1,700	1,400	1,600	3.4	8.2	6.8	5,800	11,500	10,900	27.40	30.50	30.40	159	351	331
Missouri	6,000	4,500	1,700	3.0	2.7	1.5	18,000	12,200	2,600	39.50	49.00	27.30	711	598	71
Delaware	4,100	6,000	3,300	7.5	5.2	8.1	30,800	31,200	26,700	37.50	41.80	35.20	1,155	1,304	940
Maryland	23,700	24,400	18,000	7.4	5.3	7.0	175,400	129,300	126,000	36.80	42.40	42.10	6,455	5,482	5,305
Virginia	18,600	16,000	13,400	5.0	3.4	3.2	93,000	54,400	42,900	35.60	40.20	26.70	3,311	2,187	1,145
South Carolina	2,700	300	400	1.8	1.7	2.0	4,900	500	800	35.00	35.00	33.00	172	18	26
Florida	8,500	6,500	6,700	4.9	4.4	4.2	42,030	28,650	28,430	33.50	27.70	24.00	1,407	795	683
Kentucky	1,600	1,200	1,200	4.2	2.6	4.7	6,700	3,100	5,600	32.60	40.00	29.90	218	124	167
Tennessee	1,900	2,000	500	3.0	2.0	1.8	5,700	4,000	900	36.00	40.00	30.00	205	160	27
Arkansas	6,000	4,800	2,000	2.7	3.0	2.0	16,200	14,400	4,000	42.40	51.00	28.30	687	734	114
Oklahoma	500	300	-------	2.0	1.0	-------	1,000	300	-------	35.00	50.00	-------	35	15	-------
Texas	18,500	12,000	8,000	1.9	1.8	1.0	35,200	21,600	8,000	47.00	30.00	17.00	1,654	648	136

[1] Season average price received by growers. The season falls in the calendar year.

Tomatoes, commercial crop for processing: Acreage, yield, production, season average price received by growers, and value, annual, 1951, 1952, and 1953—Continued

State	Harvested acreage			Yield per acre (tons, 2,000 pounds)			Production (tons, 2,000 pounds)			Price per ton [1]			Value (thousands)		
	1951	1952	1953	1951	1952	1953	1951	1952	1953	1951	1952	1953	1951	1952	1953
Colorado	3,400	2,600	2,600	7.2	9.8	10.2	24,500	25,500	26,500	$26.80	$25.60	$26.70	$657	$653	$708
Utah	7,600	6,900	7,200	13.1	11.0	14.0	99,600	75,900	100,800	27.60	26.00	24.10	2,749	1,973	2,429
California	148,300	112,900	81,000	14.9	16.1	17.6	2,210,000	1,817,700	1,425,600	30.20	25.50	23.00	66,742	46,351	32,789
Other States [2]	3,930	3,000	2,700	4.7	3.4	3.7	18,440	10,100	10,100	31.70	36.20	34.40	585	366	347
Total, all States	423,830	376,100	292,300	10.06	9.37	11.09	4,267,070	3,523,450	3,241,830	31.40	29.10	27.50	134,124	102,595	89,261

[1] Season average price received by growers. The season falls in the calender year. [2] Alabama, Arizona, Louisiana, Mississippi, Oregon, Washington, and West Virginia.

Tomatoes, commercial crop for fresh market: Acreage, yield, production, season average price received by growers, and value, annual, 1951, 1952 and 1953

Seasonal group and State	Acreage [1]			Yield per acre (bushels [2])			Production (thousand bushels [2])			Price per bushel			Value [3] (thousands)		
	1951	1952	1953	1951	1952	1953	1951	1952	1953	1951	1952	1953	1951	1952	1953
Winter: Florida, south	11,200	16,200	13,700	190	185	180	2,128	2,997	2,466	$6.55	$4.45	$4.70	$13,938	$13,337	$11,590
Early spring:															
Florida	23,200	22,300	24,400	185	195	155	4,292	4,348	3,782	4.50	4.85	4.15	19,314	21,088	15,695
Texas, lower valley	28,000	25,200	35,000	50	65	60	1,400	1,638	2,100	2.15	2.60	2.80	3,010	4,259	5,880
California	4,600	3,800	3,500	290	260	350	1,334	988	1,225	4.80	6.25	5.00	6,403	6,175	6,125
Group total	55,800	51,300	62,900	126	136	113	7,026	6,974	7,107	4.09	4.52	3.90	28,727	31,522	27,700
Late spring:															
Texas, other	28,000	24,000	23,000	70	60	40	1,960	1,440	920	2.00	5.50	5.20	3,920	7,920	4,784
Louisiana	1,100	1,100	600	75	70	60	82	77	36	3.70	5.50	8.00	303	424	288
Mississippi	1,000	1,000	2,000	50	50	30	50	50	60	1.30	4.60	6.75	65	230	405
South Carolina	3,800	4,300	4,800	65	65	65	247	280	312	2.15	4.20	6.30	531	1,176	1,966
Georgia	11,600	11,000	12,000	70	75	75	812	825	900	2.35	3.45	4.50	1,908	2,846	4,050
Group total	45,500	41,400	42,400	69	65	53	3,151	2,672	2,228	2.13	4.71	5.16	6,727	12,596	11,493
Early summer:															
California	7,500	7,500	8,200	275	320	320	2,062	2,400	2,624	3.40	4.30	4.45	7,011	10,320	11,677
Alabama	5,000	4,500	5,000	80	70	75	400	315	375	2.50	4.40	3.90	1,000	1,386	1,462
Arkansas	5,300	3,900	3,400	105	75	60	556	292	204	2.30	6.05	6.45	1,118	1,767	1,316
Tennessee	3,100	2,500	2,000	130	85	85	403	212	170	1.30	4.60	4.80	472	975	816
North Carolina	2,400	2,200	2,700	85	80	70	204	176	189	1.30	4.00	4.90	265	704	926
Virginia	3,200	6,000	7,900	185	180	195	592	1,080	1,540	1.45	3.15	2.10	858	3,402	3,234
Kentucky	350	450	700	160	130	75	56	58	52	2.40	5.90	4.35	134	342	226
Illinois	1,000	950	1,000	120	85	90	120	81	90	3.70	7.30	7.20	444	591	648
Missouri	2,200	2,100	2,000	95	75	75	209	158	150	3.95	7.00	6.30	826	1,106	945
Ohio	1,300	1,300	1,300	215	200	215	280	260	280	5.10	5.60	6.20	1,428	1,456	1,736
Maryland	3,000	2,900	2,800	200	195	205	600	566	574	2.60	2.60	3.15	1,560	1,472	1,808
Delaware	600	550	450	180	160	185	108	88	83	2.25	2.80	3.00	243	246	249
Group total	34,950	34,850	37,450	160	163	169	5,590	5,686	6,331	2.80	4.18	3.96	15,359	23,767	25,043
Late summer:															
New Jersey	9,000	9,500	8,600	220	155	195	1,980	1,472	1,677	2.95	3.05	3.30	5,841	4,490	5,534
Washington	2,000	2,100	1,800	310	280	265	620	588	477	2.60	2.55	2.05	1,612	1,499	978
Oregon	1,200	1,200	1,300	275	250	220	330	300	286	3.55	2.95	3.35	1,172	885	944
Pennsylvania	2,700	2,900	3,400	220	210	190	594	609	646	1.90	2.45	2.10	1,129	1,492	1,357
Ohio, other	3,600	3,400	3,400	180	165	175	648	561	595	2.65	4.05	3.60	1,717	2,272	2,142
Indiana	3,700	3,700	3,500	140	130	125	518	481	438	2.50	5.06	5.00	1,295	2,405	2,190
Illinois, other	1,500	1,300	1,300	110	110	115	165	143	150	2.20	2.35	1.80	363	336	270
Iowa	550	470	450	100	130	125	55	61	56	2.00	2.40	2.25	110	146	126
Connecticut	1,800	1,800	1,900	270	250	300	486	450	570	4.30	4.80	3.40	2,090	2,160	1,938
Rhode Island	390	430	460	290	340	300	113	146	138	3.70	4.30	3.35	418	628	462
Massachusetts	1,700	1,700	1,700	295	310	320	502	527	544	4.20	4.70	3.60	2,108	2,477	1,958
New York	8,500	8,000	7,700	225	245	245	1,912	1,960	1,886	2.10	2.45	2.40	4,015	4,802	4,526
Michigan	7,600	7,700	8,100	170	175	160	1,292	1,348	1,296	2.50	3.25	3.15	3,230	4,381	4,082
Colorado	1,500	1,600	1,600	225	300	300	338	480	480	2.35	2.30	1.70	794	1,104	816
Utah	270	200	200	250	230	270	68	46	54	2.00	2.00	1.50	136	92	81
Alabama	2,300	2,100	2,300	65	45	45	150	94	104	2.65	3.65	3.00	398	343	312
Group total	48,310	48,100	47,710	202	193	197	9,771	9,266	9,397	2.70	3.18	2.95	26,428	29,512	27,716
Early fall: California	19,000	15,700	16,000	265	310	310	5,035	4,867	4,960	3.90	3.95	3.10	19,636	19,225	15,376
Late fall:															
Texas	4,800	10,000	6,000	50	55	60	240	550	360	4.50	2.50	4.60	1,080	1,375	1,656
Florida	8,500	11,900	9,400	185	125	125	1,572	1,488	1,175	4.95	5.00	6.00	7,781	7,440	7,050
Group total	13,300	21,900	15,400	136	93	100	1,812	2,038	1,535	4.89	4.33	5.67	8,861	8,815	8,706
All States	228,060	229,450	235,560	151	150	144	34,513	34,500	34,024	3.48	4.02	3.75	119,676	138,774	127,624

[1] Acreage available for harvest, including mature acreage abandoned or only partially harvested because of low prices or other economic factors.
[2] Approximately 53 pounds.
[3] Value is for the marketing season or crop year and does not correspond to calendar-year income.

The PRESIDING OFFICER. The question is on agreeing to the amendment to the committee amendment offered by the junior Senator from Arizona [Mr. GOLDWATER] for himself and on behalf of the senior Senator from Arizona [Mr. HAYDEN].

The amendment to the amendment was agreed to.

Mr. HOLLAND. Mr. President, I call up my amendment 8-4-54-E, and ask that it be read.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. In the committee amendment on page 34, line 9, before the period, it is proposed to insert the following: "or comparable restrictions promulgated hereunder."

On page 34, line 12, after the period, insert the following:

Whenever the Secretary of Agriculture finds that the application of the restrictions under a marketing order to an imported commodity is not practicable because of variations in characteristics between the

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domestic and imported commodity he shall establish with respect to the imported commodity such grade, size, quality, and maturity restrictions by varieties, types, or other classifications as he finds will be equivalent or comparable to those imposed upon the domestic commodity under such order.

The PRESIDING OFFICER. Does the Senator from Florida ask to have his amendments considered en bloc?

Mr. HOLLAND. I so request.

The PRESIDING OFFICER. The amendments will be considered en bloc.

How much time does the Senator from Florida yield to himself?

Mr. HOLLAND. Two minutes will be adequate for me to explain the amendment.

Mr. President, the amendment is addressed to the same provision as has just been discussed by the able junior Senator from Arizona [Mr. GOLDWATER], and as was discussed a few minutes ago by the able senior Senator from Maine [Mrs. SMITH], at the time her amendment, which included Irish potatoes with the other commodities already covered by this provision of the bill, was offered and adopted.

My amendment, which is offered at the request of the Department of Agriculture, simply recognizes the fact that certain commodities—and I am thinking particularly of tomatoes moving from outside the United States into this country—may have grade, size, quality or maturity restrictions applying to them under the laws of the foreign country, or under the customs of the industry in the foreign country, which are different from those which are applicable in this Nation.

In such cases, under the terms and provisions of the amendment, the Secretary of Agriculture would be allowed to prescribe the equivalent or comparable standards, which would allow the production of the foreign country to move freely.

I understand that the two Senators from Arizona have no objection to the amendment; I have also talked with the two Senators from Maine, and they have no objection to the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Florida [Mr. HOLLAND] to the committee amendment.

The amendment to the amendment was agreed to.

Mr. DIRKSEN. Mr. President, I offer an amendment, which I ask to have read.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Illinois.

The LEGISLATIVE CLERK. In the committee amendment on page 25, after line 6, it is proposed to insert a new section, as follows:

SEC. 206. That, notwithstanding the provisions of section 407 of the Agricultural Act of 1949, as amended, or of any other law, the Commodity Credit Corporation is authorized until March 1, 1955, to sell at the point of storage any feed grain owner by the corporation at 10 percent above the current support price for the commodity.

The PRESIDING OFFICER. Will the Senator from Illinois state the amount of time he desires to yield to himself?

Mr. DIRKSEN. I yield myself 5 minutes. I should like to have the attention of the distinguished senior Senator from Vermont [Mr. AIKEN].

Mr. President, this is a matter which I discussed with the Senator from Vermont on another occasion. So far as I can ascertain, there is no objection to the amendment. It has already been adopted by the House in the form of a joint resolution.

The amendment proposes to make feed grains available at the point of storage, at a price which is somewhat less than the price which the Commodity Credit Corporation must obtain under existing law.

A report issued by the House indicates by quantities and by States what the amendment would mean in price per bushel, in the case of barley, corn, and other grains.

While the amendment is not designed particularly as a drought relief measure, yet because some corn is being held in areas where it is necessary to have feed, on the theory that the price will appreciate, there is need for corn by various feeders, unless they are impelled to slaughter their livestock. I think this provision was adopted by the House, noting, of course, that it is necessary to make feed supplies available at a proper price in some of the areas where adequate supplies are not available at the present time. I referred to the conversation I had with the chairman of the committee on this subject. It is my understanding that the amendment will be accepted and taken to conference.

Mr. AIKEN. Mr. President, as I understand, a measure containing this provision passed the House last week, under a suspension of the rules. It provides that Government-stored corn may be sold at the support level plus 10 percent. I would want it understood that the support level plus 10 percent applies to the support level within the commercial corn area, however. Otherwise some parts of the country might be getting corn for about 25 percent less than would be paid in other parts of the country.

Mr. DIRKSEN. That is my understanding. I believe that point was emphasized in a letter from the Department of Agriculture to the chairman of the House Committee on Agriculture.

Mr. AIKEN. With that understanding, I beileve the amendment will be very helpful, not only to take to conference but to retain in the bill.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield to the Senator from Minnesota.

Mr. HUMPHREY. Am I to understand that the amendment of the Senator from Illinois would permit the sale of stored corn at the point of storage in an area where it may be needed, at a price not more than 10 percent above the support level?

Mr. DIRKSEN. That is correct.

Mr. HUMPHREY. The Commodity Credit Corporation would, of course, bear some losses under the proposal. Is that correct?

Mr. DIRKSEN. There may be losses. I am not at all sure. However, let me point out that in Minnesota, for example, where oats might be used as feed in some of the dairy areas, it is indicated that if, under existing law, 105 percent of parity plus charges had to be paid, as of March 1954, oats could be sold for 93 cents a bushel. If this provision prevails and remains in the bill, it will be required that the product be sold at only 10 percent above the support price, and the farmers could buy the product at 79 cents a bushel. So there is a differential of about 15 cents available to feeders, where there is authority for it, and there would be a comparable arrangement as regards corn, oats, and grain sorghums.

Mr. HUMPHREY. What does the Senator from Illinois think that will do to the general market areas of the country in the normal market place?

Mr. DIRKSEN. The provision is permissive in nature, but it will give the Department an opportunity to meet feed needs where there are stringent shortages, but where, at the same time a widespread emergency condition cannot be said to exist.

Mr. HUMPHREY. I thank the Senator from Illinois for his explanation.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Illinois [Mr. DIRKSEN] to the committee amendment on page 25, after line 6.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The committee amendment is open to further amendment.

Mr. HOLLAND. Mr. President, I call up my amendments identified as No. 6 and No. 7, and I ask that they be considered en bloc.

The PRESIDING OFFICER. The clerk will state the amendments.

The LEGISLATIVE CLERK. On page 33, in line 1, it is proposed to strike out "fixing or."

On page 32, in lines 6 and 7, it is proposed to strike out "a majority of."

The PRESIDING OFFICER. Without objection, the amendments of the Senator from Florida will be considered en bloc.

Mr. HOLLAND. Mr. President, if any Senator desires to be informed on the amendments, which are very simple, I shall be glad to speak on them.

The PRESIDING OFFICER. The question is on agreeing to the amendments of the Senator from Florida to the committee amendment on page 33, line 1, and on page 32, lines 6 and 7.

The amendments to the amendment were agreed to.

Mr. WILLIAMS. Mr. President, I send an amendment to the desk, which I ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Delaware to the committee amendment will be stated.

The LEGISLATIVE CLERK. On page 21 in the committee amendment, beginning with line 2, with the words "the Secretary", it is proposed to strike out through the word "in" in line 4, and insert in lieu thereof "there are hereby authorized to be appropriated."

Mr. WILLIAMS. Mr. President, the purpose of this amendment is to carry out a policy previously adopted by Congress about 2 years ago, when Congress repealed the authority of the Treasury Department to cancel notes of the Commodity Credit Corporation, and required the agency to come to Congress for direct appropriations. This amendment would strike out the new cancellation authority proposed in the bill, and at the same time authorize the necessary appropriations. It would make no difference at all in the cost of the program, but it would make a great difference in the bookkeeping methods of the agency.

I do not think the chairman of the Committee on Agriculture and Forestry has any objection to the amendment, although he does not happen to be present in the Chamber. I think the majority leader received the understanding, as I did, that the chairman of the committee would not oppose the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Delaware [Mr. WILLIAMS] to the committee amendment on page 21, beginning with line 2.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The committee amendment is open to further amendment.

Mr. WILLIAMS. Mr. President, I have another amendment which I should like to have considered at this time, identified as "8–3–54–G."

The PRESIDING OFFICER. The clerk will state the amendment to the amendment.

The LEGISLATIVE CLERK. At the end of the bill it is proposed to insert the following new title:

TITLE VIII—MISCELLANEOUS

SEC. 801. Notwithstanding any other provision of law, no feed for livestock or seed for planting shall be furnished to farmers, ranchers, or stockmen pursuant to Public Law 875, 81st Congress (42 U. S. C. 1855 and the following), Public Law 115, 83d Congress, first session, Public Law 357, 83d Congress, second session, Public Law 480, 83d Congress, second session, or pursuant to any other law as a disaster relief measure, unless, in addition to such administrative costs as may be assumed by the State, the State in which such feed or seed is furnished agrees to contribute such percentage, not less than 25 nor more than 50, as the Secretary of Agriculture shall determine to be equitable of that part of the cost, including transportation, of such feed or seed which is not paid for by the recipients thereof.

Mr. ANDERSON. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS. I yield to the Senator from New Mexico.

Mr. ANDERSON. I hope the Senator from Delaware will not press his amendment. I remind him that drought conditions exist in many parts of this country. Farmers in those areas have not been notified that they will not be able to participate in the program unless their States have participated to the extent of at least 25 percent. There may be States which have enacted no laws providing that they participate to the extent of 25 percent. I am not thinking particularly of my State, but Colorado, for example, is now participating in the program designed to relieve drought suffering. The southeastern part of Colorado is in extremely bad condition, and should be receiving drought relief. The great central portion of Texas is in a drought area. That area may be relieved by current rain.

While it may be satisfactory for the Congress to adopt a law in January that would become retroactive after a time during which States would have an opportunity to submit measures to their own legislatures to put up money under the program, I think it would be bad, at this late hour just before adjournment, to agree to such an amendment, when the drought is as bad as it is.

Mr. WILLIAMS. Mr. President, I am perfectly willing to make the effective date 60 days after the enactment of the provision, which would give the States necessary time to act. It seems to me that any State which requires Federal assistance should be able to put up a minimum of 25 percent to help its own farmers. There does not exist a State which is not financially better able to participate in the program than is the Federal Government. I think there would be much better administration if some method of State participation were provided for.

It seems to me that by means of the present arrangement, the Federal Government has given open encouragement for every State or every county to try to have itself declared a disaster area, in order that it may obtain cheap feed.

We are receiving a number of complaints from States or counties or farmers who may be directly across the boundary line from a State or county in which such relief is received. They complain because they are not receiving the same treatment that is received by their neighbors who live just across the boundary line. A certain amount of such complaints cannot be avoided, of course. However, I believe that by having some degree of State participation, it will be possible to avoid having many recommendations for such relief either solicited or approved on a political basis, rather than on a basis of actual need. I have modified my amendment, so as to provide that a minimum State participation of 25 percent would be required, and a maximum of 50 percent. That would mean that the Government could pay anywhere from 50 to 75 percent of the cost of the program.

Certainly any State which requests assistance from the Federal Government should be willing to pay a minimum of 25 percent. I believe such an arrangement would avoid a repetition of certain cases to which reference was made on the floor of the Senate a few weeks ago, wherein ranches, such as the King Ranch and other large millionaire ranches, were feeding their livestock from the Federal Treasury. Certainly the program was never intended to operate in that way.

The drought relief program bill was passed by Congress, and I supported it, and I would do so again. But the bill was passed with only one thought in mind, namely, that we would help distressed areas and farmers in those areas who were in a distressed condition, so as possibly to enable them to save their farms. The program was never intended as a relief program for those who did not need it. After all, the program was established on a basis quite similar to that of the survivors and old-age insurance program, namely, to help those who were unable to help themselves.

That does not mean that Congress ever intended to have the farmers who receive this aid take a pauper's oath. That was not required, inasmuch as they were called upon to request the aid because of circumstances beyond their control. However, I think we can limit and better control this demand on the Federal Treasury if we require some degree of State participation, rather than to have the program continue with the Federal Government contributing the whole cost. Local supervision would eliminate its misuse.

Mr. CASE. Mr. President, will the Senator from Delaware yield to me?

Mr. WILLIAMS. I yield.

Mr. CASE. It occurs to me that the objective of the amendment of the Senator from Delaware is good. I think anyone who has observed the administration of one of these programs knows there is considerable complaint to the effect that some persons who receive relief of this type do not need it or, at least, do not need it in the degree in which they receive it, if all aid of this sort is given without a requirement of any contribution by either the State or the recipient.

However, I think the point raised by the Senator from New Mexico [Mr. ANDERSON] is most pertinent in this connection.

Just a moment ago I read on the news ticker that my home county of Custer, S. Dak., is requesting relief. It happens that conditions in the adjoining county of Wyoming, so I was told some days ago by the Senator from Wyoming [Mr. BARRETT], are identical with the conditions in my home county, as he observed the situation as he flew over the country by airplane, and saw the conditions existing both in that part of Wyoming and in the adjoining part of South Dakota, just across the boundary line.

So it would not surprise me to learn that the two counties in South Dakota just to the south of Wyoming and immediately adjacent to the boundary line seek relief, because it is obvious that when such a condition develops it does not stop at a county or State boundary line.

Mr. WILLIAMS. But would not the Senator from South Dakota agree with me that the State of South Dakota should be able to pay from 25 percent to 50 percent of the cost of the program, if it is needed in that area?

Mr. CASE. I was referring to the way such conditions develop and spread.

The fact that just across the boundary line, the farmers are receiving relief, makes those who live on the other side of the boundary line think they should receive some assistance, too.

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I would not contend that the State of South Dakota would not find it possible to put up 25 percent, or that in many instances the ranchers themselves could not put up 25 percent.

If the amendment is adopted, I think it should make it possible for the relief program to proceed without requiring special meetings of the State legislatures. In many cases I think the ranchers themselves would feel that they were receiving sufficient subsidy relief if the Government paid 75 percent and if the ranchers themselves or if the State paid the remaining 25 percent.

However, the language of the amendment, as it is now drawn, requires that not less than 25 percent, nor more than 50 percent of the cost must be assumed by the State. I am sure that my State is without authority to accept such relief, as the matter now stands.

Mr. WILLIAMS. To overcome that objection I would be willing to modify the amendment, so as to make the effective date 60 or 90 days from the date of enactment of the bill. In that way the State of South Dakota or any other State in which such an emergency situation exists could easily call its legislature into session.

I think there is a great deal of merit to the suggestion of the Senator from New Mexico [Mr. ANDERSON] that we should not disrupt this program overnight. It cannot be said that the ranchers would not be able or willing to make any payment at all. However at the present time the question of State contribution is left to the discretion of the Secretary of Agriculture and has not been required. I believe that to the extent the Government takes a loss on the feed, by selling it below cost, to that extent a minimum of 25 percent of such cost should be furnished by the States involved.

Mr. President, I now modify the amendment, so as to provide that its effective date shall be 90 days after the enactment of the bill.

Mr. CASE. Will the Senator from Delaware take notice of the fact that most of the State legislatures will have their regular meetings in January? Since it will be practically the first of September before the bill is enacted into law, upon being signed by the President, if we provide for exactly 90 days, we might force the legislatures to hold special sessions about mid-December, whereas for the most part the legislatures will meet, in any event, on the second or third day of January, following the biennial election.

Mr. WILLIAMS. I really think this formula should be placed into effect at an early date, and I understand that the Secretary of Agriculture could do so by means of Executive order. He could work out some such arrangement with the States. Such an arrangement was worked out last year in the hay program. Under that program several of the States contributed 50 percent. The States will be able to make a similar arrangement under the same authority.

Mr. CASE. They might or they might not be able to. It appears to me to be difficult to know that, without making an examination of the pertinent statutes of the several States which are involved in the program.

I am not particularly concerned about this matter, because my State would not be greatly affected, inasmuch as—fortunately—only 1 or 2 counties of my State would be affected to any great extent. However, it seems to me that if the Senator from Delaware wishes to save money by means of the amendment, he should not require the State legislatures to hold meetings on the first of December, inasmuch as ordinarily they would meet only a few weeks later. The arrangement made should be such that the State legislatures, when they meet in the early days of January, will be able to take cognizance of the amendment at that time.

Mr. HOLLAND. Mr. President, will the Senator from Delaware yield to me?

Mr. WILLIAMS. I yield to the Senator from Florida.

Mr. HOLLAND. I wish to say to the Senator from Delaware that I have some sympathy for his motives in connection with this matter, because, as he does, I feel that we should expect the States to assume their responsibility and to live up to their responsibility in connection with this matter.

However, it seems to me that the amendment of the Senator from Delaware would establish a principle which would be very difficult to live up to in connection with the various kinds of distress which we are called upon to meet.

I wish to call the attention of the Senator from Delaware to the fact that we more often have huge floods than we have huge or widespread droughts. I wish to call his attention to the fact that there are other kinds of natural disasters; and in the case of every disaster that I know anything about, the local community has to carry the largest part of the load; the persons who are affected have to carry the largest part of the load, despite any assistance which may be furnished by the Federal Government.

If there were to develop another one of the vast dust bowls which we have previously experienced, and which even now may be imminent in some areas, I, for one, would not wish to have a situation occur wherein we would expect the States which already are very hard hit to meet a fixed standard in respect to contributions.

Let me say to the Senator from Delaware that the discretion vested in the Secretary of Agriculture in this field, and in the General Services Administration in other fields, already permits the requiring of reasonable participation.

I was in the drought area last summer, along with my distinguished friend, the senior Senator from Kansas, who now is on the floor; and I am sure the Senator from Kansas will remember, as I do, that at that very time the question of supplying hay to areas which had no hay of their own came up, and that the ruling by the Secretary of Agriculture—and, personally, I thought it was a fair and friendly ruling—was that the States had to carry, with reference to the supply of hay, over a rather indefinite period, a much larger percentage of the total expenditure than had been required in the earlier stages of the program.

I hope the distinguished Senator will not insist upon this amendment, which does not relate at all to the subject matter of the bill, and which I think should be approached with caution, with the idea of learning what kind of situations have arisen in the past and are likely to arise in the future. I am sure that the distinguished Senator, out of his mercy—and he does have a very merciful heart—would not want to withhold the aid of the Federal Government in the supremely distressing situations which sometimes arise.

I know perfectly well that there have been vexing cases of abuse which have been presented. As far as the Senator from Florida is concerned, his first reliance would be upon the Secretary of Agriculture, who I believe will be careful to see whether Federal aid should be given and, if so, how much and under what conditions; and, in the second place, the Congress always controls the pursestrings, and if there is a tendency toward abuse we can, of course, cut off appropriations for certain objectives where the Federal Government is being imposed upon.

Though having considerable sympathy with the provision offered by the able Senator from Delaware, whom I commend for his interest in economy and for his interest in insisting that States do their part in meeting common disasters, I still feel he would be setting a very bad precedent and that there would be no end to it. If the provision applied in the case of drought, it would apply, therefore, in all other cases of natural disaster. In the very nature of things, disasters cannot be measured by percentage points because there are some disasters which simply wipe out the ability of the local government or the State government effectively to meet any substantial part of the cost of such disaster.

I hope the Senator will not insist upon his amendment.

Mr. WILLIAMS. Mr. President, I am going to insist on the amendment. I disagree with the Senator from Florida that this is not the appropriate bill because the amendment adopted immediately prior to this, offered by the Senator from Illinois [Mr. DIRKSEN], was designed to assist the drought-stricken areas. We are dealing with that subject in this bill, and the committee which has jurisdiction over it is the Committee on Agriculture and Forestry. So we are not dealing with a subject which is foreign to that which we are now discussing.

I have offered to modify my amendment to make the effective date 60 or 90 days after enactment, to overcome the question as to the legislatures being in session. I shall make the effective date January 1, 1955. Nearly all the legislatures of the country are in session in January, and that would give to the governors of the respective States, if they wished, a chance to call their legislatures into action immediately upon their convening and let them act quickly. If an emergency such as that being described existed in any State, surely that would be made the first order of business, and the necessary funds would be provided

whereby the State could participate in this program.

I think we in Congress have a responsibility to determine the policy. I have discussed this matter with the Department downtown, just as the members of the committee have. Department officials said they were perfectly within their rights under the law in extending relief such as the $30,000 or $40,000 of relief granted a few weeks ago to the King ranch. If we reject the pending proposal, we are endorsing that practice. If that is what the Congress desires, let us make it very clear that in rejecting this amendment we are encouraging States and counties throughout the country, whether in the East or the West, in which there is any semblance of drought, to come to the Federal Government and expect it to underwrite their costs.

We should also remember that drought is not the only disaster which affects the farm. Very often a hail storm will strike a section of the country and completely wipe out some farmer's crops or those in some particular county. If we are to adopt a proposal which will mean that every time a disaster strikes an area, the people there can call on the Federal Government for cheaper feed and for assistance, let us determine the policy now whether or not there shall be some State participation in order to warrant Federal assistance.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield to the Senator from California.

Mr. KNOWLAND. I am a little loath to enter the debate on this amendment. I do not know whether the Senator's amendment has been printed and is available to all.

Mr. WILLIAMS. It has been printed for about 2 weeks.

Mr. KNOWLAND. While from a strict reading of the amendment it may be germane to the existing bill, I think it is at least a borderline case of germaneness.

I am a little concerned, very frankly, although I think the Senator's motives are certainly the best, and the idea he expresses on the desirability of local participation is sound, as a general rule. As a matter of fact, in many activities of the Federal Government—in social security, highway construction, vocational education, and so forth—we have tried to encourage local participation. I think the principle is perfectly valid and sound, because if the people on the spot have, so to speak, an investment in the program, they will probably police it and watch it and take more interest than if they are merely getting Federal assistance. That is not the basis of my concern.

There are many kinds of disasters. Drought is one of them. Others are floods, fire, and earthquake. There may be a great many. It seems to me that it is not unreasonable, in view of the fact that we are entering into a field which is at least questionable as to its germaneness——

Mr. WILLIAMS. Mr. President, will the Senator yield at that point?

Mr. KNOWLAND. Will the Senator let me finish my sentence?

Mr. WILLIAMS. I believe the Senator from California is slightly confused, because we are dealing only with drought and disaster relief on farms. We are not dealing with floods.

Mr. KNOWLAND. I thoroughly understand that, but my point is that drought is a disaster to the farmer because of the particular way in which it is concentrated more on the farmer, but he may suffer as much from a flood. Except perhaps for the demolishing of his buildings, both his home and his farm buildings, barns and so forth, the farmer might not be so much affected by an earthquake and would not be subject to quite the hazard that is involved where a fire sweeps a great metropolitan area.

These are varying types of disaster. It seems to me that when we get into this field, there would be some merit in the proposal so far as sound legislative procedures are concerned. I think the Senator has performed a useful service in raising the issue. It seems to me that it would be better to have committee consideration of this proposal on its own merits, rather than to raise the issue at this stage in the legislative procedure on the farm bill. I, at least, think reasonable men might want more time for consideration and the securing of adequate testimony as to just what it would mean. The fact that the Senator from Delaware is prepared to accept an amendment that would postpone the effective date until the first of the year would seem to me also to argue strongly, the Senator having raised the issue, that it would be better for the Senator, perhaps after consideration, to reintroduce his proposal as a bill early in the next session, and to ask the proper committees of the Senate to give priority consideration to it at that time. If we could then get prompt action in the Congress, there would be time for action by the biennial legislatures that will meet next year and the year following.

Mr. WILLIAMS. I would be more sympathetic to the proposal were it not for the fact that the Senate has just adopted an amendment dealing with this same subject which will cost the taxpayers a considerable sum of money. That amendment likewise extends relief to the drought-stricken areas of the country. I believe all of us are familiar with the proposal under discussion. We know what it deals with. The sole question is whether or not we want a minimum participation on the part of the States affected. I have no intention to labor the point any further. If the Senator from California will assist me in having the yeas and nays ordered, I shall be glad to have a vote on the amendment and yield back the remainder of my time.

Mr. KNOWLAND. The difficulty is that I, at least, have no testimony before me as to the States which have been hard hit and which States or local communities have taken any steps to give assistance to those who have been adversely affected by drought conditions. It seems to me that on a matter of this kind 25 percent in most instances may be a modest sum. As a general proposition, if a locality were putting up 25 percent and the Federal Government were putting up 75 percent, it would appear to me to be a perfectly reasonable proposal. On the other hand, there may be instances in which it would be neither feasible nor equitable for a State or a community to be denied assistance unless either one were able to put up 25 percent of the cost.

After we have adequate testimony and after the facts are presented and we have an opportunity to determine which areas ought to receive aid, and after we determine the economic conditions and the financial condition of the treasuries of the States or localities involved, I may be prepared to support the amendment of the Senator from Delaware. However, speaking as an individual Senator, not as majority leader—there has been no party policy established on this point—in considering the points which have occurred to me while the Senator from Delaware has been speaking, during the course of this discussion——

Mr. WILLIAMS. The Senator from California has raised a point. However, I say again that the Senate has already adopted an amendment which deals with this subject, on which no testimony has been taken. On the other hand, volumes of testimony have been taken on this subject of drought relief before both Agricultural Committees, and Congress has passed 4 or 5 bills dealing with that subject, and has made appropriations for such purpose.

We are not dealing with a new subject. We are not dealing with a question which has not had the attention of Congress or of the administration. Officials of the administration have said they were shocked that such organizations as the King Ranch in Texas should be getting relief from the Federal Government. They said that under existing law nothing could be done about it. The present law does not require a State affected to make any contribution. Some responsibility for the program should be placed on the States. That is the question on which we can vote now. I ask for the yeas and nays.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. WILLIAMS. I should first like to have the yeas and nays ordered.

Mr. KNOWLAND. Mr. President, I will assist the Senator from Delaware in having the yeas and nays ordered, if it will expedite consideration of the amendment.

The yeas and nays were not ordered.

Mr. WILLIAMS. I shall renew my request after the absence of a quorum has been suggested.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield.

Mr. ELLENDER. Has the Senator made a study of the constitutions of the various States to determine whether the States would have authority to provide funds to match funds furnished by the Federal Government?

Mr. WILLIAMS. No; I have not. However, I may say to the Senator from

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Louisiana that last year, under the program for the distribution of hay by the Department of Agriculture, they required not 25 percent as a minimum, but a minimum of 50 percent contribution on the part of every State participating, and I cannot recall any State being handicapped.

Mr. KNOWLAND. Mr. President, again I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. AIKEN. Mr. President, the practice of extending Federal aid to drought-stricken areas has now become so widespread that I believe we ought to lay down some rules for extending the aid before the practice becomes so deeply imbedded on an unsound foundation that we shall not be able to establish any rules. It goes without saying that if States were required to meet some part of the expense of drought relief we could probably avoid considerable chiseling on the programs for drought relief. I do not believe that anyone can prevent some chiseling on the programs as the programs are administered at the present time. However worthy the objective of the Senator from Delaware is, I must say that before voting for his amendment I should wish to give considerable study to the situation.

I believe there should be hearings held on the subject, and I believe that the Secretary of Agriculture should be required to draw up a tentative program which would require the States to share some of the responsibility for the program.

It had been my hope that we could find time this fall to do some work along that line. The sooner we do so the sounder our methods will be.

I am not prepared to vote for the amendment at this time, although I am in full sympathy with the purpose of the amendment offered by the Senator from Delaware. We have not consulted any State officials about this subject, and I think we should.

Mr. KNOWLAND. Mr. President, I wonder whether I may address an inquiry to the Chair as to the amount of time remaining on the amendment of the Senator from Delaware.

The PRESIDING OFFICER (Mr. REYNOLDS in the chair). The Senator from Delaware has used 30 minutes, and the Senator from Vermont has used 2 minutes.

Mr. KNOWLAND. I should like to ask the Senators in control of the time, when the Senator from Vermont has concluded his remarks, whether they will be prepared to waive the remainder of their time?

Mr. AIKEN. Certainly.

Mr. WILLIAMS. Yes.

Mr. AIKEN. I do not know whether there is anything more that I care to say about the amendment. If the Senator from Delaware is willing to waive his time, I will be willing to waive the remainder of my time also. However, I want to make it clear that my voting against the Senator's amendment is not to be understood as my being opposed to requiring States to shoulder some responsibility for the drought program.

The PRESIDING OFFICER. Is it the understanding of the Chair that the remainder of the time has been waived?

Mr. WILLIAMS. We will waive it in a minute.

Mr. THYE. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. THYE. I shall find it necessary to vote against the amendment offered by the Senator from Delaware [Mr. WILLIAMS]. There is considerable merit to the amendment the Senator has proposed, but it is too late in the session to consider it, with recess or adjournment about a week away.

The amendment should have been laid before the Committee on Agriculture and Forestry earlier in the year. If that had been done, the committee could have held hearings on the amendment to determine how it would affect the States in the drought-stricken areas.

If such an amendment were not to go into effect until after January, it would be too early to permit States to legislate on the subject for the purpose of creating funds within the States and setting up administrative bodies which could work with the Federal Government.

For that reason I should say that while there have been some glaring errors in the administrative function, permitting such an organization as the King Ranch to participate when we know very well that it can establish the credit necessary to buy all the feed which is necessary to feed its cattle, the program has been a good one. In that particular instance I would share the views of the Senator from Delaware [Mr. WILLIAMS] but unfortunately this program involves many people in addition to those at the King Ranch. It involves people who have no credit.

I think adoption of the proposed amendment would represent a hardship to many people, and it would be a misunderstood action on the part of Congress. Therefore, I find it necessary to vote against the amendment.

Mr. HUMPHREY. Mr. President, will the Senator from Vermont yield some time to me?

Mr. AIKEN. Does the Senator from Minnesota desire time?

Mr. HUMPHREY. Yes; I should like to have about 5 minutes.

Mr. AIKEN. I yield 5 minutes to the junior Senator from Minnesota.

Mr. HUMPHREY. Mr. President, I have listened to the presentation of the Senator from Delaware pertaining to his amendment. I thought that presentation was answered conclusively by the Senator from New Mexico [Mr. ANDERSON]. The Senator from New Mexico pointed out very appropriately that there undoubtedly have been some weaknesses in the disaster-relief program, but also that severe hardships would exist if this amendment were adopted.

The Senator from Delaware has said that he would make the date January of 1955, as I recall, but January of 1955 is a date of no particular consequence, because many of the State legislatures will not be in session at that time. Furthermore, in many instances the call for a special session would result in a considerable cost, insofar as the respective States are concerned.

It seems to me that this disaster-relief program is being administered cooperatively. There is nothing to prevent the governors of States from taking such administrative action as they deem necessary. I am sure that in most instances this program has been established through the administrative agencies of the States.

My colleague has further pointed out that if there is an abuse here and there, we would, of course, like to eliminate any such abuse. But the fact is that disaster relief—being afforded in a limited quantity, by the way—is helping a large number of people who are unable to obtain credit.

I resent the fact that there are attitudes expressed here implying that everybody wants to get on the "gravy train." As a matter of fact, in some of the States there are people who have literally seen their farms blow away. They have seen their investments in seed and cropland destroyed. They are seeing the possibility of production of a crop yield for 1 year gone. It is not just for 1 year. In some areas in the past 4 years there have been 3 years of drought.

I suggest that this would be a most inappropriate amendment. If the situation continues, with this kind of drought problem, the Congress can surely take care of any such problem as this in the next session of Congress, by appropriate legislative proposals. There can be hearings before the committees of Congress, with the opportunity to hear from governors, State commissioners of agriculture, and other agencies, and representatives of those agencies. I do not think we should legislate before proper consideration is given the subject.

I will conclude by saying, let us not worry about helping somebody too much. Very few people will abuse this privilege.

If the Congress were to adopt the amendment proposed by the Senator from Delaware [Mr. WILLIAMS] we would be abusing thousands of people who are in a state of desperate need.

One of the main purposes of the surplus program, or the storage program, was to provide supplies which would be available in case of disaster or in case of need.

I have lived in an area of the country where the people have needed this help at one time. They may need it again. I also read on the "ticker" just a moment ago that people who live in certain portions of South Dakota have appealed for disaster relief. I am sure those people would not appeal for such relief unless they really needed it. Those people are proud people. I have lived in a rural area long enough to know that the rural people are among the last to ask for any kind of relief, and they do not do so until they really need it.

We have supplies. We have the means to accomplish the program at the Federal level. I suggest that the program be continued. I shall vote against the amendment of the Senator from Delaware.

Mr. KNOWLAND. Mr. President, I now address an inquiry to the two Senators in control of the time as to whether they care to waive the remaining time.

Mr. WILLIAMS. I will waive all but about 5 minutes.

Mr. KNOWLAND. Mr. President, I suggest that 5 minutes be reserved for each side, and I will suggest the absence of a quorum.

Mr. WILLIAMS. That is satisfactory.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that, on agreement of the two Senators in control of the time, all time be waived with the exception of 5 minutes to a side.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. KNOWLAND. Mr. President, I now suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gillette	Maybank
Anderson	Goldwater	McCarthy
Barrett	Gore	McClellan
Beall	Green	Millikin
Bennett	Hayden	Monroney
Bowring	Hendrickson	Morse
Bricker	Hennings	Mundt
Bridges	Hickenlooper	Murray
Burke	Hill	Neely
Bush	Holland	Pastore
Butler	Humphrey	Payne
Byrd	Ives	Potter
Capehart	Jackson	Purtell
Carlson	Jenner	Reynolds
Case	Johnson, Colo.	Robertson
Chavez	Johnson, Tex.	Russell
Clements	Johnston, S. C.	Saltonstall
Cooper	Kefauver	Schoeppel
Cordon	Kennedy	Smathers
Crippa	Kerr	Smith, Maine
Daniel	Kilgore	Smith, N. J.
Dirksen	Knowland	Stennis
Douglas	Kuchel	Symington
Duff	Langer	Thye
Dworshak	Lennon	Upton
Ellender	Long	Watkins
Ervin	Magnuson	Welker
Ferguson	Malone	Wiley
Fulbright	Mansfield	Williams
George	Martin	Young

The PRESIDING OFFICER. A quorum is present.

The question is on agreeing to the amendment offered by the Senator from Delaware [Mr. WILLIAMS], as modified, to the committee amendment.

Mr. MAYBANK. Mr. President——

The PRESIDING OFFICER. The time is under control. Five minutes has been allotted to each side.

Mr. MAYBANK. Mr. President, will the Senator yield to me, so that I may ask a question of the Senator from Delaware?

Mr. AIKEN. I yield 2 minutes to the Senator from California first.

Mr. KNOWLAND. Mr. President, the amendment, as modified, offered by the Senator from Delaware provides that the States shall contribute at least 25 percent of the funds for drought relief. I object to the amendment, and I shall not vote for it. I speak in my individual capacity, because there has been no party policy, as such, adopted with respect to it. My objection is that no committee hearings have been held on the question. No testimony has been received as to whether the States which have been the hardest hit might find it possible to operate under the conditions of the amendment.

In view of the fact that the Senator from Delaware has said he would be willing to modify his amendment to the extent that it would not take effect until January of next year, it seems to me that the more orderly and sound legislative procedure would be to conduct committee hearings on the amendment when Congress reassembles in January. This would provide the States an opportunity to present testimony as to their financial ability to carry on such a program; and it would make possible a proper determination of the question whether the percentage of contribution by the States should be 10 percent, 25 percent, 50 percent, or 75 percent. At least, these questions could be discussed by the witnesses, and Congress could receive supporting testimony.

For these reasons, I shall not vote for the amendment of the Senator from Delaware, but I shall oppose it.

Mr. WILLIAMS. Mr. President, I yield myself 3 minutes.

Mr. MAYBANK. Mr. President, will the Senator yield for a question?

Mr. WILLIAMS. I yield.

Mr. MAYBANK. I heartily concur in the Senator's amendment. Some responsibility should be placed on the States, because, after all, it is the Governors of the States who are required to declare drought areas. The only question I raise about the Senator's amendment is with respect to the date of January 1. The legislatures of many States do not meet, as is the case in South Carolina, until the second Tuesday in January. I wonder if the Senator would be willing to modify his amendment requiring the States to contribute 25 percent, so as to make the effective date February 1. This would enable the State legislatures to act before February 1.

Mr. WILLIAMS. I modify my amendment so as to make the effective date February 1, 1955.

The PRESIDING OFFICER. The Senator has the right to modify his amendment.

Mr. WILLIAMS. What this amendment proposes is to have Congress establish a policy as to how it is desired to have these relief programs administered. The Senator from California [Mr. KNOWLAND] has pointed out that the governors of the respective States have not had an opportunity to testify on the amendment. I answer that by pointing out that Congress authorized all the programs with which the amendment deals—to my knowledge, not a single State governor testified in connection with the programs. Naturally the position of the governors of the States would be to let the Government keep on paying for all of the program. I do not believe there will be many governors of States coming to Washington and asking Congress to let the States pay 25 percent or 50 percent of the programs. That is our business.

A statement was made by one Senator that he believed that a large number of farmers would suffer if the amendment were adopted. That could only be true, in States where the governors or the legislatures refused to contribute a minimum of 25 percent to assist the farmers in a period of emergency. I cannot conceive of any such situation if the original request was bona fide. If the States refused to contribute it would be evidence that the citizens of those States did not think the request was justified.

This amendment is along the lines of the program which the administration has been urging for the past 2 years, namely, that on any Federal-aid program there be some participation on the part of the States. We hear much about States rights. I say that if the States want to preserve their rights, let them accept some of their responsibilities. There is not a single one of the 48 States that is not in much better financial condition than is the Federal Government, and thus it is able to pay for its portion of the program.

Practically everybody speaking here today has endorsed the principle of this amendment and that being true, I cannot understand why they hesitate to vote for it.

By the same token, the adoption of this amendment would be to require much needed local supervision. Above all, that is what is needed at this particular time. We all know that, in the experience we have had under programs relief has gone in directions in which Congress and the administration had no intention that it should go.

I certainly hope the Senate will agree to the amendment. By doing so we will be saying in effect that we want State supervision and responsibility in the distribution of whatever relief funds go out of the Federal Treasury.

Mr. KNOWLAND. Mr. President, the Senator from Vermont has yielded to me the remainder of the time allotted to him. I shall yield myself 1 additional minute.

While there may be merit in the proposal of the Senator from Delaware, I think there would be more merit in it if it had received consideration by the committee.

So far as drought is concerned, that is one type of disaster which happens to be concentrated on the farmers of the country. In the case of extreme drought, city dwellers may suffer from lack of adequate water from their municipal water systems, and otherwise. So far as the present drought is concerned, it is connected with the consideration of disaster relief to farmers. However, there are other types of disasters, such as floods, earthquakes, and great fires. It does seem to me we are getting into a field where perhaps each locality should be required to put up 25 percent of the cost of such relief. Perhaps after hearings and testimony that would be the decision of the committee and the Senate; but I do not believe that at this stage of the proceedings the amendment should be agreed to.

Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER (Mr. BUSH in the chair). Does the Senator from Delaware yield back the remainder of his time? He has 2 minutes remaining.

Mr. WILLIAMS. I yield back the remainder of my time.

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The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Delaware. The yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. SALTONSTALL. I announce that the Senator from Vermont [Mr. FLANDERS] is necessarily absent.

If present and voting the Senator from Vermont [Mr. FLANDERS] would vote "nay."

Mr. CLEMENTS. I announce that the Senator from Mississippi [Mr. EASTLAND], the Senator from Delaware [Mr. FREAR], the Senator from New York [Mr. LEHMAN], the Senator from Nevada [Mr. MCCARRAN], and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

The result was announced—yeas 25, nays 65, as follows:

YEAS—25

Bridges	Goldwater	Purtell
Bush	Ives	Reynolds
Butler	Jenner	Russell
Byrd	Johnson, Colo.	Upton
Capehart	Johnston, S. C.	Watkins
Case	Malone	Welker
Chavez	Martin	Williams
Duff	Maybank	
Dworshak	Potter	

NAYS—65

Aiken	Gore	McCarthy
Anderson	Green	McClellan
Barrett	Hayden	Millikin
Beall	Hendrickson	Monroney
Bennett	Hennings	Morse
Bowring	Hickenlooper	Mundt
Bricker	Hill	Murray
Burke	Holland	Neely
Carlson	Humphrey	Pastore
Clements	Jackson	Payne
Cooper	Johnson, Tex.	Robertson
Cordon	Kefauver	Saltonstall
Crippa	Kennedy	Schoeppel
Daniel	Kerr	Smathers
Dirksen	Kilgore	Smith, Maine
Douglas	Knowland	Smith, N. J.
Ellender	Kuchel	Stennis
Ervin	Langer	Symington
Ferguson	Lennon	Thye
Fulbright	Long	Wiley
George	Magnuson	Young
Gillette	Mansfield	

NOT VOTING—6

Eastland	Frear	McCarran
Flanders	Lehman	Sparkman

So Mr. WILLIAMS' amendment to the amendment of the committee was rejected.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the House had passed, without amendment, the following bills of the Senate:

S. 1184. An act to authorize relief of authorized certifying officers from exceptions taken to payments pertaining to terminated war agencies in liquidation by the Department of State; and

S. 3769. An act to amend section 709 of title 18, United States Code, so as to protect the name of the Federal Bureau of Investigation from commercial exploitation.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 8152) to extend to June 30, 1955, the direct home and farmhouse loan authority of the Administrator of Veterans' Affairs under title III of the Servicemen's Readjustment Act of 1944, as amended, to make additional funds available therefor, and for other purposes.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3546) to provide an immediate program for the modernization and improvement of such merchant-type vessels in the reserve fleet as are necessary for national defense.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 1585. An act to amend the District of Columbia Traffic Act, 1925, as amended;

S. 1611. An act to regulate the election of delegates representing the District of Columbia to national political conventions and for other purposes;

S. 2798. An act for the relief of Azizollah Azordegan;

S. 3506. An act to repeal the act approved September 25, 1914, and to amend the act approved June 12, 1934, both relating to alley dwellings in the District of Columbia; and

S. 3655. An act to provide that the Metropolitan Police force shall keep arrest books which are open to public inspection.

AMENDMENT OF DISTRICT OF COLUMBIA UNEMPLOYMENT COMPENSATION ACT

Mr. CASE. Mr. President, I ask that the Chair lay before the Senate the amendment of the House of Representatives to Senate bill 3482, to amend the District of Columbia Unemployment Compensation Act.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Presiding Officer (Mr. BUSH in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 3482) to amend the District of Columbia Unemployment Compensation Act, and for other purposes, which was, to strike out all after the enacting clause and insert:

That the District of Columbia Unemployment Compensation Act, approved August 28, 1935, as amended, is further amended as follows:

Section 1 (b) (2) (B) is amended by adding at the end thereof the following:

"Service shall be deemed to be localized within a State if—

"(i) the service is performed entirely within such State; or

"(ii) the service is performed both within and without such State, but the service performed without such State is incidental to the individual's service within the State, for example, is temporary or transitory in nature or consists of isolated transactions."

Section 1 (b) (4) is amended to read as follows:

"(4) Notwithstanding any other provisions of this subsection, the term employment shall also include all service performed after the effective date of this amendment by an officer or member of the crew of an American vessel on or in connection with such vessel, provided that the operating office, from which the operations of such vessel operating on navigable waters within or within and without the United States are ordinarily and regularly supervised, managed, directed, and controlled, is within the District."

Section 1 (b) (5) is amended by adding at the end thereof the following subsections:

"(Q) service performed on or in connection with a vessel not an American vessel by an individual if he performed service on and in connection with such vessel when outside the United States;

"(R) service performed by an individual in (or as an officer or member of the crew of a vessel while it is engaged in) the catching, taking, harvesting, cultivating, or farming of any kind of fish, shellfish, crustacea, sponges, seaweeds, or other aquatic forms of animal and vegetable life (including service performed by any such individual as an ordinary incident to any such activity), except (A) service performed in connection with the catching or taking of salmon or halibut, for commercial purposes, and (B) service performed on or in connection with a vessel of more than 10 net tons (determined in the manner provided for determining the register tonnage of merchant vessels under the laws of the United States)."

Section 1 (b) is amended by adding at the end thereof the following subsections:

"(7) Notwithstanding any of the provisions of subsection 1 (b) (5) of this act, services shall be deemed to be in employment if with respect to such services a tax is required to be paid under any Federal law imposing a tax against which credit may be taken for contributions required to be paid into a State unemployment compensation fund.

"(8) (i) Any service performed for an employing unit, which is excluded under the definition of employment in section 1 (b) (5) and with respect to which no payments are required under the employment security law of another State or of the Federal Government may be deemed to constitute employment for all purposes of this act: *Provided*, That the Board has approved a written election to that effect filed by the employing unit for which the service is performed, as of the date stated in such approval. No election shall be approved by the Board unless it (A) includes all the service of the type specified in each establishment or place of business for which the election is made, and (B) is made for not less than 2 calendar years.

"(ii) Any service which, because of an election by an employing unit under section 1 (b) (8) (i), is employment subject to this act shall cease to be employment subject to the act as of January 1 of any calendar year subsequent to the 2 calendar years of the election, only if not later than March 15 of such year, either such employing unit has filed with the Board a written notice to that effect, or the Board on its own motion has given notice of termination of such coverage."

Section 1 (c) is amended by repealing subsection (1) and renumbering subsection (2) to be subsection (1) and subsection (3) to be subsection (2) and subsection (4) to be subsection (3).

Section 1 (h) is amended to read as follows:

"(h) 'Benefit year' with respect to any individual means the 52 consecutive-week period beginning with the first day of the first week with respect to which the individual first files a valid claim for benefits, and thereafter the 52 consecutive-week period beginning with the first day of the first week with respect to which the individual next files a valid claim for benefits after the termination of his last preceding benefit year. Any claim for benefits made in accordance with section 11 of this act shall be deemed to be a 'valid claim' for the purposes of this subsection if the individual has during his base period been paid wages for employment by employers as required by the provisions of section 7 of the act."

Section 1 (m) is amended to read as follows:

"(m) 'Employment office' means a free public employment office or branch thereof operated by this or any other State as a part of a State-controlled system of public employment offices or by a Federal agency or any agency of a foreign government charged with the administration of an unemployment-insurance program or free public employment offices."

Section 1 is amended by adding at the end thereof the following subsections:

"(t) The term 'American vessel' means any vessel documented or numbered under the laws of the United States; and includes any vessel which is neither documented or numbered under the laws of the United States nor documented under the laws of any foreign country, if its crew performs service solely for one or more citizens or residents of the United States or corporations organized under the laws of the United States or of any State.

"(u) The term 'principal base period employer' means the employer that paid a claimant the greatest amount of wages used in the computation of his claim. In the event two or more employers paid the claimant identical amounts, the employer in such group for whom the claimant most recently worked shall be the principal base period employer."

Section 3 (c) (1) is amended by adding at the end thereof the following:

"Each year the Board shall credit to each of such accounts having a positive reserve on the computation date, the interest earned by such accounts from the Federal Government. This shall be done by averaging the interest rate paid for the four quarters ending on the computation date and crediting to each such account the amount which the reserve on such computation date would earn at such average rate of interest."

Section 3 (c) (2) is amended by adding at the end thereof the following:

"The principal base period employer shall be notified of each payment of benefits to a claimant at the time of such payment."

Section 3 (c) (7) (a) is amended to read as follows:

"(a) If 25 percent or more of the business of any employer is transferred, the transferee shall be determined a successor for the purposes of this section.

"(i) If the Board is unable to get information upon which to determine whether or not 25 percent of the business has been transferred, it may, in its discretion, make such determination based upon the quarterly payrolls of the employers involved for the last complete calendar quarter prior to the transfer and the first complete calendar quarter after such transfer.

"(ii) In the event of a transfer of 25 percent or more of the assets of a covered employer's business by any means whatever, otherwise than in the ordinary course of trade, such transfer shall be deemed a transfer of business and shall constitute the transferee a susuccessor hereunder, unless the Board, on its own motion or on application of an interested party, find that all of the following conditions exist:

"(1) The transferee has not assumed any of the transferor's obligations;

"(2) The transferee has not continued or resumed transferor's goodwill;

"(3) The transferee has not continued or resumed the business of the transferor, either in the same establishment or elsewhere; and

"(4) The transferee has not employed substantially the same employees as those the transferor had employed in connection with the assets transferred."

Section 3 (c) (7) (c) is amended to read as follows:

"(c) The successor shall take over and continue the employer's account, including its reserve and all other aspects of its experience under this section, in proportion to the payroll assignable to the transferred business as determined for the purposes of this section by the Board. However, his successor shall take over only the reserve actually credited to the account of the transferor or for which the transferor has filed a claim with the Board at the date of transfer. The successor shall be secondarily liable for any amounts owed by the employer to the fund at the time of such transfer; but such liability shall be proportioned to the extent of the transfer of business and shall not exceed the value of the assets transferred."

Section 3 (c) (7) (d) is amended to read as follows:

"(d) The benefit chargeability of a successor's account under section 3 (c), if not accrued before the transfer date, shall begin to accrue on the transfer date in case the transferor's benefit chargeability was then accruing; or shall begin to accrue on the date otherwise applicable to the successor, or on the date otherwise applicable to the transferor, whichever is earlier, in case the transferor's benefit chargeability was not accruing on the transfer date. Similarly, benefits from a successor's account, if not chargeable before the transfer date, shall become chargeable on the transfer date, in case the transferor was then chargeable for benefit payments; or shall become chargeable on the date otherwise applicable to the successor or on the date otherwise applicable to the transferor, whichever is earlier, in case the transferor was chargeable for benefit payments on the transfer date."

Section 3 (c) (7) (f) is amended to read as follows:

"(f) Notwithstanding any other provisions of this section, if the successor employer was an employer subject to this act prior to the date of transfer, his rate of contributions the remainder of the calendar year shall be his rate with respect to the period immediately preceding his date of acquisition. If the successor was not an employer prior to the date of transfer, his rate shall be the rate applicable to the transferor or transferors with respect to the period immediately preceding the date of transfer: *Provided*, That there was only one transferor or there were only transferors with identical rates; if the transferor rates were not identical, the successor's rate shall be the highest rate applicable to any of the transferors with respect to the period immediately preceding the date of transfer. The rate of the transferor, if still subject to the act, will not be redetermined and shall remain the rate with respect to the period immediately preceding the date of transfer.

"For future years, for the purposes of section 3 (c), the Board shall determine the 'experience under this section' of the successor employer's account and of the transferring employer's account by allocating to the successor employer's account for each period in question the respective proportions of the transferring employer's payroll, contributions, and the benefit charges which the Board determines to be properly assignable to the business transferred."

Section 3 (c) (7) (g) is hereby repealed.

Section 3 (c) (8) (i) is amended to read as follows:

"(i) If as of the computation date the total of all contributions credited to any employer's account, with respect to employment since May 31, 1939, is in excess of the total benefits paid after June 30, 1939, then chargeable or charged to his account, such excess shall be known as the employer's reserve, and his contribution rate for the ensuing calendar year or part thereof shall be—

"(A) 2.7 percent if such reserve is less than 0.9 percent of his average annual payroll;

"(B) 2 percent if such reserve equals or exceeds 0.9 percent but is less than 1.4 percent of his average annual payroll;

"(C) 1.5 percent if such reserve equals or exceeds 1.4 percent but is less than 1.9 percent of his average annual payroll;

"(D) 1 percent if such reserve equals or exceeds 1.9 percent but is less than 2.9 percent of his average annual payroll;

"(E) 0.5 percent if such reserve equals or exceeds 2.9 percent but is less than 3.4 percent of his average annual payroll;

"(F) 0.1 percent if such reserve equals or exceeds 3.4 percent of his average annual payroll."

Section 3 (c) (10) is amended by substituting the word "thirty" for the word "fifteen" in the second and seventh sentences thereof.

Section 3 is amended by adding at the end thereof the following new subsections:

"(e) From December 31, 1939, to January 1, 1955, wages, for the purpose of section 3, shall not include any amount in excess of $3,000 paid by an employer to any person arising out of his or her employment during any calendar year. After December 31, 1954, wages shall not include any amount in excess of $3,000 (or in excess of the limitation on the amount of taxable wages fixed by the Federal Unemployment Tax Act (26 U. S. C. 1600, 1607), whichever is greater) actually paid by an employer to any person during any calendar year. After December 31, 1954, the term 'employment' for the purpose of this subsection shall include services constituting employment under any employment security law of another State or of the Federal Government.

"(f) In the event the District of Columbia should elect to cover employees under this act under the provisions of section 1 (b) (8) (i) in lieu of contributions required of employers under this act, the District of Columbia shall pay into the fund an amount equivalent to the amount of benefits paid to individuals based on wages paid by the District. If benefits paid an individual are based on wages paid by both the District of Columbia and one or more other employers, the amount payable by the District to the fund shall bear the same ratio to total benefits paid to the individual as the base-period wages paid to the individual by the District of Columbia bears to the total amount of the base-period wages paid to the individual by all of his base-period employers.

"The amount of payment required under this section shall be ascertained by the Board quarterly and shall be paid from the general funds of the District at such time and in such manner as the Commissioners of the District of Columbia may prescribe except that to the extent that benefits are paid on wages paid by the District from special administrative funds, the payment by the District into the unemployment fund shall be made from such special funds.

"(g) Contributions due under this act with respect to wages for insured work shall, for the purpose of this section, be deemed to have been paid to the fund as of the date payment was made as contributions therefor under another State or Federal employment security law if payment into the fund of such contributions is made on such terms as the director finds will be fair and reasonable as to all affected interests. Payments to the fund under this subsection shall be deemed to be contributions for purposes of section 3."

Section 4 (c) is amended to read as follows:

"(c) (1) If contributions are not paid when due, there shall be added, as part of the contributions, interest at the rate of one-half of 1 percent per month or fraction thereof from the date the contributions became due until paid.

"(2) If contributions or wage reports are not filed when due or contributions are not paid when due, there shall be added as part of the contributions a penalty of 10 percent of the contributions, but such penalty shall

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not be less than $5 nor more than $25 and for good cause such penalty may be waived by the Board with the approval of the Commissioners of the District of Columbia."

Section 4 (d) is amended to read as follows:

"(d) In the event of the death, dissolution, insolvency, receivership, bankruptcy, composition, or assignment for benefit of creditors of any employer, contributions then or thereafter due from such employer under this section shall have priority over all other claims, except taxes due the United States or the District, and wages (not exceeding $600 with respect to any individual) due for services performed within the 3 months preceding such event."

Section 4 (j) is amended by substituting the following:

"(j) The Board in its discretion, whenever it may deem it administratively advisable, may charge off of its books any unpaid account due the Board or any credit due an employer who has been out of business for a period of more than 3 years. Whenever an account is charged off by the Board, there shall be placed in the minutes of the Board a reason for such action."

Section 4 (l) is amended by adding at the end thereof the following:

"There is hereby established in the Treasury of the United States a special escrow account into which the Board shall deposit all funds received in connection with an offer of compromise. Such funds shall be kept in such escrow account until final action is had upon the offer of compromise and shall not be subject to offset for any indebtedness whatsoever. In the event the compromise is approved, the funds shall be transferred to the District Unemployment Compensation Fund. In the event the compromise is disapproved, the funds shall be immediately returned to the individual who made the offer of compromise."

Section 7 is amended to read as follows:

"AMOUNT AND DURATION OF BENEFITS

"SEC. 7. (a) On and after January 1, 1938, benefits shall become payable from the benefit account of the District unemployment fund. All benefits shall be paid through employment offices, in accordance with such regulations as the Board may prescribe.

"(b) Except as provided in section 7 (c), an individual's weekly benefit amount shall be the amount in column (B) of the table in this subsection on the line on which, in column (A), there appears his total wages for employment paid to such individual by employers during that quarter of his base period in which such wages were the highest.

"TABLE A

"High-quarter wages (col. A)	Basic weekly benefit (col. B)	Minimum qualifying wages (col. C)
$130.00 to $184	$8	$275
$184.01 to $207	9	310
$207.01 to $230	10	345
$230.01 to $253	11	379
$253.01 to $276	12	414
$276.01 to $299	13	448
$299.01 to $322	14	483
$322.01 to $345	15	517
$345.01 to $368	16	552
$368.01 to $391	17	586
$391.01 to $414	18	621
$414.01 to $437	19	655
$437.01 to $460	20	690
$460.01 to $483	21	724
$483.01 to $506	22	759
$506.01 to $529	23	793
$529.01 to $552	24	828
$552.01 to $575	25	862
$575.01 to $598	26	897
$598.01 to $621	27	931
$621.01 to $644	28	966
$644.01 to $667	29	1,000
$667.01 and over	30	1,035

"(c) To qualify for benefits an individual must have been paid wages for employment in his base period totaling not less than the amount in column (C) of the table in section 7 (b) on the line on which, in column (B), there appears his weekly benefit amount, and such wages must have been in at least two calendar quarters in his base period: *Provided*, That if an individual during his base period has not been paid such an amount, but has been paid wages in more than one calendar quarter totaling not less than the amount appearing on one of the lines in column (C) above, he can qualify for benefits and his weekly benefit amount shall be the amount appearing in column (B) on the line for which the individual qualifies for benefits in column (C).

"(d) Any otherwise eligible individual shall be entitled during any benefit year to a total amount of benefits equal to 22 times his weekly benefit amount or 38 percent of the wages for employment paid to such individual by employers during his base period, whichever is the lesser: *Provided*, That such total amount of benefits, if not a multiple of $1, shall be computed to the next higher multiple of $1.

"(e) Any individual who is unemployed in any week as defined in section 1 (e) and who meets the conditions of eligibility for benefits of section 9 and is not disqualified under the provisions of section 10 shall be paid with respect to such week an amount equal to his weekly benefit amount, less the earnings (if any) payable to him with respect to such week. For the purpose of this subsection, the term 'earnings' shall include only that part of the remuneration payable to him for such week which is in excess of 40 percent of his weekly benefit amount for any week. Such benefits, if not a multiple of $1, shall be computed to the next higher multiple of $1."

"(f) Dependent's allowance: In addition to the benefits payable under the foregoing subsections of this section, each eligible individual who is unemployed in any week shall be paid with respect to such week $1 for each dependent relative, but not more than $3 shall be paid to an individual as dependent's allowance with respect to any one week of unemployment nor shall any weekly benefit which includes a dependent's allowance be paid in the amount of more than $30. An individual's number of dependents shall be determined as of the day with respect to which he first files a valid claim for benefits in any benefit year, and shall be fixed for the duration of such benefit year. The dependent's allowance is not to be taken into consideration in calculating the claimant's total amount of benefits in subsection (d) of this section."

Section 10 (a) is amended to read as follows:

"(a) An individual who has left his most recent work voluntarily without good cause, as determined by the Board under regulations prescribed by it, shall not be eligible for benefits with respect to the week in which such leaving occurred and with respect to not less than 4 nor more than 9 consecutive weeks of unemployment which immediately follow such week, as determined by the Board in such case according to the seriousness of the case. In addition such individual's total benefit amount shall be reduced in a sum equal to the number of weeks of disqualification multiplied by the weekly benefit amount."

Section 10 (b) is amended to read as follows:

"(b) An individual who has been discharged for misconduct occurring in the course of his most recent work proved to the satisfaction of the Board shall not be eligible for benefits with respect to the week in which such discharge occurred and for not less than 4 nor more than 9 weeks of consecutive unemployment immediately following such week, as determined by the Board in such case according to the seriousness of the misconduct. In addition such individual's total benefit amount shall be reduced in a sum equal to the number of weeks of disqualification multiplied by his weekly benefit amount."

Section 10 (c) is amended to read as follows:

"(c) If an individual otherwise eligible for benefits fails, without good cause as determined by the Board under regulations prescribed by it, either to apply for new work found by the Board to be suitable when notified by any employment office or to accept any suitable work when offered to him by any employment office, his union hiring hall, or any employer direct, he shall not be eligible for benefits with respect to the week in which such failure occurred and with respect to not less than 4 nor more than 9 consecutive weeks of unemployment which immediately follow such week, as determined by the Board in such case according to the seriousness of the refusal. In addition such individual's total benefit amount shall be reduced in a sum equal to the number of weeks of disqualification multiplied by the weekly benefit amount. In determining whether or not work is suitable within the meaning of this subsection the Board shall consider (1) the physical fitness and prior training, experience, and earnings of the individual, (2) the distance of the place of work from the individual's place of residence, and (3) the risk involved as to health, safety, or morals."

Section 10 is amended by adding at the end thereof the following subsection:

"(h) An individual shall not be eligible for benefits for any week within the 6 weeks prior to the expected date of such individual's childbirth and within 6 weeks after the date of such childbirth. In determining the expected date of childbirth the Board in its discretion may rely solely upon a doctor's certificate."

Section 13 (c) is amended to read as follows:

"(c) The Board shall each year, not later than May 1, submit to Congress a report covering the administration and operation of this act during the preceding calendar year, and containing such recommendations as the Board wishes to make."

Section 14 is amended to read as follows:

"SEC. 14. All moneys received by the Board from the United States under title III of the Social Security Act or from other sources for administering this act shall, immediately upon such receipt, be deposited in the Treasury of the United States as a special deposit to be used solely to pay such administrative expenses (including expenditures for rent, for suitable office space in the District of Columbia, and for lawbooks, books of reference, and periodicals), traveling expenses when authorized by the Board, premiums on the bonds of its employees, and allowances to investigators for furnishing privately owned motor vehicles in the performance of official duties at rates not to exceed $40 per month. All such payments of expenses shall be made by checks drawn by the Board and shall be subject to audit by the Commissioners of the District of Columbia in the same manner as are payments of other expenses of the District. Notwithstanding the provisions of this section and the provisions of sections 2 and 8 of this act, the Board is authorized to requisition and receive from its account in the unemployment trust fund in the Treasury of the United States of America, in the manner permitted by Federal law, such moneys standing to the District's credit in such fund, as are permitted by Federal law to be used for expenses incurred by the Board for the administration of this act and to expend such moneys for such purposes. Moneys so received shall, immediately upon such receipt, be deposited in the Treasury of the United States in the same special account as are all other moneys received for the administration of this act. All moneys

received by the Board pursuant to section 302 of the Social Security Act shall be expended solely for the purposes and in the amounts found necessary by the Department of Labor for the proper and efficient administration of this act. In lieu of incorporation in this act of the provision described in section 303 (a) (9) of the Social Security Act, the Board shall include in its annual report to Congress, provided in section 13 (c) of this act, a report of any moneys received after July 1, 1941, from the Department of Labor under title III of the Social Security Act, and any unencumbered balances in the unemployment compensation administration fund as of that date, which the Department of Labor finds have, because of any action or contingency, been lost or have been expended for purposes other than, or in amounts in excess of, those found necessary by the Department of Labor for the proper administration of this act."

Section 15 (c) is amended to read as follows:

"(c) The Commissioners of the District shall serve on the Board without additional compensation, but the representatives of employees and employers, respectively, shall be paid $25 for each day of active service. For the purposes of this subsection, a part of a day shall be construed as an entire day."

Section 19 (a) is amended to read as follows:

"(a) Whoever makes a false statement or representation knowing it to be false, or knowingly fails to disclose a material fact, to obtain or increase any benefit or other payment provided for in this act or under an employment security law of any other State, of the Federal Government, or a foreign government for himself or any other individual, shall, for each such offense, be fined not more than $100 or imprisoned not more than 60 days, or both."

Section 19 is amended by adding at the end thereof the following subsection:

"(e) Any person who the Board finds has made a false statement or representation knowing it to be false, or who knowingly fails to disclose a material fact, to obtain or increase any benefit or any other payment under this act may be required by the Board to repay to it for the fund a sum equal to the amount of all benefits received by him for weeks subsequent to the date of the offense and falling within the benefit year current at the time of the offense. Such claimant may also be disqualified for benefits for all or part of the remainder of such benefit year and for a period of not more than 1 year commencing with the end of such benefit year and thereafter while any sum payable to the Board for the fund under this subsection is still due and unpaid, unless the Board in its discretion shall decide, after the disqualification imposed has been served, to allow the claimant to file a claim for benefits and recoup from such benefits the amount still payable to the Board.

"All findings under this subsection shall be made by an appeals tribunal of the Board which shall afford the claimant a reasonable opportunity for a fair hearing in accordance with the provisions of section 11 of this act, and such findings shall be subject to review in the same manner as all other disqualifications decided by an appeals tribunal of the Board."

There shall be added after section 26 the following:

"SEC. 27. (a) Whenever this act prescribes the performance of a duty by any official or agency of the District of Columbia, such duty shall be performed by the Commissioners of the District of Columbia or such officer, employee, or agency as the Commissioners may delegate to perform the duty for them.

"(b) Where any provision of this act, or any amendment made by this act, refers to an office or agency abolished by or under the authority of Reorganization Plan No. 5 of 1952, such reference shall be deemed to be the office, agency, or officer exercising the functions of the office or agency so abolished."

TRANSITION PROVISIONS

SEC. 2. (a) As used in this section, unless the context clearly requires otherwise—

(1) "old law" means the unemployment compensation law prior to its amendment by this act;

(2) "new law" means the unemployment compensation law as amended by this act; and

(3) "effective date" means the date upon which the new law becomes effective.

(b) The benefit rights of any individual having a benefit year current on or after the effective date shall be redetermined and benefits for calendar weeks ending subsequent to the effective date shall be paid in accordance with the new law: *Provided*, That no claimant shall have his benefits reduced or denied by redetermination resulting from the application of this provision. All initial and continued claims for benefits for weeks occurring within a benefit year which commences on or after the effective date shall be computed and paid in accordance with the new law.

(c) This act shall take effect on January 1, 1955.

Mr. CASE. Mr. President, I move that the Senate disagree to the amendment of the House of Representatives, request a conference thereon with the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. BEALL, Mr. PAYNE, and Mr. MANSFIELD conferees on the part of the Senate.

EXTENSION OF DIRECT HOME AND FARMHOUSE LOAN AUTHORITY—CONFERENCE REPORT

Mr. CAPEHART. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 8152) to extend to June 30, 1955, the direct home and farmhouse loan authority of the Administrator of Veterans' Affairs under title III of the Servicemen's Readjustment Act of 1944, as amended, to make additional funds available therefor, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report. (For conference report, see House proceedings of today, p. 13948, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. KNOWLAND. Mr. President, let me inquire of the distinguished chairman of the committee whether the report is a unanimous one.

Mr. CAPEHART. Yes, it is 100 percent unanimous.

Mr. President, I ask that the report be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the report. [Putting the question.]

The report was agreed to.

AGRICULTURAL ACT OF 1954

The Senate resumed the consideration of the bill (S. 3052) to encourage a stable, prosperous, and free agriculture, and for other purposes.

Mr. ANDERSON. Mr. President, I call up my amendment identified as "7-20-54—A." Since the amendment is rather long, I do not ask that it be read at this time.

The PRESIDING OFFICER. Without objection, the amendment will be printed at this point in the RECORD, instead of being read.

Mr. ANDERSON. Mr. President, the amendment is offered by me, on behalf of myself, the senior Senator from Minnesota [Mr. THYE], the senior Senator from South Dakota [Mr. MUNDT], the senior Senator from Nevada [Mr. MCCARRAN], the junior Senator from Colorado [Mr. MILLIKIN], the senior Senator from Wyoming [Mr. BARRETT], the junior Senator from Wyoming [Mr. CRIPPA], the junior Senator from Arizona [Mr. GOLDWATER], and the junior Senator from Utah [Mr. BENNETT].

The amendment submitted by Mr. ANDERSON, on behalf of himself, Mr. THYE, Mr. MUNDT, Mr. MCCARRAN, Mr. MILLIKIN, Mr. BARRETT, Mr. CRIPPA, Mr. GOLDWATER, and Mr. BENNETT, was ordered to be printed in the RECORD, as follows:

At the end of the bill insert the following new title:

"TITLE VIII—NATIONAL FOREST ADMINISTRATION

"SEC. 801. This title shall apply to the national forests and lands administered by the Secretary of Agriculture (hereinafter called the Secretary) under title III of the Bankhead-Jones Farm Tenant Act.

"SEC. 802. (a) The Secretary is authorized to promote and encourage the construction and maintenance of fences, range water facilities, the undertaking of range reseeding and noxious plant control projects, and other such improvements, upon the Federal lands concerned to the maximum practicable extent by the holders of grazing privileges. As an incentive to make such improvements, the Secretary is authorized to enter into agreements with the holders of grazing privileges providing for the construction and maintenance of such improvements and the terms under which the increased grazing capacity resulting from so much of such improvements as are undertaken at the expense of such holders will be made available to such holders.

"(b) To further promote and encourage the construction and maintenance of such range improvements the Secretary shall provide by rules and regulations for compensation to such privilege holders or their estates for the loss of the value of such improvements, where such improvements shall have been authorized by the proper governmental agency and where such loss is caused by subsequent governmental action not occasioned either by abandonment or unlawful acts of the privilege holders or by fire, flood, drought, or other disaster which causes injury to the lands or improvements covered by the permit: *Provided*, That in the event such loss is the result of the action of a Federal agency other than the Department of Agriculture or because the Federal lands are needed for or transferred or assigned to another governmental agency for administration such compensation shall be paid by such other agency.

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"(c) No permit shall be issued which shall entitle a permittee to the use of improvements constructed and owned by a prior permittee until either such prior permittee or his estate has received compensation from the Government in accordance with the provisions of section 802 (b) or the applicant has paid to the prior permittee or his estate the reasonable value of such improvements to be determined under rules and regulations of the Secretary; but no prior permittee who shall have abandoned his permit shall be required to be compensated.

"(d) The value of any improvement as determined under subsection (b) or (c) shall not exceed its replacement cost, less a percentage thereof commensurate with the expired portion of its normal life. The normal life of any improvement shall be determined under rules and regulations of the Secretary and shall not exceed 20 years.

"SEC. 803. The Secretary shall provide by rules and regulations for the terms and conditions under which transfers of grazing privileges may be made. The Secretary, at the time of transfer, shall not make any reduction in the number of permitted livestock solely on the basis that the permit is being transferred.

"SEC. 804. Based upon the customary practices of the grazing privilege holders of each locality concerned, the Secretary shall maintain standards as to the kind and extent of lands, waters, or ranch or range improvements or any combination thereof, commonly known as base properties, required as a qualification for grazing privileges on the lands to which this title applies.

"SEC. 805. (a) Regulations of the Secretary applicable to any occupancy and use of lands described in section 801 shall include provisions whereby any action or decision of an officer of the Department with respect to such occupancy and use may, upon request of any person aggrieved by the action or decision, be reviewed. Unless a request for review is made in accordance with the provisions of such regulation, the action or decision shall be final.

"(b) Reviews by the Secretary of decisions of the Chief of the Forest Service with respect to such occupancy and use shall, upon written request to the Secretary, be referred by him to a board consisting of three members. One member of the board shall be an employee of the Department of Agriculture, to be designated by the Secretary from any agency of the Department, except the Forest Service. The second member shall be designated by the person requesting the review. The third member of the board shall be selected by the other two members to represent the general public, but such third member shall not be either an employee of the Federal or any State government or directly connected with the interest or interests concerned. Should the first two members fail for more than 30 days after their appointment to agree upon a third member, such third member representing the general public shall be appointed by the United States district court for any district in which any of the lands with respect to which the matter in dispute arose are located. Neither the first nor third member shall be a resident of the State in which the lands with respect to which the matter in dispute arose are located. The members of the board shall receive such per diem and actual expenses as may be determined by the Secretary. Hearings shall be held in the State in which the lands with respect to which the matter in dispute arose are located. The board shall consider the case on its merits and furnish its advice and recommendation to the Secretary.

"(c) Upon the completion of the review, the Secretary shall render a decision which shall affirm, modify, or reverse the action or decision under review. The decision of the Secretary shall be final unless an appeal therefrom pursuant to section 6 is taken within 60 days from the day on which the decision is announced.

"SEC. 806. (a) Any person who is aggrieved by a decision of the Secretary under section 805 may appeal to the Secretary for a review de novo of the action or decision of the officer reviewed under section 805, or of such action or decision as modified or reversed by the decision of the Secretary under such section, by filing a petition therefor within 60 days from the date on which the decision of the Secretary under such section is announced. The petition for appeal shall be in such form and contain such information and allegations as the Secretary, by regulations, shall prescribe. Upon the filing of a petition within the time prescribed in this subsection, the Secretary shall, in accordance with the petition, review de novo the action or decision of the officer reviewed under section 805, or such action or decision as modified or reversed by the Secretary under such section. A formal hearing shall be held, in accordance with regulations of the Secretary, in the State in which the lands with respect to which the matter in dispute arose are located. The Secretary shall render a decision affirming, modifying, or reversing the action or decision reviewed under section 805, or such action or decision as modified or reversed by the Secretary under such section. The decision of the Secretary under this section shall, except as provided in section 808, be final.

"(b) For the purpose of any hearing provided for in this section, the Secretary or his designated representative is authorized to, and at the request of the appellant shall, take the deposition of any person, and by subpena require any person to appear and testify, or to appear and produce documents, or both, at any named place, before the Secretary or his designated representative, or before the person taking the deposition. The Secretary or his designated representative is also authorized to administer oaths or affirmations to such witnesses. Any deposition may be taken before any person designated by the Secretary or his designated representative and having power to administer oaths.

"(c) Witnesses subpenaed under this section shall be paid the same fees and mileage as are paid witnesses in the district courts.

"(d) In the case of contumacy by, or refusal to obey a subpena served upon, any person, the district court in which such person resides, transacts business, or is found shall, upon application by the Secretary, have jurisdiction to issue an order requiring such person to appear and give testimony, or to appear and produce documents or both, and any failure to obey such order of the court may be punished by such court as a contempt thereof.

"SEC. 807. The United States district court within whose jurisdiction the formal hearing required by section 806 (a) was held is vested with jurisdiction to review any decision made under the provisions of section 806 (a) provided a petition for that purpose is filed within 60 days from the date of the entry of such decision. Service of process in any such proceedings may be had upon the Secretary by delivering to him a copy of the petition. Within the time prescribed by, and in accordance with the requirements of, rules promulgated by the court, unless the proceeding has been terminated on a motion to dismiss the petition, the Secretary shall file in the office of the clerk the record on review, duly certified, consisting of the pleadings, evidence, and proceedings before the Secretary under section 806, or such portions thereof as such rules shall require to be included in such record, or such portions thereof as the petitioner and the Secretary, with the approval of the court, shall agree upon in writing.

"SEC. 808. Petitions filed pursuant to section 807 of this title, unless determined on a motion to dismiss the petition, shall be heard by the court upon the record of the pleadings, evidence adduced, and proceedings before the Secretary. If the court determines that the decision of the Secretary under section 806 is arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law, it shall remand such proceedings to the Secretary with directions either (a) to make such decision as the court shall determine to be in accordance with law, or (b) to take such further proceedings as in its opinion the law requires. If the court affirms the decision reviewed, the petitioner shall be required to pay the costs of such review as determined by the court. The court may require bond or other assurance from the petitioner to assure payment of such costs.

"SEC. 809. The pendency of proceedings instituted pursuant to section 806 or section 807 of this title shall not, unless specifically ordered by the Secretary or the court, as the case may be, operate to stay or suspend the application of the decision involved.

"SEC. 810. Decisions and rulings by the Secretary with respect to the occupancy and use of the lands described in section 801 (except those relating to the authority described in the next sentence) shall not be reviewed in any manner except as herein provided. Nothing in this title shall be construed to restrict the authority of the Secretary in his discretion to limit or discontinue the occupancy and use of any such lands for the purpose of preventing injury to such lands or to change the use of any such lands from one use to any other authorized use, nor to authorize the review under section 806, 807, or 808 of this title of any action or decision with respect to the powers reserved to the Secretary in this section. Nor shall anything in this title be construed to prevent or restrict any appropriate action with respect to any unauthorized use or occupancy of any such lands, nor to authorize the review under section 805, 806, 807, or 808 of this title of any such action or decision with respect thereto.

"SEC. 811. In order to obtain the views and recommendations of the various users of the lands described in section 801 and their resources on questions of policy involved in the multiple use of such lands, the Secretary may establish multiple-use advisory councils: *Provided, however,* That such councils shall not supersede or perform any of the functions of the advisory boards established under section 18 of the act of April 24, 1950 (16 U. S. C. 580k). Such councils may be established for any unit of such lands, for groups of such units, and for all such lands. In appointing the members of such councils, the Secretary shall give consideration to the recommendations made by the officers of organizations representing the principal interests concerned with the use and administration of such lands, including, but not limited to, grazing, mining, recreation, timber production, watershed conservation, wildlife, and the general public. Such councils may submit recommendations on their own initiative or in response to requests by the Secretary with respect to any question of policy affecting the multiple use of such lands.

"SEC. 812. It is hereby declared to be the policy of the Congress that the Secretary, in carrying out the provisions of this title, shall give full consideration to the safeguarding of all resources and uses made of these lands, including grazing, mining, recreation, timber production, watershed conservation, and wildlife."

Mr. ANDERSON. Mr. President, this amendment comprises the bill which was passed by the Senate as an amendment to the Grazing Act. That bill was the subject of longer hearings than the ones I have been acquainted with in connec-

tion with any other proposed grazing legislation.

The original Butler-Barrett-D'Ewart bill, Senate bill 1491, was the subject of rather extended hearings.

Representatives of the livestock groups, who are particularly interested in that bill, made their presentations on the bill and sought to have it passed by the Congress. The first hearing was held before the Senate Committee on Interior and Insular Affairs. At that time it was suggested to the representatives of the livestock groups that they should obtain some acquaintance with the views of the Forest Service and, in addition, should have in attendance at the hearings, representatives of the groups interested in conservation. The suggestion was made that the Congress would not pass a bill primarily in the interest of the stockmen, but would insist that representatives of the conservationist groups be in attendance at the hearings and that their point of view be considered.

Subsequently representatives of the Forest Service met with representatives of the stockmen's organizations; and those meetings continued for many days. Subsequently also, representatives of the game and fish departments of the various States were called in; and last night I noticed that the Senator from Vermont [Mr. AIKEN] placed in the RECORD a telegram from the Montana Fish and Game Department, saying that it supported Senate bill 2548, as amended, which is in reality my amendment, and I also noticed that passage of the bill was recommended by the Western Association of Fish and Game Commissioners, at their Las Vegas meeting; and I also noticed that from Montana had come a telegram stating that the Montana Wildlife Association has approved the bill, as amended.

Mr. CASE. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield for a question.

Mr. CASE. It has always occurred to me that the situation which has existed in the national forests is a bit anomalous. Up to this time, if permittees in the forest expended their own money to make water improvements, dig wells, build dams, or develop springs, there was always the prospect that they would lose their money without any compensation, which acts as a deterrent to their doing anything about it.

On the other hand, the soil-conservation program has not been applicable to the national forests; that is, the rancher or stockman has not been able to assign to national forest land that he might have rented the same assistance he would get if he were building a dam or developing a water resource on his own land. Consequently, nothing has been done on the national forests except in cases in which the National Forest Service has obtained an appropriation to do it, and that is always in limited amounts.

In my State there are different types of public lands. We have one area of public land known as the school section, section 16 of 36, which is administered by the State. Under the State law if a lessee builds a dam on the school section during the period of his lease, or if he builds a fence or provides some other facility, if he is not the successful bidder for the renewal of that lease after the end of the 5-year period or the extended 5-year period, as the case may be, his successor in the lease must compensate him for the depreciated value of the improvement or facility. That has served to encourage conservation on the school section lands. The lessee knows if he puts in an improvement, develops a dam, erects a fence, or opens a spring, he can have the use of it while he has the lease, and that his successor in interest will compensate him for the value of the depreciated investment at the end of the period.

There ought to be some similar arrangement in the Forest Service to encourage conservation of water or the development of springs in the forests. Is that what this amendment seeks to do?

Mr. ANDERSON. That is precisely what the amendment seeks to do. I appreciate the example which the Senator from South Dakota has used. The State of South Dakota wisely says that if a man improves a school section by establishing water facilities on it and then loses his lease, he shall be recompensed to a reasonable degree for such expenditure.

The same thing ought to happen in the national forests. That is why many of us realize that this is a move in the right direction.

Mr. BARRETT. Mr. President, will the Senator yield to me?

Mr. ANDERSON. Before I forget it, Mr. President, I modify my amendment on page 5, line 18, where the figure 6 appears, to read "806." That is a technical amendment which had been overlooked.

Mr. BARRETT. I should like to carry a little further the discussion the distinguished Senator from New Mexico had with the distinguished Senator from South Dakota.

In the hearings on the bill it was indicated that between 1943 and 1952, the Forest Service spent $4,442,000 for improvements on the range of the western forests. During the same period of time, private operators spent $2,300,000. So a total of $6,700,000 was expended over the 10-year period.

I bring that out for this reason: In the hearings, Mr. McArdle, the Chief Forester, stated that a complete range redevelopment program for the western lands and forests would cost approximately $100 million. In other words, to carry out the program he has in mind would take $100 million for a 10-year period, and the Congress appropriated but $4 million.

That is precisely why we need the program outlined in the bill, which would enable the permittees on the forests to expend their own money and improve the range so as to increase the carrying capacity of the range, so that they may have the benefit of the improvement. It is proposed that they be protected in their investment as against any other user of the forest.

The question I wish to ask the Senator from New Mexico is whether funds can be obtained for the improvement of the ranges as needed, and as explained by the Chief Forester, in any way other than by this bill?

Mr. ANDERSON. In my opinion, they cannot, and I believe I have a right to an opinion. When the junior Senator from New Mexico came to the Congress, he came directly from the Department of Agriculture. One of the things which had been brought forcibly to his mind was the necessity of a program of reseeding and reforestation in our national forests. One of the first bills which he introduced had to do with the reseeding and revegetation of our forests. That bill is known today in the administration of the Forest Service as the Anderson-Mansfield Act, because the present junior Senator from Montana was then a Member of the House, and he introduced the bill in the House after it was introduced in the Senate, and it was a companion bill to the Senate measure.

That legislation would permit the appropriation of substantial sums of money for revegetation and reforestation. We have never been able to get from the Congress even a small amount of the money authorized by the law.

I do not blame that on anyone. I recognize that the Appropriations Committees of the Congress, and particularly the members of the Appropriations Committee of the Senate, have a very difficult burden to carry. They work the longest hours I have ever seen men work. The range lies there without any particular person asking for an appropriation for a specific section of it, and consequently no appropriation is made.

I think the only way the forest will be built as it ought to be built, the only way to provide the proper drainage structures, is to allow those who have permits on the forests to build such facilities; and, at a subsequent date, if they lose their leases, to recompense them for what they have done.

Mr. BARRETT. I am entirely in accord with the Senator's amendment, and I thank him for offering it.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield to the Senator from Louisiana.

Mr. ELLENDER. Is the Senator's amendment identical with the bill passed by the Senate a few weeks ago?

Mr. ANDERSON. It is absolutely identical with the bill which the Senate passed. It is here because——

Mr. ELLENDER. The Senator anticipates my next question. Has the Senator inquired as to the status of the bill before the House?

Mr. ANDERSON. Yes. The bill was delayed in the House, as were the wool bill and many other bills, because we got into a disagreement with the House as to how we were going to proceed on agricultural legislation. Every piece of agricultural legislation was put aside, and the statement was made that we were going to consider a one-package bill containing only the items which we think ought to be handled.

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Mr. ELLENDER. Mr. President, will the Senator further yield?

Mr. ANDERSON. I yield.

Mr. ELLENDER. What assurance has the Senator that the House will accept this amendment if the Senate adopts it and includes it in the pending bill?

Mr. ANDERSON. I have no assurance whatever. No one has any such assurance. I feel that this is good legislation, and that there ought to be another opportunity to try to see if the conferees on the House side will not agree to its being adopted and made the law of the land.

Mr. ELLENDER. Does the Senator know whether or not the House held hearings on the bill which we enacted several weeks ago?

Mr. ANDERSON. I am not sure whether the House held hearings on the Senate bill, but the House held hearings on the former Butler-Barrett-D'Ewart bill, and heard ample discussion of the so-called Aiken-Thye bill, which was the predecessor of this amendment. I commend the chairman of the Committee on Agriculture and Forestry for doing what he did in this connection. Meetings were held in several cities through the West. I recall the conference which was held in my home city of Albuquerque. The Senator from Vermont brought his committee there. Those who were invited to attend were not only stockmen, not only users of the range, but conservationists were invited, and the game and fish administrators were invited. At that meeting there was present Hon. Hugh Woodward, who is the regional director of the National Wildlife Federation, and is recognized by every citizen in our State as the leading conservationist. Also attending the meeting was Elliott Barker, for 25 years the game warden in our State. He was as much opposed to the stockmen as anyone could be. From that meeting of minds of conservationists, of people who were primarily interested in game and fish, and people who use the range, there was developed a reasonable bill which all of them could support. That is where the bill came from.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. AIKEN. The Senator from Louisiana [Mr. ELLENDER] asked if the amendment is identical with the bill the Senate passed. As I understand, the Senator from New Mexico suggested two amendments to the bill which passed the Senate. Those amendments had been suggested by the Western Association of Fish and Game Commissioners. I believe those amendments were considered to be desirable.

Mr. ANDERSON. I do not believe that is the case.

Mr. ELLENDER. Were not those amendments adopted by the Senate when it passed the bill?

Mr. AIKEN. No. The Western Association of Fish and Game Commissioners did not hold their meeting until after the Senate had passed the bill. The amendments were suggested to the House, and it seems to me they were the ones that the Senator from New Mexico had suggested.

Mr. ANDERSON. I believe the amendment is identical with the bill which was passed by the Senate. The National Wildlife Federation is composed of a group of individuals who certainly could not be accused of trying to give away the public domain. Their statement is clearly set forth in their letter of August 2. I ask unanimous consent that the letter be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NATIONAL WILDLIFE FEDERATION,
Washington, D. C., August 2, 1954.

Supporting the Aiken bill, S. 2548, as passed by the Senate and as it appears in the amendment (in the nature of a substitute) to the farm bill, S. 3052, as title VIII.

Hon. CLIFFORD HOPE,
Chairman, House Committee on Agriculture, House Office Building, Washington, D. C.

DEAR MR. HOPE: The Aiken bill, S. 2548, which passed the Senate in amended form on March 8, 1954, is now incorporated as title VIII—National Forest Administration—in the amendment proposed to the farm bill, S. 3052, proposed by Senators AIKEN, HICKENLOOPER, SCHOEPPEL, HOLLAND, and ANDERSON on July 29. We therefore thought it appropriate, as suggested by you, to restate our position with regard to this legislation.

The National Wildlife Federation, the Western Association of State Game and Fish Commissioners, and the Association of Midwestern Fish, Game, and Conservation Commissioners, after careful and full consideration, have by separate and appropriate resolutions endorsed this measure as it was passed by the Senate and sent to the House. Two minor amendments have been suggested, both of which are clarifying. Senator AIKEN has said that they would be acceptable to such proposal.

The National Wildlife Federation is a nonprofit organization of sportsmen-conservationists constituted of affiliated federations in 47 of the 48 States, having a combined membership of more than 3 million individuals. It is interested in sound management programs relating to soil, water, forests, and wildlife.

The Western Association of State Game and Fish Commissioners is made up of the commissioners and directors of the fish and game departments of the 11 western public-land States. These men live continuously and intimately with the problems of hunting and fishing, the grazing of livestock, the cutting of timber, watershed management, and the recreational uses of the public lands. Their considered opinion on these matters should, therefore, be valuable to the Congress in evaluating the merit of a law relating to national forest lands, the major portions of which are located in these Western States.

These three groups are now on record in support of this important measure. The Association of Midwestern Fish, Game, and Conservation Commissioners is composed of the commissioners and directors of those States in the Mississippi watershed except those south of Missouri and Kentucky and have similar objectives as those in the western association.

We deem it fitting and proper to state the reasons which impel us to support this measure.

The amendments and revisions of the original bill (now title VIII of substitute S. 3052) have completely changed its import and effect. It is no longer a measure relating to one use only of the national forests: viz, grazing.

Now for the first time the bill as rewritten contains full congressional recognition of the multiple use doctrine.

It directs administration in accordance with such pronouncement.

It implements such mandate by authorizing multiple-use councils, including but not limited to representatives of grazing, mining, recreation, timber production, watershed conservation, wildlife, and the general public, to advise the Secretary of Agriculture on their own initiative or at his request with respect to any question of policy affecting the multiple use of such lands.

The revised version has deleted therefrom those provisions of the original bill affording to grazing permittees privileges not afforded to other users of forest lands.

The bill now contains the essential provisions for which conservation forces have long contended.

As passed by the Senate (and as it now appears in title VIII of proposed substitute S. 3052) it is a fair and just bill giving congressional approval to all uses of the national forests and providing for protection of each use against any use becoming dominant to the detriment of other uses.

The National Wildlife Federation, as a policy, desires to maintain a fair and constructive attitude toward all legislation, recognizing economic necessities while defending natural resources in behalf of the general public, instead of a consistently negative attitude.

We hope that our policy is one of helpfulness to the Congress rather than of unreasonable opposition.

Respectfully submitted.

NATIONAL WILDLIFE FEDERATION,
By CHARLES H. CALLISON,
Conservation Director.
By CARL D. SHOEMAKER,
Conservation Consultant.

Mr. MURRAY. Mr. President, will the Senator from New Mexico yield?

Mr. ANDERSON. I yield.

Mr. MURRAY. I understand that the affiliates of the National Wildlife Federation, to which the Senator from New Mexico has referred, a letter from which he has placed in the RECORD, are opposed to the measure before us. I have information to the effect that telegrams have been received from 30 State affiliates opposing the amendment. These are affiliates of the national association. In addition to that, I have several telegrams from Montana in opposition to the amendment.

I ask unanimous consent to insert in the RECORD at this point a memorandum on this matter.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

It is my understanding that the State affiliates of the National Wildlife Federation in all of the following 30 States still are opposed to the amended grazing bill, S. 2548, and that they have wired protests to its passage, and to having it made a part of the farm bill, S. 3052: Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Idaho, Illinois, Iowa, Kentucky, Louisiana, Maine, Michigan, Minnesota, Mississippi, Nebraska, New Hampshire, New York, North Carolina, North Dakota, Oklahoma, Oregon, South Carolina, South Dakota, Tennessee, Virginia, Washington, Wisconsin.

I believe that my colleagues from all of those States already have received wires from the State federations. Many more of the State affiliates of the National Wildlife Federation, which passed that resolution so hurriedly in Chicago, undoubtedly would express themselves if they knew of this last-minute move. Georgia, which is not affili-

ated with the National Wildlife Federation, is on record in opposition to the grazing bill.

Mr. ANDERSON. I merely wish to say that if 30 affiliates have sent telegrams in opposition to the measure, they certainly did not send them to the Committee on Agriculture and Forestry. I do not know to whom those telegrams were sent. Certainly they are not on file with the Committee on Agriculture and Forestry. So far as the Wildlife Federation is concerned, I assume the Senator is aware of the fact that the Montana association yesterday sent a telegram saying:

The Montana Wildlife Federation approves the grazing bill as amended.

Why should they not approve it? For the first time that I know of in the history of legislation dealing with the range in this country, there has been recognition of the multiple use of the forests. I have not been able to find any such recognition of multiple use of forests in prior legislation.

Section 812 reads as follows:

SEC. 812. It is hereby declared to be the policy of the Congress that the Secretary, in carrying out the provisions of this title, shall give full consideration to the safeguarding of all resources and uses made of these lands, including grazing, mining, recreation, timber production, watershed conservation, and wildlife.

Heretofore, the Secretary of Agriculture has been largely concerned with grazing and the timber production phases of our national forests. In a public statement, which I hope will be incorporated into law, he now says that he is to consider the multiple uses of the forests, and that he cannot merely concern himself with the people who harvest the timber or the people who graze livestock, but must also concern himself with the recreational uses of the forests, as well as with watershed conservation and wildlife activities. That is a very substantial gain, and it may account for the reason that wildlife federations have supported the bill.

Mr. MURRAY. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. MURRAY. Is it not a fact that the grazing permittees are given special privileges, and that it was the intention originally, before the bill was amended, that the bill should be confined to the grazing permittees? As a result of the opposition, this amendment has been offered to the pending bill. Is that correct?

Mr. ANDERSON. The Senator from Montana is entirely correct when he says that in the original version it was hoped to deal only with the grazing question. However, when the grazing people met with the Committee on Interior and Insular Affairs, it became apparent that that would not be the solution.

Mr. MURRAY. At that time the affiliates in the various States of the Union did not know what the situation was, and therefore they could not express themselves at that meeting. Since that time the affiliates in 30 States have signified their opposition to the measure.

Mr. ANDERSON. That statement is entirely in error. In the first hearing, which was held in July 1953, there was no warning to the wildlife organizations. I would appreciate it if the junior Senator from Virginia, if he is interested, would listen to what I have to say.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. ROBERTSON. The junior Senator from Virginia has been listening to the Senator from New Mexico. He was trying to give to the senior Senator from Montana information as to why the State units of the American Wildlife Federation are overwhelmingly opposed to the amendment. They have so informed us after they found out what was involved. There was no adequate debate and no real information was available when the bill passed the Senate. The bill has been tied up in the House ever since the American Wildlife Federation found out what was involved.

The junior Senator from Virginia is listening, and he will have an opportunity further to express himself when the junior Senator from New Mexico has concluded his remarks.

Mr. ANDERSON. Mr. President, that is exactly what I have been hoping would happen. We held hearings on the bill as originally drawn. The bill as originally drawn was solely concerned with grazing, or so it seemed to me. I do not know whether the people who are protesting now were present then. I do not recall their being present. I do know that the junior Senator from New Mexico was present, and I know he protested the bill as it was originally drawn. The suggestion was made at that time that those interested in the bill had better meet with representatives of the wildlife organizations with those interested in fish and game and with the conservationists.

The PRESIDING OFFICER. Does the Senator from New Mexico yield himself further time? His time has expired.

Mr. ANDERSON. I yield myself an additional 15 minutes.

It was suggested also that they had better meet with the Forest Service representatives and find out if a bill could not be crafted that would meet the objections. Then what happened? The bill was prepared, and a hearing was held first at the city of Albuquerque, N. Mex. I believe a meeting was held at Colorado Springs, and at various cities in Idaho, Montana, and Wyoming. To each meeting those interested in wildlife were invited. They were given an opportunity to express themselves, and they did express themselves. Does not the Senator from Vermont recall that representatives of the wildlife organizations were invited to every one of the meetings, and that they attended the meetings?

Mr. AIKEN. That is correct. All those who were interested in wildlife and conservation were invited. They testified, and they gave us extensive information. I do not know of any piece of legislation proposed before this Congress on which there has been distributed so much misleading propaganda in opposition to it. The word has gone out to the various clubs that the bill gives stockmen a vested right in the land. That statement is incorrect and was recently carried in a publication which goes out from Washington every Monday morning, purporting to give information on agricultural subjects. That misrepresentation has gone all over the country. Occasionally one club does oppose the bill because it has been misled. I have never seen such an unwarranted campaign, and I am sure the purpose of the campaign is to cover up activities which might have a detrimental effect on our national forests.

Mr. MURRAY. The information I have from Montana is that all affiliates of the National Wildlife Association are opposed to this proposed legislation.

Mr. ANDERSON. Will the Senator give us the source of that information? We keep on hearing these statements, but when we check back——

Mr. MURRAY. I have four telegrams from Montana. There is one from Missoula, and one from the fish and game association, concerning a resolution against any legislation which would lower the standards of management of public lands.

Mr. ANDERSON. But this bill does not lower the standards; it raises them. Naturally, if we should say to some group, "Are you for legislation which would lower the standards of management of our public lands?" they would see that a resolution was adopted saying that they were not in favor of such legislation.

Mr. MURRAY. My understanding is that the cattlemen in Montana are in favor of maintaining the present system which is in operation and which has worked entirely satisfactorily, and that this proposed legislation is not desired and would not be for the best interests of those who are solicitous about the national forests. It is not only the cattlemen who are interested in forests. Timber conservationists and recreational organizations are also interested in the matter. There are many, many recreational places in our national forests.

Mr. ANDERSON. Exactly. The recreational interests have rights in this bill. For the first time there is written into the bill language with reference to their water rights in the national forests.

Mr. MURRAY. That has been done because of the opposition to this proposed legislation, but it was not intended to be incorporated in the first instance.

Mr. ANDERSON. That may be true; but I am one of those who were in opposition; I am one of those who said the bill as originally drafted was not going to pass. I thought it looked after only the grazing rights. There is a matter of serious argument as to that. But the interesting thing is that the cattlemen did not stop with that. They said, "We will sit down with representatives of the Forest Service and with representatives of the Wildlife Association and the Fish and Game Commissioners"; and they did. Does the Senator know a man named O. A. Clark?

Mr. MURRAY. Yes, I do.

Mr. ANDERSON. He is an upright man, is he not?

Mr. MURRAY. That does not have anything to do with the question.

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Mr. ANDERSON. Does the Senator know the secretary of the Wildlife Federation?

Mr. MURRAY. My telegrams are to the effect that they are opposed to this proposed legislation. I have a telegram from the Izaak Walton League, which is opposed to it, and I have received a very long telegram in opposition to it. I ask unanimous consent that that telegram and the other messages which I have received be incorporated in the RECORD at this point.

Mr. ANDERSON. I have no objection to that.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

MISSOULA, MONT., *August 7, 1954.*

Senator JAMES MURRAY,
United States Senate,
Washington, D. C.:

New small permittees will be effectively excluded national forest permits if S. 2548 passes as rider to farm bill. Aiken bill also encourages establishment vested rights by existing permittees. I am bitterly opposed to Hope-Aiken bills. Hope you will vigorously oppose this giveaway.

LEON C. HURTT,
President, Grasshaven Ranches.

MISSOULA, MONT., *August 7, 1954.*

Senator JAMES MURRAY,
United States Senate,
Washington, D. C.:

From my years in charge forest grazing, Missoula and Denver regions, I strongly oppose Aiken rider to farm bill because it gives undue advantage to large permittees and weakens essential control on national forests. Will you vigorously oppose this legislation?

GLEN A. SMITH,
Assistant Regional Forester, Retired.

MISSOULA, MONT., *August 8, 1954.*

Senator JAMES MURRAY,
Senator from Montana,
Washington, D. C.:

The Western Montana Fish and Game Association, an affiliate of the Montana Wildlife Federation, in open meeting resolved against legislation which would lower the standards of management of national public lands. As chairman of the public relations committee of that association, I express opposition to grazing bill S. 2548 attached as rider to farm bill S. 3052.

J. W. SEVERY.

HAMILTON, MONT., *August 7, 1954.*

Senator JAMES MURRAY,
Senate, Washington, D. C.:

Ravalli County Fish and Wild Life Association, Hamilton, Mont., with 483 members remain opposed to the grazing bill S. 2548 and oppose the attachment of this important legislation as a rider to farm bill S. 3052. We urge your continued opposition to the above bill.

RAVALLI COUNTY FISH AND WILD LIFE ASSOCIATION,
By V. C. HOLKINGSORTH, *President.*

CASPER, WYO., *August 8, 1954.*

C. R. GUTERMUTH,
North American Wildlife Foundation,
Washington, D. C.:

Advised Senator ANDERSON, New Mexico, has introduced the stockmen's grazing bill, S. 2548, as an amendment to S. 3052, which is the administration's general farm bill. The unscrupulous efforts on the part of the proponents of S. 2548 to lead Congress to believe that the conservation organizations and the sportsmen's clubs of the States affected are in favor of such legislation are reprehensible and will be proven to be entirely false just as soon as certification resolutions can reach your office. The controversy over S. 2548 and its companion in the House, H. R. 6787, is already establishing the fact that the vast majority of the people throughout the Western States, wherein our public domain and most of our national forests are located, are fearful of any more special-interest legislation and particularly anything infringing on something as vital to our national welfare as are our national forests and, as a result, candidates for Governor, Congress, and the United States Senate who have endorsed this proposed legislation will find it embarrassing in trying to justify their actions to the people throughout the Western States who are in position to appreciate just how valuable our national forests really are to the Nation's welfare. I am forwarding you evidence of the fact that every chapter of the Izaak Walton League in Wyoming and over 11,000 members of the Wyoming Federation of Sportsmen's Clubs have unanimously gone on record against this and all similar legislation. Urge you to make these facts known to the Senate committee.

CHARLES E. PIERSALL,
National Director, Izaak Walton League of America.

Mr. MORSE. Mr. President, will the Senator from New Mexico yield?

Mr. ANDERSON. I yield.

Mr. MORSE. Does the Senator's amendment in any way grant vested property rights to any of the people who improve the public lands?

Mr. ANDERSON. I wish to say to the Senator that he knows I am not a lawyer, but, to the best of my ability, and on the advice which I have before me, it does not. It does say, however—and I want to be frank about that—that if a man builds a dam in the forest range which the Forest Service believes is essential in connection with a water supply, he shall have some sort of recompense for putting in that feature.

Mr. MORSE. Is it true or false that he can devise the improvements he makes on public lands, under this amendment?

Mr. ANDERSON. Does that mean that when he dies he can leave it to someone?

Mr. MORSE. Does it go to his heirs?

Mr. ANDERSON. Yes; I think so.

Mr. MORSE. If that is true, it grants a vested property interest in the public domain.

Mr. ANDERSON. When his lease expires, his heirs do not have a right to go on forever and ever.

Mr. THYE. Mr. President, will the Senator from New Mexico yield?

Mr. ANDERSON. I yield.

Mr. THYE. Mr. President, I should like to assure the Senator from Oregon that the improvements would not in any sense go to the heirs. There might be an unusual value in an improvement, such as the development of a spring which had been only a mudhole, so to speak. A man may have put in some concrete and pipes, and in that manner developed a spring providing a good water supply for his livestock.

He may have invested $200 or $400 in that development, and he may pass away and his widow might have some right to the investment. However, there would be no title to that property. It would have to be passed on by the forestry authorities.

The reason why we conceived the provisions that are in this bill with reference to this question was primarily to encourage the eradication of the so-called brushy weeds which have taken over some of the land and made it unfit for grazing. Oftentimes a rancher can take his tractor equipment and chop up this brushy, woody plant and thereby permit the native grass to reestablish itself. It may be that he would have an investment of $300 or $400 an acre, which might represent, over a tract of grazing land, a $1,000 investment.

If he were to die or should find it necessary to leave that grazing property, it would go back to the Public Lands Administrator. In that event the question of his expenditure in the grazing improvement of the land could be raised, and compensation could be made to his estate. But, otherwise, there is nothing in the bill—and we sat through the hearings, and I was a member of the subcommittee which drafted this language—which would give anyone the right to it except as a user of the property established under a lease with the public grazing land management. That is my understanding of it.

Mr. MORSE. Mr. President, will the Senator from New Mexico yield further?

Mr. ANDERSON. I yield.

Mr. MORSE. Will the Senator permit me to read the language, starting at the bottom of page 2 and going to the top of page 3:

> (c) No permit shall be issued which shall entitle a permittee to the use of improvements constructed and owned by a prior permittee until either such prior permittee or his estate has received compensation from the Government in accordance with the provisions of section 802 (b) or the applicant has paid to the prior permittee or his estate the reasonable value of such improvements to be determined under rules and regulations of the Secretary; but no prior permittee who shall have abandoned his permit shall be required to be compensated.

I wish to say, as a lawyer, that I should love to have that kind of business walk into my office.

Mr. ANDERSON. I do not know what kind of business it is. I would simply say that if a man had built a dam costing from $25,000 to $50,000, with the approval of the Forest Service, it would not be right to say that if he should die his estate would receive nothing. These improvements would be completely wiped out in a period of 25 years. Some of them may last for a whole lifetime. But under present regulations does anyone believe that cannot be done if we want to do it?

Mr. THYE. Mr. President, will the Senator yield further at that particular point?

Mr. ANDERSON. I yield.

Mr. THYE. I believe the Senator from New Mexico mentioned a figure of $50,000 as the cost of the installation of a dam. I believe none of us carried the thought in mind that any such investment would be either developed under the act or even contemplated under the act. We were thinking more about the fact that in this mountainous terrain there are streams or springs which, unless they are developed, do not furnish a water supply.

What we are endeavoring to do in that public grazing area is to develop a water supply for the various areas on the range, so that the cattle will not have to traverse 3 or 4 miles to reach water, because the cattle will only graze around a waterhole. Only starvation will force the cattle farther and farther away from the waterhole. Therefore, they destroy the grazing values near the water, and they do not move back on the range until they are starved into doing so. In the process the animals walk too much of their flesh off.

The whole purpose of the act is to develop one water source, let us say, on one side of the range, and another on another side of the range, maybe 2 or 3 miles away, and to follow the same process across the range, so as to get an even distribution of grazing.

There was only one reason why I became interested in this matter, since I am not a western man. I had the good fortune to spend about 10 days in and about Willcox, Ariz., on a ranch. I rode the range. I became interested in the water supply and the distribution of water and the places where the salt was put in order to get the cattle spread out across the range.

When I saw the muddy springs, where neither cattle nor other animals could drink, I saw that with a cost of $300 or $400 such springs could be developed into excellent water supplies, which would bring about a proper distribution on the range.

I came back from that trip and I joined with my colleagues in the formulation of a bill looking to the accomplishment of what we thought was needed.

I do not like the provision in the House bill. That is the reason why we are endeavoring to adopt the Senate language and have it incorporated into the pending bill, so that it will be in conference when the bill goes to conference.

I wish to say to the Senator from Oregon [Mr. MORSE], I do not believe that we will ever find ourselves involved with a problem of even a $20,000 or $50,000 dam on such grazing property.

Mr. MORSE. What language is there in the bill to prevent it?

Mr. THYE. There is no language to prevent it, but I cannot foresee it.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield to the Senator from Illinois.

Mr. DOUGLAS. I should like to preface my remarks by saying that those of us who come from regions where there are no national forests are naturally at a disadvantage in this debate, because we do not know the practices followed under leases granted in the national forests. Certainly I do not pretend to any expertness in this matter.

Secondly, I hold the Senator from New Mexico in very high esteem for the great contribution which he has made to the work of this body. I am sure the Senator has labored with a high sense of public interest in this whole matter. Therefore, I hope the Senator from New Mexico will not think the questions which I shall address to him are in the slightest sense personally critical of him.

I should appreciate it if the Senator from New Mexico would turn his attention to section 804 of his proposed amendment, appearing at the bottom of page 3.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. ANDERSON. I yield myself 5 more minutes.

The PRESIDING OFFICER. Ten minutes additional?

Mr. ANDERSON. I should appreciate it if the other side would yield a little time. This discussion is not only my discussion.

Mr. DOUGLAS. I certainly do not desire to act as chairman.

Mr. ELLENDER. Mr. President, I yield 5 minutes to the Senator from Illinois.

Mr. ANDERSON. I thank the Senator from Louisiana.

Mr. DOUGLAS. The section reads:

> Based upon the customary practices of the grazing privilege holders of each locality concerned, the Secretary shall maintain standards as to the kind and extent of lands, waters or ranch or range improvements or any combination thereof, commonly known as base properties, required as a qualification for grazing privileges on the lands to which this title applies.

The question in my mind about this language is: Suppose in a given locality the customary practice has been for more cattle to be given grazing privileges than the land can possibly support, with the result that there is overgrazing of the land, with the effect which this inevitably has upon the water supply, growth of new trees, and so on.

Since the Secretary is to maintain standards based upon the customary practices, if the customary practices themselves are faulty, is the Secretary not estopped from making any improvement in the terms of the leases concerning the number of cattle or the number of sheep which can be quartered on these lands? That is the first question.

Mr. ANDERSON. I shall be happy to answer that question. Let me say to the Senator from Illinois that just the opposite is true under this amendment.

In the first place, section 804 refers to base properties, and base properties have nothing to do with the number of cattle. The question is whether or not in developing the rangeland there shall be a home headquarters; whether there shall be developed certain springs; and whether there is a need for a certain amount of patented land mixed in with the grazing land which is used. This has nothing to do with the number of cattle.

Let me call to the attention of the Senator from Illinois the fact that there was written into the bill section 810, which says:

> Decisions and rulings by the Secretary with respect to the occupancy and use of the lands described in section 801 (except those relating to the authority described in the next sentence) shall not be reviewed in any manner except as herein provided.

I had something to do with trying to put that language in the bill, because, as Secretary of Agriculture, I had heard some of the appeals. There were certain persons who tried to take me into court on the decisions which I had made in connection with the national forests.

I said, "You cannot change the rights of the Secretary. He has a right to decide to cut down the number of grazing units on a given piece of land."

That is written into the law. It is one of the finest protections we can have. Sometimes I think Members of the Senate ought to ask themselves who, when the Gila wilderness in my own State was under attack, went down and fought against it. I know who went down. I know who has protected the wilderness and forests of the country, to the point where I have not always been very happy in the presence of some of the livestock men, who think I have not done the right thing by them.

Mr. DOUGLAS. May I ask the able Senator from New Mexico about the meaning of section 805 (b) which provides that the decisions of the Chief of the Forest Service can, upon written request to the Secretary—which could be a request by the stockmen—be referred to a board of three members, one of whom is to be designated by the Secretary of Agriculture, another of whom is to be designated by the person requesting the review; and the third of whom is to be selected by the two mentioned before.

Does the very able Senator from New Mexico believe that this is a proper provision? I had always thought that a lease was a privilege and not a right. Does the Senator think it is proper that this matter should be referred to an extragovernmental board for an opinion? Why should the Secretary of Agriculture not have the power to make the decision, upon appeal from the decision of the Chief of the Forest Service?

Mr. ANDERSON. The Secretary of Agriculture did have that power. The Secretaries of Agriculture have exercised that power. In the case of a man named Redd in the State of Colorado, I had a review made, and I did exercise the power.

I wish to say that it is not the kindest thing in the world to require the Secretary to exercise such power by himself. He ought to have people acting somewhat in the category of a jury. This proposed amendment provides for something in the nature of a jury. But for the first time there is a provision that the public shall be represented.

Mr. BARRETT. Mr. President, will the Senator yield to me at that point?

Mr. ANDERSON. I yield.

Mr. BARRETT. I disagree with the Senator, because the board to which he refers is merely advisory, and does not act as a jury in making a determination. On line 12, page 5, the proposed amendment reads:

> The board shall consider the case on its merits and furnish its advice and recommendation to the Secretary.

Mr. ANDERSON. I grant that. I am merely trying to say it would be very useful to a Secretary to have the advice of a group like that. When I had to take appeals in the Department, I did not enjoy taking them, because when

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they came to me the man would walk in with his attorney, and the Forest Service representatives of the people would walk in——

The PRESIDING OFFICER. The time of the Senator from New Mexico has expired.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. ANDERSON. I will yield 1 additional minute to myself.

Mr. AIKEN. I would like to say that the section which has been referred to——

The PRESIDING OFFICER. Who is yielding time?

Mr. ANDERSON. I guess I am going to have to yield the time.

The PRESIDING OFFICER. One minute has been yielded.

Mr. AIKEN. The section which the Senator from Illinois was inquiring about was inserted at the request of the wildlife conservation organizations, and the board was made up in accordance with their recommendation.

Mr. ANDERSON. Let me say, finally, that everything in the world was done to bring those interested in wildlife into harmony. I cannot understand the protest which they have suddenly launched against the bill. So far as the wildlife conservationists in my State are concerned, the Honorable Hugh Woodward is their spokesman. He has been and still remains their spokesman, and he wires me and writes me and says, "This bill should be passed."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Mexico [Mr. ANDERSON] for himself and other Senators.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. ELLENDER. Mr. President, I yield 5 minutes to the Senator from North Carolina.

The PRESIDING OFFICER. The Senator from North Carolina is recognized for 5 minutes.

Mr. ERVIN. Mr. President, I can understand why those interested in wildlife are opposed to the amendment. In the first place, under the provisions of the amendment, property which has been acquired and set aside by the Federal Government, for the benefit of all the people of the United States, will be used by a small, selected group of people, whose use of the property will necessarily interfere with the purposes for which the property was originally acquired by the Federal Government.

The amendment also provides that those who are to be given grazing permits may make improvements on the land, with the approval of the Federal Government, but if the Federal Government desires to use the property for the purposes for which it was originally required, it will have to reimburse those persons for the improvements they have made on the lands, not for the benefit of the Federal Government, but for the benefit of the users of the property.

Persons interested in wildlife in North Carolina have consulted with me about the proposal. They are opposed to it. They feel that the proposal would permit turning property which belongs to all the people of the United States, the national forests, over to a small selected group of persons for their benefit. Not only are those interested in wildlife opposed to the proposal, but the State Department of Conservation and Development is opposed to it. In my judgment, the amendment is bad; certain persons are given the use of the property, even though title is not given to them. There is very little difference between having title to land and the right to use it. That is especially true when the proposal provides that if the Government desires to use the property for its own use, the Government will have to reimburse the persons with grazing permits for making improvements on the land, which improvements were made not for the benefit of the Government, but for the benefit of the persons who are to be given the right to use the Government property. In my opinion, it is a bad amendment, and should not be agreed to.

Mr. ELLENDER. Mr. President, I yield 15 minutes to the Senator from Oregon.

Mr. MORSE. Mr. President, I wish to support the position just taken by the distinguished Senator from North Carolina [Mr. ERVIN]. I wish to dwell for a few minutes on what I consider to be the vested property interests which would flow from the amendment if it should be enacted into law. There is no question about the fact that the language of the bill, starting with section 802, and all the subsections thereunder, refers to the property interests of the permittees. As the Senator from North Carolina has pointed out, once the permittees made the capital investments on the land, they would have a definite property interest in the land. Thereafter the most that could be said would be that it is quasi-public land, and no longer public land.

I know there are powerful interests in my State that want the proposal to become law, but, from my standpoint, they are wrong so far as sound public policy regarding the public domain is concerned.

I was opposed to giving the people's oil lands to private interests. I was opposed to giving away to private utilities what amounts to a monopolistic control over the atomic energy program. I am also opposed to giving away to powerful economic groups vested property interests in the property rights of all the people of the country in the public domain.

Mr. BARRETT. Mr. President, will the Senator yield? I wish to discuss that one point.

Mr. MORSE. When I get through I shall yield to the Senator to discuss it.

I point out that when there is given to cattlemen or sheepmen the right to go on the public domain and make capital investments in fencing, in water tanks, in waterhole developments, in dams, and all the improvements cattlemen and sheepmen need on certain large areas of public land, there is given to those same persons a vested property interest in the public domain. So far as the public is concerned, the vested property interest cannot be taken away from those persons without compensation and in many cases that will mean until some very interesting court litigation has ensued.

The Senator from North Carolina [Mr. ERVIN] is unanswerably right in his position when he states that if users have the kind of rights to the land granted by this amendment they might as well have title to the land. As a matter of fact, such persons would have a legal interest to the land. The language of the bill itself deals with the rights of the heirs and of the estate in the improvements on which the permittee spent money.

In the interest of the cattlemen, I have great concern in their having a better use of the public domain than they are now being afforded. The Federal Government should improve the waterholes, provide water facilities, and make other improvements which are necessary so that cattlemen may make more profitable use of the public domain. Once the Federal Government does that, the cattlemen should be required to pay a license fee sufficient in amount for each head of cattle, in order to reimburse the Treasury over a reasonable number of years for the expense of providing such facilities. If that were done, the public domain would be kept intact for all the people of the country. The rights of the public should not be encumbered by giving various cattlemen and cattlemen's associations a property interest in such public land.

From the standpoint of sound public policy, I consider it to be a great mistake to make this kind of so-called partnership approach to the use of the public domain. The Federal Government's title in the land should be kept absolutely free at all times. I do not believe we should encumber the title by any kind of leasehold interest based upon capital investment on the part of the lessee or permittee.

Therefore, I am opposed to the proposal as a rider to the agricultural bill. I think we need to take another long look at the proposal and see to it that legislation is enacted which will protect an unencumbered title to the public lands in the people of the United States.

The next argument I wish to make about the amendment is based on the discretionary power which it proposes to give to the Secretary of Agriculture. That I do not like. When one reads of the grant of discretionary power given to the Secretary of Agriculture in light of the vested property interest provision which it is proposed to give to permittees and licensees, he is reminded that such is the way to build up a dangerous domain of arbitrary administrative discretion in government. After all, the Secretary of Agriculture, under the provisions of the amendment, would have the right to exercise his discretion, and say to the cattle-raising group or the sheep-raising group, "You can go on the land and spend $2,500 or $5,000." It does not take much of a dam to cost $5,000, even on a small creek in the mountains.

When my friend the Senator from Minnesota, states that those interested in this bill were not thinking in terms of expenditures of thousands of dollars, I remind him that there is not a word in the amendment to prevent the Secretary of Agriculture from giving permission to spend practically any amount of money. Once such a capital investment is made the people of the United States lose partial control at least over their own public domain.

Let us be frank about it. Once there is in power an administration that believes in turning over to private interests more and more of the public domain and the people's property, we shall run the great danger of an administration with a Secretary of Agriculture who will authorize the expenditure by some private livestock company of $5,000, $10,000, or $25,000, for example, for water improvements, fencing, or other improvements on the land. It would be a great mistake to run the risk of the exercise of such arbitrary discretion on the part of the Secretary of Agriculture, because once the Secretary exercised such discretion, property rights in the permittee would become vested, and they could not be regained in behalf of the public until the whole subject had been taken through long court procedure or negotiations in case of dispute or contest. Suppose thousands of dollars are spent on fencing. Does anyone think the public would then have free access to their own land? Here is an attempt to give away valuable property rights belonging to the public for a political song.

The last point I wish to make is that there is no doubt in my mind where the wildlife and the conservation groups stand on the amendment. Certainly communications I have received in the past 3 hours leave no room for doubt as to where they stand in my State. In my State they have had all the explanations given to them that the Senator from New Mexico has made on the floor of the Senate today, and they are opposed to his amendment. They have expressed their opposition in no uncertain terms.

In closing my remarks, Mr. President, I ask unanimous consent to have certain materials, including letters of opposition to the amendment from my State, printed in the RECORD at this point in my speech.

There being no objection, the documents were ordered to be printed in the RECORD, as follows:

FOREST CONSERVATION SOCIETY
OF AMERICA,
Washington, D. C., April 5, 1954.

The Honorable WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MORSE: A review of Senate bill 2548 which the Senate passed on a voice vote shows that this bill could be a means of establishing private rights in our national forest lands. That this danger exists is sufficient grounds for reconsideration and recommittal of this measure.

We are enclosing a copy of our analysis of this bill. This establishes the inherent dangers, and we invite your serious study of this appraisal.

The members of this society have taken a position of unalterable opposition to this measure on the grounds that the people of the United States must expect the Congress to protect their national forest lands without interference. We therefore feel that the motion by Senator WELKER to reconsider this bill should be approved so that the full Senate can vote on a rollcall and defeat these efforts to impair the integrity of the national forest system.

Very truly yours,
CHARLES H. STODDARD,
Executive Secretary.

CONSERVATION ORGANIZATIONS OPPOSING S. 2548

Audubon Society of the District of Columbia; Mr. Irston Barnes, president.

Soil Conservation Society of America; Dr. Hugh H. Bennett, president.

Sierra Club; Mr. David R. Brower, executive director.

International Wild Life Protection; Dr. Harold J. Coolidge, chairman American Committee.

Sport Fishing Institute; Dr. R. W. Eschmeyer, executive vice president.

Nature Conservancy; Mr. George B. Fell, secretary.

Friends of the Land; Mr. Jonathan Forman, president.

Wildlife Management Institute; Dr. Ira N. Gabrielson, president.

Independent Timber Farmers of America; Dr. Christopher Granger, delegate.

North American Wildlife Foundation; Mr. C. R. Gutermuth, secretary.

The Wildlife Society; Mr. C. R. Gutermuth, delegate.

National Association of Soil Conservation Districts; Mr. George Heidrich, delegate.

Outdoor Writers Association of America; Mr. Michael Hudoba, secretary.

American Planning & Civic Association; Miss Harlean James, executive secretary.

National Parks Association; Mr. Fred M. Packard, executive secretary.

American Nature Association; Mr. Harry E. Radcliffe, vice president.

Izaak Walton League of America; Mr. William Voigt, Jr., executive director.

International Association of Game Fish and Conservation Commissioners; Mr. Chester S. Wilson, president.

The Wilderness Society; Mr. Howard Zahniser, executive secretary.

Forest Conservation Society of America; Mrs. Gifford Pinchot, chairwoman.

COMMENTS ON S. 2548, FOREST CONSERVATION SOCIETY OF AMERICA

These comments refer to the draft (the third) reported by the Senate Committee on Agriculture and Forestry March 3. They are based on the intrinsic merits (or lack of them) of the bill, and without reference to such, if any, political or other circumstances as may be involved.

They are not critical of Senator AIKEN and Congressman HOPE (who introduced the companion bill) whose long record of deep interest and support for forest conservation is well known. But they do reflect our belief that there are aspects of this proposal which, notwithstanding a great deal of study, have not received adequate consideration.

We believe the proposal is unwise and undesirable for reasons we shall give later on.

The general purpose of the bill as stated in the title is "to facilitate the administration of national forests and other lands under the jurisdiction of the Secretary of Agriculture; to provide for the orderly use, improvement, and development thereof; and for other purposes."

The phrase "to stabilize the livestock industry dependent thereon" was deleted, but probably remains a general purpose.

Other general purposes stated in the report or by members of the committee on the floor include: to report incentives to permittees to construct range improvements (which it is said they can do cheaper than the Government); to write into law various features of present Forest Service policy; to improve the method of handling grazing areas; and to place national forest administration under the rule of law.

Some important provisions of the proposal are summarized as follows:

1. The Secretary is authorized (and by the report expected) to promote and encourage the construction of range improvements by permittees to the maximum practicable extent.

The grazing permittee is assured compensation for his improvements on a depreciated basis (maximum life 20 years), by the Government if he loses their use through governmental action. No other permittee can be allowed to use them until he has compensated the prior permittee on a similar basis. No prior permittee shall be compensated who has abandoned or lost his permit through no fault of his own or act of God.

2. Reduction of preference solely on the basis of transfer is prohibited.

3. A new system of appeals is superimposed upon intra-Forest Service appeals from one administrative level to the next higher. This curtails the present flexible authority of the Secertary for the handling of appeals.

With certain exceptions this system of appeals, unlike the provisions about range improvements, is applicable to any action or decision with respect to any land occupancy or use. This is understood to include, for example, the whole gamut of timber management and sale activities. The exceptions referred to above are as to reduction or elimination of use for protection of the land, as to change from one use to another. These would continue to be subject to the present, or such other appeals arrangement as the Secretary might prescribe. This new system of appeals involves three levels above the Chief of the Forest Service.

First, upon written request by the appellant an advisory board of three members will be established to review the matter. One member is to be designated by the Secretary from the Department of Agriculture (Forest Service excepted), the second by the appellant, and the third by the other two members to represent the general public, and who shall be neither a Federal nor State employee. If agreement is not reached on this third member within 30 days he shall be appointed by the district court. Members shall receive per diem and expenses. Hearings shall be held in the State where the matter is located. The board shall give its advice and recommendations to the Secretary, who will then make his decision.

Second, the appellant may appeal to the Secretary within 60 days after the above decision for a review de novo. Formal hearings, issuance of subpenas, and the taking of depositions by the Secretary or his representative, are authorized. Witnesses shall be paid the same fees and mileage as are witnesses in the district courts.

Third, the appellant may appeal from the foregoing decision of the Secretary (under most circumstances) to the district court by petition within 60 days. The court will hear the petition upon the record of the pleadings, evidence adduced, and proceedings before the Secretary. If the court finds the decision of the Secretary was arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with the law, it may remand the proceedings to the Secretary with appropriate instructions. It is presumed that these provisions, in effect, spell out the existing right of an aggrieved user to take a case into court, and prevent the court from passing on questions of technical or professional judgment, though what an abuse of discretion means that it is not

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encompassed in capricious and arbitrary is not understood.

4. Establishment by the Secretary, of multiple-purpose advisory councils, is authorized. They are restricted to the consideration of questions of policy. Per diem and expenses are not authorized. In appointing members consideration must be given to recommendations of officers of organizations representing the principal interests concerned.

5. The Secretary's authority to limit or discontinue occupancy and use for the purpose of preventing injury to the lands, and to change the use of land from one use to another, is safeguarded. It is understood, too, that his authority to make distribution reductions is continued, but actions or decisions in relation thereto would be subject to the new system of appeals.

We consider the proposed legislation very unwise because:

1. It is unnecessary. It involves complex legal questions. Obviously it deals with matters of basic policy. How it would work out in years to come cannot be foretold. But we fear it would lead to great difficulties in, and to hampering or preventing effective administration of the national forests.

There has been adequate general legislative authority to enable the Forest Service for nearly half a century to do what is widely regarded as a generally good job of administering the national forests. An important factor in this has been flexible authority to function within certain general congressional legislative policies and provisions. Failures have been due to administrative policies and shortcomings rather than lack of specific legislative prescriptions.

The burden of proof should be upon adopting rather than upon not adopting this far-reaching proposal. The need for it has not been shown so far as we are aware.

2. Closely related to item 1, is the fact that long ago the Supreme Court validated the action of Congress in delegating to the Secretary of Agriculture authority to make rules and regulations governing the occupancy and use of the national forests, which regulations have the force and effect of law (*U. S.* v. *Grimaud* (220 U. S. 506) and *Light* v. *U. S.* (220 U. S. 523), both 1911). In other words the administration of the national forests has been pursuant to rule of law these many years, the implication of the committee to the contrary notwithstanding.

3. Further related to item 1 is the fact that the bill would spell into specific law many features of present administrative policy, practice, and authority. For example, it is understood that the Secretary now has authority to enter into substantially the kind of agreements with grazing permittees regarding range improvements that are prescribed by this bill. It may be safe to freeze in specific legislation some of these policies and practices. Others may need to be modified as circumstances change. It will be much more difficult to obtain revision by legislation than by administrative regulation.

4. The bill is, in part, a special interest proposal. While it sets up a new appeals procedure applicable to administrative actions and decisions with respect to all land occupancy and use, it provides special treatment and guaranties only for range improvements. We certainly do not advocate some type of legislative guaranties for other categories of improvements. But we believe that efforts to widen the scope of such provisions are bound to follow, sooner or later.

5. The appeals prescription is much more complicated than present procedure, and restricts unwisely the Secretary's present authority in handling appeals. The makeup of the three-member board might operate to weight it in favor of the appellant. The proposed system could lead to a very burdensome or possibly intolerable load of long-drawn-out appeals in process. This is notwithstanding that a wholesale resort to the courts may be deterred by the fact that the appellant, if not sustained, must pay the costs.

6. The provisions for the establishment of multiple-purpose advisory councils represent undesirable limitation on the Secretary's present authority and practice. Moreover they might lead to weighting membership in favor of the larger interests and away from the small users.

7. The policy enunciated with respect to range improvements will probably have the effect of minimizing still further the meager funds available to the Forest Service for the construction of range improvements. Public construction of range improvements on the national forests has the advantage of enabling greater flexibility in the management and use of related resources.

Finally, the legislation raises two questions of overriding importance which are discussed in the next two items. The conservation of national forest ranges is a crucial factor in the economy of the United States. They can help to underwrite a healthy permanent livestock industry with its needed products. And even more important is their function in safeguarding the water supply of every important western irrigation project, and of most western cities. To render these and other services the ranges must be built up and maintained at their highest feasible level of productivity.

8. The first question is whether the enactment would not retard rather than advance conservation of the range resource in the national forests. Building up national forest ranges has been a long-drawn-out and very difficult job, one which is not yet completed. The chief difficulties have come from the opposition of the group of stockmen who have tried to obtain special legislation favorable to them. While the present bill does not meet their demands, we are convinced that the effect of its enactment, with its complex and time-consuming system of appeals, and the likelihood of private investments on problem ranges, and the provisions regarding administrative procedures would be to retard rather than to facilitate the correction of misuse of the ranges and the making of needed adjustments, and to make administration more cumbersome.

9. The second of these two questions is whether the proposed legislation would not be a definite step toward the establishment of private or vested rights in public property. We do not challenge the assurances that have been given that this proposal of itself would not establish vested interests in national forest lands or in their use. But the establishment of private or vested rights is not necessarily solely a matter of legal language and provisions. They can develop through a process of evolution. Certain intangibles are involved. In the present situation there is, for one thing, the background of demands by the stockmen. Unhappily, we believe the enactment of this bill would help set the stage for progress toward the establishment of such rights. Among the reasons are:

(a) In some degree the bill provides the same legal means for the protection of privileges on the national forests that are customarily provided for the protection of private property and private rights.

(b) The bill would spell into law certain administrative policies and procedures that have hitherto been subject to the Secretary's flexible authority and regulations under more general legislation. In certain respects his authority is definitely curtailed.

(c) This bill, if enacted, may readily become an entering wedge and be followed by even more aggressive efforts by stockmen's and other organizations to obtain objectives which this bill would not satisfy. It may be followed by efforts of other groups to obtain corresponding advantages.

Let us not adopt legislation that would make it more difficult in the long run to maintain range use as a privilege rather than as a private right.

EAST END ROD AND GUN CLUB,
Milton-Freewater, Oreg., March 8, 1954.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MORSE: We are against S. 2548 and any other legislation of this type. Our public lands belong to all of us and not to the stockmen or chamber of commerce.

In fact we recommend legislation to remove all domestic livestock from our public lands. It is only in our 11 Western States that livestock is permitted in the national forests.

We know of your record on the people's behalf and we feel that you, too, will be against S. 2548.

Very truly yours,

HAROLD OTTO,
President.

MALHEUR-HARNEY-LAKE
COUNTIES CENTRAL COUNCIL,
Burns, Oreg., February 20, 1954.

To Senators and Representatives, United States Congress, Washington, D. C.

GENTLEMEN: Thanks to Congress, cattlemen's grazing bill 4023 is dead. However, 404 million acres of public land is not safe.

The defeated bill gives birth to Aiken-Hope bills S. 2548 and H. R. 6787, the first step and opening wedge to the greatest public-land steal in American history.

The Aiken-Hope brainchild crucifies the small cattlemen and youth—selling out their American rights of free enterprise to farm and raise cattle for a livelihood.

A few preferred top-level cattlemen with grazing permits on huge regions of national forests and public lands, with locked gates, are now refusing the public access to their own lands for recreation. This is common knowledge in the West.

Today, preferred cattle permittees are squeezing and pushing the small cattlemen out of business. The Aiken-Hope bill, S. 2548, will bankrupt thousands of small cattlemen.

Let's not give away an empire: 404 million acres of public land is 12.8 times the size of New York State, 76 times the size of Massachusetts, and 12.4 times the size of England. Your attention is urged to the accompanying letter which has been mailed to several hundred chambers of commerce.

Sincerely yours,

FRANK MCQUEEN,
President.

MALHEUR-HARNEY-LAKE COUNTIES
CENTRAL COUNCIL,
Burns, Oreg., October 10, 1953.

To Members of the Chamber of Commerce in the United States:

Referring to the conference held by the Chamber of Commerce of the United States at Hotel St. Francis, San Francisco, Calif., September 30, 1953:

We were amazed that Mr. Richard W. Smith, manager of the chamber's natural resources committee, refused guest delegates the courtesy to be heard after each natural resources address by the officers and directors of the chamber who used the entire day to generalize on the United States chamber's policies and obstruct discussion on the chamber's public land policy.

No criticism or debate was possible on the public-lands policy or the bitterly opposed cattlemen's grazing land tenancy bill, H. R. 4023, the so-called public-land grab of 404

million acres of national forests and grazing lands in the 11 Western States.

The Chamber of Commerce of the United States is speaking for itself and it's board of directors, not for the public who oppose their giveaway public-lands policy. The panicky rush of procedures, crowding a 2-day conference into 10 a. m. till 4:15 p. m., was obvious to the delegates.

Guest delegates were not given time on the official program until 4:15 p. m. Sensing this unfairness, very few responded; three-fourths of the delegates and audience had retired from the conference room; only small groups were on the floor. There was no debate on the cattlemen's bill, so vital to the American public, the bill that the Chamber of Commerce of the United States so earnestly advocated and tried so hard to pass through congressional committee and Congress, only to suffer defeat.

The proposed amendment is the same old public-land swindle.

It is a raw deal for the general public and will give millions of dollars in leases to preferred cattlemen now holding national forests and public-lands grazing permits.

Mr. Richard W. Smith, manager of the chamber's natural resource committee, wrote to this Council of Natural Resources and Wildlife May 11, 1953, replying to our questionnaire letter of April 29.

Quote: "The Chamber of Commerce of the United States will support the stockmen's bill 4023, based on the following policy, adopted by its membership years ago and reiterated at our recent annual meeting, etc."

Mr. Smith's letter states that the Chamber of Commerce of the United States was then on record as supporting bill 4023, the cattlemen's proposed tenants land grab. Then why the expensive conference to obtain opinion of the delegates from the 11 Western States on the United States chamber's public-land policy? The die was cast, the vote had been taken. As several hundred delegates were seated, the chairman advised them "there will be no votes taken at this meeting." Why did the Chamber of Commerce of the United States refuse their own western delegates a vote? And neglect to say that the Chamber of Commerce of the United States had already voted to hand some 404 million acres of public land to the cattlemen forever on 10-year renewable leases at an incredible low pasture rate of 13 cents per head per month for Bureau of Land Management lands. The chairman stated:

"Chamber of commerce delegates will be allowed 15 minutes to speak.

"Guest delegates will be allowed 5 minutes during the general discussions after 4:15 p. m., etc."

It was obvious that no criticism of their accepted and approved policy was being allowed heard at this meeting and risking a vote from the delegates. What a travesty of public faith and justice.

The following is authentic information, and documentary, and could explain the chamber's incredible action trying to shove bill 4023 through Congress.

Laurence F. Lee, president of the United States chamber in 1952, is now 1953 chairman of the board of directors and vice president and director of the Fernandez Co. in New Mexico, one of the largest cattle and sheep operators in the 11 Western States. Floyd W. Lee, his brother, is president of the Fernandez Co. He is also a member of the United States chamber's natural resources committee advisory as to disposal of 404 million acres of public land. Francis M. Lee, Harriet F. Lee, and Harry F. Lee are directors of the Fernandez Co., who now own permits or leases on some 70,000 acres of New Mexico national forest lands and, we understand, an inestimable amount of Bureau of Land Management lands.

Except under limited conditions, the preferred cattlemen land-tenancy bill 4023, or its amendment, if passed by Congress, will give the Lee families noncancellable leases forever for themselves, their heirs and assigns, and the lawful right to sell the public land along with their deeded or rented property, to the exclusion of the general public, multiple users, and those who wish to make the cattle industry a life business.

The 11 Western States billion-dollar wildlife economy is in mortal peril. Witness preferred cattlemen passing resolutions to kill off elk, cows and calves, does and fawns. Bill 4023 and its amendment is a subterfuge to take over, control, and, in practice, own and cheat the public's use of 404 million acres of public land and destroy a present and future recreational economy that is irreplaceable.

The top-level cattlemen, those few who now hold vast regions of public land, could retard and actually stop reforestation of our national forests, ruin the sustained-yield program now successfully in operation and gradually slow down and finally bankrupt the great sawmills and logging enterprises in order to pasture a few more cows.

With an obvious public-land swindle like this, how can the Chamber of Commerce of the United States justify itself to support land-grab bill 4023, or its amendment, when apparently Mr. Laurence F. Lee, chairman of the chamber's board of directors, and his brother, Floyd W. Lee, their families and assigns, are in line to benefit more than anyone we know of in the 11 Western States?

Help us to defeat this unfair legislation and the will of a very few men to take billions of future land-value dollars away from the general public.

FRANK MCQUEEN,
President.

PORTLAND, OREG., *April 26, 1954.*

Senator WAYNE MORSE.

DEAR SIR: Please pardon the paper. I couldn't find anything else handy. I have just finished reading Sports Afield magazine, May issue. In regards to the big land grab: National parks and forest reserves are owned by the public, worth millions, and are one of the heritages left to us by our forefathers. Even if I were willing to sell or lease these, I cannot speak for my grandchildren or other generations to come. I have served both in World War II and Korea, and I now have four children. Outdoor camping and fishing is our recreation and vacations as well. We can't afford to buy anything like this, so please don't take them away or let anyone post "no trespassing" signs on them. I am in the paint business. If I want to start a store or go into business, I have to be able to afford to buy the things I need and find the location. The cattleman is a businessman and should stand on his own two feet as well. Even the meadows should belong to the deer, etc. Look what happened to the buffalo. Please vote to kill bill S. 1491 and H. R. 4023, also S. 2548 and H. R. 6787, and all other bills of this nature.

Sincerely,

C. E. COCHRAN,
Precinct 149–A.

P. S.—Don't confine us to the public parks, like the Indian reservation. There are too few of them.

PORTLAND, OREG., *May 22, 1954.*

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SIR: I am very much concerned about a certain minority group which is attempting to appropriate our public lands for their personal gains to the detriment of the majority, by promoting the passage of legislation known as S. 2548 and H. R. 6787.

I think that everything within the power of our legislators should be done to see that our public lands which belong to all of the people of our country always remains in a status which will be of an equal benefit to all of the people and not a few.

I, therefore, enjoin you to see that no laws shall ever be legislated which shall deprive all of the people of our country to their justifiable right to access and equal benefit of our public lands.

Sincerely,

GEORGE E. TYLER.

RESOLUTION OF HOOD RIVER FARM BUREAU,
HOOD RIVER, OREG., APRIL 26, 1954

Whereas the cattlemen are trying to have a bill (Senate bill 2548 and House bill 6787) passed by the United States Legislature; and

Whereas the proposed grazing bill, if passed, would give them jurisdiction over a vast portion of the public domain and the same would be closed to the use of the public, the same as the Bull Run Reserve: Therefore be it

Resolved, That the Hood River Farm Bureau is opposed to the new cattlemen's grazing bill as now pending in the United States Legislature as Senate bill 2548 and House bill 6787 and that a copy of this resolution be sent to our State office and also to our Representative and Congressmen.

P. J. MOHR,
Committee on Resolutions.

CRUZATTE, OREG., *May 1, 1954.*

Senator WAYNE MORSE.

DEAR SIR: We, the undersigned, are very much concerned about an article in the May issue of Sports Afield concerning bills introduced in the 83d Congress. The bills in question are S. 2548, introduced by Senator GEORGE D. AIKEN, Republican, of Vermont, and H. R. 6787, introduced by Representative CLIFFORD R. HOPE, Republican, of Kansas. We believe these bills are detrimental to the Nation as a whole and are for the benefit of the livestock industry only. This is another of the so-called giveaway bills that have been introduced in this session of Congress. If these bills are made into laws, the public will be kept out of our national forests and some of the favored few will make some money. We feel that the bulk of the people should be benefited by laws passed in Congress and not the favored few. These national forests have been here for a long time and have been administrated by well-informed men as to the needs of our forests and wild game and if the livestock people get control of them there is no telling what will happen. We cannot understand how this bill S. 2548 passed the Senate, but we feel that Mr. Eisenhower should veto this bill. We also feel that the other bill, H. R. 6787, should be killed on the House or Senate floor. We also would like to appeal to you to fight any other bill that favors special interests. We also would like to appeal to you to help us to save our beauty spots where we can fish and hunt and not have to get permission from someone who bought our land from the Government for a few cents an acre. In other words, help us to renew our faith in the people that were selected to run our Government.

Very sincerely,

Mr. and Mrs. WALDO E. HILL.
Mr. and Mrs. ELLSWORTH A. RIO.
Mr. and Mrs. LYLE A. WALTHROP.
E. A. DAVIS.
Mr. and Mrs. J. E. JONES.
Mr. KENT E. RIO.
Mr. JOHN E. ANGVICH.

CASPER, WYO., *August 8, 1954.*

C. R. GUTERMUTH,
North American Wildlife Foundation,
Washington, D. C.:

Advised Senator ANDERSON, New Mexico, has introduced the stockmen's grazing bill,

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S. 2548, as an amendment to S. 3052, which is the administration's general farm bill. The efforts on the part of the part of the proponents of S. 2548 to lead Congress to believe that the conservation organizations and the sportsmen's clubs of the States affected are in favor of such legislation are reprehensible and will be proven to be entirely false just as soon as certification resolutions can reach your office. The controversy over S. 2548 and its companion in the House, H. R. 6787, is already establishing the fact that the vast majority of the people throughout the Western States, wherein our public domain and most of our national forests are located, are fearful of any more special-interest legislation, and particularly anything infringing on something as vital to our national welfare as is our national forests; and as a result, candidates for governor, Congress, and the United States Senate who have endorsed this proposed legislation will find it embarrassing in trying to justify their actions to the people throughout the Western States who are in position to appreciate just how valuable our national forests really are to the Nation's welfare. I am forwarding you evidence of the fact that every chapter of the Izaak Walton League in Wyoming and over 11,000 members of the Wyoming Federation of Sportsmen's Clubs have unanimously gone on record against this and all similar legislation. Urge you to make these facts known to the Senate committee.

CHARLES E. PIERSALL,
National Director, Izaak Walton League of America.

Mr. MORSE. Mr. President, I also wish to call particular attention to an argument which was made in the House against a similar proposal by Hon. JOHN P. SAYLOR on July 1, 1954, and by Hon. LEE METCALF on July 28, 1954. I ask unanimous consent that their statements be printed in the RECORD as a part of my remarks.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

AMENDED VERSION OF AGRICULTURAL ACT OF 1954 NEEDS FURTHER STUDY

(Extension of remarks of Hon. JOHN P. SAYLOR, of Pennsylvania, in the House of Representatives, Thursday, July 1, 1954)

Mr. SAYLOR. Mr. Speaker, on July 29, an amended version of the Agricultural Act of 1954, S. 3052, was introduced in the Senate in the form of a substitute bill. I am particularly concerned about a new section, title VIII, that was added, and which contains the same provisions of the natural forest grazing bill, S. 2548. The amendment has been printed as Senate Calendar No. 1825, and is awaiting action in the other body.

In my judgment, it would be most unfortunate if that move would deprive the House of the opportunity to give full consideration to a piece of legislation to which there is such widespread public opposition.

I do not believe that measures involving the administration of about 200 million acres of our national forest and Bankhead-Jones lands should be rushed through in the closing hours of Congress without proper consideration.

The grazing bill, S. 2548, as amended in the Senate, has been in the House Agriculture Committee for quite some time. Hearings have been held, and it has been discussed by the committee members in executive session. The committee obviously has found that the measure needs further consideration, or it would have been reported before now.

Practically all of the national conservation organizations have registered vigorous opposition to this legislation. I have a letter on the grazing bill from one of the larger organizations, the Wildlife Management Institute, and wish to insert the same as a part of my remarks for the information of the Members:

WILDLIFE MANAGEMENT INSTITUTE,
Washington, D. C., July 30, 1954.

The Honorable JOHN P. SAYLOR,
House Office Building,
Washington, D. C.

DEAR CONGRESSMAN SAYLOR: This response to your request for an outline of the principal objections of the national conservation organizations to the grazing bill, S. 2548, has been condensed as much as possible. All of the following viewpoints are significant and merit consideration.

There is widespread public opposition to this bill, and that obviously is the main reason that it was not reported by the House committee. All of the national conservation organizations opposed the original bill, and, to our knowledge, only 1 national and 1 regional organization have endorsed the amended version. Several of the State affiliates of those two organizations still are opposing any such legislation.

1. S. 2548 is regarded as unnecessary legislation. While it has been changed to appear of benefit to other users of the national forest lands, it was tailored to meet the wishes of the livestock organizations. It definitely will create questionable legal complexities that could hamper effective administration of the national forest lands. Moreover, it is nothing more than a modified version of earlier proposals for an act that were squelched by overwhelming public objection. As an indication of the intention of the sponsors, when the Senate passed S. 2548 Senator WELKER stated that further concessions will be sought next year.

2. The existing discretionary authority that was granted by Congress under the Administrative Procedure Act would be replaced by inflexible legal requirements that could not be altered to meet emergencies and changing conditions. Few people are willing to go along with S. 2548 simply because it is supposed to contain the first recognition given to other users. While those other users are merely recognized in the bill, the permittees would be given legal rights in Uncle Sam's acres.

The conservation forces have been battling for years to get discretionary authority for the administrative agencies that are charged with responsibility of managing the natural resources under the custodianship of State and Federal agencies. If the Secretary of Agriculture were deprived of the flexible authority that is needed to meet emergencies and changing conditions, it would be a serious step backward.

That so-called recognition is embodied in section 11 of S. 2548, which reads: "In order to obtain the views and recommendations of the various users of lands described in section 1 and their resources on questions of policy involved in the multiple use of such lands, the Secretary may establish multiple-use advisory councils: *Provided, however,* That such councils shall not supersede or perform any of the functions of the advisory boards established under section 18 of the act of April 24, 1950 (16 U. S. C. 580k)." Yes; S. 2548 provides that the Secretary of Agriculture may appoint advisory boards, but in view of the many things that he is mandated to do for the permittees, the position of the other users remains about the same.

3. The proposed appeal procedure is much more complicated than at present. The Secretary of Agriculture is restricted unwisely and unnecessarily in the handling of appeals. A complex and burdensome procedure would be made applicable to administrative actions and decisions. (The present law provides for appeal to the courts for arbitrary and capricious acts on the part of the Secretary. Moreover, of the 84,000 administrative decisions made in the past 30 years, only 83 appeals have been taken to the Secretary, which is proof enough that no change is needed in the appeals procedure.)

4. One rather good provision that appeared in the original draft of S. 2548, which would have required a survey of grazing fees, has been deleted. While the Forest Service has the right to conduct such a survey, the conservationists would like to have the Congress rather than the Secretary see how far the Forest Service fees are below the prevailing rates of comparable private lands, and see how ridiculously low the Taylor grazing fees are in relation to those of the Forest Service.

5. Perhaps the most important objection is that the Secretary is mandated to encourage grazing permittees to improve the national forest lands. A vested right is established in the provision that is made for compensation of the unused or unexpired value of such improvements up to 20 years. Many people believe that this is contrary to the basic land ownership laws of this country. Permittees would be urged to make fixed improvements to the property of another (public-owned lands), and would thereby acquire a legal equity in the ownership. This also means that congressional appropriations for national forest land improvements undoubtedly would decrease year after year; the Government's responsibility would be shirked more and more as time goes on, and the permittees would continue to grasp a more firm hold on precious watersheds, timber production, recreational, and fish and game lands belonging to the entire citizenry.

Congressman SAYLOR, we already are getting calls from all parts of the country about the fact that the grazing bill has been included in the substitute agricultural bill, S. 3052, in the Senate. You have been a stanch advocate of sound natural resource management in the public interest, and can appreciate the grave concern about this last-minute maneuver. The conservationists are hopeful that this strategem will not prevent the Congress from giving full consideration to this legislation.

Sincerely,

C. R. GUTERMUTH,
Vice President.

STOCKMEN GET FOOT IN DOORWAY

(Extension of remarks of Hon. LEE METCALF, of Montana, in the House of Representatives, Wednesday, July 28, 1954)

Mr. METCALF. Mr. Speaker, the attempt to add the revised version of the so-called uniform grazing bill to the Agricultural Act of 1954 is an example of the evils of attaching riders to bills that are not directly concerned with the subject matter of the principal legislation.

This grazing legislation has no bearing whatsoever on the price-support program. Many proponents of high price supports are vigorously opposed to the adoption of S. 2548. Many hunters and fishermen from city districts who want to insure the farmer a decent minimum standard of living are opposed to giving away their rights on public lands to a handful of special interests.

The big livestock interests who have vigorously fought the whole farm program and condemned it for years are now hitching on to a price support bill to try to get their foot in the door and control the public domain. I hope that responsible proponents of the Agriculture Act of 1954 reject this attempt to make them the vehicle for the enactment of bad and dangerous legislation.

I also include a discussion of S. 2548 by Michael Hudoba in his report from Washington in the July 1954 issue of Sports Afield magazine:

"STOCKMEN GET FOOT IN DOORWAY

"The drive made by certain groups of stockmen who sought unusually special privileges for grazing on our national forests, as

expressed in bills H. R. 4023 and S. 1491, petered out when the public raised a storm of protest to Congress.

"But following President Eisenhower's message to Congress on natural resources, two bills were introduced by the chairmen of the Senate and House Committees on Agriculture. These bills sought to meet some of the stockmen's demands for security of tenure for livestock grazing permits on national forests.

"S. 2548 and H. R. 6789, by Senator GEORGE AIKEN (Republican, Vermont), Senator EDWARD THYE (Republican, Minnesota), and Representative CLIFFORD HOPE (Republican, Kansas), are a considerably modified version of the D'Ewart-Barrett bills, and have the endorsement of the administration.

"S. 2548 passed the Senate in an even more modified form, although the majority of conservation organizations strongly object to its provisions. Conservationists claim the provisions are unnecessary since most of the proposals are already in effect by order of the Agriculture Secretary. A particular objection is against the foot-in-the-door priority for grazing-permit domination of our national forests.

"The Senate amended S. 2548 to eliminate the words "grazing uses" from the bill, and substituted instead the words "any occupancy and use of." This action together with the change of the bill's title would make the bill more of a multiple-purpose-use deal for our national forest lands. But as you examine the provisions of S. 2548, it becomes clear that the details for administering this proposed law are designed for grazing permit uses, and in effect make grazing a priority use of these lands.

"The multiple-purpose-use councils, which the Senate put into the bill to pacify the public's conservation wishes, would have representatives of the various interests of the national forests, such as timber, wildlife, recreation, and so on. But the council is not necessarily required by the proposed law, and whether it would be set up at all is left up to the Secretary of Agriculture. Even if the multiple-purpose-use council should be set up, there is no provision for expenses for council members to represent the public, and the council could not supersede the grazing advisory boards established under the Granger-Thye Act.

"While S. 2548 states a congressional policy that such uses as grazing, watershed conservation, timber production, recreation, mining, and wildlife should be safeguarded and given full consideration, it does not spell out this aim in the detail for law and administration as it does the various provisions for grazing use.

"Livestock permittees would be given statutory rights to improve national forest land for grazing purposes with the consent of the Agriculture Department, and to benefit from such increased grazing capacity. This could include fencing of the public forest lands, and so on. They would have implemented rights for appeal in district courts over disputes on grazing uses and rights on national forest lands.

"In other words, while timber, recreation, and other multiple-purpose uses remain in the status of temporary permissive trespass use, the grazing right and grazing permit occupancy would be implemented and bolstered by law far more than other public uses.

"We suggest that you refer to the May 1954 issue of Sports Afield for the revealing story, It's Still Your Land, that tells about the stockmen's scheming that led to these bills."

Mr. MORSE. Mr. President, I ask unanimous consent that a statement which I had prepared with reference to S. 2548, the grazing bill, be printed at this point in the RECORD as a part of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MORSE

It is my understanding that the State affiliates of the National Wildlife Federation in all of the following 30 States still are opposed to the amended grazing bill, S. 2548, and that they have wired protests to its passage, and to having it made a part of the farm bill, S. 3052: Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Idaho, Illinois, Iowa, Kentucky, Louisiana, Maine, Michigan, Minnesota, Mississippi, Nebraska, New Hampshire, New York, North Carolina, North Dakota, Oklahoma, Oregon, South Carolina, South Dakota, Tennessee, Virginia, Washington, and Wisconsin.

I believe that my colleagues from all of those States already have received wires from the State federations. Many more of the State affiliates of the National Wildlife Federation, which passed that resolution so hurriedly in Chicago last March, undoubtedly would express themselves if they knew of this last-minute move. Georgia, which is not affiliated with the National Wildlife Federation, is on record in opposition to the grazing bill.

Here is an important item in connection with the national forest grazing bill, S. 2548, which has been attached as a rider to the farm bill, S. 3052.

S. 2548 gives special privileges to the 18,000 grazing permittees who use the national forest lands. That is the total number of grazing permittees using the national forest lands throughout the entire country.

According to the Report of the Chief of Forest Service for 1953, there were 33 million recreational visits to the national forests, 9 million of which were hunters and fishermen.

This bill creates private-property rights in public-grazing lands in the national forests (sec. 2). Heretofore, stockmen entitled to grazing privileges on these public-grazing lands have been mere permittees or licensees. Now they are given a property interest, not merely in fixtures and equipment (e. g., fences, tanks, etc.) that may be put on the land, but in improvements on the land itself, such as stock ponds, reseeding of the range, etc., which are inseparable from the land. These rights, according to this bill, can be inherited and devised and can, in effect, be assigned. It cannot properly be claimed that this legislation does not confer actual property rights in public land.

Not only are actual property rights in public land conferred, but this step moves in the direction of plaguing American public-land administration with the kind of encumbrances which have been the bane of public administration in Europe. Henceforth, our grazing and forest lands will not be public lands, but quasi-public lands burdened with all kinds of easements, encumbrances, etc. This is the entering wedge to a corruption of public title to public lands and looks toward small-minority private control and ownership of these lands.

Section 2 (b) provides not only that privilege holders are to be compensated for the value of improvements, but that their estates are to be compensated as well.

Section 5 (b) sets up a procedure to arbitrate the public interest in public lands. One member of the Board may be designated by the licensee; yet the administrating agency (Forest Service) cannot designate the second member, who must be designated by the Department of Agriculture; the third, whose decision will be controlling is chosen by these two; if they cannot agree the district court appoints the third member; this comes close to being private arbitration for the disposal of public property.

Thereafter the bill provides for a decision by the Secretary of Agriculture, a rehearing de novo by the Secretary; and review by the district court. The process is lengthy, cumbersome, and could wreck administration. There is no provision in the bill that findings of fact by the Secretary, if supported by substantial evidence, shall be conclusive upon the court. While there may be doubt as a matter of law whether the court can weigh the evidence under this legislation, protective language should have been included.

Section 3 prevents reduction in permitted livestock on the sole basis of transfer of a permit. This section is unnecessary, because it merely states present procedure.

Section 4 says the requirements as to base properties shall be based on customary local practices. If this changes present procedures, which is doubtful, it permits undesirable relaxation of standards against the public interest.

Mr. MORSE. Mr. President, if I still have time in which to do so, I yield now to the Senator from Wyoming.

Mr. BARRETT. Mr. President, I wish to ask a question of the Senator from Oregon: Is it not a fact that the State of Oregon and all other States in the West have in their laws a provision that when State lands are leased, if the lessee puts improvements upon the land, with the consent of the State board, the lessee will be recompensed if he should lose the lease as a result of having the State take the lease away from him or otherwise dispose of the property?

Mr. MORSE. Mr. President, that is a common provision.

Mr. BARRETT. And that is precisely what we are providing in this amendment.

Mr. MORSE. I am not interested in what prevails in the States in regard to the use of State land. But I say to the Senator from Wyoming that a telegram I have received from Casper, Wyo., from the wildlife group in his State, shows that that group is unequivocally opposed to the position the Senator from Wyoming is taking on the amendment in respect to Federal land.

Mr. President, I wish to say to the Senate that in this case we are dealing with a Federal policy in regard to Federal lands. I do not propose to have the Federal lands in my State, for example, become encumbered by a vested property interest on the part of the cattlemen of the State of Oregon. I believe that the title to those lands should be kept completely clear for all the people of the United States. Those lands are not owned by Oregon or by the cattlemen of Oregon. To the contrary, those lands are owned by the 160 million people across this country. So we should protect the title and interest of all the people of the United States in those lands.

The Federal Government should proceed to make on those lands such improvements as will permit the best use of the lands by cattlemen, by sheepmen, and by sportsmen; and then the Federal Government should charge them fees sufficiently high to reimburse the Treasury of the United States for the cost of the improvements.

When we follow that simple principle, which I have outlined here today, we protect the interest of all the people of the United States in the public domain. If we follow that principle we will not

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begin to let the sheepmen or the cattlemen get their heads under the public domain tent, with the result that, before we know it, in a few years, if there is a Secretary of Agriculture who exercises a capricious discretion, we shall find that the public domain will have been encumbered with the vested rights of permittees and lessees. Under such a situation the general public would be fenced off their own land. Under such a situation we shall not be able to have it used for the purposes for which the public domain is supposed to be used.

Mr. President, this is a bad bill. It is another giveaway bill. It violates sound administrative policy. It is not in the best long-time interests of the livestock men. It will turn the public against them. It will sow seeds of resentment and conflict between and among groups of citizens. The stockmen may criticize me today for my opposition to this bill but I am convinced that they will come to see the soundness of the public policy for which I am arguing. I shall continue to work for legislation that will provide stockmen with better facilities for grazing on the public domain but I shall continue to insist that it be done by the Federal Government and not by private interests. It is the only way to keep the people's title in the public domain clear and unencumbered. This amendment clouds the title of the public domain belonging to all the people.

The PRESIDING OFFICER. The Chair announces that, a moment ago, the Senator from Wyoming was not called to order, because he did not have the floor; but he was requested to take his seat, in the interest of peace and harmony in the Senate. [Laughter.]

Mr. HUMPHREY. Mr. President, the amendment of the Senator from New Mexico [Mr. ANDERSON] was discussed in the Senate on the evening of August 4, as we were beginning the debate on the farm bill. At that time the Senator from New Mexico [Mr. ANDERSON], and the Senator from Montana [Mr. MURRAY] were in colloquy regarding which of the conservationist groups were in opposition to the proposed amendment and which ones were in support of it.

As a result of that colloquy, I read into the RECORD, as appears on page 13276 of the RECORD, a list of the conservationist organizations which oppose this amendment.

On the following Friday, I presented for the consideration of the Senate, and for review by it, telegrams signed by a number of such organizations and their representatives. Those telegrams appear on pages 13537–13538 of the CONGRESSIONAL RECORD for August 6. As an example of those telegrams, I now read one of them, as follows:

WASHINGTON, D. C., *August 4, 1954.*
HUBERT H. HUMPHREY,
Senate Office Building,
Washington, D. C.:

Practically all national conservation organizations still opposing amended version stockmen's grazing bill, S. 2548, and protest attaching measure affecting administration of 200 million acres of national forest and Bankhead-Jones lands as a mere rider on farm bill, S. 3052. Several State affiliates of National Wildlife Federation are strongly in opposition.

Forest Conservation Society of America, Spencer Smith, Secretary; Outdoor Writers Association of America, Michael Hudoba, Conservation Director; Izaak Walton League of America, William Voigt, Jr., Executive Director; North American Wildlife Foundation, C. R. Gutermuth, Secretary; National Parks Association, Devereux Butcher, Editor; Sierra Club, Richard M. Leonard, Director; Sport Fishing Institute, R. W. Eschmeyer, Executive Vice President; Wilderness Society, Howard Zahniser, Executive Secretary; Wildlife Management Institute, Ira N. Gabrielson, President.

So, Mr. President, there can be no doubt that, as the distinguished junior Senator from North Carolina [Mr. ERVIN] has said, with the exception of 1 or 2 groups here or there, the wildlife and conservationist groups of the country are almost unanimously opposed to adoption of the amendment. They are opposed to its adoption for the reasons set forth by the Forest Conservation Society of America, in the brief it presented before the committee. That society made a very powerful argument in opposition to the amendment, and also made a very appropriate analysis of it.

At this time I wish to read into the RECORD the concluding paragraph of the statement by the Forest Conservation Society of America:

This bill—

The society was referring to the amendment at the time when it was a bill—

if enacted, may readily become an entering wedge and be followed by even more aggressive efforts by stockmen's and other organizations to attain objectives which this bill would not satisfy. It may be followed by efforts of other groups to obtain corresponding advantages.

Let us not adopt legislation that would make it more difficult in the long run to maintain range use as a privilege, rather than as a private right.

Mr. President, the point is that in this case a technical amendment which has very great practical application is involved. As the Senator from Oregon pointed out indisputably, these lands are public lands, owned by all the people. Anyone who puts foot on them does so as a citizen with the privilege of putting foot on them. Anyone who obtains permission to use these lands obtains that as a privilege, not as a right.

The Senator from North Carolina [Mr. ERVIN] is a distinguished jurist, and he put his finger exactly on the point. The moment a licensee or permittee obtains permission to make improvements in these areas, a certain vested property right—either tangible or intangible—is thereby established.

Mr. ANDERSON. Mr. President, will the Senator from Minnesota yield to me?

Mr. HUMPHREY. I yield.

Mr. ANDERSON. Then would the Senator from Minnesota say that under the Taylor Grazing Act, if an investment is made, title to the land has been encumbered?

Mr. HUMPHREY. Yes, if the Federal Government then has to buy back the land, as this amendment provides; and it provides that the Federal Government will have to make compensation if the licensee's permit runs out; or that if the Federal Government wishes to reclaim the land, the Federal Government will have to buy it back.

In that connection, I think the analysis made by the conservationist organizations is a correct one, in that it points out that there really is not anything very wrong with the way the Federal Government is now operating these lands, and that there rests on the proponents the burden of showing clearly why the making of such a change is desirable. Certainly there has been no hue and cry for such a change from the people of the United States, from conservationist groups, or from any other groups in the country, except the cattlemen and sheepmen, who would like to have a little better opportunity to go into the public domain.

The Senator from Oregon made a very telling point. He did not say the cattlemen and sheepmen should be kept out of the Federal lands; but he said the Federal Government should make whatever developments may be necessary and should make whatever improvements may be necessary, so that title to the lands will clearly remain in the Federal Government, and so that the right of the Federal Government to ownership, control, and use of the lands is clear; and then the Federal Government should charge adequate license or permit fees, to offset the costs which may be involved in making the improvements.

Finally, Mr. President, let me point out that one person who was mentioned during the debate some 2 or 3 days ago as possibly being in support of the amendment is a gentleman from my own State, Mr. Cliff Sakry. He sent me the following telegram:

ST. PAUL, MINN., *August 5, 1954.*
Senator HUBERT HUMPHREY,
Senate Office Building,
Washington, D. C.:

Minnesota Conservation Federation backing you in fight to defeat national forest grazing bill from Aiken amendment to agricultural bill, S. 3052. Your work for conservation greatly appreciated.

MINNESOTA CONSERVATION FEDERATION,
CLIFF SAKRY,
Executive Secretary.

The PRESIDING OFFICER. The time of the Senator from Minnesota has expired.

Mr. HUMPHREY. Mr. President, may I have 1 more minute?

Mr. ELLENDER. I yield 1 more minute to the Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 1 more minute.

Mr. HUMPHREY. Mr. President, I also submitted for the RECORD telegrams from the Izaak Walton League, the Wildlife Management Institute, and all the other major conservationist and wildlife groups. I think that all Members of the Senate must agree that these groups have at heart the national interest in the public domain and in the national forests and the national park lands.

I realize that there may be differences of opinion regarding how far the amendment goes. Let me say the amendment is greatly improved over the way the grazing bill previously read; there is no doubt about that. The amendment is not now the original so-called stockmen's bill—not by the slightest stretch of the imagination. However, I do not believe that bill, now the pending amendment, should be added to the farm bill. I know that grazing bill was once passed by the Senate, but the House of Representatives would not pass it. I also know that the only way this grazing bill can now become law is by being attached to the farm bill, as an amendment, and in that way be reported from conference, following the passage of the bill here in the Senate. But in that way, the processes of the House of Representatives would be circumvented.

Mr. President, I wish to make very clear that, as has previously been stated, the House of Representatives will not agree to such an amendment to the pending bill. This amendment is but an effort to get the so-called stockmen's bill through the back door.

The PRESIDING OFFICER. The Senator's time has expired.

The question is on agreeing to the amendment to the committee amendment offered by the Senator from New Mexico [Mr. ANDERSON] for himself and other Senators.

Mr. DOUGLAS. Mr. President, I suggest the absence of a quorum.

Mr. ELLENDER. Mr. President, I yield 4 minutes for that purpose.

The PRESIDING OFFICER. For the purpose of a quorum call?

Mr. ANDERSON. Before the vote.

The PRESIDING OFFICER. The Senator is advised that that cannot be done. All time must be yielded before a quorum call can be had.

Mr. THYE. Mr. President——

Mr. DOUGLAS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from New Mexico still has 24 minutes, and the Senator from Louisiana has 29 minutes.

Mr. ELLENDER. Am I to understand I cannot yield 4 minutes for the purpose of calling a quorum if I desire to do so?

The PRESIDING OFFICER. The Chair advises the Senator that it is impossible to tell how much time would be required for a quorum call.

Mr. ELLENDER. I said I would yield not to exceed 4 minutes. If a quorum is not obtained in 4 minutes, I shall ask that the order be rescinded.

The PRESIDING OFFICER. Is there objection? It must be by unanimous consent.

Mr. ANDERSON. I am sure there will be no objection if the Senator from Louisiana desires it that way. Let us proceed in the manner he desires. I certainly will not object.

Mr. ROBERTSON. Mr. President, I ask unanimous consent that there be a quorum call.

The PRESIDING OFFICER. The time to be divided how?

Mr. ELLENDER. Equally.

The PRESIDING OFFICER. The suggestion is made that there be a quorum call, and that the time be divided equally. Is there objection? The Chair hears none, and the Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROBERTSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ELLENDER. I yield 15 minutes to the Senator from Virginia.

Mr. ROBERTSON. Mr. President, I am opposed to the pending amendment for three reasons.

First, it is bad legislative procedure. During my service in the Congress, I always have opposed major riders which were not germane in any sense to the pending bill. Everyone knows, of course, that granting a limited number of stockmen more liberal grazing permits and some vested rights in the national forests has nothing in the world to do with a price-support bill for farmers. I am a little surprised that the distinguished patrons of the flexible support bill—the distinguished Senator from Vermont [Mr. AIKEN] and the distinguished Senator from New Mexico [Mr. ANDERSON]—should be willing to hazard the main provision of the bill, which was adopted by the Senate after a bitter fight by a majority of only four, and by a similar narrow margin in the House, by adding an extraneous Forest Service bill which will be fought again in the House, even if the House conferees accept it.

I do not know whether they will accept it. It may be tied up for a long time. Even if they do accept it, the issue will be raised again on the floor of the House, because all the conservation agencies of the Nation have become aroused, and they will fight the provision.

What better excuse will the 90-percent rigid supporters of the House have for voting against the conference report than their opposition to the forest amendment?

I am surprised that Senators who are so eager to see Congress adopt a flexible support program are willing, in the closing days of the session, to hazard the entire program with some extraneous matter.

The second reason I am opposed to the amendment is that the Senate never debated the bill. How did it pass? It passed by unanimous consent, when not more than a handful of Senators were present on the floor. There was no debate and no recorded vote.

The Senate had been lulled into a feeling of false security about the bill by the published report that it had the endorsement of the National Wildlife Federation.

We now find that a director of that organization in New Mexico went to one of the Western States with an official of the Federation from Washington, and the two of them, at a meeting held out there, put through a certain resolution. That action has since been overwhelmingly refuted. We have telegrams in Washington today from at least 30 State units of the same organization repudiating the action taken last spring at that western conference.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. JOHNSON of Colorado. I know the Senator from Virginia would never make a statement that was not absolutely correct. When the bill was before the Senate there was debate on it. I know I asked a dozen questions myself, and 4 or 5 or 6 other Senators engaged in debate at the time the bill was before the Senate. I know the Senator from Virginia would not want to give a wrong impression about the bill. There is in the RECORD a considerable amount of debate on the bill.

Mr. ROBERTSON. Mr. President, the Senator from Virginia will, of course, accept the statement of his distinguished friend from Colorado. The statement of the junior Senator from Virginia was based on what he read in the RECORD, namely, the statement by the distinguished Senator from Idaho [Mr. WELKER], who asked that the action of the Senate be reconsidered on the ground that only a handful of Senators were on the floor when it passed the Senate, and that there was no adequate debate on it.

The point has been made that the House has not had an opportunity to consider the new bill. The House has considered the new bill. It has held two separate hearings on the new bill. The House Committee on Agriculture and Forestry has refused to report the new bill. It is tied up in committee. All the committee members are against it. All the Members of the House who are interested in the conservation of our natural resources are against the bill.

What is involved? Nine million people a year use our 175 million to 180 million acres of national forests. Eighteen thousand stockmen have grazing permits. I do not claim that the stockmen are any more selfish than people in Virginia, or anywhere else. However, anyone who acquires an interest in public property wants to use that interest to the fullest advantage permitted by the law. Certainly the stockmen's association is no eleemosynary institution. During the 21 years I have been in Congress they have been constantly pressing us for more and more use of the public domain, particularly the national forest. They have brought it to the point where the game is gone and the water supply is imperiled. The Taylor Grazing Act was passed in an effort to control the situation.

The stockmen came back this year and asked for more than was included in the first Anderson bill. The Senator from New Mexico could not get that bill through, so he cut them down some more in the amendment. There is no question that this is just another wedge, that the stockmen will be back for more, and that they will keep coming back for more.

I do not criticize the stockmen for wanting to get the fullest use for themselves, but, as I say, they are for private property with two capital "P's." Our duty is so to regulate the natural resources which belong to the people that the people may get the fullest enjoyment from them.

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The permittees would have the right to build waterholes and to improve the forest grazing ranges. As the distinguished Senator from North Carolina [Mr. ERVIN] has pointed out, the amendment would give stockmen a vested right in public property. If we let them go into the forests, and they build waterholes and otherwise improve the land, we shall never get them out again.

The distinguished Senator from New Mexico said that he had very carefully provided in the amendment that no one could overrule the decision of the Secretary of the Interior with respect to the national forests. However, we do place a restriction in the bill on his management which ties his hands.

That is why conservation organizations throughout the Nation have advised us that in their opinion if this bill is passed the Government will lose its control and management of the vast forest areas in the West.

The proper procedure in connection with this legislation is to handle it in the way it has started, namely, by a separate bill in the House and in the Senate. We should stick to that method of legislation. We passed the bill, as I said, in amended form on the call of the calendar. The House has refused to pass the bill.

We can wait until next year, when we can develop more testimony. Then we can frame a bill. If we want to give stockmen—18,000 of them as against the millions of people who want to use the national forests—this additional privilege, we can do so.

However, Mr. President, it would be a great mistake, in my humble opinion, for us to adopt, in the closing days of this session, an amendment, as a rider to the farm bill, which would imperil the agricultural bill, without giving the conservation organizations an opportunity to be heard. The Senator from Minnesota has furnished a long list of organizations which are opposed to the amendment, including the Izaak Walton League, all the State game departments in the East, and nearly all the units of the National Wildlife Federation.

I do not wish unduly to delay a vote on the amendment. I hope very much that it will not be adopted.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Mexico [Mr. ANDERSON] for himself and other Senators, to the committee amendment.

Mr. LEHMAN. Mr. President, I rise to oppose the amendment offered by the Senator from New Mexico. I believe the adoption of the amendment would set an extremely dangerous and harmful precedent. The amendment, as I read it, would give to the sheepmen and cattlemen of the West, at least by implication, a vested claim to the public lands, and it would be extremely difficult to get rid of it. I thoroughly agree with the proposal of the distinguished junior Senator from Oregon [Mr. MORSE] that in order to make these lands available as fully as possible to the largest number of persons, the Government should build water holes or other improvements which are so necessary to the conduct of the grazing lands and charge the necessary fees to the grazing expenses.

My second objection to the amendment of the Senator from New Mexico is that it would open the door to similar or equally dangerous procedures with regard to our timber lands and our other natural resources, which belong not to only a small group of persons, but to 160 million people of the Nation.

We in New York hold a forest reserve of approximately 2 million acres. We would not think of giving anyone the right to make improvements on that land with the understanding that they would receive reimbursement if they were later divested of the use of the land. As a matter of fact, the State of New York may not divest itself of even a few acres without a referendum of all the people of the State.

Finally, Mr. President, I have a very strong feeling that this amendment has absolutely no place in the farm bill. It bears no relationship whatsoever to the subject which we have been discussing for the past 5 days. It merely complicates matters. It is a rider, purely and simply. Let us not fool ourselves. It is not an amendment; it is a rider. As a matter of fact, if it is considered proper and advisable to consider the subject at all, it should be the subject of an entirely separate bill to which Congress can give consideration with reference to all the implications, all the threats, all the possibilities of the bill, and reach a decision.

For the reasons I have stated, Mr. President, I oppose the amendment.

The PRESIDING OFFICER. The time of the Senator from New York has expired.

Mr. ANDERSON. Mr. President, I yield 10 minutes to the Senator from Wyoming [Mr. BARRETT].

Mr. BARRETT. Mr. President, we have heard that the provisions of this amendment would grant a vested right to the permittee. The Senator from New York [Mr. LEHMAN] has just finished saying that he is fearful that if these privileges are granted, the permittee can never be divested of the lands.

I invite the Senator's attention to the fact that in subsection (b), on page 2, it is provided as follows:

> (b) To further promote and encourage the construction and maintenance of such range improvements the Secretary shall provide by rules and regulations for compensation to such privilege holders or their estates for the loss of the value of such improvements.

On page 3, subsection (d) provides:

> (d) The value of any improvement as determined under subsection (b) or (c) shall not exceed its replacement cost, less a percentage thereof commensurate with the expired portion of its normal life. The normal life of any improvement shall be determined under rules and regulations of the Secretary and shall not exceed 20 years.

How under the sun, could anyone contend that a person could never be divested of his privileges or rights when the amendment itself sets a limitation of 20 years.

The junior Senator from Oregon contended a while ago that vested rights were provided for in this amendment. In the Western States the States themselves own thousands upon thousands of acres of land. The lands are used generally for grazing purposes. They are leased. In every one of the Western States there is a provision of law identical with the provision found in this amendment, a provision whereby the lessee, if he builds fences on the land, if he puts reservoirs or dikes on the land, will be recompensed for the replacement cost of those improvements if the State takes the lease away from him or if he disposes of the improvements to a third person.

That is precisely what this amendment would provide.

I invite the attention of Senators to the fact that more than 100,000 such leases are in existence in the Western States and never in any one of those States has the question of vested rights been raised. No court has ever held that the permittee or the lessee acquired a vested right under those provisions of State law. That is precisely what would happen here.

We have before us an amendment which proposes to write into law the regulations of the Department of Agriculture, and particularly of the Forest Service, which have been in force for a long period of years. How anyone could be opposed to writing into law the rules and regulations of that Department is beyond me. If a man is opposed to writing into the law the rules by which these lands can be used, he certainly favors a government by men rather than a government by law. That is precisely the situation which is before us.

The point has been raised that permittees can make improvements on these lands. Of course they can. As I pointed out a while ago, in the past 10 years they put up $4 million for those improvements.

The Chief of the Forest Service has indicated that it would require $100 million to improve the forest ranges in the West. Bear in mind that we are not talking about national parks. That question has been brought into the debate a great many times this afternoon, but whoever makes the assertion that this amendment refers to national parks has not thoroughly read the amendment, because that is simply not the case. But the Chief of the Forest Service, who approves the amendment, the Secretary of Agriculture, and the Bureau of the Budget, representing the executive arm of the Government, have approved it because they know it will require upward of $100 million, over a period of years, to improve the ranges so that the people can have a greater grazing capacity for their livestock, so that the recreational uses of the national forests can be enhanced, and so that the States of the West will have a right to develop, to grow, and to prosper as have States in the East, where there has been no such reservation of lands as there has been in the West.

The Senator from Virginia [Mr. ROBERTSON] made a point of the fact that there are no public lands in Virginia. That is precisely so. When Virginia came into the Union, it would not give

1 acre of public domain to the Federal Government. On the other hand, in the State of Wyoming, the Federal Government owns 52 percent of all the lands in the State. Consequently, we need legislation which will give our people the right to pursue their work, their avocations, their industries, and their businesses under a system of law. I say that the proposed legislation is wholly reasonable in every way.

It does not grant to the permittees any advantages which they do not have at present, save and except the one provision that if they expend their own money on improving Federal lands, with the consent of the Secretary of Agriculture, they will be protected in that permission for a period not to exceed 10 years; and if they lose the land, their successors in interest will be obliged to compensate them for the replacement value of the improvement, less the depreciated value over a period of 10 years.

All we are seeking is fair play. The States of the West have seen fit, over the past 50 years, to write into their statutes language giving to the lessees of State lands precisely the same rights as are provided in the bill. Such provisions have worked quite satisfactorily over the years so far as State property is concerned. Certainly, there is no reason why such a provision cannot be dealt with in the same fashion so far as Federal lands are concerned.

It seems to me that there is no reason to believe that the language or the implications of the amendment would justify anyone in contending that a vested or property right in Federal lands is given to the permittees.

There is one other provision in the amendment which is new and different from existing regulations, namely, the provision that if and when the Secretary of Agriculture acts in a capricious manner or contrary to law, a record can be made and an appeal taken to the courts, to require the Secretary of Agriculture to follow the law. I cannot conceive of any Senator being opposed to insuring to an American citizen the right to his day in court.

It seems to me that the amendment is sound and proper, and that it should be adopted. I can see no reason why the Senate should reverse the position which it took a month or 6 weeks ago.

Mr. ANDERSON. I yield 1 minute to the distinguished Senator from Vermont, to enable him to make clear whether the Forest Service has given full approval to the bill.

Mr. AIKEN. Mr. President, night before last I received a communication from Mr. McArdle, Chief of the Forest Service, saying that he had heard reports throughout the country to the effect that the United States Forest Service did not favor the amendment offered by the Senator from New Mexico. Mr. McArdle said that if I heard any such reports, I could state specifically that the Forest Service was absolutely behind the amendment.

In fact, the amendment is the result of a cooperative effort by the United States Forest Service, the real wildlife and conservation people of the country, and the Senate Committee on Agriculture and Forestry. It is an excellent amendment.

Mr. ELLENDER. Mr. President, I yield myself 1 minute.

I assisted in drafting the original bill, as the Senator from Wyoming [Mr. BARRETT] has just stated. That bill was passed by the Senate and is now before the House Committee on Agriculture for consideration. The only difference between the law as now administered and the amendment is that the amendment empowers the Secretary of Agriculture to promote and encourage the construction and maintenance, by permittees, of fences, range-water facilities, range reseeding, and so forth. That function is now carried out by the Federal Government. In my judgment the plan envisioned in the pending amendment will save the Government much money and will encourage a wider use of our public lands.

I maintain that no vested rights in lands are conveyed by virtue of the amendment. I repeat, the same rights as are obtained now under existing law will be obtained by the permittee under the pending amendment if adopted. The only additional right conveyed, as I see it, is the right of permittees to build, at their own expense, waterholes and fences, under rules and regulations prescribed by the Secretary of Agriculture.

So far as I am concerned, it is my belief that the amendment should not be considered in connection with the pending bill.

A bill similar to the pending amendment was passed by the Senate 4 or 5 weeks ago, and is now before the House of Representatives.

The PRESIDING OFFICER. The time of the Senator from Louisiana has expired.

Mr. ELLENDER. I yield myself an additional half minute.

The fact that the House has not acted on the bill makes me believe that the House is opposed to it. It strikes me that it would be only an idle gesture for the Senate to adopt the amendment at this time, in the hope that the House would agree to it. For that reason, I shall vote against the amendment.

Mr. MARTIN. Mr. President, I wonder if the Senator from Louisiana [Mr. ELLENDER] and the Senator from New Mexico [Mr. ANDERSON] would yield back the remainder of their time, so that I may suggest the absence of a quorum.

Mr. ELLENDER. I yield the remainder of my time.

Mr. ANDERSON. I yield the rest of my time.

The PRESIDING OFFICER. All time is yielded back.

The question is on agreeing to the amendment offered by the Senator from New Mexico [Mr. ANDERSON] for himself and other Senators, to the committee amendment.

Mr. AIKEN. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MARTIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gore	McCarthy
Anderson	Green	McClellan
Barrett	Hayden	Millikin
Beall	Hendrickson	Monroney
Bennett	Hennings	Morse
Bowring	Hickenlooper	Mundt
Bricker	Hill	Murray
Bridges	Holland	Neely
Burke	Humphrey	Pastore
Bush	Ives	Payne
Butler	Jackson	Potter
Capehart	Jenner	Reynolds
Carlson	Johnson, Colo.	Robertson
Case	Johnson, Tex.	Russell
Clements	Johnston, S. C.	Saltonstall
Cooper	Kefauver	Schoeppel
Cordon	Kennedy	Smathers
Crippa	Kerr	Smith, Maine
Dirksen	Knowland	Smith, N. J.
Douglas	Kuchel	Stennis
Duff	Langer	Symington
Dworshak	Lehman	Thye
Ellender	Lennon	Upton
Ervin	Long	Watkins
Ferguson	Magnuson	Welker
Fulbright	Malone	Wiley
George	Martin	William
Gillette	Maybank	Young
Goldwater	McCarran	

The PRESIDING OFFICER. A quorum is present.

The question is on agreeing to the amendment offered by the Senator from New Mexico [Mr. ANDERSON] for himself and other Senators, to the amendment of the committee. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. SALTONSTALL. I announce that the Senator from Connecticut [Mr. PURTELL] is absent on official business. The Senator from Vermont [Mr. FLANDERS] is necessarily absent.

On this vote, the Senator from Vermont [Mr. FLANDERS] is paired with the Senator from Alabama [Mr. SPARKMAN]. If present and voting, the Senator from Vermont [Mr. FLANDERS] would vote "yea," and the Senator from Alabama [Mr. SPARKMAN] would vote "nay."

If present and voting, the Senator from Connecticut [Mr. PURTELL] would vote "yea."

Mr. CLEMENTS. I announce that the Senator from Virginia [Mr. BYRD], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Texas [Mr. DANIEL], the Senator from West Virginia [Mr. KILGORE], and the Senator from Montana [Mr. MANSFIELD] are detained on official business.

The Senator from Mississippi [Mr. EASTLAND], the Senator from Delaware [Mr. FREAR], and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

I announce further that on this vote the Senator from Alabama [Mr. SPARKMAN] is paired with the Senator from Vermont [Mr. FLANDERS]. If present and voting, the Senator from Alabama would vote "nay," and the Senator from Vermont would vote "yea."

I announce also that if present and voting, the Senator from Virginia [Mr. BYRD], the Senator from Texas [Mr. DANIEL], and the Senator from West Virginia [Mr. KILGORE] would each vote "nay."

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The result was announced—yeas 45, nays 41, as follows:

YEAS—45

Aiken	Dirksen	McCarran
Anderson	Dworshak	McCarthy
Barrett	Ferguson	Millikin
Beall	Goldwater	Mundt
Bennett	Hayden	Payne
Bowring	Hendrickson	Reynolds
Bricker	Hickenlooper	Saltonstall
Bridges	Holland	Schoeppel
Bush	Ives	Smith, Maine
Butler	Jenner	Smith, N. J.
Capehart	Johnson, Colo.	Thye
Carlson	Knowland	Upton
Case	Kuchel	Watkins
Cordon	Malone	Welker
Crippa	Martin	Williams

NAYS—41

Burke	Humphrey	Monroney
Clements	Jackson	Morse
Cooper	Johnson, Tex.	Murray
Douglas	Johnston, S. C.	Neely
Duff	Kefauver	Pastore
Ellender	Kennedy	Potter
Ervin	Kerr	Robertson
Fulbright	Langer	Russell
George	Lehman	Smathers
Gillette	Lennon	Stennis
Gore	Long	Symington
Green	Magnuson	Wiley
Hennings	Maybank	Young
Hill	McClellan	

NOT VOTING—10

Byrd	Flanders	Purtell
Chavez	Frear	Sparkman
Daniel	Kilgore	
Eastland	Mansfield	

So the amendment offered by Mr. ANDERSON for himself and other Senators to the amendment of the committee was agreed to.

Mr. AIKEN. Mr. President, I move that the vote just taken be reconsidered.

Mr. KNOWLAND. I move to lay the motion of the Senator from Vermont on the table.

The motion to lay on the table was agreed to.

Mr. YOUNG. Mr. President, to the committee amendment, I offer, on behalf of myself and the distinguished senior Senator from New York [Mr. IVES], the amendment which I send to the desk. I request the immediate consideration of the amendment.

The PRESIDING OFFICER. The amendment to the committee amendment will be read.

Mr. YOUNG. Mr. President, the amendment is a rather long one. If there is no objection, I ask that the reading of the amendment be dispensed with at this time.

The PRESIDING OFFICER. Without objection, the reading of the amendment will be dispensed with; and, without objection, the amendment will be printed in the RECORD.

The amendment submitted by Mr. YOUNG, on behalf of himself and Mr. IVES, to the committee amendment, is as follows:

On page 30, between lines 19 and 20, insert the following:

"SEC. 310. (a) Section 332 of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1332), is amended to read as follows:

" 'SEC. 332. Not later than July 1 of each calendar year, the Secretary shall determine and proclaim the acreage allotment for the crop of wheat to be produced in the next calendar year.'

"(b) Section 333 of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1333), is amended to read as follows:

" 'SEC. 333. The acreage allotment for any crop of wheat shall be that acreage in the commercial wheat producing area which, on the basis of the average yield for wheat in such area during the 5 calendar years immediately preceding the calendar year in which such allotment is determined, adjusted for abnormal weather conditions, will produce an amount of wheat in such area which the Secretary determines will, together with wheat produced in the United States outside the commercial wheat producing area and wheat imported, make available a supply for the marketing year beginning in the next calendar year, equal to the normal supply. The acreage allotment for wheat shall not be less than 50 million acres.'

"(c) Subsections (a) and (b) of section 334 of the Agricultural Adjustment Act of 1938, as amended (7. U. S. C. 1334), are amended to read as follows:

" '(a) The acreage allotment for wheat, less a reserve of not to exceed 1 percent thereof for apportionment as provided in this subsection, shall be apportioned by the Secretary among the States in the commercial wheat producing area, on the basis of the aggregate acreage seeded for the production of wheat in the counties in the State included in the commercial wheat producing area during the 5 calendar years immediately preceding the calendar year in which such acreage allotment is determined (plus, in applicable years, the acreage diverted under previous agricultural adjustment and conservation programs), with adjustments for abnormal weather conditions and for trends in acreage during such period. The reserve acreage set aside herein for apportionment by the Secretary shall be used to make allotments to counties, in addition to the county allotments made under subsection (b) of this section, on the basis of the relative needs of the counties for additional allotment because of reclamation and other new areas coming into the production of wheat during the 5 calendar years ending with the calendar year in which the acreage allotment for the commercial wheat producing area is proclaimed.

" '(b) The State acreage allotment for wheat, less a reserve of not to exceed 3 percent thereof for apportionment as provided in subsection (c) of this section, shall be apportioned by the Secretary among the counties in the State included within the commercial wheat-producing area, on the basis of the acreage seeded for the production of wheat during the five calendar years immediately preceding the calendar year in which such acreage allotment is determined (plus, in applicable years, the acreage diverted under previous agricultural adjustment and conservation programs), with adjustments for abnormal weather conditions and trends in acreage during such period and for the promotion of soil conservation practices.'

"(d) Section 335 of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1335), is amended:

"(1) By striking out of the first sentence of subsection (a) the words 'a national marketing quota shall be in effect' and inserting in lieu thereof 'marketing quotas shall be in effect in the commercial wheat-producing area'; and

"(2) By adding at the end thereof the following new subsection:

" '(e) If the average acreage seeded for the production of wheat in any State during the 3 calendar years immediately preceding the calendar year in which the national marketing quota is proclaimed is 150,000 acres or less, the Secretary, in order to promote efficient administration of this act and the Agricultural Act of 1949, may designate such State as outside the commercial wheat-producing area for the crop with respect to which such quota is proclaimed: *Provided*, That any group of three or more contiguous counties in a State included in the commercial wheat-producing area may be excluded from such area if, after investigation, the Secretary determines that 80 percent or more of the farms producing wheat in such contiguous group of counties in the last year of the immediately preceding 5 calendar years produced wheat from 15 acres or less. No farm marketing quota shall be applicable with respect to any such crop of wheat on any farm in any State or county so designated or excluded. Notice of any such designation or exclusion shall be published in the Federal Register.'

"(e) Section 336 of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1336), is amended to read as follows:

" 'SEC. 336. Between the date of the issuance of the proclamation provided for in section 335 (a) and July 25, the Secretary shall conduct a referendum, by secret ballot, of farmers who would be subject to marketing quotas to determine whether such farmers favor or oppose such quotas. If more than one-third of the farmers voting in the referendum oppose such quotas, the Secretary shall, prior to the effective date of such quotas, by proclamation suspend the operation of marketing quotas with respect to wheat.'

"(f) Part III of title III of the Agricultural Adjustment Act of 1938, as amended, is amended by striking out the word 'national' whenever it appears therein.

"(g) The amendments made by this section shall be effective with respect to the 1956 and succeeding crops."

On page 21, line 14, after "SEC. 201." insert "(a)."

On page 21, following section 201 (a), insert the following:

"(b) Section 101 (d) of the Agricultural Act of 1949 (7 U. S. C., sec. 1441 (d)) is amended by adding at the end thereof the following new paragraph:

" '(7) Where a State or county is designated or excluded under section 335 (e) of the Agricultural Adjustment Act of 1938, as amended, as outside the commercial wheat-producing area for any crop of wheat, the level of price support for wheat to cooperators in such State or county for such crop of wheat shall be 75 percent of the level of price support to cooperators in the commercial wheat-producing area.' "

On page 25, between lines 6 and 7, insert the following:

"SEC. 206. Section 408 (b) of the Agricultural Act of 1949 (7 U. S. C., sec. 1428 (b)) is amended by inserting 'or wheat' after 'corn,' and by inserting 'or wheat-producing' after 'corn-producing.' "

Mr. YOUNG. Mr. President, this amendment is a very important one, and I desire to call the attention of all Members of the Senate to it. The amendment would establish a commercial and noncommercial area for wheat, as we have had for many years in the case of corn.

The amendment is, as I have already said, submitted on behalf of myself and the distinguished senior Senator from New York [Mr. IVES], to the committee amendment. I am very happy to be associated with the Senator from New York on the amendment.

This amendment has the support of the administration.

Mr. President, at this time I ask unanimous consent that a letter from Mr. McConnell, the Administrator of the Commodity Stabilization Service, be read at the desk. Although I have differed

greatly with Mr. McConnell on many problems relating to agriculture, I think he is one of the finest and most honorable men in the Government service. He is a very honest, sincere, and capable person.

The PRESIDING OFFICER. Without objection, the letter will be read.

The Chief Clerk read as follows:

UNITED STATES
DEPARTMENT OF AGRICULTURE,
COMMODITY STABILIZATION SERVICE,
Washington, D. C., August 10, 1954.

Hon. MILTON R. YOUNG,
United States Senate.

DEAR SENATOR YOUNG: I understand that you have prepared amendments to S. 3052, which would place the wheat program on a commercial area basis similar to corn. As you know, the bill passed by the House (H. R. 9680) contained a similar but inadequate provision in that it would have excluded from the commercial area but a few of the States which are not engaged in the commercial production of wheat. Specifically, it would have excluded only Louisiana, Florida, and the six New England States.

I feel that I should express to you the views of the Department in regard to the problem of the establishment of a commercial wheat-producing area. In general, we are taking the position that a commercial wheat-producing area, properly established, would not only result in a sounder wheat program but effect substantial savings in the administration of acreage and marketing controls and price-support operations. We have given considerable study to this problem and have explored several possibilities as to what areas should be included in a commercial wheat-producing area.

On the basis of our studies, it appears that a practical breaking point between commercial and noncommercial wheat-producing States would be an average State wheat acreage of approximately 150,000 acres. In addition, it would be desirable to exclude from States within the commercial area groups of contiguous counties in which 80 percent or more of the farms produce 15 acres or less of wheat.

A commercial wheat-producing area determined on this basis would exclude 17 States entirely and additional counties in other States within the commercial area. The States and counties so excluded would comprise areas in which wheat is produced on small farms primarily for livestock feed. It is the view of the Department that it is unnecessary and undesirable to subject wheat producers in these feed wheat-producing areas to the rigid controls required under existing legislation. Establishment of a commercial wheat-producing area would enable these feed-wheat producers to raise wheat free of marketing quotas and other restrictions, and thereby provide more adequate feed in the areas which in the past have not produced sufficient feed to meet local requirements.

Sincerely yours,

J. S. MCCONNELL,
Administrator.

Mr. YOUNG. Mr. President, the distinguished Senator from New Mexico, the former Secretary of Agriculture, has been on the floor continuously all day, but left the Chamber momentarily. Before he left he asked me to advise the Senate that he favors this amendment. He will be back shortly.

Mr. IVES. Mr. President, will the Senator yield for a statement?

Mr. YOUNG. I yield.

The PRESIDING OFFICER (Mr. PAYNE in the chair). How much time does the Senator desire?

Mr. IVES. It is not worth considering the amount of time I shall take.

I simply want to state that I am delighted to be associated with the distinguished Senator from North Dakota in offering this amendment. To use a very trite expression, it is a definite step in the right direction. I do not know how much benefit it will be to New York State, but I do know that it can do no harm. Whatever it does do will be all to the good. It is a very sound approach, a very just approach. I think it should be approved by the Senate.

Mr. YOUNG. Mr. President, the House approved an amendment similar to this, which would exempt States producing less than 2,500 acres of wheat.

By that amendment, all the six New England States would be eliminated, plus Florida and Louisiana.

This amendment would eliminate any State planting less than 150,000 acres. It would eliminate the six New England States, plus New Jersey, Delaware, West Virginia, South Carolina, Florida, Georgia, Alabama, Mississippi, Arkansas, Louisiana, Iowa, Wisconsin, Arizona, and Nevada—20 States in all.

In these 20 States there has been an average production of wheat of 1,044,656 acres for the past 5 years. Under their wheat allotment for next year, for these States, there will be 680,270 acres. That is the total acres in the United States that would be exempt from wheat quotas, with an average production of a little over 18 million bushels.

It would exempt 92,574 farmers in the Nation from the harsh provisions of the wheat quota law, and I think rightly so. A farmer who produces 15 or 20 acres of wheat, mostly for feed purposes, certainly should not be subjected to quotas and all the penalties that go with them. For example, even though a farmer has only 20 acres of wheat, if he exceeds his quota he cannot sell that wheat without a severe penalty, he cannot feed it to his livestock without a severe penalty.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. YOUNG. I yield.

Mr. MUNDT. Would the Senator from North Dakota agree with the Senator from South Dakota that another justice which would flow from this amendment would be to take out of national referendum those farmers who are not particularly concerned with the commercial production of wheat and to permit future decisions, from the standpoint of wheat and dairy farms, to be made by the areas and the farmers in which wheat is a major product and which are naturally commercially interested in the production of wheat?

Mr. YOUNG. That is correct. I think most small farmers in the States affected usually produce a different type of wheat. They produce a feed wheat in place of a bread wheat.

Mr. MUNDT. The problems confronting the producer of wheat in New York State for feed purposes, and the problems confronting a commercial producer of wheat in North Dakota or South Dakota, are entirely different, and there is no reason that their ballots should be commingled in a national referendum looking to the establishment of a wheat quota.

Mr. YOUNG. That is correct. I do not maintain that this is a perfect bill. Neither do I understand the Department of Agriculture contends it is a perfect bill. It was drawn up with a representative of the Department of Agriculture with a member of my staff and the Senate Legislative Counsel.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. YOUNG. I am glad to yield.

Mr. AIKEN. Mr. President, I had not intended to take a position on this because I did not know enough about the particular bill which the Senator from North Dakota was introducing. I have had the feeling that dividing the wheat acreage into commercial and noncommercial States and counties would be advantageous not only to the wheat counties but also to some of us in the Eastern States who find the measuring of acreage to be more a nuisance than anything else. I have just been in conversation with the Secretary of Agriculture, Mr. Benson, and while he does not claim that this may be the perfect solution to our problem, he believes that it would be to the advantage of the Senate to approve the amendment which is proposed by the Senator from North Dakota.

Mr. CASE. Mr. President, will the Senator yield?

Mr. YOUNG. I thank the distinguished Senator from Vermont.

I yield to the Senator from South Dakota.

Mr. CASE. As I understand, the program for this year and from now on, under the existing law, also contemplates cross-compliance.

Mr. YOUNG. That is correct.

Mr. CASE. Is that not another reason it would be advantageous to these areas that would be excluded from the commercial wheat area to be relieved of the requirements of the present law in that respect? If they should stay under the present law, they would suffer the penalties of cross-compliance under other crops.

Mr. YOUNG. That is correct, yes. It would relieve them of most of that penalty.

Mr. President, in the State of North Dakota we have only one commercial corn county. My farm is in a noncommercial area. In the commercial area we presently have 90-percent support for corn. In the noncommercial area the support level is 75 percent of the 90 percent, or 67½ percent. The same thing would apply to wheat.

If the support level on wheat in the commercial area is 90 percent of parity, the support level in the noncommercial area would be 75 percent of that, or 67½ percent.

We who live in the noncommercial corn area of North Dakota are very happy with the situation. On my own farm we produce about 250 acres of corn a year. We feed all of it. We have no interest in the price-support program for corn and do not care to come under it. I assume that most of the small wheat producers in the eastern part of the

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United States and elsewhere, who produce wheat almost entirely for feed purposes, would just as soon be out from under the severe penalties imposed by quotas.

The PRESIDING OFFICER. Do the Senator from North Dakota and the Senator from Vermont yield back the remainder of their time?

Mr. AIKEN. I do not have control of the time.

The PRESIDING OFFICER. In view of the unanimous-consent agreement, does the Senator from Texas yield back the remainder of his time?

Mr. YOUNG. Unless some other Senator cares to speak on the amendment, I yield back my time.

Mr. JOHNSON of Texas. Mr. President, I yield back my time.

The PRESIDING OFFICER. The time having been yielded back, the question is on agreeing to the amendment offered by the Senator from North Dakota [Mr. YOUNG] for himself and the Senator from New York [Mr. IVES] to the committee amendment.

The amendment to the amendment was agreed to.

Mr. HICKENLOOPER. Mr. President, I call up my amendment designated "7-21-54-A."

The PRESIDING OFFICER. The Secretary will state the amendment. Does the Senator from Iowa desire the amendment to be read in full?

Mr. HICKENLOOPER. The amendment is of some length and, unless there is objection, I ask that the amendment be printed in the RECORD.

The PRESIDING OFFICER. In view of the fact that the amendment is rather long, the Senator from Iowa asks that the reading of his amendment be dispensed with and that it be printed in the RECORD. Is there objection?

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

On page 36, strike out lines 16 through 23, and insert in lieu thereof the following:

"SEC. 601. For the purpose of encouraging and promoting the marketing of agricultural products of the United States and assisting American farmers, processors, distributors, and exporters to adjust their operations and practices to meet world conditions, the Secretary of Agriculture shall acquire information regarding the competition and demand for United States agricultural products, the marketing and distribution of said products in foreign countries and shall be responsible for the interpretation and dissemination of such information in the United States and shall make investigations abroad regarding the factors affecting and influencing the export of United States agricultural products, and shall conduct abroad any other activities including the demonstration of standards of quality for American agricultural products for which the Department of Agriculture now has or in the future may have such standards, as he deems necessary. Nothing contained herein shall be construed as prohibiting the Department of Agriculture from conducting abroad any activity for which authority now exists.

"SEC. 602. (a) To effectuate the carrying out of the purposes of this title, the Secretary of Agriculture is authorized to appoint such personnel as he determines to be necessary and, with the concurrence of the Secretary of State, to assign such personnel to service abroad, and the Secretary of Agriculture may place not to exceed 8 positions in grade 16 and 2 in grade 17 of the General Schedule of the Classification Act of 1949, as amended, in accordance with the standards and procedures of that act and such positions shall be in addition to the number authorized in section 505 of that act.

"(b) Officers or employees assigned or appointed to a post abroad pursuant to this title shall have the designation of Agricultural Attaché or other titles or designations, which shall be jointly agreed to by the Secretary of State and the Secretary of Agriculture.

"(c) Upon the request of the Secretary of Agriculture, the Secretary of State shall regularly and officially attach the officers or employees of the United States Department of Agriculture to the diplomatic mission of the United States in the country in which such officers or employees are to be assigned by the Secretary of Agriculture, and shall obtain for them diplomatic privileges and immunities equivalent to those enjoyed by Foreign Service personnel of comparable rank and salary.

"(d) The President shall prescribe regulations to insure that the official activities of persons assigned abroad under this title are carried on (1) consonant with United States foreign policy objectives as defined by the Secretary of State; (2) in accordance with instructions of the Secretary of Agriculture with respect to agricultural matters; and (3) in coordination with other representatives of the United States Government in each country, under the leadership of the Chief of the United States Diplomatic Mission.

"SEC. 603. The Secretary of Agriculture may, under such rules and regulations as may be prescribed by the President or his designee, provide to personnel appointed or assigned by the Secretary of Agriculture under this title or other authority allowances and benefits similar to those provided by title IX of the Foreign Service Act of 1946. Leaves of absence for personnel under this title shall be on the same basis as is provided for the Foreign Service of the United States by the Annual and Sick Leave Act of 1951 (5 U. S. C. 2061).

"SEC. 604. (a) The reports and dispatches prepared by the officers appointed or assigned under this title shall be made available to the Department of State, and may be made available to other interested agencies of the Government, and the agricultural reports and dispatches and related agricultural information produced by officers of the Foreign Service shall be available to the Secretary of Agriculture.

"(b) The Secretary of State is authorized upon request of the Secretary of Agriculture to provide office space, equipment, facilities, and such other administrative services as may be required for the personnel affected by this title. The Secretary of Agriculture is authorized to reimburse or advance funds to the Secretary of State for such services.

"SEC. 605. Provisions in annual appropriation acts of the Department of State facilitating the work of the Foreign Service of the United States shall be applicable under rules and regulations prescribed by the President or his designee to activities pursuant to this title.

"SEC. 606. The Secretary of Agriculture may make rules and regulations necessary to carry out the purposes of this title and may cooperate with any department or agency of the United States Government, State, Territory, or possession or any organization or person. In any foreign country where custom or practice requires payment in advance for rent or other service, such payment may be authorized by the Secretary of Agriculture.

"SEC. 607. (a) For the fiscal year 1955 so much of the Department of State and Department of Agriculture unexpended balances of appropriations, allocations, and other funds employed, held, used, available, or to be made available, in connection with the functions covered by this title as the Director of the Bureau of the Budget or the Congress by appropriation or other law shall determine shall be transferred to or established in accounts under the control of the Department of Agriculture, and there are hereby authorized to be established such additional accounts as may be necessary for this purpose.

"(b) There are hereby authorized to be appropriated to the Department of Agriculture such amounts as may be necessary for the purpose of this title.

"(c) For the fiscal year 1955 funds which become available for the purposes of this title may be expended under the provisions of law, including current appropriation acts, applicable to the Department of State: *Provided*, That the provisions of section 571 (d) of the Foreign Service Act of 1946, as amended, with respect to the source of payment for Foreign Service officers and employees shall not apply to personnel employed under this title. Obligations incurred by the Department of State prior to September 1, 1954, with respect to functions affected by this act, shall be paid from appropriations available to the Department of State.

"SEC. 608. Nothing in this title shall be construed to affect personnel employed by or funds available to the Foreign Operations Administration or programs conducted under its authorities."

The PRESIDING OFFICER. How much time does the Senator yield himself?

Mr. HICKENLOOPER. I yield to myself 15 minutes, or so much thereof as I may need.

Mr. President, this is an amendment providing for the appointment by the Secretary of Agriculture, with certain cooperation from the Secretary of State, of agricultural attachés at our various missions abroad. The history of the proposal is that in the House bill, H. R. 9680, title V, subtitle A, there is set forth at some length provision for the selection by the Secretary of Agriculture of attachés at our various missions. That was considered in connection with other provisions of the bill by the Senate committee, but in the House bill there were found certain provisions which we thought perhaps did not quite meet the needs of the Department of Agriculture as to the appointment, classification, and activities of these attachés.

Therefore, the Senate committee, on page 36, title VI, section 601, inserted a very short provision for agricultural attachés for two purposes; namely, to establish approval of the agricultural attaché principle, and at least to place the section in conference for the purpose of making any needed improvements of the provision in the House bill.

The committee went further and authorized some of its members, of whom I am one, to attempt to work with the Department of Agriculture and the Department of State on the provisions of the House measure, which are set out at considerable length and detail, to carry out the general idea of the members of the committee and of the Department of Agriculture and the Department of State on this subject.

The Senator from Louisiana [Mr. ELLENDER] has been interested in this subject. I have asked him to cooperate, and

he has done so. I have asked him, if he will, after such cooperation and examination, to state whether he is satisfied with the amendment. I shall not ask him to so state at the moment, but he is in the Chamber, and I will appreciate his cooperation.

I should like to explain in just a few words what the amendment would do.

This amendment would substitute specific and detailed provisions concerning appointment of an agricultural foreign service for the very general provision therefor contained in the committee amendment. In general this amendment provides for the appointment by the Secretary of Agriculture of officers and employees to conduct abroad such activities as the Secretary of Agriculture deems necessary to encourage the marketing of agricultural products of the United States.

Section 601 of the amendment sets out its purpose, to conduct abroad activities deemed necessary to encourage the marketing of agricultural products of the United States.

Section 602 provides for—

(a) Appointment of personnel, including 8 additional positions in grade 16 and 2 in grade 17 of the general schedule of the Classification Act of 1949, the compensation for which corresponds to that provided Foreign Service personnel;

(b) Designation of such personnel by titles agreed to be the Secretary of State and the Secretary of Agriculture;

(c) Their attachment to United States diplomatic missions and their diplomatic privileges and immunities; and

(d) Regulations to insure that their activities will be carried on consonant with United States foreign policy objectives, with instructions of the Secretary of Agriculture, and with other activities of the mission to which they are attached.

Section 603 authorizes the Secretary of Agriculture under rules prescribed by the President to provide personnel appointed under this title, or under other authorization—such as personnel working abroad on disease or pest control—allowances and benefits similar to those provided by title IX of the Foreign Service Act of 1946, which includes quarters, cost of living, travel, commissary, medical expenses, and so forth, and to provide personnel appointed under this title with leaves of absence on the same basis as provided for Foreign Service personnel.

Section 604 provides for making the reports of such personnel available to other agencies of the Government and for agreements with the Secretary of State for office space and services.

Section 605 provides for making appropriate provisions of State Department appropriation acts applicable to activities under this title.

Section 606 authorizes appropriate regulations, cooperation with Federal, State, local, and private agencies or individuals, and advance payments where required by local custom.

Section 607 provides for the transfer of existing appropriations, authorization of additional appropriations, and the expenditure of funds for fiscal 1955 under laws applicable to the State Department.

Section 608 provides that nothing in the title shall affect personnel, funds, or programs of the Foreign Operations Administration.

I believe a number of us have been aware for some time that agricultural attachés in our missions abroad heretofore have been somewhat in the nature of atrophied appendages. That is, they have had certain functions which have been rather indefinitely set out. Their fields of activities have been considerably restricted by Foreign Service procedures. In general, I believe it is true that their reports on agricultural subjects have too often had to be channeled through the redtape of the mission itself, at a lower level than the head of the mission. There have been delays in the acquisition of information, and a general limitation of their activities. We have long felt that agricultural attachés should be more responsible directly to the Secretary of Agriculture than they have been, realizing at the same time that we cannot have two separate and independent departments operating in a foreign country, and that all functions of a mission must be headed up through an Ambassador, but that at the same time the agricultural attachés must be lifted to a proper position in the hierarchy of the mission, and also that their duties, rights, and obligations must be channeled more specifically and more understandably to the Department of Agriculture, which they are principally intended to serve.

Provision is made to increase the number of higher grade classifications in the Department of Agriculture. It is necessary for certain individuals to be given the classification in order to meet the classifications provided by the State Department for the people who are performing similar functions abroad in various missions under the State Department.

I believe the amendment is a step in the right direction.

As I have said, the head of the mission, either the Ambassador or whoever is the head of the mission abroad, would be the supervisor of the agricultural attachés, and the agricultural attachés would be given a much enlarged responsibility and duty in connection with agricultural developments, especially in connection with the development of markets for American products abroad.

It is a good amendment. As I said at the outset, the amendment has been drafted by the Department of Agriculture and the State Department. I am told by the staff of the Committee on Agriculture and Forestry that the State Department has stated that the amendment as now written is satisfactory to it.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. ELLENDER. As the Senator is aware that our agricultural attachés are exclusively under the Department of State.

Mr. HICKENLOOPER. The Senator is correct, as I understand.

Mr. ELLENDER. Their function in the past has been merely to make reports on crop conditions abroad.

Mr. HICKENLOOPER. The Senator's statement is correct.

Mr. ELLENDER. To what extent is the work of the agricultural attachés broadened under this amendment?

Mr. HICKENLOOPER. The work of the attaché is broadened, beginning in the very first section, in which the attaché is under the direction of and, of course, always subject to the cooperating approval of the State Department, so that the attachés do not run wild on each other. But the Secretary of Agriculture, through his attachés, is required to acquire information regarding the competitive demand for American agricultural products. He only reports. He is a "received-and-filed" man.

Under this amendment a part of the responsibilities is to make investigations in the agricultural field as to the factors affecting and influencing the exports of United States agricultural products, and any other activities, including the demonstration of standards of quality for American agricultural products for which the Department of Agriculture now has or in the future may have such standards. In other words, the attaché is in the nature of an expert on the investigation and sale of American products in whatever field may seem appropriate and desirable under the direction of his chief.

Mr. ELLENDER. And the Senator feels that the attaché acting in that capacity will act more or less as an agent of our Government in the probable sale and distribution of agricultural products abroad?

Mr. HICKENLOOPER. Yes. It gives the attaché abroad a wider scope of responsibility in his own independent action than he has had heretofore. Let me illustrate. Heretofore, the agricultural attaché in our mission abroad has been far down the line. The ambassador is at the top. Under him will be a counselor and some other persons, and then the attachés. They are limited merely to observing and reporting certain things. Their reports go in at a low level within the mission and must find their way up to the ambassadorial level, and, eventually those reports may get around to the Department of Agriculture. The attaché is a representative of the Department of Agriculture, but he is not on an independent level, because he must be responsive to the overall policies of the mission. But he would have an independence and a responsibility, under the amendment, far greater than that which he now has, to look the ground over, to examine it as an expert, and to recommend the things he thinks will be in aid of American agriculture in connection with the sale of American products.

Mr. ELLENDER. He could make his report directly to the Department of Agriculture, would he not?

Mr. HICKENLOOPER. Not only to the chief of mission, but directly to the Department of Agriculture, without the delays and the redtape which have so often slowed up action.

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Mr. HOLLAND. Mr. President, will the Senator from Iowa yield?

Mr. HICKENLOOPER. I yield.

Mr. HOLLAND. I appreciate the clarification which the Senator has already made of his amendment, but I should like to ask him a few more questions.

Do I now correctly understand that the reports, observations, and recommendations of the agricultural attaché will come directly to the Department of Agriculture?

Mr. HICKENLOOPER. Yes. It is my understanding that they will go directly to the Department of Agriculture, and I think it is important that they go directly there.

Mr. HOLLAND. I join the Senator in that statement.

Mr. HICKENLOOPER. The Department of State will have copies of the information, but it will also come directly to the Department of Agriculture.

Mr. HOLLAND. It seems to me that is highly necessary.

Would the Department of Agriculture, then, have the authority to act in such a way as to help American agriculture without the long and involved delays which have been taking place in the Department of State?

Mr. HICKENLOOPER. Yes; I believe that is true; although there is a provision for cooperation and consultation between the Secretary of Agriculture and the Department of State. But this amendment would greatly enlarge, first, the basis of accurate, immediate information which the Secretary would have from any mission abroad and would enable him to program activities immediately, if it is desirable to program them, or undertake the establishment of a policy or the basis for disposal of American products. It would cut a great deal of redtape.

Mr. HOLLAND. Mr. President, will the Senator from Iowa yield further?

Mr. HICKENLOOPER. I yield.

Mr. HOLLAND. I am personally greatly interested in this amendment, and in having an arrangement under which agricultural attachés can be helpful to agriculture in the United States. I am personally glad to know that the reports can be made directly to the Department of Agriculture and that the Department of Agriculture will have authority to take immediate and effective action without waiting for the long, involved, and complicated functionings of the Department of State. If the Senator will yield a moment further, I should like to say that in two particulars I have had an opportunity to observe the completely ineffectual handling of this branch of our Federal activities in the past year.

On two occasions the Florida citrus industry has had very aggressive personnel in Europe to help in the forwarding of programs which have been permitted by legislation passed by Congress. The first of these programs was to build up greater export markets by the use of section 32 funds to pay up to a certain point the difference between the market price in Europe and the price at which the same product was selling on American markets in an effort to recapture lost markets. We were dealing with a perishable crop which required arrangements to be made promptly; otherwise they would be completely ineffective. For months after the very aggressive agricultural agents had acted cooperatively with our field men from the Florida citrus industry we tried to get action, only to be thwarted by the interminable delays in the embassies abroad. After the reports reached the Department of State, it began to look as though the Department of State was more interested in protecting the organization of the dealers in the foreign countries who were dealing with other sources of citrus than they were in helping the citrus industry of this Nation.

The final result accomplished was to completely convince our people in Florida that the Department of State had very little interest in them, because the action, when finally taken, was too late to be effective.

In the second instance there was a freeze in Spain, which is a heavy producer of oranges, and there was a chance to find a greatly enlarged outlet for our citrus fruits. Exactly the same sort of frustrating delay was encountered. So far as my observation went, the fault was not at all with the agricultural attachés. They were aggressive; they were informed; they tried to be helpful, but they were thwarted by the redtape in the Department of State. I feel that this is a field in which we simply must improve the situation.

With that background I ask the distinguished Senator from Iowa if he is convinced that the amendment, which is quite lengthy and which the Senate has not had an opportunity to digest in detail, will effectively accomplish the cutting of redtape so that the agricultural attachés can effectively help the agricultural industry of this Nation in finding foreign outlets?

Mr. HICKENLOOPER. I am firmly convinced that the amendment will effectuate that result. Administratively, of course, any law can be slowed down or fouled up. But the amendment lays the basis for exactly the kind of cooperation that is needed.

The PRESIDING OFFICER. The Chair announces that 21 minutes have expired.

Mr. HICKENLOOPER. I yield myself another 10 minutes.

Mr. HOLLAND. Mr. President, will the Senator further yield?

Mr. HICKENLOOPER. I yield.

Mr. HOLLAND. I believe the Senator from Iowa has reassured me on these points. Let me say again that so far as the effort to reestablish our markets overseas since World War II is concerned, the State Department has been more hurtful than helpful. It has been equally hurtful to our efforts to avoid the harmful effects of indiscriminate competition from some offshore sources in the shipment of perishables into this country which were not well graded, not well prepared for shipment, and did not arrive in good shape, and simply operated to break down the markets which had been built up.

For that reason, I feel that the Department of State had better be restricted to handling affairs which have to do with diplomatic relations, and should get out of the field of agricultural relations. I hope the distinguished Senator from Iowa will accomplish that purpose by his amendment.

Mr. HICKENLOOPER. That is exactly the purpose of the amendment. I believe it will accomplish that result.

Mr. HOLLAND. I thank the distinguished Senator.

Mr. HICKENLOOPER. I have great respect for our Foreign Service and our diplomatic personnel. The overwhelming number of them are fine persons and mean well. In their respective capacities, in whatever field they are most skilled, they protect the best interests of the United States with considerable ability. But, as the Senator from Florida has pointed out, most of them do not know the problems of agriculture. They know the niceties of diplomatic conduct and how to represent the United States on a diplomatic level concerning the political needs of our country. But they do not know much about agriculture.

Heretofore agricultural attachés have been useless appendages on the diplomatic tree or structure. When an agricultural attaché made some recommendations he was like a little boy who tugged at his father's coattails and said, "Daddy, look at the bear." The father, who had other things on his mind, would say, "Go on, now, son; don't bother me. I have other things to do."

I have observed situations in a number of countries where recommendations by the agricultural attaché were made at such a low level that by the time they rose 2 or 3 echelons, to persons who did not know anything about agriculture, the recommendations were kicked around, and further study was recommended. That was done because the diplomatic personnel did not know anything about agricultural conditions. Often such action defeated the very purpose of the recommendations which had been made by the poor fellow down the line.

I think the amendment will cut redtape. It gives to the attaché responsibilities, duties to perform, and channels to the Secretary of Agriculture. The amendment provides for cooperation between the Secretary of Agriculture and the Secretary of State, for the purpose of making certain that particular policies of the United States are not destroyed by the foolish operations of diplomatic personnel.

I think the amendment will be a great step in the right direction toward promoting the interests of American agriculture abroad.

Mr. HOLLAND. Mr. President, will the Senator yield for a brief observation?

Mr. HICKENLOOPER. I yield.

Mr. HOLLAND. I think it has been clear throughout the debate that one of the principal needs of agriculture in the Nation now is to improve our export program, which has fallen off vastly more than has the export program in the field of industry and other business.

Mr. HICKENLOOPER. I agree with the Senator from Florida.

Mr. HOLLAND. I do not believe agricultural exports will be greatly increased,

certainly not up to the level of the possibilities for increase, unless there is an aggressive handling of our problems by the American agricultural attachés, who are our contact men with the buyers and the markets in foreign nations, unhampered by the excessive amount of State Department "redtape" which now exists.

Mr. HICKENLOOPER. That is the intent of the amendment, and I believe it will accomplish that purpose. At least, so far as we can see at present, the amendment goes far in that direction I am told by members of the staff that the Secretary of Agriculture favors the amendment, and the Secretary of State also approves of it.

Mr. HOLLAND. All I can say is that if the amendment accomplishes that purpose, the distinguished Senator from Iowa will be even more welcome in Florida the next time he visits that State, than he has been in the past.

Mr. HICKENLOOPER. I thank the Senator from Florida.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. LANGER. Is there any estimate as to the additional cost which will be incurred by reason of the amendment?

Mr. THYE. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I have what I believe is the answer to the question asked by the Senator from North Dakota.

Mr. LANGER. Will the Senator tell us, further, in what countries the attachés will be located?

Mr. HICKENLOOPER. Agricultural attachés are already located in practically all our missions abroad.

Mr. LANGER. In how many countries are such attachés located at present?

Mr. HICKENLOOPER. I should say, roughly, that they are located in 50 countries.

Mr. LANGER. Will the missions have assigned to them any personnel in addition to those which they now have?

Mr. HICKENLOOPER. I think there will be no additional personnel. There might be a very few. There are I think, about 17 such positions.

Mr. ELLENDER. There are 8 positions in grade 16, and 2 in grade 17.

Mr. HICKENLOOPER. There is nothing in the amendment which would require or provide for any additional personnel. I am informed by the staff that there are 8 positions which will call for grade 16, and 2 positions which will call for grade 17. That will not necessarily mean the employment of additional personnel, but it will provide 8 grade 16 positions where that grade is now held by attachés in the State Department; and it will provide for 2 positions in grade 17, where grade 17 is now held by personnel in the State Department. The amendment would merely place the personnel in the same grades which they now occupy, and provide for the regular pay allowances.

Mr. LANGER. Has the Senator any idea as to what the additional expense will be?

Mr. HICKENLOOPER. I will ask the Senator from Minnesota if he has any additional information. The members of the staff tell me that to all intents and purposes there will be comparatively little additional expense, or no substantial amount of increased expense.

Mr. THYE. The question came before the Committee on Appropriations, and we studied the subject. There are some countries in which there are no agricultural attachés. Therefore, if it were desired to have a full and effective foreign service, it would be necessary to increase the number by placing an agricultural attaché in every country.

When the question arose as to how to staff the offices, because most of the attachés will require secretarial service and office space, the position was taken that there would have to be office space. The best estimate which the Appropriations Committee could obtain was that the expense would be increased by about $1 million. I personally think that that would be a good expenditure, from the standpoint of United States agriculture.

Mr. HICKENLOOPER. That would be true if all the positions were filled.

Mr. THYE. If there were an agricultural attaché in each of the major countries where it was desired to dispose of some of our agricultural surpluses, that is what could be expected.

Mr. HICKENLOOPER. But if the personnel merely stepped into the posts where they are now located, which comprise most of the posts in the world, the probability is that the increased cost would be negligible.

If posts were filled in the other countries of the world, especially in some of the smaller countries, there would be some increased cost for the additional agricultural attachés.

Mr. LANGER. Mr. President, will the Senator yield for a further question?

Mr. HICKENLOOPER. I yield.

Mr. LANGER. I think about 4 or 5 year ago, on the floor, the Senate tripled the amount of money which was provided for our ambassadors. One of the arguments made was that if the ambassadors had sufficient money, they could have agricultural attachés, and would thus be able to represent the United States in a better way. As the Senator may recall, Congress provided a huge additional amount of money. That is the reason why I inquired whether the proposed amendment would cost the taxpayers more money.

Mr. HICKENLOOPER. At the moment, I cannot remember the exact circumstances to which the Senator is referring. I know there was an increase, but I am not prepared to discuss that detail with the Senator. However, the Department feels there will not be any greatly increased appropriation or expenditure necessary by reason of the amendment.

Mr. ELLENDER. Under section 604 (b) I notice the following:

(b) The Secretary of State is authorized upon request of the Secretary of Agriculture to provide office space, equipment, facilities, and such other administrative services as may be required for the personnel affected by this title. The Secretary of Agriculture is authorized to reimburse or advance funds to the Secretary of State for such services.

If the Senator from Iowa will look at line 12, on page 4 of his amendment, I should like to suggest that he modify his amendment by adding the words "and clerical," after the word "administrative," because I am sure that the clerical services that are employed in the embassy could also be used for clerical work for the attachés.

Mr. HICKENLOOPER. I wish to check with counsel. It is my impression that the term "administrative services" would include clerical services.

Mr. ELLENDER. It would do no harm to put that language in the amendment, would it?

Mr. HICKENLOOPER. I see no reason why it should do any harm to put that language in the amendment. I think probably the language would clarify the provision, I am sure that is the intent.

The PRESIDING OFFICER. Does the Senator from Iowa modify his amendment?

Mr. HICKENLOOPER. Mr. President, I modify my amendment by adding the words "and clerical" after the word "administrative", which appears on line 12 of page 4 of my amendment.

In the main, the amendment will merely amount to a transfer in the duties of personnel. The State Department is furnishing that service now, and it will merely reassign duties.

Mr. ELLENDER. And it will save a little money.

Mr. HICKENLOOPER. Yes.

Mr. LANGER. I do not see how it would save any money. It will cost $1 million more.

Mr. HICKENLOOPER. The increased cost will come about if posts which are not now staffed with agricultural representatives should be so staffed. That would increase the cost. The total possible cost, as estimated by the Committee on Agriculture and Forestry, will not exceed $1 million.

Mr. President, if any Senator desires to use any time I have remaining, I shall be glad to yield such time as is needed. I do not know who is in charge of the time on the other side.

The PRESIDING OFFICER. The Senator from Louisiana [Mr. ELLENDER] is in charge of that time.

Mr. ELLENDER. Mr. President, I yield back the remainder of my time.

Mr. HICKENLOOPER. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. Both Senators having yielded back the remainder of their time, the question is on agreeing to the amendment of the Senator from Iowa [HICKENLOOPER], as modified, to the committee amendment.

The modified amendment to the amendment was agreed to.

Mr. KERR. Mr. President, I send to the desk an amendment on behalf of myself and the junior Senator from Oklahoma [Mr. MONRONEY] and ask that it be stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. In the committee amendment on page 24, after line 12, it

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is proposed to add a new section, as follows:

SEC. 204. (a) Title II of the Agricultural Act of 1949, as amended, is amended by adding at the end thereof a new section as follows:

"SEC. 202. Notwithstanding any other provision of law the Secretary is authorized and directed to make immediately available through loans, purchases, or other operations under existing law, price support to producers of beef cattle at 80 percent of parity."

(b) The provisions of the amendment made by subsection (a) shall not affect the authority of Secretary of Agriculture, under section 402 of the Agricultural Act of 1949, to make price support available at higher levels.

The PRESIDING OFFICER. How much time does the Senator from Oklahoma yield to himself?

Mr. KERR. I yield myself 5 minutes, Mr. President.

The purpose of the amendment is to support the price of beef cattle at 80 percent of parity through loans, purchases, or other operations under existing law, and retain the provisions of the present law which provide for additional authority or discretionary power to support the price of beef cattle at above the level of 80 percent of parity.

More than 80 percent of the income of the farm people of Oklahoma, and of farmers in many other areas, during the past 10 years has come from the sale of cattle. Due to the tremendous drop in the price of cattle, near-bankrupt or bankrupt conditions prevail today for tens of thousands of cattle producers.

Although the Secretary has had the authority to support the price of cattle, he has permitted the average price of the average grade of cattle to be reduced to a lower percentage of parity than that of any other product which is of similar importance to the farmer. This is in spite of the fact that the feed purchased by the cattle producer is supported at some level of parity, and certainly above the level of 80 percent, which is the figure which would be made mandatory by the amendment at which the Secretary would have to support the price of cattle.

It is a well-known fact that today in many States, due to the terrible drought conditions, cattle are being forced on the market in large numbers, with the result that the value of the cattle is greatly decreased, not only as affects the one who sells the cattle, but also the collateral value generally of cattle owned by producers who have to borrow money from the banks is greatly reduced.

The result is to create a rapidly accelerating downward spiral which, in the judgment of the Senator from Oklahoma, cannot be substantially arrested, halted, or reversed until a definite floor is placed under the value of live cattle. It will not be possible for stable credit to be made available and maintained until a substantial and steady floor is placed under the value of the cattle. Therefore, not only from the standpoint of the welfare of the average cattle producer, but also from the standpoint of the economy of areas in which farmers are engaged primarily or generally in the production of cattle, the amendment offered by the two Senators from Oklahoma is of great significance and value.

Last year the situation was comparable to that existing today, with reference to cattle being forced on the market and tens of thousands of producers having to sell because of the drought conditions. In the interest of the orderly marketing of the cattle, the Secretary of Agriculture put into effect a program which he said was calculated to support the value of cattle.

The Secretary spent nearly $100 million in a program which had three results. The first was that it created a great bonanza for the packers. Because of that program last year it was possible for the packers to make the greatest profit in their history.

Another result of the program of the Secretary of Agriculture, in which he spent nearly $100 million last year was that the price of the products of cattle to the consumer was abnormally increased. In other words, the program which was put into effect penalized the consumers. Yet the producers of cattle were not benefited by the program at all, to say nothing of being benefited to a degree commensurate with the tremendous cost of the program and the great amount of money spent by the Secretary.

I have been advised that the Secretary is now contemplating a similar program for this year. A short time previously, the distinguished Senator from Kansas [Mr. CARLSON] called on the Secretary to put into effect a program of buying beef products as a measure to support the price of cattle, especially for the benefit of those areas afflicted with the drought, within which areas producers are being compelled to go to market with vast quantities of cattle.

The PRESIDING OFFICER. The 5 minutes have expired.

Mr. KERR. The Senator from Oklahoma yields himself an additional 5 minutes.

Mr. President, neither Senators nor the Secretary of Agriculture nor anyone else with responsibility would prescribe a program of buying flour as a measure to support the price of wheat.

Certainly the Secretary would not be so foolish, if he had the authority, nor would the Congress be so unwise, as to prescribe a program of buying cigarettes to support the price of tobacco.

No one, Mr. President, with judgment and responsibility, would prescribe a program of buying peanut butter to support the price of peanuts.

Yet we had the example last year of the Secretary of Agriculture putting into effect a program of buying from the packers canned gravy, processed meat, and canned meat to the extent of $100 million, purportedly as a program to support the price of cattle.

Mr. President, this proposed amendment has two purposes.

The first purpose is to put a floor under the value of cattle on the hoof; to put into effect a program which would stabilize the value of that product, which represents such a great percentage of the value of the output of the farmers of Oklahoma and of other similar areas.

The other purpose of this amendment, Mr. President, is to make certain that any money spent by the Secretary for any program which the Secretary puts into operation will be spent on the basis of direct benefit to the producer of cattle, and will be for a program which will result in stabilization of the price or value of cattle on the hoof, rather than for a program which must be interpreted and considered only as a bonus or a subsidy to the processor.

Mr. President, the program of the Secretary to support the price of beef products has resulted in a great bonus and bonanza to the processors. That program had its counterpart this year in the handling by the Secretary of the support program he has maintained for the price of dairy products. The way it has been handled has resulted in an additional profit to the processor without commensurate benefit to the producer and without commensurate savings to the consumer.

Mr. SCHOEPPEL. Mr. President, will the Senator yield for a question?

Mr. KERR. I yield to the Senator from Kansas.

Mr. SCHOEPPEL. I should like to ask the able Senator from Oklahoma how the Government would handle the cattle situation if there were a floor under the cattle price. Would the Government be required to purchase the live cattle?

Mr. KERR. Mr. President, there are three ways in which the Secretary could support the price of cattle on the hoof for the direct benefit of the cattle producer.

The first way is that the Secretary could arrange nonrecourse loans. A loan could be made to the producer at the prescribed percentage of parity, for the cattle which were the object of the support program. The loan could be made to the producer, Mr. President, while still allowing the producer to keep the cattle if he had the pasturage or the feed or the means with which to take care of them. In that way the producer would receive the benefit of any increase in the value of the cattle over and above the amount of the loan. In other words, the program could be handled on a basis which would give the producer the opportunity to come out whole on his product, to get the benefit of any increase in its value; and at the same time, Mr. President, it would provide on-the-farm care of the cattle, the price for which was being supported.

Another way the Secretary could support the price of cattle would be by outright purchases. There is no more reason, Mr. President, why the Secretary of Agriculture should not buy live cattle in the sales pen and have them processed for Government account, than there is that he should not go to the packers and spend tens of millions of dollars in the buying of beef products.

Mr. SCHOEPPEL. Mr. President, will the Senator yield further?

The PRESIDING OFFICER. The additional 5 minutes of the Senator from Oklahoma have expired.

Mr. KERR. I yield to myself an additional 5 minutes, Mr. President.

Mr. SCHOEPPEL. Mr. President, will the Senator from Oklahoma yield to me?

Mr. KERR. I yield to the Senator from Kansas.

Mr. SCHOEPPEL. Assuming, as the distinguished Senator from Oklahoma says, that the Government could go into the market and buy cattle, then would it not be true that if the Government desired to eliminate the expense incident to handling the cattle, keeping them and feeding them, the cattle would have to be slaughtered and processed? Then does the able Senator from Oklahoma say that the Government should own packing plants, or commandeer packing plants? How would that situation be handled?

Mr. KERR. Not at all, Mr. President. There is no more reason why the Government should not make arrangements with the packing plants to process the cattle the Government buys from the producer, than that the Government should not do as it did last year and is presently contemplating doing. I refer to the fact that the Secretary goes to those same packers and gives them contracts for this month, next month, or 6 months from now, under which he agrees to take a certain number of millions of pounds of processed meat, which represents the output of those packing-plants.

Mr. MONRONEY. Mr. President, will the Senator yield.

Mr. KERR. I yield to my distinguished colleague from Oklahoma.

Mr. MONRONEY. I am happy to join my distinguished colleague from Oklahoma in supporting and offering this proposed amendment. It would seem to me, following the same pattern which has historically existed in supporting dairy products, supporting cottonseed, and supporting even peanuts and pecans, that this beef program, with a guaranty that the producer will receive at least 80 to 90 percent of parity, when the Government enters the purchasing program, could be as easily carried out as any of the other programs, historically. To say that this program is administratively impossible, or to say that we have to buy packing plants, is only a means of saying that we intend to refuse to extend effective Government help to the vast livestock industry, which is equal to many, many of the smaller farm industries, which are now and consistently have been supported by the Government.

If we lose our cattle industry because of neglect to pay attention to the disaster which extends throughout the West, then the consumers of the United States will pay dearly for such lack of attention.

I certainly feel that the people should understand there is a 3-year cycle which is necessary for the production of an adequate supply of beef. If beef should be allowed to go into short supply because of the Government's negligence, then the present high prices of beef at the retail counter, which have not reflected the disaster and loss to the livestock producer, will be small in comparison to what consumers in the future will have to pay.

Mr. KERR. Mr. President, I appreciate the remarks of my distinguished colleague. I remind the Senate that the junior Senator from Oklahoma [Mr. MONRONEY] last year went to the Secretary of Agriculture and to the President, while the Secretary of Agriculture was engaged in a program of buying $100 million worth of processed meat, and the junior Senator from Oklahoma asked the President to instruct the Secretary to handle that program in such a way that the packer would be compelled to pay the producer a price reflecting the amount of money the Government was paying to the packer for the meat products.

Mr. President, when the Government entered upon a program of supporting pecans, the processor or the produce handler was required to send a bill of lading, with invoices, to the Commodity Credit Corporation, covering a certain quantity of pecans at the price which had been fixed by the Commodity Credit Corporation to be paid to the producer of the pecans. At the same time, Mr. President, the processor or the produce dealer had to accompany his invoice to the Government with receipts from the producers, showing that they had received the minimum amount required by the support program, as prescribed by the Department of Agriculture.

What would prevent the Secretary of Agriculture from following this year the same pattern as last year in his program of buying meat products? If, as, and when he puts it into effect—and certainly, Mr. President, he is going to be compelled by the economics of the situation to do so—what would keep him, if he did not want to handle it any other way, from having a contract with the packers from whom he buys the meat products specifying that in order for their product to be delivered to the Government under the contract purchase program, the packer would have to show that the producer had received a minimum of 80 percent of parity for the cattle on the hoof?

The PRESIDING OFFICER. The Senator's time has expired.

Mr. KERR. I yield myself an additional 1 minute.

From the standpoint of the needs of the cattle producer, from the standpoint of the general economy not only of millions of our farmers, but also of the vast areas of our country where they live, I regard it as an absolute necessity that this amendment, which would put a floor under the value of live cattle on the hoof for the benefit of the producer, be adopted by the Congress and made a part of the bill.

Mr. AIKEN. Mr. President, I yield time for a quorum call.

The PRESIDING OFFICER. The Senator yields time from his own time for a quorum call.

Mr. AIKEN. I believe I have an hour's time. I reserve 10 minutes of my time.

The PRESIDING OFFICER. Without objection, the Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Burke	Clements
Anderson	Bush	Cooper
Barrett	Butler	Cordon
Beall	Byrd	Crippa
Bennett	Capehart	Daniel
Bowring	Carlson	Dirksen
Bricker	Case	Douglas
Duff	Kefauver	Payne
Dworshak	Kennedy	Potter
Ellender	Kerr	Purtell
Ervin	Knowland	Reynolds
Ferguson	Kuchel	Robertson
Fulbright	Langer	Russell
George	Lennon	Saltonstall
Goldwater	Long	Schoeppel
Gore	Magnuson	Smathers
Green	Malone	Smith, Maine
Hendrickson	Mansfield	Smith, N. J.
Hennings	Martin	Stennis
Hickenlooper	Maybank	Symington
Hill	McCarthy	Thye
Holland	McClellan	Upton
Humphrey	Millikin	Watkins
Ives	Monroney	Welker
Jackson	Morse	Wiley
Jenner	Mundt	Williams
Johnson, Colo.	Murray	Young
Johnson, Tex.	Neely	
Johnston, S. C.	Pastore	

The PRESIDING OFFICER. A quorum is present.

ANNOUNCEMENT AS TO THE LEGISLATIVE PROGRAM, THE CALL OF THE CALENDAR, AND ORDER FOR RECESS UNTIL 10 O'CLOCK TOMORROW

Mr. KNOWLAND. Mr. President, I ask unanimous consent that I may be permitted to speak for not to exceed 2 minutes, in order that I may make a statement with reference to the program for this evening.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator from California may proceed.

Mr. KNOWLAND. If and when we complete consideration of the agricultural bill—and I hope that may be around 6:30 this evening—I shall proceed to set as the unfinished business of the Senate Calendar No. 1720, S. 3706, a bill to amend the Subversive Activities Control Act of 1950, to provide for the determination of the identity of certain Communist infiltrated organizations, and for other purposes.

After that bill has been made the unfinished business of the Senate, it will not be my purpose to have the Senate proceed with its consideration, but to proceed immediately to the call of the calendar for the consideration of bills to which there is no objection.

I ask unanimous consent that when the calendar is called the call begin at the point where the last call was concluded, and proceed from that point. I ask unanimous consent that after the end of the calendar is reached the old bills on the calendar, which have already been called at least once and passed over, again be called.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KNOWLAND. Mr. President, it is my plan to have the Senate remain in session until 10 o'clock this evening. If consideration of the agricultural bill is concluded by 6:30, bills on the calendar will be considered until 10 o'clock. If consideration of the agricultural bill is finished at 8 o'clock, there will be approximately 2 hours for the call of the calendar. The time spent this evening on the call of the calendar will depend on when we conclude consideration of the agricultural bill.

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Mr. HENDRICKSON. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. HENDRICKSON. As the distinguished majority leader well knows, the Senate has the heaviest calendar it has had in many years. I suggest that we lay down some ground rules with respect to the call of the calendar. I suggest that we hew strictly to the spirit of the rule which governs the call of the calendar. By doing so, we shall get along with the call of the calendar in an expeditious manner. If we violate the spirit of the rule, and call up bills out of order, for example, we shall run into trouble.

Mr. KNOWLAND. I hope that the calendar committees, who will have that situation in their hands, will follow the suggestion of the Senator from New Jersey with respect to ground rules. If a Senator asks that a bill go to the foot of the calendar, in the event he is called away, or if a Senator cannot be present, I do not believe he should ask that it be taken up out of order, because that is a little hard on other Senators who are present.

Mr. HENDRICKSON. The Senator from New Jersey subscribes to that view.

Mr. KNOWLAND. I may say also that we intend to have the Senate convene at 10 o'clock tomorrow morning. I ask unanimous consent that when the Senate completes its labors this evening it stand in recess until 10 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I understand the distinguished majority leader plans to have the Senate continue in session until 10 o'clock tonight. Is that correct?

Mr. KNOWLAND. That is correct.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. SMATHERS. If the call of the calendar is not finished by 10 o'clock this evening, is it the majority leader's intention to start at 10 o'clock in the morning with the call of the calendar and conclude it tomorrow?

Mr. KNOWLAND. Yes. I hope to have the call of the calendar begin at 10 o'clock in the morning, perhaps after a brief morning hour, under the usual 2-minute limitations on speeches, and to conclude the call of the calendar tomorrow.

Mr. SMATHERS. After the consideration of the new bills on the calendar is concluded, is it planned then to take up the old bills?

Mr. KNOWLAND. That is correct.

Mr. SMATHERS. And proceed with the call of the calendar until it is finally concluded?

Mr. KNOWLAND. That is correct.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. HUMPHREY. My question may not be strictly in line with the majority leader's statement. I understand he is outlining the procedure with reference to the call of the calendar. Has the Senator from California scheduled any time within the foreseeable future with reference to the consideration of Calendar No. 2249, H. R. 7840, a bill to amend the Railroad Retirement Act?

Mr. KNOWLAND. I will say to the Senator from Minnesota that the policy committee has taken the position that until there has been a call of the calendar, and we can determine what bills are to be passed on the call of the calendar, aside from the high priority measures which I have already mentioned, and with which I know the Senator is familiar, it would not schedule the consideration of other bills.

After the calendar has been called, I expect to have the policy committee make certain recommendations to the Senate, which I shall communicate immediately to the minority leader.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. JOHNSON of Texas. I will say for the information of the Senator from Minnesota that earlier in the day the minority leader talked with the chairman of the policy committee, and he has planned a discussion with the distinguished majority leader about the proposed legislation in which the Senator from Minnesota is interested. The bill referred to passed the House unanimously, and it has been reported by the committee to the Senate with only one vote against it.

Mr. HUMPHREY. I thank the majority leader and the minority leader.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. JOHNSTON of South Carolina. I should like to inquire of the majority leader whether he has any plans for taking up the pay-increase bill?

Mr. KNOWLAND. My answer is precisely the same as the one I gave to the Senator from Minnesota. We shall schedule no further bills until the call of the calendar is completed and we know what has been passed on the call of the calendar.

AGRICULTURAL ACT OF 1954

The Senate resumed the consideration of the bill (S. 3052) to encourage a stable, prosperous, and free agriculture, and for other purposes.

Mr. AIKEN. I yield 1 minute to the Senator from Wyoming [Mr. BARRETT].

The PRESIDING OFFICER. The question is on the amendment offered by the senior Senator from Oklahoma [Mr. KERR] for himself and the junior Senator from Oklahoma [Mr. MONRONEY].

Mr. BARRETT. Mr. President, I take this opportunity to address a question to the distinguished chairman of the Committee on Agriculture and Forestry. It is my understanding that it was the intention of the committee that the incentive payment features of the National Wool Act of 1954, which is title VII of this bill, should be applied retroactively to include marketings of shorn wool and mohair beginning April 1, 1954. Is that correct?

Mr. AIKEN. That is correct.

Mr. BARRETT. I should like to ask the distinguished chairman if it is not recognized that in the case of pulled wool the support cannot be made retroactive as payment to the puller of sheep and lambs already marketed and would not be reflected back to the producer of the live animals. Likewise, it would not be practical to make payments on past marketings of sheep and lambs, as there would be no way of adequately establishing a record of ownership in such transactions. I ask if it is not the intention of the committee, with respect to pulled wool, that the support will not be retroactive to April 1 and will be undertaken only with respect to future transactions.

Mr. AIKEN. That is correct.

The PRESIDING OFFICER. The time of the Senator from Wyoming has expired.

Mr. AIKEN. I yield myself 1 more minute.

It is my understanding that it would be impossible to determine who the producer of the wool was if this provision were made retroactive in regard to pulled wool. The result would be that some processor would get a windfall and the man who originally produced the wool would get nothing.

Mr. BARRETT. I thank the distinguished chairman. That is my understanding also.

Mr. AIKEN. Mr. President, I am opposed to the amendment offered by the Senator from Oklahoma. The Senate has perennially voted against such a proposal, and I hope it will again do so. I do not believe the Government should go into the live cattle business.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the senior Senator from Oklahoma [Mr. KERR] for himself and the junior Senator from Oklahoma [Mr. MONRONEY] to the committee amendment.

Mr. KNOWLAND. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk called the roll.

Mr. SALTONSTALL. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from Vermont [Mr. FLANDERS] are necessarily absent.

If present and voting, the Senator from New Hampshire [Mr. BRIDGES] and the Senator from Vermont [Mr. FLANDERS] would each vote "nay."

Mr. CLEMENTS. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Mississippi [Mr. EASTLAND], the Senator from Delaware [Mr. FREAR], the Senator from Iowa [Mr. GILLETTE], the Senator from West Virginia [Mr. KILGORE], the Senator from New York [Mr. LEHMAN], the Senator from Nevada [Mr. MCCARRAN], and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

The result was announced—yeas 23, nays 62, as follows:

YEAS—23

Clements	Johnston, S. C.	McCarthy
Ervin	Kefauver	Monroney
Fulbright	Kerr	Morse
Hennings	Langer	Murray
Hill	Long	Neely
Humphrey	Magnuson	Russell
Jackson	Mansfield	Symington
Johnson, Colo.	Maybank	

NAYS—62

Aiken	Dworshak	Mundt
Anderson	Ellender	Pastore
Barrett	Ferguson	Payne
Beall	George	Potter
Bennett	Goldwater	Purtell
Bowring	Gore	Reynolds
Bricker	Green	Robertson
Burke	Hendrickson	Saltonstall
Bush	Hickenlooper	Schoeppel
Butler	Holland	Smathers
Byrd	Ives	Smith, Maine
Capehart	Jenner	Smith, N. J.
Carlson	Johnson, Tex.	Stennis
Case	Kennedy	Thye
Cooper	Knowland	Upton
Cordon	Kuchel	Watkins
Crippa	Lennon	Welker
Daniel	Malone	Wiley
Dirksen	Martin	Williams
Douglas	McClellan	Young
Duff	Millikin	

NOT VOTING—11

Bridges	Frear	Lehman
Chavez	Gillette	McCarran
Eastland	Hayden	Sparkman
Flanders	Kilgore	

So the amendment offered by Mr. KERR for himself and Mr. MONRONEY to the committee amendment was rejected.

Mr. AIKEN. Mr. President, I move that the Senate reconsider the vote by which the Kerr amendment was agreed to.

Mr. KNOWLAND. I move to lay on the table the motion of the Senator from Vermont.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The committee amendment is open to further amendment.

Mr. MUNDT. Mr. President, on behalf of the Senator from North Dakota [Mr. YOUNG], the Senator from Kentucky [Mr. COOPER], and myself, I offer an amendment, which I ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 19, in the committee amendment after the period in line 11, it is proposed to add a new paragraph, as follows:

Strategic materials acquired by the Commodity Credit Corporation under paragraph (2) of this subsection shall be transferred to the national stockpile established pursuant to the act of June 7, 1939, as amended, and the Commodity Credit Corporation shall be reimbursed for the value of the commodities bartered for such strategic materials from funds appropriated pursuant to section 8 of such act of June 7, 1939, as amended. For the purpose of such reimbursement, the value of any commodity so bartered shall be the lower of the domestic market price or the Commodity Credit Corporation's investment therein as of the date of such barter, as determined by the Secretary of Agriculture.

Mr. MUNDT. Mr. President, the amendment, which speaks for itself, is a simple one. I have discussed it with my colleagues on the committee and with the distinguished chairman of the committee.

In brief, it provides that the Commodity Credit Corporation shall be reimbursed for the value of its surplus commodities which are used in bartering abroad to secure materials and other supplies for the national stockpile program. It means that we shall recapture for the Commodity Credit Corporation the value of the materials which are bartered for defense supplies. It means that we shall be engaged in trying to encourage the disposal of surpluses. The Commodity Credit Corporation will then have a very vital interest in the program, because it will be reimbursed for the value of the supplies which are so bartered.

I shall not detain the Senate longer, because the chairman has stated to me that he has no objection to the amendment. Unless there be objection to the amendment, I see no reason to detain the Senate by making a further explanation.

Mr. AIKEN. At the moment, I have no objection to the amendment, unless it should be found that it is in conflict with other provisions of the law. In that case, an adjustment would have to be made.

Mr. MUNDT. That is correct.

Mr. AIKEN. I think it proper that the Commodity Credit Corporation should be reimbursed for its holdings or for its commodities which are traded with foreign countries for other commodities which are to be transferred to the national stockpile.

Mr. MUNDT. The chairman is correct. He and I have discussed the amendment, and we have also discussed it with some of the staff members of other committees. Since there are now 3 or 4 different legislative measures, all looking in the same direction, we are in agreement that some formula should be evolved for taking care of the foreign transactions.

Mr. YOUNG. Mr. President, will the Senator yield?

Mr. MUNDT. I yield.

Mr. YOUNG. Argentina increased its wheat exports this year from 9 million bushels to 81 million bushels. This was accomplished mostly by barter deals.

I think there is a great opportunity for the United States to barter many of its surplus commodities for strategic war materials. To me, it seems very foolish for the United States to spend dollars for strategic war materials, when we can just as well trade off surpluses. In my opinion, such an amendment as has been offered would greatly encourage more barter deals. As I recall, Congress this year appropriated $300 million to buy strategic war materials.

Mr. MUNDT. The Senator is correct. Every dollar saved by bartering and reimbursing the Commodity Credit Corporation would be a saving to the American taxpayer. I feel certain that this is the kind of amendment which the Senate and Congress as a whole will enthusiastically support.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Dakota [Mr. MUNDT] for himself and other Senators to the committee amendment.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. THYE. Mr. President, I offer an amendment which I ask to have read.

The PRESIDING OFFICER. Does the Senator desire to have the entire amendment read?

Mr. THYE. I believe it would enlighten the entire membership if the amendment were read. The language of the amendment is identical with the language in the House bill. I propose to offer it as an amendment to the Senate bill. I believe it speaks for itself.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. At the end of the bill it is proposed to add a new title, as follows:

TITLE VIII—DAIRY PRODUCTS

SEC. 801. The production and use of abundant supplies of high quality milk and dairy products are essential to the health and general welfare of the Nation; a dependable domestic source of supply of these foods in the form of high grade dairy herds and modern, sanitary dairy equipment is important to the national defense; and an economically sound dairy industry affects beneficially the economy of the country as a whole. It is the policy of Congress to assure a stabilized annual production of adequate supplies of milk and dairy products; to promote the increased use of these essential foods; to improve the domestic source of supply of milk and butterfat by encouraging dairy farmers to develop efficient production units consisting of high-grade, disease-free cattle and modern sanitary equipment; and to stabilize the economy of dairy farmers at a level which will provide a fair return for their labor and investment when compared with the cost of things that farmers buy.

SEC. 802. In order to prevent the accumulation of excessive inventories of dairy products the Secretary of Agriculture shall immediately undertake domestic disposal programs under authorities granted in the Agricultural Adjustment Act of 1938 and the Agricultural Act of 1949, as amended, or as otherwise authorized by law.

SEC. 803. Title II of the Agricultural Act of 1949, as amended, is amended by adding at the end thereof the following:

"SEC. 202. As a means of increasing the utilization of dairy products, upon the certification that the usual quantities of dairy products have been purchased in the normal channels of trade—

"(a) The Commodity Credit Corporation shall make available to the Administrator of Veterans' Affairs at warehouses where dairy products are stored, such dairy products acquired under price-support programs as the Administrator certifies that he requires in order to provide butter and cheese and other dairy products as a part of the ration in hospitals under his jurisdiction. The Administrator shall report monthly to the Committees on Agriculture of the Senate and House of Representatives and the Secretary of Agriculture the amount of dairy products used under this subsection.

"(b) The Commodity Credit Corporation shall make available to the Secretaries of the Army, Navy, and Air Force, at warehouses where dairy products are stored, such dairy products acquired under price-support programs as each Secretary certifies that he requires in order to provide butter and cheese and other dairy products as a part of the ration of the Army, Navy, or Air Force, and as a part of the ration in hospitals under his jurisdiction. The Secretaries of the Army, Navy, and Air Force shall report monthly to the Committees on Agriculture of the Senate and the House of Representatives and the Secretary of Agriculture the amount of dairy products used under this subsection.

"(c) Dairy products made available under this section shall be made available without charge, except that the appropriate Secretary or the Administrator of Veterans' Affairs shall pay the Commodity Credit Corporation the costs of packaging incurred in making such products so available.

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"(d) The obligation of the Commodity Credit Corporation to make dairy products available pursuant to the above shall be limited to dairy products acquired by the Corporation through price-support operation and not disposed of under provisions (1) and (2) of section 416 of this act, as amended."

SEC. 804. For the purpose of assisting private trade channels in the development and expansion of foreign markets for United States dairy products, the Secretary is authorized, notwithstanding any other provision of law, to enter into commitments and contracts for periods of not to exceed 5 years for the sale of such products.

SEC. 805. As a means of stabilizing the dairy industry and further suppressing and eradicating brucellosis in cattle the Secretary is authorized to transfer not to exceed $15 million annually for a period of 2 years from funds available to the Commodity Credit Corporation to the appropriation item "Plant and Animal Disease and Pest Control" in the Department of Agriculture Appropriation Act, 1955, for the purpose of increasing to not to exceed $50 per head of cattle the amount of the indemnities paid by the Federal Government for cattle destroyed because of brucellosis in connection with cooperative control and eradication programs for such disease in cattle entered into by the Secretary under the authority of the Act of May 29, 1884, as amended, for the purpose of increasing the number of such indemnities, and for the purpose of defraying any additional administrative expenses in connection therewith.

SEC. 806. The Secretary of Agriculture is directed to make a study of the various methods of production control and of the various methods of price support which could be made applicable to milk and butterfat and their products, including programs to be operated and financed by dairymen; and to submit to Congress on or before the 3d day of January 1955, a detailed report thereof showing among other things the probable costs and effects of each type of operation studied and the legislation, if any, needed to put it into effect. The purpose of the study and report is to develop basic material which can be used by Congress in formulating an improved agricultural program for milk and butterfat and their products. Alternative programs are to be submitted for consideration by Congress and for possible submission to a referendum of dairy farmers. The Secretary may conduct such hearings and receive such statements and briefs in connection with such study as he deems appropriate.

The PRESIDING OFFICER. Will the Senator state how much time he desires to yield to himself?

Mr. THYE. Mr. President, I yield myself 10 minutes. I doubt whether I shall use that much time.

The amendment I offer would not affect the price-support question in any manner. The amendment would broaden the opportunity not only of the Commodity Credit Corporation but of the Department of Agriculture, to make use of surplus dairy products by making them available to the armed services, thereby increasing the amount of dairy products that would be available to soldiers and veterans' hospitals.

There is in the amendment a provision for a study on the part of the Department of Agriculture. I think such a study is vitally necessary if we are to develop a constructive and far-reaching program in the future.

The other important provision of the amendment is the one referring to brucellosis eradication, by which it is hoped to improve the health condition of dairy herds. By eliminating the disease and by eradicating the diseased animal, greater health will be brought about insofar as even the consuming public is concerned.

Secondly, every animal which is taken out of the market under the eradication program will contribute to lessening the number of dairy cows to be milked.

In general, the amendment contains the identical language of the House bill which the House approved. I repeat that it does not involve price supports in any manner.

Therefore, Mr. President, I hope the amendment can be included in the committee bill because the committee bill is silent on this question. One reason why the bill which was reported by the committee is silent on this feature is that it had been fully anticipated that the House bill would be adopted in place of the Senate bill. However, the Senate bill now has been amended, and it is my understanding that it is proposed to strike out everything after the enacting clause of the House bill and substitute the Senate language. It is for that reason that I am desirous of having the amendment written into the Senate bill.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. THYE. I yield to the Senator from Louisiana.

Mr. ELLENDER. I understood that the sum of $50 million was to be taken from a particular fund.

Mr. THYE. No; that is not provided in the amendment. The only sum involved is $15 million.

Mr. ELLENDER. Is the figure $15 million?

Mr. THYE. Fifteen million dollars for the eradication of brucellosis.

Mr. ELLENDER. Would such a fund be provided by a separate appropriation, or would it come from funds of the Commodity Credit Corporation?

Mr. THYE. The money for the eradication of brucellosis would come from separate funds. They would not come out of funds of the Commodity Credit Corporation.

Mr. ELLENDER. Would there be a separate appropriation for that purpose?

Mr. AIKEN. Mr. President, if the Senator will yield, I should like to ask if the amendment offered by the Senator from Minnesota does not authorize taking the $15 million from Commodity Credit Corporation funds.

Mr. THYE. The clerk advises me that the money would be taken out of Commodity Credit Corporation funds for the next two years.

Mr. ELLENDER. Would the amendment under discussion be the authority for taking such funds?

Mr. THYE. The amendment would provide such authority.

Mr. ELLENDER. Would the $15 million be used exclusively to eradicate brucellosis?

Mr. THYE. That is true. Federal funds would be matched by State funds in the indemnity payments for the condemned animals found to be affected by brucellosis. The condemned animals would be sent to the slaughter yards, and the Federal Government would pay a certain amount on purebreds, so much on grade cattle, and so forth. That has been the customary procedure.

Mr. ELLENDER. In other words, the funds would be utilized in the same manner as the funds which Congress now appropriates for that purpose.

Mr. HUMPHREY. Mr. President, will my colleague yield to me?

Mr. THYE. I am delighted to yield.

Mr. HUMPHREY. Does my colleague's amendment, which has been taken from the bill passed by the House of Representatives, include language which would permit adequate disposal of the surpluses of butter and butterfat products through any means other than to the armed services and public institutions?

Mr. THYE. I can reply best to that question by reading a portion of the report on House bill 9680.

The amendment "directs the Secretary of Agriculture to use to the fullest extent possible existing authority to dispose of inventories of dairy products for domestic consumption. The Secretary has broad authority under existing law to undertake many types of disposal programs. Many of these programs require the cooperation and assistance of State and local governmental or private agencies, and this provision is intended, among other things, to direct the Secretary to use every practicable means to enlist such necessary cooperation and assistance from these agencies in order to make possible such disposal programs."

The amendment "authorizes the Secretaries of the Army, Navy, and Air Force, and the Administrator of Veterans' Affairs, to requisition from the Commodity Credit Corporation without charge, except for packaging and transportation, surplus dairy products acquired pursuant to the price-support program, for the purpose of augmenting the diet of personnel in the armed services and in hospitals operated by the armed services or the Veterans' Administration. It is made clear that the dairy products so donated must be in addition to continued purchase of the usual quantities of dairy products by the armed services and the Veterans' Administration."

I believe "that members of the armed services should receive more dairy products in their diets."

The amendment "provides the authority for opening up an entirely new field of profitable export sale of American dairy products, and one which may develop into a market of considerable importance. Under recently developed processes, it is possible to process whole milk into nonfat milk powder and butter oil, or into other constituent products, and later recombine these products with water to produce a fluid-milk product that compares very favorably—particularly in parts of the world where modern dairy plants and milk-handling methods are relatively unknown—with fresh fluid milk."

That outlines the important part of the amendment, in my humble opinion, because the amendment will open up markets such as in Pakistan and other areas of the world where there is a defi-

cit of dairy products and where there is malnutrition, especially insofar as children are concerned.

So the amendment will permit us to send to those areas condensed and powdered milk, thus eliminating the heavy freight, with attendant large transportation costs; and when the powdered or condensed products reach those countries the products can be reconstituted in plants which can be erected in those countries.

I also understand "that there are already in operation in a few parts of the world such milk recombining plants which are now operating profitably using milk powder and butter oil purchased from commercial sources in the United States."

I also understand "that with some encouragement from the Government, private industry is willing to construct and operate a number of similar plants in other parts of the world.

"The type of assistance which has been proposed to the committee as of possibly the most value to the private industry interested in the construction of these plants, would be a contract with the Commodity Credit Corporation which would assure the plant of a supply of milk powder and butter oil for a relatively long period of time in the future and which would, at the same time, offer such commodities at a slight reduction below the going commercial price with the agreement that the saving in cost of raw material should be applied to amortization of the plant."

Mr. President, I could read further from the report of the House committee, but I think I have covered the main points in connection with what we are endeavoring to do.

I think the amendment is a perfectly sound one; and the House of Representatives must have thought so, because the House adopted the amendment.

Therefore, Mr. President, I urge that the Senate adopt the amendment.

Mr. HUMPHREY. Mr. President, let me say to my colleague that I agree with him that the amendment provides a means of disposing, both at home and abroad, of our surpluses of dairy products.

Furthermore, let me say that, of course, the provisions in regard to brucellosis are much needed and will contribute to a much better dairy industry.

Mr. THYE. In regard to brucellosis, let me say that a year ago there was an appropriation for that part of the program; and in this year's bill there is a similar appropriation. So this amendment will merely augment or follow up that program.

Mr. President, I think this amendment is a perfectly sound one. I do not wish to press the point any further, and I do not wish to request the yeas and nays unless the chairman of the committee intends to oppose the amendment. But if he can see fit to accept the amendment, then I should like to bring my discussion to a close.

The PRESIDING OFFICER. The time of the Senator from Minnesota has expired.

Mr. ELLENDER. Mr. President, will the Senator from Minnesota yield for a question?

Mr. THYE. Mr. President, I yield myself an additional 5 minutes, so that I may answer any questions the Senator from Louisiana may wish to ask.

The PRESIDING OFFICER. The Senator from Minnesota is recognized for an additional 5 minutes.

Mr. ELLENDER. Mr. President——

Mr. THYE. I yield to the Senator from Louisiana for a question.

Mr. ELLENDER. In reading the amendment, I notice that the Commodity Credit Corporation is empowered to store such dairy products in warehouses near the veterans' hospitals and also at facilities near Army, Navy, and Air Force installations; and then the amendment contains a provision that the dairy products which are so stored shall be made available without charge. Are we to understand that all the products which are made available to the Army, Navy, and the Air Force, as well as to the Administrator of Veterans' Affairs, will be gifts to those departments of the Government?

Mr. THYE. They would be, when over and above the amounts those agencies now are regularly purchasing as a part of their commissary purchases. In other words, my experience with the Army camps has been that for a certain number of men, a bottle of milk or a carton of milk would be available; and if the men used the milk on their breakfast food, they would have no milk to drink; or if they drank the milk, they would have to eat their breakfast food dry.

Therefore, rather than have the dairy products which are in storage possibly deteriorate, I propose that they be made available to those who serve in the Armed Forces, so that, within reason, they will be able to have all the milk they may wish to use.

Mr. ELLENDER. I thought that our men in the armed services were well fed.

Mr. THYE. They are; but this amendment would also be available in connection with providing them with an adequate diet.

Mr. ELLENDER. Would the amendment result in a charge against the Commodity Credit Corporation?

Mr. THYE. Yes; just as was done when we sold, for 3½ cents a pound, to the commercial-feed mixers or feed dealers, powdered milk which cost the Commodity Credit Corporation 14 or 16 cents a pound.

Mr. ELLENDER. Has the Senator from Minnesota any idea of the amount of milk and butter which would be disposed of in that way?

Mr. THYE. I have no way of telling that; but the Commodity Credit Corporation could fit in the operations under this amendment with their handling of the existing surplus which we recognize is threatened with deterioration.

Mr. ELLENDER. In addition to making this gift to these departments, I understand that the Commodity Credit Corporation would have to pay for the freight, packaging, and so forth.

Mr. THYE. No; that is not the case. The report of the House Committee on Agriculture on House bill 9680 states that this would authorize "the Secretaries of the Army, Navy, and Air Force, and the Administrator of Veterans' Affairs to requisition from the Commodity Credit Corporation without charge, except for packaging and transportation, surplus dairy products acquired pursuant to the price-support program, for the purpose of augmenting the diet of personnel in the armed services and in hospitals operated by the armed services or the Veterans' Administration."

That is the language of the House committee report in regard to the corresponding provisions of the bill which was passed by the House of Representatives.

Mr. HOLLAND. Mr. President, will the Senator from Minnesota yield to me for a question?

Mr. THYE. Yes; and, Mr. President, I now yield myself an additional 5 minutes, so that I may have time in which to answer the question of the Senator from Florida.

The PRESIDING OFFICER. The Senator from Minnesota is recognized for an additional 5 minutes.

Mr. HOLLAND. Of course, Mr. President, I am interested in the suggestion made by means of the amendment. However, one of the points which occurs to me and which seems to me to be highly questionable, is why the distinguished Senator from Minnesota prefers to have the amounts of dairy products which will go to the armed services and the Veterans' Administration charged to the agricultural income of the Nation, rather than paid for by the appropriations for the armed services and for the Veterans' Administration.

Mr. THYE. Mr. President, I can answer, because in the first instance the object is to supplement what the Quartermaster is already purchasing as a part of the troops' regular diet. It is to make additional milk available to the Armed Forces and to the veterans' hospitals and any other hospitals operated and controlled by the Armed Forces. Instead of permitting this product to deteriorate and go to waste or provide additional and further windfalls for the commercial feed mixer, we are going to try to put it where it can be used. We can either appropriate the money to the military authorities to buy the milk, or we can let the Commodity Credit Corporation make it available to supply and supplement what the Quartermaster furnishes the troops. By making available more of the dairy products of which the Commodity Credit already has a surplus the surplus may be consumed. We have heard a great deal of discussion to the effect that these surplus dairy products may deteriorate. I think the proposal is perfectly sound. The House must have thought so, or it would never have put the provision in the bill and approved the bill.

Mr. HOLLAND. Mr. President, will the Senator further yield?

Mr. THYE. I am delighted to yield.

Mr. HOLLAND. I have great respect for the House, and also for the distinguished Senator from Minnesota, but it still seems to me that if these dairy products are useful to the defense agencies

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and their personnel and to the Veterans' Administration and the personnel of whom they have charge, those agencies should pay for them. It is not fair to agriculture to have the expense of this program charged to the agricultural support program.

Further, it seems to me a complete answer to the Senator's suggestion that this subject will be in conference, anyway. It is in the House bill, and if we voted it in the form which the Senator suggests, which is copied out of the House bill, it would not be in conference. The amendment involves a huge outlay of funds from the agricultural support program for the benefit of other agencies, which certainly should stand upon their own feet. It involves the appropriation of $15 million a year for 2 years out of Commodity Credit funds for the performance of a task which is properly the task of the Bureau of Animal Industry. It seems to the Senator from Florida that, with all good motives, this program is highly questionable, and that it would be best to leave it in conference so that the distinguished Senator from Minnesota [Mr. THYE], who will be one of the conferees, with others, can arrive at a fair program in this field, but without charging the cost to the agricultural support program.

I thank the Senator.

Mr. THYE. I renew my plea that the chairman accept this amendment and take it to conference.

Mr. AIKEN. Mr. President——

Mr. ELLENDER. It would not be in conference if we adopted the same language as the House has approved.

Mr. THYE. Mr. President, the brucellosis program is not mentioned in the Senate bill. I most certainly am anxious that the Senate take action on this question, because the Senate has been continuously talking about too many dairy cows. There are diseased animals, and we can eradicate the disease only by finding the animals, condemning them, and sending them off to the slaughter yard. If the House thought well enough of this provision in the act to approve it, I believe it should appear in the Senate bill.

Mr. ELLENDER. As the Senator from Florida has just pointed out, if the Senate does not take action at all and the House has the provision in its own bill, and substituted the Senate Committee amendments for the House bill, the entire subject will be in conference and we can then consider it.

Mr. THYE. Mr. President, I must say to the Senator that if we are talking about dairy products deteriorating because they are in surplus, if we are offering to the commercial feed mixer good, edible powder that has cost the United States Government anywhere from 14 to 16 cents, at 3½ cents a pound, to be used both as poultry and hog feed and in other types of feed mix, such as feed for turkeys—I think we can afford to put a little money into the milk to put it on the table of the soldier.

I have received any number of letters from parents in which they say their soldier sons complain, "I am not getting enough dairy products in my diet."

The money must be appropriated, whether it is for the quartermaster or whether it is made available to the Department of Agriculture.

Mr. HOLLAND. Mr. President, will the Senator further yield?

Mr. THYE. I am delighted to yield.

Mr. HOLLAND. I notice the Senator would appropriate—that is what it amounts to——

Mr. THYE. Indeed it does.

Mr. HOLLAND. The Senator would appropriate $15 million a year for each of 2 years, for speeding up the campaign against Bang's disease. Is it not true that in connection with every commodity handled by the Commodity Credit Corporation, there are numerous problems, such as the elimination of diseases or pests or of other injurious situations, which are looked after by various other agencies of the Government? If the Congress once commits the Commodity Credit Corporation to the handling of all of those programs, we shall indeed be on most dangerous ground.

It seems to the Senator from Florida that that would necessarily follow. Does the Senator suggest that we shall now enter into the financing of all of those control and eradication programs from the funds of the Commodity Credit Corporation instead of by ordinary appropriations from the general revenue funds of the Government?

Mr. THYE. The Department of Agriculture has repeatedly stated that there are too many dairy cattle, that there is too great dairy production. Here is a diseased animal that can in every sense contaminate the health of man, because if man handles such an animal in the normal process of milking, he can contract undulant fever, and anyone afflicted with undulant fever is certainly a very ill person.

In this particular instance we are going one step farther by trying to eradicate more cattle than the brucellosis program has been eradicating in previous years. That is what is involved in the amendment.

The PRESIDING OFFICER (Mrs. BOWRING in the chair). The time of the Senator from Minnesota has expired.

Mr. THYE. Madam President, I yield myself an additional 5 minutes in order that I may properly reply to the distinguished Senator from Florida.

This is a health measure as well as a means for making dairy products available to our soldiers in the quantities they desire, because my mail indicates from time to time that the soldier is not getting enough dairy products.

The other point is that we are taking a step to speed up through the Department of Agriculture the eradication of diseased cattle which can well transmit disease to man. That is what is embodied in this amendment. The House thought well of it. I think it a good amendment. I have presented it to the Senate. I regret that I have taken as much time as I have. I do not wish to press it any further.

Madam President, I request the yeas and nays, and I hope I may have the privilege of the yeas and nays on the amendment.

The PRESIDING OFFICER. The yeas and nays are requested. Is the request sufficiently seconded?

Mr. AIKEN. Madam President——

Mr. ELLENDER. Madam President, I yield 5 minutes to the distinguished Senator from New Mexico.

The PRESIDING OFFICER. The Senator from Vermont has control of the time.

Mr. AIKEN. I shall yield whatever time the Senator from New Mexico may need.

Mr. ANDERSON. Madam President, in this particular instance I think the Senator from Minnesota is proposing something which many of us would normally wish to support. I looked at the proposed amendment of the Senator from Minnesota a while ago and thought the things he was proposing were things which ought to be considered by the conferees, and I so told him. However, I realize now that if this language is adopted, it exactly follows the House language, and therefore the possibility of conference is foreclosed. The language adopted by the Senate would be the very language adopted by the House, if we agreed to the amendment of the Senator from Minnesota, so there would be no possibility of conferring over it. However, if we do not adopt the amendment, the language will be considered in conference.

The conferees on the Republican side will be the very able chairman of the committee, the Senator from Vermont [Mr. AIKEN], the Senator from North Dakota [Mr. YOUNG], the Senator from Minnesota [Mr. THYE], and other Senators; while on the Democratic side the conferees will be headed by the able Senator from Louisiana [Mr. ELLENDER], the Senator from South Carolina [Mr. JOHNSTON], and other Senators.

Those Senators are familiar with the problem, and I am sure they can consider it in a sensible fashion. I think it would be a shame if we were to tie the hands of the conferees by adopting exactly the House language. I am entirely willing to leave this subject in the hands of the able Senator from Louisiana [Mr. ELLENDER] and the other able Senators. I think Senators on the other side should be willing to leave it in the hands of the Republican conferees, headed by the Senator from Vermont [Mr. AIKEN], and the Senator from North Dakota [Mr. YOUNG].

It seems to me there are many things proposed here which are worth while, but the point made by the Senator from Florida [Mr. HOLLAND] is very important. Are we going to charge against the farm program again the cost of supplying food for members of the Army, Navy, and Air Force. Are we going to say that the ration in the hospitals must be increased by use of this food, and charge it to the farm program? I do not believe so.

The brucellosis campaign is a worthy campaign. It should be charged to the Bureau of Animal Industry, which is where the charge belongs. The appropriations are made for that Bureau.

I sympathize with what the Senator from Minnesota is attempting to do, and

I commend him for it, but I believe it would be extremely unfortunate if the Senate were to adopt the identical language the House adopted, thereby preventing the possibility of this language going to conference. I think it would be far wiser to follow the suggestion of the chairman of the committee, the Senator from Vermont [Mr. AIKEN] and the ranking member on the Democratic side, the Senator from Louisiana [Mr. ELLENDER], and let the matter go to conference, as will be the case if this language is not adopted, in order that there may be a full conference on both sides of the aisle.

Mr. AIKEN. Madam President, I should like to accept the amendment of the Senator from Minnesota, because I know how keenly he feels on behalf of the dairy people of his State, and how wholeheartedly he represents their interests, but his amendment is rather extensive. It is taken from the House bill. It has some things in it which I am inclined to think are good. It has 1 or 2 things in it which I do not think are so good.

As has been pointed cut, the entire amendment will be considered in conference if we take no action on it now. If we should approve it, then no part of it, either good or bad, would be considered in conference, because the wording would be identical with that adopted by the House.

I am sorry I cannot agree to support the amendment which the Senator from Minnesota has offered, much as I should like to do that for him.

Mr. THYE. Madam President, may I inquire as to how much time I still have on this amendment?

The PRESIDING OFFICER. The Senator has 30 minutes.

Mr. THYE. I yield as much time as is desired to the distinguished Senator from Wisconsin [Mr. WILEY].

Mr. WILEY. Madam President, I have listened to the reading of the proposed amendment. I have listened to the objections. We have had roadblocks thrown up against the solution of the dairy problem The argument we have heard on the floor is that a surplus of dairy products created the problem. We know that we really do not have a surplus; that what we seem to be lacking in is the power to distribute.

We know that during the war we shipped powdered milk overseas. We know that we had big mixing machines, some of which were built in my own State, which were used in this connection. If we listen to the radio or television programs, we find that today certain folks are selling powdered milk and can tell us how to mix it, without the fat content. They tell us it produces a wonderful drink after it is put in the ice box.

A few years age we had a debate on the floor of the Senate with relation to oleomargarine. The prophecy that was made then has come to pass. Oleomargarine has taken over about 60 percent of the spread market, and has taken it away from the dairyman. The result is that we have stored in the dairy States not only butter and cheese, but powdered milk.

The distinguished Senator from Minnesota has proposed a plan whereby certain people are to receive the benefit of our finest foods. The cow has been called the "mother of the race." We are talking about putting up $15 million as a roadblock against giving our boys an adequate milk supply—or let us say cheese—or let us say butter.

Instead of that, it is contended we should give them oleomargarine, and let them drink other things they can get in cans. But we are not supposed to give them milk, which is surplus. I think it is perfect nonsense.

As I have listened to the discussion of this amendment there has been preached a sermon to all who will listen. This sermon says "America is blessed with a surplus."

We are calling it a curse. If we suffered from a scarcity of these products, it would be different, but we have been blessed with a surplus. However, we call it a curse, because we have not exercised enough intelligence to ascertain how to distribute it to the needy.

In this city alone there are hundreds of children who need this food, but up to now we have not been able to evolve a distribution system.

The senior Senator from Minnesota brings before us a challenge and says "Give this food to the boys in the service who do not receive an adequate supply of nature's greatest food."

Madam President, I trust the Senate will speak in no uncertain terms. The House of Representatives has shown us the way. The House has given us the green light on this subject. That is something we did not have in the debate heretofore in relation to the dairy interests of the Middle West. The dairy interests of the other sections of this country—where they do not need parity—have not stood by us at all. They have stabbed us in the back. They want to stab us again.

We have an opportunity to show a little liberality and also to show that we are ready to think in terms of what the House has said on this subject. I think this language should be taken to conference, so that there will be no argument over the subject. Let us have at least one item with respect to which the dairy interests of this country have not been turned down.

Mr. THYE. Madam President, I am ready to yield back the remainder of my time, if the Senator from Vermont [Mr. AIKEN] is willing to yield his time, in order that this question may come to a vote.

Mr. AIKEN. Madam President, if the Senator from Minnesota yields the rest of his time I will yield the remainder of our time.

Mr. HUMPHREY rose.

Mr. THYE. Madam President, my colleague from Minnesota is seeking to be recognized.

I yield to my colleague from Minnesota 3 minutes.

Mr. AIKEN. Madam President, I will defer yielding back my time until the junior Senator from Minnesota has finished speaking. I may desire some further time.

Mr. THYE. Inasmuch as the junior Senator from Minnesota desires to speak, I yield to him.

The PRESIDING OFFICER. How much time does the Senator yield?

Mr. THYE. I yield 5 minutes.

Mr. HUMPHREY. Madam President, among the arguments which have been made against the amendment proposed by the senior Senator from Minnesota is the argument as to where the money will come from, not whether it will come from the taxpayers, from the Commodity Credit Corporation, or from the Veterans' Administration, or from the armed services. From an accounting point of view, that is a good argument. It is another of the arguments which we frequently have over procedure. I am of the opinion that the American public is not interested in the procedural debates we have in this Chamber. They are interested in results and action.

The senior Senator from Minnesota is proposing an amendment which has already been adopted by the House of Representatives. It is not as though it were something pulled out of thin air, and which had not been discussed fully in both the House of Representatives and discussed, at least in part, in the Senate Committee on Agriculture and Forestry.

I think it is quite well understood that the provisions of the amendment, when discussed in the Senate committee, were looked upon with considerable favor. At least, we thought it was one of the items we would take up in conference, and possibly, with some modifications which have been suggested, could be made a part of the general agricultural bill. I should like to see the amendment made a part of the Senate bill so that it will be nailed down and not be lost.

I do not think anyone in the Chamber would want to limit the activity of the Federal Government in the field of the control of brucellosis. Let us not "kid" ourselves as to where the money comes from. It comes from the Treasury of the United States; and the Treasury of the United States gets it from the people. The argument about whether it comes from the Commodity Credit Corporation, the Department of Labor, or the department of this or that has something to do with the general accounting of our Federal Government, but it does not have anything to do with the question of where the money comes from; namely, the taxpayers.

The argument has been made again and again as to the pressing burden of the surplus of dairy products. The amendment of the Senator from Minnesota does not do away with normal purchases in the market, in the trade areas. It does not interrupt normal purchases by the armed services or the Veterans' Administration. It is supplemental to what is already being purchased in the competitive open market.

It seems to me that this amendment offers some opportunity for certain experimental activity overseas. I have discussed with representatives of the dairy industry some of the proposals made to the Department of Agriculture.

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I regret that those proposals have generally been rejected by the Department of Agriculture, but I happen to know that the proposal for the use of dried milk and the establishment of plants overseas, as suggested by my colleague, is a proposal which was advanced by the dairy industry itself as a way of utilizing the great abundance which is ours.

The proposal came from the dairy industry itself. The dairy industry wishes to have an opportunity to proceed to develop markets in areas where milk products and butterfat are not a customary part of the diet. It takes time to develop such markets, and the help of our Government may be required during the interim period.

The way to meet these proposals is not by ducking them or trying to slide by on the basis of procedural tactics, but to meet them face to face.

I commend my colleague for offering his amendment. The Senator from Wisconsin [Mr. WILEY] made an accurate statement when he said that the issue is now directly before us to decide whether we wish to take a constructive step in this Chamber and do something about a problem which has been extensively discussed.

I am glad to join with my colleague. I commend him, and I shall support his amendment.

Mr. THYE. Madam President, we are placing our youth in the military forces. We have denied them the right to have all the milk they need in their diet. The milk which is placed on the tables will be supplemental to the diet which has been placed before the soldiers in the regular course of procedure. It will not replace what has been put into the soldiers' diet heretofore. We can place this milk on the tables of the young men who are in the very flower of their life and who need the milk solids and the calcium to build their bodies.

If this amendment is rejected, I shall vote "nay" on the entire bill.

Mr. AIKEN. Madam President, I yield the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Minnesota [Mr. THYE] to the committee amendment. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DANIEL (when his name was called). On this vote I have a pair with the senior Senator from California [Mr. KNOWLAND]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withhold my vote.

The rollcall was concluded.

Mr. SALTONSTALL. I announce that the Senator from Vermont [Mr. FLANDERS] and the Senator from California [Mr. KNOWLAND] are necessarily absent.

If present and voting, the Senator from Vermont [Mr. FLANDERS] would vote "nay."

Mr. CLEMENTS. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Mississippi [Mr. EASTLAND], the Senator from Delaware [Mr. FREAR], the Senator from Iowa [Mr. GILLETTE], the Senator from Nevada [Mr. MCCARRAN], the Senator from Oklahoma [Mr. MONRONEY], and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

I announce further that if present and voting, the Senator from Nevada [Mr. MCCARRAN] would vote "nay."

The result was announced—yeas 30, nays 56, as follows:

YEAS—30

Burke	Humphrey	Morse
Case	Ives	Mundt
Clements	Jackson	Murray
Cooper	Johnson, Tex.	Neely
Cordon	Kefauver	Russell
Douglas	Langer	Symington
Dworshak	Lehman	Thye
Ervin	Magnuson	Upton
Fulbright	Mansfield	Wiley
Hennings	McCarthy	Young

NAYS—56

Aiken	Goldwater	Maybank
Anderson	Gore	McClellan
Barrett	Green	Millikin
Beall	Hayden	Pastore
Bennett	Hendrickson	Payne
Bowring	Hickenlooper	Potter
Bricker	Hill	Purtell
Bridges	Holland	Reynolds
Bush	Jenner	Robertson
Butler	Johnson, Colo.	Saltonstall
Byrd	Johnston, S. C.	Schoeppel
Capehart	Kennedy	Smathers
Carlson	Kerr	Smith, Maine
Crippa	Kilgore	Smith, N. J.
Dirksen	Kuchel	Stennis
Duff	Lennon	Watkins
Ellender	Long	Welker
Ferguson	Malone	Williams
George	Martin	

NOT VOTING—10

Chavez	Frear	Monroney
Daniel	Gillette	Sparkman
Eastland	Knowland	
Flanders	McCarran	

So Mr. THYE's amendment to the committee amendment was rejected.

Mr. AIKEN. Madam President, I move that the vote by which the amendment to the amendment was rejected be reconsidered.

Mr. PAYNE. I moved to lay the motion of the Senator from Vermont on the table.

The motion to lay on the table was agreed to.

Mr. ELLENDER. Madam President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. In the committee amendment, on page 38, line 14, before the word "no", it is proposed to insert the following: "no price support shall be made available, through payments, at a level in excess of 105 percent of the parity price for the commodity; and."

Mr. ELLENDER. Madam President, I yield myself 5 minutes.

The purpose of the amendment is to place a ceiling on the support price of wool as accomplished by the direct payment alternative in the bill. There are two methods of support in the wool bill. The first method is 60 to 90 percent of parity loans, and/or purchases, and the second is by direct payments from the Treasury.

The purpose of the pending amendment is to establish a ceiling of 105 percent of parity for payments made on wool. In the pending bill there are many commodities for which price supports range from zero to 90 percent; on others the range is from 82½ percent to 90 percent, but in the case of wool the sky is the limit.

The way the bill would operate is this: The Secretary of Agriculture would determine the price at which wool should be sold in order for production to approximate 360 million pounds a year. To do so the Secretary of Agriculture would confer with producers and ascertain from them the price at which sufficient incentive would exist, and at which they were willing to produce the necessary amount. If, for example, the price fixed should be 72 cents a pound, but the wool grower could market the wool for only 50 cents a pound, the Secretary would direct that payments amounting to the difference between 50 cents and 72 cents—that is, 22 cents per pound—be made. That money would be taken directly from the Treasury. The only limitation on the amounts of payments, as the bill now stands, is that total payments may not exceed an amount equal to 70 percent of the import duties which the tariff on wool produces. The payments could go sky high; the only limit as to how far they could go would be the amount of money to make them.

Madam President, I believe that wool is a product deserving of and which should receive fair treatment. But it is not fair to limit the price supports on our basic commodities such as wheat, cotton, corn, and others to 90 percent, and then make the sky the limit insofar as wool is concerned. I think that is unfair.

Mr. RUSSELL. Madam President, will the Senator yield?

Mr. ELLENDER. I yield to the Senator from Georgia for a question.

Mr. RUSSELL. As I understand the proposal as it affects wool, it is very similar to the provision in the bill which passed the Senate some time ago. The provision makes application of what is commonly known as the Brannan plan, or the plan which was advanced by former Secretary of Agriculture Brannan, embodying the making of cash payments from the Treasury of the United States to the producers of wool in order to assure a fair price. Is that correct?

Mr. ELLENDER. The Senator is correct.

Mr. RUSSELL. The amendment of the Senator from Louisiana provides for 105 percent of parity from payments to be made out of the Federal Treasury, and gathered from the taxpayers of the country. Is that correct?

Mr. ELLENDER. That is correct.

Mr. RUSSELL. The Senate has been considering for several days an agricultural bill. In the form in which the bill is at the present time, the producers of wheat would have a basic parity of 75 percent guaranteed in 1956. The producers of cotton would have a basic parity of 75 percent guaranteed under the loan system. The producers of other commodities will have variable parities. Senators representing the dairy farmers have had knocked down every proposal they have made, with the result that support price on dairy prices have been reduced to 75 percent of parity.

Why does the Senator from Louisiana think we should take from the Treasury of the United States, from funds which will come into it by way of import duties, an amount sufficient to pay wool producers 105 percent of parity, when other producers are being cut down? It seems to me it is rather discriminatory to provide 105 percent of parity for producers of wool, to be paid out of the Treasury from funds received from import duties, when support prices have been cut down for the producers of wheat, corn, and cotton, and every effort to assist the dairy industry has been rebuffed and defeated on the floor of the Senate. Why is it necessary to take from the Treasury funds sufficient to pay the wool producer 105 percent of parity when, by vote of the Senate, we have cut down parity price supports for the producers of every other agricultural commodity in the United States?

Mr. ELLENDER. To be perfectly frank with my good friend, the Senator from Georgia, my amendment would set the limit at 105 percent of parity because I feel the Senate will agree to that. That limit is better than no limit. The Senator from Georgia will remember that when the wool bill was being considered some time ago, I tried to limit the support level to 100 percent, but my amendment did not carry.

The PRESIDING OFFICER. The time of the Senator from Louisiana has expired.

Mr. ELLENDER. Madam President, I yield myself 5 more minutes.

As I have said, that effort to limit the support level to 100 percent failed.

Mr. RUSSELL. If my friend will indulge me, I should like to inform him that that was before the Senate had applied the ax to all the other producers. Until that time the other producers had something to look forward to, but in the Senate they have been struck down and pushed back. I do not see why the wool producer should be singled out for preferential treatment. It has been rather interesting to see how various provisions have been put into the bill, and how other groups have been cut down. There is now before the Senate a proposal to have the Brannan plan applied to wool at 105 percent of parity, whereas price supports for the benefit of all other agricultural producers have been struck down and cut down time and again.

Mr. ANDERSON. Madam President, will the Senator yield?

Mr. ELLENDER. I yield to the Senator from New Mexico.

Mr. ANDERSON. I think the Senator from Louisiana would probably permit me to say that by no stretch of the imagination, should this be called the Brannan plan. This wool program was submitted to the Congress of the United States in 1946. Mr. Brannan was not then Secretary of Agriculture. He did not become Secretary of Agriculture until 1948. This plan was devised by the then senior Senator from Wyoming, Mr. O'Mahoney, in conjunction with many persons representing the Department of Agriculture. I do not believe that by any stretch of the imagination the proposal could be called the Brannan plan.

Mr. RUSSELL. What the Senator has said is that the program originated with respect to wool, and Mr. Brannan tried to seize it and apply it to all commodities produced in the United States. Since it happened that he was Secretary of Agriculture at that time, the plan became known as the Brannan plan. Everyone knows that Mr. Brannan did not originate the plan. It grew from a number of sources. It grew from the effort with respect to wool which failed in 1946. It grew, from an article written by a professor, as a distress measure. The term "Brannan plan" is a term understood by every person in the United States, because it provides for payments by the Government in order to give a fair price to the farmers.

Mr. ELLENDER. Instead of calling it the Brannan plan, let us call it direct payments to the producer, because that is what it is.

Mr. RUSSELL. It would not be a subsidy, would it?

Mr. ELLENDER. It is a subsidy, of course. In the case of wheat or cotton, or corn, or rice, or peanuts, or any of the other basics, a farmer is permitted to borrow so much money from the Government. He must pledge his crop as security for the loan. But in this case, there not only is the loan plan, but there is the additional gadget which will permit the Government to pay a producer the difference between what he receives on the market and what the Secretary of Agriculture agrees is a fair price—a price at which a wool grower could find sufficient incentive to do his share to produce as much as 360 million pounds of wool.

Mr. President, I think it is unfair to other commodities to place wool in a position where it will receive price support at as much as 105 percent of parity when the basics can get a maximum of only 90 percent. That simply is not fair. As the bill is now drafted, there is no limitation to the provision concerning wool. I would prefer to have the bill provide for much less than that—perhaps the same level as the basics—but at least, 105 percent of parity. There must be some maximum level set.

The PRESIDING OFFICER (Mr. BEALL in the chair). The time of the Senator from Louisiana has expired.

Mr. ELLENDER. Mr. President, I yield myself 1 more minute.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for an additional minute.

Mr. ELLENDER. Mr. President, I understand that the House has limited payments under the subsidy alternative in the bill to 110 percent of parity.

It is my hope that we shall at least be able to place a 105-percent limitation in the bill as to these direct payments to the producers of wool. I urge that my amendment be adopted. We must be fair, Mr. President.

Mr. BARRETT. Mr. President, I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from Wyoming is recognized for 10 minutes.

Mr. BARRETT. Mr. President, it seems to me that it would be eminently unfair for the Senate to adopt this amendment. If the Senate adopts this amendment, it will single out wool as the only commodity which will be subject to this limitation.

Section 402 of the 1949 act provides that any commodity can be supported in excess of 90 percent of parity, if the Secretary of Agriculture gives notice and thereafter holds a hearing and then determines to do so.

If this amendment is adopted, its effect will be to say that any farm commodity, save and except wool, may be supported at any figure the Secretary of Agriculture deems proper—and above 100 percent of parity, if he so decides.

The Senator from Louisiana knows full well that section 32 funds come from the custom receipts on numerous commodities, including wool. I may say to him that for the past 12 years or 13 years, the total receipts from the tariff on wool have exceeded $1 billion, but not one penny of that money has been used for the benefit of wool. On the contrary, the money under section 32 funds has been used for nearly every other commodity.

Let me enumerate some of the items with respect to which the tariff income on imported wool and other imports has been used to promote the foreign use of other farm commodities from 1943 to 1953:

Fruits, $261 million; cotton $185 million; vegetables, $183 million; grains, $176 million; eggs and poultry, $175 million; dairy products, $165 million.

And so I could continue through the list. But, Mr. President, you will not find that a solitary nickel of that money was used for the benefit of wool, during all that period of time.

Mr. ELLENDER. Will the Senator from Wyoming tell us how much the Government has lost on the wool program?

Mr. BARRETT. I can tell the Senator from Louisiana that the total loss on the wool program during the war years was approximately $46 million. I can also tell the Senator from Louisiana and this is more damaging than any statement made thus far today on the floor of the United States Senate—that the United States Government caused the woolgrowers of the United States to lose five times that amount of money. That was done because during World War II, the OPA set on wool a ceiling price of 42 cents a pound, but permitted the prices of everything the woolgrowers had to buy, to skyrocket. Labor costs went up and up. The result was to make it impossible for woolgrowers to remain in business. That is precisely why wool production in the United States declined from 460 million pounds a year in 1943, to 230 million pounds in 1953. The wool growers went out of business in wholesale numbers. They went out of business because they knew that if they remained in business, they would go broke. That is one reason why the Nation's livestock industry has been thrown completely out of gear. Those wool growers had ranges and had to run livestock in order to use the grass. As a result,

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the growers shifted to cattle production. That is why we now have 95 million head of cattle on the ranges in the West—the highest cattle population in the history of the Nation—and why we also have the smallest sheep population in the last 80 years. That situation has developed because of the policies of the United States Government.

Mr. ANDERSON. Mr. President, will the Senator from Wyoming yield to me?

Mr. BARRETT. I yield to my colleague from New Mexico.

Mr. ANDERSON. Does the Senator from Wyoming agree with me that the reduction of wool production to 230 million or 240 million pounds was a very expensive project for the Government, once operations in Korea began, with the result that the Government then had to go into foreign markets and purchase hundreds of millions of pounds of wool at $2 or $2.50 a pound.

Mr. BARRETT. That is correct. It was very fortunate that the sea lanes were open to us, so that we could import the wool we needed. Otherwise we might have been in a critical condition, without wool to outfit our Army.

Mr. ANDERSON. If we produced in the United States approximately 300 or 350 million pounds of wool a year, I believe that would permit us in a period of emergency—as has occurred time and time again—to equip the American soldier with uniforms made of wool and to make sure that wool for that purpose would be available to us when it was needed.

I am sure that such a program will not cost the Government any money. The Senator from Wyoming said a moment ago, that the program had cost the Government $46 million. But if the ceilings on wool had been raised, in the way that the Government has raised so many other ceilings, the Government could have disposed of the entire stock of wool at a profit.

However, the Secretary of Agriculture was not restricted in the case of wool, in the way he was in the case of cotton. Therefore, he sold the wool at a loss, although he sold the cotton at a profit. That should never have been allowed to happen to the wool producers of the United States.

Mr. ELLENDER. But, Mr. President, the price of cotton was held down in much the same way that the price of wool was. The Senator from New Mexico knows that as well as I do.

Mr. BARRETT. Let me explain why wool was in a different situation. The parity price on wool was established with a most inopportune base period. The period between 1910 and 1914 was established as the base period. However, that period was the worst in the history of the United States, insofar as the price of wool was concerned. The price established on that basis was so unrealistic that the parity established as a result was of little help to the wool growers. But when the war came along, the OPA used that base, and froze the price of wool at a figure at which it was impossible to profitably produce wool.

Year after year during the war days the Bureau of Agricultural Economics showed that the wool growers were losing 10 cents on every pound of wool they produced.

Mr. President, the most unfortunate thing of all is that when a new parity formula was established for agricultural commodities, the figure chosen was the one beginning 10 years ago, during the war period, when the OPA established the ceiling price of wool at 42 cents a pound, as I said a moment ago. Consequently the wool growers were obliged to accept that low price as the basis for the new parity.

So, Mr. President, it seems to me that if the amendment is adopted, the Senate will be singling out wool, for discriminatory treatment. It is proposed that the Secretary of Agriculture shall not have the discretion to support wool at a higher price, although we are willing to give him authority to support every other farm commodity at a higher price if he so desires.

Secondly it will make it impossible to raise the price of wool even though the Secretary believes that to be necessary for the security of our country.

I hope the amendment is voted down.

Mr. DANIEL. Mr. President——

Mr. BARRETT. I yield to the Senator from Texas.

Mr. DANIEL. Do I correctly understand that if the bill is passed as now written, without the amendment of the Senator from Louisiana [Mr. ELLENDER] the Secretary of Agriculture will have the power to support certain commodities above the price ceilings which we fix here, namely above 82½ to 90 percent?

Mr. BARRETT. That is true.

Mr. DANIEL. That is in the law as it is today?

Mr. BARRETT. That is in the law as it is today. That is true.

Mr. DANIEL. That situation would not be changed by the passage of this bill?

Mr. BARRETT. If the amendment of the Senator from Louisiana were adopted, it would be changed.

Mr. DANIEL. I meant without amendment.

Mr. BARRETT. The Senator is correct.

Mr. DANIEL. As to all the other commodities mentioned in the bill, is it true that the law would permit the Secretary of Agriculture to support them above 100 percent of parity?

Mr. BARRETT. The Senator is correct.

Mr. DANIEL. After a hearing.

Mr. BARRETT. That is right.

Mr. CASE. Mr. President, will the Senator yield?

Mr. BARRETT. I yield to the distinguished Senator from South Dakota.

Mr. CASE. Is it true that if a commodity is to be supported at 100 percent of parity, there may be times when it is necessary to go above parity in order to strike an average?

The PRESIDING OFFICER. The time of the Senator from Wyoming has expired.

Mr. BARRETT. I yield myself an additional 5 minutes.

Mr. CASE. At times the commodity is selling at considerably below parity, and to make it possible for it to average 100 percent of parity, there would have to be some time when it was above parity.

Mr. BARRETT. The Senator is correct. If the grower is to be encouraged to expand his herds and bring more wool to the market, it will be necessary to have a higher support price.

Mr. CASE. Is it not true that in the case of wool we are dealing with a strategic commodity? The Senator from South Dakota recalls a time during World War II when we authorized the agencies of the Government to go in to the world market and buy up even second-grade wool in order to prevent it from falling into the hands of the enemy. In order to carry on their attack against Moscow the Germans needed woolen clothing, and one of the reasons for the breakdown of the German offensive against Moscow was the fact that the ersatz clothing did not give the German soldier the protection he needed in the weather he confronted.

Mr. BARRETT. The Senator is entirely correct. In the early days of World War II, the RFC went into the market and bought a tremendous supply of Australian wool for fear we might be cut off from that supply during the war. I do not recollect the exact poundage, but as I remember it, approximately 125 million pounds were purchased by the RFC for that very purpose.

Mr. CASE. It is my impression that it was somewhat more than that. For a time following the war that wool was used in effect to depress the market for native American wool.

Mr. CORDON. Mr. President, will the Senator yield?

Mr. BARRETT. I am glad to yield to the distinguished Senator from Oregon.

Mr. CORDON. I am interested in the question asked by the Senator from Texas [Mr. DANIEL] and the answer given. Is it not a fact that any action of the Secretary of Agriculture to increase the support price above 90 percent of parity can come into being only when, in the judgment of the Secretary of Agriculture, it is necessary for the protection of the health and safety of the people of the United States?

Mr. BARRETT. Or the security of the country. That is precisely the basis of the bill.

Mr. CORDON. Is it not also true that this reserved authority rests in the Secretary of Agriculture with respect to every supported price?

Mr. BARRETT. The Senator is entirely correct.

Mr. CORDON. Is it not also true that this is an attempt to single out one commodity, which happens to be the only commodity in short supply and the most essential commodity by reason of that fact, and to lessen the authority of the Secretary to protect the people of the United States?

Mr. BARRETT. The Senator is entirely correct; and I can say to him that the production of wool in this country dropped from 460 million pounds 10 years ago to 230 million pounds today, and the domestic production this year is less than it was last year.

Mr. CORDON. Will the Senator yield for one further question?

Mr. BARRETT. I am delighted to yield.

Mr. CORDON. Does not the authority of the Secretary of Agriculture to protect the safety and security of the United States permit him, if necessary, to increase the support price of cotton along with other commodities?

Mr. BARRETT. The Senator is correct.

Mr. ELLENDER. But not by direct payments, as is sought to be provided in the wool bill.

Mr. BARRETT. Mr. President, let me call attention to one fact before the debate is closed. The tariff on wool at the present time yields a revenue somewhat in excess of $55 million a year. This bill merely provides that the Secretary of Agriculture may use 70 percent of that amount, if necessary—and I think it would require more nearly 40 percent of that amount—in order to encourage the wool growers of the United States to bring into production 300 million pounds of wool which are needed for the security of this country.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. BARRETT. I am delighted to yield.

Mr. ELLENDER. Under section 402, would the Government be authorized to make direct payments to producers as in the case of wool?

Mr. BARRETT. No; I think not. I think the Senator is correct about that. Nevertheless, the same result would be achieved by a loan under the support program.

Mr. ELLENDER. I cannot agree. The producers would obtain the increase in price from the sale of their products whereas in this instance the producers obtain a portion of their payment out of the Treasury. That is the difference between the two programs.

Mr. BARRETT. The payment is not made out of the Treasury. It is made out——

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BARRETT. I yield myself an additional 2 minutes.

The payment is made from the customs receipts on wool alone.

Mr. ELLENDER. Which would otherwise remain in the Treasury. Those receipts go to the Treasury after they are collected and then paid out to producers.

Mr. BARRETT. Mr. President, if the Senator wants to object to that, he also ought to tell the people of Louisiana that he did not like the idea of taking $185 million out of the Treasury to encourage foreign use of domestic cotton or $261 million to encourage use of fruits. I could go through the entire list. I do not know any reason why the woolgrower should not have a little protection from the tariff on wool. All other commodities have had help over the years in exports and subsidies of one character or another.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. BARRETT. I yield.

Mr. ELLENDER. The Senator has just stated that one-hundred-some-odd million dollars was taken out of the Treasury to pay for cotton supports. That was done to subsidize foreign sales of cotton. Last Saturday in debate I produced figures to show that the Treasury had been enriched by $260 million plus from cotton sales.

Mr. BARRETT. Nevertheless, I say to the distinguished Senator from Louisiana that cotton used $185 million of section 32 funds between 1936 and 1953, and during that same period of time——

Mr. ELLENDER. That was done to subsidize sales of cotton abroad as I previously stated.

Mr. BARRETT. During that same period of time, wool did not use a thin dime of section 32 funds.

Mr. CORDON. Mr. President, will the Senator yield for a question?

Mr. BARRETT. I am delighted to yield.

Mr. CORDON. In fact, despite what may be the seeming difference and the argumentative difference, is not the real difference the fact that we are supporting the price of cotton and other so-called basic agricultural products because there is a surplus, and not enough demand to take care of the surplus, and consequently not enough demand to offset supply; whereas in the case of domestic wool we are faced with a commodity which is essential but, because of imports, is in such low supply that we are in danger of losing the very basis to which we can turn for the particular commodity in case of emergency?

Mr. BARRETT. The Senator is entirely correct. I am certainly not opposed to using section 32 funds for the benefit of cotton, fruits, grains, vegetables, and so forth.

Mr. GEORGE. Mr. President, will the Senator yield?

Mr. BARRETT. I yield.

Mr. GEORGE. The Senator does not mean to tell the Senate that section 32 funds were used at any time to pay the farmer more than 90 percent of parity on cotton?

Mr. BARRETT. No.

Mr. GEORGE. I think the Senator's inference is to that effect. The Senator knows very well that that is not true.

Mr. BARRETT. I did not say that.

Mr. GEORGE. Very well. Let us get it straight.

This is a marvelous piece of legislation, Mr. President. I have seen the dairy industry literally butchered by this bill. I know what is happening to the producers of the basic farm commodities. There is no question about what is happening. Therefore, I do not believe the Senator is fair when he says that section 32 funds have been used to pay the American cotton farmer more than 90 percent of parity at any time.

Mr. BARRETT. No; I wish to say to the Senator from Georgia that what I said was that under section 402 the Secretary had the discretion to support cotton and every other farm commodity at an amount in excess of 90 percent of parity. That is the point that was made.

Mr. GEORGE. When has he done that?

Mr. BARRETT. Section 32 funds are an entirely different matter, and they are used to increase consumption of these commodities, mostly abroad. It is probably true, as the Senator from Louisiana has said, that the money was used to subsidize export markets for these crops. That is entirely correct, I assume. It might have been used for other purposes, but it was not paid to the growers. I am certain of that.

Mr. GEORGE. That is what I wanted to make clear. I should like to ask the Senator a question. What is the amount of the imports of wool over the past several years? How much wool do we have to buy from abroad?

Mr. BARRETT. It has varied somewhat, but during the war years it was as high as 700 million or 800 million pounds a year. The tariff on wool, over a 10- or 12-year period, amounted to about a billion dollars, or on an average of about $100 million a year.

Mr. GEORGE. Then we are on an import basis, so far as wool is concerned.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. ELLENDER. Mr. President, I yield 5 minutes to the Senator from Georgia.

Mr. BARRETT. During the war we imported about twice as much wool as we produced in this country.

Mr. GEORGE. That is what I wanted to know.

Mr. BARRETT. At the present time it is about 50–50, I should say.

Mr. GEORGE. In other words, we are on an import basis, so far as wool is concerned.

Mr. BARRETT. That is correct.

Mr. GEORGE. Of course, the problem is different when it comes to cotton, wheat, and dairy products than it is with respect to wool.

I am perfectly willing to vote now against production payments in excess of 100 percent of parity on anyone's products. I say that although I am quite sure that some of the products of Florida have perhaps received more than that out of this particular fund. I do not think it is right. If we are going to say to our own producers, "You can be paid only 75 percent and up to 90 percent, or 82½ percent and up to 90 percent," we should not at the same time say that if someone is producing in this country a product which is on an import basis, he may, in the discretion of the Secretary of Agriculture, be paid 140 percent, 150 percent, or 200 percent of the parity price.

Mr. BARRETT. I do not know whether the Senator is speaking on his time or on mine.

Mr. GEORGE. I am sorry. I merely wanted to develop the facts. I wanted to make that point clear. I believe the American people will understand that we are willing to pay to the producers of a product in this country on an import basis more than 100 percent of parity, but we are not willing to pay on dairy products even as much as 80 percent of parity or 90 percent of parity. The same is true with respect to cotton. Cotton is just as essential as wool.

Mr. BARRETT. There is no question about it.

Mr. GEORGE. The same is true with respect to wheat. Wheat is just as essential as wool. Wool is essential, too. I

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am afraid the Senator has this subject backward. The American people will understand that we are saying we want to stop surplus production by lowering the price, but I doubt if there are many persons who are familiar with agriculture who believe that there is much to that argument.

Over the long run an economic factor intrudes as everyone realizes, of course, because in the long run the producer will go broke. He will either have to stop producing or he will have to reduce his production. We have a proposal before us in the case of a certain commodity to resist even a limitation of 105 percent of parity out of other funds available for production payments, while there is no money available with which to pay even 90 percent of the cost of producing other commodities in this country, regardless of the cost the producer must pay to carry on that production. There is something wrong here.

If the Senator wishes universally to apply that principle I hope the Senator from Louisiana will say that no production payments in excess of 100 percent of parity should be made on any product.

Mr. CASE. Mr. President, will the Senator yield for a question?

Mr. BARRETT. I should like to make one statement in response to the remarks of the Senator from Georgia. It seems to me that the effect of the amendment would be entirely to upset the theory the Senator has advanced. As I understood the Senator, he wanted the commodities to be treated equally. That is precisely what I want done. The amendment of the Senator from Louisiana provides that the Secretary of Agriculture may support the other commodities, save and except wool, at any figure he may determine.

Mr. GEORGE. No.

Mr. BARRETT. With respect to wool, however, he cannot go above 105 percent.

Mr. GEORGE. No. The Senator did not understand me. I said I hope the Senator from Louisiana will provide that no payments should be made which would carry the price to the producer above 100 percent of parity, whether the product is on an export basis or on an import basis.

If we are to restrict the producer of an absolutely vital and necessary product in the United States to a price somewhere between 90 percent and the bottom, or zero, there is no need in the world to pay more than 100 percent of parity to the producer of a product which is constantly on an import basis. The Senator will never put wool on an export basis by the kind of scheme he is resorting to. He will not even supply the demand for wool in the United States by anything he proposes to do in this bill.

Mr. BARRETT. I may say that it has been done, of course.

Mr. GEORGE. It was done at a time when we were not consuming so much wool, when the population was very much smaller.

Mr. BARRETT. That may be true. However, I say to the Senator that wool has been singled out because it has been declared by the Munitions Board to be a strategic material, necessary for the defense of the country.

Mr. YOUNG. Mr. President, will the Senator yield?

Mr. BARRETT. I yield.

The PRESIDING OFFICER. The time of the Senator from Wyoming has expired.

Mr. BARRETT. I yield myself 5 additional minutes.

Mr. YOUNG. I believe the parity formulas under the price-support programs are not generally understood. Of course, they are far from perfect. If either the so-called modernized parity formula or the old parity formula reflected the true value of wool or of other commodities, I think there would be a great deal of merit to a limitation of 105 percent of parity.

Let me give an example of how the parity formulas do not apply fairly to all commodities. I think we all know that when we applied the 90 percent of parity formula to potatoes the potato farmers were very pleased with it and produced all the potatoes that were needed, and more. They made a great deal of money out of 90 percent of parity. However, we had a 90 percent support program for wool for 6 or 8 years, I believe. Nevertheless the wool industry continued to decline. I believe that means only one thing, namely, that the parity formula has not been fair for wool producers. In my opinion a 90 percent support program for wool does not represent a fair support for wool, and more than would a 60 percent support for potatoes.

Mr. BARRETT. I think the Senator is correct. While the 90-percent program has been in effect, the production of wool has been declining year after year, and is declining this year.

Mr. CASE. Mr. President, will the Senator yield?

Mr. BARRETT. I yield.

Mr. CASE. I wish to observe something along the same line the Senator from North Dakota has brought out. One hundred and five percent of parity is not what it may seem to be, because the basis upon which the wool parity is computed, historically, is fundamentally wrong. Although the support price might reach 105 percent of parity in name, in actual fact it does not.

There is one other thing I wish to mention. We certainly do not want to use Treasury support to increase production of something which is in long supply by paying over 100 percent of parity. If we are going to pay more than 100 percent of parity of any product, it should be paid only for those products which are in short supply, which are strategic in character, and which are essential to the national security. That is the justification for this whole procedure, in order to try to maintain a domestic wool industry which is sufficiently sound to insure that it will be available when we need it. I am sure the Senator from Wyoming [Mr. BARRETT] will recall that about a year or two ago we were bothered by the fact that some of our South American friends were subsidizing the export of wool, so that when the wool came to this country it carried with it what amounted to an export subsidy from the country in which it was produced. It was brought in here at an upset price, which tended to destroy the market. Many of us thought it was only fair that we should use the proceeds from the special tariff fund to offset the kind of a trade war which we encountered.

Mr. GEORGE. Mr. President, if the Senator will indulge me for one moment, I wish to say that I do not object to paying the woolgrowers a fair price, but when we talk about paying a production payment, all we mean is that we are paying the producer more than 100 percent of parity on one commodity, but we have denied it to the milk producers, we have denied it to the cotton farmers, and we have denied it to the wheat farmers of the country.

Mr. THYE. Mr. President, will the Senator yield to me for a moment?

Mr. GEORGE. I do not have the floor.

The PRESIDING OFFICER. The Senator from Wyoming [Mr. BARRETT] has the floor.

Mr. BARRETT. I yield to the Senator from Minnesota [Mr. THYE].

Mr. THYE. I should like to make one comment.

Mr. BARRETT. I yield provided I do not lose the floor. I ask unanimous consent that I may yield to the Senator from Minnesota without losing the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THYE. Mr. President, in reference to the remark of the distinguished Senator from Georgia, I wish to say that this body rejected an amendment to provide dairy products to the soldiers of this land, coming from the surplus supply. The soldier is taken from his home at a very tender age, really in the very flower of life, and is put into a military camp. He is allowed only a certain amount of milk, although we have dairy surpluses which are threatened with deterioration. We are going to give this surplus to the feed dealers at a knocked-down sacrifice price of 3½ cents a pound, notwithstanding the fact that powdered milk costs anywhere from 14 to 16 cents a pound when the Commodity Credit Corporation is acquiring it. Yet we deny the military forces the right to use milk products for the soldiers of our country.

We also denied the military forces and the Veterans' Administration the right to put a few surplus dairy products on the tables in veterans' hospitals.

I commend the Senator from Georgia [Mr. GEORGE] for the remarks he has made, when he said we have denied this support to dairy products, but we are now talking about an unlimited figure, if it becomes necessary, for subsidy payments on wool.

I do not say this with any thought that I have rejected wool supports. I will support that program. However, I could not help but add to the comments of the distinguished Senator from Georgia, because we are being inconsistent.

Mr. CORDON. Mr. President——

Mr. CASE. Mr. President, will the Senator yield to me?

The PRESIDING OFFICER. The Chair recognizes the Senator from Oregon.

Mr. CORDON. Mr. President, are we on controlled time?

The PRESIDING OFFICER. The Senator from Wyoming controls the time. Does the Senator yield time to the Senator from Oregon?

Mr. BARRETT. I yield the floor.

Mr. CORDON. Before the Senator yields the floor, will he yield to me for a question?

Mr. BARRETT. I am delighted to yield.

Mr. CORDON. As one Senator who supported the amendment of the Senator from Minnesota in the dairy field, I suggest that two wrongs never make a right.

Mr. CASE. Mr. President, will the Senator yield to me?

Mr. BARRETT. I yield.

Mr. CASE. I also call attention to the fact that I supported the amendment offered by the Senator from Minnesota. I regret that the amendment proposed by the Senator from Minnesota was not agreed to, but it was not. I certainly join with the Senator from Oregon in saying that such action would not be made right by doing a wrong in this instance.

Mr. BARRETT. I yield the floor, Mr. President.

The PRESIDING OFFICER. The Senator from Wyoming yields the floor.

Mr. AIKEN. Mr. President, I should like to make one thing clear. In the past we have supported certain commodities at well over 90 percent of parity, during World War II and during the Korean War. The law provides that when necessary to obtain adequate production the Secretary may fix the support level at wherever is necessary, in the interest of the national security.

Toward the end of World War II cotton was supported at 95 percent of parity. We supported milk at around 130 or 135 percent of parity. Flaxseed was supported at over 150 percent of parity. In 1951 long staple cotton was supported at 155 percent of parity, and in 1952 it was supported at 153 percent of parity.

The proposed wool program would not break any precedent. I do not believe support for wool at over 105 percent of parity would result in the obtaining the desired production, if 105 percent of parity would not do it. Nevertheless, I do not think I would single out wool as the only commodity with respect to which the support price could not be raised substantially in the event of emergency, which would simply mean that Congress would have to enact emergency legislation.

However, I will say that if 105 percent of parity would not bring about increased production of wool, probably 115 percent of parity would not, either. To that extent I agree with the Senator from Louisiana [Mr. ELLENDER], although I do not believe we should single out wool, any more than I thought we should single out potatoes as the only outlaw vegetable, which they were for 3 or 4 years.

I have nothing more to say. Is the Senator from Louisiana yielding his time back?

Mr. ELLENDER. I yield the remainder of my time.

The PRESIDING OFFICER. The Senator from Louisiana yields his time. Does the Senator from Vermont yield his time?

Mr. AIKEN. I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded. The question is on agreeing to the amendment of the Senator from Louisiana [Mr. ELLENDER] to the committee amendment.

Mr. ELLENDER. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk called the roll.

Mr. SALTONSTALL. I announce that the Senator from Vermont [Mr. FLANDERS] and the Senator from Nebraska [Mr. REYNOLDS] are necessarily absent.

If present and voting, the Senator from Vermont [Mr. FLANDERS] and the Senator from Nebraska [Mr. REYNOLDS] would each vote "nay."

Mr. CLEMENTS. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Mississippi [Mr. EASTLAND], the Senator from Delaware [Mr. FREAR], the Senator from West Virginia [Mr. KILGORE], the Senator from New York [Mr. LEHMAN], the Senator from Oklahoma [Mr. MONRONEY], and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

The result was announced—yeas 21, nays 66, as follows:

YEAS—21

Clements	Hennings	Maybank
Douglas	Hill	McClellan
Ellender	Johnston, S. C.	Robertson
Ervin	Kefauver	Russell
Fulbright	Kerr	Smathers
George	Lennon	Stennis
Gore	Long	Symington

NAYS—66

Aiken	Ferguson	McCarran
Anderson	Gillette	McCarthy
Barrett	Goldwater	Millikin
Beall	Green	Morse
Bennett	Hayden	Mundt
Bowring	Hendrickson	Murray
Bricker	Hickenlooper	Neely
Bridges	Holland	Pastore
Burke	Humphrey	Payne
Bush	Ives	Potter
Butler	Jackson	Purtell
Byrd	Jenner	Saltonstall
Capehart	Johnson, Colo.	Schoeppel
Carlson	Johnson, Tex.	Smith, Maine
Case	Kennedy	Smith, N. J.
Cooper	Knowland	Thye
Cordon	Kuchel	Upton
Crippa	Langer	Watkins
Daniel	Magnuson	Welker
Dirksen	Malone	Wiley
Duff	Mansfield	Williams
Dworshak	Martin	Young

NOT VOTING—9

Chavez	Frear	Monroney
Eastland	Kilgore	Reynolds
Flanders	Lehman	Sparkman

So Mr. ELLENDER's amendment to the committee amendment was rejected.

Mr. AIKEN. Mr. President, I move that the vote by which the amendment to the amendment was rejected be reconsidered.

Mr. FERGUSON. I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

Mr. KENNEDY. Mr. President, I offer the amendment which I have at the desk, and which I ask to have stated.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER (Mr. HENDRICKSON in the chair). The Senator will state it.

Mr. DOUGLAS. What was the amendment that was acted on by the Senate with such unseemly haste a moment or so ago?

The PRESIDING OFFICER. The Chair will advise the Senator that the Senate did not act on an amendment; it merely agreed to a motion to lay on the table the motion to reconsider the vote by which an amendment was rejected.

The clerk will state the amendment offered by the Senator from Massachusetts [Mr. KENNEDY] to the committee amendment.

The LEGISLATIVE CLERK. In the committee amendment, on page 43, after line 19, it is proposed to add a new section, as follows:

SEC. 710. (a) The third sentence of section 2 (a) of the Commodity Exchange Act, as amended, is amended by inserting "wool," after the comma following "(Irish potatoes)."

(b) The amendment made by this section shall become effective 60 days after the date of enactment of this act.

Mr. KENNEDY. Mr. President, the provisions of this amendment were submitted by the Senator from North Dakota [Mr. YOUNG] and the Senator from Wyoming [Mr. BARRETT] and previously passed the Senate unanimously. The amendment to the bill is being offered at the suggestion of the Members of the House in order to make sure that the provisions will be passed at this session of the Congress. The amendment has the support of the Department, and I believe it would be in the best interests of the woolgrowers, the manufacturers who use wool, and the general consuming public.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield to the Senator from Vermont.

Mr. AIKEN. It appears to be a worthy amendment. I have no objection to it.

Mr. MAYBANK. The conferees refused to agree to it, did they not?

Mr. KENNEDY. No. The amendment merely proposes to put wool under the Commodity Exchange Act. That is all.

Mr. MAYBANK. I thank the Senator for the information.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Massachussetts [Mr. KENNEDY] to the committee amendment on page 43, after line 19.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The committee amendment is open to further amendment.

Mr. HUMPHREY. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

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The PRESIDING OFFICER. The clerk will state the amendment to the amendment.

The LEGISLATIVE CLERK. In the committee amendment, on page 36, between lines 14 and 15, it is proposed to insert a new section, as follows:

SEC. 503. Nothing contained in section 8 (b) of the Soil Conservation and Domestic Allotment Act, as amended, or in any other provision of law, shall be construed to authorize the Secretary of Agriculture to impose any limitations upon the number of terms for which members of county committees established under such section may be reelected.

Mr. HUMPHREY. Mr. President, the amendment is directed toward the organization of what we know as the county committees and State committees under the Production and Marketing Administration. It is commonly known throughout the country as the county committee system. Recently the Secretary of Agriculture, speaking in behalf of his Department, ordered that no one should be eligible to become a member of a county committee if he had served more than three terms. It seems to me that what is desired on the county committees is persons of experience, as much as persons having any other qualifications. It was rather surprising that an order was issued by the Secretary of Agriculture requiring that persons eligible to be elected as members of a county committee should not have served more than three terms on county committees.

Not long ago the Senator from Missouri [Mr. HENNINGS] directed attention to this question as it related to the State of Missouri. I am sure this is a common condition throughout the United States because of the departmental order on the part of the Secretary.

Mr. President, I have very little more to say on the subject, except to call upon the Senate to enlist its support in arranging for county committees to be as truly representative as they can be, and not deny to the farmers of America the opportunity to elect whomever they wish as members of county committees. It seems to me rather strange that the Secretary should issue an edict that persons who have had experience extending beyond three terms shall no longer be eligible to run for that office. For the life of me, I cannot understand how that kind of rule would add to the efficiency of the activities of the Commodity Credit Corporation through the Production and Marketing Administration.

Mr. AIKEN rose.

The PRESIDING OFFICER (Mrs. SMITH of Maine in the chair). The question is on agreeing to the amendment of the Senator from Minnesota [Mr. HUMPHREY] to the committee amendment, on page 36, between lines 14 and 15. [Putting the question.] The amendment is agreed to.

Mr. AIKEN. Madam President, I was seeking recognition before the result was announced.

The PRESIDING OFFICER. In that case, the Chair will withhold the announcement and recognize the Senator from Vermont.

Mr. HUMPHREY. Madam President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HUMPHREY. Did not the Chair announce the result?

The PRESIDING OFFICER. Yes, but the Chair is withholding the announcement of the result because the Senator from Vermont was seeking recognition.

Mr. KNOWLAND. The Senator from Vermont was on his feet before the announcement of the result.

Mr. AIKEN. Madam President, I was on my feet.

I merely wish to say that the amendment of the Senator from Minnesota would simply overturn the reorganization of the Department of Agriculture as effected by the Secretary of Agriculture. It so happens that there were 11 States in the Union in which the county and local committees were virtually closed corporations in the administration of the Production and Marketing Administration programs, and the Secretary reorganized those activities so that those 11 States fell in line with the other States. One of those States happened to be the State of Minnesota. There was a closed corporation in that State, and the committee was conducting its work just about as they wished. The Senator from Minnesota has proposed an amendment which would overturn the reorganization of the Secretary of Agriculture in his attempt to put all the States of the Union on the same basis, so far as local committees are concerned.

Therefore, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. SMATHERS. Madam President, I suggest the absence of a quorum.

Mr. HUMPHREY. Madam President, will the Senator from Florida withhold his suggestion of the absence of a quorum until I make a statement?

Mr. SMATHERS. I withhold the suggestion of the absence of a quorum.

Mr. HUMPHREY. The amendment does not apply to any organization of the Department of Agriculture. It applies simply to the desires of farmers to elect their own representatives to serve on their own local committees. The Secretary of Agriculture has laid down the rule that if a member of the local committee has served more than three terms as a member of a county committee, he is no longer eligible for election. I say that runs in the face of the logic that one of the qualifications of members of county committees should be experience. I should like to know if Senators would say that if a Senator had served more than three terms he should never be permitted to run for the Senate again.

Mr. JOHNSTON of South Carolina. Madam President, will the Senator yield?

Mr. HUMPHREY. I yield to the Senator from South Carolina.

Mr. JOHNSTON of South Carolina. The amendment of the Senator from Minnesota would simply make it impossible for the Secretary of Agriculture to say, "I am in favor of putting you out of office after three terms."

Mr. HUMPHREY. I remind my colleagues that three terms comprise a period of only 3 years. It is not 6 or 8 years, but 3 years. I wish to make it clear that the only purpose of my amendment is to permit county committees to be truly representative of the farmers.

Mr. AIKEN. Madam President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Vermont?

Mr. HUMPHREY. Of course I yield.

Mr. AIKEN. Madam President, first I wish to say that the reorganization of the county committee system, as put into effect by the Secretary of Agriculture, in no way interferes with the right of the farmers of each community or of each county to elect their own committees. It simply provides that when a person has served for 3 years on such a committee, he must then "lay off" for 1 year, so as to give someone else a chance.

The reason for that was that in certain States, little groups had control of the committees, and went on year after year after year, until they became the "whole show," and no one else had a look-in. The Secretary's order simply provides that when such persons have served on the committees for 3 years, they must "lay off" for 1 year. Thereafter, they can serve for another 3 years. But in the meantime there will be rotation in the committee positions, among the farmers of the community or of the county; and the Secretary's order will prevent a continuation of the little "closed corporations" which had existed in a few States.

Most of the States had been handling this matter very well, but a few States had not done quite so well. That was the reason for the Secretary's order. It does not in any way interfere with the right of the farmers of any community to elect their own committee members.

Mr. HUMPHREY. Madam President, in order that my colleagues may know what the situation is in regard to this matter, let me say that the only State of the Union which is exempt from the application of the order, so far as I know, is the State of Minnesota; and Minnesota has been exempted from the application of the order because the head of the Production and Marketing Administration in Minnesota said—and in making this statement I am only reporting what has been carried in the press, including in the Wayne Darrow Newsletter; I did not plan to bring up this point in the debate, but in view of the way the situation has developed, we should set forth the facts—that if the rule went into effect in Minnesota, it would assure the reelection of Senator HUMPHREY.

Madam President, I want to make sure that the rule does not go into effect in Minnesota. [Laughter.]

Let me say that the farmers have a right to reelect 15 times, if they choose to do so, those whom they have chosen to elect to these committees, if the ones they have chosen serve them well. After all, some persons have served in the House of Representatives for 30 years, in other words, for 15 terms; and some Members of the United States Senate have served in this body for a similar number of years.

Madam President, let me say that all my amendment says is that neither Mr. Benson nor any other Secretary of Agriculture can impose by edict a rule to

the effect that if a person serves ably on one of these committees for three terms, in other words, for 3 years, he must then stand aside and let someone else come in.

We should let the farmers decide about this matter. Who are we to decide who should serve on the farmer-elected committees? What right does the Senate have at this moment to decide about the qualifications of those who serve on the county or community committees?

However, the rule promulgated by the Secretary would say, in effect, "If you are experienced in the work, you must get out; and, instead, we shall get someone who is inexperienced."

Madam President, let me say that I have not had an opportunity to discuss this matter with the Minnesota Administrator of the Production and Marketing Administration or with anyone else connected with the Administration; but it is shocking, to me, that the Secretary of Agriculture would lay down a rule stating to the farmers, in connection with the selection of their county and local committees, "If you wish to elect someone to serve you on your county or local committee, you cannot elect a person who has served you in that position for 3 years." Madam President, such a rule simply does not make any sense.

Mr. YOUNG. Madam President, will the Senator from Minnesota yield to me?

Mr. HUMPHREY. I yield.

Mr. YOUNG. Madam President, I think I am one of the very few Members of the Senate who have served on these committees. I started serving in 1934. Most of the members of the committees in the Northwestern States are good Republicans, and are well posted on these programs. They know how to deal with these problems. The farmers want to reelect those members, and I think they should have a right to reelect them if they so desire. It is wrong to tell a farmer that he cannot reelect such men to serve when they are probably the best men, and most respected men, in the community. They are probably the best Republicans in the average communities in many Republican States.

Mr. HUMPHREY. I thank the Senator from North Dakota.

Mr. DOUGLAS. Madam President, will the Senator from Minnesota yield to me?

Mr. HUMPHREY. I yield.

Mr. DOUGLAS. Would the Senator from Minnesota say that the ruling by the Department of Agriculture is characteristic of a bureaucracy and the attempts of a bureaucracy to extend its hand into local government, suppressing the desires of the localities, and doing so at the expense of a strong, centralized force, thus infringing upon the rights of the States and, in fact, upon the rights of government itself?

Mr. HUMPHREY. I think that is an accurate statement of the situation.

Madam President, I think no more need be said on the amendment.

Mr. KNOWLAND. Madam President, will the Senator from Minnesota yield, so that I may suggest the absence of a quorum, if it is understood that the time required for that purpose will be divided equally between the two sides?

Mr. HUMPHREY. I yield for that purpose, Madam President.

Mr. KNOWLAND. Let me inquire whether the Senator from Minnesota and the Senator from Vermont will be willing to yield all but 5 minutes of the time remaining to them, with the understanding that at this time we have a quorum call, and that when a quorum is present, the further discussion of the amendment be limited to 5 minutes to a side?

Mr. HUMPHREY. I am perfectly willing to have that done, Madam President.

Mr. KNOWLAND. Then, Madam President, I ask unanimous consent that at this time there may be a quorum call, with the time required for that purpose to be divided equally between the two sides, except for 5 minutes for each side; and if unanimous consent is given in accordance with that request, I shall now suggest the absence of a quorum.

Mr. HUMPHREY. Before that is done, Madam President, I ask unanimous consent to have printed at this point in the RECORD a statement on the amendment and a newspaper article.

There being no objection, the statement and article were ordered to be printed in the RECORD, as follows:

FARMER COMMITTEES—STATEMENT BY SENATOR HUMPHREY

As we proceed with emasculating America's great farm program, cannot we pause long enough to at least preserve a voice for farmers themselves in how the remnants of our farm program is administered?

I have sent to the desk an amendment seeking to protect the rights of farmers to elect neighbors of their own choosing to serve on the farmer-committees that have proven so effective in putting democracy into action in rural America.

During the 1952 campaign Candidate Eisenhower repeatedly assured farmers he would let them run their own farm programs.

Let me cite a few such instances:

At Kasson, Minn., he said:

"I pledge you that the Republican Party is going forward with positive, aggressive, farmer-run farm programs. * * * Our goal will be sound, farmer-run programs that safeguard agriculture * * * the programs must be transferred into genuinely farmer-run operations."

At Columbia, S. C., he said:

"Management and direction of the farm program * * * federally financed though it will be * * * must be turned over to the farmer."

At St. Cloud, Minn.:

"At Kasson, I had the opportunity to outline a part of the farm program that the Republicans will support and urge and operate * * *. There was another part of it; that every kind of program adopted for the future would be farmer run, locally run."

At New Orleans:

"What we need is to start from here and build a better program based on more farmer participation."

At Memphis:

"I pledge you an administration that will cleanse all farm programs of partisan politics, that will decentralize their administration, that will increase farmer participation in their own programs."

Despite such assurances, we have been headed in just the opposite direction.

Committees have been made advisory, rather than administrative. I am deeply concerned over indications that the Department of Agriculture is seeking to minimize the participation of such farmer committees in the operation of our farm programs, and seeking to block participation of the most experienced farmer committeemen in such work.

During the past 20 eventful years, farmers have come to a new awareness, that they must make their voices heard if they are to have the kind of program they want and need. They realize more than ever that they must actively participate in guiding these programs along sound and practical lines if the desired results are to be obtained.

Through practical experience over the years, and with the valuable help of sympathetic legislators, farmers have developed the democratically elected farmer-committee system.

This system has proved to be a most effective means for farmers themselves to share in the formulation and administration of farm programs. Regardless of partisan political differences over farm policy or its administration, the principle of farmers running their own farm programs, through farmer committees they themselves elect from among their own neighbors, has become a proven success.

I have long been convinced that the system of freely elected farmer committeemen is an example of economic democracy which no other country, and no other branch of American free enterprise, can equal.

This system of farmer participation in the administration of farm programs has been a very real factor in the amazing progress of our agriculture during the past 20 years. In my opinion, and in the opinion of most farmers with whom I have talked, it should certainly be maintained to meet adequately the new challenges to agriculture that still lie ahead.

There always has been some, for one reason or another, who have objected to farmers having a direct voice in the administration of their farm programs. In the main, the opposition has come from foes of the farm price-support programs who realize the difficulty of undermining those programs, or rendering them useless and ineffective, as long as farmers themselves are responsible for administering them.

The opposition has not come out in the open with frontal attacks upon the right of farmers to have an active voice in their own affairs; rather, it has used more subtle approaches in an attempt to discredit the farmer committees, or to trim their sails by making them only advisory instead of having any real administrative authority.

Just recently, the Department has gone a step further in crippling these committees by an administrative order saying no farmer may be reelected who has served more than 3 years previously.

We either believe in farmer committees or we don't.

If we believe in farmer committees, the farmers should have a right to elect who they please, regardless whether they have already served 1, 2, 3, 4, or 5 years.

All my amendment says is that the Secretary of Agriculture has no right to impose any limitation on the number of terms such committeemen serve as long as they are democratically elected.

Anyone voting against this amendment is saying, in effect, that farmers should no longer have the right to choose whoever they please to represent them.

[From the St. Paul Dispatch of July 24, 1954]

MIDWEST BEARS MILK BURDEN

(By Alfred D. Stedman)

Minnesota and neighboring States of the Midwest with bargain milk prices seem to be carrying the main burden of the downward adjustments of milk production that Secretary Benson credits to his lowering of Federal dairy price supports, dairymen said today.

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In eastern areas that are maintaining high consumer prices by barring the Midwest's cheaper milk, production has been rising instead of falling, they pointed out.

And in addition, larger surpluses not consumed as fluid milk at the high consumer prices in the monopoly markets are spilling over into competition with the Midwest's factory dairy products.

In Minnesota, Iowa, and North Dakota, milk production in June dropped from June production last year and in Wisconsin the rise was only a trifle over 1 percent.

But under the New York Federal milk order, milk production for June actually rose 3.6 percent over last June's production. And at the same time a shrink in New York milk consumption under its high retail prices left a surplus of 483 million pounds of its milk to go into competition with Minnesota factory products.

That amount of New York surplus milk was more than half of Minnesota's entire June production and 58½ percent of New York area production in June.

Minnesota's June milk production actually declined 10 million pounds to 924 million from 934 million pounds last year, official figures showed. At the same time, milk consumption here under moderate milk prices was rising, thus cutting into the dairy surplus, instead of falling to increase that surplus as in New York. Fluid milk consumption rose in the Twin Cities from about 30.6 million pounds last June to 32.2 million pounds this June while in New York it fell 8.8 million pounds, official reports showed.

Also in Pennsylvania, another high price market, where the State milk board has just officially refused a license to a moderate-priced milk distributor from neighboring Ohio, milk production also rose slightly in June this year.

The major burden for dairy price adjustments is likely to continue to rest on Minnesota, Wisconsin, Iowa, and neighboring dairy manufacturing States so long as eastern and southern fluid milk prices are kept high out of relation to our prices by Federal tariffs, sanitary barriers and other monopoly devices, dairy spokesmen here contend.

Mr. HUMPHREY. Madam President, I am ready to vote on the amendment.

Mr. KNOWLAND. Madam President, I now ask unanimous consent, in accordance with my previous request, that I may suggest the absence of a quorum.

The PRESIDING OFFICER. Is there objection to the request of the Senator from California? Without objection, it is so ordered.

The absence of a quorum having been suggested, the clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Ferguson	Lehman
Anderson	Fulbright	Lennon
Barrett	George	Long
Beall	Gillette	Magnuson
Bennett	Goldwater	Malone
Bowring	Gore	Mansfield
Bricker	Green	Martin
Bridges	Hayden	Maybank
Burke	Hendrickson	McCarran
Bush	Hennings	McCarthy
Butler	Hickenlooper	McClellan
Byrd	Hill	Millikin
Capehart	Holland	Morse
Carlson	Humphrey	Mundt
Case	Ives	Murray
Clements	Jackson	Neely
Cooper	Jenner	Pastore
Cordon	Johnson, Colo.	Payne
Crippa	Johnson, Tex.	Potter
Daniel	Johnston, S. C.	Purtell
Dirksen	Kefauver	Reynolds
Douglas	Kennedy	Robertson
Duff	Kerr	Russell
Dworshak	Knowland	Saltonstall
Ellender	Kuchel	Schoeppel
Ervin	Langer	Smathers
Smith, Maine	Thye	Wiley
Smith, N. J.	Upton	Williams
Stennis	Watkins	Young
Symington	Welker	

The PRESIDING OFFICER. A quorum is present.

Under the unanimous consent agreement, 10 minutes are now available on the amendment of the Senator from Minnesota to the committee amendment, with the time to be divided equally between the Senator from Vermont [Mr. AIKEN] and the Senator from Minnesota [Mr. HUMPHREY].

Mr. HUMPHREY. Madam President, in order that the RECORD may be crystal clear, let me say that the amendment will do nothing more or less than to keep in the law and in the administration what was in the law and in the administration until recent months. All it does is permit the farmers to have their own elections, so long as they are democratically held, for their own agricultural stabilization committees, commonly known as the farmer-elected committees.

I have here, for example, some quotations which I think are rather pertinent to this question.

At Columbia, S. C.—and I look at the Senator from South Carolina [Mr. JOHNSTON]—Mr. Eisenhower said in 1952:

> The management and direction of the farm program, federally financed though it will be, must be turned over to the farmer.

At St. Cloud, Minn., the President, the then candidate, said:

> At Kasson, I had opportunity to outline a part of the farm program that the Republicans will support, urge, and operate.

This is another part of it:

> That every kind of program adopted for the future will be farmer run, locally run.

At New Orleans—the Senator from Louisiana [Mr. LONG] is here in the chamber, and I know he would be interested in this—Mr. Eisenhower speaking:

> What we need is to start from here and build a better program based on more farmer participation.

At Memphis—our friends from Tennessee would be most interested in this—Mr. Eisenhower said:

> I pledge you an administration that will cleanse all farm programs of partisan politics—

May I repeat that—

> I pledge you an administration that will cleanse all farm programs of partisan politics, that will decentralize their administration, that will increase farmer participation in their own programs.

Mr. LONG. Madam President, will the Senator yield?

Mr. HUMPHREY. I yield to the Senator from Louisiana.

Mr. LONG. Could it be that the way to cleanse the program of politics is to tell the farmers they cannot elect whom they want to elect to these committees?

Mr. HUMPHREY. I think the Senator knows the farmers are the best judge of whom they want, and that this kind of rule which has been imposed is rank partisanship and rank administrative bureaucracy.

Mr. LANGER. Madam President, will the Senator yield?

Mr. HUMPHREY. I yield to the Senator from North Dakota.

Mr. LANGER. It would be as sensible to say that after a Senator has been elected once, he cannot run again.

Mr. HUMPHREY. The Senator is correct. As pointed out here, this has nothing to do with whether a committeeman is a Democrat or a Republican. In some States, most of the committeemen are obviously Republicans. In others, there may be some Democrats. I have not the slightest idea. We have not gone around giving political blood tests in order to determine whether or not the men the farmers want to elect to these committees have a right to serve on them.

So I boil my cause down to these two paragraphs.

All my amendment says is that the Secretary of Agriculture has no right and should have no right to impose any limitation on the number of terms such committeemen serve, so long as they are democratically elected in a free election.

Mr. LENNON. Madam President, will the Senator yield for a question?

Mr. HUMPHREY. I yield to the Senator from North Carolina.

Mr. LENNON. Does the Senator know of anything in which the farmers are more interested than the right to determine for themselves who shall manage their program?

Mr. HUMPHREY. I know of no other subject that would be of such interest to them, and the farmers guard that right of theirs jealously, as they should, because the county and local committees have done a good job, and they have done it without much fanfare or heralding of their accomplishment. They have done an amazing job.

Mr. LENNON. Madam President, will the Senator further yield?

Mr. HUMPHREY. I yield.

Mr. LENNON. Does the Senator know of anything the Congress could do to hurt the program more than to say to the farmers of America, "You cannot determine by your own selection those of you who are to manage the program"?

Mr. HUMPHREY. If we were to say that to the farmers, we would be literally insulting them, telling them they did not know enough to conduct their own business. That is what I was about to say. Any Senator voting against this amendment is saying, in effect, that the farmers should no longer have the right to choose whoever they please to represent them. Surely I am not going to say that, and I do not think the majority of the Senate will say that.

Mr. JOHNSTON of South Carolina. Madam President, will the Senator yield?

Mr. HUMPHREY. I yield to the Senator from South Carolina.

Mr. JOHNSTON of South Carolina. Is it not true that the farmers of a particular locality go to the committeemen for advice, wanting to know what to do about this and that concerning farming?

Mr. HUMPHREY. Indeed they do. The committeemen are looked upon as advisers and counselors of the whole farm program as it relates to price supports and soil conservation.

Mr. JOHNSTON of South Carolina. That being so, is it not further true that the 3 years of experience will be worth a great deal to all the farmers in the immediate community?

Mr. HUMPHREY. Of course that is true. As a matter of fact, the farmer who is willing to take on these responsibilities renders a great public service. Those who are willing to serve as committeemen should be honored at least with the privilege of being able to serve again if their community members want them to do so.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. HUMPHREY. I regret my time has expired.

The PRESIDING OFFICER. The Senator from Vermont has 5 minutes.

Mr. AIKEN. I hope the amendment of the Senator from Minnesota will not prevail. I think the Senator from Minnesota is harking back in his memory to the time 4 years ago when the State PMA Committee of Minnesota instructed the county PMA committees to bring every community committeeman in to St. Paul, and offered to pay them $8 a day and their expenses for coming there to hear Secretary Brannan and the junior Senator from Minnesota make speeches. That cost the farmers of Minnesota about $40,000. The Senator from Minnesota and the Secretary of Agriculture, Secretary Brannan, never mentioned the ACP or the PMA program in the course of their speeches. The General Accounting Office, which went into the matter, found that it was not illegal to hire 5,000 county committeemen to go to St. Paul for that purpose.

Some of the committeemen wrote me and told me they had refused to take the money proffered them. They complained about the proceedings very vigorously.

It seems that there was a grand celebration there, supposedly to discuss the PMA program, but the Secretary of Agriculture and the junior Senator from Minnesota never mentioned the PMA program in their speeches.

Mr. LONG. Madam President, will the Senator yield for a question?

Mr. AIKEN. I will not.

They talked plain politics, and nothing else, and took $40,000 out of the pockets of the farmers of Minnesota.

Mr. LONG. Madam President, will the Senator yield for a question?

Mr. AIKEN. I will not.

The PRESIDING OFFICER. The Senator from Vermont refuses to yield.

Mr. AIKEN. I have limited time.

I am telling the truth, and it can be verified from the RECORD. Look in the CONGRESSIONAL RECORD and also in the records of the General Accounting Office.

Mr. JOHNSTON of South Carolina. Madam President, will the Senator yield?

Mr. AIKEN. The Senator from Minnesota apparently wants the good old days to come back but the Secretary of Agriculture has now undertaken a reorganization of those committees so that such a thing cannot recur. There is nothing in his order to prevent the farmers of a community or a county from electing whom they want on their committees, regardless of politics. There is an order that a county committeeman can serve 3 years, then he has to lay off 1 year, and then he can serve on the committee for another 3 years. What is wrong with that limitation? The Congress has limited the number of terms the President of the United States can serve. Most of our successful cooperatives provide for rotation of their directors. What is wrong with having a sound instead of a purely political State ASC program?

Madam President, how much time have I remaining?

The PRESIDING OFFICER. A minute and a half.

Mr. AIKEN. How much time has the other side remaining?

The PRESIDING OFFICER. The proponents have no time remaining.

Mr. AIKEN. I yield back the remainder of my time.

Mr. CLEMENTS. Madam President, I yield a minute on the bill to the Senator from Louisiana [Mr. LONG].

Mr. LONG. Madam President, if I correctly understand the argument made by the distinguished chairman of the committee, it boils down to the fact that these committee chairmen, these farmers, should not have an opportunity to serve a third or fourth term even though the other farmers may want them to serve, because they happened to have heard a speech made by the Senator from Minnesota [Mr. HUMPHREY]. If that is the only argument against the amendment, we should adopt it.

Mr. CLEMENTS. Madam President, I yield 2 minutes on the bill to the Senator from Minnesota.

Mr. HUMPHREY. Madam President, I am rather surprised by the argument made by the Senator from Vermont. It has no more relevancy to the issue than the man in the moon. It is about as relevant to the issue as a trip to Mars.

Mr. CLEMENTS. Madam President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. CLEMENTS. Is that argument not typical of what we have seen happening in the Senate today?

Mr. HUMPHREY. I regret to say that it is most untypical of what I had expected to see in the Senate Chamber. My friend, the Senator from Vermont, very well knows that the junior Senator from Minnesota at no time ever denied that he made a speech. I will say I made a good speech.

Mr. AIKEN. And a political speech.

Mr. HUMPHREY. A good speech. If talking politics means talking about 90 percent of parity, perhaps the Senator is right. I talked about good farm principles, and I talked about soil conservation, and I talked on my own time. The Senator knows that those farm committeemen had been there in conference for 2 or 3 days. He knows they had been there listening to representatives of the Commodity Credit Corporation and to representatives who have sat in the Senate gallery, like Mr. Wooley, who was there, and talked to them.

What did the Senator from Vermont expect me to talk about to farm people? I went there to talk about farm legislation. If the Senator from Vermont thinks that is politics, then that is the way he looks at this legislation. I gave them my views on price supports. Those views have not changed since, and they are not changing tonight.

I say that the amendment does nothing more than ask the Secretary of Agriculture to permit the farmers to manage their own affairs. What the Senator from Minnesota said in 1951 or in 1950, or whenever it was, is wholly irrelevant to the situation before us. I repeat that what I said made enough good sense to the farmers so that at the end of my remarks the audience stood as one man and cheered what I had said. I venture to predict that the Secretary of Agriculture would not get such a reception in Minnesota, or in any other State.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Minnesota [Mr. HUMPHREY] to the committee amendment. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. SALTONSTALL. I announce that the Senator from Vermont [Mr. FLANDERS] is necessarily absent.

On this vote the Senator from Vermont [Mr. FLANDERS] is paired with the Senator from Alabama [Mr. SPARKMAN]. If present and voting, the Senator from Vermont [Mr. FLANDERS] would vote "nay" and the Senator from Alabama [Mr. SPARKMAN] would vote "yea."

Mr. CLEMENTS. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Mississippi [Mr. EASTLAND], the Senator from Delaware [Mr. FREAR], the Senator from West Virginia [Mr. KILGORE], the Senator from Oklahoma [Mr. MONRONEY], and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

I announce further that on this vote, the Senator from Alabama [Mr. SPARKMAN] is paired with the Senator from Vermont [Mr. FLANDERS]. If present and voting, the Senator from Alabama would vote "yea" and the Senator from Vermont would vote "nay."

The result was announced—yeas 45, nays 44, as follows:

YEAS—45

Anderson	Holland	Maybank
Burke	Humphrey	McCarran
Byrd	Jackson	McClellan
Clements	Johnson, Colo.	Morse
Daniel	Johnson, Tex.	Murray
Douglas	Johnston, S. C.	Neely
Ellender	Kefauver	Pastore
Ervin	Kennedy	Robertson
Fulbright	Kerr	Russell
George	Langer	Smathers
Gore	Lehman	Stennis
Green	Lennon	Symington
Hayden	Long	Thye
Hennings	Magnuson	Wiley
Hill	Mansfield	Young

NAYS—44

Aiken	Dirksen	Millikin
Barrett	Duff	Mundt
Beall	Dworshak	Payne
Bennett	Ferguson	Potter
Bowring	Gillette	Purtell
Bricker	Goldwater	Reynolds
Bridges	Hendrickson	Saltonstall
Bush	Hickenlooper	Schoeppel
Butler	Ives	Smith, Maine
Capehart	Jenner	Smith, N. J.
Carlson	Knowland	Upton
Case	Kuchel	Watkins
Cooper	Malone	Welker
Cordon	Martin	Williams
Crippa	McCarthy	

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NOT VOTING—7

Chavez	Frear	Sparkman
Eastland	Kilgore	
Flanders	Monroney	

So Mr. HUMPHREY's amendment to the committee amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. HUMPHREY. Madam President, I move that the Senate reconsider the vote by which my amendment was agreed to.

Mr. JOHNSTON of South Carolina. Madam President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from South Carolina [Mr. JOHNSTON] to lay on the table the motion to reconsider of the Senator from Minnesota [Mr. HUMPHREY].

Mr. KNOWLAND. Madam President, on this question I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk called the roll.

Mr. SALTONSTALL. I announce that the Senator from Vermont [Mr. FLANDERS] is necessarily absent.

On this vote the Senator from Vermont [Mr. FLANDERS] is paired with the Senator from Alabama [Mr. SPARKMAN]. If present and voting the Senator from Vermont [Mr. FLANDERS] would vote "nay" and the Senator from Alabama [Mr. SPARKMAN] would vote "yea."

Mr. CLEMENTS. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Mississippi [Mr. EASTLAND], the Senator from Delaware [Mr. FREAR], the Senator from West Virginia [Mr. KILGORE], the Senator from Oklahoma [Mr. MONRONEY], and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

I announce further that on this vote the Senator from Alabama [Mr. SPARKMAN] is paired with the Senator from Vermont [Mr. FLANDERS]. If present and voting the Senator from Alabama would vote "yea" and the Senator from Vermont would vote "nay."

The result was announced—yeas 46, nays 43, as follows:

YEAS—46

Anderson	Holland	McCarran
Burke	Humphrey	McClellan
Byrd	Jackson	Morse
Clements	Johnson, Colo.	Murray
Daniel	Johnson, Tex.	Neely
Douglas	Johnston, S. C.	Pastore
Eliender	Kefauver	Robertson
Ervin	Kennedy	Russell
Fulbright	Kerr	Smathers
George	Langer	Stennis
Gillette	Lehman	Symington
Gore	Lennon	Thye
Green	Long	Wiley
Hayden	Magnuson	Young
Hennings	Mansfield	
Hill	Maybank	

NAYS—43

Aiken	Dirksen	Mundt
Barrett	Duff	Payne
Beall	Dworshak	Potter
Bennett	Ferguson	Purtell
Bowring	Goldwater	Reynolds
Bricker	Hendrickson	Saltonstall
Bridges	Hickenlooper	Schoeppel
Bush	Ives	Smith, Maine
Butler	Jenner	Smith, N. J.
Capehart	Knowland	Upton
Carlson	Kuchel	Watkins
Case	Malone	Welker
Cooper	Martin	Williams
Cordon	McCarthy	
Crippa	Millikin	

NOT VOTING—7

Chavez	Frear	Sparkman
Eastland	Kilgore	
Flanders	Monroney	

So the motion of Mr. JOHNSTON of South Carolina to lay on the table Mr. HUMPHREY's motion to reconsider was agreed to.

Mr. HOLLAND. Mr. President, I offer my amendment No. 1, and ask that it be stated.

The VICE PRESIDENT. The Secretary will state the amendment to the amendment.

The LEGISLATIVE CLERK. In the committee amendment, on page 36, line 14, before the period, it is proposed to insert the following: "and to the maintenance of a proper balance between soil conserving and soil depleting crops on the farm."

Mr. HOLLAND. Mr. President, this amendment would simply require the Secretary of Agriculture, in carrying out agricultural conservation programs, to give particular consideration to the maintenance of a proper balance between soil conserving and soil depleting crops on the farm. I do not believe the amendment is at all controversial.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Florida [Mr. HOLLAND] to the committee amendment.

The amendment to the amendment was agreed to.

Mr. HOLLAND. Mr. President, I offer my amendment No. 4, and ask that it be stated.

The VICE PRESIDENT. The Secretary will state the amendment to the amendment.

The LEGISLATIVE CLERK. In the committee amendment, on page 24, lines 18 and 19, it is proposed to strike out "to the extent he determines practicable" and insert "to the fullest extent practicable."

Mr. HOLLAND. Mr. President, this proposed amendment provides for a minor difference in words. Section 205 of the committee amendment directs the Secretary of Agriculture to impose restrictions on the use of diverted acreage "to the extent he determines practicable." This proposed amendment would simply direct the Secretary to impose such restrictions "to the fullest extent practicable," thereby emphasizing the obligation of the Secretary to impose these restrictions. I do not believe the amendment is controversial.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. STENNIS. As I understand the section the Senator from Florida is discussing, it is with reference to the diverted acres, meaning acres which are taken out of production of any particular commodity. The Secretary will have authority to limit what can be grown upon those diverted acres.

The point I desire to make is not in opposition to that principle, but is rather a question: What year is the Secretary going to use in figuring how many acres are classified as diverted?

In other words, for example, as to cotton I understand that the Secretary is considering using the year 1953, which was a very large year of production. If the farmer is forced to reduce 50 acres from a 100-acre crop in 1953, he would have 50 diverted acres subject to this control—1954 would be a smaller acreage year. If the farmer could have the 1954 acreage figured in, he would not have such a large number of the so-called diverted acres. Is the Senator familiar with that phase of the problem?

Mr. HOLLAND. Mr. President, I wish I could give a categorical answer to my friend from Mississippi. My own opinion is that this provision would apply from year to year; that a reduction made in any particular year would have applied to it this condition for the next year. But on this point I would much prefer to have the opinion of the Senator from Vermont [Mr. AIKEN] and the Senator from New Mexico [Mr. ANDERSON], since they collaborated in the drafting of the original wording.

Mr. STENNIS. I value the opinions of both those Senators. However, the point I wish to make is that I understand the Secretary of Agriculture is using the year 1953, which I respectfully submit would be somewhat out of line. Why should we not take 1954, if we are to use only one year for the purpose of making the comparison? I am trying to offer constructive suggestions, without trying to defeat the purpose the Senator has in mind.

Mr. HOLLAND. Mr. President, I appreciate the attitude of the Senator from Mississippi.

While my change of wording would not affect the situation one way or the other, I have expressed the opinion that this condition would continue from year to year. This means that a reduction made this year, looking to next year, would divert certain acres. As to those particular diverted acres, this control would apply for the following year.

I ask if the Senator from Vermont [Mr. AIKEN] and the Senator from New Mexico [Mr. ANDERSON] have the same idea?

Mr. AIKEN. I think the Senator from Florida has described the situation as it is.

Mr. STENNIS. If the Senator from Florida will yield further, would the Senator from Florida or the Senator from Vermont object to inserting an amendment specifying that this control continues from year to year, starting in 1954? If that is too narrow, I propose to make it cover 1952, 1953, and 1954.

My point is that I believe 1953 as a standard would be unduly harsh.

Mr. AIKEN. I doubt, Mr. President, if we could find any one year which would reflect equitable conditions for all parts of the country at the same time. I think the Secretary has discretion to take that fact into consideration in laying out his program.

Mr. STENNIS. If the Senator from Florida will yield further, Mr. President, it seems it is agreed that this control should continue from year to year after these reductions start. If that is too narrow a time limit, let us extend it to cover at least 3 years, so that there will be some kind of congressional expression without a definite limitation on the Secretary.

Mr. HOLLAND. Mr. President, I had suggested that the Senator from New

Mexico [Mr. ANDERSON] should also express his opinion; and I ask unanimous consent that I may yield to the Senator from New Mexico on that point.

Mr. ANDERSON. If the Senator will permit me to say so, I do not think 3 years would be an appropriate period of time. I think it is in the year when cotton is taken out of production that one should worry about the whole proposition. The way it should be considered is from year to year.

Mr. STENNIS. That would suit the Senator from Mississippi splendidly. What I am trying to avoid is having only the year 1953 considered.

Mr. ANDERSON. I should think it ought to be possible to establish enough legislative history so that the Secretary of Agriculture would not try to use the year 1953 alone. I do not think that is the purpose at all. It is not the way it should be interpreted, anyway.

Mr. STENNIS. Do I understand that the Senator from Vermont agrees to the interpretation given by the Senator from New Mexico?

Mr. AIKEN. I would accept the judgment of the Senator from New Mexico on the question. The Senator from Vermont will have to admit that he has not studied this particular matter sufficiently to form an opinion, and he relies upon the opinion of the Senator from New Mexico, because I know he has been studying that part of the bill.

Mr. HOLLAND. If the Senator from Mississippi has a question on that point, I should like to inform him that it would not in any wise be affected by the amendment I have offered.

Mr. STENNIS. I thank the Senator.

Mr. HOLLAND. Mr. President, I ask for a vote on my amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Florida [Mr. HOLLAND] to the committee amendment.

The amendment to the amendment was agreed to.

The VICE PRESIDENT. The committee amendment is open to further amendment.

Mr. HOLLAND. Mr. President, I ask that my amendment No. 3, designated "8-4-54-C", be stated.

The VICE PRESIDENT. The clerk will state the amendment.

The CHIEF CLERK. In the committee amendment on page 28, between lines 3 and 4, it is proposed to insert the following:

SEC. 307. Section 348 of the Agricultural Adjustment Act of 1938, as amended, is amended to read as follows:

"SEC. 348. (a) Any person who knowingly plants any basic agricultural commodity on his farm in any year in excess of the farm acreage allotment for such commodity for the farm for such year under this title shall not be eligible for any payment for such year under the Soil Conservation and Domestic Allotment Act, as amended.

"(b) Persons applying for any payment of money under the Soil Conservation and Domestic Allotment Act, as amended, with respect to any farm located in a county in which any basic agricultural commodity has been planted during the year for which such payment is offered, shall file with the application a statement that the applicant has not knowingly planted, during the current year, any basic agricultural commodity on land on his farm in excess of the acreage allotted to the farm under this title for such year."

Renumber succeeding sections accordingly.

Mr. HOLLAND. Mr. President, this amendment may be controversial. I hope it will not be so. Under the present law a similar provision applies to cotton acreage, but does not apply to other acreage. The intent of the amendment is to make the same provision apply to other commodities, namely, that anyone who knowingly exceeds his acreage allotment for the other commodities, just as is provided in the case of cotton, shall be ineligible for payments under the Soil Conservation and Domestic Allotment Act, as amended. In other words, the purpose of the amendment is to put those persons who deliberately exceed their allotments on exactly the same basis as is applicable to cotton farmers who do so.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield to the Senator from Mississippi.

Mr. STENNIS. As we are operating under allotted time, I ask the Senator from Florida to yield me sufficient time so that I may say a word with reference to the matter which was discussed in the colloquy between me, the Senator from Vermont, and the Senator from New Mexico. I am relying on their assurances of what they think is a sound rule for ascertaining the number of diverted acres, which is that they should not be ascertained by considering a previous year when controls were not in effect, but that the ascertainment of diverted acreage for 1 year should be based upon the acreage allotments for the preceding year. I shall not insist that such a provision be written into law. I think it would be difficult to word satisfactorily. I think we have an understanding that is satisfactory to all parties, and I rest my case on that, with especial thanks to the Senators for their reassurances.

Mr. HOLLAND. I should like to reiterate that I do not believe under any circumstances should a previous year be considered, if that is what the distinguished Senator means.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Florida [Mr. HOLLAND] to the committee amendment on page 28, between lines 3 and 4.

The amendment to the amendment was agreed to.

The VICE PRESIDENT. The committee amendment is open to further amendment.

Mr. ANDERSON. Mr. President, I have an amendment at the desk, which I ask to have stated.

The VICE PRESIDENT. The clerk will state the amendment.

The CHIEF CLERK. In the committee amendment on page 34, in line 9, it is proposed to change the period to a semicolon and insert:

Provided, That this prohibition shall not apply to such commodities when shipped into continental United States from the Commonwealth of Puerto Rico or any Territory or possession of the United States where this act has force and effect.

Mr. ANDERSON. Mr. President, I yield myself 1 minute. The amendment is offered only because the Commission from Puerto Rico is afraid that a marketing quota provided in an amendment proposed by the Senator from Florida might be considered as stopping importations from Hawaii and from Puerto Rico into the United States.

I am asking the able chairman of the committee to take this amendment to conference to see if the fears of the Commissioner from Puerto Rico are well founded. If they are, the amendment ought to be made part of the law. Otherwise, it should be left out. I do not think it was the intention of the Senator from Florida to bar Puerto Rican products.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield to the Senator from Florida.

Mr. HOLLAND. There was no intention whatever in the wording employed in that particular provision or in the amendment of the Senator from Arizona to apply to any imports except those from foreign countries, and, of course, Puerto Rico, Alaska, Hawaii, and the Virgin Islands are Territories of the United States and would not be affected in anywise by the wording to which the Senator refers.

Mr. AIKEN. Mr. President, I accept the amendment of the Senator from New Mexico. It is obviously intended to corrent an omission in the amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from New Mexico [Mr. ANDERSON] to the committee amendment, on page 34, line 9.

The amendment to the amendment was agreed to.

The VICE PRESIDENT. The committee amendment is open to further amendment.

Mr. HUMPHREY. Mr. President, I send to the desk, on behalf of myself and the senior Senator from Wisconsin [Mr. WILEY] an amendment, which I ask to have stated.

The VICE PRESIDENT. The clerk will state the amendment.

The CHIEF CLERK. In the committee amendment, on page 34, between lines 20 and 21, it is proposed to insert the following:

SEC. 402. The Agricultural Marketing Agreement Act of 1937 is amended by adding at the end thereof the following new section:

"SEC. 7. (a) The purpose of this section is to remove those barriers to the free movement of milk and milk products in interstate commerce which now exist because of milk marketing agreements and orders issued under this act, and because of various State and local sanitation requirements; and to provide uniform sanitation standards governing milk and milk products shipped in interstate commerce.

"(b) The Surgeon General of the Public Health Service shall prescribe uniform sanitation standards governing the production and handling of milk and milk products shipped in interstate commerce. As used in this section the term 'sanitary milk or milk products' means milk or milk products produced in a State whose chief agricultural officer has certified to the Secretary of Agriculture of the United States that milk and milk products produced in such State are produced and handled in compliance with the standards prescribed under this subsection.

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"(c) No marketing agreement or order issued under this act shall apply to, or be effective in, any marketing area in which any Federal, State, or local restrictions operate to prevent the free marketing of sanitary milk or milk products shipped into such area in interstate commerce.

"(d) No Federal, State, or local law shall operate to prevent the free marketing, in any area of the United States, of sanitary milk or milk products shipped into such area in interstate commerce."

Mr. ROBERTSON. Mr. President, will the Senator yield for a question?

Mr. HUMPHREY. I yield to the Senator from Virginia.

Mr. ROBERTSON. Is the purpose of the amendment to destroy the sanitary laws of the District of Columbia, so milk from Wisconsin and Minnesota may be shipped into the District of Columbia without inspection by the health officers of the District of Columbia, as is now required? Is that the purpose of the amendment?

Mr. HUMPHREY. No, that is not the purpose of the amendment.

Mr. ROBERTSON. Is not that what the purpose is?

Mr. HUMPHREY. No.

Mr. ROBERTSON. Why is it desired to destroy all the local inspection laws, so that milk from the State of Minnesota can be shipped into the District of Columbia, when such milk cannot now be shipped because of the inspection laws?

Mr. HUMPHREY. I shall speak to that question if the Senator from Virginia will permit me to do so.

Mr. President, I was expecting that there would be a certain amount of discussion of the amendment.

I desire to address myself to the amendment for a moment, and then I shall yield to the distinguished junior Senator from New Mexico [Mr. ANDERSON].

Mr. President, I have submitted the amendment so as to afford an opportunity to eliminate milk marketing barriers which are depriving consumers of low-cost milk.

Mr. President, there are two forms of milk price supports. Areas producing milk mainly for manufactured dairy products get support through the purchase and loan program which this administration has drastically slashed to 75 percent of parity.

Mr. KNOWLAND. Mr. President, will the Senator from Minnesota yield to me at this time, so that while a number of Senators are in the Chamber, we may have the yeas and nays ordered on the question of agreeing to this amendment?

Mr. HUMPHREY. Mr. President, I do not yield for that purpose at this time.

Mr. President, many of our major milk-producing areas surrounding metropolitan cities, however, get similar support through milk-marketing agreements fixing consumer prices.

Despite all the talk about getting lower prices to consumers, nothing at all has been done in this farm bill about getting milk prices down in our great cities—down enough to increase consumption to the point where the surplus could be wiped out. In fact, the debate is replete with evidence that despite the lower prices paid to the farmers who produce milk, the price of milk in the cities has continued to rise. That evidence has been presented a number of times by several Senators in connection with the debate on the dairy portion of this measure.

If we could bring about a lower price for milk, we would literally be able to wipe out much of the surplus, because the surplus is due primarily to the inability to ship milk and thus to have more milk consumed. As a result, much of the milk has been converted into manufactured products.

Mr. President, I have heard it said many times that the loan and purchase program has primarily been focused upon the Midwestern States, insofar as milk is concerned. Of course, that is true, because that area is one which produces milk in surplus quantities, and that area is unable to consume all the milk it produces, and therefore much of the milk produced in that area has to be converted into manufactured products. At the same time, milk has been selling at ever-rising or ever-increasing prices in many of the metropolitan areas, although in the country as a whole there is an abundance of milk which could be used to keep milk prices in line with the supply.

Mr. President, we know that we could produce milk and provide it to city consumers for less than they are now paying, if it were not for the artificial barriers shutting out Midwest milk from eastern cities.

If it is right to cut price supports on our Midwest dairy products, it seems only just to end restrictions on the sale of milk products anywhere in the United States. It seems unfair to provide a special kind of protection to a limited group of milk producers, at the expense of consumers. That is what this administration is now doing.

As the situation now stands, local fluid-milk producers in fluid milksheds operating under Federal orders are building walls around their areas and are excluding qualified milk from producers who can sell it cheaper.

None of us wants to undermine health precautions, but we do not want local health regulations misused to protect a monopoly, such as has been done in some instances.

My amendment proposes uniform national health standards for milk, as provided by the Public Health Service. Under my amendment, any milk meeting those standards could be marketed anywhere in the United States.

Mr. President, since reference has been made to the situation in the District of Columbia—although, to be frank about the matter, I did not particularly have in mind the situation in the District of Columbia, because the District of Columbia is one of many large metropolitan areas in the United States—let me point out that the District of Columbia is a Federal district; and if there is any part of the Nation which should be under Federal supervision, it is the District of Columbia. No matter how one may consider this matter the health authorities of the District of Columbia certainly are subject to the Federal law and the activities of the Federal agencies.

If the administration really believes what it says about opposing dairy product price supports because they keep dairy products from the consumers, then it should support, rather than oppose, my amendment to end milk-marketing barriers which are forcing artificially high fluid-milk prices in the cities.

Why should some milk producers have such price protection, when it is denied producers in the Midwest? Why should consumers be denied low-cost milk by such artificial barriers?

Mr. President, let me say that the purpose of the Federal milk-marketing orders was to assure that there would be available a sufficient quantity of milk for the larger centers of population. The purpose was to be helpful, to assure a good standard of milk delivery for consumers. But I say those orders have been abused in many areas, and certainly they are properly subject to a complete restudy. Likewise, such legislation now on the statute books needs to be examined.

Mr. President, at this time I yield to the Senator from New Mexico [Mr. ANDERSON].

Mr. ANDERSON. Mr. President, I wonder whether the Senator from Minnesota will agree with me that this is a very late hour at which to be taking up this matter, in connection with the farm bill. If, as the Senator from California [Mr. KNOWLAND] has suggested, we are to have a yea-and-nay vote on this amendment, I must state that I shall be compelled to vote against the amendment. I think a study should be made of the matter; the Committee on Agriculture and Forestry should study it. But it is now too late to have that done at this session.

Certainly there is a great deal to be said for the milk-marketing orders.

Mr. HUMPHREY. Indeed so, and I do not wish anything I have said to be regarded as a statement that I do not believe the milk-marketing orders are desirable. I simply say that some standards which have grown up around them have more or less perverted their use and application, so that they no longer serve the need which they were established to serve.

Mr. ANDERSON. I think that is true. However, I point out that where the milk-marketing orders are working best, we have not had the least trouble in obtaining an adequate supply of milk, because actually there is a surplus of milk, when it is properly made available, especially when it is properly made available to the children who need it.

So I hope the Senator from Minnesota will agree to withdraw his amendment, because if he does not, and if the amendment is voted on at this time by a yea-and-nay vote, he will force many of us who believe in the principle of the Federal milk-marketing orders to vote as if we did not believe in them, for it is now too late to have the matter properly studied at this session.

So, I hope the Senator from Minnesota will permit a voice vote to be taken on his amendment, and thus will not require that more time be consumed at this point.

Mr. HUMPHREY. Mr. President, I repeat that I do not wish anything I have said to be regarded as indicating that I do not believe the Federal milk-

marketing orders are desirable. They are desirable, and they have their place, and they have been devised for the purpose of providing consumers with an adequate supply of the fine food which is milk.

But I contend that, in the name of health, there have been established standards which have ceased to be proper standards, but have become barriers, more or less little tariff walls, which have prevented the free flow of milk in commerce in the United States.

Mr. President, I do not seek to prolong the debate. I am perfectly willing to have a voice vote taken upon my amendment, and thus let the Senate decide as it chooses.

Mr. ANDERSON. Mr. President, let me suggest to the distinguished majority leader that if he is willing to have a voice vote taken on the amendment, we shall be able to save a great deal of time for all Members.

Mr. THYE. Mr. President, will the Senator from Minnesota yield 2 minutes to me?

Mr. HUMPHREY. I am glad to yield.

Mr. THYE. In all frankness, I must state that in speaking at this time, I shall be speaking in support of the position of the chairman of the committee in regard to the amendment of the Senator from Minnesota.

Mr. HUMPHREY. I understand that.

Mr. AIKEN. Mr. President, under the circumstances, I shall yield time to the Senator from Minnesota [Mr. THYE]. Let me inquire how much time he would like to have me yield to him.

Mr. THYE. Approximately 3 minutes.

Mr. AIKEN. Very well; I yield 3 minutes to the Senator from Minnesota [Mr. THYE].

The VICE PRESIDENT. The senior Senator from Minnesota is recognized for 3 minutes.

Mr. THYE. Mr. President, there is merit in the amendment of my colleague. However, it should be submitted, not in the form of an amendment to the pending bill, but in the form of a bill which would be referred to the appropriate committee, which committee should hold hearings on it. In that way it would be possible to develop the facts regarding the interstate shipment of milk.

But at this time, in the course of debate on the floor of the Senate, we cannot give proper attention to all the factors involved. Therefore, under the circumstances I would have to vote against the amendment.

Thus, Mr. President, I should like to see the amendment withdrawn, because if it is voted down at this time, by means of a yea-and-nay vote, the vote is certain to be misunderstood.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Minnesota [Mr. HUMPHREY] to the committee amendment, on page 34, between lines 20 and 21. [Putting the question.]

The amendment to the amendment was rejected.

Mr. HUMPHREY. Mr. President, I call up my amendment marked "8–9–54–L," and offer it to the committee amendment, and ask that it be stated.

The VICE PRESIDENT. The amendment submitted to the committee amendment will be stated.

The LEGISLATIVE CLERK. In the committee amendment on page 25, in line 10, after "Sec. 301", it is proposed to insert "(a)."

On page 25, between lines 16 and 17, it is proposed to insert the following:

(b) Section 301 (a) (1) (G) of the Agricultural Adjustment Act of 1938 is amended by striking out "six-year period" and inserting in lieu thereof "seven-year period."

Mr. HUMPHREY. Mr. President, before I presented my amendment I had the advice and counsel of the committee in its preparation. There was a mistake made, and I ask unanimous consent to modify my amendment in line 2 so that it will read:

On page 25, line 15, strike out "1955" and insert "1956."

Retaining the other language in the amendment.

The VICE PRESIDENT. The amendment will be modified as requested.

Mr. HUMPHREY. I will send a correct copy to the desk for the RECORD.

Mr. ANDERSON. Will the Senator state the number of his amendment again?

Mr. HUMPHREY. It is designated "8–9–54—L."

Mr. President, the purpose of this amendment can be stated very quickly. Its purpose is to continue the use of the old parity, if higher, for basic commodities through 1956. That is what the amendment amounts to. The present law permits the continuation of the old parity formula through 1955.

Mr. HOLLAND. Through 1954.

Mr. HUMPHREY. This would continue it through 1956.

Mr. JOHNSTON of South Carolina. It would extend it 2 years.

Mr. HUMPHREY. I seek by this amendment to extend for another year the present old parity formula on basic commodities, instead of shifting to the so-called modernized parity next year. The farmers cannot stand a triple blow to their pocketbooks, and that is apparently what will happen as a result of the passage of this bill.

First, on many of the basic commodities there are acreage allotments. There have been 2 or 3 of them in the case of wheat. We have had them on cotton; we have had them on corn; we have had them on other commodities.

Then we reduce the price supports from 90 percent to 82½ percent.

Then we provide for the coming into being and into application of the modernized parity, which actually will further reduce the level of price supports.

The reduction of the level of price supports to 82½ percent, as I have said, has added an extra burden in the coming year.

The least we can do is to defer for one more year the change in parity formula, so as to prevent all these drastic blows to farm income going into effect at one time.

Mr. President, I ask unanimous consent to place in the RECORD at this point a table of average prices received by farmers for farm products on June 15, 1954, with comparisons.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Average prices received by farmers for farm products, United States, June 15, 1954, with comparisons

Commodity and unit	Average		June 15, 1953	May 15, 1954	June 15, 1954
	August 1909–July 1914	January 1947–December 1949			
Wheat, per bushel.....dollars	0.884	2.14	1.88	2.00	1.91
Rye, per bushel.....do	0.720	1.82	1.28	1.02	0.990
Rice (rough), per hundredweight...do	1.81	5.38	6.70	4.88	4.18
Corn, per bushel.....do	0.642	1.64	1.46	1.47	1.49
Oats, per bushel.....do	0.399	0.852	0.705	0.766	0.735
Barley, per bushel.....do	0.619	1.37	1.16	1.08	1.05
Sorghum, grain, per hundredweight.do	1.21	2.53	2.39	2.47	2.27
Hay, all baled, per ton.....do	.....	22.40	20.80	21.80	20.40
Cotton, American upland, per pound.....cents	12.4	31.21	31.51	32.17	32.31
Cotton, American-Egyptian, per pound.....cents	.....	.....	.....	.....	.....
Cottonseed, per ton.....dollars	22.55	71.60	61.20	51.40	51.40
Soybeans, per bushel.....do	.....	2.84	2.66	3.55	3.49
Peanuts, per pound.....cents	4.8	10.2	11.1	11.2	11.2
Flaxseed, per bushel.....dollars	1.69	5.54	3.33	3.64	3.48
Potatoes, per bushel.....do	0.681	1.48	0.838	1.34	1.51
Sweetpotatoes, per bushel.....do	0.878	2.36	3.98	2.63	2.70
Beans, dry, edible, per hundredweight.....dollars	3.37	9.92	9.30	8.12	8.03
Peas, dry, field, per hundredweight.do	.....	4.60	5.86	4.47	4.51
Apples, per bushel.....do	0.96	2.39	3.25	3.44	3.54

Commodity and unit	Average		June 15, 1953	May 15, 1954	June 15, 1954
	August 1909–July 1914	January 1947–December 1949			
Hogs, per hundredweight.....dollars	7.27	21.90	22.80	25.70	21.70
Beef cattle, per hundredweight.....do	5.42	20.20	16.00	17.60	16.90
Calves, per hundredweight.....do	6.75	22.60	16.50	18.40	17.50
Sheep, per hundredweight.....do	4.53	9.15	6.39	7.01	6.66
Lambs, per hundredweight.....do	5.88	21.90	21.80	21.80	20.30
Butterfat, in cream, per pound.....cents	26.3	71.2	65.0	56.2	55.9
All milk, wholesale, per hundredweight.....dollars	1.60	4.42	3.90	3.51	3.48
Milk, retail, per quart.....cents	6.8	18.3	20.4	20.0	19.9
All chickens, live, per pound.....do	11.4	29.3	25.2	22.5	22.6
Farm chickens, live, per pound.do	.....	27.7	22.9	19.6	18.9
Commercial broilers, live, per pound.....do	.....	32.1	26.2	23.5	24.2
Turkeys, live, per pound.....do	14.4	37.0	31.7	30.5	30.1
Eggs, per dozen.....do	21.5	46.6	45.7	33.1	32.9
Wool, per pound.....do	18.3	46.0	56.0	54.3	55.2
Adjusted for seasonal variation:					
Butterfat, in cream, per pound.do	.....	.....	71.0	58.5	58.8
All milk, wholesale, per hundredweight.....dollars	.....	.....	4.38	3.90	3.87
Eggs, per dozen.....cents	.....	.....	50.2	37.6	36.6

Source: Figures from Agricultural Marketing Service, USDA.

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Mr. HUMPHREY. Mr. President, I also ask consent to have printed another table, showing how farm prices have fallen from the pre-Korean base period, and a table showing how far such prices have declined since the 1952 harvest.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

Prices received by farmers mostly down from pre-Korea base period

[Figures from Agricultural Marketing Service, U. S. Department of Agriculture]

Commodity	1947–49 average	June 15, 1954	Percentage change	Commodity	1947–49 average	June 15, 1954	Percentage change
Wheat, per bushel	$2.14	$1.91	Down 11 percent.	Calves, per hundredweight	$22.60	$17.50	Down 23 percent.
Rye, per bushel	1.82	.990	Down 46 percent.	Wool, per pound	.46	.55	Up 20 percent.
Corn, per bushel	1.64	1.49	Down 9 percent.	Lambs, per hundredweight	21.90	20.30	Down 7 percent.
Rice, per hundredweight	5.28	4.18	Down 22 percent.	Sweetpotatoes	2.36	2.70	Up 14 percent.
Oats, per bushel	.85	.735	Down 13 percent.	All milk, wholesale, per hundredweight	4.42	3.48	Down 21 percent.
Barley, per bushel	1.37	1.05	Down 23 percent.	All chickens, live, per pound	.29	.23	Do.
Grain sorghum, per hundredweight	2.53	2.27	Down 10 percent.	Eggs, per dozen	.47	.34	Down 28 percent.
Baled hay, per ton	22.40	20.40	Down 9 percent.				
Butterfat in cream, per pound	.71	.56	Down 21 percent.			Index	
Cotton, per pound	.31	.32	Up 3 percent.				
Cottonseed, per ton	71.10	51.40	Down 28 percent.				
Soybeans, per bushel	2.84	3.49	Up 23 percent.	Average of all farm products	271	248	Down 8 percent.
Flaxseed, per bushel	5.34	3.48	Down 35 percent.	Food grains	246	216	Down 12 percent.
Peanuts, per pound	10.2	11.2	Up 9 percent	Feed grains and hay	230	205	Down 11 percent.
Beans, dry edible, per hundredweight	9.92	8.03	Down 19 percent.	All crops	247	244	Down 1 percent.
Potatoes, per bushel	1.48	1.51	Up 2 percent.	Meat animals	334	299	Down 10 percent.
Hogs, per hundredweight	21.90	21.70	Down 1 percent.	Dairy products	275	229	Down 17 percent.
Beef cattle, per hundredweight	20.20	16.90	Down 16 percent.	All livestock and products	292	251	Down 14 percent.

PARITY RATIO OF PRICES RECEIVED TO PRICES PAID BY FARMERS

1935–39 average	86	Jan. 15, 1954	92
1947–49 average	108	Feb. 15, 1954	91
Oct. 15, 1952	99	June 15, 1954	88
Oct. 15, 1953	91		

Prices received by farmers mostly down since 1952 harvest season

[Figures from Agricultural Marketing Service, U. S. Department of Agriculture]

Commodity	Oct. 15, 1952 price	June 15, 1954 price	Percentage change	Commodity	Oct. 15, 1952 price	June 15, 1954 price	Percentage change
Wheat, per bushel	$2.07	$1.91	Down 8 percent.	Wool, per pound	$0.504	$0.552	Up 10 percent.
Rye, do	1.74	.990	Down 43 percent.	Lambs, per hundredweight	22.20	20.30	Down 9 percent.
Corn, do	1.53	1.49	Down 3 percent.	Sweetpotatoes, per bushel	2.94	2.70	Down 8 percent.
Rice, per hundredweight	5.76	4.18	Down 27 percent.	All milk, wholesale, per hundredweight	5.30	3.48	Down 34 percent.
Oats, per bushel	.83	.735	Down 11 percent.	All chickens, live, per pound	.242	.226	Down 7 percent.
Barley, do	1.42	1.05	Down 27 percent.	Eggs, per dozen	.504	.329	Down 35 percent.
Grain sorghum, per hundredweight	2.87	2.27	Down 21 percent.				
Baled hay, per ton	25.60	20.40	Down 20 percent.			Index	
Butterfat, in cream, per pound	.735	.559	Down 24 percent.				
Cotton, do	.3703	.3231	Down 13 percent.				
Cottonseed, per ton	70.70	51.40	Down 28 percent.				
Soybeans, per bushel	2.71	3.49	Up 29 percent.	Average of all farm products	282	248	Down 13 percent.
Flaxseed, do	3.73	3.48	Down 7 percent.	Food grains	240	216	Down 10 percent.
Peanuts, per pound	.111	.112	Up slightly.	Feed grains and hay	219	205	Down 6 percent.
Beans, dry, edible, per hundredweight	8.48	8.03	Down 5 percent.	All crops	260	244	Do.
Potatoes, per bushel	2.11	1.51	Down 28 percent.	Meat animals	328	299	Down 9 percent.
Hogs, per hundredweight	18.60	21.70	Up 17 percent.	Dairy products	316	229	Down 28 percent.
Beef cattle, do	22.00	16.90	Down 23 percent.	All livestock and products	301	251	Down 17 percent.
Calves, do	23.80	17.50	Down 26 percent.				

Index of prices received for all commodities and index of prices paid by farmers (1910–14=100) and index of parity ratio

Index	Oct. 15, 1952	Jan. 15, 1953	June 15, 1954
Prices received	282	267	248
Prices paid	284	282	282
Parity ratio	100	95	88

Mr. HUMPHREY. By contrast, Mr. President, the prices farmers pay for the articles they purchase are still rising. I ask unanimous consent to insert in the RECORD a table on the index of prices paid by farmers, comparing 1952 and 1954 levels with the 1947–49 average.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Prices paid, still rising—Index of prices paid by farmers (1910–14 = 100)

[Figures from Agricultural Marketing Service, USDA]

Item	1947–49 average	Oct. 15, 1952 [1]	June 15, 1954 [1]
Average of all	250	284	282
Taxes	270	353	391
Interest	79	107	128
Production items	237	269	252
Family living items	244	269	275
Clothing	285	301	307
Autos and auto supplies	233	282	291
Farm machinery	239	310	313
Farm supplies	235	284	277
Building and fencing	296	350	348

Prices paid, still rising—Index of prices paid by farmers (1910–14=100)—Continued

Item	1947–49 average	Oct. 15 1952 [1]	June 15, 1954 [1]
Fertilizer	143	157	155
Household operation	178	190	196

[1] Or latest available figure.

Mr. HUMPHREY. So that we may compare average prices received at present with existing parity prices, Mr. President, I ask unanimous consent to insert in the RECORD still another table at this point in my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows.

Effective parity prices for farm products, and average prices received as percentages of effective parity prices, United States, June 15, 1954, with comparisons

Commodity and unit	Base period prices	Effective parity prices		Average prices as percentages of parity prices	
		May 15, 1954	June 15, 1954	May 15, 1954	June 15, 1954
Cotton, American upland, per pound	12.4	35.09	34.97	92	92
Wheat, per bushel, dollars	0.884	2.50	2.49	80	77
Rice, per hundredweight, do	1.94	5.51	5.47	89	76
Corn, per bushel, do	0.642	1.82	1.81	81	82
Peanuts, per pound, hundredweight	4.8	13.6	13.5	82	83
Tobacco, per pound:					
Flue-cured, types 11–14, do	18.8	53.4	53.0	(1)	(1)
Fire-cured, types 21–24, do	2.3	34.9	34.7	(1)	(1)
Burley, type 31, do	18.2	51.7	51.3	(1)	(1)
Potatoes, per bushel, dollars	0.535	1.52	1.51	88	100
Butterfat, in cream, per pound, cents	26.5	75.3	74.7	78	79
All milk, wholesale, per hundredweight, dollars	1.68	4.77	4.74	82	82
Wool, per pound, cents	20.9	59.4	58.9	91	94
Honey, wholesale, per pound:					
Comb, do	11.3	32.1	31.9	--------	--------
Extracted, do	5.66	16.1	16.0	--------	--------
Barley, per bushel, dollars	0.484	1.37	1.36	79	77
Beans, dry, edible, per hundredweight, dollars	3.21	9.12	9.05	89	89
Cottonseed, per ton, dollars	25.50	72.40	71.90	71	71
Flaxseed, per bushel, do	1.60	4.54	4.51	80	77
Oats, per bushel, do	0.311	0.883	0.877	87	84
Rye, per bushel, do	0.605	1.72	1.71	59	58
Sorghum, grain, per hundredweight, dollars	1.21	2.56	2.56	96	89
Soybeans, per bushel, do	1.00	2.84	2.82	125	124
Sweetpotatoes, per bushel, do	0.988	2.81	2.79	94	97
Beef cattle, per hundredweight, do	7.50	21.30	21.20	83	80
Calves, per hundredweight, do	8.28	23.50	23.30	78	75
All chickens, live, per pound, cents	10.6	30.1	29.9	75	76
Eggs, per dozen, do	16.6	47.1	46.8	80	78
Hogs, per hundredweight, dollars	7.34	20.80	20.70	124	105
Lambs, per hundredweight, do	8.16	23.20	23.00	94	88
Sheep, per hundredweight, do	3.64	10.30	10.30	68	65
Turkeys, live, per pound, cents	13.4	38.1	37.8	80	80

[1] Not available.

Mr. HUMPHREY. Mr. President, in the face of such documented declines—and these tables show the price decline which has been alluded to time after time in this debate, and there is no point in restating it—we are confronted with proposals to shift to a modernized parity formula which obviously will mean still further reductions.

I therefore ask consent to have printed in the RECORD a table comparing the old and modernized parity on various commodities, together with an example of what they would be if we accepted for agriculture the same 1947–49 base period used by labor for figuring costs of living, and a quotation from the Senator from North Dakota [Mr. YOUNG] on that subject, taken from the hearings before the Senate Committee on Agriculture and Forestry.

There being no objection, the documents were ordered to be printed in the RECORD, as follows:

EXCERPTS FROM HEARINGS BEFORE THE SENATE COMMITTEE ON AGRICULTURE AND FORESTRY, 83D CONGRESS, 2D SESSION, ON S. 3052

(Pt. I, March 4–26, 1954)

Senator YOUNG. I would like to have Mr. Thompson supply for the record a table showing a comparison of what parity would be if parity were determined on the same base period as labor is using in figuring cost of living, and so forth, that is the 1947–49 period. I understand the Federal Reserve System uses the same period.

Senator ELLENDER. You mean instead of the period we used for the old parity formula, which is 1909 to 1914?

Senator YOUNG. Yes. Compare that with the modernized parity formula too. * * * I think you should do it for all the commodities.

Specified commodities: Old, modernized, and 1947–49 parity calculations, United States, Feb. 15, 1954

Commodity	Unit	Old parity	Modernized parity	1947–49 parity calculations	
				Old formula [1]	Modernized formula [2]
Basic commodities:					
Cotton, American upland	Pound	$0.3472	$0.3353	$0.3620	$0.365
Cotton, extra long staple	do	None	.725	.695	.791
Wheat	Bushel	2.48	2.13	2.48	2.32
Corn	do	1.80	1.61	1.90	1.75
Tobacco:					
Burley	Pound	.508	.513	.541	.559
Flue-cured	do	.524	.530	.534	.578
Rice	Hundredweight	5.07	5.47	.624	5.96
Peanuts	Pound	.134	.108	.118	.118
Designated nonbasic commodities:					
Butterfat	do	.736	.747	.826	.815
Milk for manufacture	Hundredweight	3.96	[3] 4.19	[3] 4.54	4.56
Wool	Pound	.512	.589	.534	.642
Designated nonbasic commodities—Con.					
Mohair	Pound	$0.770	$0.773	$0.561	$0.841
Tung nuts	Ton	None	92.50	68.70	101.00
Honey, extracted	Pound	.194	.160	.181	.174
Other:					
Soybeans	Bushel	2.69	2.82	3.29	3.08
Cottonseed	Ton	63.10	71.90	83.10	78.48
Oats	Bushel	1.12	.877	.988	.954
Barley	do	1.73	1.36	1.59	1.49
Dry edible beans	Hundredweight	9.44	9.05	11.50	9.85
Flaxseed	Bushel	4.73	4.51	6.43	4.91
Sorghum grain	Hundredweight	3.39	2.54	2.93	2.77
Rye	Bushel	2.02	1.71	2.11	1.86
Crude pine gum	Barrel	None	28.20	29.70	30.70
Nonsupported commodities:					
Beef cattle	Hundredweight	15.20	21.20	23.50	23.00
Hogs	do	20.40	20.70	25.40	22.60

[1] Average price received by farmers, 1947–49 times the index of prices paid, interest and taxes, 1947–49=100, as computed prior to Jan. 1, 1950.

[2] 1944–53 average price received by farmers for individual commodities multiplied by 1.10 which is the ratio of Feb. 15, 1954, parity index (1947–49=100) to the 1944–53 average index of prices received by farmers (1947–49=100).

[3] Parity equivalent for milk for manufacturing which is 88.5 percent of the parity price for milk wholesale.

Source: Agricultura. Marketing Service.

Mr. HUMPHREY. Mr. President, I should like to read a paragraph from a trade broadcast made recently by William Thatcher, manager of the Grain Terminal Association in St. Paul, regarding this issue of so-called modernized parity:

Never in all these years has any competent evidence ever been brought before a House Committee of Agriculture, or a Senate Committee of Agriculture, to justify the modernized parity formula. And what will the so-called program of the President and Mr. Benson accomplish if it is put through? This price-cutting won't cut the wheat surplus an iota. The only thing that will cut surplus is enough cut in acres. Will this new parity cut the cost to the Government of storage charges that some people say cost $30,000 an hour? Not 1 cent. The only way to lower these costs is to get rid of the surplus. The only way you can get rid of a surplus is to sell it abroad or cut acreage or both.

Mr. President, I ask unanimous consent to have the entire text of this broadcast printed at this point in the RECORD.

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There being no objection, the broadcast was ordered to be printed in the RECORD, as follows:

I'm glad to be with you again today. This is a very solemn hour for me. For several years, we have done everything we know how to try and protect farm prices that are made in Washington. Now, we receive information from the Nation's Capital that bothers, worries, and gives us a heavy heart.

Our hope is that we can secure the allout efforts of an able, energetic, well-educated young man in the United States Senate. He has the understanding, the character, and the heart to fight for what he believes is right. I'm getting in touch with Senator HUBERT HUMPHREY, of Minnesota. He has been making a hard fight, alongside of Senator THYE, of Minnesota, and others, to protect the farm programs that took us over 20 years to build.

What we need today on the floor of the United States Senate is one man's voice. We need a man who is able to stand and hold that floor and compel the Senators who have not had the time to study this farm question, to listen to his remarks and answer some specific questions.

First of all, the farmer who is being most hurt by this proposed farm legislation—now called the President's program—is the wheat farmer. It will only be a matter of time until other farmers suffer, too, if the wheat farmer is put on the block.

First of all, the wheat farmer is required to cut his acreage 30 percent. He's not complaining about that, because he knows there's a surplus which must be reduced. But he also knows the surplus came about largely because during the Korean war in 1952, the administration, without any objection from Congress, asked for all-out production. Then because we were fortunate enough to get a "cease fire" in Korea, we find ourselves in the unfortunate position of having too much wheat on hand.

Now, instead of the Government—all the taxpayers and all the people—standing the shock, Mr. Benson proposes a program to the President—and the President, unknowingly, calls it his program—which seeks to cut the wheat farmer's throat in more ways than one. Specifically, it calls for:

1. A cut in wheat acreage of 30 percent.

2. The isolation of those 30 percent acres from any cash crops whatsoever—barley, rye, oats, and feed wheat.

3. Permitting Canada to continue shipping into the United States barley, rye, oats, and feed wheat, while our wheat producers are told they cannot produce any crop, only hay, etc., on diverted wheat acres, or they'll suffer the penalty of not being able to get a Government loan on any crop that they raise.

4. Cutting the wheat price down, by flexing it down with the sliding scale.

Now, here is the question that I'm going to urge Senator HUMPHREY to hold before the Senate until it is thoroughly debated—the inequity of the modern parity formula which cuts the parity price.

In all the speeches that have been made—by the President and the many, many speeches by the Secretary of Agriculture, Senator AIKEN, as well as other Senators and Members of the House—never once has any of these people justified the use of the modernized parity formula. In all these years, not a single witness has ever justified the employment of the so-called modernized parity formula before the House Committee on Agriculture or the Senate Committee on Agriculture. The wheat farmer is particularly vulnerable to this so-called modernized parity.

Imagine if you can, the way the United States Senate this week is sitting as a jury, ready to vote on the questionable evidence, or lack of evidence that has been placed before it.

I say to Senator HUMPHREY, you should stand on the floor of the Senate and hold the floor, hour after hour, and day after day, until these Senators understand what is involved in this question of the so-called modernized parity formula. Whether or not it was intended as a fraud on the wheat farmer is not a charge that one could lightly make, but its effect is as disastrous to the wheat farmer as though it were a planned fraud. No Senator, who knows the facts, wants to impose any such a hardship and throat-cutting price on the wheat farmer as is proposed in the modern parity formula. The Members of the United States Senate do not today understand that unless you bring it to their attention.

Never in all these years has any competent evidence ever been brought before a House Committee of Agriculture, or a Senate Committee of Agriculture to justify the modernized parity formula. And what will the so-called program of the President and Mr. Benson accomplish if it is put through? This price cutting won't cut the wheat surplus an iota. The only thing that will cut surplus is enough cut in acres. Will this new parity cut the cost to the Government of storage charges that some people say cost $30,000 an hour? Not one cent. The only way to lower these costs is to get rid of the surplus. The only way you can get rid of a surplus is to sell it abroad or cut acreage or both. We've been willing to cut acreage.

Canadian imports alone are costing more than $7,500 an hour storage. More than one-fourth of this $30,000 an hour storage and other costs that we now hear so much about arise out of the fact these Canadian grain imports pour into this country. The reason they did is because we seek to maintain a good relationship in our foreign relations. Granted that's true, it ought to be maintained at the expense of the taxpayer, and not taken out of the hide of the wheat farmers by saying, "You can't plant oats. You can't plant rye. You can't plant barley. You can't raise feed wheat, but Canada can ship it in."

I urge you, Senator HUMPHREY, to stand on the floor of the Senate and to hold it hour by hour, and day by day, until you compel the Members of the Senate to face up to this fact that there is no evidence to justify the modern parity formula or cut in support price. No evidence exists in any speech by the President, the Secretary of Agriculture, by Senator AIKEN, or any other Senator or Representative, or by any witness before any congressional committee. There is no justification. Even the Senators and Representatives—Republicans and Democrats alike—who made up the President's Economic Advisory Committee, urged the President not to use the modernized parity formula or cut farm support prices at this time, until we know more about the conditions of this country.

I urge you, Senator HUMPHREY, as a young, vigorous, well-informed spokesman, to take that Senate floor, and you hold it until you make the Senators understand what they as a jury are about to vote on this year. Make it clear that if they vote for what Senator AIKEN and Mr. Benson and the President want, that they are going to crush the hopes and aspirations, as well as the economic level for hundreds of thousands of farmers in this country. These are family farmers, good American citizens, who have a surplus today only because their Government asked them for all-out production 2 years ago. Stand there and fight this out. Let's not try to be concerned with saving the faces of a few people who want this program. Instead, let us make it clear that the hundreds of thousands of farmers who depend on the price supports that are made in Washington are the ones to save, not the few faces in Washington.

Mr. HUMPHREY. Mr. President, this whole matter was thoroughly discussed in the CONGRESSIONAL RECORD of July 2, 1954, by Representative WHITTEN, when he pointed out as follows—and I read from Representative WHITTEN'S remarks:

I would like to point out to you what is involved in this so-called modernized parity. The regular parity formula is based on an effort, 100 percent of it, to give the farmer the same comparative purchasing power that he had from 1909 to 1914. In order to give the farmer that comparative purchasing power that he had in that period, an index is kept of the selling price of various and sundry commodities which he buys and his support varies with the rise and fall of the cost of what he buys. So, there is a tie-in on the old parity formula between what other things are costing and what the farmer gets for his commodity.

What is modernized parity? Modernized parity ties the support program to the average price received by the farmer for the last 10 years. That means that there is no tie-in in between the supports he gets and the cost of things he must buy. It does not recognize his costs. I tell you that modernized parity could conceivably, year by year, reduce supports down to where, over a period of years, there would be no support price at all; not only that but his costs could be going just as rapidly or more so in the other direction.

The record shows that there is real reason to be disturbed about modernized parity, because it ignores rising costs to the farmer. You cannot afford to ignore rising costs. Since 1945 the costs attached to farm commodities from the farmers' hands to the consumer have increased 83 percent. Since World War II we have had 11 freight increases. Steel has gone up a number of times, and so with nearly everything else, and such trend will likely continue.

Mr. WHITTEN'S remarks apply directly to the problem that is before us, namely, the kind of parity formula that is to be used upon basic commodities. We here in the Congress have recognized the value of the old formula. We extended it over a 6-year period in the last action of the Congress. The junior Senator from Minnesota is asking that we extend it an additional year, a 7-year period. In the bill which we have now worked on and voted upon, we have extended price supports for an additional year, and that seems to me a logical base upon which one can ask for the extension of the modernized parity.

Mr. President, a day or so ago, I was confronted in the Chamber with a statement as to my powers of predictability. I have never claimed, as I have said repeatedly, to be a prophet, but I am happy to say that since yesterday something has happened which makes me seem to have some prophetic vision.

I quote from page 13710 of the CONGRESSIONAL RECORD as of yesterday. The Senator from Vermont [Mr. AIKEN] said as follows:

Mr. President, I yield myself 2 minutes on the bill, because I am sure that Senators who just listened to the voice of the prophet—

That means the junior Senator from Minnesota—

will be interested in what became of one of his prophecies. On page 1771 of the RECORD,

on February 16, 1954, the junior Senator from Minnesota made this prophecy:

"I shall make another prediction on the floor of the Senate, without being an expert in these matters. With the very large surplus of corn in storage, the price of corn will be down next spring. By next spring there will be little pigs coming out of our ears, and the surplus of corn will disappear in a short time. The great surplus of corn which is being talked about will have become a thing of the past."

I go back to Senator AIKEN:

The prophecy was fine, but the facts are that corn prices went up during the spring. The corn surplus has gone up from 764 million bushels to an estimated 900 million bushel surplus expected this fall. Otherwise the prophecy was entirely correct.

Mr. President, the prophet returns to the days of prophecy. Only this time I do not come with a prophecy. I come with fulfillment. What are the facts? As of today, according to the news ticker, the Department of Agriculture reports the July estimate of corn production as 3,311,493,000 bushels. The August estimate is 2,824,078,000 bushels. In other words, in 1 month the Department of Agriculture has dropped its estimate by 487,415,000 bushels.

That is what the Senator from Minnesota predicted, namely, that there would be a drop in production and that there would be a reduction in the surplus. The estimate is therefore 67 million bushels more than are owned by the Commodity Credit Corporation, or more than half of the total amount owned and pledged under loan to the Commodity Credit Corporation. The reduction is due to such factors as weather.

We had only about a 3-month supply of corn on hand as of June 1, on the basis of the 1952 requirements. I would have the Senate note that on the basis of 1952 requirements we were using, on a monthly average, 262,743,000 bushels of corn a month.

This drop in the estimate alone will wipe out nearly a 2-month supply, on the basis of 1952 requirements.

In other words, what we are doing is saying that the surplus which was built up is being literally absorbed because of crop conditions which are prevalent throughout the country and because the Department of Agriculture has slowly but surely come to the realization of what the facts of life are and what the facts of production are. We will actually have, on the basis of this estimate, 328,812,000 bushels less in 1954 than were used in 1952. I repeat, we will actually have 328,812,000 bushels of corn less than we used in 1952, Mr. President.

Therefore, the Senator from Minnesota was not such a bad prophet, on the basis of the crop estimates. We will be faced with a corn deficit. We will be faced, at least, with a situation where the carryover will be insignificant; in fact, it will go beyond what may be called a safety factor with respect to the needs of our country.

I wanted to amend the RECORD, because I feel the comment the other day was not exactly related to the debate that was going on. It was another effort to point out that the junior Senator from Minnesota did not know what he was talking about. The Department of Agriculture's crop-production estimate on corn is the handwriting on the wall. It shows that instead of our going around crying crocodile tears about surpluses, Congress will undoubtedly next year be wondering why we are so short of corn that we cannot meet the requirements of the American people and feed needs of the livestock on the average farm. That will be particularly true if the drought conditions continue and the amount of disaster relief must be expanded, unless we want to sacrifice our livestock and hogs and produce merely because someone is trying to be consistent.

I have nothing more to offer on the amendment, except to say that we have already delivered a blow to farm income by acreage allotments. We have already delivered a blow at farm income by the reduction of price supports. If we do not continue for an extra period of time the old parity formula we will deliver another blow to farm income. I have placed in the RECORD tables which show the difference between the modernized parity and the old parity formulas. It is a substantial difference. It adds up to dollars and cents. It adds up to money in the pocketbook or money out of the pocketbook. In view of the action we have taken before, I suggest we extend the formula for another year, as we have done on other occasions.

Mr. AIKEN. I yield to the Senator from New Mexico as much time as he desires.

Mr. ANDERSON. Mr. President, in connection with the passage of the Agricultural Act of 1949, Congress adopted for the first time a formula called the modernized parity formula. At the time the formula was adopted the experts in the Bureau of Agricultural economics testified before the Senate Committee on Agriculture and Forestry that within a 4-year period the old parity and the new parity would coincide. In other words, they testified it would not matter after 4 years whether we used the old parity or the new parity, because the two prices would come together. It was said that it would become effective 4 years after the passage of the act. We said if it will take 4 years to accomplish it, we will wait 4 years from 1949, and let it become applicable 4 years later.

To show whether we tried to keep faith with the people, at a later date it was pointed out to the Senate Committee on Agriculture and Forestry that these two prices were not moving together. Therefore Congress in June 1952 passed Public Law 585, which extended the parity for 2 more years. We said if they do not move together at the end of that time Congress will again take it up and try to make something out of it.

Therefore we do not have to act on it now. We can safely wait and trust Congress to find out what has taken place, because all during the year 1955 the present parity will be applicable, and the so-called double standard will also be applicable, whereby, if the modernized parity is more favorable, the farmer will get the benefit of it, and if the old parity is more favorable the farmer will get the benefit of that.

That goes on all through the year 1955. It is not until January 1, 1956, that the so-called modernized parity becomes effective, and then the transitional period takes over, and the amount is dropped only 5 percent a year.

Therefore I suggest that at this late hour we not spend time in a discussion of it, because it will be handled by the Senate and House Committees on Agriculture and Forestry during 1955, if the predictions of the officials of the Bureau of Agricultural Economics are not borne out.

I recognize what the Senator from Minnesota has suggested. He has suggested that the predictions of the experts have not proved true thus far. However, I believe they are working closer together, and I believe it is desirable to have the modernized parity work out. If it can work out in a normal fashion, that will be fine. However, Congress did exactly what it said it would do. When it did not work out properly, Congress extended the law. We can trust both Committees on Agriculture and Forestry to do it again. Therefore, I hope the Senate will not adopt the amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Minnesota [Mr. HUMPHREY] to the committee amendment.

The amendment was rejected.

The VICE PRESIDENT. The committee amendment is open to further amendment. If there be no further amendment to be offered to the committee amendment, the question is on agreeing to the committee amendment, as amended.

The amendment, as amended, was agreed to.

The VICE PRESIDENT. Pursuant to the unanimous-consent agreement entered into, without objection, the Committee on Agriculture and Forestry is discharged from further consideration of the bill (H. R. 9680) to provide for the continued price support for agricultural products, to augment the marketing and disposal of such products, to provide for greater stability in agriculture, and for other purposes; the Senate will proceed immediately to its consideration; H. R. 9680 will be deemed to be amended by striking out all after the enacting clause and inserting the text of S. 3052, as amended; and the engrossment of the amendment and third reading of said House bill will be deemed to be ordered.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The VICE PRESIDENT. The question is on the final passage of House bill 9680.

Mr. KNOWLAND. Mr. President, I ask for the yeas and nays on the final passage.

The yeas and nays were ordered.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

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The legislative clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

The question is, Shall the bill pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. SALTONSTALL. I announce that the Senator from Vermont [Mr. FLANDERS] is necessarily absent.

On this vote the Senator from Vermont [Mr. FLANDERS] is paired with the Senator from Alabama [Mr. SPARKMAN]. If present and voting the Senator from Vermont [Mr. FLANDERS] would vote "yea" and the Senator from Alabama [Mr. SPARKMAN] would vote "nay."

Mr. CLEMENTS. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Mississippi [Mr. EASTLAND], the Senator from Delaware [Mr. FREAR], the Senator from Oklahoma [Mr. MONRONEY], and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

I announce further that on this vote the Senator from Mississippi [Mr. EASTLAND] is paired with the Senator from Oklahoma [Mr. MONRONEY]. If present and voting, the Senator from Mississippi would vote "yea", and the Senator from Oklahoma would vote "nay."

I announce also that on this vote the Senator from Alabama [Mr. SPARKMAN] is paired with the Senator from Vermont [Mr. FLANDERS]. If present and voting, the Senator from Alabama would vote "nay" and the Senator from Vermont would vote "yea."

The result was announced—yeas 62, nays 28, as follows:

YEAS—62

Aiken	Dworshak	Mundt
Anderson	Ellender	Neely
Barrett	Ferguson	Pastore
Beall	George	Payne
Bennett	Gillette	Potter
Bowring	Goldwater	Purtell
Bricker	Green	Reynolds
Bridges	Hayden	Robertson
Burke	Hendrickson	Saltonstall
Bush	Hickenlooper	Schoeppel
Butler	Holland	Smathers
Byrd	Ives	Smith, Maine
Capehart	Jenner	Smith, N. J.
Carlson	Johnson, Colo.	Stennis
Case	Kennedy	Upton
Cooper	Knowland	Watkins
Cordon	Kuchel	Welker
Crippa	Malone	Wiley
Dirksen	Martin	Williams
Douglas	McCarran	Young
Duff	Millikin	

NAYS—28

Clements	Johnston, S. C.	Maybank
Daniel	Kefauver	McCarthy
Ervin	Kerr	McClellan
Fulbright	Kilgore	Morse
Gore	Langer	Murray
Hennings	Lehman	Russell
Hill	Lennon	Symington
Humphrey	Long	Thye
Jackson	Magnuson	
Johnson, Tex.	Mansfield	

NOT VOTING—6

Chavez	Flanders	Monroney
Eastland	Frear	Sparkman

So the bill (H. R. 9680) was passed.

Mr. AIKEN. Mr. President, I move to reconsider the vote by which the bill was just passed.

Mr. KNOWLAND. Mr. President, I move to lay the motion of the Senator from Vermont on the table.

The VICE PRESIDENT. The question is on agreeing to the motion of the Sentor from California to lay on the table the motion of the Senator from Vermont.

The motion to lay on the table was agreed to.

Mr. AIKEN. Mr. President, I move that the title of the bill be amended so as to conform to the title of the Senate bill.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Vermont.

The motion was agreed to, and the title was amended so as to read: "A bill to encourage a stable, prosperous, and free agriculture, and for other purposes."

Mr. AIKEN. Mr. President, I move that the Senate insist on its amendments, request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. AIKEN, Mr. YOUNG, Mr. HICKENLOOPER, Mr. SCHOEPPEL, Mr. ELLENDER, Mr. JOHNSTON of South Carolina, Mr. HOLLAND, and Mr. ANDERSON conferees on the part of the Senate.

The VICE PRESIDENT. Under the unanimous-consent agreement, Senate bill 3052 is indefinitely postponed.

Mr. AIKEN. Mr. President, I ask unanimous consent that the House bill as it passed the Senate be printed.

The VICE PRESIDENT. Without objection, it is so ordered.

IDENTITY OF CERTAIN COMMUNIST-INFILTRATED ORGANIZATIONS

Mr. KNOWLAND. Mr. President, as previously announced, I move that the Senate proceed to the consideration of Calendar No. 1720, Senate bill 3706, relating to the identity of certain Communist-infiltrated organizations. I merely desire to have the bill made the unfinished business, but not to be taken up for debate tonight.

The VICE PRESIDENT. The clerk will state the bill by title.

The LEGISLATIVE CLERK. A bill (S. 3706) to amend the Subversive Activities Control Act of 1950 to provide for the determination of the identity of certain Communist-infiltrated organizations, and for other purposes.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from California.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 3706) to amend the Subversive Activities Control Act of 1950 to provide for the determination of the identity of certain Communist-infiltrated organizations, and for other purposes.

CALL OF THE CALENDAR

Mr. KNOWLAND. Mr. President, under the prior order, it is proposed to have the Senate consider the bills on the calendar to which there is no objection, beginning at the point where the last call of the calendar was concluded. Obviously we shall not get very far this evening, but I think that during the next 20 minutes a good start can be made.

The VICE PRESIDENT. The clerk will state the first bill on the calendar.

BILLS PASSED OVER

The bill (H. R. 9580) to revise and extend the laws relating to espionage and sabotage, and for other purposes, was announced as first in order.

Mr. SMATHERS. Over.

The bill (S. 3428) to authorize the Federal Government to guard strategic defense facilities against individuals believed to be disposed to commit acts of sabotage, espionage, or other subversion was announced as next in order.

Mr. SMATHERS. Over.

DR. JAMES C. S. LEE

The bill (S. 979) for the relief of Dr. James C. S. Lee was announced as next in order.

The PRESIDING OFFICER (Mr. PAYNE in the chair). Is there objection to the present consideration of the bill?

PREVENTION AND CONTROL OF POLLUTION IN THE POTOMAC RIVER

Mr. MORSE. Mr. President, reserving the right to object, I wish to state that on March 15, 1954, I introduced in the Senate a bill, S. 3132, to promote the prevention and control of pollution in the Potomac River. The Senator from Louisiana [Mr. LONG] joined me in sponsoring the bill.

This bill would authorize the Interstate Commission on the Potomac River Basin to distribute some $8 million a year in Federal aid to State and local governments in the Potomac basin for pollution control projects. The money would be made available on a 60 percent Federal, 40 percent local matching basis.

On May 6, the Interstate Commission advised the Senate Public Works Committee that it favors the general principles of the bill and its recognition of the responsibility of the Federal Government for cleaning up pollution in the Potomac.

The Commission advised, however, that it believed it was not the proper agency to administer the Federal aid.

Accordingly, after further conferences with city officials and with the Deputy Chief of the Corps of Engineers, I have today introduced a revised bill authorizing the administration of Federal aid by the Secretary of the Army, on the advice of the Corps of Engineers. The corps already has vast responsibilities for the maintenance of the river channel and is in a good position to expand this activity to take in the allied subject of pollution. The proximity of corps headquarters at Gravelly Point to the polluted area should make this agency additionally qualified to carry out this task.

The revised bill authorizes the aid to be made available in the Washington met-

ropolitan area, where the problem is perhaps most acute and the financial need is the greatest.

I think this bill, if enacted, would be a proper recognition of Federal responsibility to provide a healthy and attractive environment for the Capital City. In addition, it should serve as a model—a pilot plant operation, perhaps—for Federal leadership and aid in cleaning up other badly polluted rivers throughout the Nation.

Federal responsibility in this field was recognized in 1948 by the passage of the act authorizing pollution control activities by the United States Public Health Service. Unfortunately, it does not appear that this act ever will be implemented with appropriation of adequate funds to carry out its chief purposes.

I am hopeful that my bill will receive careful study by the affected agencies this fall during the adjournment of Congress and that it will be the subject of early hearings when reintroduced in the new Congress.

I send the bill to the desk and ask to have it lie on the table.

The bill (S. 3856) to promote the prevention and control of pollution in the Potomac River, introduced by Mr. MORSE, was received, read twice by its title, and ordered to lie on the table.

Mr. CASE. Mr. President, will the Senator yield?

Mr. MORSE. I yield if I have the time.

Mr. CASE. I think the junior Senator from Oregon deserves commendation for the bill he has introduced for the prevention and control of pollution in the Potomac River. I sincerely hope that hearings can be held on the bill and that some affirmative action can be taken with respect to the recommendations made by the Senator from Oregon.

Mr. MORSE. I thank the chairman of the committee. I am only sorry that the proceedings of the Senate do not make it possible to consider the bill at this point.

DR. JAMES C. S. LEE

The PRESIDING OFFICER. Is there objection to the present consideration of the bill (S. 979) for the relief of Dr. James C. S. Lee?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Dr. James C. S. Lee shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

SEC. 2. Dr. James C. S. Lee, of Chicago, Ill., may be naturalized upon compliance with all the requirements of title III of the Immigration and Nationality Act, except that—

(a) no period of residence or physical presence within the United States or any State shall be required in addition to his residence and physical presence in the United States since June 1948; and

(b) the petition for naturalization may be filed with any court having naturalization jurisdiction.

KOSMAS VASSILIOS FOURNARAKIS

The bill (S. 1123) for the relief of Kosmas Vassilios Fournarakis was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Kosmas Vassilios Fournarakis shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

MARTIN P. PAVLOV

The bill (S. 1201) for the relief of Martin P. Pavlov was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That for the purposes of the Immigration and Nationality Act, Martin P. Pavlov shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available

ANASTASIA KONDYLIS

The bill (S. 1259) for the relief of Anastasia Kondylis was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Anastasia Kondylis, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Peter (Panagiotis N.) Vlasos, citizens of the United States.

SZJENA PEISON AND DAVID PEISON

The bill (S. 1325) for the relief of Szjena Peison and David Peison was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Szjena Peison and David Peison shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct two numbers from the appropriate quota for the first year that such quota is available.

SULTANA COKA PAVLOVITCH

The bill (S. 1558) for the relief of Sultana Coka Pavlovitch was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Sultana Coka Pavlovitch shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

RICA, LUCY, AND SALOMON BREGER

The bill (S. 1888) for the relief of Rica, Lucy, and Salomon Breger was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Rica, Lucy, and Salomon Breger shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence, to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct three numbers from the appropriate quota for the first year that such quota is available.

JACOB GRYNBERG

The bill (S. 1909) for the relief of Jacob Grynberg was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Jacob Grynberg shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

DONALD HECTOR TAYLOR

The bill (S. 2105) for the relief of Donald Hector Taylor was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Donald Hector Taylor shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee.

REV. CHARLES V. ROSSINI

The bill (S. 2259) for the relief of Rev. Charles V. Rossini was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That Rev. Charles V. Rossini, who lost United States citizenship under the provisions of section 404 (c) of

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the Nationality Act of 1940, may be naturalized by taking prior to 1 year after the effective date of this act, before any court referred to in subsection (a) of section 310 of the Immigration and Nationality Act or before any diplomatic or consular officer of the United States abroad, the oaths prescribed by section 337 of the said act. From and after naturalization under this act, the said Rev. Charles V. Rossini shall have the same citizenship status as that which existed immediately prior to its loss.

JOSE ALVAREZ

The bill (S. 2337) for the relief of Jose Alvarez was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Jose Alvarez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee.

YUN TAI MIAO AND HIS WIFE, CHAO PEI TSANG MIAO

The bill (S. 2345) for the relief of Yun Tai Miao and his wife, Chao Pei Tsang Miao was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Yun Tai Miao and his wife, Chao Pei Tsang Miao, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

DR. SYLVIA SIU FAN CHENG CHU AND DR. JOHNSON CHIN-SHENG CHU

The bill (S. 2433) for the relief of Dr. Sylvia Siu Fan Cheng Chu and Dr. Johnson Chin-sheng Chu was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Dr. Sylvia Siu Fan Cheng Chu and Dr. Johnson Chin-sheng Shu shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

JULIUS MAAR

The bill (S. 2520) for the relief of Julius Maar was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Julius Maar shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

ANNI MARJATTA MAKELA (NEE KIRVESMAKI) AND HER SON, MARKKU PAIVIO MAKELA

The bill (S. 2580) for the relief of Anni Marjatta Makela (nee Kirvesmaki) and her son, Markku Paivio Makela was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Anni Marjatta Makela (nee Kirvesmaki) and her son, Markku Paivio Makela, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

LEON J. DE SZETHOFER AND BLANCHE HRDINOVA DE SZETHOFER

The bill (S. 2586) for the relief of Leon J. de Szethofer and Blanche Hrdinova de Szethofer was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Leon J. de Szethofer and Blanche Hrdinova de Szethofer shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

ETSUKO TAMAKI (SHIMIZU)

The bill (S. 2639) for the relief of Etsuko Tamaki (Shimizu) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Etsuko Tamaki (Shimizu), shall be held and considered to be the natural-born alien child of Mrs. Shizuko Tamaki, a citizen of the United States.

MARIA LOUISE ANDREIS

The bill (S. 2644) for the relief of Maria Louise Andreis was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Maria Louise Andreis shall be deemed to be the minor child of her mother, Egidia Bonessi Schaetzler, a lawful permanent resident of the United States.

ANASTASIA ALEXIADOU

The bill (S. 2666) for the relief of Anastasia Alexiadou was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Anastasia Alexiadou shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

CHOKICHI IRAHA

The bill (S. 2710) for the relief of Chokichi Iraha was announced as next in order.

Mr. BUTLER. Mr. President, at the last call of the calendar, Calendar No. 1817, Senate bill 3219, to amend certain provisions of title XI of the Merchant Marine Act of 1936, to facilitate private financing of new ship construction, was directed to be placed on this call of the calendar.

The PRESIDING OFFICER. The Chair will state that that bill will be called in its regular order. The order in which this call of the calendar is proceeding began with the uncalled items as of July 17, starting with Calendar No. 1833, H. R. 9580. Following the completion of that order of the call of the calendar, it is proposed to return to the beginning of the calendar.

Is there objection to the present consideration of Senate bill 2710?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That for the purposes of the Immigration and Nationality Act, Chokichi Iraha shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

GUISEPPE MINARDI

The bill (S. 2771) for the relief of Guiseppe Minardi was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That Guiseppe Minardi, who lost United States citizenship under the provisions of section 404 (a) of the Nation-

ality Act of 1940, may be naturalized by taking prior to 1 year after the effective date of this act, before any court referred to in subsection (a) of section 310 of the Immigration and Nationality Act or before any diplomatic or consular officer of the United States abroad, the oaths prescribed by section 337 of the said act. From and after naturalization under this act, the said Guiseppe Minardi shall have the same citizenship status as that which existed immediately prior to its loss.

DR. FELIX DE PINIÈS

The bill (S. 2842) for the relief of Dr. Felix de Piniès was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Dr. Felix de Piniès shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduce one number from the appropriate quota for the first year that such quota is available.

SERAPHINA PAPGEORGIOU

The bill (S. 2893) for the relief of Seraphina Papgeorgiou was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Seraphina Papgeorgiou, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Edward K. Toompas, citizens of the United States.

MRS. AZNIV Y. HASSERDJIAN

The bill (S. 2894) for the relief of Mrs. Azniv Y. Hasserdjian was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Mrs. Azniv Y. Hasserdjian shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

JAMES JI-TSUNG WOO ET AL.

The bill (S. 2967) for the relief of James Ji-Tsung Woo, Margie Wanchung Woo, Daniel Du-Ning Woo, and Robert Du-An Woo was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, James Ji-Tsung Woo, Margie Wanchung Woo, Daniel Du-Ning Woo, and Robert Du-An Woo shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

SUZANNE L'HEUREUX

The bill (S. 3319) for the relief of Suzanne L'Heureux was announced as next in order.

The PRESIDING OFFICER. The Chair wishes to advise that the House has passed H. R. 8694, which is identical with the bill S. 3319. The House bill is now on the calendar.

Mr. CORDON. Mr. President, I move that the House bill be substituted for the Senate bill.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Oregon.

The motion was agreed to.

Mr. CORDON. I now ask for the consideration of the House bill.

The PRESIDING OFFICER. Is there objection to the present consideration of House bill 8694?

There being no objection, the bill (H. R. 8694) for the relief of Suzanne L'Heureux was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 3319 is indefinitely postponed.

MRS. ERNA GRONOWSKI

The bill (H. R. 686) for the relief of Mrs. Erna Gronowski was considered, ordered to a third reading, read the third time, and passed.

NINA MAKEEF, ALSO KNOWN AS NINA BERBEROVA

The bill (H. R. 692) for the relief of Nina Makeef, also known as Nina Berberova was considered, ordered to a third reading, read the third time, and passed.

JEAN HOLLIS VOCK

The bill (H. R. 795) for the relief of Jean Hollis Vock was considered, ordered to a third reading, read the third time, and passed.

MRS. FRANCA GATTI OHTA

The bill (H. R. 1337) for the relief of Mrs. Franca Gatti Ohta was considered, ordered to a third reading, read the third time, and passed.

FOTINI X. PARISIS

The bill (H. R. 1462) for the relief of Fotini X. Parisis was considered, ordered to a third reading, read the third time, and passed.

CLAIRE LOUISE CAREY AND VINCENT F. CAREY

The bill (H. R. 1768) for the relief of Claire Louise Carey and Vincent F. Carey was considered, ordered to a third reading, read the third time, and passed.

WANDA LUCERI, ALSO KNOWN AS SISTER CECILIA, AND OTHERS

The bill (H. R. 1788) for the relief of Wanda Luceri, also known as Sister Cecilia; Maria De Padova, also known as Sister Rosanna; Anna Santoro, also known as Sister Natalina; Valentina Ruffoni, also known as Sister Severina; Cosima Ruso, also known as Sister Carmelina, was considered, ordered to a third reading, read the third time, and passed.

MRS. ANTONIETTA PALMIERI

The bill (H. R. 2028) for the relief of Mrs. Antonietta Palmieri was considered, ordered to a third reading, read the third time, and passed.

KAROLINE DIEKMEYER

The bill (H. R. 2188) for the relief of Karoline Diekmeyer was considered, ordered to a third reading, read the third time, and passed.

MRS. MARIA M. BROIX

The bill (H. R. 2371) for the relief of Mrs. Maria M. Broix was considered, ordered to a third reading, read the third time, and passed.

LASZLO VARGA AND NIKE VARGA

The bill (H. R. 2403) for the relief of Laszlo Varga and Nike Varga was considered, ordered to a third reading, read the third time, and passed.

LIDIJA CIMZE

The bill (H. R. 2440) for the relief of Lidija Cimze was considered, ordered to a third reading, read the third time, and passed.

ADOLFO L. KALB AND WIFE

The bill (H. R. 2499) for the relief of Adolfo L. Kalb and his wife, Mrs. Eugenia G. Kalb, was considered, ordered to a third reading, read the third time, and passed.

SISTER AURELIA YANGUAS TERES AND SISTER MATILDE CUEVAS SAN MARTIN

The bill (H. R. 2619) for the relief of Sister Aurelia Yanguas Teres and Sister Matilde Cuevas San Martin, was considered, ordered to a third reading, read the third time, and passed.

CECILIA LUCY BOYACK

The bill (H. R. 2627) for the relief of Cecilia Lucy Boyack was considered, ordered to a third reading, read the third time, and passed.

SISTER ANNA ETTL

The bill (H. R. 2650) for the relief of Sister Anna Ettl was considered, ordered to a third reading, read the third time, and passed.

FELIX PETROVER

The bill (H. R. 3017) for the relief of Felix Petrover was considered, ordered to a third reading, read the third time, and passed.

HERRE VAN DER VEEN ET AL.

The bill (H. R. 3675) for the relief of Herre van der Veen, Mrs. Marie van der Veen, Helen Winifred van der Veen, and Jan Herre van der Veen was considered, ordered to a third reading, read the third time, and passed.

CHAIM SZEMAJA SEGAL AND ICEK HERSZ SEGAL

The bill (H. R. 3743) for the relief of Chaim Szemaja Segal and Icek Hersz Segal was considered, ordered to a third reading, read the third time, and passed.

ALBERTAS BAURAS

The bill (H. R. 4248) for the relief of Albertas Bauras was considered, ordered to a third reading, read the third time, and passed.

DR. ORLANDO ARTUSO AND FAMILY

The bill (H. R. 4330) for the relief of Dr. Orlando Artuso and family was considered, ordered to a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (H. R. 4813) for the relief of Radu Florescu and Nicole Elizabeth Michel Florescu was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 5340) for the relief of Tibor, Szuzsa (Susanne) and Judith Sauer was announced as next in order.

Mr. HICKENLOOPER. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 5354) for the relief of Liborio Guido Rutilio was announced as next in order.

Mr. HICKENLOOPER. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 6026) for the relief of Gertrud O. Heinz was announced as next in order.

Mr. HICKENLOOPER. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 5816) for the relief of Mrs. Caridad Rosa Avila Leyva de Ernest was announced as next in order.

Mr. HICKENLOOPER. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 6553) for the relief of Esterina Pella Bellucci was announced as next in order.

Mr. HICKENLOOPER. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 6855) for the relief of Mrs. Elisabeth Metzing Rink was announced as next in order.

Mr. HICKENLOOPER. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 6982) for the relief of Maria Elizabeth Sanchez Y. Moreno was announced as next in order.

Mr. HICKENLOOPER. Over.

Mr. HENDRICKSON. Mr. President, will the Senator yield? Is the Senator from Iowa objecting because the bills are being called after the hour of 10 p. m.?

Mr. HICKENLOOPER. Yes. I think this is the most fantastic situation I have ever seen.

Mr. HENDRICKSON. Mr. President, I ask unanimous consent that the Senate on tomorrow may return to the call of the calendar, starting with the bill first objected to by the Senator from Iowa.

The PRESIDING OFFICER. The bill first objected to by the Senator from Iowa was Calendar No. 1883, H. R. 5340, for the relief of Tibor, Szuzsa (Susanne), and Judith Sauer.

Is there objection to the unanimous-consent request of the Senator from New Jersey? The Chair hears none, and it is so ordered.

Mr. HENDRICKSON. Mr. President, it was announced by the distinguished majority leader that we would continue the call of the calendar until 10 o'clock tonight. The hour of 10 o'clock has arrived and passed. I should like to ask the distinguished acting majority leader, our able whip, what the plans are.

Mr. SALTONSTALL. Mr. President, it was the suggestion of the majority leader, concurred in by the minority leader, when they left the Chamber——

Mr. JOHNSON of Texas. Mr. President, the minority leader has not left the Chamber. The minority leader has not made any suggestions, but he is listening.

Mr. SALTONSTALL. It was the suggestion of the majority leader, and I thought the minority leader concurred, that we should proceed until about half past 10 o'clock. It was my understanding that at half past 10 o'clock I would move a recess until tomorrow. That was the plan.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. JOHNSON of Texas. The Senator is correct. The majority leader said there are 600 or 700 bills on the calendar. We are in the last days of the session. While the majority leader had previously announced that he hoped we could continue in session until about 10 o'clock, or shortly thereafter, he stated he hoped that we could consider the calendar until about 10:30 p. m., if the Members were willing; and the minority leader thought that suggestion was a good one.

I have no disposition to ask any Senator to remain longer than he desires to stay. The majority leader has the responsibility of the legislative program. There are hundreds of bills on the calendar, of interest to every Member of the Senate.

So far as the minority is concerned, we are very willing, anxious, and eager to remain to see that those bills to which there is objection are objected to, and those bills we are willing to pass are passed. But we have no desire to impose on the majority. If any member of the majority desires to recess at 10 o'clock, it is satisfactory to us.

Mr. SALTONSTALL. It was my hope, as the acting majority leader, particularly since many private bills are on the calendar, that we could consider as many of those bills as possible until about half past 10. I earnestly hope that the Senator from Iowa [Mr. HICKENLOOPER] will agree to that understanding.

When the hour of half past 10 is reached, I shall promptly move that the Senate recess. We should go as far as we can with bills to which there is no objection, and proceed with the call of the calendar on private bills as to which there would not be much debate.

Mr. HENDRICKSON. Mr. President, I most respectfully suggest to the distinguished acting majority leader that there is little to be gained by calling the calendar of the bills that have not been objected to by the calendar committees on both sides of the aisle, if they are to be objected to because of the principle that has been laid down. I do not see anything to be gained by the procedure of objecting to many bills and having to take them up again.

Mr. SALTONSTALL. Mr. President, I agree with the Senator 100 percent. The suggestion which I hoped the Senator from Iowa [Mr. HICKENLOOPER] would agree to was that the Senate would recess promptly at half past 10 o'clock.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield to the Senator from Oregon.

Mr. MORSE. Let me point out to the Senator from Massachusetts that I do not think the Senator from Iowa [Mr. HICKENLOOPER] is alone in his views that we have worked long enough today, and that the Senate ought to recess.

Mr. SALTONSTALL. Mr. President, it is obvious that the Members wish to recess at this point. Before moving to take a recess I shall yield to the Senator from Nevada [Mr. MALONE].

Mr. HENDRICKSON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HENDRICKSON. Is it quite clear that the unanimous-consent agreement which the junior Senator from New Jersey proposed referred to the first bill to which the distinguished Senator from Iowa [Mr. HICKENLOOPER] objected, and included all the following bills from there on until the last bill objected to?

The PRESIDING OFFICER. The Senator is correct. The call of the calendar tomorrow will begin with Calendar No. 1883, House bill 5340.

Mr. HENDRICKSON. I thank the Chair.

Mr. JOHNSON of Texas subsequently said. Mr. President, I should like to know what the plan of the acting majority leader is as to procedure tomorrow morning. I assume that the call of the calendar will be resumed at the point at which we left off tonight, and that the Senate will proceed with the call of the calendar until it is completed. I should

like to ask the distinguished acting majority leader if that is his understanding.

Mr. SALTONSTALL. That is my understanding. It is intended to resume the call of the calendar, beginning at Calendar No. 1883, House bill 5340, complete the call of the calendar, and then go back to the beginning of the calendar.

SENATOR BRIDGES OF NEW HAMPSHIRE

Mr. MALONE. Mr. President, the August issue of the American Mercury magazine published a very illuminating article on the Senator from New Hampshire [Mr. BRIDGES], entitled "Senator STYLES BRIDGES: New Hampshire Yankee," written by Patrick McMahon.

Many qualifications and accomplishments of the distinguished President pro tempore of the United States Senate, which are little known even to his Senate associates, are documented in the article.

I, therefore, Mr. President, ask unanimous consent to have the article printed in the body of the RECORD at this point as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SENATOR STYLES BRIDGES: NEW HAMPSHIRE YANKEE

(By Patrick McMahon)

The most important man in the United States Senate today is a Senator whose face you rarely see peering at you from your television screen. Indeed, there are days in a row that you will not even see his name mentioned in the newspapers.

There are a score of Senators who attract more publicity; who speak more freely and more volubly on more issues from the floor of the Senate or any other available rostrum; who grab more free radio and TV time at investigating committee hearings and the numerous network forums; and who air their views more frequently and more sensationally to the Washington corps of correspondents in formal and informal press conferences.

But when the big blue chips go down on the really important legislation, the man who calls the shots more than does any other Senator is STYLES BRIDGES, of New Hampshire, President pro tempore of the Senate and chairman of the powerful Senate Appropriations Committee.

Senator STYLES BRIDGES knows more about the vast, sprawling, seventy-odd-billion-dollars-a-year Federal Government of ours than any other Member of the Senate. Along with three other men—the chairman of the House Appropriations Committee, Representative JOHN TABER, Republican, of New York; the President; and the Director of the Budget Bureau—he shares the major responsibility of deciding how much money will be spent by each and every department, bureau, agency, service, office, and commission of the Government on down to the smallest subdivision. Along with those other three men, he has the major responsibility of deciding not only how much will be spent, but how, when, where, why, and under what conditions it will be spent.

Throughout our history, the chairmen of the two congressional Appropriations Committees have always wielded great power and influence. But never before so much as now, during this era of $70- and $80-billion peacetime budgets. By simply sitting on an appropriations request, the chairman of either of these two committees can literally kill a piece of legislation he regards as undesirable, even though it has been passed by both Houses and signed by the President. By delaying action, he can literally hamstring any department or agency he finds offensive. By exerting his tremendous power, he can whittle or slash appropriations requests that he considers too high, or he can even, under certain conditions, boost requests that he feels are too low.

In exercising these tremendous prerogatives, Senator BRIDGES has demonstrated that he thoroughly understands one of the fundamental rules of sound politics: When entrusted with great power, exercise it sparingly.

When the present chairman feels very strongly on an issue before his committee, he never hesitates to use every force at his command to assure the decision he believes is the right one.

Generally speaking, however, he rarely uses those powers. He leans heavily on his staff, the subcommittee reports, and the majority views of his full committee in arriving at decisions.

He is a strong chairman. A chairman who makes almost a fetish of being personally informed on every major detail in the hundreds of individual budgets that come before his committee—insofar as is humanly possible.

But he has never been accused, even by the opposition party, of being an arbitrary chairman.

He believes, and has demonstrated that he believes, that there are certain matters of fundamental principle that cannot be compromised. He also believes that if the democratic processes are to function with any degree of efficiency, intelligent men must arrive at, and agree to, intelligent compromises on matters of detail.

One experience that undoubtedly had a strong, sobering effect on BRIDGES in preparing him for his present responsibilities occurred during the early days of World War II when he was the ranking minority member of the Appropriations Committee. While the chairman has primary responsibility and wields most of the power, the ranking minority member can make it very uncomfortable for him sometimes, if he gets too far off base.

Late in 1942, when all of the trends of the war were going against us, in Europe as well as in the Far East, BRIDGES was called to the White House for a private conference with a man with whom he had clashed frequently, publicly, and sometimes rather bitterly. President Roosevelt told the Senator that he was going to ask him, as a member of the opposition party, to accept a very grave responsibility in what he felt, and hoped BRIDGES would also feel, was in the vital interest of the Nation. He told BRIDGES that he would have to make up his mind whether or not to accept that responsibility, without consulting with any member of his party, or any other human being, no matter how trusted. No word of this subject must ever be uttered to anyone, except the accredited participants. The President refused to give any hint as to what the responsibility was. He simply informed BRIDGES that he would be asked to attend a meeting in the War Department, where it would be outlined in detail.

Three days later he was summoned to the office of Secretary of War Stimson, along with the chairman of the Appropriations Committee, and the second-ranking Republican and Democratic members. (Later, a similar meeting was held by Stimson with the top four ranking members of the House Appropriations Committee, with the same results.)

When they arrived, they found Stimson flanked by a group of the most eminent scientists of the Nation and the leaders of the armed services.

They sat in stunned and utter silence while the war leaders outlined intelligence reports of the German program to develop an atomic bomb, and while the scientists advanced their views of the terrible destructive potentialities of such a bomb. They were told that on the basis of accumulated scientific knowledge, such a bomb was feasible, though many baffling difficulties would still have to be overcome. They were told that the first nation to develop the bomb would almost certainly win the war, if it were perfected in time, and, if it chose to utilize its terrible power to the utmost, it would, without any doubt, dominate the postwar world. They were told that only three nations had the scientific and economic potential, and the sources of necessary materials, to develop such a bomb—Germany, whose program was well underway; Russia, whose capabilities were something of a question mark; and the United States, which probably had the best chance of all.

The Secretary grimly informed them that the United States Government had decided to develop the atomic bomb. He outlined, briefly, the details of what later was known as the Manhatan project.

But there were 2 great difficulties that only the 8 congressional leaders could resolve. The project had to be kept entirely secret, not only from the public, not only from Congress, but even from the two Appropriations Committees. But somehow the money had to be appropriated, billions of dollars. Under the Constitution, money cannot be appropriated without the knowledge and consent of Congress. The methods suggested by which it could be done were not only extralegal, they were probably illegal. The eight Members of Congress who were asked to put it through realized instantly that by so doing they were risking not only impeachment but possibly prison as well.

But, one after the other, Senator BRIDGES and his colleagues gave their pledge to go along. The issue was not just whether or not this terrible power would be made available to mankind; it was which would be the first nation to achieve it—the United States, Germany, or possibly the Soviet Union.

Well, extra-legally or illegally, the money was made available. The bomb was developed. Whether or not we made wise use of the immense power it gave us during the postwar years is a subject of considerable debate. But there can be very little debate as to what would have happened if Germany or the Soviet Union had come up with it first.

"I think most of the civilized world wishes to heaven that nuclear weapons were still beyond the reach of all nations," BRIDGES told a friend recently. "But as the situation then existed, with the Germans already well under way with their project, and the thing within the possible reach of the Russians, I believe we made the only possible decision. I think recent history has vindicated us."

Then he added, with a wry smile: "But I often wonder what my own fate would have been, and the fates of my colleagues, if the Manhattan project had been a flop."

Senator BRIDGES is not the kind of a man who worries unduly about his decisions once they have been made. Few men are who achieve success and responsibility, whether it is public or private life. Nevertheless, he must have spent many a sleepless night from the time he agreed to go along on the Manhattan project and the day the first bomb was successfully exploded in the flatlands of New Mexico some 2½ years later.

The fates presented STYLES BRIDGES with two of the most important vote-getting attributes that a candidate for public office in the United States can possess. He was born on a farm. And he was compelled to work hard throughout most of his boyhood to help support his family. His is the Horatio Alger story, which since the days of Andrew Jackson has appealed so strongly to the American electorate—the poor farm

boy who pulled himself up by his bootstraps and made good.

He was born in 1898 on a farm in West Pembroke, Maine, the son of Earle L. and Alina Fisher Bridges. His father died when he was 9 years old, and as many another farm boy of modest circumstances has done, young Styles had to help work the family farm and share the responsibilities of the household.

Also, as millions of other American boys have done—and are still doing—BRIDGES worked his way through college. While attending the University of Maine, he worked in the dairy barns, rising at 4:30 every morning in order to complete his work in time to attend his morning classes.

Born and raised in the State of Maine, the senior Senator from New Hampshire actually cut his political teeth in Massachusetts. On his graduation from college in 1918, he became instructor in agriculture at Sanderson Academy in Ashfield, Mass. While a resident of Ashfield, the Republicans nominated and elected him a supervisor of checklists. This marked the first of a long series of consecutive election victories. BRIDGES has never been defeated in a campaign for public office.

BRIDGES soon returned to Maine to take the post of county agricultural agent in Hancock County. A short time later he migrated to his present State of New Hampshire, where he was appointed to the agricultural extension staff of the University of New Hampshire as specialist on crops and soils.

The real groundwork for BRIDGES' political career was laid when he became the first executive secretary of the newly organized New Hampshire Farm Bureau Federation, and the editor of the bureau's official publication, the Granite Monthly. In those twin capacities he toured every county in the State, dozens of times, visiting every town and hamlet, soliciting members for the Bureau, and subscriptions and news for the publication. Politicians up that way say STYLES BRIDGES knows more farmers by their first name than any man in New Hampshire, which, as any political expert can tell you, is another great asset to a candidate for public office.

BRIDGES got his first tryout in the political big league in 1928, when he played the key role in obtaining the nomination and election of Charles W. Tobey for governor. Although Tobey was later to become BRIDGES' bitterest political enemy, before the cleavage became too deep, he named BRIDGES to the New Hampshire Public Service Commission in 1930, a body, incidentally which gained a nationwide reputation in the field of public utility regulation during the tumultuous early 1930's when the public utilities of the Nation were a subject of major concern.

In 1934, BRIDGES received the Republican nomination for governor, and was elected. In fact, he was the only Republican to win a governorship in the Nation in that unhappy Republican year—a fact which catapulted him into the national spotlight.

Not even the most wildeyed liberals have any criticism of BRIDGES' record as Governor of New Hampshire. He balanced the budget, something of a feat for the governor of any State back in the 1930's (New Hampshire, like most of the Nation, had been operating on borrowed funds). Moreover, he did so without curtailing any essential services, and without cutting back the relief programs that were so costly but so necessary during that period of severe depression.

The thing that baffles the extreme liberals is that it was the conservative BRIDGES who, while Governor, pushed through the necessary legislation to make New Hampshire the first State in the Nation to qualify under the Federal Social Security Act, and the second to provide unemployment insurance to workers. He also was responsible for setting up a State cancer commission, one of the first in the Nation, to conduct research and provide treatment.

Also, alarmed at the increasing encroachment of the Federal Government in fields of government that had traditionally been left to the States, Governor Bridges pioneered the negotiation of interstate pacts to eliminate disparities and disagreements between States which were being used by the Washington empire-builders as an excuse to further extend Federal powers.

BRIDGES was the first Governor of New Hampshire to name women to executive posts in the State government, and to appoint a woman judge, another fact which doesn't hurt any around election time.

STYLES BRIDGES had a narrow escape from political disaster in 1936, but once again the fates were kind. He was almost nominated for the vice presidency on the Landon ticket. To the top GOP politicoes, especially the younger men, BRIDGES had considerable appeal. His election in 1934 had proved him to be an outstanding vote getter. He had an excellent record as governor. He was well-liked by labor and the farmers. He was a forceful platform speaker, and as such, might offset one of Mr. Landon's more obvious deficiencies. And he was young—a mere 37.

Then some smart adviser pointed out that if BRIDGES were nominated for the second spot on the ticket, the natural campaign song for the Democrats would be a parody of the old nursery rhyme: "Landon-Bridges Falling Down." Thus BRIDGES was saved from a fate which could have meant political death.

So he went back to New Hampshire and campaigned for the United States Senate, instead, and despite a Democratic landslide—the most devastating political landslide in United States history, which even swept New Hampshire—he was elected.

During that campaign there occurred one of those amusing blunders that sooner or later fall to the lot of every political figure. Nearing the end of the campaign, candidate BRIDGES was making a whirlwind series of speeches one night in the heart of enemy territory, the Democratic stronghold of Manchester. He arrived at a rally at the Franco-American Club, jumped out of his car and hurried up to the chairman, tired, a bit breathless, and a good half-hour behind his schedule.

"I'm Governor BRIDGES," he said, grasping the somewhat startled chairman by the hand and pumping it vigorously. "I'm overdue at another meeting, and have two more speeches to make tonight. I'd appreciate it very much if you could cut the present speaker short, and let me go on immediately."

The chairman went into a quick huddle with his aides; the man then speaking was unceremoniously cut off, and the Governor was escorted to the platform. There, for the next 20 minutes, he denounced "the horrible mess the Democrats have made in Washington."

"It was a darn good speech," BRIDGES insists to this day. But before he was halfway through, it became apparent even to him that his audience did not think so.

And when he glanced toward the back of the room a few minutes later, during one of those brief pauses for emphasis and anticipated applause (which this time was not forthcoming) he knew very well that something was wrong. For standing there in the center of the aisle, grimly ignoring the frantic whispers of the distraught chairman and his aides, was the then Congressman William Rogers, the Democratic nominee for the Senate, and BRIDGES' campaign opponent.

It seems there were two Franco-American clubs in Manchester. Both were holding political rallies that night. And BRIDGES was addressing the Democratic rally.

Prior to the 1936 campaign, BRIDGES was regarded by many liberals, both in his and in the Democratic Party, as one of their very own. But as a result of his vigorous attacks against the Roosevelt administration, and especially against the rapidly increasing growth of Federal power in all phases of political and economic life, doubts commenced to rise, at least in the minds of the more avid New Dealers. The doubts changed to suspicions when BRIDGES, as a freshman Senator, took a leading role in the fight against President Roosevelt's plan to pack the Supreme Court. And the suspicions became convictions as Senator BRIDGES fought consistently for economy in government and a balanced budget, and against further extension of Government controls and power. Today they regard him as the archest of the archconservatives.

STYLES BRIDGES insists that his own political philosophy has not changed. It is simply the issues and the philosophy of the liberals that have changed. He believes firmly in free enterprise, and the holding of Government authority (particularly that of the Federal Government) to a practical minimum.

However, he also believes, as firmly today as he did when he was Governor of New Hampshire, that free enterprise and our democratic institutions cannot be rigid nor static things. They must have flexibility to meet new challenges and new crises, whether they arise in time of peace or in time of war.

During his 18 years in the United States Senate, BRIDGES has participated vigorously in virtually every major controversy, in an era when controversy has been the dominant note of national political affairs. It was inevitable, with such a record, that he make many enemies, including some very powerful enemies.

One of the charges most frequently voiced is that BRIDGES is a politician. And, of course, he is a politician—one of the most astute politicians in the United States Senate. After all, the business of government, in a democracy at least, is politics. It is just about time we Americans learned that fact.

It is grossly untrue, however, to infer by the use of the word "politician," that he is dishonest, or insincere, or interested only in being elected and reelected to public office. Senator BRIDGES has repeatedly risked his political career by bucking the tide of public opinion, both in his State and in the Nation, on matters which he felt involved important principles. He has done so at times when emotionalism was running high, and when he knew in advance that his cause was hopelessly lost (at least for the time being) and the only effect of his stand would be to antagonize substantial blocs of voters.

Back in the 1930's, when pacifism was at an all-time high, when the country was thoroughly engrossed with its own troubles and weary of the perennial quarrels and problems of Europe, BRIDGES was one of the first Senators to warn of the growing menace of German nazism, Italian fascism, and Japanese imperialism. His was one of the lone voices to demand immediate strengthening of United States air and sea power. And he drew down the wrath of millions of so-called isolationists and won the epithet of warmonger.

In 1937, he introduced into the Senate a resolution to ban the shipment of scrap iron and steel, and other war goods, to Japan—and to this day there must be millions of parents, widows, and sweethearts of men who were lost in the Pacific who wish with all their hearts that BRIDGES' measure had been adopted.

BRIDGES' unpopular stands, of course, were thoroughly vindicated by the events of December 7, 1941, and those that followed in the ensuing months and years.

In even more striking fashion, recent events have vindicated his far more unpopular stands during the war and early postwar years. As far back as during the battle of Stalingrad, when the press and public of the Nation—conservatives and liberals alike—were singing paeans of praise to the Red

Army, BRIDGES was one of the first responsible officials to warn of the potential dangers of Soviet imperialism, to question the wisdom of the huge lend-lease shipments to Russia, and to publicly charge that secret deals were being negotiated at Teheran and Yalta. He was one of the first Senators to charge that Communists held high posts in the United States Government and to support the then bitterly criticized efforts of congressional committees to root them out.

Today those efforts of BRIDGES to awaken the Nation to the Communist dangers are overwhelmingly sustained. But at the time they brought down on him tirades of abuse, and not only from the Commies, the pinkoes, and the extreme liberals.

But the tough-minded Yankees in the State of New Hampshire apparently respect a Senator with a mind of his own, and the political courage to vote his convictions. For in 1948 they again reelected BRIDGES, this time by the largest majority given a senatorial candidate in the State's history.

Today Senator BRIDGES is again bucking the political tides, in the view of many astute politicians. While many of his Republican colleagues from the farm States are desperately temporizing, the senior Senator from the predominantly agricultural State of New Hampshire—who, incidentally, is up for reelection this year—has come out strongly for the administration's flexible price-support program—a stand which many of his friends have warned him will bring down the wrath of the farmers.

BRIDGES disagrees. He feels that the American farmer needs, and should have some assistance in price stabilization of his major crops. But he is also convinced that the rigid parity program of the past several years has had the inevitable effect of encouraging the overproduction of commodities already existing in surplus, that the net results are grossly unfair to the taxpayer and the consumer, a serious threat to the Nation's economy and, in the long run, a danger to the farmer himself. And STYLES BRIDGES' background in farming includes the practical and the theoretical, as well as the political.

A rather ironic aspect of BRIDGES' political career is that, of all the bitter controversies in which he has engaged, the two battles that caused him the severest headaches were one in which he did not participate at all and one in which he entered only as a peacemaker, and succeeded in making the peace.

To this day some of the ardent supporters of the late Senator Taft, and the even more zealous followers of President Eisenhower, have not forgiven BRIDGES for his refusal to enter the 1952 preconvention campaign (on the side of their respective candidate, of course). He has been accused of betraying the man who was one of his closest friends in the Senate; of waiting until the race was over, and then slapping down his bet on the winning horse; of playing both factions in an unsuccessful try for the vice presidential nomination.

The facts are these: At the opening of the 1952 session of Congress, BRIDGES was asked by his Republican colleagues to serve as minority floor leader. It was already apparent that a bitter fight was brewing between the Taft and Eisenhower factions. If the Republicans were to function with any effectiveness during that session, it was absolutely essential that the minority floor leaders in the Senate and the House remain on good terms with the supporters of both Eisenhower and Taft. So, on accepting their respective posts, both BRIDGES and Representative JOSEPH MARTIN, the minority leader of House, were asked to pledge that they would remain absolutely aloof from the preconvention campaign. They both gave that pledge. They both scrupulously kept it. And—as is frequently the fate of the neutral—they both wound up taking a lusty thumping from both sides.

Curiously, BRIDGES' close friend, JOE MARTIN, also shared with him that other political headache, the one he received as the peacemaker (whose blessings, alas, are usually reserved for another world).

Back in the spring of 1948, two important events were vying for the Nation's attention, and neither one of them was exactly unfamiliar to the American public. A presidential election was brewing. And John L. Lewis' coal miners were out on an undeclared strike.

And back in the spring of 1948, things did not look too good for President Truman and the Democrats. They were already being ruled into political oblivion by such august authorities as Gallup and Roper, and some of Tom Dewey's more impetuous followers were confidently shopping for Georgetown houses.

Things were to change somewhat, later in the year (along about early November, I think it was), but at the time the Fair Dealers were so desperate that they even seized upon the hated Taft-Hartley Act in an effort to drum up some political capital, and they threw the book at John L. Lewis, who was the No. 1 villain of the day. His miners had been out for more than 20 days. Coal reserves were rapidly nearing exhaustion. Steel mills throughout the Nation were banking their furnaces, and factories were shutting down. Schools were closing; trains running only half their schedules. Truly, the Nation was on the verge of a great economic crisis.

And it was all because John L. Lewis and Ezra Van Horne, of the coal operators, the two trustees of the miners' multi-million-dollar pension fund, were unable to agree on a program to start paying pensions. The third trustee, after months of vainly trying to effect a compromise, finally had quit in disgust.

Then JOE MARTIN got an idea. He approached Lewis and Van Horne and suggested that they name STYLES BRIDGES as the third, or neutral trustee, to try to work out an acceptable compromise. Both agreed, and BRIDGES accepted the job.

Two days later BRIDGES came up with a proposed compromise, and although Van Horne flatly rejected it, Lewis reluctantly agreed. Since BRIDGES and Lewis constituted a majority of the three-man board, the proposal was adopted—and the miners went back to the pits.

The initial reaction of the Nation was one of immense relief, and generally unstinted praise for MARTIN and BRIDGES for the parts they had played in bringing an end to a catastrophic impasse. The day the compromise was adopted, Speaker MARTIN was given a rising ovation by the entire House, Republicans and Democrats alike.

But some of the more rabid Fair Dealers were fit to be tied. They viewed the whole thing as a snide trick by Republicans BRIDGES and MARTIN to deprive them of the full glory of prosecuting Lewis and his union under the Taft-Hartley law.

The mine operators were not very happy about it, either. They immediately slapped BRIDGES and Lewis with a series of lawsuits and injunctions, charging them with illegally using their powers as trustees of the pension fund.

But the miners stayed on the job.

Then, a few months later, the roof fell in on Senator BRIDGES. The former left-wing Senator from Idaho, banjo-playing Glen H. Taylor, took the Senate floor to reveal, with considerable gusto and innuendo, that BRIDGES was receiving compensations at the rate of $35,000 a year for his services as trustee to the miners' pension fund and for his expenses in connection with the same. It was perfectly true (Van Horne got the same). But while $35,000 a year would be regarded as a modest fee for a top-flight New York or Boston lawyer for sharing in the management of millions of dollars, it was regarded as a fortune in the Nation's Capital, where the men who are responsible for the expenditure of billions are lucky to receive a third of that amount. The Fair Dealers really went to town, and peacemakers BRIDGES and MARTIN found themselves buffeted from all sides.

By that time BRIDGES had become pretty thoroughly fed up with the job. Not only was he being sued by the operators and individual miners, but he was clashing repeatedly, and sometimes publicly, with Lewis. One day he was denounced as a stooge of John L. Lewis, and the next he was accused of selling out to the operators. Much of his $35,000-a-year salary was being eaten up in legal fees. So, as soon as he could gracefully do so, he resigned, serving the greater part of a year without compensation.

There was one rather important fact, though, that was generally (to some extent, deliberately) overlooked in the uproar. Throughout it all, the miners remained in the pits.

And even while the torrents of abuse were being poured over his head, STYLES BRIDGES could, in all justice, claim a substantial share of the credit for that.

Another important fact that was overlooked was that President Truman himself had fixed the $35,000-a-year fee for the neutral trustee.

There is an old axiom in Washington that many a successful senatorial career is made by the Senator's wife; and even more are unmade. On that score, too, the fates that guide the destinies of public officeholders have been kind to STYLES BRIDGES.

In 1944, Senator BRIDGES, then a widower (his first wife, Sally Clement Bridges, died in 1938) married Doloris May Thauwald, an administrative assistant in the Department of State and a native of Minnesota.

Mrs. Styles Bridges is an attractive woman with charm, poise, tact, intelligence, and a lively interest in national and international affairs. Moreover, she has the rare knack of exercising all of these talents in an entirely unostentatious manner.

Most important, she closely follows all of the important phases of her husband's many political activities, but has the good sense never to intrude in them.

BRIDGES, like many men of heavy responsibilities, often discusses the problems of his job with his wife.

"But he does not ask my advice, nor do I ever volunteer it," Mrs. Bridges says. "He simply likes to talk things out, for the purpose of clarifying his own thinking. Once in a while he will ask my views on certain subjects, but it is only to keep the conversation going. He never asks for suggestions.

"And I am delighted to be able to help as much as I can, by simply sitting and listening."

Senator BRIDGES has three sons. The eldest two, Styles, Jr., and David, are Navy veterans. John, the youngest, is now a buck private in the United States Army, and it took no political influence, no phone calls to the Secretary of the Army, to get him there. The draft took care of that.

Senator BRIDGES is not only the most influential man in the United States Senate today, but he also carries the heaviest burden of work. Besides the chairmanship of the full Appropriations Committee, he serves as a member of each of its 10 subcommittees and is also chairman of the Subcommittee on State, Justice, and Commerce. He is the ranking Republican member of the Senate Armed Services Committee and chairman of its important Subcommittee on Aircraft Procurement.

As President pro tempore of the Senate he has the obligation of presiding over sessions when the Vice President is absent (although he frequently delegates that task to another Senator). And in this capacity he is third

in the line of succession to the Presidency of the United States.

Senator BRIDGES has little time these days to engage in the popular controversies that make the headlines and the television screens. His job, day after day, is to deftly wield that scalpel (he rarely swings a meat ax) on appropriations requests, which saves the taxpayers of the Nation literally billions of dollars a year. It was while STYLES BRIDGES was chairman of the Senate Appropriations Committee in 1947, that $9 billion was pruned from the Truman budget (and you can still hear faint echoes of the screams that reverberated along the shores of the Potomac) and for the first time since 1930, brought Federal expenditures into balance with income.

On the Senate floor, BRIDGES makes an impressive, but not pompous, figure. He is a tall, well-built, pleasant-looking man who dresses conservatively, is always immaculately groomed, and whose lips frequently twist into an affable, slightly lopsided grin. He is a skillful, and occasionally fiery, debater.

In the committee rooms he is a persuasive, effective negotiator, usually conciliatory, but, when the need arises, sometimes just as hard as nails. In the Senate cloakroom he is genuinely liked and respected by his colleagues, political friends and political foes alike.

"If you deal the cards off the top of the deck to STYLES, he'll deal them off the top of the deck to you," Senator LYNDON B. JOHNSON, the minority floor leader, once remarked to a colleague. "But if you try to deal them any other way, you will find he's pretty tough at that game, too."

And coming from a poker-playing Texas Democrat to a Republican Yankee from the State of New Hampshire, that is really not such a bad accolade at all.

Mr. MALONE. Mr. President, the Senator from New Hampshire is completing his third term as a Member of this body. By right of seniority, he is chairman of the Committee on Appropriations, one of the most powerful committees in the Congress of the United States. The Senator from New Hampshire is also President pro tempore of the Senate.

Perhaps few of the people, even those of his own State of New Hampshire, have a clear idea of the importance and the influence of their senior Senator.

ENROLLED BILLS PRESENTED

The Secretary reported that on today, August 10, 1954, he presented to the President of the United States the following enrolled bills:

S. 1585. An act to amend the District of Columbia Traffic Act, 1925, as amended;

S. 1611. An act to regulate the election of delegates representing the District of Columbia to national political conventions and for other purposes;

S. 2798. An act for the relief of Azizollah Azordegan;

S. 3506. An act to repeal the act approved September 25, 1914, and to amend the act approved June 12, 1934, both relating to alley dwellings in the District of Columbia; and

S. 3655. An act to provide that the Metropolitan Police Force shall keep arrest books which are open to public inspection.

LEAVE OF ABSENCE

Mr. LANGER. Mr. President, I ask unanimous consent that I may be excused from attendance on the sessions of the Senate on Wednesday and Thursday of this week, because of serious illness in my personal family.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL BILL INTRODUCED

An additional bill was introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MORSE:

S. 3856. A bill to promote the prevention and control of pollution in the Potomac River; ordered to lie on the table.

(See the remarks of Mr. MORSE when he introduced the above bill, which appear under a separate heading.)

AMENDMENT OF SECTION 345 OF REVENUE ACT OF 1951—AMENDMENT

Mr. FERGUSON submitted an amendment intended to be proposed by him to the bill (H. R. 6440) to amend section 345 of Revenue Act of 1951, which was ordered to lie on the table and to be printed.

Mr. MARTIN submitted an amendment intended to be proposed by him to House bill 6400, supra, which was ordered to lie on the table and to be printed.

RECLASSIFICATION OF DICTOPHONES IN THE TARIFF ACT OF 1930—AMENDMENT

Mr. MARTIN submitted an amendment intended to be proposed by him to the bill (H. R. 8932) to reclassify dictophones in the Tariff Act of 1930, which was ordered to lie on the table and to be printed.

SOCIAL SECURITY ACT AMENDMENTS OF 1954—AMENDMENTS

Mr. KENNEDY submitted amendments intended to be proposed by him to the bill (H. R. 9366) to amend the Social Security Act and the Internal Revenue Code so as to extend coverage under the old-age and survivors insurance program, increase the benefits payable thereunder, preserve the insurance rights of disabled individuals, and increase the amount of earnings permitted without loss of benefits, and for other purposes, which were ordered to lie on the table and to be printed.

Mr. HUMPHREY submitted amendments intended to be proposed by him to House bill 9366, supra, which were ordered to lie on the table and to be printed.

MUTUAL SECURITY APPROPRIATIONS, 1955—AMENDMENTS

Mr. MAYBANK submitted an amendment intended to be proposed by him to the bill (H. R. 10051) making appropriations for mutual security for the fiscal year ending June 30, 1955, and for other purposes, which was ordered to lie on the table and to be printed.

Mr. LONG submitted an amendment intended to be proposed by him to House bill 10051, supra, which was ordered to lie on the table and to be printed.

RECESS TO 10 A. M. TOMORROW

Mr. SALTONSTALL. Mr. President, I move that the Senate stand in recess until 10 o'clock tomorrow morning.

The motion was agreed to; and (at 10 o'clock p. m.) the Senate took a recess, the recess being, under the order previously entered, until tomorrow, Wednesday, August 11, 1954, at 10 o'clock a. m.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 10 (legislative day of August 5), 1954:

UNITED STATES DISTRICT JUDGE

Hon. James C. Connell, of Ohio, to be United States district judge for the northern district of Ohio.

UNITED STATES DISTRICT ATTORNEYS

Theodore E. Munson, of Alaska, to be United States attorney for division No. 1, district of Alaska.

Herbert G. Homme, Jr., of North Dakota, to be United States attorney for Guam.

Robert Vogel, of North Dakota, to be United States attorney for the district of North Dakota.

UNITED STATES MARSHAL

Harry R. Tenborg, of North Dakota, to be United States marshal for the district of North Dakota.

HOUSE OF REPRESENTATIVES

TUESDAY, AUGUST 10, 1954

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

O Thou great God, our creator and benefactor, whose blessings are abundantly sufficient for our many needs, show us how we may help mankind attain unto new and nobler standards of life and add to its richness and glory, its wonder and joy.

Inspire us with a greater concern for human rights and human welfare and may men and nations learn the art and the blessedness of living and walking together in peace.

We are daily praying that those who hold positions of leadership may be endowed with wisdom and understanding, faith and fortitude, patience and perseverance as they plan and labor to lead and lift humanity to the high plateau of brotherhood.

Hear us in the name of the Prince of Peace. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Tribbe, one of his secretaries.

THE LATE VITO MARCANTONIO

Mr. CELLER. Mr. Speaker, it is with a sense of sorrow that I announce the

demise of the late lamented Vito Marcantonio, who formerly was a Member of this House from the State of New York.

One may have disagreed with him but one could never find any fault with his method of disagreement. He was a Member of this House who always fought hard for what he deemed right. He always fought fair. He had great courage and determination—a determination as firm as a rock you hold in your hand and a courage as fierce as lightning. He brought to bear upon his services in this House erudition, keen intelligence, hard work, and what to him was a sincerity of purpose.

He may have been enthusiastically misguided in his espousal of certain causes. But that was his right. He ever stood for the preservation of fundamental liberties, and, using the words of our distinguished Chaplain this morning, he always sought the enhancement of human rights and human welfare.

He was, indeed, a redoubtable opponent. One had to bring up the best of his battalions even to meet him on equal terms. He easily found the chink in any opponent's armor. He knew long in advance the adversary's weakness.

He was one of the most skilled debaters in the Congresses he attended. He was an adept, artful parliamentarian. No one knew the rules better than he and he used that parliamentary knowledge and art with telling effect.

He was ever kind, modest, and just. I disagreed with him frequently—sometimes vehemently. We can no longer disagree and all scores are even.

Death is a mighty leveler. He now sleeps the sleep of death from which there is no awakening.

He was a Catholic by faith, and I presume a true disciple of his creed. I am sure, like David of old, he trusted in God's mercy and rejoiced in his salvation, for God was his shepherd and benefactor.

He had many setbacks; he had experienced many failures and frustrations, but one never found him bitter or rancorous or unduly condemnatory. There was no personal animosity about him; there was never self-pity. He was ever cordial and friendly. He was respected by his colleagues.

Our sympathy and condolence go forth to his dear wife and mother who survive him.

In closing, permit me to quote a verse of Stevenson's Requiem:

Under the wide and starry sky,
Dig the grave and let me lie.
Glad did I live, and gladly die,
And I laid me down with a will.

This be the verse you grave for me:
"Here he lies, where he longed to be;
Home is the sailor, home from the sea,
And the hunter home from the hill."

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. Our late colleague Vito Marcantonio, came to the House about the same time that it was my privilege to begin my service here. On his passing, those whose policies and beliefs were as his lost an able, vigorous and effective advocate.

He not only knew the parliamentary procedure which governed the House, but he never lacked the courage to use that knowledge to further the legislative program to which he adhered.

He was so far to the left that I could not go along with his views. Perhaps I was too far to the right. However that may be, no Member of the House, so far as I know, ever doubted his sincerity, ever failed to recognize his ability or his effectiveness.

In this country of ours, under our form of government, every citizen, as well as every Member of Congress, has a right to his own opinion as long as he stays within the letter and the spirit of the law. It has always been my firm conviction that we should be tolerant in our judgment of others, that no man should be condemned because of what he believes as long as he is sincere, entertains honest convictions. Equally true is it that no man is required to accept or to follow the views of another. Our colleague served the people of his district vigorously, consistently, and sincerely.

Mr. MULTER. Mr. Speaker, many of us had our differences with our late colleague, Vito Marcantonio. Many on my side of the aisle, when he first came here in 1934, having been elected to this House as a Republican, members of my party, differed with him politically. I did, too. Later when he led the American Labor Party, many of us on both sides of the aisle differed with him politically. But he was truly a good American. Despite his differences politically with us, he was always honest in his convictions. He was fair in his political warfare. As a man, we respected him in life and it is fitting that we pay respect to his memory today.

There were few who were as good parliamentarians in this House as was Congressman Marcantonio when he was with us. But, knowing all of the intricacies of parliamentary law, he never took unfair advantage of anyone; he always gave due notice of what he intended to do, and when he gave his word, it was his bond.

Mr. Speaker, I join our colleagues today in extending to his aged mother and his beloved wife our sincere sympathy. May his soul rest in peace.

Mr. CELLER. Mr. Speaker, I yield to the gentleman from Minnesota [Mr. McCARTHY].

Mr. McCARTHY. Mr. Speaker, I would like to join with my colleagues in saying a word in regard to the gentleman from New York, concerning whose death we have just received notice. I think most of us know that on many occasions his name was made a kind of byword; the fact that one had voted with him was used as argument that one was unfit to serve in the Congress. I knew him during only one term in this Congress, and I judge him only by his actions on the floor of this House and by things he said while I was a Member here with him. And, I say quite frankly that never did he support anything on the floor of this House or advocate anything which any good American, allowing for the great differences of opinion among Americans, might not have advocated and any Christian might not have advocated. I was struck especially by one of his remarks following a notice in the newspaper that his wallet had been mislaid or stolen. This notice included the information that it had contained two religious medals. A day or two later I asked him about it, and he said that he regretted very much having lost his wallet, not because of the money which it contained but because of these two medals, one of which he said was the medal of Mother Cabrini, an Italian-born American saint who had recently been canonized, and the second, a medal that he had received when he was confirmed as a Christian.

The gentleman from New York was a lonely man. Few of us knew him well or intimately. I did not. He was a hard and vigorous advocate of his causes. He was a master of the rules of this House. He was, as other Members have stated, a man who honored his word.

In death he will be fairly judged. There is no need for further judgment by men.

Mr. CELLER. Mr. Speaker, I yield to the gentleman from New York [Mr. KLEIN].

Mr. KLEIN. Mr. Speaker, I want to echo what our colleague [Mr. CELLER], the dean of our delegation, has said of our departed friend, Vito Marcantonio. He was my friend. I loved him, although I was in complete disagreement with his political views. Mr. Speaker, I am sorry that I am somewhat overcome by emotion, but what I really wanted to say was that "Marc" was my friend, even though some people thought it was politically unwise to admit such friendship because of his political views. I differed with him many, many times in the past. I said on many occasions in speaking about him during his lifetime that I would undoubtedly disagree with him in the future. I cannot say that any more. As the gentleman from New York [Mr. CELLER] pointed out, when he thought he was right there was no way of changing his views. He was consistent, he was hard working, and represented his constituents ably. Many of us will miss him. I know that every Member of this House who knew him respected him and liked him, although I suppose not many will get up here and say so. No one can find fault with his personal life, even though we disagreed with him politically. I know you join with me in extending our condolences, our sincere sympathies, to his very fine wife Miriam, to his dear mother, and to the members of his family.

Mr. CELLER. Mr. Speaker, I ask unanimous consent that Members may have the right to extend their remarks in the RECORD at this point.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEOGH. Mr. Speaker, while one might disagree with his philosophy of government, all who observed him and served with him had to respect the indefatigability and application to duty of our late colleague, Vito Marcantonio,

whose death occurred under such tragic circumstances. He was often alone on the floor of the House but his sudden death was a shock to us all. He worked hard, and he lived hard, and literally died while at work. His life was not an easy one and his untimely passing calls for us to express our sympathy to his wife and relatives. It should be the hope of all that he will now obtain a degree of peacefulness which, it is apparent, he found difficult to have here.

Mr. EBERHARTER. Mr. Speaker, I join with those who preceded me in rising to pay a brief tribute to our former colleague from New York, and to agree with them in all the good things said about Mr. Marcantonio, and the glowing tributes paid to him.

Of his many sterling attributes, what impressed me most in my personal contacts with him was his true concern for the oppressed, for those who were among the less fortunate, his ever-ready sympathy for the poor and downtrodden.

I believe that he was possessed of a good heart and a pure soul, and our memory of him, as we saw him in action on the floor of this House will be to many of us an inspiration, for without doubt he possessed exceptional ability, coupled with immense strength of character. We who knew him regret his passing at so early an age.

May the good Lord abide with him and with his family in their bereavement.

Mr. BLATNIK. Mr. Speaker, I was shocked and grieved to learn that yesterday a good friend and a former colleague had passed away. I refer, of course, to the late Vito Marcantonio who formerly represented the 18th District of New York in the House of Representatives for some 14 years.

Many Members of this body have disagreed with the political principles held by Vito Marcantonio. However, I am sure that of those who have known him—including those who disagreed with him most strongly—will all admit that he was a most honest, courageous, sincere and warmhearted person who served his constituents well in the Halls of Congress.

During the 80th and 81st Congresses I came to know Marc very well. I liked him personally very much, and I respected him for his courage and for his willingness to stand up on an issue even when he stood alone. It is always a simple matter to take a position when one is part of the majority—but it takes real conviction to stand up and be counted when you are by yourself or with only a small minority. Vito Marcantonio was a man of such convictions who never hesitated to fight for that in which he believed.

Marc was a very honest and sincere person. In all the years I knew him as a colleague, I never heard of him taking an unfair advantage of anyone, nor did I ever hear him utter a malicious word about even his worst enemies. In fact, he was an honorable man who always conducted himself as a gentleman and a Member of the Congress of the United States.

Vito Marcantonio was a real friend of mankind who always fought for the underdog. Few Members of this distinguished body were his equal as a parliamentarian and floor strategist. He knew the rules of the House and was a master when it came to floor debate. He fought the good fight and did it well.

Vito Marcantonio will be long remembered by all of us who knew him. His courage, sincerity and devotion to principle are traits to be admired. May his soul rest in peace.

I extend my deepest sympathies to his family in this hour of sorrow.

CONTINUATION OF DIRECT LOAN PROGRAM THROUGH JUNE 30, 1955

Mrs. ROGERS of Massachusetts. Mr. Speaker, I call up the conference report on the bill (H. R. 8152) to extend to June 30, 1955, the direct home and farmhouse loan authority of the Administrator of Veterans' Affairs under title III of the Servicemen's Readjustment Act of 1954, as amended, to make additional funds available therefor, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

Mr. Speaker, I ask that further reading of the statement of the managers be dispensed with inasmuch as the report has been printed both in the RECORD and as a separate report.

Mr. Speaker, this bill continues the direct home loan program administered by the Veterans' Administration through June 30, 1955. The program has worked well, the default rate on these loans has been less than one-half of 1 percent, and the maximum amount which the Veterans' Administration is authorized to advance may not exceed $10,000. In actual practice it has been considerably less than that—about $6,900. I ask unanimous consent to insert at this point the latest figures available on the operations of this program by the States since it will be of interest to all Members of the House.

The conference agreement provides for a quarterly allocation of $37,500,000 less the proceeds of sales on previously made loans. This is exactly half of the difference between the two Houses. As passed by the House, the authorization was for $25 million a quarter. As passed by the Senate, it was $50 million a quarter. The conferees have agreed to split the difference.

There has been some question on the matter of allocation of these funds. The present system provides for an allocation on the basis of veteran population in those areas which are eligible for this program—the nonmetropolitan areas. The managers on the part of the House believe that the present system of allocating those funds in the individual States should be continued inasmuch as it is as equitable a system of distribution as can be devised when all points are considered.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT No. 2652)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 8152) to extend to June 30, 1955, the direct home and farmhouse loan authority of the Administrator of Veterans' Affairs under title III of the Servicemen's Readjustment Act of 1944, as amended, to make additional funds available therefor, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following "That the Servicemen's Readjustment Act of 1944, as amended, is hereby amended—

"(a) by striking out of clause (C) of section 512 (b) 'July 31, 1954' and inserting in lieu thereof 'June 30, 1955';

"(b) by striking out of section 512 (d) 'to any private lending institution evidencing ability to service loans' and inserting in lieu thereof 'to any person or entity approved for such purpose by the Administrator';

"(c) by striking out of the first sentence of section 513 (a) 'July 31, 1954' and inserting in lieu thereof 'June 30, 1955';

"(d) by striking out of the third sentence of section 513 (c) 'June 30, 1955' and inserting in lieu thereof 'June 30, 1956';

"(e) by striking out of the first sentence of section 513 (d) 'July 31, 1954' and inserting in lieu thereof 'June 30, 1955';

"(f) by striking out of section 513 (d) the second time it appears the sum of '$25,000,000' and inserting in lieu thereof the sum of '$37,500,000'."

And the Senate agree to the same.

EDITH NOURSE ROGERS,
BERNARD W. KEARNEY,
WILLIAM H. AYRES,
OLIN E. TEAGUE,
WM. JENNINGS BRYAN DORN,
Managers on the Part of the House.

HOMER E. CAPEHART,
JOHN W. BRICKER,
IRVING M. IVES,
BURNETT R. MAYBANK,
A. WILLIS ROBERTSON,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8152) to extend to June 30, 1955, the direct home and farmhouse loan authority of the Administrator of Veterans' Affairs under title III of the Servicemen's Readjustment Act of 1944, as amended, to make additional funds available therefor, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to such amendment, namely:

The bill as passed by the House provided for a 1-year extension of the direct loan program administered by the Veterans' Administration to June 30, 1955. It also authorized $25 million additional each quarter for the purpose of making loans, less the proceeds from the sale of loans in the preceding quarter.

When the bill was referred in the Senate no action was taken immediately, but when the bill H. R. 7839, the so-called general housing bill, was under consideration, section 902 was added to that bill by the Committee on Banking and Currency, to extend the program for the same period of time

as H. R. 8152—June 30, 1955—and to increase the amount of authorization from $25 million a quarter to $50 million a quarter. This bill was passed by the Senate in that form but in conference section 902 was eliminated from the measure.

In the meantime Public Law 438 had been enacted, which extended the operations of the direct loan program to July 31, 1954.

Following the elimination of section 902 from the housing bill which subsequently became Public Law 560, H. R. 8152 was reported to the Senate and passed, providing for an extension to June 30, 1955, authorizing $50 million a quarter, and permitting the sale of direct loans to individuals. There is no difference between the two Houses as to the period of extension of the program.

The conference agreement provides that the direct loan program shall continue until June 30, 1955, permits the sale of previously made loans to individuals, and authorizes $37,500,000 for each quarter beginning July 1, 1954.

The managers on the part of the House believe that the present system of allocating funds to the individual States and subdivisions of such States should be continued, as it embodies as equitable a method of distribution as can be devised.

EDITH NOURSE ROGERS,
BERNARD W. KEARNEY,
WILLIAM H. AYRES,
OLIN E. TEAGUE,
WM. JENNINGS BRYAN DORN,
Managers on the Part of the House.

The conference report was agreed to, and a motion to reconsider was laid on the table.

REPORT ON UNITED STATES PARTICIPATION IN UNITED NATIONS FOR THE YEAR 1953—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 492)

The SPEAKER laid before the House the following message from the President of the United States, which was read; and, together with the accompanying papers and illustrations, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

I transmit herewith, pursuant to the United Nations Participation Act, the eighth annual report, covering the year 1953, on United States participation in the United Nations.

This report surveys the first year of our activity in the United Nations since this administration took office, and I am happy to bring to your attention its evidence of benefits that have accrued to our country and the free world from participation in the United Nations.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *August 10, 1954.*

PAYMENT TO AMERICAN EMPLOYEES DISMISSED FROM UNITED NATIONS

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent for the immediate consideration of the resolution (H. Con. Res. 262) expressing the sense of the Congress that the United States delegation to the United Nations should take all possible steps to prevent the General Assembly of the United Nations from authorizing or approving the payment to the 11 American employees in the United Nations who were dismissed because of their refusal under the fifth amendment to answer proper questions before the Internal Security Subcommittee of the Senate.

The Clerk read the title of the concurrent resolution.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There being no objection, the Clerk read the resolution, as follows:

Whereas 11 American employees in the United Nations were asked in 1952 and 1953 to testify before the Internal Security Subcommittee of the Senate concerning their membership in the Communist apparatus and other subversive activities, but refused under the fifth amendment to answer, with the result that such subcommittee recommended their dismissal from such employment; and

Whereas the Secretary General of the United Nations dismissed the 11 employees from their employment in the United Nations, and they appealed; and

Whereas on appeal the United Nations Administrative Tribunal awarded damages to the 11 employees in a total amount of $179,420 on account of such dismissal, and the International Court of Justice has recently upheld the Administrative Tribunal; and

Whereas the case is now before the General Assembly of the United Nations, which must approve the award of such damages before payment thereof can be made; and

Whereas the United States, which pays approximately one-third of the expenses of the United Nations, should not be compelled to contribute any of its funds for the payment of damages in a case of this kind to persons who have a record of disloyalty to the United States: Therefore be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the United States delegation to the United Nations should take all possible steps to prevent the General Assembly of the United Nations from authorizing or approving the payment, to the 11 American employees in the United Nations who were dismissed because of their refusal under the fifth amendment to answer proper questions before the Internal Security Subcommittee of the Senate, of the awards of damages (in a total amount of $179,420) made by the United Nations Administrative Tribunal and recently upheld by the International Court of Justice, and that no part of the funds heretofore appropriated, or hereafter appropriated by the Congress for the United Nations shall be used for the payment of such awards.

The House concurrent resolution was agreed to, and a motion to reconsider was laid on the table.

Mr. GROSS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, I desire to commend the gentleman from Florida [Mr. ROGERS] for his untiring efforts to obtain passage of House Concurrent Resolution 262 and I want the record to show that I have supported him in every way possible.

It is unthinkable that a single dollar of money derived from the taxpayers of this country, and appropriated to the United Nations, should be used for the purpose of paying almost $180,000 in alleged damages to 11 so-called Americans, employed by the United Nations, who sought refuge under the fifth amendment and refused to answer proper questions of a United States Senate committee and a New York grand jury.

My only criticism of this concurrent resolution is that it does not go far enough. It ought to further state the position of Congress as being opposed to any further appropriation of funds to what is euphoniously called the International Court of Justice. It was this alleged court, meeting in a foreign country, that recently held these 11 suspect Americans should be paid $180,000.

Mr. Speaker, the unanimous vote by which this resolution was approved by the House of Representatives ought to serve notice on occupants of that modern Tower of Babel, otherwise known as the United Nations Building, that there can be an end to the openhanded patience of Americans. It ought to be notice to some foreigners that not all Americans are as gullible as they might seem to be.

AUTHORIZING RELIEF OF CERTIFYING OFFICERS FROM EXCEPTIONS TAKEN TO PAYMENTS

Mr. HOFFMAN of Michigan. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1184) to authorize relief of authorized certifying officers from exceptions taken to payments pertaining to terminated war agencies in liquidation by the Department of State.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States is authorized and directed to allow credit in the accounts of authorized certifying officers of terminated war agencies, in process of liquidation by the Department of State at the time of the enactment of this act, for the amounts of suspensions and disallowances, which have been, or may be, raised by the General Accounting Office on account of payments made in accordance with vouchers certified by such certifying officers: *Provided*, That the Secretary of State or his authorized representative shall certify that in his opinion there is no evidence of fraud or collusion on the part of the certifying officers in connection with the payments.

SEC. 2. "Authorized certifying officers of terminated war agencies in process of liquidation by the Department of State" as used in this act means certifying officers employed by terminated war agencies transferred to the Department of State for liquidation and certifying officers under the Department of State who certified payments for the activities of such terminated war agencies, or any terminated wartime activity of the Department of State from funds allocated to or made available to the Department of State by working funds or reimbursements pursuant to the provisions of section 686, title 31, United States Code, or other authority of law: *Provided, however*, That no certifying officer of the Department of State shall be released hereunder as to payments made from funds appropriated directly to the Department of State or as to payments made after the date of enactment of this act: *Provided further*, That the authority granted

under this act shall expire not later than 2 years after the date of enactment of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MODERNIZATION AND IMPROVEMENT OF MERCHANT-TYPE VESSELS

Mr. ALLEN of California. Mr. Speaker, I call up the conference report on the bill (S. 3546) and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2647)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3546) which would authorize an immediate program for the modernization and improvement of such merchant-type vessels in the reserve fleet as are necessary for national defense, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House and agree to the same with further amendments as follow: In lieu of the matter proposed to be deleted by the House amendment beginning on page 2, line 25, after the numeral "1949" insert a period, delete the word "and" and insert the following sentence: "In entering into such contracts the Secretary of Commerce shall not alter the present Maritime Administration policy of inviting single bids or split bids or both for drydock and nondrydock work."

Delete the matter proposed to be inserted by the House amendment on page 3, lines 5 through 7.

THOR C. TOLLEFSON,
JOHN J. ALLEN, Jr.,
JOHN H. RAY,
HERBERT C. BONNER,
JOHN F. SHELLEY,
Managers on the Part of the House.

JOHN M. BUTLER,
FREDERICK G. PAYNE,
WARREN G. MAGNUSON,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill S. 3546, which would provide an immediate program for the modernization and improvement of such merchant-type vessels in the reserve fleet as are necessary for national defense, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

S. 3546 as passed by the Senate provided that within 12 months after the date of the enactment of this act the Secretary of Commerce shall enter into contracts for the repair, modernization, and conversion of vessels as may be necessary to carry out the provisions of this act. It further provided that such contracts may provide for expenditure by the United States of not more than $45 million. It also provided that such contracts should be with private shipbuilding or ship-repair yards on the Atlantic, Pacific, and gulf coasts of the United States, and on the Great Lakes or other inland waterways. It also provided that in entering into such contracts the Secretary of Commerce shall not alter the present Maritime Administration policy of inviting split bids for drydock and nondrydock work. It required that bids on any such contracts shall include any towage and insurance cost involved. Finally, it authorized to be appropriated such sums of not in excess of $45 million as may be necessary to carry out the provisions of this act.

As amended by the House, S. 3546, extended the 12-month period to 24 months; reduced the $45 million authorization and contract ceiling to $25 million; deleted the Great Lakes or other inland waterways provision; deleted the provision requiring the Secretary of Commerce not to alter the present Maritime Administration policy of inviting split bids for drydock and nondrydock work; deleted the requirement that bids on any such contract shall include towage and insurance cost involved; and inserted a provision that the contracts in question may be negotiated without competitive bidding whenever such action is determined by the Secretary of Commerce to be necessary to carry out the purpose of this act.

It was the view of the conference committee that the House amendments, with two exceptions, were sound and should be adopted. The first exception raised by the Senate conferees and concurred in by the House conferees was that the bill should provide that in entering into such contracts the Secretary of Commerce shall not alter the present Maritime Administration policy of inviting single bids or split bids or both for drydock and nondrydock work. The second exception raised by the Senate conferees and concurred in by the House conferees was that the provision that the contracts in question may be negotiated without competitive bidding whenever such action is determined by the Secretary of Commerce to be necessary to carry out the purpose of this act is unnecessary in view of the fact that under present law, in appropriate situations, the Secretary of Commerce already has the power.

THOR C. TOLLEFSON,
JOHN J. ALLEN, Jr.,
JOHN H. RAY,
HERBERT C. BONNER,
JOHN F. SHELLEY,
Managers on the Part of the House.

The conference report was agreed to, and a motion to reconsider was laid on the table.

THE LATE JAMES V. BUCKLEY

Mr. McVEY. Mr. Speaker, all of us were saddened by the sudden and unexpected death of Mr. James V. Buckley. Mr. Buckley represented the Fourth Congressional District of Illinois during the 81st Congress. He died Friday, July 30, in the St. Margaret's Hospital, at Hammond, Ind. Funeral services were held at 9 a. m. on August 2, 1954, at St. Victor's Church in Calumet City, Ill.

Mr. Buckley was born May 15, 1894, in Saginaw, Mich. He has lived in the area of the Illinois Fourth Congressional District for approximately 35 years. He was engaged in real estate and building business in the Calumet region for more than 20 years.

While Mr. Buckley was my predecessor in the Congress, it was not my privilege to meet him on numerous occasions. However, we have many friends in common, and the esteem in which he was held by residents of the Fourth Congressional District certainly testifies to his congenial disposition and his ability to serve his fellow men. In the House of Representatives, he stood firmly for various types of legislation which aimed to better the conditions of the working classes. His passing is a matter of deep regret to all of us.

Mr. Buckley has lifted the veil of mystery and gone to the great beyond. It is fitting that we pause at this time in respect to his memory.

Mr. KLUCZYNSKI. Mr. Speaker, will the gentleman yield?

Mr. McVEY. I yield to the gentleman from Illinois.

Mr. KLUCZYNSKI. Mr. Speaker, it was my privilege to know the late James V. Buckley prior to the time he was elected as Congressman from the Fourth District of Illinois. He was reared on a farm and educated in the public schools of Saginaw County, Mich. For a number of years he was engaged in the real estate and building business in Chicago. He was very active in labor work and was president of local 714, United Automobile Workers, CIO.

He was a personable individual who fought vigorously in behalf of the working people of his district. In his passing the city and State have lost an outstanding man.

To his family I extend my deepest sympathy.

IN MEMORIAM

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, I have never been able to understand the pattern of life. Today dear friends are with us in the alternating joys and disappointments of human lives, and tomorrow they lie quiet in eternal slumber. All of us in our respective turns will follow the westward course dropping over the horizon that divides the finite from the infinite. But the order of our going is not within the zone of either our reckoning or our understanding.

I came to the 81st Congress with Jim Buckley. Three of our colleagues from Illinois, beloved friends of mine, passed on—Ralph Church, Martin Gorski, and A. J. Sabath—and to me with the passing of each of these dear friends my world narrowed.

Now Jim Buckley has gone to join the others in that wider sphere of richer service to which from the trials and tests of our sojourn on earth we are graduated.

But it is hard for me to realize that Jim Buckley has gone. He always was so big, so strong, so vibrant. It seems but yesterday that his rich voice rang out with warm cordiality his greeting of me as BART. I never had been called by that abbreviation of my name. I never had had a nickname, and I suppose that somewhere deep within me and undiscerned by me was the longing for a nickname such as possessed by those

who are named Richard and are addressed by friends as Dick. A few others of my colleagues in the 81st Congress, Clint McKinnon and Chester Chesney among them, took up the BART of Jim Buckley's creation.

It was a trivial circumstance. But it is from the seeming trivialities of human associations that are made the measures of our memories of departed friends.

Jim Buckley served one term in this body. He was happy at the opportunity that was given him to be a Member of the Congress of the United States. He was happy because his life had been given to the cause of labor, and here in this Chamber he found the opportunity to serve that cause in a broader area. No higher tribute could be paid his memory, nor one that he would like the better, than at the conclusion of his congressional service organized labor in making its appraisals of the service of Members of the 81st Congress gave to Jim Buckley a 100-percent rating.

He was born in Michigan, a farm boy. Those were the days when there was little or no machinery on the farm. There were endless hours of hard work that had to be done at the cost of sweat and aching muscles. It was not a boyhood cushioned for ease. It was the rugged boyhood of a farm boy in a period when a farmer was left to shift for himself and to take all the gamble with weather, pests, and fluctuating markets. It was a boyhood, however, spent in a simple farmhouse lightened and enriched beyond the power of costly furniture by the wholesome atmosphere of a home that placed its faith in God and in fellow men.

He came to Chicagoland, was married, children were born, and he was prosperous. The way ahead seemed rosy. Then the great depression struck. Only those who experienced the terrors of that devastating depression can grasp the completeness with which the props were knocked from under the generation then in the prime.

Jim Buckley took it on the chin, as did the others, battling to find livelihood for his little family in a sea of economic stagnation, but smiling always in the faith that soon the coming of tomorrow's sun would break the darkness of the night.

The enactment of the Wagner Act, hailed throughout the land as labor's Magna Carta, ushered in the new day when hope returned and again the sun shone upon our country. From the darkness of the night of the depression came the dawning of a new day when at long last labor was freed of the stigma of servitude and enthroned with the dignity of copartnership with management, thereafter to meet with employers at the conference table for determination of common problems.

Jim Buckley threw his talents and his devotion into the work of marshaling the workers to accept the challenge of the new and happier order.

He came to Washington, one of the crusaders for the dignity of labor, member of a valiant army mustered by the votes of an indignant electorate in the election of 1948. It was an army of high-purposed crusaders, friends and champions of the great mass of American men and women who lived by toil. It won some victories. It raised the minimum wage to 75 cents an hour and vastly increased the coverage. It greatly enriched the benefits of social security. It did very much indeed to contribute to the greater contentment and welfare of the American people.

But it failed, disappointingly, in the main objective of restoring and preserving in full measure the status of dignity and copartnership of labor with management blueprinted in labor's Magna Carta—the Wagner Act. Jim Buckley did all that he could do and labor gave him a 100-percent rating.

For myself and my colleagues from Chicago I extend to the widow, the sons, and the other members of Jim Buckley's family our deepest sympathy.

Mr. MACK of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MACK of Illinois. Mr. Speaker, I wish to join with my colleagues in paying tribute to the Honorable James Buckley, of Lansing, Ill. The news of his death has saddened the hearts of all those who knew him. It was my privilege to serve with Jim Buckley during the 81st Congress. During those 2 years, he aggressively pressed for legislation which would benefit the working people, not only in his district in Cook County, but the entire Nation as well. Mr. Buckley believed in the principles of organized labor and in the betterment of working standards for all men. His votes in Congress always vividly reflected this view. He was an unrelenting opponent of all legislation which was not in the interest of the working people of this Nation.

James Buckley served in this body with distinction. He was a great American and a Christian gentleman. His loss will be keenly felt by all who served with him. To his wife and family who loved and honored him, I offer my sincere condolences.

Mr. McCARTHY. Mr. Speaker, James Buckley served with me during his term of Congress as a member of the Post Office and Civil Service Committee. We were both new Members of the Congress. I appreciated and enjoyed his fellowship and friendship. In many ways James Buckley symbolized the great city from which he came. He was big and strong like Chicago. He was positive and forceful. He maintained his position with vigor and with assurance. His direction was forward. In him the great poem of Carl Sandburg "Chicago" was alive. In his voice was the cry of the poet "Come and show me another city with lifted head so singing proud to be alive."

ADJOURNMENT OF CONGRESS A HUNDRED YEARS AGO THIS WEEK

Mr. MULTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MULTER. Mr. Speaker, I think we can stand the injection of a word of levity into the solemn proceedings of this very deliberative body. Therefore, I quote an item appearing in last Sunday's New York Herald Tribune under the heading "A Hundred Years Ago This Week in the New York Tribune." It is indeed apropos:

> Congress finally adjourned yesterday morning, immediately after meeting. In consequence of a breakdown in the telegraph, we have no details of the dispersion. The whole country will experience a grateful sensation of relief, when they hear that their Representatives have really separated.

MODERNIZE THE FAIR LABOR STANDARDS ACT

Mr. LANE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, modernize the Fair Labor Standards Act.

The Fair Labor Standards Act became effective in 1938—16 years ago.

So many changes have occurred since then, that the time spread seems more like 60 than 16. Prices and wages have left 1938 far, far behind. The Fair Labor Standards Act of that year is hopelessly out of date and out of touch with present conditions.

To bring it within speaking distance of reality, I have introduced a bill to raise the minimum wage from 75 cents to $1.25 per hour, and to bring 9 million more workers under its coverage.

Even the original act was a misnomer, because its true intent was riddled by amendments.

Too many special pleaders "got out from under."

Most of us recognize that a few industries can pay a minimum higher than the $1.25 per hour that is proposed. Under my bill, tripartite industry committees are authorized to adjust these particular situations.

New legislation is required to reach those employers who, under one pretext or another, have failed to declare their employees in on their own progress.

Ignoring the fact that average hourly earnings of factory workers have gone up from 62 cents to $1.79 per hour durthe past 16 years.

Refusing to admit that the cost of living for lower income groups has increased 120 percent.

Blind to the actual minimum wage of $1.25 or higher that prevails in American industry today.

Brushing aside the increasing skill and experience of the workers which add to the production and profits of the employer.

The one-way philosophy that somehow expected that underpaid workers would, by some miracle, be able to make the purchases that would support a high

level of economic activity was tragically repudiated in 1929.

Substandard wages in any industry have a way of penalizing the industry itself. Those who oppose reasonable progress for their employees, usually become victims of their own shortsightedness. Lack of recognition or incentive eventually drives their best employees into other fields. Resistance to change leads to slow motion. The exploiters gain an initial advantage, but lose out in the long run.

In the meantime, before they are brought to book, they have harmed their own workers, and have been a drag upon progressive employers.

I recall that in 1950 those industries that were paying less than 75 cents per hour voluntarily brought their wages into line when they saw that Congress was going to act to raise the statutory rate.

The anguished cries suddenly subsided.

They were able to pay the increased minimum all along.

The Fair Labor Standards Act, if it only lived up to the economic justice implicit in its title, would protect the wages of helpless, unorganized, and depressed millions who depend upon the laws of this Nation to prevent slave labor.

We can no longer afford the exemptions that make a mockery of the present law.

Our economy depends upon the widest possible spread of adequate purchasing power.

Any evasion of this economic law weakens our genuine domestic security.

Therefore I have introduced a bill to strengthen FLSA, to prepare the groundwork and to stimulate early hearings by the Labor Committees of the House and Senate so that there will be no excuse for further postponement when this vital issue is brought up for congressional action.

AMERICAN MERCHANT MARINE

Mr. FRIEDEL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. FRIEDEL. Mr. Speaker, S. 3233 which provides for transportation on privately owned American-flag vessels of at least 50 percent of the United States Government financed cargoes represents years of concentrated activity to insure a fair deal for our hard-hit American merchant marine. The bill has passed the Senate, been favorably reported out of the House Merchant Marine and Fisheries Committee and has been pending in the Rules Committee since July 22.

I feel that it is imperative the Rules Committee at least report this vital bill and give the Members of the House a right to vote on the legislation. I am 100 percent in favor of the measure, and am confident that if the bill is brought out on the floor it will pass by a great majority.

It seems to me it is shortsighted indeed, on the part of a few, to keep the overwhelming majority of the House who are in favor of S. 3233 from the right to vote on the legislation.

Time is of the essence. I urge the Rules Committee to bring this all important bill—S. 3233—to the floor for a vote.

YUGOSLAV, TURKISH, AND GREEK PACT

Mrs. FRANCES P. BOLTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mrs. FRANCES P. BOLTON. Mr. Speaker, it is with very real pleasure that, as chairman of the Subcommittee on the Near East and Africa of the Committee on Foreign Affairs, I call your attention to the pact just signed between Yugoslavia, Greece, and Turkey. This, Mr. Speaker, means more than is apparent to the casual reader. Looking back over the years as I do to the long history of wars in the Balkans and between Greece and Turkey, it is almost incredible that bitterness and suspicion should have given way to the mutual respect and understanding necessary to such an agreement. It speaks well for the statesmanship of the leaders of these three nations that this should have been accomplished in spite of previous antagonisms and wide differences of their social and political backgrounds. It speaks well for the understanding of their people of the need for unity and strength if freedom is to be protected not only in the Western World but in the world as a whole. Surely this pact is indeed another link in the ever-growing strength of the defenses of our free world.

COMMITTEE ON THE JUDICIARY

Mr. WALTER. Mr. Speaker, I ask unanimous consent that I may be permitted to file minority views, report No. 2651.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. WALTER]?

There was no objection.

EXPENSES OF SELECT COMMITTEE

Mr. MORANO. Mr. Speaker, by direction of the Committee on House Administration I call up House Resolution 701 and ask unanimous consent for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the expenses of conducting the investigation authorized by House Resolution 549, 83d Congress, incurred by the Select Committee To Investigate and Study Benefits Provided Under Federal Law for the Surviving Dependents of Deceased Members and Former Members of the Armed Forces, not to exceed $20,000 including expenditures for the employment of such experts, special counsel, and such clerical stenographic, and other assistants shall be paid out of the contingent fund of the House on vouchers authorized by said committee and signed by the chairman of the committee, and approved by the Committee on House Administration.

SEC. 2. The official stenographers to committees may be used at all hearings held in the District of Columbia, if not otherwise engaged.

The resolution was agreed to, and a motion to reconsider was laid on the table.

AMENDMENT TO SECTION 709, TITLE 18, UNITED STATES CODE

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3769) to amend section 709 of title 18, United States Code, so as to protect the name of the Federal Bureau of Investigation from commercial exploitation.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. REED]?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 709 of title 18, United States Code, is amended by inserting immediately after the eighth paragraph thereof a new paragraph as follows:

"Whoever, except with the written permission of the Director of the Federal Bureau of Investigation, knowingly uses the words 'Federal Bureau of Investigation' or the initials 'FBI,' or any colorable imitation of such words or initials, in connection with any advertisement, circular, book, pamphlet, or other publication, play, motion picture, broadcast, telecast, or other production, in a manner reasonably calculated to convey the impression that such advertisement, circular, book, pamphlet, or other publication, play, motion picture, broadcast, telecast, or other production, is approved, endorsed, or authorized by the Federal Bureau of Investigation; or".

The bill was ordered to be read a third time, was read the third time, and passed.

A similar House bill (H. R. 9921) was laid on the table.

A motion to reconsider was laid on the table.

PROVIDING PAYMENT OF FEES TO COUNSEL ASSIGNED TO REPRESENT INDIGENT DEPENDENTS IN FELONY CASES

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 10158) to provide for the payment of fees to counsel assigned to represent indigent defendants in felony cases.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 3006 of title 18, United States Code, is amended to read as follows:

"§ 3006. Fees for counsel assigned to indigent defendants

"Whenever a district court assigns counsel to represent an indigent defendant charged with a felony, the court may allow to each such counsel, upon the termination of the

services rendered, a fee of not to exceed the following amounts, namely:

"(1) Where the defendant is charged with an offense punishable by death, $250;

"(2) Where the defendant is charged with any other felony, $100."

SEC. 2. The analysis of chapter 201 of title 18, United States Code, is amended by striking out item 3006 and inserting in its place the following item:

"3006. Fees for counsel assigned to indigent defendants".

SEC. 3. There are hereby authorized to be appropriated to the United States courts, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENT TO FLAMMABLE FABRICS ACT

Mr. HESELTON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3379) to amend the Flammable Fabrics Act, so as to exempt from its application fabrics and wearing apparel which are not highly flammable.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. KLEIN. Mr. Speaker, reserving the right to object, and I shall not object, I simply take this time to point out that while I favor an amendment to the Flammable Fabrics Act, I do not believe this bill goes far enough. In fact, I am in favor of the Purtell bill which was passed by the Senate. I am hopeful that when the bill goes to conference the Senate will insist on its version of the bill and that that is the way it will finally pass. I withdraw my reservation.

Mr. NICHOLSON. Mr. Speaker, reserving the right to object, may I ask the gentleman from Massachusetts if this takes care of the textile industry in Massachusetts? Apparently, they have reached the place where they do not know exactly where they are.

Mr. HESELTON. This amendment is intended to relieve the situation in regard to certain mills that manufacture sheer articles. There is only a very slight change which has been approved by the Department, and by the industry. I know of no objection other than the one indicated by the gentleman from New York [Mr. KLEIN].

Mr. NICHOLSON. This matter was referred to the Department of Commerce or to some department in the Federal Government because we could not just exactly agree on something. All I want to know is if they have agreed that these so-called flammable things are manufactured in Massachusetts?

Mr. HESELTON. Yes. There are two mills in Massachusetts and two in Connecticut. The Department of Commerce and the textile industry are in accord with this change and it will take care of the situation to which the gentleman refers.

Mr. SEELY-BROWN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. SEELY-BROWN. Mr. Speaker, I rise in support of S. 3379, as amended by the Committee on Interstate and Foreign Commerce. This bill amends the Flammable Fabrics Act, Public Law 88, 83d Congress.

The purpose of the act is to properly protect the public from the danger surrounding the use of wearing apparel made of highly flammable textiles of the types which have caused either bodily injury or death to numerous individuals.

The major problem in formulating legislation to control the use of dangerously flammable textiles is to distinguish between the conventional fabrics that present moderate and generally recognized hazards and the special types of fabrics which present unusual hazards and are highly dangerous.

Shortly before the effective date of the Flammable Fabrics Act—July 1, 1954—representations were made to the Committee on Interstate and Foreign Commerce to the effect that certain sheer fabrics, such as organdies, tulles, and georgettes which have been used with safety by the American consumer for many generations failed by a very narrow margin to pass the 4-second burning time prescribed by the law.

The ban on such fabrics will have a very serious effect on the manufacturers and processors of these sheer fabrics.

The very sheer organdie produced by the Baltic Mills Co., of Baltic, Conn., normally represents from 40 percent to 50 percent of its total production. A similar organdie produced by the Ponemah Mills, of Taftville, Conn., represents 25 percent of its sheer-cotton production.

These very sheer organdie fabrics have been made for more than 50 years without criticism as to their flammability.

The discontinuance of production of this sheer organdie would remove from the market a fine textile which for generations has been used safely in the manufacture of women's and children's clothing.

The discontinuance of production in this line would cause additional hardship to the many workers who for generations have been employed in these mills and processing plants.

I am advised that the textiles produced by these firms would pass the flammability test conducted in accordance with Commercial Standard 191–53, providing the burning time is lowered from 4 seconds to 3½ seconds.

This proposed bill, as amended, is supported by the Textile Workers Union of America, by the executive departments of the Government, and by industry.

If the law is amended in accordance with the reported bill, this organdie and similar textiles would be permitted to move in commerce. Production and employment would be continued. The public would still be adequately protected against the highly flammable textiles used in wearing apparel which have caused bodily injury and death.

Mr. CELLER. Mr. Speaker, further reserving the right to object, I should like to ask the sponsor of the bill whether this bill exempts scarves?

Mr. HESELTON. No; it does not. The committee, in its report, indicated that they did not feel that scarves should be exempted. Not all silk scarves are presently banned, only silk scarves which are unable to meet the test, the requirements under this law, which are very light scarves.

Mr. CELLER. Did not the Department of Commerce ask that scarves be exempted from the operation of the act?

Mr. HESELTON. It is my recollection that at one stage the Department did indicate they thought scarves should be exempted, but later took a different position, and now do not recommend it.

Mr. CELLER. I want to say to the gentleman that I was given a different impression.

Mr. HESELTON. I beg the gentleman's pardon. I withdraw that. They did not change their position.

Mr. CELLER. They are still opposed to the fact that scarves were not excluded?

Mr. HESELTON. That is my understanding.

Mr. CELLER. I want to say to the gentleman that there is a very substantial industry involved in this bill, particularly as it refers to scarves, and those that handle scarves in my city of New York are greatly embarrassed by this act and will continue to be embarrassed unless scarves are excluded. For that reason, Mr. Speaker, I think there should be full and mature debate on a bill of this character and it should not be considered in this fashion. For that reason I must object.

Mr. KLEIN. Mr. Speaker, will the gentleman please withhold his objection?

Mr. CELLER. Certainly.

Mr. KLEIN. May I say that I have been very close to this situation. I have been in contact with the representatives of the industry in New York, and while I agree with the gentleman that scarves should be excluded, I hope the gentleman will not object, because we are hopeful, if we can pass this bill, it will at least be a start. This is better than nothing, and we are hopeful, if it gets over to the Senate, that in conference we will get much more than this. If the gentleman objects, I am afraid that we will get no legislation at all at this point, and then we will all be badly off.

Mr. CELLER. I appreciate the attitude of the gentleman from New York, and I am most anxious always to cooperate with him, and with the ranking minority member of the distinguished Committee on Interstate and Foreign Commerce, the gentleman from Tennessee [Mr. PRIEST]. Can we get some assurance from those on the other side of the aisle that they will seek, say, in the next Congress, to exempt scarves from the operation of this act?

Mr. HESELTON. I certainly think that the committee will be glad to give further consideration to the matter.

Mr. CELLER. That is not the answer I am seeking. Does the gentleman himself feel that scarves should be excluded?

Mr. HESELTON. In my opinion, no.

Mr. CELLER. Well, then, I do not think we will get anything out of the conference, I will say to the gentleman from New York, who seemed to imply that if the matter went to conference, we might be able to get some appreciable results and, failing that, in the next session we might get scarves eliminated. Apparently those who control the destiny of the committee now will not help. Mayhap they will not have control in the next Congress. Nonetheless, we are taking a chance in case they are in control that they will not help us in this matter.

Mr. KLEIN. I would like to point out that the bill as passed by the Senate, which was introduced by Senator PURTELL, of Connecticut, specifically provided—and if I am incorrect, I think a member of the staff will correct me—that scarves should be excluded from the operation of this act, which is what I favor and which I think the gentleman favors. There is no reason in the world why scarves should not be excluded. They are detachable. The history of this legislation is that some deaths were caused by the burning of suits of some kind worn by youngsters. It was never intended that scarves should be included in the prohibition. However, I think the gentleman should get the assurance to take it up at the next session from this side of the House.

Mr. CELLER. All right. May I get the assurance of the gentleman from Tennessee [Mr. PRIEST] who will soon undoubtedly be chairman?

Mr. PRIEST. Mr. Speaker, the gentleman from New York [Mr. CELLER] of course is speculating at this point. I can assure the gentleman from New York that so far as our side of the committee is concerned we are greatly interested in the question he has asked. I feel, however, that a determination of what might happen in another session of Congress should not at this time enter into the question of whether this bill should be passed and sent to conference at this time. I shall confer privately with the gentleman about any possibility of what may happen in another session of Congress.

Mr. CELLER. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. HESELTON]?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Flammable Fabrics Act (67 Stat. 111; 15 U. S. C. secs. 1191–1200) is amended as follows:

(1) In section 2 (d) after the comma following: "hats, gloves" insert "scarfs made of plain surface fabrics"; and (2) after subsection (b) of section 4 insert the following:

"(c) Notwithstanding the provisions of Commercial Standard 191–53, setting forth the conditions under which samples of fabrics and articles of wearing apparel are to be tested, the tests shall be made upon samples which after having been previously dried are conditioned to equilibrium in the standard textile-testing atmosphere of 65 percent relative humidity and 70° F."

With the following committee amendment:

Strike out all after the enacting clause and insert "That section 4 of the Flammable Fabrics Act (15 U. S. C., sec. 1193) is hereby amended by inserting at the end thereof the following subsection:

"'(c) Notwithstanding the provisions of paragraph 3.1 Commercial Standard 191–53, textiles free from nap, pile, tufting, flock, or other type of raised fiber surface when tested as described in said standard shall be classified as class 1, normal flammability, when the time of flame spread is 3½ seconds or more, and as class 3, rapid and intense burning, when the time of flame spread is less than 3½ seconds.'"

The committee amendment was agreed to.

Mr. HESELTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. HESELTON. Mr. Speaker, I want to make a brief explanation of this bill which provides for a simple amendment to the Flammable Fabrics Act. The amendment would permit plain surface fabrics which burn in 3½ seconds when tested in the manner prescribed by this law to qualify as "safe" fabrics. They would not be prohibited for use in wearing apparel. The present minimum permissible burning time is 4 seconds.

The law will retain the 4-second burning time for textiles which have a nap, pile, tufting, or other type of raised fiber surface. They will have to meet the present requirement of the law and the bill does not attempt to affect these textiles at all.

The Committee on Interstate and Foreign Commerce was advised that fabrics made of plain surface burn with a lesser degree of intensity as compared with the raised fiber surface textiles, and that the burning time for the former fabrics may be lowered without reducing, to any significant degree, the protection to the public which the Congress sought to provide by the enactment of the Flammable Fabrics Act.

The purpose of this act is, of course, to protect the public from the danger surrounding the use in wearing apparel of highly flammable textiles of the types which have caused either bodily injury or death to numerous individuals.

This act became Public Law 88 of the present Congress on June 30, 1953. The Congress provided that the law should take effect 1 year after the date of its enactment. The effective date was postponed for 1 year in order to give the textile industry adequate time to dispose of stocks, to obtain the testing machinery and develop the necessary skills to conduct the flammability tests.

Shortly before this law was scheduled to take effect, there was brought to the attention of the Congress the fact that certain textiles, which have been in use in this country for many decades without any history of unusual flammability characteristics, were barred under the provisions of the Flammable Fabrics Act. Included among these ineligible textiles are certain organdies, georgettes, and tulles.

Two textile mills in New England are especially hard hit by this law. The Baltic Mills, of Baltic, Conn., normally produces between 40 and 50 percent of its total volume of production very sheer organdie which fails to meet the present flammability test by a very narrow margin. A similar organdie produced by the Ponemah Mills, of Taftville, Conn., also fails to meet the test. Other mills in Massachusetts are similarly affected. Discontinuance of production of these very sheer textiles will mean depriving the American people of a product used in the manufacture of ladies' and children's dresses. It would mean increased unemployment in the mills and processing plants.

These grave consequences are undesirable as well as unnecessary. The committee is convinced that so far as these very sheer textiles are concerned, the present law is unduly harsh.

The National Bureau of Standards, the Department of Commerce, and the textile industry favor a reduction in the burning time of these plain-surface fabrics from 4 seconds to 3½ seconds. No one would be hurt by this amendment. Everyone would stand to gain. And the public would still be adequately protected against textiles which are so highly flammable as to be dangerous when worn by the individual.

I urge the House to pass this bill.

Mr. WOLVERTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. WOLVERTON. Mr. Speaker, a little over a year ago the Congress passed the Flammable Fabrics Act, and it was approved by the President on June 30, 1953. This act was the culmination of 8 years of continuous and very careful study by the Congress and the textile industry and trade for a law to protect the public from the danger surrounding the use in wearing apparel of highly flammable textiles of the types which have caused either bodily injury or death to numerous individuals.

HISTORY OF LEGISLATION

Bills to prohibit the transportation in interstate commerce of highly flammable fabrics and wearing apparel were introduced in the House beginning with the 79th Congress, 1st session, 1945. In the 80th Congress your Committee on Interstate and Foreign Commerce held extensive hearings on three flammable fabrics bills, namely, H. R. 505, by the gentleman from New Jersey [Mr. CANFIELD]; H. R. 601, by the gentleman from California [Mr. JOHNSON]; and H. R. 1111, by the gentleman from Missouri [Mr. ARNOLD]. Similar bills were introduced during the 81st and 82d Congresses. In the 82d Congress the Senate passed unanimously on July 3, 1952, S. 2918, a bill similar in many respects to H. R. 5069, of the 83d Congress, which was enacted into law. S. 2918 was reported by your committee on July 4, 1952. The House took no action on that bill prior to the adjournment of the Congress on July 7, 1952.

On April 16, 28, and 29, 1953, your Committee on Interstate and Foreign Commerce held public hearings on five similar bills, H. R. 389, by the gentleman from New Jersey [Mr. CANFIELD]; H. R. 2768, by the gentleman from New Jersey [Mr. WOLVERTON]; H. R. 3851, by the gentleman from New Jersey [Mr. CANFIELD]; H. R. 4159, by the gentleman from California [Mr. JOHNSON]; and H. R. 4500, by the gentleman from Mississippi [Mr. WILLIAMS]. The principal objective of these bills is to prohibit the introduction or movement in interstate commerce of articles of wearing apparel and fabrics which are so highly flammable as to be dangerous when worn by individuals. H. R. 5069 was introduced by me, as chairman of the committee, and at the direction of the committee, as a "clean" bill as a result of the committee hearings and after executive consideration of all of the bills pending before the committee. This bill was passed unanimously by the House on June 3, 1953, by the Senate on June 18, 1953, and was approved by the President on June 30, 1953—Public Law 88, 83d Congress. This act took effect on July 1, 1954.

Every witness who testified before the committee, without exception, representing virtually all segments of the textile industry and trade, urged prompt and effective Federal legislation to protect the public from the dangers of highly flammable wearing apparel and fabrics used in wearing apparel, and supported these bills in principle. Moreover, the committee was urgently requested to take prompt action on this legislation. It was pointed out that if this legislation was not enacted, a variety of State and local regulations lacking in uniformity might very well ensue. It seemed obvious that uniformity of regulation in this matter was necessary.

Testimony in support of legislation on this subject was received from the Federal Trade Commission, the National Cotton Council of America, the National Retail Dry Goods Association, the Tufted Textile Manufacturers Association, the Society of the Plastics Industry, the Rayon and Acetate Fiber Producers, and others.

It should be clear from what has been said that this act had the unanimous approval of everyone concerned with this problem. The effective date of this law was postponed for 1 year in order to give the industry and trade adequate time to make the necessary inventory and technical adjustments.

FLAMMABILITY TEST

The major problem in formulating legislation to control the use of dangerously flammable textiles is to discriminate between the conventional fabrics that present moderate and generally recognized hazards and the special types of fabrics which present unusual hazards and are highly dangerous.

The rate of burning of a garment or other textile product depends upon the kind of fiber, the finishing materials present, the structure of the yarn and fabric, and such circumstances as the relative humidity. In general, wool textiles ignite and burn with difficulty while cotton and rayon ignite and burn more readily. The major hazards arise from certain cotton or rayon fabrics having fuzzy or furlike surfaces which flash and burn with exceeding rapidity. Most synthetic textiles melt when heated and the molten material is capable of producing serious burns on coming in contact with the skin.

Section 4 of the Flammable Fabrics Act prescribes the standards of flammability. Commercial Standard 191–53, promulgated by the Secretary of Commerce, effective January 30, 1953, prescribes the standard for flammability of clothing textiles and Commercial Standard 192–53, promulgated by the Secretary of Commerce, effective May 22, 1953, prescribes the standard of flammability for vinyl plastic film.

The flammability test provided in the Commercial Standard 191–53 makes use of strips of fabric 2 by 6 inches in dimension. These strips are washed, cleaned, and dried to a bone-dry condition in a prescribed manner. The test consists of measuring the burning time in seconds when the test piece is mounted in a specially designed apparatus, called a flammability tester, and a flame is applied in a prescribed manner. Fabrics with a flame spread of more than 7 seconds are classed as having normal flammability. Those with a flame spread of less than 4 seconds are classed as rapid and intense burning, while those burning in 4 to 7 seconds are rated as having intermediate flammability. This act prohibits the introduction or movement in interstate commerce of those fabrics which are classed as rapid and intense burning fabrics.

Commercial Standard 192–53 is the industry-approved standard with respect to vinyl plastic film. Such film is used in the manufacture of various articles of wearing apparel such as raincoats, capes, hoods, pants, and aprons. The flammability test is prescribed in paragraph 3.11 of this standard.

NEED FOR AMENDMENT

Shortly before the effective date of the Flammable Fabrics Act representations were made to your committee and the corresponding Senate committee to the effect that certain sheer fabrics, such as organdies, tulles, and georgettes, which have been used with safety by the American consumer for many generations, failed by a very narrow margin to pass the 4-second burning time prescribed in the law for nonhighly flammable textiles, and are therefore banned under this law. It is unfortunate that representatives of manufacturers and processors of such materials were not aware of this difficulty and did not present their problem to the Congress during the time that it was considering, a year ago, the bills to prohibit the introduction or movement of highly flammable fabrics in interstate commerce.

Your committee was advised that the ban on such fabrics will have a very significant effect on the manufacturers and processors of these sheer fabrics. The very sheer organdie produced by the Baltic Mills Co., of Baltic, Conn., normally represents from 40 to 50 percent of its total production. A similar organdie produced by the Ponemah Mills, of Taftville, Conn., represents 25 percent of its sheer-cotton production. The discontinuance of production of this sheer organdie would remove from the market a very fine textile used in the manufacture of women's and children's dresses, that would be difficult to replace. It would also cause unemployment in the mills and the processing plants.

Your committee understands that the textiles produced by these firms would pass the flammability test conducted in accordance with the law providing the burning time is lowered from 4 seconds to 3½ seconds. If the law is amended in accordance with the reported bill, this organdie and similar textiles would be permitted to move in commerce, production and employment would be continued, and the public would still be adequately protected against the highly flammable textiles used in wearing apparel which have caused bodily injury and death.

The Senate approved bill, which your committee amended, proposed to add scarfs, made of plain surface fabrics, to the other articles of wearing apparel which had already been exempted from the provisions of the Flammable Fabrics Act, namely, certain hats, gloves, and footwear. The bill also proposed a change in the conditions under which samples of textiles were to be tested for flammability. Instead of the test being conducted in a bone-dry condition, as stipulated in Commercial Standard 191–53, which is the standard of flammability set forth in section 4 of the Flammable Fabrics Act, S. 3379 proposed that the samples of the fabrics to be tested should first be dried and then be conditioned to equilibrium in an atmosphere of 65 percent relative humidity and 70° F.

Shortly after the bill passed the Senate, several important communications were received by your Committee on Interstate and Foreign Commerce, expressing strong opposition to S. 3379. Such communications came from the National Retail Dry Goods Association, the International Association of Fire Chiefs, the State fire marshal of California, the International Ladies Garment Workers Union, the Textile Workers Union of America, the Northern California Chapter of the Society of Fire Protection Engineers, and even from the Department of Commerce which had previously approved this bill.

The reason for this opposition was the fact that further tests conducted under the formula proposed in the bill produced results that were greatly disturbing to the safety and protection of the public. If enacted, the bill would have the effect of greatly weakening the flammability standard by as much as 300 to 400 percent in the case of some textiles.

The Department of Commerce also withdrew its support from the new flammability testing formula proposed in S. 3379, as introduced, and similar House bills, H. R. 9193 and H. R. 9392. In his letter of June 16, 1954, addressed to the chairman of your Committee on Interstate and Foreign Commerce, Acting Secretary of Commerce, Mr. Walter Williams stated in part:

The bills pending before your committee would resolve this aspect of the problem by

modifying the test to provide that the material to be tested should be tested when it is in equilibrium in the standard testing atmosphere of 65 percent relative humidity and 70° Fahrenheit. Under the existing standard the test is made on the material in an extremely dry condition.

In commenting on S. 3379 to the Committee on Interstate and Foreign Commerce of the Senate and in a communication directed to the Committee on Interstate and Foreign Commerce of the House, dated May 14, 1954, we urged that these modifications be enacted into law. We have, since that time, through tests which have been conducted, determined that many fabrics with a raised-fiber surface, when tested under the standard testing atmosphere prescribed by S. 3379, show such a wide disparity of burning characteristics as to raise questions concerning the adequacy of the proposed revision as a safeguard.

It is recommended that instead of testing fabrics under the standard testing conditions, which give us concern for the reasons set forth above, a minimum of 3 seconds burning time be established for plain-surface fabrics and that the 4-second minimum be maintained for raised-surface fabrics. The tests would be performed under the dry conditions established by CS 191–53 as presently incorporated in the Flammable Fabrics Act. The differences in burning times are sufficiently justified, in our opinion, by the more intense burning of the raised-surface fabrics. We are advised by technical experts in the field of flammability of textiles at the National Bureau of Standards of the Department that sheer plain-surface fabrics burning within these limits have been in conventional use for many years and that most of these fabrics with raised surfaces which have apparently caused recent accidents because of their unusual flammability would be banned by the 4-second limit which remains in effect for such fabrics.

The various proposals to avoid the real difficulty with respect to conventional sheer plain-surface fabrics have been discussed thoroughly with members of the standing committee for CS 191–53. This committee which participated actively in the development of the standard was unanimous in the opinion that the solution herein proposed would provide adequate and appropriate safeguards against fabrics of unusual hazards and at the same time allow interstate traffic in conventional sheer plain-surface fabrics which do not present such unusual hazards.

The recommendation of the Acting Secretary of Commerce that a minimum of 3 seconds' burning time be established for plain-surface fabrics, while maintaining the 4-second minimum for raised-surface fabrics, and conducting the tests under the bone-dry conditions established by Commercial Standard 191–53, was explored by the chairman of your Committee on Interstate and Foreign Commerce with many interested parties. As a result of these discussions and communications, it developed that a reduction of the burning time from 4 to 3½ seconds for plain-surface fabrics would be sufficient to qualify as safe those sheer fabrics which now fail to pass the flammability requirements under the law by a very narrow margin.

Moreover, the view was expressed that this amendment would have the support of the cotton-textile industry. Your committee was also assured that this reduction in burning time to 3½ seconds for plain-surface fabrics would not materially lessen the safety to the public which the Congress sought to provide by the enactment of the Flammable Fabrics Act.

Your committee is convinced that scarfs should be subject to the provisions of the law just as any other item of wearing apparel. They can be as much a danger to human safety as any other improperly protected garments. Scarfs are worn around the head or neck and tied on with a knot which may not be easily removable. Once ignited, the danger of the hair catching on fire is very great. The scarfs cannot be readily discarded under such circumstances.

It should be emphasized that not all the silk scarfs are presently being banned under the Flammable Fabrics Act. The only silk scarfs which are unable to meet the flammability requirements under this law are the very lightweight 4-momme and lighter scarfs. The heavier weight silk scarfs of 5-momme weight or higher would generally pass the flammability tests under the present law.

Handkerchiefs up to 24 inches square, according to an administrative ruling of the Federal Trade Commission, are not articles of wearing apparel within the meaning of the Flammable Fabrics Act and are, therefore, exempted from the provisions of this law.

I urge the House to pass the Committee-approved bill.

The bill was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "An act to amend section 4 of the Flammable Fabrics Act, with respect to standards of flammability in the case of certain textiles."

A motion to reconsider was laid on the table.

COMMITTEE ON APPROPRIATIONS

Mr. TABER. Mr. Speaker, I ask unanimous consent that the conferees on the Supplemental Appropriation Bill may have until midnight tomorrow night to file a conference report.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

RENEWAL OF AND ADJUSTMENT OF COMPENSATION FOR CARRYING MAIL ON WATER ROUTES

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 361) to provide for renewal of and adjustment of compensation under contracts for carrying mail on water routes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the last two paragraphs of section 3951 of the Revised Statutes, as amended (39 U. S. C., sec. 434), is amended by inserting after the terms "star route contract" and "star route contractor," the terms "inland water route contract" and "inland water route contractor," respectively.

With the following committee amendment:

Page 1, line 4, strike out after the figure "434)", the balance of line 4, lines 5 and 6, and line 7 up to and including the word "respectively", and insert "are amended by striking out the words 'star-route or screen vehicle service' wherever they appear in such paragraphs and inserting in lieu thereof 'star-route, screen vehicle service, or inland water-route'."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PERMISSION TO EXTEND REMARKS

Mr. McVEY. Mr. Speaker, I ask unanimous consent that all Members who wish to do so may extend their remarks in the RECORD with reference to the late Mr. Buckley, following the remarks of Mr. O'HARA of Illinois and myself.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

LABELING OF PACKAGES CONTAINING FOREIGN-PRODUCED TROUT

Mr. O'HARA of Minnesota. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 2033) relating to the labeling of packages containing foreign-produced trout sold in the United States, and requiring certain information to appear on the menus of public eating places serving such trout.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 2033, with Mr. ALLEN of Illinois in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. WOLVERTON. Mr. Chairman, the gentleman from Minnesota [Mr. O'HARA] will handle the time on this side.

Mr. O'HARA of Minnesota. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, there was considerable debate upon the rule, and I should like to summarize briefly in a factual way the purpose of this legislation.

The purpose of the bill is to protect the public by requiring imported trout, as defined in the bill, to be labeled as trout and identified as to the country of origin so that the public and the purchaser can identify and distinguish imported trout from domestic trout.

The reported bill will serve actually three objectives: First, to protect the public and consumer against deceptive and unfair practices by requiring truthful disclosure of the origin of the trout; second, to protect our domestic trout producers against unfair competition from foreign producers of trout; and third, to protect our source of supply for stocking

the streams of the Nation with game trout.

Is there anything wrong with protecting the public from being deceived or being misled by fraudulent misrepresentation? Let me point out that the Committee on Interstate and Foreign Commerce has over the years brought out similar bills with an identical purpose. I need only to speak of the Federal label laws covering foods, drugs, and cosmetics under the Federal Food, Drug, and Cosmetic Act; the widely acclaimed Wool Products Labeling Act of 1939; and the Fur Labeling Act of August 8, 1951. All of these had as their principal purpose the protection of the public and the protection of the American producer as well as the American consumer.

What has been going on here? I wish some of my friends on my right side would eat some of our American produced Rocky Mountain trout, rainbow trout, and perhaps they would not be quite so facetious about some of their suggestions as to this bill. Those people who raise trout are mostly in a family-size farm production of domestic trout. Most of them are a family-size unit operation, and the total investment of these people is perhaps every cent they have.

They are confronted with furnishing to the Food and Game Department of the 48 States, those that have them, at least, the fingerlings and the eggs for the production of trout that are planted in the streams of the various States. On top of that they must, in order to make ends meet, sell the trout they produce for eating purposes. They have been getting their throats cut by the tremendous importation of a cheap, foreign, inferior type of fish into this country, which, unfortunately, too many of the people in the restaurant business are selling as Rocky Mountain trout—mislabeling and fraudulently describing trout which in no way compares to American produced trout. They can buy this cheaply produced imported foreign trout from Japan or Denmark. These people can buy this cheaply produced foreign trout at about 40 cents a pound less than the American produced trout can be sold. So they are making a nice profit in doing so. I know that most of the restaurant people are decent, fine people, and that they would not intentionally mislead or deceive the public, and we are protecting them by requiring these importers of this foreign trout to identify and mark the trout whether it is 1 fish or 12 in packages and to identify the country that the trout is imported from. Is there anything wrong about that? We did that in the fur-labeling bill where we compelled the fur people to mark and identify for sales purposes the origin of the fur.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. ROGERS of Florida. Mr. Chairman, I yield myself 8 minutes.

Mr. Chairman, this is a very simple bill. The purpose of it has been well explained by my colleague, the gentleman from Minnesota [Mr. O'HARA]. Now it becomes a question of whether or not you want the public to be advised as to what they are eating when something is put before them which is labeled trout such as Rocky Mountain trout or some other kind of trout. Not only that but there are a number of trout producers in this country and everyone of them who appeared before the committee was in favor of this bill. We did have some opposition to the bill on the part of some restaurant owners, but other than that so far as the public at large is concerned, I do not recall much opposition. We have letters here from the Izaak Walton League in favor of this bill. We have letters from the National Wildlife Federation in favor of the bill. We have a communication from the Sport Fishing Institute, of Washington, D. C., in favor of the bill. We have a communication from William E. Rae, editor of Outdoor Life. We have a letter from the Department of Fish and Game of the State of Idaho.

Mr. O'HARA of Minnesota. Mr. Chairmain, will the gentleman yield?

Mr. ROGERS of Florida. I yield.

Mr. O'HARA of Minnesota. It is my understanding that the Fish and Game Departments of 38 States have endorsed this bill. I was informed of that fact this morning.

Mr. ROGERS of Florida. I do not recall how many there were, but I presume the gentleman is absolutely correct when he makes that statement. Certainly, this is not an invasion or violation of any principle. The Congress has adopted similar legislation with reference to oleomargarine. This type of law was passed concerning furs and wool. There are many other pieces of legislation that the Congress has passed to protect the public. There is one provision here that makes certain that there is no interference at all with any State law. I believe it is section 3 of the bill which provides that nothing in this act shall be construed as authorizing possession, sale, or serving of foreign produced trout in any State or Territory in contravention of the laws of such State or Territory. So it appears to me that there cannot be much objection to the passage of this bill. Certainly some good can come out of it. I think this Congress today should give favorable consideration to the passage of this bill.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Florida. I yield.

Mr. SMITH of Virginia. I have been puzzled to know how you are going to tell the difference and what is the difference—and I am sure the gentleman being an expert on these matters, can tell me—what is the difference between the fish that is spawned in the United States and one that is spawned, say, in Canada, a trout now? What is the difference between these trout? How can you tell if you eat them?

Mr. ROGERS of Florida. There is some difference in the flavor. It is just like ham. I am sure the gentleman would like to get Virginia ham in this bill.

Mr. SMITH of Virginia. I hope the gentleman is going to offer such an amendment.

Mr. ROGERS of Florida. I do not propose to.

Mr. SMITH of Virginia. I just do not see how a restaurant dealer or a customer eating in a restaurant is going to know the difference between a trout born in Canada and one born in New York.

Mr. ROGERS of Florida. I do not think the purpose is to get the birth certificate of any fish, as far as that is concerned.

Mr. SMITH of Virginia. Suppose one fish grew up in Canada and one grew up in New York; how are you going to tell the difference when you eat the fish?

Mr. ROGERS of Florida. Suppose a citizen were born in Canada, we would like to know something of his background.

Mr. SMITH of Virginia. There are several different kinds of trout named in this bill, and I know the gentleman is an expert on the subject.

Mr. ROGERS of Florida. I would not say that.

Mr. SMITH of Virginia. It talks about the following genera: Salmo, Salvelinus, Cristivomer, Hucho, and Brachymystax.

Mr. ROGERS of Florida. Those who eat fish might know the difference; those who eat fish are entitled to know, and labeling the fish will give this information to fish eaters.

Mr. SEELY-BROWN. Mr. Chairman, will the gentleman yield? I want to partly answer the question.

Mr. ROGERS of Florida. I yield.

Mr. SEELY-BROWN. I think those of us who enjoy eating trout know the difference between a brown trout and a brook trout. The Salmo is the brown trout. The Salvelinus and Cristivomer are brook trout.

Mr. SMITH of Virginia. Well, the gentleman seems to know. I think the experts possibly might know, but how are just plain ignorant folks like me to know?

Mr. ROGERS of Florida. I will say to the gentleman from Virginia it would not be a difficult matter to have the package label show the origin of the foreign trout, and from what country it comes.

Mr. SMITH of Virginia. But how is a restaurantkeeper going to be able to tell whether this trout was born in Canada or New York?

Mr. ROGERS of Florida. It does not make any difference where it was born as long as it is branded and labeled.

Mr. SMITH of Virginia. If it is not branded how does he know? Are you going to brand all these fish?

Mr. ROGERS of Florida. The branding is on the packages; I mean the labeling of the packages should tell the kind of fish it is and from which country it comes.

Mr. SMITH of Virginia. But suppose they mislabel the package; suppose the package does not contain the proper label and the restaurantkeeper puts the fish on the table?

Mr. ROGERS of Florida. If he does it in good faith and unknowingly he has not violated the law.

Mr. BEAMER. Mr. Chairman, will gentleman yield?

Mr. ROGERS of Florida. I yield.

Mr. BEAMER. I think that is one important point the gentleman from Virginia has raised. This is a matter of misbranding. Is it not true that it is a matter of good faith? No one has any objection to having foreign trout imported, but they should not be branded as Rocky Mountain trout or with some name indigenous to this country. In other words, this is another reason why the Pure Food and Drug Division has approved this legislation.

Just as in the case of beef that is imported in cans, the cans are labeled as to the source of origin. This merely applies the same principle to trout.

Mr. O'HARA of Minnesota. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. HIESTAND].

Mr. HIESTAND. Mr. Chairman, this is a good bill, in my judgment. It is a sound one and it is important from an interstate point of view. It comes from the Committee on Interstate and Foreign Commerce. The basic thinking involved in this matter has been tested in many, many rulings under existing law covering food labeling and so forth.

There are two important principles involved here, in my judgment. One is simple honesty. Who is going to quarrel with honesty in labeling? What honest man wants wrong labeling or dishonest labeling? The labeling should be at the point of sale, of course.

The second point is this: We are facing a threatened destruction of an industry composed of small businessmen scattered all over the United States who market their trout in order to be able to keep the trout-fishing industry alive.

Quite a while ago I read an article by a very distinguished former President of the United States which had to do with the conservation of natural resources. He made a very powerful argument and he wound up his argument by advocating, believe it or not, the preservation of trout streams. As he put it in his last line: "For fishing is good for the soul of mankind."

I submit, Mr. Chairman, there will be many people in every congressional district of the United States vitally interested in trout fishing, for it is good for the soul of mankind.

Mr. ROONEY. Mr. Chairman, will the gentleman yield?

Mr. HIESTAND. I yield to the gentleman from New York.

Mr. ROONEY. I should like to propound a question of the gentleman. Let us go into this supposititious case: A Danish trout finds himself in American waters where he meets and admires a lovely American trout. Subsequently we find a number of little trout swimming around both of them. How would the restaurantkeeper label these little trout when they become of age?

Mr. HIESTAND. If we were to seriously consider an answer to the gentleman's question, we would have to require that the restaurantkeeper label his menu in accordance with the labeling on the package.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. HIESTAND. I yield to the gentleman from New York.

Mr. CELLER. Do I understand this bill provides for penalties as follows: For the first violation the restaurantkeeper or the hotelkeeper who violates this law would be subject to penalties up to 1 year in jail or $1,000, and for the second offense he would be subject to a penalty of 3 years in jail and a fine of upwards of $10,000, is that correct?

Mr. HIESTAND. May I direct the gentleman's attention to the fact he has stated the extreme penalty, but those are already in the law. They have been in all of our pure food laws.

Mr. CELLER. But they have never been applied to trout before?

Mr. HIESTAND. No.

Mr. CELLER. Suppose Hamburg Joe, having a snack bar, buys fish in the fish market and he gets his Danish trout mixed up with his Wyoming trout and he prepares a Danish trout for a customer in his place who asked for Idaho or Wyoming trout; he could be subject to all those penalties, is that correct? That is possible, is it not?

Mr. HIESTAND. I suggest to the gentleman that he should not be deceiving the people. The same penalty applies to oleomargarine, tomatoes, and other things.

Mr. CELLER. He does not deceive intentionally. He got mixed up. He cannot tell one trout from another and he serves Danish trout for American trout, or serves un-American trout for American trout. He would be subject to the penalties I have suggested, would he not?

Mr. DEVEREUX. Mr. Chairman, will the gentleman yield?

Mr. HIESTAND. I yield to the gentleman from Maryland.

Mr. DEVEREUX. As I understand it, you have to show definite intent to deceive.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. ROGERS of Florida. Mr. Chairman, I yield 6 minutes to the gentleman from Illinois [Mr. KLUCZYNSKI].

Mr. KLUCZYNSKI. Mr. Chairman, Mr. M. R. Stephens, Associate Commissioner of the Food and Drug Administration, Department of Health, Education, and Welfare, in the closing paragraph of his testimony, on page 15 of the hearings on July 7, 1953, said:

> The Department respectfully recommends against the enactment of this bill.

The Interior Department and the State Department are opposed to this bill. The restaurant associations and the American Hotel Association are opposed to this bill.

One feature of the bill up for consideration is that restaurants would be required to list, "in clear and conspicuous type, the word 'trout' preceded with the name of the country in which such trout was produced" or a notice displayed prominently and conspicuously stating such fact.

The restaurant industry is vigorously opposed to this provision, nor is there any good reason legally or otherwise for a provision of this nature. The legality of such a provision is seriously questioned, as it is doubted that the interstate commerce provision of the United States Constitution reaches to the point of a specifying language to be contained in a restaurant menu of a purely local and intrastate business establishment.

Apart from the legality of such a provision, the wisdom of a procedure requiring prominent and conspicuous notices on restaurant menus is more seriously doubted.

If this requirement were enacted into law, then the same provision could be enacted in other laws where an imported product competes with one produced in this country. And this would only be a start. To further complicate matters, if the restaurant did not use menus, then the notices would have to be posted on the wall. This certainly would detract from the inviting atmosphere a restaurateur creates for his guests.

An important point which the contemplated bill does not take into consideration is the fact that a restaurant is all three—a manufacturer, a processor, and a retailer. The restaurant obtains food in the raw state and converts it into a meal which it sells to the ultimate consumer. The consumer purchases a meal with the accompanying service and atmosphere. Patronage of a restaurant is based upon the reputation of the restaurant to serve good food with good service in pleasant surroundings.

The patron is interested in the ultimate product and relies on the restaurant proprietor to satisfy his desire for food. The customer depends on the restaurateur and not the label for food that is good to eat. Twice during the past decade restaurants were required to put notices on their menus or walls because of Federal Government laws. During the eras of OPA and OPS notices were required. Restaurants complied with these requirements because of the unusual emergencies. However, with no emergencies existing laws requiring menu notices give just another rule or regulation to further complicate a typical small-business industry. Most restaurants are individually owned and, if the policy of the Federal Government is to assist small business, then the best way to do so would be to eliminate business restrictions rather than add another restriction or requirement.

Again may we invite your attention to the fact that there are a total of over 500,000 eating establishments in the United States which might become subject to such a law. Is the supervision of over half a million establishments in a matter of this kind to be given any consideration whatsoever?

In view of the above and the fact that the Secretary of Health, Education, and Welfare, whose department administers the food and drug laws, is opposed to this bill, I respectfully recommend against the enactment of Senate bill 2033.

Mr. O'HARA of Minnesota. Mr. Chairman, I yield 3 minutes to the gentleman from Maryland [Mr. DEVEREUX].

Mr. DEVEREUX. Mr. Chairman, first of all I think we should understand that trout being used as food is only a secondary operation of the hatcheries. The primary purpose of the hatcheries, of course, is to furnish fingerlings and eggs, and so forth, for the great sporting world and the trout-fishing people. If

we deprive the hatcheries of this secondary market, they are simply going to fold up, they are going to go out of business, and we will not have a source of supply to stock the various streams in this country.

Mr. McCARTHY. Mr. Chairman, will the gentleman yield?

Mr. DEVEREUX. I yield to the gentleman from Minnesota.

Mr. McCARTHY. May I ask who pays them for fingerlings and the eggs in connection with putting game fish into the streams?

Mr. DEVEREUX. The people who purchase them. They may be private sporting clubs, or some of the States. But in order to carry on the operation which lasts over a year's time, they must have some outlet for the rest of their product.

Mr. McCARTHY. Would not the answer be to pay them an adequate price for the service they perform instead of passing a nuisance law, such as this?

Mr. DEVEREUX. No; I think it would be a question of going forward for 3 months of the year and then going back; in other words, going back and forth, start and stop. I do not believe that it would justify the investment that these people have to put up, to stay in business, on that sort of a short-term proposition.

The restaurateurs object to the matter of labeling trout. Some of them speak about 5,000 or more restaurants, and so forth. Of course, actually there are only a few restaurants in the entire country that serve trout. But, as I said, in the debate on the rule the other day, when it is to the interest of the restaurateur to mark his food, he will do so. We have all been in restaurants where they mark a potato as an Idaho potato, or a lobster as a Maine lobster. They know where the food comes from. In the case of trout they should know where the trout comes from. Otherwise they would be buying a pig in a poke.

So far as the bill is concerned, they must knowingly and willfully deceive to be guilty, to come under the general provisions of the law.

Objection has been made because they say that the State Department has not approved this bill. Actually, the information that the State Department based its report on came from some clerk in Denmark. The State Department did not even appear before the committee in opposition to the bill. I think we can throw that argument out. Actually they did not demonstrate any thorough knowledge of the question that is before us.

The gentleman from Virginia took exception to the kind of fish, and so forth.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ROGERS of Florida. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. DEVEREUX. As far as I am concerned, it seems to me that that is just a question between the fish as to which is which, whether one species or the other.

Another question about the type of fish has been raised. If anyone goes into the question of how they raise fish abroad, particularly in Denmark, they will find that those fish are raised in ponds. They do not swim through rapidly moving water. They are not fed in the way that our fish are fed. They are in truth a different sort of fish. But once they are cooked, they appear on the table as the same sort of thing. If we allow that cheap product to be brought into our market and put on our table, it will undermine a very important industry in our country.

I believe this whole question may be summed up in this way; whether or not we are going to furnish some slight protection to an industry that is doing a good job for a great many people throughout this entire country. The bill will not impose any hardship on the restauranteurs in any way. I earnestly urge the passage of this bill.

Mr. ROONEY. Mr. Chairman, will the gentleman yield?

Mr. DEVEREUX. I yield.

Mr. ROONEY I should like to inquire of the gentleman whether or not this bill is part of President Eisenhower's dynamic legislative program and is a "must" bill?

Mr. DEVEREUX. I am sure the gentleman from New York [Mr. ROONEY] realizes that I am not privy to the councils of the President in all things.

Mr. ROGERS of Florida. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman, I should prefer to call this proposed legislation a bill to bankrupt trout hatcheries, because if you pass this bill you will find that the restaurant owners and hotelkeepers are going to boycott trout. Why should they risk the penalties—a year in jail and/or $1,000 fine? I have spoken to representatives of the Hotelmen's Association and the National Restaurantmen's Association. They tell me that instructions will go forth by way of recommending that no restaurants or hotels serve trout if you pass this bill. So you are going to be hoist by your own petard if you pass it.

I would like to know what would happen to a restaurateur who has fish chowder every Friday and who puts Danish trout in the fish chowder. Would he have to say conspicuously to the customers, "This fish chowder contains alien, un-American trout?" And what about gefüllte fish? Gefüllte fish is a round ball of fish containing many different kinds of fish. Suppose a restaurant man making the gefüllte fish includes some Canadian trout, must he put a label on that fish ball, "This ball contains a quantity of Canadian trout?"

Mr. O'HARA of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. O'HARA of Minnesota. On the point of gefüllte fish, let me say to the gentleman I have tried it. I will leave it up to the gentleman to write his own rules and regulations.

Mr. CELLER. I do not like it too well and I do not know what really is in it, but presumably it might contain alien trout. What would happen then? If the restaurateur would not put the mark on the ball of fish the poor fellow would go to jail; there is a possibility he would go to jail for 1 year, and if he does it twice there is a possibility he would go to jail for 3 years. There is a horrendous punishment.

Mr. KLEIN. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from New York.

Mr. KLEIN. I object to the gentleman from New York making the gentleman from Minnesota an expert on gefüllte fish.

Mr. CELLER. The question was propounded to me as follows: If a Canadian trout and a Scandinavian trout got together and spawned in the St. Lawrence River, and the children fish grew up and were served in a New York restaurant by an Italian owner, how would that Italian owner label that fish? That would be a fine kettle of fish.

You have five-hundred and fifty-thousand-odd eating places in the United States. They involve cafes, taverns, diners, restaurants, coffeeshops, snack bars, and food counters, and each one of those purveyors of food would have to be acquainted with the terminology of the bill otherwise they might find themselves in Alcatraz or Leavenworth or Lewisburg.

How in thunder are they going to understand the meanings that are expressed in these words on page 3:

> As used in this section the term "trout" means all species of trout fish, except Salvelinus namaycush (lake trout), belonging to the following genera: Salmo, Salvelinus, Cristivomer, Hucho, and Brachymystax.

They would have to spend a couple of weeks in the Library of Congress in the piscatorial section to find out the meaning of all this terminology. If they did not, and they served fish in a manner contrary to the express terms of this bill, they will go to jail, and, as I said, on the second offense they would go to jail for 3 years. In view of the fact that this will be an opening wedge and other fish hatcheries and other producers of food might want their food properly labeled or the food alien to their product labeled, why, I can well imagine that you would go into a restaurant and the menu or sign on the wall would say, "The tea served here is a blend of Japan, Ceylon, India, and Indonesia tea," or "The coffee comes from Ecuador and Brazil," or "This hamburger contains Bermuda onions and Argentine beef," or "This soup contains Irish potatoes, German beets, Holland leeks."

What about striped bass and pickerel? Are they not entitled to protection against the un-American kind? What manner of fishy discrimination is this?

Finally, the administration wants to keep the Government out of business, especially little business. This bill puts a Federal agent into a half million eating places.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. O'HARA of Minnesota. Mr. Chairman, I yield 5 minutes to the gentleman from Idaho [Mr. BUDGE].

Mr. BUDGE. Mr. Chairman, this is certainly a subject which lends itself to levity. I spent until after 11 o'clock last night with the Senate conferees on the supplemental appropriation bill. We were over there again this morning. We were dealing with hundreds of millions of dollars. But, I will have to admit, the trout bill seems to have attracted more attention than all of the hundreds of millions of dollars. I rather wonder though if the time has come in this country when it is to be made a subject of ridicule when a Member of the Congress of the United States attempts to protect an industry within his district.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. BUDGE. I yield.

Mr. HOFFMAN of Michigan. If all they do is poke fun at you, you ought to be complimented, but when they begin to claim this, that, and the other thing, or introduce a resolution to find out whether you ever stole a watermelon when you were 5 years old, then you can begin to worry.

Mr. BUDGE. I thank the gentleman for his contribution. But you know there are 325 of these trout farms in the country. Most of the opposition seems to stem from the city of New York. I would call to the attention of the Members the fact that the State of New York is one of the States which reported to the committee through its fish and game commission that unless legislation were enacted to protect that industry in the State of New York, they would not be able to keep these industries in business in the State of New York, and they reported that three such businesses had gone broke and out of business in the last 3 years. This is not just a simple matter which involves a few small businesses. It involves all of the people in this country who like to fish for trout. Last year 17½ million people bought fishing licenses in this country. When you add up the value of the tackle that they buy and the clothing that they buy and the rubber boots that they buy and the gasoline that they burn, it is a tremendous industry in this country. Even though it were not, it seems to me it is proper and it is right and it is just to have people who are shipping products into this country for sale in this country—and the bill does not attempt to prohibit that in any way—simply to have them tell the American people that the products did not come from the United States. Most certainly the products should not be labeled so as to make the American consumers think they are American products. The removal of this deception is all that is intended in the bill before you.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. BUDGE. I yield.

Mr. HOFFMAN of Michigan. There is no difference in principle between this and other bills of a like nature, bills to protect other products; for instance, we voted a fur-labeling bill. There is no difference in principle.

Mr. BUDGE. The principle is just the same.

Mr. ROONEY. Mr. Chairman, will the gentleman yield?

Mr. BUDGE. I yield.

Mr. ROONEY. Since the gentleman says that most of the opposition to this bill comes from New York, does it occur to the gentleman that those of us who are opposed to this bill as now written are doing more to help the trout farmer in the gentleman's State than is the gentleman? This bill in its present form might as well be entitled "A bill to bankrupt the trout farmers of the Nation" in view of the following letter from the American Hotel Association:

AMERICAN HOTEL ASSOCIATION,
New York, N. Y., July 28, 1954.

Hon. JOHN C. KLUCZYNSKI,
House of Representatives,
Washington, D. C.

DEAR MR. KLUCZYNSKI: Pursuant to our conversation with you, we are authorized by our principals to tell you that the American Hotel Association believes that if S. 2033, the trout-labeling bill, should be enacted into law, as the bill now reads, the hotels of the country would be obliged to cease serving trout or their menus.

The hotels, and we would think that the same principle would apply to restaurants, simply would not dare run the risk of handling trout, imported or domestic, which might have been erroneously labeled by our suppliers, and face the extremely heavy penalties provided for any violation of the act.

We think it is also pertinent that the Food and Drug Administration continues to vigorously oppose this legislation. They complain that they never could enforce it without neglecting almost all other important activities. We understand that Mr. George Larrick, the present Commissioner, is prepared to publicly make this statement if questioned. His telephone number is Executive 3-6300, extension 3712. Or if he cannot be reached, Mr. Don Counihan is authorized to speak for him.

Respectfully,

M. O. RYAN.

Mr. BUDGE. The gentleman's remarks as to trout farms in my State and his can well be answered by the fact that none of them in my State have as yet gone bankrupt, but 3 in the gentleman's State have gone bankrupt in the last 3 years.

Mr. CELLER. Mr. Chairman, will the gentleman yield very briefly?

Mr. BUDGE. The gentleman declined to yield to me. I would like to complete my statement.

I have here a list of 36 States whose fish and game departments have endorsed this bill. The National Wildlife Association, with its hundreds of thousands of members, has endorsed the bill. The Izaak Walton League—and no other agency has done more to serve the sporting interests of this Nation than the Izaak Walton League—the Izaak Walton League has endorsed it.

It is not just a matter of attempting to protect a few small people, although for my part, I am going to try to protect them as long as I am here, but this is a matter of pure honesty. We are not putting on a tariff; we are not attempting to prohibit any imports; we are simply asking them to be decent and honest and say what they are selling. Certainly the producers of any American product are entitled to that much consideration from the Congress of the United States.

Mr. ROGERS of Florida. Mr. Chairman, I yield 5 minutes to the gentleman from Tennessee [Mr. PRIEST].

Mr. PRIEST. Mr. Chairman, I agree with those who said that this is a bill that lends itself to levity, and perhaps a little levity is in order here, as men, wearied with words and long days of labor, come to the end of the session.

I agree that this is not an outstanding world-shaking piece of legislation; there is not any question about that. I realize that many so-called light and funny phrases could be used in discussing the legislation. On the other hand, I feel that the legislation has some merit and that it should be considered on its merits.

I was not present at the hearings which were held about a year ago, but I have read the testimony. After reading the hearings and the testimony I became convinced that this is a piece of legislation that did have some merit; I became convinced that the domestic trout-farming industry may be in rather grave peril.

The greatest interest I have, however, stems from the fact that this legislation, or the situation bringing about the legislation, does affect the question of the conservation of game fish, and in that subject I have been greatly interested since long before I became a Member of the House.

As you have heard already, the fish and wildlife services of at least 36 States have gone on record as favoring the bill. It is from that viewpoint that I desire to address a very few remarks to the membership. In the mountain streams of my own State there are some rainbow trout that are perhaps unexcelled anywhere else in the country. There may be others just as good, but certainly none any better.

I know that the question of propagating streams with eggs and with fingerling trout has become a problem. Because of the closing down here and there of private trout-producing farms, there is a growing problem of propagating these streams. This legislation, according to the testimony which I have read but did not hear, would be a contributing factor toward making available for the country as a whole more fish for putting into these streams and lakes under the supervision of State agencies charged with that responsibility, and perhaps Federal agencies.

There is one section of the bill and one provision in the bill to which, as I understand it, the gentleman from Illinois [Mr. KLUCZYNSKI] will offer an amendment. I believe his amendment deserves consideration. This bill has merit, but I do believe that the provision he will offer, as I understand it, which would permit a restaurant operator to qualify to meet the terms and conditions of the bill by posting on the walls of the restaurant a notice that trout from Sweden or Denmark or some place else are served, would meet the situation.

There is a provision at the bottom of page 2 and on the top of page 3 of the bill providing that if a restaurant does not have a menu it may then comply with the law by simply putting a notice on the wall in a place that is easily visible to the diners of that restaurant that trout of a certain type are served

in this restaurant, the same as is required in the case of oleomargarine.

It is my judgment that that would meet the conditions of the law for all and that it should not be necessary to print on the menus in all restaurants the name of the country from which the imported trout comes. That is a personal opinion, however; I have not discussed it with members of the committee, but it appeals to me as a reasonable approach to the matter. With that amendment the bill should be adopted and I can see no objection to it. I believe it might be helpful from the standpoint of protecting an American industry that is having some hard sledding in providing eggs and fingerlings to stock the streams throughout the country that are growing scarcer and scarcer day by day.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. ROGERS of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota [Mr. McCARTHY].

Mr. McCARTHY. Mr. Chairman, I doubt very much whether Izaak Walton himself would have supported this legislation. He was a great angler, but he was never a man to have his own pleasure at the inconvenience of others and by making a nuisance of himself.

I am informed, although the report does not carry the information, that the State Department, the Department of the Interior and the Department of Health, Education, and Welfare are all opposed to this bill. All three of the Federal agencies that are involved are opposed to the bill.

Mr. O'HARA of Minnesota. In some degrees, yes; but I think they are very ill-considered opinions.

Mr. McCARTHY. The report does not make any mention of that fact.

Mr. O'HARA of Minnesota. That may be, but it is in the hearings.

Mr. McCARTHY. It is in the hearings?

Mr. O'HARA of Minnesota. Yes.

Mr. McCARTHY. It seems to me it should be printed in the report. Those who have confidence in the administration might thereby be moved to support the bill.

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. McCARTHY. I yield to the gentleman from New York.

Mr. MULTER. I wonder how the Republican National Committee feels about this. I had the privilege of having lunch there. I did not notice any designation of trout there. What would they have to do with their menus?

Mr. McCARTHY. I do not know. I suppose they serve trout at the Capitol Club. I have not been invited there or to any of the recent White House dinners. Invitations are, I understand a sign of approval. Exclusion, I assume, a sign of disapproval. Certainly anyone attending who wants to know what kind of trout he is eating, should know. Perhaps we should add at least one amendment stating that it is the consensus of the House of Representatives that at White House dinners and at any dinner which either the Republicans or the Democrats are sponsoring at which trout is served it should be trout which is Rocky Mountain trout, preferably from Colorado.

Mr. MULTER. That could easily disturb our foreign relations.

Mr. McCARTHY. Apparently that is not a matter of concern of this bill, since the State Department position has been ignored. If this is a serious problem, it seems to me, it should be met not by this kind of mischievous legislation but through adequate appropriations for fish and game services, through tariff changes or changes in the food and drug laws or by administrative action.

Mr. O'HARA of Minnesota. Mr. Chairman, I yield 5 minutes to the gentleman from Colorado [Mr. HILL].

Mr. HILL. Mr. Chairman, I am glad to support this legislation. First of all, I think I should rehash this statement in the committee report. Now, I know that my friends on the right, who are having quite a little field day here making smart and cute remarks about this bill should just carefully read the bill. The bill refers to trout and not to the fin or to the tail or some other small parts of a fish. And, if they want to amend the bill that can easily be done. They can offer their amendments when we get under the 5-minute rule and not take my time, because I am not in the notion of listening further to remarks without any substance.

Now, let me ask my friends on the right who do you think the Izaak Walton League is? There are more people on my right hand side who run when the Izaak Walton League says something than there are on my left. But, in this particular situation the left side of the aisle is supporting the bill. Here is another one: National Wildlife Federation. Who are they? Are they some foolish kind of folks who go up and down the land who do not know anything about wildlife? Here are the greatest experts in the world, and these gentlemen who oppose this legislation know this.

Some gentlemen probably have not read this, or they would not interrupt. When I go fishing, I do not want someone alongside the bank making as much noise as a calliope whistle, and that is what has been going on.

Next is the Sport Fishing Institute. I wonder who they are? National Board of United States Trout Farm Association; Rocky Mountain Troutmen's Association. I know something about those folks. Pennsylvania Trout Growers; Outdoor Life; Department of Fish and Game, Idaho; State Board of Fisheries and Game, Connecticut; Commonwealth of Pennsylvania, Department of Justice; Department of Inland Fisheries and Game; State of New Hampshire Fish and Game Department and State of Vermont Fish and Game Department.

Now, those are the folks supporting it. Now, why do we have this opposition? In Colorado it is a real job to suppy fish to my friends from Minnesota who want to try out a little trout fishing. We have lots of trouble, lots of difficulty. And, we have always paid high prices for licenses, and some of us never fish more than once or twice a year.

Let us read the bill. It says:

No person shall sell, offer for sale, or possess for sale as food—

Now, I know you lawyers. I am always scared to death when one of them tackles me, because you know so much, and you know more about words than I ever learned in my life—

No person shall sell, offer for sale, or possess for sale as food, in any place other than a public eating place, trout produced outside the United States, its Territories, or possessions, unless—

(1) such trout is packaged—

Who is going to package it? We heard a lot of silly statements here a while ago about packaging, suggesting that they might cut up the trout and package its heart or its veins or some small organ in the trout. The bill continues:

(2) if the package is broken while held for sale, each unit for sale (consisting of one or more trout) is in a package.

That answers all the arguments about our not being able to enforce this bill. There it is. It is in a package. All anyone has to do is to read the bill and the report to understand what it is we are trying to do, which is to protect the trout producers.

This is a new industry. I remember when the first trout pond was started by the Fish and Game Commission of Colorado, near my own home, where they learned how to hatch these little fish eggs, and so forth, how to feed these fingerlings, how to take them up the river and put them in the stream. At that time we did not understand how to dump the trout in the river. It took several years to learn how to handle these fingerlings.

I wonder what is the matter here. If we can do anything to help a trout fishing industry in the Western States, I think we ought to do it and not poke fun, political or otherwise, at such a bill. I think there are a lot of suckers here if they do not support this bill.

Mr. ROGERS of Florida. Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. ROONEY].

Mr. ROONEY. Mr. Chairman, I should like to ask the gentleman from Minnesota [Mr. O'HARA] how the Fish and Wildlife Service of the Department of the Interior feel about this bill.

Mr. O'HARA of Minnesota. The gentleman from Minnesota [Mr. McCARTHY] referred to that a little while ago. I could not make sense out of their report. They were opposed to it for no intelligent reason that I could find in their report. I do not see that their report made a particle of difference.

Mr. ROONEY. Is it not the fact that this bill has no more to do with conservation of sporting fish than the man in the moon?

Mr. O'HARA of Minnesota. Yes, it does; it has very much to do with it. That is why I thought the letter from the Assistant Secretary of the Interior was so ill-considered.

Mr. ROGERS of Florida. Mr. Chairman, I yield my remaining minute of time to the gentleman from Minnesota [Mr. O'HARA.]

Mr. O'HARA of Minnesota. Mr. Chairman, I yield the remainder of our

time, 7 minutes, to the chairman of our committee, the gentleman from New Jersey [Mr. WOLVERTON].

Mr. WOLVERTON. Mr. Chairman, the purpose of S. 2033 is to protect the public by requiring imported trout, as defined in the bill, to be labeled as trout and identified as to the country of origin so that the public and purchaser can identify and distinguish imported trout from domestically produced trout. The reported bill will serve a threefold objective, namely, first, to protect the public and consumer against deceptive and unfair acts and practices by requiring truthful disclosure of the origin of the trout being sold; second, to protect our domestic trout producers against unfair competition from foreign producers of trout; and third, to protect our source of supply for stocking the streams of our Nation with game trout.

The bill proposes to amend the Federal Food, Drug, and Cosmetic Act so as to provide that no person shall sell, offer for sale, or possess for sale as food, in any place other than a public eating place, trout produced outside the United States, its Territories, or possesions, unless such trout is packed and each package is stamped or labeled in a readable type to indicate that it contains trout and the name of the country in which such trout was produced. If the package is broken while held for sale, each unit for sale, consisting of one or more trout, must be packaged and properly stamped and labeled.

The reported bill further provides that no person shall possess in a form ready for serving, or shall serve at a public eating place, trout produced outside the United States, its Territories, or possessions, unless there appears in such eating place serving imported trout, a suitable notice displayed giving the name of the country in which the trout was produced.

The reported bill provides that this act shall not take effect until 6 months after the date of its enactment.

This bill does not regulate the manner, processes, methods, or conditions under which foreign trout are produced nor does it affect in any manner the taking of fish under the fish and game or conservation laws of our States. It does not restrict or limit in any way the importation of trout.

Generally speaking, this bill is similar in purpose and identical in principle to other Federal labeling laws covering food, drugs, and cosmetics under the Federal Food, Drug, and Cosmetic Act and the widely acclaimed Wool Products Labeling Act of 1939, as well as the Fur Products Labeling Act of August 8, 1951.

In recent years, according to the information made available to the Committee on Interstate and Foreign Commerce, large quantities of imported trout have been offered for sale to the public in the United States. The committee was advised that these imported trout have been sold as Rocky Mountain trout, eastern brook trout, Rocky Mountain rainbow trout, and various other descriptive names that have been used many, many years by the domestic trout producers. These deceptive terms mislead the purchasers into believing they are purchasing domestically produced trout. This practice is unfair to the domestic producer and consumer.

If this practice continues the entire reputation for quality that has been established by the domestic trout producers will be completely destroyed in spite of the fact that it has taken them many years of time, effort, and money to build. Not only will such deceptive practice destroy the reputation for quality of the product sold under these common names, but they will destroy the market for the entire domestic producers of trout, thereby forcing them out of business.

It should also be realized that if this American industry is broken down or destroyed that it would be a great loss to our sportsmen. Individuals and State fish hatcheries obtain these high-class trout for the purpose of stocking the streams of our country. While a great quantity, as much as 1½ million pounds, are sold for restocking purposes, yet, this would not be sufficient in itself to justify the existence of so-called trout farms. Operating a trout farm is a highly specialized business requiring scientific knowledge and constant care. Substantial investment must be made in hatchery facilities. Rearing ponds must be properly located, constructed and maintained. Water temperatures must be proper and the water must be kept constantly clean and fresh. Sufficient oxygen must be kept in the water, otherwise severe losses will result. Supplying and preparing the proper balanced nutritional requirements for proper growth and production of high-quality trout is a specialized, important matter.

All of this special care is expensive. The number of trout raised for restocking purposes and the incident revenue therefrom would not be sufficient by itself to carry on and meet the expense of propagation for sporting purpose. It is the additional 3½ million pounds that are raised for food that makes it possible to carry on such an enterprise. Therefore, if we permit cheap foreign trout to come into our country and compete with our own high quality trout, it would destroy the market for American trout, and it would not be possible to carry on the industry. And, if the industry should close up, then there would not be sufficient trout available to supply the demand for restocking our streams.

This legislation for the reasons I have set forth has the support of such organizations as the Izaak Walton League of America, National Wildlife Federation, Sport Fishing Institute, National Board of United States Trout Farm Associations, Rocky Mountain Troutman Association, Pennsylvania Trout Growers, Outdoor Life, the fish and game departments of our several States, and other organizations of a similar character. The communications received by our committee from every section of our country leave no doubt of the widespread and favorable attitude toward this legislation.

Thus, it will be seen that although this is a small industry in size, probably representing only $7 or $8 million dollars of investment, yet, it has very widespread and important interest. The interest of 17½ million of our people who have fish and game licenses should not be ignored. To protect this industry the proposed law should be adopted.

Mr. Chairman, during this debate, I have thought seriously as I have listened to the various statements made by the gentlemen who have spoken in opposition to the bill. I have not heard any reason advanced that would justify the deception now being practiced. If you read this bill you can very readily understand that the purpose of this legislation is to prevent this objectionable deception. Why should anyone be opposed to a bill that seeks to do that?

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. WOLVERTON. I yield to the gentleman from Arkansas.

Mr. HARRIS. Referring to the statement made by the gentleman from Colorado [Mr. HILL] a moment ago, which would leave the impression that everyone on this side of the aisle is opposed to this bill, I was merely trying to help the gentleman out a moment ago when I asked him to yield, in an effort to clarify the statement that was made. Not only have some of those who have spoken on this side spoken in favor of the bill but there are several of us on this side likewise supporting the bill.

Mr. WOLVERTON. I am very glad the gentleman from Arkansas has emphasized that fact. His remarks are very appropriate. This bill was reported unanimously by the Committee on Interstate and Foreign Commerce. It had the wholehearted support of the gentlemen of the minority. In no particular has there been any indication of partisanship in its consideration. The minority on our committee has given at all times evidence of its favorable attitude toward this bill. That was also indicated the day when the vote was taken on the rule and has been indicated here today.

This bill has two purposes. The fundamental purpose is that which I have already stated, namely, the prohibition of deception. In the first place, we want to protect an American industry. This is not a big industry in the sense that you would speak of some of our other industries, our steel industry, our railroad industry, and so on. This is a small industry. For that reason it is probably entitled to more attention than its size would indicate it could claim. It needs help. At the present time it is being destroyed by deceptive means. The trout from foreign sources is being unpacked into this country and sold as Rocky Mountain trout, rainbow trout and other high-quality American trout.

I have noticed, and I assume you have likewise, that articles in which people have a pride are advertised in a way to attract attention to their desirability. I could refer to many products that come from across the water. How frequently we see the advertisement as to where it was produced. It might be woolens or tweeds from England, it might be wines from Spain or it might be sardines from Italy, yet you find the producers are very proud of their product and readily advertise the country

from which it comes, because the producers have something of value. The producers are of the opinion that their product is better than what is produced in this country and, therefore, they advertise the place of origin as a part of their salesmanship, even though it is from a foreign country.

However, very frequently those who object to advertising their goods or where they come from are those who have an article inferior to that which is produced in this country, whereupon they seek to put their product on sale in this country under the names of our more creditable products. With respect to trout the testimony before our committee showed that in many instances the trout from abroad are being brought into our country and sold as rainbow or Rocky Mountain trout. When those names are utilized by a foreign concern it is a recognition of the value of our particular product over and above their own and their desire to profit by the good name and recognized quality of our own American brand of trout.

In the second place, the consumer has a right to protection from this type of deception. He has a right to know what he is getting. Why should he be deceived? Why should he be denied that information? Why is it that a foreign produced trout wants to come in under the name of an American trout? Why is it they are not willing to say, "This trout is from Denmark." Or, this trout is from some other country. Why is it that they are not willing to advertise that fact? The answer is plain. It is an inferior product.

Mr. O'HARA of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. WOLVERTON. I yield.

Mr. O'HARA of Minnesota. Much has been made of the fact that these menus would have to be printed up. Of course, in most restaurants, they print their menus every day and I have noticed over the years that I have been a patron of public eating places, that they do not hesitate to describe all of the foreign wines or cheeses and other various food products. They seem to emphasize that. Why is there anything wrong if they want to sell Danish trout to indicate that it is Danish trout or Japanese trout and so forth? Can the gentleman see any reason why it would be any hardship on the people who operate these eating places?

Mr. WOLVERTON. It would not be any hardship whatsoever. This bill does not preclude anyone from importing trout from Denmark or any other place into this country. All we are asking is that they name the place of origin.

It is a benefit to the American producers of high-quality products that consumers know that they are getting the article they desire and for which they are paying. Legitimate business that handles and serves a reputable product should be protected against unscrupulous operators who engage in unfair methods of competition and unfair or deceptive acts and practices.

The trout producers of this country are wholeheartedly in favor of this legislation. They must have the protection it will afford them if they are to continue to provide the consumers with high-quality trout at the lowest possible prices. The producers of fine trout are the ones who suffer from the unscrupulous merchants who indulge in deception. If our domestic trout industry is to be successful, it must produce the finest quality trout and have the trout identified by a name that means quality.

The enforcement provisions of this legislation are those that presently are provided for in the Federal Food, Drug, and Cosmetic Act, Twenty-first United States Code, page 331.

This legislation is in the public interest and should be enacted into law. Enactment of the reported bill would prevent these unfair and deceptive practices, would protect our domestic trout-producing industry against unfair competition, and would provide the consumer with a truthful disclosure of the fact as to the origin of the product offered for sale so that he can make a more intelligent determination as to the value of the product being purchased.

The CHAIRMAN. The time of the gentleman has expired. All time has expired. The Clerk will read the bill for amendment under the 5-minute rule.

The Clerk read as follows:

Be it enacted, etc., That section 301 of the Federal Food, Drug, and Cosmetic Act, as amended (21 U. S. C. 331), is amended by adding thereto a new paragraph as follows:

"(n) The sale, offering for sale, possessing for sale or serving of trout produced outside the United States, its Territories, or possessions, in violation of section 408 of this title."

Committee amendment: Page 1, line 6, strike out "(n)" and insert "(o)."

The amendment was agreed to.

Committee amendment: Page 1, lines 8 and 9, strike out the words "of this title."

The amendment was agreed to.

Mr. FINO. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have listened with a great deal of interest to the pros and cons on this bill. I think we are all pretty much familiar with what it contains and what it is supposed to do. Of course, the bill requires that all of this un-American or foreign trout must be packed and properly labeled with the country of origin. We know that. The present law provides, and if the gentleman of the committee would have looked at it, they would know that the Food and Drug Act requires all packages to bear the name of the articles. The law enforced by the Customs Bureau requires all imported products to be labeled with the place of origin. The Food and Drug Act prohibits the removal or alteration of the required labeling. The customs law provides a penalty for that. Therefore, we can very readily see that existing law already requires a proper labeling of foreign trout.

You gentlemen remember that very recently we cut the appropriation of the Food and Drug Administration. On the one hand, we cut their appropriation, and on the other hand, we are trying to get the administration to do more work, asking them to employ more personnel to do this job of inspecting. How ridiculous can we be when we say on the one hand we will give you less money, and on the other hand we are asking you to do additional work? At the present time, in order to protect the public, the Agency must give attention to violations of law directly affecting public health. Are we going to cut down on this protection measure in order to take care of the trout? The Agency must also give attention to violations involving filth, decomposition, and insanitation. Are we going to cut down on that type of enforcement? The Agency is also required to give attention to violations involving short weight and excess water in food products. Are we going to discontinue those types of violations in favor of the trout? If you pass this bill, you will cut down on health and sanitation enforcement measures in favor of trout. Of course, the people in Colorado and Idaho and points west are interested in this special legislation. But I think the people of this country, all of the taxpayers of this country, have a primary interest in this type of bill because it is the taxpayers' money that is going into the enforcement of this kind of legislation.

When you use taxpayers' money for an unimportant activity such as enforcement of this trout bill then I think you are going much too far.

The gentleman from Minnesota [Mr. O'HARA] asked: Why should the restaurant operator worry about listing on the menu the place of origin of trout? I may say to the gentleman from Minnesota that that is not the concern of the restaurant operator. He is not worried so much about the place of origin of the trout. What he is worried about is that if the middleman should make a mistake in telling him the type of fish it was or put the wrong label on it or guess the wrong place of origin, then he is subject to this penalty.

Mr. O'HARA of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. FINO. I yield.

Mr. O'HARA of Minnesota. No; the restaurant keeper would not be guilty of anything if he was misled by reason of the default or some criminal act of somebody else.

Mr. FINO. I ask the gentleman from Minnesota if he does not think the risk is too great for the restaurant operator to take a chance?

Mr. O'HARA of Minnesota. No; let the middleman and the importer label his trout so that it is correct, or he should be prosecuted.

Mr. FINO. What the gentleman from Minnesota [Mr. O'HARA] is telling the restaurant operator is: Do not sell trout, domestic or foreign, because the risk of listing the wrong fish is possible. That is what the gentleman is telling him.

Mr. O'HARA of Minnesota. We are telling him merely that we want him to sell it for what it is.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. FINO. I yield.

Mr. CELLER. Have we not got the Federal Trade Commission to detect fraud in the sale of all things? I think the Federal Trade Commission covers that situation without a bill of this character.

Mr. FINO. That is correct; there is no question about it. I think existing law sufficiently covers the problem, and there is absolutely no need for this legislation. I cannot see how the Members of this House could be so foolish as to pass this type of legislation. It is bad legislation and it should be defeated.

Mr. VORYS. Mr. Chairman, I rise in opposition to this bill.

Mr. Chairman, when I first heard this bill was coming up for consideration I was in favor of it because of an experience I had here in Washington recently. I went into a restaurant and saw Rocky Mountain trout on the bill of fare, and it was within my price range. I ordered it, but it tasted as though it had probably come from Dien Bien Phu in Indochina before that fortress fell; it was long past its prime.

Maybe I do injustice to a foreign trout. In any case I thought this bill was a good idea until I got to thinking about it, this matter of deception in restaurants, serving things under attractive but untrue labels. If we prohibit American labels on foreign products I wonder if other nations could demand that we stop using foreign labels when we serve American products. There ought to be international reciprocity in such matters, and I wonder just how far we should go. I got to thinking that if we required American trout to be labeled, we might get into trouble on Danish pastry, French pastry, Swiss cheese, wienerwurst, which is Vienna sausage.

Mr. NICHOLSON. Mr. Chairman, will the gentleman yield?

Mr. VORYS. I yield.

Mr. NICHOLSON. Everybody knows that Danish pastry is made in this country even though it is put on the bill of fare and we call it Danish pastry, but I would like to have them label American trout and American tobacco.

Mr. VORYS. That is the point I am making.

Danish pastry is not made in Denmark. French pastry is made in the United States. We make wonderful Swiss cheese in Ohio. Turkish Delight is a kind of candy made in this country. Spanish onions do not come from Spain. I got to thinking: Well, now, if we were to be honest with ourselves are we going to have to change the names of all these delightful things that we make and eat here in America and relabel them with American names?

Then we come to Virginia ham, and New York sirloin, and Idaho potatoes, which may have come from right around where you are and may not come from those places at all.

Mr. HOFFMAN of Michigan. Vermont turkey, too.

Mr. VORYS. Then I got to thinking that this bill is too much law for the situation involved. We have municipal and State laws to require sanitary conditions in restaurants. I doubt if Uncle Sam should step in and try to police the 500,000 restaurants in our country to require honesty in menus, especially just for one item on the menu.

I wish restaurants would label what they serve with realism—up to a point. I like labels that I understand and that makes me feel good if the stuff tastes good, even when they are not literally true. If restaurants fool people too often, they pay the penalty of losing business. I doubt if the owner should also be put in jail.

Mr. O'HARA of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. VORYS. I yield to the gentleman from Minnesota.

Mr. O'HARA of Minnesota Of course, the gentleman may be actuated and influenced by the attitude of the State Department; but could I ask the gentleman this simple question? Why should a restaurant sell a foreign imported trout from Denmark, which has been shipped many thousands of miles, or from Japan, nowhere near the quality of our American trout, and sell it to us who enjoy rainbow or Rocky Mountain trout for American trout? Does the gentleman think that is honest and decent?

Mr. VORYS. No. I wish they would not do it. There are a lot of things restaurants do that I wish they would not do. But I do not come in here and vote a $1,000 Federal penalty on them, on that account. In this case, the restaurant may not be able to tell where the trout come from, or the printers may make a mistake on the menu, but the owner may find himself indicted under this bill.

Seriously, I have come to the conclusion that I agree with the three departments of Government that will have to do with the administration of this law. They are against the bill. I have changed my mind and will not be able to go along with it.

I like troutfishing, and I like troutcatching, and that requires stocking the streams, and that requires troutfarms. I realize these farms must sell trout commercially. They should advertise and push their own product. In view of the attitude of the restaurant people, I do not think a bill like this will help to sell American trout.

Mr. HOFFMAN of Michigan. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, our friend from Ohio has been thinking altogether too much. He admitted three separate and distinct times that he had been thinking about this situation. That is too much time to devote to any domestic policy, I should say to the gentleman. The gentleman got to thinking about these foreigners, as some people call them, and inasmuch as some of them might "beef" about this, the gentleman changed his mind.

The gentleman and I were together the other day on this postal bill. We both voted against that increase. I voted against it because I thought it was a futile gesture and that we might just as well let the Senate send their bill over here. I was tired of this man Doherty telling us what to write. I thought Congress should write the legislation rather than Doherty doing it. Then the gentleman and I got together and discussed it.

Mr. VORYS. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield to the gentleman from Ohio.

Mr. VORYS. That is what I did, too. Then the gentleman and I also said that maybe we ought to save some of this money so we could send it abroad.

Mr. HOFFMAN of Michigan. That is what the gentleman did and the next day he voted to send some more money abroad. I voted against that.

But I cannot get some things through my head. All of the gentlemen from New York have voted that we should have labels on things that were sold in this country that came from abroad. When it came to furs these gentlemen from New York wanted them labeled for what they were. When it came to oleo they wanted that labeled, do you remember? They had to put the sign up, they had to cut it a certain way. Some States even had to color it, pink down in Virginia, green up in Vermont. Sure, there were laws like that, they were ridiculous, but notwithstanding that fact, how many things has the gentleman from Ohio and the gentleman from New York voted for where the purpose was, as the gentleman from Minnesota said, to make them sell it for what it was, to prevent fraud and deception? That is all we are asking. I do not like to go into a restaurant and order trout and get carp. I can never convince myself it is just as good. Over in Illinois they wanted to sell horsemeat, and they did, because they had it in the stores. You can go down to the markets here and you can buy horsemeat, but it is labeled horsemeat. Maybe I like horsemeat. I do not want to buy something that is labeled horsemeat and find that it is a good sirloin or porterhouse steak. That would be a fraud on me.

Mr. VORYS. The gentleman is a great fisherman.

Mr. HOFFMAN of Michigan. I catch them, too.

Mr. VORYS. I am a great fisherman, too.

Mr. HOFFMAN of Michigan. But you do not catch them.

Mr. VORYS. Does not the gentleman feel we ought to do something about these signs in restaurants and fish markets that say "fresh fish" when they are not fresh?

Mr. HOFFMAN of Michigan. Oh, I do not know. If a fellow is gullible enough and cannot tell by the smell whether it is fresh or not, he should not order it. I know of no reason why we should not take care of our own people. I am just getting sick and tired of my lovable friend from Ohio, when anything comes up here, wanting to give it to the foreigners all the time.

Mr. GAVIN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, you know, as long as we are talking about all these products from the great State of Ohio, I think it is a splendid opportunity to say a word or two on behalf of Pennsylvania grade lubricating oil produced in the great State of Pennsylvania. Why we even police the industry to see that nobody represents any oil as being of Pennsylvania grade other than the that produced and refined under the Pennsylvania label. We insist on our oil being labeled Pennsylvania grade. We want the American people to know that

they are getting the finest lubricating oil in the world.

Mr. Chairman, this bill should be passed. As it now stands, it is deception. We have 13 trout hatcheries in my State. It is a growing business, and they should receive some protection from foreign and imported misrepresented trout.

The gentleman from New York [Mr. FINO] said the other day that considerable pressure was being brought upon the Members of the Congress. Well, I would say that considerable pressure from the metropolitan areas was also being brought upon the Members of Congress who represent those districts by the hotel and restaurant keepers to see that this bill is not passed. And I want to call attention to my very good and able friend from Arkansas [Mr. HARRIS] who said that we have a lot of support on his side of the House. That is true, but not so much support from the gentleman's side from those who represent the metropolitan areas where the hotels and restaurants are located. Most of the support is coming from the rural areas of the Nation. Certainly this is a growing industry, and it should be protected. I say, the situation as it stands is deceiving. Trout are shipped into this country in refrigerated cases from foreign countries, all packaged up as Rocky Mountain trout or Colorado trout or some other American name which is very appealing to the average hotel and restaurant keeper, and they serve it as such, but the facts are that most of these trout are coming from Japan or Denmark or some other country.

The gentleman from Ohio [Mr. VORYS] inferred about being more friendly to these countries. In the last 10 years we pumped about $100 billion into these countries. Certainly it cannot be said that this is an unfriendly gesture. We just passed a bill the other day for another $3 billion for foreign aid even though there were $9 billion authorized but unexpended, that was carried over, that evidently could not be expended up to 1954. So we authorized another $3 billion, so that gives them $12 billion to spend in 1954–55—twelve thousand million dollars. That is a lot of money. It is to me or it is to anybody from my State who is paying a great share of the taxes to meet the cost of these programs. So let no one leave the inference that we are being unfriendly to any foreign country. In other words, all we have been doing is rehabilitating their economy and industry and other phases of their economic life, and now since their recovery is about complete, we find they are in stiff competition with us. What is wrong with trying to protect American industry? What is wrong with trying to protect American producers of foodstuffs? This labeling bill is certainly giving protection to the American producers of trout, and the American people, when they sit down to eat trout, will know they are getting American trout, domestic trout, and not trout mislabeled coming from some foreign country. It is about time we gave consideration to our own backyard and protect our industries and the people who are dependent upon them for their livelihood. Again I ask, What is wrong with looking after our own American affairs?

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. GAVIN. I yield to the gentleman.

Mr. HOFFMAN of Michigan. The gentleman does not want to offend the State Department, does he?

Mr. GAVIN. The gentleman knows my position on the State Department.

Mr. HOFFMAN of Michigan. And I am sure he knows mine.

Mr. GAVIN. I would rather not get into the matter at this time—I have only a limited time—but reciprocal trade treaties should be a two-way street, and we have been putting up the money to bring about recovery in these countries. American industry should be protected. Let us get back to the trout bill.

Mr. VORYS. Mr. Chairman, will the gentleman yield?

Mr. GAVIN. I yield.

Mr. VORYS. I have not heard from the State Department on this. I am in a squeeze between the Izaak Walton League of Ohio and the Ohio Restaurant Association, so I have got to walk the straight and narrow path.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. GAVIN. I yield.

Mr. GROSS. I thought the gentleman from Ohio [Mr. VORYS] said that we should not offend our foreign friends by passing this bill, or words to that effect.

Mr. GAVIN. Oh, no; it is apparently all right to offend American producers, but under no circumstances, in any way, offend foreign producers. All we have to do is have the American taxpayers furnish the money for the rest of the world and bring them into competition with American producers and put them and those dependent on them out of business. When the American producers ask for some protection, believe me, it poses a real problem to secure consideration and relief.

This bill is a good bill and I am asking the Members of the House to vote for it. It will give protection to the American producers of trout.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KLUCZYNSKI. Mr. Chairman, I ask unanimous consent that the gentleman from Pennsylvania may have 2 additional minutes. Perhaps he can convince some of us who are opposed to this bill.

Mr. GAVIN. Mr. Chairman, I think I have said all I want to say on this bill and have no further use for time, as I doubt very much I could convince the gentleman from Illinois.

Mr. DEVEREUX. Mr. Chairman, I move to strike out the requisite number of words.

The question arose about the power of the Federal Trade Commission in this controversy. I have a letter from the general counsel of the Federal Trade Commission who gives his personal views, but I think he says something that is worthwhile. He says:

> It is my belief that in the large majority of cases the fish retailer and the restaurateur receiving the fish for local resale or serving as food know the origin of the fish which they buy, and in any event, this Commission would have no authority to require them to make disclosure of that origin to their respective customers, whether the housewife or the diner in the restaurant.

They may have authority so far as the importation of various products is concerned to require the labeling of the import as such, but that is simply on the outside of the package, the big package, as it comes into this country. But there is no authority for the Federal Trade Commission to go in and determine within the specific restaurant the place of origin of the product that they are trying to sell.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. DEVEREUX. I yield.

Mr. CELLER. If the fish is mislabeled or misbranded, the Federal Trade Commission undoubtedly would have authority to bring a prosecution against those guilty of misbranding, would they not?

Mr. DEVEREUX. The gentleman, of course, is an eminent lawyer, and I am sure he understands about that. But I would like to bring to the attention of this committee the fact that the large package in which the fish arrive in this country is labeled as to point of origin. However, after the breakdown of the package, which may be mislabeled "Mountain Trout," and so forth, they do not have to reveal the point of origin.

Mr. CELLER. Mr. Chairman, will the gentleman yield further?

Mr. DEVEREUX. I yield.

Mr. CELLER. Is it not true that the entity that would have charge of the enforcement of this act, namely, the Pure Food and Drug Administration, is opposed to this bill?

Mr. DEVEREUX. They are always opposed to having any additional duties put upon them. However, I might point out to the gentleman from New York [Mr. CELLER] that if they carry out their present duties and make these inspections throughout the country under the Pure Food and Drug Act, all they would have to do is to take a look around through the restaurants to find out whether or not the law was being circumvented.

Mr. GAVIN. Mr. Chairman, will the gentleman yield?

Mr. DEVEREUX. I yield.

Mr. GAVIN. Regardless of whether or not they are opposed to the bill, should a handful of men determine what we in the House of Representatives shall accept? We are 435 Members of the House who represent every section of the country. We are the ones who should determine what we want in the way of legislation to protect American producers of trout, not some department official.

Mr. DEVEREUX. I think it has been demonstrated time and again that sometimes this Congress is perhaps a little better informed and acts more in the interests of the country as a whole than somebody from downtown.

Mr. CELLER. Is it not true that two other responsible agencies of the Government oppose this bill, to wit, the Department of the Interior and the State Department?

Mr. DEVEREUX. The gentleman brought out that question about treaties, and so on, yesterday. If we pass this bill we do not disrupt any treaties. All we are trying to do is tell the people of this country what they are receiving, and we are trying to give our industry a fair break and an opportunity to compete with these foreign products. We are not disrupting any reciprocal trade agreements in any way whatsoever.

Mr. CELLER. Do not your hearings contain a statement by Thruston B. Morton, Assistant Secretary of State, for the Secretary of State on pages 6 and 7 that this bill undoubtedly violates various treaties that the United States has with countries from which come this trout? .

Mr. DEVEREUX. As the gentleman knows, I am not a member of that committee and I was not present to hear that, but I am sure there is nothing in there in any way whatsoever that violates anything in the treaties.

Mr. CELLER. It specifically states it is a violation of treaty. It is on page 7. Read it for yourself.

Mr. DEVEREUX. It might possibly be, but that does not make any difference in the matter that is before us. I probably was wrong in getting into a discussion with the eminent attorney from New York.

The whole question resolves itself down to this, whether you are going to give some aid or chance for a growing industry in this country that is so vital to it and to all the sports fishermen throughout our entire country, or whether you are going to furnish protection to a foreign import.

Mr. O'HARA of Minnesota. Mr. Chairman, I ask unanimous consent that the remainder of the bill be considered as read and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The remainder of the bill is as follows:

SEC. 2. Chapter IV of the Federal Food, Drug, and Cosmetic Act, as amended (21 U. S. C. 341 et seq.), is amended by adding at the end thereof a new section as follows:

"FOREIGN PRODUCED TROUT

"SEC. 408. (a) No person shall sell, offer for sale, or possess for sale as food, in any place other than a public eating place, trout produced outside the United States, its Territories, or possessions, unless—

"(1) such trout is packaged;

"(2) each part of the contents of the package is contained in a wrapper; and

"(3) each such package and wrapper is clearly and conspicuously stamped or labeled to disclose in type or lettering not smaller than 20-point type the word 'trout' preceded by the name of the country in which such trout was produced.

"(b) No person shall possess in a form ready for serving or shall serve at a public eating place trout produced outside the United States, its Territories, or possessions, unless there appears on the menu of such eating place in clear and conspicuous type the word 'trout' preceded by the name of the country in which such trout was produced, or, if such eating place does not have a menu, a notice is displayed prominently and conspicuously in such eating place stating that '---------- trout is served in this restaurant', the blank space to be filled with the name of the country in which such trout was produced.

"(c) The requirements of subsections (a) and (b) shall be in addition to and not in lieu of any of the other requirements of this act.

"(d) As used in this section the term 'trout' means all species of trout fish, except Salvelinus namaycush (lake trout), belonging to the following genera: Salmo, Salvelinus, Cristivomer, Hucho, and Brachymystax."

SEC. 3. Nothing in this act shall be construed as authorizing the possession, sale, or serving of foreign-produced trout in any State or Territory in contravention of the laws of such State or Territory.

With the following committee amendments:

Page 2, line 11, strike out "each part of the contents of the package is contained in a wrapper" and insert "if the package is broken while held for sale, each unit for sale (consisting of one or more trout) is in a package."

Page 2, line 15, strike out "and wrapper."

Page 3, line 17, insert the following:

"SEC. 4. This act shall take effect 6 months after the date of its enactment."

The committee amendments were agreed to.

Mr. KLUCZYNSKI. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KLUCZYNSKI: On page 2, line 20, strike out all of subsection (b), and reletter the following sections.

Mr. KLUCZYNSKI. Mr. Chairman, I believe I would be the last Member here to do harm to the trout farmer. I would not want anybody to interfere with that business. So I have offered this simple amendment which would clarify this bill. I believe I can vote for the bill if this is adopted. It simply strikes out subsection (b), which has to do with the menus in restaurants or the placards on the wall. It is a simple amendment, and I hope it is adopted.

Mr. O'HARA of Minnesota. Mr. Chairman, I rise in opposition to the amendment. As I understand the amendment, which has just been offered by the gentleman from Illinois, it would strike out all of section (b); is that correct?

Mr. KLUCZYNSKI. That is right.

Mr. O'HARA of Minnesota. Of course, then you would not have much left in this bill, Mr. Chairman. There would be nothing but a hollow shell, and the bill would be emasculated. I realize that the gentleman who offers the amendment must do it for that purpose.

Mr. PRIEST. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Minnesota. I yield.

Mr. PRIEST. Would the gentleman from Minnesota be willing to accept the amendment if the language which is in the bill remains in the bill requiring a sign in the restaurant?

Mr. O'HARA of Minnesota. No; I am not in a position to accept such an amendment.

Mr. PRIEST. May I inquire of the gentleman from Illinois if he would be willing to modify his amendment to that extent?

Mr. KLUCZYNSKI. Yes; I would.

Mr. O'HARA of Minnesota. The gentleman may be willing to do that, but I would like to state that the amendment which has now been offered is not what the gentleman from Tennessee referred to. The amendment which has just been offered by the gentleman from Illinois goes a great deal further than the inquiry just made by the gentleman from Tennessee. I think we had better get rid of these amendments in the form in which they are submitted, and then come to whatever other questions may arise.

Mr. PRIEST. Will the gentleman yield?

Mr. O'HARA of Minnesota. I yield.

Mr. PRIEST. I would want the RECORD to show that when I discussed the amendment under general debate, it was my understanding at that time that the amendment would require a notice on the walls of the restaurant. I had not read the language of the amendment at that time.

Mr. O'HARA of Minnesota. I just wanted to make it plain that the gentleman's amendment, the amendment offered by the gentleman from Illinois, goes a great deal further than the amendment which was referred to by the gentleman from Tennessee.

I do not condone deception and fraud practiced by those who sell foreign fish by calling the foreign fish American fish and calling it a highly desirable type of fish for eating purposes; that is their privilege. But let us have it understood what it does. We are here trying to protect the American people.

Mr. KEATING. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time for the purpose of asking a question or two in a desire to get some information. As I understand it, if I may address this to the gentleman from Minnesota, if section (b) is eliminated and section (a) is left in, then the bill would apply only to those who sold trout other than in public eating places.

Mr. O'HARA of Minnesota. That would be my understanding, I would say to the gentleman.

Mr. KEATING. It is section (b) which troubles me about this legislation. Some of the restaurant proprietors have indicated to me that they often do not know when they buy trout where it does come from.

Mr. O'HARA of Minnesota. May I answer the gentleman by saying that that is probably true today; they do not know. This bill requires that when this foreign trout is brought into this country, if it is in packages of one or more, the package must be marked with the name of the country of origin of the trout, which does give to the restaurant keeper the information which protects him.

Mr. KEATING. I thank the gentleman. May I follow that up with this question: Suppose a person who has sold the trout to the restaurant keeper had not marked it, in violation of section (a); and the restaurant keeper did not know where it came from and had not marked it, would he still be liable even though he had been imposed upon by the man from whom he bought it?

Mr. O'HARA of Minnesota. In my opinion he would not, because he is not willfully violating this law.

Mr. KEATING. That leads to this question: Does prosecution under the Food and Drug Act for a violation of section (b), if it is left in the bill, require knowledge and intent? In other words, would it have to be willful violation?

Mr. O'HARA of Minnesota. I would think there would have to be willful intent to be a violation.

Mr. KEATING. In other words, this is added to the list of so-called prohibited acts in the law.

Mr. O'HARA of Minnesota. That is right; in the food and drug law.

Mr. KEATING. And under prosecutions for committing one of those prohibited acts, is it necessary to prove intent to violate the law?

Mr. O'HARA of Minnesota. Generally speaking it is my understanding that in these offenses there must be a willful intent to violate the law.

Mr. KEATING. I thank the gentleman. That clears up a good deal in my mind.

I want to ask just one additional question: In a communication which I received from certain restaurant operators they spoke of the provisions of this bill being unusually severe in their penalties. Am I correct that there is nothing in this bill about penalties, but that the regular provisions of the Food and Drug Act would apply?

Mr. O'HARA of Minnesota. The same penalty, if I am not anticipating the gentleman, that applies to any other violations of the Food and Drug Act.

Mr. KEATING. And for the first offense——

Mr. O'HARA of Minnesota. That is a misdemeanor.

Mr. KEATING. That is a misdemeanor and not more than $1,000 fine.

Mr. O'HARA of Minnesota. Or 1 year in jail, or both.

Mr. KEATING. The gentleman is probably more familiar than I with prosecutions under the Food and Drug Act; is it customary for them to be fined the maximum? My impression is that in most cases it is more like a $100 fine or something of that kind for the first offense.

Mr. O'HARA of Minnesota. I am not familiar with it but I think that is true.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. KEATING. If I have any time remaining I yield to the gentleman from New York.

Mr. CELLER. The impression has been gained from the answer to the gentleman's question that the utmost penalty is a $1,000 fine. That is inaccurate. Under the Pure Food and Drug Act for the first offense there is a possible penalty of 1 year in jail and/or a $1,000 fine; and for the second penalty 3 years in jail and/or a $10,000 fine.

Mr. KEATING. As I understand it, a violation of this section would stand on the same footing as any other violation of the Food and Drug Act. There are no more severe penalties involved here than attach to any other violation. But I might ask the gentleman from New York, who perhaps has had some experience in this field, whether it is customary for a person who is convicted as a first offender to be fined as much as $1,000? My impression is that he is not usually given the maximum fine and that it would only be in an extremely aggravated case that he would be so severely dealt with.

Mr. CELLER. That all depends on the facts in the case. Also, to clear up another misapprehension on the question of guilty knowledge and willful intent, those are questions of fact a judge will have to determine for himself. We cannot determine that in the act itself, and, being questions of fact, the restaurant man runs a tremendous risk if he handles trout.

Mr. PRIEST. Mr. Chairman, I offer a substitute amendment to the amendment offered by the gentleman from Illinois.

The Clerk read as follows:

Substitute amendment offered by Mr. PRIEST:

"(b) No person shall possess in a form ready for serving or shall serve at a public eating place trout produced outside the United States, its Territories or possessions, unless a notice is displayed prominently and conspicuously in such eating place stating that '-------- trout is served in this restaurant,' the blank space to be filled with the name of the country in which such trout was produced."

Mr. O'HARA of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. PRIEST. I yield to the gentleman from Minnesota.

Mr. O'HARA of Minnesota. Mr. Chairman, I ask unanimous consent that all debate on the amendment offered by the gentleman from Illinois and the substitute offered by the gentleman from Tennessee close in 30 minutes, the last 5 minutes to be reserved to the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

Mr. RAYBURN. Mr. Chairman, reserving the right to object, a bill such as this coming up here in the closing days of the session is not a thing that makes me very proud. I would like to see this come to an end just as quickly as possible. If the gentleman from Minnesota would agree with, I think, all of the members of his committee on this side to the substitute amendment just offered by the gentleman from Tennessee, we can close this thing in less than 5 minutes.

Mr. O'HARA of Minnesota. Answering the gentleman from Texas, I am not in position where I can agree. I have no authority to agree.

Mr. RAYBURN. The gentleman has his individual authority to agree or disagree.

Mr. O'HARA of Minnesota. I have no authority from anybody other than myself. Let me say to the gentleman that I have submitted this to certain Members and they are not agreeable.

Mr. HARRIS. Can the gentleman consider accepting this amendment, and since this is a Senate bill and it is amended, perhaps we can get together and see if we cannot resolve the difference?

Mr. O'HARA of Minnesota. I do not wish to appear to be arbitrary about this matter, but I am not in position to say. It is a rather embarrassing position to put me in.

Mr. RAYBURN. The gentleman knows he cannot pass this bill today because there will not be a rollcall in the House today. In all probability it will go over until Thursday. I would just like to see this whole argument cease, to be very frank, and I wish some accommodation could be brought about in reference to this matter. The bill could pass today without a rollcall.

Mr. NICHOLSON. Mr. Chairman, I object.

Mr. PRIEST. Mr. Chairman, I have offered this perfecting amendment which I understand is agreeable to the gentleman from Illinois [Mr. KLUCZYNSKI]. It was the amendment I referred to in general debate. It is an amendment which would require, if the bill becomes law, that a restaurant operator serving imported trout shall display a sign, but it does not require that it shall be printed on the menu. I believe it is a satisfactory compromise between the provision in the bill in that respect and the amendment offered by the gentleman from Illinois which would have stricken all of section (b) from the bill. I share the opinion expressed by the distinguished minority leader the gentleman from Texas [Mr. RAYBURN] in hoping that this matter can be disposed of rather quickly, and I hope very much that the perfecting amendment will be agreed to and that we can dispose of this legislation this afternoon.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. PRIEST. I yield to the gentleman from Michigan.

Mr. DONDERO. I have examined the amendment offered by the gentleman from Illinois at the Clerk's desk. It strikes out all of section (b), but he stated here that he would be perfectly willing to strike out all of that with the exception of the notice to be displayed in the restaurant. Why does not that really comply with the objective of this legislation? Why do we not accept it?

Mr. PRIEST. I believe it does comply with the objective, and I certainly hope, Mr. Chairman, that the Committee of the Whole will accept the amendment.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. PRIEST. I yield to the gentleman from Iowa.

Mr. JENSEN. Anyone can read the bill, and certainly there is enough protection for the trout producers in this bill without that section, and with the gentleman's amendment.

Mr. PRIEST. It would seem to me that that is true, I will say to the gentleman from Iowa.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. PRIEST. I yield to the gentleman from New York.

Mr. KEATING. It seems to me that the gentleman from Tennessee has made a very sensible suggestion here. We all want to protect the domestic raisers of trout, and we do not want to throw an undue or unnecessary burden on those who conduct restaurants. Now, it is not too great a burden, probably, to display

a sign, but it is a considerable burden to make them print this on all their menus. I think the gentleman's amendment is worthy of our support.

Mr. PRIEST. I thank the gentleman from New York for his very apt comment and I hope, Mr. Chairman, that this amendment will be agreed to.

Mr. WOLVERTON. Mr. Chairman, I move to strike out the last word.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. WOLVERTON. I yield to the gentleman from Arkansas.

Mr. HARRIS. Mr. Chairman, carrying out the thought of our distinguished leader on the Democratic side a moment ago in an effort to try to get this matter resolved, the members of our committee on this side are willing to adopt the substitute amendment. As I understand, those who are opposed to the legislation or have been opposed to it would be willing to take this substitute amendment, and consequently, as our leader on the minority side a moment ago said, we could get this bill cleared out and get it passed today. Otherwise, the matter is going to go over until, perhaps, Thursday, and we will get involved in another jam. Consequently, I think, in view of the fact that there is so much interest on both sides of this issue, I hope that we can get the matter worked out this way and get unanimous agreement on it so that the matter could go over to the other side and finally be worked out in conference.

Mr. WOLVERTON. Mr. Chairman, I will say to the gentleman from Arkansas that I was not in the room when the minority leader, the gentleman from Texas [Mr. RAYBURN] made the suggestion which he did. But, I have been informed with respect to it, and I have conferred with other members of the committee, not all of them but with a sufficient number to indicate that it would be agreeable, so far as I am concerned and those with whom I have conferred, to accept the amendment offered by the gentleman from Tennessee [Mr. PRIEST] as suggested by the minority leader, Mr. RAYBURN.

Mr. HARRIS. I thank the gentleman. I think it will settle the matter so that it can be worked out.

Mr. GROSS. Mr. Chairman, I ask unanimous consent that the amendment be again reported.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The Clerk again reported the Priest substitute amendment.

Mr. O'HARA of Minnesota. Mr. Chairman, will the gentleman yield at that point?

Mr. GROSS. I should like to ask the gentleman a question first, if I may. I am glad to yield to the gentleman from Minnesota.

The gentleman from Tennessee [Mr. PRIEST], the author of the amendment, used the words "eating place and restaurant."

Mr. PRIEST. I believe there is an "or" connecting "restaurant" and "eating place." The language is the same as was in the bill, with the exception of the elimination of the menu provision.

Mr. O'HARA of Minnesota. If the gentleman will yield, I think the gentleman added the word "restaurant," which was not included in the bill. The bill refers to "eating place."

Mr. GROSS. That is the point that I was making. How are you going to define "restaurant" and "eating place"?

Mr. O'HARA of Minnesota. I suppose it is the intention of the gentleman from Tennessee [Mr. PRIEST] to cover both.

Mr. PRIEST. It is the intention of the gentleman from Tennessee to cover both.

Mr. O'HARA of Minnesota. Mr. Chairman, will the gentleman yield further?

Mr. GROSS. I yield.

Mr. O'HARA of Minnesota. So that we may have clearly the intention of the gentleman from Tennessee [Mr. PRIEST], if his substitute is adopted, it is merely striking out of the bill, in subsection (b), the reference to printing it on the menu; is that the gentleman's intention?

Mr. PRIEST. That is the purpose of the amendment.

Mr. O'HARA of Minnesota. I thank the gentleman.

The CHAIRMAN. The question is on the perfecting amendment offered by the gentleman from Tennessee [Mr. PRIEST].

The perfecting amendment was agreed to.

Mr. BROOKS of Louisiana. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, before this bill is passed, I want to make the observation, if we are going to embark on a program of labeling imported edibles which are sold in restaurants and cafes and eating places in the United States, I should like to see the great commitee from which this bill came consider the matter of such items as imported sugar. Our people in Louisiana and throughout the United States would like to see imported sugar marked. It might be very helpful to all of us who grow these commodities in the United States. I throw out this observation so that the committee may ponder it, and hope that it will fall on fertile ground.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. ALLEN of Illinois, Chairman of the Committee of the Whole House on the State of the Union, reported that the Committee, having had under consideration the bill (S. 2033) relating to the labeling of packages containing foreign-produced trout sold in the United States, and requiring certain information to appear on the menus of public eating places serving such trout, pursuant to House Resolution 687, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any of the amendments? If not, the Chair will put them en bloc.

The amendments were agreed to.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

The title was amended so as to read: "Relating to the labeling of packages containing foreign-produced trout sold in the United States, and requiring certain information to appear in public eating places serving such trout."

A motion to reconsider was laid on the table.

MARY B. HOLMES

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Resolution 703.

The Clerk read the resolution, as follows:

Resolved, That there shall be paid out of the contingent fund of the House of Representatives to Mary B. Holmes, widow of Amos E. Holmes, late an employee of the Architect of the Capitol, an amount equal to 6 months' salary at the rate he was receiving at the time of his death, and an additional amount not to exceed $350 toward defraying the funeral expenses of the said Amos E. Holmes.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

Mr. SCHENCK. Reserving the right to object, Mr. Speaker, and I shall not, I have not been able to discuss this resolution with many of the members of the House Committee on Administration on the majority side, but those with whom I have discussed it are in agreement. Therefore, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The resolution was agreed to, and a motion to reconsider was laid on the table.

DESIGNATION OF MAY 1, 1955, AS LOYALTY DAY

Mr. McCULLOCH. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (H. J. Res. 118) to designate the 1st day of May in each year as Loyalty Day.

The Clerk read the title of the joint resolution.

The SPEAKER. Has the gentleman cleared this through the leadership on both sides?

Mr. McCULLOCH. I am pleased to say that the matter has been cleared with the minority leader and with the ranking minority member of the Committee on the Judiciary. It is brought up at the request of the chairman of the Committee on the Judiciary.

The SPEAKER. The Clerk will report the joint resolution.

The Clerk read the joint resolution, as follows:

Resolved, etc., That the 1st day of May in each year be designated as Loyalty Day and set aside as a special day for the reaffirmation of loyalty to the United States

of America and for the recognition by appropriate ceremonies of the heritage of American freedom.

With the following committee amendment:

Strike out all after the resolving clause and insert the following: "That the 1st day of May, 1954, is hereby designated as Loyalty Day and is set aside as a special day for the reaffirmation of loyalty to the United States of America and for the recognition of the heritage of American freedom; and the President of the United States is authorized and requested to issue a proclamation calling upon officials of the Government to display the flag of the United States on all Government buildings on such day and inviting the people of the United States to observe such day, in schools and other suitable places, with appropriate ceremonies."

Mr. McCULLOCH. Mr. Speaker, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. McCULLOCH to the committee amendment: On page 1, line 8, after the first comma strike out "1954" and insert "1955."

The amendment to the committee amendment was agreed to.

The committee amendment was agreed to.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time, and passed.

The title was amended so as to read: "To designate the 1st day of May 1955, as Loyalty Day."

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. WOLVERTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to extend their remarks on the bill, S. 2033.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

MINIMUM WAGE LEGISLATION

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, I take this opportunity of calling the attention of the House and of the country to H. R. 10132, a bill which I have introduced to increase the present statutory minimum wage from 75 cents per hour to $1.25 per hour. Roughly, it would add an additional 9 million workers to the number now covered by the Fair Labor Standards Act of 1938.

Bills similar to H. R. 10132 have been introduced by other Members of the House. The purpose of the sponsors of this proposed legislation is to afford opportunity for study during the next few months of the terms of the act and its economic effect. This will facilitate early hearings by the Labor Committees of this and the other body.

By the time the 84th Congress convenes on January 3 of 1955 the economy of the country is certain to need the stimulus of a genuinely dynamic labor program. I am convinced that a recession can be whipped and unemployment stopped in its tracks only if the 84th Congress immediately upon its convening sets itself to work on such a program. An enactment increasing the minimum wage from its present low figure is a fundamental must in the required program.

BIRTH OF MINIMUM WAGE

As one of the pioneers in the field of minimum wage legislation I have an especial interest that stems from long familiarity with the subject and close observation of its operation.

In 1913 clerks in the large banks of Chicago were paid a maximum wage of $25 a week, women employed as clerks in the fashionable retail stores were paid as low as $2 a week, seldom more than $5 a week. As the chairman of a select committee of the Illinois State Senate I conducted an investigation that awakened intense national interest, enlisted the support of President Woodrow Wilson and the governors of 32 other States, including the then Gov. Hiram Johnson, of California, and resulted in the enactment of 7 of the first State minimum-wage laws in our history.

Thirty-six years later as a Member of the 81st Congress I had the great and satisfying privilege of voting for a Federal law establishing 75 cents an hour as the least payment that could be made for the service of an American worker.

In the intervening 6 years the cost of living has increased to such an extent that 75 cents now is far from adequate.

TRIPARTITE INDUSTRY COMMITTEES

I call attention to certain basic facts about our national economy which should be borne in mind when considering H. R. 10132.

This proposed bill reestablishes the machinery in the 1938 act for the establishment of tripartite industry committees to recommend minimum rates for a particular industry which would be higher than the basic nationwide $1.25 rate.

There are in my bill a number of fairly technical but quite important and highly practical revisions of the 1949 version which experience has proven to be necessary both from the standpoint of administrative feasibility and fair treatment for both employer and employees.

This bill would not affect a greater proportion of the total working force than did the original FLSA in 1938.

It would primarily affect industries whose wage standards have lagged and those employers who have failed to grant prevailing wage increases.

TO MEET INCREASED LIVING COSTS

This proposed increase in the statutory hourly minimum from 75 cents to $1.25 is certainly modest when compared with the rise in average hourly earnings of factory workers from 62 cents to $1.79—June 1938 to March 1954—a step-up of $1.17.

The cost of living for lower-income groups has risen by more than 120 percent since the FLSA first became law.

Productivity in the American industry has been rising at the rate of 3.25 to 3.5 percent per year per man-hour. This increase alone would justify the proposed increase in the statutory minimum wage.

The actual prevailing minimum wage in industry today is $1.25 or higher.

STIMULUS TO AMERICAN ECONOMY

By increasing the statutory minimum wage in 1955, the Congress would stimulate and strengthen the entire American economy by eliminating remaining areas of substandard wages and by increasing purchasing power. The passage of the 1938 bill sparked an almost sensational upturn in our national economy. The effect of the 75 cents minimum rate which became effective in 1950 was less dramatic, but its beneficial effect was persuasive and its total effect was most helpful. The advance predictions about firms being forced out of business because of the requirement of paying 75 cents an hour simply did not materialize. Indeed, the great bulk of industry that was paying below 75 cents an hour voluntarily brought their wages into line when they saw that Congress was going to act to raise the statutory rate.

ELEMENT OF SOCIAL ETHICS

My principal justification, however, for introduction of this legislation is that from the standpoint of social ethics we must not permit millions of workers to remain outside the protection of this law, and to allow the wages of helpless, unorganized and depressed groups to lag behind those enjoyed by the advancing sectors in our economy and to permit them to benefit from our rising national productivity. This condition also deters the progressive employers in the highly competitive industries from raising their wages. Both social justice and sound economics require immediate revision and extension of the FLSA.

To keep America strong we must constantly strengthen the foundation of our economy. And that foundation is our purchasing power. The 75 cents minimum wage is out of date; it no longer provides adequate purchasing power; it no longer provides a decent American standard of living for that section of our population which is working for such substandard rates of pay.

REQUEST TO ADJOURN OVER

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at noon on Thursday next.

Mr. HOEVEN. Mr. Speaker, reserving the right to object, I think the chairman of the Committee on Agriculture [Mr. HOPE] wants to reserve the right to object.

Mr. H. CARL ANDERSEN. Mr. Speaker, I reserve the right to object.

Mr. HOEVEN. Mr. Speaker, reserving the right to object, I think the House should be in session tomorrow if for no other purpose than to send the agriculture bill to conference. I understand

that the bill is going to pass the other body before they adjourn today, and I think the Committee on Agriculture would like to send that bill to conference at the earliest opportunity, and the House must be in session in order to do that.

Mr. H. CARL ANDERSEN. That is my sentiment exactly, Mr. Speaker.

The SPEAKER. The Chair can state that it was thought that if the other body did pass the bill today or tomorrow, the conferees could meet informally and then when the House is in session and the conferees are named, they could meet officially.

Mr. HOEVEN. Mr. Speaker, objection was made yesterday to that very procedure.

The SPEAKER. Yes, the Chair understands that. Would the gentleman from Illinois [Mr. ARENDS] kindly withdraw his request?

Mr. ARENDS. Mr. Speaker, I withdraw the request.

LEGISLATIVE PROGRAM

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, I asked for this time in order to advise the minority leader and the Members of the House that it is the plan now to call up the Consent Calendar on Thursday, which will be followed by the Private Calendar. Of course, any conference reports will be in order at any time. At the moment, so far as we know, that is all that is scheduled for the legislation on Thursday of this week.

Mr. RAYBURN. Is it the idea then on Thursday to go over until Monday?

Mr. ARENDS. Yes; if that is possible and if nothing comes before the House at that time which we must consider in the way of a conference report.

Mr. MILLER of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield.

Mr. MILLER of Nebraska. Is it planned to bring up bills under suspension of the rules?

Mr. ARENDS. That has been discussed but there is no agreement between the minority and the majority as yet as to what might be called up under suspension of the rules.

Mr. MILLER of Nebraska. Will there be an opportunity to call up the conference report on statedhood for Hawaii and Alaska so that we might go to conference on that?

Mr. ARENDS. I suppose the gentleman could ask for that.

Mr. MILLER of Nebraska. Perhaps the minority leader could answer that for me.

Mr. PHILLIPS. Mr. Speaker, if the gentleman will yield, when does the gentleman expect the conference report on the supplemental appropriation bill to be on the floor?

Mr. ARENDS. The conferees have not finished and the best information I have is that they will not finish until tomorrow, which would preclude that from being taken up until the following day.

Mr. PHILLIPS. The gentleman heard the gentleman from New York ask unanimous consent for the privilege of filing a report by midnight tomorrow. Does that mean that we will have it up on Thursday?

Mr. ARENDS. It is entirely possible that that will be up on Thursday for consideration.

CONSENT CALENDAR AND PRIVATE CALENDAR TO BE CALLED ON THURSDAY NEXT

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that it be in order to call the Consent Calendar and the Private Calendar on Thursday next.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

JOINT COMMITTEE ON ATOMIC ENERGY

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent that the Joint Committee on Atomic Energy may have until midnight tomorrow night to file a report on the bill entitled "Atomic Weapons Reward Act of 1954."

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

THE HONORABLE WESLEY A. D'EWART

Mr. PHILLIPS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. PHILLIPS. Mr. Speaker, at the end of every session of Congress there are always certain partings that are not pleasant; yet we face them in the life we lead as Members of the Congress of the United States. I rise today to say that all of us from the West know that those Members who represent the eastern and central parts of the United States will join with us in regret at the loss of one Member of this body who has not filed for reelection to this House, the Honorable WESLEY D'EWART, of Montana.

I came here the session before him; he followed. We have been closely associated in the 78–79 Club, and in other organizations. We have worked together on many measures that have been of great benefit to the West and to the Nation as a whole. He has the outstanding regard of his fellow Members of the House.

He is running for office in another body. If he were to be successful, as we hope he will be, he would carry with him not only the ability, the experience, and the acquaintance, but also the affection and regard of the Members of this House, all of which I would think the people of his State would consider to be of great value to them.

Mr. KEATING. Mr. Speaker, will the gentleman yield?

Mr. PHILLIPS. I yield to the gentleman from New York.

Mr. KEATING. The House is losing a very valuable Member in the gentleman from Montana [WESLEY D'EWART]. In my work on the Committee on the Judiciary it has been my privilege to be associated frequently with him in matters that he had before our committee which he has always pursued with great diligence and with the obvious interest of his people at heart. I express the hope that the Nation will not lose the benefit of his wonderful services.

Mr. PHILLIPS. Naturally, he has been one of the powers in this House on matters having to do with irrigation, reclamation, and Indian affairs.

Mr. MILLER of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. PHILLIPS. I yield to the distinguished chairman of the Committee on Interior and Insular Affairs.

Mr. MILLER of Nebraska. Mr. Speaker, my committee, the House Interior and Insular Affairs Committee, and the House of Representatives will definitely be losing four of its members next year. They are WESLEY A. D'EWART, of Montana; WILLIAM HENRY HARRISON, of Wyoming; GEORGE BENDER, of Ohio, and SAM YORTY, of California, who are seeking election to the United States Senate—three have won their primary fights.

Two of them, Messrs. D'EWART and HARRISON, are subcommittee chairmen and have done exemplary work in that capacity. It is with deep regret that I will be losing these two exceptionally hard-working subcommittee chairmen.

WES D'EWART is the committee watchdog against faulty legislation as well as being the workhorse. His careful study of pending measures, his questions that go to the heart of the issue and expose unwise proposals, and his knowledge of the national resource development program have resulted in the improvement of many measures and the defeat of others that were not in the public interest.

Quite often WES D'EWART was called upon to preside over subcommittees when the regular chairman found it impossible to attend. He was always willing and most able to sit in for the absentee member.

When I was unable to attend full committee meetings, he as the next ranking majority member very ably presided over the committee.

A member of all of the five subcommittees of my committee—Irrigation and Reclamation, Public Lands, Indian Affairs, Mines and Mining, and Territories—he has been in regular attendance at almost daily meetings over the years. His subcommittee on Public Lands has acted on 78 different bills resulting in 37 public laws and 12 private laws. Altogether, 64 bills from his subcommittee have ultimately passed the House—13 of those are awaiting action in the Senate.

This number, of course, does not include the many other bills which he heard presiding as acting chairman of the four other subcommittees.

This total does not reflect his hard work in Congress, nor the work he has done in behalf of his constituents. His legislative record is excellent. He is the author of nearly 100 laws passed during his 9 years in the House of Representatives. Unlike many Members of the House, Wes is a member of two major committees. Besides being a member of the Interior and Insular Affairs Committee, he is also a member of the Banking and Currency Committee and on the Republican policy committee. On the Banking Committee, he has been active in shaping monetary policy, the new housing program, and other vital legislation.

His services in the House will be greatly missed, but I feel confident that the good people of Montana will see fit to send him back to Washington to continue to serve them, but this time as a United States Senator.

With his excellent knowledge of the problems of Montana and the rest of the great western area of the United States, he will be able to best serve the interests of his constituents.

BILL HARRISON'S record is also an account of outstanding accomplishments. His deep-rooted personal interest in reclamation is evidenced by his activity as chairman of the Irrigation and Reclamation Subcommittee. His most notable accomplishment in this field was the manner in which he conducted hearings on the many irrigation matters. He was also chairman of a special Indian Affairs Subcommittee and was chairman of the regular Indian Affairs Subcommittee until he headed up the Irrigation Subcommittee.

His accomplishments are further enhanced by the fact that he is serving his second term. He was elevated to his subcommittee chairmanship when a colleague resigned to accept the post as mayor of Los Angeles.

As subcommittee chairman, he heard 37 bills dealing with irrigation and reclamation—many of which are major irrigation projects. Of those, 28 have passed the House and 3 are awaiting action.

Eleven of the bills have been enacted into law, 5 are awaiting signature by the President, and 2 are in conference.

His personal record of legislation is also very good. Seven of his bills have passed both Houses of Congress—six of which have been signed into law by the President. In addition, three Senate bills to which Bill had companion legislation in the House have been enacted. When they reached the House, he moved to table his own bills in favor of the Senate ones in order to expedite the legislation.

When Bill came to Washington as Wyoming's Representative, he was elected president of the 82d Club. His colleagues recognized his abilities of leadership and were quick to pay him tribute.

Most anxious to work, Bill is a member of the 5 subcommittees and the chairman of 1 of them. He is also chairman of a special subcommittee which investigated the activities and operations of the Bureau of Indian Affairs with a view to encouraging that agency to work itself out of work—which was the original idea anyway.

Besides being a member of my committee, he is also a member of the important Education and Labor Committee.

This committee and the House hate to lose Congressmen D'EWART and HARRISON, but it will be most satisfying to know that they will be using their knowledge of the problems of their States and the other Western States to full advantage in the Senate.

Mr. PHILLIPS. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks on this subject at this point.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MACK of Washington. Mr. Speaker, I take this opportunity of associating myself with my colleagues who, today, are saying so many merited words of praise about our colleague, WESLEY D'EWART, of Montana.

During my 8 years in the Congress, no Member has been more hard working and conscientious in performing his duties of the high office of Congressman than has been our friend Mr. D'EWART. His legislative work, also, always has been most constructive and effective.

As a westerner, I especially appreciate Mr. D'EWART'S service. He, too, is a westerner. He knows western problems. He knows what the West needs for its development and how to obtain from Congress the things the West needs. WES D'EWART is a progressive, forward-looking statesman of great capacity. He has rendered a great service to his district, to the entire West, and to the Nation.

Mr. AUCHINCLOSS. Mr. Speaker, it has been truly said that a Member of the House of Representatives makes warm friendships during his term of office and one that I have been privileged to make is with WESLEY D'EWART, a friendship which I treasure highly.

A quiet, unassuming man, he goes about his duties with a selfless thoroughness which makes a great impression on those who work with him. One does not have to talk with him long to realize that back of that quiet exterior there is a wonderful mind of great capacity and a vision that prepares for the future. He has a rare sense of humor with a point of view which makes life lighter and friendships warm. He is a real American, devoted to his country, and has contributed much to the development of history.

It is comforting to know that while he is leaving the House of Representatives at the end of this Congress, he is seeking further opportunities of service in the Senate. I have the feeling that the people who know him so well in his native State will elect him to that high office so they may enjoy the benefits of his wisdom, his experience, and his knowledge in facing and solving the grave problems of the days to come. All of us wish him well and we earnestly hope that when he becomes a Senator he will frequently return to this Hall to keep his early friendships fresh and to give us renewed courage.

Mr. HILL. Mr. Speaker, will the gentleman yield?

Mr. PHILLIPS. I yield.

Mr. HILL. I want to place myself on record as supporting the fine remarks that are being made by my friends regarding the loss that will come to this House when our personal friend, Congressman WESLEY D'EWART, of Montana, leaves us at the end of the 83d Congress.

The problems of Montana, Wyoming, Colorado, and all the Western States are quite similar, including those of the gentleman from California [Mr. PHILLIPS]. Our irrigation and watershed development, forest grazing, flood control, and many other difficulties are quite similar.

We do not have a better friend of the West than Congressman D'EWART. He has always supported and assisted us with efficiency, earnestness, and great zeal as we considered our area difficulties. We shall miss him in this House.

In closing may I add Mr. D'EWART, that every Member who has worked and cooperated with you on every issue considered has borne testimony of your fairness and graciousness in debate, in conferences and general demeanor.

We all wish you good luck and the best of success in whatever endeavor your pathway of life may lead you. It has been a pleasure and privilege to work with you these past several years.

Mr. COON. Mr. Speaker, during my term in the Congress I have had many occasions to work with Congressman WESLEY D'EWART, of Montana. He is, in my opinion, one of our best informed legislators, especially on matters that pertain to the West. His knowledge and understanding of reclamation, mining, public lands, and Indian affairs is outstanding. He ably represents the people of the Northwest, and especially the people of his own State of Montana, whether it be legislation for the miner, the lumberman, the farmer, the wheat grower, the woolgrower or the cattleman—in fact any legislation pertaining to Montana.

We regret very much to lose Mr. D'EWART from the House of Representatives, because in my estimation he is one of the most capable legislators in the United States Congress. He has served well and with distinction for his country and his State, and I wish him continued success.

Mr. CHENOWETH. Mr. Speaker, I wish to associate myself with the gentleman from California and my other colleagues who have spoken about the distinguished service of WESLEY D'EWART in this House.

I can remember when WESLEY D'EWART first came to the House. He was elected to fill a vacancy at a special election in the State of Montana. He immediately impressed us with his great ability and his knowledge of western problems. He is now one of our most capable and experienced Members.

The fact that WESLEY D'EWART has made an enviable record in this House is proven by the fact that the Republican Party in Montana has selected him as its candidate for the United States Senate. Personally, I regret very much to see him leave the House, where he has made such an outstanding record. I am

sure that the people of Montana will reward his faithful service by giving him a vote of confidence in November. He will be greatly missed in this body, but I am confident his career as a public servant will continue.

I wish him much success not alone in politics but in everything he undertakes. It has been a real pleasure and a privilege for me to serve with WESLEY D'EWART. We need more men like him in public life.

Mr. PHILLIPS. The gentleman is one of the older Members of the House and speaks with great authority, and I thank him for his comments.

Mr. HOEVEN. Mr. Speaker, I too, regret that our very good friend, WESLEY D'EWART, is going to leave this body. I consider him to be one of my very best friends. I have come to know him rather well throughout the years. He is a man of the highest integrity and he has proven himself to be an outstanding Representative in the Congress of the United States.

Always alert and devoted to duty he has devoted much of his time to problems of the West and his own great State of Montana. I hope the people of Montana will reward this faithful servant by sending him to the Senate at the election in November. Needless to say, WESLEY D'EWART has my best wishes for success in all his endeavors.

Mr. SADLAK. Mr. Speaker, our colleagues from the Western States, and rightfully so, are expressing great pride in the record that WESLEY D'EWART has made as a Member of this body. The regret at his leaving this House is not confined to his western colleagues because we of the East also are very pleased with the record of service and accomplishment he has made as a Member of the House. We wish to record that WESLEY D'EWART is a New Englander by birth and a graduate of grade and high school in his hometown, Worcester, Mass. Subsequently, our distinguished friend went west and there made his mark. His star continues in its ascendancy as he serves the citizens of Montana who sent him to Washington.

I have always found WESLEY D'EWART most friendly and a hard worker, devoted and determined to fulfill his legislative responsibilities. I want to join with the other Members of the House in wishing him every success, and, above all, good health in the days ahead. I am glad to have had the privilege of serving with him and to call him my friend.

Mr. JUDD. Mr. Speaker, all of us in this House who have been associated during these years with WESLEY D'EWART are appreciative of the fine character and the gentlemanly spirit and the great ability of this colleague from Montana. But I rise to speak especially of what I learned about his work as a legislator when I had a bill before his committee dealing with an effort to get better medical care for the American Indians.

The diligence, the scholarliness, the thoroughness, and always the unfailing courtesy and patient effort which WESLEY D'EWART put into studying all angles of my proposal, getting the bill perfected and a splendid report written, then getting it acted upon favorably by the full committee, the House, and the conference with the Senate, were as impressive a demonstration of legislative skill as I have seen during my years as a Member of this body.

I wish him well and full success in his effort to move to a larger field of service, with wider responsibility and greater opportunity to serve the people of his State and of the Nation.

Mr. MARTIN of Massachusetts. Mr. Speaker, it is with keen regret those of us who have been associated with WES D'EWART in recent years see the end of his service in the House. He has been a splendid Representative, well informed as to the legislation under consideration and with the courage of his convictions. He has been intimately associated with the problems of the West. He knew the needs of his section of the country and guided with skill and wisdom legislation that would advance the West. A zealous champion of the West, he was more than a sectional leader. He believed in America and worked for its betterment, realizing that if America went forward his section would also go forward. The House has suffered a real loss in Mr. D'EWART's decision not to return. It is to be hoped the country can retain his services in another position of trust and responsibility.

Mr. SMITH of Wisconsin. Mr. Speaker, I join with my colleagues who have expressed their regrets that WESLEY A. D'EWART is terminating his service in the House. We all wish him success in his effort to extend his service in the Senate of the United States.

It has been my privilege to work with my distinguished colleague since he began his service here. It has been his responsibility to handle bills on the Private Calendar and my responsibility was to clear these private bills for final action in the House.

WESLEY D'EWART has always been a conscientious, able, and diligent public servant. He has rendered outstanding service to his district and the great West in general. He is an expert on reclamation, agriculture and close to his heart are the mining interests in his great State.

We shall miss WESLEY D'EWART. His kindly smile, his modesty and his integrity has endeared him to every Member of this distinguished body. Every good wish goes with him for a successful campaign this fall and for further distinguished service in the United States Senate.

Mr. BUDGE. Mr. Speaker, before leaving Idaho to come to Washington to be sworn in as a freshman Congressman, I had heard so much about WESLEY D'EWART that I almost felt as though I knew him. My predecessor representing the Second Congressional District of the State of Idaho, the Honorable John Sanborn, had told me that no Member of the House was more capable or better informed on matters affecting the Western States than the gentleman from Montana [Mr. D'EWART]. In the 4 years during which it has been my pleasure to serve with him and under his chairmanship, the words of John Sanborn have been proven true many, many times. WESLEY D'EWART has been not only one of the foremost spokesmen for the States of the West, but he has also put in probably as much time at his work as any Member of Congress, and his industry and devotion to his work have been manifest in many fields, but particularly those affecting the Western States.

His background, his legislative ability, his knowledge of the problems of the West, and his courage and honesty will be sorely missed. It is with the greatest regret on the part of all of us from all sections of the Nation to see WES D'EWART leaving the House of Representatives where he has done such meritorious service for his people of Montana, for the West and for the Nation.

Mr. PHILLIPS. Mr. Speaker, I yield to the gentleman from Kansas [Mr. HOPE].

Mr. HOPE. Mr. Speaker, like the others who have spoken, I regret very much that the distinguished gentleman from Montana [Mr. D'EWART] has reached a decision to leave this body. Certainly, the regret that I have is tempered somewhat by the fact that he is a candidate for a place in another legislative body and I am sure all of us wish him success in that effort.

I have observed the gentleman from Montana throughout the many years that he has been a Member of the House. No Member has been more diligent in his duties and none stands higher in the esteem of his colleagues. Mr. D'EWART represents a section of the country which has many problems that necessarily require the attention of Congress, and no Member of the House has done a better job than he in representing the varied interests of his own State and other States in that area.

Montana is a great agricultural State, and I have had the pleasure and opportunity of working with the gentleman from Montana in connection with many agricultural matters. His knowledge of the problems confronting the farmers and ranchers of Montana in connection with the production of wheat, sugar beets, cattle, wool, and other agricultural commodities is such that other Members have come to regard him as an authority on them. I have frequently looked to him for counsel and advice on such matters, as have many other Members.

My kindest wishes go to him not only in his present political contest, but in everything he may undertake in the future.

Mr. PHILLIPS. Mr. Speaker, I yield to the gentleman from Illinois [Mr. ARENDS].

Mr. ARENDS. Mr. Speaker, like my many other colleagues, I welcome this opportunity to pay my respects to the gentleman from Montana [Mr. D'EWART], who has been such a stalwart among our ranks here in the House of Representatives in the movement and the effort to put through a constructive program during this session of the Congress. For many years I have had the pleasure of working with Congressman D'EWART. I know of his splendid, outstanding characteristics, the fine gentleman that he is, and the continual devo-

tion and loyalty to the country that he has displayed. I wish for him the very best of success. Rumor tells me that he has no desire to leave this body, but thought that service in another body would be helpful to the great State of Montana, and if there is any push I can give him to help make him a Senator, I want to do it. The gentleman from Montana has displayed great talents. He is a great American, a great patriot, and a fine legislator.

A MEMBER OF CONGRESS TAKES A NEW LOOK AT WATER CONTROL AND SOIL CONSERVATION

The SPEAKER. Under previous order of the House, the gentleman from Kansas [Mr. MILLER] is recognized for 20 minutes.

Mr. MILLER of Kansas. Mr. Speaker, I came to Washington at the beginning of the 83d Congress with the unusual publicity of having been the only Democrat ever to be elected from the First District of Kansas in the more than 90 years of that State's history. That this should have occurred at the time of a great Republican landslide when many States and congressional districts went Republican for the first time was of itself news. What was the cause of this reverse of the usual was the question that interested many people and that was raised in the newspapers and periodicals from New York to Los Angeles, and even appeared in Stars and Stripes of faraway Japan.

Since I was the central figure in this interesting phenomenon, and since the issues that brought it about are still alive and bid fair to become more acute in the coming campaign than they were 2 years ago, I shall review briefly the facts leading up to the present situation and possibly take a look into the future, judging—as Patrick Henry would say—what may happen in the future by what has happened in the past.

Even though there is a saying to the effect that major catastrophes are remembered only 4 or 5 years and minor catastrophies for a much shorter time, the near revolutionary conditions of the thirties are well-remembered by most of the adult people of the United States. By laboring people they are remembered for the difficulty of procuring a job and for the low wages. By merchants they are remembered for the shop-worn merchandise and the bad accounts. By professional men, they are remembered as the period of low income. By children and youths in the home, they are remembered for the hushed conversation when father and mother were discussing whether or not to make one more effort to save the home. This was the situation when, in 1938, Congress was casting about to find some way in which to furnish jobs for desperate men who wanted to have honorable work at which they could earn money to buy food for themselves, their wives and their children. It was under these conditions that Congress directed the Corps of Engineers of the United States Army, a body of trained men under able leadership, to make a hydrological survey of the Kansas River Basin to determine what measures could profitably be taken to control the excess rainfall, and prevent, so far as practicable, flood damage in the river valleys and to the cities situated on the river banks.

Following this authorization, the Corps of Engineers made surveys on the main tributaries of the Kansas River and reported to Congress their findings and recommendations in various documents from time to time. In justice to the Corps of Engineers it must be realized that, in making their surveys and laying their plans, they, like any other body of men, experts or otherwise, were bound to be guided by the conditions of the time, the kind of tools available to work with, the time required for the work, and every other consideration that might enter into development and completion of any project. It is important to know that, up to that time, there had not been developed any of the modern earth-moving machinery which makes possible the execution of a program of water control from the area upon which the raindrops fall to the river channel which nature has prepared to carry the water back to the sea whence most of it comes. There were available only tools and equipment suitable for building dams on the river channel. Naturally no other system of flood prevention was given consideration.

It was known to hydrological engineers for centuries that if mankind could find the means to construct terraces to conduct the excess rainfall which poured from the fields slowly around the hillside instead of permitting it to rush swiftly down the hillside, the damage done by the runoff would be greatly reduced. But in the United States, with large acreages and low prices for farm products, it was not found to be economically possible with the crude equipment of the early thirties. I know this well from an individual experience, for I was one of the few farmers who, following the counsel of the county agent and the engineers from the extension department of the land-grant colleges, experimented with a terracing program in the days of the horse-drawn machinery. We were convinced that soil-conservation practices were needed to save our soil and reduce flood damage, but we found them too slow and expensive. Only determined men of unusual foresight and with assured financial means carried forward the program to anything like completion. They were less than one in a hundred of the owners and operators of the farms.

This was the situation when Congress, under the prodding of such soil-conservation-minded men as Hugh Bennett, of the Agriculture Department, and many men of like conviction, but lesser fame—notably Deans Umberger and Williams of the extension service of the land-grant college at Manhattan, Kans.—passed the Soil Conservation Act of 1935. The enactment of this law resulted in the organization of soil-conservation districts in every State in the Union, and in some instances in every county in the State.

Now it so happened, largely as a matter of coincidence, that the authorization of the Kansas River water-control survey and the development of the Soil Conservation Service came about in the same period of time when, through the development of the internal-combustion engine, there was being invented machinery which would greatly accelerate the execution of the program which these two separate organizations were to undertake and promote. The necessity to furnish employment on the part of the Government, the need of water control and soil conservation as advocated by the Corps of Engineers and the extension agents, coupled with the fact that there was being developed machinery making it possible and practicable to put into execution the plans advocated by these governmental agencies, aroused the American people to the fact that control of water and saving of the soil was the greatest problem before the Nation. The truth of the matter is that control of water has always been mankind's greatest problem, but it has never been as seriously considered as its importance justified because, up to our own time, it had never been physically possible to do very much about it. Had it been possible for the people of Babylon and Egypt to have terraced their land and built detention reservoirs as it is now possible for the farmers of America to save our soil and control the movement of water, the estuaries of the Tigris, the Euphrates, and the Nile would not now be the graveyard of those ancient civilizations.

We of the United States are the most fortunate people that ever the sun shone on. We have not only inherited the greatest area of undeveloped, unwasted, fertile land along with mineral wealth and good climatic conditions, we are the heirs to science, invention, and discovery of all the ages. The results of the thinking, the labor, the experience of all the men and nations that went before are ready at our hand as tools to be used in the development of this great land and Nation. It is a heritage of which we may well be proud, an opportunity which we must embrace, a responsibility at which we might well tremble. It is literally true that all that we are, all that we have, and all that we hope to be—with apologies to Daniel Webster—we owe to the men and nations who have gone before. It is, therefore, our duty to preserve all those things that are valuable and to transmit them, undiminished and untarnished, to those who shall come after. In this regard the Congress must take its full part and share its full responsibility. In fact, Congress should be in the van of human progress. It should lead—not follow. And in the last 20 years, Congress had led in the all-important matter of saving our soil. Congress has furnished the leadership. It has led the States in furnishing assistance and cooperation to farmers to encourage construction of terraces, waterways, and water-control reservoirs. It has led in providing for pilot watershed development. Those Members who were in the House and Senate when the Soil Conservation Act was passed in 1936, may well be proud of the foresight and wisdom they exhibited on that occasion.

Those who were here when the pilot watersheds were provided for can have great satisfaction in the knowledge that that program is demonstrating the feasibility of water control from the raindrop to the river channel; and we of the 83d Congress, who have had a part in the passage of the water-control law enacted in this session, making possible the full development of water-control measures in every area of the United States, can have the supreme satisfaction of knowing that we are contributing to the well-being, not only of this generation, but of all the people that may come after us. The enactment of the Hope-Aiken law so recently passed by both Houses of Congress and signed by the President, is the culmination of the labor and the thinking of every Congress, and the combined efforts of the leaders in the Department of Agriculture and the land-grant colleges during the last 20 years. It is not complete, it is not perfect, but it does make possible the carrying forward of the work it is designed to promote. It can be changed as time and experience may show the need and from time to time it will be so changed. The people are back of this law, and the people will see to it that it is safeguarded and improved. Such is the enthusiasm of the people that, whereas heretofore Congress has been in the lead, from here on it may be found difficult for Congress to keep apace of the people.

If any Member questions this, I invite him to attend the great pilot watershed demonstration to be held at Powhattan, Kans., August 18. The farmers and the landowners of the Little Delaware-Mission Creek pilot watershed will, at this demonstration, show to all the world how it is now possible to control excess water from the raindrop to the river and on to the sea by slowing down its flow on the land where it falls, in the ravine that it enters, and in the creeks and tributaries that lead to the river channel, as advocated by President Eisenhower in a recent speech before the Rivers and Harbors Convention. They have adopted the thesis that it is easier to control a number of small streams than one large one. They are convinced that it is better to prevent floods than to try to control them. They have figures to prove that this upstream control system is more economical, does less damage, and is more beneficial than construction of big dams on the river channel. What more can anyone want? All believers are invited to come out and celebrate. All doubters are invited to come and be convinced. I am authorized to extend a special invitation to all Members of Congress and an extra special invitation to members of the Corps of Engineers. Come to Kansas. We produce corn and wheat and hogs and cattle, and occasionally a President, but we specialize in common people, and our watchword is progress.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the RECORD, or to revise and extend remarks, was granted to:

Mr. MORANO and to include extraneous matter.

Mr. LONG.

Mr. BLATNIK and to include extraneous matter.

Mr. NATCHER and include an editorial.

Mr. WILSON of California in two instances.

Mr. ADAIR and to include additional matter.

Mr. Bow in two instances.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1585. An act to amend the District of Columbia Traffic Act, 1925, as amended;

S. 1611. An act to regulate the election of delegates representing the District of Columbia to national political conventions and for other purposes;

S. 2798. An act for the relief of Azizollah Azordegan;

S. 3506. An act to repeal the act approved September 25, 1914, and to amend the act approved June 12, 1934, both relating to alley dwellings in the District of Columbia; and

S. 3655. An act to provide that the Metropolitan Police force shall keep arrest books which are open to public inspection.

ADJOURNMENT

Mr. ARENDS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 29 minutes p. m.) the House adjourned until tomorrow, Wednesday, August 11, 1954, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

1815. Under clause 2 of rule XXIV, a letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting additional evidence relating to certain cases involving suspension of deportation, and requesting that they be withdrawn from those now before the Congress and returned to the jurisdiction of this Service was taken from the Speaker's table and referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WALTER: Committee on Un-American Activities. Part II, minority views on H. R. 9838, a bill to amend the Subversive Activities Control Act of 1950 to provide for the determination of the identity of certain Communist-infiltrated organizations, and for other purposes (Rept. No. 2651). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOPE: Committee on Agriculture. H. R. 10077. A bill to amend section 6 of the act of August 30, 1890, as amended, and section 2 of the act of February 2, 1903, as amended; without amendment (Rept. No. 2653). Referred to the Committee of the Whole House on the State of the Union.

Mr. REES of Kansas: Committee on Post Office and Civil Service. H. R. 9120. A bill to authorize the Postmaster General to provide for the use in first- and second-class post offices of a special canceling stamp or postmarking die bearing the words "Pray for peace"; without amendment (Rept. No. 2654). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BERRY:

H. R. 10211. A bill for the relief of the South Dakota State Hospital for the Insane; to the Committee on the Judiciary.

By Mrs. KELLY of New York:

H. R. 10212. A bill to provide that the United States shall reimburse the States and their political subdivisions for real property taxes not collected on real property owned by a foreign government and therefore exempt from taxation; to the Committee on Foreign Affairs.

By Mr. MACK of Illinois:

H. R. 10213. A bill to provide for the relief of droughts in the United States; to the Committee on Interior and Insular Affairs.

By Mr. RAINS:

H. R. 10214. A bill to provide benefits for members of the reserve components of the Armed Forces who suffer disability or death from injury or disease incurred while engaged in active-duty or inactive-duty training; to the Committee on Armed Services.

By Mr. THORNBERRY:

H. R. 10215. A bill to provide for the acquisition by the Secretary of the Air Force of the public school located adjacent to the northwest corner boundary of Bergstrom Air Force Base at Austin, Tex.; to the Committee on Armed Services.

By Mr. PILLION:

H. J. Res. 583. Joint resolution to provide for the award of the Medal of Freedom to Herbert Hoover, Jr.; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOLAND:

H. R. 10216. A bill for the relief of Eric L. Reid; to the Committee on the Judiciary.

By Mr. FALLON:

H. R. 10217. A bill for the relief of Nicolai Dimitriu; to the Committee on the Judiciary.

By Mr. HAGEN of Minnesota:

H. R. 10218. A bill for the relief of certain Spanish aliens; to the Committee on the Judiciary.

By Mr. MACK of Illinois:

H. R. 10219. A bill to authorize and direct the Secretary of the Army to donate 10 rifles to the Clark County Post No. 90 of the American Legion, Marshall, Ill.; to the Committee on Armed Services.

By Mr. MORGAN:

H. R. 10220. A bill for the relief of Liduina Rossi; to the Committee on the Judiciary.

By Mr. ROONEY (by request):

H. R. 10221. A bill for the relief of Mrs. Theodora Bourlotos, nee Hangepetros; to the Committee on the Judiciary.

By Mr. YORTY:

H. R. 10222. A bill for the relief of Mrs. Vera O'Callaghan; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

1138. Mr. MUMMA presented a petition signed by Mr. and Mrs. John A. Killinger, of Harrisburg, Pa., and some 13 other members of that community, urging favorable action on H. R. 1227, which would prohibit the transportation in interstate commerce of advertisements of alcoholic beverages which was referred to the Committee on Interstate and Foreign Commerce.

EXTENSIONS OF REMARKS

Analysis of the Tax Revision Bill

EXTENSION OF REMARKS
OF

HON. J. GLENN BEALL
OF MARYLAND

IN THE SENATE OF THE UNITED STATES

Tuesday, August 10, 1954

Mr. BEALL. Mr. President, because of the great interest expressed by the people of Maryland in the tax-revision bill, I have prepared a digest of its provisions which are of specific benefit to the small taxpayers—individuals, small business, and farmers.

The revision of our entire Internal Revenue Code for the first time in 75 years was a mammoth undertaking, and the members of the committees who worked on that bill are deserving of the highest praise. Even if no other bill had been acted on by the 83d Congress, I believe it could truthfully be said that this was a successful Congress.

Under the provisions of House bill 8300, individuals will save a total of $827 million; and every citizen will benefit in some way from the revision of the tax law.

It is estimated that under the tax changes the following number of people will benefit: From medical deductions, 8.5 million people; from lower tax on dividends, 7 million people; from working mothers' relief, 2.1 million people; from tax cut in retirement, 1.8 million people; from changes on installments, 1.6 million people; from the new dependent rule, 1.3 million people; from change on annuities, 800,000 people; from the soil-conservation rule, 500,000 people; from easier depreciation, 9.6 million people—plus 600,000 corporations.

The Eisenhower administration is fulfilling its campaign pledge to "reduce Government spending and thereby permit lower taxation."

Administration economies and cuts made by Congress in the appropriations made practicable the 10 percent income tax cut which went into effect on January 1, 1954, with a saving to the public of $3 billion.

In addition to that 10 percent income-tax reduction, a billion dollar excise-tax reduction was voted by Congress on April 1, 1954. In general, excise taxes were cut back to 10 percent, although taxes on most household appliances were slashed to 5 percent.

Eight hundred million dollars of the billion dollars voted in excise cuts will go to individuals—about $20 per household—and $200 million to business concerns. All the tax cuts approved by the Eisenhower administration will put an additional $100 in the average taxpayer's pocket.

Mr. President, I request unanimous consent to have the digest of the tax revision bill, H. R. 8300, printed in the RECORD.

There being no objection, the digest was ordered to be printed in the RECORD, as follows:

DIGEST OF H. R. 8300, REVISING THE INTERNAL REVENUE CODE

The revenue revision bill, H. R. 8300, which revises our entire Internal Revenue Code, contains literally hundreds of provisions which will greatly alleviate the majority of hardships and inequities imposed by our present tax laws on taxpayers having small incomes.

Critics of the bill contend that it benefits only corporations and wealthy individuals and that practically no relief is given to the small taxpayer. It should be recognized that although this legislation is not designed as a tax-reducing measure, the taxpayer's bill, when computed, will be smaller through more and increased deductions. A greater portion of the taxpayer's income will be tax free. New rules have been designed to aid the taxpayer in working his tax costs down.

GENERAL BENEFITS TO INDIVIDUALS

The bill contains many provisions which are beneficial to individuals. Briefly, the more important changes from the standpoint of individuals are the new provisions concerning:

1. Retirement (policemen, firemen, teachers, and others): For retired individuals 65 years of age or over; or under 65, retired under some Federal, State, or local government pension plan other than military, there is provided a credit against tax liability equivalent to the tax at the first bracket rate amounting to 20 percent on the first $1,200 of annual investment income or private pension.

2. Children earning over $600: A parent is permitted to continue to claim a child as a dependent regardless of the child's earnings or investment income if he is under 19 years of age or away from home at school, as long as the parent, in fact, supplies more than one-half of the child's support.

3. Foster children: Foster children and children in process of adoption may be claimed as dependents.

4. Head of household: A taxpayer is permitted to head of household status and the partial income-splitting benefit if supporting a father or mother in a home of his or her own.

5. Medical expenses: A tax allowance is given for medical expenses in excess of 3 percent of adjusted gross income instead of only those expenses in excess of 5 percent of this income. Outlays for drugs and medicines may be included in medical expenses to the extent they exceed 1 percent of adjusted gross income. The transportation costs of a trip prescribed by a doctor may be deducted. However, the expense of meals and lodging incurred on such a trip may not be deducted. The present ceiling of $1,250 for a single person, with a maximum of $5,000 for a family, is doubled, allowing a ceiling of $2,500 for a single person with no dependents, and a maximum for a family of $10,000.

6. Working mothers: A working mother may deduct child-care costs up to $600 minus any amount which the adjusted gross income of the taxpayer and her spouse exceeds $4,500. Thus, if a woman and her husband have an adjusted gross income of $4,700 the deduction may not exceed $400 ($600–$4,700–$4,500 $400).

7. Working widows: A widow with one or more children under 12 years of age or handicapped children can deduct up to $600 for costs of child care while working. This relief is also provided for a divorced person, or legally separated person or a woman whose husband is unable to work providing that the taxpayer works and has child care costs as defined.

8. Death of spouse: A taxpayer suffering the loss of a spouse can continue for a period of 2 years the benefits of income-splitting if there are dependent children to support.

9. The allowance of an exemption where several individuals support a dependent: The bill provides that where a dependent is supported by two or more taxpayers they may agree among themselves on who will get the exemption. Under existing law, where an aged relative is supported by the joint contributions of a number of members of his family no one of them can claim the exemption.

10. Annuity income: The bill grants relief by providing that annuities are to be taxed under the life-expectancy method. Annual exclusions will be determined by dividing the total consideration paid for the annuity by the expected life of the annuitant. As a result, in the average case where the annuitant lives out his life expectancy he will completely recover his capital free of tax.

12. Home owners: In the event a taxpayer purchases a home the title can be in the names of husband and wife without incurring liability under the gift tax provisions.

The taxpayer who sells his home can, in computing the basis of the property, reduce the sales price by any sales commissions paid, painting expense, and other expenses incurred in making the property salable.

Another benefit to home owners is the provision which grants to persons living in co-op housing developments a tax deduction for their share of the interest and taxes paid by the development.

13. Personal injury and sickness: The bill provides for an exclusion of income up to $100 a week for payments for personal injury or sickness made under a plan financed by the employer where the payments are in lieu of wages. This exclusion will not apply to the first 7 days an employee is absent from work unless such absence is on account of personal injury or if the employee is hospitalized on account of sickness for 1 day during the period of absence.

Benefits which reimburse the employee for expenses incurred for his own medical care and for the medical care of his spouse or his dependents will also be exempt. In addition, the bill makes it clear that certain payments for injury if made without regard to the employee's absence from work are to be exempt. These are payments for the permanent loss, or loss of use, of a member, or function, of the body or for permanent disfigurement. These payments may be made with respect to the taxpayers, his spouse, or his dependents.

14. Alimony: Under this measure payments of alimony or separate maintenance constitute a tax deduction to the husband and makes the wife taxable on any payments made under a written separation agreement even without a court decree where the husband and wife file separate returns. Payments to a wife under a court decree entered into after March 1, 1954, will be treated in the same way as alimony payments.

15. Inventors: More liberal treatment of income is provided for inventors.

16. Ministers of the Gospel: The cash paid to a minister by a church for the rental of a parsonage will be tax free.

17. Policemen: Generally subsistence allowance paid to Federal, State, or local policemen will be tax-free up to $5 per day.

18. Contributions: The amount deductible for contributions is increased from 20 to 30 percent, providing the additional 10 percent goes to churches, schools, and hospitals.

19. Installment purchases: A taxpayer can deduct the carrying charges on installment purchases up to 6 percent of the average unpaid balance even when such charges do not show the portion which is interest.

20. Employees and outside salesmen: Business transportation expenses such as bus, taxi, and other fares may be deducted by employees and outside salesmen in computing adjusted gross income even where out-of-town travel is not involved. The cost of automobile operation such as oil, gasoline, maintenance, and depreciation can be deducted to the extent such expenses are actually incurred in business. Such expenses can be deducted and the taxpayer will still be able to take the 10-percent standard deduction.

21. Death benefits: The law has been liberalized by extending the $5,000 exemption to death benefits paid without a contract and to distributions from qualified profit-sharing, stock bonus, pension, or employee annuity plans even though the deceased had a nonforfeitable right to the money while living.

22. Writers and artists: The bill provides that income from a 2-year project can be averaged over the years required for the job.

23. Insurance: A life insurance policy made payable to the wife or child of a taxpayer will not be included in the taxpayer's taxable estate if the taxpayer irrevocably assigned the policy to his wife or child.

24. Shareholders: An exclusion is provided for the first $50 of dividend income received by an individual in any taxable year ending after July 31, 1954. Taxpayers with dividend income remaining after this exclusion will be permitted to deduct from their final tax a credit of 4 percent of such dividends received after August 1, 1954.

25. Subdivided land: Taxpayers who are not regular dealers in real estate subdivide land in order to make it more saleable will receive more liberal treatment. Such taxpayers will be allowed capital gains treatment on most of their profits providing the property is held for longer than 5 years and that no improvements substantially enhancing the property have been made.

In addition to the many tax benefits available under this bill to small-tax payers, the following provisions are of particular benefit to small businesses:

26. Accelerated depreciation: The bill continues all depreciation allowable under present law, and in addition grants taxpayers the right, at their option, to use the diminishing-balance method of depreciation at double the rate available under the straight-line method, or to use any other systematic method which does not give greater aggregate charges than those available under the declining-balance method. This provision applies to all types of tangible depreciable assets, including farm equipment, machinery, and buildings, rental housing, and industrial and commercial buildings, as well as machinery and equipment. This provision will particularly help farmers in financing their machinery.

27. Business debts: Bad debts of a business nature can be taken as an ordinary business loss even if they become bad after the taxpayer is out of business.

28. Research and development expenses: Provision provides specifically that a business can either write off research and experimental costs in the year in which incurred or elect to treat them as deferred expenses to be written off over a period of 5 years or more.

29. Accumulation of earnings: Section 102 provides that the first $30,000 of accumulated earnings will not be counted in determining whether there has been an unreasonable accumulation. These provisions have been liberalized to provide greater protection for the taxpayer.

30. Corporate reorganizations: The tax law is amended to permit tax-free rearrangements of stockholders' interests in corporations, so long as no corporate earnings are withdrawn.

31. Loss carryback: The carryback provision is extended to 2 years. The 5-year carryforward provision has been continued.

32. Percentage depletion: The allowance for percentage depletion has been liberalized and a number of new nonmetallic minerals have been added to the 15 percent group. The strategic and critical minerals, if produced in the United States, have been increased to 23 percent. Other changes have been made in the groups now allowed 5 and 10 percent.

34. Partners and partnerships: The measure liberalizes and clarifies the law with respect to partners and partnerships. Payments by the firm of a guaranteed salary to a partner are taxable to him and deductible to the firm. The transfer of property to a partner from the firm usually will be tax free. Also certain partnerships may elect to be taxed as a corporation.

35. Sole proprietors: An individual who owns his own business as a sole proprietor may elect under certain conditions to be taxed as a corporation.

36. Prepaid income: The measure liberalizes the provisions relating to prepaid income by allowing a taxpayer to report such income as earned and to take expenses as incurred. This will result in less bookkeeping work for the taxpayer.

37. Business losses: The measure liberalizes the provisions relating to business losses by allowing such losses to be offset against profits of 2 prior years. Such losses may continue to be offset against 5 future years.

38. Losses from theft: Such losses may now be deducted in the year of discovery rather than in the year of theft.

39. Investment firms: Regulated investment companies will be permitted to invest in a greater amount of the stock of new and speculative development companies without loss of its special tax treatment.

40. Accounting definitions: Tax accounting is brought more nearly in line with accepted business accounting by allowing prepaid income to be taxed as it is earned rather than as it is received, and by allowing reserves to be established for known future expenses.

41. Administrative provisions: Parts of the law covering assessments, collections, interest and penalties, the statute of limitations, and other administrative provisions have been simplified and brought together in one place.

42. Returns and declarations of estimated tax: The bill provides a new set of requirements for the filing of declarations of estimated tax which will be beneficial to all taxpayers and will relieve a substantial number of individuals of the burden in preparing these returns. Moreover, the bill provides a uniform additional charge of 6 percent for unpaid installments of estimated tax and eliminates many of the penalty provisions.

In addition to the many tax benefits available under this measure to farmers as individuals, the following provisions are of specific benefit to them as a group:

43. Accelerated depreciation: The bill continues all depreciation allowable under present law, and in addition grants taxpayers the right, at their option, to use the diminishing-balance method of depreciation at double the rate available under the straight-line method, or to use any other systematic method which does not give greater aggregate charges than those available under the declining-balance method. This provision applies to all types of tangible depreciable assets, including farm equipment, machinery and buildings, rental housing, and industrial and commercial buildings, as well as machinery and equipment. This provision will particularly help farmers in financing their machinery.

44. Soil and water conservation expenditures: This provision is an extremely important feature of the bill and will be of direct benefit to about 500,000 farmers and of indirect benefit to all by fostering sound conservation practices. The bill will allow farmers to deduct expenditures for soil and water conservation, including those for leveling, grading, terracing, drainage, contour furrowing, eradication of brush, planting of windbreaks, and other expenses for treatment or moving of earth. The bill makes it clear that the provision applies to earthen dams not subject to depreciation and to the construction as well as the control and protection of water courses, outlets, and ponds.

The provision is also applicable for expenditures by farmers to satisfy special assessments of soil or water conservation districts. The annual deduction is limited to 25 percent of farm income, but amounts in excess of this limit may be carried forward to be deducted in subsequent years.

45. Declarations of estimated tax: The bill extends to farmers an extension of time for filing final returns to February 15. In addition the bill treats oyster farming as "farming" for purposes of the estimated tax.

46. Children earning over $600: This provision allows a taxpayer to claim the dependency exemption for children they support who are under 19 years of age or away from home attending school or college even though the children's earnings are in excess of $600 as long as he is in fact still supported by the parent (more than one-half of the support).

47. Accounting provisions: Under present law, there are numerous divergencies between the computation of income for tax purposes and the computation of income for business purposes, even though the business follows generally accepted accounting principles. The points of difference between business accounting and tax accounting are confined chiefly to questions of whether certain types of receipts and expenses should be taken into account in arriving at taxable income. Frequently picayune in nature, these differences are a constant source of irritation and hardship to business. The bill will bring tax accounting into closer harmony with sound business accounting. Under these provisions a farmer may use a hybrid type of accounting which may be more adaptable to the way he keeps his books.

Mr. Chelf Indulges in a Fine Old Art

EXTENSION OF REMARKS
OF
HON. WILLIAM H. NATCHER
OF KENTUCKY
IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 10, 1954

Mr. NATCHER. Mr. Speaker, I am happy to have this opportunity to pay my respects to my colleague, FRANK CHELF, who so ably represents the Fourth Congressional District of Kentucky. He is loved, admired and respected by his constituents who have again paid tribute to his statesmanship, character and high ideals by reelecting him without primary or November opposition. He is a gentleman of unshakable poise, rapierlike wit and polished diplomacy who believes that a real representative of the people is not one who changes principles with every shift of the wind, but rather one who, while in close communication with his constituents, translates into practical form their opinions and wishes as revealed to his mature judgment and enlightened con-

science. A true leader possessing to a remarkably high degree the great outstanding qualities of wisdom, of moderation, of justice and of patience. One who believes in fair play and is ready and willing to fight to maintain decency and honor in politics.

Believing as he does that no man should be deprived of his life, liberty, or property without due process of law and the right to his day in court, my friend, FRANK CHELF, has only recently protested the ouster of Raymond Stigall as postmaster at Danville, Ky. Mr. Stigall is known throughout the Fourth Congressional District as a conscientious, loyal, energetic, honest, capable public servant. As pointed out by Congressman CHELF to Postmaster General Summerfield, this is simply a case of a Democrat holding a position that the Republicans want, and regardless of method, Mr. Stigall must be ousted to make room for a member of the Postmaster General's party. The fact that Mr. Stigall is a disabled veteran, an honest capable public servant, plays no part apparently with the Postmaster General. To me, Mr. Speaker, this particular case is a serious blow to the thousands of decent career employees who have devoted their lives to our service, and naturally, Mr. Stigall will appeal his dismissal notice to the regional office of the Civil Service Commission at Cincinnati. I predict, Mr. Speaker, that before Mr. Summerfield finishes with this particular case he will understand full well why the people of the Fourth Congressional District of Kentucky believe in FRANK CHELF.

Under leave to extend my remarks, I include herewith an editorial entitled "Mr. CHELF Indulges in a Fine Old Art," which appeared in the August 7, 1954, issue of the Courier-Journal, of Louisville, Ky.

The editorial is as follows:

MR. CHELF INDULGES IN A FINE OLD ART

As fanciers of the form-fitting simile—as tight, let's say, as a zipper—we are caught in admiration and envy by Representative FRANK CHELF's virtuosity at manipulating that, alas, too-often overlooked figure of speech.

This accomplishment of Kentucky's Fourth District statesman shows up in a letter to Postmaster General Summerfield, protesting dismissal of the postmaster at Danville. You can just put it down that our FRANK is as sharp as Shakespeare, as full of comparisons as a hive is of honey, as fast as a jet plane.

The department's excuses for giving the Danville man the air, writes Mr. CHELF, are "as phony as a $3 bill and as flimsy as a dickey bird's power dive." This, in case you missed the Kentucky Member's full outpourings, is just the beginning. Mr. CHELF has a million. The charges "have about as much weight as the glue on a second-hand stamp and about as much real truth as the wool in a chicken's tail."

But why go on? Why knock ourselves and you out by the fascination that lies in such poetic artistry as to say of the charges that "they are as fantastic as pink elephants doing a strip-tease dance on the northwest side of a plugged dime"?

Out of it all we gather that Mr. CHELF is as hot as a firecracker, as mad as a hornet, as unlimited in his fury as cosmic space. He is also as Democratic as Andrew Jackson and he doesn't care whether Mr. Summerfield is as Republican as Lincoln, he'll get him told. It's as refreshing as CHELF.

America's Challenge Today

EXTENSION OF REMARKS
OF

HON. GEORGE S. LONG

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 10, 1954

Mr. LONG. Mr. Speaker, the story is told of a village moron who, proceeding to his home one dark night, ran into a tree standing by itself in the middle of a broad pasture. Desperately he circled the tree—'round and 'round—becoming more distraught and panicky with each step. When, at last, a rescuer appeared and asked what was the matter, the poor fellow replied, "Can't you see. I'm lost in an impenetrable forest."

In times such as these in which we are living, there are, I believe, two clear lessons for us in this story. One of them is that we are sometimes prone to circle round and round an issue for so long that we lose sight of the realities and grow fearful. The other is the distortion which fear produces.

Underlying all of the issues which we have faced in our time has been the old struggle between fear and anxiety on the one hand, and faith and courage on the other. We have been greatly concerned with the threat of the international Communist conspiracy. We have been concerned, and appropriately so, with building a strong and adequate defense; with the development of weapons of great destructive force and long-range striking power; with questions of military and diplomatic strategy. But how often, I wonder, have we really understood that basically, the contest of today is one between one camp representing organized fear of other men, and the other representing organized faith in mankind. How often have we recognized that one of our best weapons against communism is genuine evidence that we recognize the worth of every man and woman and the right of every individual to seek his own best way of life?

Do we, on the other hand, genuinely understand that the technique of communism is to organize fear and mistrust among people to the point where all power is surrendered to the police state? This point is clearly demonstrated in the literature of international communism. Stalin wrote plainly:

The state is a machine in the hands of the ruling class for suppressing the resistance of its class enemies.

In this diabolical view the most outrageous crimes against human personality are justified because, to use his words again, "solidarity and the internal unity of the party" cannot afford "to be too liberal or to permit freedom of factions." Earlier Karl Marx had written:

The democratic concept of man is false because it is Christian. * * * This is the illusion, dream and postulate of Christianity, that man has a sovereign soul.

Now contrast, if you will, these cynical and suspicious statements with the words of Thomas Jefferson who, perhaps better than anyone else, has expressed the spirit of the founders of our way of life. Engraved upon his tombstone, at his own request, are the words: "Author of the statute of Virginia for religious freedom." Among the passages of this law are such notable statements as these:

That Almighty God hath created the mind free, and manifested His supreme will that free it shall remain, by making it altogether insusceptible of restraint; that all attempts to influence it by temporal punishments, burthens, or by civil incapacitations, tend only to beget habits of hypocrisy and meanness * * * and, finally, that truth is great and will prevail.

Our first obligation, then, is to look squarely at the problems of our times with a full understanding that the threat of international communism is based on propagandized suspicion and organized fear. And to remember that this is an old trick. It was not new when the anger of hungry Romans was diverted from the monopolists of their time who were stealing the Egyptian corn, to the small band of men with Peter and Clement in the catacombs, scrawling their professions of faith on the rocks that underlay the Seven Hills. We all know the incalculable cost to mankind, in the thousands of years of history, of hate and despair. But we believe, too, that always, at some point, they must run headlong into the good sense and good heart of the common man.

One of those moments in the history of mankind took place in 1776 and the stirring years which immediately followed. The good sense and good heart of those patriots of our early years took the form of a liberal land policy which saw the vast continental domain as land to be shared by all people, rather than by the privileged few. Through the barrier of mountain and wilderness they expressed their faith in the future of our country by the development of pikes like the Cumberland Road or canals like the Erie—the forerunners of our great highways of today. Their belief in public education was reflected as early as 1785 when, with the passage of the land ordinance of that year—pertaining to lands in the Western Territory—the idea of land-grant colleges was born. These are just a few of the testaments of faith in mankind which have come down to us from our forefathers. They are a measure of the trust we hold for them and for the future of our country.

Their example has served us well in more than one dark hour in the history of our country. For the drama of our story is not all concerned with our successes. We have our villains, too. In every age and time one menace to freedom has been concentration in a few hands of some kind of power—political power or economic power—over men's bodies, minds, or souls. Ever since the Civil War monopoly has constituted one of the most dangerous threats to our freedom. The monopolies and cartels of Germany gave Hitler his chance—on his promise to protect them, in their positions of power, from the wrath of the people. Russian communism has combined economic monopoly with political monopoly. The golden thread that runs through the best traditions of our Nation is the struggle against monopoly, to realize the goal of "equal opportunity for

all, special privilege to none." Every great political movement in American history has been based on that principle.

Indeed I am convinced that the special genius of the democratic form of government lies in its ability to translate good sense and a good heart into the everyday realities of life.

Let us look, for a moment, at another example of the fact that there are few of the problems which face us which cannot be solved by a little more democracy. On March 4, 1933, America was without any national provisions to protect its aged or disabled citizens, or its dependent children, against the unavoidable hazards of life in this modern machine age. We were wtihout any means whereby the purchasing power of these people could be maintained in the face of advancing age. We had no system of unemployment insurance.

I am happy to have been one of the first men who stumped the entire United States for old-age pensions and for insurance against such economic hazards long before there was ever a law on the statute books of any State or of the Federal Government. I believed then, as I believe now, that Americans were entitled to such pensions with no questions asked—not because they were ill, or because they were crippled, or because they were in dire need, but because they had been good citizens and had contributed to the program by paying their taxes during their working life. I remember, too, how some people laughed at the idea at the time. I remember how others did not laugh, but denounced it bitterly as "socialistic," or as a means of encouraging laziness and irresponsibility.

I hope you will permit me, then, a moment of pride as I read the statements now being made about our social-security system—and not infrequently by those interests which originally opposed it for the reasons which I have just suggested. It is still incomplete and inadequate in many respects, but this great legislation now stands for a principle which is accepted on all sides as an integral part of American life. Reporting the bill containing the 1954 amendments to the House of Representatives this spring, the Committee on Ways and Means of the House of Representatives, in discussing the desirability of extending the coverage of the system, used the following words of endorsement:

> Extending coverage to these and other groups now outside the system [means that] • • • not only more of the aged but also more of the young widows and children will be receiving benefits without a means test. Accordingly, these old-age and survivors insurance beneficiaries are able to maintain a sense of their own continued independence and of their dignity and worth as individuals, even though their support from earnings have been cut off by the retirement and death of the insured worker. The knowledge that benefits will be paid irrespective of whether the individual is in need supports and stimulates his own thrift and initiative, since he can add his personal savings (including home ownership and insurance) as well as pensions he may receive as a result of his work, to the basic old-age and survivors insurance benefits.

Within the last 20 years, then, your Government has established a system of social security which now helps to protect 4 out of every 5 workers—and their wives and children—against the hazards of loss of wages caused by death or retirement. Four years ago, in the 1950 amendments, this system was substantially strengthened over the original bill when coverage was extended by some 10 million jobs and the amount of benefits for persons who would retire in the future was more than doubled. In 1952, the amount of the benefits was again increased, to meet further increases in the cost of living.

Again this year another long step in the direction of improving our social-security system will be made if the bill already passed by the House becomes law. For on June 1, 1954, by a vote of 355 to 8, the House passed and sent to the Senate the 1954 amendments to the Social Security Act. This House bill would extend old-age and survivors insurance coverage to about 9 million additional workers, and increase monthly retirement benefits by an average of around $6 per month. Minimum monthly benefits would be raised from $25 to $30 and maximum benefits for those now on the rolls would increase from $85 to $98.50. Among the groups newly covered by the system would be self-employed farmers, most employees of State and local governments, hired farmworkers and household workers, ministers, and certain professional men and women.

Now that it is working, it has become clear that it is good democracy and good Government to continue and expand a system by which the workers of this country can make tax contributions during their working life to a social security system which will, then, entitle them to a monthly check for the rest of their life with no questions asked. In simple terms, it is just a way of laying aside something for a rainy day that will be available when needed.

Simultaneously in 1935, the Social Security Act established public assistance programs to assist the least fortunate of our people who could not qualify for adequate old-age and survivors insurance benefits—those persons who have been unable to provide for themselves and are now aged, or blind, or disabled, widowed, or fatherless. Realizing that our children are this Nation's greatest resource, we also established a national policy of aiding States and localities through the Children's Bureau and other agencies, to insure needed maternity and child health services.

In Louisiana today, more than 70 percent of all people 65 and over are on the old-age assistance system. As the insurance system is broadened to cover more people, and as benefits paid become more adequate, the number of people subject to these "means test" pensions will decrease. The sooner we can eliminate the "means test" principle—with its endless questions regarding personal affairs, the better.

Already the effect of the 1950 amendments in this direction can be demonstrated in Louisiana. For example, within a 2-year period between December 1951 and December 1953 the number of people in my State receiving benefits increased from 52,100 to almost 70,000—69,800, or by more than one-third. During the same period the total amount of money received in benefits in the State has increased from $19.3 million in 1951 to $29.8 million for the year 1953. This means that social security benefits have increased income by around $11 million within a 2-year period. And bear in mind the fact that this is a self-financing system, without recourse to any general revenues from State or Federal Governments. With the further coverage and the increased benefits provided by the 1954 amendments, this trend will continue and more and more people in Louisiana—and in the United States—will be able to face the economic problems of declining years with the knowledge that they have established through their contributions an earned right to a regular monthly check when they retire.

John J. Corson, the well-known management counselor, has said:

> The evolution from meager charity to grocery orders, to cash grants, to work-relief wages, and finally to social-insurance payments marks social inventions of as great significance as Watt's steam engine, Fulton's seamboat, or Edison's electric light, because they progressively recognize the insecurity of presently self-supporting people, while increasing understanding of the rights and freedom of the individual who must ask for help. • • • Thus, the purpose of relief—putting essential cash into the hands of persons who need it—was accomplished while also preserving the individual's self-respect.

Our Social Security Act, therefore, stands as another benchmark of our ability to use the democratic process in adjusting to the irresistable trend of events. It was part of a great crusade which has as its goal the purpose of seeing that every child born in this country shall be assured of conditions making it fairly easy for him to live in a normal, wholesome atmosphere, with the opportunity for an education to prepare him for the burdens and responsibilities of life. Your Government demonstrated its concern with protecting our river valleys from waste and for preserving the wasting soil of our land. With the assistance of our Government the farmers of America have been encouraged to bring the boon of electricity into every farm home, lifting untold burdens from the backs of the farmers and their wives, and giving them the power with which to produce more of the good things of life.

If, then, we are facing alarming problems today, let us remember as well our amazing accomplishments. Shall we succumb to fear because we have produced a single bomb which could wipe out a city? Or because we have learned to build aircraft by the tens of thousands in our factories? No one would deny the almost unbelievable advances of science. But deep down in our hearts we are all conscious of the fact that, unless we learn how to use these scientific developments in line with our democratic ideals, they may lead to our destruction. We know that in overemphasizing force, efficiency, and speed it may be possible to lose those human rights and freedoms which are essential to long-term survival.

It is my conviction that in finding the answers to these hard problems we shall be required to take account of another facet of our national life which has contributed richly to all of our gains. I speak of the spiritual gifts of Christianity. For our religion, with its emphasis on the conviction that every individual is a child of God, has made the hunger and unhappiness of any man the great concern of the good Christian. The spread of education, the expansion of public services, the concern to secure an abundant life to all men are founded, basically, upon the contributions of the Christian philosophy to our economic life. That philosophy has fostered the kind of charity so well described by Maimonides when he wrote:

Anticipate charity by preventing poverty; assist the reduced fellowman either by a considerable gift, or a sum of money, or by teaching him a trade, or by putting him in the way of business, so that he may earn an honest livelihood, and not be forced to the dreadful alternative of holding out his hand for charity. This is the highest step and the summit of charity's golden ladder.

We Americans have learned in our Sunday schools, in our homes, and in the thousands of churches dotted throughout the country not only the comfort which comes from an abiding faith in our Maker, but also the broad outlines of social and governmental institutions which a Christian should seek. We have learned that a Christian nation will establish institutions based upon respect for the dignity and worth of every human being. We have learned from the principles of Christian brotherhood the importance of basic equality before the law and in other essential areas. Freedom of religion, which has been so vital a part of the Nation from the beginning, is based on the concept that each of us must allow freedom of expression of conscientious beliefs and freedom for carrying out these beliefs. The social and governmental institutions based on Christian principles are those which have encouraged growth and development of the minds and spirits of our people.

We have learned these same lessons in our schools. In his speech at Columbia University, on May 31, 1954, President Eisenhower restated the vital role of our educational institutions in preserving and strengthening our way of life.

Through knowledge and understanding—

He said—

we will drive from the temple of freedom all who seek to establish over us thought control—whether they be agents of a foreign state or demagogs thirsty for personal power and public notice.

Truth can make men free. And where men are free to plan their lives, to govern themselves, to know the truth, and to understand their fellow men, we believe there also is the will to live at peace.

Here, then, in spite of A-bombs, H-bombs, all the cruel destructiveness of modern war; in spite of terror, subversion, propaganda, and bribery, we see the key to peace. That key is knowledge and understanding—and their constant use by men—everywhere. • • •

If a university can find ways to share its perspective with every American, we shall never hear the hysterical clamor that all is lost when, in fact, the fight has just begun. We shall be steadfast in a manifold strength, knowing that the pace of history—despite Marxist pushing—is slow and that both setbacks and victories of today will be truly measured by the state of the world a generation hence.

In our concern with the short-range successes of organized fear and suspicion, as they are represented today by international communism, let us be profoundly aware of the ability of our free institutions and our democratic way of life to win the hearts of men. There is always the danger that we may begin to doubt our beliefs or to believe our doubts.

In this hour, as in other dark hours of our past, we must know that no overly simple or expedient solutions will work. No democracy can safely embark on a course of trying to put ideas in jail. On the other hand, those who advise that nothing need be done, fail to reckon with the clever tactics and the absolute discipline of communism. Cases of outright treason must, of course, be dealt with under the law. A democracy's best defense lies in exposing all the facts thus enabling its own people to pass intelligent judgments. But if this method is to be effective, it must create in the public mind the clearest possible distinction between Communists on the one hand, and all loyal citizens upon the other, however their views in some particulars may differ from our own.

In terms of winning the minds of men, it is perfectly clear to me that the most effective method for overcoming organized fear is to find continued expression for our faith in humankind and the innate dignity of the individual. This is the great lesson of our past and it is the challenge for our future. Our message is one of hope, of courage, and of magnanimity.

If I were to say what I believe to be the most important single need of the world today I would say it was this: for one people to give to all mankind a living proof and demonstration that they can, without loss of liberty, solve the economic problems of this power age, end poverty in the midst of plenty, and make the machine the servant of man and not his master.

There must be born again in the hearts of all of us a dynamic faith in America—the sort of faith that has sent out missionaries to work and perish in far-off lands. It must be a faith practical and realistic but with its sights fixed on the new kind of life we are beginning to build. It will draw on the conviction of a Jeremiah in his defiance of a coward king. It will draw on the example of men of great heart like Robert Rumboldt who, undaunted on the scaffold said:

I could never believe that Providence had sent a few men into the world ready booted and spurred to ride, and millions ready saddled and bridled to be ridden.

It will rest on the premise that we can have dignity and security for all our citizens if we have the will to do so and the courage to do so. We can have freedom if we make the freedom of others our concern. We can move forward to that better future we all want for ourselves and our grandchildren if we learn a little more each day how to share the God-given rights of liberty and abundance. We cannot retreat from the knowledge that we are a tremendous force in the world today. Nor can we fail to meet the challenge of destiny which has cast for us the role of a formidable fortress on the frontier of freedom, struggling to realize the hope of mankind.

Republican Party Betrays Labor

EXTENSION OF REMARKS
OF
HON. JOHN A. BLATNIK
OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 10, 1954

Mr. BLATNIK. Mr. Speaker, one of the most cynical political betrayals ever perpetrated is found in the Republican Party's unprincipled repudiation of its 1952 campaign pledges made to the American Labor movement. It will be recalled that during the last campaign Mr. Eisenhower and his party made several specific pledges to labor—they promised to repeal the worst provisions of the Taft-Hartley law and gave their word that they would go forward on such things as social security, unemployment compensation, and minimum wages.

Many good honest hardworking voters were deceived by this GOP doubletalk—they took these GOP promises at their face value and voted for the Eisenhower ticket. When the GOP took over the White House and control of Congress, these misled voters got a rude awakening. They found that the Eisenhower promises to labor were not meant to be taken seriously—that they were made for vote-getting purposes only, and that after election they were conveniently forgotten.

However, the time for an accounting is approaching. As Abraham Lincoln once said: "You can fool all the people some of the time and some of the people all the time, but you cannot fool all the people all the time." Now that another national election is approaching this is an especially appropriate moment to carefully examine the Republican majority's record on labor legislation, and evaluate this record in the light of the 1952 campaign promises. The people who relied on these promises when they cast their vote for the GOP in November 1952 have a right to know whether they got their money's worth.

BETRAYAL ON TAFT-HARTLEY AMENDMENTS

The most glaring example of the administration's betrayal of labor is found in the GOP repudiation of Eisenhower's campaign promise to relax some of the many antilabor features of the Taft-Hartley law. In 1952 Mr. Eisenhower appeared before the national convention of the American Federation of Labor and stated:

I know the law (i. e. the Taft-Hartley Act) might be used to break unions. That must be changed. America wants no law licensing union-busting. And neither do I.

So spoke the Chief Executive before election. And after his election Eisenhower kept up his "I am a friend of

labor" pretense for a few months. He appointed AFL leader Martin Durkin as Secretary of Labor and authorized Durkin to draw up a series of proposed amendments to make the Taft-Hartley Act less harsh on labor. Assuming that his superior was acting in good faith, Mr. Durkin appointed a 15-man committee to work up a set of proposed changes in the Taft-Hartley law. These amendments—which represented very reasonable and mild reforms of the Taft-Hartley Act—were prepared in due course.

Then came the sellout—President Eisenhower turned his back on Mr. Durkin and repudiated the proposed modifications. This "knife in the back" to himself and the labor movement gave Mr. Durkin no honorable choice but to resign as Secretary of Labor. This he did.

Since the Durkin resignation last September, the administration and the GOP majority have more and more been showing their true antilabor bias. The best evidence of this change of face is found in the administration's bill (S. 2650) which contained amendments to the Taft-Hartley law and which was brought to the Senate floor last spring with the blessings of the White House. This measure would have made the Taft-Hartley law still more antilabor—its overall effect would have been to place still more restrictions on labor's right to organize, to bargain collectively, and to strike. Fortunately, the Senate on May 7 voted down this super Taft-Hartley law.

OTHER UNION-BUSTING MOVES

There are plenty of examples over and above the Taft-Hartley issue to show the administration's change of position on labor—and showing that the change was always for the worse. For instance, Eisenhower has adopted as a plank in his labor program the Goldwater States rights amendment—a proposal to legalize and encourage passage of State laws to outlaw picketing and labor strikes. By way of background it is interesting to note that this States rights amendment follows word for word a recent resolution adopted by the National Association of Manufacturers which read:

> That nothing in the Labor-Management Relations Act (Taft-Hartley) shall be construed to nullify the power of any State to regulate strikes and picketing within its borders.

Another union-busting proposal which has been advanced by the administration is the Brownell bill—proposed by Attorney General Brownell—which provides that the Federal Government should take over and dissolve any union or other organization which the Attorney General has reason to believe is a Communist-infiltrated organization. Since every labor organization is somewhat suspect as being subversive in the eyes of big business representatives, the passage of the Brownell bill would place the labor movement at the tender mercy of bigots like Attorney General Brownell. Both the CIO and the A. F. of L. have risen up to denounce the un-American Brownell proposals, and I am pleased to note that even the conservative Wall Street Journal has voiced its opposition.

Although these administration-sponsored proposals have not been passed, the Eisenhower administration has found ways and means of making the Taft-Hartley law much worse by administrative action—revision by administrative interpretation. During the last 2 years the National Labor Relations Board has been packed with the agents of management, and so we find that in cases before the NLRB these big-business stooges always side with the employer against the worker. Thus the new NLRB, by means of reinterpretation and reexamination of prior decisions, has made the Taft-Hartley law still more antilabor in actual practice.

REPUBLICANS IGNORE UNEMPLOYMENT PROBLEM

During the past 18 months many economic warning signs of recession have been appearing—our economy has been declining and economists have warned that we may be headed for economic trouble in the near future unless Congress acts in time. There are, for example, some 3.6 million unemployed right now and another 2 million workers are employed only part time. The rate of capital investment has slowed down, and inventories at the retail level are swollen. There have been cutbacks in the production of steel, automobiles, farm implements, and other hard goods. Consumer credit—which has been expanded to the enormous amount of $21.8 billions—is beginning to contract. These various economic trends spell recession unless they are halted and reversed by adoption of a sound and practical program to implement the Full Employment Act of 1946.

Business depressions are not inevitable—our political experiences show that recessions can be combated by appropriate Government action and that the way to prevent them is to maintain adequate purchasing power in the hands of the people. When consumer purchasing power begins to dry up, it can be restored by giving tax relief to the lower income groups, by promoting a high wage policy for labor, by giving full parity to the farmer, and by putting idle men to work by means of a public-works program.

The administration and the controlling majority in Congress have shown no real interest in establishing an effective antirecession program. Instead of planning a sound program of public works, GOP leaders tells us that full employment is just around the corner, and that the millions of unemployed have nothing to worry about. At a time when credit restrictions should have been relaxed to encourage investment, the administration established a hard-money policy with higher interest rates which benefits only the money lenders. As to tax policy, the GOP has railroaded through Congress a new tax law which gives huge tax reductions to the wealthy taxpayers and corporations—who do not need it—but gives only token relief to the lower income groups who need it most. The Republican majority has turned thumbs down on labor-backed proposals to raise the minimum wage from 75 cents to $1.25 per hour. Secretary of Agriculture Ezra Benson has opposed full parity for the farmer—the official position of the administration is support for lower flexible supports.

In other words, Mr. Speaker, the Republicans at the White House and in Congress have followed a do-nothing negative policy regarding our economic problems. Instead of taking decisive action, they are telling us that there is really no recession developing today, but that we are only witnessing a mild downward adjustment.

My conservative colleagues from the opposite side of the aisle have even refused to raise the amount of unemployment compensation payable so as to better protect those workers who lose their jobs. The administration's unemployment compensation bill which recently passed the House merely extends the present program to a few million more workers. It does nothing to increase the present inadequate level of unemployment benefits payable, nor does it extend the duration of the benefit period. To most unemployed workers the final passage of this administration bill will represent only an idle gesture.

WE NEED A PROGRAM FOR FULL EMPLOYMENT

Mr. Speaker, the present economic picture is not encouraging and swift action is needed to reverse the tide of recession and return our country to full employment. To meet the present unemployment situation and to prevent it from spreading, I propose the following seven-point program:

First. Tax relief should be granted to the low- and middle-income groups by raising individual and dependency exemptions from the present $600 to $1,000, and by eliminating unnecessary excises. All proposals for a national sales tax should be rejected.

Second. Congress should adopt a well-planned system of public works to provide for more jobs, and also meet the Nation's needs for more schools, hospitals, public roads, recreation centers, housing, and so forth.

Third. The minimum wage should be increased from the present 75 cents to $1.25 per hour, and the coverage of the wage-hour law should be extended to additional workers now unprotected.

Fourth. The Taft-Hartley law should be repealed as a means of strengthening collective bargaining, and in this manner raise wage levels generally.

Fifth. To prevent the present farm recession from turning into a wholesale depression, Congress should pass a farm program which establishes full parity on all farm crops.

Sixth. Small business enterprise should be encouraged and protected by means of tax relief to small firms, the adoption of a liberal program of Government credit to business, and the strict enforcement of the antitrust laws.

Seventh. To protect all Americans from the economic insecurity of old age, sickness, and unemployment, Congress should expand and liberalize the social-security system, extend the coverage, and increase the amounts payable under our unemployment compensation system, and develop a Federal program for health and hospital construction.

This seven-point program outlined above is not meant to be all-inclusive. Instead it is a limited, basic, national economic program designed to meet the most pressing economic problems of our people in this period of growing recession. It represents only the blueprint of a program of full employment, prosperity, security, and social justice. These, Mr. Speaker, are the goals which the American people desire, and which Congress should strive to achieve.

Housing for Servicemen

EXTENSION OF REMARKS
OF
HON. BOB WILSON
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 10, 1954

Mr. WILSON of California. Mr. Speaker, the 83d Congress has taken two significant steps toward correcting the major morale problem of the services; that of adequate housing for the families of servicemen.

Approval of the military family housing authorization and appropriation bills will mean that some 13,000 military families will be provided with adequate homes at bases and posts where the need is most apparent. This is the first increment in a plan that we hope will eventually provide homes for at least 50 percent of the currently improperly housed peacetime forces of our Nation.

While there are some objections to providing on-base housing as compared to Wherry and other Government encouraged or subsidized private housing units, it seems apparent that tremendous savings will accrue to the taxpayers through providing additional Government quarters at permanent bases.

The present practice of granting quarters allowances in lieu of housing actually costs the Government over $1¼ billion per year. In Government-owned military housing, the serviceman accepts the housing and gets no allowance. The amount which would otherwise be allocated for allowances can thus amortize the cost of such homes in a reasonably short time.

No attempt is being made to provide more than a reasonable minimum of permanent quarters for families of peacetime forces for the years ahead. Great care was taken in the hearings before the House Subcommittee on Housing to see that homes were authorized only for bases or posts that are permanent in nature, where the shortage of available housing was most acute, or where military needs were best served by having men in residence close to action stations.

Even more important and far reaching in its benefits to service families is the new provision in the National Housing Act that extends favorable terms and insured mortgages to men and women on active duty.

Many servicemen in the past have been lured into civilian life by the attractive provisions of the GI bill which provided low downpayments and long-term financing for home purchasers.

The National Housing Act for 1954 extends somewhat similar provisions to enlisted men and officers on active duty. Conferences I have held with FHA officials and military leaders have convinced me that this act will prove to be the biggest boon to the servicemen in many years.

While regulations have not been made public, it seems apparent that under terms of this act a serviceman can purchase a home, living in it while at a given base, post, or station, and upon being transferred can sell the home and repurchase another at his new duty station.

In other words, it will not be a one-time shot, as with the GI program, but instead will, within reason, recognize the impermanence of assignments and not penalize the serviceman through setting a limit on the number of times a serviceman may avail himself of the benefits of home ownership.

Actual provisions of the bill will permit a serviceman to obtain an FHA-insured mortgage not exceeding 95 percent of the appraised value of the property up to $18,000, providing the serviceman either occupies it or certifies his failure to do so is the result of his military assignment. Premiums on the mortgage insurance will be paid by the Defense Department, which will reduce the loan percentage from 4½ to 4¼ percent.

Military regulations are planned to prevent servicemen from abusing the privileges accorded them under this act, but it is expected that the services will be liberal in their interpretation of the act, in order to make the benefits available to all interested career personnel.

This act should prove to be a stabilizing influence on the families of service personnel and, in the opinion of military leaders, should make peacetime career service much more attractive.

Mr. Speaker, it is encouraging to note that the Air Force has reported an upswing in reenlistments for the first time in many years. I believe the constructive efforts of the 83d Congress to improve conditions for servicemen and women have reversed the 10-year trend of reduction of benefits that had put us in a dangerous corner. Morale will improve markedly, and reenlistments are bound to increase if we continue to recognize the importance and dignity of the servicemen in whose hands we have placed the safety and defense of our homes and families.

Report to the People of the 16th Congressional District of Ohio

EXTENSION OF REMARKS
OF
HON. FRANK T. BOW
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 10, 1954

Mr. BOW. Mr. Speaker, in the many important legislative decisions which I have been called upon to make in this 83d Congress, both as a member of the Appropriations Committee, which controls the spending of all the Federal agencies, and upon the floor of the House, I have at all times attempted to bear in mind the welfare and the wishes of my constituents in the 16th Congressional District of Ohio.

Through many personal trips to the district, comprising the counties of Stark, Tuscarawas, and Wayne, through detailed questionnaires, and by other means, I have sought to keep myself constantly informed on the sentiments of my district regarding legislation pending before Congress.

When I have called upon my constituents for advice and guidance they have responded generously, and their cooperation has materially lessened the burdens of my legislative duties. In turn, I feel that I owe them a report on my more important activities in behalf of them and the Nation during the current Congress, now coming to a close. This is my report.

Congressional Quarterly News Features, a highly respected, independent news service, in a recent survey of voting records, noted that my voting participation on rollcalls in the first session was 100 percent. While this session has not yet been completed, I am confident that my final record of voting participation again will be unusually high.

TAXES AND SPENDING

At the beginning of this Congress I was appointed to the powerful Appropriations Committee, generally accepted as the most important committee in Congress. This appointment brought prestige to my district which it had not enjoyed in many years, since none of my immediate predecessors had acquired sufficient seniority and experience for such an important assignment.

The Appropriations Committee last year conducted studies which resulted in a saving of $14 billion from the budget recommended by former President Truman. Further elimination of wasteful and needless expenditures were made during the present year. Much, of course, remains to be done.

The savings already made have brought a balanced budget in sight, and made possible $8 billion in tax reductions already being enjoyed by our citizens. Reductions in the excise, or sales tax, on theater and other admissions, telephone bills, electric-light bulbs, transportation of persons, and a long list of other items, already are in effect. Income-tax reductions will benefit a vast number of persons through reductions in the withholding and other personal income taxes.

FARM PROBLEM

The farm problem is one of the most perplexing situations confronting the Nation today. I have given this question much time and study.

The farmer has been beset by round after round of inflation brought on by the ruinous spending policies of the Truman administration. Thousands of acres of land have been brought into production through costly irrigation projects financed by the Federal Government. More thousands of acres of marginal grasslands were brought into production during the war, and kept in production

by high price supports. Wide usage of cheaper and inferior substitutes for some of our farm products have been encouraged.

Price supports should be maintained at a high level until a more realistic solution can be achieved. But I am confident our farmers prefer to have their products consumed by humans rather than to have them rot in some Government cave or warehouse. The farmers want, are entitled to, and must have a fair share of the national income. I am confident this twin objective can be achieved and will continue to devote my efforts toward that end.

The problem of massive surpluses is a major one. Several additional methods for further reducing surplus stocks have been proposed by me, and are now being considered at high administration levels. Regardless of the disruptive talk of their detractors, the farmers will not be "sold short" by the Eisenhower administration. I am confident we will evolve a more beneficial and satisfactory system than the present one of "production for waste," one which will be satisfactory to the farmers and of benefit to the whole economy.

EMPLOYMENT AND BUSINESS CONDITIONS

The business recession which President Eisenhower inherited has presented difficult problems in the industrial areas of my district. I have been in almost constant contact with the Secretary of Labor, Defense Department officials, and others in an effort to do everything possible in this connection. These officials have been very cooperative and are watching developments carefully. While there appears to have been some improvement, neither I nor they will relax efforts in this connection.

After a series of conferences with the Secretary of Labor and other high Government officials, I succeeded in having the Canton area placed in class IV, which gave industries there preferential treatment on Government contracts. The Department of Agriculture sent carloads of surplus food to areas in the district where it was needed.

The interest and cooperation of President Eisenhower's administration in this problem has been greatly appreciated, and has been of material benefit to the people of my district.

NATIONAL SECURITY

Recent developments have confirmed my stand that we can place little or no dependence in our so-called friends abroad in the time of an emergency. They are looking out for themselves and we must look out for ourselves.

There are enough unexpended balances which already have been appropriated to carry the foreign aid program a full year. Hence I voted against additional appropriations for this purpose. It was my feeling that if this extra appropriation were not made, we could have given the American public a balanced budget. And this we promised to do.

President Eisenhower's proposal for streamlining our Military Establishment, cutting down on our dependence on foot soldiers, and emphasizing more modern weapons was, indeed, a heartening one. We all pray that war will not be thrust upon us, but if it is, we want to be prepared to win it with the least loss of the lives of our people.

SOCIAL SECURITY

More adequate and realistic social security was given much attention by the current Congress. When this measure was under consideration I advocated extending it to those who needed and wanted the coverage. I opposed extending it to such groups as doctors, who did not want to come under the system. Among other things, I was concerned over the teachers' retirement fund in Ohio. I urged we should not jeopardize this group by forcing them under social-security regulation and denying their rights under their own social security system. I felt the same way about police, firemen, and other employees already covered by State and municipal plans.

VETERANS

As a former war correspondent who served with Ohio's 37th Division in the Pacific and saw what the boys went through, the interests of our veterans and their families is very close to my heart. I am convinced that much of the money which in the past has been appropriated for the Veterans' Administration has been used in a very inefficient manner, to say the very least. I have worked and will continue to work to cut out the red tape and inefficiency in the Veterans' Administration, and to see that agency weed out those persons who are not giving courteous and efficient service.

As a member of the Appropriations Committee, I have supported and will continue to support appropriations which give our veterans the medical, hospital, and other rights to which they are entitled. I will continue to do my utmost in this direction as long as I am a Member of Congress.

PROTECT AMERICAN LABOR

The protection of American labor against floods of cheap imports from low-wage areas has been, and will continue to be, one of my main objectives as a Member of Congress. When the appropriation bill for the Department of Interior was under consideration on the floor of the House, I proposed an amendment designed to give American workers a better break on Government contracts. The Buy American Act should be strengthened, not weakened, and the "peril point" provision should be rigidly enforced. American workers must not be put out of their jobs by cheaply made products from abroad.

The recent action of President Eisenhower in raising by up to 50 percent the tariff on imports of cheap watches indicates the attitude of this administration regarding the necessity of protecting American workers. I was among those who recommended this action. My strong support of it was detailed in a recent House speech.

ROADBUILDING PROGRAM

A Federal highway building program that will include rural roads and town and city streets was approved by this Congress. This law authorizes expenditures of $966 million in each of the fiscal years 1956 and 1957 for highway and road construction. It gives the States a greater degree of administrative control over their own roads included in their Federal-aid and secondary systems. The residents of Ohio farms and villages, in common with those in other States, will benefit materially from this legislation. It is of interest that this important highway bill was sponsored by my good friend and neighbor Congressman J. HARRY MCGREGOR, of West Lafayette.

VOTING RECORD

There is included herewith a record of my stand on important legislation on which recorded votes were taken in the House of Representatives during the 83d Congress. This list shows whether I favored or opposed passage, and the action taken by the House.

1st session

Subject	Bow's position	House action
Un-American Activities Committee, provide funds for.	Yes	Approved.
Military personnel needs, annual review of.	Yes	Do.
Tidelands (oil), confirm title of States.	Yes	Do.
Mexican farm labor importation of.	No	Do.
Continental Shelf (oil lands, confirm title of States).	Yes	Do.
Reciprocal trade agreement extension.	No	Do.
Mutual Security Act extension.	No	Do.
Government-owned rubber plants, disposal of.	Yes	Do.
Farmers and stockmen emergency aid for.	Yes	Do.
Communist Chinese, against admission of to UN.	Yes	Do.
Mutual security appropriations.	No	Do.
Farmers, miners, and producers, protection of under Trade Agreements Act.	Yes	Failed.
Farm surplus, for famine relief abroad.	Yes	Approved.

2d session

Subject	Bow's position	House action
Air Force Academy, establishment of.	Yes	Approved.
Commodity Credit Corp., to discharge indebtedness of.	Yes	Do.
Un-American Activities Committee, provide funds for.	Yes	Do.
Excise-tax reduction	Yes	Do.
Personal exemption increase for income-tax purposes.	No	Failed.
Tax reduction and revision bill.	Yes	Approved.
Housing Act, passage of	Yes	Do.
St. Lawrence seaway development.	Yes	Do.
Flexible price supports (Eisenhower proposal).	Yes	Do.
Alaskan communication system, military construction.	Yes	Do.
Trade agreement extension	No	Do.
Opposing Soviet interference in Western Hemisphere.	Yes	Do.
Health insurance, voluntary prepayment.	No	Failed.
Postal pay increase, establish committee to study.	Yes	Do.
Atomic Energy Act revision	Yes	Approved.
Mutual security appropriation.	No	Do.
Tax revision and reduction, conference report on.	Yes	Do.
Commodity Credit Corporation, increase borrowing power of.	Yes	Do

NOTE.—Due to the magnificent leadership of Speaker of the House JOSEPH W. MARTIN, of Massachusetts, and Majority Leader CHARLES A. HALLECK, of Indiana, much important legislation was passed without the necessity of a rollcall vote. Such actions were taken usually by teller or voice votes, for which the votes of individual Members are not recorded.

RIGHT TO VOTE

Mr. Speaker, the right to vote is a very dear heritage of the American people. It is a right which has been denied to increasing millions of formerly free people in the past few years. It can be said without fear of contradiction that those persons who have lost the right of the free ballot wish now they had it back; and if they had it, they would miss no opportunity to use it.

Those of us who do not exercise our right to vote are courting disaster. Being busy, or disgruntled, or bad weather on election day, is no excuse. Even the best excuses for not voting will not alleviate the disaster that will come to us all if, through our failure to vote, our country is destroyed by corruption or decay. It is not only a right but a duty for all patriotic Americans to turn out on election day and vote for the candidate who, in their opinion, can do the most for our country in the perilous days ahead.

So far as I am concerned, I stand on my record in behalf of the people of my congressional district and the Nation and my firm support in most major instances of the Eisenhower administration in Washington.

Refugee Relief Act of 1953 Being Administered Competently and Ably by Mr. Scott McLeod

EXTENSION OF REMARKS
OF
HON. ALBERT P. MORANO
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 10, 1954

Mr. MORANO. Mr. Speaker, those of us who have followed closely the administration of the Refugee Relief Act of 1953 were astonished to read the statement of the gentleman from New York [Mr. CELLER] in which he alleged that the immigration of refugees is being hindered and hampered and that the refugee relief program is foredoomed to failure.

If the gentleman from New York had ever read the Refugee Relief Act, which came out of his committee, he would realize how vastly different it is from the former Displaced Persons Act. The present act was adopted on an entirely different premise, to meet an entirely different situation, and its provisions are much more stringent than were those of the DP Act.

Nevertheless, despite the difficulties of administering an act which involves the cooperation of half a dozen departments of the Government, tight security regulations, and the necessity for negotiating and carrying out working agreements with about two dozen foreign governments, the results achieved to date under the Refugee Relief Act have most certainly amounted to a great deal more than a trickle, as the distinguished gentleman from New York has elected to characterize them.

Obviously, some time was required to get a program as big and as widespread as this rolling. Regulations and administrative procedures had to be developed—not unilaterally by the State Department alone, but in cooperation with numerous other participating agencies. Staff expansion had to be accomplished, and that involved recruiting good people for a temporary job, getting them security cleared, trained, transported, equipped, and set up in business. The mere matter of getting office space in which these people could work required 3 and 4 months in some instances because of the shortage of available space in Europe.

Another essential which could not be rushed was the negotiation of the agreements with foreign governments which the act requires. Some of these agreements have not yet been worked out, and one of them, I happen to know, was achieved just recently only after the personal intervention of President Eisenhower with the Foreign Minister of the country concerned.

Frankly, Mr. Speaker, I myself did not understand these delays, and I was much concerned last March 1 when the target date for the issuance of visas in volume passed without appreciable results. Being genuinely and constructively interested in the success of this humanitarian program, I took the trouble to learn what the difficulties and delays were all about. Actually, there was very little delay. March 1 had been set as a target date for getting the program on the rails. This was achieved just 1 month late, on April 1.

Since then more than 8,000 visas have been issued. More than 800 applicants who could not qualify have been rejected; 32,813 applicants are in the pipeline.

Approximately 14,000 assurances of employment and housing have been received, and these will admit about 25,000 heads of families and dependents.

The administration of the act is now geared to continue production of visas in substantial numbers so as to get the job done by the time the act expires on December 31, 1956.

Until now, it would not have been possible to make use of larger numbers of job and housing assurances. With the program rolling at good speed, however, the time now has come when a steady flow of assurances is essential to continued progress, for the head of every refugee family must be guaranteed a job and a roof over his head. The act does not permit these people to come to the United States and wander around jobless, homeless, and as wards of haphazard charity.

It was for this reason that the Administrator of the act and the Secretary of State requested the President to solicit the cooperation of the governors just a few days ago. As you know, Mr. Speaker, the President asked the governors to establish local committees to help obtain assurances and assist in the resettlement problems of the immigrants. Far from being an admission that the act is a failure, as my unusually gloomy colleague from New York has seen fit to conclude, the President's action was a logical and constructive effort to assure the success of the refugee program. I am glad that our President has the personal interest in this project not only to want it to succeed, but to do something positive and constructive to see that it does succeed.

I cannot believe that carping criticism will contribute anything toward making it succeed.

When the gentleman from New York exposed his lack of knowledge of the stringent security provisions contained in this act, I was afraid to trust my own memory of how he had voted on the act. A check of the CONGRESSIONAL RECORD of July 28, 1953, volume 99, part 8, at page 10205, Roll No. 112, reveals the gentleman from New York [Mr. CELLER] did vote for the act. Of course he had plenty of opportunity to know of its provisions because, as already noted, it came out of his own committee.

I frankly do not pretend to understand the mind of my colleague. But one thing I do know. If I were in the Kremlin, and had people escaping and being driven from behind the Iron Curtain, I certainly would plant among them a considerable number of spies and saboteurs so that they could endeavor to reach the United States as refugees under this act. It was to guard against this possibility that the Congress imposed very strict security requirements upon the administrator of the act. These are requirements which permit little or no administrative discretion.

It would be quite understandable to me to hear the able and competent Administrator Mr. McLeod criticized for relaxing these requirements and thereby taking the risk of admitting spies and saboteurs; I would be one of the first to demand his scalp if he did so. But it is incomprehensible to hear a conscientious public servant condemned for carrying out the will of Congress.

Because I am familiar not only with the act but with its administration as well, I know that it is most complex and difficult to administer. I personally admire the courage of those who are responsible for its administration, for they have determined to make it work despite its built-in handicaps. This they are doing speedily and effectively. The results speak for themselves.

Small Business Administration Aids Small Firms Across Country

EXTENSION OF REMARKS
OF
HON. BOB WILSON
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 10, 1954

Mr. WILSON of California. Mr. Speaker, thousands of small business firms across the country have been able to improve their financial position, get Government contracts, or obtain valuable advice and assistance in solving management and technical problems as a result of the programs of the Small Business Administration.

This agency, the only new governmental agency created by the Eisenhower administration, has just closed its first year of operation and is improving and streamlining its programs so greater numbers of small firms can be helped in the future.

A prime objective of the Small Business Administration has been to make its services available to small firms at the local level, so it will not be necessary for them to spend their time and money in coming to Washington. To meet this objective, 36 field offices have been established in major cities.

In addition to developing, planning, and putting its own small business assistance programs into operation during the first year of existence, the Small Business Administration was also especially interested in obtaining the tax relief embraced in the new Federal tax law.

The Small Business Administration is the first comprehensive, peacetime, independent governmental agency in history created for the sole purpose of advising, counselling, assisting, and protecting small business enterprises.

Legislation creating the Small Business Administration was signed by President Eisenhower July 30, 1953. Its programs of giving assistance to small firms are fast gathering momentum under the direction of the Small Business Administrator Wendell B. Barnes.

The agency's main programs—loans and financial counselling assistance, aid in getting Government contracts, technical and managerial help of many kinds, and disaster loans to help victims of floods and other catastrophies rebuild their homes and shops—are each designed to offer important services to small firms.

In all of these fields the results so far are notable, and they offer even greater promise for future development.

Summing up the year's accomplishments in the four major fields of activity, here is the Small Business Administration's national record—a record of which the administration can be proud:

FINANCIAL ASSISTANCE

Authority for the Small Business Administration to make loans did not begin until September 29, 1953. Since then 634 small-business loans, totaling $36,359,962, have been approved. Two-thirds of these loans are bank participation loans, in which local banks put up part of the money, and the Small Business Administration puts up the remainder. Direct loans are made by the Small Business Administration only when they are needed to help small firms that cannot obtain private financing.

Of the total loans approved, 429 loans, totaling $25,926,602, are bank participation loans, and 205 loans, totaling $10,423,360, are direct loans.

In establishing the Small Business Administration's financial assistance program, Administrator Barnes has stressed the fact that the private banks of this country have done and are doing a good job in providing for the credit needs of our businessmen.

The Small Business Administration is not competing with the banks, and plans to offer its loans for sale to them as soon as the loans have been "seasoned" and are of proved worth.

The Small Business Administration is working with the private banks, to help provide term credit to small firms. By putting the emphasis on bank participation loans, the Small Business Administration is helping the proprietors of small firms establish a banking relationship with a private bank in their own community. This is providing a service of lasting value, as it helps to strengthen the customer-bank relationships in the local communities.

DISASTER LOANS

In addition to making business loans, the Small Business Administration has the responsibility of making disaster loans to aid in the rehabilitation of homes and businesses damaged in windstorms, fires, floods, and other catastrophes.

Ninety-eight disaster loans totaling about $400,000 have been made so far, helping people rebuild their homes and shops. The Small Business Administration stands always ready to give help to the homeowners and the businessman whenever catastrophes occur.

PROCUREMENT ASSISTANCE

The law creating the Small Business Administration gives it the responsibility for seeing to it that a fair share of the goods and services purchased by the Government—and remember that the United States Government is the biggest customer in the world—are obtained from small firms.

During the period August 1, 1953, through June 30, 1954, the Small Business Administration assisted 1,080 small firms in obtaining Government contracts totaling $124,837,044.

These figures represent actual contract awards under the Small Business Administration's "joint determination" program, but they tell only a small part of the accomplishments of the Small Business Administration in helping smaller firms get Government contracts.

The Small Business Administration concentrates its contract procurement assistance activity in the area where—except for the vigilance of the Small Business Administration—the contracts would probably go to larger firms. Through its joint determination program it is constantly working to increase the small-business share of Government orders.

Under this joint determination program, the Small Business Administration has representatives stationed in the principal procurement centers of the military departments across the country.

Here, all individual proposed procurements valued at $10,000 or more—except those classified as "confidential" or higher—are screened jointly by the Small Business Administration representatives and military procurement officers.

Those found suitable for performance by small business, if jointly agreed to by the Small Business Administration and the military, are earmarked and reserved exclusively for competitive award to small firms. In some cases, portions of proposed procurements are also earmarked for performance by small firms under this program.

Once a joint determination has been made, the Small Business Administration field offices are notified, and are thus able to call possible procurement opportunities to the attention of small firms in their own areas.

In addition, through cooperative programs, larger private firms constantly are being encouraged to place more of their orders with smaller concerns in their own areas.

The regional offices of the Small Business Administration regularly receive notices of procurement opportunities. They keep a register of many thousands of small firms that are desirous of obtaining a Government contract.

Every day procurement specialists in the regional offices of the Small Business Administration check the list of products the Government wants to buy and refer them to those firms that are capable of producing the specific products.

Last year the regional offices made many thousands of referrals, and although it is impossible to keep a close check on the results of each referral, it is known that they resulted in a good volume of Government contracts going to small firms.

In addition to the activity in behalf of small firms in the regional offices of the Small Business Administration and in the field offices, representatives of the agency in procurement centers of the Armed Services held more than 2,500 interviews with businessmen regarding procurement matters, handled about 40,000 communications regarding procurement matters, and in about 3,000 cases made specific referrals of bid opportunities to individual firms.

In addition to these Government contracts, the Small Business Administration also works with firms holding large prime Government contracts and helps them locate small firms who can take a subcontract. This activity is, of course, a two-way street.

The Small Business Administration not only helps the smaller firms by aiding them in getting more business, but also helps the larger producer develop reliable suppliers. The net result is to stimulate all business activity.

The perseverance of the Small Business Administration in helping small firms get Government contracts is best demonstrated by its certificate of competency program.

Certificates of competency are issued only in cases where a small firm is actually the low bidder on a Government contract and should get the award, except that the military procurement specialist calls into the question the technical or financial ability of the firm to produce the item satisfactorily and on time.

In such cases the Small Business Administration has its production experts investigate. If they find that the firm does have the technical ability and adequate financing to produce the article wanted, a certificate is issued and the contract goes to the small firm.

The Small Business Administration has issued 41 certificates of competency to aid small firms. As a result, these firms won contracts valued at $6,500,000. The taxpayer, incidentally, has a stake in this program, since its objective is to help the low bidder get the contract. So far, the savings total about $284,000.

Sometimes it is found that small firms have the technical ability to handle a particular Government contract, but they lack the financial resources needed to do the job. In such cases the Small Business Administration may be able to approve a loan to help the small firm.

It often happens, too, that the proprietor of a small firm, after consulting with the Small Business Administration financial specialist, is able to work out private credit with his bank, or perhaps by recognizing his production schedule he is enabled to get along without a loan.

MANAGEMENT AND TECHNICAL ASSISTANCE

Under this heading the Small Business Administration, through its regional Offices, offers a wide range of service to help small firms.

The Small Business Administration publishes two series of practical and helpful leaflets called Management and Technical Aids for Small Business. These leaflets cover a wide range of management and production problems, and are in great demand. They are designed particularly to aid the proprietor of a small firm who may have an outstanding aptitude in certain lines, but lacks the rounded management experience which big companies hire for their top management team.

The Small Business Administration has experienced management counselors in its field offices. These counselors are always ready to work directly with owners of small businesses on specific questions presented to them. It has recently developed a program of helping small firms with products development problems—finding new uses and new applications for items produced by small firms.

There are hundreds of small firms whose proprietors have ideas for improved or new products and processes, or perhaps they own a product patent, but they may lack the technical know-how or means of putting the article or new idea to practical use. The Small Business Administration is giving help to these firms. Sometimes its experts can direct the proprietor to a competent research institution or laboratory, or refer an inventor to a firm which may utilize his invention or idea.

All of the programs of the Small Business Administration are aimed at this one basic objective: To assist in the growth and survival of small-business firms; to help them meet the continuing challenge of our expanding economy.

There are about 4,200,000 business establishments in the United States. Of these, 96 percent are classed as small. The new tax law enacted by the 83d Congress and signed by President Eisenhower is going to be of great benefit to businesses generally. It will be a boon to small firms.

Congress and the Eisenhower administration recognized that, in recent years, barriers had been erected in our tax structure, handicapping the little fellow. The new tax law will inure greatly to the benefit of the many small businesses of California, as well as to the Nation. I enthusiastically supported the passage of the omnibus tax law, the first major revision of the revenue laws in 75 years.

American taxpayers stand to save $7,400,000,000 in taxes through actions by the Congress which accrue this year or within a year after enactment of a particular measure. Broken down into the tax actions taken by Congress, the savings are as follows, in round numbers:

From Jan. 1 income-tax cut	$3,000,000,000
From reduction excise taxes	1,000,000,000
From repeal excess-profits tax	2,000,000,000
From reductions in new tax law	1,400,000,000
Total	7,400,000,000

Savings to individuals under the new revenue act are estimated to come to $800 million a year. Here are some of the savings which will accrue to individuals:

Through medical-expense deductions, 8,500,000 beneficiaries should save $80 million a year.

Through allowing as dependents children under 19 who are either students or earning more than $600 a year, an estimated 1,300,000 beneficiaries will save about $75 million.

Through splitting income to widows and widowers with children and similar benefits, 160,000 beneficiaries are expected to save $11 million.

Through a tax credit of 20 percent on income up to $1,200 for retired persons, about 1,800,000 beneficiaries will be allowed to keep $141 million.

Approximately 500,000 farmers will save $10 million on liberalized soil-conservation expense allowances.

And working widows, widowers, and working wives to a limited extent, will get a tax reduction up to $600 for child-care expense. This will provide 2,100,000 taxpayers with savings of $130 million.

Savings in taxes by business concerns through the new tax law are estimated to come to approximately $600 million annually.

Now, here are some of the ways in which the new law will aid small concerns:

Liberalized depreciation: This permits faster writeoffs for depreciation on new property acqured in 1954 and later years. Its effect will be to permit tax-free recovery of about two-thirds of the cost in the first half of service life, thus aiding small businesses in the financing of their modernization and expansion.

Treatment of surplus accumulations: This section provides that the burden of proof shall be on the Government to show that earnings accumulations by firms are unreasonable. It also exempts the first $60,000 of earnings accumulations from the penalty tax and takes only the accumulations which are unreasonable in amount.

Research and experimental expenditures: For the first time a small business lacking a regular research and experimental budget has a clear right to deduct its research outlays as current expenses or to amortize them over a 5-year period.

Loss carryover: The new law increases the net loss carryback provision to 2 years, instead of 1 year previously allowed. This helps take care of businesses with irregular or spotty earnings, to permit the offset of losses over a longer period. Any individual who sells his business or business assets will be permitted to use his loss on the sale as a net operating loss carryover.

Relief from double taxation of dividends: Double taxation of corporate earnings has heretofore reduced the incentive to invest, particularly in small new concerns and has restricted the marketability of new equity shares. Under the new law, the taxpayer is allowed a credit against tax of 4 percent of dividends from domestic corporations, plus an exclusion of the first $50 received. This should stimulate the supply of equity capital.

Optional tax treatment for certain partnerships and corporations: Under the previous system there might be marked differences in tax liability of a business depending on whether it operated as a partnership or a corporation. The new law also provides clear, flexible and equitable rules for handling partnership transactions.

Changes in capital structure: The new law permits the issuance of preferred stock dividends to holders of common stock without subjecting such distribution to income tax at the time of distribution. This is calculated to remove tax barriers to needed financial rearrangements, so that new financing may be had without the temptation by the owners of a small concern to sell out to a large concern.

Redemption of stock to pay estate taxes: The new act broadens the present provisions which permit the tax-free redemption of stock in a corporation to pay estate taxes. Its purpose is to avoid the forced sale or liquidation of a business in order to pay Federal estate taxes.

These tax savings for the individual restore freedom to the individual to spend more of his own money as he sees fit and increase disposable personal income and thus purchasing power. For business, the savings will help to achieve healthy growth and thereby strengthen the national economy.

Analysis of the New Tax Bill

EXTENSION OF REMARKS
OF
HON. FRANK T. BOW
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 10, 1954

Mr. BOW. Mr. Speaker, while there is a general understanding of the overall effects of the new tax-reduction bill recently passed by Congress, there is some confusion among my constituents over provisions having widespread effect on individual taxpayers.

Without attempting a technical analysis of the bill, I believe that a summary of some of the more salient features will be helpful to many individuals in the 16th Ohio Congressional District.

The benefits outlined herein, of course, are in addition to the 10 percent cut in Federal income taxes which went into effect last January 1.

AID TO FARMERS

Deductions up to 25 percent of farm income are allowed for soil and water conservation.

More rapid writeoff of the expense of farm machinery, equipment, and construction, is provided.

Tax on the proceeds of the sale of cattle is removed when the sale is necessitated by disease.

SICKNESS AND ACCIDENT PLANS

Premiums paid by employers to health and accident plans will not be taxable to the employees.

All accident and health benefits paid as reimbursement for actual medical expenses to employees, their wives, or children, are completely exempted from tax.

Payments to employees for loss of wage due to injury or illness are exempted up to $100 per week.

RETIREMENT INCOME CREDIT

All retired persons 65 and over will in effect be exempt on all retirement income up to $1,200. The same exemption will apply to individuals under 65 such as school teachers, policemen, and so forth, if they receive a pension from a public-retirement system.

PENSIONS AND ANNUITIES

In addition to the $1,200 exemption on retirement income, the bill provides a simpler method of taxation of pension and annuities. It ends the annual 3 percent tax paid on annuities, and provides instead a method of computing tax on basis of cost divided by years of life expectancy.

MEDICAL EXPENSES

Medical expenses can be deducted when they exceed 3 percent of income, instead of 5 percent as under present law. For example, a family with $3,000 gross income and medical expenses of $150 will be able to deduct $60. The same family can deduct nothing today.

The bill doubles the present maximum limit on the amount that can be deducted.

CREDIT PURCHASES

Deduction for interest up to 6 percent on installment purchases is provided.

DEPENDENTS

A parent can claim a deduction of $600 for each child regardless of the child's earnings if the child is under 19 and the parent continues to furnish more than half the child's support.

A parent can claim the $600 dependency deduction for a child over 18 regardless of the child's earnings if the child is attending school or college, or receiving on-the-farm training, and the parent continues to furnish more than half the child's support.

An aged parent or other dependent cared for by several members of a family can be claimed as a deduction by one of the members of the family.

A taxpayer can claim $600 dependency deduction for any person, regardless of relationship, if the taxpayer supports that person in his home.

CHILD-CARE EXPENSES

Single working parents, such as a widow, are allowed a deduction up to $600 for the expense of child care for children up to 12 years of age.

The same deduction is allowed for a married woman who must work because her husband is incapacitated.

The same deduction is allowed with respect to any dependent, regardless of age, who is mentally or physically incapable of caring for himself.

HEAD OF FAMILY

A single taxpayer who has a dependent son or daughter will be entitled during the first 2 years after the death of spouse to the same income-splitting privilege as is accorded married couples.

A single individual can receive half the benefits of income splitting if there is a dependent parent for whom the taxpayer maintains a household.

DEATH BENEFITS

The bill exempts all death benefits up to $5,000 paid by an employer to the widow or other beneficiary of an employee.

DIVIDEND CREDIT

The first $50 in dividends is excluded from taxation, and a credit equal to 4 percent of the balance is provided.

LIFE INSURANCE

The estate tax on the proceeds of certain life insurance policies is lessened.

DEPRECIATION

More liberal writeoff of the cost of new equipment is provided. For example, in the first year of life of new equipment, the taxpayer will be able to write off twice the amount now allowed.

FILING TAX RETURNS

Tax returns will be due April 15 instead of March 15, giving the taxpayers an additional month in which to prepare their final tax returns and make payments.

Accomplishments of 83d Congress

EXTENSION OF REMARKS

OF

HON. E. ROSS ADAIR

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 10, 1954

Mr. ADAIR. Mr. Speaker, realizing the importance of the accomplishments of the 83d Congress, I should like to set forth some of them and of the results of the first year and a half of the Eisenhower administration.

END TO KOREAN WAR

Foremost in any such recapitulation is the fact that the United States is not now at war and American boys are not being killed in active warfare any place in the world. Before his election, Mr. Eisenhower said he would strive to bring an end to the Korean war, and this has been done. If for no other thing, the present administration deserves the continued trust and confidence of the electorate.

In the field of national defense, we have embarked upon a program that is sometimes referred to as "the new look." Simply put, this means we are attempting to get a greater degree of national security for less dollars spent. While no one of the armed services is neglected, there is special emphasis put on air power in all its aspects. The Defense Department is also making renewed efforts to assure that the taxpayer's dollar will buy the maximum amount of defense materiel. This is being accomplished through better administration and economy of operation.

DEFENSE AGAINST COMMUNISM

Today we seek a just and permanent peace in the world through a consistent and firm foreign policy. This policy is based upon the desire for freedom for all peoples and their willingness to form alliances for their common defense against communism.

The value of the dollar has been stabilized and inflation has been halted.

Tax reductions of an estimated $7.3 billion have gone into effect with most of this great saving going to individual citizens. This is the greatest tax savings ever put into effect by a single Congress.

In its first full year in office, this administration and the Congress reduced expenditures by an estimated $12 billion. This was accomplished by strict economy and the elimination of waste.

The social-security system has been broadened and improved.

Controls which previously plagued us have been removed.

GOVERNMENT PAYROLL REDUCED

In keeping with campaign promises, Government payrolls have been reduced by almost a quarter of a million people.

Having in mind the fundamental importance of agriculture, this Congress has given unusually long and detailed study to the farm problem. As a result of this study, legislation has been enacted which has as its two-fold goal both the protection of the producer and the consumer. It is recognized that the farmer must get a fair return for the produce he sells, and yet this must be achieved without constantly adding to surplus stocks already in existence. The program enacted into law is a long-range one which is designed to benefit all segments of our population.

PROGRAM OF HIGHWAY CONSTRUCTION

An extensive program of highway construction was approved.

Preservation of our internal security and the fight on communism have been vigorously pushed forward. People of doubtful loyalty have been removed from our Federal Government, and the Department of Justice has been given increased legislative authority in its fight against the menace of communism. We are determined that our Nation shall never be taken over by this godless philosophy.

Integrity in Government has been restored.

Increased benefits have been given to deserving groups of veterans and their dependents.

Attention has been given by the Congress to many other matters of prime importance. Among them are: Reorganization of several agencies of the Federal Government, legislation providing for study, but not Federal control over problems in the field of education, and the liberalization of the Housing Act to aid those who aspire to own their own homes.

AMERICA THAT IS PROSPEROUS

Finally, we have achieved an America that is prosperous and economically sound without war. Certain people had said that the transition from a war to a peacetime economy could not be made without a severe depression, but they have been proved wrong.

The people of America, through their elected Representatives, have again demonstrated the strength and resourcefulness of free men. A great responsibility was laid upon this Congress, and it has discharged it well.

SENATE

WEDNESDAY, AUGUST 11, 1954

(Legislative day of Thursday, August 5, 1954)

The Senate met at 10 o'clock a. m., on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O God, high and holy, above all our thought: Like the morning dew on parched ground, like the misty quiet of a summer's dawning, steal upon us now with a sense of the eternal as we bring our fainting spirits to the holiness that shames our uncleanness, to the love that forgives our iniquities, to the truth that unveils all our falseness, to the patience that outlasts our fickleness. Even as our minds are plagued with questions that haunt us, as to how humanity with the dread secret of nature in its fumbling hands can live on this planet in peace and security, steady our hearts with the knowledge that the fundamental facts of the universe are not material, but spiritual. Give us inner greatness of spirit and clearness of vision to meet and match the large designs of this glorious yet demanding day, that we may keep step with the drumbeat of Thy eternal purpose, which, in spite of puny foes, is marching on.

We ask it all in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. KNOWLAND, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, August 10, 1954, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the House had passed the bill (S. 361) to provide for the renewal of and adjustment of compensation under contracts for carrying mail on water routes, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills of the Senate, each with amendments, in which it requested the concurrence of the Senate:

S. 2033. An act relating to the labeling of packages containing foreign-produced trout sold in the United States, and requiring certain information to appear on the menus of public eating places serving such trout; and

S. 3379. An act to amend the Flammable Fabrics Act, so as to exempt from its application fabrics and wearing apparel which are not highly flammable.

The message further announced that the House had passed a bill (H. R. 10158) to provide for the payment of fees to counsel assigned to represent indigent defendants in felony cases, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to a concurrent resolution (H. Con. Res. 262) expressing the sense of the Congress with respect to the payment of damages to certain American employees in the United Nations who were dismissed because of their refusal under the fifth amendment to answer questions before a committee of Congress, in which it requested the concurrence of the Senate.

SEVENTY-FIFTH BIRTHDAY ANNIVERSARY OF CHARLES L. WATKINS, PARLIAMENTARIAN, UNITED STATES SENATE

Mr. JOHNSON of Texas. Mr. President, I wish to make a very brief statement which I had intended to make yesterday, but did not have the opportunity to do so. I think it would be very fitting to call attention to the fact that yesterday was the 75th birthday anniversary of one of the most capable and valuable officials of the United States Senate. I am referring, of course, to our Parliamentarian, Charles L. Watkins, a man who for many years has helped us to keep the Senate running smoothly.

Charlie Watkins has been ill since March. He is now convalescing at his home. During his absence his position has been competently filled by his able assistant, Dr. Floyd Riddick.

Mr. President, I can think of no more vital or difficult job in the Senate than that of the Parliamentarian of this body. Most of us realize that without the rich store of knowledge which the official Parliamentarian possesses, the machinery of the Senate would not function nearly so smoothly.

Charlie Watkins has been Parliamentarian of the United States Senate since 1935. For nearly 20 years he has performed his duties always, Mr. President, with tact, patience, and with an almost incredible ability to restore order from confusion.

Charlie Watkins has served both the minority and the majority in a nonpartisan spirit always, and I can never recall any occasion on which his rulings have been challenged on grounds of partiality.

Charlie Watkins' service to the Senate goes back long before his term as Parliamentarian. It actually spans half a century, going back to the days when he first came to the Senate as stenographer for former Senator James P. Clarke, of Arkansas.

Mr. President, I am confident that I can speak for Members on both sides of the aisle when I convey birthday greetings to Charlie Watkins. We all wish him a speedy recovery, and we wish him to return to our midst, and we look forward to many more years of association with him.

Mr. KNOWLAND. Mr. President, I wish to join and fully concur in the remarks made by the minority leader regarding the service of our Parliamentarian, Mr. Watkins, and his able assistant, and to concur in the statement that the operations of the Senate have worked more smoothly because of their combined efficiency and helpfulness over the years and their service in an entirely impartial and nonpartisan manner.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. KNOWLAND. Mr. President, I ask unanimous consent that immediately following a brief executive session and the quorum call there may be the customary morning hour for the transaction of routine business, under the usual 2-minute limitation on speeches.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. KNOWLAND. Mr. President, I move that the Senate proceed to the consideration of executive business, for action on nominations under "New Reports" other than postmasters.

The motion was agreed to; and the Senate proceeded to consider executive business.

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. WILEY, from the Committee on Foreign Relations:

John C. Beukema, of Michigan; Harry C. Brockel, of Wisconsin; Edward J. Noble, of Connecticut; Kenneth Merle Lloyd, of Ohio; and Hugh Moore, of Pennsylvania, to be members of the Advisory Board of the St. Lawrence Seaway Development Corporation.

The PRESIDENT pro tempore. If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

TENNESSEE VALLEY AUTHORITY

The Chief Clerk read the nomination of Herbert Davis Vogel, of Michigan, to be a member of the Board of Directors,

effective subsequent to August 31, 1954, for the term expiring May 18, 1963.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

RAILROAD RETIREMENT BOARD

The Chief Clerk read the nomination of Horace W. Harper, of Texas, to be a member of the Railroad Retirement Board for a term of 5 years from August 29, 1954.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. JOHNSON of Texas. Mr. President, has action been taken on the nomination of Horace W. Harper, of Texas?

The PRESIDENT pro tempore. The nomination has been confirmed.

Mr. JOHNSON of Texas. I should like to observe that Mr. Harper is a distinguished Texan, he has rendered much useful public service, I am very happy that the President has seen fit to nominate him for that very important post, and, of course, I am happy that the Senate has seen fit to confirm the nomination.

PUBLIC HEALTH SERVICE

The Chief Clerk proceeded to read sundry nominations in the Public Health Service.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the nominations in the Public Health Service be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the nominations in the Public Health Service are confirmed en bloc.

Mr. KNOWLAND. Mr. President, I ask that the President be immediately notified of the nominations this day confirmed.

The PRESIDENT pro tempore. Without objection, the President will be immediately notified.

LEGISLATIVE SESSION

Mr. KNOWLAND. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the call of the roll be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Morning business is in order.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS—WITHDRAWAL OF NAMES

The PRESIDENT pro tempore laid before the Senate a letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, withdrawing the names of certain aliens whose deportation had been suspended, heretofore transmitted to the Senate, which, with the accompanying papers, was referred to the Committee on the Judiciary.

INTERSTATE COMPACTS BETWEEN STATE OF UTAH AND STATES OF NEW MEXICO AND WASHINGTON

The PRESIDENT pro tempore laid before the Senate a letter from the Administrator, Federal Civil Defense Administration, transmitting copies of interstate compacts between the State of Utah and the States of New Mexico and Washington, which, with the accompanying papers, was referred to the Committee on Armed Services.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. WATKINS, from the Committee on the Judiciary, with amendments:

S. 3660. A bill to make the employment, and related practices, of any alien known by an employer to have entered the United States illegally within 3 years thereof unlawful, and for other purposes (Rept. No. 2451); and

S. 3661. A bill to provide for the seizure and forfeiture of any vessel or vehicle used in the transportation of any alien known by the owner thereof to have entered the United States illegally within 3 years thereof, and for other purposes (Rept. No. 2452).

By Mr. WILEY (for Mr. LANGER), from the Committee on the Judiciary, without amendment:

S. 3813. A bill for the relief of certain alien sheepherders (Rept. No. 2453);

H. R. 2061. A bill for the relief of Regine du Planty (Rept. No. 2454);

H. R. 2393. A bill for the relief of Brother Eugene Cumerlato (Rept. No. 2455);

H. R. 3024. A bill for the relief of Sergio Emeric (Rept. No. 2456);

H. R. 3566. A bill for the relief of Pimen Maximovitch Sofronov (Rept. No. 2457);

H. R. 3869. A bill for the relief of Gilbert Elkanah Richards, Adelaide Gertrude Richards, and Anthony Gilbert Richards (Rept. No. 2458);

H. R. 4015. A bill for the relief of Josef, Paula, and Kurt Friedberg (Rept. No. 2459);

H. R. 4054. A bill for the relief of Jorge Sole Massana and Montserrat Thomasa-Sanchez Massana (Rept. No. 2460);

H. R. 4427. A bill for the relief of Mrs. Helena Piasecka (Rept. No. 2461);

H. R. 4969. A bill for the relief of Basilios Xarhoulacos (Rept. No. 2462);

H. R. 5194. A bill for the relief of Pauline Katzmann (Rept. No. 2463);

H. R. 5319. A bill for the relief of Henry (also known as Heinrich) Schor, Sally (also known as Sali) Schor, and Gita (also known as Gitta Aviva) Schor (Rept. No. 2464);

H. R. 5344. A bill for the relief of Bob Kan and Fourere Kan (Rept. No. 2465);

H. R. 6492. A bill for the relief of Rodolfo Navarro (Rept. No. 2466);

H. R. 7828. A bill for the relief of Mariana George Loizos Kellis (Rept. No. 2467); and

H. R. 7885. A bill for the relief of Sohan Singh Rai and Jogindar Kaur Rai (Rept. No. 2468).

By Mr. WILEY (for Mr. LANGER), from the Committee on the Judiciary, with an amendment:

S. 3238. A bill for the relief of Johanna Schmidt (Rept. No. 2469).

By Mr. AIKEN, from the Committee on Agriculture and Forestry, without amendment:

H. R. 9756. A bill to increase the borrowing power of Commodity Credit Corporation (Rept. No. 2470).

PRINTING OF ADDITIONAL COPIES OF PART 4 OF HEARINGS RELATING TO STOCKPILE AND ACCESSIBILITY OF STRATEGIC AND CRITICAL MATERIALS IN TIME OF WAR

Mr. JENNER, from the Committee on Rules and Administration, to which was referred the concurrent resolution (S. Con. Res. 104) to print additional copies of part 4 of the hearings held before a subcommittee of the Committee on Interior and Insular Affairs relative to stockpile and accessibility of strategic and critical materials to the United States in time of war, submitted by Mr. MALONE on August 4, 1954, reported it favorably, without amendment, and it was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed 1,000 additional copies of part 4 of the hearings conducted before a subcommittee of the Senate Committee on Interior and Insular Affairs pursuant to Senate Resolution 143, 83d Congress, relative to stockpile and accessibility of strategic and critical materials to the United States in time of war. Such additional copies shall be for the use of the Senate Committee on Interior and Insular Affairs.

PRINTING OF ADDITIONAL COPIES OF HEARINGS HELD BY JOINT COMMITTEE ON ATOMIC ENERGY RELATING TO CONTRIBUTION OF ATOMIC ENERGY TO MEDICINE

Mr. JENNER. Mr. President, from the Committee on Rules and Administration, I report favorably, with an amendment, the concurrent resolution (H. Con. Res. 267) authorizing the printing of additional copies of the hearings held by the Joint Committee on Atomic Energy relative to the contribution of atomic energy to medicine. I ask unanimous consent for the immediate consideration of the concurrent resolution.

The PRESIDENT pro tempore. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the Senate proceeded to consider the concurrent resolution.

The amendment of the Committee on Rules and Administration was, in line 3, after the word "Energy", to strike out "fifteen" and insert "twenty-five."

The amendment was agreed to.

The concurrent resolution, as amended, was agreed to, as follows:

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the Joint Committee on Atomic Energy, 25,000 additional copies of the hearings held by the said joint committee during the current Congress, relative to the contribution of atomic energy to medicine.

PRINTING OF COMPILATION OF SOCIAL SECURITY LAWS

Mr. JENNER. Mr. President, from the Committee on Rules and Administration, I report favorably, with amendments, the resolution (S. Res. 297) providing for the printing of a compilation of social-security laws as a Senate document, submitted by the Senator from Colorado [Mr. MILLIKIN] on July 29, 1954. I ask unanimous consent for the present consideration of the resolution.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

The amendments of the Committee on Rules and Administration were, in line 3, after the word "as" to insert "a", and in line 4, after the word "document", to strike out the period, insert a semicolon and "and that 2,500 additional copies be printed of which 500 copies shall be for the use of the Senate Committee on Finance and 2,000 copies shall be for the use of the House Committee on Ways and Means."

The amendments were agreed to.

The resolution, as amended, was agreed to, as follows:

Resolved, That the compilation of social-security laws, prepared by the Social Security Administration for the use of the Senate Committee on Finance, be printed as a Senate document; and that 2,500 additional copies be printed, of which 500 copies shall be for the use of the Senate Committee on Finance and 2,000 copies shall be for the use of the House Committee on Ways and Means.

PRINTING OF ADDITIONAL COPIES OF ANNUAL REPORT OF COMMITTEE ON GOVERNMENT OPERATIONS

Mr. JENNER, from the Committee on Rules and Administration, to which was referred the resolution (S. Res. 302) to print additional copies of annual report by the Committee on Government Operations (S. Rept. No. 881, 83d Cong., 2d sess.), submitted by Mr. MCCARTHY on July 31, 1954, and it was considered and agreed to, as follows:

Resolved, That the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations is authorized to have printed for its use 12,000 copies of Senate Report No. 881, 83d Congress, 2d session, entitled "Annual Report of the Committee on Government Operations made by its Senate Permanent Subcommittee on Investigations pursuant to Senate Resolution 40."

ADDITIONAL FUNDS FOR COMMITTEE ON AGRICULTURE AND FORESTRY

Mr. JENNER. Mr. President, from the Committee on Rules and Administration, I report favorably, with an amendment, the resolution (S. Res. 304) to provide additional funds for the Committee on Agriculture and Forestry, reported by the Senator from Vermont [Mr. AIKEN] from the Committee on Agriculture and Forestry on August 2, 1954, and I submit a report, No. 2450, thereon. I ask unanimous consent for the present consideration of the resolution.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

The amendment of the Committee on Rules and Administration was, in line 6, after the word "session", to insert a comma and "agreed to July 10, 1953."

The amendment was agreed to.

The resolution, as amended, was agreed to, as follows:

Resolved, That the Committee on Agriculture and Forestry, or any duly authorized subcommittee thereof, hereby is authorized to expend from the contingent fund of the Senate, during the 83d Congress, $12,000 in addition to the amount and for the same purposes as specified in Senate Resolution 127, 83d Congress, 1st session, agreed to July 10, 1953 (providing for an investigation of various matters related to agricultural programs).

ADDITIONAL FUNDS FOR COMMITTEE ON THE JUDICIARY

Mr. JENNER, from the Committee on Rules and Administration, to which was referred the resolution (S. Res. 305) to provide additional funds for the Committee on the Judiciary, reported by Mr. LANGER from the Committee on the Judiciary on August 2, 1954, reported it favorably, without amendment, and it was considered and agreed to, as follows:

Resolved, That the Committee on the Judiciary is hereby authorized to expend from the contingent fund of the Senate during the 83d Congress $10,000 in addition to the amount, and for the same purposes specified in section 134 (a) of the Legislative Reorganization Act approved August 2, 1946.

PRINTING OF ADDITIONAL COPIES OF HEARINGS ENTITLED "COMMUNIST PROPAGANDA"

Mr. JENNER, from the Committee on Rules and Administration, to which was referred the resolution (S. Res. 311) authorizing the printing of additional copies of the hearings entitled "Communist Propaganda," submitted by him on August 10, 1954, reported it favorably, without amendment, and it was considered and agreed to, as follows:

Resolved, That there be printed for the use of the Senate Committee on the Judiciary 20,000 additional copies of the hearings entitled "Communist Propaganda," held before a subcommittee of the above committee during the 83d Congress.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CARLSON:

S. 3857. A bill to amend the act of October 15, 1949, with respect to the rate of compensation of the Chairman of the Council of Economic Advisers; to the Committee on Post Office and Civil Service.

By Mr. GREEN:

S. 3858. A bill to authorize the Secretary of the Treasury to prescribe regulations relating to the qualifications of persons who assist taxpayers in the determination of their Federal tax liability, and for other purposes; to the Committee on Finance.

By Mr. FLANDERS:

S. 3859. A bill for the relief of Ingeborg Magdalena Slania; to the Committee on the Judiciary.

AMENDMENT OF THE STANDING RULES OF THE SENATE

Mr. CAPEHART submitted the following resolution (S. Res. 312), which was referred to the Committee on Rules and Administration:

Resolved, That the table contained in subparagraph 6 (a) of rule XVI of the Standing Rules of the Senate is amended by adding at the end thereof the following:

"Committee on Banking and Currency	For the Small Business Administration."

SOCIAL SECURITY ACT AMENDMENTS OF 1954—AMENDMENTS

Mr. HAYDEN (for himself and Mr. GOLDWATER) submitted amendments intended to be proposed by them, jointly, to the bill (H. R. 9366) to amend the Social Security Act and the Internal Revenue Code so as to extend coverage under the old-age and survivors insurance program, increase the benefits payable thereunder, preserve the insurance rights of disabled individuals, and increase the amount of earnings permitted without loss of benefits, and for other purposes, which were ordered to lie on the table and to be printed.

Mr. KENNEDY submitted amendments intended to be proposed by him to House bill 9366, supra, which were ordered to lie on the table and to be printed.

Mr. STENNIS submitted amendments intended to be proposed by him to House bill 9366, supra, which were ordered to lie on the table and to be printed.

AMENDMENT OF SECTION 345 OF REVENUE ACT OF 1951—AMENDMENT

Mr. MARTIN submitted an amendment intended to be proposed by him to the bill (H. R. 6440) to amend section 345 of the Revenue Act of 1951 and for other purposes, which was ordered to lie on the table and to be printed.

INTERSTATE TRANSPORTATION OF PARIMUTUEL MACHINERY—AMENDMENT

Mr. MCCARRAN. Mr. President, I send to the desk an amendment intended to be proposed by me to the amendment intended to be proposed by the Senator from Maryland [Mr. BUTLER], to the bill (S. 3190) to amend section 3 of the act of January 2, 1951, prohibiting the transportation of gambling devices in interstate and foreign commerce, if and when that bill comes before the Senate for consideration.

The bill as it was reported to the Senate contains a provision making the interstate transportation of parimutuel machinery illegal. The amendment of the Senator from Maryland would make

the bill inapplicable to parimutuel betting equipment. The argument for the amendment of the Senator from Maryland is that parimutuel betting is legal in certain States, under applicable State law, and therefore should not be hampered by Federal enactment. My proposed amendment carries this principle one step farther, and makes the exemption a general one, based on legality, rather than a special one, designed to aid only the manufacturers of parimutuel betting equipment.

The theory of my amendment is, if we are to make exceptions where betting is legal, why confine it to the racetrack States and parimutuel equipment?

I ask that my amendment may be printed and lie on the table.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table.

HOUSE BILL REFERRED

The bill (H. R. 10158) to provide for the payment of fees to counsel assigned to represent indigent defendants in felony cases, was read twice by its title, and referred to the Committee on the Judiciary.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. WILEY:

Statement prepared by him on "The Importance of Expanding the Reservoir of Language Specialists."

WHY GO EASY ON DOPE PEDDLERS?

Mr. PAYNE. Mr. President, on May 6, 1954, I introduced S. 3412, a bill to provide increased penalties for the sale of narcotic drugs to minors. The subject of sentences given to dope peddlers was discussed in an article entitled "Why Go Easy on Dope Peddlers?" written by Irene Corbally Kuhn, and published in the Washington Evening Star of August 10, 1954. The article also discusses the increase in narcotics traffic from behind the Iron Curtain. The article states:

The increase in the narcotics traffic is due to two things—the revenue that can be realized from the sale of opium in countries with a depressed economy; and the use of opium as a deliberate political weapon to demoralize youth in countries on the Red agenda for conquest.

Mr. President, I ask unanimous consent to have the article printed at this point in the body of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHY GO EASY ON DOPE PEDDLERS?

(By Irene Corbally Kuhn)

Police executives everywhere know the dealer in dope as the chain-reaction criminal. One drug peddler, even though he operates on a small scale, can be responsible for dozens of crimes, ranging from petty larceny to murder. Yet sentences passed on dope peddlers by some judges are so light as to be nonsensical, one dedicated law enforcement officer told me.

"The law reads plainly enough," the police official added. "Most States have laws strong enough to lick the dope traffic if the judges really enforced them. For instance, in New York if you sell drugs to a minor you can get 5 years, even for a first offense. If you sell to an adult it's 2 to 15 years. And for a third offense, the law says the minimum sentence shall be 15 years.

"And yet, some judges let first-time-convicted dope pushers off with 60 days—practically a vacation—even though they've been caught redhanded selling 2 or 3 decks of heroin. You can bet most of them had been selling dope long before we were able to get the evidence on them. And you can see how fast word of this kind of judicial mollycoddling would get around, and how the underworld's shady lawyers would twist and finagle to make sure their clients came up for trial before this kind of judge.

"In this kind of crime the judge should let the law decide; he shouldn't impose his own ideas on it. These dope peddlers know what they're doing. They sell heroin mostly. It's a derivative of opium more potent than morphine, and the addict needs far less to get the same effect. And it's big business for organized criminals."

We might as well let a first offender in murder go with a rap on the knuckles as a first offender in dope peddling. Fortunately, almost all judges cooperate wholeheartedly with police in the growing national drive against the scourge. The few who don't are the exceptions, and they'll have to revise their own don't-tell-me-what-to-do attitude soon.

Public awareness of the fearsome blight of dope addiction has come about chiefly as a result of pitiless publicity, and the public service activities of newspapers digging out and publishing the stories of the wholesale corruption of teen-agers and school children by vicious dope rings.

Every bit of heroin in the United States is here illegally. The United States outlawed the drug in 1924. It is not needed for medical purposes, as there are other drugs that do the job as well or better. Actually, only 500 tons of raw opium are required for the medicinal needs of the entire world. Yet in 1950 Communist China alone dumped 500 tons on the market; and in 1952 she grew 4,000 tons.

As a matter of fact, most of the world's opium is grown in Red China. The nations permitted to export it under international agreement are Bulgaria, Greece, India, Iran, Turkey, Soviet Russia, and Yugoslavia. The increase in the narcotics traffic is due to two things—the revenue that can be realized from the sale of opium grown in countries with a depressed economy; and the use of opium as a deliberate political weapon to demoralize youth in countries on the Red agenda for conquest. These two factors are the cause of most of our troubles with the evil traffic against which all our forces of law and decency are arrayed.

ADDRESS BY FORMER PRESIDENT HOOVER AT 80TH BIRTHDAY FETE

Mr. SALTONSTALL. Mr. President, yesterday former President Hoover celebrated his 80th birthday anniversay at his birthplace in Iowa. I ask unanimous consent to have printed in the body of the RECORD at this point as a part of my remarks former President Hoover's address on that occasion, together with the text of President Eisenhower's greetings. It is not often that a former President lives to the age of 80 and is so active in rendering service for the benefit of all of us, even at that advanced age.

There being no objection, the text of the address, together with President Eisenhower's greeting, was ordered to be printed in the RECORD, as follows:

[From the New York Times of August 11, 1954.]

TEXT OF FORMER PRESIDENT HOOVER'S SPEECH AT 80TH BIRTHDAY FETE

The Legislature and the Governor of Iowa did me the great honor of inviting me to a reception by my native State on this, my 80th birthday.

It is more than difficult adequately to express my appreciation for such evidence of affection.

I am glad to come to West Branch. My grandparents and my parents came here in a covered wagon. In this community they toiled and worshipped God. They lie buried on your hillside. The most formative years of my boyhood were spent here. My roots are in this soil.

This cottage where I was born is physical proof of the unbounded opportunity of American life.

My first paid job was in this community picking potato bugs at one cent a hundred. I was not inspired by altruism to relieve the world of a pest. Such altruism as was attached to that labor was to secure firecrackers with which to commemorate properly the Declaration of Independence.

But Iowa is a progressive State. Its mothers, anxious to avoid repairs to small boys, secured a law abolishing that kind of tribute to the Founding Fathers. Moreover, by insecticides, the slave wage of only a cent a hundred has been overcome.

Iowa has made fabulous progress since I left here. I can prove it by statistics—and all speeches must have statistics because nobody can defy a statistic.

Since that time, the people of Iowa have multiplied the wealth of the State 9 times over. That statistic is weakened by the decrease in purchasing power of money. In the meantime with the blessing of "the tall corn" you have sent to market enough hogs to cover the Chicago Stock Yards 5,045 feet deep. You can vary that statistic as you like.

Also you have sent forth a host of men and women who have distinguished themselves in every State in the Union and every foreign country. Their quality is proved by the fact that I have never seen Iowa attributed as the origin of any of our leading bank robbers, gangsters, or Communists.

A VARIED LIFE

Eighty years is a long time for a man to live. Mine has been a life of work in many lands under many kinds of governments, both good and bad. I have been honored by my countrymen in many public offices and with many opportunities to serve outside the Government. I have watched the two great world wars with their holocausts of death, destruction, and famine. I have taken some part in remedy of their terrible aftermaths. I have participated in the search for a healing peace.

I have witnessed the legacy of war in doubting minds, brutality, crime, and debased morals. Moreover, I have witnessed on the ground in 20 nations the workings of the philosophy of that antichrist Karl Marx.

THE PROBLEMS OF FREEDOM AND PROGRESS

After these long years and from all these experiences, there rises constantly in my mind the forces which make for progress and those which may corrode away the safeguards of freedom in America. I want to say something about these forces, but I shall endeavor to do so not in the tones of Jeremiah but in the spirit of St. Paul.

New forces from science and new ideas, both good and bad, constantly arise in the world. We welcome changes which advance the welfare of our people. Our system always needs repairs.

Also, we have to clean up the vast wreckage and disorders of two devastating tornadoes of wars which have swept over mankind during the past 40 years.

And, above all, we have need to remedy constant corruption of the safeguards of freemen.

The remedies in America are not revolution. They are, except for peace and war, mostly jobs of marginal repairs around a sound philosophy and a stout heart.

THE SAFEGUARDS OF FREEMEN

Our Founding Fathers did not invent the priceless boon of individual freedom and respect for the dignity of men. That great gift to mankind sprang from the Creator, and not from governments.

The Founding Fathers, with superb genius, welded together the safeguards of these freedoms.

They were mostly concerned with the dangers of political tyranny. With the coming of the industrial age, our people welded in new safeguards. We could no more have economic tyranny than political tyranny.

And, with these safeguards, our people were at one time closer to the goals of human welfare than any other civilization in all history.

POWER OF FEDERAL AND LOCAL GOVERNMENT

The progress of freedom is a never-ending struggle to prevent the abuse of power, whether by individuals, by groups, or by government or nations.

Our Founding Fathers created unique restraints on power by the Bill of Rights and a structure of built-in checks and balances. Among these new concepts was a division of power between the Federal and State Governments and between the three branches of Government. I do not need to tell you that. But what I have to tell you is that these separations of power became seriously confused, corroded, and weakened during the 20 years before this administration.

These confusions have included executive encroachment on the legislative and judicial branches. There has been judicial encroachment on the States' rights. There has been congressional encroachment on the executive. The Federal Government has grasped many of the vital functions of State and local government.

Some of the corrosions of our division of power are the aftermaths of our wars. Some of them come from the various infections of socialism. I will tell you more of that later.

Some of the corrosions come from the discovery that it is easy for the Federal Government to light the magic power of Federal credit. But the flame that warms can also consume the safeguards of freemen.

Some of these encroachments come from a long era of beguilement by pressure groups and local government for subsidies from the Federal Government.

One of the end results of all this is the growth of a huge centralized Federal bureaucracy. It has expanded in 20 years from 600,000 to 2,300,000. Some increase is necessary. Most of them are fine men and women. But innate in bureaucracy are three implacable spirits. They are self-perpetuation, expansion of their empires, and demand for more power. Bureaucracy rushes headlong into the visions of the millennium and sends the bills to the Treasury.

Today we have more Federal employees in nearly every State than all the local officials, including constables. They penetrate every part of the local government. They produce great waste of the taxpayers' money. They create a vested interest or a vested habit for some pressure group. They interfere in politics and too often are infected with corruption.

Their magics invade personal freedom of every citizen, every moment of every hour.

The remedy is to restore the checks and balances of power, to reinvigorate State and local governments and to deflate the bureaucratic empires.

Many of these confusions of power are today under vigorous investigation in which I have some part.

My countrymen, all these corrosions of the checks and balances of power call for constant battle from you, the people. They must be wiped out if you would stay fully free.

POWER IN OUR FOREIGN RELATIONS

In our foreign relations there are great dangers and also vital safeguards to freemen. During the last war we witnessed a special encroachment of the Executive upon the legislative branch. This has been through a new type of commitment of the United States to other nations.

I am not going to argue legalisms, for they do not go to the center of the issue. The real issue is whether the President, through declaration or implication or by appeasement or by acquiescence, or by joint statements with foreign officials, can commit the American people to foreign nations without the specific consent of the elected representatives of the people.

There has been a grievious list of such commitments. They include international agreements which shackle our economy by limiting a free market. But more terrible were such executive agreements as our recognition of Soviet Russia which opened the headgates for a torrent of traitors.

Our tacit alliance with Soviet Russia spread communism over the earth. Our acquiescence in the annexation by Russia of the Baltic States at Moscow and the partition of Poland at Teheran extinguished the liberties of tens of millions of people.

Worse still was the appeasement and surrender at Yalta of 10 nations to slavery. And there was the secret agreement with respect to China which set in train the communization of Mongolia, North Korea, and all of China.

These unrestrained Presidential actions have resulted in a shrinking of human freedom over the whole world. From these actions came the jeopardies of the cold war. As a byproduct these actions have shrunk our freedoms by crushing taxes, huge defense costs, inflation, and compulsory military service.

We must make such misuse of power forever impossible.

And let me say, I have no fears of this evil from President Eisenhower, but he will not always be President.

OUR PRESENT FOREIGN SITUATION

Our dangers from the Communist source of gigantic evil in the world are unending. All of the peace agencies we have created and all of the repeated conferences we have held have failed to find even a whisper of real peace.

Amid these malign forces, our haunting anxiety and our paramount necessity is the defense of our country.

It is not my purpose to define the foreign policies of our Government.

Sooner or later a new line of action will become imperative.

I have disagreed with, and protested against, the most dangerous of our foreign political policies during the whole of the 20 years prior to the last Presidential election. I opposed and protested every step in the policies which led us into the Second World War.

Especially in June 1941, when Britain was safe from a German invasion due to Hitler's diversion to attack on Stalin, I urged that the gargantuan jest of all history would be our giving aid to the Soviet Government. I urged we should allow those two dictators to exhaust each other. I stated that the result of our assistance would be to spread communism over the whole world. I urged that if we stood aside the time would come when we could bring lasting peace to the world.

I have no regrets. The consequences have proved that I was right.

THE COMMUNISTS

Today the Socialist virus and poison gas generated by Karl Marx and Friedrich Engels have spread into every nation on the earth. Their dogma is absolute materialism which defies truth and religious faith. Their poisons are of many sorts. The preservation of the safeguards of liberty makes it imperative that we give heed to their every variety.

The bloody virus type, radiating from Communist Russia, is today rotting the souls of two-fifths of all mankind which it has enslaved.

From the day Lenin rose to power in Moscow, the Communists have carried on an underground conspiracy against every other nation. The rank and file of our people are immune from this infection. The recruiting grounds for their agents are from our minority of fuzzy-minded intellectuals and labor leaders. Over a thousand such Communist agents have already been rooted out of responsible positions in our Government and other spots of influence.

Many of these spies and traitors when exposed sought sanctuary for their infamies in the fifth amendment. Such a plea of immunity is an implication of guilt. Surely these people should not have the right to vote or to hold office, for thereby they use these privileges of free men against the safeguards of freedom.

Despite the clamor over ferreting out these persons, you must not be led into the mistake that Moscow has closed down its recruiting offices for American agents. Or that continued action of the FBI and congressional committees is not equally imperative.

I have little fear that these Communist agents can destroy the Republic if we continue to ferret them out. Our greater concern should be the other varieties of Karl Marx virus.

THE SOCIALISTS

Among them are the Socialists. They assert they would proceed only by constitutional means.

The Socialists prowl on many fronts. They promote the centralized Federal Government, with its huge bureaucracy. They drive to absorb the income of the people by unnecessary Government spending and exorbitant taxes. They have pushed our Government deep into enterprises which compete with the rights of freemen. These enterprises are endowed with exemption from control of State and local governments. Congressional committees have listed hundreds of these Federal activities. But only a drop of typhoid in a barrel of drinking water sickens a whole village.

Every step of these programs somewhere, somehow, stultifies the freedom, the incentives, the courage, and the creative impulses of our people.

Beyond all this, there is proof in the world that the end result of socialism can be bloody communism. In the Iron Curtain states it was the Socialist intellectuals who weakened the freedom of men by destroying free enterprise. Thus they furnished the boarding ladders by which the Communists captured the ship of state.

THE WELFARE STATE

One of the postwar cousins of socialism is the so-called welfare state. This poison gas is generated by the same sort of fuzzy-minded intellectuals. Its slogan is "Planned economy." The phrase itself was borrowed from totalitarian governments. The end of

it would at least be a government wherein whatever is not forbidden would be compulsory.

One of the annoyances of this cult is its false assumption that our Nation has never been heedful of the welfare of our people. That we are our brother's keeper was rooted in religious faith long before these fuzzy-minded men were born. Since the foundation of the Republic we have recognized and practiced both private and governmental responsibility for the unfortunate and the aged; for the education of our youth and the health of our people.

Moreover, this cult has a host of gimmicks for giving away the people's money. Among their ideas is that government should guarantee every citizen security from the cradle to the grave.

But it is solely the initiative and the labor of the physically able in the prime of life that can support the aged, the young, the sick—and the bureaucracy. And this active earning group requires the pressures of competition, the rewards of enterprise, and new adventure to keep it on the job.

Even if security from the cradle to the grave could eliminate the risks of life, it would be a dead hand on the creative spirit of our people. Also, the judgment of the Lord to Adam about sweat has not been repealed.

When we flirt with the Delilah of security for our productive group, we had better watch out lest in our blindness we pull down the pillars of the temple of freemen.

The British under a Socialist government tried it. Its result was a level of poverty which British Socialists sought to obscure with the term "austerity." Britain is now in retreat from it.

THE COMMON MAN

Among the delusions offered us by fuzzy-minded people is that imaginary creature, the common man. It is dinned into us that this is the century of the common man. The whole idea is another cousin of the Soviet proletariat. The uncommon man is to be whittled down to size. It is the negation of individual dignity and a slogan of mediocrity and uniformity.

The common man dogma may be of use as a vote-getting apparatus. It supposedly proves the humility of demagogs.

The greatest strides of human progress have come from uncommon men and women. You have perhaps heard of George Washington, Abraham Lincoln, or Thomas Edison. They were humble in origin, but that was not their greatness.

The humor of it is that when we get sick, we want an uncommon doctor. When we go to war, we yearn for an uncommon general or admiral. When we choose the president of a university, we want an uncommon educator.

The imperative need of this Nation at all times is the leadership of the uncommon men or women. We need men and women who cannot be intimidated, who are not concerned with applause meters, nor those who sell tomorrow for cheers today.

Such leaders are not to be made like queen bees. They must rise by their own merits. America recognizes no frozen social stratifications which prevent this free rise of every individual. They rise by merit from our shops and farms. They rise from the 35 million boys and girls in our schools and colleges. That they have the determination to rise is the glorious promise of leadership among freemen.

A nation is strong or weak, it thrives or perishes upon what it believes to be true. If our youth is rightly instructed in the faith of our fathers; in the traditions of our country; in the dignity of each individual man, then our power will be stronger than any weapon of destruction that man can devise.

THE WHOLE SOCIALIST GAMUT

And now as to this whole gamut of Socialist infections, I say to you, the neighbors of my childhood, the sons and daughters of my native State, God has blessed us with another wonderful word, "heritage." The great documents of that heritage are not from Karl Marx. They are the Bible, the Declaration of Independence, and the Constitution of the United States. Within them alone can the safeguards of freedom survive. Safeguard the true spirit of these guaranties for your children, that they may not become the prisoners of a hydra-headed socialism.

If anyone rises to say that all this is reactionary, you may class him as either fuzzy minded or an ignorant enemy of freemen.

THE NEW FRONTIERS

Amid this recitation of our problems, I would not have you think that there are not great fields of promise for the future if we can keep out of war.

The last few years have seen advances in science and technology which amount almost to revolution in our life and world relations. If we maintain free minds, free spirits, and direct our steps aright, still other new horizons and new frontiers are open to us. New inventions and new applications of old knowledge will come to us daily.

These new frontiers give us other blessings. Not only do they expand our living but also they open new opportunities and new areas of adventure and enterprise. They open new vistas of beauty. They unfold the wonders of the atom and the heavens. Daily they prove the reality of an allwise Supreme giver of law.

CONCLUSION

There are voices in our country who daily sound alarms that our civilization is on the way out. Concentrated on the difficulties of our times, they see an early and dour end for us. But civilization does not decline and fall while the people still possess dynamic creative faculties, devotion to religious faith and to liberty. The American people still possess these qualities. We are not at the bedside of a nation in death agony.

Eighty years is a long time for a man to live. As the shadows lengthen over my years, my confidence, my hopes and dreams for my countrymen are undimmed. This confidence is that with advancing knowledge, toil will grow less exacting; that fear, hatred, pain, and tears may subside; that the regenerating sun of creative ability and religious devotion will refresh each morning the strength and progress of my country.

TEXT OF EISENHOWER'S GREETING

DEAR MR. PRESIDENT: As you celebrate your 80th birthday this August 10, I look anew, and with ever increasing admiration, upon your distinguished career. Few men in our country's history have been privileged to serve the Nation in so many important capacities as have you, and certainly none has done so with greater brilliance and devotion.

To me it is also remarkable that after so many years given to public service you still cheerfully accept new assignments involving governmental responsibilities of the most burdensome character.

To justify my own part in asking you to assume some of these additional duties, I merely point out that by virtue of your long experience, wise understanding, and eminent position, you are qualified, as almost no other American, to discharge them successfully. Your party and your country are proud of you; Americans know that you have ever used your great talents in the interest of all.

I wish I could be present to join in the ceremony to honor you, but I know that what I have just stated, and what all of us Americans feel in our hearts, will be far more eloquently expressed by others present than I could hope to do. May you have many more years of happiness and health, and may we continue to have the benefit of your counsel and judgment.

With warm personal regards,

Sincerely,

DWIGHT D. EISENHOWER.

INSTRUCTION IN MURDER AND ASSASSINATION BY FORMER SOVIET AMBASSADOR TO THE UNITED STATES

Mr. McCARRAN. Mr. President, under date of July 27 there appeared in the Washington Evening Star an article by Mr. Eugene Lyons entitled "Ambassador or Murderer?" dealing with the testimony of a former Russian MGB officer respecting the instruction in murder and assassination which he got from a former Soviet Ambassador to the United States.

The point stressed in this article, Mr. President, is an extremely important one; and I ask unanimous consent that this article, which is short, may be printed in the RECORD at this point as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

AMBASSADOR OR MURDERER?

(By Eugene Lyons)

One fact which should have sent a chill down American spines didn't come through clearly enough in the press reports of Capt. Nikolai Khokhlov's story. It holds a clue to the innermost nature of the Soviet regime.

Captain Khokhlov is the Soviet secret police agent sent to West Berlin, equipped with ingenious death weapons, to assassinate a prominent Russian anti-Communist leader. Horrified by the assignment, he surrendered to the Western authorities.

Among other things Captain Khokhlov revealed that the Moscow official who organized the murder project—the man who heads up the killer's section of the MGB—is Alexander Panyushkin.

That is the chilling fact that needs to be noted and pondered. For Mr. Panyushkin, until less than 2 years ago, served as the Soviet Ambassador to the United States. For 5 years he was a member of the Washington diplomatic corps, with all the frills and prerogatives of that exalted position.

Now, Communists are not given high posts in the hierarchy of the Kremlin's police establishment without ample training in that sphere. It is clear that Panyushkin, though disguised as a diplomat, was really a secret police agent.

He could not, otherwise, have stepped directly from his Washington post into a key MGB spot. His American assignment, we may be sure, had a lot more to do with espionage and terror than with diplomatic teas.

Moreover, people are not put at the head of complex murder operations without special knowledge and a record of achievements in that field. The man who was our official guest, with whom we negotiated during 5 long years as if he were just another diplomat, was a killer by vocation.

This amazing circumstance should give pause to those who kid themselves that we can do business with Soviet Russia—that it is a nation like other nations.

What are we to think of a government which sends specialists in homicide as its plenipotentiaries to other countries? A government whose leading officials move, as a matter of routine, from murder to diplomacy and back again to murder?

The truth is that the Kremlin regards crime, even to the point of taking life on foreign soil, as a routine instrument of policy and governance. This regime with which some free-world statesmen are so eager to coexist looks upon assassination as a standard gambit in its statesmanship.

The sooner we recognize that the Communist world is ruled by bandits, the sooner we will be rid of self-delusions in dealing with them. Even where we are obliged by circumstances to negotiate with them, we will be better off if we cease pretending about their real character.

Whatever there was of idealism in the Communist movement was expunged long ago. No genuine idealist can survive through decades of liquidations and blood purges. The survivors in the long and grim struggle for dictatorial power are the tough guys, the coldblooded killers.

Soviet representatives come into the halls of the United Nations and international conferences in the habiliments of statesmen and diplomats. But they think like kidnapers, torturers, and murderers, and live by the code of the criminal underworld.

To ignore or underrate this fact in dealing with them is to lose by default.

PERMANENT CERTIFICATION TO LOCAL-SERVICE AIRLINES

Mr. McCARRAN. Mr. President, there has come to me a copy of an editorial printed in the San Francisco Chronicle of July 26. This editorial deals with the question of granting permanent certification to local-service airlines. This is the subject of a bill, S. 3759, which I had the honor to cosponsor jointly with the Senator from Ohio [Mr. BRICKER], chairman of the Committee on Interstate and Foreign Commerce. This bill is now pending before that committee; and because of the importance of the subject, I ask unanimous consent that this fine editorial may be printed in the RECORD at this point as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

LOCAL AIRLINES DESERVE PERMANENT CERTIFICATES

Although they have been faithfully serving the American public for almost a decade, 14 local, scheduled airlines now operating in the United States are forced to live a year-to-year existence on temporary Civil Aeronautics Board certificates.

Last year these temporary carriers served no fewer than 440 cities, and carried 1,998,000 passengers. Two hundred and sixty American cities are served exclusively by local airlines. In California, for example, 28 cities are served by Southwest Airways, one of the outstanding successes among the local airlines.

Any interruption of this network of local air service between the 260 cities which the major trunk airlines do not touch would, of course, greatly handicap the flying public. So long as the airlines are required to operate on temporary certificates, there is a continuing threat of service suspensions. Because of this the affected airlines are seeking permanent Government certification. The House has unanimously passed the Hinshaw bill, providing for this. Tomorrow, a similar bill, Senate bill No. 3759, comes before the Senate Interstate and Foreign Commerce Committee. We urge its approval and passage this session.

On the free enterprise competitive principle as properly applied to air transportation, we are convinced there is a distinct need for more air stops than the trunk airlines of the country make. Although these major airlines, plus railroad and bus interests, are organized in opposition to permanent certification of the local airline carriers, we believe the local carriers rate the stability and strength which permanent certification would give them. Air transportation for the smaller cities should be a concern of Congress, and the way for Congress to express it is to pass this pending legislation.

THE NEED FOR RATIFICATION OF THE INTERNATIONAL OPIUM PROTOCOL

Mr. WILEY. Mr. President, there is now pending before the Senate, Executive C for International Control of Opium Production and Traffic.

This protocol has been unanimously approved by the Senate Foreign Relations Committee.

It will, I know, receive the prompt and resounding approval of the Senate.

By way of supplementing remarks which I will make at the time the Senate takes this issue up for ratification, I send to the desk the text of a statement which I have prepared on the background of this subject. I ask unanimous consent that this background information be printed in the body of the CONGRESSIONAL RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WILEY

WIPING OUT THE SCOURGE OF ILLICIT NARCOTICS

Of all the individual crimes committed in the world today, there are probably few more reprehensible, more evil, than that of narcotics peddling.

Literally millions of individuals throughout the world have become victims of opium poisoning.

No man can gage the extent to which these millions upon millions of human lives have been and may be wrecked—not simply the lives of the individuals directly involved, but the lives of their innocent wives and children, brothers and sisters, fathers and mothers and other relatives. No one can gage the full terrible effect upon nations—the economic loss, the social loss, the moral loss.

The scourge of opium eating and opium smoking—the scourge of illegal use—in any form—of opium derivatives and of other narcotics and their derivatives is a stain on the record of civilization.

AMERICA'S RECORD IS INSPIRING

Fortunately, our own Government has spoken as clearly, as consistently, as courageously as has any other single nation on behalf of the elimination of this scourge.

It makes one proud to be an American, to review all that our country has done down through the years in battling against illegal narcotics.

I urge my colleagues to read Executive Report 7, which describes the background of those splendid United States efforts.

I urge them, to the extent that they have an opportunity amidst their crowded day, to read the 93-page printed transcript of the hearing which had been conducted by the Senate Foreign Relations Subcommittee on the Opium Protocol.

LIMITATIONS OF PROTOCOL'S EFFECTIVENESS

When the protocol has been ratified, another important chapter in the history of world law enforcement effort will have been achieved.

Clearly, the millennium will not, however, have been ushered in, because of several obvious factors:

1. This protocol, like any protocol, depends basically upon the good faith of the signatory parties. In the past, not all the nations which have signed narcotics treaties and conventions have completely abided by them. We of the United States have always upheld our end, have always fulfilled our obligations, but the record of some other countries has been somewhat spotty.

2. Numerous nations are not signatories at all to the Protocol, although, as is explained in the report, there is machinery available in the protocol to help assure compliance by those nonparticipating states.

Each of those nations must recognize that they must answer before the world if they fail to abide by the international anti-opium effort.

RED CHINA'S DOPE WARFARE

3. But, in any event, there remains one particular country which is not a signatory or a participant, and which will probably continue openly to flout, as it has been flouting, the conscience of mankind by its vicious opium peddling.

That country is, of course, Red China.

The indictment of Red China on this count has been filed and elaborated on several occasions, and it does not require amplification here.

The indictment has been presented before the United Nations Committee on Narcotics Drugs, not only by our able United States representative on that Commission, the Honorable Harry J. Anslinger, but by the representatives of other free powers as well.

It has been made in the world press, not just in the American newspapers, but in foreign newspapers by competent journalists who have studied Red Chinese dope warfare.

It has been made as well by foreign police departments who have, time after time, apprehended violators carrying narcotics from Red China.

Mankind must speak, therefore, more firmly than ever before in protest against this foulest of Communist sins.

4. Then, there is a fourth limiting factor, and that is that this protocol does not cover all types of narcotic drugs.

A uniform drug convention is fortunately now being drafted.

A great many technical and policy problems must still be worked out, but it is my earnest hope that great progress will be made toward this goal.

In the long run, however, the uniform drug convention, like the present protocol, will depend upon the good faith of the nations of the world.

If nations refuse to honor their formal or informal obligations; if they refuse to make accurate, complete, and prompt reports regarding narcotics within their area; if they fail to crack down upon narcotics offenders in their midst; if they in any way prove the weak link in the worldwide enforcement chain against criminals, then the chain will snap.

The history of the fight against the narcotics scourge proves that criminals will always exploit the weakest link in the chain, the weakest country which fails to abide by its responsibilities.

UNITED STATES FULFILLING ITS RESPONSIBILITIES

In pointing up the responsibilities of other countries, I do not imply for one moment that we do not have continuing responsibilities in our own.

The fact of the matter is, however, that we have made a great deal of progress against the dope evil in our midst. While there has been a dreadful postwar upsurge in narcotics addiction (which is particularly disturbing in relation to addiction among our young people), the fact is that the rate of dope addiction is far less today in the United

States than it was, for example, before World War I.

In any event, no phase of narcotics addiction in the United States has so stirred the American people as has teen-age addiction. Fortunately, contrary to certain sensational stories, the teen-age problem has been confined to a relatively small proportion of our youth in a few of our principal American cities. Dope addiction, especially among impressionable young people, is, however, so contagious a social malady that the most continuous efforts must be made to stamp it out, lest, unchecked, it return one day to epidemic proportions.

On an overall basis, Commissioner Anslinger has estimated that there is now approximately 1 narcotics addict in every 3,000 of our population, a figure which, when adjusted with other data, indicates a total addict population of 60,000 to 70,000. The number of peddlers of narcotics is difficult to determine; but it might be noted that approximately 7 out of 10 of the peddlers convicted and sent to prison are themselves narcotics addicts.

A history of addiction proves its cyclical nature. Fortunately, the postwar trend is now on the decline; but there is no assurance that it could not spurt upward again, given certain favorable conditions, including the slightest relaxation of control measures, or the easing up of penalties on offenders.

That has been the repeated warning of the United States Narcotics Bureau. America knows that the Bureau represents a stalwart guardian of the American home. Its capable Commissioner, since the inception of the Bureau in 1930, has been Harry J. Anslinger. I can say from long years of cooperation with him that he is a steadfast and devoted servant of the public interest in this, as in many other respects.

My personal staff and the staffs of committees on which I have served have had a great deal of splendid contact with the Commissioner and his staff, with his agents in the field, as well as with his supervisors in Washington.

One of his crack narcotics experts served with the Kefauver Senate Crime Investigating Committee, on which I was privileged to serve. Since then, this expert—a particularly fearless fighter—has racked up still further important achievements in law enforcement.

I recall, too, the expert testimony before our Senate Crime Committee of the United States Narcotics Bureau agent who has been assigned to Italy to cooperate with Italian law-enforcement authorities and who had also done particularly fine work.

With the aid of these and other fine personnel, I know that the antinarcotics job is being carried out and that it merits the fullest cooperation on the part of the American people. It merits cooperation, too, on the part of the judicial branch of our Government, so that narcotics violators are not coddled.

NARCOTICS USE AMONG UNITED STATES SERVICEMEN IN KOREA AND JAPAN

In connection with Uncle Sam's own responsibilities, one particular phase which has recently engaged our attention is the problem that has arisen to some extent involving some members of our Armed Forces in Korea and Japan.

The peddling of considerable dope to our service boys in the Far East was brought to the attention of our Senate Foreign Relations Subcommittee at its hearing in New York.

Later, I pursued the matter further with Dr. Frank B. Berry, Assistant Secretary of Defense for Health and Medicine, who was very cooperative.

I will not attempt to review all of the phases of this problem as we explored it, but I will state that I know that the Armed Forces are keenly cognizant of their responsibilities to protect our young men, and that they are taking strong remedial steps and are seeking the fullest cooperation on the part of our friends, the Korean and Japanese law-enforcement authorities. If the laws are adequately enforced in those areas, and assuming vigilance on the part of all concerned, this problem can be kept under control and substantially reduced.

I am delighted to know that Dr. Berry will personally proceed to the Far East in order to look into this question further, and I am also delighted to know that full cooperation is being assured among all the numerous offices in the Defense Establishment having a responsibility in this respect, as well as with the Narcotics Bureau and other Federal sources.

Without attempting to get into all the details of the problem, I should like to quote now from two messages which Dr. Berry had filed with me in response to inquiries which I had conveyed:

EXCERPTS FROM LETTERS FROM ASSISTANT SECRETARY BERRY

ASSISTANT SECRETARY OF DEFENSE,
Washington, D. C., July 29, 1954.

Hon. ALEXANDER WILEY,
Chairman, Committee on Foreign Relations, United States Senate.

DEAR MR. CHAIRMAN: The problem, while serious wherever it exists, is not unduly large in that area (the Far East). The situation has been known for some time and suitable preventive and corrective actions are continually being undertaken to alleviate or remove the causes.

As regards the past and current dimensions of the problem, statistics for 1952, 1953, and to include May 1954, are at hand. Whereas the incidence of convictions for narcotics violations was in gradual ascent through 1953, and 1954 convictions, together with the projection to estimate an annual rate for 1954, indicate an almost stationary situation, as a matter of fact, an increase of only 0.03 percent.

It is realized that an evaluation of the problem using these and other statistics is not conclusive. The presence of a cheap and plentiful supply of narcotics throughout Japan and Korea has been and now poses a continuing active problem to the military commands in those countries. Conclusions are that true addiction is relatively rare and that the majority of military narcotics offenders are more correctly classified as users. The commander in chief, Far East, realizes that the narcotics problem is serious but that it is not yet dangerous. He assures us that positive action is being taken at all echelons of command to control the situation that exists.

Projection of current conviction rates indicates continuance of the seriousness of this problem for 1954. The application of a continuous and reemphasized program which has been in effect within the Far East Command at all echelons of command is aimed at a definite reduction although it must be realized that when troops are in occupation status the temptations for drug, alcohol, and sex are greater than when they are in combat. The assistance from other United States Government agencies, particularly personnel of the Department of the Treasury, has been extremely helpful to the commander in chief, Far East, and is a most valuable adjunct to the program.

Civilian authorities in Japan and Korea are well aware of this problem and present laws in effect are considered to be adequate for control, if properly enforced by those authorities. Due to the economic and social factors involved (including the ability to appropriate sufficient budgetary funds for law enforcement), it is considered doubtful that complete and full control can ever be attained in this area.

This Office first became interested in this problem as a result of an inquiry from a Methodist minister, and, as stated above, a conference was held with the three Surgeons General and Mr. Anslinger. Mr. Wayland L. Speer, field supervisor of enforcement activities, addressed the Army medical personnel at the Army Medical Service graduation, Walter Reed Army Medical Center, on this subject on April 30, 1934.

Following the above conference in my office, I recommended that a group of three go to the Far East for further investigation of this subject. After conference with Secretary Wilson it was decided that I would go myself and take whomsoever I wished with me. It seemed inadvisable to leave during the present session of the Congress and I have therefore made arrangements to leave for the Far East on September 18. I shall consult with Mr. Anslinger as to the cooperation of his department in Japan and Korea. I have also conferred with Major General Maglin, Provost Marshal, who has suggested that I see the representative of their office, Mr. Byron Engle, in Tokyo.

The Air Force has already established a narcotic treatment center in Japan where they are conducting a successful campaign in the treatment of these young users of narcotics. It seems likely that this may well be converted into a triservice narcotic center, should such be needed. Maj. Gen. John M. Hargreaves, command surgeon of the Air Force in the Far East, is well aware of this problem and is taking considerable interest in the establishment of this center. From the information at hand, largely from Mr. Anslinger, it seems probable that the problem in the Far East corresponds very closely with the narcotics problem in our own large cities and the use and abuse of these drugs are usually confined to those young men with poor family backgrounds and minimum educations.

I shall be pleased to confer further with you members of the committee or the committee staff. You may be sure that the Department of Defense and the medical departments of the three services, as well as the Provost Marshal, are all aware of this problem and that steps are being taken to deal with it.

Sincerely yours,

FRANK B. BERRY, M. D.

ASSISTANT SECRETARY OF DEFENSE,
Washington, D. C., August 10, 1954.

Hon. ALEXANDER WILEY,
Chairman, Committee on Foreign Relations, United States Senate.

DEAR SENATOR WILEY: In reply to your letter of August 4, 1954, and after conversations with Mr. Julius M. Cahn, your counsel, I will answer your questions (further).

* * * * *

The figures reported to the Honorable Harry J. Anslinger by his agent, Mr. Wayland L. Speer, in 1952, on the number of investigations in which military personnel have been reported for engaging in narcotic traffic, are as follows:

1952	462
1953	937
1954 (first quarter)	214

To approach this in another way, on December 15, 1953, the Honorable CHARLES B. BROWNSON, of the House of Representatives, made a similar inquiry of Gen. J. E. Hull. On January 6, 1954, General Hull replied:

"The number of court-martial convictions for such offenses have been as follows:

	1951	1952	1953 (through August)
Army	192	261	324
Navy	(1)	6	18
Air Force	26	31	41

[1] No records available.

"Seventy-nine persons were hospitalized in Army hospitals from January through June 1953 as narcotics users. The Air Force hospitalized 28 narcotics users from January through November 1953. Complete records on hospitalizations and medical treatment of narcotics users in Army and Air Force hospitals during 1951 and 1952 were not available. The Navy hospitalized 8 cases in 1951, 32 cases in 1952, and 30 cases through the first 8 months of 1953. Each person apprehended for suspected use of narcotics is given a medical examination.

"True narcotic addiction is relatively rare in this theater. Nevertheless, the Army, Navy, and Air Force commanders in the Far East are well aware of the seriousness of the narcotics problem and are making every effort to reduce it. Evidence compiled in a recent thorough triservice study on narcotics has enabled us to strengthen our controls and more effectively meet this problem."

As you will note, Mr. Anslinger's report speaks of investigations and General Hull's of convictions which will account for some slight difference. According to both Mr. Anslinger and the Army neuropsychiatrist, Col. D. B. Peterson, consultant in neuropsychiatry to the Far East for the past 4 or 5 years, this problem closely parallels the civilian problem in our larger cities.

* * * * *

With all best wishes,
Sincerely,

FRANK B. BERRY, M. D.

THREE ADDITIONAL BACKGROUND PHASES

I should like now to present certain final background material which I believe will prove helpful to my colleagues on three particular phases of the narcotics problem.

First; I shall present a description of the basic types of narcotics which are generally discussed, as well as of their legal use and their illegal abuse.

Then, I shall present information with regard to the extent of the illicit traffic in the world today and, finally, data on the relationship between narcotics and other crimes.

I believe that this material, together with the material which I have previously cited, constitutes an ample justification of the protocol, which I know will receive the sympathetic and favorable attention of the Senate.

1. TYPES OF NARCOTICS

Under the laws of the United States, the term "narcotics drugs" includes (a) opium and its various derivatives (which are the only drugs covered under the present protocol); (b) coca leaves and their derivatives; (c) marihuana and its derivatives; and (d) any other drug found by the Secretary of the Treasury to have addiction qualities similar to these and so proclaimed by the President.

Opium

The opium family of drugs is generally regarded as the most troublesome of the narcotics. Paradoxically enough its very quality of relieving pain has made of it both a blessing and a curse, depending on its use.

The opium family consists of those active principles derived from the opium poppy (papaver somniferum), an annual herb. From ancient times, the milky juice of the poppy has been used both as a medicine and to produce sleep or insensibility to the problems and cares of life.

The alkaloids of opium represent its pharmacologically active constituents. The most important of these are morphine (the most commonly used and best known of the alkaloids, codeine, and papaverine.

Additionally, there are many derivatives of morphine, among which are heroin and dionin.

Heroin today represents the principal drug problem faced by the United States. It should be noted that heroin (which is five times as potent as morphine) is not permitted to be manufactured in the United States and in 50 other countries.

There are two preparations of opium which are therapeutically employed today, laudanum and paregoric. The fact that from this chemical family are derived numerous aids in medical science is indicated by the fact that a mild form, paregoric, today is customarily used with children.

As a matter of fact, when carefully used in medicine, opium and its alkaloids and derivatives have exceedingly valuable function as sedatives and pain relievers. Improper use develops into habituation and physical dependency upon the drug. Because of the dependency, more and more of the drug is required in order to produce the false effect of well-being and relief from care. Eventually, the addict becomes totally dependent upon the drug. Withdrawal of it causes acute physical discomfort and misfunctioning of all organs generally. Even a gradual withdrawal causes the same symptoms, albeit in milder form, and there is always the final psychological and physiological shock, carrying either real or imaginary terror for the addict. It is during this stage that the addict becomes an aggressive menace to society in that he will commit almost any act to secure a supply of the drug so as to relieve his physical or mental terror. Crimes of the most violent and shocking nature are committed by addicts in this condition or in prospect of this condition.

But even if the addict is supplied with sufficient amounts of the drug, he is a social menace, for he will endeavor to keep himself in a drugged stupor so that he may relish to the fullest his artificial sense of well-being.

In this semiconscious state, he is at best a net loss to himself, his family, and his society; at worst—e. g., at a driver's wheel—he is an absolute threat to the safety of others.

Cocaine, marihuana, and synthetics

Turning to other drugs not covered by the present protocol, cocaine (unlike opium, which is a depressant), is considered in the excitant group as is marihuana. Cocaine (which is derived from the coca leaf) can be used medically as a local anesthetic, but because it is so potent and dangerous, it has been extensively replaced in medicine by patented synthetic preparations that are not dangerous, such as novocaine and procaine. When abused either by sniffing deeply through the nose or by injection, cocaine causes a transient exhilaration with paranoic delusions and hallucinations followed by extreme nervous tensions and imagined fears.

Thus, effects of its misuse are mental deterioration, and physically nausea, digestive disorders, sleeplessness, loss of appetite, emaciation, and tremors. Fortunately, cocaine is very scarce on the illicit market, because the international movement of coca leaves is strictly controlled.

Also in the excitant family is marihuana—cannabis—whose varieties are popularly known as Indian hemp or hashish. It produces a form of intoxication, the strength and duration of which are not predictable because of the various factors which may determine it. Its very unpredictability in its effects on a particular individual make it one of the most dangerous drugs known. A small dose taken by one subject may bring about intense intoxication, raving fits, criminal assaults. In another individual, consumption of even considerable quantities may result in sheer stupefication.

It is this drug (smoked in cigarettes known as reefers) which has been traditionally used, especially among teen-age youngsters as a first step in causing narcotics habituation. Unlike opiates which do have therapeutic values, marihuana has no such legitimate use; indulgence in it is, therefore, always an abuse and vice.

Next, there is the problem of barbiturate drugs (notably sleeping pills) which have a sedative action similar to the opiates and which can likewise prove extremely dangerous. So dangerous are these that statistics show that more people in the United States die of barbiturate poisoning than from any other kind of poisoning.

Reference should also be made to pain-relieving synthetic drugs such as demarol. Because of potential addiction-making qualities, 11 such synthetic drugs have been brought under control of United States narcotics laws.

2. DIMENSIONS OF THE PROBLEM

A brief review of the worldwide dimensions of the current problem of illicit traffic in opium underlines the importance of prompt action to curb illegal cultivation, production, and traffic.

The following table indicates comparative total seizures of opium as reported by countries to the United Nations for the years 1939, prewar, and 1950, postwar:

[In kilograms]

Year	Raw opium	Prepared (smoking) opium
1939	28,723,875	1,331,514
1950	46,285,501	10,947,091

The report of the ninth session of the United Nations Commission on Narcotics Drugs cites the latest information, as received in annual reports filed by 43 sovereign states and 7 territories, and in seizure reports covering 1,285 seizures reported by 19 sovereign states and 17 territories.

Among the facts cited are the following:

Raw opium

Far East: During 1953, 16,970 kilograms were seized in Thailand (there are 2.2 pounds per kilogram); 4,694 kilograms in India; 4,426 kilograms in Burma; 2,272 kilograms in Singapore; 1,721 kilograms in the Federation of Malaya; 94 kilograms in Indonesia; and 83 kilograms in Hong Hong. It should be noted that the seizures in India and Burma were described as coming mostly from internal traffic, but the Chinese mainland was the source given for the greater part of 482 kilograms of raw opium seized in the Far East.

Near and Middle East: Quantities seized included Egypt with 1,475 kilograms; Turkey with 589 kilograms; Lebanon with 480 kilograms; Iraq with 369 kilograms, and Israel with 27 kilograms.

North America: In the United States, 19.5 kilograms were seized; in Mexico, 4.9, and in Canada, 1.5. The quantities seized in our country originated from Mexico, India, Turkey, and Iran.

Other regions: Seizures of raw opium have been reported in France, 309 kilograms; Australia, 94 kilograms; Netherlands, 9 kilograms; Union of South Africa, 4 kilograms; and some African territories.

Prepared opium

The volume of illicit traffic in prepared opium is smaller, but nonetheless disturbing. The largest quantities of prepared opium had been seized in Singapore, 441 kilograms; Malaya, 185 kilograms; India, 21 kilograms; Hong Kong, 17 kilograms; and Indonesia, 16 kilograms.

Sources of the illicit traffic were reported as the Chinese mainland, Singapore, and Thailand. Seizures elsewhere included Australia, 12 kilograms; United Kingdom, 3.83; France, Curacao, Trinidad, and Mauritius.

Heroin

Total heroin seizures reported for 1953 amount to 135,602 kilograms. The largest

single seizure, 14,800 kilograms reported, was made in France.

The sources reported were the Chinese mainland, France, Italy, Japan, Lebanon, Mexico, and Turkey.

It should be remembered that these figures do not include illicit traffic in cocaine or marihuana. One thousand two hundred and thirty kilograms of cannabis alone were seized in the United States.

The kilogram figures tell only a small part of the story, of course. Not long ago Life magazine reported how a kilo of heroin—purchased in Italy for $1,000—would be sold and resold through criminal hands. Eventually, after considerable adulteration so that it contained only 3 percent to 8 percent heroin it would be put up in paper packets and sold for $200,000 in the retail market and would be capable of supplying an enormous number of addict shots.

Mr. William Tompkins, now Assistant Attorney General for Internal Security, testifying before the committee on Federal-State local seizures within the New Jersey area (for which he was formerly United States attorney), reported that a single kilogram—representing between 39 and 40 ounces of pure heroin, constituted enough heroin to give addicts better than 300,000 shots.

Smuggling of opium

It should be noted that opium smuggling utilizes every medium of transportation, notably the sea, principally through merchant seamen, as well as airlines, and even the mail.

The very nature of modern, high-speed international transportation underlines the importance of worldwide cooperation in sealing off the smuggling channels. The ingenuity of smugglers in seeking to evade the various national police and customs forces makes necessary, moreover, the highest degree of coordination among law-enforcement officials.

Few types of criminal operation are organized on a more systematic and worldwide a basis than illicit narcotics traffic.

In virtually no other crime, moreover, can the effect of foreign violations of the law be felt so significantly on lawbreaking within other countries.

Thus, the narcotics problem in the United States can never be reduced to smallest possible proportions until overseas sources of supply have been effectively slashed. The history of the combating of narcotics traffic in our country attests to the fact that time after time the success of a foreign government in stamping out narcotics-cultivation production, export, or smuggling has been felt almost immediately within the United States. Experiences with respect to Peruvian and Italian governmental action prove this point.

Peru

Numerous instances can be cited attesting to the direct and dramatic relationship between a foreign source of narcotics and addiction with the United States. In 1948 there was scarcely one cocaine seizure in the United States. Suddenly, however, the country was flooded with cocaine. Its origin was traced to Peru. A now-departed regime there had allowed 17 cocaine factories to operate, although here in the United States there is only 1 factory for a country of many times the population. Through representations to the Peruvian Ambassador, all of the cocaine factories were closed. Within 6 months there was a phenomenal change in the prevalence of cocaine addiction in the United States; it almost disappeared completely.

Italy

Beginning in 1951, investigations conducted in Italy proved that Italian heroin had been smuggled into the United States and elsewhere since 1948. Five licensed factories there diverted one ton of heroin into illicit channels.

Recognizing this shocking situation, the Italian Government undertook remedial measures. In October 1951 the Italian Commission of Public Health passed a decree indefinitely suspending the further production of heroin. Clearly, such further production was unwarranted since possibly only 20 kilograms of heroin out of the total annual production of 200 kilograms were used or needed for Italian medical consumption. This reduced the supply of heroin available for smuggling to the United States, although not so dramatically as in the cocaine instance because, unfortunately, there were other foreign sources of supply available.

3. NARCOTICS AND CRIME

In conclusion, I want to point out the interconnection between narcotics and the crime problem as a whole. As I have previously indicated, and as the public is generally aware, an individual under narcotic intoxication and/or desperate to secure narcotic supplies may commit crimes of the most violent and reprehensible nature. What is not generally perceived, however, is that most narcotic offenders have police records of a nonnarcotic nature prior to their having become drug addicts. Criminality breeds addiction, and addiction aggravates criminality.

The Federal Bureau of Narcotics, on a random review of its files, showed that 83 percent of 119 narcotic trafficker addicts had previous criminal records for other offenses prior to their first narcotics crime.

The Canadian Government several years ago conducted a study of narcotic criminality. It showed that 93 percent of those convicted of narcotic offenses during the period under review had committed at least 1 crime prior to the first narcotic offense and some had committed as many as 27 other crimes prior to the first narcotic offense.

These observations are paralleled by the experience of law enforcement officials of other countries.

Major American gangsters, like Charles "Lucky" Luciano and Waxey Gordon, have very often engaged in the narcotics traffic, along with sundry other crimes. The profits from illicit narcotics are potentially so vast as to offer ready temptation to the criminal mind.

The temptation, particularly to the addict-criminal, often proves virtually irresistible.

Superintendent R. S. S. Wilson, a noted narcotic expert of the Royal Canadian Mounted Police, pointed out "the ordinary criminal may attempt to go straight, perhaps reform, or the fear of punishment deter him. But not so the addict. For him there is no reform, no road back, for just so long as he is an addict. So he is inexorably bound to a life of crime."

LEGISLATIVE PROGRAM

Mr. McCARRAN. Mr. President, the able majority leader has several times announced that on a day certain, in the near future—that is, today—the Senate would take up what the majority leader has repeatedly referred to as "the three anti-Communist bills." I understand it is now planned that the bills so referred to will be taken up on Monday.

Mr. President, there are more than three anti-Communist bills on the Senate Calendar. According to my count, there are 10 such bills.

I shall list the bills in this category, and then I want to ask the able majority leader if he will clarify his intentions with regard to bringing up some or all of these bills for Senate consideration. I think it would be well if the able majority leader would make it clear whether Monday is to be set aside for the consideration of anti-Communist legislation, or only for the consideration of certain anti-Communist legislation; and, if only for certain legislation, then we should be told, I believe, what is planned with respect to the other anti-Communist legislation pending on the calendar.

The bills which I believe merit inclusion on any list of pending anti-Communist legislation are the following:

Calendar No. 1447, S. 2373, to prohibit repeated stays of execution or sentence; Calendar No. 1540, S. 23, to make it unlawful for a Communist to hold office or employment with a labor organization, and to facilitate the discharge of subversives; Calendar No. 1720, S. 3706, dealing with Communist infiltrated organizations——

Mr. KNOWLAND. Mr. President, I might say that Senate bill 3706 is the unfinished business.

Mr. McCARRAN. That is true. Other bills in this category are Calendar No. 1833, H. R. 9580, to revise and extend the laws relating to espionage and sabotage; Calendar No. 1834, S. 3428, to give better protection to strategic defense facilities.

Mr. KNOWLAND. Those 2 bills and Senate bill 3706 are the 3 bills that were previously announced.

Mr. McCARRAN. That is correct. There are also Calendar No. 2065, H. R. 7486, to increase the penalty for harboring a person wanted for arrest; Calendar No. 2067, H. R. 8658, to increase the penalty for jumping bail; Calendar No. 2220, S. 521, relating to published articles and broadcasts by foreign agents; Calendar No. 2222, S. 19, to suspend the running of the statutes of limitations applicable to offenses involving performance of official duties by Government officers and employees during periods of Government service; and Calendar No. 2223, H. R. 7130, the so-called expatriation bill.

Mr. KNOWLAND. I will say to the distinguished Senator from Nevada that the other measures had not been scheduled, primarily because I had hoped some of them might be passed during the calendar call.

As soon as the calendar call has been completed, there are a number of bills, not only in this category but in other categories, which we intend to take up with the policy committee.

The list I had given, as I am sure the Senator from Nevada understands, was not meant to be an exclusive one, but merely a start; and we shall try to have consideration given the other bills.

Mr. McCARRAN. I am very happy to hear the Senator from California say that the three bills mentioned are not exclusive, because I was a little afraid they were exclusive; and I want the others considered.

Mr. KNOWLAND. Yes.

Mr. McCARRAN. I wonder whether the majority leader will give consideration to this matter: There are now at the desk 1 or 2 bills with amendments by the House of Representatives, and they correspond to bills now on the Senate Calendar. If we act on those bills at this time—and I do not think it would take very long, that would clear the situation as regards that part of the calendar. I do not wish to impede in any way; instead, I wish to facilitate.

Mr. KNOWLAND. If the Senator from Nevada will inform me of the numbers of the bills, so I can discuss them with the minority leader, we may be able to clear up the matter.

Mr. McCARRAN. They are Senate bill 541 and Senate bill 16. They are now at the desk, having been messaged from the House of Representatives.

Mr. KNOWLAND. What are the bills?

Mr. McCARRAN. Senate bill 16 has to do with immunity; Senate bill 541 relates to war claims.

I bring this matter to the attention of the Senator from California merely because these bills correspond in part to bills on the calendar.

Mr. KNOWLAND. Insofar as Senate bill 16, the immunity bill, is concerned, I think we can take it up during the day.

AMENDMENT OF IMMUNITY PROVISION RELATING TO WITNESSES BEFORE CONGRESSIONAL COMMITTEES

Mr. McCARRAN. Mr. President, would it be agreeable to the majority leader to have the Chair lay before the Senate the amendments of the House to Senate bill 16 at this time?

Mr. KNOWLAND. Mr. President, that is agreeable. I have discussed it with the minority leader, and it is agreeable to him.

The PRESIDING OFFICER (Mr. IVES in the chair) laid before the Senate the amendments of the House of Representatives to the bill (S. 16) to amend the immunity provision relating to testimony given by witnesses before either House of Congress or their committees, which were, to strike out all after the enacting clause and insert:

That title 18, United States Code, section 3486, is amended to read as follows:

"§ 3486. Compelled testimony tending to incriminate witnesses; immunity

"(a) In the course of any investigation relating to any interference with or endangering of, or any plans or attempts to interfere with or endanger the national security or defense of the United States by treason, sabotage, espionage, sedition, seditious conspiracy or the overthrow of its Government by force or violence, no witness shall be excused from testifying or from producing books, papers, or other evidence before either House, or before any committee of either House, or before any joint committee of the two Houses of Congress on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture, when the record shows that—

"(1) in the case of proceedings before one of the Houses of Congress, that a majority of the members present of that House; or

"(2) in the case of proceedings before a committee, that two-thirds of the members of the full committee shall by affirmative vote have authorized such witness to be granted immunity under this section with respect to the transactions, matters, or things concerning which he is compelled, after having claimed his privilege against self-incrimination to testify or produce evidence by direction of the presiding officer and

that an order of the United States district court for the district wherein the inquiry is being carried on has been entered into the record requiring said person to testify or produce evidence. Such an order may be issued by a United States district court judge upon application by a duly authorized representative of the Congress or of the committee concerned. But no such witness shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is so compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, nor shall testimony so compelled be used as evidence in any criminal proceeding (except prosecutions described in subsection (d) hereof) against him in any court.

"(b) Neither House nor any committee thereof nor any joint committee of the two Houses of Congress shall grant immunity to any witness without first having notified the Attorney General of the United States of such action and thereafter having secured the approval of the United States district court for the district wherein such inquiry is being held. The Attorney General of the United States shall be notified of the time of each proposed application to the United States district court and shall be given the opportunity to be heard with respect thereto prior to the entrance into the record of the order of the district court.

"(c) Whenever in the judgment of a United States attorney the testimony of any witness, or the production of books, papers, or other evidence by any witness, in any case or proceeding before any grand jury or court of the United States involving any interference with or endangering of, or any plans or attempts to interfere with or endanger, the national security or defense of the United States by treason, sabotage, espionage, sedition, seditious conspiracy, violations of chapter 115 of title 18 of the United States Code, violations of the Internal Security Act of 1950 (64 Stat. 987), violations of the Atomic Energy Act of 1946 (60 Stat. 755), as amended, violations of sections 212 (a) (27), (28), (29), or 241 (a) (6), (7), or 313 (a) of the Immigration and Nationality Act (66 Stat. 182–186; 204–206; 240–241), and conspiracies involving any of the foregoing, is necessary to the public interest, he, upon the approval of the Attorney General, shall make application to the court that the witness shall be instructed to testify or produce evidence subject to the provisions of this section, and upon order of the court such witness shall not be excused from testifying or from producing books, papers, or other evidence on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture. But no such witness shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, nor shall testimony so compelled be used as evidence in any criminal proceeding (except prosecution described in subsection (d) hereof) against him in any court.

"(d) No witness shall be exempt under the provision of this section from prosecution for perjury or contempt committed while giving testimony or producing evidence under compulsion as provided in this section."

SEC. 2. The analysis of chapter 223 of title 18, United State Code, is amended by striking out

"3486. Testimony before Congress; immunity."

and inserting in lieu thereof the following:

"3486. Compelled testimony tending to incriminate witness; immunity."

And to amend the title so as to read: "An act to permit the compelling of testimony under certain conditions and to grant immunity from prosecution in connection therewith."

Mr. McCARRAN. Mr. President, this is a bill which as it passed the Senate related to testimony given by witnesses before either House of Congress or their committees. It has been amended in the House to include also provisions respecting the grant of immunity to witnesses before Federal grand juries and before petit juries in Federal courts.

The House committee has done a fine job in reconciling differing viewpoints on this bill, and the bill in the form in which it has passed the House is wholly acceptable to the author of the original Senate bill.

For many months the Attorney General held out for a power of veto over the action of a congressional committee in voting to grant immunity to a witness in exchange for his testimony. I opposed any such grant of a veto power to the Attorney General, because I felt that it would be a violation of the doctrine of the separation of powers.

On the other hand, I have thought it entirely proper to provide that in connection with grants of immunity to witnesses before Federal grand juries and petit juries in Federal courts, the Attorney General should secure a court order or leave of court before immunity could be granted. Some months ago I suggested that the application of the same principle to grants of immunity by congressional committees might resolve the controversy. This is what the House bill provides for, and I think it is a salutary provision.

The House bill also limits grants of immunity to cases involving the internal security of the United States. I see no objection to that limitation. As a matter of fact, the addition of that limitation should make the bill more palatable to those who have been afraid that by reason of enactment of such legislation there might be a possibility that immunity would be granted to murderers or kidnapers in return for testimony not vitally necessary, or that in some other way this legislation might provide for excessive grants of immunity.

I think the bill in the form in which it has been passed by the House avoids any such danger, while at the same time providing the means so urgently needed for securing vital testimony with respect to the Communist conspiracy against the internal security of the United States.

Let me make it clear, lest there be any misunderstanding, that this bill does not take away from any witness his constitutional privilege against self-incrimination. This bill recognizes that privilege and fully meets it by removing all possibility of self-incrimination in connection with the testimony which is compelled.

Under this bill, where two-thirds of the members of a committee vote to authorize a grant of immunity in the case of a certain witness with respect to the transactions, matters, or things concerning which he is compelled to testify, after having claimed his privilege against self-incrimination, the committee could send a representative into the United States district court for the district in which the inquiry is being carried on and ask for an order by a United States

district court judge requiring the witness to testify, notwithstanding his claim of privilege. The committee would have to notify the Attorney General of the intention to seek such an order, and the Attorney General would have the right to go into court and be heard with respect to the grant of an order requiring the witness to testify. If the order should be issued and the witness should then be required to testify, he could not thereafter be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he might be so compelled to testify.

Similar provisions would be made with respect to witnesses before grand juries or witnesses before petit juries in Federal courts, except that there the request for a court order would be made in open court by the Attorney General or his authorized representative rather than by a representative of a congressional committee.

This is urgently needed legislation, Mr. President. It was recommended years ago by the Senate Internal Security Subcommittee. In the present administration it has been considered as a part of the President's program of internal security legislation. The provisions of the bill as it has passed the House are fair and resolve points of controversy which have previously existed between the legislative and executive branches with respect to such legislation. I, therefore, move that the Senate concur in the House amendments to Senate bill 16.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Nevada [Mr. McCARRAN].

Mr. LEHMAN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. LEHMAN. Does this mean that the conference report is now before the Senate.

Mr. McCARRAN. This is not a conference report.

The PRESIDING OFFICER. The matter under consideration is the motion of the Senator from Nevada to concur in the House amendments to Senate bill 16.

Mr. LEHMAN. Mr. President, this is a very important bill. I certainly have not had a chance to study the House amendment, and I doubt very much whether any other Senator has had a chance to study it. I do not believe that we should take action on the bill now, if that is the purpose of the request of the Senator from Nevada.

The PRESIDING OFFICER. The Chair will advise the Senator from New York that the Senator from Nevada has moved that the House amendment be agreed to.

Mr. KNOWLAND. The bill has been before the Senate since last Thursday.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Nevada.

The motion was agreed to.

Mr. LEHMAN. Mr. President, I wish to be recorded as voting in the negative, not necessarily because I am opposed to the bill but because I object to the manner in which it has been brought up.

Mr. LEHMAN subsequently said: Mr. President, I wish to return to the bill which was passed a few minutes ago. I believe it is S. 16. I should like to make a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. LEHMAN. Was that bill, which came back from the House with an amendment, ever printed and distributed in the Senate, or referred to a committee?

The PRESIDING OFFICER. It was printed in the House proceedings.

Mr. LEHMAN. Was it ever referred to a committee when it came to the Senate?

The PRESIDING OFFICER. That is not the normal procedure. Such bills are taken from the desk. The matter can be brought up at any time.

Mr. LEHMAN. Mr. President, again I wish to file a protest. Possibly it was within the rules of the Senate to have proceeded as has been ruled by the Chair, but this bill, when it came before the Senate last year, I believe, was opposed by a substantial number of Members of the Senate. I know that I voted against it. I believe that as it comes back from the House the Members of this body should at least be given the opportunity to study the changes made in the bill by the House of Representatives. To put an important bill through in the manner it has been put through is contrary to good policy, and I wish to file a strong protest.

Mr. McCARRAN. Mr. President——

Mr. KNOWLAND. Mr. President, I yield to the Senator from Nevada.

Mr. McCARRAN. To repeat the expression of the leader of the majority, this bill has been on the desk of the clerk now for several days, if not for a week. It has been known to the Senators who were interested in the matter. This bill was passed by a yea-and-nay vote of the Senate. It was sent to the House and held there for months. It was amended by the House in a very meticulous manner, and returned to the Senate as amended. The author of the bill has moved that the Senate approve it as passed in the House. That is the usual procedure.

The PRESIDING OFFICER. The bill was referred to in the House proceedings of August 4, and in the Senate proceedings of August 5. It was received in the Senate under date of August 4, and it has been referred to also in debate on the floor since that time.

McCARTHYISM: A DEFENSE OF AMERICAN CIVILIZATION

Mr. McCARRAN. Mr. President, last May Dr. Francis X. Gannon, assistant professor of history and politics, University of Scranton, delivered a lecture which he entitled "McCarthyism: A Defense of American Civilization."

In the course of this lecture, Dr. Gannon laid an indictment against communism and Communists which ought to be read by every Member of this body.

Let me quote him very briefly, and, I stress, only in small part. Dr. Gannon said:

> Communists have advised Presidents, dined at the White House, slept at the White House, picketed Federal courthouses, picketed the FBI, castigated fearless investigators * * * poisoned young minds * * * lampooned, ridiculed, derided, bludgeoned, and taunted * * * outstanding anti-Communists * * *.
>
> Communists have caused internecine quarrels. They have played off against one another our major political parties. They have arrayed leaders of major religious bodies against one another. They have divided families and friends. They have cursed out the apostates from their ranks. As a result of this strategy of confusion Communists have been feted, awarded, promoted, lauded, and martyrized.

At another point in his lecture, discussing the matter of academic freedom, Dr. Gannon said:

> Just what is academic freedom? It is the privilege of a teacher to present truth to developing minds. It is not the license to introduce developing minds to untruth and indecency unless they are labeled as such.

Speaking again of Communists, Dr. Gannon said:

> Communists are evildoers. Those who give Communists the least aid and comfort are also evildoers. Because they are clothed with the name of dupe, fellow traveler, liberal, progressive, or intellectual does not detract from the fact that they are evildoers. Evil should never be rewarded; it should be punished. Evildoers should be punished. They should be repelled by every weapon at our command.

Mr. President, I could quote more at length from Dr. Gannon's lecture; but in the interest of saving the time of the Senate, I will not do so. I only ask that the full text of this lecture may be printed in the RECORD at this point as a part of my remarks.

There being no objection, the lecture was ordered to be printed in the RECORD, as follows:

McCARTHYISM: A DEFENSE OF AMERICAN CIVILIZATION

Someday in the future—perhaps even at this very moment—it will be the task of a lexicographer, as he compiles his dictionary, to define the word McCarthyism. I think that it is safe to predict that he shall fail to provide a satisfactory definition. Instead, his results will probably read as follows: "McCarthyism: Pertaining to and of McCARTHY, JOSEPH R., onetime Member of the United States Senate from the State of Wisconsin."

It is almost unnecessary to comment that the simple word "McCARTHY" will not be further defined elsewhere in the dictionary. But the ism is subject to definiton today. We can find McCarthyism being defined almost daily in the various media of the press: the newspaper, the radio, television, pamphlets, magazines, learned journals, house organs, religious publications; in legislative sessions in our country and abroad, in pulpits of every creed, in conversations of large and small groups, in debates, in forums, in panels—in other words, in every place where men find a chance to express their ideas.

The definitions are not all alike. They are oftentimes as dissimilar as black and white, night and day, right and wrong. Nevertheless, it is safe to say that the same words are being repeated and repeated to describe this newest of isms.

We constantly hear such words and phrases as these to describe McCarthyism: Fascist, totalitarian, demagog, Gestapo, hysteria, witch hunting, inquisition, bigotry, terroristic, smear, unbalanced, antisemitic, libelous, undemocratic, persecution, uniformity, and so on ad infinitum.

The repetitious use of words of this sort in association with the name McCARTHY would seem to imply strongly that our country has been cursed with some manner of predatory beast upon committing the collective galaxy of crimes generally attributed to Attila, Nero, Hitler, Mussolini, Statlin, and even Satan himself.

It behooves us to pay a great deal of attention to such damning words and phrases especially when we consider the sources of such utterances. Such words and phrases have been publicly used by two of our Presidents, the wife of a President, national leaders of high elective and appointive office, distinguished members of the clergy, pundits of the press, foreign dignitaries of friendly and unfriendly nations, leading scientists and professional people, high-school teachers, college presidents, deans and professors, people from all entertainment media, best-selling authors in the fictional and nonfictional field, labor leaders, industrial giants, housewives, leading newspaper editorialists, and sidewalk and cocktail lounge conversationalists.

McCarthyism and McCARTHY have a legion of critics. That legion forms an unusual conglomeration of adherents. Even a hastily contrived list would have to include former President Truman, incumbent President Eisenhower, Senators Lehman, Humphrey, Kefauver, Margaret Chase Smith, Paul Douglas, Chavez, former Senators Tydings and Benton, newsmen Drew Pearson, Thomas L. Stokes, Joseph Barnes, Joseph and Stewart Alsop, Edward R. Murrow, Homer Bigart, John Crosby, Elmer Davis. H. V. Kaltenborn, Douglas Edwards, Agnes Meyer, the editorial and publishing staffs of Time, Life, the New York Times, the New York Herald Tribune, the Washington Post (now combined with the Times Herald), New York Post, Milwaukee Journal, the Boston Herald, the Nation, Pravda, Izvestia, Daily Worker, the New Republic, Atlantic magazine, Harper's magazine, the Saturday Review of Literature, the Monthly Review, Commonweal, the Reporter. We must also include as critics of McCARTHY and McCarthyism such clergymen as Methodist Bishop G. Bromley Oxnam, Roman Catholic Bishop Bernard J. Sheil, Rabbi Joseph Shubow, assorted personalities as Marquis Childs, Clement Atlee, Alan Barth, Eleanor Roosevelt, Arthur Meier Schlesinger, Jr., Earl Browder, Henry Steele Commager, James B. Conant, Robert Maynard Hutchins, Adlai Stevenson, Harold Stassen, and a host of other famous men and women from all walks of life. This is only a sampling of Senator McCARTHY's distinguished critics.

There is no comparable list of adherents to McCarthyism but there are signs at least that such a list is growing in numbers at the present time.

Now here is a subject which has seemed to have gripped the imagination of all thinking Americans as well as those who think of America. It is a subject that has permeated every phase of our civilization.

It is a subject that has entered into every avenue of our political, social, cultural, and economic life. Few, if any, subjects in modern times have engaged so much concentrated attention.

We cannot escape McCarthyism. Let us be thankful that we cannot escape it as long as we try to defend what is our American civilization. The time has come for our fellow Americans to stop apologizing to Europeans and other foreigners on behalf of McCarthyism. Let us start boasting about McCarthyism and its growth.

McCarthyism is nothing less than a a defense of our American civilization despite the glittering group of critics who are arrayed against McCarthyism. It would defy the normal imagination to recite one single topic which could bring together such a varied group of attackers such as are waging a ceaseless barrage of propaganda against McCARTHY and his "ism."

It is my sincere and considered belief that McCarthyism may well be partially defined as one of the last intellectual bulwarks of our civilization. McCarthyism is not expendable at this time. McCarthyism is necessary until something better is developed to protect our civilization from the current and growing threat of communism.

Before developing this thesis any further, let me state what I believe to be our American civilization. I believe that our American civilization is an accumulation of political, social, cultural, and economic habits developed through evolution and revolution. These habits have sometimes been formed by purging ourselves of the mistakes made in our own history or in the history of previous and foreign civilizations. Sometimes these habits have been formed by adapting good features of previous and foreign civilizations. Also, these habits have been formed often through the faculties of inventiveness on the part of Americans. These habits are basically decent. These are the habits which give to our country that uniqueness which makes the United States an object of admiration or envy for every nation in the world.

Consider briefly some of our political habits. We are a people living under a moral law—our Constitution—which provides for the protection by our Government of our natural rights. We are habituated to expect that protection and to protest, without fear, if that protection is not all that we demand and have a right to expect. It may not be a perfect political arrangement but it will suffice until a better one is introduced peacefully and accepted by the freely expressed will of our people.

Consider briefly our social habits. We are basically a people who do believe and practice the golden rule. There are no legal castes, classes, or strata of any kind in our society. We have emphasized, as no previous society has ever done, the equality of men on earth, men before and after the law, men before opportunities, and men in quest of reward. We have continually emphasized the sanctity of human and property rights in defense of encroachment upon those rights.

Consider briefly our economic habits. We have tried to maintain freedom of enterprise and initiative and inventiveness for all men of good will. We have not had such freedoms destroyed by recession, panic, depression, inflation, deflation, labor crises, or economic theorists. We have managed to survive the Square Deal, the New Deal, and the Fair Deal. We have survived through agrarianism, the Wobblies populism, progressivism, New Freedom, new nationalism, internationalism, isolation, and reforms of all descriptions. We have even survived the Henry Wallaceites. We survived Harry Hopkinsism—no mean feat and one which goes a long way toward explaining the miracle of America.

Consider briefly some of our cultural habits. We live in a country where every man may enjoy the religion of his choice or no religion. We live in a country where sectarian and nonsectarian schools exist side by side. We live in a country where for the edification of television audiences Molly Goldberg serves as a summertime replacement for Bishop Sheen. We live in a country where the columns of Drew Pearson and Westbrook Pegler may be placed side by side on the same editorial page. In other words, our cultural habits are marked by freedom and diversity. They are not characterized by uniformity or regimentation.

Now there is only one force in the world at this time which appears to be strong enough to change or destroy our habits of civilization—that one force is communism—the cancer of our generation. And like a bodily cancer, communism is a pervading, spreading, destructive disease and it can reduce even the strongest political unit to the status of a whimpering, grovelling, snivelling puppet.

The world has long sought a cure for bodily cancer. Experimentation, trial and error, discovery, disappointment, hope, progress, and failure are some of the elements of that search. Our country has sought a cure for the political cancer—communism. Sometimes that search has bogged down in a mire of indifference. Sometimes that search has been blocked by extreme opposition. Sometimes that search has stumbled against political expediency. McCarthyism is the best cure yet found. McCarthyism is a serious attempt to ferret out the roots of the cancer, to ferret out the advocates of communism, to ferret out the willing and/or the unwitting supporters of communism and Communists, to ferret out those who would obstruct in the slightest degree the search for the roots of communism.

There can be little quarrel with the observation that communism is a real threat to our country. The major share of our national annual budget is a defense item, a defense against an expected and feared aggression by the stronghold of communism which can only be Soviet Russia and its allies. Americans have spared little expense or energy to build up a wall of alliances against the external attacks of communism. There can be little doubt, however, that we have been remiss in building up our defenses against the attacks of communism from within our borders. The advocates of communism have found places in our Government, in its political, diplomatic, administrative, military, and clerical offices. They have found room in our press, in our pulpits, in our schools, in our laboratories, in our industrial plants, in our entertainment media, in our cultural societies, in our youth organizations, and in our labor organizations.

Communists have advised Presidents, dined at the White House, slept at the White House, picketed Federal court houses, picketed the FBI, castigated fearless investigators such as Bob Stripling, Martin Dies, J. Parnell Thomas, and Joseph McCarthy. Communists have poisoned young minds. They have lampooned, ridiculed, derided, bludgeoned, and taunted such outstanding anti-Communists as Louis Budenz, Whittaker Chambers, Elizabeth Bentley, J. B. Matthews, Alfred Kohlberg, Eugene Lyons, William F. Buckley, Bob Considine, Senators Jenner and McCarran, Congressman Velde, John O'Donnell, Walter Winchell, Father James Gillis, George Sokolsky, Gov. Hugh Gregg of New Hampshire, Walter Trohan, James Burnham, Fulton Lewis, Westbrook Pegler, Gen. Claire Chennault, Gen. Douglas MacArthur, Judge Harold Medina, David Lawrence, Ralph deToledano, John T. Flynn, and the editorial staff of the New York Journal American, the Washington Times-Herald (now defunct), the Manchester Union-Leader, the Chicago Tribune, the Freeman, Human Events, the American Mercury, the American Legion magazine, the Boston Post; the publishing house of Regnery & Co., Devin-Adair, Caxton Publishers, the Committee for Constitutional Government, the producers of Facts Forum, as well as any other individual or group advocating a consistent anti-Communist policy.

Communists have caused internecine quarrels. They have played off against one another our major political parties. They have arrayed leaders of major religious bodies against one another. They have divided

families and friends. They have cursed out the apostates from their ranks. As a result of this strategy of confusion Communists have been feted, awarded, promoted, lauded, and martyrized.

Ironically enough, these same Communists have sought and found shelter under a decent document—the Constitution—when their gross indecencies have been in the process of discovery. They have used the 1st, 4th, 5th, 6th, and 10th amendments plus the Declaration of Independence plus the utterances of Abraham Lincoln and George Washington.

These same Communists have oftentimes hidden behind the facade of front organizations which emphasize in their titles and letterheads such words and phrases as anti-Fascist, democratic, liberty, civil rights, freedom, American, and civil liberties.

Senator JOSEPH R. MCCARTHY has been one outstanding man who has bullied these vermin when they have been called to task before the legal investigating body of which he is the present chairman. It has been the work of his congressional subcommittee to investigate and to study subversive personalities who have been influential in undermining our civilization and then to make recommendations for laws to prevent future successes of similar vermin.

MCCARTHY's has been pretty much of a thankless and misinterpreted task. He has interrogated and investigated people who were not and are not Communists. This has been necessary to complete the background of the investigations. Instead of being praised for being thorough, he has been condemned.

MCCARTHY has recited names in public which he has associated by simple logic with a pattern of subversion even though some of those names belong to people in high places. However, he has not called out names which are completely out from under a cloud of suspicion in respect to past and/or present activities and associations.

MCCARTHY has been confronted time and time again by witnesses from the ranks of high-school faculties and college professors who have suffered a sudden loss of memory when asked questions about their membership in the Communist Party, their Communist associates, their recruitment efforts for the party, their financial contributions to the party, their membership in front organizations, or their association with perennial joiners. Such teachers often use the shield of the fifth amendment or they maintain that such questions are an affront to academic freedom. Please note how ridiculous these defenses are. A teacher, who by his very occupation, is called upon to answer much more searching inquiries in his daily routine, suddenly has a loss of memory and cannot tell Senator MCCARTHY whether or not he ever did or still does belong to the Communist Party. Membership in that world renowned party is not something to be forgotten easily. It is an entrance into the vale of complete indecency and should under all normal circumstances be a move forever ingrained on the mind of the individual.

Then there is the matter of academic freedom. I cite Bishop Fulton J. Sheen for his concise answer to this problem:

"There is no danger whatsoever to academic freedom when a professor is asked if he is a member or not of the Communist Party. Absolutely none."

And there can be more said about academic freedom. First of all just what is academic freedom? It is the privilege of a teacher to present truth to developing minds. It is not the license to introduce developing minds to untruth and indecency unless they are labeled as such.

Communism is indecent and it is a massive collection of untruths. Nothing good can be said for communism. Academic freedom does not have the elasticity to allow favorable comments by any Christian, any American, or any real educator on behalf of communism.

And it would not be improper to say a few words at this time about the fifth amendment. It is a part of our Constitution. That Constitution is designed until the present time to protect only two groups, namely, loyal Americans and friendly aliens residing in this country. It was never and is not now designed to protect enemies of this country, and remember Communists are avowed enemies of this country. Only the naive or ignorant will still deny that Communists are our sworn enemies.

Let these fifth amendment teachers reflect if they will upon the chances they would have of survival if they were teaching anti-Communist doctrines in any of the Communist countries today. They would soon learn that academic freedom is peculiarly a tradition of freedom-loving countries.

Is it too much to expect that teachers should respect their positions of trust and that they have a moral obligation to display inspiring decency to students so that those students will be encouraged to seek the full truth of the subject at hand after an introduction to the basic truths of that subject? A Communist teacher is a moral pervert; his perversion should not be the subject of quibbling over the technicalities of tenure. He should be shunned arbitrarily from the academic profession and then called before the bar of decency to answer for his crimes of perversion and subversion. He should be tried as an accessory before, during, and after the crime of intellectual murder—brainwashing under the guise of a liberal shampoo.

Senator MCCARTHY has been berated for questioning the widely publicized pro-Communist statements and associations of scientists. MCCARTHY's critics seem to take the stand that because a man has a distinguished position in the field of physics or mathematics or nuclear fission that such a man automatically qualifies for immunity from criticism when he transcends the boundaries of his specialized field of knowledge and begins to pontificate on other subjects.

They further take the stand that such distinguished savants of the physical sciences should not be criticized for their adherence to and support of the cause of communism or Communist-front organizations.

Such muddle-headed thinking develops to the point where Americans are asked to reward, condone, and follow these scientists who support a cause that is subversive of all that our fine civilization represents. I cannot understand why Albert Einstein or J. Robert Oppenheimer should be commended for harboring communistic views or associates in the past or in the present. Because a man builds a better mouse trap is no reason for believing that he should be respected as a guardian along the way of truth in moral matters. Do not forget that communism is a question of morals. It is not a subject that can be reduced to a scientific formula.

Albert Einstein and Oppenheimer and others of their ilk are not to be regarded as paragons of knowledge respecting constitutional law and every other subject within the ken of Americans. They have no right to tell us what church to attend, what school to attend, how to run a grocery store, how to answer or defy congressional committees, what brand of cigarettes to smoke, or what political beliefs will best serve us as Americans.

Scientists as these are specialists in a material field. They have shown a marked deficiency in certain fields of intelligence. They cannot recognize a subversive doctrine or subversive organization when such a doctrine or such an organization has been labeled subversive in public documents. These men have shown a marked lack of decency. Einstein, for example, encourages defiance to orderly processes of legally appointed investigating committees. Oppenheimer has never voluntarily bared his past record of associates who were technically and actually at war with our civilization. He has instead sheltered and apologized for his associates and provided them refuge in sensitive positions of government by his very silence. No scientist is unexpendable. Let our Government officials appoint and rely upon men whose past is completely unclouded by membership in or association with those perverts who join in and continue to support Communist front organizations.

Senator MCCARTHY has been roundly denounced for criticizing high officials of our Government for allowing people to continue in their employment in sensitive positions even though they have enjoyed questionable associations in the past or enjoy questionable associations at present.

This is a country of more than 160 million people. It is not too much to expect that Government employees without the slightest taint of a pro-Communist background can be recruited from that large population.

It is not a national necessity that this country should employ or continue to employ someone who has married a Communist, or someone who has belonged to a half a dozen Communist-front organizations, or made contributions to the Rosenbergs' cause, or paid personal tribute to the Red Dean of Canterbury. It is ridiculous to say that the normal part of every American's growth is to join for a long or short period some subversive organization which is intent upon reducing our civilization to a mass of atheistic rubble. Communism was never decent. There was never a decent climate of opinion which allowed toleration of communism.

Surely our leaders of Government can find individuals in this country who have never deviated in the direction of communism. An unsullied record is certainly preferable to a tarnished record. Dupes in positions of trust are positively expendable. There is no room in logic for countenancing them in the service of our Government no matter how minor or unimportant might be their job. Because a man is a graduate of a university which has a charter 200 or 300 years old does not qualify that man for a sensitive Government position if he is a fellow-traveler.

It is laudable to forgive sinners but where in the name of common sense is it wise to reward sinners. The ordinary prudent parent does not employ a known paroled murderer as a babysitter even though the murder was committed some time in the distant past. Likewise, a prudent American would not reward an ex-contributor to the Communist Party with a job of trust in the Government which is a prime target of that party.

It is our right as members of a Judaic-Christian civilization to be critical of those who have deviated from standards of political decency by contributing (even minutely) to the cause of communism. Communism is an evil which can destroy our existence as a decent civilization.

Communism has as its ultimate objective the destruction of our decent habits of civilization. Communism can make no positive contributions to our or any civilization. Its impressions can only be of a negative and destructive nature. Communism would destroy our political Government by deemphasizing to the point of non-recognition human integrity, natural rights, property rights and freedoms; and, it would wage a war against religion with the objective of creating a vacuum in the field of religion.

There can be no compromise with such a force as communism. It is ridiculous to expect that the Communists can be susceptible to compromise, or appeasement, or conciliation, or any other decent overtures. As Munich failed as a compromise with nazism, so too, Poland, Hungary, Czechoslovakia,

China, and other nations stand as real evidence that there can be no compromise with communism. We cannot mix decency and indecency and expect the total product to be decency. We cannot mix positives and negatives and expect the total product to be positives. We cannot mix Americanism and communism and expect the end product to be Americanism.

Communists are evildoers. Those who give Communists the least aid and comfort are also evildoers. Because they are clothed with the name of dupe, fellow traveler, liberal, progressive, or intellectual does not detract from the fact that they are evildoers. Evil should never be rewarded; it should be punished. Evildoers should be punished. They should be repelled by every weapon at our command.

We have mighty weapons. We have the Department of Justice, the FBI, grand juries, State and National legislative investigative committees and a good court system. We have the means of education. We have the force of public opinion. We have the moral strength which is inherent in decency. We have the electric chair, gas chamber, and gallows.

The sins of Communists, pro-Communists, dupes, fellow travelers, and their protectors should be aired. The age of the sins does not matter. Conspiracies are not consummated overnight. Conspiracies are long and complicated in formation. Old sins form a part of the pattern of conspiracy and make later sins possible and successful. It does not matter if a man or woman fell under the spell of communism 5, 10, 15, or 20 years ago. We must concern ourselves with whether or not the spell has completely worn off. When we are convinced that the spell is gone, we must examine if that spell was cast off voluntarily or only when the man or woman was under close scrutiny by a judicial or investigating body. Even if we are firmly convinced that the spell is gone, we have no moral obligation to reward the convert for his cure.

Being a non-Communist or anti-Communist is normal for Americans and they expect no rewards for being normal. Apostasy does not breed privilege.

Senator McCARTHY has labored under the belief that if a man falls once, he can fall again and he should not be placed in a position where his second fall might jeopardize the security of our Nation. That is an extremely prudent view admittedly. But there is call for extreme prudence when the security, freedom, and existence of 160 million people are involved.

This does not mean that Senator McCARTHY refuse to recognize that there are sincere former Communists who have since their reformation contributed mightily and generously by positive action to the crusade against communism. Whittaker Chambers, Louis Budenz, Elizabeth Bentley, and others have bared their past records for all to see. They have revealed names, incidents, associates, and all manner of valuable information which lends to the revelation of the entire Communist conspiracy in this country. They have rejected communism and embraced Americanism. They did not seek the shield of the Constitution, academic freedom, or abuse the legally constituted investigative bodies of our Government. They have made public confession and repentance and penance for their political sins. However, they have come under the scornful attacks of that new legion—the anti-anti-Communists.

Compare the treatment accorded to such aggressive and cooperative converts from communism to the treatment accorded to those who have made no positive contribution after their alleged conversion from a policy giving aid and comfort to the Communist cause.

Lucille Ball confessed that at the age of 25 she registered and voted as a Communist to satisfy the whim of a domineering grandfather. There have probably been more inane reasons for giving aid and comfort to the cause of communism but, if there have been, they escape me at the present moment. It would follow from her reasoning that each generation should satisfy the past generation when it comes to marking a ballot in secrecy. This woman has, since her widely heralded explanation, become one of the favorite entertainers of the White House. Needless to say an endorsement of that nature is much more than a strong anti-Communist such as Adolphe Menjou ever received.

The death of John Garfield ended his career—not the fact that he had been exposed as a fellow-traveler and joiner. Other careers that come to mind as not being retarded noticeably after exposure as dupes or fellow-travelers include Judy Holliday, Jose Ferrer, Abe Burrows, Marlon and Jocelyn Brando, Lee Cobb, Kim Hunter, Danny Kaye, Frank Sinatra, Karen Morley, Melvyn Douglas, Mr. and Mrs. Humphrey Bogart, and Larry Parks. My own studies of this problem fail to reveal where any one of these entertainers has made a positive contribution to the cause of anti-communism.

Senator McCARTHY and others practicing McCarthyism have made the American public aware of people who, if they are not Communists, have not harmed the Communist cause. Rather they have consistently espoused the aims and ideals of Soviet Russia in their teachings, writings, and activities. By no manner of reasoning can they be included in the ranks of anti-Communists. I speak of such men as Owen Lattimore, Frederick Schuman, T. A. Bisson, Edgar Snow, and Theodore C. White.

By what manner of reasoning can Edward R. Murrow be regarded as an anti-Communist? He can certainly be regarded as an anti-anti-Communist. There is also Elmer Davis, bitterly anti-McCARTHY, but who as head of the Office of War Information, shielded willingly or unwittingly an effective collection of Communist propagandists speaking with the support of our Government to the entire world as they tried to undermine Americanism. Does the dismal career of Elmer Davis in a position of trust qualify him as an expert on anti-communism? Should he be lauded for his attacks upon a real anti-Communist, Senator McCARTHY? What, precisely, has Elmer Davis ever done to lessen the influence of Reds in the country or has he consistently given the Communists aid and comfort by his hysterical utterances upon McCarthyism?

Can there be any excuse for James B. Conant and Nathaniel Pusey, past and present Harvard presidents, for making that aged campus a spawning ground for Communists? What lunatic fringe of thinkers would describe Eleanor Roosevelt as an anti-Communist?

One of Senator McCARTHY's prime targets was George Catlett Marshall. No one name aroused so much anti-McCarthyism. Yet few can deny that Marshall, serving his novitiate in diplomacy, contributed aid and comfort to Moscow and Mao Tse-tung by his advocacy of an armistice in China. In a few days Marshall accomplished more for the Chinese Communists than they had been able to accomplish in more than 20 years of active fighting in China. Marshall insured the rout of the Chinese Nationalists. This does not mean that Marshall was a Communist. It does mean that he was stupid enough to accept advice from someone who was positively pro-Communist. Gen. Claire Chennault's book, The Way of a Fighter, is a strong indictment against Marshall's amateurness. Incidentally, what, if anything, has Marshall upon his own initiative done to combat communism? Even the Marshall plan was his in name only and he received the Nobel peace prize for that. He might well have sent his check to the relief of Nationalist China.

Another of McCARTHY's targets was Dean Acheson, former Secretary of State. He was a man who could not find it in his heart to condemn Alger Hiss, who was an architect of pro-Communist diplomacy within the walls of the State Department and an architect of the Yalta sell-out and that great war preventative, the United Nations. Is Acheson to be applauded and defended for harboring such disreputable employees of our Government as Hiss, John Stewart Service, Philip Jessup, and John Paton Davies? Is McCARTHY to be condemned for spotlighting this cancerous situation within the most sensitive spot of our diplomacy?

Now, included in any appraisal of McCarthyism must be a mention of the new horde of questionable Americans—the anti-anti-Communists. They are a strange group. They insist that they are against communism, yet they carry on relentless attacks against those who are recognizable as anti-Communists. It is one of the major tasks of these anti-anti-Communists to discount the real conversions of former Communists, to ridicule their confessions as fictional, all this despite the repeated support of these former Communists by J. Edgar Hoover and other responsible loyal investigators. The same sort of treatment is accorded to those courageous Americans who live a dual life while working underground for the FBI. The same sort of treatment is accorded to those enlightened and courageous people who escape from behind the Iron Curtain and volunteer their knowledge to American investigative bodies.

The anti-anti-Communists also exert much energy in petty attacks on the person of Senator McCARTHY. They invent stories questioning his rigid adherence to his religion. They describe McCARTHY as anti-Semitic, anti-Negro, and anti-Protestant. They probe and search his personal financial record. They probe and search the finances of his friends and associates. They ridicule his military record. They quote him out of context. They distort his facts. They carry on vicious whispering campaigns reflecting upon his personal integrity. They minimize the results of his work. They accuse him of neglecting his duty because he has not yet filled the Federal prisons with Communists. They ignore the fact that McCARTHY is not a prosecutor, that he is not a one-man jury. They ignore the fact that Senator McCARTHY is the elective choice for the United States Senate, a choice made by the electorate of the sovereign State of Wisconsin, and that a portion of his duties assigned to him by his colleagues of the Senate is to investigate subversives in this country, and that he is then to make recommendations for laws to make it more difficult for the infiltration of subversives into the core of our civilization. If McCARTHY smiles, the anti-anti-Communists describe him as uneasy.

The anti-anti-Communists spend a great deal of time in publishing, editing, and writing books. They review each other's books. They invariably praise each others work but also invariably condemn, boycott, or suppress any book which is written from an anti-Communist position. This has been particularly noticeable in the book review sections of the New York Times, New York Herald Tribune, Saturday Review of Literature, Harper's, Atlantic, the Nation, and New Republic. The American Legion magazine has repeatedly called this frivolous situation to the attention of its readers but the practice has not abated. The anti-anti-Communist conspiracy still continues unretarded in the book-selling, book-publishing, and book-reviewing fields.

The anti-anti-Communists have also made it a practice to play the numbers game over figures allegedly or actually presented by Senator McCARTHY in a series of speeches made in 1950. I refer you to the recent publication of McCARTHY and His Enemy by William F. Buckley, Jr. and L. Brent Bozell. Those two authors have satisfactorily

analyzed and exploded the theory that McCARTHY was inconsistent with that subject of numbers of Communists at work in the State Department in 1950.

However, the anti-anti-Communists have another numbers game. This second numbers game propounds the theory that since only a fraction of 1 percent of Americans are Communists, there is no real danger to our security—certainly not the type of danger which is pointed out by McCARTHY. This is a most specious line of reasoning and has had some support from recent utterances by President Eisenhower. Those who minimize the dangers of subversives might well read the dispassionate account Web of Subversion recently written by James Burnham. That one book makes me wish that we had a thousand full-time Senator McCARTHY's in action at this very time. Instead we have 1 Senator McCARTHY and he has been hamstrung in a 2-a-day television spectacle while Nero Malenkov must be wearing out his fiddles.

Beyond Burnham's account of subversion, let us further consider the ridiculousness of estimating and evaluating the dangers of subversives in terms of numbers and percentages. How many men like Alger Hiss are needed to corrupt the State Department? How many men like Harry Dexter White are needed to corrupt the Treasury Department? How many sets of muscles are needed to carry secrets out of radar laboratories, H-bomb installations, the Central Intelligence Agency, or General Electric plants?

There was a Man who began his crusade with 12 disciples. His cause has never before in history been so challenged as it is today by the antichrist which is communism. The advocates of antichrist should view optimistically their future success in this country if they have 25,000 disciples (Eisenhower's figures) carrying out their cancerous destiny in this country today. Remember there was only Karl Marx and Frederich Engels 106 years ago. Remember further that no revolution is started by a majority of the populace.

And before closing—a few words about McCARTHY's methods. There has been a hue and cry that his methods are too rough. I interject an objection and maintain that McCARTHY's methods have been too gentle. No set of methods can be too rough against Communists and those who directly or indirectly give willing aid and comfort to the Communists. This is a holy war that exists in our time. It is a struggle for existence. It is a fight between decency and indecency. It is a time when standards of fair play should be ignored because one set of belligerents does not recognize fairness as a virtue but only as a weakness.

McCARTHY and men like him should be given more and more encouragement to gouge and kick and punch, figuratively speaking. Abuse of uncooperative witnesses should be intensified and prolonged until the American public becomes aware of the callousness of the subversives who are in our midst. This is not a time for niceties. We are dealing with people who are in the employ of, or sympathize with, a foul, corrupt nation and cause which endure only through the use of brute force, through slavery, torture, degradation, persecution and indecency. Such a nation, and cause and their adherents are not going to be converted by reason or appeals to sensitivities which have been dulled by regimentation—they can only be convinced by the one thing they recognize—force.

McCARTHY is the only national leader yet on the scene who seems to recognize this fact. His methods have been the only productive methods in ferreting out Communists since MARTIN DIES was railroaded out of politics and his chief investigator, Robert Stripling, was made a yardbird in the Army. I refer you to the Red Plot Against America, by Bob Considine and Robert E. Stripling for the account of an earlier version of the G. David Schine controversy enacted back in 1944 and 1945.

If, and I do not maintain that they are—if McCARTHY's methods are bad, point out, if you will, a better set of methods which have been tried and tested and found to be efficient. Question, if you will, anyone who disputes McCarthyism by asking that critic what he has personally done to uncover Communists in a more efficient manner than McCARTHY. His silence will astound you—I promise.

And as a final admonition. Silence McCARTHY and the vermin will crawl out of their hiding places and into the arms of their liberal protectors. Silence McCARTHY and these indecent creatures will wreak untold destruction until another McCARTHY comes along, but then it may be too late. Let us hope not.

My thoughts are not exhausted on this subject and I hope that they never are, even if my voice is in the minority. I curse the day when McCarthyism is no more.

THE UNITED NATIONS

Mr. WILEY. Mr. President, according to newspaper reports, Gen. Mark Clark testified before a Senate committee to the effect that the United States should withdraw from the United Nations. That is the opinion of Gen. Mark Clark.

I was happy to read in this morning's Washington Post the result of a Gallup Poll, which shows that the youth of the Nation very decided disagree with the general.

Gen. Mark Clark, according to newspaper reports, said that he could see no good being accomplished by the United Nations. I suggest that he read what the United Nations has accomplished. I suppose the Ten Commandments have not accomplished what they were supposed to accomplish. However, the Ten Commanments, when they are utilized by people of good spirit, who live according to their spirit, prove to be very valuable.

The trouble is not with the mechanism. The trouble is with those who attempt to operate the mechanism. At least the United Nations is a program. The late Senator Vandenberg called it the Town Meeting of the World. After my experience with it, I call it the crossroads of the world.

I am happy to note that according to a recent Gallup poll the youth of the Nation believe there is hope in the United Nations and that it may be a solution. At least it is a hope.

Nothing was said by the general about where we would go if we terminated our membership in the United Nations. We would probably precipitate a third world war.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point an article dealing with the subject which was published in this morning's Washington Post.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE GALLUP POLL—PUBLIC ACCEPTANCE OF U. N. HAS INCREASED SINCE 1945

(By George Gallup)

PRINCETON, N. J., August 10.—Two reasons the public's unwillingness to go along with the Knowland proposal to pull out of the United Nations if Red China is admitted come to light in the latest coast-to-coast survey by the institute:

1. Public acceptance of the U. N. has widened since it was founded in 1945. An institute survey in July of that year found 66 percent in favor of Senate ratification of the U. N. Charter.

Today, 9 years later, 3 out of every 4 Americans (76 percent) say they approve of the world organization.

2. Nearly 6 out of every 10 (59 percent) believe the U. N. has done a good job, in general, in trying to solve the problems it has had to face.

Only 1 person in 4 (26 percent) believes it has done a poor job.

As reported Sunday, 59 percent say we should not, as Senator KNOWLAND has proposed, pull out of the U. N. if the Chinese Reds are admitted by majority vote.

To find out where the American people stand on the U. N. today, the institute had its nationwide corps of interviewers ask two questions of a cross-section of voters. The first:

Do you approve or disapprove of the United Nations?

	Percent
Approve	76
Disapprove	11
No opinion	13
	100

Strongest approval of the world organization is found among persons who have attended college. Here is the vote by education levels:

[Percent]

	College	High school	Grade school
Approve	90	78	64
Disapprove	6	11	14
No opinion	4	11	22
Total	100	100	100

The second question:

"In general, do you think the United Nations is doing a good job or a poor job in trying to solve the problems it has had to face?"

Here is the trend since 1951—1 year after we entered the Korean war:

[Percent]

	June 1951	September 1953	January 1954	Today
Good	54	66	55	59
Poor	36	22	30	26
No opinion	10	12	15	15
Total	100	100	100	100

Of interest is the fact that partisan differences of opinion on both of today's questions about the U. N. are remarkably absent. Republicans, Democrats, and independents all express approval of the organization and believe that, in general, it has done a good job to date.

Few organizations in history have ever started out with such overwhelming support as the U. N.

In institute surveys during the years that have followed, the public has repeatedly been in favor of the U. N., although expressing disappointment at times over the achievements and progress of the world organization.

But the public also has felt strongly that the proper course was to strengthen the organization, not abandon it.

For example, in December 1952, an overwhelming majority—77 percent—of the Na-

tion's voters said it was highly important to make the U. N. a greater success.

Today's survey is eloquent evidence of how far public opinion has swung away from the isolationist doctrine of the 1930's.

By way of contrast, an institute survey in 1937 found just 33 percent of the people in favor of joining a league or association of nations. Those were the days of the Neutrality Act.

The turning point came in 1941. That was when an institute survey found that a majority of our people had turned their thoughts to joining a new league.

In December 1942 a very sizable majority of 73 percent expressed the opinion that Washington should call a meeting of Allied leaders to set up a world organization without waiting for the war to end.

That is what happened in San Francisco 2½ years later.

CALL OF THE CALENDAR

The PRESIDING OFFICER. If there is no further morning business the Senate will proceed to the call of the calendar.

Mr. KNOWLAND. Mr. President, I have discussed with both the majority and the minority calendar committees the fact that as of last night the last bill on the calendar was calendar No. 2394, S. 3822. All measures from that point on have been placed on the calendar since yesterday. Obviously, the calendar committees have not had an opportunity to study those measures. In fact, the reports on many of them have not been received. Therefore it would seem to me that under the circumstances we should stop the call of the calendar with calendar No. 2394.

So that every Senator may be advised, we expect to have one more calendar call, at least, before final adjournment, and perhaps more than one.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. JOHNSON of Texas. Is it the intention of the majority leader that we stop after Calendar 2394 is called?

Mr. KNOWLAND. Yes; stop the calendar call with No. 2394, S. 3822. That is the last bill which was on the calendar as of last night.

The PRESIDING OFFICER. Is it the intention of the majority leader, after Calendar 2394 has been disposed of, to return to the beginning of the calendar?

Mr. KNOWLAND. Yes; the Senate will then resume the call at the beginning of the calendar.

The PRESIDING OFFICER. The Secretary will state the first bill to be called on the calendar under the order.

TIBOR, SZUZSA (SUSANNE), AND JUDITH SAUER

The bill (H. R. 5340) for the relief of Tibor, Szuzsa (Susanne), and Judith Sauer was considered, ordered to a third reading, read the third time, and passed.

LIBORIO GUIDO RUTILIO

The bill (H. R. 5354) for the relief of Liborio Guido Rutilio was considered, ordered to a third reading, read the third time, and passed.

GERTRUD O. HEINZ

The bill (H. R. 6026) for the relief of Gertrud O. Heinz was considered, ordered to a third reading, read the third time, and passed.

MRS. CARIDAD ROSA AVILA LEYVA DE ERNEST

The bill (H. R. 5816) for the relief of Mrs. Caridad Rosa Avila Leyva de Ernest was considered, ordered to a third reading, read the third time, and passed.

ESTERINA PELLA BELLUCCI

The bill (H. R. 6553) for the relief of Esterina Pella Bellucci was considered, ordered to a third reading, read the third time, and passed.

MRS. ELISABETH METZING RINK

The bill (H. R. 6855) for the relief of Mrs. Elisabeth Metzing Rink was considered, ordered to a third reading, read the third time, and passed.

MARIA ELIZABETH SANCHEZ Y MORENO

The bill (H. R. 6982) for the relief of Maria Elizabeth Sanchez y Moreno was considered, ordered to a third reading, read the third time, and passed.

WALTRUADE ELSA SOLLEDER

The bill (H. R. 7041) for the relief of Waltruade Elsa Solleder was considered, ordered to a third reading, read the third time, and passed.

ANNELIESE CATALINO

The bill (H. R. 7145) for the relief of Anneliese Catalino was considered, ordered to a third reading, read the third time, and passed.

THORA JUNE GRUMBLES

The bill (H. R. 7150) for the relief of Thora June Grumbles was considered, ordered to a third reading, read the third time, and passed.

JOZEF VAN DEN BROECK

The bill (H. R. 7152) for the relief of Jozef Van den broeck was considered, ordered to a third reading, read the third time, and passed.

ANDERS TARANGER

The bill H. R. 7221) for the relief of Anders Taranger was considered, ordered to a third reading, read the third time, and passed.

JOHN LEWIS PYLES, JR.

The bill (H. R. 7761) for the relief of John Lewis Pyles, Jr., was considered, ordered to a third reading, read the third time, and passed.

FUNG PING WAH ET AL

The bill (H. R. 8239) for the relief of Fung Ping Wah (also known as Reginald Ping Wah Fung) and his wife, Fung Wai-Yin Li (also known as Doris Fung), was considered, ordered to a third reading, read the third time, and passed.

RELIEF OF THE STATE OF OKLAHOMA

The bill (S. 377) for the relief of the State of Oklahoma was announced as next in order.

Mr. HENDRICKSON. Mr. President, I think we should have a thorough explanation of this bill, because it involves the payment of a very substantial sum of money.

Mr. McCARRAN. Mr. President, this legislation would pay to the State of Oklahoma the sum of $656,500 in full settlement of all claims of the State against the United States by reason of an agreement made by the United States through the Works Projects Administration under a stipulation regarding participation by the WPA in certain highway projects undertaken by the State highway commission and necessitated by reason of the construction of the Grand River Dam in Oklahoma.

This legislation has quite a history, in which there was considerable disagreement between the State of Oklahoma and the United States Government as to damages for inundating highways and bridges for the construction of the Grand River Dam. After suits between the parties involved, a stipulation was entered into whereby the United States Government settled a $2½ million claim by the State of Oklahoma for approximately $700,000, of which the State of Oklahoma received approximately $50,000, leaving a balance of $656,500. The WPA was to do work in the way of highways and bridges for the State of Oklahome up to that amount, but since the lake level of the Grand River Dam had not actually been determined, the State of Oklahoma was not in position to have the work done. At about that time the United States became engaged in World War II and the WPA was abolished. Therefore, the funds allocated for this purpose are no longer in existence.

The Government's contention in this matter is that, under the stipulation, settlement was made for all damages and that on a later suit brought by the State of Oklahoma, the stipulation was held to be a bar against further recovery; but the committee is of the opinion that, while it is a bar for any suit for damages, the fact remains that the United States Government entered into an agreement to pay this money to the State of Oklahoma and has not done so. The committee therefore recommends that the claim be considered favorably.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 377) for the relief of the State of Oklahoma, which had been reported from the Committee on the Judiciary with an amendment on page 2, line 5, after the word

"River", to strike out "ram" and insert "dam", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the State of Oklahoma, for the use and benefit of the State highway commission of such State, the sum of $656,500. The payment of such sum shall be in full settlement of all claims of the State of Oklahoma against the United States by reason of an agreement, made by the United States through the Works Projects Administration, under a stipulation filed on February 25, 1941, in the case of *United States* v. *Phillips* and others (civil action numbered 351 in the United States District Court for the Northern District of Oklahoma), for the Work Projects Administration to participate in certain highway projects in the Grand River Dam Reservoir area undertaken by the State highway commission of the State of Oklahoma and necessitated by reason of the construction of the Grand River Dam. Such agreement was not fully carried out by the Work Projects Administration because of the subsequent participation by the United States in World War II and abolishment of the Work Projects Administration.

Mr. HENDRICKSON. Mr. President, may I ask the distinguished Senator from Nevada a question?

Mr. McCARRAN. Mr. President, I have an amendment which I am going to offer, if I may.

Mr. HENDRICKSON. I was going to ask about that amendment.

Mr. McCARRAN. Mr. President, I offer herewith an amendment to S. 377, a bill for the relief of the State of Oklahoma, which amendment would prohibit the payment of any attorneys' fees in connection with this claim. Even though the attorneys who appeared in behalf of the State of Oklahoma were employees of that sovereign State, this amendment is offered in order to have the bill conform completely with the past action of the judiciary committee relating to attorneys' fees. The amendment is as follows:

On page 2, line 11, strike the period, insert a colon in lieu thereof, and the following:

Provided, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Committee on the Judiciary.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Nevada.

The LEGISLATIVE CLERK. On page 2, line 11, it is proposed to strike the period, insert a comma in lieu thereof, and the following:

Provided, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. HENDRICKSON. Mr. President, will the Senator from Nevada yield?

Mr. McCARRAN. I yield.

Mr. HENDRICKSON. Mr. President, for some time I have been deeply concerned about these private-claim bills, particularly those involving the payment of money. I should like to ask the distinguished Senator from Nevada if, from his long experience as a member of the Judiciary Committee, the Senate should not have some rule whereunder bills providing for the payment of sums exceeding a certain amount should be debated.

Mr. McCARRAN. Mr. President, the committee in recent months has uniformly turned down fees for attorneys. There might be some instances in which a different rule should apply, and there might be cases where a different rule would be justified, but under all the conditions, as I view it—and in this matter I may say that I am substituting for the chairman of the Judiciary Committee—in this case there should be no attorney's fees allowed.

Mr. HENDRICKSON. I quite agree with the distinguished Senator as to his amendment, but I am concerned about the payment of large sums of money without a thorough debate on the floor of the Senate. I shall not object in this instance, because the equities are clearly presented. But, more and more, the Senate is getting into the habit of acting on bills which allow very excessive sums, in some cases, without any debate at all. I am only trying to find some way to protect the members of the Judiciary Committee and of the Senate, because we have virtually become a court of claims. I know these things deeply concern the Senator from Nevada. To protect the Senate, we created the Court of Claims to hear the facts and adjudicate claims, but we constantly authorize payments on testimony which would not be recognized in a court of law.

Mr. McCARRAN. Mr. President, I may say to the Senator and to the Senate that those of us who are on the Judiciary Committee consider it a matter of grave concern when we view the magnitude of some of the bills which come before that committee and the amounts of money which are involved. However, the committee is well staffed. The staff is composed of a hard-working group. After a staff member passes on any claim it is then submitted to the entire staff and to every member of the committee, so that a study can be made, and so that a Senator's individual staff may make a study of the claim. Then the claim is brought before the Judiciary Committee as a whole, and there it is discussed pro and con. As a rule, we go into such matters very thoroughly. This matter was gone into at length.

Mr. HENDRICKSON. That is quite true in the earlier days of the session, Mr. President, but in recent weeks the Judiciary Committee has been voting to report en bloc 150 bills at a time without any explanation to the full committee at all. I think such a procedure is wrong. In my opinion, I think some of these days the Senate of the United States is going to be very much embarrassed by the ever-increasing tendency to pay large sums of money without a full examination of all the witnesses involved, and in many cases the witnesses should be examined under oath.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. HENDRICKSON. I yield to the Senator from Florida.

Mr. SMATHERS. I should like to ask the able Senator from New Jersey if it is not his duty, as chairman of the calendar committee on his side, to rise and object when he finds a bill he thinks carries too large an amount, thereby requiring that the bill be put on the regular calendar to be debated, so that all the facts can be brought out.

Mr. HENDRICKSON. That is one of my duties.

Mr. SMATHERS. I do not quite understand the position of the Senator from New Jersey. I agree that many claims bills involve large amounts of money, but, as the Senator from Nevada [Mr. McCARRAN] said, the bills are considered by the full Judiciary Committee. Then they are reported to the Senate, where the calendar committees, with their staffs, consider them. If the Senator from New Jersey has any doubt about a bill, if I have any doubt about a bill, or if any other Senator has any doubt about a bill, there is a duty to stand up and object. One objection will cause a bill to be passed over, so that the whole matter can be debated.

Mr. HENDRICKSON. The Senator from Florida need have no fear in that regard. The Senator from New Jersey will object, and will object many times during the course of the day.

Mr. SMATHERS. I thank the Senator. I understand the Senator from New Jersey does not intend to object to this bill. Is that correct?

Mr. HENDRICKSON. That is correct.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Nevada [Mr. McCARRAN].

Mr. JOHNSTON of South Carolina. Mr. President, what the Senator from New Jersey has said was well stated. We do get into a rush at the conclusion of a session, and it is difficult for the Members of the Senate really to give full consideration to bills. However, the staff has gone over these bills, as I think the Senator from New Jersey will agree, before the committee reports them. The staff does most of the work of studying the bills for the committee. If we did not have an excellent staff in the committee I do not know what we would do, for we, as Senators, do not have time to study each and every claim which is filed.

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. McCARRAN. If any Senator is in doubt about this particular bill, I may say that extensive hearings were held on it. This is not one of the bills which came in "in the rush," so to speak.

Mr. JOHNSTON of South Carolina. No; this is not one of those.

Mr. McCARRAN. The Senate need have no apprehension as to this bill.

Mr. HENDRICKSON. Mr. President, it is for that reason that I shall not object to the bill. The bill has had study; but there are other bills which have not had such study.

Mr. McCARRAN. That is correct.

Mr. JOHNSTON of South Carolina. I was calling the attention of the Senate to that fact, not as to this particular bill any more than any other bill. Toward the close of a session we do get in a jam, and it would be very easy for something to happen sometime that might embarrass us in the future.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Nevada [Mr. McCARRAN].

The amendment was agreed to.

The bill (S. 377) was ordered to be engrossed for a third reading, read the third time, and passed.

HAVA SHPAK ET AL.

The Senate proceeded to consider the bill (S. 547) for the relief of Hava Shpak, A. A. Shpak, and Sympcha Shpak, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Hava Shpak, A. A. Shpak, and Sympcha Shpak shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JEREMY ALLEN CLORE

The Senate proceeded to consider the bill (S. 1601) for the relief of Jeremy Allen Clore, which had been reported from the Committee on the Judiciary with an amendment, in line 5, after the word "natural", to insert "alien", so as to make the bill read:

Be it enacted, etc., That for the purposes of the Immigration and Nationality Act, Jeremy Allen Clore shall be held and considered to be the natural alien child of Mr. and Mrs. J. M. Clore, citizens of the United States.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DR. CHANG HO CHO

The Senate proceeded to consider the bill (S. 1978) for the relief of Dr. Chang Ho Cho, which had been reported from the Committee on the Judiciary with an amendment, in line 7, after the word "fee", to strike out "and head tax", so as to make the bill read:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Dr. Chang Ho Cho shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ANICETO SPARAGNA

The Senate proceeded to consider the bill (S. 2064) for the relief of Aniceto Sparagna, which had been reported from the Committee on the Judiciary with an amendment, in line 7, after the word "fee.", to strike out "Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.", so as to make the bill read:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Aniceto Sparagna shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ELLEN HENRIETTE BUCH

The Senate proceeded to consider the bill (S. 2536) for the relief of Ellen Henriette Buch, which had been reported from the Committee on the Judiciary with an amendment, on page 2, line 1, after the word "available", to insert a colon and *"Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act", so as to make the bill read:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Ellen Henriette Buch shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHAYA FRANGLES

The Senate proceeded to consider the bill (S. 2649) for the relief of Chaya Frangles, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Chaya Frangles, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Benjamin Sherman, legal residents of the United States.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PETER HABERL

The Senate proceeded to consider the bill (S. 2709) for the relief of Peter Haberl, which had been reported from the Committee on the Judiciary with an amendment, in line 7, after the word "act", to insert a colon and *"Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act", so as to make the bill read:

Be it enacted, etc., That notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Peter Haberl may be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provision of such act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GIANNI BERNARDIS

The Senate proceeded to consider the bill (S. 2789) for the relief of Gianni Bernardis, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, Gianni Bernardis shall be held and considered to be the minor alien child of Jacob Schiffman, a United States citizen. Notwithstanding the provision of section 212 (a) (7) of the said act, Gianni Bernardis may be admitted to the United States for permanent residence if otherwise admissible under the provisions of that act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ERNESTO DE LEON

The Senate proceeded to consider the bill (S. 2791) for the relief of Ernesto DeLeon, which had been reported from the Committee on the Judiciary with an amendment, in line 7, after the word "fee.", to strike out "Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number

from the appropriate quota for the first year that such quota is available.", so as to make the bill read:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Ernesto DeLeon shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SANDRA LEA MacMULLIN

The Senate proceeded to consider the bill (S. 2885) for the relief of Sandra Lea MacMullin, which had been reported from the Committee on the Judiciary with an amendment, on page 1, line 7, after the word "fee", to strike out the period and "Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available" and insert a colon and "*Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the act," so as to make the bill read:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Sandra Lea MacMullin shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ERNEST LUDWIG BAMFORD AND MRS. NADINE BAMFORD

The Senate proceeded to consider the bill (S. 3065) for the relief of Ernest Ludwig Bamford and Mrs. Nadine Bamford, which had been reported from the Committee on the Judiciary with an amendment, in line 8, after the word "fees", to strike out "and head taxes", so as to make the bill read:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Ernest Ludwig Bamford and Mrs. Nadine Bamford shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer or officers to make appropriate deductions of two numbers from the first available immigration quota or quotas.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

IRENE JULIENNE GIVENS

The Senate proceeded to consider the bill (S. 3160) for the relief of Irene Julienne Givens, which had been reported from the Committee on the Judiciary with an amendment, in line 7, after the word "act", to insert a colon and "*Provided*, That this exemption granted herein shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of section 212 (a) (9) of the Immigration and Nationality Act, Irene Julienne Givens may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act: *Provided*, That this exemption granted herein shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

INGEBORG OTTO

The Senate proceeded to consider the bill (S. 3221) for the relief of Ingeborg Otto, which had been reported from the Committee on the Judiciary with an amendment, in line 7, after the word "act", to insert a colon and "*Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited in accordance with section 213 of the said act", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provision of section 212 (a) (7) of the Immigration and Nationality Act, Ingeborg Otto may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited in accordance with section 213 of the said act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ALI HASSAN WAFFA

The Senate proceeded to consider the bill (S. 3322) for the relief of Ali Hassan Waffa, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Ali Hassan Waffa shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BABETTE BAYER TRISLER

The Senate proceeded to consider the bill (S. 3343) for the relief of Babette Bayer Trisler, which had been reported from the Committee on the Judiciary with an amendment, in line 7, after the word "act," to insert a colon and "*Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of section 212 (a) (9) of the Immigration and Nationality Act, Babette Bayer Trisler may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ANNELIESE HOFMANN

The Senate proceeded to consider the bill (S. 3424) for the relief of Anneliese Hofmann, which had been reported from the Committee on the Judiciary with an amendment, in line 7, after the word "act", to insert a colon and "*Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act: *And provided further*, That the marriage to her United States citizen fiance, Onore E. Case, shall occur not later than 6 months following the date of the enactment of this act", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of section 212 (a) (9) of the Immigration and Nationality Act, Anneliese Hofmann may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act: *And provided further*, That the marriage to her United States citizen fiance, Onore E. Case, shall occur not later than 6 months following the date of the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CLINT LEWIS

The Senate proceeded to consider the bill (H. R. 1514) for the relief of Clint Lewis, which had been reported from the Committee on the Judiciary with an amendment, on page 2, line 2, after the word "act", to strike out "in excess of 10 per centum thereof."

Mr. HENDRICKSON. Mr. President, reserving the right to object, I offer an amendment, which I ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 1, beginning with line 3, it is proposed to strike out "That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated," and insert in lieu thereof the following: "That the Director of the Foreign Operations Administration is authorized and directed to pay, out of any money made available for assistance to France pursuant to section 103 (a) of the Mutual Security Act of 1954."

Mr. WILEY. Mr. President, I shall have to object to the amendment offered by the Senator from New Jersey, if it is insisted on. Otherwise, I shall not object to the bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Jersey.

Mr. HENDRICKSON. Mr. President, will the Senator from Wisconsin withhold his objection?

Mr. WILEY. Yes.

Mr. HENDRICKSON. This bill involves a French flier who stole an American military plane and crashed into American property. I know the amount is small, but I cannot understand why the money should not come from the French assistance appropriation.

Mr. WILEY. My answer is that the bill pays a private claim of $200, resulting from the crash of an airplane flown without permission by a French pilot in Texas in 1951.

I understand the amendment which has been offered by the Senator from New Jersey would require the claim to be paid by the Director of the Foreign Operations Administration, the purpose being to deduct the amount of the claim from assistance programed for France.

It seems to me that the amendment offered by the Senator from New Jersey should be resisted, and, as chairman of the Committee on Foreign Relations, I am resisting it, particularly in view of the claimant's own statement that "if the claim is not proper according to military law, we can forget it." This statement was contained in a letter from Clint Lewis to Representative HOMER THORNBERRY, as appears on page 4 of the Senate committee report.

I have simply raised the question because I have been asked to object to the amendment, but not to the bill. Of course, if the amendment is insisted upon, I shall ask that the bill go over.

Mr. HENDRICKSON. I ask that the bill go over.

Mr. McCARRAN. Mr. President, may I make a statement in answer to the Senator from Wisconsin [Mr. WILEY]?

The PRESIDING OFFICER. If the Senator from New Jersey will withhold his objection on the bill which is under consideration, the Senator from Nevada can be recognized.

Mr. HENDRICKSON. Indeed I will.

Mr. McCARRAN. Mr. President, the bill proposes to award the sum of $200 to Clint Lewis, of Caldwell, Tex., in full settlement of his claims against the United States for property damage sustained by him as the result of an accident involving a United States Air Force plane in Burleson County, Tex., on June 4, 1951.

A member of the French Air Force stationed at Randolph Air Force Base, Tex., took an American Air Force plane without authority and crashed said plane into property belonging to the claimant.

The claimant filed a claim with the Department of the Air Force for the amount of $200 for property damage sustained by him due to the plane crash. This claim was disapproved for the reason that the accident causing the damage was due to an airman acting outside the scope of his employment. Subsequently, the United States Government entered into negotiations with the Government of France in an effort to secure payment of the claim and the French Government refused to consider the claim favorably. The committee believes it inequitable to deny a United States citizen compensation for damages caused to his property by a member of the French Air Force when, under the Foreign Claims Act, the United States is responsible for damages or destruction of private property in a foreign country irrespective of whether the United States airman was acting in an official capacity. It appears incongruous to deprive a United States citizen of a remedy for damages caused to his property when at the same time the United States compensates foreign citizens when their property is damaged, irrespective of whether the member of the United States Armed Forces causing the damage is acting within the scope of his authority.

The committee therefore recommends favorable consideration of this bill, H. R. 1514, as amended.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Mr. President, as the Senator from Texas [Mr. JOHNSON] just remarked to me, this is a very small matter of $200. In view of that fact I shall not object to passage of the bill.

The PRESIDING OFFICER. Does the Senator from New Jersey withdraw his objection?

Mr. HENDRICKSON. I withdraw the objection, Mr. President. I should like to call the attention of the Senator from Wisconsin to a bill reported by him from the Committee on Foreign Relations. It is Calendar No. 2355, S. 3844, a bill to provide for a reciprocal and more effective remedy for certain claims arising out of the acts of military personnel and to authorize the pro rata sharing of the cost of such claims with foreign nations, and for other purposes.

The principle of that bill is exactly the same as my amendment sought to accomplish. I do not know how the Senator from Wisconsin can explain this inconsistency.

The PRESIDING OFFICER. Does the Senator from New Jersey withdraw both his objection and the amendment?

Mr. HENDRICKSON. I withdraw my objection.

The PRESIDING OFFICER. And the amendment, too?

Mr. HENDRICKSON. And my amendment as well.

The PRESIDING OFFICER. The Senator from New Jersey withdraws his amendment.

The question is on agreeing to the committee amendment.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

WAH CHANG CORP.

The Senate proceeded to consider the bill (H. R. 5461) for the relief of Wah Chang Corp., which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That, notwithstanding any statute of limitations, lapse of time, or any prior court decision on this claim by any court of the United States, jurisdiction is hereby conferred upon the United States Court of Claims to hear, determine, and render judgment on the claim of Wah Chang Corp. against the United States for compensation for loss of property and for removal expenses incurred as a result of the acquisition in the year 1942 by the United States for military purposes of pier No. 13, New York foreign-trade zone, Staten Island, N. Y., which had theretofore been leased by said Wah Chang Corp. and upon which the said Wah Chang Corp. had erected and maintained a tungsten processing plant.

SEC. 2. Suit upon such claim may be instituted hereunder not later than 1 year after the date of the enactment of this act: *Provided, however,* That nothing contained in this act shall be construed as an inference of liability on the part of the United States Government.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act to confer jurisdiction upon the United States Court of Claims to hear, determine, and render judgment on the claim of Wah Chang Corp. against the United States."

JUAN ANTONIO GORRONO LAJARZABULO AND JESUS MARIA OJENOLA GUERNICA

The Senate proceeded to consider the bill (S. 1852) for the relief of Juan Antonio Gorrono Lajarzabulo and Jesus Maria Ojenola Guernica, which had been reported from the Committee on the Judiciary with amendments, on page 1, line 4, after the name "Gorrono", to strike out "Lajarzabulo" and insert "Lejarzaburu"; and in line 5, after the name "Objenola", to strike out "Guernica" and insert "Garnica", so as to make the bill read:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Juan Antonio Gorrono Lejarzaburu and Jesus Maria Ojenola Garnica shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct

the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Juan Antonio Gorrono Lejarzaburu and Jesus Maria Ojenola Garnica."

URSULA WILKE

The Senate proceeded to consider the bill (S. 1873) for the relief of Ursula Wilke, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That, notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Ursula Wilke, the fiance of Sgt. Willard M. Collins, a United States citizen serviceman, and Mike Mario Wilke, their minor child, shall be eligible for visas as nonimmigrant temporary visitors for a period of 3 months: *Provided*, That the administrative authorities find that the said Ursula Wilke is coming to the United States with a bona fide intention of being married to the said Willard M. Collins and that they are found otherwise admissible under the immigration laws. In the event the marriage between the above-named persons does not occur within 3 months after the entry of the said Ursula Wilke and Mike Mario Wilke, they shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above persons shall occur within 3 months after the entry of the said Ursula Wilke and Mike Mario Wilke, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Ursula Wilke and Mike Mario Wilke as of the date of the payment by them of the required visa fees: *Provided further*, That the exemption granted herein shall apply only to grounds for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Ursula Wilke and Mike Mario Wilke."

VITTORIA ALBERGHETTI AND OTHERS

The Senate proceeded to consider the bill (S. 2841) for the relief of Vittoria Alberghetti, Daniele Alberghetti, and Anna Maria Alberghetti, which had been reported from the Committee on the Judiciary with amendments in line 4, after the name "Alberghetti", to strike out "and", and in line 5, after the name "Alberghetti", to insert "Carla Alberghetti, and Paolo Alberghetti", so as to make the bill read:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Vittoria Alberghetti, Daniele Alberghetti, Anna Maria Alberghetti, Carla Alberghetti, and Paolo Alberghetti shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota for the first year that such quota is available.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Vittoria Alberghetti, Danielle Alberghetti, Anna Maria Alberghetti, Carla Alberghetti, and Paolo Alberghetti."

EVANTIYI YORGIADIS

The Senate proceeded to consider the bill (S. 2925) for the relief of Evantiyi Yorgiadis, which had been reported from the Committee on the Judiciary with an amendment, in line 4, after the name "Evantiyi", to strike out "Yorgiadis" and insert "Yorgiyadis", so as to make the bill read:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Evantiyi Yorgiyadis shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Evantiyi Yorgiyadis."

MRS. CECIL NORTON BROY

The Senate proceeded to consider the bill (H. R. 7886) for the relief of Mrs. Cecil Norton Broy, which had been reported from the Committee on the Judiciary with amendments, on page 1, line 5, after the word "of", to strike out "$3,000" and insert "$10,000"; in line 10, after the name "Broy", to insert "and for his subsequent death"; and on page 2, line 5, after the word "act", to strike out "in excess of 10 percent thereof."

Mr. McCARRAN. Mr. President, this bill would pay to Mrs. Cecil Norton Broy the sum of $10,000 for medical and hospital expenses and personal loss incurred by her when her husband died as a result of being struck by a train in Bergheim, Germany, on August 29, 1940, while employed in the diplomatic service of the United States Government. Mr. Broy died some 3 years after the accident, but the cause of his death is traceable directly to the injuries received. At that time Mr. Broy, being an officer of the United States Government, did not come within the provisions of the Federal Employees' Compensation Act as it was construed, so that no benefits were available to him by reason thereof, nor to his widow. Mrs. Broy did receive, however, retirement benefits, which the committee considered for a career officer to be in the nature of insurance, inasmuch as there was the contributory feature on the part of Mr. Broy. The committee feels that Mrs. Broy is entitled to be reimbursed for the hospital and medical expenses incurred as a result of this accident. Even though there was no liability on the part of the United States Government for the injury, it did occur in the course of his official duties, and had Mr. Broy been determined to be an employee of the United States Government coming within the provisions of the Employees' Compensation Act, such benefits would have been forthcoming over and above the amount of the hospital and medical expenses. The committee feels that Mrs. Broy is entitled to that difference, as stated in the report, on the basis of a bill passed in the 76th Congress, for the relief of the widow of George A. Meffan, who was a United States marshal killed in the performance of his official duties. He also was not an employee of the United States Government entitled to the Federal employees' compensation benefits, so a private bill was introduced and his widow was awarded the sum of $5,000 as a result thereof. The committee, after consideration, felt that this bill was meritorious and recommends it to the favorable consideration of the Senate.

Mr. COOPER. Mr. President, I wish to ask a question of the distinguished Senator from Nevada. I note that the report states that the husband of the claimant was injured while riding in an automobile which was struck by a train in Germany. The report also states that the German National Railway paid the actual medical expenses and loss of earnings. The House awarded $3,000. I will ask the distinguished Senator if the increase to $10,000 is based upon the assumption that the death of the husband of the claimant was occasioned by the injury. Is it not a fact that the death occurred 3 years after the accident, as a result of heart failure?

Mr. McCARRAN. The investigation showed that the accident was the proximate cause of the death.

Mr. COOPER. That the accident was the proximate cause of the heart failure that occasioned the death of the husband of the claimant?

Mr. McCARRAN. The accident was the proximate cause of the death, whether it was due to heart failure or whatever it was.

Mr. COOPER. Did the committee find that death of the husband of the claimant 3 years afterward was occasioned by the accident in Germany?

Mr. McCARRAN. That was the conclusion reached by both the House and Senate committees.

The PRESIDING OFFICER. The question is on agreeing to the amendments of the committee.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

GEORGE D. EMERY CO.—RESOLUTION PASSED OVER

The resolution (S. Res. 285) to refer S. 3730, for the relief of the George D. Emery Co., to the Court of Claims for a report, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. HENDRICKSON. Mr. President, may we have an explanation?

Mr. McCARRAN. Mr. President, I hope I may be pardoned today, because the Senator from North Dakota, by reason of illness in his family, is absent, and I am picking up the explanations as I go along, and trying to make clear the reasons for reporting the bills.

The purpose of the resolution is to refer to the Court of Claims the claim of the George D. Emery Co. for compensation for services they performed on behalf of the Reconstruction Finance Corporation and other Government agencies in connection with establishing an abaca plantation in Ecuador, in accordance with the Abaca Production Act of 1950, Public Law 683, 81st Congress.

The procedure involves a hearing by the court, with a report back to Congress giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand, as a claim, legal or equitable, against the United States.

This formula has been used many times by the Congress in connection with complex claims brought to the attention of the committee.

Mr. HENDRICKSON. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield to the Senator from New Jersey.

Mr. HENDRICKSON. Is it not true that the claimant has already received from the RFC approximately $25,000 for his out-of-pocket expenses?

Mr. McCARRAN. That is correct, according to the record.

Mr. HENDRICKSON. Then the passage of the bill, if the Court of Claims awards additional money, would result in giving the claimant a profit over and above his out-of-pocket expenses, would it not?

Mr. McCARRAN. I take it that may be true if money is awarded by the Court of Claims.

Mr. HENDRICKSON. Does the Senator feel that is justified?

Mr. McCARRAN. If the claimant can establish his claim in the Court of Claims; yes.

Mr. HENDRICKSON. A precedent would be established, however, would it not?

Mr. McCARRAN. I do not think it would establish a precedent; I think it follows a precedent which we have already established.

Mr. HENDRICKSON. I thank the Senator.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. GOLDWATER. I ask that the resolution go over.

The PRESIDING OFFICER. The resolution will be passed over.

SUSPENSION OF DUTIES AND IMPORT TAXES ON METAL SCRAP

The bill (H. R. 8155) to continue until the close of June 30, 1955, the suspension of duties and import taxes on metal scrap, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

EXEMPTION FROM TARIFF DUTY OF CRUDE SILICON CARBIDE

The bill (H. R. 8628) to amend the Tariff Act of 1930 to insure that crude silicon carbide imported into the United States will continue to be exempt from duty was announced as next in order.

Mr. SALTONSTALL. Mr. President, I send an amendment to the desk, which I desire to offer for myself and my colleague [Mr. KENNEDY].

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. At the end of the bill it is proposed to insert the following new section:

SEC. 2. (a) Paragraph 720 of title I of the Tariff Act of 1930 (U. S. C., 1952 edition, title 19, sec. 1001, par. 720), is amended by adding at the end thereof the following subparagraph:

"(d) Fish sticks and similar products of any size or shape, fillets, or other portions of fish, if breaded, coated with batter, or similarly prepared, but not packed in oil or in oil and other substances, whether in bulk or in containers of any size or kind, and whether or not described or provided for elsewhere in this act, if uncooked, 20 percent ad valorem; cooked in any degree, 30 percent ad valorem."

(b) The foregoing amendment shall enter into effect as soon as practicable on a date to be specified by the President in a notice to the Secretary of the Treasury following such negotiations as may be necessary to effect a modification or a termination of the international obligations of the United States with which the amendment would be in conflict.

The title was amended so as to read: "An act to amend the Tariff Act of 1930 to insure that crude silicon carbide imported into the United States will continue to be exempt from duty, and with respect to the duties applicable to certain prepared fish."

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. SALTONSTALL. Mr. President, I have taken the amendment up with the distinguished chairman of the Committee on Finance, and also with the ranking member of the committee on the minority side. I believe that they are agreeable to taking the amendment to conference.

Mr. MILLIKIN. Mr. President, I have no objection to taking the amendment to conference.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Massachusetts [Mr. SALTONSTALL] for himself and his colleague [Mr. KENNEDY].

The amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

AMENDMENT OF TARIFF ACT OF 1930

The bill (H. R. 9248) to amend section 308 (5) of the Tariff Act of 1930, as amended, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. McCARRAN. Mr. President, may we have an explanation of the bill?

Mr. MILLIKIN. Mr. President, the bill would permit the temporary importation into the United States of boats and vehicles for use in specified shows or races, without the posting of bond. Bond is generally filed to insure payment of duty or the reexport of the article. Each year we have bills of this kind. So far as I can remember, they are uniformly approved. There is no violation of whatever the tariff law may be; this measure is merely to permit a temporary importation of such boats.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Finance with an amendment on page 2, after line 8, to insert:

SEC. 2. (a) Paragraph 1631 of the Tariff Act of 1930, as amended, is amended by inserting "book binding or cover" after "book,".

(b) The amendment made by this section shall be effective as to articles entered for consumption or withdrawn from warehouse for consumption on or after the 10th day following the date of this act and prior to September 1, 1956.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

BENEFITS FOR SERVICE IN WOMEN'S ARMY AUXILIARY CORPS

The Senate proceeded to consider the bill (H. R. 8041) to provide benefits under laws administered by the Veterans' Administration based upon service in the Women's Army Auxiliary Corps under certain conditions, which had been reported from the Committee on Finance with amendments, on page 1, line 6, after the word "disability", to insert "incurred in line of duty"; and in line 8, after the word "Corps", to insert "established under Public Law 110, 78th Congress."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

ANTONIO FOPP

The bill (S. 1871) for the relief of Antonio Fopp was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. McCARRAN. Mr. President, this bill has been reported from the Committee on Labor and Public Welfare, but the bill appears to be in the nature of a relief bill, very closely allied to a private claim or pension bill. Of course, as a pension bill it would be barred by the provisions of the Legislative Reorganization Act; and, as a relief bill, I wonder whether jurisdiction does not properly lie in the Judiciary Committee.

I wonder whether there would be objection to referring the bill to the Judiciary Committee for consideration. It seems to me to be clear that the bill comes within the jurisdiction of the Judiciary Committee.

Mr. GOLDWATER. Mr. President, I may say to the Senator from Nevada that the bill was referred to the Committee on Labor and Public Welfare because the bill came under the Railroad Retirement Act. The Subcommittee on Railroad Retirement, of which I am chairman, held hearings on the bill, and decided that Mr. Fopp was entitled to this payment. I feel that the bill comes within the jurisdiction of the Committee on Labor and Public Welfare, because it relates directly to the Railroad Retirement Act, and we are the only committee having jurisdiction over that act.

Mr. McCARRAN. Mr. President, will the Senator from Arizona yield for a question?

Mr. GOLDWATER. I am very glad to yield.

Mr. McCARRAN. Is not this bill in fact entirely in the nature of a claim against the Government?

Mr. GOLDWATER. I may say that it is not exactly in the nature of a claim. We have decided to give Mr. Fopp credit for service he performed. After the credit has been given, Mr. Fopp is entitled to payment under the Railroad Retirement Act. We had to decide on the legality and the soundness of his claim to the time.

Mr. McCARRAN. It is, in fact, a claim under the Railroad Retirement Act; is it not?

Mr. GOLDWATER. Not exactly. The subcommittee had to determine the validity of Mr. Fopp's claim to the time he served. The employer failed to report it in connection with his retirement. That is the extent of our determination.

Having determined that, Mr. Fopp is automatically, without any reference of the bill to any other committee, entitled to the money under the Railroad Retirement Act.

Mr. McCARRAN. As I understand—and if I am in error, I hope the Senator from Arizona will correct me—this is a claim which clears the record of this person and gives him compensation. Is that correct?

Mr. GOLDWATER. I do not agree with the Senator from Nevada that it is a claim. It is a request to the subcommittee to determine whether Mr. Fopp performed the service. Having determined that, the matter is then out of our hands; it is practically automatic from that point.

I may say that the Senators from Montana introduced the bill, and can explain it much better than I can.

Mr. McCARRAN. Mr. President, my understanding is that the bill clears the record as to this person, and awards his claim, under the record. With that in mind, I shall not raise any objection. However, I wished to draw the attention of the Senate to the close line with respect to jurisdiction.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 1871) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, in the administration of the Railroad Retirement Act of 1937, as amended, Antonio Fopp, of Somers, Mont., shall be credited with service performed by him and compensation therefor between August 29, 1935, and January 1946, as an employee of Glacier Park Co., but which through administrative error was not reported by his employer within the time limit prescribed by section 8 of the act.

LAURIE DEA HOLLEY

The Senate proceeded to consider the bill (S. 3436) for the relief of Laurie Dea Holley which had been reported from the Committee on the Judiciary with amendments on page 1, line 6, after the words "sum of", to strike out "$10,000" and insert "$5,000, and to the legal guardian of Karmen Lael Holley, minor child, $20,000"; in line 8, after the word "of", where it occurs the second time, to strike out "her" and insert "their"; in line 9, after the word "of" to strike out "her husband" and insert "their husband and father"; and on page 2, line 9, after the word "act", to strike out "in excess of 10 percent thereof", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Laurie Dea Holley, of Cannonville, Utah, the sum of $5,000, and to the legal guardian of Karmen Lael Holley, minor child, $20,000, in full satisfaction, except as provided in section 2 of this act, of their claim against the United States for the death of their husband and father, Elmer Leroy Holley, who was fatally injured in an accident which occurred on November 29, 1953, while he was engaged in the performance of his duties as an employee of the United States Senate Post Office.

SEC. 2. This act or any payment made in accordance with its provisions shall not have the effect of destroying or changing any rights to compensation under the provisions of the Federal Employees' Compensation Act resulting from such death.

SEC. 3. No part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Laurie Dea Holley and the legal guardian of Karmen Lael Holley, minor child."

NORMAN F. GEORGE

The bill (S. 1061) for the relief of Norman F. George was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That Norman F. George, of Montpelier, Vt., is hereby relieved of all liability to the United States for repayment of the sum of $118 representing the aggregate balance claimed to be due the United States as a result of errors made in family allowance payments to his wife and of errors in deductions from his pay on account of such payments, while he was a member of the Armed Forces of the United States during World War II.

COPYRIGHTS—AMENDMENT OF UNITED STATES CODE—BILL PASSED OVER

The bill (S. 2559) to amend title 17, United States Code, entitled "Copyrights," was announced as next in order.

The PRESIDING OFFICER. This bill is a companion measure to House bill 6616, Calendar 2235. The two bills are identical, with one exception, namely, that on page 8, in line 2, of the Senate bill, the word "its" appears, whereas in the House bill, on page 8, in line 4, the word is "is."

Mr. SMATHERS. Mr. President, by request, I ask that the bill go over.

The PRESIDING OFFICER. The bill will go over.

EXTENSION OF FEDERAL DECLARATORY JUDGMENTS ACT TO TERRITORY OF ALASKA—AMENDMENT OF UNITED STATES CODE.

The bill (H. R. 1975) to amend section 2201 of title 28, United States Code, to extend the Federal Declaratory Judgments Act to Territory of Alaska, was considered, ordered to a third reading, read the third time, and passed.

REGISTRATION OF JUDGMENTS, DISTRICT COURT OF ALASKA—AMENDMENT OF UNITED STATES CODE

The bill (H. R. 1976) to amend title 28, United States Code, to permit the registration of judgments in or from the District Court for the Territory of Alaska, was considered, ordered to a third reading, read the third time, and passed.

CAPT. WALTER C. WOLF—BILL PASSED OVER

The Senate proceeded to consider the bill (H. R. 3557) for the relief of Capt. Walter C. Wolf.

Mr. McCARRAN. Mr. President, I offer an amendment which I send to the desk and ask to have stated. The amendment would prevent the payment of any attorney's fees in connection with this claim. The amendment is offered in order that the bill may be in complete conformity with the past action of the Judiciary Committee in regard to attorney's fees.

The PRESIDING OFFICER. The amendment submitted by the Senator from Nevada will be stated.

The LEGISLATIVE CLERK. On page 2, in line 10, it is proposed to strike out the period, and insert a colon and the following:

Provided, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Nevada.

Mr. SMATHERS. Mr. President, by request, I ask that the bill go over.

The PRESIDING OFFICER. Will the Senator from Florida withhold the request, until action can be taken on the amendment?

Mr. SMATHERS. Certainly.

The PRESIDING OFFICER. The question now is on agreeing to the amendment of the Senator from Nevada.

The amendment was agreed to.

Mr. SMATHERS. Mr. President, by request, I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

BILL PASSED OVER

The bill (H. R. 3757) for the relief of Dorothy Kilmer Nickerson was announced as next in order.

Mr. HENDRICKSON. Over.

The PRESIDING OFFICER. The bill will be passed over.

ROBERT A. DUVAL

The bill (H. R. 7140) for the relief of Robert A. Duval was considered, ordered to a third reading, read the third time, and passed.

MRS. ESTERLEE HUTZLER WEINHOEPPEL

The bill (H. R. 7411) for the relief of Mrs. Esterlee Hutzler Weinhoeppel was considered, ordered to a third reading, read the third time, and passed.

RESOLUTION PASSED OVER

The resolution (S. Res. 286) referring the bill (S. 1613) for the relief of the Tom Hellander Co., Superior, Nebr., to the United States Court of Claims pursuant to sections 1492 and 2509 of title 28, United States Code, was announced as next in order.

Mr. HENDRICKSON. Mr. President, by request, I ask that the resolution be passed over.

The PRESIDING OFFICER. The resolution will be passed over.

JURISDICTION OF CLAIMS ARISING FROM CONSTRUCTION OF ELEPHANT BUTTE DAM—BILL PLACED AT FOOT OF CALENDAR

The bill (S. 417) conferring jurisdiction upon the United States District Court for the District of New Mexico, to hear, determine, and render judgment upon certain claims arising as a result of the construction by the United States of Elephant Butte Dam on the Rio Grande, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. SMATHERS. Mr. President, I have no objection to the present consideration of the bill; but I have a request that the bill go over, although I had understood that the request might be withdrawn.

I wonder whether the Senator from New Mexico can inform us about that.

Mr. CHAVEZ. Mr. President, I wonder whether the Senator from Florida will be willing to have the bill passed over temporarily?

Mr. SMATHERS. Mr. President, I ask that the bill be placed at the foot of the calendar.

The PRESIDING OFFICER. Without objection, the bill will be placed at the foot of the calendar.

Mr. CHAVEZ subsequently said: Mr. President, this morning there was called to the attention of the Senate Calendar No. 1939, Senate bill 417. At that time the Senator from Texas [Mr. DANIEL] asked that the bill go to the foot of the calendar.

The PRESIDING OFFICER. Did the Chair correctly understand the Senator from New Mexico to say that the bill was placed at the foot of the calendar?

Mr. CHAVEZ. Yes. But the Senator from Texas now has prepared an amendment which is agreeable to me, and I believe we can now dispose of the bill.

The PRESIDING OFFICER. Unanimous consent will be required in order to have the Senate return to the bill at this time.

Mr. CHAVEZ. Mr. President, I ask unanimous consent, in view of the fact that the Senator from Texas has prepared an amendment that is agreeable to the Senator from New Mexico, that the Senate now return to that bill.

Mr. HENDRICKSON. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. HENDRICKSON. I have no objection to having the bill go to the foot of the calendar.

The PRESIDING OFFICER. That is where the bill is at this time.

BILL PASSED OVER

The bill (S. 1737) for the relief of certain former employees of the Inland Waterways Corporation was announced as next in order.

Mr. HENDRICKSON. Over.

The PRESIDING OFFICER. The bill will be passed over.

CITY OF SANDPOINT, IDAHO—BILL PLACED AT FOOT OF THE CALENDAR

The bill (S. 3166) for the relief of the city of Sandpoint, Idaho, was announced as next in order.

Mr. HENDRICKSON. Mr. President, this bill involves quite a large amount of money, and I think the record should show a clear explanation.

Mr. SMATHERS. Mr. President, I ask that the bill be placed at the foot of the calendar.

The PRESIDING OFFICER. Without objection, the bill will be placed at the foot of the calendar.

BILL PASSED OVER

The bill (S. 3214) for the relief of Mrs. Marie Monchen was announced as next in order.

Mr. SMATHERS. Over.

Mr. HENDRICKSON. Over.

The PRESIDING OFFICER. The bill will be passed over.

LT. P. B. SAMPSON

The Senate proceeded to consider the bill (S. 3293) for the relief of Lt. P. B. Sampson which had been reported from the Committee on the Judiciary with an amendment on page 2, line 3, after the word "act" to strike out "in excess of 10 percent thereof", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to 1st Lt. P. B. Sampson (AO2234561), Box 172, Army Post Office 334, care of Postmaster, San Francisco, Calif., the sum of $1,139.57, in full settlement of all claims against the United States for the damages sustained by him on account of damage to and destruction of his household goods and personal effects as the result of a crash of a B–29 bomber in Guam, Marianas Islands, on December 17, 1953, for which he has not heretofore been compensated: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (H. R. 1370) for the relief of Guy H. Davant was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 2032) for the relief of Clarence D. Newland was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 3222) for the relief of Martin Luther Johnson was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

FREDERICK JOSEPH BUTTACCIO AND OTHERS

The Senate proceeded to consider the bill (H. R. 4474) for the relief of Frederick Joseph Buttaccio and others, which had been reported from the Committee on the Judiciary with an amendment on page 2, line 6, after the word "Act", to strike out "in excess of 10 percent thereof."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

BILL PASSED OVER

The bill (H. R. 4638) for the relief of David W. Wallace was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

HARVEY SCHWARTZ

The Senate proceeded to consider the bill (S. 2496) for the relief of Harvey Schwartz, which had been reported from the Committee on the Judiciary with amendments, on page 1, line 5, after the word "of", to strike out "$850.52" and insert "$600.82"; and at the top of page 2, to insert "SEC. 2. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Harvey Schwartz the sum of $250, which represents overpayments in salary received by him during the period beginning April 14, 1952, the date he was erroneously appointed to a position in grade GS–7, and ending on the date he was demoted to a position in grade GS–5 in compliance with the provisions of section 1310 of the Supplemental Appropriation Act of 1952", so as to make the bill read:

Be it enacted, etc., That Harvey Schwartz, of Denver, Colo., an employee of the Veterans' Administration, is relieved of all liability to refund to the United States the sum of $600.82, representing overpayments in salary received by him during the period beginning April 14, 1952, the date he was erroneously appointed to a position in grade GS–7, and ending on the date he was demoted to a position in grade GS–5 in compliance with the provisions of section 1310 of the Supplemental Appropriation Act, 1952.

SEC. 2. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Harvey Schwartz the sum of $250, which represents overpayments in salary received by him during the period beginning April 14, 1952, the date he was erroneously appointed to a position in grade GS–7, and ending on the date he was demoted to a position in grade GS–5 in compliance with the provisions of section 1310 of the Supplemental Appropriation Act of 1952.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED TO FOOT OF THE CALENDAR

The bill (H. R. 1665) for the relief of Carl Piowaty and W. J. Piowaty was announced as next in order.

Mr. SMATHERS. Mr. President, I ask that the bill go to the foot of the calendar.

The PRESIDING OFFICER. Without objection, the bill will be passed to the foot of the calendar.

HAROLD J. DAVIS

The Senate proceeded to consider the bill (H. R. 7413) for the relief of Harold J. Davis, which had been reported from the Committee on the Judiciary with amendments on page 1, line 9, after the word "him", to strike out "on the 3d and 4th of July" and insert "on or about the 3d or 4th day of June", and on page 2, line 3, after the word "except", to strike out "medical expenses shall" and insert "hospital and medical expenses actually incurred shall."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

BILL PASSED OVER

The bill (H. R. 5420) to amend section 161, title 35, United States Code, relating to the patenting of plants was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

RIGHTS OF PRIORITY OF NATIONALS OF JAPAN AND GERMANY RELATING TO APPLICATIONS FOR PATENTS

The bill (H. R. 6280) to extend temporarily the rights of priority of nationals of Japan and certain nationals of Germany with respect to applications for patents was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 3305) to authorize payment of certain war claims, including payment of certain claims arising out of the sequestration by the Imperial Japanese Government of credits of members of the military and naval forces of the United States and other United States nationals in the Philippines was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

CONVEYANCE OF CERTAIN LAND TO THE HOT SPRINGS SCHOOL DISTRICT AND TO GARLAND COUNTY, ARK.

The bill (H. R. 8038) to authorize the conveyance to the Hot Springs School District and to Garland County, Ark., for school and for other public purposes, of certain land originally donated to the United States and situated in Hot Springs National Park, Ark., and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

LILLIAN SCHLOSSBERG

The Senate proceeded to consider the bill (H. R. 2163) for the relief of Lillian Schlossberg, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, notwithstanding the provisions of section 2401 (b) of title 28, United States Code, jurisdiction is hereby conferred on the United States District Court for the Eastern District of New York to hear, determine, and render judgment on the tort claim of Mr. and Mrs. Allan Schlossberg, of Brooklyn, N. Y., arising out of an accident involving a United States Army vehicle on December 8, 1945, in the vicinity of Canal Street and West Broadway, New York, N. Y.

SEC. 2. Suit upon such claim may be instituted hereunder not later than 6 months after the date of the enactment of this act: *Provided, however,* That nothing contained in this act shall be construed as an inference of liability on the part of the United States Government.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act for the relief of Mr. and Mrs. Allan Schlossberg."

BILL PASSED OVER

The bill (H. R. 8753) to amend the Federal Property and Administrative Services Act of 1949, as amended, to authorize the Administrator of General Services to establish and operate motor-vehicle pools and systems and to provide office furniture and furnishings when agencies are moved to new locations, to direct the Administrator to report the unauthorized use of Government motor vehicles, and to authorize the United States Civil Service Commission to regulate operators of Government-owned motor vehicles, and for other purposes, was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. HENDRICKSON subsequently said: Mr. President, some time ago Calendar No. 1957 (H. R. 8753), to amend the Federal Property and Adminstrative Services Act of 1949, as amended, to authorize the Administrator of General Services to establish and operate motor-

vehicle pools and systems and to provide office furniture and furnishings when agencies are moved to new locations, to direct the Administrator to report the unauthorized use of Government motor vehicles, and to authorize the United States Civil Service Commission to regulate operators of Government-owned motor vehicles, and for other purposes, was objected to. I understand the objection has been withdrawn. Therefore I ask unanimous consent that the bill be passed to the foot of the calendar.

The PRESIDING OFFICER. Without objection, the bill will be passed to the foot of the calendar.

CONVEYANCE OF CERTAIN REAL PROPERTY TO THE TOWN OF BEAUFORT, N. C.

The bill (S. 3709) to provide for the conveyance of certain real property to the town of Beaufort, N. C., was announced as next in order.

Mr. ERVIN. Mr. President, an identical bill, House bill 9406, has passed the House. I ask unanimous consent that the Committee on Government Operations be discharged from further consideration of the House bill, and that the House bill be substituted for the Senate bill and be presently considered.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Committee on Government Operations is discharged from further consideration of House bill 9406.

Is there objection to the present consideration of House bill 9406?

There being no objection, the bill (H. R. 9406) for the conveyance of certain real property to the town of Beaufort, N. C., was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 3709 is indefinitely postponed.

CONVEYANCE OF CERTAIN LANDS TO THE COUNTY OF CUMBERLAND, N. C.

The bill (H. R. 6658) to provide for the conveyance of certain lands by the United States to the county of Cumberland, State of North Carolina, without remuneration, was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 179) to amend section 7 of the Administrative Expenses Act of 1946, as amended, was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

CONVEYANCE OF CERTAIN LAND IN SUMTER COUNTY, GA., TO THE AMERICUS AND SUMTER COUNTY CHAMBER OF COMMERCE

The bill (H. R. 8501) to provide for the conveyance of certain land in Sumter County, Ga., to the Americus and Sumter County Chamber of Commerce was considered, ordered to a third reading, read the third time, and passed.

Mr. MORSE subsequently said: Mr. President, I wish to make a very brief statement for the record on Calendar No. 1961, a bill (H. R. 8020) to authorize the transfer of certain property of the United States Government in Klamath County, Oreg., to the State of Oregon, under the time that I am allotted on the pending bill.

When I was at the hospital this morning, Calendar No. 1961, H. R. 8020, was passed. I had made clear to the Senate Calendar Committee that I had no objection, because it does not violate the Morse formula, but so that no one in the future will misunderstand my position, let me say this very briefly:

This is a case in which some 25 acres of land were donated to the Federal Government by the Sumter County Chamber of Commerce, in Georgia, for the specific purpose of building a veterans' hospital. The Federal Government accepted the property for that purpose, and that purpose alone.

The Federal Government then curtailed its veterans' hospital program and decided against building a hospital at this particular site. It is now proposed to reconvey the property to the donors, in keeping with their clear equity in the matter and in keeping with the original intent of the transfer, because unless the property was to be used for the hospital purposes, there was no intention on the part of the chamber of commerce to donate the property in the first place. Thus, the Morse formula does not apply.

TRANSFER OF CERTAIN PROPERTY TO THE STATE OF OREGON

The Senate proceeded to consider the bill (H. R. 8020) authorizing the transfer of certain property of the United States Government (in Klamath County, Oreg.) to the State of Oregon, which had been reported from the Committee on Government Operations with an amendment, on page 4, line 17, after the word "of", to strike out "title 40, United States Code Supplement, chapter 10, titled 'Management and Disposal of Government Property', subchapter II, section 484 (k) (2) (D) (40 U. S. C. Supp., 484 (k) (2) (D))" and insert "section 203 (d) (2) (D) of the Federal Property and Administrative Services Act of 1949, as amended (40 U. S. C., 484 (k) (2) (D))."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

BILL PASSED OVER

The bill (S. 3778) amending section 413 of the Foreign Service Act of 1946 was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. WILEY subsequently said: Mr. President, I ask unanimous consent that calendar 1963, Senate bill 3778, be placed at the foot of the calendar. I understand that it is agreeable to the Senator who previously objected to the bill to have it placed at the foot of the calendar at this time.

The PRESIDING OFFICER. Without objection, the bill will be placed at the foot of the calendar.

Mr. HENDRICKSON. Mr. President, I understand that the bill has already been ordered to the foot of the calendar.

The PRESIDING OFFICER. No; the bill was passed over, upon objection.

Mr. HENDRICKSON. Then I am satisfied to have the bill go to the foot of the calendar.

The PRESIDING OFFICER. Very well.

Mr. WILEY. Mr. President, I thank the Senator from New Jersey.

Mr. GORE. Mr. President, I wonder how we shall come out if such a course is followed—in other words, if, following the making of an objection, and after the Senator who objected may perhaps have left the floor, the bill is ordered placed at the foot of the calendar. I wonder whether it is proper to have that done without notice to the Senator or Senators who previously objected to the consideration of the bill, and asked that it be passed over.

The PRESIDING OFFICER. The Chair cannot rule as to that.

Mr. MANSFIELD. Mr. President, the purpose was to request that the bill go to the foot of the calendar.

The PRESIDING OFFICER. If objection was filed, it would still stand.

Mr. WILEY. I wish to say that I have spoken to the Senator who objected, and we have conferred about the bill. It is agreeable to him that the bill be placed at the foot of the calendar.

The PRESIDING OFFICER. The bill has been ordered to the foot of the calendar.

THEODORE J. HARRIS

The Senate proceeded to consider the bill (S. 3104) for the relief of Theodore J. Harris.

Mr. McCARRAN. Mr. President, on behalf of the chairman of the Judiciary Committee I offer an amendment to Senate bill 3104. This amendment would prohibit the payment of any attorneys' fees in connection with this claim. This amendment is offered to have this bill conform completely with the past action of the Judiciary Committee relating to attorneys' fees.

The PRESIDING OFFICER. The amendment offered by the Senator from Nevada will be stated.

The LEGISLATIVE CLERK. On page 2, line 6, it is proposed to strike out the period, insert a colon, and the following:

Provided, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That Theodore J. Harris, Rockville, Md., is hereby relieved of all liability to refund to the United States the sum of $257.01. Such sum represents the compensation received by the said Theodore J. Harris for Saturday and Sunday overtime service performed during the period from February to April 1951, at the Rockville, Md., post office. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Theodore J. Harris, an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, in complete or partial satisfaction of the claim of the United States for such refund: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

STANLEY RYDZON AND ALEXANDER F. ANDERSON

The Senate proceeded to consider the bill (S. 3105) for the relief of Stanley Rydzon and Alexander F. Anderson.

Mr. McCARRAN. Mr. President, on behalf of the chairman of the Committee on the Judiciary I offer herewith an amendment. This amendment would prohibit the payment of any attorney's fees in connection with this claim. This amendment is offered in order to have the bill conform completely with the past action of the Judiciary Committee relating to attorney's fees.

The PRESIDING OFFICER. The amendment offered by the Senator from Nevada will be stated.

The LEGISLATIVE CLERK. On page 2, line 13, it is proposed to strike the period, insert a colon in lieu thereof, and the following:

Provided, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That Stanley Rydzon and Alexander F. Anderson are hereby relieved of all liability to refund to the United States the sums of $2,074.50 and $1,550.25, respectively. Such sums represent compensation received by the persons aforesaid as employees of the United States post office, San Antonio, Tex., during the periods July 1, 1950, to April 15, 1953, and April 9, 1951, to March 31, 1953, respectively, all dates inclusive, while they were also employed by the General Services Administration and each was receiving dual compensation from the United States at a combined annual rate in excess of $2,000. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amounts for which liability is relieved by the act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay out of any money in the Treasury not otherwise appropriated, to the said Stanley Rydzon and Alexander F. Anderson an amount equal to the aggregate of the amounts paid by them, respectively, or withheld from sums otherwise due them, respectively, in complete or partial satisfaction of the claims of the United States for such refunds: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

ESTATE OF P. H. McCONNELL—BILL PASSED TO FOOT OF CALENDAR

The bill (S. 3326) for the relief of P. H. McConnell was announced as next in order.

Mr. GORE. Over.

Mr. McCARRAN. Mr. President, will the Senator withhold his objection for a moment?

Mr. GORE. I withhold objection.

Mr. McCARRAN. Mr. President, on July 20, 1954, S. 3326, Calendar No. 1966, was reported to the Senate from the Committee on the Judiciary.

As reported, this bill is for the relief of P. H. McConnell.

Since the time of reporting the bill it has been learned that the claimant is deceased.

I offer herewith amendments to the title and text of S. 3326, so as to provide for the relief of the estate of P. H. McConnell.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. GORE subsequently said: Mr. President, the junior Senator from Tennessee was under the impression that there was no agency report with respect to Calendar 1966, Senate bill 3326, for the relief of P. H. McConnell. I am now supplied with the report, and I withdraw my objection.

The PRESIDING OFFICER. Is there objection to the present consideration of Calendar No. 1966, Senate bill 3326?

Mr. HENDRICKSON. Mr. President, I object on the ground that we must establish an orderly procedure if we are ever to finish the call of the calendar. The bill must go to the foot of the calendar.

The PRESIDING OFFICER. Without objection, the bill will be passed to the foot of the calendar.

BILL PASSED TO FOOT OF THE CALENDAR

The bill (H. R. 3516) for the relief of Anna K. McQuilkin was announced as next in order.

Mr. SMATHERS. Mr. President, may we have an explanation of the bill?

The PRESIDING OFFICER. An explanation is requested of House bill 3516, Calendar No. 1967.

Mr. SMATHERS. Mr. President, I ask unanimous consent that the bill be passed to the foot of the calendar.

The PRESIDING OFFICER. Without objection, the bill will be passed to the foot of the calendar.

HAROLD E. WAHLBERG

The Senate proceeded to consider the bill (H. R. 5986) for the relief of Harold E. Wahlberg.

Mr. McCARRAN. Mr. President, on behalf of the chairman of the Judiciary Committee, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Nevada will be stated.

The LEGISLATIVE CLERK. On page 2, line 3, it is proposed to strike the period, insert a colon in lieu thereof and the following:

Provided, That no part of any proceeds paid as the result of the enactment of this legislation shall be paid or delievered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

RULES OF PRACTICE AND PROCEDURE BEFORE FEDERAL AGENCIES

The bill (S. 17) to provide general rules of practice and procedure before Federal agencies, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Mr. President, reserving the right to object—and I certainly shall not object—I think this is a very important bill. I am sure the distinguished Senator from Nevada feels that the RECORD should show the purpose of the bill.

The PRESIDING OFFICER. An explanation is requested.

Mr. McCARRAN. Mr. President, the aim of this bill is to bring increased uniformity and simplicity into the practice before administrative agencies of the Government.

Almost everyone agrees there is an area within which the rules of practice before the various agencies of the Government can be made simpler and more uniform. Almost everyone disagrees as to just where the boundaries of this area are to be found.

The purpose of this bill is to provide the machinery by which the location of this boundary may be determined, and

through which the greatest feasible decree of uniformity and simplicity in rules of practice may be brought about.

This will make it easier for the average citizen who must deal with the complexities of his Government. It will also make it easier for lawyers to represent their clients before the Government departments and agencies. As the committee report points out:

At the present time, the field of administrative practice and procedure is a jungle to be entered with impunity only by those familiar with its paths, and then only warily, for the paths are often subject to change with little notice.

This bill, S. 17, would create a commission of 9 members, including 2 Senators, 2 Members of the House of Representatives, an Assistant Attorney General, the head of an independent agency in the executive branch of the Government, a chief judge of one of the judicial circuits, a law school dean, and a practicing lawyer, and would charge this commission with the duty of formulating and transmitting to the Attorney General, for report to Congress, general rules of practice and procedure for agencies.

In deference to the accountants who now practice before certain agencies, and who fear legislation which might restrict such practice to lawyers, the bill has been amended to provide specifically that the rules proposed by the commission shall not deal with qualifications or requirements for admission to practice before agencies of the Government.

It is also provided that the proposed rules shall neither abridge, enlarge, nor modify substantive powers or limitations respecting any agency, and may not provide or withdraw authority to hold hearings or to issue compulsory process.

Just as in the case of the eminently successful rules of criminal procedure and rules of civil procedure, the rules of procedure for administrative agencies which the commission would propose would be submitted to the Congress within 30 days after the beginning of a session, and if the Congress found the rules unobjectionable, they would become effective 10 days after the adjournment sine die of the session.

The PRESIDING OFFICER. Is there objection to the present consideration of Senate bill 17?

There being no objection, the Senate proceeded to consider the bill (S. 17) to provide general rules of practice and procedure before Federal agencies, which had been reported from the Committee on the Judiciary with an amendment on page 2, line 4, after the word "process." to insert "Such rules shall not deal with qualifications or requirements for admission to practice before such agencies.", so as to make the bill read:

Be it enacted, etc., That the definitions in the Administrative Procedure Act shall be applicable to the same terms used in this act.

SEC. 2. Rules of practice and procedure for agencies: The Commission established by section 3 of this act shall formulate, and transmit to the Attorney General for report to Congress, general rules of practice and procedure for agencies, including forms and such rules as it may deem appropriate in agencies respecting judicial proceedings for the enforcement or review of agency action. Such rules shall neither abridge, enlarge, nor modify substantive powers or limitations respecting any agency nor may they provide or withdraw authority to hold hearings or to issue compulsory process. Such rules shall not deal with qualifications or requirements for admission to practice before such agencies. Unless previously disapproved by concurrent resolution of Congress the rules so formulated shall take effect 10 days after the adjournment sine die of any regular session of Congress at which, within 30 days of the beginning of such session, they shall have been reported to Congress by the Attorney General. After rules so become effective all laws and agency rules or practices in conflict therewith shall, to the extent of such conflict, be of no further force or effect except in the case of an agency proceeding initiated prior to such effective date. Additions, repeals, or amendments shall be formulated and shall become effective in the same manner. So far as any administrative function is exempt from such general rules by statutory definition or by a provision of the rules, they shall nevertheless be treated as models for adoption to the extent that the policy of this act and the ends of justice would be served.

SEC. 3. Administrative Rules Commission: For the purposes of section 2 of this act there is hereby established a commission composed of (1) the chairman and ranking minority members of the Committees on the Judiciary of the Senate and of the House of Representatives or, in case one or more of them declines to serve, the next ranking member of the committee on the majority or minority side, as the case may be, until four shall accept; (2) one of the Assistant Attorneys General who has served as such not less than 2 years, designated by the Attorney General; (3) the head of an independent agency who has served more than 1 term of office as such, designated by the President; (4) the senior chief judge of the judicial circuits or, in case he declines to serve, the next in seniority until one agrees to serve; (5) a dean of a law school, designated by the President; and (6) a practicing lawyer versed in Federal administrative law and representative of the legal profession, designated by the President, who shall not be subject to title 18, United States Code, section 283, or any similar prohibition. Members of the Commission shall receive no compensation other than reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties as members of the Commission except that members not drawing compensation from the United States for personal services shall be paid $50 per diem in lieu of subsistence. The Commission shall elect a chairman and secretary from among their number, and without regard to the civil-service laws or the Classification Act, shall appoint, and fix the compensation of, such professional and clerical assistants as may be necessary for the performance of its duties. The Commission shall also provide for, and collaborate with, voluntary and uncompensated advisory committees representative of Government agencies and private or professional interests. The Attorney General shall be responsible for the Commission's quarters, facilities, and budget. There is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, such sums, not to exceed in the aggregate $25,000, as may be necessary for the purposes of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FRANCIS C. POLLARD

The Senate proceeded to consider the bill (S. 1692) for the relief of Francis C. Pollard which had been reported from the Committee on the Judiciary with an amendment on page 2, line 11, after the word "act" to strike out "in excess of 10 percent thereof," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Francis C. Pollard (commander, United States Coast Guard (retired)), of Fairhaven, Mass., a sum equal to the amount that the said Francis C. Pollard would have received for 4 months' terminal leave had he been placed on terminal leave beginning on September 1, 1944, plus such additional amount as would be equal to the difference between the retired pay he has received for the period January 1, 1945, to the date of the enactment of this act and the retired pay he would have received for such period had he in fact been granted such 4 months' terminal leave.

SEC. 2. In the administration of all laws and regulations related to the granting of retired pay to retired officers of the United States Coast Guard the said Francis C. Pollard shall be held and considered to have had 24 years of creditable service on January 1, 1945.

SEC. 3. No part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MEADOW SCHOOL DISTRICT NO. 29, UPHAM, N. DAK.

The Senate proceeded to consider the bill (S. 3076) to provide for the reimbursement of Meadow School District No. 29, Upham, N. Dak., for loss of revenue resulting from the acquisition of certain lands within such school district by the Department of the Interior which had been reported from the Committee on the Judiciary with an amendment on page 2, line 7, after the word "act", to strike out "in excess of 10 percent thereof", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Meadow School District No. 29, Upham, N. Dak., the sum of $5,197.56 in full satisfaction of such school district's claim against the United States for reimbursement of loss of revenue resulting from the acquisition by the United States Department of the Interior of approximately 30 percent of the lands within such school district for a wildlife refuge, such amount representing the equitable share of such school district's bonded indebtedness remaining due against such lands acquired by the Department of the Interior at the time of such acquisition: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the

provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DISQUALIFICATION OF JUDGES BELIEVED TO HAVE PERSONAL BIAS OR PREJUDICE

The bill (S. 3517) to amend section 144 of title 28 of the United States Code was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

FRANK L. PEYTON

The Senate proceeded to consider the bill (H. R. 2024) for the relief of Frank L. Peyton, which had been reported from the Committee on the Judiciary with an amendment, on page 2, line 1, after the word "act", to strike out "in excess of 10 percent thereof."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

ESTHER SMITH

The Senate proceeded to consider the bill (H. R. 3008) for the relief of Esther Smith, which had been reported from the Committee on the Judiciary with an amendment, on page 2, at the beginning of line 1, to strike out "in excess of 10 percent thereof."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

FRANK G. KOCH

The Senate proceeded to consider the bill (H. R. 3951) for the relief of Frank G. Koch, which had been reported from the Committee on the Judiciary with an amendment, on page 2, line 5, after the word "act", to strike out "in excess of 10 percent thereof."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

MRS. DOROTHY J. WILLIAMS, WIDOW OF MELVIN EDWARD WILLIAMS

The Senate proceeded to consided the bill (H. R. 5093) for the relief of Mrs. Dorothy J. Williams, widow of Melvin Edward Williams.

Mr. McCARRAN. Mr. President, I send forward an amendment with reference to attorneys' fees.

The PRESIDING OFFICER. The Secretary will state the amendment.

The LEGISLATIVE CLERK. On page 1, line 9, it is proposed to strike out the period, insert a colon in lieu thereof, and the following:

Provided, That no part of any proceeds paid as the result of the enactment of this legislation shall be paid or delivered to or received by any agent or attorney on account of the services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provision of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Nevada.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

JOSEPH ANDREW WRIGHT

The Senate proceeded to consider the bill (S. 47) for the relief of Joseph Andrew Wright which had been reported from the Committee on the Judiciary with amendments on page 1, line 6, after the word "for", to strike out "total"; and on page 2, line 7, after the word "act", to strike out "in excess of 10 percent thereof", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Joseph Andrew Wright (C–2952631), a sum equal to the amount of compensation for disability incurred in peacetime naval service which would have been payable to him for the period beginning November 13, 1930, the date of his discharge from the United States Navy, and ending November 29, 1949, the date on which his claim for disability compensation was allowed by the Administrator of Veterans' Affairs by virtue of a correction in his naval record ordered by the Board for Corrections of Naval Records, and approved by the Secretary of the Navy, on November 22, 1949, if claim for such compensation had been filed and allowed immediately upon his discharge from the United States Navy: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

L. R. SWARTHOUT, AND THE LEGAL GUARDIAN OF HAROLD SWARTHOUT—BILL PASSED TO FOOT OF THE CALENDAR

The bill (S. 1022) for the relief of L. R. Swarthout, and the legal guardian of Harold Swarthout, was announced as next in order.

Mr. SMATHERS. Mr. President, by request, I ask that the bill go to the foot of the calendar.

Mr. McCARRAN. Will the Senator withhold his objection?

Mr. SMATHERS. I am happy to withhold it.

Mr. McCARRAN. Mr. President, I should like to offer an amendment. At the time the bill was printed a typographical error was made, with respect to one of the amendments proposed by the committee. The report accompanying the bill correctly reflects the proposed amendment. At this time I submit an amendment, and I ask for its immediate consideration. I ask that the amendment be stated.

The PRESIDING OFFICER. The Chair would like to inquire if the Senator from Florida desires that the bill go to the foot of the calendar and that the proposed amendment be taken up at the time the bill is under consideration.

Mr. SMATHERS. I make that request, because we have a request that the bill go to the foot of the calendar.

The PRESIDING OFFICER. The bill will be passed to the foot of the calendar.

CUBAN-AMERICAN SUGAR CO. CLAIM

The Senate proceeded to consider the the bill (S. 3304) conferring jurisdiction upon the Court of Claims of the United States to consider and render judgment on the claim of the Cuban-American Sugar Co. against the United States which had been reported from the Committee on the Judiciary with amendments, on page 1, line 5, after the word "claim", to strike out the comma and "together with interest therein."; and on page 3, line 2, after the word "amended", to insert a colon and *"Provided, however*, That nothing contained in this act shall be construed as an inference of liability on the part of the United States Government.", so as to make the bill read:

Be it enacted, etc., That the Court of Claims of the United States be, and hereby is, given jurisdiction to hear, determine, and render judgment on the claim of the Cuban-American Sugar Co. against the United States for a refund of taxes erroneously and illegally assessed and collected as excess-profit taxes for the period from January 1, 1917, to September 30, 1917. That, for the purpose of arriving at the correct determination of the tax for this period, the Court of Claims is to apply the method of computation under sections 201 or 203 of the Revenue Act of 1917, based upon the invested capital of the corporation amounting to $39,848,530.85, which was the invested capital of the Cuban-American Sugar Co. according to the decisions of the Board of Tax Appeals, all dated December 16, 1932, which decisions were based upon the stipulation entered into between the Cuban-American Sugar Co. and the Commissioner of Internal Revenue, whereby it was agreed that the sum of $39,848,530.85 was the invested capital of the Cuban-American Sugar Co. for the calendar year 1917.

SEC. 2. In the proceedings upon such claims before the Court of Claims the United States shall not avail itself of the defense that the General Counsel for the Bureau of Internal Revenue acted without legal authority in making such stipulation of settlement.

SEC. 3. Suit upon such claim may be instituted at any time within 6 months after the date of enactment of this act, notwithstanding the lapse of time, laches, the form or any content or the time of filing of claims for the refund and alleged amendments thereto, heretofore filed or any statute of limitations. Proceedings for the determina-

tion of such claim and appeals from the payment of any judgment thereon shall be in the same manner as in the case of claims over which such court has jurisdiction under section 1346 of title 28, United States Code, as amended: *Provided, however*, That nothing contained in this act shall be construed as an inference of liability on the part of the United States Government.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES R. LOGAN

The Senate proceeded to consider the bill (H. R. 4175) for the relief of Charles R. Logan which had been reported from the Committee on the Judiciary with amendments, on page 1, line 6, after the word "of", to strike out "$800" and insert "$2,799.93"; and on page 2, line 5, after the word "act", to strike out "in excess of 10 percent thereof."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

CHANCY C. NEWSOM

The Senate proceeded to consider the bill (H. R. 5460) for the relief of Chancy C. Newsom which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, (1) to the legal guardian of Susan M. Newsom, a minor, the sum of $25,000, in full satisfaction of all claims against the United States for personal and permanent injuries, pain and suffering, facial and other physical disfigurement sustained by the said Susan M. Newsom on February 21, 1952, when she was severely burned by the explosion of an oil switch at Camp Wood, Kumamoto, Kyushu, Japan, and (2) to Chancy C. Newsom, of 28 Northwest 36 Court, Miami, Fla., father of the said Susan M. Newsom, the sum of $327, in full satisfaction of his claim against the United States for reimbursement for hospital and other expenses incurred by him on account of the injuries so sustained by the said Susan M. Newsom: *Provided*, That no part of the amount appropriated by this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of the act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. HENDRICKSON. I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The Secretary will state the amendment offered by the Senator from New Jersey.

The LEGISLATIVE CLERK. On page 2, line 14, it is proposed to strike out the figure "$25,000" and to insert in lieu thereof the figure "$17,473."

Mr. HENDRICKSON. The amendment brings the sum to be awarded in line with the amount contained in the bill passed by the House.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Jersey.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "An act for the relief of Chancy C. Newsom and the legal guardian of Susan M. Newsom, a minor."

CONVEYANCE OF A CERTAIN TRACT OF LAND IN MISSISSIPPI TO JONATHAN JONES—BILL PLACED AT FOOT OF CALENDAR

The bill (S. 3316) to authorize and direct the conveyance of a certain tract of land in the State of Mississippi to Jonathan Jones was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. SMATHERS. By request, I ask that the bill go to the foot of the calendar.

The PRESIDING OFFICER. Without objection, the bill will be passed to the foot of the calendar.

BILLS PASSED OVER

The bill (H. R. 5605) to amend the Federal Property and Administrative Services Act of 1949 to provide for payment of taxes or payments in lieu of taxes with respect to real property transferred from Government Corporations to other agencies of the Federal Government, was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 6290) to discontinue certain reports now required by law, was announced as next in order.

Mr. COOPER. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 951) for the relief of the Trust Association of H. Kempner was announced as next in order.

Mr. COOPER. Over.

The PRESIDING OFFICER. The bill will be passed over.

MARKERS IN NATIONAL CEMETERIES

The bill (H. R. 4690) to provide for the erection of appropriate markers in national cemeteries to honor the memory of members of the Armed Forces missing in action was considered, ordered to a third reading, read the third time, and passed.

CHIEF, MEDICAL SERVICE CORPS OF THE NAVY

The bill (H. R. 2224) to amend the Army-Navy Medical Services Corps Act of 1947 (61 Stat. 734), as amended, so as to authorize the appointment of a Chief of the Medical Service Corps of the Navy, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF NATIONAL DEFENSE ACT

The bill (H. R. 6223) to amend section 87 of the National Defense Act of June 3, 1916, as amended (32 U. S. C. 47), to relieve the States from accountability and pecuniary liability for property lost, damaged, or destroyed except in cases where it shall appear that the loss, damage, or destruction of the property was due to carelessness or negligence or could have been avoided by the exercise of reasonable care was considered, ordered to a third reading, read the third time, and passed.

PAY OF CERTAIN NAVAL OFFICERS

The bill (H. R. 7131) to repeal a limitation on pay of certain officers of the Navy was considered, ordered to a third reading, read the third time, and passed.

DISPOSAL OF CERTAIN UNCOMPLETED NAVAL VESSELS

The bill (H. R. 8570) to authorize the Secretary of the Navy to dispose of certain uncompleted naval vessels, and for other purposes, was announced as next in order.

Mr. MAGNUSON. Mr. President, may we have an explanation of the bill?

Mr. SALTONSTALL. Mr. President, this bill will do three things.

First. Authorize the Secretary of the Navy to scrap two uncompleted destroyers on which construction has been stopped for at least 7 years. These vessels, the *Castle* and *Woodrow R. Thompson*, consist of two uncompleted hulls, located in the Naval Industrial Reserve Shipyard, Port Newark, N. J. The shipyard itself has been deactivated for several years. The Navy has no authority to scrap the hulls since existing legislation requires that they be kept for eventual completion.

Second. The bill would ratify the Navy action of scrapping two uncompleted destroyers which were scrapped shortly after December 3, 1946, without legislative authority. These vessels at the time consisted of two uncompleted hulls.

Third. The bill would ratify the Navy action in discontinuing the construction of two submarines, the *Lancetfish* and *Turbot*. Technically, the Navy was required by law to complete these vessels because of the Appropriation Rescission Act of 1946, which required the Navy to complete all vessels which were 20 percent complete as of March 1, 1946. Subsequently the Navy found that about $9½ million could be saved by completing two other submarines of the fleet reserve rather than the two named in the bill. *Lancetfish* was placed in the reserve fleet and the *Turbot* was assigned

for test purposes. Both of these vessels can be completed at a later date, if necessary.

Mr. MAGNUSON. Is the bill directed specifically to three ships, or does the bill contain general authority?

Mr. SALTONSTALL. It is directed specifically to two submarines, two uncompleted destroyers, and two more uncompleted destroyers.

Mr. MAGNUSON. It is limited to those ships?

Mr. SALTONSTALL. That is correct.

Mr. MAGNUSON. I have no objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 8570) to authorize the Secretary of the Navy to dispose of certain uncompleted naval vessels, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

INTEGRATION OF JUDGE ADVOCATES' PROMOTION LIST WITH THAT OF THE ARMY

The bill (H. R. 9000) to integrate the Judge Advocates' promotion list with that of the Army to restore lost seniority and grade, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

REVOCATION OF ELECTION BY RETIRED MEMBERS OF THE UNIFORMED SERVICES UNDER THE UNIFORMED SERVICES CONTINGENCY OPTION ACT OF 1953

The bill (H. R. 9302) to permit retired members of the uniformed services to revoke elections made under the Uniformed Services Contingency Option Act of 1953 in certain cases where the elections were made because of mathematical errors or misinformation was considered, ordered to a third reading, read the third time, and passed.

TRANSFER OF CERTAIN PROPERTY IN CANAL ZONE

The bill (S. 2780) to authorize certain property transactions in Cocoli, Canal Zone, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. There is on the calendar a companion bill to S. 2780. It is Calendar No. 2238, H. R. 7334. Without objection, the House bill will be considered. The Secretary will state the House bill by title.

The LEGISLATIVE CLERK. A bill (H. R. 7334) to authorize certain property transactions in Cocoli, C. Z., and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, S. 2780 will be indefinitely postponed.

AUTHORIZING ADMINISTRATOR OF VETERANS' AFFAIRS TO CONVEY CERTAIN PROPERTY TO MILWAUKEE COUNTY, WIS.

The bill (S. 3393) authorizing the Administrator of Veterans' Affairs to convey certain property to Milwaukee County, Wis., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs is authorized and directed to convey to Milwaukee County, Wis., for use for highway, motor vehicle parking, and recreational purposes, all right, title, and interest of the United States in and to a tract of 28 acres of land, more or less, together with structures thereon, constituting a portion of the reservation of the Veterans' Administration Center, Wood, Wis., and situated along the southwesterly boundary of certain land conveyed to Milwaukee County by the Administrator pursuant to the act of September 1, 1949 (63 Stat. 683), and described therein as "Parcel II." The exact legal description of the land to be conveyed shall be determined by the Administrator or his designate and, in the event that a survey is required in order to make such determination, Milwaukee County shall bear the expense thereof.

SEC. 2. The deed of conveyance shall—

(a) provide that Milwaukee County shall construct for the Veterans' Administration two service buildings, a duplex house and two-car garage, an animal house (all with necessary utilities and service drives), a water meter pit, necessary fencing, and a service road, all of which construction shall be in accordance with plans, and at locations on the reservation of the Veterans' Administration Center, Wood, Wis., to be mutually agreed upon by the Administrator of Veterans' Affairs or his designate and Milwaukee County;

(b) provide that if Milwaukee County fails to use the tract of land so conveyed for highway, motor vehicle parking and recreational purposes or alienates or attempts to alienate all or any part thereof, title thereto shall revert to the United States; and

(c) contain such additional terms, conditions, reservations, and restrictions as may be determined by the Administrator of Veterans' Affairs to be necessary to protect the interests of the United States.

PARTICIPATION IN FIRST INTERNATIONAL INSTRUMENT CONGRESS AND EXPOSITION

The joint resolution (H. J. Res. 257) authorizing the President to invite the States of the Union and foreign countries to participate in the First International Instrument Congress and Exposition to be held in Philadelphia, Pa., from September 13 to 25, 1954, was considered, ordered to a third reading, read the third time, and passed.

ISSUANCE OF MEDALS TO CERTAIN SCIENTIFIC AND EDUCATIONAL SOCIETIES

The Senate proceeded to consider the bill (S. 3400) to authorize the issuance of commemorative medals to certain scientific and educational societies of which Benjamin Franklin was a member in observance of the 250th anniversary of his birth which had been reported from the Committee on Banking and Currency with amendments, on page 1, line 6, after the word "of", to strike out "State" and insert "the Treasury"; at the beginning of line 8, to strike out "gold" and insert "bronze"; on page 2, line 1, after the word "scientific" to strike out "and"; and in the same line, after the word "educational" to insert "and welfare", so as to make the bill read:

Be it enacted, etc., That, in commemoration of the 250th anniversary of the birth of Benjamin Franklin occurring on January 17, 1956, and in connection with the observance and celebration of that event, the Secretary of the Treasury is authorized and directed to have struck 19 bronze medals of an appropriate design and inscription and to provide for the presentation of such medals to the following-named scientific, educational, and welfare societies of which Benjamin Franklin was a member: The American Philosophical Society (Philadelphia), Philadelphia Society of the Sons of St. George, Accademia di Scienze, Lettre et Arti in Padors (formerly Reale Accademia) (Italy), L'Academie des Sciences, L'Institute de France (formerly Academie Royale), the Royal Society (England), Königliche Geselleschaft der Wissenschaftler, Göttingen (Germany), the Royal Society of Arts (England), Bataafsch Genootschap der Proefondervindelijke Wijsbegeerte (Netherlands), The Academie de Medicine (France), The Medical Society of London, The American Academy of Arts and Sciences (Boston), the Royal Society of Edinburgh, Real Academia de la Historia (Spain), Academie Nationale des Sciences, Belle-Lettres et Arts de Lyon (France), Real Accademia delle Science di Torino (Italy), the Manchester Literary and Philosophical Society (England), the Societa Patrioca diretta all'avanzamento dell'Agricultura delle Arti e delle Manifatture, Milano (Italy), the Philadelphia Society for Promoting Agriculture, and the Society of Antiquaries of London.

SEC. 2. Such sums as may be necessary to carry out the purposes of this act are hereby authorized to be appropriated.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill to authorize the issuance of commemorative medals to certain societies of which Benjamin Franklin was a member in observance of the 250th anniversary of his birth."

AMENDMENT OF FEDERAL CREDIT UNION ACT, AS AMENDED

The bill (H. R. 9236) to amend the Federal Credit Union Act, as amended, was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF TRADING WITH THE ENEMY ACT—BILL PASSED OVER

The bill (S. 3423) to amend the Trading With the Enemy Act, was announced as next in order.

Mr. SMATHERS. Over.

Mr. DIRKSEN. Mr. President, will the Senator withhold his objection?

Mr. SMATHERS. I am happy to withhold it.

Mr. DIRKSEN. I ask leave to proceed for 15 minutes, in explanation of the bill.

Mr. HENDRICKSON. I object.

The PRESIDING OFFICER. Objection is heard. The bill goes over.

Mr. SMATHERS. Mr. President, I renew my request that the bill go over.

The PRESIDING OFFICER. The bill goes over.

Mr. HENDRICKSON. Mr. President, I should like to state the reason for my objection. It was stated at the beginning of the calendar call that both calendar committees agreed that we would have an orderly call of the calendar, and not violate the spirit of the 5-minute rule.

BILL PASSED OVER

The bill (S. 1555) to authorize the Secretary of the Interior to construct, operate, and maintain the Colorado River storage project and participating projects and for other purposes, was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The bill will be passed over.

RECLASSIFICATION OF DICTAPHONES IN THE TARIFF ACT OF 1930

The Senate proceeded to consider the bill (H. R. 8932) to reclassify dictaphones in the Tariff Act of 1930 which had been reported from the Committee on Finance with amendments, on page 2, line 11, after the word "The", to insert "foregoing"; and after line 13, to insert:

SEC. 5. Section 201 of title II of the Tariff Act of 1930, as amended, is further amended by adding at the end thereof a new paragraph to read as follows:

"PAR. 1818. Furfural."

SEC. 6. The Secretary of the Treasury is hereby directed to admit free of duty black granite, in whatever form, for use in any statue, monument, or memorial authorized by law to be erected on Federal property.

The amendments were agreed to.

Mr. MARTIN. Mr. President, to H. R. 8932 I offer an amendment which I send to the desk and ask to have stated.

Mr. MILLIKIN. Mr. President, may I ask the Senator from Pennsylvania what is the purport of his amendment?

Mr. MARTIN. As the distinguished chairman of the Committee on Finance will recall, the committee acted upon an amendment to this bill which would permit the importation of black granite, for the construction of the Marine Corps War Memorial on the Nevius Tract near Arlington Cemetery. This is the famous monument, showing Marines raising the flag on Iwo Jima.

Subsequently, it was brought to my attention that there is granite of a similar kind to be found in the United States, and the wording of the committee amendment might be interpreted to permit the entry of black granite, duty free, for an unspecified period of time. This was not the intention of the original amendment, which was for the specific purpose of the monument. I believe this limiting amendment will answer the objection raised.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Pennsylvania.

The LEGISLATIVE CLERK. On page 2, line 19, after the word "form", it is proposed to insert "imported prior to January 1, 1955."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Pennsylvania [Mr. MARTIN].

The amendment was agreed to.

The amendments were ordered to be engrossed and the bill to be read the third time.

The bill was read the third time and passed.

INCREASE IN RATES OF COMPENSATION TO CERTAIN VETERANS

The Senate proceeded to consider the bill (H. R. 9020) to provide increases in the monthly rates of compensation payable to certain veterans and their dependents.

Mr. COOPER. Mr. President, I ask unanimous consent to have a statement printed immediately prior to the passage of Calendar No. 2002, H. R. 9020.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR COOPER

There are two important veterans bills presently pending before the Senate, H. R. 9020 and H. R. 9962. These bills will provide for a much-needed increase in veterans' compensation, their dependents, and survivors. We all know to what extent veterans who must live on fixed compensation and pension payments have been seriously affected by the increases in the cost of living.

Although I am not a member of the Senate Finance Committee, which submitted the reports on these bills, I became familiar with the scope and purpose of these bills as a member of the majority Calendar Committee and I wish to speak in support of this vital legislation. I should like to offer brief explanations of the bills before us and to set forth the actual increases provided.

H. R. 9020

Section 1 of H. R. 9020 provides for a 5 percent increase in compensation for veterans with service-incurred disability and applies to wartime veterans as well as veterans of the regular establishment who served in time of peace. The actual increases which are provided in the bill are as follows:

Compensation increases to veterans and dependents under H. R. 9020

	Present law war-service-connected rates, Veterans Regulation 1 (a), as amended, pt. I	H. R. 9020	Present law peacetime-service-connected rates, Veterans Regulation 1 (a), as amended, pt. II	H. R. 9020
(a) 10 percent disability	$15.75	$17.00	$12.60	$14.00
(b) 20 percent disability	31.50	33.00	25.20	26.00
(c) 30 percent disability	47.25	50.00	37.80	40.00
(d) 40 percent disability	63.00	66.00	50.40	53.00
(e) 50 percent disability	86.25	91.00	69.00	73.00
(f) 60 percent disability	103.50	109.00	82.80	87.00
(g) 70 percent disability	120.75	127.00	96.60	102.00
(h) 80 percent disability	138.00	145.00	110.40	116.00
(i) 90 percent disability	155.25	163.00	124.20	130.00
(j) Total disability	172.50	181.00	138.00	145.00
(k) Anatomical loss, or loss of use of a creative organ, or 1 foot, or 1 hand, or blindness of 1 eye, having only light perception, rates (a) to (j) increased monthly by	47.00	47.00	37.60	37.60
Anatomical loss, or loss of use of a creative organ, or 1 foot, or 1 hand, or blindness of 1 eye, having only light perception, in addition to requirement for any of rates in (l) to (s), rate increased monthly for each loss or loss of use by	[1] 47.00	[1] 47.00	[2] 37.60	[2] 37.60
(l) Anatomical loss, or loss of use of both hands, or both feet, or 1 hand and 1 foot, or blind both eyes with 5/200 visual acuity or less, or is permanently bedridden or so helpless as to be in need of regular aid and attendance, monthly compensation	266.00	279.00	212.80	223.00
(m) Anatomical loss, or loss of use of 2 extremities at a level, or with complications, preventing natural elbow or knee action with prosthesis in place, or suffered blindness in both eyes, rendering him so helpless as to be in need of regular aid and attendance, monthly compensation	313.00	329.00	250.40	263.00
(n) Anatomical loss of 2 extremities so near shoulder or hip as to prevent use of prosthetic appliance, or suffered anatomical loss of both eyes, monthly compensation	353.00	371.00	282.40	297.00
(o) Suffered disability under conditions which would entitled him to 2 or more rates in (l) to (n), no condition being considered twice, or suffered total deafness in combination with total blindness with 5/200 visual acuity or less, monthly compensation	400.00	420.00	320.00	336.00
(p) In event disabled person's service-incurred disabilities exceed requirements for any of rates prescribed, Administrator, in his discretion, may allow next higher rate, or intermediate rate, but in no event in excess of	400.00	420.00	320.00	336.00
(q) Minimum rate for arrested tuberculosis	67.00	67.00	53.60	53.60

[1] But in no event to exceed $420.
[2] But in no event to exceed $336.

Section 2 of H. R. 9020 provides increases for widows and parents of veterans whose death resulted from a service-incurred disability. Widows without children will be increased from $75 to $87 per month. Dependent parents will receive an increase from $60 to $75 if one parent is living, and from the present rate of $70 to $80 if both parents are living.

The total cost of the increases provided in this bill is estimated at $109,854,000. The estimated allocation of the costs is as follows:

	Cost	Korea	World War II	World War I	Spanish War	Regular		Total
						Wartime	Peacetime	
Veterans	$60,045,000	135,800	1,623,700	213,100	400	1,500	61,900	2,036,000
Widows	9,722,000	3,300	26,400	31,700	975	325	6,000	68,700
Parents	40,087,000	19,100	194,400	20,400	20	1,480	7,300	242,700
Total	109,854,000							

H. R. 9962

The second bill provides a similar increase for non-service-connected veterans and their dependents. H. R. 9962 will increase by 5 percent virtually all monthly rates of pensions payable to veterans and dependents under the various laws which are administered by the Veterans Administration. This will include veterans of the Korean war, World War II, World War I, the Spanish-American War, the Civil War, the Indian Campaign, and the Mexican War.

The actual increases provided in H. R. 9962 for veterans of the recent wars are as follows:

Pension increase to veterans and dependents under H. R. 9962

	Existing rates	H. R. 9962	Number affected	Estimated first year's cost
WORLD WAR I, WORLD WAR II, AND KOREAN CONFLICT				
Veterans			482,700 veterans	$20,210,000
Permanent and total disability	$63.00	$66.15		
Permanent and total disability and age 65	75.00	78.75		
Rated permanent and totally disabled, continuous period of 10 years				
Aid and attendance	129.00	135.45		
(NOTE.—The foregoing rates are available to Spanish-American War veterans. However, substantially all such veterans on the pension rolls are being paid the greater rates set forth below.)				
Dependents			310,600 cases	9,257,000
Widow, no child	48.00	50.40		
Widow and 1 child	60.00	63.00		
Each additional child	7.20	7.56		
Children where there is no widow:				
1 child	26.00	27.30		
2 children (equally divided)	39.00	40.95		
3 children (equally divided)	52.00	54.60		
Each additional child (total equally divided)	7.20	7.56		
SPANISH-AMERICAN WAR				
Veterans			61,800 veterans	3,707,000
90 days' or more service:				
⅓₀ disability or more	96.75	101.59		
Age 62 or over				
Aid and attendance	129.00	135.45		
70 through 89 days' service:				
⅓₀ disability or more	64.50	67.73		
Age 62 or over				
Aid and attendance	83.85	88.04		
Dependents			81,700 cases	2,564,000
Widow	51.60	54.18		
Widow who was wife of veteran during service	64.50	67.73		
Additional for each child	7.74	8.13		
Children where there is no widow:				
1 child (to age 16)	59.34	62.31		
Each additional child (to age 16), total equally divided	7.74	8.13		
1 child (age 16 or over)	26.00	27.30		
2 children (age 16 or over) equally divided	39.00	40.95		
3 children (age 16 or over) equally divided	52.00	54.60		
Each additional child (age 16 or over), total equally divided	7.20	7.56		

It is estimated that the enactment of H. R. 9962 would affect approximately 544,700 veterans and 399,100 cases of deceased veterans during the first year, at an additional cost of approximately $35,958,000.

I am glad that we are considering legislation to provide these increases. The economic readjustments in recent years have been a particular hardship to our veterans whose rates of compensation have often lagged far behind the cost of living and the adjustments which were made for other segments of our population. It is my hope that the Senate will approve both of these bills.

The PRESIDING OFFICER. The question is on the third reading of the bill.

The bill was ordered to a third reading, was read the third time, and passed.

EXTENSION OF COVERAGE OF SERVICEMEN'S INDEMNITY ACT TO RESERVE OFFICERS' TRAINING CORPS

The bill (H. R. 5314) to extend the coverage of the Servicemen's Indemnity Act to members of the Reserve Officers' Training Corps when ordered to active training duty for periods in excess of 14 days was announced as next in order.

Mr. HENDRICKSON. Mr. President, reserving the right to object, may we have an explanation of this bill?

Mr. MILLIKIN. Mr. President, the purpose of the proposed legislation is to extend coverage under the Servicemen's Indemnity Act of 1951, effective April 25, 1951, to members of the Army Reserve Officers' Training Corps, the Naval Reserve Officers' Training Corps, and the Air Force Reserve Officers' Training Corps, when called or ordered to active duty for 14 days or more. Thus, in the event of death of a member of any of these training corps while on such active training duty, his beneficiary would be entitled to $10,000 free indemnity insurance.

In addition to providing indemnity coverage, the bill extends to members of these training corps the right to apply for national service life insurance within 120 days after separation from active training duty of more than 30 days.

Mr. HENDRICKSON. Does not the Senator think that this will establish an undesirable precedent?

Mr. MILLIKIN. I do not think so.

Mr. GOLDWATER. Mr. President, will the Senator from Colorado yield?

Mr. MILLIKIN. I yield.

Mr. GOLDWATER. Will the Senator state whether the bill covers National Guard men also?

Mr. MILLIKIN. They are already covered under the law.

Mr. GOLDWATER. Does it include Air National Guard men also?

Mr. MILLIKIN. All guardsmen are covered.

Mr. GOLDWATER. They are presently covered?

Mr. MILLIKIN. Yes.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the bill (H. R. 5314) was considered, ordered to a third reading, read the third time, and passed.

BILL AND RESOLUTION PASSED OVER

The bill (H. R. 9366) to amend the Social Security Act and the Internal Revenue Code, so as to extend coverage under the Old-Age and Survivors' Insurance program, increase the benefits payable thereunder, preserve the insurance rights of disabled individuals, and increase the amount of earnings permitted without loss of benefits, and for

other purposes, was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The bill will be passed over.

The resolution (S. Res. 288) to make certain funds available to the Committee on Government Operations was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The resolution will be passed over.

PRINTING OF PRAYERS OF CHAPLAIN OF THE SENATE

The resolution (S. Res. 294) to print the prayers of the Chaplain of the Senate was considered and agreed to, as follows:

Resolved, That 3,000 copies of the prayers offered by the Reverend Frederick Brown Harris, Doctor of Divinity, Chaplain of the Senate, at the opening of the daily sessions of the Senate during the 81st, 82d, and 83d Congresses, inclusive, be printed and bound for the use of the Senate.

ADDITIONAL FUNDS FOR THE COMMITTEE ON BANKING AND CURRENCY

The Senate proceeded to consider the resolution (S. Res. 289) to provide additional funds for the Committee on Banking and Currency, which had been reported from the Committee on Rules and Administration with amendments, on page 1, line 12, after the word "exceed", to strike out "$150,000" and insert "$75,000"; and on page 2, line 2, after the word "purposes", to insert "pursuant to Senate Resolution 229, agreed to April 23, 1954", so as to make the resolution read:

Resolved, That in holding hearings, reporting such hearings, and making investigations as authorized by section 134 (a) of the Legislative Reorganization Act of 1946 and pursuant to its jurisdiction under rule XXV (1) (d) 4 of the Standing Rules of the Senate, the Committee on Banking and Currency, or any duly authorized subcommittee thereof, is authorized until January 31, 1955, to make such expenditures, and to employ upon a temporary basis such investigators, and such technical, clerical, and other assistants, as it deems advisable.

SEC. 2. The expenses of the committee under this resolution, which shall not exceed $75,000 (in addition to amounts heretofore made available for such purposes pursuant to S. Res. 229, agreed to April 23, 1954), shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

The amendments were agreed to.

The resolution, as amended, was agreed to.

STUDY OF ANTITRUST LAWS—RESOLUTION PASSED OVER

The resolution (S. Res. 14) authorizing a study of the antitrust laws of the United States, and administration, interpretation, and effect, was announced as next in order.

Mr. GORE. Over.

Mr. MAGNUSON. With regard to Calendar 2008, Senate Resolution 14, I am wondering if the objector would inform the Senate whether the objection is by request. What is the reason for the objection?

Mr. GORE. It is by request.

Mr. MAGNUSON. Reserving the right to object, Mr. President—and I shall not object—this is a very important investigation which is now going on, involving the question of monopoly and antitrust laws. It also involves the question of the misuse of monopoly and the question of power and matters of that sort.

I had hoped that the objector might allow this resolution to go to the foot of the calendar, instead of going over, so that we might be able to get the matter settled. It has been hanging fire for a long time, as I think the Senator from Nevada [Mr. MCCARRAN] will agree. We would like to have the resolution adopted, so that we can get started on this matter.

Mr. GORE. Mr. President, the members of the Calendar Committee have as their prime function the registration of objections on the part of their colleagues. I have been requested to object to the consideration of this resolution. Unless that request is withdrawn, I am not in a position to have the resolution considered.

Mr. MAGNUSON. May I make a suggestion to the Senator from Tennessee? If he will allow this resolution to go to the foot of the calendar, I might ask who the objector is, and I might be able to talk to him.

Mr. GORE. I am not going to say in which direction I have been looking; but I see a certain Senator shaking his head to indicate "No," so I will have to insist that it go over.

The PRESIDING OFFICER. The resolution will go over.

Mr. MAGNUSON. I will say the Senator from Tennessee was not looking behind him.

Mr. HAYDEN. Mr. President, will the Senator from Tennessee withhold his objection for a moment?

Mr. GORE. I withhold the objection.

Mr. HAYDEN. The amount of money involved in the resolution is comparatively small. It is understood that there will be cooperation with the Department of Justice, which is also investigating this same subject matter. It would seem to me that the Judiciary Committee ought to study this subject, along with the Department of Justice. I hope some arrangement can be made.

Mr. MAGNUSON. The amount involved, as I have been informed by the distinguished Senator from Nevada [Mr. MCCARRAN], is $35,000. This is a very important matter. It involves the whole power question, and many other questions of antimonopoly which I think have been sadly neglected at the other end of the avenue.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. GORE. Over.

The PRESIDING OFFICER. The resolution will go over.

Mr. MAGNUSON. Is the objection by request?

Mr. GORE. It is by request.

AMENDMENT OF INTERNAL REVENUE CODE—BILL PASSED OVER

The bill (H. R. 5407) to amend section 2879 (b) of the Internal Revenue Code was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. MALONE subsequently said: Mr. President, may I ask the distinguished Senator from Florida to withhold his objection to Calendar 2009, H. R. 5407, so that I may make a statement and request?

The PRESIDING OFFICER. The Chair advises the Senator from Nevada that unanimous consent must be obtained in order to return to the consideration of the bill.

Mr. HENDRICKSON. Mr. President, I shall have to object, because I have been insisting all along that such bills go to the foot of the calendar, and then to be heard in their turn.

Mr. MALONE. That is the request I now make. I ask that Calendar No. 2009, H. R. 5407, go to the foot of the calendar to be called again at that time.

The PRESIDING OFFICER. Without objection, the bill will go to the foot of the calendar.

INCREASE OF COMPENSATION OF CLASSIFIED, POSTAL, AND OTHER GOVERNMENT EMPLOYEES—BILL PASSED TO FOOT OF CALENDAR

The Senate proceeded to consider the bill (H. R. 7774) to establish a uniform system for the granting of incentive awards to officers and employees of the United States, and for other purposes, which had been reported from the Committee on Post Office and Civil Service with an amendment, to strike out all after the enacting clause and insert:

TITLE I—EMPLOYEES GENERALLY

SEC. 101. (a) Section 603 (b) and section 603 (c) of the Classification Act of 1949, as amended, are amended to read as follows:

"(b) The compensation schedule for the General Schedule shall be as follows:

"Grade	Per annum rates					
1	$2,670	$2,750	$2,830	$2,910	$2,990	$3,070	$3,150
2	2,920	3,000	3,080	3,160	3,240	3,320	3,400
3	3,120	3,200	3,280	3,360	3,440	3,520	3,600
4	3,345	3,425	3,505	3,585	3,665	3,745	3,825
5	3,580	3,705	3,830	3,955	4,080	4,205	4,330
6	3,985	4,110	4,235	4,360	4,485	4,610	4,735
7	4,415	4,540	4,665	4,790	4,915	5,040	5,165
8	4,850	4,975	5,100	5,225	5,350	5,475	5,600
9	5,315	5,440	5,565	5,690	5,815	5,940	6,065
10	5,775	5,900	6,025	6,150	6,275	6,400	6,525
11	6,235	6,435	6,635	6,835	7,035	7,235	
12	7,390	7,590	7,790	7,990	8,190	8,390	
13	8,780	8,980	9,180	9,380	9,580	9,780	
14	10,040	10,240	10,440	10,640	10,840	11,040	
15	11,240	11,490	11,740	11,990	12,240		
16	12,440	12,640	12,840	13,040	13,240		
17	13,440	13,640	13,840	14,040	14,240		
18	14,800						

"(c) (1) The compensation schedule for the Crafts, Protective, and Custodial Schedule shall be as follows:

"Grade	Per annum rates						
1	$1,980	$2,040	$2,100	$2,160	$2,220	$2,280	$2,340
2	2,590	2,660	2,730	2,800	2,870	2,940	3,010
3	2,722	2,802	2,882	2,962	3,042	3,122	3,202
4	2,920	3,000	3,080	3,160	3,240	3,320	3,400
5	3,144	3,224	3,304	3,384	3,464	3,544	3,624
6	3,370	3,450	3,530	3,610	3,690	3,770	3,850
7	3,605	3,705	3,805	3,905	4,005	4,105	4,205
8	3,925	4,050	4,175	4,300	4,425	4,550	4,675
9	4,360	4,485	4,610	4,735	4,860	4,985	5,110
10	4,795	4,920	5,045	5,170	5,295	5,420	5,545

"(2) Charwomen working part time shall be paid at the rate of $2,870 per annum, and head charwomen working part time at the rate of $3,010 per annum."

(b) The rates of basic compensation of officers and employees to whom this section applies shall be initially adjusted as follows:

(1) If the employee is receiving a rate of basic compensation immediately prior to the effective date of this section at one of the scheduled or longevity rates provided by the Classification Act of 1949, as amended, he shall receive a rate of basic compensation at the corresponding scheduled or longevity rate in effect on and after such date;

(2) If the employee is receiving a rate of basic compensation immediately prior to the effective date of this section at a rate between two scheduled or two longevity rates, or between a scheduled rate and a longevity rate, provided by the Classification Act of 1949, as amended, he shall receive a rate of basic compensation at the higher of the two corresponding rates in effect on and after such date;

(3) If the employee, immediately prior to the effective date of this section, is in a position in any one of the first 10 grades of the General Schedule or in any one of the grades of the Crafts, Protective, and Custodial Schedule, and is receiving a rate of basic compensation in excess of the maximum longevity rate of his grade as provided in this section, he shall continue to receive basic compensation without change in rate until (A) he leaves such position, or (B) he is entitled to receive basic compensation at a higher rate by reason of the operation of the Classification Act of 1949, as amended; but when such position becomes vacant, the rate of basic compensation of any subsequent appointee shall be fixed in accordance with such act, as amended;

(4) If the employee, immediately prior to the effective date of this section, is in a position in grade 11, 12, 13, 14, or 15 of the General Schedule, and is receiving a rate of basic compensation in excess of the maximum scheduled rate of his grade as provided in this section, he shall continue to receive basic compensation without change in rate until (A) he leaves such position, or (B) he is entitled to receive basic compensation at a higher rate by reason of the operation of the Classification Act of 1949, as amended; but when such position becomes vacant, the rate of basic compensation of any subsequent appointee shall be fixed in accordance with such act, as amended.

SEC. 102. (a) The rates of basic compensation of officers and employees in or under the judicial branch of the Government whose rates of compensation are fixed pursuant to section 62 (2) of the Bankruptcy Act (11 U. S. C. 102 (a) (2)), section 3656 of title 18 of the United States Code, the second and third sentences of section 603, section 604 (5), or sections 672 to 675, inclusive, of title 28 of the United States Code, are hereby increased by 5 percent, except that no such rate shall be increased by more than $440 per annum or less than $170 per annum.

(b) The limitations of $10,560 and $14,355 with respect to the aggregate salaries payable to secretaries and law clerks of circuit and district judges, contained in the paragraph under the heading "Salaries of Supporting Personnel" in the Judiciary Appropriation Act, 1955, or in any subsequent appropriation act, shall be increased by the amounts necessary to pay the additional basic compensation provided by this act.

SEC. 103. (a) Each officer and employee in or under the legislative branch of the Government (other than an employee in the office of a Senator) whose rate of compensation is increased by section 5 of the Federal Employees Pay Act of 1946 shall be paid additional compensation at the rate of 5 percent of the aggregate rate of his rate of basic compensation and the rate of the additional compensation received by him under sections 501 and 502 of the Federal Employees Pay Act of 1945, as amended, section 301 of the Postal Rate Revision and Federal Employees Salary Act of 1948, the provisions under the heading "Increased pay for legislative employees" in the Second Supplemental Appropriation Act, 1950, and the act of October 24, 1951 (Public Law 201, 82d Cong.) except that no such officer or employee shall be paid additional compensation at a rate less than $170 per annum or in excess of $440 per annum.

(b) Section 2 (b) of the act of October 24, 1951 (Public Law 201, 82d Cong.) is amended by striking out "$11,646" and inserting in lieu thereof "$12,086."

(c) (1) The aggregate amount of the basic compensation authorized to be paid for administrative and clerical assistance and messenger service in the offices of Senators is hereby increased by—

(A) $2,160 in the case of Senators from States the population of which is less than 3 million;

(B) $2,400 in the case of Senators from States the population of which is 3 million or more but less than 5 million;

(C) $3,120 in the case of Senators from States the population of which is 5 million or more but less than 10 million; and

(D) $3,160 in the case of Senators from States the population of which is 10 million or more.

(2) The second proviso in the paragraph relating to the authority of Senators to rearrange the basic salaries of employees in their respective offices, which appears in the Legislative Branch Appropriation Act, 1947, as amended (2 U. S. C. 60f), is amended by striking out "$5,880" and inserting in lieu thereof "$6,180"; by striking out "$7,320" and inserting in lieu thereof "$7,620"; and by striking out "$8,400" and inserting in lieu thereof "$8,640."

(d) The rates of basic compensation of each of the elected officers of the Senate and the House of Representatives (not including the presiding officers of the two Houses), the Parliamentarian of the Senate, the Parliamentarian of the House of Representatives, the legislative counsel of the Senate, the legislative counsel of the House of Representatives, and the coordinator of information of the House of Representatives are hereby increased by 5 percent, except that no such rate shall be increased by more than $440 per annum or less than $170 per annum.

(e) (1) The provisions of subsection (a) shall not apply to employees whose compensation is paid from the appropriation contained in the paragraph designated "Folding documents" under the heading "Contingent Expenses of the Senate" in the Legislative Branch Appropriation Act, 1955 (Public Law 470, 83d Cong.).

(2) The limitations in the paragraph designated "Folding documents" under the "Contingent Expenses of the House" in the Legislative Appropriation Act, 1955 (Public Law 470, 83d Cong.), are hereby increased by 5 percent.

(f) The Official Reporters of the proceedings of the debates of the Senate and their employees shall be considered to be officers or employees in or under the legislative branch of the Government within the meaning of subsection (a) and the provisions of law referred to in such subsection.

(g) The additional compensation provided by subsection (a) and the provisions of law referred to in such subsection shall be considered a part of basic compensation for the purposes of the Civil Service Retirement Act of May 29, 1930, as amended.

SEC. 104. Section 66 of the Farm Credit Act of 1933 (48 Stat. 269) is hereby amended to read as follows:

"SEC. 66. No director, officer, or employee of the Central Bank for Cooperatives, or of any production credit corporation, production credit association, or bank for cooperatives shall be paid compensation at a rate in excess of $14,240 per annum."

SEC. 105. (a) The rates of basic compensation of officers and employees in the Department of Medicine and Surgery in the Veterans' Administration whose rates of basic compensation are provided by Public Law 293, 79th Congress, approved January 3, 1946, as amended, are hereby increased by 5 percent, except that no such rate shall be increased by more than $440 per annum or less than $170 per annum.

(b) Section 8 (d) of Public Law 293, 79th Congress, as amended, is amended by striking out "$12,800" and in lieu thereof "$13,240."

SEC. 106. The rates of basic compensation provided by sections 412 and 415 of the Foreign Service Act of 1946, as amended, are hereby increased by 5 percent, except that no such rate shall be increased by more than $440 per annum or less than $170 per annum.

SEC. 107. The rate of basic compensation of the Treasurer of the United States shall be at the maximum scheduled rate of the highest grade established by the Classification Act of 1949, as amended.

SEC. 108. Notwithstanding any other provisions of this act, no rate of compensation which is $14,800 or more per annum shall be increased by this act, and no rate of compensation shall be increased by this act to an amount in excess of $14,800 per annum.

SEC. 109. Section 3 of the Travel Expense Act of 1949 (63 Stat. 166, as amended; 5 U. S. C. 836) is amended by striking out "$9" and inserting in lieu thereof "$12."

SEC. 110. This title shall take effect on the first day of the first pay period which begins after the date of its enactment.

TITLE II—POSTAL EMPLOYEES

SEC. 201. It is the sense of the Congress that—

(1) it is both necessary and desirable that an equitable system should be established for the classification of positions and the determination of salaries of postmasters, officers, and employees in the field service of the Post Office Department; and

(2) such classification and salary system should be established after a study of all problems relating thereto conducted by a commission composed of representatives of the Congress, the Post Office Department, and postal employees, and through the enactment of appropriate legislation pursuant to recommendations submitted to the Congress by such commission following the completion of such study.

SEC. 202. (a) The rates of basic compensation, other than rates referred to in subsection (b) of this section, of postmasters, officers, and employees in the postal field

service whose rates of compensation are prescribed by the act entitled "An act to reclassify the salaries of postmasters, officers, and employees of the postal service; to establish uniform procedures for computing compensation; and for other purposes," approved July 6, 1945 (Public Law 134, 70th Cong.), as amended, are hereby increased by 5 percent except that no such rate shall be increased by more than $440 or less than $200 per annum.

(b) (1) That part of the compensation schedule headed "Grades and Salaries of Employees in the Automatic Grades" and contained in section 11A of such act of July 6, 1945 (Public Law 134, 79th Cong.), as amended, which provides hourly rates of compensation, is amended to read as follows:

"Hourly rates

"Clerks in post offices of the 3d class; carriers in village delivery service	$1.435	$1.485	$1.54	$1.59					
Charmen and charwomen	1.495	1.55							
Mail handlers, messengers, watchmen; operators of the pneumatic tube service; garagemen-drivers	1.645	1.695	1.75	1.80					
Special delivery messengers in post offices of the 1st class	1.645	1.695	1.75	1.80	$1.855	$1.905	$1.96		
Clerks; carriers in city delivery service; driver mechanics; general mechanics; dispatchers of the pneumatic tube service	1.695	1.75	1.80	1.855	1.905	1.96	2.01	$2.065	$2.115
Postal transportation clerks	1.80	1.855	1.905	1.96	2.01	2.065	2.115		
Special mechanics	2.02								;"

(2) The rates of basic compensation of postmasters at post offices of the fourth class are hereby increased by 5 percent.

(3) The rates of fixed compensation per annum of rural carriers are hereby increased by 5 percent except that no such rate shall be increased by more than $440 or less than $200 per annum.

(c) This section shall not apply to skilled-trades employees of the mail-equipment shops, job cleaners in first- and second-class post offices, and employees who are paid on a fee or contract basis.

(d) The increases in rates of basic compensation provided by this section shall not apply to longevity salary increases.

SEC. 203. Section 16 (r) of such act of July 6, 1945 (Public Law 134, 79th Cong.), as amended, which relates to travel allowances for employees in the Postal Transportation Service who are assigned to road duty, is amended by striking out "$6 per day" and inserting in lieu thereof "$9 per day."

SEC. 204. Any increase in rate of basic compensation by reason of the enactment of this title shall not be considered as an "equivalent increase" in compensation within the meaning of section 701 or the Classification Act of 1949, as amended, in the case of postmasters, officers, and employees in the postal field service who transfer or are transferred to positions within the purview of the Classification Act of 1949, as amended.

SEC. 205. In the exercise of the authority granted by section 81 of title 2 of the Canal Zone Code, as amended, the Governor of the Canal Zone is authorized to grant, as of the effective date of this section, additional compensation to postal employees of the Canal Zone Government, based on the additional compensation granted by this act to similar employees in the field service of the Post Office Department of the United States.

SEC. 206. This act shall have the same force and effect within Guam as within other possessions of the United States.

SEC. 207. (a) Section 7 of the act entitled "An act to reclassify the salaries of postmasters, officers, and employees of the postal service; to establish uniform procedures for computing compensation; and for other purposes", approved July 6, 1945 (Public Law 134, 79th Cong.), as amended, is amended to read as follows:

"Method of payment

"SEC. 7. (a) The compensation of postmasters and per annum rate employees shall be paid in 26 installments. Each such installment shall be the compensation for a pay period of 2 weeks. The compensation of hourly rate substitute employees and other hourly rate employees shall be computed for each pay period of 2 weeks on the basis of the number of hours of work performed by such employees during such pay period.

"(b) To compute an hourly rate for postmasters and per annum rate employees, the per annum rate shall be divided by 2080.

"(c) To compute a daily rate for postmasters and per annum rate employees, the hourly rate shall be multiplied by the number of daily hours of service required.

"(d) Subsections (b) and (c) of this section shall not apply to carriers in the rural delivery service. Whenever, for pay computation purposes, it is necessary to convert the basic annual rate of compensation of carriers in the rural delivery service to a basic daily or biweekly rate, the following rules shall govern:

"(1) An annual rate shall be divided by 312 to derive a daily rate.

"(2) A daily rate shall be multiplied by 12 to derive a biweekly rate.

"(e) All rates shall be computed to the nearest cent, counting one-half cent and over as a whole cent.

"(f) When a pay period for any postmaster or employee begins in one fiscal year and ends in another fiscal year, the gross amount of the earnings of such postmaster or employee for such pay period may be regarded as a charge against the appropriation or allotment current at the end of such pay period."

(b) Section 8 of such act of July 6, 1945, as amended, is amended by adding at the end thereof a new subsection (d) to read as follows:

"(d) The salaries of postmasters, assistant postmasters, and supervisors paid under the provisions of this section shall be readjusted at the beginning of the first complete pay period in each fiscal year."

(c) Section 9 (b) of such act of July 6, 1945, as amended, is amended by adding at the end thereof a new sentence to read as follows: "The salaries of superintendents and assistant superintendents of classified stations shall be readjusted at the beginning of the first complete pay period in each fiscal year."

(d) Section 11A of such act of July 6, 1945, as amended, is amended by striking out "and shall be promoted successively at the beginning of the quarter following one year's satisfactory service in each grade to the next higher grade until they reach the top automatic grade" and by inserting in lieu thereof "and shall be promoted successively at the beginning of the first complete pay period following 52 weeks of satisfactory service in each grade to the next higher grade until they reach the top automatic grade."

(e) Section 13 of such act of July 6, 1945, as amended, is amended by adding immediately after subsection (a) thereof a new subsection (b) to read as follows:

"(b) The salaries of employees paid under the provisions of this section shall be readjusted at the beginning of the first complete pay period in each fiscal year."

(f) Section 14 of such act of July 6, 1945, as amended, is amended by adding immediately after subsection (a) thereof a new subsection (b) to read as follows:

"(b) The salaries of employees paid under the provisions of this section shall be readjusted at the beginning of the first complete pay period in each fiscal year."

(g) That part of subsection (1) of section 14 of such act of July 6, 1945, as amended, which precedes the first proviso is amended to read as follows:

"(1) Temporary employees in the custodial service paid on an annual basis shall be paid at the rates of pay of grade 1 of the position in which employed and shall, at the beginning of the first complete pay period following 52 weeks of satisfactory service in each pay status, be advanced successively to the rates of pay of the next higher grade of such position; and temporary employees in the custodial service paid on an hourly basis shall be paid at the rates of pay of grade 1 of the position in which employed and shall, at the beginning of the first complete pay period following 52 weeks of satisfactory service in each pay status, be advanced successively to the rates of pay of the next higher grade of such position".

(h) Section 15 (b) of such act of July 6, 1945, as amended, is amended by striking out "and shall be promoted successively at the beginning of the quarter following 1 year's satisfactory service in each grade until they reach grade 8", and by inserting in lieu thereof "and shall be promoted successively at the beginning of the first complete pay period following 52 weeks of satisfactory service in each grade until they reach grade 8".

(i) That part of section 18 (f) of such act of July 6, 1945, as amended, which precedes the first proviso is amended to read as follows:

(i) That part of section 18 (f) of such act of July 6, 1945, as amended, which precedes the first proviso is amended to read as follows:

"(f) Each temporary employee in the mail equipment shops paid on an annual basis shall be paid at the rate of pay of the lowest grade provided for a regular employee in the same type of position in which such temporary employee is employed, and shall, at the beginning of the first complete pay period following 52 weeks of satisfactory service in each pay status, be advanced successively to the rates of pay of the next higher grade of such position:".

(j) The first section of the act of April 15, 1947 (Public Law 35, 80th Cong.), as amended, is amended by striking out "shall be promoted successively at the beginning of the quarter following 1 year's satisfactory service in each grade" and by inserting in lieu thereof "shall be promoted successively at the beginning of the first complete pay period following 52 weeks of satisfactory service in each grade."

(k) All laws or parts of laws inconsistent with the amendments made by this section are hereby repealed or modified to the extent necessary to carry out the purposes of and conform to such amendments.

SEC. 208. (a) (1) There is hereby established a Commission on Postal Field Service Classification (hereinafter referred to as "the Commission") to be composed of (A) the chairman and ranking minority member of the Committee on Post Office and Civil Service of the Senate, (B) the chairman and ranking minority member of the Committee on Post Office and Civil Service of the House of Representatives, (C) the Postmaster General, (D) two officers or employees of the Post Office Department to be appointed by the President, and (E) two representatives of postal employee organizations to be appointed by the President.

(2) The Postmaster General shall be Chairman of the Commission. Vacancies in the membership of the Commission shall not affect the power of the remaining members to execute the functions of the Commission, and shall be filled in the same manner as the original selection. Five of the members of the Commission shall constitute a quorum for the transaction of business. The Commission shall fix the number of members who shall constitute a quorum for each subcommittee thereof.

(b) The Commission, acting as a whole or by subcommittee, shall conduct or cause to be conducted a thorough investigation and study for the purpose of developing a plan for the establishment of a uniform, integrated, and equitable classification and pay system for all postmasters, officers, employees, and positions in the postal field service.

(c) The Postmaster General is authorized to make available to the Commission such personnel, facilities, and services of the Post Office Department as may be necessary to enable it to perform its functions. The chairman of the Committee on Post Office and Civil Service of the Senate and the chairman of the Committee on Post Office and Civil Service of the House of Representatives are authorized to assign from time to time the members of the staffs of their respective committees to duties and responsibilities in connection with the operation of the Commission.

(d) The Commission shall report to the Senate and the House of Representatives, on or before March 1, 1955, the results of its study and investigation, together with such recommendations (including drafts of legislation to carry out such recommendations) as it deems advisable.

SEC. 209. Section 1310 of the Supplemental Appropriation Act, 1952 (Public Law 253, 82d Cong.), as amended, is hereby repealed.

SEC. 210. This title shall take effect as follows:

(1) Sections 206 and 208 and this section, shall take effect on the date of enactment of this act;

(2) Sections 202, 204, and 205 shall take effect on the first day of the first pay period which begins after the date of enactment of this act;

(3) Sections 203 and 209 shall take effect on the first day of the first calendar month following the calendar month in which this act is enacted; and

(4) Section 207 shall take effect upon such date, not later than 90 days after the date of enactment of this act, as may be designated by the Postmaster General.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

Mr. HENDRICKSON. Mr. President, to the committee amendment I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from New Jersey to the committee amendment.

The LEGISLATIVE CLERK. On page 15, line 3, it is proposed to insert "(a)", immediately following "Section 109."; and on page 15, between lines 5 and 6, to insert the following:

(b) The proviso in the paragraph designated "Inquiries and investigations" under the heading "Contingent Expenses of the Senate" in the Legislative Appropriation Act, 1955, is amended by striking out "$9" and inserting in lieu thereof "$12."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Jersey to the committee amendment.

The amendment to the amendment was agreed to.

Mr. CARLSON. Mr. President, to the committee amendment I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Kansas.

The LEGISLATIVE CLERK. In the committee amendment on page 13, before the period in line 13, it is proposed to insert a comma and the following: "and the provisions of section 2 (a) of the Federal Employees' Group Life Insurance Act of 1954."

Mr. CARLSON. Mr. President, I offer this amendment to take care of the Official Reporters of Debates of the Senate. I think all of us are agreed they have rendered outstanding service. They have been left out of the Federal insurance bill, and the amendment would include them in this particular bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Kansas to the committee amendment.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment, as amended.

The amendment, as amended, was agreed to.

Mr. JOHNSTON of South Carolina. Mr. President, I think we ought to know what we are passing. This is the pay increase bill for postal and other Federal employees. I should like to call to the attention of the Senate the fact that the Democrats of the committee proposed a 10 percent and a 7 percent increase, and that both were defeated because of unanimous objection by the Republicans on the committee. What is proposed here is a compromise 5 percent agreement. There is sufficient reason to pass this bill on the call of the calendar. Time is short and hasty action is mandatory. However, if I had known this bill would pass on the calendar call, I would have been prepared to offer some amendments to increase certain provisions. I hope this bill passes because pay increases are urgently needed by Government employees.

Mr. GORE. Reserving the right to object, the junior Senator from Tennessee understood that there was to be an amendment to this bill.

The PRESIDING OFFICER. The Senator from New Jersey [Mr. HENDRICKSON] and the Senator from Kansas [Mr. CARLSON] offered amendments which have been read, and acted upon by the Senate.

Mr. HENDRICKSON. Mr. President, before the bill is passed, I should like to say that the amendment offered by the Senator from New Jersey was on behalf of the distinguished Senator from North Dakota, who is absent today because of illness in his family.

The PRESIDING OFFICER. The question is on the engrossment of the amendment, and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act to increase the rates of compensation of classified, postal, and other employees of the Government, and for other purposes."

Mr. KNOWLAND subsequently said: Mr. President, I ask unanimous consent that the vote whereby Calendar 2010, H. R. 7774, was passed be reconsidered, and that the bill go to the foot of the calendar.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the bill (H. R. 7774) will go to the foot of the calendar.

READJUSTMENT OF COMPENSATION OF HOLDERS OF CONTRACTS OF MAIL-MESSENGER SERVICE

The Senate proceeded to consider the bill (H. R. 2263) to authorize the Postmaster General to readjust the compensation of holders of contracts for the performance of mail-messenger service, which had been reported from the Committee on Post Office and Civil Service with an amendment to strike out all after the enacting clause and insert:

TITLE I—AMENDMENTS TO CLASSIFICATION ACT OF 1949

Number of positions in grades 16, 17, and 18 of the General Schedule

SEC. 101. (a) Section 505 of the Classification Act of 1949, as amended, is amended to read as follows:

"SEC. 505. (a) No position shall be placed in grade 16 or 17 of the General Schedule except by action of, or after prior approval by, the Commission.

"(b) No position shall be placed in or removed from grade 18 of the General Schedule except by the President upon recommendation of the Commission.

"(c) At any one time there shall not be more than 400 positions in grade 16 of the General Schedule, not more than 115 positions in grade 17 of the General Schedule, and not more than 35 positions in grade 18 of the General Schedule.

"(d) Positions that may be established under the proviso of section 203 (b) (1) of the act of August 2, 1946 (60 Stat. 836), may be in addition to those authorized by the foregoing provisions of this section."

(b) The amendment made by subsection (a) shall not affect positions allocated to grades 16, 17, and 18 of the General Schedule of the Classification Act of 1949, as amended, pursuant to provisions of law (other than the Classification Act of 1949, as amended) and reorganization plans in effect prior to the effective date of this section.

Longevity step-increases

SEC. 102. (a) (1) Subsection (a) of section 703 of the Classification Act of 1949, as amended, is amended by striking out the words "change of grade or rate of basic compensation except such change as may be prescribed by any provision of law of general application" and inserting in lieu thereof the words "increase in grade or rate of basic compensation except such increase as may be prescribed by any provision of law of general application."

(2) Subsection (b) (1) of section 703 of the Classification Act of 1949, as amended, is amended to read as follows:

"(b) (1) No officer or employee shall be entitled to a longevity step-increase while holding a position in any grade above grade 15 of the General Schedule."

(b) The amendments made by subsection (a) shall become effective at the beginning of the first pay period following the date of enactment of this act.

SEC. 103. (a) Section 704 of the Classification Act of 1949, as amended, is amended to read as follows:

"SEC. 704. In the case of officers and employees in grades 11 to 15, inclusive, of the General Schedule who are receiving compensation at or above the maximum scheduled rates for their respective grades on the date immediately preceding the effective date of this amendatory section, not to exceed 3 years of service performed immediately preceding such effective date shall be counted toward longevity step increases under section 703. Notwithstanding subsection (b) (4) of section 703, longevity step increases for grade 15 of the General Schedule shall be $200."

(b) The amendment made by subsection (a) shall become effective at the beginning of the first pay period following the date of enactment of this act.

Recruitment above the minimum rate of the class

SEC. 104. Section 803 of the Classification Act of 1949, as amended, is amended to read as follows:

"SEC. 803. (a) Whenever the Commission shall find (1) that a sufficient number of qualified eligibles for positions in a given class cannot be secured in one or more areas or locations at the existing minimum rate for such class, and (2) that there is a possibility that a sufficient number of such eligibles can be secured by increasing the minimum rate for such class in such areas or locations to one of the higher rates within the grade in which such class is placed, the Commission may establish such higher rate as the minimum rate for that class in each area or location concerned.

"(b) Minimum rates established under subsection (a) may be revised from time to time by the Commission. Such actions or revisions shall have the force and effect of law.

"(c) Any increase in rate of basic compensation resulting from the establishment of minimum rates under this section shall not be regarded as an 'equivalent increase' in compensation within the meaning of section 701 (a)."

Exclusion from Classification Act of 1949 of crafts, trades, and labor positions and application of prevailing wage policy to such positions

SEC. 105. (a) Paragraph (7) of section 202 of the Classification Act of 1949, as amended, is amended to read as follows:

"(7) employees in recognized trades or crafts, or other skilled mechanical crafts, or in unskilled, semiskilled, or skilled manual-labor occupations, and other employees including foremen and supervisors in positions having trade, craft, or laboring experience and knowledge as the paramount requirement, and employees in the Bureau of Engraving and Printing the duties of whom are to perform or to direct manual or machine operations requiring special skill or experience, or to perform or direct the counting, examining, sorting, or other verification of the product of manual or machine operations: *Provided*, That the compensation of such employees shall be fixed and adjusted from time to time as nearly as is consistent with the public interest in accordance with prevailing rates: *Provided further*, That whenever the Civil Service Commission concurs in the opinion of the employing agency that in any given area the number of such employees is so few as to make prevailing rate determinations impracticable, such employee or employees shall be subject to the provisions of the Classification Act of 1949, as amended, which are applicable to positions of equivalent difficulty or responsibility."

(b) Section 204 (c) is amended to read as follows:

"(c) Section 202 (except paragraph (7) thereof) and section 203 shall not apply to the Office of the Architect of the Capitol."

Transfer of certain positions from the Crafts, Protective, and Custodial Schedule to the General Schedule

Sec. 106. (a) Not earlier than the first day of the second pay period which begins after the date of enactment of this act, and not later than the first day of the first pay period which begins more than 6 months after the date of enactment of this act, all positions in the Crafts, Protective, and Custodial Schedule of the Classification Act of 1949, as amended, not included from such act by section 202 (7) thereof, as amended by section 105 of this title, shall be placed in corresponding grades of the General Schedule as set forth below:

Grade of the Crafts, Protective, and Custodial Schedule	Corresponding new grade of the General Schedule
1	1
2	1
3	1
4	2
5	3
6	4
7	5
8	6
9	7
10	8

(b) The rates of basic compensation of officers and employees to whom this section applies shall be initially adjusted as follows:

(1) If the employee is receiving a rate of basic compensation in the Crafts, Protective, and Custodial Schedule which is less than the minimum scheduled rate of that grade in the General Schedule in which his position is placed, his compensation shall be increased to such minimum rate;

(2) If the employee is receiving a rate of basic compensation in the Crafts, Protective, and Custodial Schedule which is equal to one of the scheduled or longevity rates of that grade in the General Schedule in which his position is placed, he shall receive a rate of basic compensation at such scheduled or longevity rate;

(3) If the employee is receiving a rate of basic compensation in the Crafts, Protective, and Custodial Schedule at a rate between 2 scheduled or 2 longevity rates, or between a scheduled rate and a longevity rate, of that grade in the General Schedule in which his position is placed, he shall receive a rate of basic compensation at the higher of such 2 rates.

(4) If the employee is receiving a rate of basic compensation in the Crafts, Protective, and Custodial Schedule in excess of the maximum longevity rate of that grade in the General Schedule in which his position is placed, he shall continue to receive basic compensation without change in rate until (A) he leaves such position, or (B) he is entitled to receive basic compensation at a higher rate by reason of the operation of the Classification Act of 1949, as amended; but when such position becomes vacant the rate of basic compensation of any subsequent appointee shall be fixed in accordance with such act, as amended.

(c) The conversion to grades of the General Schedule of positions covered by this section, and the initial adjustments in compensation as prescribed herein, shall not be construed to be transfers or promotions within the meaning of section 802 (b) of the Classification Act of 1949, as amended, and the regulations issued thereunder.

Abolishment of Crafts, Protective, and Custodial Schedule

SEC. 107. Section 601 of the Classification Act of 1949, as amended, is amended to read as follows:

"SEC. 601. There is hereby established for positions to which this act applies a basic compensation schedule, to be known as the 'General Schedule,' the symbol for which shall be 'GS'."

SEC. 108. (a) Section 602 of the Classification Act of 1949, as amended, is amended by striking out "(a)" after "SEC. 602."

(b) Subsection (b) of such section 602 is hereby repealed.

SEC. 109. (a) Subsection (a) of section 603 of the Classification Act of 1949, as amended, is amended to read as follows:

"(a) The rates of basic compensation with respect to officers, employees, and positions to which this act applies shall be in accordance with the compensation schedule contained in subsection (b)."

(b) Subsection (c) of such section 603 is hereby repealed.

(c) Subsection (d) of such section 603 is amended to read as follows:

"(c) Whenever payment is made on the basis of a daily, hourly, weekly, biweekly, or monthly rate, such rate shall be computed from the appropriate annual rate specified in subsection (b) by the method prescribed in section 604 (d) of the Federal Employees Pay Act of 1945, as amended."

SEC. 110. (a) Section 105 of this title shall take effect on the date or dates specified by the head of a department, but not earlier than the first day of the second pay period which begins after the date of enactment of this act, and not later than the first day of the first pay period which begins more than 12 months after the date of enactment of this act, with respect to each employee and position in such department within the purview of such section 105.

(b) Sections 107, 108, and 109 of this title shall take effect, with respect to employees and positions in a department, upon the completion of the actions required by sections 105 and 106 of this title to be taken with respect to such employees and positions, but in no event later than the first day of the first pay period which begins more than 12 months after the date of enactment of this act.

Miscellaneous provisions

SEC. 111. Section 604 of the Classification Act of 1949, as amended, is amended to read as follows:

"SEC. 604. Employees receiving basic compensation at a rate authorized by law, immediately prior to the effective date of this title, in excess of the appropriate new rate of the grade as determined under paragraphs (1) to (10), inclusive, of section 604 (b) of this act, as in effect prior to the date of enactment of this amended section, may continue to receive such rate so long as they remain in the same position and grade, but when any such position becomes vacant, the rate of basic compensation of any subsequent appointee shall be fixed in accordance with this act."

SEC. 112. Sections 703 (c) and 802 (b) of the Classification Act of 1949, as amended, are amended by striking out "section 604 (b) (11)" and inserting in lieu thereof "section 604."

SEC. 113. The Civil Service Commission is hereby authorized to issue such regulations as may be necessary for the administration of this title.

SEC. 114. Nothing contained in this title shall be construed to decrease the existing rate of basic compensation of any present employee, but when his position becomes vacant any subsequent appointee to such position shall be compensated in accordance with the scale of pay applicable to such position.

SEC. 115. The term "department" shall have the same meaning in this title as when used in the Classification Act of 1949, as amended.

TITLE II—AMENDMENTS TO THE FEDERAL EMPLOYEES PAY ACT OF 1945, AS AMENDED

SEC. 201. This title may be cited as the "Federal Employees Pay Act Amendments of 1954."

SEC. 202. (a) Subsection (a) of section 101 of the Federal Employees Pay Act of 1945, as amended, is amended by striking out "titles II and III" and inserting in lieu thereof "titles II, III, and IV."

(b) Subsection (b) of such section 101 is hereby repealed.

Compensation for overtime work

SEC. 203. Section 201 of the Federal Employees Pay Act of 1945, as amended, is amended to read as follows:

"SEC. 201. All hours of work officially ordered or approved in excess of 40 hours in any administrative workweek performed by officers and employees to whom this title applies shall be considered to be overtime work and compensation for such overtime work, except as otherwise provided for in this act, shall be at the following rates:

"(1) For each officer and employee whose basic compensation is at a rate which does not exceed the maximum scheduled rate of basic compensation provided for grade GS–9 in the Classification Act of 1949, as amended, the overtime hourly rate of compensation shall be an amount equal to 1½ times the hourly rate of basic compensation of such officer or employee, and all of such amount shall be considered premium compensation.

"(2) For each officer and employee whose basic compensation is at a rate which exceeds the maximum scheduled rate of basic compensation provided for grade GS–9 in the Classification Act of 1949, as amended, the overtime hourly rate of compensation shall be an amount equal to 1½ times the hourly rate of such maximum scheduled rate of basic compensation, or an amount equal to the basic hourly rate of compensation of such officer or employee, whichever is greater, and all of such amount shall be considered premium compensation."

SEC. 204. Section 202 (a) of the Federal Employees Pay Act of 1945, as amended, is amended to read as follows:

"SEC. 202. (a) The head of any department, independent establishment, or agency, including Government-owned or controlled corporations, or of the municipal government of the District of Columbia, or the head of any legislative or judicial agency to which this title applies, (1) may, at the request of any officer or employee, grant such officer or employee compensatory time off from his scheduled tour of duty in lieu of payment for an equal amount of time spent in irregular or occasional overtime work, and (2) may, at his own discretion, provide that any officer or employee, whose rate of basic compensation is in excess of the maximum scheduled rate of basic compensation provided for grade GS–9 in the Classification Act of 1949, as amended, shall be compensated for irregular or occasional overtime work for which compensation would be due under this act with an equal amount of compensatory time off from his scheduled tour of duty in lieu of such compensation."

SEC. 205. (a) Section 203 of the Federal Employees Pay Act of 1945, as amended, is redesignated as section 205, and wherever such section number appears in such act or in any other provision of law it is amended to conform to the redesignation prescribed by this subsection.

(b) The Federal Employees Pay Act of 1945, as amended, is amended by inserting after section 202 thereof the following new sections:

"Call-Back Overtime

"SEC. 203. For the purposes of this act, any unscheduled overtime work performed by any officer or employee on a day when no work was scheduled for him, or for which he is required to return to his place of employment, shall be considered to be at least 2 hours in duration.

"Time in Travel Status

"SEC. 204. For the purposes of this act, time spent in a travel status away from the official-duty station of any officer or employee shall be considered as hours of employment only when (a) within the days and hours of such officer's or employee's regularly scheduled administrative workweek, including regularly scheduled overtime hours, or (b) when the travel involves the performance of work while traveling or is carried out under arduous conditions."

Compensation for night and holiday work

SEC. 206. Section 301 of the Federal Employees Pay Act of 1945, as amended, is amended to read as follows:

"SEC. 301. (a) Any regularly scheduled work between the hours of 6 o'clock postmeridian and 6 o'clock antemeridian (including periods of absence with pay during such hours due to holidays, and any such hours within periods of leave with pay if such periods total less than 8 hours during any pay period) shall be considered nightwork, except as provided in subsection (b), and any officer or employee performing such work to whom this title applies shall be compensated for such work at his rate of basic compensation plus premium compensation amounting to 10 percent of such rate, unless otherwise provided in title IV of this act. This section shall not operate to modify the provisions of the act of July 1, 1944 (Public Law No. 394, 78th Cong.), or any other law authorizing additional compensation for nightwork.

"(b) The head of any department, independent establishment, or agency, including Government-owned or controlled corporations, may designate any time after 6 o'clock postmeridian and any time before 6 o'clock antemeridian as the beginning and end, respectively, of nightwork for the purpose of subsection (a) at any post outside the several States and the District of Columbia where customary hours of business extend into the hours of nightwork provided by such subsection."

SEC. 207. Section 302 of the Federal Employees Pay Act of 1945, as amended, is amended to read as follows:

"SEC. 302. (a) All work not exceeding 8 hours, which is not overtime work as defined in section 201 of this act and which is performed on a holiday designated by Federal statute or Executive order, shall be compensated at the rate of basic compensation of the officer or employee performing such work on a holiday plus premium compensation at a rate equal to the rate of basic compensation of such officer or employee.

"(b) Any officer or employee who is required to perform any work on such a holiday shall be compensated for at least 2 hours of such work, and any such premium compensation due under the provisions of this section shall be in addition to any premium compensation which may be due for the same work under the provisions of section 301 of this act providing premium compensation for nightwork.

"(c) Overtime work, as defined in section 201 of this act, on Sundays and such holidays shall be compensated in accordance with the provisions of such section 201.

Special provisions for certain types of work

SEC. 208. (a) The Federal Employees Pay Act of 1945, as amended, is amended by inserting after title III thereof a new title to read as follows:

"TITLE IV—SPECIAL PROVISIONS FOR CERTAIN TYPES OF WORK

"SEC. 401. (a) The head of any department, independent establishment, or agency, including Government-owned or controlled corporations, or of the municipal government of the District of Columbia may, with the approval of the Civil Service Commission, provide that—

"(1) any officer or employee in a position requiring him regularly to remain at, or within the confines of, his station during longer than ordinary periods of duty, a substantial part of which consists of remaining in a standby status rather than performing work, shall receive premium compensation for such duty on an annual basis in lieu of premium compensation provided by any other provisions of this act. Premium compensation under this paragraph shall be determined as an appropriate percentage (not in excess of 25 percent) of such part of the rate of basic compensation for any such position as does not exceed the maximum scheduled rate of basic compensation provided for grade GS–9 in the Classification Act of 1949, as amended, by taking into consideration the number of hours of actual work required in such position, the number of hours required in a standby status at or within the confines of the station, the extent to which the duties of such position are made more onerous by night or holiday work, or by being extended over periods of more than 40 hours a week, and any other relative factors; or

"(2) any officer or employee in a position in which the hours of duty cannot be controlled administratively, and which requires substantial amounts of irregular, unscheduled, overtime duty and duty at night and on holidays with the officer or employee generally being responsible for recognizing, without supervision, circumstances which require him to remain on duty, shall receive premium compensation for such duty on an annual basis in lieu of premium compensation provided by any other provisions of this act, except for regularly scheduled overtime duty. Premium compensation under this paragraph, shall be determined as an appropriate percentage (not in excess of 15 percent) of such part of the rate of basic compensation for any such position as does not exceed the maximum scheduled rate of basic compensation provided for grade GS–9 in the Classification Act of 1949, as amended, by taking into consideration the frequency and duration of night, holiday, and unscheduled overtime duty required in such position.

"(b) This section shall not apply to officers and employees in positions the duties of which are to supervise or perform work involved in (1) fighting fires, (2) maintaining fire-fighting apparatus and equipment, (3) inspecting fire protection apparatus and equipment, and (4) inspecting fire hazards in public buildings and reservations with a view to elimination of such fire hazards. Any such officer or employee shall receive premium compensation for such duty on the basis to which such officer or employee is entitled under any other provisions of this act.

(b) Nothing contained in this section shall be construed to decrease the existing aggregate rate of compensation of any present employee, but when the position of such employee becomes vacant any subsequent appointee thereto shall receive premium compensation provided for such position in accordance with this section.

Limitation on premium compensation

SEC. 209. Section 603 of the Federal Employees Pay Act of 1945, as amended, and the heading immediately preceding such section are amended to read as follows:

"Limitation on premium compensation

"SEC. 603. (a) No premium compensation provided by this act shall be paid to any officer or employee whose rate of basic compensation equals or exceeds the maximum scheduled rate of basic compensation pro-

vided for grade GS–15 in the Classification Act of 1949, as amended.

"(b) In the case of any officer or employee whose rate of basic compensation is less than the maximum scheduled rate of basic compensation provided for grade GS–15 in the Classification Act of 1949, as amended, such premium compensation may be paid only to the extent that such payment would not cause his aggregate rate of compensation to exceed such maximum scheduled rate with respect to any pay period."

Work schedules

SEC. 210. (a) The heading immediately preceding section 604 of the Federal Employees Pay Act of 1945, as amended, is amended to read as follows:

"Establishment of Basic Workweek; Work Schedules; Pay Computation Methods"

(b) Section 604 (a) of the Federal Employees Pay Act of 1945, as amended, is amended by inserting "(1)" after "(a)" and by adding at the end thereof a new paragraph as follows:

"(2) Except where the head of each such department, establishment, or agency and of the municipal government of the District of Columbia determines that his organization would be seriously handicapped in carrying out its functions or that costs would be substantially increased, he shall provide, with respect to all officers and employees in his organization, (A) that assignments to tours of duty shall be scheduled in advance over periods of not less than 1 week, (B) that the basic 40-hour workweek shall be scheduled on 5 days, which shall be Monday through Friday wherever possible, and the 2 days outside the basic workweek shall be consecutive, (C) that the working hours in each day in the basic workweek shall be the same, (D) that the basic nonovertime workday shall not exceed 8 hours, (E) that the occurrence of holidays shall not affect the designation of the basic workweek, and (F) that breaks in working hours of more than 1 hour shall not be scheduled in any basic workday."

SEC. 211. This title shall become effective at the beginning of the first pay period which begins more than 60 days after the date of enactment of this act.

TITLE III—GOVERNMENT EMPLOYEES' INCENTIVE AWARDS

SEC. 301. This title may be cited as the "Government Employees' Incentive Awards Act."

SEC. 302. The departmental awards program set forth in this title shall be carried out under such regulations and instructions as may be issued by the United States Civil Service Commission which shall annually report the results of the program, with related recommendations, to the President for transmittal to the Congress.

SEC. 303. As used in this title, the term "department" means an executive department or independent agency in the executive branch of the Government, including a Government-owned or controlled corporation (but not including the Tennessee Valley Authority), and also includes (a) the Administrative Office of the United States Courts, (b) the Library of Congress, (c) the Botanic Garden, (d) the Government Printing Office, (e) the Office of the Architect of the Capitol, and (f) the municipal government of the District of Columbia.

SEC. 304. (a) The head of each department is authorized to pay cash awards to, and to incur necessary expenses for the honorary recognition of, civilian officers and employees of the Government who by their suggestions, inventions, superior accomplishments, or other personal efforts contribute to the efficiency, economy, or other improvement of Government operations or who perform special acts or services in the public interest in connection with or related to their official employment.

(b) In instances determined by the President to warrant such action, he is authorized to pay cash awards to, and to incur necessary expenses for the honorary recognition of, civilian officers and employees of the Government who by their suggestions, inventions, superior accomplishments, or other personal efforts contribute to the efficiency, economy, or other improvement of Government operations, or who perform exceptionally meritorious special acts or services in the public interest in connection with or related to their official employment, and any such Presidential awards may be in addition to the departmental awards authorized in subsection (a) of this section.

(c) Awards under this section may be paid notwithstanding the death or separation from the service of the officer or employee concerned: *Provided*, That the suggestions, inventions, superior accomplishments, other personal efforts, or special acts or services in the public interest forming the basis for the awards are made or rendered while the officer or employee is in the employ of the Government.

(d) A cash award under this section shall be in addition to the regular compensation of the recipient and the acceptance of such cash award shall constitute an agreement that the use by the Government of the United States or the municipal government of the District of Columbia of any idea, method, or device for which the award is made shall not form the basis of a further claim of any nature upon the Government of the United States or the municipal government of the District of Columbia by the employee, his heirs, or assigns.

(e) Awards to employees and expenses for the honorary recognition of employees may be paid from the funds or appropriations available to the activity primarily benefiting or may be paid from the several funds or appropriations of the various activities benefiting as may be determined by the President for awards under subsection (b) of this section, and by the head of the department concerned for awards under subsection (a) of this section.

(f) An award under this title shall be given due weight in qualifying and selecting employees for promotion.

SEC. 305. The following laws and parts of laws are hereby repealed:

(a) Sections 702, 1002, and 1003 of the Classification Act of 1949 (63 Stat. 954; 5 U. S. C. 1122, 1152, 1153).

(b) Section 14 of the act entitled "An act to authorize certain administrative expenses in the Government service, and for other purposes," approved August 2, 1946 (60 Stat. 809; 5 U. S. C. 116a).

(c) The act entitled "An act authorizing payments of rewards to postal employees for inventions," approved December 3, 1945 (59 Stat. 591; 39 U. S. C. 813).

(d) The act entitled "An act authorizing the Secretary of War to pay a cash award for suggestions submitted by employees of certain establishments of the Ordnance Department for improvement or economy in manufacturing process or plant," approved July 17, 1912 (37 Stat. 193; 50 U. S. C. 58).

(e) The act entitled "An act to provide equitable compensation for useful suggestions or inventions by personnel of the Department of the Interior," approved June 26, 1944 (58 Stat. 360; 5 U. S. C. 500).

(f) Subsections (a) and (b) of section 35 of the act entitled "An act to enact certain provisions now included in the Naval Appropriation Act, 1946, and for other purposes," approved August 2, 1946 (60 Stat. 857; 5 U. S. C. 416).

(g) The joint resolution entitled "Joint resolution to provide cash awards to personnel of the Maritime Commission and the War Shipping Administration for useful suggestions to improve administration of their activities," approved March 13, 1944 (58 Stat. 115; 46 U. S. C. 1111b).

(h) All other laws or parts of laws inconsistent with this act are hereby repealed to the extent of such inconsistency.

SEC. 306. This title shall take effect on the 90th day after the date of its enactment.

TITLE IV—UNIFORM ALLOWANCES

SEC. 401. This title may be cited as the "Federal Employees Uniform Allowance Act."

SEC. 402. There is hereby authorized to be appropriated annually to each agency of the Government of the United States or of the District of Columbia (including Government-owned corporations), upon a showing of the necessity or desirability thereof, an amount not to exceed $100 multiplied by the number of the employees of such agency who are required by regulation now existing or by law to wear a prescribed uniform in the performance of his or her official duties and who are not being furnished with such uniform. The head of any agency to which any such appropriation is made shall pay, out of such appropriation, to each such employee an allowance for defraying the expenses of acquisition and upkeep of such uniform at such times and in such amounts, not to exceed $100 per annum, as may be prescribed by the head of such agency in accordance with rules and regulations promulgated pursuant to section 404. Where the payment of a uniform allowance is authorized under any other provision of law or regulation existing on the date of enactment of this act, the head of the agency may in his discretion continue the payment of such allowance under such provision of law or regulation, but where a uniform allowance is paid under any such law or regulation no allowance shall be paid under this section.

SEC. 403. Allowances paid under this title shall not be considered as pay, salary, or compensation within the meaning of the Civil Service Retirement Act of May 29, 1930, as amended, or as wages within the meaning of section 209 of the Social Security Act, as amended, or subchapter A or D of chapter 9 of the Internal Revenue Code, as amended.

SEC. 404. The Director of the Bureau of the Budget is authorized and directed to promulgate such rules and regulations as may be necessary to provide for the uniform administration of this title.

TITLE V—ANNUAL LEAVE

SEC. 501. Clause (6) of section 2 of the act of August 3, 1950, as amended by section 5 of such act of July 2, 1953, is amended to read as follows: "(6) payment for all accumulated and current accrued annual or vacation leave equal to the compensation the decedent would have received had he remained in the service until the expiration of the period of such annual or vacation leave; except that such lump-sum payment shall not include compensation for any period of accumulated leave in excess of 30 days, plus current accrued leave, or in excess of the number of days of accumulated leave to which he is entitled on the date of separation (excluding accumulated leave earned in the 1954 leave year and thereafter), plus current accrued leave, whichever is the greater."

SEC. 502. Section 6 of the act of July 2, 1953 (Public Law 102, 83d Cong.), is hereby repealed.

SEC. 503. Section 501 of this title shall take effect as of September 1, 1953.

TITLE VI—GROUP INSURANCE

SEC. 601. This act may be cited as the "Federal Employees' Group Life Insurance Act of 1954."

SEC. 602. (a) Except as provided in (b) of this section, each appointive or elective officer or employee (hereinafter called employee) in or under the executive, judicial, or legislative branch of the United States

Government, including a Government owned or controlled corporation (but not including any corporation under the supervision of the Farm Credit Administration of which corporation any member of the board of directors is elected or appointed by private interests), and of the municipal government of the District of Columbia shall, at such time and under such conditions of eligibility as the Civil Service Commission (hereinafter called the Commission) may by regulation prescribe, come within the purview of this title. Such regulations may provide for the exclusion of employees on the basis of the nature and type of employment or conditions pertaining thereto such as, but not limited to, short-term appointments, seasonal or intermittent employment, part-time employment, and employment of like nature, and shall be issued only after consultation with the head of the department, establishment, agency, or other employing authority concerned: *Provided*, That no employee or group of employees shall be excluded solely on the basis of the hazardous nature of employment.

(b) This title shall not apply to noncitizen employees whose permanent duty station is located outside a State of the United States or the District of Columbia, nor shall it apply to commissioned officers and enlisted personnel on active duty in or with the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United States, who have indemnity coverage under the Servicemen's Indemnity Act of 1951 (65 Stat. 33).

SEC. 603. (a) Each employee to whom this title applies shall be eligible to be insured for an amount of group life insurance approximating his annual compensation not exceeding $20,000 plus an equal amount of group accidental death and dismemberment insurance, in accordance with the following schedule:

If annual compensation is—		The amount of group life insurance shall be—	The amount of group accidental death and dismemberment insurance shall be—
Greater than—	But not greater than—		
0	$1,000	$1,000	$1,000
$1,000	2,000	2,000	2,000
2,000	3,000	3,000	3,000
3,000	4,000	4,000	4,000
4,000	5,000	5,000	5,000
5,000	6,000	6,000	6,000
6,000	7,000	7,000	7,000
7,000	8,000	8,000	8,000
8,000	9,000	9,000	9,000
9,000	10,000	10,000	10,000
10,000	11,000	11,000	11,000
11,000	12,000	12,000	12,000
12,000	13,000	13,000	13,000
13,000	14,000	14,000	14,000
14,000	15,500	15,000	15,000
15,000	16,000	16,000	16,000
16,000	17,000	17,000	17,000
17,000	18,000	18,000	18,000
18,000	19,000	19,000	19,000
19,000	------	20,000	20,000

(b) Subject to the conditions and limitations of the policy or policies purchased by the Commission under this title, as may be approved by the Commission, the group accidental death and dismemberment insurance shall provide payments as follows:

Loss	*Amount payable*
For loss of life.	Full amount shown in the schedule in (a) of this section.
Loss of 1 hand or of 1 foot or loss of sight of 1 eye.	One-half the amount shown in the schedule in (a) of this section.
Loss of two or more such members.	Full amount shown in the schedule in (a) of this section.

For any one accident the aggregate of group accidental death and dismemberment insurance that may be paid shall not exceed the amount shown in the schedule in (a) of this section.

(c) The Commission shall by regulation provide for the conversion of other than annual rates of compensation to an annual basis, and shall further specify the types of compensation to be included in annual compensation.

(d) Each of such amounts of insurance shall me reduced by 2 percent thereof at the end of each full calendar month following the date the employee attains age 65, subject to minimum amounts prescribed by the Commission, but not less than 25 percent of the insurance in force immediately preceding the first reduction provided herein: *Provided*, That the amounts of insurance in force from time to time on an employee who becomes insured under this title after having attained the age of 65 shall be the same as would be in force had he been insured at age 65, and shall be based on the lesser of his annual compensation (1) at the time he becomes so insured, or (2) at age 65, provided he was eligible at that time to be insured under this title.

SEC. 604. Any amount of group life insurance and group accidental death insurance in force on any employee at the date of his death shall be paid, upon the establishment of a valid claim therefor, to the person or persons surviving at the date of his death, in the following order of precedence:

First, to the beneficiary or beneficiaries as the employee may have designated by a writing received in the employing office prior to death;

Second, if there be no such beneficiary, to the widow or widower of such employee;

Third, if none of the above, to the child or children of such employee and descendants of deceased children by representation;

Fourth, if none of the above, to the parents of such employee or the survivor of them;

Fifth, if none of the above, to the duly appointed executor or administrator of the estate of such employee;

Sixth, if none of the above, to other next of kin of such employee entitled under the laws of domicile of such employee at the time of his death.

If any person otherwise entitled to payment under this section does not make claim therefor within 1 year after the death of the employee, or if payment to such person within that period is prohibited by Federal statute or regulation, payment may be made in the order of precedence as if such person had predeceased the employee, and any such payment shall be a bar to recovery by any other person.

SEC. 605. (a) During any period in which an employee under age 65 is insured under a policy of insurance purchased by the Commission as authorized in section 607 of this title, there shall be withheld from each salary payment of such employee, as his share of the cost of his group life and accidental death and dismemberment insurance, an amount determined by the Commission, but not to exceed the rate of 25 cents biweekly for each $1,000 of his group life insurance: *Provided*, That an employee who is paid on other than a biweekly basis shall have an amount so withheld, determined at a proportionate rate, which rate shall be adjusted to the nearest cent.

Any policy of insurance purchased by the Commission as authorized in section 607 of this title shall provide that all employees eligible under the terms of this title will be automatically insured thereunder commencing on the date they first become so eligible: *Provided*, That any employee desiring not to be so insured shall, on an appropriate form to be prescribed by the Commission, give written notice to his employing office that he desires not to be insured. If such notice is received before the employee shall have become insured under such policy, he shall not be so insured; if it is received after he shall have become insured, his insurance under the policy will cease effective with the end of the pay period during which the notice is received by the employing office.

(b) For each period in which an employee is insured under a policy of insurance purchased by the Commission as authorized in section 607 of this title, there shall be contributed from the respective appropriation or fund which is used for payment of his salary, wage, or other compensation (or, in the case of an elected official, from such appropriation or fund as may be available for payment of other salaries of the same office or establishment) a sum computed at a rate determined by the Commission, but not to exceed one-half the amount withheld from the employee under this section.

(c) The sums withheld from employees under subsection (a) and the sums contributed from appropriations and funds under subsection (b) shall be deposited in the Treasury of the United States to the credit of a fund which is hereby created. Said fund is hereby made available without fiscal year limitation for premium payments under any insurance policy or policies purchased as authorized in sections 607 and 610 of this title, and for any expenses incurred by the Commission in the administration of this title within such limitations as may be specified annually in appropriation acts: *Provided*, That appropriations available to the Commission for salaries and expenses for the fiscal year 1955 shall be available on a reimbursable basis for necessary administrative expenses of carrying out the purposes of this title until said fund shall be sufficient to provide therefor. The income derived from any dividends or premium rate adjustments received from insurers shall constitute a part of said fund.

SEC. 606. Each policy purchased under this title shall contain a provision, in terms approved by the Commission, to the effect that any insurance thereunder on any employee shall cease upon his separation from the service or 12 months after discontinuance of his salary payments, whichever first occurs, subject to a provision which shall be contained in the policy for temporary extension of coverage and for conversion to an individual policy of life insurance under conditions approved by the Commission, except that if upon such date as the insurance would otherwise cease the employee (a) retires on an immediate annuity, and (b) unless retired for disability, has had 15 years of creditable civilian service, as determined by the Commission, his life insurance only may, under conditions determined by the Commission, be continued without cost to him in the amounts for which he would have been insured from time to time had his salary payments continued at the same rate as on the date of cessation.

SEC. 607. (a) The Commission is authorized, without regard to section 3709 of the Revised Statutes as amended, to purchase from one or more life-insurance companies, as determined by it, a policy or policies of group life accidental, death and dismemberment insurance to provide the benefits specified in this title: *Provided*, That any such company must meet the following requirements: (1) Be licensed under the laws of 48 of the States of the United States and the District of Columbia to transact life and accidental death and dismemberment insurance, and (2) the amount of its employee group life insurance on the most recent December 31 for which information is available to the Commission shall on that date equal at least 1 percent of the total amount of employee group life insurance in the United States in all life-insurance companies.

(b) The life-insurance company or companies issuing such policy or policies shall establish an administrative office under a name to be approved by the Commission.

(c) The Commission shall arrange with the life-insurance company or companies issuing any policy or policies purchased under this title to reinsure, under conditions approved by it, portions of the total amount of insurance under the policy or policies, determined as provided in subsection (d) of this section, with such other life-insurance companies as may elect to participate in such reinsurance.

(d) The Commission shall determine a formula so that the amount of insurance in force to be retained by each issuing company after ceding reinsurance and the total amount of reinsurance ceded to each reinsuring company shall be in proportion to the total amount of each such company's group life insurance in force in the United States on December 31, 1953: *Provided*, That in determining such proportions, that portion of any company's group life insurance in force on December 31, 1953, which is in excess of $100,000,000 shall be reduced by 25 percent of the first $100,000,000 of such excess, 50 percent of the second $100,000,000 of such excess, 75 percent of the third $100,000,000 of such excess, and 95 percent of any excess thereafter: *Provided further*, That the amount retained by or ceded to any company shall not exceed 25 percent of the amount of that company's total life insurance in force in the United States on December 31, 1953: *Provided further*, That if, at the end of 1 year following the date of enactment of this act, in the case of any issuing company or reinsurer which insured employees of the Federal Government on December 31, 1953, under policies issued to an association of Federal employees, the amount which results from the application of this formula is less than the decrease, if any, in the amount of such company's insurance under such policies, the amount allocated to such company shall, upon the first reallocation as provided in subsection (e) of this section, be increased to the amount of such decrease: *And provided further*, That any fraternal benefit association which is licensed under the laws of a State of the United States or the District of Columbia to transact life insurance and is engaged in issuing insurance certificates on the lives of employees of the Federal Government exclusively shall be eligible to act as a reinsuring company and may be allocated an amount of reinsurance equal to 25 percent of its total life insurance in force on employees of the Federal Government on December 31, 1953.

(e) The companies eligible to participate as reinsurers, and the amount of insurance under the policy or policies to be allocated to each issuing company or reinsurer may be redetermined by the Commission for and in advance of any policy year after the first, on a basis consistent with subsections (c) and (d) of this section, with any modifications thereof it deems appropriate to carry out the intent of such subsections, and based on each participating company's group life insurance in force, excluding that under any policy or policies purchased under this title except in the case of companies covered in the third proviso of subsection (d), in the United States on the most recent December 31 for which information is available to it, and shall be so redetermined in a similar manner not less often than every 3 years or at any time that any participating company withdraws from participation.

(f) The Commission may at any time discontinue any policy or policies it has purchased from any insurance company.

SEC. 608. (a) Each policy or policies purchased under this title shall include, for the first policy year, basic tables of premium rates as follows:

(1) For group life insurance, a schedule of basic premium rates by age which the Commission shall have determined on a basis consistent with the lowest schedule of basic premium rates generally charged for new group life insurance policies issued to large employers, this schedule of basic premium rates by age to be applied, except as otherwise provided in this section, to the distribution by age of the amounts of group life insurance under the policy at its date of issue to determine an average basic premium rate per $1,000 of life insurance, and

(2) For group accidental death and dismemberment insurance, a basic premium rate which the Commission shall have determined on a basis consistent with the lowest rate generally charged for new group accidental death and dismemberment insurance policies issued to large employers.

Each policy so purchased shall also include provisions whereby the basic rates of premium determined for the first policy year shall be continued for subsequent policy years, except that they may be readjusted for any subsequent year, based on the experience under the policy, such readjustment to be made by the insurance company or companies issuing the policy on a basis determined by the Commission in advance of such year to be consistent with the general practice of life insurance companies under policies of group life and group accidental death and dismemberment insurance issued to large employers.

(b) Each policy so purchased shall include a provision that, in the event the Commission determines that ascertaining the actual age distribution of the amounts of group life insurance in force at the date of issue of the policy or at the end of the first or any subsequent year of insurance thereunder would not be possible except at a disproportionately high expense, it may approve the determination of a tentative average group life premium rate, for the first or any subsequent policy year, in lieu of using the actual age distribution. Such tentative average premium rate shall be redetermined by the Commission during any policy year upon request by the insurance company or companies issuing the policy, if experience indicates that the assumptions made in determining the tentative average premium rate for that policy year were incorrect.

(c) Each policy so purchased shall contain a provision stipulating the maximum expense and rise charges for the first policy year, which charges shall have been determined by the Commission on a basis consistent with the general level of such charges made by life insurance companies under policies of group life and accidental death and dismemberment insurance issued to large employers. Such maximum charges shall be continued from year to year, except that the Commission may redetermine such maximum charges for any year either by agreement with the insurance company or companies issuing the policy or upon written notice given by it to such companies at least 1 year in advance of the beginning of the year for which such redetermined maximum charges will be effective.

(d) Each such policy shall provide for an accounting to the Commission not later than 90 days after the end of each policy year, which shall set forth, in a form approved by the Commission, (1) the amounts of premiums actually accrued under the policy from its date of issue to the end of such policy year, (2) the total of all mortality and other claim charges incurred for that period, and (3) the amounts of the insurers' expense and risk charges for that period. Any excess of the total of item (1) over the sum of items (2) and (3) shall be held by the insurance company or companies issuing the policy as a special contingency reserve to be used by such insurance company or companies for charges under such policy only, such reserve to bear interest at a rate to be determined in advance of each policy year by the insurance company or companies issuing the policy, which rate shall be approved by the Commission as being consistent with the rates generally used by such company or companies for similar funds held under other group life insurance policies: *Provided*, That if and when the Commission determines that such special contingency reserve has attained an amount estimated by it to make satisfactory provision for adverse fluctuations in future charges under the policy, any further such excess shall be deposited in the Treasury of the United States to the credit of the fund. If and when such policy is discontinued, and if, after all charges have been made, there is any positive balance remaining in such special contingency reserve, such balance shall be deposited in the Treasury of the United States to the credit of the fund, subject to the right of the insurance company or companies issuing the policy to make such deposit in equal monthly installments over a period of not more than 2 years.

SEC. 609. The Commission shall arrange to have each employee insured under such policy receive a certificate setting forth the benefits to which the employee is entitled thereunder, to whom such benefits shall be payable, to whom claims should be submitted, and summarizing the provisions of the policy principally affecting the employee. Such certificate shall be in lieu of the certificate which the insurance company or companies would otherwise be required to issue.

SEC. 610. (a) The Commission is authorized to arrange with any nonprofit association of Federal employees for the assumption by the fund of any existing life insurance agreements of such association with its members retired or otherwise separated from the Federal service and to insure the obligations assumed with any company or companies meeting the requirements of section 607 (a).

(b) Any such arrangement shall provide that payments by such insured members for life insurance only shall thereafter be made at the same rates to the fund, under such conditions as the Commission may prescribe.

(c) Any such arrangement shall further provide that there be transferred to and deposited in the fund the lesser of the following amounts:

(1) The total assets of the life insurance fund of such association; or

(2) The amount required to meet the liabilities under life insurance agreements assumed, taking into account the payments as provided in paragraph (b). The determination of this amount shall be based on an actuarial valuation satisfactory to the Commission, procured by the association without expense to the Commission.

(d) The arrangements authorized by this section shall be made only with those associations which terminate life insurance agreements with all of their members within 1 year after the date of enactment of this act, and such arrangements shall apply only to life insurance granted to any member by any such association before January 1, 1954.

(e) In any case in which the fund assumes a liability for life insurance as provided in this section in respect to a person who (1) subsequently becomes eligible to be insured as an employee under this title, and (2) does not give notice, as provided in section 605 (a), of his desire not to be so insured, the life insurance provided under this section shall terminate as of the date such person becomes insured as an employee.

SEC. 611. Except as otherwise provided herein, the Commission is hereby authorized to promulgate such regulations as may be necessary and proper to give effect to the intent, purposes, and provisions of this title.

SEC. 612. (a) There is hereby established an Advisory Council on Group Insurance consisting of the Secretary of the Treasury as Chairman, the Secretary of Labor, and the Director of the Bureau of the Budget, who

shall serve without additional compensation. The council shall meet once a year, or oftener at the call of the Commission, and shall review the operations of this title and advise the Commission on matters of policy relating to its activities thereunder.

(b) The Chairman of the Commission shall appoint a committee composed of five employees insured under this title, who shall serve without compensation, to advise the Commission regarding matters of concern to employees under this title.

SEC. 613. The Commission shall report annually to Congress upon the operation of this title.

SEC. 614. The district courts of the United States shall have original jurisdiction, concurrent with the Court of Claims, of any civil action or claim against the United States founded upon this title.

SEC. 615. The insurance provided by this title and the withholdings and contributions for that purpose shall become effective when directed by the Commission.

TITLE VII—MISCELLANEOUS PROVISIONS

SEC. 701. (a) Section 2 (b) of the Performance Rating Act of 1950 (5 U. S. C., sec. 2001) is amended by striking out the period at the end thereof and inserting in lieu thereof a semicolon and the following:

"(12) The Central Intelligence Agency."

(b) Section 9 of the Central Intelligence Agency Act of 1949, as amended (50 U. S. C., sec. 403i), is hereby repealed.

SEC. 702. Section 1310 of the Supplemental Appropriation Act, 1952 (Public Law 253, 82d Cong.), as amended, is hereby repealed.

Mr. SMATHERS. Mr. President, may we have an explanation of the bill?

Mr. CARLSON. Mr. President, this is the House version of the fringe benefit bill. A similar bill passed the Senate some weeks ago, and was sent to the House of Representatives, where it was amended by including the classified pay bill. It has not moved since that time.

It is a piece of legislation which is important to the Federal workers of the Nation. It has the approval of everyone with whom I have talked.

The Senate Committee on Post Office and Civil Service took the fringe benefit bill and the Federal insurance bill and combined them as amendments to the House bill which is presently before the Senate.

Since that time the House has passed the Federal insurance bill. I ask unanimous consent that the provisions with regard to Federal insurance may be stricken from the bill now pending.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request? Without objection, it is so ordered.

Mr. CARLSON. That would leave the fringe benefit bill about as it passed the Senate for further action, either by the committee of conference, or by the House accepting the amendment of the Senate.

Mr. GORE. Mr. President, will the Senator yield?

Mr. CARLSON. I yield.

Mr. GORE. The supplemental appropriation bill, which the Senate considered a few days ago, provided for salary increases for certain employees of the Senate. Would the proposed action involve a duplication of the previous action?

Mr. CARLSON. The distinguished Senator from Tennessee talked with me about that, and I told him I would check and propose an amendment to take care of that situation. Under a gentleman's agreement on the Senate floor, the number of positions to be included in the bill were 150. If the appropriation bill should supersede this bill, providing for 150, I sincerely hope that they will be included in that number. It is my sincere intention that that be done, but I have not prepared the language for such an amendment.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. HAYDEN. I happen to know that the House conferees seriously objected to the amendment placed in the bill changing the civil-service ratings of certain employees of the Architect of the Capitol, and said that the matter could be cured, in their opinion, by some contact which was to be made with the Civil Service Commission. I understand that contact has been made. If that be true, then there will be nothing in the bill, when it comes out of conference, of the nature to which the Senator has referred.

Mr. CARLSON. Mr. President, I appreciate very much the statement of the Senator from Arizona, because that is certainly what I hoped would be the attitude of the Senate on this particular piece of legislation.

Mr. GORE. I thank the Senator.

The PRESIDING OFFICER. Will the Senator from Kansas kindly advise what portion of the bill relative to the insurance features he asks to have stricken out?

Mr. CARLSON. The section I wish stricken is an amendment to H. R. 2263, beginning on page 28.

The PRESIDING OFFICER. It is an amendment to the pending bill?

Mr. CARLSON. Yes. I ask that that be stricken.

The PRESIDING OFFICER. Is it title 6?

Mr. CARLSON. That is correct.

Mr. President, I offer an amendment which I ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 28, line 20, it is proposed to strike out title 6, Group Insurance.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Kansas.

The amendment was agreed to.

Mr. CARLSON. Mr. President, I offer the amendment which I ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 46, after line 14, it is proposed to insert a new section, as follows:

SEC. 703. The Official Reporters of the proceedings and debates of the Senate and their employees shall be considered to be officers or employees in or under the legislative branch of the Government within the meaning of the provisions of section 2 (a) of the Federal Employees' Group Life Insurance Act of 1954.

Mr. CARLSON. Mr. President, I offer this amendment to the bill because I sincerely hope the Senate will take care of the Official Reporters of Debates, who have worked so faithfully during this session.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Kansas.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment, as amended.

The amendment as amended was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act to amend the Classification Act of 1949, as amended, and the Federal Employees Pay Act of 1945, as amended, and for other purposes."

BILL PASSED OVER

The bill (H. R. 1980) to authorize and direct the Commissioners of the District of Columbia to construct a bridge over the Potomac River in the vicinity of Jones Point, Va., and for other purposes, was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The bill will be passed over.

SPECIAL REGULATIONS IN THE DISTRICT OF COLUMBIA FOR THE AMERICAN LEGION NATIONAL CONVENTION

The joint resolution (H. J. Res. 560) to authorize the Commissioners of the District of Columbia to promulgate special regulations for the period of the American Legion National Convention of 1954, to authorize the granting of certain permits to the American Legion 1954 Convention Corporation on the occasion of such convention, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

QUARTERING OF TROOPS DURING AMERICAN LEGION CONVENTION IN THE DISTRICT OF COLUMBIA

The joint resolution (H. J. Res. 561) to authorize the quartering in public buildings in the District of Columbia of troops participating in activities related to the American Legion National Convention of 1954 was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF CODE OF LAW FOR THE DISTRICT OF COLUMBIA RELATING TO ATTACHMENT PROCEEDINGS

The Senate proceeded to consider the bill (H. R. 8128) to amend section 1089 of the Code of Law for the District of Columbia relating to attachment proceedings, which had been reported from the Committee on the District of Columbia with an amendment, on page 1, line 9, after the word "after", to strike out "'1809" and insert "1089"."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

CONSOLIDATION OF POLICE AND MUNICIPAL COURTS OF THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (H. R. 8915) to amend the act entitled "An act to consolidate the police court of the District of Columbia and the municipal court of the District of Columbia, to be known as the municipal court of appeals for the District of Columbia and for other purposes, which had been reported from the Committee on the District of Columbia with an amendment, on page 3, at the beginning of line 1, to strike out "121" and insert "1121."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act to amend the act entitled 'An act to consolidate the police court of the District of Columbia and the municipal court of the District of Columbia, to be known as the municipal court for the District of Columbia, to create "the municipal court of appeals for the District of Columbia", and for other purposes.'"

WAIVER OF ANNUITIES, RELIEF, OR RETIREMENT COMPENSATION OF RETIRED POLICEMEN AND FIREMEN OF THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (H. R. 7853) to permit retired policemen, firemen, and teachers of the District of Columbia to waive all or part of their annuities, relief, or retirement compensation, which had been reported from the Committee on the District of Columbia with an amendment, to strike out all after the enacting clause and insert:

That any person entitled to relief or retirement compensation pursuant to the provisions of section 12 of the act approved September 1, 1916 (39 Stat. 718), as amended (title 4, ch. 5, D. C. Code, 1951 edition), may decline to accept all or any part of such relief or retirement compensation by a waiver signed and filed with the Commissioners of the District of Columbia or their designated agent. Such waiver may be revoked in writing at any time, but no payment of the relief or retirement compensation waived shall be made covering the period during which such waiver was in effect.

Mr. HENDRICKSON. Mr. President, may we have a brief explanation of the bill?

Mr. CASE. The purpose of the bill is to permit retired policemen and firemen to waive all or any part of their retirement compensation or relief to which they are entitled, in the same manner as persons retired under the Civil Service Retirement Act. Section 3 of Public Law 555 of the 82d Congress, approved July 16, 1952, gives such privilege to the latter group of employees.

The purpose of the committee amendment is to eliminate school teachers from the provisions of this measure. This was done in accordance with the request of a representative of the American Federation of Teachers appearing at the subcommittee hearings on June 22, 1954.

Representatives of the policemen's and firemen's groups favored the bill, as did the District of Columbia Commissioners.

The House passed the bill, and it was reported unanimously by the Senate Committee on the District of Columbia.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended, so as to read: "An act to permit retired policemen and firemen of the District of Columbia to waive all or part of their relief or retirement compensation."

CONDEMNATION OF INSANITARY BUILDINGS IN THE DISTRICT OF COLUMBIA

The bill (H. R. 6127) to amend the act entitled "An act to create a Board for the Condemnation of Insanitary Buildings in the District of Columbia, and for other purposes", approved May 1, 1906, as amended, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

PROVISION FOR FAMILY QUARTERS FOR PERSONNEL OF THE MILITARY DEPARTMENTS

The Senate proceeded to consider the bill (S. 3818) to provide for family quarters for personnel of the military departments of the Department of Defense and their dependents, and for other purposes, which had been reported from the Committee on Armed Services with an amendment on page 16, after line 11, to strike out:

SEC. 407. The Secretary of Defense is authorized to procure family housing for military personnel in foreign countries through the use of not to exceed the equivalent of $75 million in foreign currencies in accordance with the provisions of the Agricultural Trade Development and Assistance Act of 1954 (Public Law 480, 83d Congress), which family housing shall be in addition to family housing to be constructed or acquired by the Department of Defense through the use of appropriated funds. Notwithstanding any other provision of law, the Secretary of the military department concerned is authorized to utilize and transfer to the Commodity Credit Corporation in lieu of reimbursement pursuant to section 105 of said act the allowances for quarters that would otherwise be payable to military personnel occupying such family housing to the amount of the cost of the quarters involved.

And in lieu thereof to insert the following:

SEC. 407. The Secretary of Defense is authorized, subject to the approval of the Director of the Bureau of the Budget, to construct, or acquire by lease or otherwise, family housing, in addition to family housing otherwise authorized to be constructed or acquired by the Department of Defense in foreign countries, to the value of $75 million through the use of foreign currencies in accordance with the provisions of the Agricultural Trade Development and Assistance Act of 1954 (Public Law 480, 83d Congress).

The Secretary of Defense shall furnish to the Committees on Armed Services of the Senate and the House of Representatives a quarterly report, the first of which shall be submitted 3 months subsequent to the date of enactment of this act, setting forth the cost, number, and location of housing units constructed or acquired pursuant to the authority contained in this section during the 3-month period preceding the date of such report, and setting forth the cost, number, and location of the housing units intended to be constructed or acquired pursuant to such authority during the next succeeding quarter.

Appropriations of the Department of Defense otherwise available for payment of quarters allowances of personnel occupying such family housing shall be available for reimbursement to the Commodity Credit Corporation pursuant to section 105 of the Agricultural Trade Development and Assistant Act of 1954 in an amount equivalent to the dollar value of the currencies used.

So as to make the bill read:

Be it enacted, etc.—

TITLE I

SEC. 101. The Secretary of the Army is authorized further to develop military installations and facilities by providing family housing for personnel of the military departments and their dependents by the construction or installation of public works, which include site preparation, appurtenances, utilities, equipment, and the acquisition of land, as follows:

Continental United States

(Third Army Area)

Fort Campbell, Ky.: 300 units of family housing, $4,093,000.

(Fourth Army Area)

Fort Bliss, Tex.: 250 units of family housing, $3,213,000.

Fort Hood, Tex.: 600 units of family housing, $8,099,000.

(Fifth Army Area)

Camp Carson, Colo.: 1,000 units of family housing, $13,427,000.

Camp Crowder, Mo.: 70 units of family housing, $952,000.

(Sixth Army Area)

Fort Lewis, Wash.: 800 units of family housing, $10,686,000.

Camp Cooke (United States Disciplinary Barracks), Calif.: 50 units of family housing, $663,000.

Yuma Test Station, Ariz.: 20 units of family housing, $267,000.

(Quartermaster Corps)

Belle Mead General Depot, N. J.: 10 units of family housing, $158,000.

(Chemical Corps)

Dugway Proving Ground, Utah: 30 units of family housing, $486,000.

(Signal Corps)

Fort Huachuca, Ariz.: 200 units of family housing, $2,899,000.

Department of the Army Transmitting Station, Va.: 10 units of family housing $164,000.

(Corps of Engineers)

Fort Belvoir, Va.: 300 units of family housing, $3,984,000.

(Transportation Corps)

Fort Eustis, Va.: 250 units of family housing, $3,374,000.

Wilmington Ammunition Terminal, N. C.: 4 units of family housing, $69,000.

(Army Security Agency)

Two Rock Ranch Station, Calif.: 10 units of family housing, $160,000.

(Armed Forces Special Weapons project)

Sandia Base, N. Mex.: 3 units of family housing, $79,000.

Killeen Base, Tex.: 5 units of family housing: $99,000.

(Tactical Sites)

Various locations: 300 units of family housing, $3,990,000.

SEC. 102. The Secretary of the Army is authorized further to develop military installations and facilities by providing family housing for personnel of the military department and their dependents by the rehabilitation of public works, which include appurtenances, utilities, and equipment, in a total amount of $12,230,550: *Provided*, That in his discretion the Secretary of the Army may utilize the authorization contained in this section to provide family housing by the construction or installation of public works, which include site preparation, appurtenances, utilities, equipment, and acquisition of land, at locations to be determined by him. Such family housing shall be in addition to, but shall not exceed 5 percent of, the total number of units authorized by section 101 of this act, but the average cost of such additional units shall not exceed $12,500.

TITLE II

SEC. 201. The Secretary of the Navy is authorized further to develop naval installations and facilities by providing family housing for personnel of the military departments and their dependents by the construction or installation of public works, which include site preparation, appurtenances, ultilities, equipment, and the acquisition of land as follows:

Continental United States

(1st Naval District)

Naval hosiptal, Newport, R. I.: 10 units of family housing, $152,000.

(3d Naval District)

Naval hospital, St. Albans, N. Y.: 10 units of family housing, $152,000.

(4th Naval District)

Naval shipyard, Philadelphia, Pa.: 25 units of family housing, $321,300.

Naval hospital, Philadelphia, Pa.: 10 units of family housing, $152,000.

(5th Naval District)

Naval hospital, Camp Lejeune, N. C.: 50 units of family housing, $642,500.

Marine Corps air facility, New River, N. C.: 35 units of family housing, $473,300.

Naval hospital, Portsmouth, Va.: 10 units of family housing, $152,000.

Naval mine depot, Yorktown, Va. (Skiffes Creek Annex): 5 units of family housing, $91,200.

(6th Naval District)

Naval air station, Cecil Field: 90 units of family housing, $1,192,200.

Naval hospital, Jacksonville, Fla.: 30 units of family housing, $397,300.

Naval air station, Key West, Fla.: 20 units of family housing, $273,900.

Naval station, Key West, Fla.: 80 units of family housing, $1,044,500.

Naval mine countermeasures station, Panama City, Fla.: 25 units of family housing, $343,100.

Naval hospital, Pensacola, Fla.: 25 units of family housing, $321,300.

Naval supply corps school, Athens, Ga.: 30 units of family housing, $456,000.

Naval auxiliary air station, Glynco, Ga.: 80 units of family housing, $1,058,600.

Naval construction battalion center, Gulfport, Miss. 7 units of family housing, $102,100.

Marine Corps auxiliary air station, Beaufort, S. C.: 175 units of family housing, $2,305,600.

Naval hospital, Beaufort, S. C.: 50 units of family housing, $654,300.

(8th Naval District)

Naval auxiliary air station, Chase Field, Tex.: 80 units of family housing, $1,073,400.

(11th Naval District)

Naval amphibious base, Coronado, Calif.: 2 units of family housing, $47,300.

Naval air station, Miramar, Calif.: 15 units of family housing, $204,500.

Naval hospital, San Diego, Calif.: 10 units of family housing, $152,000.

(12th Naval District)

Naval hospital, Oakland, Calif.: 10 units of family housing, $152,000.

Naval supply center, Oakland, Calif.: 10 units of family housing, $152,000.

Naval communication station, Skaggs Island, Calif.: 50 units of family housing, $666,000.

Naval auxiliary air station, Fallon, Nev.: 60 units of family housing, $787,500.

Marine Corps facilities

Marine Corps depot of supplies, Albany, Ga.: 100 units of family housing, $1,339,800.

Marine Corps supply annex, Barstow, Calif.: 1 unit of family housing, $27,000.

Marine Corps recruit depot, San Diego, Calif.: 12 units of family housing, $173,400.

Marine Corps school, Quantico, Va.: 300 units of family housing, $4,121,700.

Outside continental United States

(Atlantic Ocean Area)

Naval station, Argentia, Newfoundland: 45 units of family housing, $595,100.

Naval base, Guantanamo Bay, Cuba: 100 units of family housing, $1,379,000.

(Pacific Ocean Area)

Naval station, Kwajalein, Marshall Islands: 175 units of family housing, $2,289,100.

Marine Corps barracks, Pearl Harbor, T. H.: 2 units of family housing, $30,400.

SEC. 202. The Secretary of the Navy is authorized further to develop naval installations and facilities by providing family housing for personnel of the military departments and their dependents by the rehabilitation of public works, which include appurtenances, utilities, and equipment, in a total amount of $1,218,300: *Provided*, That in his discretion the Secretary of the Navy may utilize the authorization contained in this section to provide family housing by the construction or installation of public works, which include site preparation, appurtenances, utilities, equipment and acquisition of land, at locations to be determined by him. Such family housing shall be in addition to, but shall not exceed 5 percent of, the total number of units authorized by section 201 of this act, but the average cost of such additional units shall not exceed $12,500.

TITLE III

SEC. 301. The Secretary of the Air Force is authorized further to develop Air Force installations and facilities by providing family housing for personnel of the military departments and their dependents by the construction or installation of public works, which include site preparation, appurtenances, utilities, equipment, and the acquisition of land as follows:

Continental United States

(Strategic Air Command)

Sedalia Air Force Base, Mo.: 400 units of family housing, $5,364,000.

Altus Air Force Base, Okla.: 360 units of family housing, $4,827,600.

Lincoln Air Force Base, Nebr.: 400 units of family housing, $5,364,000.

Smoky Hill Air Force Base, Kans.: 280 units of family housing, $3,754,800.

Dow Air Force Base, Maine: 300 units of family housing, $4,023,000.

Lake Charles Air Force Base, La.: 200 units of family housing, $2,682,000.

Davis-Monthan Air Force Base, Ariz.: 5 units of family housing, $108,000.

Fairchild Air Force Base, Wash.: 5 units of family housing, $108,000.

Great Falls Air Force Base, Mont.: 4 units of family housing, $87,750.

Hunter Air Force Base, Ga.: 5 units of family housing, $108,000.

Columbus Air Force Base, Miss.: 30 units of family housing, $402,300.

Larson Air Force Base, Wash.: 5 units of family housing, $108,000.

Limestone Air Force Base, Maine: 4 units of family housing, $87,750.

Lockbourne Air Force Base, Ohio: 4 units of family housing, $87,750.

Mather Air Force Base, Calif.: 4 units of family housing, $87,750.

Mountain Home Air Force Base, Idaho: 4 units of family housing, $81,000.

Nellis Air Force Base, Nev.: 5 units of family housing, $108,000.

Travis Air Force Base, Calif.: 6 units of family housing, $128,250.

(Air Defense Command)

Suffolk County Air Force Base, N. Y.: 100 units of family housing, $1,341,000.

Otis Air Force Base, Mass.: 200 units of family housing, $2,682,000.

Newcastle County Airport, Del.: 100 units of family housing, $1,341,000.

Truax Air Force Base, Wis.: 100 units of family housing, $1,341,000.

Kinross Air Force Base, Mich.: 90 units of family housing, $1,206,900.

Paine Air Force Base, Wash.: 70 units of family housing, $938,700.

Oxnard Air Force Base, Calif.: 70 units of family housing, $938,700.

Ent Air Force Base, Colo.: 90 units of family housing, $1,206,900.

Youngstown Municipal Airport, Ohio: 50 units of family housing, $670,500.

Greater Pittsburgh Airport, Pa.: 50 units of family housing, $670,500.

Niagara Municipal Airport, N. Y.: 50 units of family housing, $670,500.

Minneapolis-St. Paul Airport, Minn.: 70 units of family housing, $938,700.

Duluth Municipal Airport, Minn.: 100 units of family housing, $1,341,000.

Geiger Field, Wash.: 50 units of family housing, $370,500.

Sioux City Municipal Airport, Iowa: 50 units of family housing, $670,500.

Presque Isle Air Force Base, Maine: 50 units of family housing, $670,500.

McGee-Tyson Airport, Tenn.: 50 units of family housing, $670,500.

Portland International Airport, Oreg.: 60 units of family housing, $804,600.

Minot area, North Dakota: 65 units of family housing, $871,650.

Wurtsmith Air Force Base, Mich.: 50 units of family housing, $670,500.

(Tactical Air Command)

Clovis Air Force Base, N. Mex.: 170 units of family housing, $2,279,700.

Hurlburt Air Force Base, Fla.: 275 units of family housing, $3,687,750.

Foster Air Force Base, Tex.: 200 units of family housing, $2,682,000.

McGuire Air Force Base, N. J.: 5 units of family housing, $108,000.

Shaw Air Force Base, S. C.: 5 units of family housing, $108,000.

(Air Training Command)

Luke Air Force Base, Ariz.: 125 units of family housing, $1,676,250.

Laredo Air Force Base, Tex.: 100 units of family housing, $1,341,000.

Clary Air Force Base, Tex.: 100 units of family housing, $1,341,000.

Laughlin Air Force Base, Tex.: 150 units of family housing, $2,011,500.

Greenville Air Force Base, Miss.: 120 units of family housing, $1,609,200.

Moody Air Force Base, Ga.: 140 units of family housing, $1,877,400.

Stead Air Force Base, Nev.: 90 units of family housing, $1,206,900.

McConnell Air Force Base, Kans.: 150 units of family housing, $2,011,500.

Webb Air Force Base, Tex.: 85 units of family housing, $1,139,850.

Parks Air Force Base, Calif.: 85 units of family housing, $1,139,850.

(Military Air Transport Service)

Charleston Air Force Base, S. C.: 450 units of family housing, $6,034,500.

(Continental Air Command)

Beale Air Force Base, Calif.: 225 units of family housing, $3,017,250.

(Research and Development Command)

Kirtland Air Force Base, N. Mex.: 5 units of family housing, $108,000.

TITLE IV

SEC. 401. The Secretaries of the Army, Navy, and Air Force are respectively authorized to proceed with the further development of military, naval, and Air Force installations and facilities as authorized by titles I, II, and III of this act without regard to the provisions of sections 1136, 3648, and 3734, as respectively amended, of the Revised Statutes, and prior to approval of title to underlying land, as provided by section 355, as amended, of the Revised Statues. The authority to provide family housing by the construction or installation of public works shall include authority to acquire lands and rights and interests thereto or therein, including the temporary use thereof, by donation, purchase, exchange of Government-owned lands, or otherwise.

SEC. 402. There is hereby authorized to be appropriated not to exceed $175 million to carry out the purposes of titles I, II, and III, and not to exceed $15 million to carry out the purposes of section 408, of this act.

SEC. 403. Any of the approximate costs enumerated in titles I, II, and III of this act may, in the discretion of the Secretary concerned, be varied upward by 10 percent, but the total of all costs shall not exceed the total amount authorized to be appropriated by this act.

SEC. 404. Not to exceed 250 of the units of family quarters constructed under the authority of titles I, II, and III of this act shall have a net floor area of not to exceed 2,100 square feet. None of the other family quarters authorized to be constructed by this act shall have a net floor area in excess of 1,250 square feet, and the average net floor area of all of such other family quarters shall not exceed 1,080 square feet.

SEC. 405. Appropriation made to carry out the purpose of this act shall be available for expenses incident to construction or rehabilitation work authorized by this act, including administration, overhead, planning, and supervision.

SEC. 406. Whenever—

(a) the President determines that compliance with the requirements of Public Law 245, 82d Congress, in the case of contracts made pursuant to this act with respect to the establishment or development of military installations and facilities in foreign countries would interfere with the carrying out of the provisions of this act; and

(b) the Secretary of Defense and the Comptroller General have agreed upon alternative methods for conducting an adequate audit of such contracts, the President is authorized to exempt such contracts from the requirements of Public Law 245, 82d Congress.

SEC. 407. The Secretary of Defense is authorized, subject to the approval of the Director of the Bureau of the Budget, to construct, or acquire by lease or otherwise, family housing, in addition to family housing otherwise authorized to be constructed or acquired by the Department of Defense in foreign countries, to the value of $75 million through the use of foreign currencies in accordance with the provisions of the Agricultural Trade Development and Assistance Act of 1954 (Public Law 480, 83d Cong).

The Secretary of Defense shall furnish to the Committees on Armed Services of the Senate and the House of Representatives a quarterly report, the first of which shall be submitted 3 months subsequent to the date of enactment of this act, setting forth the cost, number, and location of housing units constructed or acquired pursuant to the authority contained in this section during the 3-month period preceding the date of such report, and setting forth the cost, number, and location of the housing units intended to be constructed or acquired pursuant to such authority during the next succeeding quarter.

Appropriations of the Department of Defense otherwise available for payment of quarters allowances of personnel occupying such family housing shall be available for reimbursement to the Commodity Credit Corporation pursuant to section 105 of the Agricultural Trade Development and Assistance Act of 1954 in an amount equivalent to the dollar value of the currencies used.

SEC. 408. The Secretaries of the military departments are authorized to acquire a total of not to exceed 5,000 units of trailers which may be made available at locations both inside and outside continental United States for occupancy by military personnel and their dependents on a rental basis without loss of any allowances for quarters.

The amendment was agreed to.

The PRESIDING OFFICER. The Chair calls attention to the fact that there is on the calendar a companion bill, namely, Calendar No. 2037 (H. R. 9924) to provide for family quarters for personnel of the Military Departments of the Department of Defense and for other purposes. The bill seems to be somewhat different in character.

Mr. CASE. Mr. President, if consent is given that the Senate may proceed to the consideration of the House bill, I desire to move to strike out all after the enacting clause and insert the Senate bill, as amended.

The PRESIDING OFFICER. Is there objection to the present consideration of the House bill?

Mr. GOLDWATER. Mr. President, if I may address a question to the Senator from South Dakota, does the bill provide for family quarters on all military bases in this country, or merely on military bases adjacent to Washington?

Mr. CASE. No; the bases are scattered throughout the United States, and there are some overseas bases, but they are mostly in Continental United States. The Senator from South Dakota has in his hands a list of the authorizations by States. They appear alphabetically, and under the first ones listed there appear several in Arizona.

Mr. GOLDWATER. Are the quarters to be provided for military personnel, or civilian personnel?

Mr. CASE. They are primarily to be used by military personnel.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. GOLDWATER. Mr. President, I have one more question. What percentage of the quarters would be for military personnel and what percentage would be for civilian personnel?

Mr. CASE. It is possible that in some isolated locations or stations, there might be some housing occupied by civilian personnel, but primarily I should say that more than 90 percent of the housing would be occupied by dependents of military personnel.

Mr. GOLDWATER. Is the provision in conjunction with the Wherry housing program or in addition to it?

Mr. CASE. In a way it is in addition to it, but the Senator from South Dakota may say that in the supplemental appropriation bill which was passed by the Senate a few days ago a provision was added, which would in effect constitute a rider, that the funds appropriated under this heading—and that would be under the authorization of the bill—would not be used for family housing unless the Secretary of Defense should certify that it was impracticable to construct family housing under provisions of title 8 of the Housing Act.

Mr. GOLDWATER. That answers my question. I thank the Senator.

The PRESIDING OFFICER. Is there objection to the present consideration of the House bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 9924) to provide for family quarters for personnel of the Military Departments of the Department of Defense, and for other purposes.

Mr. CASE. Mr. President, I move that all after the enacting clause of the House bill (H. R. 9924) be stricken out, and that the text of the Senate bill as amended be substituted.

The reason for that request is that the Senate committee spent several days in hearings in an endeavor to reduce the authorizations for particular stations, in order that the total authorizations would come within the amounts proposed to be authorized. The total number of individual allocations under the House bill would have exceeded the authorizations.

The Senate committee also inserted two or three major new sections in the bill. For instance, one authorizes the use of foreign currencies for construction overseas, with the approval of the Bureau of the Budget. The committee feels that those are definitely constructive changes in the bill, and desires that the provisions of the Senate bill be substituted for the House bill, but passed under the House number.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Dakota [Mr. CASE] that all after the enacting clause be stricken out and the Senate bill as amended be inserted.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 3818 is indefinitely postposed.

Mr. CASE. Mr. President, I ask unanimous consent that I may have printed in the RECORD at this point a statement on the provisions of the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR CASE

The principal purpose of S. 3818 is to authorize the Secretaries of the 3 military departments to construct 11,967 units of family quarters for military personnel. Secondary purposes are to authorize the Secretary of Defense to procure family housing for military personnel in foreign countries through the use of foreign currencies generated by the sale of surplus agricultural commodities and to authorize the acquisition of 5,000 house trailers for availability to military personnel on a rental basis without loss of quarters allowances.

For those military personnel who have dependents, the Government furnishes either public quarters or quarters allowances at rates prescribed by the Career Compensation Act of 1949, as amended. The rates currently in effect are $77.10 monthly for enlisted men with two dependents and $96.90 per month for enlisted men with 3 or more dependents. The monthly rates of quarters allowances for officers at the present time are as follows: Second lieutenants and ensigns, $85.50; first lieutenants or lieutenants (junior grade), $94.20; captain or full lieutenant, $102.60; major or lieutenant commander, $119.70; lieutenant colonel or commander, $136.80; colonel or captain, $136.80; flag or general officers, $171. The housing that would be constructed under the authorization contained in this bill will mean that quarters allowances at these rates will not be paid to the personnel occupying the housing.

The Government-owned quarters now in existence have been constructed with appropriated funds, but although several billions of dollars have been authorized and appropriated for military construction since the end of World War II, an insignificant portion of this construction has been for family quarters. This statement is substantiated by the fact that only 807 units of family housing have been built with appropriated funds within the United States over the past 4 years.

The failure to provide adequate family housing for military personnel has undoubtedly been one of the contributing causes of a reduction in reenlistment rates and an increase in the resignations of officers, with consequential loss of trained personnel and expense of training replacements. The committee does not contend that the nonavailability of family housing is the only factor that influences a person to leave the military service; we cannot disregard the incentives that military personnel have to leave military service. The Congress has approved a program of substantial benefits and privileges available under the so-called bill of rights for persons entering civilian life after military service. These benefits include, among other things, mustering-out pay, lump-sum payment for accrued leave, unemployment compensation, Government assistance in financing the purchase of homes, Government assistance for education. Almost all the top-ranking civilian and military officials in the Department of Defense have stressed the serious consequences flowing from loss of trained personnel through failure to reenlist and resignation of officers. Again let me state that the committee does not maintain that this family housing authorization is a complete answer to the loss of military personnel but it does believe that in conjunction with other programs, the construction of family housing should tend to make military service more attractive.

The Senator from South Dakota might also mention that the Congress has had no hesitation in authorizing and appropriating the many billions necessary to provide materiel such as airplanes, ships, tanks, and guns, and the bases from which to operate these implements of war. Since the cost of providing adequate living quarters for the personnel who must man this equipment is relatively small when compared with the cost of the equipment and the bases themselves, there is no sound reason why we should be niggardly in this respect.

The committee has been convinced that the military departments have used conservative criteria in estimating requirements for family quarters. Illustrative of this conviction is the fact that in the calculating of these requirements the permanent peacetime strength of the Armed Forces has been assumed to be 1,750,000, which figure is slightly more than one-half of the present actual strength. About 10 percent of the 1,750,000 are officers and some 90 percent enlisted men. Approximately 80 percent of the officers and 20 percent of the enlisted men are estimated to be married and to require family quarters for the purpose of this calculation, which results in the requirement of 140,000 units for officers and 315,000 units for enlisted men, a total of 455,000 units. Against this total there are now available 47,000 permanent public quarters and 25,000 temporary public quarters that are in satisfactory condition and 87,000 units constructed under the so-called Wherry Act that are completed or in the process of completion. The total availability of 149,000 units when matched against the total requirement of 455,000 units reflects a deficit of 306,000 units. It has been estimated that 150,000 privately owned housing units are available in local communities. Thus the net deficit is at least 150,000 units.

With a deficit of this size, the obvious question is how best to meet the deficit. The principal alternatives are to construct the housing through appropriated funds or to cause the housing to be constructed through further utilization of title VIII of the National Housing Act, which is known as the Wherry Housing Act. When the committee questioned Department of Defense representatives regarding why the Wherry Act could not be utilized to provide the needed housing these representatives furnished a statement that has been set forth on pages 3 and 4 of the committee report. The Senator from South Dakota recommends that this statement be read by those who would urge Wherry housing as a complete solution to this problem.

It should be noted that every housing unit constructed pursuant to the authorization contained in S. 3818 will mean that the Appropriations Committee will not be required to appropriate quarters allowances for the personnel occupying these units. Since the average quarters allowance is between $1,000 and $1,100 per year, and this authorization bill would provide 11,967 units of family housing, it will be seen that in future years appropriations for quarters allowances can be reduced by about $12 million each year. After 14 or 15 years the cost of the housing will have been amortized and the only cost to the Government after that time will be for maintenance. The estimated life of the housing is 35 years so that after the total cost of the construction has been returned to the Government substantial savings will accrue over approximately 20 years, and these savings would be in addition to those caused by whatever effect an increase in reenlistment rates and a decrease in resignations might have.

The type and cost of housing provided under this authorization will be subject to promulgation of detailed specifications by the Secretary of Defense. One-, two-, three-, and four-bedroom houses will be provided. Housing constructed for enlisted men will average 952 square feet in area and $12,850 in cost; housing for company-grade officers will average 1,126 square feet in area and $15,200 in cost; housing for field-grade officers will average 1,500 square feet in area and $20,250 in cost; and housing for officers in flag and general rank will average 2,000 square feet in area and $27,000 in cost.

Since the average cost of all housing to be constructed under the authorization contained in this bill will be $13,500, it is manifest that the great preponderance of the housing to be constructed is for enlisted men and company-grade officers.

When the military construction authorization bill for fiscal year 1955, which has become Public Law 534, 83d Congress, was pending before the House Committee on Armed Services, the Department of Defense requested an amendment to the bill that would have added $350 million in authorization for the construction of military family housing. The House Committee on Armed Services decided to consider the family-housing authorization separately, and Public Law 534, 83d Congress, does not contain authorization for family housing. Subsequently, the House Committee on Armed Services conducted hearings on the housing authorization and reported H. R. 9924. The line items comprising H. R. 9924, as it was reported by the House Armed Services Committee, total some $216 million, but an appropriation of not to exceed $175 million was recommended to carry out the purposes of the bill.

The committee was of the opinion that the appropriations authorization should correspond to the total of the line items in the bill. After conducting hearings, the committee made reductions and deletions necessary to cause the line items to not exceed $175 million.

Section 407 of the bill authorizes the Secretary of Defense to procure family housing for military personnel in foreign countries through the use of foreign currencies, in accordance with the provisions of the Agricultural Trade Development and Assistance Act of 1954 (Public Law 480, 83d Cong.). The extent of this authority is limited to the equivalent of $75 million in foreign currencies.

The Agricultural Trade Development and Assistance Act of 1954 authorizes the President to negotiate agreements with friendly nations for the sale of surplus agricultural commodities in exchange for foreign currencies. Section 104 of the act prescribes the purposes for which the President may use the foreign currencies that accrue to the United States from the sale of surplus commodities. Section 105 of the act provides that "any department or agency of the Government using any of such currencies for a purpose for which funds have been appropriated shall reimburse the Commodity Credit Corporation in an amount equivalent to the dollar value of the currencies used."

In order that the Commodity Credit Corporation shall not be unfairly charged with the cost of military housing, section 407 of this bill provides that appropriations otherwise available for payment of quarters allowances of personnel occupying family housing acquired pursuant to this authority shall be available for reimbursement to the Commodity Credit Corporation in an amount equivalent to the dollar value of the currencies used.

The committee has amended section 407 by adding a provision that the Committees on Armed Services shall be furnished quarterly reports of the housing procured pursuant to the authority contained in this section.

Section 408 of the bill authorizes the Secretaries of the military departments to acquire a total of not to exceed 5,000 units of trailers to be made available for occupancy by military personnel and their dependents on a rental basis without loss of any allowances for quarters.

The committee has been sufficiently impressed by recent refinements in trailers to believe that they would serve a useful purpose in some locations where it is inadvisable to construct or otherwise to procure housing for military personnel. Trailers probably do not constitute housing that is sufficiently adequate to require the personnel occupying them to forfeit the entire amount of quarters allowances, and it is contemplated that the rentals charged for the use of these trailers will be somewhat less than the quarters allowances accruing to the personnel occupying them. The rentals received will be covered into the Treasury under "Miscellaneous receipts."

If there are questions from Senators I shall be glad to attempt to answer them. If there are no questions I recommend that the bill be passed.

CONVEYANCE OF CERTAIN MINERAL RIGHTS TO MRS. PEARL O. MARR

The Senate proceeded to consider the bill (S. 3251) to provide for the conveyance of certain mineral rights to Mrs. Pearl O. Marr, of Crossroads, N. Mex., which had been reported from the Committee on Interior and Insular Affairs with an amendment on page 2, after line 2, to insert:

SEC. 2. Mrs. Pearl O. Marr shall succeed to the position of the United States as lessor at the time the Secretary of the Interior makes conveyance under this act. The United States shall not be liable for any rents or royalties accruing before the date of the conveyance.

So as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to convey by quitclaim deed and without compensation to Mrs. Pearl O. Marr, of Crossroads, N. Mex., all oil, gas, or other mineral rights which are held by the United States in the following-described lands situated in Lea County, N. Mex.: The east half of the southeast quarter of section 33; the south half of the south half of section 34; the southwest quarter of the southwest quarter of section 35, township 9, range 37 east, New Mexico principal meridian, containing two hundred and eighty acres, more or less.

SEC. 2. Mrs. Pearl O. Marr shall succeed to the position of the United States as lessor at the time the Secretary of the Interior makes conveyance under this act. The United States shall not be liable for any rents or royalties accruing before the date of the conveyance.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EXTINGUISHMENT OF OUTCROP AND UNDERGROUND FIRES IN COAL FORMATIONS

The Senate proceeded to consider the bill (H. R. 270) to provide for the control and extinguished of outcrop and underground fires in coal formations, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs with amendments on page 3, line 14, after "Sec. 5", to insert "(a)"; in line 21, at the beginning of the line, to strike out "'(a)" and insert "(1)"; on page 4, at the beginning of line 1, to strike out "(b)" and insert "(2)"; after line 3, to insert:

(b) The Secretary of the Interior shall require in connection with any project for the control or extinguishment of fires in any inactive coal mine on any lands not owned or controlled by the United States or any of its agencies, except where such project is necessary for the protection of lands or other property owned or controlled by the United States or any of its agencies, (1) that the State or person owning or controlling such lands contribute on a matching basis 50 percent of the cost of planning and executing such project, or (2), if such State or person furnishes evidence satisfactory to the Secretary of the Interior of an inability to make the matching contribution herein provided for, that such State or person pay to the Government, within such period of time as the Secretary of the Interior shall determine, an amount equal to 50 percent of the cost of planning and executing such project. At least 75 percent of the funds expended in any fiscal year, from any appropriation available to carry out the purposes of this act, in connection with projects for the control or extinguishment of fires in inactive coal mines where such action is not necessary for the protection of lands or other property owned or controlled by the United States or any of its agencies, shall be expended in conformity with clause (1) of this subsection.

On page 5, line 7, after the word "act", to insert "of 1949", and on page 6, line 10, after the word "fund", to strike out "for disbursement by the Secretary of the Interior as the terms of the grant may require," and insert "to be disbursed by the Secretary of the Treasury upon certification by the Secretary of the Interior in accordance with the terms of the grant."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

ISSUANCE OF CERTAIN PUBLIC IMPROVEMENT BONDS BY THE TERRITORY OF HAWAII

The bill (H. R. 6886) to ratify and confirm sections 5 and 6 of Act 254 and Act 280 of the Session Laws of Hawaii 1953 and to authorize the issuance of certain public improvement bonds by the Territory of Hawaii was considered, ordered to a third reading, read the third time, and passed.

ISSUANCE OF GENERAL OBLIGATION BONDS BY THE TERRITORY OF HAWAII

The bill (H. R. 5997) to enable the Legislature of the Territory of Hawaii to authorize the issuance of general obligation bonds, the proceeds thereof to be used for veterans' mortgages, was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF ORGANIC ACT OF GUAM

The bill (H. R. 8634) to amend section 22 of the Organic Act of Guam was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The Senate proceeded to consider the bill (H. R. 9859) authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes, was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The bill will be passed over.

TRANSFER OF CERTAIN UNITED STATES PROPERTY TO THE STATE OF WYOMING

The bill (S. 2486) authorizing the Secretary of the Interior to transfer certain property of the United States Government (in the Wyoming National Guard Camp Guernsey target and maneuver area, Platte County, Wyo.) to the State of Wyoming was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MORSE. Mr. President, may we have an explanation of the bill?

Mr. BARRETT. Mr. President, the purpose of the bill is to convey to the State of Wyoming, for the use of the Wyoming National Guard, about 7,680 acres of grazing land in Platte County, Wyo., to be used as a maneuver and target area.

I might say the bill provides that if the land is not used for that purpose the title shall revert to the United States.

The fact of the matter is that the National Guard of several surrounding States have indicated that they desire to use this area for the same purpose. The State of Wyoming has set aside several thousand acres of its own land for the same purpose. In addition to that, the State has bought up about $40,000 worth of privately owned lands.

The purpose of the bill is to authorize the transfer of Federal lands lying within the proposed maneuver area to the State of Wyoming.

Mr. MORSE. I asked for the explanation because I knew it would bear out what the Senator from Wyoming has just said. The bill is in line with a whole series of conveyances for National Guard purposes, such as at Fort Blanding, in Florida; at Klamath Falls, in Oregon; and one in California, as I recall.

Mr. BARRETT. That is correct.

Mr. MORSE. The bill is definitely in line with the Morse formula, insofar as the conveyance is concerned, because the Federal Government is to receive more than adequate consideration, when we consider the Federal benefits which accrue from the National Guard service.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 2486), which had been reported from the Committee on Interior and Insular Affairs with amendments on page 2, line 6, after the word "Lots" to strike out "1, 2, 3,

and 4, southwest quarter northeast quarter, south half northwest quarter, northwest quarter southeast quarter, southeast quarter southeast quarter section 1; lots 1, 2, 3, and 4, south half northwest quarter, east half southwest quarter, southwest quarter southeast quarter section 2; lots 3 and 4, west half southeast quarter section 3; lots"; in line 13, after "section 7", to strike out "northeast quarter, northwest quarter southeast quarter section 10; north half northeast quarter, southwest quarter northeast quarter section 11; east half northeast quarter, southwest quarter northeast quarter, west half southeast quarter section 12; northwest quarter northeast quarter, southeast quarter northeast quarter section 13."

On page 3, line 23, after "section 33" to strike out "east half" and insert "northeast quarter"; on page 5, after line 9, to insert:

SEC. 2. (a) Where lands described to be conveyed herein are being used under valid outstanding United States grazing leases, the Secretary of the Interior shall convey the lands only after he finds suitable provision, equitable to such lessees, has been made to compensate them for losses resulting from the use of the lands for the purposes of this act and to assure them appropriate preference to such future use of the lands for grazing as may be consistent with the purposes of this act.

(b) The Secretary of the Interior, at the earliest possible date after the execution of the conveyance authorized by this act, shall issue a permit to the State of Wyoming allowing the State the free use of the lands described below for the purposes described in section 1 of this act and subject to adequate protection of the lands for Federal purposes:

Lots 1, 2, 3, and 4, southwest quarter northeast quarter, south half northwest quarter, northwest quarter southeast quarter, southeast quarter southeast quarter section 1; lots 1, 2, 3, and 4, south half northwest quarter, east half southwest quarter, southwest quarter southeast quarter section 2; lots 3 and 4, west half southeast quarter section 3; northeast quarter, northwest quarter southeast quarter section 10; north half northeast quarter, southwest quarter northeast quarter section 11; east half northeast quarter, southwest quarter northeast quarter, west half southeast quarter section 12; northwest quarter northeast quarter, southeast quarter northeast quarter section 13; southeast quarter section 35, township 38 north, range 67 west, sixth principal meridian, State of Wyoming.

And on page 6, after line 13, to insert:

SEC. 3. The State of Wyoming may dispose of interests and rights in the land by lease, license, and easement, provided that the exercise of such rights and uses shall not impair the use of the land for the purposes set out in section 1 of this act. Revenues derived from such transactions by the State of Wyoming shall be expended by the State for the protection, maintenance, and preservation of the lands for the purposes expressed in this act and for the protection and preservation of the natural resources thereon. The United States and the State of Wyoming shall share equally in any residual revenue beyond the cost for those purposes. All moneys to which the United States is entitled under this act shall be deposited in the Treasury as miscellaneous receipts. The Secretary of the Interior and the Secretary of the Army are authorized to enter into any necessary agreements with the proper authorities of the State of Wyoming for the purpose of carrying out the provisions of this act.

So as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to transfer to the State of Wyoming certain property of the United States Government situated near Lake Guernsey, Platte County, Wyo., described as follows:

Lots 1, 2, 3, and 4 of section 5; lots 1, 2, 3, 5, and 6, east half southwest quarter, west half southeast quarter section 6; northwest quarter northeast quarter, west half southwest quarter, southeast quarter southwest quarter section 17; northeast quarter, north half northwest quarter, southeast quarter northwest quarter, northeast quarter southwest quarter, north half southeast quarter section 20; all in township 28 north, range 66, west, sixth principal meridian.

Lots 1, 2, 3, and 4, south half north half section 4; south half southwest quarter section 5; lot 1, section 7; lots 2 and 3, northeast quarter southwest quarter section 18; southeast quarter northeast quarter, northwest quarter southeast quarter section 24; all in township 27 north, range 67 west, sixth principal meridian.

South half southwest quarter section 2; northwest quarter southwest quarter, northeast quarter southeast quarter south half south half section 3; northwest quarter northeast quarter, south half northeast quarter section 8; northwest quarter northeast quarter, northeast quarter northwest quarter, south half north half, north half south half section 9; northwest quarter, north half southwest quarter, southeast quarter southwest quarter section 10; north half northwest quarter, southwest quarter northwest quarter, northwest quarter southwest quarter section 14; northeast quarter, southwest quarter southwest quarter, north half southeast quarter, southwest quarter southeast quarter section 15; northeast quarter, northeast quarter southeast quarter section 17; northeast quarter southeast quarter section 20; west half southwest quarter section 21; north half northwest quarter, southeast quarter southeast quarter section 22; southwest quarter northeast quarter, northeast quarter northwest quarter, south half northwest quarter, southwest quarter section 23; east half northwest quarter section 24; northwest quarter southeast quarter section 25; east half northwest quarter, northeast quarter southwest quarter section 27; southwest quarter northeast quarter, southwest quarter, west half southeast quarter section 28; northeast quarter southeast quarter section 29; southeast quarter southeast quarter section 31; all of section 33; northeast quarter of section 35; all in township 28 north, range 67 west, sixth principal meridian. Consisting of approximately 7,680 acres; and said property shall be conveyed, together with all buildings, improvements thereon, and all appurtenances and utilities belonging or appertaining thereto, and the Secretary of the Interior shall execute and deliver in the name of the United States in its behalf any and all contracts, conveyances, or other instruments as may be necessary to effectuate the said transfer: *Provided*, That there shall be reserved to the United States all minerals, including oil and gas, in said lands.

Such conveyance shall contain a provision that said property shall be used primarily for training of the National Guard or Air National Guard and for other military purposes, and that, if the State of Wyoming shall cease to use the property so conveyed for the purposes intended, then title thereto shall immediately revert to the United States and, in addition, all improvements made by the State of Wyoming during its occupancy shall vest in the United States without payment of compensation therefor.

Such conveyance shall contain the further provision that whenever the Congress of the United States shall declare a state of war or other national emergency, or the President declares a state of emergency to exist and upon the determination by the appropriate Secretary that the property so conveyed is useful or necessary for military, air, or naval purposes, or in the interest of national defense, the United States shall have the right, without obligation to make payment of any kind, to reenter upon the property and use the same or any part thereof, including any and all improvements made by the State of Wyoming, for the duration of such state of war or other national emergency, and upon the cessation thereof plus 6 months said property is to revert to the State of Wyoming together with any or all facilities and improvements, appurtenances, and utilities thereon or appertaining thereto.

SEC. 2. (a) Where lands described to be conveyed herein are being used under valid outstanding United States grazing leases, the Secretary of the Interior shall convey the lands only after he finds suitable provision, equitable to such lessees, has been made to compensate them for losses resulting from the use of the lands for the purposes of this act and to assure them appropriate preference to such future use of the lands for grazing as may be consistent with the purposes of this act.

(b) The Secretary of the Interior, at the earliest possible date after the execution of the conveyance authorized by this act, shall issue a permit to the State of Wyoming allowing the State the free use of the lands described below for the purposes described in section 1 of this act and subject to adequate protection of the lands for Federal purposes:

Lots 1, 2, 3, and 4, southwest quarter northeast quarter, south half northwest quarter, northwest quarter southeast quarter, southeast quarter southeast quarter section 1; lots 1, 2, 3, and 4, south half northwest quarter, east half southwest quarter, southwest quarter southeast quarter section 2; lots 3 and 4, west half southeast quarter section 3; northeast quarter, northwest quarter southeast quarter section 10; north half northeast quarter, southwest quarter northeast quarter section 11; east half northeast quarter, southwest quarter northeast quarter, west half southeast quarter section 12; northwest quarter northeast quarter, southeast quarter northeast quarter section 13; southeast quarter section 35, township 38 north, range 67 west, sixth principal meridian, State of Wyoming.

SEC. 3. The State of Wyoming may dispose of interests and rights in the land by lease, license and easement, provided that the exercise of such rights and uses shall not impair the use of the land for the purposes set out in section 1 of this act. Revenues derived from such transactions by the State of Wyoming shall be expended by the State for the protection, maintenance, and preservation of the lands for the purposes expressed in this act and for the protection and preservation of the natural resources thereon. The United States and the State of Wyoming shall share equally in any residual revenue beyond the cost for those purposes. All moneys to which the United States is entitled under this act shall be deposited in the Treasury as miscellaneous receipts. The Secretary of the Interior and the Secretary of the Army are authorized to enter into any necessary agreements with the proper authorities of the State of Wyoming for the purpose of carrying out the provisions of this act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AGRICULTURAL ENTRIES UNDER NONMINERAL LAND LAWS

The Senate proceeded to consider the bill (S. 3071) to amend the act authorizing agricultural entries under the nonmineral land laws of certain mineral lands in order to increase the limitation with respect to desert entries made under such act to 320 acres was announced as next in order.

Mr. McCARRAN. Mr. President, may we have an explanation of the bill?

Mr. BARRETT. Mr. President, the purpose of the bill is to bring into accord two different laws affecting desert entries. In the act of March 3, 1877, Congress authorized entries of homesteads not exceeding 320 acres on nonmineral desert lands. In the act of July 17, 1914, desert entries were authorized on lands withdrawn, classified, or valuable for phosphate, nitrate, potash, oil, gas, or asphaltic minerals. In that case, nonmineral entries are limited to a maximum of 160 acres.

The purpose of the bill is to bring both those acts into accord, so as to provide for entries of 320 acres. Under the act of 1914 there was a reservation of the minerals to the United States, and that will continue to be the case.

This bill has been approved by the Department of the Interior and the Bureau of the Budget, and was unanimously approved by our committee. The Department of the Interior justified the bill because homesteading under the Desert Entry Act has taken nearly all of the valuable lands which were available, and now all that is left are rather rough lands.

Mr. MAGNUSON. Mr. President, I should like to ask a question. I am concerned with how this measure might affect the 160-acre limitation on desert lands under the Department of the Interior, which are reclaimed under the reclamation law.

Mr. BARRETT. Is the Senator from Washington speaking of entries under the reclamation law?

Mr. MAGNUSON. Yes.

Mr. BARRETT. Let me say that the bill does not affect in any way, shape, or form, homestead entries under the reclamation law. This is a bill relating to homestead entry on desert claims.

Mr. MAGNUSON. Does the bill relate to Federal lands that do not come under the reclamation law?

Mr. BARRETT. That is true.

Mr. MAGNUSON. The bill applies only to those lands, does it?

Mr. BARRETT. That is correct.

Mr. MAGNUSON. The bill increases the acreage from 160 acres to 320 acres, does it?

Mr. BARRETT. On entries under the 1914 act that is true.

Mr. MAGNUSON. But the RECORD will be clear, as I understand, that in no way is there an implied repeal or an implication that the 160-acre limitation under the reclamation laws will be affected.

Mr. BARRETT. That is correct.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 3071) which had been reported from the Committee on Interior and Insular Affairs with an amendment at the top of page 2, to insert:

SEC. 2. The first session of the act of June 22, 1910 (36 Stat. 583), is amended by striking out the following language: "No desert entry made under the provisions of this act shall contain more than 160 acres, and."

SEC. 3. Any person who has made a valid desert-land entry on lands subject to the act of June 22, 1910 (36 Stat. 583), or of July 17, 1914 (38 Stat. 509), may, if otherwise qualified, enter as a personal privilege, not assignable, an additional tract of desert land subject to the provisions of this act and section 7 of the act of June 28, 1934, as amended (48 Stat. 1269; 1272; 43 U. S. C., sec. 315f), which shall not, together with the original entry, exceed 320 acres. The holder of an additional entry authorized under this section must comply with all the requirements of the desert-land law on the lands embraced by his additional entry.

So as to make the bill read:

Be it enacted, etc., That the first section of the act entitled "An act to provide for agricultural entry of lands withdrawn, classified, or reported as containing phosphate, nitrate, potash, oil, gas, or asphaltic minerals", approved July 17, 1914 (38 Stat. 509), is amended by deleting the following: "; but no desert entry made under the provisions of this act shall contain more than 160 acres."

SEC. 2. The first section of the act of June 22, 1910 (36 Stat. 583), is amended by striking out the following language: "No desert entry made under the provisions of this act shall contain more than 160 acres, and."

SEC. 3. Any person who has made a valid desert-land entry on lands subject to the act of June 22, 1910 (36 Stat. 583), or of July 17, 1914 (38 Stat. 509), may if otherwise qualified, enter as a personal privilege, not assignable, an additional tract of desert land subject to the provisions of this act and section 7 of the act of June 28, 1934, as amended (48 Stat. 1269; 1272; 43 U. S. C., sec. 315f), which shall not, together with the original entry, exceed 320 acres. The holder of an additional entry authorized under this section must comply with all the requirements of the desert-land law on the lands embraced by his additional entry.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENT OF HAWAII HOMESTEAD LAW

The bill (H. R. 6885) to amend section 1 of Joint Resolution 12 enacted by the 25th Legislature of the Territory of Hawaii, in the regular session of 1949, and approved by the 81st Congress of the United States of America at the second session (Public Law 746, ch. 833), was considered, ordered to a third reading, read the third time, and passed.

PROMOTION OF RESERVE COMPONENTS OF THE ARMED FORCES—BILL PASSED OVER

The bill (H. R. 6573) to provide for the promotion, precedence, constructive credit, distribution, retention, and elimination of officers of the reserve components of the Armed Forces of the United States, and for other purposes, was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

CONVEYANCE OF CERTAIN LANDS TO THE MONTEREY COUNTY FLOOD-CONTROL AND WATER CONSERVATION DISTRICT, MONTEREY COUNTY, CALIF.

The Senate proceeded to consider the bill (S. 3189) providing for the conveyance by the United States to the Monterey County Flood-Control and Water Conservation District, Monterey County, Calif., of certain lands in Camp Roberts Military Reservation, Calif., which had been reported from the Committee on Armed Services with an amendment to strike out all after the enacting clause, and insert:

That (a) the Secretary of the Army is authorized to convey by quitclaim deed, to the Monterey County Flood Control and Water Conservation District of Monterey County, Calif., for the purpose of constructing, operating, and maintaining thereon a dam and reservoir area for its El Nacimiento Reservoir project, all right, title, and interest of the United States, except as reserved herein, in and to so much of the following described lands within the boundaries of Camp Roberts Military Reservation, Calif., as the Secretary of the Army, or his designee, and the Monterey County Flood Control and Water Conservation District shall determine to be necessary as a dam site and reservoir area for the El Nacimiento project:

The east half of the southeast quarter of section 11; the southwest quarter of section 12; the west half of section 13; and the east half of the east half of section 14, all lying in township 25 south, range 10 east, Mount Diablo base meridian.

(b) The deed conveying the lands determined to be necessary for the dam site and reservoir area for the El Nacimiento project shall provide (1) for the reservation by the United States of all mineral rights, including oil and gas, in and underlying the lands conveyed, (2) that the lands conveyed shall be used solely for the purpose of constructing, maintaining, and operating a dam and reservoir project thereon, and in the event such dam has not been constructed thereon within 10 years after the enactment of this act, or in the event the lands conveyed shall at any time after construction of the dam cease to be used for the sole purpose of maintaining and operating a dam and reservoir thereon, all right, title, and interest in and to such lands shall revert to the United States, (3) that in the event the existing water supply at Camp Roberts shall be diminished or adversely affected in any manner by the construction, operation, and maintenance of the dam and reservoir project, the grantee, its successors, and assigns, shall provide to the United States without additional cost substitute or supplementary water supply necessary to equal the existing supply at Camp Roberts, (4) the Armed Forces of the United States shall be granted for recreational and training purposes the use of the lands conveyed, to the extent that such use does not adversely affect the operation and maintenance of the dam and reservoir, and the use of the remaining portion of the reservoir area, to the extent provided in the regulations of the Monterey County Flood Control and Water Conservation District generally applicable to the reservoir area, and (5) the grantee shall remove, relocate, and reconstruct, at its own cost and expense all structures, roads, and

fences at Camp Roberts affected by the proposed conveyance.

SEC. 2. The Secretary of the Army is authorized to issue to the Monterey County Flood Control and Water Conservation District, without compensation therefor, and on such terms and conditions as he deems appropriate, a license to use and occupy any lands in the area described in Section 1 not conveyed pursuant to the authorization contained therein, as may be required for the excavation of borrow materials and any other purposes related to the construction of the El Nacimiento project.

SEC. 3. The conveyance herein authorized shall be made for a monetary consideration determined by the Secretary of the Army or his authorized representative to represent the fair market value of the estate conveyed and, in making such determination, the Secretary shall take into account the value of the benefits accruing to the Camp Roberts Military Reservation as a result of the conveyance.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill providing for the conveyance by the United States to the Monterey County Flood Control and Water Conservation District, Monterey County, Calif., of certain lands in Camp Roberts Military Reservation, Calif., for use as a dam and reservoir site and for other purposes."

Mr. MORSE subsequently said: Mr. President, when Calendar No. 2031, Senate bill 3189, was taken up, I was engrossed in a conference, with the Senator from Kentucky, in regard to an amendment to another bill; and therefore I missed my opportunity to submit an amendment to Senate bill 3189. The amendment is in line with amendments which heretofore have been adopted in the case of similar bills.

So I ask unanimous consent that Senate bill 3189, Calendar No. 2031, be placed at the foot of the calendar.

The PRESIDING OFFICER. Without objection——

Mr. KUCHEL. Mr. President——

The PRESIDING OFFICER. The Senator from Oregon understands, does he not, that Calendar No. 2031, Senate bill 3189, has been passed?

Mr. MORSE. I understand; but I should like to have the vote by which it was passed reconsidered, so that the bill may go to the foot of the calendar.

The PRESIDING OFFICER. Is there objection to the reconsideration of the vote by which Calendar No. 2031, Senate bill 3189, was passed?

Mr. KUCHEL. Mr. President, at this time I object. I should like to discuss the matter with the Senator from Oregon.

Mr. MORSE. Then, Mr. President, we may as well stop the call of the calendar, if I cannot have the courtesy of reconsideration of the bill. I was engrossed in the discussion of an amendment to another bill at the time, and, at the speed we were going, I missed the fact that the bill was passed. If I cannot be extended the courtesy of reconsideration of the vote by which the bill was passed, we may as well stop consideration of measures on the calendar.

Mr. HENDRICKSON. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. HENDRICKSON. The calendar committee takes the position that there should be no return to bills which have been considered, except to have them passed to the foot of the calendar. I think that is in the interest of orderly procedure.

Mr. MORSE. I think it is too, but the Senator from California does not want the bill to go to the foot of the calendar.

Mr. KUCHEL. Mr. President, I could not hear what the Senator from Oregon was saying a moment ago.

Mr. MORSE. I wished to offer an amendment to Calendar No. 2031, Senate bill 3189. I am sure the Senator from California would not object to it. It is an amendment which has been adopted in connection with a whole series of bills. It goes to the question of determining a standard for the price of the property.

Section 3 of the bill as it stands reads as follows:

SEC. 3. The conveyance herein authorized shall be made for a monetary consideration determined by the Secretary of the Army or his authorized representative to represent the fair market value of the estate conveyed and, in making such determination, the Secretary shall take into account the value of the benefits accruing to the Camp Roberts Military Reservation as a result of the conveyance.

In connection with a whole series of bills, I have objected to this particular language. All my amendment provides is that the property shall be conveyed at the fair market value.

Other Senators have adopted the standard which has become pretty much of a practice in the Senate.

The Senator from Nevada [Mr. McCARRAN], in connection with an identical bill, in principle, at the last call of the calendar, adopted the language of my amendment. It does not prevent sale of the property, but it does take away from any Government official arbitrary discretion to take into account some such intangible thing as is included in the language of the bill defining the fair market standard. All I am asking is that the property be conveyed on the basis of the fair market value.

The PRESIDING OFFICER. Does the Chair correctly understand that the Senator from California has withdrawn his objection?

Mr. KUCHEL. Mr. President, I will withdraw my objection if the bill may be passed to the foot of the calendar.

The PRESIDING OFFICER. Without objection, the vote by which the bill was passed will be reconsidered, and the bill will be passed to the foot of the calendar for consideration later.

RETIREMENT OF CERTAIN OFFICERS OF THE REGULAR ARMY AND REGULAR AIR FORCE

The bill (H. R. 9002) to amend the Officer Personnel Act of 1947 to provide for the retirement of certain officers of the Regular Army and the Regular Air Force at age 60, and for other purposes, was announced as next in order.

Mr. COOPER. Mr. President, I ask that the bill go to the foot of the calendar.

The PRESIDING OFFICER. Without objection, the bill will be placed at the foot of the calendar.

CONFERRING OF APPROPRIATE DEGREES UPON PERSONS IN THE RESIDENT COLLEGE OF THE UNITED STATES AIR FORCE INSTITUTE OF TECHNOLOGY

The bill (S. 3712) to authorize the commander, Air University, to confer appropriate degrees upon persons who meet all requirements for those degrees in the Resident College of the United States Air Force Institute of Technology was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That under regulations prescribed by the Secretary of the Air Force, the commander, Air University, may, upon accreditation of the United States Air Force Institute of Technology by a nationally recognized accreditation association or authority, confer appropriate degrees upon persons who meet all requirements for those degrees in the Resident College of the United States Air Force Institute of Technology.

Mr. HENDRICKSON. Mr. President, I ask unanimous consent that an explanation of the bill may be printed at this point in the RECORD.

There being no objection, the explanation was ordered to be printed in the RECORD, as follows:

AUTHORIZING COMMANDER, AIR UNIVERSITY, TO CONFER APPROPRIATE DEGREES UPON PERSONS WHO MEET ALL REQUIREMENTS FOR THOSE DEGREES IN THE RESIDENT COLLEGE OF THE UNITED STATES AIR FORCE INSTITUTE OF TECHNOLOGY

The purpose of S. 3712 is to provide authority for the commander of the Air University to confer appropriate degrees upon persons who meet the proper requirements for the degrees in the Resident College of the United States Air Force Institute of Technology. The bill further provides, however, that the commander would possess the degree-granting authority only after the Institute of Technology has received accreditation by a nationally recognized accreditation association or authority. This school is operated by the Air Force and offers a very high degree of training in aeronautical engineering and related fields. Persons who attend the school are selected Air Force officers.

This bill will provide the means by which the Institute will be eligible for accreditation since a school cannot be recognized for accreditation unless it first has degree-granting authority. In federally operated schools Congress must provide such authority. There is ample legislative precedent for this bill. The Navy counterpart to the Air Force Institute of Technology is the United States Naval Postgraduate School at Monterey, Calif., which was authorized the degree-granting authority as a result of Public Law 303 of the 80th Congress.

This bill therefore provides the means by which deserving students who complete the high-level course of instruction may receive an appropriate degree after the school itself has received accreditation.

SALE OF PUBLIC LANDS TO CERTAIN LESSEES IN THE TERRITORY OF HAWAII

The bill (H. R. 5832) to authorize the Commissioner of Public Lands of the Territory of Hawaii to sell public lands

to certain lessees, permittees, and others, was considered, ordered to a third reading, read the third time, and passed.

ISSUANCE OF PUBLIC-IMPROVEMENT BONDS BY THE TERRITORY OF HAWAII

The bill (H. R. 7517) to enable the Legislature of the Territory of Hawaii to authorize the city and county of Honolulu, a municipal corporation, to issue public-improvement bonds was considered, order to a third reading, read the third time, and passed.

SALE OF PUBLIC-IMPROVEMENT BONDS BY THE CITY AND COUNTY OF HONOLULU, T. H.

The bill (H. R. 7518) to enable the Legislature of the Territory of Hawaii to authorize the city and county of Honolulu, a municipal corporation, to issue public-improvement bonds was considered, ordered to a third reading, read the third time, and passed.

FAMILY QUARTERS FOR PERSONNEL OF THE MILITARY DEPARTMENTS

Mr. BENNETT. Mr. President, was Calendar No. 2037, House bill 9924, acted upon?

The PRESIDING OFFICER. A companion bill, Calendar No. 2020, Senate bill 3818, was previously passed.

Mr. BENNETT. Very well.

CONVEYANCE OF CERTAIN LAND BY THE FARM LOAN BOARD OF HAWAII

The bill (H. R. 7568) to authorize and direct the Farm Loan Board of Hawaii to convey certain land and to ratify and confirm certain acts of said farm loan board was considered, ordered to a third reading, read the third time, and passed.

EXCHANGE OF CERTAIN LANDS FOR THE CATOCTIN RECREATIONAL AREA, MARYLAND

The bill (S. 3296) to authorize the exchange of lands acquired by the United States for the Catoctin recreational demonstration area, Frederick County, Md., for the purpose of consolidating Federal holdings therein was announced as next in order.

The PRESIDING OFFICER. This bill is a companion bill to Calendar No. 2237, House bill 8821, which is identical.

Is there objection to present consideration of the House bill, in lieu of the Senate bill?

There being no objection, the bill (H. R. 8821) to authorize the exchange of lands acquired by the United States for the Catoctin recreational demonstration area, Frederick County, Md., for the purpose of consolidating Federal holdings therein, was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 3296 will be indefinitely postponed.

ERECTION OF MEMORIAL GIFT FROM THE PEOPLE OF THE NETHERLANDS

The joint resolution (H. J. 356) authorizing the erection of a memorial gift from the people of the Netherlands was considered, ordered to a third reading, read the third time, and passed.

CREATION OF NATIONAL MONUMENT COMMISSION

The Senate proceeded to consider the bill (H. R. 6455) to create a National Monument Commission, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs with an amendment on page 2, line 16, after the word "Arts", to insert "and thereafter submitted to Congress for legislative authorization."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

REQUIREMENT OF BOND COVERING PROPERTY FOR USE BY RESERVE OFFICERS' TRAINING CORPS

The Senate proceeded to consider the bill (H. R. 7734) to amend section 47 of the National Defense Act concerning the requirement for bond covering certain property issued by the United States for use by Reserve Officers' Training Corps units maintained at educational institutions, which had been reported from the Committee on Armed Services with amendments on page 1, line 9, after the word "consider", to strike out "appropriate" and insert "adequate, but in no event less than $5,000"; and on page 2, line 4, after the word "instruction.", to insert "A bond without surety thereon may be accepted by the Secretary of the Army or the Secretary of the Air Force, provided the institution to which the property is issued furnishes to the Secretary concerned satisfactory evidence of its financial responsibility."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

AUTHORIZATION OF APPROPRIATION FOR CONSTRUCTION OF PUBLIC-SCHOOL FACILITIES, KLAMATH INDIAN RESERVATION, OREG.

The bill (S. 2699) to authorize an appropriation for the construction of certain public-school facilities on the Klamath Indian Reservation at Chiloquin, Oreg., was announced as next in order.

The PRESIDING OFFICER. This is a companion bill to Calendar No. 2236, House bill 7290, and is identical with one exception: On page 2, in line 6, of the House bill, the wording is "of tuition from Federal funds," whereas in the case of the Senate bill the words are "from Federal funds of tuition of Indian children under Federal supervision."

Is it the wish of the Senate to have the House bill considered? Is there objection to the consideration of the House bill at this time?

There being no objection, the Senate proceeded to consider the bill (H. R. 7290) to authorize an appropriation for the construction of certain public-school facilities on the Klamath Indian Reservation at Chiloquin, Oreg.

Mr. WATKINS. Mr. President, I offer the following amendment, to strike out all after the enacting clause of the House bill and insert the text of the Senate bill, including the amendment reported by the Committee on Interior and Insular Affairs.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. It is proposed to strike out all after the enacting clause, and insert:

That there is hereby authorized to be appropriated the sum of $206,880 to be used by the Secretary of Interior for assisting the Klamath County School District in constructing and equipping new public-school facilities, which shall include an elementary school site, school building, and necessary equipment, on the Klamath Indian Reservation at Chiloquin, Klamath County, Oreg.

SEC. 2. The expenditure of any money appropriated pursuant to the first section of this act shall be subject to the express conditions that (1) 40 percent of the cost of such facilities shall be paid by the Klamath County School District; (2) such facilities shall be available to all Indian children of the district on the same terms, except as to payment from Federal funds of tuition of Indian children under Federal supervision, as other children of the district; (3) the cost of preparing the plans and specifications for such facilities, to be furnished by the local or State authorities, shall be paid out of the appropriation authorized in this act in the same proportion as the building costs; (4) upon the approval of such plans and specifications by the Secretary of the Interior, the actual work shall proceed under the supervision of such local authority; and (5) payment for the work completed shall be made monthly on vouchers properly certified by the local officials of the Bureau of Indian Affairs.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The PRESIDING OFFICER. Without objection, Senate bill 2699 will be indefinitely postponed.

CIVIL GOVERNMENT FOR ALASKA

The bill (H. R. 1974) to amend the third paragraph of section 4, chapter 1, title I, of the act entitled "An act making further provision for a civil government for Alaska, and for other purposes," approved June 6, 1900 (31 Stat. 322; 48 U. S. C., sec. 101), as amended, was considered, ordered to a third reading, read the third time, and passed.

CONVEYANCE OF CERTAIN LAND IN STATE OF MARYLAND

The Senate proceeded to consider the bill (S. 264) to provide for the conveyance of certain land in the State of Maryland to the Disney-Bell Post 66 of the American Legion, Bowie, Md., which

had been reported from the Committee on Interior and Insular Affairs with an amendment on page 2, after line 2, to strike out:

SEC. 2. Such conveyance shall be made subject to (a) the condition that such land shall be used for public purposes and if it should be used for any other purpose title shall revert to the United States, and (b) such other conditions, limitations, or reservations as the Secretary may deem proper.

And insert:

SEC. 2. Such conveyance shall be made upon payment by the Disney-Bell Post 66 of 50 percent of the appraised fair market value, exclusive of any increased value resulting from the development or improvement of the lands, as determined by the Secretary, and shall be made subject to (a) the condition that such land shall be used by the American Legion post for its purposes and if it should be used for any other purposes, title shall revert to the United States, and (b) such other conditions, limitations, or reservations as the Secretary may deem proper.

So as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to convey to the Disney-Bell Post 66 of the American Legion, Bowie, Md., without consideration, all right, title, and interest of the United States, except as retained under section 2 of this act, to all of the land approximating 6 acres more or less in Prince Georges County, Md., which such post is now using under a special use permit issued by the Fish and Wildlife Service of the Department of the Interior.

SEC. 2. Such conveyance shall be made upon payment by the Disney-Bell Post 66 of 50 percent of the appraised fair market value, exclusive of any increased value resulting from the development or improvement of the lands, as determined by the Secretary, and shall be made subject to (a) the condition that such land shall be used by the American Legion post for its purposes and if it should be used for any other purposes, title shall revert to the United States, and (b) such other conditions, limitations, or reservations as the Secretary may deem proper.

The amendment was agreed to.

Mr. DWORSHAK. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Idaho will be stated.

The LEGISLATIVE CLERK. On page 1, line 5, it is proposed to strike out the words "without consideration."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CONFORMATION OF SIZE OF TOWNLOTS TO LOCAL STANDARDS

The bill (H. R. 8385) to amend section 2382 of the Revised Statutes, in order to make the size of townlots conform in size to local standards was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. GORE. Mr. President, may we have an explanation of the bill?

The PRESIDING OFFICER. An explanation is requested of House bill 8385.

Mr. DWORSHAK. Mr. President, the purpose of the bill is to revise the existing statute relating to townsites on public lands, so as to repeal the present outmoded maximum area limitation of 4,200 square feet on townlots in such townsites. The bill is fully explained in House Report 1886. The bill merely authorizes an expansion in the size of townlots.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

SALE OF CERTAIN LAND IN ALASKA

The Senate proceeded to consider the bill (H. R. 2009) to authorize the sale of certain land in Alaska to the Ninilchik Hospital Association, of Ninilchik, Alaska, for the use as a hospital site and related purposes which had been reported from the Committee on Interior and Insular Affairs with an amendment on page 2, after line 4, to strike out:

SEC. 2. That the conveyance shall be made upon the payment by the said association for the land at its reasonable appraised price of not less than $10 per acre, to be fixed by the Secretary of the Interior: *Provided*, That the conveyance hereby authorized shall not include any land covered by a valid existing right initiated under the public land laws: *Provided further*, That the coal and other mineral deposits in the land shall be reserved to the United States, together with the right to prospect for, mine, and remove the same under applicable laws and regulations to be prescribed by the Secretary of the Interior: *Provided further*, That said conveyance shall not be made unless or until said proposed grantee shall have complied with all applicable statutes and regulations of the Territory of Alaska pertaining to associations of the general class of said proposed grantee.

SEC. 3. Notwithstanding any of the provisions of this act, the Secretary shall convey the lands to the Ninilchik Hospital Association of Ninilchik, Alaska, only if the hospital pays the price fixed by the Secretary within 5 years after notification by the Secretary of the price.

SEC. 4. If, at any time following conveyance of such lands to the Ninilchik Hospital Association, the Secretary of the Interior makes a determination that the association or its successors is no longer using such lands for the purposes specified in section 1 of this act, title to the lands conveyed shall revert to the United States. This reverter provision, however, shall cease to be in effect as to such lands 25 years after issuance of patent therefor.

And in lieu thereof to insert:

SEC. 2. Such conveyance shall be subject to the terms and conditions provided for the sale of public lands to a nonprofit corporation or nonprofit association under the act of June 4, 1954 (Public Law 387, 83d Cong., 2d sess.): *Provided*, That the conveyance hereby authorized shall not include any land covered by a valid existing right initiated under the public land laws, or a valid possessory right based upon section 8 of the act of May 17, 1884 (23 Stat. 24), section 14 of the act of March 3, 1891 (26 Stat. 1095), or section 27 of the act of June 6, 1900 (31 Stat. 321; 48 U. S. C. sec. 356): *Provided further*, That notwithstanding any of the provisions of this act, the Secretary shall convey the lands to the Ninilchik Hospital Association only if the association pays the price fixed by the Secretary within 5 years after notification by the Secretary of the price.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

SALE OF CERTAIN LAND IN ALASKA TO THE ALASKA EVANGELIZATION SOCIETY

The Senate proceeded to consider the bill (H. R. 2010) to authorize the sale of certain land in Alaska to the Alaska Evangelization Society, of Levelock, Alaska, for missionary purposes was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MORSE. Mr. President, may we have an explanation of the bill?

The PRESIDING OFFICER. An explanation is requested of House bill 2010.

Mr. MORSE. If I may ask one question, perhaps an explanation will be unnecessary.

Is adequate compensation being paid for this land?

Mr. KUCHEL. Yes. That is true of this entire series of Alaskan bills.

Mr. MORSE. It is my understanding that the Federal Government is receiving adequate compensation in all these transactions, and therefore the Morse formula is not involved.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs with an amendment on page 2, after line 15, to strike out:

SEC. 2. That the conveyance shall be made upon the payment by the said Society for the land at its reasonable appraised price, to be fixed by the Secretary of the Interior at not less than $1.25 per acre, if the Society makes the total payment due within 5 years after notification by the Secretary of the amount due: *Provided*, That the conveyance hereby authorized shall not include any land covered by a valid existing right initiated under the public-land laws.

And in lieu thereof to insert:

SEC. 2. Such conveyance shall be subject to the terms and conditions provided for the sale of public lands to a nonprofit corporation or nonprofit association under the act of June 4, 1954 (Public Law 387, 83d Cong., 2d sess.): *Provided*, That the conveyance hereby authorized shall not include any land covered by a valid existing right initiated under the public-land laws, or a valid possessory right based upon section 8 of the act of May 17, 1884 (23 Stat. 24), section 14 of the act of March 3, 1891 (26 Stat. 1095), or section 27 of the act of June 6, 1900 (31 Stat. 321; 48 U. S. C., sec. 356): *Provided further*, That, notwithstanding any of the provisions of this act, the Secretary shall convey the lands to the Alaska Evangelization Society only if the organization pays the price fixed by the Secretary within 5 years after notification by the Secretary of the price.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

SALE OF CERTAIN PUBLIC LANDS IN ALASKA TO THE ALASKA COUNCIL OF BOY SCOUTS OF AMERICA

The Senate proceeded to consider the bill (H. R. 2012) to authorize the sale of certain public lands in Alaska to the Alaska Council of Boy Scouts of America for a campsite and other public purposes which had been reported from the Committee on Interior and Insular Affairs with an amendment on page 3, after line 8, to strike out:

SEC. 2. The lands shall be sold to the Council at the reasonable appraised price to be fixed by the Secretary of the Interior, plus the cost of survey. The conveyance shall be made only if the council makes the total payment due within 5 years after notification by the Secretary of the amount due: *Provided*, That the conveyance hereby authorized shall not include any land covered by a valid existing right initiated under the public-land laws.

And in lieu thereof to insert:

SEC. 2. Such conveyance shall be subject to the terms and conditions provided for the sale of public lands to a nonprofit corporation or nonprofit association under the act of June 4, 1954 (Public Law 387, 83d Cong., 2d sess.): *Provided*, That the conveyance hereby authorized shall not include any land covered by a valid existing right initiated under the public-land laws, or a valid possessory right based upon section 8 of the act of May 17, 1884 (23 Stat. 24), section 14 of the act of March 3, 1891 (26 Stat. 1095), or section 27 of the act of June 6, 1900 (31 Stat. 321); 48 U. S. C., sec. 356): *Provided further*, That notwithstanding any of the provisions of this act, the Secretary shall convey the lands to the Alaska Council of Boy Scouts of America only if the organization pays the price fixed by the Secretary within 5 years after notification by the Secretary of the price.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

SALE OF CERTAIN PUBLIC LAND IN ALASKA TO THE COMMUNITY CLUB OF CHUGIAK, ALASKA

The Senate proceeded to consider the bill (H. R. 2014) to authorize the sale of certain public land in Alaska to the Community Club of Chugiak, Alaska, which had been reported from the Committee on Interior and Insular Affairs with an amendment at the top of page 2, to strike out:

SEC. 2. That the conveyance shall be made upon the payment by the said Community Club for the land at its reasonable appraised price of not less than $1.25 per acre, to be fixed by the Secretary of the Interior: *Provided*, That the conveyance hereby authorized shall not include any land covered by a valid existing right initiated under the public land laws. The Secretary shall have the appraisal made on the basis of the value of the lands at the date of appraisal exclusive of any increased value resulting from the development or improvement of the lands.

SEC. 3. Notwithstanding any of the provisions of this act, the Secretary shall convey the lands to the Community Club of Chugiak, Alaska, only if the club pays the price fixed by the Secretary within 5 years after notification by the Secretary of the price.

And in lieu thereof to insert the following:

SEC. 2. Such conveyance shall be subject to the terms and conditions provided for the sale of public lands to a nonprofit corportation or nonprofit association under the act of June 4, 1954 (Public Law 387, 83d Cong., 2d sess.): *Provided*, That the conveyance hereby authorized shall not include any land covered by a valid existing right initiated under the public land laws, or a valid possessory right based upon section 8 of the act of May 17, 1884 (23 Stat. 24), section 14 of the act of March 3, 1891 (26 Stat. 1095), or section 27 of the act of June 6, 1900 (31 Stat. 321; 48 U. S. C., sec. 356): *Provided further*, That notwithstanding any of the provisions of this act, the Secretary shall convey the lands to the Community Club of Chugiak, Alaska, only if the organization pays the price fixed by the Secretary within 5 years after notification by the Secretary of the price.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

SALE OF CERTAIN PUBLIC LAND IN ALASKA TO THE TURNAGAIN ARM COMMUNITY CLUB OF ANCHORAGE, ALASKA

The Senate proceeded to consider the bill (H. R. 3854) to authorize the sale of certain public land in Alaska to the Turnagain Arm Community Club of Anchorage, Alaska, which had been reported from the Committee on Interior and Insular Affairs with an amendment on page 2, after line 9, to strike out:

SEC. 2. The lands shall be sold to the club at the reasonable appraised price to be fixed by the Secretary of the Interior, but not less than $1.25 per acre, plus the cost of survey. The Secretary shall have the appraisal made on the basis of the value of the lands at the date of appraisal, exclusive of any increased value resulting from the development or improvement of the lands by the club or its successors in interest. The conveyance shall be made only if the club makes the total payment due within 5 years after notification by the Secretary of the amount due: *Provided*, That the conveyance hereby authorized shall not include any land covered by a valid existing right initiated under the public land laws: *Provided further*, That the coal and other mineral deposits in the land shall be reserved to the United States, together with the right to prospect for, mine, and remove the same under applicable laws and regulations to be prescribed by the Secretary of the Interior.

And in lieu thereof to insert:

SEC. 2. Such conveyance shall be subject to the terms and conditions provided for the sale of public lands to a nonprofit corporation or nonprofit association under the act of June 4, 1954 (Public Law 387, 83d Cong., 2d sess.): *Provided*, That the conveyance hereby authorized shall not include any land covered by a valid existing right initiated under the public land laws, or a valid possessory right based upon section 8 of the act of May 17, 1884 (23 Stat. 24), section 14 of the act of March 3, 1891 (26 Stat. 1095), or section 27 of the act of June 6, 1900 (31 Stat. 321; 48 U. S. C., sec. 356): *Provided further*, That notwithstanding any of the provisions of this act, the Secretary shall convey the lands to the Turnagain Arm Community Club of Anchorage Alaska, only if the organization pays the price fixed by the Secretary within 5 years after notification by the Secretary of the price.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

SALE OF CERTAIN LAND IN ALASKA TO THE BAPTIST MID-MISSIONS

The Senate proceeded to consider the bill (H. R. 6959) to authorize the sale of certain land in Alaska to the Baptist Mid-Missions, an Ohio nonprofit corporation, for use as a church site, which had been reported from the Committee on Interior and Insular Affairs with an amendment on page 2, after line 2, to strike out:

SEC. 2. That the conveyance shall be made upon the payment by the Baptist Mid-Missions for the land at its reasonable appraised price to be fixed by the Secretary of the Interior. The conveyance shall be made only if the Baptist Mid-Mission makes the total payment due within 5 years after notification by the Secretary of the amount due: *Provided*, That the conveyance hereby authorized shall not include any land covered by a valid existing right initiated under the public land laws.

And in lieu thereof to insert:

SEC. 2. Such conveyance shall be subject to the terms and conditions provided for the sale of public lands to a nonprofit corporation or nonprofit association under the act of June 4, 1954 (Public Law 387, 83d Congress, 2d sess.): *Provided*, That the conveyance hereby authorized shall not include any land covered by a valid existing right initiated under the public land laws, or a valid possessory right based upon section 8 of the act of May 17, 1884 (23 Stat. 24), section 14 of the act of March 3, 1891 (26 Stat. 1095), or section 27 of the act of June 6, 1900 (31 Stat. 321; 48 U. S. C., sec. 356): *Provided further*, That notwithstanding any of the provisions of this act, the Secretary shall convey the lands to the Baptist Mid-Missions only if the organization pays the price fixed by the Secretary within 5 years after notification by the Secretary of the price.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. McCARRAN. Mr. President, I should like to ask whether or not all these bills involve what we generally term the Morse formula. The Senator from Oregon can answer that question. Do the bills in the series of Alaskan bills which are now being considered involve the Morse formula?

Mr. MORSE. The Federal Government is receiving even more than 50 percent of the appraised fair market value.

QUITCLAIM OF RIGHT, TITLE, AND INTEREST TO CERTAIN LANDS IN ARIZONA

The Senate proceeded to consider the bill (S. 3187) to authorize the United States of America to quitclaim all its right, title, and interest in and to certain lands in Arizona, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs with an amendment on page 9, after line 6, to strike out:

SEC. 4. With respect to all of the lands quitclaimed by this act there is, however, reserved to the United States, pursuant to the provisions of the act of August 1, 1946 (60 Stat. 755), all uranium, thorium, or any other materials which are or may be determined to be peculiarly essential to the production of fissionable materials, whether or not of commercial value, together with the right of the United States through its authorized agents or representatives at any time to enter upon the land and prospect for, mine, and remove the same.

And in lieu thereof to insert:

SEC. 4. With respect to all of the lands quitclaimed by this act, all minerals are hereby reserved to the United States, together with the right of the United States, its lessees, permittees, and licensees to enter upon the land to prospect for, drill for, mine, treat, store, transport, and remove such minerals and to use so much of the surface and subsurface as may be reasonably necessary for the foregoing purposes.

So as to make the bill read:

Be it enacted, etc., That, subject to the reservations set out in section 4 of this act, the United States of America hereby quitclaims all of its right, title, and interest in and to the land described in that certain deed executed by Salt River Valley Water Users' Association, an Arizona corporation, dated May 20, 1941, and recorded May 20, 1941, in the office of the county recorder, Maricopa County, State of Arizona, in book 360 of deeds at page 81, to the persons named as grantees therein or to the persons who succeeded to and now hold the possessory interests conveyed by said deed; and in addition thereto, the United States of America hereby quitclaims to the State of Arizona all its right, title, and interest in and to all that portion of the land lying within the right-of-way of the State highway designated on the plat of Victory Tract as the Apache Trail, said plat being recorded in the office of the county recorder of Maricopa County in book 31 of maps, page 6 thereof.

SEC. 2. Subject to the reservations set out in section 4 of this act, the United States of America hereby quitclaims all of its right, title, and interest in and to the lands described in those certain instruments executed by Salt River Valley Water Users' Association, an Arizona corporation, and recorded in the office of the county recorder, Maricopa County, State of Arizona, as follows:

Deed dated June 1, 1931, and recorded June 19, 1931, in book 257 of deeds at page 182;

Deed dated January 24, 1935, and recorded August 17, 1935, in book 294 of deeds at page 159;

Deed dated April 9, 1934, and recorded April 16, 1945, in book 432 of deeds at pages 289 and 290;

Deed dated October 13, 1947, also executed by Salt River Project Agricultural Improvement and Power District, a municipal corporation of Arizona, and recorded December 17, 1947, in docket 105 at pages 67 and 68;

Deed dated July 5, 1930, and recorded January 28, 1931, in book 250 of deeds at page 510;

Deed dated January 20, 1939, and recorded June 22, 1939, in book 334 of deeds at pages 243 and 244 subject to the rights-of-way, reservations, and covenants as set forth in said deed;

Deed dated August 1, 1927, and recorded April 12, 1928, in book 220 of deeds at page 161;

Deed dated April 16, 1930, and recorded May 10, 1930, in book 247 of deeds at pages 17 and 18;

Deed dated January 10, 1935, and recorded February 13, 1935, in book 289 of deeds at pages 95 and 96;

Deed dated September 24, 1930, and recorded October 4, 1930, in book 248 of deeds at pages 378 and 379;

Deed dated March 19, 1928, and recorded May 4, 1928, in book 220 of deeds at pages 364 and 365;

Deed dated April 6, 1953, also executed by said Salt River Project Agricultural Improvement and Power District, and recorded April 15, 1953, in docket 1117 at page 174;

Deed dated December 2, 1929, and recorded June 20, 1930, in book 247 of deeds at pages 352 and 353;

Deed dated October 30, 1953, also executed by said Salt River Project Agricultural Improvement and Power District, and recorded November 17, 1953, in docket 1234 at pages 166 and 167;

Deed dated April 6, 1953, also executed by said Salt River Project Agricultural Improvement and Power District, and recorded April 17, 1953, in docket 1119 at pages 70, 71, and 72;

Deed dated November 3, 1952, and recorded November 5, 1952, in docket 1019 at pages 491 and 492;

Deed dated November 13, 1953, and recorded November 17, 1953, in docket 1234 at pages 170 and 171;

General release of easement dated May 2, 1932, and recorded May 2, 1932, in book 45 of miscellaneous at page 500;

Deed dated November 13, 1953, and recorded November 17, 1953, in docket 1234 at pages 160 and 161;

Deed dated October 5, 1936, and recorded October 19, 1953, in docket 1219 at pages 513 and 514;

Deed dated November 16, 1953, also executed by said Salt River Project Agricultural Improvement and Power District, and recorded November 17, 1953, in docket 1234 at pages 162 and 163;

Deed dated May 5, 1938, and recorded May 11, 1938, in book 321 of deeds at page 486;

Deed dated November 13, 1953, and recorded November 17, 1953, in docket 1234 at pages 168 and 169;

Deed dated July 18, 1923, and recorded August 18, 1923, in book 177 of deeds at pages 447 and 448, as well as in deed from Arthur D. Neuhard to the United States of America, dated December 13, 1922, and recorded December 14, 1922, in book 171 of deeds at pages 298 and 299;

Deed dated July 18, 1931, and recorded August 8, 1931, in book 257 of deeds at pages 510 and 511; and

Deed dated November 3, 1953, and recorded November 17, 1953, in docket 1234 at pages 164 and 165, subject to the rights-of-way set forth in said deed;

to the persons named as grantees or releasee therein or, if such persons no longer hold the possessory interests conveyed by said deeds or released by said general release of easement, then to the persons who succeeded to and now hold such possessory interests.

SEC. 3. Subject to the reservation set out in section 4 of this act, the United States of America hereby quitclaims to the abutting property owners of record on either side of the rights-of-way of the hereinafter described canals to the center lines thereof all of its right, title, and interest in and to the following described property:

All that certain canal right-of-way known as the Maricopa Canal, which takes its head out of the Salt River jointly with that of the Salt River Valley Canal on the north side thereof in section 8, township 1 north, range 4 east, Gila and Salt River base and meridian, and running thence in a northwesterly direction to its terminus in section 27, township 2 north, range 1 east, Gila and Salt River base and meridian, Maricopa County, Ariz., except those portions of said right-of-way through, over, and across the following lands:

North half of the south half section 8, township 1 north, range 4 east.

North half of the south half section 7, township 1 north, range 4 east.

North half of the south half section 12, township 1 north, range 3 east.

Southwest quarter section 1, township 1 north, range 3 east.

Southeast quarter section 2, township 1 north, range 3 east.

Southwest quarter section 25, township 2 north, range 2 east.

Northwest quarter of the northwest quarter of section 36, township 2 north, range 2 east.

North half of the north half of section 34, township 2 north, range 2 east.

Northwest quarter of the northwest quarter of the northeast quarter of section 33, township 2 north, range 2 east.

All that certain canal right-of-way known as the Salt River Valley Canal, which takes its head out of the Salt River jointly with that of the Maricopa Canal, on the north side of said river, in section 8, township 1 north, range 4 east, Gila and Salt River base and meridian, and running thence in a westerly direction to its terminus in section 12, township 1 north, range 1 west, Maricopa County, Ariz., except those portions of said right-of-way through, over, and across the following lands:

North half of the south half of section 8, township 1 north, range 4 east.

North half of the south half of section 7, township 1 north, range 4 east.

North half of the south half of section 12, township 1 north, range 3 east.

North half of the northwest quarter of section 12, township 1 north, range 2 east.

North half of the north half of section 11, township 1 north, range 2 east.

North half of the north half of section 10, township 1 north, range 2 east.

North half of the north half of section 9, township 1 north, range 2 east.

North half of the north half of section 8, township 1 north, range 2 east.

North half of the north half of section 7, township 1 north, range 2 east.

North half of the north half of section 12, township 1 north, range 1 east.

North half of the north half of section 11, township 1 north, range 1 east.

North half of the northeast quarter of the northeast quarter of section 10, township 1 north, range 1 east.

Northwest quarter of the northeast quarter of section 10, township 1 north, range 1 east.

North half of the north half of section 9, township 1 north, range 1 east.

Northeast quarter of the northwest quarter of section 8, township 1 north, range 1 east.

North half of the north half of section 7, township 1 north, range 1 east.

North half of the northeast quarter of section 12, township 1 north, range 1 west.

SEC. 4. With respect to all of the lands quitclaimed by this act, all minerals are hereby reserved to the United States, together with the right of the United States, its lessees, permittees, and licensees to enter upon the land to prospect for, drill for, mine, treat, store, transport, and remove such minerals and to use so much of the surface and

subsurface as may be reasonably necessary for the foregoing purposes.

SEC. 5. For the purposes of this act, the deeds from the Salt River Valley Water Users' Association referred to in sections 1 and 2 of this act shall be deemed, insofar as the United States is concerned, to have created possessory interests in the grantees therein named, and the general release of easement referred to in section 2 of this act shall be deemed, insofar as the United States is concerned, to have released possessory interests to the releasee therein named.

SEC. 6. Nothing contained in this act shall be deemed to create or recognize any obligation or liability whatsoever on the part of the United States.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to authorize the United States of America to quitclaim all its right, title, and interest in and to certain lands in Arizona, except for mineral interests therein, and for other purposes."

PRIVATE FINANCING OF NEW SHIP CONSTRUCTION—BILL PASSED OVER

The bill (H. R. 9987) to amend certain provisions of title XI of the Merchant Marine Act, 1936, as amended, to facilitate private financing of new ship construction, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. GORE. Over.

Mr. BUTLER. Mr. President, will the Senator from Tennessee withhold his objection for a moment?

Mr. GORE. I withhold my objection.

Mr. BUTLER. May I inquire from whom the objection comes?

Mr. GORE. It has not been the custom of members of the Calendar Committee for the minority publicly to disclose the identity of the colleague who registers an objection.

Mr. BUTLER. Will the Senator do so privately? I should like to talk with the Senator who is objecting, if possible. This is very important legislation. It is completely noncontroversial.

Mr. GORE. I shall be happy to confer with the Senator.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. BUTLER. I yield.

Mr. MAGNUSON. I am sure that my friend from Maryland does not wish the RECORD to show that this legislation is completely noncontroversial. I am not the objector referred to in this case, but I think this is too important a piece of legislation, and too complicated to be passed by unanimous consent upon the call of the calendar.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

INCREASE IN FEDERAL AID FOR SUPPORT OF DISABLED SOLDIERS, SAILORS, AND AIRMEN OF THE UNITED STATES

The bill (H. R. 8180) to increase the amount of Federal aid to State or Territorial homes for the support of disabled soldiers, sailors, and airmen of the United States was considered, ordered to a third reading, read the third time, and passed.

EDUCATION AND TRAINING BENEFITS TO CERTAIN VETERANS

The bill (H. R. 9888) to amend the laws granting education and training benefits to certain veterans to extend the period during which such benefits may be offered was considered, ordered to a third reading, read the third time, and passed.

COMPENSATION FOR OVERTIME EMPLOYEES OF THE UNITED STATES PUBLIC HEALTH, FOREIGN QUARANTINE DIVISION

The bill (H. R. 6253) to amend Public Law 410, 78th Congress, with regard to compensation for overtime, Sunday, and holiday work of employees of the United States Public Health Service, Foreign Quarantine Division, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MURRAY. Mr. President, reserving the right to object—and I shall not object—I should like to ask a question of the Senator from Connecticut [Mr. PURTELL]. Do I understand correctly that the class of carriers exempted under the last paragraph of this bill from paying for public-health inspection includes any and every airline which operates regularly and publishes schedules?

Mr. PURTELL. The Senator is correct. The charges imposed under this bill do not apply at any time to any airline whose operations are covered by published schedules.

Mr. MURRAY. I was sure that was the intent of the committee. I am glad to have the information. I thank the Senator.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF SECTION 345, REVENUE ACT OF 1951—BILL PASSED OVER

The bill (H. R. 6440) to amend section 345 of the Revenue Act of 1951 was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. McCARRAN. Mr. President, I offer an amendment to the bill.

Mr. GORE. Over.

Mr. HENDRICKSON. This measure is clearly not a calendar measure. It should not be passed on the call of the calendar. On that ground I object.

The PRESIDING OFFICER. Objection is heard.

Mr. McCARRAN. Mr. President——

Mr. HENDRICKSON. Of course, I gladly withhold my objection if the Senator from Nevada wants to make an explanation of the bill.

Mr. McCARRAN. I wanted to offer an amendment to the bill.

Mr. POTTER. Mr. President, will the Senator withhold his objection so that I may make an inquiry about the bill? I should like to address some questions to the chairman of the Committee on Finance.

Mr. HENDRICKSON. I withhold my objection.

Mr. POTTER. It is my understanding that the Senate committee adopted as an amendment to this bill S. 3588, which was introduced by the late Senator Butler, of Nebraska, and sponsored by the Senator from Nebraska [Mr. REYNOLDS]. It is my understanding that they accepted the bill in toto as an amendment to the bill now under consideration, but that inadvertently, due to an omission by the clerk, some language was left out of the bill. I am wondering if the chairman is familiar with that situation.

Mr. MILLIKIN. I think I am reasonably familiar with it.

Mr. POTTER. Can the chairman tell me whether it was done inadvertently, or whether there was some purpose behind it, because it greatly affects the interests of my State of Michigan, for example.

Mr. MILLIKIN. There was no purpose behind it in any invidious sense. Objection has been made to House bill 6440, and the bill will go over. Even if objection had not been made by the Senator from Tennessee [Mr. GORE], I think another objection would be made. So we will thrash it out in the Senate.

I shall be very glad to consult with the junior Senator from Michigan, or anybody else who may be interested.

Mr. POTTER. I thank the Senator, and I hope before the proposed legislation comes before the Senate for debate, we shall have an opportunity to consult and possibly offer an amendment to the language, as amended, in order to meet any objections the committee might have.

Mr. MILLIKIN. It is apparent now that there are several matters which the Members are not satisfied with, so I think it is proper that this bill go over.

The PRESIDING OFFICER. The bill will be passed over.

CITATION OF WENDELL H. FURRY FOR CONTEMPT OF THE SENATE

The resolution (S. Res. 306) to cite Wendell H. Furry for contempt of the Senate was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. HENDRICKSON. May we have an explanation of the resolution?

Mr. McCARTHY. Calendar No. 2063, Senate Resolution 306, relates to the case

of Wendell H. Furry, an associate professor at Harvard University at Cambridge, Mass. The investigating subcommittee and the full committee unanimously—I believe it was unanimously—voted that contempt proceedings be brought against Furry, after we first got an opinion from the Attorney General.

There are five contempt cases. We wrote the Attorney General, and while he could not give us an official opinion, he did write us that he thought these cases were good contempt cases.

Let me state briefly the Furry case:

Furry was an associate professor at Harvard University. He testified in public session before the investigating committee on January 15 of this year. He admitted that he had been a member of the Communist Party at Harvard University. The first time he appeared he invoked the fifth amendment; the second time he appeared he did not.

He testified that while he was a member of the Communist Party, employed in secret radar work, at least six other members of the Communist Party were likewise so employed. He was questioned in detail as to the names of the other six Communists who were working in secret radar work, where they were located, where they were working in Government, and what they were doing. He refused to answer. He did not invoke the fifth amendment. If he had invoked the fifth amendment, I feel we could not have cited him for contempt. He invoked no part of the Constitution. He merely refused to answer.

Mr. HENDRICKSON. I thank the Senator.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 306) to cite Wendell H. Furry for contempt of the Senate was considered and agreed to, as follows:

Resolved, That the President of the Senate certify the report of the Committee on Government Operations of the United States Senate as to the refusal of Wendell H. Furry to answer questions before the Senate Permanent Subcommittee on Investigations, said refusal to answer being pertinent to the subject matter under inquiry, together with all the facts in connection therewith, under the seal of the United States Senate to the United States Attorney for the District of the State of Massachusetts, to the end that the said Wendell H. Furry may be proceeded against in the manner and form provided by law.

CITATION OF LEON J. KAMIN FOR CONTEMPT OF THE SENATE

The resolution (S. Res. 307) to cite Leon J. Kamin for contempt of the Senate was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. HENDRICKSON. Mr. President, may we have an explanation of the resolution?

Mr. McCARTHY. I shall be glad to make an explanation.

This is the case of Leon J. Kamin. On January 15, 1954, at Boston, Mass., Kamin testified before the investigating committee that he was a research assistant at Harvard. He admitted that he had been a member of the Communist Party from November of 1945 until January of 1946. He said he dropped out and rejoined the party in 1947 and remained a member of the Communist Party until 1950. He admitted that he was a paid functionary of the Communist Party, and that his name in the Communist Party was Leo Soft, which name he used while writing articles for the Daily Worker.

On eight different occasions Kamin refused to answer questions concerning the identity of other individuals he knew to be Communists and who were employed in handling classified defense work for the United States Government.

He did not invoke the fifth amendment. In other words, he said, "Yes; I was a Communist from 1945 to 1946 and from 1947 to 1950. I knew other Communists worked in handling classified Government work."

We asked him to name them, and he refused to do so. He did not invoke the fifth amendment. If he had, I believe he would not have been subject to citation for contempt.

On two occasions he declined to answer on the grounds of good conscience, under the first amendment. On the other occasions he merely refused to answer, invoking the privilege of no amendment to the Constitution whatsoever.

Mr. HENDRICKSON. I thank the Senator.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 307) to cite Leon J. Kamin for contempt of the Senate was considered and agreed to, as follows:

Resolved, That the President of the Senate certify the report of the Committee on Government Operations of the United States Senate as to the refusal of Leon J. Kamin to answer questions before the Senate Permanent Subcommittee on Investigations, said refusal to answer being pertinent to the subject matter under inquiry, together with all the facts in connection therewith, under the seal of the United States Senate to the United States attorney for the District of the State of Massachusetts, to the end that the said Leon J. Kamin may be proceeded against in the manner and form provided by law.

CONCEALING OF PERSONS FROM ARREST

The bill (H. R. 7486) to amend section 1071 of title 18, United States Code, relating to the concealing of persons from arrest, so as to increase the penalties therein provided, was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 26) to amend chapter 19, title 5, of the United States Code, entitled "Administrative Procedure," so as to prohibit the employment by any person of any member, official, attorney, or employee of a Government agency except under certain conditions was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. GORE. Over.

The PRESIDING OFFICER. Objection is heard. The bill will be passed over.

PUNISHMENT OF PERSONS WHO JUMP BAIL

The bill (H. R. 8658) to amend title 18, United States Code, to provide for the punishment of persons who jump bail was considered, ordered to a third reading, read the third time, and passed.

REGULATION OF ADMISSION TO VIRGIN ISLANDS OF INFESTED OR INFECTED CATTLE OR CHICKENS

The Senate proceeded to consider the bill (S. 3800) to amend section 6 of the act of August 30, 1890, as amended, and section 2 of the act of February 2, 1903, as amended, which had been reported from the Committee on Agriculture and Forestry with an amendment, on page 2, line 5, after the word "freed", to strike out "therefrom"." and insert "therefrom." ", so as to make the bill read:

Be it enacted, etc., That section 6 of the act of August 30, 1890 (26 Stat. 414, 416; 21 U. S. C. 104), entitled "An act providing for an inspection of meats for exportation, prohibiting the importation of adulterated articles of food or drink, and authorizing the President to make proclamation in certain cases, and for other purposes," as amended, is further amended by deleting the words "and the admission into the Virgin Islands" immediately following the word "Texas" in the first sentence of such section; deleting the period at the end of such sentence; and adding the following clause after the word "therefrom" in such sentence: ", and the admission from the British Virgin Islands into the Virgin Islands of the United States, for slaughter only, of cattle which have been infested with or exposed to ticks upon being freed therefrom."

SEC. 2. Section 2 of the Act of February 2, 1903 (32 Stat. 791, 792; 21 U. S. C. 111), entitled "An act to enable the Secretary of Agriculture to more effectually suppress and prevent the spread of contagious and infectious diseases of livestock, and for other purposes", as amended, is further amended by deleting the proviso reading: ": *Provided*, That no such regulations or measures shall pertain to the introduction of live poultry into the Virgin Islands of the United States."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

INTERSTATE FOREST FIRE PROTECTION COMPACT

The bill (H. R. 6393) granting the consent and approval of Congress to an interstate forest fire protection compact, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. ELLENDER. Mr. President, this bill would give the consent of Congress to Arkansas, Louisiana, Mississippi, Oklahoma, and Texas to enter into the South Central Interstate Forest Fire Protection Compact. That compact is similar to the northeastern and southeastern

forest fire protection compacts which have heretofore been approved by Congress. It provides for cooperation in the prevention and suppression of forest fires. Each member State would, first, formulate its own forest fire plan and integrate it with a regional forest fire plan formulated by compact administrators; second, render assistance to other States upon request; and third, be given—for itself and its employees—certain duties, rights, privileges, immunities, and responsibilities necessary to effectuation of the compact. The Department of Agriculture would be authorized to act as primary research and coordinating agency and to make recommendations with respect to the regional fire plan. The Department has indicated that this would not require additional direct Federal expenditures.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 8193) to amend the Refugee Relief Act of 1953 was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. GORE. Over.

The PRESIDING OFFICER. Objection is heard. The bill will be passed over.

MONIEK LEMBERGER AND OTHERS

The bill (S. 575) for the relief of Moniek Lemberger, Frida Lemberger, and Peysach Lemberger was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Moniek Lemberger, Frida Lemberger, and Peysach Lemberger shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act upon payment of the required visa fee. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct three numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

KURT GLASER

The bill (S. 1083) for the relief of Kurt Glaser was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Kurt Glaser shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

CHARALAMPOS SOCRATES IOSSIFOGLU AND OTHERS

The bill (S. 1291) for the relief of Charalampos Socrates Iossifoglu, Nora Iossifoglu, Helen Iossifoglu, and Efrossini Iossifoglu was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Charalampos Socrates Iossifoglu, Nora Iossifoglu, Helen Iossifoglu, and Efrossini Iossifoglu shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

GERARD LUCIEN DANDURAND

The bill (S. 1417) for the relief of Gerard Lucien Dandurand was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Attorney General is authorized and directed to discontinue any deportation proceedings and to cancel any outstanding order and warrant of deportation, warrant of arrest, and bond, which may have been issued in the case of Gerard Lucien Dandurand. From and after the date of enactment of this act, the said Gerard Lucien Dandurand shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and order have issued.

CONSTANTINOS PANTERMALIS

The bill (S. 1622) for the relief of Constantinos Pantermalis was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Constantinos Pantermalis shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

ALEXY W. KATYLL AND IOANNA KATYLL

The bill (S. 2010) for the relief of Alexy W. Katyll and Ioanna Katyll was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Alexy W. Katyll and Ioanna Katyll shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct two numbers from the appropriate quota for the first year that such quota is available.

DEBORAH JORDAN WILLIAMS (GRACE YOKO WATANABE)

The bill (S. 2056) for the relief of Deborah Jordan Williams (Grace Yoko Watanabe) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Deborah Jordan Williams (Grace Yoko Watanabe), shall be held and considered to be the natural-born alien child of Maj. and Mrs. Robert Willoughby Williams, citizens of the United States.

GARABED PAPAZIAN

The bill (S. 2329) for the relief of Garabed Papazian was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Garabed Papazian shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

DAVID WEI-DAO LEA AND JULIA AN-FONG WANG LEA

The bill (S. 2452) for the relief of David Wei-Dao Lea and Julia An-Fong Wang Lea was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, David Wei-Dao Lea and Julia An-Fong Wang Lea shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

LUPE M. GONZALEZ

The Senate proceeded to consider the bill (S. 2525) for the relief of Lupe M. Gonzalez which had been reported from the Committee on the Judiciary with an amendment, in line 7, after the word "fee.", to strike out "Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available", so as to make the bill read:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Lupe M. Gonzalez shall be held and considered to have been lawfully admitted to the

United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DR. LUCIANO A. LEGIARDI-LAURA

The bill (S. 2613) for the relief of Dr. Luciano A. Legiardi-Laura was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That Dr. Luciano A. Legiardi-Laura, who lost United States citizenship under the provisions of the first paragraph of section 2 of the act of March 2, 1907, may be naturalized by taking, prior to 1 year after the date of enactment of this act, before any court referrd to in subsection (a) of section 310 of the Immigration and Nationality Act or before any diplomatic or consular officer of the United States abroad, an oath as prescribed by section 337 of such act. From and after naturalization under this act, the said Dr. Luciano A. Legiardi-Laura shall have the same citizenship status as that which existed immediately prior to its loss.

ESTHER JOANNE POTTER

The bill (S. 2640) for the relief of Esther Joanne Potter was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Esther Joanne Potter, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Gail M. Potter, citizens of the United States.

VICTORIANA AREITIO BERINCUA

The bill (S. 2646) for the relief of Victoriana Areitio Berincua was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Victoriana Areitio Berincua shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

MARY GEORGE SOLOMON

The bill (S. 2667) for the relief of Mary George Solomon was announced as next in order.

The PRESIDING OFFICER. The Chair will state that there is a companion bill, Calendar No. 2255, H. R. 7051.

Mr. CLEMENTS. Mr. President, I move that the Senate consider H. R. 7051, for the relief of Mary George Solomon, in lieu of the Senate bill, and that the Senate bill be indefinitely postponed.

The PRESIDING OFFICER. The question is on the motion of the Senator from Kentucky.

The motion was agreed to; and the bill (H. R. 7051) for the relief of Mary George Solomon, was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 2667 is indefinitely postponed.

MOXON J. VAN DEN ABEELE

The bill (S. 2674) for the relief of Moxon J. van den Abeele was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That notwithstanding the provisions of section 212 (a) (9) of the Immigration and Nationality Act, Moxon J. van den Abeele may be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act: *Provided*, That this exemption shall apply only to a ground of exclusion of which the Secretary of State or the Attorney General had knowledge prior to the enactment of this act.

CHRISTOS PAUL ZOLOTAS

The bill (S. 2830) for the relief of Christos Paul Zolotas was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Christos Paul Zolotas shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

JONAS DERCAUTAN

The bill (S. 2840) for the relief of Jonas Dercautan was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That for the purposes of the Immigration and Nationality Act, Jonas Dercautan shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

URSULA ELSE BOYSEN

The bill (S. 2843) for the relief of Ursula Else Boysen was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Ursula Else Boysen shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

ELISA-POMPEA ROPPO (ELISA POMPEA CARDONE)

The bill (S. 2849) for relief of Elisa-Pompea Roppo (Elisa-Pompea Cardone) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Elisa-Pompea Roppo (Elisa-Pompea Cardone), shall be held and considered to be the natural-born alien child of Mr. and Mrs. Michael Roppo, citizens of the United States.

SISTER ANNA SCRINZI AND OTHERS

The bill (S. 2884) for the relief of Sister Anna Scrinzi, Sister Giuliana Paladini, Sister Iolanda Mazzocchi, and Sister Giuseppina Zanchetta was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Sister Anna Scrinzi, Sister Giuliana Paladini, Sister Iolanda Mazzocchi, and Sister Giuseppina Zanchetta shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

HON CHEUN KWAN

The bill (S. 2887) for the relief of Hon Cheun Kwan was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Hon Cheun Kwan shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

JAN HAJDUKIEWICZ

The bill (S. 2904) for the relief of Jan Hajdukiewicz was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Jan Hajdukiewicz shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-

control officer to deduct one number from the appropriate quota for the first year that such quota is available.

ERVIN FUCHS

The bill (S. 2921) for the relief of Ervin Fuchs was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, notwithstanding the provisions of section 212 (a) (9) of the Immigation and Nationality Act, Ervin Fuchs may be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act: *Provided*, That this exemption shall apply only to a ground of exclusion of which the Secretary of State or the Attorney General had knowledge prior to the enactment of this act.

ROBERT A. BORROMEO

The bill (S. 2922) for the relief of Robert A. Borromeo was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Robert A. Borromeo shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

DOMENICO SCARAMUZZINO

The bill (S. 2950) for the relief of Domenico Scaramuzzino was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Domenico Scaramuzzino shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

CHRISTINE THUM

The bill (S. 2954) for the relief of Christine Thum was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, in the administration of the Immigration and Nationality Act, Christine Thum, the fiance of William Ritchie Smith, a citizen of the United States, shall be eligible for visa as a nonimmigrant temporary visitor for a period of 3 months, if the administrative authorities find (1) that the said Christine Thum is coming to the United States with a bona fide intention of being married to the said William Ritchie Smith, and (2) that she is otherwise admissible under the Immigration and Nationality Act. In the event the marriage between the above-named persons does not occur within 3 months after the entry of the said Christine Thum, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Christine Thum, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Christine Thum as of the date of the payment by her of the required visa fee.

FRANCISZEK JANICKI AND STEFANIA JANICKI

The bill (S. 2968) for the relief of Franciszek Janicki and Stefania Janicki was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Franciszek Janicki and Stefania Janicki shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees.

ROGER OUELLETTE

The bill (S. 2984) for the relief of Roger Ouellette was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Roger Ouellette may be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice have knowledge prior to the enactment of this act.

SISTER RAMONA MARIA (RAMONA E. TOMBO)

The bill (S. 2996) for the relief of Sister Ramona Maria (Ramona E. Tombo) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc, That, for the purposes of the Immigration and Nationality Act, Sister Ramona Maria (Ramona E. Tombo) shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

MIROSLAV SLOVAK

The bill (S. 3029) for the relief of Miroslav Slovak was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Miroslav Slovak shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available: *Provided*, That the past membership of Miroslav Slovak in the classes defined in section 212 (a) (28) of the Immigration and Nationality Act shall not hereafter be a cause for his exclusion from the United States.

ANTONIN VOLEJNICEK

The bill (S. 3031) for the relief of Antonin Volejnicek was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Antonin Volejnicek shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

BOHUMIL SURAN

The bill (S. 3032) for the relief of Bohumil Suran was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Bohumil Suran shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

JAN R. CWIKLINSKI

The bill (S. 3055) for the relief of Jan R. Cwiklinski was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Jan R. Cwiklinski shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

Mr. SMATHERS. Mr. President, I ask unanimous consent that Calendar Nos. 2104, S. 3058, to and including No. 2218, H. R. 7045, be passed en bloc, with the amendment or amendments thereto, as the case may be.

The PRESIDING OFFICER. The Chair will state that there are two House bills of an identical nature included in the bills referred to by the Senator from Florida.

Mr. SMATHERS. I should like to amend my request by including the consideration of the two House bills and having the two corresponding Senate bills indefinitely postponed.

The PRESIDING OFFICER. Is there objection?

Mr. HOLLAND. Mr. President, I did not understand the Senator's request.

The PRESIDING OFFICER. The request was that the Senate pass en bloc the bills indicated by the junior Senator from Florida, with two exceptions where there are identical House bills, and that the House bills be passed in place of the Senate bills.

Mr. WATKINS. Mr. President, I did not hear the unanimous-consent request.

The PRESIDING OFFICER. The Chair will state that the request of the junior Senator from Florida was to the effect that, starting with Calendar 2104, S. 3058, down to and including Calendar 2218, H. R. 7045, the bills be considered en bloc, with the committee amendments agreed to, and that two identical House bills be substituted for the companion Senate bills and that the two Senate bills be indefinitely postponed.

Mr. WATKINS. I only wanted to know what was going on.

Mr. McCARRAN. Mr. President, these are all immigration bills, and there can be no serious objection.

Mr. WATKINS. Reserving the right to object, I merely wanted to find out what we were doing. I could not hear all that was being said.

Mr. COOPER. I am sorry I did not hear and understand fully the statements which were made respecting this arrangement. I certainly do not want to hold up the procedure and the progress of the Senate.

I must say, however, that I think it is a bad procedure, in that it does not permit individual Members of the Senate, whether or not they may have objections, to make their objections known to the majority Calendar Committee or to the Calendar Committee of the minority. It does not give them a chance to register their objections upon individual bills. There might not be any objection at all to any of these bills, but I think it is a bad precedent, and I object.

The PRESIDING OFFICER. Objection is heard, and the call of the Calendar will proceed.

Mr. HENDRICKSON obtained the floor.

Mr. CASE. Mr. President, will the Senator yield for a parliamentary inquiry?

Mr. HENDRICKSON. I yield.

The PRESIDING OFFICER The Senator from South Dakota will state his parliamentary inquiry.

Mr. CASE. Is it not correct that any Member of the Senate could object to the request and ask to have any particular bill set apart so he could register individual objection?

The PRESIDING OFFICER. That is correct.

Mr. CASE. Mr. President, I should like to be recognized for 30 seconds.

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from South Dakota?

Mr. HENDRICKSON. I thought I had already yielded for a parliamentary inquiry.

Mr. CASE. Mr. President, I merely hoped that the parliamentary inquiry might call that fact to the attention of the Senator from Kentucky, and wondered if that would not meet the objection that he raised. In his objection he indicated that he thought individual Senators might lose their right to object. It is obvious that any Senator does have a right to object and to have separate bills segregated from this group if he desires to object. In view of that fact, and in view of the absence of any such request, I was hoping the Senator might withdraw his objection.

Mr. HENDRICKSON. Mr. President, I was about to say, when I was recognized, in fairness to the distinguished Senator from Florida, that he came over to the Republican side and asked if we had any objections registered to any of these bills, and I told him we had not. I therefore assumed, when he made his unanimous-consent request, that Senators on the other side of the aisle had no objection, either.

Mr. SMATHERS. In order to save time, I withdraw my unanimous-consent request.

The PRESIDING OFFICER. The request is withdrawn, and the Clerk will proceed with the call of the calendar.

CERTAIN NATIONALS OF ITALY

The bill (S. 3058) for the relief of certain nationals of Italy was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Teresa Arlorio (Sister M. Augusta), Rosemma Brignolo (Sister M. Davidica), Anna Maria De Toffoli (Sister M. Cornelia), Giovanna Donola (Sister M. Natalia), Maria Libera (Sister M. Alma), Anna Teresa Micca (Sister M. Annunziata), Giovanna Marletta (Sister M. Cunegonda), Maria Muzzi (Sister M. Beniamina), Maria Panero (Sister M. Immacolata), Maria Rosa Pisano (Sister M. Paolina), Maria Saccone (Sister M. Agape), Luigina Torasan (Sister M. Leona), Marcellina Tozzi (Sister M. Adalgisa), and Teresina Zanotto (Sister M. Chiara) shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

PETER CHARLES BETHEL

The bill (S. 3087) for the relief of Peter Charles Bethel (Peter Charles Peters) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Peter Charles Bethel (Peter Charles Peters) shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

CHRISTA HARKRADER

The bill (S. 3094) for the relief of Christa Harkrader was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Christa Harkrader shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee.

EMIKO WATANABE

The bill (S. 3112) for the relief of Emiko Watanabe was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, in the administration of the Immigration and Nationality Act, Emiko Watanabe, the fiancée of T. A. Brice, a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months, if the administrative authorities find (1) that the said Emiko Watanabe is coming to the United States with a bona fide intention of being married to the said T. A. Brice and (2) that she is found otherwise admissible under the Immigration and Nationality Act. In the event the marriage between the above-named persons does not occur within 3 months after the entry of the said Emiko Watanabe, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur wihin 3 months after the entry of the said Emiko Watanabe, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Emiko Watanabe as of the date of the payment by her of the required visa fee.

WAKAKO NIIMI AND HER MINOR CHILD, KATHERINE

The bill (S. 3138) for the relief of Wakako Niimi and her minor child, Katherine was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, in the administration of the Immigration and Nationality Act, Wakako Niimi, the fiancée of Jerrold Lynn Cunningham, a citizen of the United States, and her minor child, Katherine, shall be eligible for visas as nonimmigrant temporary visitors for a period of 3 months, if the administrative authorities find (1) that the said Wakako Niimi is coming to the United States with a bona fide intention of being married to the said Jerrold Lynn Cunningham and (2) that they are otherwise admissible under the Immigration and Nationality Act. In the event the marriage between the above-named persons does not occur within 3 months after the entry of the said Wakako Niimi and the minor child, Katherine, they shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Wakako

Niimi and her minor child, Katherine, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Kakako Niimi and her minor child, Katherine, as of the date of the payment by them of the required visa fees.

FRANCESCO PUGLIESE

The bill (S. 3148) for the relief of Francesco Pugliese was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Francesco Pugliese, shall be held and considered to be the natural-born alien child of Harold P. Koblens, a citizen of the United States.

XANTHI GEORGES KOMPOROZOU

The Senate proceeded to consider the bill (S. 3150) for the relief of Xanthi Georges Komporozou.

Mr. HOLLAND. Mr. President, this is the bill as to which I had asked to have the Senate committee report printed in the RECORD. I assume that request has already been granted.

The PRESIDING OFFICER. Without objection, it is so ordered.

The report (No. 2085) was ordered to be printed in the RECORD, as follows:

The Committee on the Judiciary, to which was referred the bill (S. 3150) for the relief of Xanthi Georges Komporozou, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Xanthi Georges Komporozou. The bill provides for an appropriate quota deduction and for the payment of the required visa fee.

STATEMENT OF FACTS

The beneficiary of the bill is a 44-year-old native and citizen of Greece who last entered the United States as a visitor on July 29, 1950, accompanying her employers, Lt. Col. and Mrs. Joseph McChristian, West Point, N. Y. Mrs. McChristian is the daughter of Gen. and Mrs. James A. Van Fleet. She suffered an attack of pulmonary tuberculosis 3 years ago and the benficiary of the bill has taken charge of the McChristian children.

A letter, with attached memorandum, dated June 25, 1954, to the chairman of the Senate Committee on the Judiciary from the Commissioner of Immigration and Naturalization with reference to the case, reads as follows:

JUNE 25, 1954.

Hon. WILLIAM LANGER,
Chairman, Committee on the Judiciary,
United States Senate,
Washington, D. C.

DEAR SENATOR: In response to your request of the Department of Justice for a report relative to the bill (S. 3150) for the relief of Xanthi Georges Komporozou, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the New York, N. Y., office of this Service, which has custody of those files.

The bill would grant this alien the status of a permanent resident of the United States upon payment of the required visa fee. It also directs that one number be deducted from the appropriate immigration quota.

The beneficiary is chargeable to the quota of Greece.

Sincerely,

—— ——, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE XANTHI GEORGES KOMPOROZOU, BENEFICIARY OF S. 3150

Xanthi Georges Komporozou is single, a native and citizen of Greece, and was born on October 3, 1909, at Manolas. Her only entry into the United States was on July 29, 1950, at New York, N. Y., when she was admitted as a visitor, accompanying her employers, Lt. Col. and Mrs. Joseph McChristian, West Point, N. Y. She has received four extensions, the last one to expire on May 27, 1954.

Miss Komporozou has been nursemaid to Lieutenant Colonel and Mrs. McChristian's three children since December 1949. She has cared for the children since Mrs. McChristian's attack of pulmonary tuberculosis 3 years ago, and has been practically a mother to the 3 children. Mrs. McChristian is the daughter of Gen. and Mrs. James A. Van Fleet.

Miss Komporozou has no assets, but little formal education, and has educated herself by having tutors and by self-teaching. Miss Komporozou speaks classical Greek fluently and has taught the McChristian children the Greek language.

She has no relatives in the United States. Her two sisters and a half-brother reside in Greece.

Senator SPESSARD L. HOLLAND, the author of the bill, has submitted the following information in connection with the case:

UNITED STATES SENATE,
COMMITTEE ON PUBLIC WORKS,
April 1, 1954.

Hon. WILLIAM LANGER,
Chairman, Committee on the Judiciary,
United States Senate,
Washington, D. C.

MY DEAR SENATOR: As you know, on March 17 I introduced S. 3150, a bill to grant permanent residence to Xanthi Georges Komporozou, and this bill is now pending before your committee.

I am enclosing herewith a copy of a letter to me from General Van Fleet, as well as a copy of a letter from the General's daughter to him, both of which are self-explanatory.

This appears to me to be a meritorious case, and I will appreciate anything you may do to secure early consideration of S. 3150.

With kind regards, I remain

Yours faithfully,

SPESSARD L. HOLLAND.

AUBURNDALE, FLA., *March 15, 1954.*

Senator SPESSARD L. HOLLAND,
Senate Office Building, Washington, D. C.

DEAR SPESSARD: I have a great favor to ask of you.

It is to ask you to introduce special legislation which will authorize the retention in this country, and to become an American citizen, of a Greek nurse who has been in my family in this country for nearly 4 years.

The reason for special legislation is the fact that the Greek quota for entry into the United States is small and is oversubscribed for many years to come. I believe her case is outstanding and merits special legislation.

Her name is Miss Xanthi Georges Komporozou, born in Manolada, Greece, October 3, 1910.

Miss Komporozou is presently living with my daughter Dempsie, wife of Col. Joseph A. McChristian, United States Army, at West Point, N. Y.

Miss Komporozou holds passport No. 5900 issued by the Greek Government in Athens, Greece, June 14, 1950. It is valid until May 9, 1955, but the current visa No. 963210 is valid only until May 27, 1954.

Miss Komporozou's parents are dead. She has no living relatives and no home. She desires to become an American citizen.

I am enclosing a statement concerning Miss Komporozou, submitted by my daughter Dempsie.

Colonel McChristian was raised in Miami Beach and is also a friend of Senator GEORGE SMATHERS.

With warm regards to you and Mary,

Cordially,

JAMES A. VAN FLEET,
General, United States Army (Retired).

WEST POINT, N. Y., *March 10, 1954.*

Gen. JAMES A. VAN FLEET,
United States Army (Retired),
Auburndale, Fla.

DEAR DADDY: Here briefly are the facts, most of which you know already, about Xanthi.

She is Miss Xanthi Georges Komporozou, born in Manolada, Greece, October 3, 1910. She is presently in possession of passport No. 5900, issued by the Greek Government in Athens June 14, 1950. It is valid until May 9, 1955, but her visa No. 963210 is valid only until May 27, 1954. Her parents are dead and she has no (relatives) and no home. She wants more than anything in this world to become an American citizen. The Greek quota is small and already oversubscribed for years to come.

Her integrity, loyalty, superior ideals—in fact all the qualities which would make her an ideal American citizen—are, of course, the very reasons we found her in the first place. You recall this was just before Christmas, a little over 3 years ago, in Greece, and the Communists had made public threat to assassinate you, and they did get the man near you. You were under constant police guard and we were all scared to death for fear something would happen to you or to your grandchildren. And with your third grandchild due any day we, or rather mother, appealed to the lady-in-waiting to the Queen—Mary Carolou—to find someone who could be trusted completely. Mary Carolou sent us Xanthi Komporozou, who had been in her own home for many years.

When we returned to the States in July 1950, we were able to bring Xanthi with us on a temporary visitor's visa for 6 months. When she was due to return to Greece she was midway in extensive dental work and we were able to extend her visa for another 6 months.

During this time we were transferred from Norfolk, Va., to West Point, N. Y., and on arriving at West Point it was discovered that I had contracted tuberculosis in Greece. I know you well recall that terrible experience.

The same day that I entered Fitzsimons Hospital in Denver, in April 1951, you were suddenly sent to Korea to command the Eighth Army. It seemed pretty glum—in fact, downright unsolvable, since it meant 2 years minimum hospitalization for me and no small amount of anguish about our 3 children.

Any ordinary person would have left in a hurry, but Xanthi quietly put aside her own life and plans and took up all of our burdens. Our case was presented to the immigration officials in New York and they were very kind and agreed to extend her visit.

Two years later I came back from the hospital and you came back from Korea. Then in October 1953 it was discovered that my tuberculosis was not cured and the doctors recommended surgery, which was performed at great expense at Harkness Pavilion, Presbyterian Hospital in New York City.

This time we were fortunate to get a letter from the National Employment Service

saying that they could not furnish anyone to take Xanthi's place to care for the children and so her visa was extended until May 1954. But during all these past many months, which by now is almost 4 years, Xanthi Komporozou has become not just irreplaceable, but inseparable from us as a loved member of the family. Not only has she cared for the children completely and nursed them when they were ill, but she has loved them as her own and in truth, could not be much more loved by us all had she been born into the family.

She has taught the children the Greek language and Greek philosophy. She has won the admiration of all who know us at West Point. That she would be a credit to our country goes without saying. Her health is excellent. She is known by many people of prominence. Archbishop Michael, of the Greek Orthodox Church of North and South America, stated from his pulpit that she was an example to all Greeks in this country.

And so I am appealing to you, Daddy, because of Xanthi's loyalty to your family at a dangerous time in Greece and because of her 4 selfless years of devotion since—thus freeing your mind when the country needed you both for Greece and for Korea. I believe all of this deserves rewarding, and all who know her feel it justifies special legislation allowing her to remain as a citizen in the United States.

These are the facts concerning Xanthi. You may use this letter as you wish.

With love,

DEMPSIE.

(Dempsie Van Fleet McChristian, wife of Col. Joseph A. McChristian.)

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 3150) should be enacted.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Xanthi Georges Komporozou shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the apyropriate quota for the first year that such quota is available.

SLAVOLJUB DJUROVIC AND GORAN DJUROVIC

The bill (S. 3156) for the relief of Slavoljub Djurovic and Goran Djurovic was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Slavoljub Djurovic and Goran Djurovic shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

ROSARIO ESTEVEZ DE APONTE

The bill (S. 3164) for the relief of Rosario Estevez de Aponte (nee Frias), otherwise known as Rosario Estevez Aponte, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Rosario Estevez de Aponte (nee Frias), otherwise known as Rosario Estevez Aponte, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee.

MARIA ELENA VENEGAS AND SARAH LUCIA VENEGAS

The bill (S. 3218) for the relief of Maria Elena Venegas and Sarah Lucia Venegas was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Maria Elena Venegas and Sarah Lucia Venegas shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee.

ARON KLEIN AND ZITA KLEIN

The bill (S. 3234) for the relief of Aron Klein and Zita Klein (nee Spielman) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Aron Klein and Zita Klein (nee Spielman) shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

ANNI STROEE JACOBSEN

The bill (S. 3404) for the relief of Anni Stroee Jacobsen was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (b) and 203 (a) (3) of the Immigration and Nationality Act (8 U. S. C. 1101 (b) and 1152 (a) (3)), Anni Stroee Jacobsen shall be held and considered to be the natural born alien child of her adoptive parents, Hans Peter Jacobsen, and his wife, Else Margrethe Stroee Jacobsen.

JUNE ROSE McHENRY

The bill (S. 3415) for the relief of June Rose McHenry was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, June Rose McHenry shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

LISELOTTA KUNZE

The bill (S. 3485) for the relief of Liselotta Kunze was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, in the administration of the Immigration and Nationality Act, Liselotta Kunze, the fiance of John D. Beighley, a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months, if the administrative authorities find (1) that the said Liselotta Kunze is coming to the United States with a bona fide intention of being married to the said John D. Beighley and (2) that she is otherwise admissible under the Immigration and Nationality Act. In the event the marriage between the above-named persons does not occur within 3 months after the entry of the said Liselotta Kunze, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Liselotta Kunze, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Liselotta Kunze as of the date of the payment by her of the required visa fee.

MRS. HILDEGARD SIMON WALLEY

The bill (S. 3586) for the relief of Mrs. Hildegard Simon Walley was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, notwithstanding the provisions of section 212 (a) (9) and (12) of the Immigration and Nationality Act, Mrs. Hildegard Simon Walley may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice have knowledge prior to the enactment of this act.

ELEONORE SCHMUCKER AND HER CHILD

The bill (S. 3598) for the relief of Eleonore Schmucker and her child was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, notwithstanding the provisions of section 212 (a) (9) of the Immigration and Nationality Act, in the administration of such act, Eleonore Schmucker, the fiance of Corp. Jay E. Woolf, a citizen of the United States, and her child shall be eligible for visas as nonimmigrant temporary visitors for a period of 3 months, if the administrative authorities find (1) that the said Eleonore Schmucker is coming to the United States with a bona fide intention of being married to the said Corp. Jay E. Woolf and (2) that she and her child are otherwise admissible under the Immigration and Nationality Act. In the event the marriage between the above-named persons does not occur within 3 months after the entry of the said Eleonore Schmucker, she and her child shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provi-

sions of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Eleonore Schmucker, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Eleonore Schmucker and her child as of the date of the payment by her of the required visa fees.

GEORGE D. KYMINAS

The bill (H. R. 669) for the relief of George D. Kyminas was considered, ordered to a third reading, read the third time, and passed.

ISRAEL RATSPRECHER AND MARYSE RATSPRECHER

The bill (H. R. 787) for the relief of Israel Ratsprecher and Maryse Ratsprecher was considered, ordered to a third reading, read the third time, and passed.

CHRISTAKIS MODINOS

The bill (H. R. 803) for the relief of Christakis Modinos was considered, ordered to a third reading, read the third time, and passed.

ENRICHETTA F. C. MEDA-NOVARA

The bill (H. R. 804) for the relief of Enrichetta F. C. Meda-Novara was considered, ordered to a third reading, read the third time, and passed.

CIRIACO CATINO

The bill (H. R. 868) for the relief of Ciriaco Catino was considered, ordered to a third reading, read the third time, and passed.

FRANCISZEK WOLCZEK

The bill (H. R. 905) for the relief of Franciszek Wolczek was considered, ordered to a third reading, read the third time, and passed.

PANOULA PANAGOPOULOS

The bill (H. R. 950) for the relief of Panoula Panagopoulos was considered, ordered to a third reading, read the third time, and passed.

MRS. AIMEE DUTOUR ROVZAR

The bill (H. R. 977) for the relief of Mrs. Aimee Dutour Rovzar was considered, ordered to a third reading, read the third time, and passed.

MRS. WAI-JAN LOW FONG

The bill (H. R. 1171) for the relief of Mrs. Wai-Jan Low Fong was considered, ordered to a third reading, read the third time, and passed.

GEORGINA CHINN

The bill (H. R. 1324) for the relief of Georgina Chinn was considered, ordered to a third reading, read the third time, and passed.

ILONA ELIZABETH CARRIER

The bill (H. R. 1463) for the relief of Ilona Elizabeth Carrier was considered, ordered to a third reading, read the third time, and passed.

ARTHUR NEUSTADT AND MRS. EMMA NEUSTADT

The bill (H. R. 1646) for the relief of Arthur Neustadt and Mrs. Emma Neustadt was considered, ordered to a third reading, read the third time, and passed.

MRS. KATHARINA BATKE

The bill (H. R. 1697) for the relief of Mrs. Katharina Batke was considered, ordered to a third reading, read the third time, and passed.

MRS. BETTY E. LaMAY

The bill (H. R. 1897) for the relief of Mrs. Betty E. LaMay was considered, ordered to a third reading, read the third time, and passed.

IVO MARKULIN

The bill (H. R. 2051) for the relief of Ivo Markulin was considered, ordered to a third reading, read the third time, and passed.

JOSEPH VEICH, ALSO KNOWN AS GUISEPPE VEIC

The bill (H. R. 2359) for the relief of Joseph Veich, also known as Guiseppe Veic was considered, ordered to a third reading, read the third time, and passed.

OLGA ABITIA

The bill (H. R. 2635) for the relief of Olga Abitia was considered, ordered to a third reading, read the third time, and passed.

SISTER LINDA SALERNO AND OTHERS

The bill (H. R. 2654) for the relief of Sisters Linda Salerno, Luigiana C. Cairo, Antonietta Impieri, Anna Impieri, Rosina Scarlato, Iolanda Gaglianone, Marie Assunta Scaramuzzo, Franceschina Cauterucci, and Filomena Lupinacci was considered, ordered to a third reading, read the third time, and passed.

MIYOKO NAGARE

The bill (H. R. 2793) for the relief of Miyoko Nagare was considered, ordered to a third reading, read the third time, and passed.

JUAN ONATIVIA

The bill (H. R. 2879) to stay deportation proceedings on Juan Onativia was considered, ordered to a third reading, read the third time, and passed.

DIMITRA MAKHAVITZKI

The bill (H. R. 3116) for the relief of Dimitra Makhavitzki was considered, ordered to a third reading, read the third time, and passed.

ALEXANDER HAHN AND SUZANNE HAHN

The bill (H. R. 3125) for the relief of Alexander Hahn and Suzanne Hahn was considered, ordered to a third reading, read the third time, and passed.

CARMEN SALVADOR AND HER DAUGHTER, RUBY SALVADOR

The bill (H. R. 3344) for the relief of Carmen Salvador and her daughter, Ruby Salvador, was considered, ordered to a third reading, read the third time, and passed.

TOKI YAEKO

The bill (H. R. 3444) for the relief of Toki Yaeko was considered, ordered to a third reading, read the third time, and passed.

NICOLETTA DI DONATO

The bill (H. R. 3616) for the relief of Nicoletta Di Donato was considered, ordered to a third reading, read the third time, and passed.

SISTER PAOLINA (ANGELA DI FRANCO)

The bill (H. R. 3677) for the relief of Sister Paolina (Angela Di Franco) was considered, ordered to a third reading, read the third time, and passed.

BABETTE MUELLER ESPOSITO

The bill (H. R. 3759) for the relief of Babette Mueller Esposito was considered, ordered to a third reading, read the third time, and passed.

SISTER AGRIPPINA AND OTHERS

The bill (H. R. 3855) for the relief of Sister Agrippina (Agrippina Palermo), Sister Battistina (Franceschina Serpa), Sister Romana (Angela Iolanda Morelli), Sister Franceschina (Maria Caruso), and Sister Bruna (Giuseppina De Caro) was considered, ordered to a third reading, read the third time, and passed.

MIRA TELLINI NAPOLEONE

The bill (H. R. 4092) for the relief of Mira Tellini Napoleone was considered, ordered to a third reading, read the third time, and passed.

JUNE ANN SAKURAI

The bill (H. R. 4371) for the relief of June Ann Sakurai was considered, ordered to a third reading, read the third time, and passed.

KAORU YOSHIOKA

The bill (H. R. 4740) for the relief of Kaoru Yoshioka was considered, ordered to a third reading, read the third time, and passed.

MUHITTIN SCHUER

The bill (H. R. 4959) for the relief of Muhittin Schuer was considered, ordered to a third reading, read the third time, and passed.

PAUL FRKOVICH

The bill (H. R. 4998) for the relief of Paul Frkovich was considered, ordered to a third reading, read the third time, and passed.

CARMEN D'OTTAVIO

The bill (H. R. 5072) for the relief of Carmen D'Ottavio, also known as Cameron D'Ottavio, was considered, ordered to a third reading, read the third time, and passed.

SOPHIA NASSOPOULOS

The bill (H. R. 5077) for the relief of Sophia Nassopoulos was considered, ordered to a third reading, read the third time, and passed.

EVA LOWINGER

The bill (H. R. 5443) for the relief of Eva Lowinger was considered, ordered to a third reading, read the third time, and passed.

EDELTRAUD KAMBERG DOUGLASS

The bill (H. R. 5639) for the relief of Edeltraud Kamberg Douglass was considered, ordered to a third reading, read the third time, and passed.

EVANTHIA DEMETRIOS MAKROZONARI

The bill (H. R. 5822) for the relief of Evanthia Demetrios Makrozonari was considered, ordered to a third reading, read the third time, and passed.

ALBERTO UGO LANDRY

The bill (H. R. 5944) for the relief of Alberto Ugo Landry was considered, ordered to a third reading, read the third time, and passed.

BARBARA PATOR ALLEN

The bill (H. R. 6414) for the relief of Barbara Pator Allen was considered, ordered to a third reading, read the third time, and passed.

MARGERS NULLE-SIECENIEKS

The bill (H. R. 6955) for the relief of Margers Nulle-Siecenieks was considered, ordered to a third reading, read the third time, and passed.

GENE C. SZUTU AND FLORENCE C. SZUTU

The bill (H. R. 6987) for the relief of Gene C. Szutu and Florence C. Szutu was considered, ordered to a third reading, read the third time, and passed.

ROSA MARIE ADELHEID HEROK

The bill (H. R. 7138) for the relief of Rosa Marie Adelheid Herok was considered, ordered to a third reading, read the third time, and passed.

ERIKA JETTE LAVERY

The bill (H. R. 7451) for the relief of Erika Jette Lavery was considered, ordered to a third reading, read the third time, and passed.

ELIZABETH FORSTER AUSTIN

The bill (H. R. 7494) for the relief of Elizabeth Forster Austin was considered, ordered to a third reading, read the third time, and passed.

ANGELE MARIE BOYER

The bill (H. R. 7584) for the relief of Angele Marie Boyer (nee Pieniazeck) was considered, ordered to a third reading, read the third time, and passed.

THERESIA PROBST UHL

The bill (H. R. 7593) for the relief of Theresia Probst Uhl was considered, ordered to a third reading, read the third time, and passed.

MICHAEL HENRY LaFLEUR

The bill (H. R. 7606) for the relief of Michael Henry LaFleur was considered, ordered to a third reading, read the third time, and passed.

ENRICO INTRAVAIA

The bill (H. R. 7612) for the relief of Enrico Intravaia was considered, ordered to a third reading, read the third time, and passed.

MRS. ADRIANA M. TRUYERS ARETZ

The bill (H. R. 7628) for the relief of Mrs. Adriana M. Truyers Aretz was considered, ordered to a third reading, read the third time, and passed.

MRS. RUTH GRUSCHKA KRUG

The bill (H. R. 7629) for the relief of Mrs. Ruth Gruschka Krug was considered, ordered to a third reading, read the third time, and passed.

MARTTI IIMARI TIMONEN AND OTHERS

The bill (H. R. 7635) for the relief of Martti Iimari Timonen, Maj-Lis Timonen, and Marja Timonen was considered, ordered to a third reading, read the third time, and passed.

HEINZ GERHARD ROLAPPE

The bill (H. R. 7807) for the relief of Heinz Gerhard Rolappe was considered, ordered to a third reading, read the third time, and passed.

GIUSEPPI CLEMENTI

The bill (H. R. 7924) for the relief of Giuseppi Clementi was considered, ordered to a third reading, read the third time, and passed.

MRS. DINA MIANULLI

The bill (H. R. 7925) for the relief of Mrs. Dina Mianulli (nee Kratzer) was considered, ordered to a third reading, read the third time, and passed.

BART BLAAK

The bill (H. R. 7945) for the relief of Bart Blaak (formerly Johannes J. M. Gijbers) was considered, ordered to a third reading, read the third time, and passed.

PALMINA SMARRELLI

The bill (H. R. 8146) for the relief of Palmina Smarrelli (nee Lattanzio) was considered, ordered to a third reading, read the third time, and passed.

HELMUT CERMAK AND HANA CERMAK

The bill (H. R. 8334) for the relief of Helmut Cermak and Hana Cermak was considered, ordered to a third reading, read the third time, and passed.

PIETRO MEDURI

The Senate proceeded to consider the bill (S. 831) for the relief of Pietro Meduri, which had been reported from the Committee on the Judiciary with an amendment, in line 7, after the word "fee", to strike out "and head tax", so as to make the bill read:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Pietro Meduri shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

TOKUKO KOBAYASHI AND HER MINOR SON

The Senate proceeded to consider the bill (S. 883) for the relief of Tokuko Kobayashi and her minor son, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That, in the administration of the Immigration and Nationality Act, Tokuko Kobayashi, the fiancée of Ernest Carl Fehlhaber, a citizen of the United States, and her minor son, shall be eligible for visas as nonimmigrant temporary visitors for a period of 3 months: *Provided*, That the administrative authorities find that the said Tokuko Kobayashi is coming to the United States with a bona fide intention of being married to the said Ernest Carl Fehlhaber and that she is found otherwise admissible under the provisions of the Immigration and Nationality

Act other than the provision of section 212 (a) (9) of that act: *Provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act. In the event that the marriage between the above-named persons does not occur within 3 months after the entry of the said Tokuko Kobayashi, she and her minor son shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Tokuko Kobayashi and her minor son, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Tokuko Kobayashi and her minor son as of the date of the payment by her of the required visa fees.

Mr. McCARRAN. Mr. President, on August 2, 1954, Calendar No. 2179, S. 883, was reported to the Senate from the Committee on the Judiciary.

Since that time, the House has passed H. R. 2901, similar bill, which was referred to the Committee on the Judiciary.

I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of H. R. 2901, and that it be considered in lieu of S. 883.

The PRESIDING OFFICER. Without objection, the Committee on the Judiciary is discharged from the further consideration of House bill 2901.

Is there objection to the consideration of the bill (H. R. 2901)?

There being no objection, the bill (H. R. 2901) for the relief of Tokuko Kobayashi and her minor son was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 883 is indefinitely postponed.

MARGOT HERTA MATULEWITZ

The Senate proceeded to consider the bill (S. 1604) for the relief of Margot Herta Matulewitz, which had been reported from the Committee on the Judiciary with an amendment, in line 7, after the word "act," to insert a colon and "*Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of section 212 (a) (9) of the Immigration and Nationality Act, Margot Herta Matulewitz may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AZZAM ISSAC RAFIDI

The Senate proceeded to consider the bill (S. 1838) for the relief of Azzam Issac Rafidi, which had been reported from the Committee on the Judiciary with an amendment, in line 7, after word "fee," to strike out "and head tax. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.", so as to make the bill read:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, the alien Azzam Issac Rafidi shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of enactment of this act, upon payment of the required visa fee.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

OLIVIA MARY ORCIUCH

The Senate proceeded to consider the bill (S. 1890) for the relief of Olivia Mary Orciuch, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Olivia Mary Orciuch shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

VASILIOS DEMETRIOU KRETSOS AND HIS WIFE

The Senate proceeded to consider the bill (S. 2216) for the relief of Vasilios Demetriou Kretsos and his wife Chryssa Thomaidou Kretsos, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Vasilios Demetriou Kretsos and his wife Chryssa Thomaidou Kretsos shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

STANISLAVAS RACINSKAS

The Senate proceeded to consider the bill (S. 2633) for the relief of Stanislavas Racinskas (Stacys Racinskas), which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That, in the administration of the Immigration and Nationality laws, the Attorney General is authorized and directed to discontinue any deportation proceedings and to cancel any outstanding order and warrant of deportation, warrant of arrest, and bond, which may have been issued in the case of Stanislavas Racinskas (Stacys Racinskas). From and after the date of enactment of this act, the said Stanislavas Racinskas (Stacys Racinskas) shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and order have issued.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ARTURO RODRIGUEZ DIAZ

The Senate proceeded to consider the bill (S. 2636) for the relief of Arturo Rodriguez Diaz, which had been reported from the Committee on the Judiciary with an amendment, in line 7, after the word "act", to insert a colon and "*Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of section 212 (a) (19) of the Immigration and Nationality Act, Arturo Rodriguez Diaz may be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of such act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LISELOTTE WARMBRAND

The Senate proceeded to consider the bill (S. 2678) for the relief of Liselotte Warmbrand, which had been reported from the Committee on the Judiciary with an amendment, in line 7, after the word "act", to insert a colon and "*Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of section 212 (a) (9) of the Immigration and Nationality Act, Liselotte Warmbrand may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AHTI JOHANNES RUUSKANEN

The Senate proceeded to consider the bill (S. 2679) for the relief of Ahti Johannes Ruuskanen, which had been reported from the Committee on the Judiciary with an amendment, in line 7, after the word "fee", to strike cut "and head tax", so as to make the bill read:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Ahti Johannes Ruuskanen shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FRANCOISE O. McMAHON

The Senate proceeded to consider the bill (S. 2695) for the relief of Francoise O. McMahon, which had been reported from the Committee on the Judiciary with an amendment, on page 1, line 7, after the word "act", to insert a colon and "*Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of section 212 (a) (9) of the Immigration and Nationality Act, Francoise O. McMahon may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JEAN CANTALINI

The Senate proceeded to consider the bill (S. 2731) for the relief of Jean Cantalini, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Jean Cantalini shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LYDIA TISCHLER

The Senate proceeded to consider the bill (S. 2768) for the relief of Lydia Tischler, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That, in the administration of the Immigration and Nationality Act, Lydia Tischler, the fiance of Theodore Schmidt, a legal resident alien of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months: *Provided*, That the administrative authorities find that the said Lydia Tischler is coming to the United States with a bona fide intention of being married to the said Theodore Schmidt and that she is found otherwise admissible under the provisions of the Immigration and Nationality Act other than the provision of section 212 (a) (9) of that act: *Provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act. In the event that the marriage between the above-named persons does not occur within 3 months after the entry of the said Lydia Tischler, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Lydia Tischler, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Lydia Tischler as of the date of the payment by her of the required visa fee.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PHILOPIMIN MICHALACOPOULOS

The Senate proceeded to consider the bill (S. 2877) for the relief of Philopimin Michalacopoulos (Mihalakopoulos), which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Philopimin Michalacopoulos (Mihalakopoulos) shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ELISA PALUMBO CASTALDO

The Senate proceeded to consider the bill (S. 2936) for the relief of Elisa Palumbo Castaldo, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That, notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Elisa Palumbo Castaldo may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

KIM KWANG SUK AND KIM WOO SHIK

The Senate proceeded to consider the bill (S. 2941) for the relief of Kim Kwang Suk and Kim Woo Shik, which had been reported from the Committee on the Judiciary with an amendment, at the beginning of line 7, to strike out "Mr. and Mrs. Kenneth N. Roberts, citizens of the United States" and insert "Mr. Kenneth N. Roberts, a citizen of the United States, and his wife", so as to make the bill read:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor children, Kim Kwang Suk and Kim Woo Shik, shall be held and considered to be the natural-born alien children of Mr. Kenneth N. Roberts, a citizen of the United States, and his wife.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EULALIO RODRIGUEZ VARGAS

The bill (S. 2945) for the relief of Eulalio Rodriguez Vargas was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, notwithstanding the provision of section 212 (a) (19) of the Immigration and Nationality Act, Eulalio Rodriguez Vargas may be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisons of that act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice have knowledge prior to the enactment of this act.

RUTH WEHRHAN

The Senate proceeded to consider the bill (S. 2993) for the relief of Ruth Wehrhan, which had been reported from the Committee on the Judiciary with an amendment, on page 1, line 8, after the word "act", to insert a colon and "*Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act: *And provided further*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act", so as to make the bill read:

Be it enacted, etc., That notwithstanding the provisions of section 212 (a) (6) of the Immigration and Nationality Act, upon application hereafter filed, an immigration visa may be issued, and admission for permanent residence granted, to Ruth Wehrhan if she is otherwise admissible under the Immigration and Nationality Act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

prior to the enactment of this act: *And provided further*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARGARET ISABEL BYERS

The Senate proceeded to consider the bill (S. 3045) for the relief of Margaret Isabel Byers, which had been reported from the Committee on the Judiciary with an amendment, in line 7, after the word "fee", to strike out "and head tax. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available", so as to make the bill read:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Margaret Isabel Byers, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

NEJIBE EL-SOUSSE SLYMAN

The Senate proceeded to consider the bill (S. 3046) for the relief of Nejibe El-Sousse Slyman, which had been reported from the Committee on the Judiciary with an amendment, in line 7, after the word "fee," to strike out "and head tax," so as to make the bill read:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Nejibe El-Sousse Slyman shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LUZIA COX

The Senate proceeded to consider the bill (S. 3047) for the relief of Luzia Cox, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That, notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Luzia Cox may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

S. SGT. SILVESTRE E. CASTILLO

The Senate proceeded to consider the bill (S. 3056) for the relief of S. Sgt. Silvestre E. Castillo, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, S. Sgt. Silvestre E. Castillo shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ELSA LEDERER

The Senate proceeded to consider the bill (S. 3084) for the relief of Elsa Lederer, which had been reported from the Committee on the Judiciary with an amendment, in line 7, after the word "act", to insert a colon and *"Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of section 212 (a) (9) of the Immigration and Nationality Act, Elsa Lederer may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CIRINO LANZAFAME

The Senate proceeded to consider the bill (S. 3273) for the relief of Cirino Lanzafame, which had been reported from the Committee on the Judiciary with an amendment, in line 7, after the word "act" to insert a colon and *"Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of section 212 (a) (9) of the Immigration and Nationality Act, Cirino Lanzafame may be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of such act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ANNA C. GIESE

The Senate proceeded to consider the bill (S. 3392) for the relief of Anna C. Giese which had been reported from the Committee on the Judiciary with an amendment, on page 1, line 7, after the word "fee", to strike out the period and "Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available" and insert a colon and "*Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act", so as to make the bill read:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Anna C. Giese shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MRS. LISA LEAR

The Senate proceeded to consider the bill (S. 3569) for the relief of Mrs. Lisa Lear, which had been reported from the Committee on the Judiciary with an amendment, in line 7, after the word "act", to insert a colon and *"Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of section 212 (a) (9) of the Immigration and Nationality Act, Mrs. Lisa Lear may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MILOS KNEZEVICH

The Senate proceeded to consider the bill (S. 3577) for the relief of Milos

Knezevich was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Milos Knezevich shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

FRANCIS TIMOTHY MARY HODGSON

The Senate proceeded to consider the bill (S. 3652) for the relief of Francis Timothy Mary Hodgson (formerly Victor Charles Joyce), which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Francis Timothy Mary Hodgson (formerly Victor Charles Joyce), shall be held and considered to be the natural-born alien child of Mr. and Mrs. John G. Hodgson, citizens of the United States.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HELGA SCHART COULSON

The Senate proceeded to consider the bill (S. 3688) for the relief of Helga Schart Coulson, which had been reported from the Committee on the Judiciary with an amendment, in line 7, after the word "Act", to insert a colon and "*Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of section 212 (a) (9) of the Immigration and Nationality Act, Helga Schart Coulson may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GISELA NAGEL

The Senate proceeded to consider the bill (S. 3689) for the relief of Gisela Nagel (nee Maireder), which had been reported from the Committee on the Judiciary with an amendment, in line 7, after the word "act" to insert a colon and "*Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of section 212 (a) (9) of the Immigration and Nationality Act, Gisela Nagel (nee Maireder) may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GRANTING OF STATUS OF PERMANENT RESIDENCE TO CERTAIN ALIENS

The Senate proceeded to consider the concurrent resolution (H. Con. Res. 227) favoring the granting of the status of permanent residence to certain aliens (for text of above concurrent resolution see pp. 8313 to 8315 of the CONGRESSIONAL RECORD of June 16, 1954), which had been reported from the Committee on the Judiciary with amendments, on page 29, after line 4, to insert:

A-6682832, Abraham, Joseph Heskel.

After line 5, to insert:

A-7187216, Rosenberger, Menasche.

After line 6, to insert:

A-7182351, Fulop, Bertha.

The amendments were agreed to.

The concurrent resolution, as amended, was agreed to.

RELIEF OF CERTAIN PALESTINIAN ARAB REFUGEES

The Senate proceeded to consider the bill (S. 1338) for the relief of certain Palestinian Arab refugees, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Nabiha Elias Audi shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Nabiha Elias Audi."

JAMES ARTHUR CIMINO

The Senate proceeded to consider the bill (S. 1605) for the relief of James Arthur Cimino, which had been reported from the Committee on the Judiciary with amendments, at the beginning of line 5, to strike out "child" and insert "children"; in the same line, after the name "Arthur", to strike out "Cimino," and insert "Cimino and Joan Cimino"; and at the beginning of line 7, to strike out "child" and insert "children", so as to make the bill read:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor children, James Arthur Cimino and Joan Cimino shall be held and considered to be the natural-born alien children of James N. Cimino and Barbara Scribner Cimino, citizens of the United States.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of James Arthur Cimino and Joan Cimino."

EUGENIA GAFOS AND ADAMANTIOS GEORGE GAFOS

The Senate proceeded to consider the bill (S. 1720) for the relief of Eugenia Gafos and Adamantios George Gafos, which had been reported from the Committee on the Judiciary with an amendment, on page 1, line 4, after the word "act", to insert "Capt. George Gafos", so as to make the bill read:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Capt. George Gafos, Eugenia Gafos, and Adamantios George Gafos shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Capt. George Gafos, Eugenia Gafos, and Adamantios George Gafos."

HELEN HILDA CORAL NEWBERY AND OTHERS

The Senate proceeded to consider the bill (S. 2879) for the relief of Helen Hilda Coral Newbery, Peter Julian Newbery, and Prudence Ellen Newbery, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That, for the purposes of section 203 (a) (1) (B) of the Immigration and Nationality Act, Peter Julian Newbery and Prudence Ellen Newbery shall be held and considered to be the natural-born children of Charles Bruce Newbery and regarded as having accompanied him at the time of his admission for permanent residence under section 203 (a) (1) of the said act: *Provided*, That they obtain appropriate immigrant visas and apply for admission into the United States

within 6 months following the date of the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Peter Julian Newbery and Prudence Ellen Newbery."

EDWARD H. HON

The Senate proceeded to consider the bill (S. 2994) for the relief of Edward H. Hon, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Mr. and Mrs. Edward H. Hon shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Mr. and Mrs. Edward H. Hon.

MALVINA DAVID (NEE GABRIEL)

The Senate proceeded to consider the bill (S. 3024) for the relief of Malvina David (nee Gabriel), which had been reported from the Committee on the Judiciary with an amendment, in line 4, after the word "act", to strike out "Malvina David (nee Gabriel)" and insert "Malbina Rouphael David, nee Gebrael", so as to make the bill read:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Malbina Rouphael David, nee Gebrael, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Malbina Rouphael David, nee Gebrael."

ROSITA A. JOCSAN

The Senate proceeded to consider the bill (S. 3054) for the relief of Rosita A. Jocsan, which had been reported from the Committee on the Judiciary with an amendment, in line 4, after the name "Rosita A.", to strike out "Jocsan" and insert "Jocson", so as to make the bill read:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Rosita A. Jocson shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Rosita A. Jocson."

CLEOPHAT ROBERT JOSEPH CARON

The Senate proceeded to consider the bill (S. 3276) for the relief of Cleophat Robert Joseph Caron, which had been reported from the Committee on the Judiciary with amendments, at the beginning of line 4, to strike out "(9) and 212 (a) (17)" and insert "(9) (17), and (19)"; and in line 8, after the word "act", to insert a colon and *"Provided*, That this exemption shall apply only to grounds for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of sections 212 (a) (9), (17), and (19) of the Immigration and Nationality Act, Cleophat Robert Joseph Caron may be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of such act: *Provided*, That this exemption shall apply only to grounds for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ROGER FEGHALI

The Senate proceeded to consider the bill (S. 3352) for the relief of Joseph Feghali and Roger Feghali, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Roger Feghali, shall be held and considered to be the natural-born alien child of Max J. McSoud, a citizen of the United States. The said Roger Feghali, for the purposes of this act, shall be deemed to be a child under 10 years of age.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. McCARRAN. Mr. President, on August 2, 1954, Calendar No. 2217, S. 3352, was reported to the Senate from the Committee on the Judiciary.

Since that time, the House has passed H. R. 7987, similar bill, which was referred to the Committee on the Judiciary.

I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of H. R. 7987, and that it be considered in lieu of S. 3352, and that the Senate bill be indefinitely postponed.

The PRESIDING OFFICER. Without objection, the Committee on the Judiciary is discharged from the further consideration of House bill 7987.

Is there objection to the present consideration of the House bill?

There being no objection, the bill (H. R. 7987) for the relief of Roger Feghali was considered, ordered to a third reading, read the third time, and passed.

DR. MARCIANO GUTIERREZ AND OTHERS

The Senate proceeded to consider the bill (H. R. 7045) for the relief of Dr. Marciano Gutierrez, Dr. Amparo G. Joaquin Gutierrez, and their children, Rosenda, Rebecca, Raymundo, and Marciano, and Mrs. Brigida de Gutierrez, which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 6, after the name "Rebecca", to insert "and"; in the same line, after the name "Raymundo", to strike out "and Marciano,"; and on page 2, line 3, after the word "deduct", to strike out "seven" and insert "six."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act for the relief of Dr. Marciano Gutierrez, Dr. Amparo G. Joaquin Gutierrez, and their children, Rosenda, Rebecca, and Raymundo, and Mrs. Brigida de Gutierrez."

AMENDMENT OF STRATEGIC AND CRITICAL MATERIALS STOCKPILING ACT

The bill (S. 3585) to amend the Strategic and Critical Materials Stockpiling Act (60 Stat. 596), relating to the acquisition of stocks of strategic and critical materials for national defense purposes was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. McCARRAN. Mr. President, this bill as introduced was very broad in its possible application. The committee has proposed amending the bill so as to narrow it down to a particular purpose, namely, to authorize the disposition of certain gem diamonds now in the stockpile and acquisition by the stockpile, in turn, of a like value of industrial diamonds which do constitute a strategic material. If the committee amendment is adopted, this bill is unobjectionable.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary with amendments, on page 1, line 4, after "(60 Stat. 597)", to strike out "be amended to read as follows:"

and insert "is hereby amended by inserting immediately preceding the semicolon at the end thereof a colon and the following proviso: *"Provided*, That any gem diamonds constituting a part of the stockpile may be exchanged for industrial diamonds of a like value".", and after line 8, to strike out:

(c) provide through normal commercial channels for the refining, processing, or other beneficiation of any materials acquired or transferred under this act when the Director of the Office of Defense Mobilization deems such action necessary to convert such materials into a form best suitable for stockpiling: *Provided*, That such conversion may also be accomplished by the exchange or sale of any such materials and the application of the exchange allowance or proceeds of sale in such cases in whole or in part payment for the acquisition of similar material in the form desired: *Provided further*, That no such exchange shall result in the reduction of the quantity of any such material in the stockpiles, except to the extent of any excess above the authorized stockpile objective for such material.

So as to make the bill read:

Be it enacted, etc., That subsection (c) of section 3 of the act of July 23, 1946 (60 Stat. 597), is hereby amended by inserting immediately preceding the semicolon at the end thereof a colon and the following proviso: *"Provided*, That any gem diamonds constituting a part of the stockpile may be exchanged for industrial diamonds of a like value."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to amend the Strategic and Critical Materials Stockpiling Act (60 Stat. 596)."

BILLS PASSED OVER

The bill (S. 521) to amend title 18, United States Code, regarding published articles and broadcasts by foreign agents was announced as next in order.

Mr. SMATHERS. Mr. President, by request, I ask that the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1708) to amend section 11 of the Administrative Procedure Act, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Mr. President, by request, I ask that the bill go over.

The PRESIDING OFFICER. The bill will go over.

SUSPENSION OF STATUTES OF LIMITATIONS APPLICABLE TO OFFENSES BY GOVERNMENT OFFICIALS AND EMPLOYEES

The bill (S. 19) to suspend the running of the statutes of limitations applicable to offenses involving performance of official duties by Government officers and employees during periods of Government service of the officer or employee concerned was announced as next in order.

Mr. SMATHERS. Mr. President, by request, I ask that the bill be passed over.

Mr. MORSE. Mr. President, will the Senator from Florida withhold his request?

Mr. SMATHERS. I withhold my request.

Mr. MORSE. I wish to make it very clear that I have withdrawn my objection to the bill. Heretofore the bill has been passed over on the basis of my objection. I think the committee report filed with the bill answers in a very satisfactory manner every objection I raised to the bill itself. I have no objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. SMATHERS. Mr. President, in the absence of the able Senator from Oregon, we had been filing some objections for him, and I had not been notified that he had withdrawn his objection. Therefore, I withdraw the objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 19) which had been reported from the Committee on the Judiciary with amendments, on page 1, line 6, to change the section number from "3291" to "3292"; and on page 2, line 14, after the word "there", to strike out "3291" and insert "3292", so as to make the bill read:

Be it enacted, etc., That chapter 213 of title 18 of the United States Code is amended by adding at the end thereof a new section as follows:

"SEC. 3292. Suspension of limitations in offenses involving performance of official duties by Government employees.

"The running of any statute of limitations applicable to any offense committed by any person (other than an offense involving an assault or inflicting of bodily injury), an essential element of which is (1) an act, or failure to act by a Member of the Congress or by an officer or employee of the United States or any agency thereof in the performance of his official duties or (2) an attempt or offer to procure an act, or failure to act by a Member of the Congress or by an officer or employee of the United States or any agency thereof in the performance of his official duties, shall be suspended during any period during which the Member of the Congress or the officer or employee concerned is in the service of the United States or any agency thereof."

SEC. 2. The analysis of chapter 213 of such title is amended by adding at the end thereof "3292. Suspension of limitations in offenses involving performance of official duties by Government employees."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 7130) to amend the Immigration and Nationality Act to provide for the loss of nationality of persons convicted of certain crimes was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The bill will be passed over.

BILL PASSED TO FOOT OF CALENDAR

The bill (S. 3726) granting the consent of Congress to certain New England States to enter into a compact relating to higher education in the New England States and establishing the New England Board of Higher Education was announced as next in order.

The PRESIDING OFFICER. The Chair will state that there is a companion bill on the calendar, Calendar No. 2232, House bill 9712, with the same title.

Is there objection to the present consideration of the bill?

Mr. SMATHERS. Mr. President, I ask that the bill go over.

Mr. SALTONSTALL. Mr. President, will the Senator from Florida withhold his request?

Mr. SMATHERS. Mr. President, I ask that the bill be passed to the foot of the calendar.

The PRESIDING OFFICER. Without objection, the bill will be passed to the foot of the calendar.

ASSISTANCE FOR SCHOOL CONSTRUCTION

The Senate proceeded to consider the bill (S. 3628) to amend Public Law 815, 81st Congress, in order to provide a permanent program of assistance for school construction under the provisions of such law, which had been reported from the Committee on Labor and Public Welfare with an amendment, to strike out all after the enacting clause and insert:

That the last sentence of section 301 of the act of September 23, 1950 (Public Law 815, 81st Cong.), as amended, is amended to read as follows: "There are hereby authorized to be appropriated for the fiscal year ending June 30, 1954, and for the 4 succeeding fiscal years, such sums as the Congress may determine to be necessary for such purpose."

SEC. 2. The first sentence of section 303 of such act is amended by striking out "1954" and inserting in lieu thereof "1957."

SEC. 3. The first sentence of section 304 of such act is amended by striking out "the regular school year 1953–54" and inserting in lieu thereof "the current school year."

SEC. 4. Section 305 (a) of such act is amended by striking out "the regular school year 1953–54" and inserting in lieu thereof "the current school year."

SEC. 5. Section 305 (d) of such act is amended (1) by striking out "the regular school year 1953–54" and inserting in lieu thereof "the current school year" and (2) by striking out "the school years 1951–52 and 1953–54" and inserting in lieu thereof "the school year 1951–52 and the current school year."

SEC. 6. Section 305 of such act is further amended by inserting at the end thereof the following new subsection:

"(f) The determination of any increase in children for the purpose of any application under the provisions of this act shall be made without regard to any increase in chil-

dren for which payment has been or will be made on the basis of a previous application under the provisions of this act."

SEC. 7. The first sentence of section 310 of such act is amended by inserting after "June 30, 1954" the following: ", June 30, 1955, June 30, 1956, or June 30, 1957."

SEC. 8. Title III of such act is amended by adding at the end thereof the following new section:

"SEC. 312. For the purposes of this title, the term 'current school year' means (1) with respect to an application filed before July 1, 1954, the regular school year 1953–54; (2) with respect to an application filed after June 30, 1954, and before July 1, 1955, the regular school year 1954–55; (3) with respect to an application filed after June 30, 1955, and before July 1, 1956, the regular school year 1955–56; and (4) with respect to an application filed after June 30, 1956, the regular school year 1956–57."

SEC. 9. Section 209 (e) of such act is amended by striking out "June 30, 1955" and inserting in lieu thereof "June 30, 1958."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to amend Public Law 815, 81st Congress, in order to extend for 3 additional years the program of assistance for school construction under title III of that act."

ELIMINATION OF 3 PERCENT "ABSORPTION" REQUIREMENT

The bill (S. 3629) to amend Public Law 874, 81st Congress, so as to eliminate the 3 percent "absorption" requirement was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. KENNEDY. Mr. President, reserving the right to object, I should like to ask the Senator from New Hampshire if this is the last year in which it is expected that the 3 percent absorption requirement will be waived.

Mr. UPTON. Mr. President, I did not hear the Senator.

The PRESIDING OFFICER. The Chair understood the Senator from Massachusetts to inquire as to whether this is the last year the 3 percent requirement wil be waived.

Mr. UPTON. The present statute has 2 years to run. It is proposed to suspend the 3 percent absorption requirement for 1 year only.

Mr. KENNEDY. Is it the Senator's understanding that this is the last year the 3 percent absorption requirement will be eliminated?

Mr. UPTON. I had understood that, under a bill previously passed by the Senate, the entire field of education would be reviewed. Pending a national conference, I cannot tell what recommendation would come from the conference.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. COOPER. Mr. President, I may say to the distinguished Senator from Massachusetts, in conjunction with the remarks of the Senator from New Hampshire, that the Commissioner of Education said next year views would be presented to the Congress respecting the continuance of this type of legislation. The bill would suspend the 3 percent absorption clause only during the next year.

Mr. KENNEDY. I have no objection to the absorption requirement being suspended for the next year, but I think we should put the communities on notice that the requirement will not be suspended in the future.

Mr. COOPER. The bill does no more than suspend it for 1 year.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 3629) to amend Public Law 874, 81st Congress, so as to eliminate the 3 percent absorption requirement, which had been reported from the Committee on Labor and Public Welfare with an amendment, to strike out all after the enacting clause and insert:

That notwithstanding the provisions of section 3 (c) (1) of Public Law 874, 81st Congress, as amended, the amounts payable to a local educational agency for the fiscal year ending June 30, 1955, with respect to the number of children determined under subsection (a) or (b) of section 3 thereof shall be computed on the same basis as was used during the fiscal year ending June 30, 1954, under subsections (a), (b), (c), and (d) of section 3 of said law.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to postpone the effective date of the 3 percent 'absorption' requirement in Public Law 874, 81st Congress, for 1 year."

EXTENSION OF CERTAIN TIMBER RIGHTS—BILL PASSED TO FOOT OF CALENDAR

The bill (S. 3601) to provide that the Secretary of Agriculture is authorized to extend until not later than October 18, 1962, certain timber rights and the necessary ingress and egress, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. JOHNSTON of South Carolina. Mr. President, I should like to have an explanation of the bill.

The PRESIDING OFFICER. Does the Senator object to the present consideration of the bill?

Mr. JOHNSTON of South Carolina. I ask that the bill go to the foot of the calendar. I understand the Senator from New Mexico [Mr. ANDERSON] is not present.

The PRESIDING OFFICER. The bill will be passed to the foot of the calendar.

PREPARATION OF PLANS FOR A MUSEUM BUILDING FOR THE SMITHSONIAN INSTITUTION

The bill (S. 3622) to provide for the preparation of plans and specifications for a museum building for the Smithsonian Institution was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Mr. President, reserving the right to object, I know the bill is directed to a very worthy cause, but it would authorize an appropriation of more than $1 million for plans alone. I think the Senate should have an explanation of the bill.

The PRESIDING OFFICER. An explanation is requested.

Mr. MARTIN. Mr. President, the Senator from South Dakota [Mr. CASE] does not seem to be in the Chamber at this time.

Let me say that the purpose of the bill is to authorize and direct the Regents of the Smithsonian Institution to have drawings and specifications prepared, under the supervision of the Administrator of the General Services Administration, of a building and all necessary appurtenances, for use by the Smithsonian Institution as a museum.

The location of the building would be aproved by the National Capital Planning Commission, and the design approved by the Commission of Fine Arts. The bill further authorizes an appropriation of $990,000 to the Smithsonian Institution for carrying out the work, the Regents to make an estimate of the cost of the building and report its findings to the Congress.

The bill has been amended to eliminate a specific location for the proposed building in order to permit a wider scope in planning to take advantage of various engineering, technical, and esthetic features, and to properly blend such building with present and proposed developments in the area.

The buildings will probably cost in the neighborhood of $30 million. The committee did not think that $990,000 was an exorbitant sum to spend for the making of a complete study. There has been no expansion of the Smithsonian Institution buildings for many years, and the number of fine exhibits has been increasing each year. One of the first things that children who visit the Capital wish to do is to see the Smithsonian Institution.

So the committee unanimously believed the study should be made, and felt that $990,000 is not exorbitant when we consider the amount the buildings eventually will cost.

Mr. HENDRICKSON. Mr. President, in view of the explanation given by the Senator from Pennsylvania and in view of the fact that the committee was unanimous in reporting the bill, I would not wish to pit my judgment against the good judgment of our eminent committee, on a subject matter of this character.

Therefore, I shall not object; but I wish the RECORD to show that whereas I have stated that the cost of the plans would be $1 million, the actual cost is to be $990,000.

Mr. MARTIN. Yes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bills (S. 3622) which had been reported from the Committee on Public Works with amendments on page 1, line 9, after the word "Institution", to strike out the comma and "to be located on that part of reservation 3 which is bounded by 12th Street NW. on the east, 14th Street NW. on the west, Constitution Avenue on the north, and Madison Drive on the south, title to which is in the United States"; on page 2, line 5, after the word "The" where it first occurs to strike out "exact", and in the same line, after the word "building" to strike out "on the site", so as to make the bill read:

Be it enacted, etc., That the Regents of the Smithsonian Institution are hereby authorized and directed to have prepared drawings and specifications, and to have done all work incidental thereto, for a building (including equipment, approaches, architectural landscape treatment of the grounds and connections with public utilities, and the Federal heating system) for the use of the Smithsonian Institution.

SEC. 2. The said Regents shall estimate the cost of said building and report its findings to the Congress.

SEC. 3. The location of the building shall be approved by the National Capital Planning Commission, and the design shall be approved by the Commission of Fine Arts.

SEC. 4. The preparation of said drawings and specifications and all work incidental thereto shall be under the supervision of the Administrator of the General Services Administration in accordance with provisions of the Public Buildings Act of May 25, 1926, as amended.

SEC. 5. There is hereby authorized to be appropriated to the Regents of the Smithsonian Institution out of any money in the Treasury not otherwise appropriated a sum not in excess of $990,000 to carry out the provisions of this act: *Provided*, That appropriations for this purpose, except such part as may be necessary for the incidental expenses of the Regents of the Smithsonian Institution in connection with this project, shall be transferred to the General Services Administration for the performance of the work.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (H. R. 9804) to authorize the appointment in a civilian position in the Department of Justice of Maj. Gen. Frank H. Partridge, United States Army, retired, and for other purposes, was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 3040) to provide financial assistance to the Oakdale and South Joaquin Irrigation Districts, California, in the construction of the Tri-Dam project, was announced as next in order.

Mr. MORSE. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

PER CAPITA PAYMENT TO MEMBERS OF THE RED LAKE BAND OF CHIPPEWA INDIANS

The bill (H. R. 3419) to authorize a $50 per capita payment to members of the Red Lake Band of Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation was considered, ordered to a third reading, read the third time, and passed.

COMPACT RELATING TO HIGHER EDUCATION IN THE NEW ENGLAND STATES—BILL PLACED AT FOOT OF CALENDAR

The bill (H. R. 9712) granting the consent of Congress to certain New England States to enter into a compact relating to higher education in the New England States, and establishing the New England Board of Higher Education, was announced as next in order.

The PRESIDING OFFICER. Let the Chair state that this bill is a companion measure to Senate bill 3726, Calendar 2224.

Mr. SMATHERS. Mr. President, when the companion bill was reached a few minutes ago, I requested that it be placed at the foot of the calendar. I now ask that this bill be placed at the foot of the calendar.

The PRESIDING OFFICER. Without objection, the bill will be placed at the foot of the calendar.

CHARTER OF PASSENGER SHIPS IN DOMESTIC TRADE—BILL PLACED AT FOOT OF CALENDAR

The bill (H. R. 9868) to amend the Merchant Ship Sales Act of 1946 to provide for the charter of passenger ships in the domestic trade was announced as next in order.

Mr. COOPER. Mr. President, by request I ask that this bill be placed at the foot of the calendar.

The PRESIDING OFFICER. Without objection, the bill will be placed at the foot of the calendar.

BILL PASSED OVER

The bill (H. R. 6616) to amend title 17, United States Code, entitled "Copyrights," was announced as next in order.

Mr. McCARRAN. Over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. KERR. Mr. President, has Calendar 2234, House bill 1254, been passed?

The PRESIDING OFFICER. It went over at a previous point in the calendar, in connection with a companion bill. The companion bill was objected to, and went over.

IRRIGATION DEVELOPMENTS IN THE MISSOURI RIVER BASIN PROJECT

The bill (H. R. 8520) to provide for the inclusion of the Ainsworth, Lavaca Flats, Mirage Flats Extension, and O'Neill irrigation developments in the Missouri River Basin project was considered, ordered to a third reading, read the third time, and passed.

RECIPROCAL FIRE PROTECTION AGREEMENTS

The Senate proceeded to consider the bill (S. 3773) to authorize reciprocal fire-protection agreements between departments and agencies of the United States and public or private organizations engaged in fire-fighting activities, and for other purposes, which had been reported from the Committee on Interstate and Foreign Commerce with an amendment, on page 3, after line 17, to insert:

SEC. 5. Mutual aid agreements of the type authorized in section 1 hereof, which are in effect on the effective date of this act, are hereby ratified and confirmed.

So as to make the bill read:

Be it enacted, etc., That the head of each executive department, independent establishment, or agency of the Government, including the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force (hereinafter referred to as the "head") is authorized to enter into and perform, with domestic governmental units or subdivisions, with other public or private organizations, and, consistent with international agreements, with foreign governmental units or subdivisions, engaged in fire-fighting activities near installations or activities under the jurisdiction or control of the respective heads, reciprocal agreements providing for mutual aid in protecting against fires, in extinguishing fires, and in preserving life and property threatened by fire, through the furnishing of fire-fighting personnel and equipment by and for such installations or activities and such organizations or governmental units or subdivisions. Each such agreement shall provide that each party thereto waives all claims for loss, damage, injury, or death against all other parties thereto that may arise in the performance of the agreement, but any such agreement may, in the discretion of the head concerned, provide for reimbursement for the cost of furnishing personnel and equipment pursuant to its provisions. In the absence of such an agreement, said heads are respectively authorized to make available in emergencies fire-fighting personnel and equipment to assist in extinguishing fires and preserving life and property threatened by fire in local governmental units, or subdivisions thereof, in or near which Government installations are located, under such circumstances involving the best interests of the United States and under such regulations as the appropriate head may prescribe.

SEC. 2. Funds available for Federal fire-fighting activities and facilities on installations or in connection with activities under the jurisdiction of the respective heads may be used for carrying out the purposes of this act. Any reimbursements made to the respective heads for services performed pursuant to the provisions of this act shall be covered into the Treasury as miscellaneous receipts.

SEC. 3. Personnel of domestic governmental units or subdivisions, public or private organizations, or foreign governmental units or subdivisions, engaged in fire-fighting activities pursuant to reciprocal fire protection agreements entered into pursuant to this act shall not be considered as employees of the United States for the purposes of the Federal Employees' Compensation Act, as amended.

SEC. 4. Services performed pursuant to the provisions of this act by any fire-fighting personnel under the jurisdiction of the respective heads shall be held and considered to be services performed in line of duty.

SEC. 5. Mutual aid agreements of the type authorized in section 1 hereof, which are in effect on the effective date of this act, are hereby ratified and confirmed.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

INCREASE IN RETIRED PAY OF CERTAIN MEMBERS OF THE FORMER LIGHTHOUSE SERVICE

The bill (H. R. 1843) to increase the retired pay of certain members of the former Lighthouse Service was considered, ordered to a third reading, read the third time, and passed.

RIGHTS OF UNITED STATES VESSELS ON THE HIGH SEAS

The bill (H. R. 9584) to protect the rights of vessels of the United States on the high seas and in territorial waters of foreign countries was considered, ordered to a third reading, read the third time, and passed.

DEVELOPMENT OF PRIVATE AVIATION

The resolution (S. Res. 292) to express the sense of the Senate for development of private aviation was considered and agreed to, as follows:

Whereas the aviation industry in the United States since its inception 50 years ago has grown to be the second largest industry in point of number of people employed in manufacturing; and

Whereas air transportation has shrunk distance between countries so that every nation is now our next door neighbor; and

Whereas world markets and tourist travel have expanded enormously and new products formerly inaccessible are now readily available to all; and

Whereas the airplane has become the prime factor in defense strategy and in addition to being a deterrent to war, aviation, as a tool to national policy is the leading participant in our effort to maintain peace; and

Whereas consequently it is essential that the aviation industry be maintained so as to assure continuous healthy growth; and

Whereas the continued growth of aviation is dependent upon the establishment and maintenance of a large resource pool of personnel who can be utilized to fill the needs of the various segments of the aviation industry; and

Whereas since the termination of World War II, there has been no concerted or organized training of most types of aviation personnel needed to fulfill the manpower demands of our aviation policy and as a result there has been a gradual decrease in the supply of aviation manpower as indicated by statistics compiled by the Civil Aeronautics Administration and other sources which have disclosed:

1. Continuous and alarming reduction in number of pilot approvals of all classes (student, private, commercial, airline transport, and flight instructor) since 1948.

2. Continuous and alarming reduction in number of mechanics or technicians approvals since 1949.

3. Continuous reduction in original and additional ground instructor ratings since 1949.

4. Continuous and alarming reduction in hours of instructional flying since 1947.

5. Continuous reduction in number of fixed base operators since 1948.

6. Continuing lack of adequate number of trained aeronautical engineers, aerodynamicists, physicists, and other technical personnel: Now, therefore, be it

Resolved, That in view of the critical manpower needs of the aviation industry and the need to reverse the downward trend of persons becoming interested in aviation and because of its day-to-day contact with the civilian training facilities and its experience in supervising the training activities of various schools and other aviation industry organizations, the Civil Aeronautics Administration is hereby requested and directed to assume the responsibilities of leadership and direction in the formulation and implementation of a national plan designed to capture and hold the interest of American youth in aviation careers, and to assist others in the preparation of school curricula to provide theoretical training and practical aviation experience and to develop incentives to achieve that end; to cooperate with and coordinate the activities of both national and local sponsor groups in the promotion of all aspects of aviation training, and to develop ways and means to promote general interest in aviation in the various communities throughout the country.

CONVEYANCE OF CERTAIN LAND TO THE STATE OF OKLAHOMA

The bill (H. R. 1797) to provide for the conveyance of certain land to the State of Oklahoma for the use and benefit of the Eastern Oklahoma Agricultural and Mechanical College at Wilburton, Okla., and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. MORSE. Mr. President, I send to the desk an amendment. Before the amendment is read, I wish to make a statement by way of explanation.

In this case there is a sale to the State of Oklahoma, for the use and benefit of the Oklahoma Agriculture and Mechanical College, of lands for which the United States paid the Indians $8,500,000. The mineral rights are reserved to the United States.

Under this conveyance, the State may not use the lands for any purpose other than stated, except with the consent of the Secretary of the Interior, for another public purpose. This provision ceases to be in effect after 25 years. Payment is to be made within 3 years.

However, the payment provision set forth in the bill is what I object to. It reads as follows:

The Secretary shall sell the lands at a price to be fixed by him through appraisal or otherwise, after taking into consideration the purpose for which the lands are to be used.

I have objected to the above language, as suggested by the Secretary of the Interior in the case of other sales of Government land. My objection is made on the ground that the language sets no real standard for fixing the value. The Secretary of the Interior could establish about any price he wished to under that language.

In the case of the sale of lands in Nevada recently, the same provision was inserted in the bill; and the Senator from Nevada [Mr. McCARRAN] accepted—without even personal objection, I think—a modification in accordance with the amendment which I now have sent to the desk, and which I ask to have considered at this time.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 4, beginning with line 1, it is proposed to strike out all to the colon in line 5, and to insert in lieu thereof the following:

SEC. 2. The conveyance authorized by this act shall be conditional upon the State of Oklahoma agreeing to pay to the Secretary of the Interior, in return for the lands conveyed, an amount equal to the appraised fair market value of such lands.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oregon.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

BILL PASSED OVER

The bill (S. 3708) to authorize the Secretary of the Interior to sell and convey certain Parker-Davis transmission facilities and related property in the States of Arizona and California, and for other purposes, was announced as next in order.

Mr. HENDRICKSON. By request, I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

EXTENSION OF BENEFITS OF WATERSHED AND FLOOD PREVENTION ACT TO ALASKA, HAWAII, AND PUERTO RICO

The Senate proceeded to consider the bill (S. 3774) to extend the benefits of the Watershed and Flood Prevention Act to Alaska, Hawaii, and Puerto Rico, which had been reported from the Committee on Agriculture and Forestry with amendments, in line 3, after the word "Watershed", to insert "Protection", and in line 6, after the name "Hawaii", to strike out "and Puerto Rico" and insert "Puerto Rico, and the Virgin Islands", so as to make the bill read:

Be it enacted, etc., That, section 2 of the Watershed Protection and Flood Prevention Act is amended by adding at the end thereof the following additional paragraph:

"'State' includes Alaska, Hawaii, Puerto Rico, and the Virgin Islands."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to extend the benefits of the Watershed Protection and Flood Prevention Act to Alaska, Hawaii, Puerto Rico, and the Virgin Islands."

TRANSFER OF CERTAIN LAND IN THE NORTHERN CHEYENNE INDIAN RESERVATION, MONT.

The bill (H. R. 8897) to authorize and direct the Secretary of the Interior to transfer 40 acres of land in the Northern Cheyenne Indian Reservation, Mont., to school district No. 6, Rosebud County, Mont., was announced as next in order.

Mr. MORSE. Mr. President, may we have an explanation of the bill?

Mr. MANSFIELD. Mr. President, the bill was introduced at the request of the Northern Cheyenne Indian Tribe, who wish to transfer some of their land for school purposes. This is purely a matter within the reservation, and within the discretion, we hope, of the tribal council itself.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 8897) was considered, ordered to a third reading, read the third time, and passed.

PREPARATION OF ROLLS OF CERTAIN PERSONS OF INDIAN BLOOD

The bill (H. R. 4118) to authorize the preparation of rolls of persons of Indian blood whose ancestors were members of certain tribes or bands in the State of Oregon, and to provide for per capita distribution of funds arising from certain judgments in favor of such tribes or bands, was announced as next in order.

Mr. MORSE. Mr. President, on February 18, 1953, I introduced two bills, Senate bill 1024 and Senate bill 1025, to accomplish the objectives of this bill. This year the Committee on the Interior and Insular Affairs introduced a bill, Senate bill 2869, combining the two previous bills and making certain additions. Senate bill 2869 is the Senate version of House bill 4118.

In a letter to the committee, I stated I had no objection to handling the matter by way of a combined bill. However, I objected to the following provision of section 4 of this bill, as follows:

> All costs incurred by the Secretary in the preparation of such rolls and the payment of such per capita shares shall be paid by appropriate withdrawals out of the fund or funds on deposit in the Treasury of the United States arising out of such judgments.

The effect of such a provision is to reduce the amount of the award made to the Indian people by the Court of Claims. Of course, the decision went against the Federal Government. So under section 4, to which I have referred, the situation would be very much like that when one has a lawsuit against the Government and wins a judgment against the Government, but then the costs are levied against him, although he was found to be in the right. I believe that as the bill is presently worded we are, in effect, taking advantage of the Indians. I think the Federal Government ought to pay the cost, and not the Indians, because the Court of Claims found they were in the right. Funds were appropriated for payment of judgments by Public Law 253, of the 82d Congress, November 1, 1951. The Indians have therefore been waiting for years for the per capita distribution to which they are entitled.

I wish to be perfectly fair. There are no communications from the Indians protesting section 4 of the bill. We are dealing with a situation in which they feel that there is nothing they can do, and that they will have to pay the costs, even though the decision went against the Government.

I am in this situation: To object to the bill would mean that my Indians would not get anything. However, I do think that the equities are all in their favor. I shall therefore offer an amendment which, in effect, would assess the cost where it really belongs, that is, against the Government.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 1, line 5, after the words "of the", where they occur the third time, to strike out "Confederated Bands of Umpqua and Calapooins of the Umpqua Valley, and of the Tillamook, Coquille, Tootootoney, Chetco, and Mollallas or Molel Tribes of Oregon" and insert "Molel or Molallalas Tribe of Oregon and of the Confederated Bands of the Umpqua Tribe of Indians and the Calappoias residing the Umpqua Valley, and of the Tillamook, Coquille, Tootootoney and Chetco Tribes of Oregon"; and on page 2, line 16, after the word "States" to strike out "115, Ct. Cl. 463" and insert "119, C. Cls. 835."

The amendments were agreed to.

Mr. MORSE. I now offer my amendment.

The PRESIDING OFFICER. The amendment offered by the Senator from Oregon will be stated.

The LEGISLATIVE CLERK. On page 4, beginning in line 1, it is proposed to strike out all to the colon in line 5 and insert in lieu thereof the following:

> SEC. 2. The conveyance authorized by this act shall be conditional upon the State of Oklahoma agreeing to pay to the Secretary of the Interior, in return for the lands conveyed, an amount equal to the appraised fair market value of such lands.

The amendment was agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. MORSE subsequently said. Mr. President, earlier today we passed Calendar Order No. 2248, H. R. 4118, to which I offered an amendment, and the amendment was adopted. The amendment in effect would require the Federal Government to pay the costs of making the rolls for distribution and distributing the funds to the Indians involved in the bill. The Indians won their case before the Court of Claims. I said and still say that I think it is unfair of the Federal Government to charge the Indians really with the cost of the action. That is what it in effect amounts to.

I have talked to an official in the Department of the Interior, and he puts to me this very realistic situation: That, irrespective of what one thinks about the principle involved, the fact is if the bill stands with this amendment in it, the Indians will not get their funds distributed until some delayed time in the future, because they must come before the Congress in January for a supplemental appropriation.

I do not intend to dispute with the Department of the Interior a surmise of mine, namely, that they probably could find the funds in the administrative budgets to pay for this sort of thing if there was a will to do it. They tell me they cannot, and I take them at their word.

I certainly do not want to have these Indians suffer further delay in getting the distribution of funds for which they have been fighting for many, many years, Mr. President. In view of the fact that the charge probably will not be too great, and because they raise no objection to paying the charge—although I am satisfied they would share my feeling that it is rather an unfair cost to impose upon them—I ask unanimous consent to reconsider the votes by which the amendments to H. R. 4188 were ordered to be engrossed, and the bill to be read a third time and passed, in order that my amendment may be deleted.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon?

Mr. McCARRAN. Mr. President, I do not quite understand the request.

Mr. MORSE. I will explain it. This particular bill refers to a case in which the Court of Claims awarded to the Tillamook Indians in my State certain funds that they had been in litigation about for many years; but the bill provides in section 4 thereof that the Indians will have to pay for the costs of making up the distribution rolls and carrying out, in effect, the court order.

I said I thought that was unfair. So I offered an amendment to strike section 4 from the bill, which would place the cost of distributing the funds on the Federal Government, where I think it belongs.

However, the Department of the Interior informs me that that would require their coming before Congress at the next session and asking for a supplementary appropriation to get the money to pay this cost, and the Indians would have payment of their claims postponed that much longer.

Although I still think my proposition is the equitable one, nevertheless I do not want to cause further delay to these Indians, so I ask that action on the bill be reconsidered so that my amendment may be deleted.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon?

The Chair hears none, and it is so ordered.

The bill is before the Senate.

Mr. MORSE. I ask that my amendment be deleted from the bill.

The PRESIDING OFFICER. Without objection, it so ordered.

The question now is on engrossment of the amendments of the Committee on Interior and Insular Affairs, and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read the third time.

The bill was read the third time and passed.

AMENDMENT OF RAILROAD RETIREMENT ACT, THE RAILROAD RETIREMENT TAX ACT, AND THE RAILROAD UNEMPLOYMENT INSURANCE ACT—BILL PASSED OVER

The bill (H. R. 7840) to amend the Railroad Retirement Act, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Over, by request.

Mr. MANSFIELD. Mr. President, will the Senator withhold his objection for a moment?

Mr. HENDRICKSON. Gladly.

Mr. MANSFIELD. I understand that this bill passed the House by a vote of 360 to nothing. It was reported from the Senate committee by a vote of 11 to 1. I am afraid that if action is not taken on the bill at this time, no action will be taken during the remainder of the session.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

BILL PASSED OVER

The bill (S. 3570) to authorize the sale of certain lands situated in Utah was announced as next in order.

Mr. McCARRAN. Over.

The PRESIDING OFFICER. The bill will be passed over.

EXTENDING TO MENOMINEE RESERVATION CIVIL AND CRIMINAL LAWS OF THE STATE OF WISCONSIN

The bill (H. R. 9821) to amend titles 18 and 28 of the United States Code was considered, ordered to a third reading, read the third time, and passed.

ACQUISITION OF NON-FEDERAL LAND

The Senate proceeded to consider the bill (H. R. 6814) to facilitate the acquisition of non-Federal land within areas of the National Park System, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs with amendments, on page 1, line 4, after the word "the" where it occurs the first time, to strike out "Areas" and insert "existing boundaries"; in the same line, after the word "of", to strike out "the" and insert "any"; and at the beginning of line 5, to strike out "System."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act to facilitate the acquisition of non-Federal land within the existing boundaries of any national park, and for other purposes."

INCREASE OF PUBLIC DEBT LIMIT—BILL PASSED OVER

The bill (H. R. 6672) to increase the public debt limit was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MORSE. Over.

Mr. GORE. Over.

Mr. GOLDWATER. Mr. President, reserving the right to object—and I shall object—I do not think this is a bill which should be passed upon a call of the calendar. I should like very briefly to state my reasons.

Last year the Republican Party ran on a pledge to balance the budget and practice economy in government. I read from an encyclopedia concerning the Republican Party:

> The Republican Party historically has balanced the budget. Under its leadership the United States has established a record for payment of national debt unequaled by any country in the world's history, and for rigorous economy in government management.

Last year about this same time the Congress was asked to increase the debt limit. As a Republican, I do not understand why the request did not come to us in February, March, or April.

I think it is uncalled for to ask a body as busy as we are, in the closing hours of the session, to consider such legislation hastily.

I am not sold for 1 minute on the proposition that the $6 billion increase which has been agreed to will be "temporary" and will terminate next year. It will continue, and the $6 billion will be added to another $6 billion, and so on.

The further we go away from balancing the Federal budget and practicing economy in government, the closer we come to economic disaster. I suggest that that is exactly what Stalin intended to do to this country. He never intended to kill us by bullets and bombs. He said that he would destroy the Western Powers by means of the demoralization and debauchery of their currencies. I suggest that that purpose is well on road to accomplishment.

The Republican administration has done a good job in cutting down expenditures. It has made a good gesture toward balancing the budget. I do not think we have gone far enough. I think we have done a good job, but I think we can do a better job. Therefore, I object.

The PRESIDING OFFICER. Objection is heard, and the bill will be passed over.

ISSUANCE OF PATENTS IN FEE TO LANDS OF MISSION INDIANS, CALIFORNIA

The bill (H. R. 8365) to confirm the authority of the Secretary of the Interior to issue patents in fee to allotments of lands of the Mission Indians in the State of California prior to the expiration of the trust period specified in the act of January 12, 1891, as amended, was considered, ordered to a third reading, read the third time, and passed.

AUTHORIZATION OF APPROPRIATIONS FOR CONSTRUCTION, OPERATION AND MAINTENANCE OF WESTERN LAND BOUNDARY FENCE PROJECT—BILL PASSED OVER.

The bill (S. 114) authorizing appropriations for the construction, operation, and maintenance of the western land boundary fence project, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Mr. President, reserving the right to object, I wonder if the distinguished Senator from New Mexico [Mr. ANDERSON] can tell the Senate just what the total cost involved is.

Mr. ANDERSON. $3,500,000 is authorized under the bill. The bill originally was discussed as a customs measure, and was rejected on that basis by the departments. With the advent of foot-and-mouth disease, and certain recent pests which have come across the border, the Department of Agriculture has asked that the bill be revived and passed. $3,500,000 would be made available.

Mr. HENDRICKSON. Has the junior Senator from New Jersey been incorrectly informed? I have been informed that the ultimate cost will be about $4,700,000.

Mr. ANDERSON. The Senator may be correct, and I may be mistaken. The authorization is for $3,500,000.

Mr. HENDRICKSON. That is not the authorization. Those figures are estimates of the agencies involved.

Mr. ANDERSON. The cost might run as high as $4 million. I cannot be sure. If so, that would be because the Department of Agriculture might slightly change the type of fence.

Mr. HENDRICKSON. Does the distinguished Senator from New Mexico feel that this expenditure would be justified?

Mr. ANDERSON. I certainly do; and so does the Department of Agriculture.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. JOHNSTON of South Carolina. Over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. JOHNSTON of South Carolina subsequently said: Mr. President, with reference to Calendar No. 2257, S. 114, authorizing appropriations for the construction, operation, and maintenance of the western boundary fence projection, and for other purposes, I objected to its consideration a few minutes ago when it was reached on the call of the calendar. I withdraw my objection.

The PRESIDING OFFICER. Is there objection to having the Senate return to

the consideration of Calendar No. 2257, S. 114?

Mr. HENDRICKSON. I dislike very much to object, but I feel constrained to do so, because I have objected in the past under similar circumstances, and I do not want to discriminate as between Senators. Therefore, I ask unanimous consent that the bill go to the foot of the calendar.

The PRESIDING OFFICER. Without objection, the bill will be placed at the foot of the calendar.

LEASING OF RESTRICTED INDIAN LANDS IN ARIZONA OR NEW MEXICO

The Senate proceeded to consider the bill (S. 3043) to authorize the leasing of restricted Indian lands in the State of Arizona or on the Navaho Indian Reservation, in the State of New Mexico, for religious, educational, residential, business, and other purposes requiring the grant of long-term leases which had been reported from the Committee on Interior and Insular Affairs with amendments, at the beginning of line 4, to strike out "and any such lands on the Navaho Reservation within the State of New Mexico" and insert "(other than lands of the Navaho or Hopi Indians)"; in line 8, after the word "for", to insert "public"; in the same line, after the word "educational", to insert "recreational"; on page 2, line 8, after the word "for", to insert "public"; at the beginning of line 9, to insert "recreational"; and on page 3, line 1, after the word "to", to insert "section 5 of the act of April 19, 1950 (64 Stat. 44, 46), or", so as to make the bill read:

Be it enacted, etc., That any restricted Indian lands within the State of Arizona (other than lands of the Navaho or Hopi Indians) whether tribally or individually owned, may be leased by the Indian owners, with the approval of the Secretary of the Interior, for public, religious, educational, recreational, residential, or business purposes, including the development or utilization of natural resources in connection with operations under such leases, and for those farming purposes (not to include grazing) which require the making of a substantial investment in the improvement of the land for the production of specialized crops as determined by said Secretary. All leases so granted shall be for a term of not to exceed 25 years, but leases for public, religious, educational, recreational, residential, or business purposes, with the consent of both parties, may include provisions authorizing their renewal for 1 additional term of not to exceed 25 years, and all leases and renewals shall be made under such terms and regulations as may be prescribed by the Secretary of the Interior.

SEC. 2. Restricted lands of deceased Indians may be leased under this act, for the benefit of their heirs or devisees, in the circumstances and by the persons prescribed in the act of July 8, 1940 (54 Stat. 745; 25 U. S. C., 1946 edition, sec. 380).

SEC. 3. No rent or other consideration for the use of land leased under this act shall be paid or collected more than 1 year in advance, unless so provided in the lease.

SEC. 4. Nothing contained in this act shall be construed to repeal any authority to lease restricted Indian lands conferred by or pursuant to section 5 of the act of April 19, 1950 (64 Stat. 44, 46), or any other provision of law.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to authorize the leasing of restricted Indian lands in the State of Arizona, other than those of the Navaho or Hopi Indians, for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases."

BLACK CANYON IRRIGATION DISTRICT, IDAHO

The bill (H. R. 9630) to authorize the Secretary of the Interior to execute an amendatory contract with the Black Canyon Irrigation District, Idaho, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MORSE. Mr. President, may we have an explanation of the bill?

Mr. DWORSHAK. Mr. President, the bill would authorize the Secretary of the Interior to execute an amendatory repayment contract which has been negotiated with the Black Canyon Irrigation District, Payette Division, Boise project, Idaho. The contract has been negotiated as required by the provisions of section 7 of the Reclamation Project Act of 1939 in order to provide a reasonable and equitable solution to the repayment problems involved. The bill also would approve the principles set forth in the Boise project revised allocation and repayment report of September 21, 1953, which is an integral part of the amendatory repayment arrangement.

This proposed legislation was requested by the Department of the Interior primarily to implement the new agreement reached and signed on September 21, 1953.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF CIVIL SERVICE RETIREMENT ACT

The bill (S. 3627) to amend the Civil Service Retirement Act, as amended, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Mr. President, may we have an explanation of the bill?

Mr. CARLSON. Mr. President, the purpose of the bill is to amend the Civil Service Retirement Act, so as to plug certain loopholes which have been discovered during the past few years. Congress has approved a study of the entire Retirement Act. We have received reports and recommendations from the Civil Service Commission looking toward the plugging of loopholes.

I will mention one of the cases cited in the report which we received from the Civil Service Commission. An employee worked for several years for the Tennessee Valley Authority. He resigned his position in that agency and collected over $9,000 in retirement pay which had accumulated there. He later secured another job in a Government agency, paid $63, and collected an annuity benefit in a sum over $2,000.

It is situations like that which we are trying to plug up at the present time.

Mr. GORE. Mr. President, will the Senator yield?

Mr. CARLSON. I am happy to yield.

Mr. GORE. No additional benefits are conferred upon annuitants by the bill?

Mr. CARLSON. There are none and the purpose of this bill is to make these people—for example, the man I just mentioned—keep those amounts accumulated in the fund, no matter when they may go to other Government jobs, and get their benefits on that basis.

Mr. GORE. The example the Senator cited was only an isolated instance, but similar ones can happen.

Mr. CARLSON. That is correct. I mention this case because it was cited to us by the Commission.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 5 of the Civil Service Retirement Act of May 29, 1930, as amended, is amended by adding at the end thereof the following:

"Notwithstanding any provision of law to the contrary, title to annuity payable from the civil service retirement and disability fund shall not arise from any separation unless the officer or employee so separated has, within the 2-year period immediately preceding such separation, completed at least 1 year of creditable civilian service during which he was subject to this act. Any annuity rights based on a separation which (a) terminated service meeting this requirement, or (b) occurred prior to this amendment, shall be restored upon separation from subsequent service which fails to meet said requirement.

"No credit shall be allowed for any service subsequent to the date of the separation on which title to annuity is based. Any amounts deducted from salary for retirement purposes during such service shall upon separation be refunded to such officer or employee without interest, and shall be subject to redeposit as provided in section 12 (b) (2) of this act. Any such amount not so refunded to the officer or employee before his death shall be paid in the order of precedence prescribed in section 12 (e)."

BILL PASSED OVER

The bill (S. 2631) to prohibit the payment of Government retirement benefits to persons convicted of certain offenses was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. SMATHERS. By request, I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

GRANTING STATUS OF PERMANENT RESIDENCE TO CERTAIN ALIENS

The concurrent resolution (H. Con. Res. 254) favoring the granting of the status of permanent residence to certain aliens was considered and agreed to.

For text of above concurrent resolution, see CONGRESSIONAL RECORD of July 21, 1954, pages 11206–11208.

ALICK BHARK

The Senate proceeded to consider the bill (S. 346) for the relief of Alick Bhark, which had been reported from the Committee on the Judiciary with an amendment, in line 7, after the word "visa" to strike out "fees and head taxes" and insert "fee", so as to make the bill read:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Alick Bhark shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RELIEF OF CERTAIN PALESTINIAN ARAB REFUGEES

The Senate proceeded to consider the bill (S. 1336) for the relief of certain Palestinian Arab refugees, which had been reported from the Commitee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Euline Saliba Sihwel (Eveline Saliba Suhweil) shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required number from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Euline Saliba Sihwel (Eveline Saliba Suhweil)."

PALESTINIAN ARAB REFUGEES

The Senate proceeded to consider the bill (S. 1341) for the relief of certain Palestinian Arab refugees, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Salamy Khouri shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required number from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Salamy Khouri."

MILAN K. JOVANOVIC

The Senate proceeded to consider the bill (S. 1625) for the relief of Milan K. Jovanovic, which had been reported from the Committee on the Judiciary with an amendment, on page 1, line 7, after the word "fee", to strike out "Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available", so as to make the bill read:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Milan K. Jovanovic shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ANDREAS GEORGES VLASTOS

The bill (S. 1893) for the relief of Andreas Georges Vlastos (Andreas Georges Vlasto) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Andreas Georges Vlastos (Andreas Georges Vlasto) shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

CLAIRE HEISZLER

The Senate proceeded to consider the bill (S. 2109) for the relief of Claire Heiszler, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, Claire Heiszler shall be held and considered to be the natural-born alien child of Mr. and Mrs. Alex Krauss, citizens of the United States.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GIUSEPPINA LATINA MOZZICATO AND GIOVANNI MOZZICATO

The bill (S. 2532) for the relief of Giuseppina Latina Mozzicato and Giovanni Mozzicato (John Mozzicato) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Giuseppina Latina Mozzicato and Giovanni Mozzicato (John Mozzicato) shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

ANDREE M. DOYLE

The Senate proceeded to consider the bill (S. 2669) for the relief of Andree M. Doyle, which had been reported from the Committee on the Judiciary with an amendment in line 7, after the word "act", to insert a colon and *"Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of section 212 (a) (9) of the Immigration and Nationality Act, Andree M. Doyle may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARIA BERTAGNOLLI PANCHERI

The Senate proceeded to consider the bill (S. 2682) for the relief of Maria Bertagnolli Pancheri, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Maria Bertagnolli Pancheri shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HENRY DUNCAN

The bill (S. 2973) for the relief of Henry Duncan was considered, ordered

to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Henry Duncan shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee.

MYUNG SIK HONG

The bill (S. 3163) for the relief of Myung Sik Hong was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Myung Sik Hong shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

REV. LORENZO RODRIGUEZ BLANCO AND REV. ALEJANDRO NEGREDO LAZARO

The bill (S. 3327) for the relief of Rev. Lorenzo Rodriguez Blanco and Rev. Alejandro Negredo Lazaro was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Rev. Lorenzo Rodriguez Blanco and Rev. Alejandro Negredo Lazaro shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

SHIGEKO NAKAMURA BULMER

The Senate proceeed to consider the bill (S. 3413) for the relief of Shigeko Nakamura Bulmer, which had been reported from the Committee on the Judiciary with an amendment, in line 7, after the word "fee," to insert a colon and *"Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act", so as to make the bill read:

Be it enacted, etc., That for the purposes of the Immigration and Nationality Act, Shigeko Nakamura Bulmer shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MRS. JUANA PADILLA DE CABALLERO

The Senate proceeded to consider the bill (S. 3625) for the relief of Mrs. Juana Padilla de Caballero, which had been reported from the Committee on the Judiciary with an amendment, in line 8, after the word "act," to insert a colon and *"Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of sections 212 (a) (9) and 212 (a) (19) of the Immigration and Nationality Act, Mrs. Juana Padilla de Caballero (Mrs. Juana Padilla de Ontiveros) may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MRS. GERTRUD ECKERL STRICKLAND

The bill (S. 3728) for the relief of Mrs. Gertrud Eckerl Strickland was announced as next in order.

Mr. McCARRAN. On August 5, 1954, S. 3728 was reported to the Senate from the Committee on the Judiciary. Since that time the House has passed H. R. 8066, which is a similar bill. It was referred to the Committee on the Judiciary.

I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of H. R. 8066, that it be considered by the Senate, and that the Senate bill 3728, be indefinitely postponed.

The PRESIDING OFFICER. Without objection, the Committee on the Judiciary is discharged from the further consideration of H. R. 8066, for the relief of Mrs. Gertrud Eckerl Strickland.

Is there objection to the present consideration of the House bill?

There being no objection, the bill (H. R. 8066) was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, S. 3728 is indefinitely postponed.

HOWARD CARL KAISER

The bill (S. 3756) for the relief of Howard Carl Kaiser was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Howard Carl Kaiser shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee.

MRS. EMMA MARTHA STAACK

The bill (H. R. 818) for the relief of Mrs. Emma Martha Staack was considered, ordered to a third reading, read the third time, and passed.

GEORGE ECONOMOS

The bill (H. R. 970) for the relief of George Economos was considered, ordered to a third reading, read the third time, and passed.

HAYIK VARTIYAN AND OTHERS

The Senate proceeded to consider the bill (H. R. 1912) for the relief of Hayik (Jirair) Vartiyan, Annemarie Vartiyan, and Susanig Armenuhi Vartiyan; which had been reported from the Committee on the Judiciary with an amendment, on page 2, line 1, after the word "deduct" to strike out "two" and insert "three."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

NATALE JOSEPH JOHN RATTI

The bill (H. R. 4620) for the relief of Natale Joseph John Ratti was considered, ordered to a third reading, read the third time, and passed.

ANTONIO CAZZATO

The bill (H. R. 7088) for the relief of Antonio Cazzato was considered, ordered to a third reading, read the third time, and passed.

EXTENSION OF CERTAIN PATENTS DURING CERTAIN EMERGENCY PERIODS—BILL PLACED AT FOOT OF THE CALENDAR

The bill (H. R. 3534) to authorize the extension of patents covering inventions whose practice was prevented or curtailed during certain emergency periods by service of the patent owner in the Armed Forces or by production controls was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Reserving the right to object, I should like to say that a few days ago the distinguished senior Senator from Wisconsin [Mr. WILEY] consulted with me with respect to this bill and asked me whether any objections had been filed against it with the calendar committee. I told him there had not been any objections filed.

Since then, the junior Senator from New Jersey is in receipt of a telegram from a distinguished and prominent patent attorney, Mr. P. L. Young, who has been practicing in his special field for more than 25 years. In his telegram he outlines several reasons for his

opposition to this bill. I ask unanimous consent that this telegram be placed in the RECORD at this point in my remarks.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

AUGUST 6, 1954.

Senator ROBERT C. HENDRICKSON,
Senate Office Building:

I understand that a bill, H. R. 3534, to extend the terms of certain United States patents has been passed by the House and is now before the Senate. As an attorney specializing in patent law for over 25 years, I am deeply concerned and urge you to oppose this mischievous bill for the following reasons:

1. Proposals for the extension of the term of patents have been traditionally opposed by our Government. It has been done only in an insignificant number of cases.

2. This bill is extremely complex and under it extensions of different lengths would be granted to different patentees depending on extremely complicated findings and conditions. It would introduce much confusion as to the actual term of the patents in question. With only trifling exceptions at present, one can tell whether a patent has expired or whether it is pending, merely by looking at the face of the patent. If this bill passes, this clear assurance would be converted into a troublesome puzzle.

3. The passage of this bill will throw a heavy burden of expense on all the members of the general public who are concerned with patents, forcing them to expensive opposition proceedings to protect themselves against unjust grants, and an additional burden will be placed on the Patent Office which does not have the money, time or manpower available for the examination of the many claims for extension and for the oppositions, hearings, and appeals that would normally result.

4. It seems to me that the advantages to the patentees are heavily outweighed by these various burdens which are placed upon the whole country with questionable justice.

5. I concur with the opinions of Secretary of Commerce Weeks and Mr. William Rogers of the Department of Justice in letters which they have written in opposition of this bill.

P. L. YOUNG.

WESTFIELD, N. J.

Mr. HENDRICKSON. Mr. President, in addition to Mr. Young's telegram another patent attorney, Maj. K. M. Lefever, a most able lawyer from New Jersey, consulted with my counsel, Col. Joseph W. Levy. He, too, expressed opposition to this bill.

I am very much impressed by the opinions of these men and feel that this is a measure that should be debated on the floor and not passed on a call of the calendar.

Moreover, Mr. President, the Departments of Justice and Commerce are both opposed to the bill.

In view of the communications, and in view of the fact that the agencies involved seemed to be opposed to the bill, I ask that the bill go over.

Mr. CAPEHART. Is the Senator from New Jersey asking that the bill go over?

Mr. HENDRICKSON. I am.

The PRESIDING OFFICER. Objection has been made.

Mr. HENDRICKSON. I feel that in view of these strong expressions of opinion on the bill this is a measure which should be called up in the regular order and carefully debated.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. HENDRICKSON. I yield.

Mr. WILEY. Of course, we realize that among lawyers, as among preachers and every other class, there are differences of opinion. Even on this floor as to the meaning of certain language we have differences of opinion.

However, this proposed legislation is to authorize the extension of the terms of certain patents for such periods as may be required in order to secure to the owners of such patents the reasonably unrestricted exercise of the exclusive rights granted thereby for a total period equivalent to the 17-year term for which they were issued, where, during World War II or the Korean conflict, the normal use or development of such patents was prevented or substantially curtailed for the following reasons:

First. That the owner or owners were in the military, naval, or air forces; or

Second. That an order of an agency of the Government prohibited or limited the production or use of the articles or processes; or

Third. That such owners, having been granted licenses, either royalty-free or for a nominal royalty, to the United States or to the manufacturers furnishing goods to the United States, in order to promote any program for national defense since September 1, 1939.

This legislation is based on a number of bills introduced in the House as well as similar bills introduced in the Senate. The House had hearings on this matter and the House Judiciary Committee, it is understood, unanimously approved the substitute bill which was reported in H. R. 3534. The House also unanimously passed this bill.

When the bill reached the Committee on the Judiciary, a study of the report of the House was made, and for the reasons I have mentioned previously, the committee was convinced that this legislation was meritorious and warranted. All that it does is to restore to the person additional time for the exploitation of the patent, when such time was prohibited or curtailed for the reasons hereinbefore mentioned. It is therefore recommended that the bill be considered favorably.

I wish to restate that because these people were in the service or because the Government itself interfered with their having the right to proceed under patent law, their rights were restricted. I realize that some lawyer might feel that he would like to get in on the gravy.

Mr. CAPEHART. Mr. President, will the Senator from New Jersey yield?

Mr. HENDRICKSON. In one moment I shall be glad to yield.

Mr. President, I have in my hand the Senate committee report, submitted by the Senator from Wisconsin from the Committee on the Judiciary, on House bill 3534, the bill we are now considering.

As I look over that document I see among the agency reports one from the Secretary of Commerce, in which he says, among other things:

So far as the first class of persons is concerned, the act would be an extension of Public Law 598, 81st Congress, in that it would extend the periods of service involved and would also apparently permit an extension whether or not the veteran had suffered any loss whatever by reason of service in the Armed Forces.

I proceed to the other objections, where the Secretary finally says:

For these reasons we recommend against enactment of H. R. 3534.

Then in the report of the Department of Justice, after stating their analysis of the bill, they conclude:

Accordingly, the Department of Justice is unable to recommend the enactment of this bill.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. HENDRICKSON. Yes, I shall be glad to yield.

Mr. CAPEHART. Those are letters which were addressed to Representative REED. After those letters were addressed to him the bill was amended, and no department of the Government is opposing the bill at the moment.

Mr. HENDRICKSON. But the letters are in the committee report.

Mr. CAPEHART. I do not know how the letters got into the report. They should not have been there.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. CAPEHART. Is the time limit up?

Mr. HENDRICKSON. I ask unanimous consent that the bill go to the foot of the calendar, so that I may consult with the two distinguished Senators.

The PRESIDING OFFICER. Without objection, the bill will be placed at the foot of the calendar.

REGISTRATION OF TRADE-MARKS

The bill (S. 2540) to amend the act entitled "An act to provide for the registration and protection of trade-marks used in commerce, to carry out the provisions of international conventions, and for other purposes," approved July 5, 1946, was announced as next in order.

Mr. MORSE. Mr. President, may we have an explanation of this bill?

Mr. WILEY. Mr. President, the proposed legislation is to make certain amendments to the Lanham Trade-Mark Act, which went into effect on July 5, 1947. That act has been in operation now for almost 7 years and during this period of time the desirability and need for a number of revisions has become evident. Hearings were held on this matter and the interested agencies were requested to report thereon. As a result of the hearings, conferences were held between representatives of the agencies; individual trade-mark lawyers, and the coordinating committee of the trade-mark association, which for years past has been working on this matter. With few exceptions, the conferences resulted in agreement and a substitute bill, which is the bill now before the Senate, was ordered reported. It is the opinion of the committee that, with the exception of 1 or 2 individual objections, this bill is noncontroversial and does improve the Lanham Trade-Mark Act. It is

therefore recommended that this legislation be considered favorably.

Mr. SMATHERS. Mr. President, will the Senator from Wisconsin yield?

Mr. WILEY. I yield.

Mr. SMATHERS. Has the Patent Office approved this measure?

Mr. WILEY. I am so informed.

Mr. SMATHERS. Has the Department of Justice approved it?

Mr. WILEY. I understand there is one exception.

Mr. SMATHERS. Is that exception considered a major exception?

Mr. WILEY. I am informed that it is not.

Mr. SMATHERS. The bill has been unanimously reported by the committee; has it not?

Mr. WILEY. Yes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 2540) to amend the act entitled "An act to provide for the registration and protection of trade-marks used in commerce, to carry out the provisions of international conventions, and for other purposes," approved July 5, 1946, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That paragraph (1) of subsection (a) of section I of the act entitled "An act to provide for the registration and protection of trade-marks used in commerce, to carry out the provisions of international conventions, and for other purposes," approved July 5, 1946 (60 Stat. 427), as amended, is amended by striking the words "as might be calculated to deceive" and inserting in lieu thereof "as to be likely, when applied to the goods of such other person, to cause confusion, or to cause mistake, or to deceive"; and by striking the words "or services" from the proviso thereof.

SEC. 2. Subsection (d) of section 2 is amended by striking the language beginning with the word "confusion", first appearance, and ending with the word "herewith" at the end of said subsection and inserting in lieu thereof the following: "confusion, or to cause mistake, or to deceive: *Provided*, That when the Commissioner determines that confusion, mistake or deception is not likely to result from the continued use by more than one person of the same or similar marks under conditions and limitations as to the mode or place of use of the marks or the goods in connection with which such marks are used, concurrent registrations may be granted to such persons when they have become entitled to use such marks as a result of their concurrent lawful use in commerce prior to (i) the earliest of the filing dates of the applications pending under this act; or (ii) the application filing date of a registration granted under this act; or (iii) July 5, 1947, in the case of registrations previously granted under the act of March 3, 1881, or February 20, 1905, and continuing in full force and effect on that date; or (iv) July 5, 1947, in the case of applications under the act of February 20, 1905, pending on July 5, 1947. Concurrent registrations may also be granted by the Commissioner when a court of competent jurisdiction has finally determined that more than one person is entitled to use the same or similar marks in commerce. In the grant of concurrent registrations, the Commissioner shall prescribe conditions and limitations of the grant as to the mode or place of use of the mark or the goods in connection with which such mark is registered to the respective persons."

SEC. 3. Section 6 is amended by striking the entire section and inserting in lieu thereof the following:

"SEC. 6. (a) The Commissioner may require the applicant to disclaim an unregistrable component of a mark otherwise registrable. The applicant may voluntarily disclaim a component of a mark sought to be registered.

"(b) No disclaimer heretofore or hereafter made, or made under paragraph (d) of section 7 of this act, shall prejudice or affect the applicant's or registrant's rights then existing or thereafter arising in the disclaimed matter, or his rights of registration on another application if the disclaimed matter be or shall have become distinctive of his goods or services."

SEC. 4. Subsection (a) of section 7 is amended by striking therefrom the word "either"; by striking the words "name printed" and inserting in lieu thereof the words "signature placed"; by striking the words "assistant commissioner or by one of the law examiners duly" and inserting in lieu thereof the words "officer of the Patent Office"; and by striking the words "and a record thereof, together with printed copies of the drawing and statement of the applicant, shall be kept in books for that purpose" and inserting in lieu thereof the words "and a record thereof shall be kept in the Patent Office."

Subsection (d) of section 7 is amended by striking the entire subsection and inserting in lieu thereof the following: "Upon application of the registrant the Commissioner may permit any registration to be surrendered for cancellation, and upon cancellation the Commissioner shall make appropriate entry upon the records of the Patent Office. Upon application of the registrant and payment of the prescribed fee, the Commissioner for good cause may permit any registration to be amended or to be disclaimed in part: *Provided*, That the amendment or disclaimer does not alter materially the character of the mark. The Commissioner shall make appropriate entry upon the records of the Patent Office and upon the certificate of registration or, if said certificate is lost or destroyed, upon a certified copy thereof."

SEC. 5. Subsection (a) of section 8 is amended by striking the word "showing", first appearance, and inserting in lieu thereof the word "stating"; and after the word "use" inserting the words "in commerce on goods recited in the registration"; and striking the word "its", second appearance, and inserting in lieu thereof the word "any."

Subsection (b) of section 8 is amended by striking the word "showing", first appearance, and inserting in lieu thereof the word "stating"; and after the word "use" inserting the words "in commerce on goods recited in the registration"; and by striking the word "its" and inserting in lieu thereof the word "any."

SEC. 6. Section 9 is amended by striking the entire section and inserting in lieu thereof the following:

"SEC. 9. (a) Each registration may be renewed for periods of 20 years from the end of the expiring period upon payment of the prescribed fee and the filing of an application therefor accompanied by an affidavit by the registrant setting forth those goods recited in the registration on which the mark is still in use in commerce or showing that any nonuse in commerce is due to special circumstances which excuse such nonuse and is not due to any intention to abandon the mark; and such application may be made at any time within 6 months before the expiration of the period for which the certificate of registration was issued or renewed, or it may be made within 3 months after such expiration on payment of the additional fee herein provided.

"(b) If the Commissioner refuses to renew the registration, he shall notify the registrant of his refusal and the reasons therefor.

"(c) An applicant for renewal not domiciled in the United States shall be subject to and comply with the provisions of section 1 (d) hereof."

SEC. 7. Section 10 is amended by changing the colon following the word "conducted" to a period and striking the words "*Provided*, That any assigned registration may be canceled at any time if the registered mark is being used by, or with the permission of, the assignee so as to misrepresent the source of the goods or services in connection with which the mark is used."

SEC. 8. Subsection (a) of section 12 is amended by changing the period at the end thereof to a colon and inserting after the colon the following: "*Provided*, That in the case of an applicant claiming concurrent use, or in the case of an application to be placed in an interference, as provided for in section 16 of this act, the mark, if otherwise registrable, may be published subject to the determination of the rights of the parties to such proceedings."

Subsection (b) of section 12 is amended by inserting after the word "months", second appearance, the following: ", or such shorter time not less than 30 days as may be prescribed by or under regulations of the Commissioner,".

Subsection (c) of section 12 is amended by striking therefrom the word "stated", and inserting in lieu thereof the word "recited"; and by striking therefrom the first word of the last sentence and inserting in lieu thereof the words "Marks published under this."

Section 12 is further amended by adding a new subsection (d) as follows:

"(d) The Commissioner is authorized to maintain a public search file containing reproductions or descriptions of all marks for which applications for registration are pending, together with the name and address of the applicant, the date of filing of the application, the goods or services and class for which registration is sought, the claimed dates of first use of the mark, and the name and address of the applicant's attorney."

SEC. 9. Section 13 is amended by adding at the end thereof the following sentence: "A notice of opposition may be amended under such conditions as may be prescribed by the Commissioner."

SEC. 10. Section 14 is amended by striking said section in its entirety and inserting in lieu thereof the following:

"SEC. 14. A verified petition to cancel a registration of a mark, stating the grounds relied upon, may, upon payment of the prescribed fee, be filed by any person who believes that he is or will be damaged by the registration of a mark on the principal register established by this act, or under the act of March 3, 1881, or the act of February 20, 1905—

"(a) within 5 years from the date of the registration of the mark under this act; or

"(b) within 5 years from the date of the publication under section 12 (c) hereof of a mark registered under the act of March 3, 1881, or the act of February 20, 1905; or

"(c) at any time if the registered mark becomes the common descriptive name of an article or substance, or has been abandoned or its registration was obtained fraudulently or contrary to the provisions of section 4 or of subsections (a), (b), or (c) of section 2 of this act for a registration hereunder, or contrary to similar prohibitory provisions of said prior acts for a registration thereunder, or if the registered mark is being used by, or with the permission of, the registrant so as to misrepresent the source of the goods or services in connection with which the mark is used; or

"(d) at any time if the mark was registered under the act of March 3, 1881, or the act of February 20, 1905, and has not been published under the provisions of subsection (c) of section 12 of this act; or

"(e) at any time in the case of a certification mark on the ground that the registrant (1) does not control, or is not able legitimately to exercise control over, the use of such mark, or (2) engages in the production or marketing of any goods or services to which the certification mark is applied, or (3) permits the use of the certification mark for purposes other than to certify, or (4) discriminately refuses to certify or to continue to certify the goods or services of any person who maintains the standards or conditions which such mark certifies."

SEC. 11. Section 15 is amended by striking "or trade name" and ", patented or otherwise" from paragraph No. (4).

SEC. 12. Section 16 is amended by striking therefrom the word "purchasers."

SEC. 13. Section 18 is amended by striking therefrom in the first sentence the words "In such proceedings the" and inserting in lieu thereof the word "The"; and by inserting in the first sentence after the word "may", first appearance, a comma and the following: "in the appropriate proceedings,"; and by striking the word "may", second, third, and fourth appearances.

SEC. 14. Section 21 is amended by striking the entire section, and inserting in lieu thereof the following:

"SEC. 21. (a) (1) An applicant for registration of a mark, party to an interference proceeding, party to an opposition proceeding, party to an application to register as a lawful concurrent user, party to a cancellation proceeding, a registrant who has filed an affidavit as provided in section 8, or an applicant for renewal, who is dissatisfied with the decision of the Commissioner, may appeal to the United States Court of Customs and Patent Appeals thereby waiving his right to proceed under section 21 (b) hereof: *Provided*, That such appeal shall be dismissed if any adverse party to the proceeding, other than the Commissioner, shall, within 20 days after the appellant has filed notice of appeal according to section 21 (a) (2) hereof, files notice with the Commissioner that he elects to have all further proceedings conducted as provided in section 21 (b) hereof. Thereupon the appellant shall have 30 days thereafter within which to file a civil action under said section 21 (b), in default of which the decision appealed from shall govern the further proceedings in the case.

"(2) When an appeal is taken to the United States Court of Customs and Patent Appeals, the appellant shall give notice thereof to the Commissioner, and shall file in the Patent Office, his reasons of appeal, specifically set forth in writing, within such time after the date of the decision appealed from, not less than 60 days, as the Commissioner appoints.

"(3) The court shall, before hearing such appeal, give notice of the time and place of the hearing to the Commissioner and the parties thereto. The Commissioner shall transmit to the court certified copies of all the necessary original papers and evidence in the case specified by the appellant and any additional papers and evidence specified by the appellee, and in an ex parte case the Commissioner shall furnish the court with the grounds of the decision of the Patent Office, in writing, touching all the points involved by the reasons of appeal.

"(4) The court, on petition, shall hear and determine such appeal on the evidence produced before the Patent Office, and the decision shall be confined to the points set forth in the reasons of appeal. Upon its determination, the court shall return to the Commissioner a certificate of its proceedings and decision, which shall be entered of record in the Patent Office and govern the further proceedings in the case.

"(b) (1) Whenever a person authorized by section 21 (a) hereof to appeal to the United States Court of Customs and Patent Appeals is dissatisfied with the decision of the Commissioner, said person may, unless appeal has been taken to said Court of Customs and Patent Appeals, have remedy by a civil action if commenced within such time after such decision, not less than 60 days, as the Commissioner appoints or as provided in section 21 (a). The court may adjudge that an applicant is entitled to a registration upon the application involved, that a registration involved should be canceled, or such other matter as the issues in the proceeding require, as the facts in the case may appear. Such adjudication shall authorize the Commissioner to take any necessary action, upon compliance with the requirements of law.

"(2) The Commissioner shall not be made a party to an inter partes proceeding under this subsection, but he shall be notified of the filing of the complaint by the clerk of the court in which it is filed and shall have the right to intervene in the action.

"(3) In all cases where there is no adverse party, a copy of the complaint shall be served on the Commissioner; and all the expenses of the proceedings shall be paid by the party bringing them, whether the final decision is in his favor or not. In suits brought hereunder, the record in the Patent Office shall be admitted on motion of any party, upon such terms and conditions as to costs, expenses, and the further cross-examination of the witnesses as the court imposes, without prejudice to the right of any party to take further testimony. The testimony and exhibits of the record in the Patent Office, when admitted, shall have the same effect as if originally taken and produced in the suit.

"(4) Where there is an adverse party, such suit may be instituted against the party in interest as shown by the records of the Patent Office at the time of the decision complained of, but any party in interest may become a party to the action. If there be adverse parties residing in a plurality of districts not embraced within the same State, or an adverse party residing in a foreign country, the United States District Court for the District of Columbia shall have jurisdiction and may issue summons against the adverse parties directed to the marshal of any district in which any adverse party resides. Summons against adverse parties residing in foreign countries may be served by publication or otherwise as the court directs."

SEC. 15. Section 22 is amended by changing the period at the end thereof to a colon and adding the words "*Provided*, That registration of marks under the act of March 3, 1881, or the act of February 20, 1905, shall not constitute constructive notice for any time prior to July 5, 1947."

SEC. 16. Section 23 is amended by striking from the last paragraph thereof the words "has begun the lawful use of his mark in foreign commerce and that he."

SEC. 17. Section 24 is amended by inserting in the second sentence thereof, following the word "time", the following: ", upon payment of the prescribed fee and the filing of a verified petition stating the grounds therefor,".

SEC. 18. Section 26 is amended by inserting the words "the proviso of section 2 (d)," after the words "advantages of."

SEC. 19. Section 28 is amended by inserting after the numerals "1920," the words "shall not constitute constructive notice and."

SEC. 20. Section 29 is amended by inserting the words "on or in connection with the goods or services" following the word "used"; by striking the words "mark goods bearing the registered mark" and inserting in lieu thereof the words "give such notice of registration."

SEC. 21. Section 30 is amended by striking therefrom all of said section except the first sentence thereof and inserting in lieu of the matter stricken the following: "The applicant may file an application to register a mark for any or all of the goods and services upon or in connection with which he is actually using the mark: *Provided*, That when such goods or services fall within a plurality of classes, a fee equaling the sum of the fees for filing an application in each class shall be paid, and the Commissioner may issue a single certificate for such mark."

SEC. 22. Section 31 is amended by inserting after the ninth semicolon the words "for filing petition to revive an abandoned application, $10;" ; by striking the comma following the word "disclaimer" in the final clause of the same paragraph and inserting in lieu thereof the word "or"; and by striking from said final clause the following: ", surrender, or cancellation."

SEC. 23. Subsection (1) of section 32 is amended by striking the entire subsection and inserting in lieu thereof the following:

"Any person who shall, without the consent of the registrant—

"(a) use in commerce any reproduction, counterfeit, copy, or colorable imitation of a registered mark in connection with the sale, offering for sale, distribution, or advertising of any goods or services on or in connection with which such use is likely to cause confusion, or to cause mistake, or to deceive; or

"(b) reproduce, counterfeit, copy, or colorably imitate a registered mark and apply such reproduction, counterfeit, copy, or colorable imitation to labels, signs, prints, packages, wrappers, receptacles, or advertisements intended to be used in commerce upon or in connection with the sale, offering for sale, dictribution, or advertising of goods or services on or in connection with which such use is likely to cause confusion, or to cause mistake, or to deceive,

shall be liable in a civil action by the registrant for the remedies hereinafter provided. Under subsection (b) hereof, the registrant shall not be entitled to recover profits or damages unless the acts have been committed with knowledge that such imitation is intended to be used to deceive, or to cause confusion, or to cause mistake.

Paragraph (b) of subsection (2) of section 32 is amended by striking the word "published" and inserting in lieu thereof the word "publisher."

SEC. 24. Subsection (b) of section 33 is amended by striking therefrom the word "certificate", second appearance, and inserting in lieu thereof "affidavit filed under the provisions of said section 15."

Paragraph (3) of subsection (b) of section 33 is amended by striking therefrom the words "has been assigned and"; and by striking therefrom the word "assignee" and inserting in lieu thereof the words "registrant or a person in privity with the registrant."

Paragraph (5) of subsection (b) of section 33 is amended by striking therefrom the word "the" following the words "date prior to" and inserting in lieu thereof the words "registration of the mark under this act or"; and by striking therefrom "(a) or" following the word "subsection."

Paragraph (6) of subsection (b) of section 33 is amended by inserting the words "registration under this act or" after the word "the", second appearance; by striking therefrom "(a) or" following the word "subsection", first appearance; by striking from the proviso the words "only where the said mark has been published pursuant to subsection (c) of section 12 and shall apply"; by striking the words "the date of" following the words "prior to" in the said proviso and inserting in lieu thereof "such registration or such"; and by striking therefrom the words

"subsection (a) or (c) of" following the word "under" in said proviso.

Paragraph (7) of subsection (b) of section 33 is amended by striking said paragraph in its entirety.

SEC. 25. Section 35 is amended by striking therefrom "31 (1) (b)" and inserting in lieu thereof "32"; and by adding at the end thereof a new paragraph as follows: "The court in exceptional cases may award reasonable attorney fees to the prevailing party"

SEC. 26. (a) Section 42 is amended by striking therefrom the initial word "That" and by capitalizing the then initial word "No"; by striking the word "the" following the words "simulate the name of"; by striking the words "manufacture, or" following the word "domestic", first appearance; by striking the word "trade-", each appearance; by striking the words "in accordance with the provisions of this act" following the word "registered", first appearance, and inserting in lieu thereof the words "on the principal register, or under the act of March 3, 1881, or under the act of February 20, 1905,"; and by striking therefrom the words ", issued in accordance with the provisions of this act," and inserting in lieu therof the words "on the principal register, or under the act of March 3, 1881, or under the act of February 20, 1905."

(b) Section 42 is further amended by designating the matter now therein as subsection (a) and by adding new subsections (b) and (c) to read as follows:

"(b) For the purpose of this section a foreign mark which is identical with a mark recorded under subsection (a) hereof shall not be deemed to copy or simulate the said recorded mark when used by a person having a branch-factory, parent-subsidiary, agency, licensee, partnership, or similar relationship with the owner of the registration.

"(c) Articles entered free of duty under any of the exemptions provided for in section 321 and paragraphs 1632, 1747, and 1798 of the Tariff Act of 1930, as amended, and articles entitled to temporary entry under bond as provided for in section 308 of the Tariff Act of 1930 shall not be excluded from importation under subsection (a) hereof."

(c) Section 526 of the Tariff Act of 1930 (U. S. C., 1952 edition, title 19, sec. 1526) is repealed.

SEC. 27. Subsection (b) of section 44 is amended by striking said subsection in its entirety and inserting in lieu thereof the following:

"(b) Any person whose country of origin is a party to any convention or treaty relating to trade-marks, trade or commercial names, or the repression of unfair competition, to which the United States is also a party, or extends reciprocal rights to nationals of the United States by law, shall be entitled to the benefits of this section under the conditions expressed herein to the extent necessary to give effect to any provision of such convention, treaty or reciprocal law, in addition to the rights to which any owner of a mark is otherwise entitled by this act."

Subsection (e) of section 44 is amended by inserting after the article "a" in the second sentence the words "certification or a"; and by striking from said second sentence the words "application for or."

SEC. 28. Section 45 is amended by striking the definition in the sixth paragraph in its entirety and inserting in lieu thereof the following:

"The terms 'applicant' and 'registrant' embrace the legal representatives, predecessors, successors, and assigns of such applicant or registrant."

The ninth paragraph of said section, relating to the meaning of the terms "trade name" and "commercial name", is amended by inserting a comma between the words "commercial" and "agricultural."

The 11th paragraph of said section, being the definition of "service mark", is amended by striking the definition in its entirety and inserting in lieu thereof:

"The term 'service mark' means a mark used in the sale or advertising of services to identify the services of one person and distinguish them from the services of others. Titles of radio and television programs, character names, and other distinctive features of radio or television programs may be registered as service marks notwithstanding that they, or the programs, may advertise the goods of the sponsor."

The 13th paragraph of said section, being the definition of "collective mark", is amended by striking the paragraph in its entirety and inserting in lieu thereof:

"The term 'collective mark' means a mark used by the members of a cooperative, an association, a union, or other collective group or organization, to identify the goods or services of such members and distinguish them from the goods or services of another."

The 15th paragraph of said section, relating to use in commerce, is amended by changing the period at the end of said paragraph, to a comma and adding the words "or the services are rendered in more than one State or in this and a foreign country and the person rendering the services is engaged in commerce in connection therewith."

The 17th paragraph of said section, relating to the meaning of the term "colorable imitation", is amended by deleting the word "purchasers" at the end thereof.

The final paragraph of said section is amended by striking therefrom the word "commence" and inserting in lieu thereof the word "commerce."

SEC. 29. This act shall take effect 6 months after its enactment.

The amendment was agreed to.

Mr. WILEY. Mr. President, certain suggestions with regard to the proposed legislation were made by the Department of the Treasury insofar as the original Senate bill 2540 was concerned. Those amendments were made in the bill, as suggested. It is now my information that the Treasury Department desires that its suggestions be deleted from the bill as reported. I therefore offer an amendment to the committee amendment, as follows:

On page 36, commencing with line 13, strike out all down to and including line 4 on page 37.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wisconsin to the committee amendment.

The amendment to the amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ESTABLISHMENT OF BOUNDARY BETWEEN MARYLAND AND DELAWARE

The bill (S. 3033) to authorize the Secretary of Commerce, acting through the Coast and Geodetic Survey, to assist the States of Maryland and Delaware to establish their common boundary was announced as next in order.

Mr. GORE. Mr. President, may we have an explanation of the bill?

Mr. McCARRAN. Mr. President, the proposed legislation authorizes and directs the Coast and Geodetic Survey, upon request of the board of natural resources of the State of Maryland and the State archivist and chief engineer of the highway department of the State of Delaware, to resurvey the common boundary between the States of Maryland and Delaware, with a view to assisting such States in re-marking and otherwise delineating such boundary.

It would appear that the markers installed by Mason and Dixon on the Maryland-Pennsylvania boundary were repaired and reset in 1902, and this boundary is still in good condition. The Maryland-Delaware boundaries are equally historic, but the markers on this boundary have been neglected for 2 centuries. Many of the markers are in bad condition; several have been removed from their correct positions, and a few have been lost. The Coast and Geodetic Survey is well equipped to carry on this work, and while it is indicated in the report received from the interested department that this could be done provided the States paid the costs, it is felt that in this case there is enough national and historic importance in relation to this boundary and to the markers which will be replaced to warrant that the survey be made without expense to those States. It is therefore recommended that this legislation be considered favorably.

The PRESIDING OFFICER. Is there objection to the present consideration of Senate bill 3033?

Mr. GORE. I have no objection.

There being no objection, the bill (S. 3033) to authorize the Secretary of Commerce, acting through the Coast and Geodetic Survey, to assist the States of Maryland and Delaware to establish their common boundary, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of Commerce, acting through the Coast and Geodetic Survey, is authorized and directed, upon the joint request of (1) the Board of Natural Resources of the State of Maryland, and (2) the State Archivist and the Chief Engineer of the Highway Department of the State of Delaware, to resurvey the common boundary between the States of Maryland and Delaware with a view to assisting such States to re-mark or otherwise delineate such boundary.

PUNISHMENT FOR CERTAIN CONFIDENCE GAME SWINDLES

The bill (S. 3341) to provide punishment for certain confidence game swindles was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 2314 of title 18, United States Code, be and it is hereby amended by inserting therein immediately after the first paragraph thereof, a new paragraph to read as follows:

"Whoever, having devised or intending to devise any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises, transports or causes to be transported, or induces any person to travel in, or to be transported in interstate commerce in the execution or concealment of a scheme to defraud that person of money or property having a value of $5,000 or more; or."

NATIONAL NURSE WEEK

The joint resolution (H. J. Res. 359) designating the period from October 11 to 16, inclusive, 1954, as National Nurse Week was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF THE CANAL ZONE CODE

The bill (H. R. 4881) to amend the Canal Zone Code in reference to the survival of things in action was announced as next in order.

Mr. SCHOEPPEL. Mr. President, may we have an explanation of the bill?

Mr. McCARRAN. Mr. President, some years ago it was discovered that the Canal Zone Code did not have a provision relating to the survival of tort actions. The purpose of this bill is to amend the Canal Zone Code so that, in that jurisdiction, henceforth all things in action sounding in tort will survive the death, either of the tort feasor or other persons liable, or of the person injured, or of both. It has the approval of the Department of Justice.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 4881) to amend the Canal Zone Code in reference to the survival of things in action, was considered, ordered to a third reading, read the third time, and passed.

INCREASING PENALTIES FOR SMUGGLING GOODS

The bill (H. R. 6113) to amend title 18 of the United States Code, so as to increase the penalties applicable to the smuggling of goods into the United States was considered, ordered to a third reading, read the third time, and passed.

INCORPORATION OF THE SONS OF UNION VETERANS OF THE CIVIL WAR

The bill (H. R. 8034) for the incorporation of the Sons of Union Veterans of the Civil War was considered, ordered to a third reading, read the third time, and passed.

EXTENSION OF BENEFITS UNDER THE WAR CLAIMS ACT

The bill (H. R. 9390) to extend certain civilian-internee and prisoner-of-war benefits under the War Claims Act of 1948, as amended, to civilian internees and American prisoners of war captured and held during the hostilities in Korea was considered, ordered to a third reading, read the third time, and passed.

FOUNDATION OF THE FEDERAL BAR ASSOCIATION

The bill (H. R. 9882) to incorporate the Foundation of the Federal Bar Association was considered, ordered to a third reading, read the third time, and passed.

PUNISHMENT FOR TRAVELING IN INTERSTATE OR FOREIGN COMMERCE TO AVOID CERTAIN PROSECUTION OR PUNISHMENT

The Senate proceeded to consider the bill (S. 3116) to amend section 1073 of title 18 of the United States Code to provide for the punishment of any individual who travels in interstate or foreign commerce to avoid prosecution or punishment for indecent molestation of a minor, which had been reported from the Committee on the Judiciary with an amendment in line 9, after the word "minor", to insert "punishable as a felony", so as to make the bill read:

Be it enacted, etc., That the first paragraph of section 1073 of title 18 of the United States Code is amended by—

(a) striking out the word "or" where it appears immediately preceding the phrase "extortion accompanied by threats of violence,"; and

(b) inserting, immediately after such phrase, the phrases "indecent molestation of a minor punishable as a felony, or sexual offenses against minors punishable as felonies."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SETTLEMENT OF CLAIMS BY COAST GUARD

The Senate proceeded to consider the bill (S. 3101) to amend section 490 of title 14, United States Code, entitled "Coast Guard," and for other purposes, was announced as next in order.

Mr. KNOWLAND. Mr. President, may we have an explanation of the bill?

Mr. McCARRAN. Mr. President, at the time title 14 of the United States Code was enacted into positive law, it contained a provision permitting the Secretary of the Treasury to settle certain personnel claims of the Coast Guard, as was then permitted by the Secretaries of the Army and Navy. Since that time, the Military Personnel Claims Act was amended in 1952, and the purpose of this legislation is to bring the authority of the Secretary of the Treasury, with regard to Coast Guard personnel, in line with that exercised by the Secretaries of the various other branches of the armed services.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 3101) to amend section 490 of title XIV, United States Code, entitled "Coast Guard," and for other purposes, which had been reported from the Committee on the Judiciary with amendments on page 1, after line 4, to insert:

(1) Subsection (a) is amended by striking out the words "pay any claim" and inserting in lieu thereof "pay any claim not in excess of $2,500."

In line 8, to change the subsection number from "(1)" to "(2)"; and on page 2, line 15, to change the subsection number from "(2)" to "(3)", so as to make the bill read:

Be it enacted, etc., That section 490 of title 14 of the United States Code is amended as follows:

(1) Subsection (a) is amended by striking out the words "pay any claim" and inserting in lieu thereof "pay any claim not in excess of $2,500."

(2) By redesignating subsections (b), (c), and (d) thereof as (c), (d), and (e), respectively, and by inserting after subsection (a) thereof the following new subsection:

"(b) In the event of the death of any person among the military personnel or civilian employees enumerated in subsection (a), the Secretary is hereby authorized to consider, ascertain, adjust, determine, settle, and pay any claim, otherwise cognizable under this section, presented by the survivor of such person for damage to or loss, destruction, capture, or abandonment of the personal property of such person, regardless of whether such damage, loss, destruction, capture, or abandonment occurred concurrently with or subsequent to such death. For the purposes of this section, the term 'survivor' means surviving spouse, child, or children, parent or parents, or brothers or sisters or both, of the decedent, and claims by survivors shall be settled and paid in that order of precedence."

(3) By amending redesignated subsection (c) thereof to read as follows:

"(c) No claim shall be settled under this section unless presented in writing within 2 years after the accident or incident out of which such claim arises shall have occurred; if such accident or incident occurs in time of war or in time of armed conflict in which the Armed Forces of the United States are engaged, or if war or such armed conflict intervenes within 2 years after its occurrence, any claim may, on good cause shown, be presented within 2 years after such good cause ceases to exist, but not later than 2 years after peace is established or such armed conflict terminates. The dates of commencement and termination of an armed conflict for the purpose of this subsection shall be as established by concurrent resolution of the Congress or by determination of the President."

SEC. 2. Notwithstanding the provisions of section 490 of title 14, United States Code, as amended by this act, any claim cognizable under that section which has not heretofore been presented for consideration, or has been presented for consideration and disapproved for the reason that the claimant did not file such claim within the time authorized by law, or any claim cognizable thereunder of any survivor which has not heretofore been presented for consideration, or has been presented for consideration, and disapproved for the reason that heretofore such survivor acquired no right of recovery under that section may, at the written request of the claimant made within 1 year from the date of the enactment of this act, be considered or reconsidered and settled in accordance with the provisions thereof.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

NATIONAL SALVATION ARMY WEEK — JOINT RESOLUTION PASSED TO NEXT CALL OF CALENDAR

The joint resolution (S. J. Res. 173) to authorize the President to proclaim the week of November 28, 1954, through

December 4, 1954, as "National Salvation Army Week" was announced as next in order.

Mr. GORE. Over.

Mr. IVES. Mr. President, will the Senator from Tennessee withhold his objection?

Mr. GORE. I withhold my objection.

Mr. IVES. May I ask why the bill is being objected to?

Mr. GORE. I shall be glad to state my reason for objecting. As I understand, the Salvation Army is a religious organization. If Congress begins to designate national weeks for religious organizations, then, since the United States is blessed with so many religious organizations, just where shall we stop in the designation of religious weeks?

Mr. IVES. May I dwell upon that subject for a moment? In one sense the Salvation Army may be construed to be a religious organization. In a broader sense, it is much more than that. Some of us who served in World War I perhaps owe our lives to the Salvation Army, because at times when no one else would take care of us, the Salvation Army, as it was constituted at that time, was of great assistance.

It is not because the Salvation Army is a religious organization that an effort is being made to have the week set aside; it is because of the overall work of the Salvation Army, and the broad field of humanitarianism in which it has been engaged, that many of us are interested in this effort.

I wish the distinguished Senator from Tennessee would withhold his objection, so that the resolution might be passed.

Mr. GORE. The joint resolution might very properly be amended to provide for Baptist Brotherhood Week or Red Cross Week.

Mr. IVES. Those organizations are not comparable in any sense of the word. The Salvation Army is a worldwide organization.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. GORE. I ask that the bill go over until the next call of the calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF CIVIL AERONAUTICS ACT—BILL PASSED TO FOOT OF CALENDAR

The bill (H. R. 8898) to amend section 401 (e) (2) of the Civil Aeronautics Act, as amended, was announced as next in order.

Mr. HENDRICKSON. By request, I ask that the bill go over.

Mr. STENNIS. Will the Senator withhold his objection?

Mr. HENDRICKSON. I am glad to do so.

Mr. STENNIS. The junior Senator from Mississippi wishes to express a very strong interest in the bill. He believes he expresses the interest of a great many other Senators and people from other areas of the country.

This bill has passed the House and has been unanimously reported from the Senate committee, as the Senator understands. If it is passed over on this call of the calendar, perhaps it will not have a chance to be considered. Will the Senator agree to let it go to the foot of the calendar?

Mr. HENDRICKSON. I shall be glad to let it go to the foot of the calendar but, I must say, Mr. President, that two objections have been lodged with me. If I can reach the two Senators who objected——

Mr. STENNIS. I ask unanimous consent that the bill go to the foot of the calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCARRAN. Mr. President, will the Senator from Mississippi yield for a moment?

Would some amendments which I hold in my hand, proposed to be offered by me, relieve the situation at all?

Mr. SMATHERS. Mr. President——

Mr. CARLSON. Mr. President——

The PRESIDING OFFICER. Unless objection is withdrawn to the unanimous-consent request so that the bill may go to the foot of the calendar, it will be necessary, under the procedure, to continue with the call of the calendar.

Mr. SMATHERS. Mr. President, will the Senator yield, that I might ask the chairman of the majority calendar committee whether or not he would reveal to us the names of Senators who are objecting to the bill, or whether he feels that that would violate a confidence. May I have an answer to the question?

The PRESIDING OFFICER. A question has been directed to the Senator from New Jersey.

Mr. HENDRICKSON. I regret I was in conversation with the Senator from Mississippi and did not hear the question.

Mr. SMATHERS. I saw that the Senator was engaged. I ask the able Senator if he would feel he was violating a confidence if he advised those of us who are in favor of the bill who the objectors are?

Mr. HENDRICKSON. The staff of the calendar committee on this side informs me that the Senator from Connecticut [Mr. BUSH], and the Senator from Ohio [Mr. BRICKER] asked that the bill go over. I am perfectly willing——

Mr. SMATHERS. I thank the Senator. That will give us an opportunity to confer with them while the bill goes to the foot of the calendar.

Mr. STENNIS. Mr. President, am I to understand the bill goes to the foot of the calendar?

The PRESIDING OFFICER. That was the unanimous-consent request.

Mr. BUSH. Mr. President——

Mr. HENDRICKSON. I yield.

The PRESIDING OFFICER. The Senator from New Jersey now yields to the Senator from Kansas [Mr. CARLSON], who has been endeavoring to obtain recognition.

Mr. CARLSON. Mr. President, I would object to the bill unless the Senator from Nevada [Mr. McCARRAN] were to offer a couple of amendments which I would be willing to accept. If they were adopted, I would not object. Otherwise, I shall be constrained to object.

The PRESIDING OFFICER. In view of the fact that the unanimous consent agreement has been entered into, whereby this bill goes to the foot of the calendar——

Mr. BUSH. No, Mr. President.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BUSH. I did not understand the unanimous consent agreement to be that the bill would go to the foot of the calendar.

The PRESIDING OFFICER. The Senator from Mississippi [Mr. STENNIS] made the unanimous consent request, and it was agreed to.

Mr. BUSH. I objected, and I still object. Mr. President, if it is desired to have the bill go to the foot of the calendar, and if it is the understanding that it was so agreed, I will withdraw my objection.

The PRESIDING OFFICER. The agreement was that it should go to the foot of the calendar.

Mr. BUSH. I will not withdraw my objection to the bill when it comes up.

The PRESIDING OFFICER. The bill goes to the foot of the calendar, and the clerk will report the next calendar item.

JURISDICTION OF CLAIMS OF G. W. TODD AND LLOYD PARKS

The resolution (S. Res. 309) conferring jurisdiction in the Court of Claims to hear, determine, and render judgment on the claims of G. W. Todd and Lloyd Parks was considered and agreed to, as follows:

Resolved, That the bill (S. 750) entitled, "A bill conferring jurisdiction on the Court of Claims to hear, determine, and render judgment on the claims of G. W. Todd and Lloyd Parks, copartners," now pending in the Senate, together with all accompanying papers, is hereby referred to the United States Court of Claims pursuant to sections 1492 and 2509 of title 28, United States Code; and said court shall proceed expeditiously with the same, in accordance with the provisions of said sections, and report to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand, as a claim legal or equitable, against the United States, and the amount, if any, legally or equitably due from the United States to the claimants.

JURISDICTION OF CLAIMS OF IRA T. TODD AND MAJOR C. TODD

The resolutions (S. Res. 308) conferring jurisdiction on the Court of Claims to hear, determine, and render judgment on the claims of Ira T. Todd and Major C. Todd, copartners, trading as Todd Bros., was considered and agreed to, as follows:

Resolved, That the bill (S. 749) entitled "A bill conferring jurisdiction on the Court of Claims to hear, determine, and render judgment on the claims of Ira T. Todd and Major C. Todd, copartners, trading as Todd Bros.", now pending in the Senate, together with all accompanying papers, is hereby referred to the United States Court of Claims pursuant to sections 1492 and 2509 of title 28, United States Code; and said court shall proceed expeditiously with the same, in accordance with the provisions of said sections, and report to the Senate, at

the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand, as a claim legal or equitable, against the United States, and the amount, if any, legally or equitably due from the United States to the claimants.

EVELYN HARDY WATERS

The bill (S. 1445) for the relief of Evelyn Hardy Waters was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, notwithstanding any statute of limitation or lapse of time or any provision of law to the contrary, suit may be instituted within one year after the date of enactment of this act by Evelyn Hardy Waters of Pensacola, Florida, upon her claim against the United States for personal injuries sustained by her as a result of the alleged improper administering of an anesthetic in the course of an operation performed on her August 12, 1948, by the personnel of the Naval Hospital at Pensacola, Florida. In any such suit brought pursuant to this act proceedings shall be had and the liability, if any, of the United States shall be determined in accordance with the provisions of law applicable in the case of tort claims against the United States: *Provided*, That nothing in this act shall be construed as an inference of liability on the part of the United States.

THOMAS BARRON

The bill (S. 3017) for the relief of Thomas Barron was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Thomas Barron, of East Greenwich, R. I., the sum of $3,000, such sum being the amount determined by the United States Court of Claims, acting pursuant to Senate Resolution 216, 82d Congress, to be equitably due to the said Thomas Barron. The payment of such sum shall be in full satisfaction of his claim against the United States for compensation for typewriter parts, tools, and equipment which were destroyed by fire at the naval air station, Quonset Point, R. I., on October 15, 1948, when the said Thomas Barron was engaged in contract work for the United States Navy: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

COL. DAVID W. STONECLIFFE

The bill (S. 3582) for the relief of Col. David W. Stonecliffe was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Col. David W. Stonecliffe, United States Marine Corps (O5430), Camp Lejeune, North Carolina, the sum of $1,653.29, in full settlement of all claims against the United States for the damages sustained by him on account of damage to and destruction of his household goods and personal effects as the result of improper handling of a shipment of his household goods from Bangkok, Thailand, to Camp Lejeune, North Carolina, between November 5, 1952, and February 17, 1953, such shipment having been made in pursuance of orders of a permanent change of duty station, and for which damages he has not heretofore been compensated: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

MARY PALANUK

The bill (S. 3666) for the relief of Mary Palanuk was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That notwithstanding any statute of limitations, lapse of time or any prior adjudication of this claim by any court of the United States, jurisdiction is hereby confered upon the United States District Court for the District of North Dakota to hear, determine, and render judgment in the claim of Mary Palanuk, arising out of the death of James Palanuk, on December 25, 1947, under a policy of national service life insurance issued on the life of the said James Palanuk by the Veterans' Administration. In the adjudication of such claim the said James Palanuk shall be held and considered to have filed timely application for waiver of premiums under said policy of national service life insurance on the ground of total disability for the period August 25, 1945, to December 25, 1947, date of death. Such suit may be instituted at any time within 1 year after the date of enactment of this act: *Provided, however*, That nothing contained in this act shall be construed as an inference of liability on the part of the United States Government.

JURISDICTION TO HEAR CLAIM OF MARY K. REYNOLDS

The bill (H. R. 2874) to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of Mary K. Reynolds, as successor in interest to the Colonial Realty Co., was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 6808) for the relief of Col. Samuel J. Adams, and others, was announced as next in order.

Mr. SMATHERS. I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

TRANSFER OF TITLE IN CERTAIN INVENTION TO VERNON F. PARRY

The bill (H. R. 7251) to authorize the Secretary of the Interior to transfer to Vernon F. Parry the right, title, and interest of the United States, in foreign countries, in and to a certain invention was announced as next in order.

Mr. SCHOEPPEL. Mr. President, may we have an explanation of the bill?

Mr. McCARRAN. Mr. President, this bill is to provide for the correction of an error which inadvertently was made in an assignment to the United States of a patent issued on an application filed in 1949 by Vernon F. Parry when he was an employee of the Bureau of Mines, Department of the Interior.

This legislation is endorsed by the Department of the Interior. The bill will permit the Secretary of the Interior to convey to the claimant the foreign patent rights which were erroneously assigned to the Government, and for which the Government has determined not to secure foreign patents. The Government will retain ownership of any patents that might be grated in the United States, and, in addition, the Government will have a nonexclusive, royalty-free license under any patents that might be granted in foreign countries, and the right to grant sublicenses for certain defense purposes. As stated by the Secretary of the Interior, the assignment which was signed by Mr. Parry when he executed the oath to this application, included not only the domestic patent rights but also the foreign patent rights, and this should not have been done.

The committee, therefore, believes the proposed legislation to be meritorious, and recommends that it be favorably considered.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

MRS. WILLIAM A. CURRAN

The Senate proceeded to consider the bill (S. 2634) for the relief of Mrs. William A. Curran, which had been reported from the Committee on Post Office and Civil Service with amendments, and subsequently reported from the Committee on the Judiciary without additional amendments.

The amendments of the Committee on Post Office and Civil Service were, on page 2, line 5, after the word "to," to insert "one-half," and in line 15, after the word "to," to strike out "10" and insert "5," so as to make the bill read:

Be it enacted, etc., That the Civil Service Commission is authorized and directed to pay, out of any money in the civil service retirement and disability fund, to Mrs. William A. Curran, of Bangor, Maine, the widow of William A. Curran, formerly an employee of the Internal Revenue Service, an annuity equal to the annuity which she would have been entitled to receive had the said William A. Curran elected, at the time of his retirement, under the provisions of the Civil Service Retirement Act of May 29, 1930, as amended, to receive a reduced annuity payable to him during his life, and an annuity equal to one-half of such reduced annuity payable after his death to the said Mrs. William A. Curran, as surviving beneficiary, the said William A. Curran having been unable because of physical and mental condition resulting from serious illness to exercise his best judgment in the selection of the most beneficial type of annuity.

SEC. 2. There shall be deducted and withheld from the annuity authorized under the first section of this act an amount equal to the amount of any refund of contributions which shall have been made on account of the death of the said William A. Curran, plus an amount equal to 5 percent of the amount received by the said William A. Curran in annuity payments under the Civil Service Retirement Act of May 29, 1930, as amended, prior to his death.

The amendments were agreed to.

Mr. HENDRICKSON. Mr. President, I send an amendment to the desk, which I ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. At the end of the bill it is proposed to insert the following new section:

SEC. 3. No part of the annuity authorized under the first section of this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with obtaining such annuity, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. HENDRICKSON. Mr. President, the amendment is self-explanatory and is satisfactory to the sponsor of the bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Jersey.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Civil Service Commission is authorized and directed to pay, out of any money in the civil service retirement and disability fund, to Mrs. William A. Curran, of Bangor, Maine, the widow of William A. Curran, formerly an employee of the Internal Revenue Service, an annuity equal to the annuity which she would have been entitled to receive had the said William A. Curran elected, at the time of his retirement, under the provisions of the Civil Service Retirement Act of May 29, 1930, as amended, to receive a reduced annuity payable to him during his life, and an annuity equal to one-half of such reduced annuity payable after his death to the said Mrs. William A. Curran, as surviving beneficiary, the said William A. Curran having been unable because of physical and mental condition resulting from serious illness to exercise his best judgment in the selection of the most beneficial type of annuity.

SEC. 2. There shall be deducted and withheld from the annuity authorized under the first section of this act an amount equal to the amount of any refund of contributions which shall have been made on account of the death of the said William A. Curran, plus an amount equal to 5 percent of the amount received by the said William A. Curran in annuity payments under the Civil Service Retirement Act of May 29, 1930, as amended, prior to his death.

SEC. 3. No part of the annuity authorized under the first section of this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with obtaining such annuity, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

BILL PASSED OVER

The bill (S. 345) for the relief of Samuel Chalut was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

T. C. ELLIOTT

The bill (S. 1687) for the relief of T. C. Elliott was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Mr. President, reserving the right to object—and I shall not object—I wonder if we can have an explanation of the bill.

Mr. HOLLAND. Mr. President, this is a bill which I introduced on behalf of Mr. T. C. Elliott, who is a retired civil-service auditor who, during his 34 years of service for the Government, served with the Treasury Department, the Department of the Navy, and the General Accounting Office. Mr. Elliott became a traffic expert, a rate expert in transportation matters, and he was called into service by the late Senator Sheppard of Texas and by others, as will be shown from the report, to serve both Senate and House committees. Mr. Elliott was likewise called in to brief the matter in which the Federal Government was the defendant in a suit by the railroads, under which a $10 million judgment was obtained against the Government, which judgment was later vacated, at least partly because of the research conducted by Mr. Elliott.

Senators will note the letter dated September 18, 1951, from Mr. Robert Ramspeck, who was at that time Chairman of the United States Civil Service Commission, to Mr. T. C. Elliott, printed on page 12 of the report. I read just one sentence from that letter:

I realize that your case presents unusual circumstances because of your efforts in bringing about the return of 8½ million acres of land to the public domain and the cancellation of the judgment of $10 million which had been secured against the Federal Government.

The situation is that Mr. Elliott's retirement came before the law was enacted under which financial reward could be given for that kind of service, rendered during vacation time and on weekends and at night, for agencies by which he was not directly employed, such as the committees of Congress.

The Judiciary Committee made a careful investigation of this case. My understanding is that it is unanimous in reporting the amount of the award included in the bill. I think it is a highly meritorious award to a very faithful employee, who did not follow the clock or the hours of employment, but instead rendered very exceptional and meritorious service in his vacation periods and at other times, for which he received no compensation.

The PRESIDING OFFICER. Is there objection?

Mr. HENDRICKSON. Mr. President, I thank the distinguished Senator. This is a very meritorious bill. I will not object.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 1687) for the relief of T. C. Elliott, which had been reported from the Committee on the Judiciary with an amendment, on page 2, line 6, after the word "act", to strike out "in excess of 10 percent thereof", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to T. C. Elliott, of Daytona Beach, Fla., the sum of $15,000, in full satisfaction of his claim against the United States for compensation for services rendered to the United States prior to 1944, in addition to his official duties as a Federal employee, in preparing and furnishing rate and transportation information for the use of Members of the Senate and the House of Representatives, the Committees on Interstate and Foreign Commerce of the Senate and House of Representatives, and various other officials and agencies of the Government, as a result of which the said T. C. Elliott helped to save to the United States approximately $15,000,000: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

SEC. 2. The sum paid pursuant to the first section of this act shall be exempt from all Federal income taxes.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WALTER H. BERRY

The Senate proceeded to consider the bill (S. 1898) for the relief of Walter H. Berry, which had been reported from the Committee on the Judiciary with an amendment, on page 1, line 11 after the word "act", to strike out "in excess of 10 percent thereof", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Walter H. Berry, of Washington, Ind., the sum of $1,097.30, in full satisfaction of his claim against the United States for salary for the period May 10, 1947, to September 2, 1947, during which he was erroneously separated from his CAF-7 civil-service position at the United States Naval Ammunition Depot, Crane, Ind.: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 2083) to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of Lawrence F. Kramer was announced as next in order.

Mr. GORE. I ask that the bill go over.

The PRESIDING OFFICER. The bill will go over.

BIRMINGHAM IRON WORKS, INC.

The Senate proceeded to consider the bill (S. 2316) for the relief of the Birmingham Iron Works, Inc., which had been reported from the Committee on the Judiciary with an amendment, on page 2, line 5, after the word "act", to strike out "in excess of 10 percent thereof", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Birmingham Iron Works, Inc., of Birmingham, Ala., the sum of $9,600, in full satisfaction of such company's claim against the United States for reimbursement for losses incurred in 1951, without fault on the part of such company, when, in reliance on the bona fide belief of the president of the company that a contract had been entered into between the company and the United States, the company manufactured 49 forges which the United States failed and refused to accept inasmuch as the Government procurement agent had no authority to bind the United States: *Provided,* That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 2564) to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of Gubbins & Co., of Lima, Peru, and Reynaldo Gubbins was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

EPES TRANSPORTATION CORP.

The Senate proceeded to consider the bill (S. 2632) for the relief of the Epes Transportation Corp., which had been reported from the Committee on the Judiciary with an amendment, on page 2, line 6, after the word "act", to strike out "in excess of 10 percent thereof", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Epes Transportation Corp. of Virginia, the sum of $6,537.95, in full satisfaction of all claims of such corporation against the United States, such sum representing taxes (with interest and penalty) paid to the United States by such corporation on account of certain cigarettes and tobacco products which were withdrawn from bonded warehouse in Winston-Salem, N. C., by such corporation for export to foreign consignees, but which were not exported due to the fact that such cigarettes and tobacco products were stolen from the trucks of such corporation en route to the intended exportation point: *Provided,* That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GRAPHIC ARTS CORP. OF OHIO

The Senate proceeded to consider the bill (S. 2801) for the relief of the Graphic Arts Corp. of Ohio, which had been reported from the Committee on the Judiciary with an amendment, on page 1, line 10, after the word "act", to strike out "in excess of 10 percent thereof", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Graphic Arts Corp. of Ohio, Toledo, Ohio, the sum of $84,359.19. The payment of such sum shall be in full settlement of all claims of the said Graphic Arts Corp. of Ohio against the United States: *Provided,* That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdeameanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 3057) for the relief of the Lacchi Construction Co. was announced as next in order.

Mr. HENDRICKSON. I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

PORTSMOUTH SAND & GRAVEL CO.

The Senate proceeded to consider the bill (S. 3110) for the relief of the Portsmouth Sand & Gravel Co., which had been reported from the Committee on the Judiciary with an amendment, on page 2, line 1, after the word "act", to strike out "in excess of 10 percent thereof", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Portsmouth Sand & Gravel Co., of Portsmouth, Ohio, the sum of $75,000. The payment of such sum shall be in full settlement of all claims of the said Portsmouth Sand & Gravel Co. against the United States for compensation for any and all damage occasioned by the relocation of the Scioto River by the United States Army (Corps of Engineers) in 1940 and 1941: *Provided,* That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CENTRAL RAILROAD CO. OF NEW JERSEY

The Senate proceeded to consider the bill (S. 3494) for the relief of the Central Railroad Co. of New Jersey, which had been reported from the Committee on the Judiciary with an amendment, on page 1, line 6, after the figures "$62,056.23" to strike out "plus interest on such sum at the rate of 4 percent per annum from January 6, 1943, to the date of payment" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Central Railroad Co. of New Jersey the sum of $62,056.23, representing the amount of damages found by the United States Court of Claims (Congressional No. 17863, decided July 13, 1953, in response to S. Res. 317, 81st Cong.) to have resulted from accidents in which trains of the Central Railroad Co. of New Jersey were involved at a crossing voluntarily established for the convenience of the Government, which accidents were caused in part by the negligence of the Government: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

McMAHON CO., INC.

The Senate proceeded to consider the bill (S. 3562) for the relief of the McMahon Co., Inc., which had been reported from the Committee on the Judiciary with an amendment, on page 1, in line 11, after the word "act", to strike out "in excess of 10 percent therof", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the McMahon Co., Inc., of Rapid City, S. Dak., $518.44, in full satisfaction of the company's claim against the Farmers Home Administration, Department of Agriculture, for livestock feed

furnished farmers during the emergency of the snow blockade created by the blizzards in January 1949: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ESTHER E. ELLICOTT

The Senate proceeded to consider the bill (H. R. 2791) for the relief of Esther E. Ellicott, which had been reported from the Committee on the Judiciary with an amendment, on page 2, line 4, after the word "act", to strike out "in excess of 10 percent thereof."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

MRS. ROSALINE SPAGNOLA

The Senate proceeded to consider the bill (H. R. 2881) for the relief of Mrs. Rosaline Spagnola, which had been reported from the Committee on the Judiciary with an amendment, on page 2, line 1, after the word "act", to strike out "in excess of 10 percent thereof."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

E. C. MILLS

The Senate proceeded to consider the bill (H. R. 3216) for the relief of E. C. Mills which had been reported from the Committee on the Judiciary with an amendment, on page 1, line 11, after the word "act", to strike out "in excess of 10 percent thereof."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

MRS. FLORENCE D. GRIMSHAW

The Senate proceeded to consider the bill (H. R. 3217) for the relief of Mrs. Florence D. Grimshaw, which had been reported from the Committee on the Judiciary with an amendment, in line 11, after the word "insurance:" to insert a colon and "*Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

EDGAR A. BELLEAU, SR.

The Senate proceeded to consider the bill (H. R. 3273) for the relief of Edgar A. Belleau, Sr. which had been reported from the Committee on the Judiciary with an amendment, in line 6, to strike out "$1,209" and insert "$1,101.75."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

CATHERINE D. PILGARD

The Senate proceeded to consider the bill (H. R. 3732) for the relief of Catherine (Cathrina) D. Pilgard, which had been reported from the Committee on the Judiciary with an amendment, on page 2, line 3, after the words "prior to", to insert "the date of application filed following date of."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

LYMAN CHALKLEY

The Senate proceeded to consider the bill (H. R. 4531) for the relief of Lyman Chalkley, which had been reported from the Committee on the Judiciary with an amendment, on page 2, line 3, after the word "act", to strike out "in excess of 10 percent thereof."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

FLORIDA STATE HOSPITAL

The Senate proceeded to consider the bill (H. R. 4580) for the relief of the Florida State Hospital which had been reported from the Committee on the Judiciary with an amendment, on page 2, line 3, after the word "act", to strike out "in excess of 10 percent thereof."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

GEORGE ELDRED MORGAN

The Senate proceeded to consider the bill (H. R. 5086) for the relief of George Eldred Morgan, which had been reported from the Committee on the Judiciary with an amendment, on page 2, line 2, after the word "act", to strike out "in excess of 10 percent thereof."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

ROBERT LEON ROHR

The Senate proceeded to consider the bill (H. R. 5092) for the relief of Robert Leon Rohr, which had been reported from the Committee on the Judiciary with an amendment, on page 2, at the beginning of line 1, to strike out "in excess of 10 percent thereof."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

ROCCO FORGIONE

The Senate proceeded to consider the bill (H. R. 5489) for the relief of Rocco Forgione, which had been reported from the Committee on the Judiciary with an amendment, on page 2, at the beginning of line 7, to strike out "in excess of 10 percent thereof."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

JAMES PHILIP COYLE

The Senate proceeded to consider the bill (H. R. 6332) for the relief of James Philip Coyle, which had been reported from the Committee on the Judiciary with an amendment, in line 9, after "1938", to insert a colon and "Current applicable appropriations shall be available for the payment of any claims resulting from the enactment of this act."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

CAPT. C. R. MACLEAN

The Senate proceeded to consider the bill (H. R. 6562) for the relief of Captain C. R. MacLean, which had been reported from the Committee on the Judiciary with an amendment, on page 2, line 1, after the word "act", to strike out "in excess of 10 percent thereof."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

DANIEL D. POLAN.

The Senate proceeded to consider the bill (H. R. 6566) for the relief of Daniel D. Poland, which had been reported from the Committee on the Judiciary with an amendment, on page 2, line 3, after the

word "act", to strike out the colon and "*Provided*, That no benefits except medical expenses shall accrue prior to the enactment of this act."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

M. M. HESS—BILL PLACED AT FOOT OF CALENDAR

The Senate proceeded to consider the bill (H. R. 7762) for the relief of M. M. Hess, which had been reported from the Committee on the Judiciary with an amendment, on page 1, line 8, to strike out the proviso, as follows:

Provided, That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. McCARRAN. Mr. President——

The PRESIDING OFFICER. Does the Senator wish to have the vote by which the bill was passed reconsidered?

Mr. GORE. Mr. President, I wish to reserve the right to object.

The PRESIDING OFFICER. The bill has been passed. Is it desired that the vote by which the bill was passed be reconsidered?

Mr. GORE. Yes.

The PRESIDING OFFICER. Without objection, the vote will be reconsidered.

Mr. McCARRAN. Mr. President, I wish first, if I may——

Mr. GORE. Mr. President, does the Senator wish to offer an amendment eliminating the entrance features?

Mr. McCARRAN. I shall offer an amendment on the first page, line 5, after "Internal Revenue Code," to insert "of 1939."

Mr. President, this proposed legislation, as amended, would provide that the claim of M. M. Hess, Litchfield, Ill., shall be held and considered to have been received by the Internal Revenue Service within the time allowed by law and regulations for the filing of such claims, notwithstanding the provisions of section 322 (b) (1) of the Internal Revenue Code.

The evidence discloses that the claimant filed a claim for refund of income tax paid for the taxable year 1945 in the amount of $3,113.94. The claim was received in the office of the collector of internal revenue on March 16, 1949. The Treasury Department rejected his claim for refund because it was not received in the office of the collector on March 15, 1949.

Section 322 (b) (1) requires that his claim for refund must be filed by the taxpayer within 3 years from the time the claim was filed. Mr. Hess' claim was disallowed because it was received 1 day late. The claimant believed that he was complying with the law by posting the return on the last day of the filing date rather than physically depositing the claim for refund in the collector's office on the last day.

The Congress has, in the past, recognized the equities of the situation such as this—Private Law 15, 83d Congress, Detroit Automotive Co.—and this committee recently favorably reported S. 1795, Senate Report 1542, to take care of a situation such as presently exists in the instant claim.

The committee believes that this legislation is meritorious and, therefore, recommends favorable consideration of this bill, H. R. 7762, as amended.

Mr. GORE. Mr. President, will the Senator from Nevada yield?

The PRESIDING OFFICER (Mr. BUSH in the chair). Does the Senator from Nevada yield to the Senator from Tennessee?

Mr. McCARRAN. I yield.

Mr. GORE. As presently written, the bill would permit the payment of interest, would it not?

Mr. McCARRAN. That is correct.

Mr. GORE. For that reason a similar bill was vetoed last year. So I believe it would be the better part of wisdom and good procedure to ask that this bill go to the foot of the calendar, in order that an amendment making that correction may be prepared.

Mr. McCARRAN. I thought of preparing an amendment to eliminate the payment of interest. Perhaps it would save time and do some good.

Mr. GORE. Then, Mr. President, I ask that the bill go to the foot of the calendar.

Mr. McCARRAN. Very well.

Mr. HENDRICKSON. Mr. President, will the Senator from Tennessee withhold his request, so that I may submit an amendment to the bill and have it considered?

Mr. GORE. Yes, indeed.

Mr. HENDRICKSON. The amendment makes the standard provision against the payment of attorneys' fees.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 7762) for the relief of M. M. Hess, which had been reported from the Committee on the Judiciary, with an amendment on page 1, line 8, after the word "claim", to strike out the colon and "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The amendment was agreed to.

Mr. HENDRICKSON. Mr. President, I offer the amendment, which I now send to the desk.

The PRESIDING OFFICER. The amendment submitted by the Senator from New Jersey will be stated.

The LEGISLATIVE CLERK. At the end of the bill, it is proposed to add the following new section:

SEC. 2. No part of any credit or refund that may be allowed by reason of the enactment of this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with obtaining such credit or refund, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New Jersey.

The amendment was agreed to.

Mr. GORE. Mr. President, I now ask that the bill be placed at the foot of the calendar.

The PRESIDING OFFICER. Without objection, the bill will be placed at the foot of the calendar.

S. SGT. FRANK C. MAXWELL

The Senate proceeded to consider the bill (H. R. 7835) for the relief of S. Sgt. Frank C. Maxwell which had been reported from the Committee on the Judiciary with an amendment, on page 2, line 2, after the word "act", to strike out "in excess of 10 percent thereof."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

CITY OF FORT SMITH, ARK.

The Senate proceeded to consider the bill (H. R. 8252) for the relief of the city of Fort Smith, Ark., which had been reported from the Committee on the Judiciary with an amendment, on page 2, after the word "act", to strike out "in excess of 10 percent thereof."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

IRENE C. KARL

The Senate proceeded to consider the bill (S. 209) for the relief of Irene C. Karl, which had been reported from the Committee on the Judiciary with amendments, on page 1, line 5, after the word "of", to strike out "$3,633.36" and insert "$3,194.39"; and on page 2, line 1, after the word "act", to strike out "in excess of 10 percent thereof", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to

pay, out of any money in the Treasury not otherwise appropriated, to Irene C. Karl, the sum of $3,194.39, in full satisfaction of her claim against the United States for compensation for loss of certain personal property resulting from her forced evacuation, on or about June 26, 1950, from Seoul, Korea, where she was serving as a service club director with the Special Services Section, United States Army Forces: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 3375) for the relief of the Elkay Manufacturing Co. of Chicago, Ill., was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be pased over.

JULIO MERCADO TOLEDO

The Senate proceeded to consider the bill (H. R. 2615) for the relief of Julio Mercado Toledo, which had been reported from the Committee on the Judiciary with amendments, on page 1, line 5, after the word "to", to insert "the estate of"; and in line 11, after the word "act", to strike out "in excess of 10 percent thereof."

The amendments were agreed to.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

DONALD JAMES DARMODY

The Senate proceeded to consider the bill (H. R. 2645) for the relief of Donald James Darmody, which had been reported from the Committee on the Judiciary with an amendment, on page 2, line 9, after the word "act", to strike out "in excess of 10 percent thereof."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

PETRA RUIZ MARTINEZ AND OTHERS

The Senate proceeded to consider the bill (H. R. 5028) for the relief of Petra Ruiz Martinez and Marcelo Maysonet Mirell and Maria Benitez Maysonet Mirell, which had been reported from the Committee on the Judiciary with amendments, on page 1, in line 6, to strike out "Marcelo Maysonet Mirell, and Maria Benitez de Maysonet Mirell", and insert "Mr. and Mrs. Marcelo Maysonet Mirell"; in line 11, after the word "and", to strike out "Juan Gilbert Maysonet Benitez", and insert "Juan Gilberto Maysonet Benitez"; on page 2, line 2, after the word "date", to strike out "when they were struck by a United States Army truck", and insert "in an acident involving a United States Army truck, which occurred"; and in line 6, after the word "act", to strike out "in excess of 10 percent thereof."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "An act for the relief of Petra Ruiz Martinez and Mr. and Mrs. Marcelo Maysonet Mirell."

INCREASE OF PENSIONS TO VETERANS AND DEPENDENTS—BILL PLACED AT FOOT OF CALENDAR

The bill (H. R. 9962) to increase by 5 percent the rates of pension payable to veterans and their dependents was announced as next in order.

Mr. HENDRICKSON. Mr. President, I ask that the bill go to the foot of the calendar.

The PRESIDING OFFICER. Without objection, the bill will be placed at the foot of the calendar.

Mr. MALONE. Mr. President, will the Senator from New Jersey withhold his request for a moment?

Mr. HENDRICKSON. I am glad to do so.

Mr. MALONE. Does the distinguished Senator from New Jersey understand what the bill is?

Mr. HENDRICKSON. I think I do.

Mr. MALONE. Then there is no use in making an explanation. The bill merely provides for a 5 percent increase in the pensions, to make up for the decrease in the purchasing power of money. It has been some time since such an increase has been granted, and in this case the increase will apply only to totally disabled non-service-connected veterans, except those of the Spanish-American War, and their average age is about 78 years.

Mr. HENDRICKSON. Yes; those with non-service-connected disabilities.

Mr. MALONE. Yes; and $55 is the approximate maximum. I thought the distinguished Senator from New Jersey might wish to withdraw the objection, under those circumstances.

Mr. HENDRICKSON. I understand the purpose of the bill, and the purpose is very worthy. But I have been requested to ask unanimous consent that the bill be placed at the foot of the calendar, and so I make that request.

The PRESIDING OFFICER. Without objection, the bill will be placed at the foot of the calendar, as requested.

BILLS PASSED OVER

The bill (H. R. 10051) making appropriations for Mutual Security for the fiscal year ending June 30, 1955, and for other purposes, was announced as next in order.

Mr. GORE. Over.

Mr. HENDRICKSON. Mr. President, I ask that the bill go to the foot of the calendar.

Mr. GORE. Mr. President, this is an appropriation bill, and certainly is not proper calendar business. So I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

BILL PASSED TO FOOT OF CALENDAR

The bill (S. 3772) to amend the Federal Property and Administrative Services Act of 1949, as amended, to provide for the payment of appraisers', auctioneers', and brokers' fees from the proceeds of disposal of Government surplus real property, and for other purposes, was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. HENDRICKSON subsequently said: Mr. President, when Calendar No. 2344 was called, there was objection. That objection has been withdrawn. I therefore ask unanimous consent that the bill go to the foot of the calendar.

The PRESIDING OFFICER. Without objection, the bill will go to the foot of the calendar.

JOINT COMMITTEE ON TIN—CONCURRENT RESOLUTION REFERRED TO COMMITTEE

The concurrent resolution (H. Con. Res. 259) to provide for the Joint Committee on Tin was announced as next in order.

The PRESIDING OFFICER. The Chair is advised that it is in order for a motion to be made to refer the concurrent resolution to the Committee on Rules and Administration.

Mr. KNOWLAND. Mr. President, I move that the concurrent resolution be referred to the Committee on Rules and Administration.

The PRESIDING OFFICER. Without objection, it is so ordered.

RESOLUTION PASSED OVER

The resolution (S. Res. 310) to investigate the marketing of new cars (auto bootlegging) was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The resolution will be passed over.

REPEAL OF SECTION 3921 OF THE REVISED STATUTES

The bill (H. R. 7398) to repeal the requirement of section 3921 of the Revised Statutes that postmasters report to the Postmaster General failure to cancel postage stamps was considered, ordered to a third reading, read the third time, and passed.

SALE OF POSTAGE-DUE STAMPS

The bill (H. R. 7399) to authorize the sale of postage-due stamps for philatelic

purposes was considered, ordered to a third reading, read the third time, and passed.

COMPENSATION FOR GENERAL COUNSEL OF DEPARTMENT OF COMMERCE

The bill (H. R. 8921) to establish the rate of compensation for the position of the General Counsel of the Department of Commerce was considered, ordered to a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (H. R. 5499) to provide for the construction, maintenance, and operation of the Michaud Flats project for irrigation in the State of Idaho was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 3716) to amend the Act of June 30, 1948, so as to extend for five additional years the authority of the Secretary of the Interior to issue patents for certain public lands in Monroe County, Mich., held under color of title, was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2821) granting the consent of Congress to the States of Colorado, Iowa, Kansas, Minnesota, Missouri, Montana, Nebraska, North Dakota, South Dakota, and Wyoming, to enter into a compact for the allocation of waters of the Missouri River was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

DISPOSITION OF SURPLUS PERSONAL PROPERTY TO TERRITORIAL GOVERNMENT OF ALASKA

The bill (H. R. 9582) to provide for the disposition of surplus personal property to the Territorial Government of Alaska was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 6451) to provide for the conveyance of certain public lands in Utah to the occupants of the land was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

CLAIMS ARISING FROM ACTS OF MILITARY PERSONNEL — BILL PASSED OVER

The bill (S. 3844) to provide for a reciprocal and more effective remedy for certain claims arising out of the acts of military personnel and to authorize the pro rata sharing of the cost of such claims with foreign nations, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Mr. President, reserving the right to object——

Mr. McCARRAN. Mr. President——

Mr. HENDRICKSON. May we have an explanation of the purpose of the bill?

Mr. WILEY. Mr. President, this bill will implement a number of treaties and other international agreements which provide a reciprocal and pro rata method of settling claims arising out of the line-of-duty acts of military personnel or civilian employees of the Armed Forces in a foreign country. The treaties and agreements in question provide that these claims are to be settled by the host government in the same way that it settles claims arising from line-of-duty acts of its own military personnel. The government of the state sending the forces abroad will then reimburse the host government for an agreed percentage of the settlement. In most cases the host government will pay 25 percent of the cost and the sending government 75 percent.

For example, if an American soldier driving a jeep on duty in France injures a Frenchman the claim is settled by the French Government as though the injury had been inflicted by a French soldier. The United States reimburses the French Government for 75 percent of the settlement.

Conversely, if a French soldier driving a jeep on duty in the United States injures an American the claim is settled by the Defense Department as though the injury had been inflicted by an American soldier. France reimburses the United States for 75 percent of the settlement.

This bill simply authorizes the Secretary of Defense to participate in this method of settling such claims. The bill authorizes the Secretary to make payments in reimbursements to foreign governments and to settle claims arising from line-of-duty acts of foreign military personnel in the United States.

The bill should result in substantial savings to the United States, because previously we have been paying the full amount of this type of foreign claims and under the bill we will pay only 75 to 85 percent. The bill should also provide a more effective remedy for American citizens who are damaged by line-of-duty acts of foreign military personnel in the United States.

The bill has the approval of the Defense Department and the Foreign Relations Committee, and I urge favorable action by the Senate.

Mr. HENDRICKSON. Mr. President, will the Senator explain the basic difference between this bill and the amendment offered by the junior Senator from New Jersey to House bill 1914 when it was before us for consideration?

Mr. WILEY. I have not the particular bill in mind, but I have been informed by a member of the staff that that bill did not contemplate settlement of claims arising from line-of-duty accidents.

Mr. HENDRICKSON. That case involved a French aviator.

Mr. WILEY. In the Senator's particular case I am informed that the soldier stole an airplane, which was unauthorized, and therefore he was not acting in line of duty.

Mr. HENDRICKSON. It is not my particular case. It was an amendment which I sought to have adopted to do justice to our own people.

Mr. SCHOEPPEL. Mr. President, I ask that the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. McCARRAN. Mr. President, this is an original bill reported from the Committee on Foreign Relations. There is some basis for a claim of jurisdiction in that committee, over the subject matter of the bill. There is also substantial claim for jurisdiction in the Committee on the Judiciary, since the bill basically concerns claims. There is also some basis for a contention that the Armed Services Committee has jurisdiction since the claims in question are those arising out of the acts of military personnel.

This may be a good bill, Mr. President, but I believe it should have the attention of the Committees on the Judiciary and on Armed Services. I, therefore, move that the bill be referred to the Committee on the Judiciary and that after the Committee on the Judiciary has reported, the bill be then referred to the Committee on Armed Services.

Mr. KNOWLAND. Mr. President, what is the bill?

Mr. McCARRAN. It is Calendar No. 2355, Senate bill 3844.

The PRESIDING OFFICER. That bill was passed over.

Mr. McCARRAN. I am now moving that it be referred to the Committee on the Judiciary, and later to the Committee on Armed Services.

The PRESIDING OFFICER. Unanimous consent is required.

Mr. KNOWLAND. I hope the Senator will withhold his motion until I have an opportunity to discuss the bill further with him.

Mr. McCARRAN. I will withhold the motion, but I intend to renew it later.

GREETINGS TO THE GOLD COAST AND NIGERIA

The joint resolution (S. J. Res. 183) to extend greetings to the Gold Coast and Nigeria was announced as next in order.

The PRESIDING OFFICER. Is there objection to the consideration of the joint resolution?

Mr. SMITH of New Jersey. Mr. President, in recent months there has been great progress in many parts of the world in regard to the independence and self-government of former colonial lands. The French have made clear their intention of cooperating fully with the people of Tunisia in their bid for self-rule. An agreeable arrangement over the French coastal settlements in India is apparently in the offing. This progress is gratifying to us. Our great struggle for independence is not so far in the past that we cannot still appreciate recent developments toward self-government in other countries.

It is with these thoughts in mind that I rise today to express my wholehearted support for the resolution now before us, which extends on behalf of the Senate most cordial greetings to the representative bodies of the Gold Coast and Nigeria on the occasion of the first meeting of their respective legislatures under revised constitutions.

Under its new constitution, an all-African Government with almost complete responsibility for domestic affairs has been established in the Gold Coast. In Nigeria a new constitution granting increased autonomy is soon to be approved. It appears that these two countries are on the threshold of independence. It is my hope that nationalist movements in other countries will take note of the peaceful and agreeable methods that these countries have used in their dealings with the United Kingdom.

I think it is especially gratifying to us that the two leaders of the nationalist movements in the Gold Coast and Nigeria were educated at Lincoln University in Pennsylvania.

It is entirely fitting, I think, for us to take official notice of these recent developments. America has always sympathized with the efforts of other countries to obtain independence and self-government when those countries show not only the desire but also the ability to govern themselves. Official recognition of these recent developments will reemphasize to all the world our devotion to the principles of freedom and independence and our friendship with those people of Africa who are peacefully striving to realize these principles.

I sincerely hope the joint resolution will be passed.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Whereas it is the policy of the United States to encourage efforts toward independence and self-government truly expressive of the desires of the people and as they show their capability to establish and protect free institutions; and

Whereas the continent of Africa is a vital part of the free world area; and

Whereas a revised constitution of the Gold Coast was approved on April 29, 1954, and the first formal meeting of the legislature of that territory under this constitution will take place on July 29, 1954; and

Whereas a revised constitution of Nigeria is expected to be approved during August 1954, and the first meeting of the federal legislature of that territory under this constitution is expected to take place shortly thereafter; and

Whereas these occasions mark important milestones in their progress toward self-government and independence: Now, therefore, be it

Resolved, etc., That the Congress of the United States extend its most cordial greetings to the representative bodies of the Gold Coast and Nigeria on the occasion of the first meeting of their legislatures under the revised constitutions, in recognition of the democratic ideals shared by the United States and those territories, and in reaffirmation of the friendship of the United States for the peoples of Africa; and be it further

Resolved, That the Secretary of State is hereby requested to appoint a United States delegation at the appropriate time to represent the United States at ceremonies marking the achievement of complete self-government for these territories.

MEMBERSHIP OF THE UNITED STATES IN PAN-AMERICAN INSTITUTE OF GEOGRAPHY AND HISTORY

The joint resolution (H. J. Res. 565) to amend the joint resolution providing for the membership of the United States in the Pan-American Institute of Geography and History and authorizing appropriations therefor was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

Mr. ELLENDER. Mr. President, may we have an explanation of the joint resolution?

Mr. WILEY. Mr. President, I rise in support of House Joint Resolution 565 which passed the House of Representatives on August 3. The Foreign Relations Committee considered the resolution on August 6, and ordered it reported favorably. This resolution amends the joint resolution providing for the membership of the United States in the Pan American Institute of Geography and History and authorizes appropriations therefor.

The purposes of House Joint Resolution 565 are twofold. First, it authorizes an appropriation of $98,775 which will enable the United States to pay its assessed annual contributions for the period beginning July 1, 1951, and extending through the fiscal year expiring June 30, 1954; and second, it increases from $10,000 to $50,000 the authorized annual contribution of the United States to the Pan American Institute of Geography and History.

The institute was organized in 1929, and the United States became a member in 1935 with an authorized annual contribution of $10,000. During the 1940's three commissions of the Institute were established: First, the Commission on Cartography, established and wholly supported by the United States; second, the Commission on History, established and wholly supported by Mexico; and third, the Commission on Geography, established and wholly supported by Brazil. During this period, the United States contributed a total of $70,000 to the Commission on Cartography, in addition to its annual contribution to the Institute.

At the Fifth General Assembly of the Institute in Santiago in 1950, the budgets of these commissions were merged with that of the Institute and the formula for making financial assessments was changed. Both the old and the new formulas are based on population. Under the old formula, the United States contribution of $10,000 in 1951 amounted to 29.85 percent of the total. Under the new formula, the United States assessment of $42,928 in 1952 amounted to 39.01 percent of the total.

Mr. President, the Foreign Relations Committee was informed by the Department of State that it, as well as other Government agencies, is very much interested in this legislation. They derive substantial benefits from the work of the Institute. The committee believes that our membership in the Institute is not only very beneficial to us in a practical way; it also demonstrates our willingness to work with our friends in Latin America in solving our mutual problems.

I hope very much that the Senate will take favorable action on this resolution.

Mr. ELLENDER. Mr. President, will the Senator yield for a question?

Mr. WILEY. I yield.

Mr. ELLENDER. I notice in reading the statement just now the Senator from Wisconsin said he is asking for an authorization of $98,000 plus per annum from 1951. What is the justification for that?

Mr. WILEY. That is the total from 1951 to 1954, as I recall.

Mr. ELLENDER. Why did we not start in 1951? Why have we accumulated it to this point?

Mr. WILEY. As a matter of fact, it did not accumulate, because the Congress did not pass it.

Mr. ELLENDER. I ask that the joint resolution go over, Mr. President.

The PRESIDING OFFICER. The joint resolution will be passed over.

REVIEW OF CUSTOMS TARIFF SCHEDULES—BILL PASSED OVER

The bill (H. R. 10009) to provide for the review of customs tariff schedules, to improve procedures for the tariff classification of unenumerated articles, to repeal or amend obsolete provisions of the customs laws, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. GORE. Over.

Mr. MILLIKIN. May I inquire the reason for the objection?

Mr. GORE. This does not appear to be calendar business. It is a bill of such importance that it deserves to be considered in a manner which will permit some debate and deliberation.

The PRESIDING OFFICER. Objection is heard. The bill goes over.

CONVEYANCE BY FEDERAL GOVERNMENT OF CERTAIN LAND NEAR VICKSBURG, MISS.

The bill (H. R. 9194) to provide for the conveyance of certain land owned by the Federal Government near Vicksburg, Miss., was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MORSE. I wish to make a very brief comment on this bill. I have discussed it with the Senator from Mississippi [Mr. STENNIS], who had to leave the floor, but I am authorized by him to say, Mr. President, that when there was put in this bill, lines 4 and 5, "in consideration of an amount equal to the reasonable appraised value thereof as determined by the Secretary" the Senator from Mississippi and the authors in-

tended it to be the appraised fair market value of the property. He said that because he was a party to this bill he wished to make very clear that it was his intention that the market value should be paid for this property. The Senator from Mississippi pointed out to me that this is a House bill, that the chances of clarification within the bill itself were slim, and an amendment to it would probably mean that the bill would not pass at this session.

I advised the Senator I wished to be reasonable in these matters. He felt that if I made this legislative history now that the Secretary of the Interior would unquestionably consider it binding upon him when he came to fix the value of this property.

With the understanding, Mr. President, that the authors mean the "reasonable appraised value" to be the "fair market value" I do not raise an objection to this bill, but I make very clear that my action in this particular instance is not to be deemed a precedent, because if this were earlier in the session I would require that the bill go back to the House with the "fair market value" amendment in it.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 9194) to provide for the conveyance of certain land owned by the Federal Government near Vicksburg, Miss., to Vicksburg, Miss., was considered, ordered to a third reading, read the third time, and passed.

REPLACEMENT OF GOVERNMENT-OWNED UTILITY FACILITIES AT GLACIER NATIONAL PARK, MONT., AND GRAND CANYON NATIONAL PARK, ARIZ.

The bill (S. 3816) to authorize the replacement of certain Government-owned utility facilities at Glacier National Park, Mont., and Grand Canyon National Park, Ariz., was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. GORE. Over.

Mr. GOLDWATER. Mr. President, will the Senator withhold his objection?

Mr. GORE. I will withhold the objection.

Mr. GOLDWATER. Mr. President, this bill is a rather urgent one, in that both the Grand Canyon and the Glacier National Park are in the process of revamping their power and communication facilities. Inadvertently in Public Law 230 of the first session of this Congress the words in paragraph 6 of that act which would have allowed the exchange proposed by this bill to be made were eliminated. I was wondering if the Senator from Tennessee [Mr. GORE], in view of these circumstances and the fact that this bill was requested by the Department of the Interior because of this rather urgent situation, would reconsider his objection.

Mr. GORE. I accede to the suggestion and request of the able Senator. I withdraw the objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 3816) to authorize the replacement of certain Government-owned utility facilities at Glacier National Park, Mont., and Grand Canyon National Park, Ariz., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purpose of facilitating the installation of adequate electric and communication facilities at Glacier National Park and Grand Canyon National Park, the Secretary of the Interior is authorized to exchange, on an equal value basis, the existing inadequate facilities at these parks for more modern and efficient facilities.

ISSUANCE OF PATENTS FOR CERTAIN LANDS IN WISCONSIN

The bill (H. R. 8006) to authorize the Secretary of the Interior to issue patents for certain lands in Wisconsin was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MORSE. Mr. President, may we have an explanation of the bill?

The PRESIDING OFFICER. An explanation is requested.

Mr. CORDON. The situation which House bill 8006 seeks to remedy was caused as a result of errors in the original surveys in the area. In the days when the basic surveys were made the Government made contracts with private surveyors and very frequently the surveys were turned in and accepted by the Government without the surveyor ever having been even on the land. The result was that in this particular area in many instances they turned in surveys based on meander lines of lakes. Later on when accurate surveys were made and it was found that the original surveys were far off. Many of the lines meandered along lakes which were nonexistent. Others had a meander line inside the lake. Others had a meander line outside the lake, and so on.

The purpose of this bill is to authorize the Secretary of the Interior to issue patents for the areas which were supposed to have been patented but were not actually patented because of those errors in the original patents describing the area with respect to a meander line, which was supposed to bound a lake when the lake, in fact, was some distance away. These patents would simply correct an error due entirely to the erroneous surveys in the original instance.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 8006) to authorize the Secretary of the Interior to issue patents for certain lands in Wisconsin was considered, ordered to a third reading, read the third time, and passed.

TALENT DIVISION, ROUGE RIVER BASIN PROJECT—BILL PLACED AT FOOT OF CALENDAR

The bill (H. R. 8384) to authorize the Secretary of the Interior to construct, operate, and maintain the Talent division of the Rogue River Basin project, Oregon, was announced as next in order.

Mr. GORE. Mr. President, I ask that the bill go over.

Mr. MORSE. Mr. President, I wonder whether the Senator from Tennessee will withhold his objection for a moment.

Mr. GORE. I withhold it.

Mr. MORSE. I wonder whether it would be possible to have this bill go to the foot of the calendar, because it is a bill of great importance to the farmers who are to be served by this project.

I would be very much interested in learning the reasons for any objection to this particular project, because the Government in no way is a loser under the bill. I think the farmers in that area are entitled to its passage.

Mr. CORDON. Mr. President, I should like to join my colleague in requesting that we have an opportunity to explain the bill to whomever objects to it.

Mr. GORE. The bill is a 23-page bill, and the report is a technical report of 15 pages. It is doubtful in the mind of the junior Senator from Tennessee if a bill so complicated as this should be passed on the call of the calendar, on which there are 600 other bills. I am perfectly willing to have it go to the foot of the calendar, and perhaps my doubts can be resolved before the next call of the calendar.

Mr. CORDON. The bill consists of only four pages.

Mr. GORE. Mr. President, I suggest that the bill go to the foot of the calendar.

The PRESIDING OFFICER. Without objection the bill will be placed at the foot of the calendar.

CONVEYANCE BY SECRETARY OF THE ARMY OF CERTAIN PROPERTY TO STATE OF TEXAS

The bill (S. 3595) to direct the Secretary of the Army to convey certain property located in El Paso, Tex., and described as part of Fort Bliss, to the State of Texas, was announced as next in order.

Mr. MORSE. Mr. President, this is another one of the bills which fall into the National Guard category, and I think it is highly desirable.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the bill (S. 3595) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted etc., That the Secretary of the Army is authorized and directed to convey by quitclaim deed, without consideration, to the State of Texas all right, title, and interest of the United States, except as retained in this act, in and to a parcel of land within Fort Bliss Military Reservation, such parcel consisting of a portion of North El Paso Addition and a portion of Morningside Heights Addition, El Paso, Tex., and

being more particularly described by metes and bounds as follows:

Beginning at a point which is the intersection of the east right-of-way line of Pollard Street and the south right-of-way line of Hayes Avenue, thence south no degrees fourteen and ninety one-hundredths minutes west along the east right-of-way line of Pollard Street a distance of nine hundred two and six-tenths feet; thence south eighty-nine degrees forty-five and ten one-hundredths minutes east a distance of one thousand forty-two and thirty-nine one-hundredths feet to the west right-of-way line of the Southern Pacific Railroad (formerly the E. P. & S. W. R. R.); thence north thirteen degrees forty-five and two one-hundredths minutes east a distance of eight hundred forty-five and seventy-three one-hundredths feet along the Southern Pacific Railroad right-of-way line, to a point; thence north one degree fifteen and sixty-two one-hundredths minutes west a distance of one hundred twelve and five one-hundredths feet, to a point in the south right-of-way line of Hayes Avenue; thence south eighty-eight degrees forty-six minutes west a distance of one thousand two hundred thirty-seven and three-tenths feet along the south right-of-way line of Hayes Avenue, to the point of beginning, containing in all twenty-four and twenty-five one-hundredths acres of land, more or less.

SEC. 2. All mineral rights, including gas and oil, in the lands authorized to be conveyed by this act shall be reserved to the United States.

SEC. 3. There shall be further reserved to the United States in the conveyance of the above-described lands, rights of ingress and egress over roads in the above-described lands serving buildings or other works operated by the United States or its successors or assigns in connection with Fort Bliss, rights-of-way for water lines, sewer lines, telephone and telegraph lines, power lines, and such other utilities which now exist, or which may become necessary to the operation of the said Fort Bliss.

SEC. 4. The conveyance of the property authorized by this act shall be upon condition that such property shall be used primarily for training of the National Guard and for other military purposes, and that if the State of Texas shall cease to use the property so conveyed for the purposes intended, then title thereto shall immediately revert to the United States, and in addition, all improvements made by the State of Texas during its occupancy shall vest in the United States without payment of compensation therefor.

SEC. 5. The conveyance of the property authorized by this act shall be upon the further provision that whenever the Congress of the United States declares a state of war or other national emergency, or the President declares a state of emergency, and upon the determination by the Secretary of Defense that the property conveyed under this act is useful or necessary for military, air, or naval purposes, or in the interest of national defense, the United States shall have the right, without obligation to make payment of any kind, to reenter upon the property and use the same or any part thereof, including any and all improvements made thereon by the State of Texas, for the duration of such state of war or of such emergency. Upon the termination of such state or war or of such emergency plus 6 months such property shall revert to the State of Texas, together with all appurtenances and utilities belonging or appertaining thereto.

SEC. 6. In executing the deed of conveyance authorized by this act, the Secretary of the Army shall include specific provisions covering the reservations and conditions contained in sections 2, 3, 4, and 5 of this act.

Mr. HENDRICKSON. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement prepared by the Senator from Massachusetts [Mr. SALTONSTALL] relative to Senate bill 3595.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR SALTONSTALL

The purpose of this bill is to authorize the Secretary of the Army to convey without consideration approximately 24 acres to the State of Texas to be used for military purposes only. The transfer of this property, which is located in El Paso, Tex., is fully supported by the Department of the Army since the State of Texas has a long-range military requirement for this acreage.

The bill contains the usual safeguards which protect the interest of the United States in transfers of this type—by reserving to the United States all mineral rights, authority to use the property without compensation in the event of a national emergency, all rights-of-way, and the reversion of title to the United States in the event the property is used for other than military purposes. There is ample legislative precedent for this bill.

CONVEYANCE BY SECRETARY OF AIR FORCE OF CERTAIN PROPERTY TO STATE OF TEXAS

The Senate proceeded to consider the bill (S. 3750) to direct the Secretary of the Air Force to convey certain property located in proximity to San Antonio, Bexar County, Tex., to the State of Texas, which had been reported from the Committee on Armed Services with amendments, on page 1, line 3, after the word "Force", to insert "or his designee"; and on page 6, after the word "Force", to insert "or his designee", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Air Force or his designee is authorized and directed to convey by quitclaim deed, without consideration, to the State of Texas all right, title, and interest of the United States, except as retained in this act, in and to the following described land in proximity to San Antonio, Bexar County, Tex., together with all buildings, improvements thereon, and all appurtenances and utilities belonging or appertaining thereto, such land including approximately two hundred eighteen and fifty-six one-hundredths acres and formerly designated as Martindale Auxiliary Field, as shown on maps on file with the Office of the Chief of Engineers:

Beginning at a point on the south right-of-way line of United States Highway Numbered 90, at the northwest corner of the Emil F. Gambler tract, said corner being also the northeast corner of the Virginia M. Johnson tract:

Station 1–2, bearing north sixty-nine degrees forty-five minutes twenty seconds east, a distance of forty-two and six-tenths feet;

Station 2–3, bearing south no degrees twelve minutes forty seconds east, a distance of eight hundred one and seven-tenths feet;

Station 3–4, bearing north eighty-nine degrees thirty-six minutes twenty seconds east, a distance of two thousand two hundred thirty-three and one one-hundredth feet;

Station 4–5, bearing north three degrees twenty-three minutes forty seconds west, a distance of five hundred forty and five-tenths feet;

Station 5–6, bearing north eighty-six degrees thirty-six minutes twenty seconds east, a distance of twenty feet;

Station 6–7, bearing south three degrees twenty-three minutes forty seconds east, a distance of five hundred forty-one and five-tenths feet;

Station 7–8, bearing north eighty-nine degrees thirty-six minutes twenty seconds east, a distance of two hundred seventy-eight and fifty-four one-hundredths feet;

Station 8–9, bearing south no degrees twenty-two minutes no seconds east, a distance of two thousand eight hundred fourteen and twenty-three one-hundredths feet;

Station 9–10, bearing south eighty-nine degrees thirty-eight minutes thirty seconds west, a distance of four hundred feet;

Station 10–11, bearing south no degrees twenty-one minutes forty-five seconds east, a distance of three hundred eighty and twenty-three one-hundredths feet;

Station 11–12, bearing north eighty-nine degrees thirty-eight minutes fifteen seconds east, a distance of four hundred and eighty-five feet;

Station 12–13, bearing south no degrees twenty-one minutes forty-five seconds east, a distance of two hundred and twenty-five feet;

Station 13–14, bearing south eighty-nine degrees thirty-eight minutes fifteen seconds west, a distance of three hundred eighteen and ninety-six one-hundredths feet;

Station 14–15, bearing south forty-six degrees thirty-eight minutes forty-five seconds west, a distance of one hundred one and sixty-seven one-hundredths feet;

Station 15–16, bearing south eighty-nine degrees thirty-eight minutes forty-five seconds west, a distance of six hundred thirty-eight and two-tenths feet;

Station 16–17, bearing south forty-four degrees forty-three minutes twenty seconds west, a distance of twenty-three and fifteen one-hundredths feet;

Station 17–18, bearing north no degrees six minutes twenty seconds west, a distance of forty-six and thirty-five one-hundredths feet;

Station 18–19, bearing south eighty-nine degrees thirty-eight minutes forty-five seconds west, a distance of eight hundred thirty-seven and seventy-seven one-hundredths feet;

Station 19–20, bearing north no degrees twenty-one minutes thirty seconds west, a distance of six hundred and forty-five feet;

Station 20–21, bearing south eighty-nine degrees thirty-nine minutes no seconds west, a distance of one thousand one hundred ninety-nine and ninety-eight one-hundredths feet;

Station 21–22, bearing north no degrees twenty-one minutes thirty seconds west, a distance of two thousand eight hundred and twelve feet;

Station 22–23, bearing north eighty-nine degrees twenty-six minutes twenty seconds east, a distance of five hundred thirty-one and two-tenths feet;

Station 23–1, bearing north no degrees twelve minutes forty seconds west, a distance of seven hundred eighty-seven and two-tenths feet.

SEC. 2. All mineral rights, including gas and oil, in the lands authorized to be conveyed by this act shall be reserved to the United States.

SEC. 3. There shall be further reserved to the United States in the conveyance of the above-described lands, rights in ingress and egress over roads in the above-described lands serving buildings or other works operated by the United States or its successors or assigns in connection with Martindale Auxiliary Field, rights-of-way for water lines, sewer lines, telephone and telegraph lines, power lines, and such other utilities which now exist, or which may become necessary to the operation of the said Martindale Auxiliary Field.

SEC. 4. The conveyance of the property authorized by this act shall be upon condition

that such property shall be used primarily for training of the National Guard and the Air National Guard and for other military purposes, and that if the State of Texas shall cease to use the property so conveyed for the purposes intended, then title thereto shall immediately revert to the United States, and in addition, all improvements made by the State of Texas during its occupancy shall vest in the United States without payment of compensation therefor.

SEC. 5. The conveyance of the property authorized by this act shall be upon the further provision that whenever the Congress of the United States declares a state of war or other national emergency, or the President declares a state of emergency, and upon the determination by the Secretary of Defense that the property conveyed under this act is useful or necessary for military, air, or naval purposes, or in the interest of national defense, the United States shall have the right, without obligation to make payment of any kind, to reenter upon the property and use the same or any part thereof, including any and all improvements made thereon by the State of Texas, for the duration of such state of war or of such emergency. Upon the termination of such state of war or of such emergency plus 6 months such property shall revert to the State of Texas, together with all appurtenances and utilities belonging or appertaining thereto.

SEC. 6. In executing the deed of conveyance authorized by this act, the Secretary of the Air Force or his designee shall include specific provisions covering the reservations and conditions contained in sections 2, 3, 4, and 5 of this act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill to direct the Secretary of the Air Force or his designee to convey certain property located in proximity to San Antonio, Bexar County, Tex., to the State of Texas."

Mr. HENDRICKSON. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement prepared by the Senator from Massachusetts [Mr. SALTONSTALL] relative to Senate bill 3750.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR SALTONSTALL

This bill would authorize the Secretary of the Air Force to convey without consideration to the State of Texas to be used for Air National Guard purposes approximately 218 acres, known as the Martindale Auxiliary Field. This airfield has not been used by the Air Force for some time and is surplus to its needs. The State of Texas has a military requirement for the acreage. The Air Force supports the transfer.

The bill contains the usual safeguards which protect the interest of the United States in transfers of this type—by reserving to the United States all mineral rights, authority to use the property without compensation in the event of a national emergency, all rights-of-way, and the reversion of title to the United States in the event the property is used for other than military purposes. There is ample legislative precedent for this bill.

BILLS PASSED OVER

The bill (S. 3067) to require that international agreements other than treaties, hereafter entered into by the United States, be transmitted to the Senate within 30 days after the execution thereof, was announced as next in order.

Mr. HENDRICKSON. Mr. President, by request, I ask that this bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2017) to revise the procedure in the district courts relating to the disposition of the wages and effects of deceased and deserting seamen was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

AMENDMENT OF UNITED STATES CODE RELATING TO CUSTOMS COURT—BILL PASSED OVER

The Senate proceeded to consider the bill (S. 2975) to amend title 28, United States Code, relating to the Customs Court, which had been reported from the Committee on the Judiciary with an amendment, on page 1, after line 9, to strike out:

"(e) The Chief Justice of the United States may, upon presentation to him by the chief judge of the United States Customs Court of a certificate of necessity, designate and assign temporarily any district judge to perform such duties as judge of the Customs Court as he is willing to undertake."

SEC. 3. Section 292 of title 28, United States Code, is amended by adding the following as section (f):

"(f) The Chief Justice of the United States may, upon presentation to him by the chief judge of a district court of a certificate of necessity, designate and assign temporarily any judge of the Customs Court to perform such duties as judge of the district court as he is willing to undertake."

And in lieu thereof to insert:

SEC. 2. Section 292 of title 28, United States Code, is amended by inserting at the end of such section a new subsection reading as follows:

"(f) The Chief Justice of the United States may upon presentation to him by the chief judge of the Customs Court of a certificate of necessity, designate and assign temporarily any district judge to serve as a judge of the Customs Court."

SEC. 3. (a) Section 293 of title 28, United States Code, is amended by inserting at the end of such section a new paragraph reading as follows:

"The Chief Justice of the United States may designate and assign temporarily a judge of the Customs Court to perform judicial duties in a district court in any circuit upon presentation of a certificate of necessity by the chief judge or circuit justice of the circuit wherein the need arises."

(b) The first paragraph of section 295 of title 28, United States Code, is amended by inserting at the end thereof an additional sentence to read as follows: "No designation and assignment of a judge of the Customs Court in active service shall be made without the consent of the chief judge of such court."

So as to make the bill read:

Be it enacted, etc., That the first sentence of section 251 of title 28, United States Code, is amended to read as follows:

"The President shall appoint, by and with the advice and consent of the Senate, nine judges who shall constitute a court of record known as the United States Customs Court which is hereby declared to be a court established under article III of the Constitution of the United States."

SEC. 2. Section 292 of title 28, United States Code, is amended by inserting at the end of such section a new subsection reading as follows:

"(f) The Chief Justice of the United States may upon presentation to him by the chief judge of the Customs Court of a certificate of necessity, designate and assign temporarily any district judge to serve as a judge of the Customs Court."

SEC. 3. (a) Section 293 of title 28, United States Code, is amended by inserting at the end of such section a new paragraph reading as follows:

"The Chief Justice of the United States may designate and assign temporarily a judge of the Customs Court to perform judicial duties in a district court in any circuit upon presentation of a certificate of necessity by the chief judge or circuit justice of the circuit wherein the need arises."

(b) The first paragraph of section 295 of title 28, United States Code, is amended by inserting at the end thereof an additional sentence to read as follows: "No designation and assignment of a judge of the Customs Court in active service shall be made without the consent of the chief judge of such court."

SEC. 4. Nothing contained in this act shall be construed in any way to limit or alter the jurisdiction heretofore conferred upon the United States Customs Court by any provision of law.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. SMATHERS. Mr. President, with reference to Senate bill 2975, to amend title 28, United States Code, relating to the Customs Court, I had listed a request that it go over. I now ask that it go over.

The PRESIDING OFFICER. Is there objection to reconsidering the action of the Senate on Senate bill 2975, to amend title 28, United States Code, relative to the Customs Court? The Chair hears none. Without objection, the action of the Senate on the bill will be reconsidered, and the bill will be passed over.

BILLS AND JOINT RESOLUTIONS PASSED OVER

The bill (S. 1813) to amend title 28, United States Code, so as to extend the privilege of trial by jury to certain cases arising within the special maritime and territorial jurisdiction of the United States, was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 3131) to amend title 28, United States Code, with respect to the United States Court of Customs and Patent Appeals was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The bill will be passed over.

The joint resolution (S. J. Res. 158) to amend section 84 (a) (2) of title XXVIII of the United States Code was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The joint resolution will be passed over.

The bill (S. 960) to amend sections 1505 and 3486 of title XVIII of the United

States Code relating to congressional investigations was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The bill will be passed over.

IRRIGATION AND OTHER RESOURCES OF CERTAIN PROJECTS IN TERRITORY OF HAWAII

The bill (H. R. 2843) to authorize the Secretary of the Interior to investigate and report on the development of the irrigation resources of certain projects in the Territory of Hawaii was considered, ordered to a third reading, read the third time, and passed.

REMOVAL OF RESTRICTIVE COVENANT ON LAND PATENT NO. 9628

The bill (H. R. 7569) to authorize the removal of a restrictive covenant on land patent No. 9628 issued to the board of the Hawaiian Evangelical Association was considered, ordered to a third reading, read the third time, and passed.

ISSUANCE OF LAND PATENT TO PUBLIC LANDS IN THE TERRITORY OF HAWAII

The bill (H. R. 8736) to authorize the issuance of a land patent to certain public lands in the Territory of Hawaii was announced as next in order.

Mr. MORSE. Mr. President, may we have an explanation of this bill?

Mr. KUCHEL. Mr. President, the purpose of H. R. 8736 is to authorize the commissioner of public lands of the Territory of Hawaii, with the consent of the Governor, to issue a land patent on certain public land in the county of Kauai to the Roman Catholic bishop of Honolulu, a corporation sole, to be used for school purposes.

The public land concerned, lot 40, Kapaa house lots, Kapaa, district of Puna, county of Kauai, was sold at public auction to Julia R. Lizama for housing purposes. The sale agreement included a condition that a dwelling would be erected on the lot within 3 years after the sale was negotiated. The purchaser failed to meet the conditions stipulated in the sales agreement and subsequently the lot was sold to the Roman Catholic bishop of Honolulu who also owns adjacent land which is used for residence purposes by church officials and for Catholic school purposes.

Your committee was informed that there is no statutory authority for classification of these lands for school purposes. Since the subject lot was sold as a "house lot" it now appears that the result desired by the bishop can best be accomplished by an act of Congress authorizing the commissioner of public lands to issue a patent to said land to the interested church authorities.

No expenditure of Federal funds will be involved in this legislation.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the bill (H. R. 8736) was considered, ordered to a third reading, read the third time, and passed.

SALE OF LAND IN ALASKA TO LLOYD H. TURNER

The Senate proceeded to consider the bill (H. R. 2015) to authorize the sale of certain land in Alaska to Lloyd H. Turner, of Wards Cove, Alaska, which had been reported from the Committee on Interior and Insular Affairs with an amendment, on page 2, line 15, after the word "laws" to strike out "and shall be subject to the rights of owners of existing improvements located on the lands described in section 1 hereof under special use permits of the Forest Service to maintain such improvements thereon in accordance with the terms of such use permits" and insert "*Provided further*, That the coal and other mineral deposits in the land shall be reserved to the United States, together with the right to prospect for, mine, and remove the same under applicable laws and regulations to be prescribed by the Secretary of the Interior."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

DANICA MARIA VAVROVA

The bill (H. R. 3238) for the relief of Danica Maria Vavrova was considered, ordered to a third reading, read the third time, and passed.

DR. VAHRAM ULUHOGIAN

The bill (H. R. 2358) for the relief of Dr. Vahram Uluhogian was considered, ordered to a third reading, read the third time, and passed.

NOBU NOGAWA NITTA

The bill (H. R. 6367) for the relief of Nobu Nogawa Nitta was considered, ordered to a third reading, read the third time, and passed.

ELIAS Y. RICHA

The bill (H. R. 3144) for the relief of Elias Y. Richa was considered, ordered to a third reading, read the third time, and passed.

Mr. McCARRAN. Mr. President, if I may have the attention of the leadership, I ask unanimous consent that calendar No. 2366, S. 2017; calendar No. 2367, S. 2975; calendar No. 2368, S. 1813; calendar No. 2369, S. 3131; calendar No. 2370, Senate Joint Resolution 158; and calendar No. 2371, S. 960; be passed to the foot of the calendar.

The PRESIDING OFFICER. Those bills were ordered to be passed over.

Mr. McCARRAN. I ask unanimous consent that they may go to the foot of the calendar.

The PRESIDING OFFICER. Is there objection?

Mr. CORDON. Mr. President, reserving the right to object and I shall not object, I seek only information. Where is the foot of the calendar? Is the foot of the calendar the end of the calendar as it is now being called, or is it at the end of the calendar after the calendar is called from the beginning?

The PRESIDING OFFICER. The Chair would suggest that it is getting farther and farther away.

Mr. McCARRAN. This calendar is a centipede: It has many feet.

Mr. KNOWLAND. Mr. President, the plan is that once the call of the calendar has been completed to and including calendar No. 2394, we will then go to the beginning of the calendar, and then when the call has been completed up to where we started today, at the request of both the calendar committees, we wish temporarily to depart from the calendar and give them a chance to recognize their forces, so to speak, and we will take up some other proposed legislation for the time being until the calendar committees are again ready. They tell me that it will take perhaps a half an hour or possibly as much as an hour to get into shape.

Mr. McCARRAN. Mr. President, I hope that in the meantime certain bills which are on the clerk's desk may be taken up. They are not controversial.

Mr. CASE. Mr. President, will the majority leader yield for a question?

Mr. KNOWLAND. I yield.

Mr. CASE. During the call of the calendar today requests have been made that certain bills go to the foot of the calendar. Will they not be called today?

Mr. KNOWLAND. Yes; they will be called today. However, because there are about 40 or 50 of those bills, the 2 calendar committees wish an opportunity to reorganize themselves. We will pick up those bills and handle them before we adjourn tonight.

Mr. McCARRAN. May I say to the Senator from California, that the calendar committees seem to be well organized now.

Mr. CASE. Mr. President, some time ago there was a bill called for the District of Columbia, and the suggestion was made that it go over. Then there was a modification that it go to the foot of the calendar. I did not ask for permission to explain the bill at that time, because I assumed it would be called upon the completion of the calendar.

I do not want to disrupt the proceedings, but such procedure makes one sit around here for a long time under a misapprehension. I have other work to do. I thought once we got through with the regular call of the calendar, the bill would come up.

Mr. HENDRICKSON. The calendar committee has been sitting here through the whole call of the calendar and will sit here until it is finished.

Mr. CASE. At the time, the Senator from South Dakota might have asked for an explanation, but he was under a misapprehension.

The PRESIDING OFFICER. Without objection, the request of the Senator from Nevada [Mr. McCARRAN] is agreed

to, and the bills mentioned by him will go to the foot of the calendar.

Mr. HENDRICKSON. Am I correct in my understanding that Calendar 2366, Senate bill 2017; Calendar 2367, Senate bill 2975; Calendar 2368, Senate bill 1813; Calendar 2369, Senate bill 3131; Calendar 2370, Senate Joint Resolution 158; and Calendar 2371, Senate bill 960, are to be passed to the foot of the calendar?

The PRESIDING OFFICER. Those measures will be passed to the foot of the calendar.

Mr. HENDRICKSON. I thank the Chair.

TANNOUS ESTEPHAN

The bill (H. R. 8115) for the relief of Tannous Estephan was considered, ordered to a third reading, read the third time, and passed.

MARIANNE GEYMEIER

The bill (H. R. 9336) for the relief of Marianne Geymeier was considered, ordered to a third reading, read the third time, and passed.

DR. LIANG NUN WANG

The bill (H. R. 9671) for the relief of Dr. Liang Nun Wang and his wife and child, Fa-chi Ling Wang and Eileen Wang was considered, ordered to a third reading, read the third time, and passed.

ALFIO CAPIZZI

The bill (H. R. 9814) for the relief of Alfio Capizzi was considered, ordered to a third reading, read the third time, and passed.

SUSAN ELLEN HEINEY

The bill (H. R. 9996) for the relief of Susan Ellen Heiney was considered, ordered to a third reading, read the third time, and passed.

CONTRACT WITH AMERICAN FALLS RESERVOIR, DISTRICT NO. 2, IDAHO

The bill (H. R. 9889) to authorize the Secretary of the Interior to execute an amendatory contract with American Falls Reservoir District No. 2, Idaho, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

USE OF INFORMATION FOR MAKING DEMANDS FOR FUGITIVES FROM JUSTICE

The Senate proceeded to consider the bill (S. 1887) to amend sections 3182 and 3183 of title 18 of the United States Code so as to authorize the use of an information filed by a public prosecuting officer for making demands for fugitives from justice, which had been reported from the Committee on the Judiciary with an amendment, on page 2, line 9, after the word "has", to strike out "filed" and insert "fled", so as to make the bill read:

Be it enacted, etc., That section 3182 of title 18 of the United States Code is amended to read as follows:

"§ 3182. Fugitives from State or Territory to State, District, or Territory

"Whenever the executive authority of any State or Territory demands any person as a fugitive from justice, of the executive authority of any State, District, or Territory to which such person has fled, and produces a copy of an indictment found, an information filed by a public prosecuting officer, or an affidavit made before a magistrate of any State or Territory, charging the person demanded with having committed treason, felony, or other crime, certified as authentic by the governor or chief magistrate of the State or Territory from whence the person so charged has fled, the executive authority of the State, District, or Territory to which such person has fled shall cause him to be arrested and secured, and notify the executive authority making such demand, or the agent of such authority appointed to receive the fugitive, and shall cause the fugitive to be delivered to such agent when he shall appear. If no such agent appears within 30 days from the time of the arrest, the prisoner may be discharged."

SEC. 2. Section 3183 of title 18 of the United States Code is amended to read as follows:

"§ 3183. Fugitives from State, Territory, or possession into extraterritorial jurisdiction of United States

"Whenever the executive authority of any State, Territory, District, or possession of the United States or the Panama Canal Zone demands any American citizen or national as a fugitive from justice who has fled to a country in which the United States exercises extraterritorial jurisdiction, and produces a copy of an indictment found, an information filed by a public prosecuting officer, or an affidavit made before a magistrate of the demanding jurisdiction, charging the fugitive so demanded with having committed treason, felony, or other offense, certified as authentic by the governor or chief magistrate of such demanding jurisdiction, or other person authorized to act, the officer or representative of the United States vested with judicial authority to whom the demand has been made shall cause such fugitive to be arrested and secured, and notify the executive authorities making such demand, or the agent of such authority appointed to receive the fugitive, and shall cause the fugitive to be delivered to such agent when he shall appear.

"If no such agent shall appear within 3 months from the time of the arrest, the prisoner may be discharged.

"The agent who receives the fugitive into his custody shall be empowered to transport him to the jurisdiction from which he has fled."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PUNISHMENT FOR TRANSPORTATION OF STOLEN MOTOR VEHICLES

The Senate proceeded to consider the bill (S. 675) to amend section 2312 of title 18 of the United States Code so as to extend the punishment of the transportation of stolen motor vehicles in interstate or foreign commerce to trailers or semitrailers, and for other purposes, which had been reported from the Committee on the Judiciary with amendment, on page 1, begining in line 3, to strike out:

That section 2312 of title 18 of the United States Code is amended to read as follows:

"§ 2312. Transportation of stolen vehicles

"Whoever transports in interstate or foreign commerce a motor vehicle, trailer, semitrailer, or aircraft, knowing the same to have been stolen, embezzled, feloniously converted, or taken feloniously by fraud, shall be fined not more than $5,000 or imprisoned not more than 5 years, or both."

SEC. 2. Section 2313 of title 18 of the United States Code is amended to read as follows:

"§ 2313. Sale or receipt of stolen vehicles

"Whoever receives, conceals, stores, barters, sells, or disposes of any motor vehicle, trailer, semitrailer, or aircraft, moving as, or which is a part of, or which constitutes interstate or foreign commerce, knowing the same to have been stolen, embezzled, feloniously converted, or taken feloniously by fraud, shall be fined not more than $5,000 or imprisoned not more than 5 years, or both."

And insert:

That section 2311 of title 18, United States Code, is amended by inserting in the definition of "Motor vehicle", after "automobile wagon", the following: "tractor, commercial truck trailer or truck semitrailer having a chassis weight of over 2,000 pounds."

SEC. 2. Section 2312 of such title is amended by inserting after "stolen", the following: "embezzled, feloniously converted, or taken feloniously by fraud."

SEC. 3. Section 2313 of such title is amended by inserting after "stolen", the following: "embezzled, feloniously converted, or taken feloniously by fraud."

So as to make the bill read:

Be it enacted, etc., That section 2311 of title 18, United States Code, is amended by inserting in the definition of "Motor vehicle", after "automobile wagon", the following: "tractor, commercial truck trailer or truck semitrailer having a chassis weight of over 2,000 pounds."

SEC. 2. Section 2312 of such title is amended by inserting after "stolen", the following: "embezzled, feloniously converted, or taken feloniously by fraud."

SEC. 3. Section 2313 of such title is amended by inserting after "stolen", the following: "embezzled, feloniously converted, or taken feloniously by fraud."

The amendment was agreed to.

Mr. MORSE. Mr. President, I particularly desire to have the attention of the Senator from Nevada [Mr. MCCARRAN], because I shall be very much surprised if he does not join me in the amendment I am about to explain.

My bill was originally designed to make it a Federal offense to transport in interstate commerce a stolen rental trailer. The Senate Judiciary Committee amended it so as to cover only heavy, but not rental, trailers.

I am about to offer an amendment which would extend the coverage to rental trailers with a weight of 750 pounds minimum limit. This would include so-called light metal trailers.

I may say to the Senator from Nevada it is a matter the manufacturers and rental agencies of trailers have taken up with the Senator from Oregon, and I do not think any objections will be found to the amendment. I offer the amendment.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Oregon.

The LEGISLATIVE CLERK. On page 2, line 17, it is proposed to strike out "2,000" and insert in lieu thereof "750."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Oregon.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to amend sections 2311, 2312, and 2313 of title 18, United States Code, so as to extend the punishment for the transportation of stolen motor vehicles in interstate or foreign commerce to tractors, commercial truck trailers and truck semitrailers, and for other purposes."

BILL PASSED OVER

The bill (H. R. 9910) to amend section 413 (A) of the Foreign Service Act of 1946 was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

JAMES DORE, JR.

The bill (H. R. 7508) for the relief of James Dore, Jr. was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 9785) to provide a method for compensating claims for damages sustained as the result of the explosions at Texas City, Tex., was announced as next in order.

Mr. HENDRICKSON. Mr. President, clearly this is not calendar business, because of the amount of the claim involved. I think there is great merit to the bill, and I shall support it if I am called upon to vote upon it. However, I hardly think the Senate should be asked to pass upon the bill on the call of the calendar. Therefore, I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

ASSESSMENT OF COSTS AND ATTORNEYS' FEES IN CERTAIN APPELLATE PROCEEDINGS

The bill (S. 3429) to authorize the assessment of costs and reasonable attorneys' fees against the United States in certain appellate proceedings was announced as next in order.

Mr. COOPER. Mr. President, may we have an explanation of the bill?

Mr. McCARRAN. Mr. President, the purpose of this bill is to provide that in a civil case, where the United States is the losing party, and the United States files an appeal, and the appeal is finally terminated against the United States, the United States shall be required to pay costs and reasonable attorney fees incurred by the other party in connection with the appeal.

At the present time, the Government can take an appeal without any cost or risk except the engagement of the time of a Government lawyer who is on salary. On the other hand, the adverse party has to stand the cost of the appeal, which is often a very considerable expense; and this cost must be borne, even though the Government loses the appeal.

If this bill is passed, the Government will have to make a more careful study before taking an appeal from an unfavorable judgment. There is nothing in the bill to stop the Government from taking an appeal in any case in which it appears there is a chance for a reversal, favorable to the Government, in the higher court. But the bill should operate to stop the taking of appeals in cases where attorneys for the Government feel there is no chance to get a reversal. In other words, this bill will stop the practice of using appeals as a club to force a settlement.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed as follows:

Be it enacted, etc., That section 2412 of title 28 of the United States Code is amended by adding at the end thereof a new subsection as follows:

"(d) If the decision in any proceeding before a court of appeals or the Supreme Court to which the United States is a party (1) affirms the judgment of a court of first instance against the United States, or (2), in the case of a proceeding before the Supreme Court, reverses the decision of a court of appeals by an order requiring in effect the reinstatement of a judgment of a court of first instance against the United States, the United States shall be liable for costs and reasonable attorneys' fees incurred as a result of any such proceeding. The Supreme Court shall prescribe rules for determining reasonable attorneys' fees in any proceeding with respect to which the provisions of this subsection are applicable."

PAYMENT OF LUMP-SUM DEATH BENEFITS—BILL PASSED OVER

The bill (S. 29) to provide for the payment of lump-sum death benefits to the survivors of certain employees of contractors with the United States during World War II was announced as next in order.

Mr. GORE. Mr. President, I should like to have an explanation of the bill.

Mr. McCARRAN. This bill deals with benefits under the War Claims Act. That act now provides for certain death benefit payments, to be made to the surviving widow or widower or the employee, the surviving children under 18 years of age, and, in certain circumstances, to dependent grandchildren, brothers, and sisters.

The bill S. 29 would expand the present scheme of benefits by providing that (1) if there is no beneficiary entitled to receive monthly death benefits, or (2) if the amount of such benefits previously paid is less than $7,500 and there is no beneficiary entitled to further benefits, then payment shall be made, up to the maximum of $7,500, to certain designated persons. The designated persons are, in the order named, the employee's parents, children, and brothers and sisters. Payments would be made from the war claims fund.

The Department of Justice has reported that enactment of the bill involves a question of policy on which the department prefers to make no recommendation.

Mr. GORE. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. GORE. Does not the report show that the Bureau of the Budget is opposed to the enactment of the bill?

Mr. McCARRAN. I think the Bureau desires to have action on the bill withheld until they can complete a study. That is my recollection.

Mr. GORE. I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

BILLS PASSED TO FOOT OF CALENDAR

Mr. KNOWLAND. Mr. President, I ask unanimous consent that Calendar No. 2365, Senate bill 3067, and Calendar No. 2355, Senate bill 3844, to which objections have been made, may go to the foot of the calendar, so that there may be further explanation of the bills.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request that Calendar No. 2355, Senate bill 3844, and Calendar No. 2365, Senate bill 3067, go to the foot of the calendar? The Chair hears none, and the bills will go to the foot of the calendar.

CLAIMS OF CERTAIN AMERICAN CITIZENS

The Senate proceeded to consider the bill (S. 221) to amend the War Claims Act to include claims of certain American citizens who served in the armed forces of any government allied with the United States during World War II and who were taken prisoners of war, which had been reported from the Committee on the Judiciary with an amendment, on page 2, after line 7, to insert:

SEC. 2. Any claimant brought within the definition of "prisoner of war" by reason of the amendment made by enactment of this act may file his claim at any time within 90 days after the date of approval here, any other law to the contrary notwithstanding.

So as to make the bill read:

Be it enacted, etc., That subsection (a) of section 6 of the War Claims Act of 1948, Public Law 896, 80th Congress, approved July 3, 1948, be amended to read as follows:

"SEC. 6. (a) As used in this section, the term 'prisoner of war' means any regularly appointed, enrolled, enlisted, or inducted member of the military or naval forces of the United States; or any person who served in the active military or naval service of any government allied with the United States in World War II and who at time of entrance into such active service was a citizen of the United States who was held as a prisoner of war for any period of time subsequent to December 7, 1941, by any government of any nation with which the United States has been at war subsequent to such date."

SEC. 2. Any claimant brought within the definition of "prisoner of war" by reason of

the amendment made by enactment of this act may file his claim at any time within 90 days after the date of approval hereof, any other law to the contrary notwithstanding.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

CONVEYANCE OF CERTAIN LAND TO THE STATE OF TEXAS

The Senate proceeded to consider the bill (S. 3822) to authorize the conveyance to the State of Texas of approximately 9 acres of land in Houston, Tex., to be used for National Guard purposes, which had been reported from the Committee on Armed Services with amendments, on page 1, after line 2, to strike out:

That the Secretary of the Army is authorized and directed to convey, subject to the provisions of section 2 of this act, to the State of Texas the following-described portion, comprising nine and three hundred six one-thousandths acres of land, more or less, of the Hughes Strut Plant, Houston, Harris County, Tex., together with all improvements thereon:

Beginning at the intersection of the south property line of the Hughes Strut Plant with the northwesterly right-of-way line of McCarty Avenue, also known as State Highway Numbered 3 and United States Highway Numbered 90, said intersection also being the southernmost southeast corner of a twenty-six and seven hundred twenty-two one-thousandths acre tract described in deed to Hughes Tool Co. recorded in volume 1179, page 683, deed records of Harris County, Tex., a two and one-half-inch pipe and a fence corner post;

Thence south eighty-nine degrees fifty-six minutes west two hundred ninety and twenty-one one-hundredths feet to a point, a two and one-half-inch pipe and fence corner post;

Thence north no degrees fifteen minutes twenty-five seconds east five hundred seventy-five and seventy-three one-hundredths feet, to a point, a two-and-one-half-inch pipe and fence corner post;

Thence south eighty-nine degrees fifty-nine minutes twenty seconds east one hundred fifty-six and thirty-five one-hundredths feet, to a point, a one-half-inch pipe;

Thence north no degrees six minutes west three hundred sixty and twenty-five one-hundredths feet to a point, three-quarter-inch rod;

Thence south eighty-nine degrees fifty-five minutes east two hundred fifty-four and ninety-two one-hundredths feet to a point, a three-quarter-inch rod;

Thence south no degrees nine minutes west two hundred thirty-one and eighty one-hundredths feet to a point, a three-quarter-inch rod;

Thence north eighty-nine degrees fifty-seven minutes east one hundred eighty-three and fifty-six one-hundredths feet to a point, three-quarter-inch rod;

Thence south two degrees eight minutes forty seconds west forty-nine and seventy one-hundredths feet to a point, a two-and-one-half-inch pipe and fence corner post;

Thence north eighty-seven degrees nine minutes east one hundred eighty-one and thirty-one one-hundredths feet to a point, a two-and-one-half-inch pipe and fence corner post;

Thence south thirty-eight degrees nine minutes fifty seconds west five hundred thirteen and sixty-nine one-hundredths feet to a point, a three-quarter-inch rod;

Thence along an arc curving to the left whose radius is one thousand four hundred eighty-two and sixty-nine one-hundredths feet and whose center angle is eleven degrees fifty-four minutes forty-eight seconds, a distance of three hundred eight and twenty-nine one-hundredths feet to the place of beginning.

And insert:

That the Secretary of the Army is authorized and directed to convey to the State of Texas, without compensation therefor, all the right, title, and interest of the United States in and to approximately 9.3 acres of land in Houston, Harris County, Tex., and all improvements thereon, said property comprising that portion of the former Hughes Strut plant now being occupied by the Texas National Guard under a license issued by the Secretary of the Army.

On page 4, line 23, after the word "property", to strike out "(including improvements by the United States)", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Army is authorized and directed to convey to the State of Texas, without compensation therefor, all the right, title, and interest of the United States in and to approximately 9.3 acres of land in Houston, Harris County, Tex., and all improvements thereon, said property comprising that portion of the former Hughes Strut plant now being occupied by the Texas National Guard under a license issued by the Secretary of the Army.

SEC. 2. The deed of conveyance authorized under the provisions of this act shall—

(1) provide that the property conveyed shall not be alienated in whole or in part by the State of Texas and shall be used primarily for training National Guard and Air National Guard personnel and for other military purposes, and if such provision is violated title to such property (including all improvements by the State of Texas) shall revert to the United States;

(2) reserve to the United States all minerals (including oil and gas) in the lands conveyed;

(3) provide that during any state of war or national emergency and for 6 months thereafter, if the Secretary of Defense determines that the property conveyed is useful or necessary for national defense purposes, the United States may, without payment therefor, reenter such property and use all or any part of it (including improvements by the State of Texas) but upon the termination of such use such property shall revert to the State of Texas; and

(4) contain such additional terms, conditions, reservations, and restrictions as may be determined by the Secretary of the Army to be necessary to protect the interests of the United States.

The amendments were agreed to.

Mr. HENDRICKSON. Mr. President, I ask unanimous consent to have a statement prepared by the Senator from Massachusetts [Mr. SALTONSTALL] relative to Senate bill 3822 printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR SALTONSTALL

The purpose of this bill is to authorize the Secretary of the Army to convey, without consideration, to the State of Texas approximately 9.3 acres of land, together with improvements, in Houston, Tex., to be used for National Guard purposes.

The transfer of the property is supported by the Army since the State of Texas has a long-range military requirement for the acreage. Since January 1952 the property has been used by the State of Texas for military purposes, under license from the Army.

The bill contains the usual safeguards which protect the interests of the United States in transfers of this type, by reserving to the United States all mineral rights, the authority to use the property without payment in the event of national emergency, and the reversion of title to the United States in the event the property is used for other than military purposes. The bill also contains a provision which provides that the Secretary of the Army may add to the deed of conveyance such additional terms as necessary to protect the interests of the United States. There is ample legislative precedent for this bill.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The PRESIDING OFFICER. The Senate will now return to the beginning of the calendar, on page 5. The clerk will state the first bill on the calendar.

BILLS PASSED OVER

The bill (S. 242) to provide for the establishment of a Veterans' Administration domiciliary facility at Fort Logan, Colo., was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 59) for the relief of Felix Kortschok was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The bill will be passed over.

PHED VOSNIACOS

The Senate proceeded to consider the bill (S. 101) for the relief of Phed Vosniacos which had been reported from the Committee on the Judiciary with an amendment, in line 7, after the word "fee", to strike out "and head tax", so as to make the bill read:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Phed Vosniacos shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RESOLUTION PASSED OVER

The resolution (S. Res. 57) to amend rule XIII of the standing rules relative to motions to reconsider was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The resolution will be passed over.

BILL PASSED OVER

The bill (S. 1663) to increase the salaries of Members of Congress, judges of the United States courts, and United States attorneys, and for other purposes, was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The bill will be passed over.

RESOLUTION PASSED OVER

The resolution (S. Res. 20) amending the cloture rule with respect to the number required for adoption of a cloture motion was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The resolution will be passed over.

BILLS PASSED OVER

The bill (S. 1857) to amend certain statutes providing expeditious judicial proceedings for the condemnation of lands for public purposes was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1396) to authorize the adoption of certain rules with respect to the broadcasting or telecasting of professional baseball exhibitions in interstate commerce, and for other purposes, was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1806) to amend the Navy ration statute so as to provide for the serving of oleomargarine or margarine was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 848) to prescribe policy and procedure in connection with construction contracts made by executive agencies, and for other purposes, was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 281) to amend section 1 (17) (a), section 13 (3), and section 13 (4) of the Interstate Commerce Act in order to extend to the Interstate Commerce Commission power to prescribe the discontinuance of certain railroad services in intrastate commerce when found to be unreasonably discriminatory against or to constitute an undue burden on interstate commerce was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2413) to provide an elected mayor, city council, school board, and nonvoting delegate to the House of Representatives for the District of Columbia, and for other purposes, was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1243) to amend the War Contractors Relief Act with respect to the definition of a request for relief, to authorize consideration and settlement of certain claims of subcontractors, to provide reasonable compensation for services of partners and proprietors, and for other purposes, was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 6287) to extend and amend the Renegotiation Act of 1951 was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 6648) to amend section 205 of the Small Business Act of 1953 was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2404) to authorize the Secretary of Agriculture to require reasonable bonds from packers was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 49) to enable the people of Hawaii to form a constitution and State government and to be admitted into the Union on an equal footing with the original States was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 50) to provide for the admission of Alaska into the Union was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2244) to provide for promotion by merit of employees in the postal services and to establish uniform procedures for examination and appointment of candidates for promotion to supervisory positions was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 509) to confer jurisdiction upon the United States Court of Claims to hear, determine, and render judgment upon claims of customs officers and employees to extra compensation for Sunday, holiday, and overtime services performed after August 31, 1931, and not heretofore paid in accordance with existing law was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

RESOLUTION PASSED OVER

The resolution (S. Res. 207) requiring a yea-and-nay vote on the question of advising and consenting to the ratification of treaties was announced as next in order.

Mr. HENDRICKSON. Over.

The PRESIDING OFFICER. The resolution will be passed over.

BILL PASSED OVER

The bill (S. 42) to provide for attorneys' liens in proceedings before the courts or other departments and agencies of the United States was announced as next in order.

Mr. MORSE. Over.

The PRESIDING OFFICER. The bill will be passed over.

INCREASE IN PER DIEM ALLOWANCE FOR SUBSISTENCE AND TRAVEL EXPENSES

The Senate proceeded to consider the bill (S. 3200) to amend section 3 of the Travel Expense Act of 1949, as amended, to provide an increased maximum per diem allowance for subsistence and travel expense.

Mr. COOPER. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 1, line 3, after the word "That", it is proposed to insert "(a)."

On page 1, after line 5, it is proposed to insert the following:

(b) The proviso in the paragraph designated "Inquiries and investigations" under the heading "Contingent Expenses of the Senate" in the Legislative Appropriation Act, 1955, is amended by striking out "$9" and inserting in lieu thereof "$12."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That (a) section 3 of the Travel Expense Act of 1949 (63 Stat. 166, as amended; 5 U. S. C. 836) is amended by striking out "$9" and inserting in lieu thereof "$12."

(b) The proviso in the paragraph designated "Inquiries and investigations" under the heading "Contingent expenses of the Senate" in the Legislative Appropriation Act, 1955, is amended by striking out "$9" and inserting in lieu thereof "$12."

BILL PASSED OVER

The bill (S. 692) to prohibit discrimination in employment because of race, color, religion, national origin, or ancestry was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The bill will be passed over.

WARREN P. HOOVER

The bill (H. R. 7460) to pay Warren P. Hoover for services rendered the Army of the United States was considered, ordered to a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (S. 2910) providing for the creation of certain United States judgeships, and for other purposes, was announced as next in order.

Mr. SMATHERS. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 44) to provide for the appointment of deputy United States marshals without regard to the provisions of the civil-service laws and regulations was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2373) to limit in certain cases the power of a single justice or judge of the United States to grant a stay of execution or sentence in connection with a habeas corpus proceeding or other proceeding collaterally attacking the conviction of any person was announced as next in order.

Mr. MORSE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2020) to amend section 433 of title 18, United States Code, relating to exemptions with respect to certain contracts was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 4017) to provide for the conveyance of certain land and improvements to the England Special School District of the State of Arkansas was announced as next in order.

Mr. MORSE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 23) to make it unlawful for a member of a Communist organization to hold an office or employment with any labor organization and to permit the discharge by employers of persons who are members of organizations designated as subversive by the Attorney General of the United States was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 3915) to permit the mining, development, and utilization of the mineral resources of all public lands withdrawn or reserved for power development, and for other purposes, was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

RESOLUTION PASSED OVER

The resolution (S. Res. 144) requiring a yea-and-nay vote on the passage of joint resolutions proposing amendments to the Constitution was announced as next in order.

Mr. McCARRAN. Over.

The PRESIDING OFFICER. The resolution will be passed over.

BILLS PASSED OVER

The bill (S. 3199) to authorize additional use of Government motor vehicles at isolated Government installations, and for other purposes, was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2980) conferring jurisdiction upon the United States District Court for the Southern District of New York to hear, determine, and render judgment upon a claim of the Bunker Hill Development Corp. was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

FLOYD C. BARBER

The Senate resumed consideration of the bill (H. R. 2815) for the relief of Floyd C. Barber, which had been reported from the Committee on the Judiciary with an amendment, which, together with an amendment submitted by Mr. HENDRICKSON, had been agreed to on June 15, 1954.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

BILLS PASSED OVER

The bill (H. R. 2876) for the relief of Leo F. Pinder was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 4104) for the relief of Frank St. Charles was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The bill will be passed over.

HUNTINGTON, McLAREN & CO.

The Senate proceeded to consider the bill (H. R. 4329) for the relief of Huntington, McLaren & Co., which had been reported from the Committee on the Judiciary with an amendment, on page 1, line 11, after the word "act", to strike out "in excess of 10 percent thereof."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

BILLS PASSED OVER

The bill (H. R. 6033) for the relief of Albert Vincent, Sr., was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 5572) for the relief of Lt. Comdr. Cook Cleland was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 3158) to eliminate cumulative voting of shares of stock in the election of directors of national banking associations was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 3190) to amend section 3 of the act of January 2, 1951, prohibiting the transportation of gambling devices in interstate and foreign commerce was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 3542) to prohibit transmission of certain gambling information in interstate and foreign commerce by communications facilities was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 3435) to amend the act relating to the administration of the Washington National Airport, to incorporate the Washington National Airport Corp., and for other purposes, was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 3706) to amend the Subversives Activities Control Act of 1950 to provide for the determination of the identity of certain Communist-infiltrated organizations, and for other purposes, was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will go over.

AMENDMENT OF REVISED STATUTES 4426

The Senate proceeded to consider the bill (H. R. 8647) to amend Revised Statutes 4426.

Mr. SMATHERS. Mr. President, I send an amendment to the desk, which I ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 1, line 8, after the word "the", it is proposed to insert "inspection."

Mr. SMATHERS. Mr. President, the amendment has been cleared with the staff of the Interstate and Foreign Commerce Committee. They agree it is desirable, as apparently does the Coast Guard.

Its purpose is to insure that the temporary exemption granted such vessels, is only with respect to boiler and hull inspections and not the safety regulations or other provisions of Revised Statutes 4426. The report indicates that this is all that was intended by the amendment. The language, however, was broader than the intention.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Florida.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

BILL PASSED OVER

The bill (H. R. 7395) to amend the definition of "airman" in the Civil Aeronautics Act of 1938, and for other purposes, was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

ROGUE RIVER BASIN RECLAMATION PROJECT, OREGON

The bill (S. 3134) to authorize the Secretary of the Interior to construct, operate, and maintain the Talent division of the Rogue River Basin reclamation project, Oregon, was announced as next in order.

Mr. CORDON. Mr. President, objection was originally heard to the Senate bill. I ask that the House bill (H. R. 8384), Calendar No. 2362, be substituted for the Senate bill.

The PRESIDING OFFICER. Is there objection?

There being no objection, the bill (H. R. 8384) to authorize the Secretary of the Interior to construct, operate, and maintain the Talent division of the Rogue River Basin project, Oregon, was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 3134 will be indefinitely postponed.

BILLS PASSED OVER

The bill (H. R. 7815) to provide for the construction, operation, and maintenance of the Cougar Dam and Reservoir on the South Fork McKenzie River, Oreg., with participation for power by the city of Eugene, Oreg., was announced as next in order.

Mr. MORSE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 880) to amend the license law of the District of Columbia was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2601) to provide for Federal financial assistance to States and Territories in the construction of public elementary and secondary school facilities was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The bill will be passed over.

CONSTRUCTION OF THE SANTA MARIA PROJECT, SOUTHERN PACIFIC BASIN, CALIF.—BILL PLACED AT FOOT OF CALENDAR

The bill (H. R. 2235) to authorize the Secretary of the Interior to construct the Santa Maria project, Southern Pacific Basin, Calif., was announced as next in order.

Mr. JOHNSTON of South Carolina. Over.

Mr. MORSE. Mr. President, will the Senator withhold his objection for just a moment?

Mr. JOHNSTON of South Carolina. I will withhold the objection.

Mr. MORSE. Mr. President, I objected to this bill on the previous call of the calendar. Since then I have looked into the bill, and in my judgment the objections which I raised on the last call of the calendar should be withdrawn.

I wish to read into the RECORD a letter which I have received from the director of the Oregon State Game Commission.

My objection on the last previous call of the calendar was based on the fact that the consideration I had given the bill up to that time did not lead me to believe there was a sufficient Federal interest to justify the provisions of the bill. However, this letter states as follows:

DEAR SENATOR MORSE: Reference is made to the so-called grasslands water bill sponsored by Congressman OAKLEY HUNTER, now before Congress.

It is my understanding that you have requested holding this bill in order that you might have an opportunity to examine the proposal.

My purpose in writing you at this time is to emphasize the importance of this legislation to the future management of the waterfowl resources of the Pacific Flyway. Because of the wide distribution and use of the waterfowl resources throughout the seven Western States and to western Canada and Alaska and the tremendous importance of providing adequate wintering areas, much of which is in California, this bill is of concern then not only to California but to the entire flyway from a waterfowl standpoint. Locally, it is important in providing essential waterfowl habitat in the San Joaquin Valley of California.

We will appreciate your favorable consideration of this legislation, bearing in mind the significance it has to the future handling of the important international waterfowl resource in this flyway.

I also understand that our Federal Wildlife Bureau is very much interested in the objectives of the bill. In view of the fact that the bill is really a conservation measure in respect to wildlife, I wonder whether the Senator from South Carolina [Mr. JOHNSTON] will, on the basis of these representations, withdraw his objection?

Mr. JOHNSTON of South Carolina. Mr. President, I ask that a decision be withheld at this time, and that the bill be placed at the foot of the calendar.

Mr. MORSE. That will be quite satisfactory to me.

The PRESIDING OFFICER. Is there objection to having the bill placed at the foot of the calendar?

Mr. KUCHEL. Mr. President, there is no objection; but I wish to ask the calendar number of the measure we are now discussing.

The PRESIDING OFFICER. It is Calendar No. 1801, House bill 2235.

Mr. KUCHEL. I wish to point out to my friend, the Senator from Oregon, that his comments would apply to Calendar No. 1802, House bill 4213.

Mr. MORSE. Let me say to my friend, the Senator from California, that that is the bill I thought we were discussing.

Mr. KUCHEL. Yes.

Mr. MORSE. It is Calendar No. 1802, House bill 4213, that I thought was being discussed; and that is the bill which I thought the Senator from South Carolina had objected to.

Let me say that I am not very often ahead of the calendar.

The PRESIDING OFFICER. The Chair will say that the Senator from Oregon is always farsighted.

Objection was heard to the consideration of Calendar No. 1801, House bill 2235. Objection having been heard, the bill will be passed over.

Mr. KUCHEL. Mr. President, I wish to be perfectly sure I understand. Does the Senator from South Carolina [Mr. JOHNSTON] object to the present consideration of Calendar No. 1801, House bill 2235?

Mr. JOHNSTON of South Carolina. Yes, Calendar No. 1801.

The PRESIDING OFFICER. The Senator from Oregon did not request that Calendar No. 1801 be placed at the foot of the calendar, did he?

Mr. MORSE. No, I was speaking of Calendar No. 1802, House bill 4213.

The PRESIDING OFFICER. So the objection made to Calendar No. 1801 stands.

Mr. JOHNSTON of South Carolina. Except, Mr. President, that I should like to have the bill go to the foot of the calendar, so we can study it further.

The PRESIDING OFFICER. Without objection, Calendar No. 1801, House bill 2235, will be placed at the foot of the calendar.

Mr. KUCHEL. I thank the Chair.

WATER SUPPLIES FOR WATERFOWL MANAGEMENT, CENTRAL VALLEY PROJECT, CALIFORNIA

The bill (H. R. 4213) to authorize works for development and furnishing of water supplies for waterfowl management, Central Valley project, California, was considered, ordered to a third reading, read the third time, and passed.

AUTHORIZATION FOR CERTAIN USES OF PUBLIC LANDS

The bill (S. 620) to provide authorization for certain uses of public lands, was announced as next in order.

The PRESIDING OFFICER. This bill is a companion measure to House bill 1254, Calendar No. 2234, which was placed at the foot of the calendar.

The question arises as to whether the Senate wishes to dispose of that bill at this time, since the companion Senate bill is before the Senate.

The Senator from Florida previously requested that the House bill be placed at the foot of the calendar. The Senate bill is identical, except for some differences in language.

Is there objection to the present consideration of the bill?

Mr. SMATHERS. Mr. President, I have no objection to having the bill considered now, if the Senator from Oregon has no objection.

Mr. MORSE. Mr. President, I wish to make a brief statement on the bill, and then to have the sponsors of the bill comment on that statement, before I reach a decision as to what my final position on the bill will be.

The PRESIDING OFFICER. Is there objection to the present consideration of the House bill, instead of Senate bill 620, in view of the fact that they are companion bills?

There being no objection, the Senate proceeded to consider the bill (H. R. 1254) to provide authorization for certain uses of public lands.

Mr. MORSE. Mr. President, this bill would authorize any department or

agency of the Government of the United States having jurisdiction over public lands, national forests, and reservations in the United States to grant permits, leases, or easements for a period not to exceed 50 years to States, counties, cities, towns, townships, municipal corporations, or other public agencies for purpose of constructing and maintaining on such lands public buildings or other public works.

The bill does not contain any particular payment provisions. The bill simply states "under such reasonable terms and conditions as such head may determine."

In a letter dated April 16, 1954, the Bureau of the Budget stated:

> It is noted that the bill requires no monetary consideration for the privileges to be granted. While many existing statutes require no consideration, it would seem appropriate for the recipient of the grant to pay to the United States an amount commensurate with the value received. Such payment should be based on periodic appraisal of values during the term of the lease, permit, or easement.

That is the position of the Bureau of the Budget.

The Bureau of the Budget also stated, in the same letter, that there may be some question as to the meaning of the term "reservation."

Apparently the purpose of the bill is to assure a tenure of use of sufficient duration to warrant expenditure of funds by States or other non-Federal agencies for substantial improvements of a permanent nature on lands.

Mr. President, grants of permits, leases, or easements on Federal lands are grants of estates in land. Even if used for public purposes, States or subdivisions should pay a reasonable value for such estates.

The language "reasonable terms and conditions," as determined by the head of an agency, does not seem to amount to very much of a standard for payment, in my judgment. Unless I can be satisfied regarding the point I am raising, I shall either ask to have the bill placed at the foot of the calendar, or that it go over.

The PRESIDING OFFICER. Does the Senator from Oregon request that the bill be placed at the foot of the calendar?

Mr. MORSE. I wish to provide an opportunity for the Senator from California or any other Senator to comment on the observation on the part of the Bureau of the Budget, because it is the heart of what will be my objection.

Mr. KUCHEL. Mr. President, I prefer that the bill go over. But I wish to ask the Chair the calendar number of the corresponding House bill to which the Chair has referred.

The PRESIDING OFFICER. It is Calendar 2234, House bill 1254.

Mr. KUCHEL. Mr. President, do I correctly understand that the request of the junior Senator from Oregon is that the bill go to the foot of the calendar?

Mr. MORSE. I am perfectly willing to have that done.

Mr. KUCHEL. Very well.

The PRESIDING OFFICER. Without objection, House bill 1254, Calendar 2234, will be placed at the foot of the calendar.

LANDS IN THE OWL CREEK UNIT OF THE MISSOURI BASIN PROJECT

The bill (H. R. 4721) to provide that the excess-land provisions of the Federal reclamation laws shall not apply to lands in the Owl Creek unit of the Missouri Basin project was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MORSE. Mr. President, I do not object now, although I may object.

I should like to have the Senator from Wyoming [Mr. BARRETT] give an explanation of the bill, with particular reference to the comment he made to me in private, with regard to the bill's involving, not public lands, but private lands.

Mr. BARRETT. Mr. President, this bill involves the Owl Creek project in Wyoming. It is one of the units of the Missouri Basin project.

Part of the project is an old irrigation district, and the land has been irrigated for a good many years, using the water from Owl Creek.

When the Lucerne Dam was constructed, about 4 years ago, it was provided that the project could be expanded to include approximately 18,000 acres of the lands in the upper reaches of Owl Creek, which were to use the water that is dedicated to the old project along the Big Horn River. The lower end of the project was to obtain water by pumping it out of the river, from the water storage at Lucerne Dam.

All these lands are privately owned. The growing season in that area is approximately 88 days a year. The land is suitable, almost exclusively, for the purpose of raising supplementary feed for livestock, for the winter.

The owners of the lands could not afford to dispose of all but 160 acres, because it would be uneconomical and unprofitable to operate their holdings on that basis. For that reason they have objected to the construction of the project, because of the limitation of 160 acres of land. It is provided in the bill that the limitation shall be increased to 300 acres.

Mr. MORSE. Am I correct in my understanding that what we are dealing with here is a body of land which is now under private title, but upon which the owners want to get some water from another reservoir, really in exchange for water which they now have the right to take, but they have no land available to that water?

Mr. BARRETT. The Senator is correct. There are two parts to the project. The lower end of the project intends to trade the water it is entitled to from Owl Creek, provided it can obtain adequate water from the Big Horn River by pumping it out.

Mr. MORSE. Am I correct in my understanding that this bill does not involve a case in which the Federal Government is in any way making available to them public lands in excess of the 160-acre limitation?

Mr. BARRETT. That is correct.

Mr. MORSE. Am I correct further in my understanding that this bill could in no way be considered a precedent for the modification of the 160-acre limitation with respect to public lands?

Mr. BARRETT. I am quite sure that the Senator is entirely correct.

Mr. MORSE. I have no objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 4721) to provide that the excess-land provisions of the Federal reclamation laws shall not apply to lands in the Owl Creek unit of the Missouri Basin project was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 9709) to extend and improve the unemployment-compensation program was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

EXTENSION OF TIME FOR ENTERING INTO AMENDATORY REPAYMENT CONTRACTS—BILL PASSED TO FOOT OF CALENDAR

The bill (H. R. 8027) to amend the act of March 6, 1952 (66 Stat. 16) to extend the time during which the Secretary of the Interior may enter into amendatory-repayment contracts under the Federal reclamation laws, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. By request, over.

Mr. ANDERSON. Mr. President, was objection made?

The PRESIDING OFFICER. Objection is heard.

Mr. ANDERSON. The Senator from New Jersey must realize that a great many of the small irrigation districts now have problems. Because of the drought in the Western States many small irrigation projects need this power more than they have ever needed it in the history of the country. I believe this bill is a perfectly fine bill.

The able chairman of the subcommittee [Mr. BURKE] is not in the Chamber now, but I think I can assure the Senator from New Jersey that these projects are in more trouble now because of the drought than they have even been in before.

The bill would merely give the Secretary of the Interior an extension of several years of the right to negotiate amendatory contracts. I am sure the Senator from Wyoming [Mr. BARRETT] or the Senator from Texas [Mr. DANIEL] can give substantiating information.

Mr. HENDRICKSON. Mr. President, I am sure that what the distinguished Senator has said is all true. I am not

objecting on my own account. I am in favor of the bill. I am objecting on behalf of a Senator who is absent. I am unable to reach him.

I ask unanimous consent that the bill be included in the next call of the calendar.

Mr. BARRETT. Mr. President, can the Senator assure us that there will be another call of the calendar?

Mr. HENDRICKSON. I can only say that I heard the distinguished majority leader say that there would be another call of the calendar.

Mr. MORSE. Let me say facetiously to my friend from Wyoming that I think I can give him reasonable assurance.

Mr. ANDERSON. I remind the Senator from New Jersey that every time one of these contracts is renegotiated it has to be submitted to the floor of the Congress.

Mr. HENDRICKSON. I ask the distinguished Senator what choice I have in the matter.

Mr. ANDERSON. I am sorry.

Mr. BARRETT. Mr. President, reserving the right to object, I should like to have the RECORD show that all the bill does is to extend for 3 years a law which has been in force for a long time, a law which has worked in admirable fashion, a law to which no objection whatsoever has been raised by anyone, so far as I know.

The bill was reported unanimously from the committee. The law granting authority to the Secretary to make these amendatory contracts expires on December 31 next. Under that law 22 such amendatory contracts have been made, and Congress has approved every one of them. The Department is currently attempting to conclude nine other contracts. If the bill is not passed, there certainly will be no authority to proceed with the conclusion of the contracts.

Mr. HENDRICKSON. Mr. President, the Senator who is absent, and on whose behalf I have lodged an objection, is in attendance upon a very sick relative. I think I would be absent myself if I had a son-in-law who had been stricken with polio. I will not state the name of the Senator unless I am requested to do so. However, in view of the situation, in order that Senators may try to communicate with the absent Senator, I ask unanimous consent that the bill be passed to the foot of the calendar.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request?

Mr. DANIEL. Mr. President, reserving the right to object—which I shall not do—we are trying to get in touch with the absent Senator, and I appreciate the request which has been made.

The PRESIDING OFFICER. Without objection, the bill will be passed to the foot of the calendar.

BILLS PASSED OVER

The bill (S. 3114) to improve the public health by encouraging more extensive use of the voluntary prepayment method in the provision of personal health services was announced as next in order.

Mr. HENDRICKSON. Mr. President, this is not calendar business. I ask that the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 904) to standardize rates on household goods shipped by the United States Government for its employees was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

BILL PASSED TO FOOT OF CALENDAR

The bill (S. 3219) to amend certain provisions of title XI of the Merchant Marine Act of 1936, as amended, to facilitate private financing of new ship construction, and for other purposes, was announced as next in order.

Mr. HENDRICKSON. Mr. President, I ask unanimous consent that the bill be passed to the foot of the calendar.

The PRESIDING OFFICER. Without objection, the bill will be passed to the foot of the calendar.

CHANGE OF NAME OF GAVINS POINT RESERVOIR

The bill (S. 3744) to change the name of Gavins Point Reservoir back of Gavins Point Dam to Lewis and Clark Lake was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Gavins Point Reservoir back of Gavins Point Dam, which is located on the Missouri River near Yankton, S. Dak., shall hereafter be known as Lewis and Clark Lake and any law, regulation, document, or record of the United States in which such reservoir is designated or referred to under the name of Gavins Point Reservoir shall be held to refer to such body of water under and by the name of Lewis and Clark Lake.

CITING ALBERT SHADOWITZ FOR CONTEMPT OF THE SENATE

The resolution (S. Res. 280) to cite Albert Shadowitz for contempt of the Senate was announced as next in order.

Mr. HENDRICKSON. By request, Mr. President, I ask that this resolution go over.

Mr. McCARTHY. Mr. President, will the Senator withhold his objection until I can explain the resolution?

Mr. HENDRICKSON. I gladly withhold my objection.

Mr. McCARTHY. It should be made very clear that the Senator from New Jersey is not personally objecting; may I ask the name of the Senator who is objecting?

Mr. HENDRICKSON. The distinguished senior Senator from North Dakota [Mr. LANGER].

Mr. McCARTHY. I so understood.

Mr. HENDRICKSON. As the Senator knows, he is absent today due to serious illness in the family.

Mr. McCARTHY. I understand the Senator from North Dakota desires some time to discuss this resolution on the floor of the Senate.

Mr. President, I thank the able Senator from New Jersey for withholding his objection until I can very briefly explain the resolution.

On December 16, 1953, at New York City, Albert Shadowitz testified before the Senate Permanent Subcommittee on Investigations. He refused to answer questions pertaining to communism or espionage on the grounds of the privilege of the first amendment and on the grounds that the subcommittee lacked jurisdiction. He did not invoke the fifth amendment.

We wrote the Attorney General on this matter and got a preliminary unofficial opinion from him to the effect that this case might well be submitted to the grand jury.

Mr. Shadowitz readily answered questions which did not pertain to communism or espionage. He talked freely of his employment background. He refused to answer certain questions which I shall state on the grounds of the first amendment. This man had worked for the Government in classified work and was in close contact with people doing classified work.

He refused to answer:

First. Whether he was a member of the Communist conspiracy at the time of his deferment from the draft.

Second. Whether he discussed classified defense work with members of the Communist Party while he was working at the Federal Telecommunications Laboratories, 1943 to 1951.

Third. Whether he took orders from the Communist Party concerning what line his union newspaper should follow.

Fourth. Whether certain named individuals were members of the Communist Party.

Fifth. Whether the Communist Party instructed him to apply for a secret clearance concerning his employment with the Federal Telecommunications Laboratories.

Sixth. Whether at the time he went to work for the Federal Telecommunications Laboratory, he was asked for a statement as to whether he was a member of the Communist Party.

I think it is interesting to note, Mr. President, that this man was accompanied by counsel. He did not invoke the fifth amendment. He said he was refusing to give us information about Communists in Government because of the advice of Albert Einstein.

The subcommittee and the full committee voted to cite him for contempt.

I thank the Senator for withholding his objection.

The PRESIDING OFFICER. The resolution will be passed over.

CITING ABRAHAM UNGER FOR CONTEMPT OF THE SENATE

The resolution (S. Res. 282) to cite Abraham Unger for contempt of the Senate was announced as next in order.

Mr. MORSE. Mr. President, for the RECORD, may we have an explanation of the resolution?

Mr. McCARTHY. Calendar No. 1828, Senate Resolution 282, deals with the case of Abraham Unger. I understand that if the Senator from North Dakota [Mr. LANGER] were present he would also object to its being considered today. I shall ask the majority leader to bring these matters up on motion at the earliest opportunity.

On September 15 and 17, 1953, Abraham Unger, an attorney, testified before our investigations subcommittee in New York. Unger is a member of the law firm of Unger and Freedman, which firm was active in the legal defense of the 11 top Communists who were tried and convicted in New York City.

When he first testified before the investigations subcommittee on September 15, he said he had no knowledge that one Julius Reiss, alias Joel L. Remes—Remes is his name in the Communist Party; Reiss is his official name—ever worked in his law firm. Remes had been identified before the subcommittee as a top functionary of the Communist Party, who was an American citizen employed by the Polish delegation to the United Nations.

However, when Unger was confronted with information that Remes had been employed by his law firm, he changed his testimony on his following appearance.

On September 17, 1953, Unger said that Remes had been employed by his law firm for 9 months doing research in connection with the legal defense of the 11 top Communists who were convicted. Unger, who is apparently practicing law before Government agencies, refused to answer whether he was a member of the professional group of the Communist Party in New York, whether he was an organizer, and whether he was a member of the Communist Party.

For a period of some 72 minutes, Unger was repeatedly asked questions as to his membership on at least 19 occasions. During this period he continued to filibuster—to give evasive answers. He was told he would have to answer or we would ask to have him cited for contempt. He continued to refuse to answer.

Unger did not invoke the fifth amendment or any other provision of the Constitution, but consistently filibustered and stalled and refused to answer any questions. In an informal opinion from the office of the Attorney General, it is indicated that the facts developed at the hearings would be sufficient for presentation of his case to a grand jury for indictment for contempt.

In all these cases we have asked the Attorney General for an unofficial opinion. In all the cases which were presented we received the opinion that the facts were such that the cases should be presented to the grand jury.

I sincerely hope that the majority leader will arrange our work so that we can arrange to bring these contempt matters up on motion, in view of the opposition of the Senator from North Dakota [Mr. LANGER].

Mr. MORSE. Am I correct in my understanding that this resolution recommending citation for contempt, as well as the preceding resolution, was adopted by unanimous vote of the subcommittee?

Mr. McCARTHY. As I recall, both of them were adopted by unanimous vote. There may have been some Senators not present. There were no votes against the citations.

Mr. MORSE. All those who voted did vote for it?

Mr. McCARTHY. Yes, both in the subcommittee and then in the full committee.

Mr. MORSE. I should like to add, if the Senator will yield to me, Mr. President——

Mr. McCARTHY. I gladly yield.

Mr. MORSE. I, too, hope that the Senate will take official action by way of motion, if necessary, on these resolutions before we adjourn, because I think it would be a very bad thing for the Senate to adjourn without acting upon resolutions asking for citations for contempt, because, irrespective of what committee may be involved, it is my view that whenever a committee of the Senate, by either unanimous vote or a substantial majority vote, brings to us a resolution calling for a citation for contempt, that is, in my judgment, a prima facie basis for the Senate to support its committees on this kind of issue. I think we would soon lose our effectiveness in the field of investigation if the idea got abroad in this land that a resolution asking for citation for contempt does not mean very much when it comes to the Senate. On the contrary, I do not think we ought ever to have an exception to the adoption of such a resolution unless, in debate on the floor of the Senate, it can be shown that our committee was mistaken.

Mr. HENDRICKSON. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The time of the Senator from Wisconsin has expired.

Mr. HENDRICKSON. Mr. President, I share the views of the distinguished Senator from Oregon with respect to all three of these resolutions. I want the record to be quite clear that I am objecting only as a member of the calendar committee on behalf of another Senator. In the event these resolutions are not taken up in due course by the majority leader, I shall——

Mr. KNOWLAND. Will the Senator yield?

Mr. HENDRICKSON. I gladly yield to the majority leader.

Mr. KNOWLAND. I say to the Senator, there is no question that these three resolutions will be called up. They obviously cannot pass on the calendar call because of the objection that has been lodged by an absent Senator, who had requested that he have at least 48 hours' notice in advance of calling them up.

I serve notice now that a motion will be made by the majority leader to call up each of these, so as to give the Senate an opportunity to vote upon them. I quite agree with the Senator from Oregon [Mr. MORSE] that the question of citation for contempt of the Senate is such that we will not leave these resolutions on the calendar when we adjourn.

Mr. HENDRICKSON. Would the majority leader object if I were to ask unanimous consent that, if there is another calendar call before these resolutions are taken up, all 3 of the resolutions be included in that calendar call?

Mr. KNOWLAND. I do not think that would solve the problem of unanimous consent, because the Senator from North Dakota has made it very clear that he intends to oppose them. At least he particularly directed my attention to one resolution he expected to oppose.

Under those circumstances, I think it unlikely that the resolutions would pass by unanimous consent. I give my assurance that we shall move to their consideration.

Mr. HENDRICKSON. I recognize that possibility, but I thought it might be another safeguard.

The PRESIDING OFFICER. The resolution will be passed over.

CITING CORLISS LAMONT FOR CONTEMPT OF THE SENATE

The resolution (S. Res. 281) to cite Corliss Lamont for contempt of the Senate was announced as next in order.

Mr. MORSE. Mr. President, may we have an explanation of the resolution?

Mr. SMATHERS. Mr. President, by request I ask that the resolution go over.

Mr. MORSE. Mr. President, will the Senator withhold his objection?

Mr. LEHMAN. I object.

Mr. SMATHERS. I will be happy to withhold my objection.

Mr. MORSE. Mr. President, I should like to have the Senator withhold his objection until the Senator from Wisconsin [Mr. McCARTHY] can give an explanation of the resolution. I think an explanation ought to go into the RECORD, so that Senators may have the benefit of such an explanation. In that way Senators will be able to study the question between now and the time the Senate debates the resolution.

Mr. McCARTHY. Mr. President, I appreciate the request of the Senator from Oregon. I think that an explanation should be placed in the RECORD so that it will be available to Senators before they are called upon to vote on the resolution.

Mr. SMATHERS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. SMATHERS. What is the time limit?

The PRESIDING OFFICER. Five minutes.

Mr. McCARTHY. I am sure I can complete my explanation in 5 minutes.

On September 23, 1953, at New York City, Corliss Lamont testified before the Senate Permanent Subcommittee on Investigations. He at no time invoked the privilege of the fifth amendment as to questions that were asked. Lamont objected to the power and jurisdiction of the subcommittee. He also objected that under the first amendment the power of investigation by congressional committees into matters involving freedom of speech and freedom of the press could

not be used in the absence of legislative intent or power.

Also, he denied that he was a member of the Communist Party, but admitted writing a chapter entitled, "National and Racial Minorities," which appeared in the book entitled, "U. S. S. R.—A Concise Handbook." He also admitted writing, People of the Soviet Union.

On the basis of Mr. Lamont's statement that the subcommittee lacked jurisdiction, he refused to answer the following questions:

Whether he knew Louis Budenz who had been editor of the Daily Worker for a number of years; whether he admitted to said Budenz in a telephone conversation that he was a member of the Communist Party; whether he knew Clarence Hathaway, a well-known Communist; whether he worked with Clarence Hathaway in connection with the penetration of various organizations by the Communist Party; whether he was ever under instructions from the Communist Party or from a known Communist to work toward the penetration of any organizations; whether he ever engaged in activities on behalf of the Communist Party or under the instruction of any individual known to be a member of the Communist Party.

On the basis of his statement that the subcommittee lacked jurisdiction and under his privilege of the first amendment and on his objection to the form of questions proposed, he refused to answer questions concerning the following:

Whether Ernest J. Simmons, who edited U. S. S. R.—A Concise Handbook, which is published by the military, was a member of the Communist Party at the time Lamont contributed the chapter to the book; whether he had ever been solicited to join the Communist Party; whether he had ever attended Communist Party meetings; whether at the time he wrote the chapter in Ernest Simmons' book and at the time he wrote the book entitled "Peoples of the Soviet Union," both of which were purchased by the U. S. Government, that he consulted with or was instructed by individuals known to be members of the Communist Party; whether he considered the Daily Compass a Communist publication; at the time he was writing for the Daily Compass, whether he was writing articles or documents which were being purchased or used by the U. S. Government; the length of his trip which he made to Russia; whether he knew Harriet L. Moore; whether he knew that Harriet Moore was a Communist—I may say that Miss Harriet L. Moore is the one who willed her property to Chou En-Lai and requested that her ashes be distributed over Communist China—whether he knew if Vladimir Kazekavich, who wrote a chapter in a book used by the U. S. Government, was a Communist; whether Frederick L. Schuman, whose works have been used by the U. S. Government, was a Communist; whether John N. Hazard, who wrote material which was purchased and used by the U. S. Government, was a member of the Communist conspiracy——

Mr. MORSE. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield.

Mr. MORSE. Did the Senator mention someone working for U. S. News?

Mr. McCARTHY. No; definitely not.

Mr. MORSE. U. S. what?

Mr. McCARTHY. A man who wrote works for the U. S. Government.

The PRESIDING OFFICER. The Senator from Wisconsin has 1 minute remaining.

Mr. MORSE. I believe the Senator misspoke himself.

Mr. McCARTHY. I certainly did not mention the U. S. News.

Mr. MORSE. I am certain he did not intend to.

Mr. McCARTHY. He refused to tell whether he felt the Communist Party was dedicated to the overthrow of this Government by force and violence; whether Sergei Kournakoff, who produced works used by our military, was a member of the Communist Party; that Henry Sigerist, who had written material used by the U. S. Army, was a member of the Communist Party; whether he had ever attended a meeting where the espionage activities of members of the Communist Party were discussed; whether he ever attended a Communist Party meeting at which time a Communist Party member advocated the overthrow of this Government by force and violence.

The Attorney General received a copy of the transcript, and in an unofficial opinion said he thought this case could well be submitted to the grand jury for indictment.

Mr. LEHMAN. Mr. President, reserving the right to object—and I shall object—I wish to say that I believe this is not a matter which should be considered on a call of the calendar. It may very well be that there is full justification for citing this man, but I think the reasons should be given in detail and in a reasonably considerate manner toward the Senate, so that Members of the Senate may be able to form their own judgment as to the seriousness of the situation.

From the report which was made in connection with the request for a citation I read the following——

Mr. McCARTHY. Mr. President, will the Senator from New York yield for a brief announcement?

Mr. LEHMAN. I yield.

Mr. McCARTHY. This is not being disrespectful to the Senator, but we have a number of witnesses waiting in the committee room, and I am presiding at the hearing. I must leave the Chamber. I understand the objections will be brought up later, and I shall read the Senator's remarks in the printed RECORD.

Mr. LEHMAN. Of course, I have no objection to the Senator leaving the Chamber.

I read from the report, Mr. President:

Mr. LAMONT. Mr. Chairman, I have a statement I would like to read into the record objecting to the jurisdiction of the committee.

The CHAIRMAN. Not until we have sworn you.

Mr. LAMONT. I would prefer to affirm, please.

The CHAIRMAN. Pardon me?

Mr. LAMONT. I would prefer to affirm.

The CHAIRMAN. In other words, you don't want to be sworn; you want to affirm.

In the first place, Mr. President, there was no inclusion in this report of the statement which I assume was later read by Mr. Lamont justifying his position.

In regard to affirmation the chairman said:

In other words, you don't want to be sworn; you want to affirm.

Do you solemnly affirm to tell the truth, the whole truth, and nothing but the truth in this matter now in hearing before this committee?

Mr. LAMONT. I do.

Then the chairman went on to say:

Your reason for not being sworn, not wanting to be sworn, is what?

So far as I know, Mr. President, an affirmation has exactly the same weight as does an oath before a committee. And yet the chairman took it upon himself to question the validity of an affirmation by the witness who appeared before him.

In the next place, Mr. President, Mr. Lamont did not claim immunity under the fifth amendment; he claimed the protection of the first amendment.

Mr. Lamont, in appearing before the committee under oath, said:

As I said in the statement, I am not and never have been a member of the Communist Party.

That is a direct rebuttal of any claim that he has been or is a member of the Communist Party.

For that reason, and for many others, I feel impelled to object to this procedure, because I believe the citations should not be lightly treated by the Senate. I believe all the facts of the case should be considered and given weight, and not taken up on a calendar call when debate is limited to 5 minutes and the facts cannot possibly be developed. It may very well be that this man should be cited. I do not know. I am not forming any opinion. I want to make sure that this case and the others as to which objection has been made are brought before the Senate for the consideration of all the Members of the Senate, who will then vote in accordance with their conscience and their convictions. Therefore, I object.

The PRESIDING OFFICER. Objection is heard.

The clerk will call the next item on the calendar.

BILLS PASSED OVER

The bill (H. R. 3300) to authorize the State of Illinois and the Sanitary District of Chicago under the direction of the Secretary of the Army to help control the lake level of Lake Michigan by diverting water from Lake Michigan into the Illinois waterway, was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2317) authorizing the modification of the existing project for navigation on the Delaware River, Pennsylvania, New Jersey, and Delaware, was announced as next in order.

Mr. GORE. I ask that the bill go over.

Mr. MORSE. Mr. President, will the Senator withhold his request for a moment?

Mr. GORE. I withhold my request.

Mr. MORSE. The bill comes to the Senate with the unanimous vote of the Committee on Public Works. It deals with a subject which the committee has gone into very carefully. I think there is great merit to the argument that greater consideration should be given to the bill than can be given to it on the Unanimous Consent Calendar, since the bill involves a considerable sum of money. Nevertheless, the objectives of the bill and the plans for construction of the project were considered by the Committee on Public Works to be so meritorious that we found no basis, really, for any great debate on the question.

It is my hope that between now and the time of final adjournment the bill may be taken up on motion, or that the objectors will reconsider their objections between now and the time of the next call of the calendar.

Therefore, I ask unanimous consent that, if there is to be another call of the calendar, the bill be called on the next calendar call, in case the majority leader does not have the bill taken up by motion in the meantime.

Mr. HENDRICKSON. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. HENDRICKSON. Will the Senator from Oregon state whether there were any objections made by abutting property owners, who were concerned about erosion which might result from the proposed construction?

Mr. MORSE. During consideration of the bill in the committee, some objections were raised and were duly considered, but the committee felt that there was adequate protection afforded to justify the passage of the bill.

The PRESIDING OFFICER. The bill will be passed over.

BILLS PLACED AT FOOT OF CALENDAR

Mr. HENDRICKSON. Mr. President, for the benefit of the Senate, may we have a complete list of the bills which were ordered to be placed at the foot of the calendar, in the order in which they will take precedence?

Mr. MORSE. Mr. President, will the Senator yield for a point of information?

Mr. HENDRICKSON. I gladly yield.

Mr. MORSE. What happened to Calendar No. 1833, H. R. 9580; Calendar No. 1834, Senate bill 3428; and Calendar No. 1882, H. R. 4813?

The PRESIDING OFFICER. Those bills were called last evening, and were objected to.

Mr. GORE. Mr. President, I ask that Calendar No. 2030, H. R. 6573, to which I previously objected, may go to the foot of the calendar.

The PRESIDING OFFICER. Without objection, the bill will go to the foot of the calendar.

Mr. STENNIS. Mr. President, when Calendar No. 1315, Senate bill 2910, at the bottom of page 7 of the calendar, was called, objection was raised by the Senator from Tennessee [Mr. GORE], who was speaking for the Senator from Rhode Island [Mr. GREEN]. I understand that the Senator from Rhode Island has agreed to withdraw his objection. However, there may be other objections to the bill.

I ask unanimous consent that this bill be included in the bills which will go to the foot of the calendar, so that there will be an opportunity to discuss it later.

Mr. SMATHERS. Mr. President, it was I who objected. I have no further objection, and I understand the Senator from Tennessee [Mr. GORE] has withdrawn his objection.

The PRESIDING OFFICER. Without objection, the bill will go to the foot of the calendar.

Mr. MILLIKIN. Mr. President, I ask unanimous consent that Calendar No. 2358, H. R. 10009, go to the foot of the calendar. I understand there was objection to the bill, and that the Senator from Tennessee [Mr. GORE] desired to consult with the Senator from Georgia [Mr. GEORGE]. I suggest that the bill go to the foot of the calendar.

The PRESIDING OFFICER. Without objection, the bill will go to the foot of the calendar.

Mr. MILLIKIN subsequently said: Mr. President, during the call of the calendar, the Senator from Tennessee [Mr. GORE] objected to the consideration of Calendar No. 2358, H. R. 10009, on the ground that he thought the bill was too complicated to be handled on the call of the calendar. He stated that he intended to speak with the distinguished Senator from Georgia [Mr. GEORGE] about the matter.

The Senator from Georgia has spoken with the Senator from Tennessee, and I now desire to have the Senator from Georgia make a statement with reference to the bill.

Mr. GEORGE. Mr. President, I have had a conference with the Senator from Tennessee [Mr. GORE], who was acting as a member of the calendar committee on the minority side.

The title of the bill in question was somewhat misleading. As originally drawn, the bill was much broader than it is now. When I explained to the Senator from Tennessee that the bill primarily called for a study by the Tariff Commission and the customs officers of the Treasury, and for a report to be made subsequently to the Senate Committee on Finance, the Senator from Tennessee then said that he would authorize me to withdraw his objection, so that the measure could be taken up and disposed of.

Mr. MILLIKIN. May I ask the distinguished majority leader if it would be desirable to have the bill taken up in the regular order?

Mr. KNOWLAND. I think that would be preferable.

Mr. MILLIKIN. I thank the distinguished Senator.

Mr. SMATHERS. Mr. President, earlier in the day I asked that Calendar 1797, Senate bill 2601, go over, by request of other Senators. I now ask unanimous consent that the bill be placed at the foot of the calendar.

The PRESIDING OFFICER. Without objection, the bill will go to the foot of the calendar.

Request has been made that the list of bills placed at the foot of the calendar be read, and the Chair will now do so.

Mr. SCHOEPPEL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. SCHOEPPEL. Will the order in which the bills are announced as being at the foot of the calendar be the order in which the bills will be called up for consideration?

The PRESIDING OFFICER. The bills will be announced in the order in which they will be considered. The first one is Calendar No. 1939, Senate bill 417.

Mr. MAYBANK. Mr. President, may I ask what the order number is?

The PRESIDING OFFICER. The order number of the first bill at the foot of the calendar is 1939. The second is 1941, Senate bill 3166.

Mr. KUCHEL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KUCHEL. Am I to understand that there are no bills which have been placed at the foot of the calendar that have a number lower than 1939?

The PRESIDING OFFICER. The understanding of the Senator from California is not correct. That bill appears in the middle of the calendar. We shall eventually come to bills having a lower order number.

Mr. MAYBANK. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MAYBANK. I understood the Chair to say that he would call in order the bills which were placed at the foot of the calendar, and that they would be called in the order in which they are to be considered. Is that correct?

The PRESIDING OFFICER. The Senator is correct. The Chair will now continue reading them in order:

Calendar No. 1950, H. R. 1665; Calendar No. 1957, H. R. 8753; Calendar No. 1963, Senate bill 3778; Calendar No. 1966, Senate bill 3326; Calendar No. 1967, H. R. 3516; Calendar No. 1978, Senate bill 1022; Calendar No. 1983, Senate bill 3316; Calendar No. 2009, H. R. 5407; Calendar No. 2010, House bill 7774; Calendar No. 2013, House bill 1980; Calendar No. 2030, House bill 6573; Calendar No. 2031, Senate bill 3189; Calendar No. 2032, House bill 9002; Calendar No. 2224, Senate bill 3726; Calendar No. 2227, Senate bill 3601; Calendar No. 2232, House bill 9712; Calendar No. 2233, House bill 9868.

Then the following calendar numbers will be called: Calendar No. 2234, House bill 1254; Calendar No. 2257, Senate bill 114; Calendar No. 2284, House bill 3534;

Calendar No. 2297, House bill 8898; Calendar No. 2334, House bill 7762; Calendar No. 2342, House bill 9962; Calendar No. 2344, Senate bill 3772; Calendar No. 2355, Senate bill 3844; Calendar No. 2358, House bill 10009.

Then beginning with Calendar No. 2365, Senate bill 3067; Calendar No. 2366, Senate bill 2017; Calendar No. 2367, Senate bill 2975; Calendar No. 2368; Senate bill 1813; Calendar No. 2369, Senate bill 3131; Calendar No. 2370, Senate Joint Resolution 158; and Calendar No. 2371, Senate bill 960.

Going now to the front of the calendar, the first number is 1315.

Mr. HENDRICKSON. Mr. President, may I ask what happened to Calendar Nos. 2248, House bill 4118; and No. 2277, Senate bill 3728? Were they read?

The PRESIDING OFFICER. Calendar No. 2248, House bill 4118, and No. 2277, Senate bill 3728 passed.

The next calendar number is 1797, Senate bill 2601. There then follow Nos. 1801, House bill 2235; and Calendar No. 1803, Senate bill 620.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MANSFIELD. Did I understand the Chair to say that Calendar No. 1315, Senate bill 2910 followed the other bills at the end of the calendar?

The PRESIDING OFFICER. That is correct.

Mr. MANSFIELD. What were the numbers after Calendar 1315, Senate bill 2910 that the Chair announced?

The PRESIDING OFFICER. No. 1315, Senate bill 2910, Calendar No. 1797, Senate bill 2601; Calendar No. 1801, House bill 2235; Calendar No. 1803, Senate bill 620; Calendar No. 1810, House bill 8027; and Calendar No. 1817, Senate bill 3219.

Mr. MORSE. Mr. President, Calendar No. 1983, Senate bill 3316 went to the foot of the calendar. The Chair may have read it and I may not have heard it.

The PRESIDING OFFICER. Calendar No. 1983, Senate bill 3316 was read. It was passed to the foot of the calendar.

Mr. HENDRICKSON. Mr. President, in order that the respective calendar committees may properly mark up these bills, and restudy them briefly, I ask unanimous consent that the Senate stand in recess for an hour.

Mr. KNOWLAND. Mr. President, I had not intended to have the Senate recess. We were going to move to the consideration of unfinished business before the Senate, and I intended to make the announcement that, pursuant to the understanding I had had with both calendar committees, they needed time—I understood they needed at least an hour, and perhaps a little more than that——

Mr. HENDRICKSON. We shall need more than an hour, I am sure.

Mr. KNOWLAND. I can assure the Senator that we shall not return to consideration of the calendar before 5:10 or 5:15, so the Senator may at least have the assurance that he will have at least an hour. If the Senator finds he needs a little more time, there are other bills the Senate can consider.

Mr. HENDRICKSON. I thank the Senator very much. I misunderstood him.

Mr. McCARRAN. Mr. President, would it be satisfactory to the Senator from California, the majority leader, to bring up Calendar No. 1936, which is H. R. 7140, for the relief of Robert A. Duval? There was some controversy back and forth which I think is now reconciled.

Mr. KNOWLAND. That is one of the bills which went to the foot of the calendar. I prefer that we take all those bills up in order, so that the Senators may have notice.

Mr. McCARRAN. Then, Mr. President, will it be satisfactory to take up 2 or 3 bills that are on the clerk's desk?

Mr. KNOWLAND. Yes. As soon as we set the unfinished business, we intend to take up some of the bills at the desk.

Mr. JOHNSTON of South Carolina. Mr. President——

Mr. KNOWLAND. I yield to the Senator from South Carolina.

Mr. JOHNSTON of South Carolina. One of the bills is better known as the pay increase bill. I notice that the majority leader asked that the bill be placed at the foot of the calendar.

Mr. KNOWLAND. That is correct.

Mr. JOHNSTON of South Carolina. May I ask the reason why the majority leader did so?

Mr. KNOWLAND. I do not believe the bill is calendar business.

Mr. MAGNUSON. Mr. President, I have just heard—it has been carried on the ticker or in the press—that the majority leader has asked that the bill be placed at the foot of the calendar.

Mr. KNOWLAND. That is correct.

Mr. MAGNUSON. I understand that the Senator from California now states that the reason he made the request is that the bill is of such importance that it should not be taken up during the call of the calendar.

Mr. KNOWLAND. That is correct.

Mr. MAGNUSON. Does the Senator from California intend to have the bill taken up later?

Mr. KNOWLAND. As I have announced, there is a long list of bills, including bills relating to the unemployment insurance reserves, which we shall have to take up with the policy committee, to determine how many of them can be acted on prior to adjournment.

Mr. MAGNUSON. Many of those bills relate to the same general subject.

Mr. KNOWLAND. That is correct.

Mr. JOHNSTON of South Carolina. Mr. President, do I correctly understand that the Senator from California will object to consideration of the bill today?

Mr. KNOWLAND. I understand that objection will be made to consideration of the bill during the call of the calendar, inasmuch as the bill is not calendar business.

COMMISSION ON CELEBRATION OF ANNIVERSARY OF BIRTH OF ALEXANDER HAMILTON

The PRESIDING OFFICER (Mr. BENNETT in the chair) laid before the Senate the amendment of the House of Representatives to the joint resolution (S. J. Res. 140) to establish a commission for the celebration of the 200th anniversary of the birth of Alexander Hamilton, which was, to strike out all after the resolving clause and insert:

That there is hereby established a commission to be known as the "Alexander Hamilton Bicentennial Commission" (hereinafter referred to as the "Commission") which shall be composed of 19 Commissioners as follows: The President of the United States, the President of the Senate, and the Speaker of the House of Representatives, all ex officio; and 8 persons to be appointed by the President of the United States, 4 Senators to be appointed by the President of the Senate, and 4 Representatives to be appointed by the Speaker of the House of Representatives.

SEC. 2. It shall be the duty of the Commission to prepare plans and a program for signalizing the 200th anniversary of the birth of Alexander Hamilton. In preparing such plans and program the Commission shall give due consideration to any plan or plans which may be submitted to it, and to take such steps as may be necessary to coordinate and correlate its plans with those prepared by State or civic bodies. If the participation of other nations in the commemoration is deemed advisable, the Commission may communicate to that end with the governments of such nations through the State Department.

SEC. 3. The Commission shall select a Chairman and a Vice Chairman from among its members, and may employ, without regard to the civil-service laws or the Classification Act of 1949, such employees as may be necessary in carrying out its functions.

SEC. 4. The Commissioners shall serve without compensation, but may be reimbursed for expenses incurred by them in carrying out the duties of the Commission.

SEC. 5. When the Commission has approved a plan of celebration, it shall submit it, insofar as it relates to the fine arts, to the Commission of Fine Arts for its approval.

SEC. 6. The Commission shall, on or before March 1, 1955, make a report to the Congress in order that further enabling legislation may be enacted.

SEC. 7. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this joint resolution, but in no event shall the sums hereby authorized to be appropriated exceed a total of $10,000.

SEC. 8. The Commission shall expire upon the completion of its duties, but in no event later than January 11, 1958.

Mr. KNOWLAND. Mr. President, the Senator from South Dakota [Mr. MUNDT] is not in the Chamber at this time, but I have cleared this matter with the minority.

Senate Joint Resolution 140 creates the Alexander Hamilton Bicentennial Commission. That joint resolution was passed by the Senate; and the House has amended the joint resolution, in which amendment it requests the concurrence of the Senate.

The amendment of the House would set a limitation of $10,000 on the expenses of the Commission. Thus, the amendment would make the joint resolution more restrictive than it was when it was passed by the Senate.

The amendment of the House of Representatives is agreeable to the author of the joint resolution, and I have cleared this matter with the minority.

Mr. President, I now move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

MODERNIZATION AND IMPROVEMENT OF MERCHANT-TYPE VESSELS—CONFERENCE REPORT

Mr. BUTLER. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House of the bill (S. 3546) to provide an immediate program for the modernization and improvement of such merchant-type vessels in the reserve fleet as are necessary for national defense. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

(The legislative clerk read the report.)

(For conference report, see House proceedings of August 10, 1954, p. 13950, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. McCARRAN. Mr. President, may we have an explanation of the conference report?

Mr. BUTLER. Mr. President, this is the conference report on the ship repair bill. The report has been submitted to the minority, and has been approved by the minority, as well as by the majority.

The PRESIDING OFFICER. The question is on agreeing to the report.

The report was agreed to.

IDENTITY OF CERTAIN COMMUNIST-INFILTRATED ORGANIZATIONS

Mr. KNOWLAND. Mr. President, the unfinished business is Calendar No. 1720, Senate bill 3706, relating to the identity of certain Communist-infiltrated organizations.

I now move that the Senate resume the consideration of the unfinished business.

The motion was agreed to; and the Senate resumed the consideration of the bill (S. 3706) to amend the Subversive Activities Control Act of 1950, to provide for the determination of the identity of certain Communist-infiltrated organizations, and for other purposes.

Mr. BUTLER. Mr. President, in opening the debate on the bill (S. 3706) to amend the Subversive Activities Control Act of 1950, to provide for the determination of the identity of certain Communist-infiltrated organizations, there is brought to a culmination a project of many minds and a project involving literally thousands of hours of investigation, study, and deliberation.

Let me comment, Mr. President, upon the background and genesis of this measure, so that the Senate may fully realize that the bill has not been hastily conceived, nor does it represent a whimsied notion of one or two individuals. Rather, as I shall shortly develop, this measure has evolved as a result of dire necessity to protect the internal security of our Nation, and has been compelled by the cold, hard facts which have, over many months, been developed by the committees of the Congress. Furthermore, the bill has been shaped and pounded on the anvil in careful deliberation by the best minds we could enlist for the task.

Mr. President, after that word of introduction, let me trace the actual chronology of events leading to the instant measure.

On September 22, 1950, the Congress of the United States enacted, over a presidential veto, the Internal Security Act of 1950, which, among other things, provides devices for disclosing the identity of two types of Communist organizations, namely, Communist-action organizations and Communist-front organizations. This act, with the provisions which I have just recounted, and others, is one of the principal weapons of this Government in its death struggle with international communism.

Shortly after the enactment of the Internal Security Act, moreover, the Senate directed the establishment of an Internal Security Subcommittee, in order to maintain a continuing surveillance over the administration of the Internal Security Act and to conduct continuous investigations for the exposure of Communist activities in this Nation. One of the principal objectives of the Internal Security Subcommittee has been to detect any areas in the Internal Security Act or any other internal security legislation which need strengthening, and to recommend to the Congress remedial legislation.

I shall not undertake, Mr. President, to recite to the Senate all the accomplishments of the Internal Security Subcommittee, but I do wish to point out that since its establishment various task forces of the Internal Security Subcommittee have, from time to time, dealt with the very serious problem of Communist control of various segments of organized labor, particularly in defense establishments or in industries which are vital to the military strength of this Nation. As the published reports and hearings of the Internal Security Subcommittee reveal, there are powerful Communist-controlled organizations masquerading as labor organizations, which today have bargaining rights for large segments of organized labor. Although the great nationwide labor organizations have done a creditable job in expelling from their midst these Communist-controlled segments, the Communist leadership and Communist influence and Communist threat remain, even as these Communist-controlled organizations continue to function, and function in most instances, under the present practice, with the sanction of the National Labor Relations Board. Permit me, Mr. President, to mention just a few illustrations of the situation to which I allude.

Here is the conclusion of a task force of the Internal Security Subcommittee which investigated a Communist-controlled labor organization, the United Electrical, Radio, and Machine Workers of America, which functions in the vital industrial area of Pittsburgh and Erie, Pa.:

> The testimony establishes that there exists in the area of Pittsburgh, Pa., a serious potential danger to the security of this Nation. It is unthinkable that a large segment of the heavy industrial area of Pittsburgh, Pa., should be manned by a Communist-controlled organization masquerading as a labor union. All the forces of the Government of the United States must be brought to bear promptly to meet this critical situation.

Here is an excerpt, Mr. President, from the conclusions of still another task force of the Internal Security Subcommittee which investigated another Communist-controlled labor organization, the United Public Workers of America:

> It should be a matter of deep concern to every patriotic American that the United Public Workers of America, which is sustained by contributions from 30,000 to 35,000 members who are employed by various units of Government in this country, is under the control of the Communist Party which is dedicated to the destruction of our Government. The subcommittee doubts, however, that the majority of the rank and file of the membership is cognizant of, or would knowingly support, the Communist leadership of the organization.

In a report of still another task force of the Internal Security Subcommittee we find revealed the shocking fact that the American Communications Association, another Communist-controlled labor organization, has access to communications which are directed over lines which are used exclusively by defense organizations of the United States Government.

Mr. President, to point up that statement let me read an excerpt from the hearings, beginning on page 189. Mr. Ellery W. Stone, president of the American Cable & Radio Corp., appeared before our task force and testified under oath. Mr. Stone's testimony is in part as follows:

> Despite the action by the CIO expelling ACA because of its, and here I quote the CIO language, "subservience to the interests of the Communist Party and through that party to the Soviet Union," and despite the fact that key officers of ACA were, thereafter, identified as Communists by labor witnesses including former ACA members before congressional committees, and despite the fifth amendment refuge taken by officers of ACA, ACA as of today continues to represent a large segment of employees in this sensitive and vital industry.

At this point Mr. Arens of our subcommittee staff asked a question which I will quote, and then I shall continue to read the remainder of page 189 of the hearings and down to about the middle on page 190:

> Mr. ARENS. Could you pause there just a moment, Admiral, to relate for the purpose of the record some of the contracts which the American Communications Association, this Communist-dominated labor organization, has at the present time?
>
> Mr. STONE. Yes; at the present time they represent the employees of the Western Union Telegraph Co., both in the metropolitan division of that company, which means New York City and the surrounding area, and they represent the cable employees of Western Union Telegraph; namely, the employees engaged in the international business of Western Union, similar to the activities of my own company.
>
> Mr. ARENS. They service the cables of messages going overseas to Europe from the United States?
>
> Mr. STONE. They handle all of the international messages of Western Union going to

and from Europe and going part way to South America, where they are turned over to a foreign company.

Mr. ARENS. May I explore that just a little further for a moment?

It is a fact, Admiral, is it not, that the employees in the American Communications Association have access to the messages which go overseas—all messages going over the North Atlantic?

Mr. STONE. Not all, but all of Western Union's.

Mr. ARENS. All of Western Union's messages?

Mr. STONE. Yes, and all of the messages of the RCA Communications, which is a subsidiary of the Radio Corporation of America.

Senator BUTLER. Does that comprehend, Admiral, the leased cables out of the Pentagon, and other agencies of the Government?

Mr. STONE. Any leases which Government agencies have with Western Union and RCA and with my company involve necessarily that our employees monitor and be familiar with what is passing over those cables, in the normal discharge of their duties.

Senator BUTLER. In other words, then, the most confidential message out of the State Department or the Pentagon or any other agency or department of the Government going over those cables is monitored by these people who are members of a Communist-dominated union?

Mr. STONE. That is correct. But I should like to emphasize that not all members of these Communist-dominated unions are, by any means, Communists.

Senator BUTLER. I was very careful in saying that. They are not Communists or may not be Communists themselves, but they are members of a union that has been proved to be Communist dominated?

Mr. STONE. That is correct.

Senator BUTLER. And they handle the secret messages going from the State Department and the Pentagon and other departments and agencies of the United States Government?

Mr. STONE. That is quite true, sir.

Mr. ARENS. As a man who said you had considerable experience in Communist techniques, and who obviously appreciates the significance of the defense of this Nation, what is your appraisal of a situation in which the tie lines and lease lines coming out of the Pentagon are serviced by personnel of a Communist-dominated labor organization?

Mr. STONE. Well, I think it is inimical to the security of this country. It is well known that one of the tenets of the Communist Party is to have their members astride vital lines of communications, both shipping and electrical communications, and I referred to some of these dangers, gentlemen, later in my prepared statement.

Mr. President, I refer to another excerpt from the testimony of Mr. Stone. I read from the testimony, beginning with the last paragraph on page 191 and continuing to the middle of page 192, as follows:

Mr. ARENS. Before you do that, may we ask you a question or two here, please, Admiral?

It has been suggested, or was suggested in the past that after all we need not be too concerned about this because defense secrets are transmitted by code or by messenger. Admiral, are there not certain messages which are not transmitted by code which we would not want the Communists to know about?

Mr. STONE. That is true, and even as to coded messages, it is customary, all military services, to intercept ciphered or coded messages of the enemy, with the expectation and hope of breaking them.

Mr. ARENS. Do the codes go over these wires.

Mr. STONE. Certainly.

Mr. ARENS. Then, the code is available for interception by the Communists, is that correct?

Mr. STONE. The coded message is.

Mr. ARENS. That is what I meant.

Senator BUTLER. And it is constantly available to give them fresh opportunities owing to the situations in the world as it goes day by day, and they can take the cipher and relate it to the event and in that way it aids them in breaking the code?

Mr. STONE. That is one of the means that all intelligence people use in breaking coded messages.

Senator BUTLER. You can take the ciphered message and try to relate it to the events of the day, and if you have many hundreds of such examples, you are very greatly aided in breaking the code, are you not?

Mr. STONE. That is quite correct, sir.

Here is another excerpt from an extensive report from a task force of the Internal Security Subcommittee which investigated the International Union of Mine, Mill, and Smelter Workers:

It should be a matter of deep and continuing concern to all patriotic citizens that the International Union of Mine, Mill, and Smelter Workers, which operates in an industry so vital to the security of this Nation, is controlled by officers who have been identified under oath as Communists, and will not deny their membership in the Communist Party.

Mr. President, it would take literally days for me to detail to the Senate all of the facts which have been carefully documented by the Internal Security Subcommittee, by the House Un-American Activities Committee, and other committees of the Congress, with respect to the serious danger to the security of this Nation by Communist-controlled labor organizations that are at this hour functioning in this Nation.

Let me say here and now, without equivocation, however, Mr. President, that numerically most of the rank and file members of such Communist-controlled organizations are loyal, patriotic Americans. They do not, however, have either the security information available or the facilities for ousting the Communist leadership or for neutralizing the Communist influences. Curiously enough, although international communism holds in its grip literally millions of slave laborers, although free labor organizations could not exist for a moment within the shadow of the Kremlin, the trained agents of Moscow have been successful in seizing control of nerve centers in certain labor organizations in this Nation and in exercising arbitrary power over the lives even of those who would not for a moment think of betraying our Government or its institutions.

On the basis of the findings and recommendations of the various committees of the Congress, a special task force of the Internal Security Subcommittee began last December an intensive study of the various proposals to cope with this problem of subversive influence in labor organizations. We heard witness after witness on every phase of each bill before us and on every facet of any suggestion, pro or con, on the issues involved.

I have the honor of serving as chairman of the task force, which is composed of the distinguished Senator from Idaho [Mr. WELKER], the able Senator from Nevada [Mr. MCCARRAN], and myself. After the conclusion of our hearings, we spent many hours in working out from the bills which were before us, and from the proposals of numerous witnesses and experts, in and out of Government, the legislation which is presented today.

In passing, I pay particular tribute to the splendid assistance which was rendered to our task force by my friend, the Senator from Arizona [Mr. GOLDWATER] and also by the distinguished Senator from Michigan [Mr. FERGUSON], each of whom introduced into this body legislation to cope with this situation. We knew from the start, Mr. President, that we would be confronted with cries of union busting, Red baiting, and the like. But it did not dissuade us from our task. Our objective was simply this, to prepare and submit to the Senate the best legislation we could devise which would be effective, sound, and, at the same time, fair and practicable. This we feel we have done by the provisions of the instant bill, which, in its present form, represents a measure which has been drafted, redrafted, refined, and polished as the handiwork of the task force, its staff, the Internal Security Subcommittee, and the Committee on the Judiciary.

Now, Mr. President, may I outline for the Senate the provisions of the bill?

The Subversive Activities Control Act of 1950, which constitutes title I of the Internal Security Act, is applicable to two categories of Communist organizations: Communist-action organizations and Communist-front organizations.

A Communist-action organization is defined as "any organization in the United States (other than a diplomatic representative or mission of a foreign government accredited as such by the Department of State) which (i) is substantially directed, dominated, or controlled by the foreign government or foreign organization controlling the world Communist movement, and (ii) operates primarily to advance the objectives of such world Communist movement."

A Communist-front organization is defined as "any organization in the United States (other than a Communist-action organization) which (A) is substantially directed, dominated, or controlled by a Communist-action organization, and (B) is primarily operated for the purpose of giving aid and support to a Communist-action organization, a Communist foreign government, or the world Communist movement."

Neither of these definition, Mr. President, adequately embraces an organization such as most of these Communist-controlled labor organizations, because the Communist-controlled labor organizations, to which I have alluded, cannot be said to be directly controlled by a foreign government or by a Communist-action organization as such, but we know, as revealed by the various congressional committees, that many of these organizations are, in fact, controlled by individuals identified beyond question as hard-core Communists.

The instant bill, accordingly, adds to the Subversive Activities Control Act a third category of Communist organiza-

tions, designated Communist-infiltrated organizations, defined in the bill as "any organization in the United States—other than a Communist-action organization or a Communist-front organization—which (A) is substantially directed, dominated, or controlled by an individual or individuals who are, or who within 5 years have been actively engaged in, giving aid or support to a Communist-action organization, a Communist foreign government, or the world Communist movement, and (B) is serving, or within 5 years has served, as a means for (i) the giving of aid or support to any such organization, government, or movement, or (ii) the impairment of the military strength of the United States or its industrial capacity to furnish logistical or other material support required by its Armed Forces."

As the bill, S. 3706, and the report thereon clearly show, the procedure for determination that an organization is a Communist-infiltrated organization follows very closely the procedure which is currently prescribed in the Internal Security Act with regard to Communist-action and Communist-front organizations. The determination would be made by the Subversive Activities Control Board on a petition filed by the Attorney General. The bill, S. 3706, like the Internal Security Act, specifies certain carefully devised standards to guide the Subversive Activities Control Board in its determinations as to the identity of Communist-infiltrated organizations. Judicial review of the determinations of the Subversive Activities Control Board pertaining to Communist-infiltrated organizations is provided in the same manner as the present law provides with respect to Communist-action or Communist-front organizations.

The bill, S. 3706, further provides, Mr. President, that any labor organization which has been finally determined to be a Communist-infiltrated organization shall lose its labor standing under the National Labor Relations Act for the purpose of representing employees in any bargaining unit. The bill also provides that upon petition of not less than 20 percent of the employees of any bargaining unit, the National Labor Relations Board shall direct elections to be held for the purpose of, first, determining whether it desires to rescind the representative authority previously granted by it to such labor organization, and, second, selecting any new representative desired by such bargaining unit for collective-bargaining purposes.

May I point out further, Mr. President, that under the provisions of the bill, any organization which has been determined to be a Communist infiltrated organization may, within 1 year thereafter, file with the Board a petition for a determination that it is no longer a Communist-infiltrated organization, and the Board is empowered to make an appropriate finding in accordance with such petition.

Mr. President, we have kept this bill, S. 3706, simple in terms, in phraseology, and in objective. This is not an anti-labor bill. If it were, Mr. President, I should be the first to oppose it. This bill is, in truth and in fact, a bill to sustain and strengthen legitimate trade unions by developing a means pursuant to which Communists may be driven out of organized labor. This is an anti-Communist bill and nothing else. I know, Mr. President, it is contended by some that Government should step aside and let the Communists and the anti-Communists in organized labor fight it out among themselves, but there are two fallacies to this contention.

In the first place, Mr. President, the loyal, patriotic rank and file of organized labor has, under the present system, neither the facilities nor the security information to detect or oust Communists from the key posts in which they lodge themselves and, secondly, Mr. President, there is an overriding public interest prompted by the urgency to protect this Nation's internal security which compels the strong arm of Government to intercede. The issue here is greater than merely which of two competing factions shall control any designated labor organization.

No patriotic laboring man and no labor organization, other than a Communist-controlled organization, need entertain the slightest fear of arbitrary or capricious actions under this bill. Every procedural safeguard which was incorporated in the Internal Security Act is likewise applicable to the provisions of this bill, including the right of judicial review in the courts of this land.

And now, Mr. President, in all earnestness and humility, I present this bill (S. 3706) to the Senate as a carefully fashioned weapon designed to meet a serious problem which commands the attention of all who seek to preserve America, of all who recognize the impending danger to the American way of life and our institutions, of all who are determined to eradicate from our land the creeping paralysis of insidious communism.

Mr. President, at the request and on behalf of the Senator from Michigan [Mr. FERGUSON], I call up his amendments to the instant bill, designated as "WW" and "XX," and ask for their immediate consideration. I ask unanimous consent that they may be considered en bloc.

Mr. LEHMAN. Mr. President, reserving the right to object——

Mr. BUTLER. May I say that these are corrective amendments and have no substantive force.

The PRESIDING OFFICER. The clerk will state the amendments offered by the Senator from Michigan [Mr. FERGUSON], and without objection, they will be considered en bloc.

The LEGISLATIVE CLERK. On page 5, lines 8 and 9, it is proposed to strike out the phrase "(c), (d), (e), and (f)" and insert in lieu thereof the phrase "(c) and (d)."

On page 10, lines 7 and 8, strike out the phrase "or paragraph (1) of subsection (j)."

Mr. BUTLER. Mr. President, these two amendments are purely technical and corrective. Their purpose is to delete certain cross-references in the instant bill to the Internal Security Act which are not applicable to Communist-infiltrated organizations. Accordingly, I move the adoption of the amendments.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Maryland.

The motion was agreed to.

Mr. REYNOLDS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the call of the roll be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. KNOWLAND. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to consideration of executive business.

POSTMASTER AT LINCROFT, N. J.

Mr. KNOWLAND. Mr. President, the nomination of Harry H. Seylaz to be postmaster at Lincroft, N. J., had been held over. I understand it has now been cleared by the minority.

I ask that the nomination be confirmed.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk read sundry nominations of postmasters under the heading "New Reports."

Mr. KNOWLAND. I ask that the nominations of postmasters under the heading "New Reports" be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations of postmasters under the heading "New Reports" are confirmed en bloc.

Mr. KNOWLAND. I ask that the President be immediately notified.

The PRESIDING OFFICER. The President will be immediately notified of the confirmation of the nominations.

TENNESSEE VALLEY AUTHORITY—NOMINATION OF HERBERT D. VOGEL

Mr. MORSE. Mr. President, I have just learned for the first time that while I was at the hospital this morning for a little jaw treatment, the Executive Calendar was considered, and that the nomination of Mr. Vogel was confirmed. I am surprised about that. I do not blame anyone for it, but I am surprised that the action has been taken. As I understood, the hearings which were held before the committee were to be printed so that they could be used as a basis for the debate in the Senate on the nomination. The committee took action on the nomination only yesterday.

I do not know what parliamentary rights, if any, I have in the premises. I

make a parliamentary inquiry, if I have the right to have the action on the nomination reconsidered.

I returned to the Senate a little after 11 o'clock this morning. I thought that the call of the calender was to have taken place this morning. I have an argument I desire to make in opposition to the nomination. I am not presumptuous, but I think it is an argument which might carry some persuasive effects on some, at least, of my colleagues in the Senate.

I make a parliamentary inquiry as to whether I have a right to move to reconsider the action by which the nomination was confirmed, in order that there may be a further discussion of the nomination.

The PRESIDING OFFICER. The Chair will advise the Senator from Oregon that in this case the President has been notified that the nomination has been confirmed.

Mr. MORSE. I do not wish to be interpreted as being in the least bit concerned about the matter, but I think it is pretty well known in the Senate that I was in opposition to the nomination. I do not think it should have been called up until I could have been here to make my representation against the nomination. I think the nomination is an exceedingly unwise one.

I do not like to be in the position of arguing after the fact. If I have no other course but to make my argument after the fact, I shall do so at the appropriate time.

I say, most respectfully, that in view of the fact that the committee on yesterday, by unanimous consent, voted to have the hearings printed, I thought it was understood by all that the hearings would be used as a basis for floor debate on the nomination.

I think it is most regrettable that the nomination reached the calendar today and was acted upon today. So I raise another parliamentary inquiry: Is there any requirement that a nomination placed on the Executive Calendar must remain on the calendar for a day before it is acted upon?

The PRESIDING OFFICER. The Chair will advise the Senator that once a nomination has been placed on the calendar it may be called up and be considered.

Mr. MORSE. As I say, I recognize the fact that I have no parliamentary defense, in that the nomination apparently was called up when I was off the floor for about an hour and 15 minutes, for a jaw treatment. I think I returned to the Senate about 11:20 this morning.

I regret very much what has happened. I am sorry I was not protected by the chairman of my committee in this matter, but I know that any failure on his part to protect me was not by intent or design, but rather by oversight.

I am sorry the majority leader did not wait until I returned. All I can do is to make my argument at a later time against what I think was a most unfortunate appointment by the President of the United States.

LEGISLATIVE SESSION

Mr. KNOWLAND. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 9680) to provide for the continued price support for agricultural products; to augment the marketing and disposal of such products; to provide for greater stability in agriculture; and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. HOPE, Mr. AUGUST H. ANDRESEN, Mr. HILL, Mr. COOLEY, and Mr. POAGE were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 8041) to provide benefits under the laws administered by the Veterans' Administration based upon service in the Women's Army Auxiliary Corps under certain conditions.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

H. R. 686. An act for the relief of Mrs. Erna Gronowski;

H. R. 692. An act for the relief of Nina Makeef, also known as Nina Berberova;

H. R. 795. An act for the relief of Jean Hollis Vock;

H. R. 1337. An act for the relief of Mrs. Franca Gatti Ohta;

H. R. 1462. An act for the relief of Fotini X. Parisis;

H. R. 1768. An act for the relief of Claire Louise Carey and Vincent F. Carey;

H. R. 1788. An act for the relief of Wanda Luceri, also known as Sister Cecilia, and others;

H. R. 2028. An act for the relief of Mrs. Antonietta Palmieri;

H. R. 2188. An act for the relief of Karoline Dickmeyer;

H. R. 2371. An act for the relief of Mrs. Maria M. Broix;

H. R. 2403. An act for the relief of Laszlo Varga and Mike Varga;

H. R. 2440. An act for the relief of Lidija Cimze;

H. R. 2499. An act for the relief of Adolfo L. Kalb and his wife;

H. R. 2619. An act for the relief of Sister Aurelia Yanguas Teres and Sister Matilda Cuevas San Martin;

H. R. 2627. An act for the relief of Cecilia Lucy Boyack;

H. R. 2650. An act for the relief of Sister Anna Ettl;

H. R. 3017. An act for the relief of Felix Petrover;

H. R. 3675. An act for the relief of Herre van der Veen, Mrs. Marie van der Veen, Helen Winifred van der Veen, and Jan Herre van der Veen;

H. R. 3743. An act for the relief of Chaim Szemaja Segal and Icek Hersz Segal;

H. R. 4248. An act for the relief of Alberta Bauras;

H. R. 8152. An act to extend to June 30, 1955, the direct home and farmhouse loan authority of the Administrator of Veterans' Affairs under title III of the Servicemen's Readjustment Act of 1944, as amended, to make additional funds available therefor, and for other purposes;

H. R. 8300. An act to revise the internal revenue laws of the United States; and

H. R. 8694. An act for the relief of Suzanne L'Heureux.

THE NATIONAL COMMITTEE FOR AN EFFECTIVE CONGRESS

Mr. FLANDERS. Mr. President, I ask unanimous consent to have printed in the RECORD a memorandum on the National Committee for an Effective Congress. A question was raised, during the debate on the resolution to censure the junior Senator from Wisconsin [Mr. MCCARTHY] about the character and purposes of the National Committee for an Effective Congress. The memorandum is a factual report. I ask unanimous consent to have it printed in the RECORD.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

MEMORANDUM ON THE NATIONAL COMMITTEE FOR AN EFFECTIVE CONGRESS

The National Committee for an Effective Congress is an outgrowth of the League for Franchise Education. The League for Franchise Education was established in 1944 for the purpose of encouraging maximum electoral participation, through, among other things, distribution of information about voting rights, procedures, etc. Among its leaders were Henry J. Kaiser, Henry Luce, Winthrop Aldrich, John Cowles, and others. The activity of the League during the 1944 Presidential campaign was commended by both President Truman and Governor Dewey.

The idea for the National Committee for an Effective Congress was originated by some of the members of the League for Franchise Education and other citizens, who wanted to engage in direct political activity on a nonpartisan basis, but had to set up a separate entity, contributions to which would not be tax deductible for that purpose. The organization agreement of the National Committee for an Effective Congress was drawn up in 1948 by Marshall K. Skadden, attorney for the League for Franchise Education and now a member of the National Committee for an Effective Congress.

The National Committee for an Effective Congress has as its purpose the provision of a channel through which public-spirited citizens can give direct, practical support to responsible candidates of both parties in a manner that frees the candidates from the necessity of making unwarranted commitments, or otherwise entangling their independence. The National Committee for an Effective Congress also provides a nonpartisan, practical service of arranging face-to-face get-togethers between community leaders and Members of Congress for exchange of information and viewpoints on important issues. It renders technical research assistance to Members of Congress upon request.

The National Committee for an Effective Congress supported in their campaigns the following people who became Members of the United States Senate:

1948

PAUL H. DOUGLAS, Democrat, of Illinois.

GUY M. GILLETTE, Democrat, of Iowa.

HUBERT H. HUMPHREY, Democrat, of Minnesota.

ESTES KEFAUVER, Democrat, of Tennessee.
JAMES E. MURRAY, Democrat of Montana.
MATTHEW M. NEELY, Democrat of West Virginia.

1950

THOMAS C. HENNINGS, Democrat, of Missouri.
HERBERT H. LEHMAN, Democrat, of New York.
WARREN G. MAGNUSON, Democrat, of Washington.
WAYNE MORSE, Independent, of Oregon.
Charles W. Tobey, Republican, of New Hampshire.
Brien McMahon, Democrat, of Connecticut.

1952

DENNIS CHAVEZ, Democrat, of New Mexico.
JOHN S. COOPER, Republican, of Kentucky.
RALPH E. FLANDERS, Republican, of Vermont.
Dwight P. Griswold, Republican, of Nebraska.
IRVING M. IVES, Republican, of New York.
HENRY M. JACKSON, Democrat, of Washington.
HARLEY M. KILGORE, Democrat, of West Virginia.
MIKE MANSFIELD, Democrat, of Montana.
FREDERICK G. PAYNE, Republican, of Maine.
STUART SYMINGTON, Democrat, of Missouri.

It supported the following people who became Members of the House of Representatives:

1952

GRACIE PFOST, Democrat, of Idaho.

1953

LESTER JOHNSON, Democrat, of Wisconsin.

In almost all of these cases the committee made financial contributions to their campaigns in addition to giving its endorsement.

When the National Committee for an Effective Congress makes its transfer of contributions to campaigns, it does so because of its estimate of the qualities of the men it supports rather than of negative feelings for their opponents. It informs the candidates that this support is tendered: (1) In recognition of the candidates' belief in a creative and enlightened anti-Communist foreign policy and in recognition of the candidates' devotion to fundamental American principles of liberty and the rule of law; (2) in the hope that they will work together with others of both parties on matters of broad public interests; and (3) in the hope that they will feel free to call upon the committee from time to time for research and assistance.

The members of the National Committee for an Effective Congress are:

Paul H. Appleby, dean of the Maxwell School of Citizenship at Syracuse University; executive assistant to the Secretary of Agriculture from 1933 to 1940; Under Secretary of Agriculture, 1940–44; Assistant Director, United States Bureau of the Budget, 1944–47.

George Backer, former publisher of the New York Post; author of the Deadly Parallel, a comparison of Stalin and Ivan the Terrible.

Stringfellow Barr, former professor of modern history, University of Virginia; member of the board of visitors of St. John's College; presently professor of political science, University of Virginia.

Laird Bell, lawyer; chairman of the board of directors of the Weyerhauser Timber Co.; director of various corporations, former chairman of the board of trustees, University of Chicago; chairman of the board of trustees, Charleston College; member of the board of overseers, Harvard College.

George Biddle, painter, sculptor, author.

Henry Seidel Canby, chairman of the board of editors, Saturday Review; chairman of the board of judges, the Book of the Month Club.

Evans Clark, vice chairman and director of the Advertising Council, former executive director of the Twentieth Century Fund, Inc.

George Hamilton Combs, lawyer, radio commentator and news analyst, former Member of Congress, from Missouri.

Morris L. Cooke, consulting engineer in management, former director water resources section, National Resources Board, former Administrator, Rural Electrification Administration.

Thomas H. Elliott, chairman of department of political science, Washington University; lawyer; former Member of Congress, from Massachusetts.

Tom Fizdale, public relations counselor.

Alan Green, member Green-Brodie Advertising Agency.

Oscar Hammerstein II, librettist.

Alvin H. Hansen, professor of economics, Harvard University; former chairman of the economic advisory council of the National Industrial Conferences Board and former chairman of the United States-Canada Joint Economic Commission.

Mark DeWolf Howe, lawyer; professor of law at Harvard University Law School.

Gardner Jackson, labor consultant.

Donald Jenks, businessman; member of various State commissions and boards.

Mrs. Albert D. Lasker, member of the board of the National Committee on Mental Hygiene; member of the National Heart Advertising Council; the National Heart Institute.

Susan Mary Lee, vice president of the National Recreation Association; member of the board of United Community Defense Services.

Isidore Lipschutz, importer; former president of the International Committee for Diamond Trade and Industry; by special decree of the King of the Belgians, Officier de l'Ordre de Leopold II; by special decree of the French Government, Chevalier de la Legion d'Honneur.

Marshall MacDuffie, lawyer, writer.

Robert R. Nathan, economist.

George Outland, professor of government, San Francisco State College; former Member of Congress from California.

Charles Rose, investment broker.

Maurice Rosenblatt, management consultant and publicist.

Robert W. Ruhl, publisher of Medford Mail Tribune, Medford, Oreg.

Thiabault de St. Phalile, lawyer.

Sidney H. Scheuer, partner of Scheur & Co., textile consultants, sales agents and brokers; former president of the Society for Ethical Culture; former executive director of the Foreign Economics Administration.

Arthur M. Schlesinger, retired professor of history at Harvard.

Harry Louis Selden, writer, editor.

Robert E. Sherwood, playwright.

Marshall K. Skadden, lawyer.

Edward S. Skillin, editor, Commonweal magazine, a liberal Catholic weekly.

Michael Straight, editor of the New Republic.

Nathan Straus, president, Radio Station WMCA; former Administrator, United States Housing Authority.

General Telford Taylor, lawyer; former United States representative for prosecution of war criminals.

Gerhard Van Arkel, lawyer.

Walter Walker, publisher, Grand Junction (Colo.) Daily Sentinel.

Sumner Welles, former Under Secretary of State.

PERSONAL STATEMENT BY SENATOR FLANDERS

Mr. FLANDERS. Mr. President, I was subjected to a number of questions by Mr. William Loeb, the publisher of the Manchester (N. H.) Union Leader, the Burlington (Vt.) Daily News, and the St. Albans (Vt.) Messenger, with regard to two points in particular. One was the export of machinery to Russia from the firm of which I was formerly president, and the other the peace terms which I proposed for Korea before the Commonwealth Parliamentary Association at Ottawa, Canada, in September 1952.

I ask unanimous consent that the list of exports of machine tools of my former company to Russia be published in the body of the RECORD at the conclusion of these remarks.

I may say that we were very active in business with Russia during two periods; one in which Russia was building agricultural machinery and tractors for their collective farms, the other during the Lend-Lease period. The table gives the total of the machine tools so exported to Russia. I ask unanimous consent that it be printed at this point in my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Exports of machine tools to the U. S. S. R., 1925–53

[Value $1,000]

Year	Total United States sales to Russia	Jones & Lamson sales to Russia
1925		2
1926		1
1927		13
1928		6
1929		8
1930	7,273	257
1931	11,688	388
1932	1,953	284
1933	343	19
1934	2,554	93
1935	4,553	235
1936	7,250	189
1937	4,701	43
1938	24,216	801
1939	11,646	117
1940	11,346	124
1941	3,257	(1)
1942 [2]	35,577	(1)
1943 [2]	123,636	(1)
1944 [2]	130,373	(1)
1945 [2]	60,296	(1)
1946 [2]	34,901	(1)
1947	16,277	11
1948	1,970	7
1949		(3)
1950		
1951		
1952		
1953		

[1] Shipments through lend-lease program not identifiable.
[2] During the period 1942-46 data largely represent shipments under the lend-lease program.
[3] No shipments permitted after Feb. 28, 1949.

Export licenses required in years 1948 to 1953, inclusive.

Mr. FLANDERS. Finally, Mr. Loeb accused me of suggesting peace terms for Korea favorable to Communist China. In order that the peace terms suggested by me may be known, I ask unanimous consent that they be printed in the RECORD at this point in my remarks. I may say that I do this now rather than earlier, because I served notice on Mr. Loeb, and in general, that I would reply to no charges until the question of the motion of censure was disposed of.

There being no objection, the suggested peace terms were ordered to be printed in the RECORD, as follows:

PEACE TERMS FOR KOREA

(By RALPH E. FLANDERS, United States Senator, Vermont)

Your Excellency, members of the Parliaments of the Commonwealth, and guests, not by right as a member, but by grace as

a guest, I am permitted to address you on the subject of peace for Korea. I am doing this in very concise terms, without oratorical adornment, basing the appeal on cool judgment rather than on the emotions. That cool judgment may more easily be arrived at, copies of this address are available for further study.

A number of the nations of your Commonwealth are engaged with us in the United Nations war brought upon us by the Communist invasion of South Korea, in May 1950. Remembering how the League of Nations temporized with invasions of its member countries in the period between World Wars I and II and, in consequence, ceased to exist as a means for preserving peace in the world, it became the clear duty of the United Nations to intervene militarily in Korea to stop the aggression. After disheartening vicissitudes, this has been done, but still there is no peace. The war still continues while protracted truce negotiations drag on, for more than a year now. Should a truce be negotiated, that will be no guaranty of peace. Two hostile armed forces will continue to face each other for an indefinite period.

A new approach is needed. Such an approach is ready at hand. Instead of government maneuvering for military power, we have but to propose the well-being of people as the end objective of the Korean struggle. This gives a new turn to the problem.

The peoples concerned are three: the Chinese Communist soldiers, the North Koreans, and the South Koreans. Any terms offered must be of advantage to all three.

The so-called volunteer Chinese soldiers are armed and munitioned by the government of Communist China. That government, so far as I am aware, has expressed no interest or purpose in its intervention other than the protection of Manchuria from invasion by or through Korea. That interest can be safeguarded by peaceful means.

That means is the establishment of a neutral zone in northwestern Korea substantially coinciding with the watershed of the Yalu River. This zone is sparsely populated and is principally important as the source of water for Yalu River power stations, in which Manchuria has a vital concern. Neutrality in this area would be inspected and administered solely by Asiatic nationals. None of the white race, none of the so-called capitalistic nations, none of the colonizing empires would be permitted any place or authority. It would be "Asia for the Asiatics."

The soldiers of Communist China would then have nothing left to fight for. In the minds of scores of thousands of them has been a growing doubt and dissatisfaction, as is evidenced by the unwillingness to be repatriated of the great majority of those who have been captured. It is inhuman to keep them forced into conditions of hardship, disease, wounds, and death which do not result in the welfare of themselves or any other people.

Acceptable terms can be offered the north Koreans, civil and military. These people must be hungry for peace. Even while destruction rains on them from above, peace must be set before them. To attack them as we are doing without offering them the means of escape is unintelligent. To destroy them endlessly without giving them acceptable peace terms is to plumb the depths of human iniquity. To those depths have we, as members of the United Nations, descended.

The next requirement of those peace terms is that North and South Korea be reunited. This is in the interest of the people of both areas. The industrial north and the agricultural south fit into each other like a hand into a glove. Separate, they are dependent on foreign nations for their well-being. Rejoined together, they make a practically self-contained economy, capable of a standard of living higher perhaps than that available to the people of any other Asiatic country.

If these peace terms are met, then the United Nations would offer to rebuild into usable condition the industries, the transportation, and the housing of the combined north and south. This would be expensive, but it would be a cheap price to for us to pay for peace. The United States alone is paying around $6 billion per year for the Korean war. This enormous sum is easily wasted in destruction. It would go far in reconstruction. In any event, peace is not to be measured in dollars. It is without price.

Finally, after the period of reconstruction, the United Nations would offer to the people of Korea a free election, as was the original purpose. They can have the kind of government they want, without duress or interference.

To all these peoples then we offer (1) safety from invasion; (2) the self-contained and high-level economy of a united country; (3) rebuilding of destroyed factories, highways, railroads and homes; and (4) a government of their own choosing.

These terms may not be acceptable to professional military men. They may be refused by self-seeking politicians. They will be hungrily sought after by all the people concerned. More and more it is the people which determine the conditions of our world, whether by submission, revolt, or active participation in government. Peace in Korea depends therefore in getting these terms before the people. If we can do that with sufficient coverage and sufficient force, military and political forces will be put on the moral defensive, and can the more easily be overcome by active resistance or by nonresistance.

The problem is, then, to reach the people, both civil and military. This can be done by radio, repeating the terms over and over. Since receiving sets are not in general use in North Korea, the main reliance must be on messages dropped from planes. The inhabited areas must be blanketed by this gospel from the skies.

If this conflict is to end in peace, the terms of that peace must be acceptable and just. Above all, they must be made known. To continue to spread misery and death in Korea without offering peace is brutal. Worse than that, it is stupid.

IDENTITY OF CERTAIN COMMUNIST-INFILTRATED ORGANIZATIONS

The Senate resumed the consideration of the bill (S. 3706) to amend the Subversive Activities Control Act of 1950 to provide for the determination of the identity of certain Communist-infiltrated organizations, and for other purposes.

Mr. LEHMAN. Mr. President, I hope the Senate will take a long and sober look at the pending bill, the so-called Butler bill, and turn it down or turn it back to the Judiciary Committee for further study.

This measure should have, by right, the benefit of study and consideration by the Labor Committee, in whose jurisdiction a matter like this properly belongs, in my judgment.

Or, the Senate may wish to follow the excellent lead of the House Judiciary Committee and vote for the establishment of a bipartisan study commission to investigate this serious matter, and to report back to the Congress next year.

Mr. BUTLER. Mr. President, does the Senator from New York desire to yield at this point, or would he prefer to conclude his statement before yielding?

Mr. LEHMAN. I should prefer to finish my statement; then I shall be glad, indeed, to yield.

Mr. President, the support for this bill springs, in large part, from a desire to "do something"—anything—about Communist influence in the United States. The administration wants to have a record of having approved a legislative program aimed at subversive influences.

I will not deny that there is a problem—the Communist influence—and even domination of a few labor unions organized in important industries and areas.

The sponsors of the Butler bill were not the first to discover this problem. Those of us who are concerned with labor legislation have been devoting study to this matter for a number of years. A subcommittee of the Labor Committee, headed by my friend and colleague the distinguished senior Senator from Minnesota [Mr. HUMPHREY], made an exhaustive study of the matter, held public hearings, and hashed and rehashed this subject over a period of many months. That was during the last administration, the Truman administration.

But we in the Senate are not the only ones who have shown concern. The labor movement itself has shown concern. They were the first to do something about the situation.

In the CIO, nine international unions were expelled 5 years ago because of Communist influence. The CIO leadership launched a concerted offensive to capture the loyal portion of the membership of those unions, and to give the workers organized by these Communist-influenced unions some place to go.

In fact, Mr. President, these efforts have had a brilliant success. The nine unions I have referred to had a total membership of approximately 1 million members in 1949–50 when they were expelled from the CIO.

Today only six of these unions are left in existence. They have a total of about 250,000 members. Approximately 750,000 of their members have left them and have joined non-Communist unions of the CIO or, in some cases, of the American Federation of Labor.

This has happened by the democratic process, on the initiative of the responsible anti-Communist leadership of the unions concerned. As non-Communist unions appear on the scene, ready and able to fight for the legitimate rights of the workers, the workers leave the Communist-dominated unions and join the non-Communist unions. This has been the pattern of the past 4 years.

What else would you expect, Mr. President? The overwhelming majority of the membership of the nine Communist-dominated unions expelled from the CIO in 1949–50 were loyal and patriotic citizens. And even today most of the members of the weakened and strongly beset Communist-influenced unions still remaining are loyal and patriotic American citizens who are, however, concerned to protect their jobs, their working standards, and their dignity as union members. So they keep their member-

ship in these unions which have contracts with firms like General Electric, Western Union, and others.

Parenthetically, Mr. President, as the Senator from Minnesota [Mr. HUMPHREY] can tell you better than I, as a result of the study his subcommittee made several years ago, there was strong evidence that management "played footsie" with these Communist-dominated unions and showed favoritism to them, in preference to the non-Communist unions, believing that these Communist-dominated unions were and would be more tractable and less inclined to militant demands on the wage and working conditions front. Management, in some cases, conspired with these Communist-dominated unions to defeat the membership drives of the non-Communist unions. Evidence to that effect is in the record of the hearings of the Humphrey subcommittee.

So, Mr. President, I do not undertake to say there is no problem here, and that we should not be concerned over it. There is a problem, and many—including the responsible leaders of the labor movement—have been long concerned over it and have been doing something effective about it.

I understand that in Hawaii, for instance, where the Longshoremen's Union, headed by Harry Bridges, has long been the dominant labor force, great inroads have been made and are being made by competing non-Communist unions. If let alone, that process will continue.

Perhaps it is possible to contrive legislation that will accelerate this process. I, myself, have never been able to figure out just what form that legislation should take, nor have the responsible leaders of the CIO and the AFL. That leadership, Mr. President, is, in my judgment, a more effective anti-Communist force and influence in America, and has been for many years, than any of the hysterical groups, in and out of the present administration, who recently have been inciting such a panic about subversive elements in our Nation's midst.

Now let me address myself to the pending measure, to the ill-chosen, hastily contrived, blunderbuss bill before us.

The pending bill, while seeming to be ingenious, is actually, in my judgment, completely naive in its approach—naive, at first glance; and incredibly dangerous, at second.

The pending bill would take the initiative away from the responsible leadership of the labor movement—away from the Walter Reuthers and George Meanys, away from the host of anti-Communist officers and members of the CIO and AFL—and would repose it in the hands of Government. We would give to the Subversive Activities Control Board and to the Attorney General the responsibility for eliminating the Communist influence in the labor movement.

It strikes me as exceedingly strange that the very Members of this body who express the greatest distrust of Government and of bureaucracy, in regard to measures designed to advance the welfare of working people, are the first to demand the intervention of Government by means of measures designed to restrict and control the activities of working people.

The pending bill would give to the Government, to the Attorney General, and to the Subversive Activities Control Board, the power and authority to decide which unions are sound and patriotic and which are Communist-infiltrated and hence should be liquidated. What an awful power to vest in Government. Does this not smack of totalitarianism, of the very thing we fear and fight, struggle against, and hate?

Where else does government have the right to tolerate or to crush labor unions out of existence? In Russia and elsewhere behind the Iron Curtain, Mr. President.

What authority and responsibility to give to Government. The authority to initiate action against one or another labor union, on the ground that it is alleged to be Communist-infiltrated. What could an antilabor administration with this power do to the labor movement?

The fact is, Mr. President, that this power will backfire with regard to strong labor unions which really might be dangerous, and will far overreach itself with regard to weak unions which represent no danger at all.

With strongly entrenched labor unions which reflect a Communist influence, prosecution by Government will only serve to close ranks in the labor union, and thus to forestall efforts by competing non-Communist unions to enlist membership from the ranks of the Communist-dominated unions. The workers in those unions will react to Government intervention by supporting their union more strongly than ever. The Government's motives will be suspected, and the purpose of this law will be lost in the resulting conflict.

But with regard to new unions, in the process of organization, the initiation of proceedings before the Subversive Activities Control Board can serve to destroy them. Mr. President, what assurance do we have that these proceedings will not be initiated as a means of impeding and paralyzing union organization efforts in parts of the country now unorganized, where local management will readily swear and affirm that any union is, per se, communistic?

Mr. BUTLER. Mr. President, will the Senator yield?

I did not want to interrupt the Senator, but I think at that point I should advise him that there is ample review of all these proceedings by the courts of the United States, and I cannot conceive that the courts would permit an injustice to any labor organization.

Mr. LEHMAN. I want to develop my argument, and then I shall be only too glad to yield to the distinguished Senator from Maryland.

Mr. President, I would not place this deadly antiunion weapon in the hands of any administration, even one of my own political persuasion. I do not think it belongs in the hands of Government. It certainly does not belong in the hands of the Attorney General and the Subversive Activities Control Board, who have neither experience nor sophistication in labor matters, nor any sense of responsibility for the preservation of the labor movement in this country.

Here, Mr. President, is the real crux of the matter. The pending bill, as I have indicated, and as I shall further demonstrate in a moment, will be completely ineffective in its avowed purposes, while it holds, under its terms, promise of grave and almost incalculable danger to the proper, legitimate, and responsible labor movement in America.

This is why the two leading labor organizations in this country, the CIO and A. F. of L., are strongly opposed to this measure. Were the bill otherwise, Mr. President, they would be among its prime supporters. The CIO has been devoting a major share of its efforts—undertaking with sweat, blood, and tears—to destroying the Communist influence in the labor movement. It expelled nine unions believed to be under Communist influence. It has been engaged in an all-out effort to win the loyal members away from those unions, and, as I have already indicated, it has succeeded in a remarkable degree. The IUE, headed by Mr. James Carey, has been devoting all its efforts and energies to winning the membership away from the UE, which is said to show a Communist influence. This is just one example.

The A. F. of L., as far as I know, has had no great Communist problem. There is no international union in the A. F. of L. which, as far as I know, reflects a Communist influence. But the A. F. of L., too, has been participating with all its might and main in the fight against communism in the labor-union movement, in the country as a whole, and, indeed, in the world labor movement.

Would it not be logical, Mr. President, if this measure gave any promise of being successful in its avowed objective, for these unions to support this bill?

But they are opposing it. They are opposing it strongly. They see in it a threat, not to Communist-dominated unions, but to the entire American labor movement.

It is worth noting, Mr. President, that the views of these two labor unions, which have most of the knowledge and experience that there is about Communist-dominated unions, were not even heard in the public hearings on this measure. Their views were subsequently filed with the committee, in the form of written statements.

It seems incredible to me, Mr. President, that this measure should be reported and brought to the floor of the Senate without an all-out effort by the Judiciary Committee to solicit and examine in the greatest detail the views and observations of the CIO and the A. F. of L. on this matter. But the fundamental approach of this measure is not to help the labor movement to clean house, but to impose an alleged solution of this problem on the labor movement—a solution which holds a threat to the labor movement itself.

As far as the way which this bill would operate is concerned, it would penalize, not the Communists who have—to use

the term established in this bill—infiltrated the labor movement, but, rather, the labor unions themselves.

There is no measure before us to outlaw or liquidate the Communist Party. No, Mr. President, the administration does not recommend that. Instead, the administration recommends a measure to liquidate labor unions. This bill is a reflection of the administration's philosophy in this regard.

Further, in regard to the effectiveness of the actual terms of this measure, I do not see how any fair-minded Member of this body can, after careful examination, approve it.

Mr. President, I was one of a few Members of this body who voted against the original Subversive Activities Control Act, to which the pending bill is an amendment. During the course of that debate, in the summer of 1950, I said that it would take 2 years before even the Communist Party could be forced to register under the terms of that law. Well, it is now 1954, and the final ruling on the registration of the Communist Party has not come down yet.

The procedures provided in the Subversive Activities Control Act which would apply to the designation of unions as "Communist infiltrated" will inevitably require 3, 4, or even 5 years to complete. A union that is actually Communist dominated will be able to survive that process and keep up with it. The Communist Party certainly has done just that. The danger involved in this bill is not to them. This bill will help them. The danger is to the non-Communist unions which might be accused of being Communist infiltrated—during a strike or at the point of a representation election.

Mr. President, the standards and criteria set forth in this bill are so vague and indefinite that no labor union has any assurance that it will not be brought before the Subversive Activities Control Board on the charge of being Communist infiltrated. The definition of a Communist-infiltrated organization is a union which is dominated by an individual or individuals "actively engaged in" a Communist organization. What is meant by "actively engaged in"? Is it confined to membership, or does it include association with Communists, or subscription to the Daily Worker, or contributions to an organization subsequently labeled as a Communist-front organization?

Under the terms of this bill a union can be proscribed if its "effective management" was conducted by one or more individuals who are, or within 5 years have been, members, agents, or representatives of any Communist organizations or any Communist foreign government or the world Communist movement "with knowledge of the nature and purpose thereof." What does "effective management" mean in this context? What dangers to legitimate labor organizations might be involved in this proscription of unions whose "effective management" resided in the hands of an individual or individuals who, as long as 5 years before, were members or representatives of "any Communist organization"?

What does this bill mean, in defining Communist infiltration as a situation in which the policies of a union have been carried out "pursuant to the direction or advice of any member, agent, or representative" of a Communist organization? Is a showing of mere coincidence of policies sufficient?

There is a third standard which refers to the furtherance or promotion of the objectives of Communist organizations. It is not only possible, but inevitable, that labor unions, as well as other organizations, will support some causes which also are hypocritically espoused by the Communist Party. Is this a ground for condemnation of such a labor union as a Communist-infiltrated organization?

Oh, Mr. President, I have just begun to scratch the surface of this bill. I have not had time to examine it line by line and section by section. I have not had time to take counsel with more than a few experts in this field.

As a member of the Labor Committee, I want to know what the potentialities of this bill are in situations involving a strike such as the steel strike, or the railway strike, or a strike of a local public utility. Might not feelings in such a situation run so high as to result in a demand that the Attorney General move in, under the provisions of this bill, and indict the union in question as a Communist-infiltrated organization?

No, Mr. President, I will not vote for this measure. I hope that even the sponsors of this bill will have a second thought in regard to it. I hope the Senate will send this bill to resounding defeat, or will at least refer it for further study.

The House Judiciary Committee, after studying this proposal, was moved to recommend the establishment of a bipartisan commission to examine this matter. That is the most that we in the Senate should do. I hope my colleagues will join with me in opposing this bill, which undoubtedly is inspired by high motives, but is vicious and highly dangerous in its effect.

Mr. President, I have already referred to the action of the House Judiciary Committee in refusing to report this bill, but recommending instead the establishment of a bipartisan commission to examine the matter.

Yesterday there was a report from the Committee on Un-American Activities of the House, attached to which there were dissenting views by the minority members of that committee, consisting of Representative FRANCIS E. WALTER, whose name is well known to us in connection with all matters relating to subversive activities, Representative CLYDE DOYLE, and Representative JAMES B. FRAZIER, JR.

I wish to quote in part from the minority views:

The bill H. R. 9838 was reported by the Committee on Un-American Activities without one word of testimony pro or con being introduced, or a report from the Department of Justice submitted. The bill was called up for consideration when a bare majority of the committee was present and despite the protests of Mr. WALTER that a bill of this importance should not be considered without, at least, having an explanation made of what it does. It was reported by a vote of 4 to 1, without ever going through the formality of reading the bill for amendment.

This bill is similar to the legislation that was considered by the Committee on the Judiciary in hearings which started on March 18, 1954, and terminated on June 30, 1954. The difference between H. R. 9838 from those under consideration during these hearings is that not a single word of testimony in all of the hearings held before the Judiciary Committee concerned H. R. 9838. The effects of this legislation are further reaching than apparently the proponents understand. As was pointed out in an editorial in the Wall Street Journal of June 8, 1954:

"This type of legislation is intended to extend the authority contained in the Subversive Activities Control Act of 1950."

In view of the fact that much progress is being made under that law it seems dangerous to us to report a far-reaching bill which may, as the Wall Street Journal pointed out, "chip away at the very rights we seek to save from that [Communist] menace."

I may say that the Wall Street Journal cannot by the widest stretch of the imagination be considered a subversive or even a radical sheet.

I continue reading from the minority views:

We are firmly of the opinion that a continued vigorous enforcement of the Smith Act obviates the necessity to legislate further when such legislation is hurriedly drawn and only casually considered.

Up until now we have dealt with the procedures followed by the committee majority in approving this bill.

We also have grave reservations with respect to the bill's substantive provisions. This bill is copied word by word from S. 3706, introduced by Senator BUTLER, of Maryland. In general outline it resembles House Joint Resolution 528, introduced at the request of Attorney General Brownell, on which the House Judiciary Committee held hearings.

The essence of this bill is that the Subversive Activities Control Board, created by the Internal Security Act of 1950, is authorized to screen unions to determine whether they are Communist-infiltrated. The bill does not in terms apply only to labor unions, but the penalties provided for "Communist-infiltrated" organizations seem to be applicable only to unions. The principal penalty is that a union found to be "Communist-infiltrated" is to be forbidden to engage in collective bargaining; that is, it is to be put out of business.

It is difficult to avoid the conclusion that this bill is a step toward Government licensing of trade unions. Such a step should be taken only after the most careful consideration and the clearest demonstration of its necessity. Once the power of life and death over unions is vested in a Federal agency, there is always the danger that it may be misused. The danger, too, cannot be overlooked that the bare existence of such a power in the Federal Government will intimidate unions, and tend to make them subservient to the political ends of whatever administration may be in power.

The minority views further say:

A free trade-union movement is an important bulwark of democracy. Where democracy has been destroyed, as in Soviet Russia and Nazi Germany, the subordination of unions to complete government control, through licensing or some similar device, has always been a first step in the march toward totalitarianism.

Mr. President, the standards provided by this bill for determining whether a union is a Communist-infiltrated union are so vague as to threaten the innocent along with the guilty. The bill lists

seven criteria which the Board is to take into consideration in determining whether an organization is Communist-infiltrated, but they are vague and indefinite, and under them the innocent as well as the guilty could be indicted, convicted, and punished.

Mr. President, the minority views from which I have quoted further say:

Obviously, this bill has not been thought through. Obviously there is danger that it would do more harm than good.

That is what the House Judiciary Committee decided after considering a similar proposal—House Joint Resolution 528. That committee concluded that Communist infiltration of unions does present a substantial problem, and one which merits careful and thoughtful consideration. But it was not convinced that legislation of this type is the answer. The Judiciary Committee therefore proposed the creation of a bipartisan public commission, having industry and labor representation, to study this whole problem and report back to the Congress next January. This proposal has received the support of both the American Federation of Labor and the Congress of Industrial Organizations.

We think that is a rational and constructive proposal.

This problem of Communist infiltration of unions should be dealt with carefully and thoughtfully. It should be dealt with in a way which will not damage traditional American liberties, or bring us closer to the totalitarianism this bill purports to guard against.

This is an issue on which politics should be shelved; those who seek to make political capital out of it will only do the country a grave disservice.

In conclusion, let me say I believe that the bill in its present form is a highly dangerous bill. It threatens the very existence of decent, patriotic, and loyal American labor unions. The bill will not help, in my opinion, in the slightest degree to root out Communists in labor unions, because I know that the decent labor unions, under the leadership of the great men who are at the head of the CIO and the American Federation of Labor are doing everything possible to root communism out of their unions, and they are meeting with amazingly great success. This bill, if enacted, will merely put back the clock, and make it much more difficult for them to succeed in their efforts.

I hope the bill, if it comes to a vote on the floor of the Senate, will be recognized for what it is, as a highly dangerous piece of legislation which, in my opinion, will do much more harm than good. It will not punish the guilty. It will not root out those who are seeking to weaken the unions. Instead, it will weaken the legitimate labor movement, which has done so much to build up the prosperity and strength and welfare of the United States and its people.

If the bill is not voted down, I certainly hope that the substitute amendment, to appoint a commission in exactly the same way and under the same language as was recommended by the Judiciary Committee of the House, will be adopted and enacted, instead of making the great mistake of enacting legislation of a highly dangerous and harmful character.

Mr. BUTLER. Mr. President, it is my desire to address to the Senator from New York several questions. Before doing so, however, I ask unanimous consent that I be permitted to make a brief statement of not more than a minute, with the understanding that the Senator from New York does not lose the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. BUTLER. Mr. President, the difference of opinion between the distinguished Senator from New York and myself is a very definite one, but a very simple one. The Senator from New York feels that the question of infiltration of Communists into labor organizations is a matter that ought to be settled within the labor movement itself.

I, on the other hand, feel that there is an overriding public interest that demands that Government intercede. When witness after witness appears before me and identifies, under oath, Communists in plants where our most secret military material is being manufactured, and when we are told that Communists sit astride our most secret communications from the Pentagon and from the State Department and from other sensitive agencies of Government, I say that is something that the public generally is interested in, and is a proper subject for legislation by Congress.

Mr. LEHMAN. May I reply to the Senator?

Mr. BUTLER. Yes, indeed. I certainly will afford that opportunity.

Mr. LEHMAN. I realize that there is a problem of a Communist threat, just as much as does the distinguished Senator from Maryland. However, it would seem to me that the Senator should address his efforts toward taking care of Communists or controlling Communists, instead of trying to weaken the labor movement.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. LEHMAN. I will yield in a moment.

The Senator from Maryland said that when he listened to the witnesses at the hearings he was impressed by the constant stream of those who sought to subvert our Government. I wish to make it very clear to the Senator from Maryland that at the head of our great labor unions are men who I believe are fully as patriotic as is any Member of the Senate. Of course, the Senator from Maryland knows the high regard in which I hold nearly every Member of the Senate.

Can we have anyone more patriotic than Walter Reuther or George Meany or Jim Carey or Jacob Potofsky? Those men have given their lives to build up the labor movement. They have given their lives in the past many years to fighting communism. Where can we find any more patriotic men? Those are the men who are now leading the labor movement in this country.

Mr. BUTLER. Will the Senator yield?

Mr. LEHMAN. I shall be glad to yield.

Mr. BUTLER. Does the Senator not know that in the Turtle Creek Valley of Pennsylvania, outside of Pittsburgh, for instance, there are working in our defense plants a number of persons who are members of a union which has been proved beyond any question to be Communist dominated? Does the Senator not think, with that knowledge, that something should be done to cleanse that union or to get the management of that union out of those defense plants?

What is the Congress to do? Are we to have that knowledge and sit idly by and let those people stay in our defense plants? Are we to sit idly by with knowledge that the ACA, in charge of all of our vital communications, is Communist dominated?

I do not say the members of the union are Communists, but their management is Communist dominated, and that has been proved beyond all doubt.

In the Pittsburgh hearings, if my recollection serves me aright, 13 officers and members of the union, including some shop stewards, appeared before us. Eleven of the 13 refused to answer whether or not they were Communists.

We on the other side had live witnesses who testified under oath that those persons had served in the Communist Party with them. We have testimony, if the Senator will look at the hearings which are on the desk of each Senator, which shows that the leased lines and tie lines over which our secret communications go all over the world, and even our code and cipher messages sent from the Pentagon itself, are serviced to members of a Communist-dominated union. I say we would be most derelict if we did not take notice of that and put legislation on the books to take care of it.

Mr. LEHMAN. May I answer the Senator?

Mr. BUTLER. Certainly.

Mr. LEHMAN. Of course, I am as definitely concerned about the existence of Communists in unions and industries as is the Senator from Maryland, and I think something should be done about it.

Mr. BUTLER. What does the Senator suggest?

Mr. LEHMAN. Wait a minute. Very definitely, not such a bill as this, which would only hurt the unions. I suggest appointing a commission to study the whole situation.

Mr. BUTLER. Does the Senator suggest any of the proposed legislation now pending before the Congress?

Mr. LEHMAN. Whether it would be wise or not, I do not know, but there would be one way of handling this situation, which is a relatively simple way. I am not prepared to say it would necessarily be a wise way, and it has not been recommended by the Attorney General of the United States. That would be to outlaw the Communist Party. I do not know whether it would be wise; neither does the Senator from Maryland. But that would be one way of handling it simply and completely.

Mr. BUTLER. May I address a question to the Senator with reference to the formation of a commission?

Mr. LEHMAN. Certainly.

Mr. BUTLER. Does the Senator believe that the Congress of the United States should go to the President of the United States and ask him to form a

commission to find information which the committees of the Senate are perfectly able to find, which they have already found, and which is lying on the desk of each Senator?

Mr. LEHMAN. My reply to that is, of course, that the Senate of the United States has in many cases done exactly that. I do not have the green volume before me, or I would wave it as some of my colleagues have done. But that does not mean that it is a fact. Even the Judiciary Committee of the House has turned thumbs down on this thing. An important segment of the Un-American Activities Committee of the House has turned thumbs down on it. The mere fact that a Senator says we ought to follow exactly what some man or woman may have suggested in the hearings——

Mr. BUTLER. May I respectfully suggest to the Senator that he is begging the question. My question goes to the separation of powers.

I believe the legislative branch of the Government not only has the facilities, but has the capacity for getting all the information we need for the purpose of proposing legislation; I might say, for the purpose of formulating and proposing legislation. I, for one, do not want to go to the President of the United States and ask him to appoint a committee to take testimony on this question.

Mr. LEHMAN. The Senator is very bold in his statement. I, too, believe in the separation of powers between the executive and the legislative branches of the Government, but I must say—and I say this in all respect—that I think my friend from Maryland is wrong in saying that Congress has not created commissions or directed the creation of commissions on many, many occasions. While I do not have the record before me, I am quite sure on several scores of occasions commissions have been established. I think of one very notable instance—the Hoover Commission, which was established by the President under the direction of the Congress of the United States.

Mr. BUTLER. It was established for what purpose?

Mr. LEHMAN. For the purpose of finding out certain things and reporting back to the Congress—things which we certainly could have found.

Mr. BUTLER. For the sole purpose of investigating the executive branch of the Government and reporting back to the Congress. Which is a somewhat different situation as compared with this.

Mr. LEHMAN. Mr. President, if the Senator from Maryland objects to the Congress of the United States providing for commissions, he has chosen a very, very bad case, because in this instance the President was directed to set up a commission to investigate the executive branch of the Government, which lies completely within his jurisdiction, whereas this matter lies within the legislative branch, the executive branch, and the general public.

Does the Senator have any more questions?

Mr. BUTLER. No.

Mr. LEHMAN. Mr. President, I yield the floor.

Mr. GOLDWATER obtained the floor.

Mr. BUTLER. Mr. President, I ask for the yeas and nays on the passage of the bill.

Mr. LEHMAN. I suggest the absence of a quorum.

Mr. GOLDWATER. I do not yield for that purpose, Mr. President.

Mr. LEHMAN. Mr. President, have the yeas and nays been ordered?

The PRESIDING OFFICER. The yeas and nays are ordered.

Mr. LEHMAN. I withdraw my suggestion of the absence of a quorum.

Mr. GOLDWATER. Mr. President, I have only a few remarks to make, although I admit that I have a speech I should like to make, which would take about an hour and a half to deliver. But in recognition of the fact that we have heard so many long speeches in recent days, I shall ask later to have printed in the RECORD the speech I had intended to deliver.

At the outset of his speech, the distinguished Senator from New York made the remark that the proposed legislation should be referred to the Committee on Labor and Public Welfare. The bill I introduced on this subject last year, in the opening days of the 83d Congress, was referred to the Committee on Labor and Public Welfare. The committee had a large number of witnesses who appeared during the course of the hearings on the Taft-Hartley amendments, and who testified on the bill. In fact, there were 12 witnesses representing organized labor who testified on that specific bill, relating to the control of communism in labor organizations. A. F. of L. President Meany and CWA–CIO President Beirne concede that the job is a proper function of the Justice Department and other executive agencies.

I merely desired to correct the inference that the bill was not considered by the Committee on Labor and Public Welfare, and that it did not receive hearings. It received hearings, but it did not receive the proper consideration by the entire membership of the committee.

Therefore, this year, at the outset of the session, anxious to have some action on the bill, I asked during the course of one of the early executive sessions of the committee that the subcommittee be discharged from consideration of the bill and that it be referred to the full committee, and it was.

Although I do not have a tabulation of the vote before me, I am quite certain the Senator from New York voted "aye" on that particular proposal.

Whenever an attempt is made to do something about communism in this country, the question is raised, "Is this the proper way to do it?" If communism is a problem in the United States, there is only one way to meet it, and that is head on. We have pussyfooted with Communists too long. I agree that some members of management in this country have pussyfooted with communism, but I suggest that Congress and the United States also have pussyfooted with communism too long. If anyone in the Chamber doubts the need for this type of legislation I should like to read briefly from a newspaper of the International Union of Mine, Mill, and Smelter Workers of America, dated August 15, 1949. The man who made the statement was the international secretary-treasurer of that union. The union has not seen fit to expel him. I quote as follows from the statement by Maurice Travis:

Since the interest of the international union is uppermost in my mind, I have been confronted with the problem of resigning from the Communist Party, of which I have been a member, in order to make it possible for me to sign the Taft-Hartley affidavit. I have decided, with the utmost reluctance and with a great sense of indignation, to take such a step. My resignation has now taken place.

This has not been an easy step for me to take. Membership in the Communist Party has always meant to me, as a member and officer of the international union, that I could be a better trade unionist; it has meant to me a call to greater effort in behalf of the union as a solemn pledge to my fellow members that I would fight for their interests above all other interests.

I skip through the statement and read the following:

Therefore, I want to make it crystal clear that my belief in communism is consistent with what I believe to be the best interests of the members of this union and the American people generally, and that I am especially happy to be able constantly to remember that it is consistent with the finest traditions of the international union.

Mr. President, I ask unanimous consent that the text of the entire statement by Maurice Travis be printed in the RECORD at this point, so that all Members may read it and remind themselves that, although most of the unions in the United States have cleansed themselves of Communist leadership, there still remain in a considerable number of vital defense plants and mines Communist-dominated unions whose members seem unable to rid themselves of their Communist bosses.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

TRAVIS STATEMENT ON SIGNING TAFT-HARTLEY LAW AFFIDAVIT

(By Maurice Travis, international secretary-treasurer)

The executive board of our international union has voted to comply with the Taft-Hartley law. I support this decision.

As most of the membership knows, I have stated, more than once in the last 2 years, that if it became important to the life of our union to comply with Taft-Hartley, I would support such a step. The reasons which have now made it vital to our union to comply are the betrayal of labor's fight for repeal of the Taft-Hartley Act by the controlling leadership of both the CIO and AFL, by the 81st Congress and the Truman administration—a betrayal which now saddles the labor movement with this law for another 2 years—and as part of that betrayal, the adoption of raiding, gangsterism, and strikebreaking as official policy by reactionaries in the leadership of CIO.

Since the executive board meeting at which compliance was voted, I have deliberated very carefully on my course and I have also had the benefit of thorough discussions with my fellow officers, executive board members, and members of the staff. The unanimous opinion of my fellow officers and the others in the international union is that the most effective way in which I can serve the international union is by con-

tinuing in my post as an officer of the international union.

Since the interest of the international union is uppermost in my mind, I have been confronted with the problem of resigning from the Communist Party, of which I have been a member, in order to make it possible for me to sign the Taft-Hartley affidavit. I have decided, with the utmost reluctance and with a great sense of indignation, to take such a step. My resignation has now taken place and as a result, I have signed the affidavit.

This has not been an easy step for me to take. Membership in the Communist Party has always meant to me, as a member and officer of the international union, that I could be a better trade unionist; it has meant to me a call to greater effort in behalf of the union as a solemn pledge to my fellow members that I would fight for their interests above all other interests.

The very premise of the Taft-Hartley affidavits is a big lie, the same sort of lie that misled the peoples of Germany, Italy, and Japan down the road to fascism. It is a big lie to say that a Communist trade unionist owes any higher loyalty than to his union. On the contrary, trade unions are an integral part of a Socialist society, the kind of society in which Communists believe. Therefore, I believe that good Communists are good trade unionists.

The biggest lie of all is to say that the Communist Party teaches or advocates the overthrow of the Government by force and violence. If I had believed this to be so I would not have joined the Communist Party. If I had later found it to be so I would never have remained in it. All the slanders by the corrupt press, all the FBI stool pigeons, and all the persecution of Communist workers will not make me believe it is so. I believe that when the majority of the American people see clearly how rotten the foundation of the capitalist system is, they will insist on their right to change it through democratic processes, and all of the reactionary force and violence in the world will be unable to stop them.

It is because I believe these things that I have fought the affidavit requirement of Taft-Hartley. I believe it is a blot on American life; I believe under our Bill of Rights, for which our forefathers fought, that an American has as much right to be a Communist as he has to be a Republican, a Democrat, a Jew, a Catholic, or an Elk or a Mason. Free voluntary association is the very cornerstone of the democratic way of life. I have been a Communist because I want what all decent Americans want, a higher standard of living for all the people, the ending of discrimination against Negroes, Mexican-Americans, and all other minority groups. I want a peaceful America in a peaceful world. Despite my resignation from the Communist Party, I will continue to fight for these goals with all the energy and sincerity at my command.

I am also taking this step because I believe it is one effective means of bringing home, not only to the membership of the international union but to the people generally, the dastardly and unprecedented requirement that a man yield up his political affiliations in order to make a government service available to the people he represents. This is a dangerously backward step in American political life which threatens all of our democratic institutions. Americans have the right to belong to the political party of their choice and trade union members have the right to choose their own leaders. Denial of these principles undermines democracy and gives comfort to the arrogant reactionaries who seek to put our country on the road to fascism.

At the same time, I want to make it absolutely clear that my opinion continues to be that only a fundamental change in the structure of our society, along the lines implied in the very words of the charter of our international, "Labor produces all wealth—wealth belongs to the producer thereof," can lead to the end of insecurity, discrimination, depressions and the danger of war.

I am convinced that capitalistic greed is responsible for war and its attendant mass destruction and horror. I am convinced it is responsible for depression, unemployment and the mass misery they generate. The present deepening depression, growing unemployment, and threat of war confirm my conviction that the only answer is socialism.

As a matter of fact, this Socialist concept has always been the guiding principle for American workers. The struggle led by the great Eugene V. Debs, the early fight for the 8-hour workday, the steel and packing struggles led by Bill Foster, the stormy history of the I. W. W. were all influenced by Socialist ideals.

As a member of our international union I have always been proud of and have drawn strength from its basic Socialist tradition. No other union in this country matches ours in its glorious working-class history. Our union, and its predecessor, the Western Federation of Miners, has carried on some of the most bitter and courageous struggles in the history of the labor movement. I have always been inspired by the fact that early leaders of this union were socialistic in one form or another, that Bill Haywood also took the road to communism and died not only as a great leader of the working class but as an honored and respected Communist.

Therefore, I want to make it crystal clear that my belief in communism is consistent with what I believe to be the best interests of the members of this union and the American people generally and that I am especially happy to be able constantly to remember that it is consistent with the finest traditions of the international union.

I know that sooner or later we will turn this present shameful page in American life, that the reactionary offensive will be beaten back and that the American workers will again resume their march on the road to peace, progress, and prosperity. Particularly do I know that the day will come when loyalty oaths and affidavits will be a thing of the past, when the true test will again be service to the people and, for trade union leaders, service to their members.

In the meantime, I am sure that every member of the international union joins me in my pledge to fight to keep this international union strong, to bend every effort to make it even stronger, to continue to keep it on a progressive, militant course, and to do everything in my power to make life in our country happy, secure, prosperous, and peaceful.

Mr. GOLDWATER. Mr. President, I ask unanimous consent to have printed at this point in my remarks the text of the statement to which I referred, which I shall not read, thereby saving the Senate the torture of listening to me ad infinitum.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR GOLDWATER

International communism is against everything we believe in—America, God, the dignity and rights of individuals, and democracy. Communism is dedicated to world revolution and the dictatorship of the proletariat. Its weapons in America are treachery, deceit, infiltration, espionage, sabotage, corruption, and terrorism. It is using those weapons against up now—inside of our own country.

The House Committee on Un-American Activities, in reporting on the Internal Security Act of 1950 (U. S. Code Congressional Service, vol. 2, 81st Cong., 2d sess., p. 3836) said:

"The need for legislation to control Communist activities in the United States cannot be questioned.

"Over 10 years of investigation by the Committee on Un-American Activities and by its predecessor committee has established: (1) that the Communist movement in the United States is foreign-controlled; (2) that its ultimate objective with respect to the United States is to overthrow our free American institutions in favor of a Communist totalitarian dictatorship to be controlled from abroad; (3) that its activities are carried on by secret and conspiratorial methods; and (4) that its activities, both because of the alarming march of Communist forces abroad and because of the scope and nature of Communist activities here in the United States, constitute an immediate and powerful threat to the security of the United States and the American way of life."

The findings which support these conclusions and the vast quantity of evidence on which they are based are set forth in detail in the numerous reports which committees of Congress have printed and circulated.

There can be no compromise or appeasement between the ideals of our Republic and communism. The Communists still follow the marxism line: "Parliaments are corrupt, and voting and legislating are pleasant forms of rituals for deluding the workers."

Congress has passed several laws aimed at curbing subversive activities.

The Alien Registration Act of 1940 made it a crime to advocate the overthrow of the Government of the United States by force and violence. While force and violence is a basic principle to which the Communist Party members subscribe, the present line of the party, in order to evade existing legislation, is to avoid the open advocacy of force and violence and to resort to secret and conspiratorial methods. Consequently, the act is rendered less effective in dealing with Communist activities because of strategies and tactics of the Communists.

The McCormack Act of 1938 required registration of individuals who are acting as agents of a foreign principal. The Communists are skillful in deceit and in concealing their foreign ties.

The problem of how to enact laws to defend the Nation against the Communist Party is a perplexing one, but one with which we must keep wrestling. If we lose this battle, it will be because of complacency.

In safeguarding our own liberties, we must operate within the framework of the Constitution. In 1950, in analyzing the problem, the House committee said:

"Communism as an economic, social, and political theory is one thing. Communism as a secret conspiracy dedicated to subverting the interests of the United States to that of a foreign dictatorship, is another."

The committee went on to say:

"We hold no brief for the economic, social, and political theories which the Communists advocate, but we contend that, under our constitutional system, ideas must be combated with ideas and not with legislation. If communism in the United States operated in the open, without foreign direction and without attempting to set up a dictatorship subservient to a foreign power, legislation directed against it would neither be justified nor necesary. This, however, is not the case."

The committee said that "a careful analysis of the strategy and tactics of communism in the United States" discloses activities by reason of which the committee has concluded that legislation can and should be directed against those strategies and tactics of the Communist Party involving espionage.

Therefore, Congress passed the Internal Security Act of 1950, which made it unlawful for any officer or employee of the United States to communicate any information classified by the President of the United States as necessary to the security of the United States to any representative of a foreign country, or any member of a Communist organization, and likewise made it illegal for any member of the Communist organization, or foreign representative of a foreign government, to receive such information. The law also made it illegal for a member of a Communist organization to hold any office in the Government, or for a member of a Communist organization to conceal his membership in seeking employment in any defense plant, and made it unlawful for any employee in a defense plant to be a member of a Communist organization. The Secretary of Defense designates defense plants.

The Internal Securities Act requires that Communist organizations register with the Attorney General and that they give the names and addresses of their members. Any organization registered as a Communist organization must show on its publications that it is disseminated by a Communist organization.

The Internal Security Act creates a Subversive Activities Control Board appointed by the President with the advice and consent of the Senate. The Board may, upon application of the Attorney General, determine whether any organization is a Communist organization. Judicial review is provided after a hearing to the Circuit Court of Appeals of the District of Columbia. Communist organizations are divided into two types: Communist-action organizations and Communist-front organizations. The former is defined as substantially directed, controlled, or dominated by a foreign government, or a foreign organization, controlling the world Communist movement and operated primarily to advance the objectives of the world Communist movement. The Communist-front organization is one substantially directed, dominated, or controlled by a Communist-action organization primarily operated for the purpose of giving aid and support to a Communist-action organization.

The act of October 16, 1918 (8 U. S. C. 137), was strengthened by the Internal Security Act of 1950 and provided for the exclusion of aliens seeking to enter the United States to engage in activities prejudicial and dangerous to the United States, and for the exclusion of aliens who are members of the Communist Party, or who advocate the doctrine of world communism, or who are members of any organization which is registered, or required to be registered, under the Internal Security Act, unless the alien can show that he did not know, nor had reason to believe, that such organization was registered, or required to be registered. It was also provided that no person may be naturalized who is a member of a Communist organization.

The Emergency Detention Act of 1950 was also passed as a part of the Internal Security Act of 1950. This act provides that the President may in time of an internal-security emergency cause the apprehension and detention of persons as to whom there is reasonable ground for belief that they probably would engage in espionage or sabotage activity. This law provides for the issuance of a proclamation by the President. The President may issue a warrant for the arrest of such a person, a preliminary hearing must be had before an officer appointed by the President, with a full hearing before a Detention Review Board appointed by the President with a right to appeal to the Federal courts. A proclamation can only be issued by the President in the event of invasion of territory of the United States, a declaration of war by Congress, or an insurrection in the United States in aid of a foreign enemy.

Membership in the Communist Party is not illegal per se under any Federal law. If a Communist organization or a Communist operates in such a way as to come within the definitions and performs acts which are outlawed, then it, or he, violates the law. If an organization changes its characteristics, then the object of the law has been accomplished. The most important thing in the combating of communism is to keep the people informed accurately and fully and continuously about the activities, nature, and strategy of the Communist Party.

A petition of the Attorney General of the United States sought to force the Communist Party to register under the Internal Security Act of 1950. The Attorney General, in a verified petition, after summing up the program of the Communist Party in the United States and in the world, concluded that "in the event of a war between the Soviet and any other nation it is the recognized duty of all American Communists to support and defend the Soviet Union." Another conclusion he made in his petition:

"In the event of a war between the Soviet Union and the United States, the Communists in the United States have obligated themselves to defeat the military efforts of the United States and to aid and support the Soviet Union. The Communist party teaches its members that in such event they must act to foment a civil war in the United States as a means for impairing the Nation's military effort and for establishing a Soviet America, having a dictatorship of the proletariat such as exists in the Soviet Union."

In the final conclusion in the petition, the Attorney General said "To the leaders and members of the Communist Party, patriotism means solidarity with, and support of the Soviet Union."

At the trial of 11 Communist leaders in 1949 in New York, charged with the violation of the Alien Registration Act of 1940, Judge Medina, in his instructions to the jury in October of that year, told them that these defendants were charged with conspiring with each other and others unknown to the grand jury to knowingly and willfully advocate and teach the duty, or necessity, of overthrowing, or destroying, the Government of the United States by force and violence; and in this connection, to organize the Communist Party as a society group, or assembly of persons who teach, or advocate, such overthrow, or destruction.

The act under which they were indicted says:

"It shall be unlawful for any person to knowingly, or willfully, advocate, or teach, the duty, or necessity of overthrowing, or destroying, any government in the United States by force, or violence; to organize any society, group, or assembly of persons who teach, or advocate, the overthrow, or destruction of any government in the United States by force or violence."

Judge Medina told the jury:

"It is perfectly lawful and proper for the defendants, or anyone else, to advocate reforms and changes in the laws, which seem to them to be salutary and necessary. No one has suggested that the defendants transgressed any laws by advocating such reforms and changes. No syllable of the indictment refers to any such matters. Furthermore, should you find from the evidence that the defendants organized, or helped organize, and assumed, or were given leadership in the Communist Party as a legitimate political party solely with the view of electing candidates to political office by lawful and peaceful means advocating reforms and changes in the laws, or the adoption of policies by the Government favorable to their contentions in the matters just referred to, you must render a verdict of not guilty, and even if you do not so find from the evidence, you cannot bring in a verdict of guilty against any defendant unless the prosecution has satisfied you of his guilt beyond a reasonable doubt in accordance with the instructions."

The Government introduced evidence that plans were deeply laid to place energetic and militant members of the Communist Party in key positions in various industries indispensable to the functioning of the American economy, to be ready for action at a given signal, and such action was to consist of strikes, sabotage, and violence of one sort or another appropriate to the consummation of the desired end; that is to say, the smashing of the machine of state, the destruction of the Army, and the police force, and the overthrow of the Government and what Communists call bourgeoisie democracy.

In the course of his instructions to the jury, Judge Medina said:

"The prosecution further claims that the process of indoctrination at these various schools and classes was sought to be accomplished by the defendants by: (1) a persistent and unremitting playing upon the grievances of various minority groups, such as young people, veterans, Negroes, housewives, Jews, and those suffering from economic handicaps of one sort or another—rubbing salt into these wounds and doing their best to arouse and inflame antagonisms between various segments of the population; (2) by insistence that the Communist Party alone is qualified to assume and to retain leadership of the revolutionary movement for the smashing of the capitalist state machine, and the ushering in of the dictatorship of the proletariat, and that accordingly Communists must at all times maintain what they call their vanguard role and the elimination at all times of others who claim to be seeking by various means to attain the same, or similar ends; (3) by constant study and discussion of the steps by which the Communists came to power in the Soviet Union, including the details of the revolution of October 1917, in Russia, the strategy and tactics followed, including the wearing by the workers of uniforms of the Russian soldiers and sailors, the street fighting and so on; (4) by constantly stressing their claim that capitalism during the period of time specified in the indictment was on its last legs, or moribund, that the dictatorship of the proletariat was inevitable, that the workers should hate the capitalist system and their employers, and the Army and the police as mere instruments of Wall Street monopolists and exploiters, who are said to hold the Government of the United States in their clutches; (5) by picturing the Government of the United States as imperialistic and tending toward facism and the Soviet Union as the protector of the rights of minorities, the only true and complete democracy and as dedicated to peace; (6) by indicating the doctrine that a war with Russia would be an imperialistic and an unjust war, in which event it is said to be the duty of those subscribing to defendants' principles to turn the imperialistic war into a civil war and fight against their own government, meaning the Government of the United States."

The judge, in reviewing the defense, said:

"The defendants asserted that they regarded the establishment of socialism in this country as necessary if the people are to live in peace and prosperity, that all their activities are directed toward the ultimate establishment of socialism, and take two forms which interact with and influence each other, the political and the educational."

The defendants asserted that they sought to form a peoples' front government, such as was elected in Poland, Czechoslovakia, Hungary, and Rumania, and that this would only come about if and when a majority of

the people wanted it and were ready to struggle for it.

The judge was very careful to charge the jury:

"Among the most vital and precious liberties which we Americans enjoy by virtue of our Constitution are freedom of speech and freedom of the press. We must be careful to preserve these rights unimpaired in all their vigor. Thus, it is that these defendants had the right to advocate, by peaceful and lawful means, any and all changes in the laws and in the Constitution; they had the right to criticize the President and Congress; they had the right to assert that World War II, prior to the invasion of Russia by Germany, was an unjust war, an imperialist war, and that upon such invasion it became a just war worthy of all material and moral support; and they had the right to publicly express these views orally or in writing. They had the right, thus, to assert that the Government was at all times exploiting the poor and worthy workers, for the benefit of the trusts and monopolies. They had a right, thus, to assert that what they called the democracy of Russia is superior in all respects to American democracy. They had a right to assert that the Marshall plan was a mistake, that billions of dollars should be loaned to Russia and that legislation adversely affecting Communists should not be passed. Whether you, or I, or anyone else, likes or dislikes such or similar and analogous views, or agrees or disagrees with them, is wholly immaterial and not entitled to the slightest consideration in deciding this case. Unless a minority had a right to express and to advocate its views, the democratic process as we understand it here in America would cease to exist and those in power might remain there indefinitely and make impossible any substantial changes in our social and economic system, or in the texture of our fundamental law."

The court told the jury:

"You must be satisfied from the evidence beyond a reasonable doubt that the defendants had an intent to cause the overthrow or destruction of the United States by force and violence, and that it was with this intent and for the purpose of furthering that objective that they conspired both (1) to organize the Communist Party of the United States as a group or society to teach and advocate the overthrow or destruction of the United States by force and violence, and (2) to teach and advocate the duty and necessity of overthrowing or destroying the Government of the United States by force and violence."

Why is such legislation required?

The CIO in 1950 expelled 11 of its 41 international unions because they were Communist-dominated. The resolution on the expulsion read:

"We can no longer tolerate within the family of CIO the Communist Party masquerading as a labor union. The time has come when the CIO must strip the mask from these false leaders whose only purpose is to deceive and betray the workers. So long as the agents of the Communist Party and the labor movement enjoy the benefits of affiliation with the CIO, they will continue to carry out this betrayal under the protection of the good name of the CIO."

The names of those unions and the dates of their expulsion are: the United Electrical, Radio and Machine Workers, November 2, 1949; the United Farm Equipment Workers, November 2, 1949; Mine, Mill, and Smelter Workers, February 15, 1950; United Office and Professional Workers, February 15, 1950; United Public Workers, February 15, 1950; Food, Tobacco, and Agricultural Workers, February 15, 1950; American Communications Association, June 15, 1950; International Fur and Leather Workers Union, June 15, 1950; International Longshoremen's and Warehousemen's Union, August 29, 1950; Marine Cooks and Stewards, August 29, 1950; International Fishermen and Allied Workers, August 29, 1950.

In 1939 the House Committee on Un-American Activities listed the Mine, Mill, and Smelter Workers Union as a Communist-dominated union. Ten years later the CIO acted upon the findings of the House committee and expelled this union from its membership. (P. 6, Oct. 1952 hearings, Senate Subcommittee Judiciary.)

The CIO said as to the Mine, Mill, and Smelter Workers International leadership:

"The testimony at the hearings, both oral and documentary, demonstrates conclusively to this committee, and the committee finds that the policies and activities of the International Union of Mine, Mill, and Smelter Workers are directed toward the achievement of the program and the purposes of the Communist Party, rather than the objectives set forth in the CIO constitution. This conclusion is inescapable, both from an analysis of the policies adopted by Mine, Mill, and as shown by documentary exhibits submitted by the union, and by direct and uncontradicted testimony by former officers of the union that the Communist Party directs the affairs of the union."

At the hearing before the subcommittee of the Senate Judiciary Committee in October 1952, former officers of the union admitted they had been members of the Communist Party and identified a number of the officers of the present Mine, Mill, and Smelter Workers as having been members of the Communist Party.

The following officers and employees were subpenaed by the committee and refused to testify as to whether they were Communists, or not, on the grounds that to testify would incriminate them. Those persons were: Nathan Witt, general counsel; John Clark, president; Clinton Jencks, international representative; Herman Clott, Washington lobbyist for the union; Orville Larson, vice president; Holmgren, assistant editor of the union newspaper; Rudolph Hansen, paid employee; Maurice Travis, secretary-treasurer of the international union; Graham Dolan, who said he had no title but worked on special assignments for President Clark, Vice President Larson, Vice President Wilson, and Secretary-Treasurer Travis; and Albert Skinner, regional director and coordinator of the Kennecott bargaining counsel.

I will not go into all the details of the hearing. They are available in the report of the hearings issued by the United States Government Printing Office.

And, let me say here, that under the Taft-Hartley Act, an employer, or the National Labor Relations Board cannot go beyond the non-Communist affidavit filed by the union officials. If the affidavits are filed, the employer must comply with the law and must bargain with the union whether or not he thinks that the affidavits are false and that the representative is still a Communist.

Let me call attention to what Mr. Travis says regarding Bill Haywood:

"I have always been inspired by the fact that early leaders of this union were socialistic in one form or another, that Bill Haywood also took the road to communism and died not only as a great leader of the working class but as an honored and respected Communist."

Bill Haywood, as you will remember, was head of the International Workers of the World during World War I. In 1918 he was found guilty in a Federal court in Chicago of espionage, sabotage, and interfering with the war effort of World War I. Pending his appeal he jumped bail, fled to Russia, and now lies buried in the Kremlin as one of the heroes of communism. His heroism consisted of treason to his country.

Consider the case of Nathan Witt, general counsel of Mine, Mill, and Smelter Workers, and the brains of the union. Lee Pressman, former general counsel of the CIO, testified before the Un-American Activities Committee in the House in 1950 and said that he and Witt both belonged to the Communist Party at one time and that he, Pressman, John Abt, Charles Kramer, and Witt worked in a cell together. Ware was the liaison with the Communist Party of this cell and he collected their dues. Whittaker Chambers in 1948 testified that Ware, Abt, Witt, Pressman, Alger Hiss, Donald Hiss, Henry H. Collins, Charles Kramer, and Victor Perlo belonged to the Ware-Abt-Witt group.

Witt was former executive secretary of the National Labor Relations Board. In 1940 he wrote the United States Senate when the NLRB was being investigated that he was not and had never been a member of the Communist Party, a Communist sympathizer, or one who used the Communist Party line. At the hearing in 1952, Witt refused to testify as to whether he was a Communist on the grounds that he was exercising his right under the fifth amendment not to give testimony against himself. Nathan Witt was also a member of the board of trustees of the Jefferson School of Social Science, which the Saturday Evening Post of March 12, 1949, said was the biggest school for the teaching of communism in New York, and annually enrolled 3,000 students which was a fraction of the total signed up by the national chain of Communist schools.

How does a union become Communist-dominated, and how did these CIO unions become Communist-dominated? To begin with, when the first attempts were made to organize mass production industry, there was an acute shortage of trained organizers. Unknowingly, many Communists were used and they installed themselves and their sympathizers in key positions in many of the new unions. The newly organized workers, with no experience in unionism, were no match for these skilled technicians. The result was that in union after union the Communists controlled the top level though the membership was overwhelmingly American in its sympathies. In the CIO findings on the expulsion of the Mine, Mill, and Smelter Workers:

"Both Wilson and Eckert made it perfectly clear to the committee that the fact that this union followed the Communist Party line was not accidental. It was the result of the complete domination of the union's leadership by the party. The party group within the union has a systematic working apparatus for making its decision and for translating these decisions into union policy. At the top there was a party steering committee of four members. This committee, of which Eckert and Maurice Travis were members, determined Communist policy within the union. They did this in consultation with the leaders of the Communist Party. Meetings were frequently held with the Communist Party leaders, such as William Z. Foster, chairman of the party; Eugene Dennis, general secretary; John Williamson, its labor secretary; and Gil Green, its Illinois director. In addition, there was a regular envoy of the Communist Party who was designated as liaison man between Mine, Mill and the party.

"In meetings of this steering committee, which was sometimes enlarged to include such persons as the union's research director and the editor of its newspaper, the policies to be adopted by Mine, Mill were determined by these Communist leaders. Their decisions were then brought to the so-called progressive caucus of the union, which contained all of the Communist and pro-Communist leaders of the union; all anti-Communist groups of the union were excluded

from this caucus. The Communist decisions were invariably adopted by the caucus and were then brought before the official bodies of the union and adopted as union policy.

"This was the transmission belt by which the decision of the Communist Party leaders became decisions of the International Union of Mine, Mill, and Smelter Workers.

"The membership, of course, had a theoretical veto power, but the party's control of the union's newspaper, control of its organization, and control of its leadership enabled the Communist Party to conceal its dictation of union policy and thus to maintain its power over the union's affairs. The right of the union membership to control policy given lip service by the leadership was thus frustrated. The membership had no voice, for instance, in the decision of Reid Robinson to resign as president, a decision made by the Communist Party for party reasons. He had no control over the appointment of Maurice Travis, a newcomer to the union, as executive assistant to President Robinson, an appointment dictated by the Communist Party for its own purposes. The membership had no control over the appointment of organizers, and as a result approximately 90 percent of the union's staff are members of the Communist Party."

Eckert, in testifying before the Senate committee in Salt Lake in October 1952, said:

"The Communist Party regarded Mine, Mill, and Smelter Workers as one of the key unions in America, because of its strategic position in the nonferrous metal industry and also because they have locals in Alaska and close proximity to the Soviet Union. That is an interesting note, because the Mine, Mill, and Smelter Workers locals up there, which are completely dominated by the Communist Party, are only 40 miles from Soviet Russia. Because of the importance they attach to Mine, Mill, and Smelter Workers, they made special efforts to reactivate me in the Communist Party. I became active in the party again from that time (1945) until the time I left Mine, Mill, and Smelter Workers, or just prior to leaving Mine, Mill, and Smelter Workers in 1948."

Eckert testified before the subcommittee on this steering committee in Mine, Mill, and Smelter Workers. Eckert said that the steering committee was composed of Maurice Travis, Eckert, Al Skinner, and Charles Powers, and they received their instructions from Gil Green, State organizer of the Communist Party in Illinois. The steering committee, he said, would also meet with William Z. Foster, national chairman of the Communist Party, Eugene Dennis, and other top leaders to discuss matters affecting the Communist Party. He testified that the following was the way the union adopted its 10-point program in 1946: It was first discussed by the steering committee; it was then submitted to the enlarged party meeting held; from this meeting it was taken to what was called the progressive caucus inside the Mine, Mill, and Smelter Workers, which consisted of the party people on the staff of the union and certain nonparty people who were on the staff and other people who were not on the staff, but were in the Mine, Mill, and Smelter Workers union. He said the progressive caucus would then make these proposals where it was necessary to have them approved by the international executive board to the international executive board of the union, which was almost evenly divided between the right and left wings. Those decisions would then usually become the decisions of the union and sometimes, as in the case of the 10-point program, submitted to the convention, as was done in the instance of the Cleveland convention in 1946, and became adopted by the convention as the official program of the union. As he said:

"It originated in the steering committee and passed down to this large party meeting, then to the progressive caucus, the international executive board, and finally adopted by the international convention. Irrespective of the various channels through which it went, it started with the Communist Party and crystallized as doctrine, or program, of the union as a whole" (pp. 51–58).

There were approximately 126,000 in the union then (1946). The end result was the convention adopting a program which originated with a small number of people who were Communist Party members, which was later adopted as a program of over 100,000 members. Eckert said that the party membership of the union never averaged 1 percent at any time and that a small number of Communists, even 4, a steering committee, could commit a union of 100,000 members to a program which they, the 4 Communists, or a few more, originated (p. 59).

Eckert said the Communist personnel did not seep very far down because if it had it would be very much larger; here and there, there might be a shop steward who might be a member of the party, or a local union president, or a local member of the executive committee, or shop committee, but, by and large, the control of the union by the Communist Party was exercised from the top (p. 59).

The Communist Party leadership was able to maintain itself in control by the following procedure: a staff of the people who have contacts with the membership would go out and campaign for their particular candidate. They would get up at the meetings and speak for them and they were not above stuffing the ballot boxes where it was necessary to do so (p. 60).

Eckert said he knew Mr. Nathan Witt was a member of the party and had attended many party meetings with him. He was one of the top party men and liaison man between the Communist Party and various unions that were under the control of the Communist Party, including the Mill, Mine, and Smelter Workers, and frequently was the person who transmitted various things to Mill, Mine, and Smelter Workers, party decisions which were to be put into effect inside the union.

The unfortunate and tragic thing is that most of the members of the union are not aware of this Communist domination and are loyal Americans. There is no law which now protects the rank and file of a labor union from Communist domination of their international union.

I say that those men are entitled to the leadership of loyal Americans. My bill would provide a means to eliminate from a union Communist leadership such as Travis and Witt. This bill would permit local unions to bargain as bona fide labor unions and as a part of a bona fide international union. Employers would no longer be compelled by law to sit down with a Communist representative. The union newspaper would no longer be a vehicle for Communist propaganda to be dropping its indoctrinations drop by drop, issue by issue.

I cannot conceive of a single reason, or justification, for the Government of the United States permitting men who are Communists to head and to run a labor organization. I think loyal members of the Mine, Mill, and Smelter Workers, for example, are entitled to their Mine, Mill, and Smelter Workers Union free and clear of Communist domination. Their strikes, if they strike, should not be under any cloud that it is for political purposes and under a leadership over which they have no control.

My bill would not destroy the Mine, Mill, and Smelter Workers—it would protect them and preserve them.

The ease with which 4 or 5 men can control a large international union makes me think that we should start an investigation into the general subject of international unions to determine how democratic they are in the election of their officers. In many international unions, the same person has been president for many years. The constitutions, conventions, systems, appointments of international representatives, control over locals, have made it possible for one man to perpetuate himself in office. The membership should have control of the selection of the officers.

On Friday, April 24, 1953, Albert J. Fitzgerald, general president of the United Electrical Radio and Machine Workers of America, told the Senate Labor Committee at its hearing, that S. 1254 and its companion House bill, H. R. 3993, was a "thought-control piece of legislation." Because the Senate bill will undoubtedly receive the same charge from this and similar unions, I think it is well to discuss that attack at this time. In the first place, the UE dwells on the alleged fact that orders of the Subversive Activities Control Board will operate to destroy unions. Nowhere does he advert to the fact that the membership of a union, which is the object of such an order, will have the opportunity to purge itself of the few individual leaders whose Communist activities give rise to the order, and that they can, in that manner, preserve their union with all its rights and privileges under the Federal laws.

Secondly, he quarrels with the various legislative standards and definitions which the bill provides as guides to be used by the Board in determining whether or not a union, or an individual union official, is a Communist representative. Here he employs the well-worn shibboleths of "thought control" and "guilt by association." Mr. Fitzgerald's remarks are to be found on pages 1995 to 2010, inclusive, of part 4 of the hearings before the Committee on Labor and Public Welfare of the United States Senate of the 83d Congress.

BASES OF THE THOUGHT-CONTROL CONTENTION

It has been contended by some that legislation of this sort constitutes thought control. This contention must be based on one or the other of the following:

1. An attempt to distort the purpose of the proposed legislation by branding it as "antilabor" and applying to it a catch phrase, or epithet, which will generate public condemnation; or

2. A sincere belief that by enacting such legislation Congress would be unconstitutionally abridging the freedom of speech vouchsafed by the first amendment.

For those who advance the thought-control contention as a red herring and who seek thereby to divert Congress from the conscientious reexamination of a real national problem, no answer to the contention is required. Suffice it to say that every legislative effort to protect this country against internal subversive activities has been faced with the same contention.

But for those who, although they recognize the gravity of the problem, nevertheless advance the thought-control contention in the sincere belief that this type of legislation goes beyond the constitutional powers of Congress, a sincere and forthright answer is required. They must have an answer to their fear that, in seeking by this means to combat a recognized evil, we would be destroying the very thing we are purporting to protect; in other words, their fear that by suppressing freedom of thought and association in this way, we would be approaching the very totalitarianism which the Communists are seeking to establish by such means as the control and domination of trade unions. The purpose of this analysis is to supply that answer.

THE FUNDAMENTAL ISSUE

The term "thought control," even when used by those who are sincerely perturbed by the aspect of this type of legislation, is misleading. Communism is fundamentally an idea or belief, but its significance today lies not so much in the idea itself but in the plan of action designed to implement that idea, the plan of affirmative and violent action to establish and enforce that idea in the form of world dictatorship by the ruling power of one nation. A person may have the intent to rob or to murder, but, absent any action on his part to implement that intent, our concept of liberty would not permit us to restrain him just for having such evil thoughts. The same is true of a person who is only a Communist in the philosophical sense. When, however, the robber, or the murderer, or the Communist, reaches the point of affirmatively implementing his intent to employ force or violence to gain his end, he has reached the action stage where his intentional conduct, not his thoughts, becomes the legitimate object of social scrutiny and possible limitation.

It is with this concept of modern communism in mind that the fundamental issue presented by this legislation must be defined. The determination to be made is whether or not, under present circumstances and with respect to communism, the necessity for preserving law and order and our national sovereignty justifies an abridgement of a fundamental liberty, and whether or not such abridgement is within the constitutional powers of Congress. Specifically, the issue is whether or not communistic infiltration of trade unions constitutes a threat to national security sufficient to justify restraining the liberty to foster communism through union power, and whether or not the exercise of that liberty can be constitutionally restrained in the manner proposed by this legislation. As so defined, it is obvious that the issue cannot be properly characterized as a thought-control issue.

THE ESTABLISHED FACTS

The portion of this issue which requires a determination of the extent of the threat to our national security in relation to an impairment of individual liberty must be resolved on the basis of facts. These facts are well established and cannot be validly disputed. They have been established by hearings conducted by congressional committees, reports of congressional committees, legislative findings by Congress, verdicts of Federal juries and decisions of the Federal courts. These are the established facts:

1. There exists a world Communist movement which is a worldwide revolutionary effort designed to establish a Communist totalitarian dictatorship in the countries throughout the world.

2. One of the traditional and primary means of accomplishing this purpose is Communist infiltration of labor unions.

3. The American Communist Party is dominated and controlled by a foreign government.

4. The goal of the American Communist Party is the overthrow of the Government of the United States by force and violence.

5. The American Communist Party has infiltrated, and dominates, and controls certain labor unions in this country.

6. The goal and the activities of the American Communist Party constitute a clear and present danger to the Nation.

NATIONAL NECESSITY VERSUS INDIVIDUAL LIBERTY

In the face of these established facts Congress must decide whether or not the infringement on individual liberty embodied in the proposed legislation is justified. The specific liberty involved is the liberty to participate in and encourage Communist action in the trade-union movement—by speech, by association, and by intentional conduct. The objective of that Communist action is the overthrow of our Government by force and violence, a clear and present danger to our national security. The mere statement of the liberty involved and of the ultimate result of its unlimited exercise provides the answer for all loyal Americans. Congress, with the support of the people, has answered the question before in analogous situations by imposing more drastic restraints on that liberty. Federal legislation applicable to Communists and organizations is nothing new. In 1938, the Foreign Agents Registration Act, also known as the McCormack Act, was passed, requiring agents of foreign governments to register with the Attorney General and to label their propaganda. In 1939, the Hatch Act forbade membership in Communist, or like organizations, to Federal employees. In 1940, the Voorhis Act, supplementing the McCormack Act, required registration by native groups which participated in civilian-military drill and in specially defined political activities. In 1940, by virtue of the Smith Act, it became a Federal crime to "advocate, abet, advise, or teach" the overthrow of the Government by force or violence. In 1947, the Taft-Hartley Act denied to unions, whose officers failed to file non-Communist affidavits, the procedures and benefits of the National Labor Relations Act. And in 1950, Congress passed the Internal Security Act, which requires the registration of all Communist organizations, prohibits the issuance of passports to members of such organizations, and prohibits the employment of such members by the Federal Government, or by private defense facilities. All of these enactments, except the Taft-Hartley Act, provided for criminal penalties.

If the measures just enumerated were justifiable infringements on individual liberty in the face of the Communist threat, and in each instance Congress found them to be justified, certainly far less justification is needed for legislation such as that under discussion, which does not suppress or outlaw the Communist Party and does not forbid any individual to be, or become, a philosophical Communist, or a full-fledged and active member of the party, but which, in effect, only prohibits such a person from holding a position of influence in a labor union if that union wishes to continue to avail itself of the special rights and protection afforded it by specific Federal laws.

It seems clear from the foregoing that there is ample justification, as a matter of congressional policy, for the proposed legislation.

CONGRESSIONAL POWER

Coming now to the portion of the issue which requires a determination of congressional power to enact such legislation, it is necessary first to state certain fundamental principles with respect to the liberty of free speech vouchsafed by the first amendment to the Constitution. All of those principles can be gleaned from the 1951 decision of the United States Supreme Court in the case which involved the conviction of the top 11 Communists for violation of the Smith Act, (*Dennis* v. *United States* (341 U. S. 494, 95 L. ed. 1137)). They are as follows:

1. The right of free speech "is not an unlimited, unqualified right, but * * * must, on occasion, be subordinated to other values and considerations."

2. "No one could conceive that it is not within the power of Congress to prohibit acts intended to overthrow the Government by force and violence. The question with which we are concerned * * * is not whether Congress has such power, but whether the means which it has employed conflict with the first * * * amendment(s) to the Constitution."

3. Restrictions on freedom of speech are constitutional where there is a "clear and present danger" that "substantive evil" will result from nonrestriction.

4. Since the purposes and activities of the Communist Party constitute such a "clear and present danger" legislation which punishes the advocacy of the doctrines of the Communist Party does not violate the first amendment.

The statute involved in the Dennis case presented a far more difficult question as to the power of Congress than does the proposed legislation under discussion. The Smith Act made it a crime to "advocate, abet, advise, or teach" the overthrow of the Government by force or violence. Actually, the Supreme Court had already, prior to the Dennis case, passed upon the very contention which is advanced against the Goldwater-Rhodes bill.

In *American Communications Association* v. *Douds* (339 U. S. 382, 94 L. ed. 925 (Sup. Ct. 1950)) the Court had before it the non-Communist affidavit requirement (sec. 9 (h)) of the Taft-Hartley Act. The petitioners in that case contended that the requirement was unconstitutional because it deprived "unions, union officers, and members of unions of freedom of thought, speech, and assembly, in violation of the first amendment." The Court rejected that contention. The following quotations from the decision will demonstrate more clearly than attempts to paraphrase them the reasoning of the Court and the basis for its decision:

"One such obstruction (of commerce), which it was the purpose of section 9 (h) of the act to remove, was the so-called political strike. Substantial amounts of evidence were presented to various committees of Congress, including the committees immediately concerned with labor legislation, that Communist leaders of labor unions had in the past, and would continue in the future, to subordinate legitimate trade-union objectives to obstructive strikes when dictated by party leaders, often in support of the policies of a foreign government. And other evidence supports the view that some union leaders, who hold to a belief in violent overthrow of the Government for reasons other than loyalty to the Communist Party, likewise regard strikes and other forms of direct action designed to serve ultimate revolutionary goals, as the primary objectives of labor unions which they control.

* * * * *

"No useful purpose would be served by setting out at length the evidence before Congress relating to the problem of political strikes, nor can we attempt to assess the validity of each item of evidence. It is sufficient to say that Congress had a great mass of material before it which tended to show that Communists and others proscribed by the statute had infiltrated union organizations, not to support and further trade-union objectives, including the advocacy of change by democratic methods, but to make them a device by which commerce and industry might be disrupted when the dictates of political policy required such action.

* * * * *

"The difficult question that emerges is whether, consistently with the first amendment, Congress, by statute, may exert these pressures upon labor unions to deny positions of leadership to certain persons who are identified by particular beliefs and political affiliations.

* * * * *

"Although the first amendment provides that Congress shall make no law abridging the freedom of speech, press, or assembly, it has long been established that those freedoms themselves are dependent upon the power of constitutional government to survive. If it is to survive, it must have power to protect itself against unlawful conduct

and, under some circumstances, against incitements to commit unlawful acts. Freedom of speech thus does not comprehend the right to speak on any subject at any time.

* * * * *

"Government's interest here is not in preventing the dissemination of Communist doctrine, or the holding of particular beliefs, because it is feared that unlawful action will result therefrom if free speech is practiced. Its interest is in protecting the free flow of commerce from what Congress considers to be substantial evils of conduct that are not the products of speech at all. Section 9 (h), in other words, does not interfere with speech, because Congress fears the consequences of speech; it regulates harmful conduct which Congress has determined is carried on by persons who may be identified by their political affiliations and beliefs.

* * * * *

"In essence, the problem is one of weighing the probable effects of the statute upon the free exercise of the right of speech and assembly against the congressional determination that political strikes are evils of conduct which cause substantial harm to interstate commerce and that Communists and others identified by section 9 (h) pose continuing threats to that public interest when in positions of union leadership.

* * * * *

"But, insofar as the problem is one of drawing inferences concerning the need for regulation of particular forms of conduct from conflicting evidence, this Court is in no position to substitute its judgment as to the necessity or desirability of the statute for that of Congress.

* * * * *

"In this legislation, Congress did not restrain the activities of the Communist Party as a political organization; nor did it attempt to stifle beliefs. Compare *West Virginia State Board of Education* v. *Barnette* (319 U. S. 624, 87 L. ed. 1628, 63 S. Ct. 1178, 147 ALR 674 (1943)). Section 9 (h) touches only a relative handful of persons leaving the great majority of persons of the identified affiliations and beliefs completely free from restraint. And it leaves those few who are affected, free to maintain their affiliations and beliefs subject only to possible loss of positions which Congress has concluded are being abused to the injury of the public by members of the described groups.

* * * * *

"It is contended that the principle that statutes touching first-amendment freedoms must be narrowly drawn dictates that a statute aimed at political strikes should make the calling of such strikes unlawful, but should not attempt to bring about the removal of union officers, with its attendant effect upon first-amendment rights. We think, however, that the legislative judgment that interstate commerce must be protected from a continuing threat of such strikes is a permissible one in this case. The fact that the injury to interstate commerce would be an accomplished fact before any sanctions could be applied, the possibility that a large number of such strikes might be called at a time of external or internal crisis, and the practical difficulties which would be encountered in detecting illegal activities of this kind are factors which are persuasive that Congress should not be powerless to remove the threat, not limited to punishing the act.

* * * * *

"Of course, we agree that one may not be imprisoned or executed because he holds particular beliefs. But to attack the straw man of thought control is to ignore the fact that the sole effect of the statute upon one who believes in overthrow of the Government by force and violence—and does not deny his belief—is that he may be forced to relinquish his position as a union leader."

CONCLUSION

The decision of the United States Supreme Court in the *Douds Case* and its reasoning in the light of fundamental concepts of constitutional power and individual liberties, should allay the fears of any sincere person who would otherwise be perturbed over the contention that the proposed legislation constitutes thought control. In principle, the Goldwater-Rhodes bill embodies the same approach to the problem of communism in labor unions as that of the Taft-Hartley Act, namely, to deny instrumentalities, admitted or proven to be Communist-controlled, the opportunity, under the cover of rights and privileges granted by Federal laws, to foster the class warfare and to foment the industrial strife which constitute an integral part of the Communist pattern. Under the Taft-Hartley Act, such Communist control has to be admitted before Communist-directed union conduct is denied the special legislative support and protection afforded by Federal law. It is quite obvious that the Taft-Hartley procedure has not worked with any marked degree of success—mainly because of the Communist's lack of respect for an oath and of the ease with which the oath requirement can be circumvented. The proposed legislation abandons the oath procedure and gives the Government the opportunity to prove, if it can, the existence of Communist control. Once that fact is established, by due process and open proceedings, the consequences which ensue are substantially the same as those in the present law.

The essence of the proposed legislation is to provide a means whereby the members of a labor union, the rank and file, as they are commonly called, can be informed by their Government, on the basis of proven facts, that their leadership is such as to constitute a threat to themselves and to their country. When they have been so advised they are then given reasonable time and opportunity to decide whether they wish to continue as a Communist-controlled union, or to rid themselves of their subversive leadership. If they choose the former course, which they have the right to do, no prohibition is imposed against their choice. The only result will be the withdrawal of special Federal support and protection for union conduct which, because of Communist direction, the Congress believes to be inimical to the best interests of the United States.

It is the Communist-directed union conduct, not the Communist idea or belief, which this legislation would attempt to regulate. The facts requiring legislation to protect this Nation against communism in action are a matter of public record. The power of Congress to provide the means for that protection within the framework of our constitutional government is a matter of judicial decision. This is the answer to those with conscientious fears of the implications of this type of legislation. It is the correct answer to the issue defined at the outset.

Only those who fail or refuse to recognize the proven objectives of communism or those who refuse to accept the established fact that the infiltration of the trade-union movement is a primary means of attaining those Communist objectives will agree with this conclusion. The others, the informed and loyal members of society, will accept the findings of Congress and the decisions of the courts. They will be able to distinguish between thought and action and to recognize the necessity and justification for controlling the latter, not the former.

UNITED STATES DEPARTMENT OF LABOR,
BUREAU OF LABOR STATISTICS,
Washington, D. C.

UNION CONSTITUTIONAL PROVISIONS BARRING COMMUNISTS FROM UNION OFFICE OR MEMBERSHIP

This study is derived from a general analysis of selected union constitutions undertaken by the Bureau in 1951–52. The constitutions used were the latest available to the Bureau at that time. In some instances, therefore, later union actions may have placed further or more specific restrictions on accepting Communists into membership or allowing them to hold office. Other unions may have adopted similar restrictions for the first time.

For this study, 89 national or international union constitutions covering a combined union membership of approximately 12 million were examined. Forty-seven of these constitutions had provisions either of a specific or a general nature which barred Communists from union office or membership or both. It should be noted that a refusal to accept Communists as members can serve as an effective bar against Communists holding union office since, as a rule, officers rise from membership ranks. The combined membership of these 47 unions was about 8.2 million or roughly two-thirds of the total membership covered by the sample.

In the attached table, Selected List of Unions with Constitutions Barring Communists from Office or Membership, a separate column shows the date of the union constitution consulted in the study. A number of the unions hold conventions at intervals of 2 years or longer and constitutions are generally dated to indicate only the initial year in which provisions became operative.

The information, as found in the union constitutions, was classified according to whether the constitution contained either (1) a specific provision barring Communists, or (2) a more general provision designed to eliminate undesirables from membership or office. Specific provisions all had in common a mention of the word "Communist." Illustrative of such types of clauses is the following:

"No member shall be eligible to hold office in this union or act in any official capacity for this union or subordinate body thereof who shall be subject to orders or discipline of any party or organization (such as the Communist Party, Nazi or Fascist organization) which makes its interests and policies on union matters binding upon its members irrespective of the decisions, interests and policies of the union."

Provisions of a more general character were those which apparently could be construed as barring Communists although the word "Communist" actually did not appear in the Constitution. Virtually all the union constitutions identified as having such clauses had provisions somewhat similar to the following which appeared in one constitution:

"No person shall be eligible either to membership or to retain membership in this international or any local union affiliated with the international who shall be a member of any organization having for its aim or purpose the overthrow, by force of the Constitution and Government of the United States."

Two provisions in the general category differed substantially from this type of clause: One was a requirement that officers be willing to execute affidavits necessary to secure access to Government agencies; another required officers to file statements as required by law indicating acceptability under law as a qualified representative of the union.

Selected list of unions with constitutions barring Communists from office or membership [1]

Name of national or international union	Date of constitution	Specific provision barring Communists from—		General provision which may be construed as barring Communists from—	
		Membership	Office	Membership	Office
American Federation of Labor:					
National Agricultural Workers Union	1950	X			
International Union, United Automobile Workers of America	1947		X	X	
Bakery and Confectionery Workers' International Union of America	1951				X
Journeymen Barbers, Hairdressers, Cosmetologists, and Proprietors International Union of America	1949			X	X
International Brotherhood of Boilermakers, Iron Ship Builders and Helpers of America	1949	X			
International Brotherhood of Bookbinders	1949	X	X		
International Association of Bridge, Structural, and Ornamental Iron Workers	1948	X			
Building Service Employees' International Union	1950	X			
International Chemical Workers Union	1950	X			
International Association of Cleaning and Dye House Workers	1950			X	
Coopers' International Union of North America	1949	X			
Flight Engineers' International Association	1951			X	
American Federation of Grain Millers	1950				X
United Hatters, Cap, and Millinery Workers International Union	1950		X		
Hotel and Restaurant Employees and Bartenders International Union	1949		X		
International Jewelry Workers' Union	1950		X		
International Longshoremen's Association	1947			X	
International Association of Machinists	1949	X	X		
National Organization Masters, Mates, and Pilots of America	1948		X	X	
American Federation of Musicians	1950	X			
Brotherhood of Painters, Decorators, and Paperhangers of America	1951	X			
International Photo-Engravers' Union of North America	1950				X
Brotherhood of Railway Carmen of America	1950			X	
Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees	1947	X			
American Federation of Labor—Con.					
Retail Clerks International Association	1947	X			
United Slate, Tile and Composition Roofers, Damp and Waterproof Workers Association	1949			X	
International Brotherhood of Teamsters, Chauffeurs, Warehousemen, and Helpers of America	1950	X			
Congress of Industrial Organizations:					
International Union, United Automobile, Aircraft and Agricultural Implement Workers of America	1951		X		
International Union of Electrical, Radio and Machine Workers	1950		X		
United Gas, Coke and Chemical Workers of America	1950		X		
Federation of Glass, Ceramic and Silica Sand Workers of America	1950		X		
National Marine Engineers' Beneficial Association	1950				X
Industrial Union of Marine and Shipbuilding Workers of America	1951		X		
United Optical and Instrument Workers of America	1949		X		
American Radio Association	1949			X	
United Rubber, Cork, Linoleum and Plastic Workers of America	1950	X			
United Steelworkers of America	1950		X		
Transport Workers Union of America	1950		X		
Utility Workers Union of America	1950	X	X		
International Woodworkers of America	1950	X			
Independent or unaffiliated unions:					
Engineers, Architects, and Scientists, National Professional Association	1948				X
National Federation of Federal Employees	1950			X	
International Union of Life Insurance Agents	1950			X	
United Mine Workers of America	1948	X	X		
The Society of Tool and Die Craftsmen	1949				X
Brotherhood of Utility Workers of New England, Inc	1950	X			
National Union United Welders of America	1950	X			

[1] The omission of a union from this list does not necessarily mean that its constitution does not include provisions barring Communists.

UNION TRIAL PROCEDURES WHERE COMMUNISM IS AN ISSUE

The constitutions of the following unions covered trial procedures where communism may be an issue. These 10 unions were selected arbitrarily for illustrative purposes.

1. International Union, United Automobile Workers of America (AFL).
2. International Union, United Automobile, Aircraft, and Agricultural Implement Workers of America (CIO).
3. International Association of Bridge, Structural, and Ornamental Iron Workers (AFL).
4. Building Service Employees' International Union (AFL).
5. International Chemical Workers Union (AFL).
6. Hotel and Restaurant Employees and Bartenders International Union (AFL).
7. International Association of Machinists (AFL).
8. United Rubber, Cork, Linoleum, and Plastic Workers of America (CIO).
9. Brotherhood of Utility Workers of New England, Inc. (Independent).
10. International Woodworkers of America (CIO).

Generally, the trial procedures were listed under sections of the Constitution dealing with disciplinary matters. Usually, the procedures were not exclusively designed to handle charges of communism but could be utilized in any one of a number of specified violations of union constitutional provisions.

The procedure followed by the International Union, United Automobile, Aircraft, and Agricultural Implement Workers of America (CIO) may be of particular interest in view of the special attention paid to this problem at the UAW-CIO's March 1953 convention. The 1951 constitution of the union (art. 10, sec. 8) provided that members were ineligible to hold elective or appointive office in any UAW local union or in the international union if they were "a member of or subservient to any political organization, such as the Communist, Fascist, or Nazi organization." A detailed trial procedure (art. 48) by a local union trial committee (for charges involving the Communist issue as well as a number of others) provided in part that local trial committee verdicts of guilty could be reversed by a two-thirds vote of the local union membership. However, verdicts of acquittal were held as final and could not be reversed by the membership.

At the 1953 convention this trial procedure was changed. Amendments were passed to UAW's constitution which provide that local union trial decisions of acquittal involving charges of Communism (or other totalitarian leanings) could be reviewed by the international union executive board upon an appeal by any member of the local union or the UAW regional director. The international board could then order a retrial if it found that the verdict appeared to be contrary to the evidence. The intent of this amendment, as stated by a UAW spokesman, was to provide review of decisions "which may have been arrived at fraudulently or in a manner not consistent with this kind of a democratic organization."

The experiences which UAW had in dealing with Communist influence in its large Ford local 600 were in large part responsible for these amendments. In his 1953 report to the convention, UAW President Walter P. Reuther described how the international union intervened in local 600 to prevent 5 members from holding office who had been accused of subservience to Communist doctrine but who had been acquitted by a local union trial committee. President Reuther pointed out that the international union was able to act under certain "emergency" provisions. However, he recommended more adequate machinery "to deal with the few Communists in our ranks who, while attempting to take advantage of the democratic privileges that they have as members of our union, would use such privileges to weaken and destroy both our union and the free institutions of our country."

The trial procedure followed in one of the largest AFL affiliates, the International Association of Machinists, is outlined in the union's constitution effective April 1, 1949, as amended, and effective April 1, 1950:

"ARTICLE K

"Code—Charges

"SECTION 1. It is the duty of any member who has information of the violation of any

provisions of the constitution of the grand lodge or the constitutions of local lodges, by any member or members, to immediately prefer charges in writing against any such member or members by filing same with the president of the local lodge to which the accused member or members belong, who shall supply a copy of the same to the member against whom the charges are preferred and turn over the original charges to the committee provided for by the following section: (In the event the president, or the president and other officers of the lodge are involved in the charges filed, the next ranking officer shall proceed as herein set forth. In the application of this section the order of rank of officers shall be president, vice president, and past president. In the event the president, vice president, and past president are involved in the charges, or are absent, the recording secretary shall call for nominations of a temporary chairman and the members present shall immediately proceed to select a temporary chairman by majority vote. The temporary chairman selected shall then proceed to carry out the requirements of this section.)

"Appointment of trial committee

"SEC. 2. Whenever charges have been preferred against a member of a local lodge the president of such lodge shall immediately appoint a committee to investigate the charges, take testimony, and decide upon the guilt or innocence of the one accused. The committee so appointed shall within 1 week thereafter notify the member against whom the charges have been preferred as to the time and place, when and where, to appear for trial. (In the event the president, or the president and other officers of the lodge are involved in the charges filed, the next ranking officer shall proceed as herein set forth. In the application of this section the order of rank of officers shal be president, vice president, and past president. In the event the president, vice president, and past president are involved in the charges, or are absent, the recording secretary shall call for nominations of a temporary chairman and the members present shall immediately proceed to select a temporary chairman by majority vote. The temporary chairman selected shall then proceed to carry out the requirements of this section).

"Evidence

"SEC. 3. The accused shall have the privilege, either in person or by attorney (the attorney being a member of the local lodge) to cross-examine all witnesses appearing for the prosecution and present all such evidence as he may deem proper in his own behalf. The committee shall consider all of the evidence in the case and thereafter agree upon its verdict of guilty or not guilty. If the verdict be that of guilty the committee shall then consider and agree upon its recommendation of punishment.

"Appearance

"SEC. 4. If a member of a local lodge fails to appear for trial when notified so to do, the trial shall proceed as though he were in fact present.

"Trial procedure

"SEC. 5. 1. Call trial committee to order.

"2. Examine due books.

"3. Clear the trial chamber of all people except the trial committee, the trial reporter (who need not be a member of the International Association of Machinists), the plaintiff and his attorney, the defendant and his attorney, and a representative of the grand lodge, if in attendance.

"4. Segregate the plaintiff and the defendant.

"5. The plaintiff and the defendant shall remain in the trial chamber until trial is concluded.

"6. The Chairman shall read the charges and ask the defendant if he is 'guilty' or 'not guilty.' If the plea is 'not guilty' the trial shall then proceed.

"7. The plaintiff or his attorney shall present his case first.

"8. Witnesses shall be called into the trial chamber one at a time, and will leave the trial chamber upon completing their testimony, subject to recall by either the trial committee, the plaintiff, the defendant, or the representative of the grand lodge.

"9. Plaintiff's witnesses shall be called first.

"10. Defendant and his attorney shall have the right to cross-examine plaintiff's witnesses.

"11. Defendant's witnesses shall then be called.

"12. Plaintiff and his attorney shall have the right to cross-examine the defendant's witnesses.

"13. Before the trial committee shall begin their deliberations upon the testimony given, all persons except the trial committee, shall leave the trial chamber.

"Report of trial committee

"SEC. 6. The trial committee shall report at the next regular meeting of the local lodge. Such report shall be in two parts as follows:

"First. The report shall contain the findings and verdict of the trial committee together with a synopsis of the evidence and testimony presented by both sides.

"After the trial committee has made necessary explanation of its intent and meaning, the trial committee's verdict with respect to guilt or innocence of the defendant, shall be submitted without debate to a vote by secret ballot of the members of the local lodge.

"Second. If the lodge concurs with a 'guilty' verdict of the trial committee, the recommendation of the committee as to the penalty to be imposed shall be submitted in a separate report to the lodge and voted on by secret ballot of the members then in attendance.

"Voting on report

"SEC. 7. The recommendation of the committee may be amended, rejected, or another punishment substituted therefor, by a majority vote of those voting on the question, excepting that it shall require a two-thirds vote of those voting to expel the defendant from membership.

"If the lodge reverses a 'not guilty' verdict of the trial committee, the punishment to be imposed shall be decided by the lodge by a majority vote of those voting on the question, except that it shall require a two-thirds vote of those voting to expel the defendant from membership.

"Limit of fines

"SEC. 8. No fine shall be imposed upon any member or applicant eligible to membership in this association in excess of $50 unless the same is first approved by the executive council.

"Appeals

"SEC. 9. Appeals may be taken from the decision of any local lodge or grand lodge officer to the international president, provided, however, that such appeals must be taken within 30 days after the decision. Thereafter appeals may be prosecuted in accordance with the provisions of section 6, article XXV of the grand lodge constitution.

"Rights of members and lodges during appeal

"SEC. 10. While any member or local lodge is exercising the right of appeal the financial standing of such member or local lodge shall not be impaired by refusal to accept dues or per capita tax until after the executive council has passed upon the appeal. Should any member or local lodge decide to appeal from the decision of the executive council they must comply with the provisions of section 6, artcile XXV, of the grand lodge constitution. No individual member or local lodge shall appeal to the civil courts for redress until after having exhausted all rights of appeal under the provisions of this constitution and the constitution of the grand lodge."

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. BUTLER. Is it not true that there are other persons who are now officers of large unions who have been identified to be Communists?

Mr. GOLDWATER. I believe that if the membership of the Senate will read this statement very carefully, they will find the answer to the Senator's question, not once, but many times.

At this time I wish to compliment the task force committee which finally held hearings on this bill and on the other bills which were introduced. They did an excellent, thorough job. Representatives of every union in the country were invited to attend. Both sides were well represented, and all the members of the subcommittee deserve the hearty thanks of the Senate.

DISPOSITION OF ALIEN ENEMY PROPERTY

Mr. DIRKSEN. Mr. President, I am reluctant to detain the Senate at this hour on a matter which is somewhat diverse from the bill under consideration at present, but I feel that a record should be made, so I must embrace the opportunity to speak about a matter which has occupied the front pages of the newspapers for some days, namely, the disposition of alien enemy property.

I should like to make the record clear that it was in 1951 when the distinguished senior Senator from Wisconsin [Mr. WILEY] submitted a resolution calling for an investigation of the administration of the Trading With the Enemy Act. It is under that act that all alien property is administered. The resolution was adopted, and a committee was established, under the chairmanship of a very distinguished Member of the Senate, the late lamented Senator Smith, of North Carolina. The Senator organized the subcommittee, which was provided with a staff. In fact, the chief counsel of that subcommittee was a very able lawyer from the Senator's own State.

After the other members of the staff were assembled, the investigation began. As a matter of fact, I had no identity with it at that time, Mr. President; and it was not until 1953 that I became identified with the subcommittee, as its chairman.

That was a rather interesting experience, because I had helped the chairman of the Committee on the Judiciary set up all the subcommittees of that committee. I bent over backward to make sure I had no identity with this investigating committee. I thought everything was in good order at that time, and the subcommittees were about to be announced; so I went upon a journey to my State to address a dinner meeting at Bloomington, Ill. It was about midnight when the telephone rang, and I was called by the distinguished chairman of the Committee on the Judiciary.

He said, in effect, "You will have to take the chairmanship of this Subcommittee to Investigate the Trading With the Enemy Act."

I confess I was rather reluctant to do so, and I presented quite an argument at that rather unseemly hour. But the chairman was so insistent that as a result I found myself saddled with the chairmanship of this investigating subcommittee, along with a good many other duties on a good many other subcommittees.

There is only one thing I wish to say about the staff in that connection. When the late Senator Smith, of North Carolina, organized that subcommittee, I think the second man in command on that staff was a fine young gentleman of fine character by the name of John Nairn. I did not know him. I had never seen him before. But when a question was raised about the size of the various staffs of investigating subcommittees, I promptly dismissed all the subcommittee staff members but Mr. Nairn. I kept him for only one reason; that I needed some kind of an anchor post. I called Mr. Nairn to my office and told him, "You will be in charge until I can reorganize." Frankly, Mr. President, that is the first time I ever saw Mr. Nairn.

After examining the field somewhat and examining the interim report which that subcommittee had filed before I became its chairman, I then recruited some additional personnel, and took back two former FBI agents, young men of very fine character, who occupy positions of responsibility today, retaining them as a part of the investigatory staff of that subcommittee.

While I was going over the interim report and making some exploration of my own, I saw that a rather unhappy situation was developing between the Office of Alien Property and the War Claims Commission, which had been created by Congress and which administered extra benefits to veterans who had been incarcerated in prison camps, and which also provided for some extra benefits to certain religious organizations which had been damaged by the war effort in the Pacific, notably in the Philippines.

As I thought of it and anticipated some difficulty, I thought, "Surely the best man I can pick as chief of staff under those circumstances would be a man who enjoyed the confidence of the veterans of the country." It was only natural, I suppose, that my mind should turn to a very distinguished former commander of the American Legion by the name of Edward A. Hayes. His home then was in Decatur, Ill. His present home is in Chicago. He is identified with a very distinguished law firm in the city of Chicago.

When I called Mr. Hayes out of a clear sky late one afternoon, and told him what I had in mind, requesting that he come to Washington and assume a responsibility with that committee, his answer was a very prompt, emphatic "No." He said he could not afford to come back to Washington, D. C., for the amount of money we pay as salary here. I asked him not to close his mind, and asked him to board a plane and come to Washington, D. C., to discuss it.

At long last I did work out agreeable terms of a contract with him. So it was that Mr. Hayes, a very distinguished national commander of the American Legion, and probably one of the most beloved national commanders that great organization ever had, became identified with the investigatory staff of the Subcommittee To Investigate the Trading With the Enemy Act and the Administration of Alien Property.

I make note of those things, Mr. President, only because something quite diverse from what I say has appeared in the press. I have made it a rule in 22 years of public service, virtually, in this body and in the House of Representatives, not to respond to representations and misrepresentations which appear in the press. They do not concern me one bit, Mr. President, because I simply follow my own conscience and do the job as best I can.

But at least in the interest of two fine people—Ed Hayes, former national commander of the American Legion, and Mr. John Nairn, a fine young lawyer whose home is here in Washington, D. C., and who was first engaged by the very distinguished Member of this Senate on the other side of the aisle, the Honorable Willis Smith to join that staff—I wish to make these comments.

I retained Mr. Nairn. I have the greatest confidence in him.

Something was said in one of the accounts recently to the effect that Mr. Nairn had a law office and that he was sharing the cost of retaining a stenographer and sharing space in an office with another young attorney, who had diverse interests, identified, I think, with some interests that had some identity with another aspect of alien property. It could be, Mr. President. But I know Mr. Nairn. I know he is a man of character, and that is enough for me.

I may say to the Senate, for the purposes of the RECORD, that I was first alerted to that fact by a member of the board of directors of General Aniline and Film Corp., who called me and made it to appear that there might be a little difficulty. I lost no time on that. I called a meeting of the subcommittee. I think only one or two members were present at the time. And there in open hearings, where all the world could hear, I asked the questions of Mr. John Nairn, about where he was officing and whether he had any identity with any conflicting interest? If so, I stated I wanted to know about it immediately. So everything that has been done here, Mr. President, is a matter of open record.

I suppose this interest in alien property and some of the rather diverse attitudes that are being expressed may go back to the fact that we subpenaed some records from the Treasury Department; and after examining literally hundreds of pages of records, Mr. President, we discovered that one Harry Dexter White, whose name is known in rather unsavory fashion to the people of this country now because of disclosures about him, was the sparkplug and prime mover in the Treasury of the United States, and was identified with Mr. Henry Morgenthau and others, in completely reversing the whole concept of our administration of the enemy-alien property.

Some day, God willing, and if time permits, I will tell the whole story from the record of the hearings, and I will put the "bee" on Mr. White, even though he has been gathered up to the dust of his fathers long ago. But it was the distinguished Attorney General of the United States who, in a speech from Chicago over the networks, certainly read the pedigree of Harry Dexter White and his identity with subversive elements in this country, stating how he prostituted and subverted his responsibility in high position in the Treasury of the United States.

When we came across that trail, we began to wonder what we were going to do about the whole question of the disposition of alien property.

I may say to the Senate this evening, Mr. President, that there are still some vestiges of alien property undisposed of which go back in ancestry to the war in which I was a soldier, and that is more than a generation ago.

Now, when we have had former custodians of alien property come before open hearings of this subcommittee and there testify that insofar as they can determine, unless some summary action is taken with respect to this property, we will have it on our hands for the next 50 years, that certainly is a confession of mismanagement, if I ever heard one, from men who have occupied positions of responsibility in this Government.

That, Mr. President, was the job which I inherited as an unwilling legatee when I became chairman of the committee to investigate the administration of the Trading With the Enemy Act.

I may say that during the time I was chairman of that subcommittee, any number of bills were introduced affecting one aspect or another of this whole business of alien property.

The idea of making restitution of that property to alien enemy nationals was certainly not original with the junior Senator from Illinois. The fact of the matter is that shortly after I became chairman of that subcommittee, the distinguished Senator from New Mexico [Mr. CHAVEZ] introduced a short bill which had for its purpose the restitution of private enemy property to alien enemy nationals.

So I considered all the bills that were presented to the subcommittee from time to time, in the hope that at long last we might contrive some kind of agreeable measure, to deal with this question, because it involves hundreds of employees who continue on the payroll, and it involves $3 million of personnel expenditure every year, out of the body of these assets, for the personnel of the Alien Property Office in the Department of Justice. That should be sufficient incentive for anyone to do his very best in the hope of finding a rather practical, historic, traditional, and, shall I say, moral solution of a very difficult and complicated problem.

The distinguished senior Senator from New Jersey [Mr. SMITH], in conjunction with the distinguished junior Senator from New Jersey [Mr. HENDRICKSON],

introduced a bill, in the hope that we could find some refuge, some remedy, for the difficulty that inures today in the Alien Property Act because of the provisions of section 9 (a), because that provision says that when property is seized and when it is vested in this Government, and a claim is filed, the property cannot be disposed of until the claims are first disposed of. There is in the hands of this Government today the General Aniline and Film Corp., which, with its subsidiaries, is estimated as worth perhaps $100 million. That cannot be disposed of until we can find a way in existing law to deal with section 9 (a).

I have had what I thought were the best constitutional lawyers come before the committee and give us advice. Thus far, there has been great doubt as to whether in ex post facto fashion the Senate or the House of Representatives can now remake the law and can divest the original claimants of their rights under the act as it stands today. I myself have great doubt about it. I would have been willing to try it, but I could not sell the idea to the Senate Judiciary Committee, of which I am a member. So it became necessary to look in other directions, in the hope that we could find a solution.

After all that labor, we finally developed an omnibus bill, with a number of sections. One of the sections came from the bill introduced by the Senators from New Jersey [Mr. SMITH and Mr. HENDRICKSON]. Another section came from a bill which was introduced by the Senator from North Dakota [Mr. LANGER]. Two other sections came from original bills introduced by the Senator from Nevada [Mr. MCCARRAN]. One of the sections came from a bill introduced shortly before the last session of Congress adjourned. That bill found its way to consideration on the part of the Senate Judiciary Committee, but the committee took no action thereon.

Of course, I knew that the committee, of which I had been in charge as chairman, was about to run out of time. So I thought we should make a final report, surrender all the money we had, and do the best we could. We labored long and earnestly on the report; and we filed it, as I recall, on January 30 of this year.

But the letters kept coming in and hundreds of people kept coming in. Being charged with enough responsibility as it is, I simply could not take the additional load. So I said to the chairman of the Judiciary Committee, "If this matter is to be effectively administered, this committee will have to be kept alive, but I will not keep it alive, and I will not introduce a resolution to keep it alive."

So, on the last day of the life of that committee, Mr. President, I surrendered $37,000 that I kept over—which was in line with the promise I had made to the Committee on Rules and Administration, that all the money would not be expended—and I walked out of the picture, because it was a headache, as it was.

But the chairman of the Judiciary Committee came back with a resolution; and the life of the committee was extended to January 31, 1955, and the unexpended balance and an additional $10,000 were made available to it. So the business of finding an answer to this tangle and to the difficult problem of disposing of alien enemy property came to my desk all over again.

Then the labors began, early and late. I hesitate to think how many nights I beat on my own portable typewriter, writing out provisions here and there, in relation to a subject that is so abstruse, Mr. President, and requires confined application if one is to understand what this business is all about.

It was in the course of those deliberations, Mr. President, that I went to the White House, and talked to the President about this matter; and I went to the Secretary of State, and talked with him at least 3 times, perhaps 4 times, and indicated what was in my mind, and indicated the conviction that something had to be done in this field because if Germany was so important in the foreign-relations scheme of our country, then certainly we should look with some degree of sympathy upon a proposal to make a restitution of property, not to enemy governments, but to private enemy alien nationals.

Mr. President, we finally put that provision into the bill, and made it the essential concept of Senate bill 3423. It is on the Senate calendar at the present time.

Before I forget it, let me say that bill was reported unanimously by the Senate Judiciary Committee; and even our distinguished friend, the Senator from New Jersey [Mr. HENDRICKSON], voted for the bill, to get it out of committee and get it onto the floor, so it could be discussed here.

Mr. HENDRICKSON. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I yield.

Mr. HENDRICKSON. I wish the RECORD to be quite clear, Mr. President. I did not vote against the bill; but in the Judiciary Committee I said that I reserved the right to oppose the bill on the floor—which I expect to do, if the bill is called up.

Mr. DIRKSEN. That is correct. But there was no objection to the bill. So the bill is on the calendar today, by what we may call a unanimous vote of the Senate Judiciary Committee.

Mr. President, in the bill we undertake to follow a new philosophical approach.

The difficulty—O Mr. President, I should say the madness—that this man, Harry Dexter White, wrote into the law of this country, when he reversed the concept of the administration of alien enemy property, is something that we shall live with for half a century.

Ever since the days of Alexander Hamilton, ever since the first treaty which was proposed by John Jay, when he was our Minister abroad, this country has historically and consistently followed a pattern of trusteeship and custodianship with respect to the administration of alien property. There has never been any deviation, in all the generations since the founding of this Republic. It was not until that condign rascal, Harry Dexter White, whose calumny will be remembered always in the annals of this country, reversed the whole concept, and managed to get Henry Morgenthau to go along with it, that they proceeded upon the theory of confiscation, of the vesting and the seizing of all enemy property, by reducing it to cash and putting it into the Treasury of the United States.

So in Senate bill 3423 we undertook to make restitution of this property. Having gotten the bill ready, we set a hearing in room 318 of the Senate Office Building. Various persons showed up at the hearing. One of the witnesses was John Foster Dulles, himself. Certainly he was not for this specific bill; he did not know what was in it, as a matter of fact.

Mr. HENDRICKSON. Mr. President, will the Senator from Illinois yield to me at this point?

Mr. DIRKSEN. I yield.

Mr. HENDRICKSON. The Senator from Illinois said "we set a hearing." Will the Senator from Illinois state whom he means by "we"?

Mr. DIRKSEN. I think the committee.

Mr. HENDRICKSON. Well, I did not know anything about the meeting until I got a notice on my desk in my office, and I noticed particularly that the notice of the hearing said nothing about the Smith-Hendrickson-Ives bill, which seeks to do the same thing—namely, to restore property by proper compensation.

It was only in the hearing, after the hearing had opened, that I was able to get any opinions whatsoever in respect to the Smith-Hendrickson-Ives bill, which has been pending and on the calendar for almost 2 years, now.

Mr. DIRKSEN. That is correct, Mr. President; all those bills had been before the Judiciary Committee. We could never get any action taken on them. So we started with an entirely fresh bill; and it is the prerogative and the function of the chairman of the committee to call a meeting. Every member was adequately notified in advance.

So we held the hearing, and we had some very distinguished witnesses, including the Secretary of State himself.

Mr. President, I shall be circumspectly fair, and shall say the Secretary of State did not give his endorsement to this bill. But he endorsed the principle of the sanctity of private property, and that is the core around which Senate bill 3423 was built.

The distinguished Administrator of Enemy Alien Property, Col. Dallas Townsend, a very distinguished lawyer, came before the committee and testified at great length, and expressed his opposition to the bill.

Mr. President, it is rather interesting that the Department of Justice, through one of its responsible agents, should be opposed to the bill and should be opposed to the principle of the bill, but that the Department of State, through its most eminent authority, the Secretary of State himself, should appear in person and should endorse the principle embodied in the bill. I wish to make that clear; he could not be expected to know all about the details involved. He made some suggestions at the time.

The Alien Property Custodian made suggestions at the time. And we undertook then to, somehow, work over the bill, in the hope that we could find something that was practical, something that was workable. The best evidence of the kind of job we did is shown by the fact that, in addition to the original bill, we considered at least four different committee prints; and I have every one of them here, in a file. If any Member will examine the majority report, he will discover that we made 65 amendments in the bill, in order to meet every possible objection, where we reasonably could.

So at long last that bill went to the full Judiciary Committee of the Senate, and it was reported, and there was no objection to the bill.

Mr. HENDRICKSON. Mr. President, will the Senator yield?

Mr. DIRKSEN. There is no objection on the record.

Mr. HENDRICKSON. It is not fair to say there was no objection. I knew perfectly well that every other member of the committee but me was going to vote for the bill. I did not see any use of making a record of a "no" vote, so I voted "present" in order that I might appear on the floor of the Senate, if the bill was called up, and fight for the views expressed in my minority views.

Mr. DIRKSEN. Mr. President, I do not do violence to the position of the distinguished Senator from New Jersey. He did not vote against the bill. He says he voted "present." There was no objection in the committee. I am perfectly within my rights, Mr. President——

Mr. HENDRICKSON. Mr. President——

Mr. DIRKSEN. I am within my rights when I say that bill came from the committee by unanimous vote, because a "present"vote is not a negative vote. It is neither for nor against. The record must show that the bill came from the committee without any objection in the form of a negative vote.

Mr. HENDRICKSON. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. HENDRICKSON. All any Member of this body has to do is to read the minority views as expressed by the junior Senator from New Jersey, and he will know perfectly well that the Senator from New Jersey was opposed to the bill in the committee. I am not in the habit of doing futile things in anything in life.

Mr. DIRKSEN. Mr. President, I am delineating for the Senate what the record of the Judiciary Committee is. That must stand. There is the record. If anyone wants to take trouble to check, he can call the clerk of the Judiciary Committee and see what the vote was.

Mr. President, since that time there has been a good deal of newspaper comment, and in the New York Times today there appears an exchange of letters between Chancellor Adenauer, of the West German Republic, and President Eisenhower. I think those letters ought to be included in the RECORD, and I now ask consent to have them printed in the RECORD in connection with my remarks.

I have here also an editorial from the New York Times, which I think might well be included in the RECORD.

There being no objection, the letters and editorial were ordered to be printed in the RECORD, as follows:

ADENAUER'S LETTER

Mr. PRESIDENT: The Federal Government follows with special interest efforts of the United States Congress to find a solution to the problem of seized German assets in the United States. Despite the favorable development of relations between our two countries, this problem has remained unresolved. A solution to it is a special wish of my Government.

Thousands of Germans who, through no fault of their own, find themselves in an unfortunate economic situation—old people and pensioners, beneficiaries of insurance policies, and inheritances—hope that now, 9 years after the end of hostilities, their property will be released. Among them are numerous persons who have lost their means of livelihood and homes as a consequence of the war.

For all of them an early release would alleviate their hardships. Many Germans would be able to build their lives anew with these means. Moreover, seizure of these assets has affected precisely these German firms and persons who, through personal and business connections with the United States, have for many years formed the traditional bridge of friendship between our two countries. For them as well, the unresolved problem is an element of uncertainty.

STAND ON RECONSTRUCTION

In the opinion of the Federal Government and of the entire German public, the Federal Republic has expressed its will to contribute to reconstruction, on the basis of common principles of the Western World, through recognition of German foreign obligations in the London debt agreement, through ratification of the Bonn and Paris agreements, and through conclusion of the Israeli agreement.

An early solution to this problem lies specially close to the hearts of myself and my Government. It would not only have a far-reaching favorable psychological effect in that it would give the German people a feeling of security and increase its moral strength, it would also make a considerable contribution to furthering the friendship between our two peoples, so promisingly begun.

As the head of the Government of the Federal Republic, may I voice a request to you, Mr. President, that a contribution will also be made from your side that the hopes, so recently given life, will not be disappointed. Accept, Mr. President, the expression of my highest consideration.

ADENAUER.

EISENHOWER'S REPLY

AUGUST 7, 1954.

DEAR MR. CHANCELLOR: I was very much interested in your views on the question of the disposition of vested German assets in the United States, contained in your letter of July 17, 1954; and I appreciate the spirit in which your comments were offered.

You refer particularly in your letter to the hardships imposed on a large number of persons, many now advanced in years and without other means of support, whose small holdings in this country, in the form of pensions, life-insurance policies, interests in estates and bank deposits, have been vested. You state that early action to provide relief in such cases would be a major contribution to the strengthening of the ties of friendship between our two countries.

Because of the great dislocation in the German economy which took place as a result of the war, the Allied Governments decided to look to German assets in their territories as a principal source for the payment of their claims against Germany. The recovery of the German economy, which has progressed so rapidly and so well under your administration, was thus not hampered by a large reparation burden. In considering the problem of the vested assets, it is necessary therefore to take into account legitimate claims on the part of American citizens arising out of the war for which some provision should be made, if the original approach is reversed.

HIGH-MINDED LEADERSHIP

I am aware of the measures taken by the German Federal Government under your high-minded leadership to contribute to the relief of victims of Nazi persecution, and to reestablish normal economic and commercial relations with the countries of the free world. I also share your sympathy with individuals in straitened circumstances in Germany for whom the operation of the vesting program in this country created particular hardships. I am hopeful that it may be possible to take some remedial action in such cases, and at the same time provide some measure of compensation to those American nationals who incurred losses arising out of the war, with resultant hardship in many cases.

As you know, the solution of this complex problem lies with the Congress. Several bills dealing with the subject are now pending there, and members of my Cabinet and other Government officials have appeared and expressed their views. None of the measures thus far proposed have the approval of my administration, but you may be assured that this problem is receiving earnest consideration and it is my hope that a fair, equitable and satisfactory solution can be arrived at.

Sincerely,

DWIGHT D. EISENHOWER.

[From the New York Times]

THE ALIEN ASSETS PROBLEM

Taking a hand in the controversy over the disposition of German and Japanese properties seized during the war President Eisenhower has turned thumbs down on all bills for a return of these properties now before Congress. At the same time he asks Congress to find a fair, equitable, and satisfactory solution for what he calls the complex of problems involved. The President's statement, made in reply to Chancellor Adenauer's recent appeal for a return of the German properties, but applying to the Japanese properties as well, kills any chance for congressional approval of the restoration bills this year. But according to Press Secretary Hagerty this statement is not intended to reject Chancellor Adenauer's plea completely. In fact, the President shares the Chancellor's concern with individual hardship cases and promises remedial action for them.

At stake in this controversy is property valued at more than $500 million, consisting of industrial plants, ships, estates, trust funds, patents, trade-marks and some 500,000 copyrights to books, music compositions, and other works of creative art. There was never any question of our right to seize this property during the war to keep it from being used against us. But its final disposition has involved the United States in a dilemma between the principle of the sanctity of private property, which is part of our tradition and prompted the return of seized properties after the First World War, and the legal obligations assumed by both Germany and the western allies, including the United States, to utilize German foreign assets in lieu of reparations and in payment of war damages inflicted by the Nazis.

The principle of the sanctity of private property has been upheld by all American Governments prior to the last war and is advanced again in defense of the restoration

proposals by such bodies as the Chamber of Commerce of the United States, the American Legion, the New York Bar Association, and also by Secretary Dulles. It is urged that American confiscation of private property tends to endanger American investments abroad and to give new encouragement to communism, which gained impetus in Guatemala, for instance, by exploiting the Washington-inspired confiscation of German land holdings to urge like action against the "Yanquis."

But in an age of total war, which hits soldiers and civilians alike, that argument is beginning to lose force, and the special depredations of the Nazis make it even more difficult to uphold. In any case, President Eisenhower rightly points out that in solving the problem it is necessary to take into account both the legitimate compensation claims of American citizens and the war damage claims of our allies. France, Belgium, and the Netherlands in particular fear that our return of the seized properties would expose them to German pressure to do likewise, depriving them of any compensation. These are matters which Congress also will have to consider.

Mr. DIRKSEN. There are other editorials which might well be included and, as they come to hand, I may include them in these remarks.

Mr. President, I do not wish to detain the Senate too long, but I should like to say that fundamentally we wrote a bill that got away from the idea of confiscation. The distinguished Senator from New Jersey [Mr. HENDRICKSON] has set forth his views in the minority views which he filed. He disagrees, and I respect his views. I simply do not share them, for one thing, and I wish to make it abundantly clear that when it comes to dealing with the property of alien enemy nationals we are following a policy that is borne out by every element and every part of our tradition from the beginning of the Republic, and that tradition also has the sanction of the American Bar Association. I noticed in the minority views that the Senator from New Jersey made some allusion to that fact, but I rather fancy that he did not see quite all of the report, because the item to which he alludes, insofar as I have been able to check, was never submitted to the house of delegates of the American Bar Association for an expression of opinion. The bar has expressed itself in line with the tradition of this country.

Mr. President, my good friend submitted minority views——

Mr. HENDRICKSON. Mr. President, I do not want to interrupt the Senator too frequently.

Mr. DIRKSEN. That is quite all right.

Mr. HENDRICKSON. But I do not admit that statement at all. The minority views show the contrary. I shall let the minority views speak for themselves.

Mr. DIRKSEN. Mr. President, I cannot let the minority views speak for themselves, because I am going to put in the RECORD now a letter that was written by Mr. Otto C. Sommerich, identified with the American bar, dated February 8, 1954, addressed to Mr. Hayes, who was chief counsel of the subcommittee. He gave the details and the circumstances in connection with what happened in the house of delegates of the American Bar Association, and I shall insert it with my remarks so that they are properly documented.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FEBRUARY 8, 1954.

EDWARD A. HAYES, Esq.,
Chief Counsel, Subcommittee on Trading With the Enemy Act, Committee on the Judiciary,
Washington, D. C.

DEAR MR. HAYES: I am very much gratified that in the report made by the Subcommittee To Examine and Review the Administration of the Trading With the Enemy Act of the Committee on the Judiciary the subcommittee gave so much space to the report of the American Bar Association (p. 10, et seq.). This report, as you know, was drawn up by me when I was chairman of the special committee on the custody and management of alien property.

In the letter of Senator KEFAUVER (p. 74 of the subcommittee print), he states that a report by a committee of the American Bar Association, urging a view contrary to the report of the special committee aforesaid, was adopted by the American Bar Association House of Delegates December 20, 1945.

I have before me a copy of the minutes of the proceedings of the house of delegates of that day and all that was adopted (reports of American Bar Association, vol. 70, 1945, p. 136) was the recommendation of the section of international and comparative law to create a judicial commission to consider and adjudicate claims of American nationals against Japan, Germany, Italy, Bulgaria, Hungary, and Rumania.

It does not appear that the report was presented for action by the house of delegates. Attention was called (p. 154) to the supplemental report (p. 288) of the committee on custody and management of alien property, which states that the majority of the members of the committee had notified the Judiciary Committee of the House of Representatives that they were in favor of H. R. 375 providing for the return to persons who were never hostile to the United States of properties and interests vested in the Alien Property Custodian.

With sincere appreciation of the very effective work that you have done, concerning which Colonel Fillman has reported to me on several occasions, I remain,

Very sincerely yours,

OTTO C. SOMMERICH.

Mr. HENDRICKSON. Mr. President, at this point I wonder if the Senator would object if I were to ask unanimous consent that the minority views be inserted at this point in the RECORD.

Mr. DIRKSEN. I have no objection. Perhaps we should insert the majority report, too.

Mr. HENDRICKSON. I have no objection to that.

Mr. DIRKSEN. Mr. President, if there is no objection, I suggest that the majority report and the minority views appear in connection with my remarks.

There being no objection, the majority report (No. 1999), 83d Congress, 2d session, and the minority views (pt. 2 of Rept. 1999) were ordered to be printed in the RECORD, as follows:

REPORT TO ACCOMPANY S. 3423

The Committee on the Judiciary, to which was referred the bill (S. 3423) to amend the Trading With the Enemy Act, having considered the same, reports favorably thereon, with amendments, and recommends that the bill, as amended, do pass.

AMENDMENTS

1. On page 1, line 5, following the word "vested", add the following: "or payment made to the United States in lieu of vesting)."

2. On page 1, lines 9 and 10, strike the words "reduced by final adjudications against the property under section 34 of the act" and insert in lieu thereof the following: "reduced by any payments against the property under section 34 of the act and any compensation received by the owner with respect to such property from the government of any nation pursuant to, or as a result of, any treaty or other international agreement between the United States and such nation."

3. On page 2, line 2, before the word "person", insert the word "natural."

4. On page 2, line 13, following the word "That", add the following: ", except for the Government of Italy,".

5. On page 2, line 14, following the word "return", add the following: "involving property other than consular or diplomatic property (or proceeds resulting from the sale thereof)."

6. On page 2, line 19, following the word "section", insert "(1)."

7. On page 2, line 23, following the word "Germany", strike the words "or Austria" and insert the following: "German territory under provisional Polish or Soviet Administration."

8. On page 2, line 23, before the word "China", insert the word "Communist."

9. On page 2, line 24, following the comma appearing after the word "Union", add the words "or other Communist-dominated countries,".

10. On page 2, line 25, following the word "or", insert "(2)."

11. On page 2, line 25, before the word "person", insert the word "natural."

12. Beginning on page 2, line 25, after the word "crimes", strike the words "by Allied Occupation Tribunals or by German denazification courts" and insert in lieu thereof the following: ", as hereinafter defined,".

13. On page 3, line 1, immediately preceding the colon, add the following: "(3) to the owner of such property at the time of vesting, or to the legal representative or successor, as the case may be, of such owner, until the Attorney General, or the officer or agency authorized to make such return has received a certificate from the Department of State that it has obtained satisfactory assurances that such property will not, upon the return thereof, be seized or treated, directly or indirectly, as enemy property by any foreign government having jurisdiction over such property or the owner thereof; or (4) if such property was located in the Philippine Islands at the time of vesting and such property, or the proceeds thereof, is subject to transfer to the Republic of the Philippines under the Philippine Property Act of 1946, as amended."

14. On page 3, line 5, after the word "Custodian," add "his successor or successors,".

15. On page 3, line 9, strike the word "relief" and insert in lieu thereof the word "release."

16. On page 3, line 9, beginning with the word *"Provided"*, strike all down to and including the colon following the word "owners" on page 3, line 23, and insert in lieu thereof: *"Provided further*, That the President may, within 60 days from the date of enactment hereof, find that it is in the national interest to require any owner or owners to dispose of their right, title, and interest in said property to citizens of the United States within 12 months from the date of return thereof to such owner or owners; in which event, the vested property shall be forthwith returned to the owner or owners thereof encumbered with the aforesaid condition, and the United States District Court for the District of Columbia, upon the application of the Attorney General shall enter a judgment or decree of divestiture to such

effect, and said court, recognizing the person to whom the property is returned as the owner thereof, shall order said person, if shares of stock representing the voting control of a corporation be the returned property, to nominate three voting trustees of United States citizenship, subject to the approval of such trustees by said court, which voting trustees shall elect a board of directors entirely of United States citizenship, so that there will be secured and safeguarded, until divestiture is complete, the operational, manufacturing, trading, research, and other secrets of such returned property, or of the business or other activity represented thereby or connected therewith, against disclosure to or use by foreign interests; and such judgment or decree shall also provide that if the owner or owners do not so divest themselves within said 12 months' period, the Attorney General may thereafter sell forthwith such property at public auction and remit the proceeds to the owner or owners: *Provided further,* That if the Attorney General finds that (1) any vested property or interest consists of shares of stock of a corporation organized under the laws of any State, Territory, or possession of the United States or the District of Columbia, (2) at least one-third of the total outstanding shares of common stock of such corporation is registered in the names of citizens of the United States, and (3) return of the vested shares of stock of such corporation to the owner or owners would materially prejudice the interests of such citizen stockholders, he may require, as a condition precedent to return pursuant to this act, that such vested stock be sold at public sale to citizens of the United States submitting the highest bid, after public advertisement of the time and place of sale, and in such event such corporation shall be entitled to receive from such proceeds of sale reimbursement for any payments made or payable to any government because of an alleged enemy interest in such vested stock, and the balance of the proceeds of such sale, except as otherwise provided in this act, shall be remitted to the owner or owners."

17. On page 3, line 25, strike the words "Alien Property Custodian" and insert in lieu thereof "Attorney General."

18. On page 4, line 10, strike the words "Alien Property Custodian" and insert in lieu thereof "Attorney General."

19. On page 4, line 11, strike the period following the word "therefor", insert a colon in lieu thereof and add the following: "*Provided further,* That in cases where the seized properties consist solely of shares of stock in a corporation whose properties are located in the United States, and a valid option exists in favor of resident stockholders giving rise to the right to purchase the seized stock in the event the owner desires to sell such stock, the return of such stock shall be deemed and treated in law and equity as a prospective sale at the value thereof to be determined by the Attorney General, thereby entitling such option holders to exercise their rights in accordance with the terms, provisions, and conditions of such option."

20. On page 4, line 21, after the word "Custodian", insert the words "his successor or successors."

21. On page 5, line 6, following the period, add the following: "Return of any invention pursuant to this section shall be subject to existing licenses issued by the Alien Property Custodian, his successor or successors, and shall not include any rights of the Alien Property Custodian, his successor or successors, to revoke such licenses."

22. On page 5, line 14, after the word "Custodian", add the following: "his successor or successors."

23. On page 5, line 17, after the word "Custodian", add the words ", his successor or successors."

24. On page 6, line 2, after the word "Custodian", add the following: "his successor or successors."

25. On page 6, line 3, after the word "Custodian", add the following: ", his successor or successors."

26. On page 6, line 9, after the word "Custodian", add the following: "his successor or successors."

27. On page 6, line 11, after the word "Custodian", add the following: ", his successor or successors."

28. On page 6, line 22, after the word "Custodian", add the following: ", his successor or successors."

29. On page 7, line 3, strike the words "Alien Property Custodian" and insert in lieu thereof "Attorney General."

30. On page 7, line 7, following the word "located" strike the period, insert a colon and the following: "*Provided,* That if a determination by the Alien Property Custodian, his successor or successors, is under review in a court of the United States, under the provisions of section 34 with respect to such property, publication of such notice of intention to return shall not be made until entry of final judgment by the court or courts of such review. At the same time a similar notice shall be given by registered mail to any person who has theretofore filed with the Alien Property Custodian, his successor or successors, any claim to such property or any claim against the person to whom it is proposed to return such property."

31. On page 7, line 21, strike the words "Alien Property Custodian" and insert in lieu thereof "Attorney General."

32. On page 8, line 1, after the word "Custodian", add the following: ", his successor or successors."

33. On page 8, line 4, strike the words "Alien Property Custodian" and insert in lieu thereof "Attorney General."

34. On page 8, line 9, strike the words "Alien Property Custodian" and insert in lieu thereof "Attorney General."

35. On page 8, line 13, strike the words "Alien Property Custodian" and insert in lieu thereof "Attorney General."

36. On page 8, between lines 16 and 17, insert the following new subsection:

(g) As used in this section—

"(1) 'The Russian Zone Occupation of Germany' shall be deemed to be composed of that part of Germany that is presently called the Soviet Zone of Occupation, and the Russian Sector of Berlin;

"(2) 'Other Communist-dominated countries' means any country or part thereof, except Austria, that was actively governed by Communist civilians or occupied by Communist forces either on January 1, 1954, or at any time thereafter prior to the return of the property, if such country or part thereof is still so governed or occupied at the time of the return of such property; and

"(3) 'Convicted of war crimes' means the entry of judgment against any person who has been convicted personally and by name by a court of competent jurisdiction (as defined by the Vested Property Commission) of murder, ill treatment, or deportation for slave labor, of prisoners of war, political opponents, hostages, or civilian population in occupied territories, or of murder or ill treatment of military or naval persons, or of plunder or wanton destruction without justified military necessity."

37. On page 8, line 20, before the word "with", insert the words "by and" and following the word "the" insert the words "advice and."

38. On page 9, line 13, strike the words "with the Commission and."

38 (a). On page 9, line 14, strike the words "Office of Alien Property" and insert in lieu thereof the words "Attorney General."

39. On page 9, line 16, strike the word "Commission" and insert in lieu thereof the words "Attorney General."

40. On page 9, lines 18 and 19, strike the words "in the Office of Alien Property" and insert in lieu thereof the words "with the Attorney General."

41. On page 9, line 19, beginning with the words "it shall" strike all down to and including the words "Alien Property" on line 21 and substitute in lieu thereof the following: "no additional claim need be filed."

42. On page 9, line 23, strike the words "Office of Alien Property" and insert in lieu thereof "Attorney General."

42 (a). On page 9, line 25, strike the word "it" and insert in lieu thereof the word "he."

43. On page 10, line 1, beginning with the word "of", strike all down to and including the word "Register" on page 10, line 2, and insert in lieu thereof the following: "of notice in the Federal Register as required by section 40 (f) of this act."

44. On page 10, line 3, preceding the word "claims", insert the word "title."

45. On page 10, line 5, following the word "That", insert the following: ", subject to the provisions of section 40 (f) of this act,".

46. On page 10, lines 5 and 6, strike the words "Office of Alien Property" and insert in lieu thereof "Attorney General."

46 (a). Page 10, line 6, strike the word "forthwith."

47. On page 10, line 7, following the word "property", insert the following: ", subject to the provisions of section 46 (c) of this act,".

48. On page 10, line 7, strike the words "where a claim was filed" and insert in lieu thereof the following: "where an owner, legal representative, or successor has filed a claim."

49. On page 10, line 8, before the word "claim" insert the word "title."

50. On page 10, line 12, before the word "claim" insert the word "title."

51. On page 10, line 14, strike the words "Office of Alien Property" and insert in lieu thereof "Attorney General."

52. On page 10, line 14, strike the words "said Office" and insert in lieu thereof "the Attorney General."

53. On page 10, line 18, strike the words "said Office" and insert in lieu thereof "the Attorney General."

54. On page 10, line 19, before the word "claims" insert the word "title."

55. On page 10, line 22, strike the words "Office of Alien Property" and insert in lieu thereof "Attorney General."

56. On page 10, line 23, following the word "days", strike the words "from publication in the Federal Register" and insert in lieu thereof the words "after notification to the claimant by registered mail,".

57. On page 10, lines 24 and 25, strike the words "a claimant's right" and insert in lieu thereof the following: "the right of a claimant, otherwise eligible,".

58. On page 10, line 25, strike the words "prosecute an action" and insert in lieu thereof "pursue his remedies."

59. On page 11, line 1, following "(a)", insert "or section 32."

60. On page 12, line 3, following the word "Commission", add the following: "and the expense of the Alien Property Custodian, his successor or successors,".

61. On page 12, line 6, strike the words "Office of Alien Property" and insert in lieu thereof "Attorney General."

62. On page 12, line 14, strike the words "Office of Alien Property" and insert in lieu thereof "Attorney General."

63. On page 12, line 17, strike the words "Office of Alien Property" and insert in lieu thereof "Attorney General."

64. On page 13, line 10, strike the words "Office of Alien Property" and insert in lieu thereof "Attorney General."

65. On page 13, following line 17, add the following:

"SEC. 2. (a) Section 39 of the Trading With the Enemy Act of 1917, as amended, is hereby repealed."

(b) Subsection (g) of section 32 is hereby amended to read as follows:

"Without limitation by or upon any other existing provision of law with respect to the payment of expenses by the Alien Property Custodian, his successor or successors, the Attorney General may retain or recover from any property or interest or proceeds returned pursuant to this section, section 9 (a), or section 40 of this act an amount not exceeding that expended or incurred by him for the conservation, preservation, or maintenance of such property or interest or proceeds, or other property or interest or proceeds returned to the same person."

STATEMENT

Introduction

The final report of the subcommittee of the Committee on the Judiciary, created to examine and review the administration of the Trading With the Enemy Act, recommended that legislation be drafted which would eliminate the inequities, injustices, and inconsistencies found to exist in the Trading With the Enemy Act and its administration. This group, established by a special resolution approved by the Senate, made this recommendation after an exhaustive study, completed after almost 2 years of intensive examination. The report, which was approved by the full Judiciary Committee, made several suggestions by which the primary recommendation might be implemented. The greater part of these suggestions have been incorporated in this bill as reported. Chief among these are:

1. Provision for the return of private property confiscated under the act to individuals not convicted of war crimes.

2. Provision for retention of the private property of former enemy governments.

3. Provision for a reasonable and appropriate charge against property so returned as a reimbursement for custodial charges.

4. Provision for adequate protection of claims of American citizens pending against the confiscated assets.

5. Provision vesting the President of the United States with the discretionary power, upon a finding of national interest, to dispose of alien holdings in property located in the United States to bona fide American purchasers, the proceeds of sale less custodial charges to be returned to the alien owners.

This bill represents the fruition of long and arduous effort on the part of those Senators comprising the special subcommittee and its staff. It was the product of careful study, and has been examined in detail by the full committee, as befits a bill of this importance.

The policy expressed in this bill is not new. It had its genesis, so far as this Nation is concerned, in the early phase of the Republic and was expressed in the Jay Treaty of 1794. Recently the United States, through a series of executive agreements, and one legislative enactment, has departed from this historic and traditional policy. This bill restores the early American perspective and constitutes a reaffirmation of the fundamental respect which this Nation possesses for the sanctity of private property.

HISTORIC POLICY

The United States, in policy and practice, until 1945 consistently observed a policy of nonconfiscation of private property in war and peace. In time of war, custodianship of the property of enemies has been undertaken to reduce the property as an effective weapon in the war effort of the enemy, but this custodianship did not, until recent years, evolve into a policy of confiscation. This policy of nonconfiscation was set forth by John Marshall in 1814 in *Brown* v. *United States* (8 Cranch 110). Treaties embodying this basic principle were offered during the first century of our national existence to practically all foreign nations (American Policy Relative to Alien Property, S. Doc. No. 181, 69th Cong., 2d sess., pp. 5, 19) (1926). This nonconfiscatory principle is exemplified, not only in the treaties of this period but also throughout Executive policy, as expressed in other international agreements.

The policy of nonconfiscation was practiced during World War I through the establishment of an Office of Alien Property Custodian. The word "Custodian" was well chosen and is reflective of the intention of the draftsmen of the basic act. The Trading With the Enemy Act of 1917 (40 Stat. 411) followed the theory of nonconfiscation.

However, the Treaty of Versailles which was never ratified by the United States, departed from this historic concept and provided that the external enemy assets should be used to pay private debts and public reparations. Notwithstanding the treaty, the Winslow Act of 1923 (42 Stat. 1511) provided for the return of property or its net proceeds up to a maximum of $10,000 to each owner. Some 5 years later, the Settlement of War Claims Act (45 Stat. 254) made final return of all property, except that return of a minor portion of the property was conditioned upon payment of certain obligations by the former enemy governments.

With the advent of World War II, the property of enemy aliens was again placed under the protective custody of the United States. The vehicle used was a rejuvenated version of the 1917 act which still referred to the trustee of such property as a "Custodian." In the early years of the war, specifically on March 29, 1943, the house of delegates of the American Bar Association approved the recommendations of its committee on custody and management of alien property, which reported in part as follows:

"Confiscation is contrary to the principles of law. It is contrary to our constitutional law principles, and to the principles of international law. When the reign of law for which we are fighting returns, parties injured by confiscation may be expected to seek just redress; and a just administration of law may be expected to award such redress. It has been so in the past, and if the basic traditional concepts of justice have meaning, it will be so again.

* * * * *

"'No powers of language at my command can express the abhorrence I feel at the idea of violating the property of individuals, which in an authorized intercourse in time of peace has been confided to the faith of our government and laws, on account of controversy between nation and nation. In my view, every moral and every political sense united to consign it to execration.' (Alexander Hamilton in defense of article X of the Jay Treaty of 1794.)

* * * * *

"A confiscatory policy strikes not only at the interest of particular individuals but at the foundation of international intercourse, for it is only on the basis of the security of property, validity possessed under the laws existing at the time of its acquisition, that the conduct of activities in helpful cooperation, is possible * * *. Rights acquired under its laws by citizens of another state (a state) is under an international obligation appropriately to recognize. It is the policy of the United States to support these fundamental principles (Secretary of State Hughes, at Philadelphia, November 23, 1923).

* * * * *

"Such action would not be in keeping with international practice and would undoubtedly subject this Government to severe criticism. Moreover, the confiscation of these private funds by this Government and their distribution to American nationals would react against the property interests (some very large) of American nationals in other countries. It would be an incentive to other governments to hold American private property to satisfy claims of their nationals against this Government and to pass upon such claims in their own way. It is important from my point of view, therefore, that the United States should not depart in any degree from its traditional attitude with respect to the sanctity of private property within our territory whether such property belongs to nationals or former enemy powers, or to those of friendly powers. A departure from that policy and the taking over of such property, except for a public purpose and coupled with the assumption of liability to make just compensation, would be fraught with disastrous results (Secretary Hull, May 27, 1935)."

Despite this background, however, confiscation of alien property became our international policy after World War II through a series of executive agreements, and ultimately our domestic policy as well.

The policy now being pursued was conceived and dedicated in an agonizing hour of history. It was born of design and wartime prejudice. But as Secretary of State John Foster Dulles pointed out in discussing United States policy with respect to Germany—

"But the lapse of time restores reason to its proper place, and now 9 years having passed, we should be able to invoke wisdom and statesmanship to be our guides (Department of State Publication No. 5408, p. 3)."

Applying a rule of reason, this Nation should now return to its historic policy, meeting and overcoming such difficulties as may have been caused by the temporary departure from principle.

THE ISSUES INVOLVED

(*a*) *Foreign policy*

Since the conclusion of the Second World War, the Congress has authorized expenditures in excess of $3 billion for the economic rehabilitation of Germany. This financial support was furnished in an effort to sustain the democratic areas of Germany as a bulwark in the death struggle between representative democracy and Communist totalitarianism. By like token, similar expenditures have been made to support the rebuilding of Japan. These appropriations have undoubtedly resulted in recuperation of these nations from the devastation remaining after World War II. However, the good will which might otherwise have resulted from such generosity has been diminished by the action of this Nation in continuing to expropriate property of individual citizens of those countries. These individuals have on a number of occasions addressed letters to the Committee on the Judiciary expressing their bewilderment at a policy so generous on the one hand and so niggardly on the other. There can be little question but what these individuals have been alienated by the shortsighted policy of confiscation which has been pursued by the United States Government since World War II. It must be exceedingly difficult for these persons to understand why some of the industrial properties remain intact in Germany and Japan while return of their property is being consistently refused.

This Nation is now embarked upon a foreign policy in which the Bonn Republic is to assume the status of an equal partner in the alliance against Communist aggression. The joint statement of President Eisenhower and British Prime Minister Sir Winston Churchill of June 28, 1954, declared:

"We are agreed that the German Federal Republic should take its place as an equal partner in the community of Western nations, where it can make its proper contribution to the defense of the free world."

Partnership presupposes equality. Yet it is difficult to discover any evidence of equality in a policy which permits one partner to seize and permanently retain property belonging to citizenry of the other. West Germany can be expected to become an effective partner in any Western alliance only so long

as the grassroots of that nation support the alliance.

These observations apply with like force to Japan and the Japanese people.

The concession to equality represented by this bill involves the return or property with an estimated value of $500 million. This is by no means a small amount; however, it represents but one-sixth of the amount already invested in an effort to rehabilitate the West German Republic and thereby create a reservoir of good will upon which this Nation may draw in the struggle with world communism. If the expenditures of this Nation looking toward Japanese recovery is added, the proportion this authorization bears to moneys already advanced is even smaller.

The Attorney General of the United States and others have long raised the question of international agreements as a bar to a return to a policy of nonconfiscation. These international agreements date back as far as the Yalta agreement. The protocol on German reparations signed by the heads of the Governments of Great Britain, Russia, and the United States declared:

"2. Reparations in kind are to be exacted from Germany in three following forms:

"(a) Removals within 2 years from the surrender of Germany or the cessation of organized resistance from the national wealth of Germany located on the territory of Germany herself as well as outside her territory (equipment, machine tools, ships, rolling stock, German investments abroad, shares of industrial, transport, and other enterprises in Germany, etc.), these removals to be carried out chiefly for purpose of destroying the war potential of Germany. (S. Doc. 123, 81st Cong., 1st sess., p. 32.)"

State Department Publication No. 2630, in setting forth the Potsdam agreement on August 1945, states on page 33, as follows:

"1. Reparation claims of the U. S. S. R. shall be met by removal from the zone of Germany occupied by the U. S. S. R. and from appropriate German external assets.

"2. The U. S. S. R. undertakes to settle the reparation claims of Poland from its own share of reparations.

"3. The reparation claims of the United States, the United Kingdom, and other countries entitled to reparations shall be met from the Western Zone and from appropriate German external assets."

At the Paris Reparation Conference of December 21, 1945, 18 allied governments agreed as follows:

"a. Each signatory government shall, under such procedures as it may choose, hold or dispose of German enemy assets within its jurisdiction in manners designed to preclude their return to German ownership or control and shall charge against its reparation share such assets (net of accrued taxes, liens, expenses of administration, other in rem charges against specific items and legitimate contract claims against the German former owners of such assets)."

This policy of confiscation of vested German private property as reparations gained additional recognition in the Bonn Convention of May 26, 1952, concluded by the West German Republic on the one hand and the United States, Great Britain, and France on the other. This agreement, however, is not now in force.

All of these agreements, it is important to note, were executive, and cannot be construed in any way to limit the power of Congress to deal with alien property as it sees fit.

Secretary of State John Foster Dulles in his testimony before the subcommittee on July 2, 1954, made eminently clear that these agreements are not a bar to return by stating, in answer to questions as to the implications of these various agreements as they might affect return of confiscated property by Congress:

"In my opinion, the agreement, whatever its intent may be as an executive agreement, was without authority whatever to bind the Congress of the United States in this matter. The property had been vested by action of Congress. I believe Congress has the right to decide what to do about the matter. I do not believe that the freedom of Congress in this matter has been curtailed in any way by this executive agreement. I am not a believer in the power of the President, through executive agreements, to cut across the normal legislative powers of Congress.

"I may say that, as a matter of interpretation of that agreement [Paris Reparations Agreement], it can be argued that it was not intended to operate in perpetuity but was designed as a temporary measure perhaps to assure against a revival of German militarism and the use of German important commercial assets possibly as an instrument of German militarism. I think that that danger was passed and that if the agreement be given that interpretation—which I think is a reasonable one—then the action which you contemplate is not only compatible with the powers of Congress but also is compatible with the executive agreement."

The committee has no difficulty in agreeing with this analysis of the Secretary of State.

(b) *Protection of American interests abroad*

This Nation, which has encouraged investments abroad by American citizens, is consistently being troubled in many areas of the world by the action of nations which persist in disregarding the rights of owners of private property. The protests of this Nation in those areas are often unavailing, but the force of such protests is diminished as this Nation itself continues a policy of confiscation of private property. The subcommittee in its final report pointed out that "billions of dollars of American investments abroad and additional risk capital for the development of world markets is jeopardized by this policy of confiscation which sets an unfortunate precedent for similar action against our own investors by foreign sovereign governments."

The Secretary of State, in response to a question on this point observed:

"I recognize that there is force in what you say, to the effect that our own position to protect American interests abroad is strengthened if we protect foreign interests that are here.

"I would think that in an era when we expect the American interests abroad, American capital investments abroad, that it is wise for us to adhere ourselves strenuously to the highest standards of conduct in relation to those matters. That puts us in a better position to call upon others to apply the same standards."

The United States cannot long continue an anomalous policy of supporting confiscation at home and condemning it abroad. Even when the inconsistency of such action does not prove troublesome momentarily, it threatens to plague this Nation and its citizens in the future.

(c) *Protection afforded American citizens by this bill*

Although the committee is convinced of the correctness of its decision that the property involved in this bill should be returned, the committee still maintains a strong desire to afford every possible protection to American citizens who may be affected in some manner by the return of this property. The committee has sought to afford such protection throughout the bill, notably in the provisions permitting notification by registered mail to claimants having a direct interest in the property to be returned. Reference is made to other provisions helpful to citizens of the United States in the detailed analysis appearing later in this report. Suffice it to say, that wherever the committee discovered an instance in which additional protection for American citizens was justified, and could be incorporated within the framework of this measure, language was adopted to accomplish that purpose.

(d) *Administration*

The Department of Justice has urged that these properties are so involved that return to former owners presents an administrative impossibility. This argument the committee cannot accept.

To admit that mistakes of the past cannot be corrected is a sign of weakness. This bill, as amended, has met all reasonable administrative objections which have been pointed out in opposition to the proposal.

(e) *Appropriation*

The appropriation necessary to implement return of confiscated property is said by opponents of the measure to be too costly. Estimates of the appropriations needed have been made as high as $225 million. However, the Department of Justice, in a letter to the Judiciary Committee, wherein opposition is made to this bill, estimates that the sum required will be approximately $175 million.

For those who are agreed that a policy of confiscation of private property is inimicable with historic policy, public interest, and sound judgment, there is no question of appropriation to reimburse individuals from whom property has been seized.

The necessity for appropriation arises by reason of the fact that certain confiscated property was liquidated and used to pay just and honorable obligations of this Government to certain of its citizens who bore an undue personal burden during World War II. Undoubtedly these obligations would have been acknowledged by the Congress even if this fund had not been available. Similar compensation is being urged for veterans of the Korean conflict, payment of which is to be made from funds appropriated from the United States Treasury. This is the posture which the World War II legislation could, and in the judgment of many should, have assumed.

Lastly, it is said that even conceding the advisability of return, such return should be based upon the value of the property as of the date of seizure. This reasoning, which has most recently been raised against the general proposal of return to a policy of nonconfiscation, is most fallacious. If the Government of the United States is to act only as a custodian, holding property to prevent its possible use against us in time of war, then the accretions of that property should not be subject to confiscation any more than the original assets.

While it is true that many properties have increased materially in value there are many others whose values have been completely destroyed during the period of Government operation. The value of still other properties have remained static, neither producing income nor increasing or decreasing in principal value. To talk of adjustment for such increase or decrease is obviously unrealistic, impracticable, and inconsistent with the policy of nonconfiscation.

SYNOPSIS OF THE PROVISIONS OF THE BILL

This bill proposes an amendment to the Trading With the Enemy Act by adding seven sections which will, with certain exceptions, provide for the return of alien property vested by the Custodian during, and immediately following, the Second World War. The exceptions to this general return are:

1. The private property (as distinguished from consular and diplomatic property) of governments with which the United States has been at war since 1941.

2. Persons who, on January 1, 1954, or any time thereafter, were living behind the Iron Curtain.

3. Property of persons convicted of war crimes as defined in the act.

4. Certain property located in the Philippine Islands subject to the provisions of the Philippine Property Act of 1946.

Exception to return is also made where the property involved would be returned to persons within the jurisdiction of a nation which continues to confiscate property of German and Japanese individuals. However, such exception may be removed upon the assurance of such nation not to confiscate such property upon return.

While placing responsibility for the return of such property initially in the hands of the Attorney General, the bill creates a Vested Property Commission which would serve as an administrative tribunal to which persons denied return by the Attorney General could appeal for review.

The bill contains a number of detailed and complex provisions primarily because the subject itself is somewhat complex. Each of the provisions are explained in the detailed analysis of the bill appearing below.

DETAILED ANALYSIS

The new section 40 of the Trading With the Enemy Act will provide for the return of all property vested, or payments made to the United States in lieu of vesting, after December 7, 1941, or the liquidated proceeds thereof, in the event such property has been sold, or otherwise disposed of. This section also permits the return of any dividends, distributions, or increment which may have been paid, or allowed, on this property subsequent to its vesting. Returns under this section are to be reduced by any payments which have been made to American creditors during the period the Government held the property. Such awards are also to be reduced by any sum which an owner of such property may have received from the German Government under the terms of the Bonn Convention, or from the Japanese Government under the terms of the treaty of peace with Japan.

Returns are to be made as a matter of grace to the owner of the property at the time of vesting, or his successor. Legal title to the property has long been held by the United States except that in some cases such title is subject to divestiture by decision of a Federal court. Any return under the bill discharges any obligation of the Federal Government to the owner of such property, and under the specific terms of the bill would operate to discharge the Government from any plural liability which might arise as the result of the return.

The new section 40 provides certain exceptions to this general policy of restitution of alien property. First, it provides that private property shall not be returned to the government of any nation with which the Government of the United States has been at war since December 7, 1941, with the exception of the Italian Government. The Italian Government has been excepted in view of the terms of the treaty of peace and implementing agreements concluded with that nation. Return is further prohibited to individuals who since December 31, 1954, have lived behind the so-called Iron Curtain and to corporations having their sole, or primary seat, in such areas. Recovery is likewise denied to any individual convicted of war crimes, which term is defined as the entry of judgment against any person who was convicted personally, and by name, of certain specified crimes by a court of competent jurisdiction, as defined by the Vested Property Commission. Return is also denied of property located in the Philippine Islands at the time of vesting of such property or the proceeds thereof is subject to transfer to the Philippine Republic under the provisions of the Philippine Property Act of 1946, as amended.

In addition to these prohibitions, return may be restricted only so long as foreign governments having jurisdiction over the returnee, or the property to be received, persist in the policy which would result in confiscation upon return. Such property, however, may be returned at such times as Department of State certifies to the Attorney General that he has received assurance from such foreign governments that the property will not be confiscated upon return to the owner thereof.

In some cases, claimants whose property has been vested have entered into compromises with the Office of Alien Property providing for the return of less than the full value of the property held by that Office. This bill provides that persons who have entered into such a compromise may secure the return of their property (or the liquidated proceeds, if the property has been sold or otherwise disposed of) upon tender to the United States, without interest, of the amount received as the result of any assignment, compromise, or release.

Certain of the properties now administered by the Office of Alien Property are of such magnitude and importance to the industrial might of the United States that it may be desirable that this Government should, in the interests of its own well-being, require the sale of that property to American citizens. Provision for such contingency is made by authorizing the President, within 60 days from the enactment of this legislation to make a finding that certain property now held by the United States should be sold to American interests. Upon such finding the property is to be returned subject to the condition that the same be sold within 12 months of return to American citizens. The Attorney General may, in such case, apply to the United States District Court for the District of Columbia to encumber return of the property with that condition and with the additional condition that United States citizens be appointed to supervise the operation of the enterprise during the period allotted for sale in order to protect trade secrets possessed by the enterprise. The committee has also inserted a limitation on the return of certain corporate shares where the corporation's properties are located in the United States, where a valid option for purchase of the stock by the alien owners has been executed in favor of American citizens, giving such citizens a right of first refusal in the event the property is to be sold. This provision of the bill provides that return shall be considered a sale, thus giving American citizens an opportunity to purchase the stock at a value to be determined by the Attorney General. The proceeds of sale are thereafter transferred to the alien owners of record. Further, where one-third of the outstanding stock of a vested corporation is owned by American citizens, the Attorney General may protect the interest of such citizens against possible unfavorable treatment by former owners through the public sale of the stock of the former enemy to American citizens. The proceeds of sale are to be remitted to the owner of record less any sums which the corporation may have been forced to pay foreign governments for release of properties of such corporation which were seized because of enemy taint. The necessity for this amendment was demonstrated by testimony relating to the Hugo Stinnes Corp. These are several of a number of provisions which have been included in the measure in order to afford maximum protection to American citizens who may be adversely affected by the adoption of this legislation.

The bill also contains protective provisions relating to return which appear in earlier sections of the Trading With the Enemy Act. Typical is the provision in subsection (b), section 40, relating to the filing of petitions by a returnee for a redemption in respect of any final order of the War Contract Adjustment Board determining excessive profits. Also, the provisions of subsection (c) of section 40, binding any person to whom return of an invention is to be made, to any notice or order issued, or agreement made pursuant to the Renegotiation Act of October 31, 1942 (56 Stat. 1013).

Subsection (c) has been amended, again in an effort to afford protection to American citizens whose rights might be affected by this bill. The amendment to subsection (c) provides that return of any invention under this section shall be subject to existing licenses issued by the Alien Property Custodian or his successors except that the returnee shall not succeed to the Custodian's right to revoke such licenses. The Office of Alien Property has made patents readily and freely available to American industry. This policy was widely publicized and vested patents, with respect to which no American rights would be prejudiced, were offered for license on a revocable, nonexclusive, royalty-free basis, obtained for a nominal fee. Some American citizens have undoubtedly proceeded, on the basis of these royalty-free licenses, to develop business interests which might be jeopardized unless some provision were included in the act recognizing and protecting such licenses but extracting the revocable provision they contain. The pattern here adopted is similar to that utilized by the United States in the return of patents to Italian nationals under the treaty of peace (and the later Lombardo agreement) entered into with that nation.

Subsection (d) of the new section 40 confers upon the returnee all rights, privileges, and obligations with respect to the property returned which would have existed if the interest had not vested in the Custodian, with such exceptions as are noted in the act, particularly that provision requiring the retention of a sum to cover expenses of administering property during the custodianship thereof. Subsection (d) also contains provisions similar to that now appearing in subsection (d) of section 32 of the Trading With the Enemy Act which protects the United States from the assertion of any claim by the returnee based upon the retention, sale, disposition, or use of the property during the period held by the United States.

Subsection (e) of the new section 40, patterned after subsection (e) of section 32, provides that return of the property under this bill shall not bar prosecution of any suit at law or equity against the person to whom return is made, to establish any right, title, or interest to the property which may exist, or may have existed, at the time of vesting. Thus, if it is asserted that the owner of record is not the true owner, those making such an assertion may have their claim determined judicially in spite of previous adverse administrative determination by the Office of Alien Property and judicial review thereof. The period during which such property was in the hands of the United States is not to be considered in the determination of the period within which such action may be instituted.

As an added measure of protection to citizens of the United States, the bill provides that, in the event return is to be made to a foreign resident, or a corporation organized under foreign laws, notice of intention to return shall be published in the Federal Register, at least 60 days prior to return. Such notice shall specify intention to make such return, to whom return is to be made, and the place where the property to be returned is located. At the same time, claimants of record are to be notified by registered mail of the intention to return alien property irrespective of the residence or location of the returnee. This publication of notice, or the giving of notice by registered mail, confers no right of action upon any claimant to compel the return of property and such notice may be revoked by publication of appropriate notice in the Federal

Register. Those who have an interest in the property, creditors, for example, may during this period seek a writ of attachment, notice of which is to be served upon the Attorney General. Any such attachment or other similar proceeding is subject to the provisions of law applicable to such action in the jurisdiction under which the proceeding has begun, but for the purpose of computing the statute of limitations, the period during which the property was in the hands of the Alien Property Custodian, or his successors, shall not be counted. Under a writ of attachment obtained in this manner no officer of any court can take possession of the property without the consent of the Attorney General and publication of notice of revocation of intention to return shall invalidate any attachment with respect to the property. However, the bill requires that the Attorney General, or the Vested Property Commission, which may in some cases succeed to the responsibility of the Attorney General, accord full effect to any such attachment in returning the property or interest. In such proceedings, before a writ of attachment, the bill permits the recorded owner to file a bond in an amount to be set by the court in order to permit return to be made to the owner. If a creditor has an action against the property or its owner in the United States courts on appeal from a decision of the Custodian, no notice of intention to return is to be published until that matter has been judicially determined.

Subsection (g) of the new section 40 contains three definitions, (1) describes the Russian Zone of Occupation of Germany, (2) defines the use of the term "other Communist-dominated countries" used in subsection (a) of section 40, and (3) particularizes on the term "convicted of war crimes" which was referred to earlier in this analysis.

The new section 41 of the Trading With the Enemy Act would create a Commission to be known as the Vested Property Commission. This Commission is to be composed of 3 persons appointed by the President, by and with the advice and consent of the Senate, each of whom is to receive an annual salary at the rate of $14,000. The Commission is authorized to employ such personnel as may be necessary to carry out its functions under this act, but in no event is such staff to exceed 50 persons. The bill confers authority to promulgate rules and regulations to carry out the purposes and functions of the bill on the Commission.

The decisions of the Commission concerning returns as a matter of grace under this bill are to be final, and the authority of the Commission, as well as the term of office of its members, expires 3 years from the date on which the majority of its members appointed first take office. In the event return is completed under this act at a time earlier than 3 years from the assumption of duties by the members of the Commission, the President is authorized to fix an earlier termination date.

Section 42 provides that persons desiring return of property under this act must file a claim with the Attorney General within 1 year from the date of enactment of the bill in the form and manner prescribed by him, except that claimants who have already filed a claim for return of their property shall be deemed to have complied with such a requirement without additional filing.

The Attorney General is authorized under section 43 to make an initial determination with respect to the eligibility of each claimant for returns under section 40 of this act. However, the Attorney General cannot return such property until 60 days have elapsed after publication in the Federal Register, as provided by section 40 (f) of this bill. In cases where conflicting title claims have been filed, such claims are to be referred to the Vested Property Commission for inspection and disposition. Where no conflicting title claims have been filed prior to December 31, 1953, and the owner has filed a claim before April 30, 1949, the Attorney General is directed to order the return of such vested property upon application, subject to deletion for taxes, conservatory expenses, and expenses of administration of the property during custodianship. The provision of this section relating to conflicting title claims is intended to distinguish such claims from debt claims filed under section 34 of the Trading With the Enemy Act, which constitute claims of creditors against the property rather than claims of title. It is important to note that the provisions of this bill do not repeal section 34 of the Trading With the Enemy Act. Thus, property retained under the provisions of the bill remains subject to such claims. Insofar as property to be returned is concerned, persons who have a claim against the property for the payments of debts may proceed to assert their interest by the filing of writs of attachment after notice of intention to return as discussed earlier in this analysis. However, in no case, except as provided in section 40 (f), shall a pending claim under section 34 delay return of the property pending adjudication thereof. This section is designed particularly to rid the Government of the United States of an administrative burden, which estimates have indicated cannot be completed in less than 50 or more years under existing law and procedure.

The subcommittee which investigated the administration of the Trading With the Enemy Act noted in its report that the title claims filed with the Office of Alien Property were not being disposed of as rapidly as desired. In order to forestall such development after adoption of this legislation, provisions have been inserted in section 44 of the bill providing that claimants aggrieved by a decision of the Attorney General, or by failure of the Attorney General to render a decision with respect to their claim within 1 year may appeal to the Vested Property Commission under procedures to be prescribed by that body. Thus, if return is not made within 1 year from the date of filing the claim, or 1 year from the date of enactment of this act, depending upon the time and circumstances under which the claim is filed, or if the Attorney General fails to certify a claim to the Commission in which a conflicting title claim has been asserted, the claimant may invoke an administrative appeal. However, in an effort to establish some degree of finality with respect to consideration of these claims, it is also provided in section 44 that decisions by the Attorney General with respect to claims are to be final if not appealed within 60 days after notification to claimants by registered mail. Section 44 also preserves the right of any person otherwise eligible to continue to pursue the remedies afforded him by sections 9 (a) and 32 of the Trading With the Enemy Act. These sections provide an avenue of recovery by persons who may be classed as nonenemies in fact.

Section 45 of the bill authorizes the Commission to make a study of the problems which might arise as a result of the adoption of this legislation as they relate to executive agreements entered into with other nations. The Commission is to report to the Congress by January 1, 1955, outlining such problems in detail for the purpose of enabling Congress to enact legislation to fairly and properly deal with such other nations in light of the expressed policy of the United States of nonconfiscation.

The Commission is limited under section 46 to the expenditure of $350,000 per annum in the conduct of its business. It is charged with the obligation of determining the amount which has been and will be expended in the administration of vested assets. No return is to be made under this act unless the claimant agrees to the retention of an amount equal to the pro rata share which his property bears to the total expenses as ascertained by the Commission. In order to provide funds sufficient to meet such reimbursement, the Attorney General is authorized to liquidate returnable assets to the extent necessary to provide funds for such retention except that the owner of the property is to be given an opportunity to pay the necessary amount in lieu of such liquidation of the property. No retention for expense is to be made from patents, applications, copyrights, or trade-marks, other than from the proceeds collected from such items.

Under the provisions of section 47, the Commission is obligated to determine by estimate, within 30 days after its members assume office, the sum of money which will be necessary in order to carry out the purposes of this act. The bill then authorizes an appropriation, for credit to the Attorney General, of the sum the Commission reports as necessary to satisfy awards under section 40 where the property has been sold and the proceeds disposed of under the provisions of section 39 of the Trading With the Enemy Act. Section 47 also requires that all funds remaining after the administration, liquidation, disposition, pursuant to the act, be paid into the Treasury of the United States.

Following section 47 (c) there appears, at the request of the Department of Justice, an express repealer of section 39 of the Trading With the Enemy Act. Section 39 was the legislative enactment encompassing the confiscatory policy which had been set in motion by individuals in the Treasury Department. Actions of these persons are traced in detail in the final report of the Subcommittee To Conduct an Examination and Review of the Trading With the Enemy Act. The amendment is not to be construed as an expression of intention to repeal the War Claims Act of 1948.

Section 2 (b) gives to the Attorney General the express right to continue the recovery of expenses incurred in the management of vested property for conservation, preservation, and maintenance of such property as previously set forth in section 32 (g) and in addition adds the assurance that such expenses will be recovered from all property returned under section 40.

CONCLUSION

The long review by this committee of the administration of the Trading With the Enemy Act, combined with significant shifts in world conditions, have convinced the members of the Judiciary Committee that a reorientation of this Nation's attitude toward alien assets within this country is required. The present confiscatory approach is undermining the economic dogma advocated by this Nation since its inception. It has plagued our own citizenry with investments abroad and has occasioned ill feeling among those nations whose active assistance we now seek in repelling totalitarian aggression.

The committee believes it regrettable that this un-American policy of confiscation has been so firmly engrained as to require substantial appropriations and material revision in our international agreements in order to extricate our Nation from that policy. Nevertheless, such steps must be taken in order to accomplish worthwhile results and prevent further impairment of our economic and diplomatic position. Although these complications have been urged as deterrents to the reappraisal inherent in S. 3423, they are not significant enough to assume the status of insuperable obstacles to adoption of the bill.

Enactment of this bill is essential to our own interests, certainly, but it constitutes an effective demonstration of the magnanimity of the American people. S. 3423 has

the support of the Committee on the Judiciary; it deserves the support of the Congress. The committee, therefore, recommends that this legislation, as amended, be favorably considered.

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

That the Trading With the Enemy Act of 1917, as amended, be further amended by adding the following sections:

"Sec. 40. (a) Any property or interest vested (or payment made to the United States in lieu of vesting) pursuant to the provisions of this act after December 7, 1941 (or the liquidated proceeds thereof), together with any dividends, distributions, or other increment paid or allowed thereon subsequent to such vesting, reduced by any payments against the property under section 34 of the act and any compensation received by the owner with respect to such property from the government of any nation pursuant to, or as a result of, any treaty or other international agreement between the United States and such nation, shall, as a matter of grace, be returned in its state as of the date of enactment of this section (i. e., in kind or as liquidated proceeds), to the natural person, firm, trust, association, or corporation who or which was the owner thereof at the time of such vesting, or to legal representative or successor, as the case may be, of such owner, if the owner be dead or if its existence shall have been in any wise terminated. In determining the 'owner', the record holding or title ownership as the case may be, of such property at the time of vesting shall be conclusive and delivery, transfer, conveyance, or payment to such owner, or to the legal representative or successor thereof, shall operate to discharge the United States from plural liability in respect of the term provided for hereunder: Provided, however, That, except for the Government of Italy, no return involving property other than consular or diplomatic property (or proceeds resulting from the sale thereof) shall be made pursuant to this section to the government of any nation with which the United States has been at war since December 7, 1941, or at any time thereafter or to subdivisions or successors of any such government: Provided further, That no such return shall be made pursuant to this section (1) to natural persons who on January 1, 1954, or any time thereafter prior to such return have lived, or corporations, companies, or associations having their sole or primary seat, in the Russian zone of occupation of Germany, German territory under provisional Polish or Soviet administration, or in Albania, Bulgaria, Communist China, Czechoslovakia, Hungary, Poland, Rumania, or the Soviet Union, or other Communist-dominated countries, or (2) to any natural person convicted of war crimes, as hereinafter defined, (3) to the owner of such property at the time of vesting, or to the legal representative or successor, as the case may be, of such owner, until the Attorney General, or the officer or agency authorized to make such return, has received a certificate from the Department of State that it has obtained satisfactory assurances that such property will not, upon the return thereof, be seized or treated, directly or indirectly, as enemy property by any foreign government having jurisdiction over such property or the owner thereof; or (4) if such property was located in the Philippine Islands at the time of vesting and such property, or the proceeds thereof, is subject to transfer to the Republic of the Philippines under the Philippine Property Act of 1946, as amended: Provided further, That if, after any such property was so vested the claim of an owner with respect to such property was assigned or released to or compromised with the United States or the Alien Property Custodian, his successor or successors, no such property or the liquidated proceeds thereof shall be returned pursuant to this section unless such owner shall tender to the United States, without interest, the amount received upon such assignment, compromise, or release: Provided further, That the President may, within 60 day from the date of enactment hereof, find that it is in the national interest to require any owner or owners to dispose of their right, title, and interest in said property to citizens of the United States within 12 months from the date of the return thereof to such owner or owners; in which event, the vested property shall be forthwith returned to the owner or owners thereof encumbered with the aforesaid condition, and the United States District Court for the District of Columbia, upon application of the Attorney General shall enter a judgment or decree of divestiture to such effect, and said court, recognizing the person to whom the property is returned as the owner thereof, shall order said person, if shares of stock representing the voting control of a corporation be the returned property, to nominate three voting trustees of United States citizenship, subject to the approval of such trustees by said court, which voting trustees shall elect a board of directors entirely of United States citizenship, so that there will be secured and safeguarded, until divestiture is complete, the operational, manufacturing, trading, research, and other secrets of such returned property, or of the business or other activity represented thereby or connected therewith, against disclosure to or use by foreign interests; and such judgment or decree shall also provide that if the owner or owners do not so divest themselves within said 12 months' period, the Attorney General may thereafter sell forthwith such property at public action and remit the proceeds to the owner or owners: Provided further, That if the Attorney General finds that (1) any vested property or interest consists of shares of stock of a corporation organized under the laws of any State, Territory, or possession of the United States or the District of Columbia, (2) at least one-third of the total outstanding shares of common stock of such corporation is registered in the names of citizens of the United States, and (3) return of the vested shares of stock of such corporation to the owner or owners would materially prejudice the interests of such citizen stockholders, he may require, as a condition precedent to return pursuant to this act, that such vested stock be sold at public sale to citizens of the United States submitting the highest bid, after public advertisement of the time and place of sale, and in such event such corporation shall be entitled to receive from such proceeds of sale reimbursement for any payments made or payable to any government because of an alleged enemy interest in such vested stock, and the balance of the proceeds of such sale, except as otherwise provided in this act, shall be remitted to the owner or owners: And provided further, That such return shall be subject to a determination that the Attorney General has no actual or potential liability under the Renegotiation Act or the act of October 31, 1942 (56 Stat. 1013; 35 U. S. C. A. secs. 89–96), in respect of the property or interest or proceeds to be returned and that the claimant and his predecessor in interest, if any, have no actual or potential liability of any kind under the Renegotiation Act or the said act of October 31, 1942; or in the alternative that the claimant has provided security or undertakings adequate to assure satisfaction of all such liabilities or that property or interest or proceeds to be retained by the Attorney General are adequate therefor: Provided further, That in cases where the seized properties consist solely of shares of stock in a corporation whose properties are located in the United States, and a valid option exists in favor of resident stockholders giving rise to the right to purchase the seized stock in the event the owner desires to sell such stock, the return of such stock shall be deemed and treated in law and equity as a prospective sale at the value thereof to be determined by the Attorney General, thereby entitling such option holders to exercise their rights in accordance with the terms, provisions, and conditions of such option.

"(b) Notwithstanding the limitation prescribed in the Renegotiation Act upon the time within which petitions may be filed in the Tax Court of the United States, any person to whom any property or interest or proceeds are returned hereunder shall, for a period of ninety days (not counting Sunday or a legal holiday in the District of Columbia as the last day) following return, have the right to file such a petition for a redemption in respect of any final order of the War Contracts Price Adjustment Board determining excessive profits, made against the Alien Property Custodian, his successor or successors, or of any determination, not embodied in an agreement, of excessive profits, so made by or on behalf of a Secretary.

"(c) Any person to whom any invention, whether patented or unpatented, or any right or interest therein is returned hereunder shall be bound by any notice or order issued or agreement made pursuant to the act of October 31, 1942 (56 Stat. 1013), in respect of such invention or right or interest, and such person to whom a licensor's interest is returned shall have all rights assertable by a licensor pursuant to section 2 of the said act. Return of any invention pursuant to this section shall be subject to existing licenses issued by the Alien Property Custodian, his successor or successors, and shall not include any rights of the Alien Property Custodian, his successor or successors, to revoke such licenses.

"(d) Except as otherwise provided herein, and except to the extent that the President or such officer or agency as he may designate may otherwise determine, any person to whom return is made hereunder shall have all rights, privileges, and obligations in respect to the property or interest returned or the proceeds of which are returned which would have existed if the property or interest had not vested in the Alien Property Custodian, his successor or successors, but no cause of action shall accrue to such person in respect of any deduction or retention of any part of the property or interest or proceeds by the Alien Property Custodian, his successor or successors, for the purpose of paying taxes, costs, or expenses in connection with such property or interest or proceeds: Provided, That no person to whom a return is made pursuant to this section, nor the successor in interest of such person, shall acquire or have any claim or right of action against the United States or any department, establishment, or agency thereof, or corporation owned thereby, or against any person authorized or licensed by the United States, founded upon the retention, sale, or other disposition, or use, during the period it was vested in the Alien Property Custodian, his successor or successors, of the returned property, interest, or proceeds. Any notice to the Alien Property Custodian, his successor or successors, in respect of any property or interest or proceeds shall constitute notice to the person to whom such property or interest or proceeds is returned and such person shall succeed to all burdens and obligations in respect of such property or interest or proceeds which accrued during the time of retention by the Alien Property Custodian, his successor or successors, but the period during which the property or interest or proceeds returned were vested in the Alien

Property Custodian, his successor or successors, shall not be included for the purpose of determining the application of any statute of limitations to the assertion of any rights by such person in respect of such property or interest or proceeds.

"(e) No return hereunder shall bar the prosecution of any suit at law or in equity against a person to whom return has been made, to establish any right, title, or interest, which may exist or which may have existed at the time of vesting, in or to the property or interest returned. With respect to any such suit, the period during which the property or interest or proceeds returned were vested in the Alien Property Custodian, his successor or successors, shall not be included for the purpose of determining the application of any statute of limitations.

"(f) At least 60 days before making any return to any person other than a resident of the United States or a corporation organized under the laws of the United States, or any State, Territory, or possession thereof, or the District of Columbia, the Attorney General, or the Commission, as the case may be, shall publish in the Federal Register a notice of intention to make such return, specifying therein the person to whom return is to be made and the place where the property or interest or proceeds to be returned are located: Provided, That if a determination by the Alien Property Custodian, his successor or successors, is under review in a court of the United States, under the provisions of section 34 with respect to such property, publication of such notice of intention to return shall not be made until entry of final judgment by the court or courts of such review. At the same time a similar notice shall be given by registered mail to any person who has theretofore filed with the Alien Property Custodian, his successor or successors, any claim to such property or any claim against the person to whom it is proposed to return such property. Publication of a notice of intention to return shall confer no right of action upon any person to compel the return of any such property or interest or proceeds, and such notice of intention to return may be revoked by appropriate notice in the Federal Register. After publication of such notice of intention and prior to revocation thereof, the property or interest or proceeds specified shall be subject to attachment at the suit of any citizen or resident of the United States or any corporation organized under the laws of the United States, or any State, Territory, or possession thereof, or the District of Columbia, in the same manner as property of the person to whom return is to be made: Provided, That notice of any writ of attachment which may issue prior to return shall be served upon the Attorney General. Any such attachment proceeding shall be subject to the provisions of law relating to limitation of actions applicable to actions at law in the jurisdiction in which such proceeding is brought, but the period during which the property or interest or proceeds were vested in the Alien Property Custodian, his successor or successors, shall not be included for the purpose of determining the period of limitation. No officer of any court shall take actual possession, without the consent of the Attorney General, of any property or interest or proceeds so attached, and publication of a notice of revocation of intention to return shall invalidate any attachment with respect to the specified property or interest or proceeds, but if there is no such revocation, the Attorney General or the Commission, as the case may be, shall accord full effect to any such attachment in returning any such property or interest or proceeds: Provided, however, That upon notice of such attachment proceedings to the Attorney General, return may be made to the 'owners' under section 40 hereof if bond is posted by the owner in an amount set by the court in which such attachment proceedings shall have been filed.

"(g) As used in this section—

"(1) 'The Russian Zone of Occupation of Germany' shall be deemed to be composed of that part of Germany that is presently called the Soviet Zone of Occupation, and the Russian Sector of Berlin;

"(2) 'Other Communist-dominated countries' means any country or part thereof, except Austria, that was actively governed by Communist civilians or occupied by Communist forces either on January 1, 1954, or at any time thereafter prior to the return of the property, if such country or part thereof is still so governed or occupied at the time of the return of such property; and

"(3) 'Convicted of war crimes' means the entry of judgment against any person who has been convicted personally and by name by a court of competent jurisdiction (as defined by the Vested Property Commission) of murder, ill treatment, or deportation for slave labor, of prisoners of war, political opponents, hostages, or civilian population in occupied territories, or of murder or ill treatment of military or naval persons, or of plunder or wanton destruction without justified military necessity.

"Sec. 41. (a) There is hereby established a Commission to be known as the Vested Property Commission (hereinafter referred to as the Commission), to be composed of three persons to be appointed by the President, by and with the advice and consent of the Senate, each member of the Commission to receive a salary at the rate of $14,000 per annum. One such member shall be designated by the President as Chairman.

"(b) The Commission may employ such personnel, clerical and technical, as may be necessary to carry out its functions, but in no event shall the number so employed exceed 50 persons; and shall make and promulgate such rules and regulations as may be necessary to carry out its purposes and functions.

"(c) All decisions of the Commission concerning returns as a matter of grace shall be final.

"(d) The authority of the Commission and the term of office of its members shall terminate at the expiration of 3 years from the date on which the majority of its members first appointed take office, but the President may, by Executive order, fix an earlier termination date.

"Sec. 42. Persons desiring to claim return pursuant to section 40 shall file notice of claim with the Attorney General within 1 year from the enactment of this section in such form and manner as may be determined by regulations published by the Attorney General: Provided, however, That if prior to the enactment of this section a claimant has filed with the Attorney General a claim for the return of property no additional claim need be filed.

"Sec. 43. The Attorney General shall determine the eligibility of each claimant under section 40 of this act, and he shall make returns of property at a time not sooner than 60 days subsequent to the publication of notice in the Federal Register as required by section 40 (f) of this act: Provided, That where conflicting title claims have been filed, such claims shall be forthwith referred to the Commission for decision and disposition: Provided further, That, subject to the provisions of section 40 (f) of this act, the Attorney General shall order the return of vested property, subject to the provisions of section 46 (c) of this act, in every case where an owner, legal representative, or successor has filed a claim by April 30, 1949, and no conflicting title claim has been filed prior to December 31, 1953, in respect of the same property. (A claim filed prior to said date by a foreign government, claiming in a custodial and nonownership capacity, shall not be considered hereunder as a conflicting title claim.)

"Sec. 44. Claimants aggrieved by a decision of the Attorney General, or by failure of the Attorney General to render a decision, upon notice of claim filed in pursuance of section 42, for more than 1 year subsequent to the date of filing, or within 1 year from the enactment hereof if the claim was filed prior thereto, or by failure of the Attorney General to refer to the Commission conflicting title claims or to order forthwith returns as provided in section 43, may appeal to the Commission under procedures to be prescribed by the Commission. Decisions of the Attorney General, not appealed within 60 days after notification to the claimant by registered mail, shall be final, but nothing herein provided shall affect the right of a claimant, otherwise eligible, to file or continue to pursue his remedies under section 9 (a) or section 32 of the Trading With the Enemy Act, as amended.

"Sec. 45. Notwithstanding the provisions of the act of September 28, 1950 (ch. 1094, 64 Stat. 1079), and of any other provision of law the Commission is authorized, directed, and empowered to make a study of the problems arising between this country and other nations with respect to intercustodial conflicts, and to report to the Congress by January 1, 1955, the details of such conflicts and of any funds and other property which have been received by the United States from other nations pursuant to the provisions of the Paris Reparations Agreement and any other international agreements, to the end that the Congress may enact legislation which will fairly and properly deal with other nations as the result of the adoption of a policy by the United States to return property pursuant to section 40 hereof which has been vested since December 7, 1941, under the provisions of the Trading With the Enemy Act, as amended.

"Sec. 46. (a) In the conduct of its business the Commission is authorized to expend from vested assets on hand in the Office of Alien Property an amount not to exceed $350,000 per annum during the life of the Commission.

"(b) The Commission shall determine, by estimate, the sum which has been and will be expended in the administration of vested assets from December 7, 1941, to the termination of the activities of the Office of Alien Property as envisioned by the provisions of section 40 of this act, including the expense of the Commission and the expense of the Alien Property Custodian, his successor or successors, for the administration of vested assets which has not been charged directly against the assets themselves.

"(c) The Attorney General shall then retain from all property returned in accordance with the provisions of section 40 an amount which the Commission shall fix as the pro rata share of the expenses determined in accordance with (b) above, such share being the ratio that the value of the property so returned bears to the value of all vested property: Provided, however, That no return shall be made pursuant to section 40 unless the owner thereof files with the Attorney General a written consent to such retention.

"(d) Upon receipt of the written consent of retention referred to in (c) above, the Attorney General is authorized to liquidate returnable assets to the extent necessary to provide funds for the authorized retention where cash is not available for that purpose from the property to be returned: Provided, however, That each owner shall be given an opportunity to pay the necessary amount in lieu of liquidation of specific property.

"(e) No retention shall be made from patents, patent applications, copyrights, and trade-marks other than from the proceeds collected therefrom.

"Sec. 47. (a) The Commission shall determine by estimate within 30 days after a majority of its members shall have been appointed and qualified, the sum which will be

necessary to carry out the purposes of return as set forth in section 40 hereof, and shall report the same to the Congress.

"(b) There are hereby authorized to be appropriated such sums, for the credit of the Attorney General, as the Commission may under (a) above report, to satisfy awards made under section 40 of this act to the extent that the proceeds of liquidated vested property are not available for return.

"(c) All funds remaining after administration, liquidation, and disposition pursuant to the foregoing sections shall be paid into the Treasury of the United States."

SECTION 32 AND SECTION 39 OF THE TRADING WITH THE ENEMY ACT OF OCTOBER 6, 1917 (40 STAT. 411, AS AMENDED)

* * * * *

(g) Without limitation by or upon any other existing provision of law with respect to the payment of expenses by the Alien Property Custodian, the Custodian may retain or recover from any property or interest or proceeds returned pursuant to this section, [or] section 9 (a), *or Section 40* of this Act an amount not exceeding that expended or incurred by him for the conservation, preservation, or maintenance of such property or interest or proceeds, or other property or interest or proceeds returned to the same person.

[SEC. 39. No property or interest therein of Germany, Japan, or any national of either such country vested in or transferred to any officer or agency of the Government at any time after December 17, 1941, pursuant to the provisions of this Act, shall be returned to former owners thereof or their successors in interest, and the United States shall not pay compensation for any such property or interest therein. The net proceeds remaining upon the completion of administration, liquidation, and disposition pursuant to the provisions of this Act of any such property or interest therein shall be covered into the Treasury at the earliest practicable date. Nothing in this section shall be construed to repeal or otherwise affect the operation of the provisions of section 32 of this Act or of the Philippine Property Act of 1946.]

MINORITY VIEWS TO ACCOMPANY S. 3423

I have examined the report of the Committee on the Judiciary on S. 3423 (Rept. No. 1982), and after consideration of all the factors and arguments presented for and against the bill, I am constrained to conclude that I am unalterably opposed to its enactment. S. 3423 represents implementation of the subcommittee's report on its examination and review of the administration of the Trading With the Enemy Act. I filed supplemental views to that report, indicating my objections thereto. The legislative history of this bill, including the reports of the Department of State, the Bureau of the Budget, the Department of Justice, and the testimony adduced at the hearings on the bill before the subcommittee held on July 1 and 2, 1954, has served only to justify and strengthen my earlier convictions. I file these views as my objection to the enactment of S. 3423.

The Alien Property Custodian and his successor, the Attorney General, have vested property totaling approximately one-half billion dollars in value, which is now the property of the United States. This bill would return all that property. Much of the property has been liquidated and converted into cash, $210 million of which has been paid over to the war claims fund under the War Claims Act of 1948 and distributed to American war-damage claimants. Some of the vested property has not been liquidated due to pending litigation for its return. Under section 9 of the Trading With the Enemy Act, property subject to return litigation cannot be sold. Apart from the fact that this bill would require the United States to return vested property totaling one-half billion dollars in value, it would require appropriations in approximately the amount of the $210 million paid over to the war claims fund. The written reports of the Bureau of the Budget, the State Department, and the Department of Justice have all withheld their approval of S. 3423 because of the appropriations required, among other reasons.

The committee's recital of the background of the historic policy of this Government with respect to the treatment of enemy property appears to be extremely limited. The committee report refers to the Treaty of Versailles which provided for the use of external enemy assets to pay public reparations and the legislation by the Congress which reversed that policy and returned seized enemy property. The committee then quotes at great length from the report of the house of delegates of the American Bar Association, dated March 29, 1943, recommending the return of vested enemy property. I regret to find that the omissions from the committee's statement of the policy of this Government in respect of the disposition of enemy assets are much more significant than the reasons stated as the ground for the reversal of that policy.

Inasmuch as the committee places much emphasis on the 1943 report of the house of delegates of the American Bar Association, I think it appropriate to point out that only a short time thereafter, on December 20, 1945, the very same house of delegates of the American Bar Association adopted a recommendation that "enemy property within the jurisdiction of the United States should be held and, if necessary, applied to secure the payment of all just claims of this war and any unpaid claims of the last war."

This recommendation was referred to in a statement made by Assistant Attorney General Dallas S. Townsend, Director of the Office of Alien Property, in his testimony before the subcommittee on July 1, 1954. The use of the 1943 report of the house of delegates by the committee in these circumstances is indication to me of a clear lack of adequate support for its position.

But this is only a minor omission when considered in the light of the other matters which have been brought to its attention and ignored. The policy of retention of external enemy assets as reparations was considered long before the Paris Reparation Agreement established the policy of this Government. Beginning in 1943, such eminent persons and responsible bodies of legislators and citizens as Congressman Gearhart, of California, Senator Carter Glass, of Virginia, Congressman Beckworth, of Texas, Congressman Cunningham, of Iowa, Congressman Rich, of Pennsylvania, Mr. Bernard Baruch, former Secretary of State James F. Byrnes, a Subcommittee on War Mobilization of the Senate Committee on Military Affairs, veterans' organizations, and organizations of American civilians, urged that assets of Germany and Japan in this country should be retained. The Paris Reparation Agreement which was entered into by the United States and 17 Allied nations, excluding Russia and Poland, followed. That agreement determined the respective shares of each of these countries in the German property available to them as reparations. It was a method of reimbursing the Allied countries in some reasonable manner, reasonable to Germany as well as to the Allies. As stated by Secretary Dulles at the hearings on the bill, "If this approach is to be reversed, the question of unsatisfied claims against Germany would call for consideration." Although this bill reverses the approach, it gives no consideration to the question of unsatisfied American claims against Germany.

The course urged by the various individuals, organizations and congressional committees mentioned above and, the Paris Reparation Agreement, had their inception in the unfortunate history of this Government's attempt to obtain the reparations due it from Germany as a result of World War I. The history of our futile attempts to obtain these reparations over the years is too well known to require restatement here. It is a history of continuing default by the German Government. Only 2 years ago, in 1952, a new agreement was made which provided for installments payable over a period of 26 years. If the obligations undertaken by the West German Government under this agreement are kept, our American citizens may expect to be paid after a total period of 56 years.

Congress recognized the wisdom of the policy fixed by the Paris Reparation Agreement and enacted it into law in the War Claims Act of 1948. Section 39 of the Trading With the Enemy Act was made a part of the War Claims Act. That section provided that no vested property or interest of Germany or Japan or their nationals shall be returned to the former owners and that the United States shall not pay compensation for any such property or interest therein. The Bonn Convention of 1952 entered into between this Government and West Germany reaffirmed this principle and was accepted by West Germany as is evidenced by its undertaking in that agreement to compensate its nationals for their losses through the vesting action of the United States. The Japanese Treaty also recognizes our right to the retention of this property.

What has been said above establishes that the bugaboo of confiscation is not a real issue here. Private parties who have lost property through vesting are to be compensated by their government. This bill, then, serves only to release the German Government from its obligation to its own people to repay them. The real issue here is the unquestioned right of the United States to reparations. But the bill makes no provision for any substitute payment to protect the United States.

The end result of S. 3423 is, therefore, to strip the United States of one-half billion dollars and to require, in so doing, that at least $200 million be appropriated for payment to Germany. I cannot emphasize too strongly that the effect of the enactment of this bill will be to take this enormous burden from the shoulders of the German taxpayer, where it belongs, and transfer it to the American taxpayer.

The committee report stresses the good will toward this Government which will result from the return of this property and points to the receipt of letters from citizens of former enemy countries urging the return of the property. Nothing is said, however, of the multitudes of letters that are being received by Members of the Congress daily from American citizens decrying the payment of an additional half billion dollars to nationals of Germany and Japan. Nor does the committee take any cognizance of the written reports by the executive branch of the Government, each objecting to the appropriations the bill requires. The report of the Bureau of the Budget dated June 30, 1954, stated it "is opposed to the use of appropriated funds to finance such a return." The State Department's report dated July 1, 1954, states:

"The amount of appropriations required either for a complete return of German and Japanese assets or for any measure of partial return has not been estimated. In the circumstances, the Department does not feel that it is in a position to endorse any specific proposal for return at this time."

The letter from the Department of Justice of June 30, 1954, opposes the enactment of the bill, pointing out that "the bill probably would require appropriations of not less than $175 million." The chairman of the subcommittee handling this measure has stated that he had no definite idea, but that $200 million or even more of appropriated

funds may be required. The bill authorizes the Vested Property Commission to determine the sum necessary to carry out the purposes of the bill and the appropriation of such sum is authorized.

Presumably, the committee has decided that the good will which it asserts will result from the generosity of this Government in making complete return is well worth the cost. In so doing it has chosen to ignore not only the written admonitions of the three Government agencies mentioned, but has also deliberately disregarded the representations of the Secretary of State to whom it admittedly looked for policy guidance. Mr. Dulles testified that our relations with Germany and Japan are sufficiently good that we do not have to buy their good will; that "we have done plenty." He then discussed the good-will effect of partial return, specifically a return of some figure such as up to $10,000. Colonel Townsend had already testified that such a return would require the payment of less than 25 percent of that required by the bill in its present form and would have the effect of paying 92 percent of all vested enemy accounts and removing the hardship cases. Mr. Dulles stated:

"The maximum of good will would be obtained if there could be a total restitution in favor of the small people who in the aggregate make up a very considerable number."

His testimony referred in detail to the many cases of small and impoverished people who had small savings or annuities or life-insurance policies in this country. He said: "I would very strongly approve that feature of your bill, if that is in it." This statement of policy by the Secretary of State favoring a partial return has not swayed the committee from its announced purpose of returning all vested property, nor has the attendant unnecessary drain on the Treasury of the United States and the American taxpayer caused the committee to deviate from this purpose in the slightest degree.

Colonel Townsend, in his testimony, and the Department of Justice, in its reports on this bill, stated that certain vested properties have increased enormously in value between the time of vesting and the present time. For example, General Aniline & Film Corp., vested as the property of I. G. Farbenindustrie, has increased in value from $35 million at the date of vesting to about $90 million at the present time. Schering Corp. has increased from $1,300,000 at date of vesting to over $29 million at the date of sale. It is my understanding that such increases in value total about $150 million. This bill would return all vested property together with these increases. The increases occurred not through any passive custodianship of the vested property; but through the active operation of these properties under the supervision of the Custodian and the Attorney General. The original enemy owners had no part in creating this vast increase in value. To return their property in its present form would represent an unjustified windfall to the former owners at the expense of the United States and the American taxpayer. Some of these corporations are of substantial importance to American industry. They contributed greatly to the American war effort and continue to contribute to our present defense program. The substantial increases in value resulted in part from the very war which was brought on by governments of the people to whom this property would be returned. This bill, therefore, represents a gift to these people of the fruits of war. Secretary Dulles testified he would be inclined to make restitution either of the value at the time of seizure or at the time of return, whichever is less. Here again, the committee, having requested and received policy guidance from the Secretary of State, has ignored it. An amendment to the bill along the lines indicated by the Department of Justice and the Secretary of State would save the American taxpayer more than $150 million.

Another matter deserves special attention. S. 3423 provides that where an owner has filed a claim before April 30, 1949, and no conflicting title claim has been filed prior to December 31, 1953, the Attorney General shall order the return of the property. This provision denies consideration to any person who would be eligible under the terms of this bill if a claim had been filed before April 30, 1949. Obviously, most of the former owners of property have been ineligible to file claims for return up to this time. S. 3423 makes them eligible to do so for the first time. Yet in those cases where claims were filed before April 30, 1949, by others, it automatically divests them of rights otherwise granted by this bill. I believe this provision particularly unwarranted and objectionable.

My opposition to S. 3423 is also dictated by several additional aspects of the bill. The committee's detailed analysis of the bill refers to its purpose to maintain certain large and important industrial properties under American ownership. It does not accomplish that important purpose. The bill provides that this Government should require the sale of such property to American citizens. The committee well knows that much German property has been vested from American "cloaks," to whom bare legal title to the property was conveyed by German interests in anticipation of war and with the understanding that title was to be reconveyed after the war. The bill does not prevent this property from being sold to such American "cloaks" and from finding its way back again to German control. It merely requires the sale of the property to "citizens of the United States" with no other standard or protection.

Even if I agreed with the principles of the bill and the purposes it purports to achieve, I would, nevertheless, object to its enactment on the ground that it fails in its purposes. The committee's report indicates that one of the main objectives of S. 3423 is to obtain the good will of the German people by returning their vested property. It is a matter of common knowledge that a substantial portion of the property vested as German-owned was not held by Germans at the time the property was vested. The record owners of such property were American, Swiss, Dutch, and other nonenemy nationals. Two noteworthy examples may be found in the General Aniline & Film and Schering cases mentioned above. The record title in both these cases was held by Swiss nationals. These two alone total about $120 million. That there are many other such cases is obvious from the known methods used by the Germans in cloaking their property. S. 3423 provides for the return of vested property to the person holding the record title thereto at the time of vesting. The bill makes no provision to insure that the property will be returned to the Germans determined to be the owners at the time of vesting. The record owners to whom this property would be returned will, therefore, be in a position to retain it. The bill thus rewards the "cloaks" who collaborated in violating the laws of the United States.

I believe that the creation of a Vested Property Commission and the placing of this Commission in a position to review the work of the Attorney General is highly objectionable. The Attorney General is responsible for the administration of the Trading With the Enemy Act. No useful purpose can be served by subordinating him to a Vested Property Commission. If, for any reason, the committee believes that the Attorney General, a Cabinet officer, is not capable of administering the Trading With the Enemy Act without the supervision of the Commission, the entire administration of the act should be placed in the hands of the Commission. Otherwise, the creation of a Vested Property Commission should be abandoned.

There are further objections to the bill. Because he was an arm of the Government, the Custodian, having vested enemy interests in patent royalty agreements which violate the antitrust laws, was able to collect royalties from American licensees even though the German party could not have done so. To return the proceeds of these collections to the German parties to the agreements would obviously constitute inequitable enrichment. In addition, in returning vested patent contract interests to nonenemies, the Office of Alien Property deducts royalties received from patents and proceeds used in war production and turns these royalties over to the Treasury. This bill would require these proceeds to be returned to the former enemy party to the agreement. The bill would, therefore, require that these enemies receive more favorable treatment than our allies and neutrals.

ROBERT C. HENDRICKSON,
United States Senator.

Mr. DIRKSEN. Mr. President, in the minority views it is set out that of course this operation will cost some money, and that there may be an outlay of $210 million in cash. In all candor, I must say to the Senator from New Jersey that I notice from its letter to me the Budget Bureau was not too happy about the idea of having to appropriate money for this purpose, but when we are dealing with principle, Mr. President, we do not cut it half-way. Either we go right down the middle of the road or we do not go at all, for otherwise it will be a compromise. But if we are going to make much of the fact that restitution of alien property is going to cost a little something, I point out to Senators now that our expenditures in Germany and Austria up to date have been $4¼ billion, and I do not know where they are going to stop. Two hundred ten million dollars would be peanuts compared with the load that we have carried over there already. I want to emphasize that fact, because there is involved here, Mr. President, an element of good will and the possibility of bringing within the orbit of the free world a country which occupies a pivotal position in Europe at the present time, when things are so feverish and so fluid.

Mr. DWORSHAK. Mr. President, will the Senator yield?

Mr. DIRKSEN. It was not without reason, Mr. President, that the distinguished Secretary of State came before the committee and testified. He knew that this was a matter of integrating something desirable into our foreign policy, for how can we with one hand peddle largesse to the extent of billions of dollars to a vanquished people, and with the other hand withhold, in complete violence of traditional American policy, the restitution of alien property.

Mr. DWORSHAK. Mr. President——

Mr. DIRKSEN. I yield to the Senator from Idaho.

Mr. DWORSHAK. Does the Senator from Illinois recall that immediately following the end of World War II, we were sold the ill-fated policy by the administration and the then Secretary of the Treasury, Mr. Morgenthau, which was designed to destroy the industrial capacity of Germany? Can the Senator

advise us whether this proposal has any relationship to it?

Mr. DIRKSEN. All I can say is that Mr. Harry Dexter White had his finger very deeply in the program to pastoralize Germany and destroy her industry. Today we are wondering how to bring Germany within the defense orbit and the security orbit of the free world, because there is pending now the European Defense Community contract and treaty, involving 6 countries and embracing Germany; and no less a person than the majority leader, as I understand, was trying to force the hand of France in order to come within the purview of that pact, so that we might implement the NATO security line in Europe. There is involved then, not only the reversal of a concept that was at variance with American tradition of administering alien enemy property, but there is involved also the good will of a a country that has a definite bearing upon the security pattern and the general defense concept of our country.

Mr. CHAVEZ. Mr. President, will the Senator yield to me briefly?

Mr. DIRKSEN. I yield.

Mr. CHAVEZ. I think the bill is about as fine a bill as could be acted on by the Senate. It represents only ordinary common decency and fair play. Why should we not turn over to individual Germans the property that belongs to them individually? Why should we make the individual German responsible for what the German Government did?

I introduced a bill prior to the one that was introduced by the Senator from Illinois, but I based my bill on the fact that I do not believe it is a part of American fair play to punish individual Germans, merely because they happen to have a little money or a little property in the United States, by not turning it back to them. If we mean what we say, and if we are trying to be friends of the Germans, and if we are trying to do the right thing by them, what is wrong with turning over to the owner a particular piece of property that belongs to 1 German or 2 Germans or 3 Germans?

I hope the Senator's bill will prevail.

Mr. DIRKSEN. Mr. President, I am not disposed to labor the point too long because the reports and the hearings speak for themselves. I point out only one thing: The United States of America is the biggest investor abroad of any nation on the face of the earth. There is presently a peculiar dissident wave in the whole wide world that expresses itself in the form of expropriation. What was the situation on the Persian Gulf when suddenly Mossadegh moved in and one of the world's greatest refineries, at Abadan, in Iran, shut down?

Only now, as a result of the excellent efforts of the son of Herbert Hoover, are they getting ready to reopen that refinery, which is so necessary to the economy of the whole world.

What was the situation in Guatemala even before the forces of Castillo Armas began to move in? The Guatemalan Government was saying to the Pan-American Insurance Co., of New Orleans, La., that so far as it was concerned the company could move out. It was looking with longing eyes on the property of this country. There we had another evidence of the wave of venal expropriation that is moving through the world.

What would happen if conflict should arise some day at a time when this Government is encouraging private enterprise to invest American dollars in every corner of the earth? If seizure comes, if confiscation comes, it will be this country that will be the loser in a great big way, with interest compounded.

I had hoped that somehow we could reverse this course, that we could change the philosophy that is in the law today, and at long last generate some good will on the part of a country that we are wooing now into a new defense establishment, to be incorporated into the NATO organization, against the day when the Red forces may undertake to march across Europe.

That is what is involved, Mr. President. If the bill is faulty, I will welcome with open arms anyone who can improve it and obtain for it better acceptance than I have been able to get. If the bill is not passed, we may look to the day, as the Custodian said, when these burdens will be on our doorstep for years and years, and millions and millions of dollars will be expended for continuing the administration of enemy alien property in this country.

Mr. HENDRICKSON. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. HENDRICKSON. I ask the distinguished Senator why the Smith-Hendrickson-Ives bill would not do all the things the Senator from Illinois is arguing for today? In what respect is that bill faulty?

Mr. DIRKSEN. If my friend can sell his bill to the Judiciary Committee, it is perfectly all right with me.

Mr. HENDRICKSON. My friend from Illinois is a great deal more successful in selling his bill to the Judiciary Committee than I have been in selling the Smith-Hendrickson-Ives bill. My friend is very much more persuasive than I am.

Mr. DIRKSEN. Mr. President, I cannot pretend that my feeble talents are more persuasive than those of my genial and gracious friend from New Jersey; but I do the best I can with anything that is laid in my lap, and I do my best to discharge any responsibility that is placed on me. I am proud of what I have done, because my efforts sprang from the conviction that it was a definite service to my country. I expect to see that judgment vindicated in due course.

I have no pride about the details. I say only that the present concept must be changed, and we shall have to deal with the situation realistically. I am glad to know that in the exchange of letters between President Eisenhower and Chancellor Adenauer both men recognize that the door is open. It may be that some sweet fruit will crown all these labors in an abstruse field. I yield the floor.

Mr. HENDRICKSON. Mr. President, that the distinguished Senator from Illinois labored long and hard and effectively on this issue, no one can deny. I congratulate him on his labors. However, I cannot help believe that in all his labors the distinguished Senator was a little biased in behalf of his own bill, because when he called a public hearing of the subcommittee, there was before the subcommittee another bill, and he did not even give recognition to the other bill, which sought to accomplish some of the things that are sought to be accomplished by the pending bill. It was only because the Senator from New Jersey was a member of the subcommittee that the so-called Smith-Hendrickson-Ives bill was ever mentioned or ever thought of in the hearings. Of course, it did not receive proper treatment.

When I asked the Secretary of State if he had read the Smith-Hendrickson-Ives bill, he said, "No." He said he had not seen it. I asked him if he would obtain a copy of it and study it. He said he would. I still have to hear from the Secretary of State with respect to the merits or demerits of that bill.

With respect to the bill which the distinguished Senator from Illinois is advocating today, there are many faults in that bill. The minority report points out those faults. The Deputy Attorney General and the Custodian himself pointed out many faults.

True, the distinguished Senator from Illinois added several amendments to bring the bill into conformity with some of the Custodian's objections. However, there are many facts that must be searched out with respect to this issue. I suppose now those facts must be searched out on the floor of the Senate.

I hope that every Member of the Senate will carefully read the testimony of the Secretary of State with respect to the bill which is advocated by the distinguished Senator from Illinois. The Secretary of State was not at all positive in any of his testimony. I asked him if he had made a study of the bill. He said he had not made a study of it, although he had seen it and looked at it.

True, he said he was in favor of the principle involved. There are principles in both bills. Like the distinguished Senator from Illinois, I have no pride of authorship. I am seeking to accomplish, together with my colleague the distinguished senior Senator from New York [Mr. IVES], exactly the same objective the Senator from Illinois is seeking to accomplish. But it must be done on a sound basis. The principle of confiscation, in my opinion, is somewhat of a red herring. I think the principle involved is the principle of reparation. I think the Senator from Illinois has overlooked the fact, in some respects, that there was a treaty made in Paris which treats of the subject of reparation. I think if we are not careful, and if we move too rapidly to the passage of the Dirksen bill, we are very likely to create double compensation for many of the folks in Germany who were truly enemies in time of war. It is a question which must be studied very carefully. I shall have more to say about it later in the session when the bill is called up. But I plead with every Member of the Senate to read and study carefully both the majority report and the minority views.

LEAVE OF ABSENCE

On his own request and by unanimous consent, Mr. ERVIN was excused from attendance on the session of the Senate tomorrow, Thursday, August 12, 1954.

ADDITIONAL BILL PASSED TO FOOT OF CALENDAR

Mr. KNOWLAND. Mr. President, at the request of the calendar committee, Calendar No. 2311, Senate bill 2083, which was objected to earlier in the day by, I believe, the Senator from Florida [Mr. SMATHERS], who is a member of the minority calendar committee, I desire to state that the objection has been withdrawn. I now request that Calendar No. 2311, Senate bill 2083, be added to the bills at the foot of the calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

FUNDS FOR SELECT COMMITTEE TO STUDY CENSURE CHARGES PURSUANT TO SENATE ORDER ON S. RES. 301

Mr. WATKINS. Mr. President, from the Select Committee to Study Censure Charges pursuant to Senate order on Senate Resolution 301, to censure the Senator from Wisconsin [Mr. MCCARTHY], I report an original resolution to provide funds for the select committee. I ask unanimous consent for the present consideration of the resolution.

The PRESIDING OFFICER. The resolution will be read for the information of the Senate.

The resolution (S. Res. 313) was read, as follows:

Resolved, That the select committee, named by the Vice President as ordered by the Senate on August 2, 1954, to consider Senate Resolution 301 of the 2d session of the 83d Congress, shall select a chairman from among its members.

SEC. 2. The committee is authorized to employ upon a temporary basis such technical, clerical, and other assistants as it deems advisable.

SEC. 3. The necessary expenses of the committee, not to exceed $30,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 313) was considered and agreed to.

ADDITIONAL BILL INTRODUCED

An additional bill was introduced, read the first time, and, by unanimous consent, the second time, and referred, as follows:

By Mr. DANIEL (for himself and Mr. JOHNSON of Texas):

S. 3860. A bill to promote the preservation of the history of the United States as recorded in pioneer weekly newspapers and as currently published in weekly newspapers of the United States by establishment of the National Library of Weekly Newspapers, and for other purposes; to the Committee on Rules and Administration.

(See the remarks of Mr. DANIEL when he introduced the above bill, which appear under a separate heading.)

AMENDMENT OF SUBVERSIVE ACTIVITIES CONTROL ACT, RELATING TO IDENTITY OF CERTAIN COMMUNIST - INFILTRATED ORGANIZATIONS—AMENDMENTS

Mr. KENNEDY submitted amendments intended to be proposed by him to the bill (S. 3706) to amend the Subversive Activities Control Act of 1950 to provide for the determination of the identity of certain Communist-infiltrated organizations, and for other purposes, which were ordered to lie on the table and to be printed.

Mr. HUMPHREY submitted amendments intended to be proposed by him to Senate bill 3706, supra, which were ordered to lie on the table and to be printed.

Mr. HUMPHREY (for himself, Mr. KENNEDY, and Mr. MORSE) submitted amendments intended to be proposed by them, jointly, to Senate bill 3706, supra, which were ordered to lie on the table and to be printed.

IDENTITY OF CERTAIN COMMUNIST-INFILTRATED ORGANIZATIONS

The Senate resumed the consideration of the bill (S. 3706) to amend the Subversive Activities Control Act of 1950 to provide for the determination of the identity of certain Communist-infiltrated organizations, and for other purposes.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KNOWLAND. What is the pending business before the Senate?

The PRESIDING OFFICER. The pending business is Senate bill 3706. The bill is open to amendment.

Mr. MORSE. Mr. President, I am opposed to the pending bill. I am not opposed to the anti-Communist objective of the bill, but I am opposed to many of the procedural provisions of it, and I am opposed to giving jurisdiction over the subject matter of the bill to the Attorney General of the United States.

I agree with the Senator from New York [Mr. LEHMAN], in his remarks earlier today when he suggested that the bill should have been considered by the Committee on Labor and Public Welfare of the Senate, because, in my judgment, that is the committee which really has jurisdiction over legislation dealing with American unions. I am not talking about jurisdiction over individual citizens who may be guilty of subversive and Communist activities. I shall dwell on that point in a moment.

The first objection I wish to raise to the bill, by way of Senate procedure in handling the bill, is that I think it was considered by the wrong committee. I think the bill should have gone to the Committee on Labor and Public Welfare, because, in my judgment, that committee has responsibility for advising the Senate on legislation we should consider in respect to controlling any Communist activities which may exist in any American union.

When I was a member of that committee—and I was a member of it for some 8 years—I took the position that jurisdiction over the issue of Communist-dominated unions should be placed squarely in the National Labor Relations Board. A majority of my colleagues on the committee were not of that persuasion—at least, up until the time I ceased to be a member of the committee. I think it was two and a half years ago or thereabouts. I shall shortly have the report which will give the exact date. The Senate Committee on Labor and Public Welfare, at the time when I was a member of it, went into the question of how to handle the issue of communism within American unions. I remember as distinctly as though it were yesterday many of the details of the discussion. We were of one mind—and I am of the same mind today, Mr. President—that communism in American unions has been greatly exaggerated. There have been cases of Communist-dominated unions, but, relatively speaking, there is little communism in American unions.

Undoubtedly a certain percentage of the Communist population of the United States are workers, and a certain percentage of those workers are members of trade unions, but they represent such a small percentage of the workers, in the first place, and of trade unionists in the second place, that it is very easy for anti-labor forces in this country to create a hysterical impression, as has been done among certain segments of our population, that American unionism is honeycombed with communism. It simply is not a fact.

I also wish, as the Senator from New York did earlier this afternoon, to pay my tribute to great labor statesmen in both the AFL and the CIO in carrying on a great fight against the small segments within the American labor organizations which have become Communist-inclined. George Meany and the other labor statesmen of his stature within the AFL must be counted among the leaders of this country dedicated to the proposition that communism shall not thrive within the American labor movement. Walter Reuther, McDonald of the steel workers, the leader of the textile workers, and many other CIO labor leaders are of the same mind, Mr. President. Take the fight Jim Carey has made again communism as he found it some time ago in his union. Under his leadership they were driven out of the electrical workers' union. The charter of that Communist-dominated union was taken away and a new CIO union in that field was established under the leadership of Jim Carey.

Oh, Mr. President, it is so easy in these days to give the impression that American labor has become saturated with communism within its policymaking ranks. It just is not true. Nor will we find upon investigation any large number of Communists within the ranks of organized labor. The Communist strategy and tactics are to infiltrate every organization they can infiltrate. I do not know of any organization in which any principle of self-government exists, in which the Communists will not try to

worm and termite their way, hoping they can take over some of the self-governing activities of the organization and come to dominate it. Every organization, I do not care what it is, must be on guard against it.

I am a little amused about one of the smears against me. At one time I was a member of the Institute of Pacific Relations. I think that was the name of the organization. I was then dean of the law school of the University of Oregon. Ray Lyman Wilbur—no flaming liberal, a former Secretary of Commerce, and then president of Stanford University, and Dr. Alsberg, then director of the Food Research Institute of Stanford University, invited me at the time I was chairman of the Pacific Institute of the Administration of Justice—I think that was the title; I may be incorrect as to the exact title, but I think that was the title of the organization—to become a member of the Institute of Pacific Relations. They felt that the chairman of this organization of legal societies on the Pacific coast ought to cooperate in what was a very sound objective. The objective is just as sound today as it was then. It was in the early thirties that I became a member.

That organization was created to do what? To improve the relationship between the United States and Asia, and to do what could be done in trying to develop a greater economic intercourse between Asia and the United States. A good many researches were underway in the colleges and universities, particularly on the west coast, because we on the west coast recognize that with Asia at our front door, the future economic life of the west coast has a direct interest in the economic developments in Asia.

So upon the invitation of Mr. Wilbur and Dr. Alsberg, I became a member of the Institute of Pacific Relations. The principal membership activity in the institute consisted of receiving its literature. I do not know of any meeting which I ever attended; although if a meeting had been available to me, I would have had no objection to attending it.

I think also that another reason for my joining the institute was that I was the representative of the University of Oregon, as I recall, on the western regional division of the Social Science Research Council of America. That happened to be a council of representatives of various educational institutions which met once or twice a year, as I recall, to pass judgment upon the application for research grants to be made by the Social Science Research Council of America for research investigations, into a whole variety of subjects in the field of social science. Some of the subjects had to do with research study in the field of American-Asian relationships from an economic standpoint.

As a member of the council, it was suggested to me that I should take an interest in the Institute of Pacific Relations, and I did, as I say, to the extent of receiving its literature.

I could not raise my right hand today and swear whether or not the institute was a dues-paying organization. But knowing that my finances at that time were just about what they are now—practically zero—I think that if it had been a dues-paying organization, I would recall it. It may be that I had to pay some subscription fee for the literature; I do not know.

But that organization was sound in objective and purpose, and desirable in objective and purpose. So far as I know, as long as I was a member of the organization there was not the semblance of Communist activity connected with it.

I understand—I do not know it to be a fact—that on the basis of some investigations which have been conducted by Senate committees, there is some reasonable ground to believe that Communists tried to termite their way into the Institute of Pacific Relations. That must be guarded against at all times. Of course, when they try it, and to whatever extent they are successful, if one happened to be a member of the institute, he would be smeared by the hysterics in the country who think it is good politics to frighten the American people about the termiting activities of the Communists, and who seek to leave the impression that anyone who is a member of the organization which they have sought to undermine thereby becomes of questionable loyalty to his country. They also seem to think they can frighten people by that kind of smear campaign into silence at an hour when, in my judgment, loyalty to our country calls upon persons who have a belief in the American Bill of Rights to speak out in support of their full protection. I have done so, and I intend to continue to do so.

When it comes to the matter of Communists termiting their way into the American labor movement, it is the clear duty, in the first instance, of responsible labor leaders in the United States to proceed to clean them out. In my judgment, with but very few exceptions, that is exactly what the labor leaders of the country have done, and to a highly successful and remarkable degree.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. MORSE. I am glad to yield.

Mr. BUTLER. It is my recollection, although I will admit that I have not read the hearings for some 6 months, that the Senator from Oregon appeared and testified before the Humphrey committee, which studied the problem to some degree. At that time the Senator from Oregon made the very definite and direct statement that there was a great overriding public interest involved in the question, and that he thought Congress, sooner or later—I hope the Senator will not hold me too closely to this statement—would act upon the question. Is that correct?

Mr. MORSE. If the Senator from Maryland will be a little patient with me, in due course I shall read those statements into the record. I have them before me.

Mr. BUTLER. I do not know whether my recollection is correct, but it seemed to me that the Senator had made the statement that there was great overriding public interest, that the labor unions could not cope with the situation and that the Legislature should act. I do not know whether I am right or not.

Mr. MORSE. I did not say that they could not cope with the situation, but I said they needed some assistance.

Mr. BUTLER. I think the record will speak for itself.

Mr. MORSE. I shall come to it shortly.

I think, in regard to the matter of communism within the labor movement, the first step, if it is successfully handled, is the assumption of responsibility on the part of labor leaders to put their own houses in order, and to see to it that any communism which exists within the labor movement is cleaned out by way of official union action. In my judgment, that is exactly the record of the responsible labor leaders of this country, and they deserve the highest commendation from the Congress and the people of the United States for the magnificent job they have done.

But in addition to the labor leaders assuming their full responsibility in checking the termiting activities of Communists within the labor movement, Congress has a responsibility, too, of being of assistance to the labor movement, in helping it perform this very important duty. That is the position I took when I was a member of the Committee on Labor and Public Welfare, to which the Senator from Maryland has just alluded. I took the position, over a period of 10 years, that, in my judgment, American employers should be given the right to file a claim of an unfair labor practice against a union if, in their opinion, the union was Communist dominated.

I took the position, as will be seen from the minority views which I issued when I was a member of the committee, and which I am about to read, that such a claim should be given priority by the National Labor Relations Board, and that a hearing should be held on a basis analogous to a pre-trial hearing in a Federal court, for the purpose of establishing whether or not a prima facie case exists in support of the employer's complaint. If the employer could establish to the satisfaction of the Board that a prima facie case existed, the Board should proceed forthwith to try the charge of unfair labor practice.

In my judgment, that jurisdiction should have been given to the National Labor Relations Board by Congress long before this. The National Labor Relations Board is the body which ought to be trying cases involving communism within the unions.

Mr. CASE. Mr. President, will the Senator yield?

Mr. MORSE. I shall have something to say, after I have yielded to the Senator from South Dakota, about what I think the obligation of the Department of Justice is in respect to individual citizens; but that is quite different from giving it jurisdiction, through the exercise of broad discretion by the Attorney General, over the American labor movement. I yield to the Senator from South Dakota.

Mr. CASE. Mr. President, with the indulgence of the Senator from Oregon,

I should like to make a statement before I ask him a question.

Mr. MORSE. I yield for that purpose, without losing my right to the floor.

Mr. CASE. First of all, let me say that, in my judgment, this is probably one of the more important pieces of proposed legislation to come before this session of Congress. We are proposing to deal with a subject that received the attention of two or three Congresses before the bill was passed. When the original Mundt-Nixon bill was proposed, in about the 79th Congress, I believe, it contained a great deal of special appeal. I believe the bill was more or less the genesis of the one introduced in the 80th Congress. We developed the Internal Security Act, which was a revision of the original Mundt-Nixon bill. I recall working, as a member of the subcommittee of the House Committee on Un-American Activities, on the definition of what organization should be defined as a Communist-action organization and what one should be defined as a Communist-front organization. In fact, the distinguished Vice President and I were members of the subcommittee assigned to work over the bill before it was reported to the House of Representatives.

At one time I also had some contact with labor legislation. It is in connection with that work that the remark of the Senator from Oregon prompted me to raise this interrogation. I had never heard before that the Senator from Oregon advocated the definition of unfair labor practices on the part of a labor organization. I may have missed it, but it is my recollection that the Senator from Oregon opposed the enactment of the so-called Case labor bill in 1946 and the Taft-Hartley bill thereafter. Is the Senator from Oregon saying that the basic Labor Relations Act should be amended to add an unfair labor practice and describe it in terms of Communist infiltration?

Mr. MORSE. I do not know where the Senator from South Dakota has been if he is not aware of my position on the question. I did not vote for the Case bill because I thought it was a poor bill.

Mr. CASE. Did the Senator from Oregon vote for the Taft-Hartley bill?

Mr. MORSE. No; but I voted for the Ives-Morse bill, which came out of the Committee on Labor and Public Welfare by a vote of 11 to 2. The Ives-Morse bill had one unfair labor practice after another listed in it. In fact, in 1949, the late Senator from Ohio, the great Bob Taft, adopted a whole series of amendments in conference with the Senator from New York [Mr. IVES] and the Senator from Oregon, based upon the unfair labor practices listed in the Ives-Morse bill in 1947.

Mr. CASE. When consideration was given to the modification of the original Wagner bill so as to define unfair labor practices on the part of labor organizations, the Senator from Oregon will recall that the original Wagner Act defined unfair labor practices only on the part of employers. It did not set forth a comparable list, or any list, of unfair labor practices on the part of labor organizations.

Was the Senator from Oregon advocating in 1946 the establishment of a code of unfair labor practices on the part of labor organizations?

Mr. MORSE. The Senator from Oregon has advocated such a code from the day the Wagner Act was enacted. So long as the Senator from South Dakota has raised the question, let us get the record straight right now. I wish I had a certain document in front of me, but I shall obtain it in the next few days. I spoke in the Portland, Oreg., labor temple shortly after the Wagner Act was enacted. I said at that time that I even raised a serious question as to the constitutionality of the act. When I desire to discuss such a question, I go to the people directly concerned. I did not select the most popular audience for a discussion of the Wagner Act back in the thirties, when I appeared in the Portland labor temple before a labor audience. I said at that time that the act might be declared constitutional, but that would not make it good legislation. I said it was not good legislation because it was one-sided; it was loaded in behalf of labor. I said at that time that labor was making a serious mistake in not getting behind a movement to make it two-sided legislation.

There was great comment in my State about that. The people could not understand why the dean of a law school who had been invited to discuss the legal implications of the Wagner Labor Act would take that position. It so happens that I took the position that the Wagner Labor Act was partial legislation and that it would not be fair legislation until unfair labor practices on the part of labor organizations were also checked by legislation.

Let me discuss the next step in my record with regard to the Wagner legislation. In 1944 I campaigned up and down the State of Oregon with the pledge on my lips that the Wagner Act should be amended so as to add to it protection for the employers of this country by putting into the act a definition of unfair labor practices by labor, and the elimination or modification of some of the alleged unfair labor practices of employers. The Ives-Morse bill was the keeping of that pledge. Sooner or later the Congress of the United States is going to consider the major provisions of the Ives-Morse bill of 1947.

Let me take the Senator from South Dakota to the next step with regard to my record in connection with unfair labor practices on the part of unions. At one time I was a member of the Committee on Labor and Public Welfare. I see present JIM MURRAY and HERBERT LEHMAN, the only members of the committee at the time I was on it. The Senator from Minnesota [Mr. HUMPHREY] has just entered the Chamber. I can call upon those Senators as my witnesses, during the time we served on the Labor and Public Welfare Committee together, to testify that on occasion after occasion I said labor legislation ought to be enacted that would protect the employer from unfair labor practices by labor.

I took the position on the committee time and time again that the National Labor Relations Board ought to be required by statute to assume jurisdiction over the issue of Communist infiltration in American labor unions, and that a charge of Communist infiltration in a labor union ought to be the basis available to the employer for filing an unfair labor practice charge against a union.

I now want to take my friend, the Senator from South Dakota, through a very brief reading of my minority views in the report of the subcommittee known as the Humphrey Subcommittee of the Senate Labor Committee, and I want the attention of the Senator from Minnesota, as well as the attention of the Senator from Montana and the Senator from New York on this point, because they are aware of the position the Senator from Oregon took.

Mr. HUMPHREY. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield to the Senator from Minnesota.

Mr. HUMPHREY. I regret that I was not giving the Senator from Oregon my attention. I have been trying in the last moments of this session to try to get some information together in order to deal intelligently with the proposal before us. I wish to thank the Senator from Oregon for the presentation he has made. The pending bill has come up quite rapidly on the calendar. It is of such significance that it requires time to muster one's material.

I spent several months studying the question of Communist infiltration of trade unions. It is my intention to make some comments on the question. I might suggest that before we are through we will give every Senator a chance to vote on the issue of communism, because we are going to lay the issue on the line and not on the fringes. That is all I want to say at the present time. I shall be back later.

Mr. MORSE. I wish to say to my friend, the Senator from South Dakota, that when I was on the Committee on Labor and Public Welfare, a subcommittee studied the question. We conducted hearings on the question of what we were going to do, legislatively speaking, if anything, about the issue of communism within American labor unions. The majority of the committee presented a report. I speak most respectfully when I say the majority of the committee took the position that we should not impose any jurisdiction on the National Labor Relations Board over this issue. I dissented from that point of view, and I now wish to read my very brief minority point of view on that matter.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. HUMPHREY. I recall that period of our deliberations. I believe the Senator will note, if he reads the report—and also I think subsequently I wrote the Senator a letter about the matter—that we did not say in the majority report the National Labor Relations Board should not do so. We said there was a question as to whether the Board should do so.

I say to the Senator from Oregon that he took a very firm stand on the matter, and one which I think has a great deal of merit; namely, that the National Labor Relations Board should take jurisdiction in this area. There was an honest disagreement as to whether it should.

I may say to the Senator now that he presented a very persuasive case. It is entirely probable and may be desirable that the National Labor Relations Board include this as one of its functions.

Mr. MORSE. I am happy to accept the correction of the Senator. The majority position was not that the National Labor Relations Board should not assume the jurisdiction, but rather that they did not recommend what I wanted them to recommend; namely, that the jurisdiction should be imposed upon the Board.

Mr. CASE. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. CASE. May I say to the Senator from Oregon that I welcome his declarations on these issues in this way at this time, and his citing of whatever record there may be on the matter. It possibly is a bit unfortunate, I might say, that whatever his advocacy was for establishing a set of unfair labor practices as a part of the Wagner Act, it was not recognized at that time. At least, when the Committee on Labor and Public Welfare of the Senate brought in its very much amended version of the bill which had passed the House of Representatives in the spring of 1946. I do not recall that the version brought forth was particularly noteworthy for the code of unfair labor practices which it sought to establish as amendments to the National Labor Relations Act.

I do wish to give this much credit, though: I always did appreciate the fact that the Senate Committee on Labor and Public Welfare did report a bill. I thought that was a very fair thing to do.

I see the Senator from Montana [Mr. MURRAY] is present. If my memory is correct, the Senator from Montana was chairman of that committee at that time. I think the Senator from Montana [Mr. MURRAY], the Senator from Oregon [Mr. MORSE] and others who were in the majority on that committee at that time were fair in bringing out a bill.

However, had it not been for the work of such Senators as the late Senator from Ohio, Mr. Taft, the Senator from Virginia [Mr. BYRD] and others who were working with them on the floor of the Senate, there would not have been a very effective code of unfair labor practices even proposed as the action of Congress at that time, in 1946.

Mr. MORSE. Let me say, Mr. President, that I am sorry I so completely failed to make clear to my friend from South Dakota over the years my position on labor legislation. However, if the Senator will check back through the debates on the Taft-Hartley bill, he will find I occupied this floor for hours—on one occasion for some 10 hours—and in the course of those many speeches in that prolonged debate on the Taft-Hartley bill I pleaded for the adoption of the Ives-Morse bill. The Ives-Morse bill as it came out of the Committee on Labor and Public Welfare had a considerable list of unfair labor practices to be charged against the unions.

The best evidence I can give on that matter, Mr. President, would be to cite the modifications that the late Senator Taft proposed in 1949 to the Taft-Hartley law, which were based in large measure upon the Ives-Morse bill and were the result, as the Senator from New York [Mr. IVES] would state if he were on the floor, of a series of conferences we had with the late Senator Taft over a considerable period of time in that session of Congress, before he ever brought his so-called package amendments to the Taft-Hartley law to the floor of the Senate.

May I say, Mr. President, it was just by a matter of a weekend that we missed a complete agreement among ourselves on the so-called Taft package proposals of 1949. The thing which prevented a complete agreement among us, so far as that was concerned, was the matter of the injunctive process and the matter of the secondary boycott. The Senator from Ohio said he would like to have the weekend in which to take those matters under advisement and to consult with other Members of the Senate over those matters.

The CONGRESSIONAL RECORD will show the position I took as I discussed this matter, in the presence of the late Senator Taft, and his replies will also show the position I took. I stated the facts then as I summarize them now, in saying practically the same thing.

I then took the position with the late Senator Taft that I would not go along with a package proposal for amendments to the Taft-Hartley law, although I agreed with the principles of most of the amendments he had in his 1949 package, unless he would go along with some modifications of the injunctive process features of the Taft-Hartley law and some improvement in the secondary boycott prohibitions of the Taft-Hartley law.

I have always said there are some secondary boycotts which ought to be outlawed. There are some secondary boycotts, however, which labor must insist upon retaining if labor is going to protect its standard. For example, I do not think that any self-respecting union man or woman is going to work on struck goods, even though one can maneuver a case into a factual situation where it looks as though they are supporting a secondary boycott if they refuse to work on struck goods.

Likewise, I said then—and it can be found in the RECORD in 1949, when I discussed it—and I had said previously and have said many times since, that I do not think a self-respecting union man or woman is going to cross a legitimate picket line even when a factual situation in a labor dispute has been so maneuvered that the worker may find himself in a position where if he crosses a given picket line it will look as though he is engaging in a secondary boycott.

Therefore, I said to the late Senator Taft, in 1949, "I will not go along with your package proposals unless you agree to help improve the Taft-Hartley law with regard to what we think are great shortcomings in connection with the injunctive process and great shortcomings in connection with the secondary boycott provisions."

I can say this now, although I ordinarily never refer to a conversation I had with a man who has since passed away, because this is in the CONGRESSIONAL RECORD, and Senators will find I am giving an accurate report of it.

I reported at that time that the late Senator Taft took the position that, after his weekend conference with his associates, he was not in a position to go along with many of those modifications at that time. However, he did indicate that he thought that in the not too distant future we would probably come to agreement on amendments at least similar to the ones I was proposing.

That was my position, Mr. President, in 1949. I am surprised that anyone who has made any study at all of my position on labor legislation is not aware of the fact that I have always taken the position that the Wagner Act needed to be amended by providing safeguards against unfair labor practices, available to the employers against the unions, because there have been many unfair labor practices by unions. In fact, if the Senators wish to check the speech I made before the national convention of the CIO in 1948 or 1949, out in Portland, Oreg., they will find that then, in the presence of the national officers, I stated it was my opinion they had made a great mistake by taking the position before the Committee on Labor and Public Welfare that the Wagner Act should not be amended at all.

I paraphrase that speech accurately, Mr. President, when I say, "What did the American labor leaders do at the time we had the bill before us which later became the Taft-Hartley law? They came before our committee, man after man, and they said, We are against all amendments."

I can recall, Mr. President, when Philip Murray was on the witness stand in those hearings, when he testified to the effect that they wanted no amendments at all to the Wagner Act. I said, "You are going to get them, and the trouble is that if you do not sit down with this committee and cooperate with us in devising fair amendments to the Wagner Act, you are going to get some amendments you are not going to like, because they are going to be passed."

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. MORSE. I am sure there are Members in the Senate who will recall that at the time I had that colloquy with Phil Murray at that hearing of the Labor Committee, I was subjected to a great deal of criticism in the labor press of the country, but I met that criticism right here on the floor of the Senate, and in a speech which will be found in the CONGRESSIONAL RECORD I said:

I want to say here on the floor what I said before the Labor Committee. American labor leaders either ought to face the fact that the Wagner Act is going to be amended and sit down and cooperate with the Labor Com-

mittee in helping devise reasonable amendments that will protect the legitimate rights of labor and at the same time protect the legitimate rights of employers, or they are going to get out of this session of Congress a bad piece of labor legislation.

My warning then became true.

Mr. President, it is interesting to note in the intervening years the number of labor leaders who have come to me and said, "We did not believe you then, but you were dead right, and that is exactly the position we should have taken."

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from Maryland.

Mr. BUTLER. Did not the Senator take substantially the same position in connection with this question?

Mr. MORSE. Yes. I am coming to that. That is my position.

Mr. CASE. Mr. President, will the Senator yield?

Mr. BUTLER. May I ask the Senator another question. Has the Senator seen any effort on the part of labor to take that position?

Mr. MORSE. Yes, some.

Mr. CASE. I appreciate the indulgence of the Senator from Oregon in responding to the questions I have directed to him.

Is it the suggestion or contention of the Senator from Oregon that there should be a determination of the question of Communist infiltration in labor organizations, but that such determination should be made by the National Labor Relations Board rather than by the Subversive Activities Control Board under the Subversive Activities Control Act?

Mr. MORSE. That is my position, and that has been my position for several years.

Mr. CASE. Would the Senator apply that principle in respect of other organizations, and let other organizations in which this question arises determine the degree of subversive penetration?

Mr. MORSE. Only when the facts are comparable. I am going into a discussion now as to why I think jurisdiction over this question should be vested in the National Labor Relations Board.

Mr. CASE. Does the Senator think the National Labor Relations Board is equipped, both by reason of the responsibilities it has in other respects, and the natural qualities that would be looked for in selecting members of that board, to be entrusted with the determination of subversive infiltration?

Mr. MORSE. Yes, I do. I think they could smell such infiltration at a much greater distance than any Attorney General could smell it, I care not how highly developed his sense of smell might be.

Of course, I spoke quite figuratively and half jocularly, as the Senator knows, but now let me be dead serious about it. The National Labor Relations Board is composed of men who, by training, background, and insight, know the American labor movement's problem from "A" to Izzard. They know when they are dealing with a union which has Reds in it. They can tell it. At the time we were seeking to cooperate with Russia as an alleged ally, as Senators have heard me say many times, she never was one, and I said so from the beginning of the war and have been on public record on that point time and time again. I have always said that Russia was only a country with a common enemy, and that is quite a different thing from being an ally. She was never an ally. During the war I raised questions in discussions as to why he would not lift the curtain and let us get behind that curtain with military teams and observers. I said then, as I have repeated so many times since, that if she had been an ally during the war she would not have dropped an Iron Curtain on us. She kept it dropped on us all during the war.

Mr. CASE. Mr. President, I share with the Senator from Oregon his feeling as to Russia's position during the war, and I think I could also submit some statements that I made, even before we got into the war, with respect to that question.

I am wondering if the Senator is going to conclude the presentation of his argument with the submission of an amendment, as a substitute for the proposed legislation, whereby he would propose that an unfair labor practice, namely, subversive infiltration, be added to the act under which the National Labor Relations Board functions, and that the finding of such unfair labor practice be determined by that Board.

Mr. MORSE. No, I am not, but I am going to introduce a bill at the beginning of the next session of Congress, because frankly, looking at the legislative posture of the Senate in these closing days, I do not think we ought to be taking the time to debate the kind of proposal I think we ought to consider, without hearings on such proposal before the Labor Committee of the Senate. I think my proposal should go to the Labor and Public Welfare Committee of the Senate. I think there should be early hearings on it, come January, and early action in the next session of the Congress.

I do not think we should pass legislation on this subject in the closing days of this session. I may be misinformed, but I think we are going through somewhat of a gesture in the Senate, anyway, even in our discussion of it, because I do not think it has a snowball's chance in this hot Washington summer weather of getting through the House.

I was talking about the Humphrey subcommittee. I can remember those sessions of the committee at which were present a great many labor leaders, and I think they missed another opportunity, Mr. President, to make a recommendation to the Congress that really would have been to the benefit of labor. The labor leaders were sincere in their difference of opinion with me, but before the Humphrey subcommittee, as the Senator from Minnesota [Mr. HUMPHREY] and the Senator from New York [Mr. LEHMAN] would have to testify, if I made them my witnesses, the labor leaders took the position that we should not enact any legislation on the subject. The Senator from Montana [Mr. MURRAY] knows that to be true, also.

Mr. MURRAY. Yes; I can confirm the statement of the Senator from Oregon in that respect. I recall very well the independent position he took in the committee. We were constantly hearing from him, admonishing the labor unions of their duty.

Mr. MORSE. I thank the Senator from Montana. The Senator is correct. Labor leaders disagreed with me, Mr. President, and outside the committee room they disagreed with me very critically. They did not answer my arguments in the committee room, but some of them came to me and made such arguments as this: There is a great danger that such legislation would develop into union-busting policies on the part of Government officials.

I remember on one occasion I said, not too politely, "That is just a lot of hogwash. It is in your interest that this jurisdiction be placed in the National Labor Relations Board. If you find yourself in a position where you have a local that has been infiltrated, and you are having difficulty or find that you are not going to be able to handle the problem yourself, you ought to welcome the backing of the National Labor Relations Board, acting upon an unfair labor practice charge filed by an employer."

I shall close the discussion of my position in the Humphrey subcommittee, Mr. President, by reading the very brief minority views which I filed after the majority filed its report, which, in effect, as the Senator from Minnesota has pointed out, did not recommend that the National Labor Relations Board should be required to assume jurisdiction. It did not recommend against it, either.

In fact, I think, as will be seen from my minority views, the majority report was very objective in its approach. I speak respectfully about the report, but I think it amounted in effect to postponing final consideration of the issue.

Mr. HUMPHREY. Mr. President, will the Senator yield at that point?

Mr. MORSE. I yield.

Mr. HUMPHREY. I take a great deal of pride in the work that was done by that subcommittee. I must say that we did not have the benefit of television and we did not get any headlines with respect to the work we did in that subcommittee. We worked for months. I shall develop some of the work that was done by that subcommittee. It had before it as witnesses responsible leaders in business, in labor, and in management, men from universities, and attorneys, representatives of the American Bar Association, and representatives of the chambers of commerce. We took a tremendous volume of testimony.

That subcommittee did not have an opportunity to complete its work. As a matter of fact, in the report we filed we stated that we had barely had an opportunity to appraise the dimensions of the program. As chairman of the subcommittee, I strongly urged that in the next Congress the Senate Committee on Labor and Public Welfare establish a similar subcommittee and proceed forthwith on the basis of what had already been explored. We had opened up many avenues of exploration and opportunities for investigation, and I urged that Congress

proceed forthwith to pursue those fields of investigation.

I have in my hand some of those hearings. I notice, for example, that one of the great labor leaders, the president of the Upholsterers Union, Mr. Sal Hoffman, recommended exactly what the Senator from Oregon has recommended. Just as the committee cannot have the benefit of the National Labor Relations Board, so should not a Communist-dominated union.

Mr. MORSE. Mr. President, will the Senator permit fleeting comment at that point?

Mr. HUMPHREY. Of course I do.

Mr. MORSE. I will say that there were some labor leaders in the Upholsterers Union—and the president was one of them—who did share my view, but the majority did not share my view.

Mr. HUMPHREY. Yes. I wish to conclude with this thought: What disappointed me more than anything else in the 83d Congress was the fact that that subcommittee was disbanded. I shall read into the CONGRESSIONAL RECORD the results of our findings, and some of the pertinent testimony obtained by our subcommittee. This is a serious problem. My position on the issue has been known ever since I have been old enough to express an opinion, and that is unqualified opposition to communistic infiltration anywhere, particularly in the labor movement.

It is most regrettable that we did not pursue the inquiry. The Senator from Oregon, in his individual views, raised the the question of the jurisdiction of the National Labor Relations Board. He will recall that he and I had private conversations about it. It seemed to me that it was worthy of further exploration. The Senator from Oregon will recall that Mr. Herzog, a past chairman of the NLRB, was opposed to the NLRB having jurisdiction. He did not make as conclusive a case in opposition as he should have made if he was opposed to it.

Therefore I feel this subject matter needs exploration, and it needs very careful study and very careful analysis, because if we do not watch out, instead of pointing a rifle at a single Communist, we will be shooting a blunderbuss, which will spread out through the whole area. I do not want that to happen.

I shall use my own time to develop this point. I merely wish the Senator from Oregon to know—and I am sure he is aware of the fact—that one of the most interesting periods of my public service was during these investigations and studies.

Those investigations were honorable, unemotional, and objective. We received wonderful cooperation from the Government, from universities, from labor, and from management, and I believe we made some very good recommendations.

Finally, let me say that I believe the recent prosecution by the Department of Justice of one Mr. Gold, formerly of the fur workers union, was the result of our hearings, because the Senator from Minnesota brought before the subcommittee representatives of the Department of Justice and took them over the coals as they had not been taken over the coals for some time, about their failure to investigate the authenticity and validity of the non-Communist affidavits. I produced them to show that they needed to be investigated. As a result of the investigation we pursued, prosecution was obtained and action was obtained. There are a great many ways of getting at this problem.

Mr. MORSE. Mr. President, as the Senator knows, I said when we concluded our hearings that the Senator from Minnesota is deserving of great credit for the procedure and the objective approach he followed in conducting those hearings. I believe they were model hearings which other Senate committees could very well follow with respect to their hearings.

I have no criticism at all to make of the objectivity of the majority, or with respect to the sincerity of the majority. As I said at the time, I only regret that I cannot see eye to eye on each of their points.

However, in order to make certain that the RECORD we are making today is absolutely fair to the majority, I ask unanimous consent to have printed as a part of this discussion, at this point in the RECORD, the report of the Subcommittee on Labor and Labor-Management Relations to the Committee on Labor and Public Welfare, presented by the Senator from Minnesota [Mr. HUMPHREY] on March 2, 1953.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

PUBLIC POLICY AND COMMUNIST DOMINATION OF CERTAIN UNIONS

NATURE OF THE INVESTIGATION AND RECORD

This is the report of an investigation of the public policy implications of Communist domination of certain labor unions. It was undertaken by the Subcommittee on Labor and Labor-Management Relations of the United States Senate Committee on Labor and Public Welfare.

A first step was to publish as a Senate document the reports of the trial committees of the CIO expelling certain unions on grounds of Communist control and domination.[1] The objective in publishing these documents, which were otherwise not generally available, was to provide concrete case material on the strategy and tactics of Communist-controlled unionism and how a major labor organization went about coping with this problem.

The second step in the investigation was the circulation of a questionnaire to a group of representative spokesmen from the ranks of labor, management, government, and the general public, who have had some specific experience in dealing with the problem at first hand.

The subcommittee asked the following questions:

1. Is there an effective legislative approach to the problem of Communist-dominated unions?

2. Can you suggest the principles or statutory language which ought to be embodied in such legislation?

3. Can you suggest avenues of inquiry which the subcommittee ought to pursue, particularly those avenues which have not already been studied by other committees?

The answers were reprinted in several Senate documents.[2]

In the third step the subcommittee held hearings and probed further into the issues raised by the replies to the questionnaire. In addition the hearings provided an opportunity to get into at least one case situation involving the issue of Communist union domination in the electrical production industry.

In a fourth aspect of the investigation, the subcommittee with the cooperation of the General Counsel of the National Labor Relations Board initated an investigation of the operation of a Communist-dominated union in action.[3]

This then is the basic record upon which this report relies in analyzing the problem and in making its recommendations. The hearings and investigations of the House Un-American Activities Committee and the Senate Internal Security subcommittee have been followed carefully and that record too will be utilized in this report.

The focal point of the subcommittee's interest in the problem has been the public policy implications of Communist-dominated unions. No need was felt to retread the path of exposure and identification being carried on by other legislative committees and by the labor organizattions themselves.

IDENTIFYING COMMUNIST-DOMINATED UNIONS

Now to the facts as revealed by our record. Are there Communist-dominated unions and how can they be identified as such? There are three ways of identifying Communist-dominated unions: (1) By the adherence of the union's leadership to the shifting pattern of the Communist Party line; (2) by direct acts such as strikes which are designed to implement the interests of Soviet foreign policy; (3) By systematic participation of Communist Party functionaries in the determination of union policy.

There is no great difficulty in identifying Communist-dominated unions on the first count, that is, the unerring conformity of the union's policies to the Communist Party line in vogue, and as it shifts as directed by the Kremlin. The reports of the CIO trial committees constitute an elaborate spelling out of the rigid parallelism between the political lines of the expelled unions and the line of the Soviet Union.

The International Longshoremen and Warehousemen's Union led by Harry Bridges is an outstanding case in point (pt. III, p. 79). The "popular front" was the keynote of Soviet foreign policy in the period 1935 to 1939. The responsive chord which this line struck in the ILWU took the form of vigorous support of the Roosevelt program to "quarantine aggressors." In 1938, the union, for example, supported bills to change the Neutrality Act to permit active trade assistance to the victims of aggression; it also supported a bill to ban the shipment of helium to Germany.

In June 1939 Soviet Russia reversed its field and negotiated a nonaggression pact with Nazi Germany. The ILWU too shifted in reverse. This was the cue for a reversion

[1] Communist Domination of Certain Unions: Pt. I. Reports of the CIO executive board trial committees appointed to hold hearings on charges of Communist domination of several CIO unions (S. Doc. 89), 82d Cong., 1st sess. (hereafter referred to as pt. I).

[2] Communist Domination of Certain Unions: Pt. II. Atomic Energy Commission reply to subcommittee questionnaire, 82d Cong., 2d sess. (hereafter referred to as pt. II). Pt. III. Replies to questionnaire from attorneys in labor practice, labor leaders, labor press, university professors, employer associations, and Government officials, 82d Cong., 2d sess. (hereafter referred to as pt. III). Pt. IV. Additional replies to the questionnaire, 82d Cong., 2d sess. (hereafter referred to as pt. IV).

[3] Hearings, 82d Cong., 2d sess. (hereafter referred to as hearings).

to isolationism with the theme "The Yanks are not coming." ILWU resolutions opposed any aid to the countries fighting Germany.

The Soviet line shifted again with the German attack on its erstwhile ally. Again the ILWU responded in kind, advocating no-strike pledges, national service legislation for civilians, and the "second front."

And yet another shift in Soviet foreign policy in the postwar period. According to certified ILWU doctrine the Truman doctrine in Greece and Turkey became "international gangsterism" and the Marshall plan a "monstrous plot against freedom and living standards." This is, of course, the current phase of Soviet foreign policy and therefore the official line of the ILWU.

The CIO trial committees found that in addition to the ILWU, there were other unions which adhered to this pattern of inexorable conformity to the Communist line; specifically, United Office and Professional Workers of America; Food, Tobacco, Agricultural, and Allied Workers of America; National Union of Marine Cooks and Stewards; American Communications Association; International Fur and Leather Workers Union; International Union of Mine, Mill, and Smelter Workers; and United Public Workers of America. And by convention action the CIO expelled the United Electrical Workers on the same grounds (pt. II, p. 48).

The United Electrical Workers asked for an opportunity to be heard by the subcommittee. In the process of examination, Mr. James J. Matles, UE director of organization, could not recall a single instance in which an organ of the UE had criticized the Soviet Union or the Communist Party. Mr. Matles denied that this was evidence of Communist domination. "Every single action is taken by the membership, and every action is taken on the basis of the merits of the case, and every action that we take we believe is for the best interests of our members and the people of the United States" (hearings, p. 500).

For the purposes of this report we shall reserve judgment at this point just how much the policies of the UE reflect democratic sentiment. But the law of coincidence must be strained beyond reasonable bounds to believe that a tenacious conformity to the Communist Party line through at least six major reversals has nothing to do with Communist domination.

In their defense against the CIO expulsion action, the Communist-controlled unions sought to show that at some points their policy was in conformity with CIO policy on these matters. Such a defense, however, merely serves to illuminate the real essence of the party line; the distinguishing mark of Communist Party line adherence is not what it stand for at any particular phase. Indeed at any particular phase the party line may happen to agree with the position taken by reputable, patriotic organizations and individuals. During the period of World War II, for example, the party line dictated a policy of all-out prosecution of the war.

The real essence of the party line is its shifting character, a shift directly associated in time and in content with a corresponding change in the foreign policy of Soviet Russia. It is then this highly sympathetic responsiveness to the shifting requirements of Soviet Russia that marks the party-liner, not what he happens to advocate at any special time.

Another distinction needs to be made and the failure to make that distinction has resulted in considerable confusion in the fight against the real enemy—the Communists. This distinction is made very perceptively by Prof. Joel Seidman in his testimony before the committee:

"There are important differences between Communist unionism and other liberal or radical groups also active in the American labor movement. From the point of view of the other liberal or radical groups, a union is a primary institution that the group seeks to build and to make strong, with the objective of winning benefits for the members and for workers in general."

"The policy of such unions is determined by an analysis of the needs of the workers who are employed in the industries in which those unions operate. Such other liberal or radical groups may be critical of employers, of the existing economic system, of Government policy; they may in a particular case be opposed to a war in which this Government is engaged, or even opposed to all wars; and yet I would sharply distinguish between such groups and the Communist Party on the ground that the Communist Party seeks control of unions not primarily to benefit the workers involved but primarily because the unions then can be manipulated to further a party line which is in turn determined with reference to the interests of the U. S. S. R." (hearings, p. 149).

The record with respect to direct action by Communist-dominated unions to support the party line is not as decisive as is the record on policy. In a way this is understandable. No union-management relationship is free of grievances of one sort or another. It is difficult to detect the precise motivation which edges a grievance into a strike or slowdown. The Communist union leaders do not usually proclaim in advance that the motivating factor in a strike or slowdown is political. It is even not unlikely that most of Communist-led strikes are legitimate strikes arising out of genuine trade-union grievances. There may be just a hairline of judgment separating the attitude of the patriotic, militant, trade-union leader and the Communist Party line follower. One feels that the grievance is not weighty enough to justify a strike; the other concerned with implementing the foreign policy of a foreign country does move for strike action.

There is another important reason why the political strike is not easily discernible. Communists are able to control an organization with a few strategically placed followers. The vast majority of members in Communist-dominated unions are not Communist Party followers or even remotely sympathetic to the aims of the Communists. It would be virtually impossible to enlist the support of the rank-and-file membership in an openly announced political strike or slowdown.

Nevertheless there is credible evidence of a specific kind which points to the Communist origin of certain strikes. For example, the 1941 strike at the Milwaukee plant of the Allis-Chalmers Manufacturing Co., then producing vital defense materials, has been characterized by a congressional committee as a party-line strike designed to weaken the defense program (hearings, p. 60).

Benoit Frachon, French executive committee member of the Communist-controlled World Federation of Trade Unions was reported by the New York Times as having urged the use of labor movements to cripple the rearmament of the western world (hearings, p. 2).

Admitting the inconclusive evidence available on the use of direct action by Communist-led unions, one would have to be dangerously blind to ignore the signals provided by the Communist political strikes abroad and the nature of the Bolshevik conspiracy in the world.

The Bolshevik theory on the role of the Communists in the unions is clear. Thus according to the Theses and Statutes of the Third [Communist] International—

"The Communists must practically subordinate the factory committees and the unions to the Communist Party, and thus create a proletarian mass organ, a basis for a powerful centralized party of the proletariat" (hearings, p. 170).

There is ample affirmative evidence that the Communists in the unions heeded this directive. An American Communist, William Z. Foster, sometime later in 1929 adapted the theory as follows:

"Among the membership of every local union the Communists must organize themselves into a group which acts as a body upon all problems coming before the organization. If there are Communists on the executive committee of a given local union, they must act together as a faction though in close connection with the general party faction of the union. The same principle applies all along the way. The Communist delegates from the various local unions in a given trade or industry to a corresponding district council or joint board likewise must form themselves into a faction, and also those on the executive boards of such councils or joint boards. The Communist delegates to all central labor councils must take the same course" (hearings, p. 172).

There is ample affirmative evidence of a credible character that the policies of Communist-dominated unions were in fact controlled by secret Communist Party caucuses. In the same UE, in which James Matles had testified "that the UE is not directed or controlled by any political party including the Communist Party" (hearings, p. 501), Lee Lundgren, an admitted former member of the Communist Party and an ex official of local 1150 of the UE, testified under oath as follows:

"We have often had some of the top leaders of the Communist Party attend our meetings. Even when they did not attend the meetings, why, whoever had the job as educational director for that particular club would have a mimeographed copy of an order or plan or whatever it might be, whatever the thing might be at the time, and they would bring this to the club and then report from that directive they received from the Communist Party headquarters.

* * * * *

"We had a meeting of our branch of the Communist Party, and we discussed who would sign the non-Communist affidavit, what officers would actually sign and which officers would not.

* * * * *

"In all cases where matters of importance were going to come up before the local membership meeting, those matters were discussed at the Communist Party meeting prior to the union-membership meeting, and that also included the selection of delegates to conventions, and any official business like that, always the names of these people were selected at the Communist Party meeting first. Then it was brought to the attention of the people at the regular union-membership meeting.

* * * * *

"The local was under complete Communist control, and we really never had any major opposition, so that the people were not aware of the fact that actually a Communist Party meeting had been held to work out the details before the membership meeting, and therefore the people just went along with the policies without knowing too much about actually what was happening. Actually, the people thought they were making the decisions, and little did they know that they were only carrying out the mandate of the Communist Party."

The CIO reports furnish additional direct evidence of collaboration between party functionaries and union leaders in the determination of union policy. Harry Bridges met with party functionaries to discuss the initiation of a longshore organizing campaign on the east cost. Bridges hegemony is limited to the west coast.

The steering committee of the Mine, Mill, and Smelter Union met with Communist Party leaders William Z. Foster, Eugene Dennis, John Williamson, and Gil Green (pt. I, p. 103 ff., pt. I, p. 92 ff.)

LEGAL RESOURCES FOR DEALING WITH THE COMMUNIST-DOMINATED UNIONS

NLRB resources

The major available resource in the law for dealing with the problem of Communist-dominated unions resides in section 9 (h) of the Labor-Management Relations Act, 1947. Section 9 (h) states:

"No investigation shall be made by the Board of any question affecting commerce concerning the representation of employees, raised by a labor organization under subsection (c) of this section, no petition under section 9 (e) (1) shall be entertained, and no complaint shall be issued pursuant to a charge made by a labor organization under subsection (b) of section 10, unless there is on file with the Board an affidavit executed contemporaneously or within the preceding 12-month period by each officer of such labor organization and the officers of any national or international labor organization of which it is an affiliate or constituent unit that he is not a member of the Communist Party or affiliated with such party, and that he does not believe in, and is not a member of or supports any organization that believes in or teaches the overthrow of the United States Government by force or by any illegal or unconstitutional methods. The provisions of section 35–A of the Criminal Code shall be applicable in respect to such affidavits."

As of July 1, 1951, there were 232,000 individual affidavits on file in NLRB offices from 26,000 local and international labor organizations (hearings, p. 91).

The Board has encountered many problems in administering this section of the law. One of the most important has been the problem of "fronting" that is where a noncomplying union has sought to use an individual or group of individuals as "fronts" in a Board proceeding from which the noncomplying organization itself was disqualified from participation. Or a noncomplying local union sought to use an international union, which had complied, as a "front." The Board has said:

"By adopting a firm policy as regards 'fronting,' the Board made it clear that compliance with section 9h would have to be achieved in substance as well as in form, if the Board's services were to be made available" (pt. II, p. 6).

The Board has however permitted a noncomplying union to be on the ballot where it was the bargaining representative, in a decertification proceeding "lest the labor organization's own dereliction in failing to comply immunize the decertification" (pt. III, p. 4).

The Board has had to concern itself with whether the parent federations, that is the officers of the AFL and CIO, were required to sign the non-Communist affidavit. The Board held the AFL and CIO were not required to sign but the United States Supreme Court in the Highland Park case held to the contrary. The position of the NLRB with respect to its responsibility for determining the truth or falsity of the non-Communist affidavit has been put to the subcommittee by Chairman Herzog, as follows:

"It was apparent from the outset that the NLRB's sole function was to make certain that the necessary persons filed these affidavits, and that, once, they had done so, pursuant to the rules we adopted, we were to process their cases without inquiring into the truth or falsity of the affidavits themselves. Where such an issue arose, the Board's statutory duty was only to refer the affidavit to the Department of Justice for investigation and possible prosecution for perjury under the Criminal Code. We have made 55 such referrals since 1947" (hearings, p. 91).

This view is confirmed by the 1948 report of the congressional Joint Committee on Labor-Management Relations when it said with respect to 9 (h):

"Great care must be given to prevent litigation of the question in Board hearings. If the parties to Board hearings are permitted to question the veracity of the affidavit or the facts as to its having been filed, records will be hopelessly burdened with such proof. Board hearings must be confined to evidence going into the merits of the case at hand if the Board is to carry out its real function of deciding unfair labor practice cases and determining bargaining representatives" (pt. 3, p. 10).

This problem became particularly vexing as well-known Communist Party followers signed the affidavits when they realized that it would be impossible for their unions to function without access to Board proceedings.

In connection with the Perlow affidavit the then General Counsel, Mr. Denham, said:

"The act does not direct or authorize either the General Counsel or the Board to police these affidavits or to pass judgment upon their truth or falsity. While Mr. Perlow's published statement, if they accurately quoted him, would tend to throw considerable doubt on the good faith of his affidavit, nevertheless we are required by the law to take the affidavits as they are submitted."[4]

Many of the union officers in this category made such statements in connection with their alleged resignation from the Communist Party as to put in serious question their good faith in taking the oath without reservation.

For example, Ben Gold, of the Furriers' Union, announced his resignation from the Communist Party and said, "I resigned from the Communist Party, but I do not give up my belief in true democracy."

Max Perlow, an officer of the United Furniture Workers, resigned from the Communist Party and signed the affidavit, but in resigning from the Communist Party said he was not renouncing Communist doctrines or his right to advocate them.

Maurice Travis, secretary-treasurer of the Mine, Mill, and Smelter Workers, resigned from the Communist Party and signed the affidavit, but he said he would still "continue to fight for Communist goals" (pt. III, pp. 6, 7; also hearings, p. 511 ff.).

The extent of the Board's responsibility for ascertaining the truth or falsity of the 9 (h) affidavit is now additionally complicated by the refusal of witnesses before Senate and House committees to testify whether they had signed the non-Communist affidavit, even though Board records indicate that such affidavits were on file. The witnesses who refuse to identify their affidavits plead their constitutional right against self-incrimination.

For example, the following union officers who signed the non-Communist oath refused to testify in 1952 before congressional committees as to whether they had signed the affidavit:

[4] Pt. III, p. 7.

Name	Union	Source
Henley, Paul A	Steward for local 3, UA-WCIO	House Committee on Un-American Activities: Communism in the Detroit Area, pt. 1, hearings, 82d Cong., 2d sess., February 25–29, 1952, p. 2861.
Hood, William R	Recording secretary, UAW-CIO, Ford Local 600	Ibid., p. 2897.
Boatin, Paul	Chairman of political-action committee, local 600, UAW-CIO.	House Committee on Un-American Activities: Communism in the Detroit Area, pt. 2, hearings, 82d Cong., 2d sess., March–April 1952, p. 3113.
Franklin, Harold	Recording secretary of the Dearborn Iron Foundry local	Ibid., p. 3217.
DeMaio, Ernest	General vice president of UERMWA	House Committee on Un-American Activities: Communist activities in the Chicago Area, pt. 1, hearings, 82d Cong., 2d sess., Sept. 2 and 3, 1952, p. 3672.
Henderson, Donald	National secretary-treasurer, Distributive, Processing and Office Workers Union of America.	Senate Committee on the Judiciary, Subcommittee To Investigate the Administration of the Internal Security Act: Subversive control of Distributive, Processing, and Office Workers of America, hearings, 82d Cong., 2d sess., Feb. 12–15, 19–21, Mar. 7, 1952, p. 172.
Durkin, James H	Former organizer, United Office and Professional Workers of America, and national secretary-treasurer, DPOWA.	Ibid., p. 196.
Livingston, Mortimer	President of district 65, DPOWA	Ibid., p. 257.
Hang, Mrs. Marie	Local representative, local 735, United Electrical, Radio, and Machine Workers of America.	Senate Committee on the Judiciary, Subcommittee To Investigate the Administration of the Internal Security Act: Subversive influence in the United Electrical, Radio, and Machine Workers of America, hearings, 82d Cong., 2d sess., Apr. 17, 18, May 29, and June 26, 1952, pp. 88, 97.
Epstein, Jacob Samuel	President, local 721, CIO, International Union of Electrical, Radio, and Machine Workers.	Ibid., pp. 121, 123.
Shepard, Paul J	Organizer for local 735, United Electrical, Radio, and Machine Workers.	Ibid., p. 135.

As this report is being written the Board has ruled on the significance of a perjury conviction against an affiant of a 9 (h) affidavit. Anthony Valentino, an officer of local 80A of the United Packinghouse Workers (CIO) was convicted in a Federal district court of having filed a false non-Communist affidavit. The NLRB, after notice of intent proceeded to direct that "no further force and effect" be given to the collective-bargaining certifications of the local union in question and found that the local was out of compliance with 9 (h). The Board said that its action in this proceeding was designed to protect "its own processes from further abuse" (NLRB release 413).

In a sense the Board has in one other way gone beyond the concept of being simply a filing cabinet for the 9 (h) affidavit. It has taken steps to prevent evasion of the law by union officers who resign from constitutionally designated posts and take so-called administrative positions in the union. This issue was first posed when Donald Henderson, president of the Food, Tobacco, Agricultural, and Allied Workers resigned from the presidency of that union and became "national administrative director" and under the FTA constitution presumably not an "officer." FTA did not provide satisfactory proof to the NLRB that Henderson was not in fact an officer, and the Board refused to permit FTA to be placed on a representation ballot.

With the Henderson case as background the Board amended its rules and regulations in 1950 to provide that—

"Where the Board has reasonable cause to believe that a labor organization has omitted from its constitution the designation of any position as an office for the purpose of evading or circumventing the filing requirements of section 9 (h) of the act, the Board may upon appropriate notice, conduct an investigation to determine the facts in that regard, and where the facts appear to warrant such action the Board may require affidavits from persons other than the incumbents of positions identified by the constitution as officers" (pt. III, p. 7).

Not directly related to compliance with the non-Communist affidavit but relevant for the purposes of the general problem which the subcommittee is exploring, is the Board's policy on what an employer may lawfully do about Communist employees.

The General Counsel has refused to issue a complaint in a case where the employer in good faith had suspended employees for being Communists (27 L. R. R. M. 1443). A trial examiner found that an employer had not been guilty of failure to bargain in good faith because he had insisted that the officers and representatives of the local and national organizations of the UE execute a non-Communist affidavit for the company as a condition of agreement. The trial examiner held that the company had sufficient reasons for believing that the union's officers and representatives were dominated by and in association with Communists (NLRB, in the matter of Square D. Co. and United Electrical, Radio, and Machine Workers of America, Local 1421, independent, intermediate report, March 28, 1952). The Board itself found in another case involving the UE that the discharge of a steward for being a Communist was for cause (94 NLRB No. 85 (1951)).

In the Sunbeam case the Board revoked a previous direction to the employer to bargain in good faith when it found that the charging union had not complied with section 9 (h), inasmuch as officers of the union who should have signed the affidavit, had not, at the time the union was put on the ballot or at the time of certification.

The Board held that—

"It would be inconsistent both with the basic considerations which impelled the establishment of that principle, and with the spirit of section 9 (h) itself, as indicated in the legislative history of the 1947 amendments to the act, to hold that a certification inherently defective at the outset could confer on the union the right of later recourse to the Board, or conversely, expose the employer to an unfair labor practice finding for refusing to honor that certification" (98 NLRB No. 98).

The Board's holdings on the non-Communist affidavit seems to add up to these tendencies:

1. The prevention of "fronting" by individuals for unions not in compliance.

2. The prevention of evasion by officers, in fact, assuming so-called administrative posts.

3. The revocation of compliance status and certifications on conviction of an affiant for false swearing.

Still, in doubt, at this writing, is what the Board will do when it is confronted by a refusal of an affiant to testify whether he is a member of the Communist Party in a congressional or judicial proceeding.

There seems to be no doubt if the Board maintains its present position it will not under present law undertake to find through its own proceedings whether in fact an affiant is actually a Communist or not.

AEC resources

Another repository of authority to deal with the problem of Communist-dominated unionism is the Atomic Energy Commission. Since AEC authority in this context was used only with respect to two unions, it will be useful to describe specifically what happened in the one case where the application of sanctions ran its full course.

1. The General Electric Corp. pursuant to a Wagner Act certification had recognized the United Electrical Workers as the representative of its organized employees. When GE undertook to operate a Government-owned atomic installation at the Peck Street (Schenectady) plant it proceeded to recognize UE for that operation as well.

2. In any case all employees engaged on classified atomic energy work were subject to security clearance. But recognition of UE as the bargaining representative raised for AEC security questions over and above those of individual security clearances. On the basis of an examination of all available data, including congressional investigations and UE's constitution, the AEC concluded:

"(1) That there might exist circumstances at Schenectady conducive to Communist-inspired action adverse to the atomic-energy program and the Nation's security; (2) that such action might take the form of a political strike or other organized sabotage; and (3) that an effective safeguard against such action would be the removal from lines of influence over employees on atomic-energy work of representatives of undependable loyalty" (pt. II, p. 3).

3. On September 27, 1948, AEC directed the General Electric Corp. not to recognize UE at the new atomic-energy installation. GE said it would comply fully with the AEC directive.

4. Albert Fitzgerald. UE president, protested the AEC order and in response AEC "proffered to the officers of the UE the opportunity to participate in a fuller exploration of the issue, with the understanding that the UE officials would be expected to give full and candid statements concerning present or past affiliations of any kind with the Communist Party or Communist-dominated organizations." There was no reply. AEC renewed its offer. This time Fitzgerald explicitly rejected the opportunity for further discussion. On November 1, AEC formally directed GE to withdraw recognition from UE on work at AEC-owned or installed operations.

5. On October 26, 1948, UE petitioned for injunctive relief in the District of Columbia Federal District Court to restrain AEC and GE from putting the ban into effect. AEC and GE both filed motions for dismissal. Judge Letts sustained the AEC and GE dismissal motions because of lack of jurisdiction.

6. In May of 1950 UE and IUE were both put on the ballot in the representation elections directed by the NLRB. In its order directing the election the NLRB conditioned any certifications that might issue at the atomic energy installation thus:

"The record shows that the Atomic Energy Commission has established certain security requirements applicable to labor organizations, and to their officers, as a condition of their being recognized as the representative of employees at the employer's atomic energy operations at the Schenectady works. We have been advised generally by that Commission of the scope and purpose of these security requirements. Accordingly, any certification resulting from elections herein directed on behalf of employees of the atomic energy operations will be conditioned upon compliance, by the certified unions, with the security requirements of the Atomic Energy Commission, a matter exclusively within the jurisdiction of the Commission" (pt. II, p. 7).

UE lost all of the three elections.

Similar action ordering withdrawal of recognition from the United Public Workers was taken but UPW immediately stopped organizing.

AEC pointed up the significance of its action against UE as follows:

"(1) The action represented a particularized approach to a particular problem and was fitted to the specific facts of the situation.

"(2) There was a decision by the responsible Government agency that the risk in the particular situation was inconsistent with national security and that positive steps were required to eliminate this risk.

"(3) An essential step was to provide to employees and the public authoritative information regarding the question of loyalty which existed in the specific situation and authoritative advice regarding the significance of this in terms of—

"(a) Known Communist aims and purposes in the infiltration of trade unions.

"(b) The importance to the national security of the work carried on in the specific bargaining unit.

"(4) Specific assurance was given to employees as to the welcome to be accorded any bargaining representative that they might select which was free from Communist affiliations.

"(5) The union officials involved were given every opportunity to be heard in their own defense" (pt. II, p. 7).

Defense Department resources

There is legal authority for the Department of Defense to protect classified information including classified contracts. Specifically they are (1) title 5, section 22 of the United States Code which authorizes the heads of Government departments to issue regulations for the protection and preservation of pertinent records; (2) the Armed Services Procurement Act of 1947 makes it possible for the secretaries of the military departments to establish reasonable conditions in contracts with the departments; (3) under the espionage acts there is authority to protect Government records and information (hearings, p. 20).

The Industrial Employment Review directed by the Munitions Board has established criteria for determining who is a security risk.

"NOVEMBER 7, 1949.

"CRITERIA GOVERNING ACTIONS BY THE INDUSTRIAL EMPLOYMENT REVIEW BOARD, AS AMENDED

"REVISED NOVEMBER 10, 1950

"All actions by the Industrial Employment Review Board, pursuant to its charter dated November 7, 1949, shall be governed by the following criteria hereby established by the Secretaries of the Army, Navy, and Air Force.

"A. Individuals: Access to classified military information shall (except as provided in paragraph 6 below) be refused to an individual if, on all the evidence and information available to the Board, reasonable grounds exist for belief that the individual:

"1. Has committed acts of treason or sedition, or has engaged in acts of espionage or sabotage; has actively advocated or aided the commission of such acts by others; or has knowingly associated with persons committing such acts.

"2. Is employed, is employed by, or subject to the influence of, a foreign government under circumstances which may jeopardize the security interests of the United States.

"3. Has actively advocated or supported the overthrow of the Government of the United States by the use of force or violence.

"4. Has intentionally disclosed military information classified confidential or higher without authority and with reasonable knowledge or belief that it may be transmitted to a foreign government, or has intentionally disclosed such information to persons not authorized to receive it.

"5. Is mentally or emotionally unstable, is an habitual offender of the law, or does not

possess the integrity, discretion, and responsibility essential to the security of classified military information.

"6. Is or recently has been a member of, or affiliated or sympathetically associated with, any foreign or domestic organization, association, movement, group, or combination of persons (a) which is, or which has been designated by the Attorney General as being, totalitarian, Fascist, Communist, or subversive, (b) which has adopted, or which has been designated by the Attorney General as having adopted, a policy of advocating or approving the commission of acts of force or violence to deny other persons their rights under the Constitution of the United States, or (c) which seeks, or which has been designated by the Attorney General as seeking, to alter the form of the Government of the United States by unconstitutional means; provided, that access may be granted, notwithstanding such membership, affiliation, or association, if it is demonstrated, by more than a mere denial, that the security interests of the United States will not thereby be jeopardized.

"B. Aliens: Access to information or material subject to section 10 (j) of the act of July 2, 1926 (10 U. S. C. 310 (j)) whether or not classified, shall be refused to an alien if, on all the evidence and information available to the Board, reasonable grounds exist for belief that the alien is ineligible for access under the criteria specified in A above.

"C. Contractors: Access to military information necessary for the negotiation, award, or performance of a contract shall be refused to a contractor or prospective contractor if, on all the evidence available to the Board, reasonable grounds exist for belief that:

"1. Any of the personnel of the contractor or prospective contractor who will have access to such information or material is ineligible under the criteria specified in A or B above.

"2. The contractor or prospective contractor is owned by or is under the control or influence of foreign interests under circumstances which may jeopardize the security interests of the United States."

This is essentially a denial of access program and involves the screening of individuals found to be security risks. But as the Munitions Board points out, "the denial of access program, efficacious as it may be from the point of view of protecting classified information, does not in itself substantially reduce the threat of possible sabotage which might be carried out at the instigation of Communist dominated unions. * * * We do not believe that we have the legal authority to go in and remove or summarily exclude potential saboteurs from national-defense facilities" (hearings, p. 20).

Under Executive Order 9835 the Attorney General has the authority to promulgate a list of subversive organizations. Other resources which should be considered are the Subversive Activities Control Board established under the Internal Security Act of 1950 and the merchant marine personnel clearance program.

EVALUATING THE LEGAL RESOURCES FOR DEALING WITH COMMUNIST-DOMINATED UNIONS AND ADDITIONAL PROPOSALS

This section is devoted to a critical analysis of the existing resources for the problem at hand as well as an analysis of proposed solutions. All of these analyses are based on the record before the subcommittee.

Perspectives

The perspectives through which proposed solutions to the problem of Communist unionism need to be examined have been perceptively stated by witnesses before the subcommittee. Prof. Joel Seidman points to "the conflict between goals equally vital if we are to preserve a free society. On the one hand, we wish to preserve essential democratic rights within the trade-union movement, as elsewhere in our society, and on the other hand, we wish to safeguard the country at a time of dangerous tension with the U. S. S. R., by not permitting potential fifth columnists to obtain strategic positions for spying or sabotage. The problem, as I see it, is how best to reconcile these goals so as to preserve simultaneously a maximum of democratic rights within unions and a maximum of security of the Nation."

And once we have tried to resolve the conflicts between the goals of democratic rights and protection from subversion, we face other alternatives. As Mr. Paul Herzog, Chairman of the National Labor Relations Board, states these alternatives, they are—

"Is it to legislate to eliminate Communist influence from all labor organizations in all industries in the United States, no matter what the cost in administrative burden or in restriction of employee's present right to make an uninhibited choice of their bargaining representatives? Or is it directed at the narrower, and plainly imperative need of making certain that Communist-dominated unions play no role in those sensitive areas of industry essential to the defense effort?"

It may be well for the Congress to keep these questions constantly in the forefront as it appraises the various proposals for dealing with the problem of Communist-dominated unions.

Explicit or implicit in the proposals made to the subcommittee which we are about to examine are the assumptions that (1) the existing resources are not adequate to deal with the hazard of Communist-dominated unionism; (2) that the labor movement itself cannot be relied upon to rid itself of Communist penetration to the point where it no longer poses a serious threat; and finally (3) the risk of Communist subversion is so great as to override the possible benefits accruing from permitting the unions to clean their own houses.

Those who argue the position in (1) immediately above, say that the threat of Communist subversion exists over and above the threat posed by individual Communists who are screened out through security measures of one sort or another. Officers of a Communist-dominated union can dictate policies, which are, and are meant to be harmful to the security of the Nation.

With respect to (2) above, it is contended that although the CIO has expelled Communist-controlled unions from its organization, these unions continue to operate in critical defense work such as electrical and electronic manufacturing, nonferrous metals, telegraphic communications, and west-coast maritime. There is still, in spite of union anti-Communist activities a hard core of Communist-controlled labor organizations standing as a serious threat to our national security.

Finally, to be sure there are great benefits to be derived in permitting the unions to do the job in preference to some form of government intervention. But these benefits have to be measured against the risk involved that the unions will not be able to do the job and the resulting hazard to the national security. The public interest in ridding the unions of Communist domination is overriding and therefore the Government must act (hearings, p. 305).

THE NONCOMMUNIST AFFIDAVIT

There are varying opinions as to the efficacy of the Taft-Hartley 9 (h) affidavit. Mr. Gerard Reilly, influential in drafting the provisions of the law, thinks that "while the Communist disclaimer in the Taft-Hartley Act accomplished a great deal of good in focusing the limelight upon some of the Communist officials and their dupes in the various CIO unions, its effectiveness was subsequently impaired when apparently as a result of a general policy adopted by the Communist Party, union officials widely known as Communists executed the affidavits" (pt. IV, p. 20).

Mr. Theodore Iserman, an attorney specializing in labor matters for management interests and a participant in the drafting of the Taft-Hartley law, expresses a similar viewpoint:

"Section 9 (h) of the National Labor Relations Act, as amended, has gone far in stimulating labor organizations to clean their own houses of leaders who are Communists and fellow travelers. The Taft-Hartley approach, giving unions an incentive to rid themselves of disloyal people, rather than creating an outside agency to do it for them, is, on the whole, a good one.

"The amended act has not been as effective as it could be. This, I think results from two things: First, the seeming reluctance of the National Labor Relations Board and the Department of Justice to give the law full effect, and, second, certain shortcomings in the act itself."

The National Labor Relations Board expresses this view:

"It seems highly probable that the 9 (h) proviso was a contributing factor to the post-war forces which led to the revolt against Communist domination of a few labor unions, especially in the first years after its enactment. Foreclosing the services of the National Labor Relations Board to noncomplying unions was a catalyst which compelled compliance by practically all major labor organizations. The affidavit was most effective in cases where the membership became aware that their officers were or might be Communists, thus encouraging removal or resignation of such officers. Later the Congress of Industrial Organizations moved vigorously against leftist domination by expelling some of its major affiliates. Not to be underestimated are other and more general factors, such as disputes over the Marshall plan, the Progressive Party, Soviet foreign policy, the World Federation of Trade Unions, and the Korean war, all of which undoubtedly hastened the process. There is no telling with certainty today whether the presence or absence of section 9 (h) would still constitute, for the long-run future, a determining factor in contributing to the healthy result which we all desire."

Mr. Sal B. Hoffman, president of the Upholsterers' International Union (AFL), criticizes the affidavit provision for its one-sidedness, its possibilities for harassment of non-Communist unions, its unenforceability, and the disrespect for law which the blatant violation of the provision has bred (pt. III, p. 53).

Mr. Allan Haywood, executive vice president of the CIO, rejects the affidavit approach on three counts.

"In the first place, we do not believe that such a provision has any proper place in a labor-relations law. The purpose of such a law is to promote harmonious industrial relations. The injection into it of security measures merely creates confusion and gratuitously insults unions.

"In the second place, we believe that the mechanism of an affidavit requirement, harking back as it does to the test oaths of the 17th and 18th century, or to those in use after the Civil War, is itself objectionable.

"Thirdly, the sanction urged, of barring resort to the National Labor Relations Board, places in the hands of the employer, rather than of the Government, the decision of whether a particular union is to be penalized for Communist leadership. Section 9 (h) does not prohibit an employer from dealing with a Communist-led union; it simply gives him the option of whether to do so or not. Unscrupulous employers will, in exercising that option, be guided not by considerations of national security but by the strength or weakness of the Communist-led union. If the union is strong, the employer may be

afraid to challenge it. If it is weak, the employer may nevertheless be eager to deal with it and to take advantage of its weakness to maintain substandard wages and working conditions. This ties in with the point which I made earlier, that a security provision, or an alleged security provision, of this sort should not be a part of a labor-relations law" (hearings, pp. 273–274).

A similar view is expressed by Mr. A. J. Hayes, president of the International Association of Machinists:

"The enactment of this law (i. e. the Taft-Hartley law) seriously curtailed the union's efforts to rid itself of the few Communist sympathizers found in their organizational structure, and as an example we can specifically turn to section 8 (a), under which language it is unlawful for a union to force the discharge of an employee even though he is a known advocate of un-American principles or an agent of a foreign government" (pt. III, p. 47).

In general, as can be seen from this sampling of opinion, there is some difference as to the early effectiveness of 9 (h) in ridding unions of Communist control. There seems to be a fair measure of agreement that this provision is not now effective.

From the viewpoint of the Department of Justice there are legal infirmities in section 9 (h) which interfere with effective enforcement of its provisions. The Department reported that 68 cases involving false affidavits had been referred to it; 14 were presented to the grand jury, and in 13 of these the affiant himself was brought before the grand jury. There has been one conviction (already referred to) in the case of Anthony Valentino (hearings, p. 53).

The principal criminal sanction for violation of 9 (h) is section 1001 of title 18 of the Criminal Code. This section states:

"Whoever, in any matter within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious, or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious, or fraudulent statement or entry, shall be fined not more than $10,000 or imprisoned not more than 5 years, or both."

The Department's judgment based upon its experience is that under 9 (h) "it is virtually impossible to develop cases for successful prosecution as now drawn" (hearings, p. 54). First of all the affidavit is couched in the present tense and it requires proof that the affiant was a member of or affiliated with the Communist Party on the very day he signed the affidavit.

In addition it has been suggested that enforcement of the "belief" section of the affidavit would encounter serious constitutional obstacles (hearings, p. 109).

The leading Supreme Court case, it is held, makes it extremely doubtful that "belief" in Communist principles alone as a basis for denying access to the facilities of the NLRB could stand up in a test of constitutionality (hearings, p. 58 ff.).

To meet the problem posed by pro forma resignations from the Communist Party in order to qualify under 9 (h), Attorney General McGrath proposed that the affiant be required to swear in addition "that for the preceding 12-month period he has not been a member of the Communist Party and has not believed in or been a member of or supported any organization that believes in or teaches the overthrow" and so forth.

The criticism lodged against the 1 year retroactivity proposal is (1) they (the Communists) will wait a year and then will infiltrate the organization (hearings, p. 117); (2) it will reduce the incentive for union officers to break with the Communists if the law imposes a kind of retroactive guilt (hearings, p. 57); (3) this amendment will not catch the "quickie" resignations which started as early as 3 years ago (hearings, p. 273).

The Board itself has in the past recommended a more precise definition of the term "officer" so that it would not be possible for Communist union officers to evade the law by resigning their constitutional office and assuming an allegedly administrative post within the union. Amendments were proposed to define officer as including members of all "policy-forming and governing bodies of labor organizations" (pt. III, p. 10). This concept has been incorporated in the Board's rules and regulations (pt. III, p. 7).

Just how far the Board will go with respect to safeguarding the affidavit from falsification may be more fully tested in its response to the presentment of the New York grand jury. The grand jury summoned 13 union officials from the following unions: United Electrical Workers, American Communication Association, Fur and Leather Workers, and the Distributive, Processing and Office Workers, all unions who in one form or another were expelled from the CIO on grounds of Communist domination.

The presentment charges that these 13 officials "were initially confronted with the non-Communist affidavits they had filed, on the basis of which their unions had been certified by the NLRB. They were then asked whether the sworn statements they had made in these affidavits were true. To a man these 13 union officials refused to answer this and similar questions, claiming that the answer might incriminate them, and invoking the fifth amendment to the Federal Constitution."

"In following this course [the presentment continues], these persons refuse to stand by the truthfulness of the non-Communist affidavits they have submitted, on the basis of which the NLRB has recognized their unions. The only possible conclusion is that the filing of these affidavits was a subterfuge."

The presentment concludes that the affidavits are therefore worthless and that the certifications of the unions in question should be revoked. The grand jury further recommends that "consideration be given to the inclusion in each affidavit of a waiver by the affiant of his fifth amendment privilege with reference to any question pertaining to the truth of his statements in the affidavit."

The grand jury recommendation is in substance the same one proposed to the subcommittee by Mr. Nelson Frank, a labor reporter for the New York World Telegram and Sun (hearings, p. 186 ff.).

In response to the grand jury presentment the NLRB, on December 19, 1952, issued a notice and order reciting the facts set forth in the presentment. "In order to protect its own processes from abuse," the Board has addressed a questionnaire to the officers who had refused to testify before the grand jury on the question of the truth of the affidavits asking these officers to affirm under oath the truth of the statements contained in the 9 (h) affidavits filed between 1949 and 1951. Failure to file a timely answer to the questionnaire "will result in a finding by the Board that there is reasonable doubts as to the truth and validity" of the affidavits and a declaration that the unions are not in compliance with section 9 (h). [Quotes from NLRB, Notice and Order. In the Matter of Compliance of United Electrical Radio and Machine Workers of America with sec. 9 (h) of the National Labor Relations Act as amended.]

Disestablishing Communist-dominated unions via the NLRB

There are a whole series of proposals having as their common core an amendment to the Taft-Hartley law authorizing the National Labor Relations Board to outlaw Communist-dominated unions as labor organizations within the meaning of the law. One of the first proponents of this approach was David J. Saposs, former chief economist of the National Labor Relations Board, who, in 1941, put it in these terms:

"When company-dominated unions tried to disguise themselves by allegedly going independent it was possible through painstaking research and investigation to gather data exposing the masquerade. Notwithstanding that the courts were skeptical and not too sympathetic to union organization the evidence was so conclusive that they sustained the outlawing of company unions.

"A similar historic and economic approach should make it possible to outlaw Communist or other totalitarian-dominated unions. It should be possible to show that Communists are no more interested in effective collective bargaining than antiunion employers; that they aim to circumvent the will of the rank and file for genuine union objectives through subterfuges and the raising of extraneous issues; that they are primarily interested in disturbed and unstable labor relations; that they are ordered and directed by an outside force, in this case a foreign country; that their revolutionary objective runs counter to the legitimate objectives of unions interested in the immediate improvement of the conditions of their members.

"However, I want to reaffirm my position that public exposé and union housecleaning are the preferable methods" (p. 124, hearings).

A similar approach was taken by the Canadian Labor Board on December 7, 1950. This board decertified the Canadian Seaman's Union on the ground that it was not a trade union within the meaning of the Industrial Relations and Disputes Act. The board said that the "close association of the respondent with foreign elements of the international Communist front in the promotion of international Communist policies and activities * * * was entirely foreign to the purpose of a trade union under the act."

This action was affirmed by the Canadian courts as being a permissible exercise of authority under the Canadian legislation (pt. III, p. 9).

As Secretary of Labor Tobin sees this type of proposal it "might require that upon the filing of charges, appropriate investigation, public hearings, and so on, the NLRB could find that a union is Communist-dominated and therefore not eligible to represent employees in collective bargaining" (hearings, p. 124).

In the words of Mr. Merlyn Pitzele, labor editor of Business Week, the disestablishment approach would utilize the following procedures:

"(1) The charge is made that a given union is Communist dominated.

"(2) The NLRB investigates the charge and finds that the organization is indeed dominated by Communists.

"(3) The NLRB orders (a) the union to disestablish itself; and (b) the employer to withdraw recognition from it and cease to deal with it" (hearings, p. 61).

The same type of proposal was advanced by Mr. Sal B. Hoffman, president of the Upholsterers International Union, AFL (pt. III, 52 ff.), and by Mr. Roy Brewer, international representative of the International Association of Theatrical and State Employees (AFL) (pt. III, 14 ff.).

A variant on the idea of Communist domination as an unfair labor practice is advanced by Mr. Albert Epstein, economist for the International Association of Machinists, speaking in a personal capacity. In order to minimize the hazard that a bar against Communist unions might be used unfairly against non-Communist unions, Mr. Epstein suggests "the legislation should be designed to deal only with unions that are not affiliated with the AFL, CIO, UMW, and unaffiliated railroad brotherhoods. The unions just mentioned are known to be anti-Communist and can be depended upon to

handle situations in their own midst" (pt. III, p. 37).

The criticisms of these categories of proposals to deal with the problem of Communist-dominated unions, i. e., by empowering the NLRB to make findings of Communist domination and, in effect, to outlaw these unions as lawful bargaining representatives, fall under two headings: First is the criticism that goes to the use of the NLRB as the machinery through which this policy is effectuated; second is the criticism aimed at the use of any Government agency to make such findings. Since the latter criticism applies to all proposals, we shall treat these later in the report.

Mr. Herzog, Chairman of the NLRB, thinks that the allocation of such authority to the NLRB would be unwise on two counts:

"First, if this Board is expert in anything, it is in the area of collective bargaining. The field of subversive activities, where proof is notoriously difficult to obtain, calls for a different sort of expertise and for special investigative techniques, not only unfamiliar to our staff but inconsistent with the open-court procedures of a quasi-judicial agency.

"Second, the speedy conduct of elections and remedying of unfair labor practices, which continue to be our goal, would be completely frustrated if any employer or competing labor organization were free to delay Board proceedings indefinitely by demanding a long collateral investigation of the issue of whether a particular union was or was not Communist-dominated. The administration of a statute whose stated objective is to foster collective bargaining should not be weighted down by investigations of a wholly different sort. Essentially, communism's role in labor organizations is much more a part of the problem of communism's place on the entire American scene than it is part of the problem of labor-management relations. It should be dealt with accordingly" (hearings, p. 94).

Disestablishing Communist-dominated unions through independent agencies

There is a category of proposals which would place the authority for making findings with respect to Communist domination on agencies other than the National Labor Relations Board, apparently in recognition of the difficulties which Mr. Herzog has pointed out above. One of the most systematic proposals of this kind has been made by Mr. Benjamin Sigal, counsel to the International Union of Electrical Workers CIO.

Mr. Sigal contemplates that his proposal can be made enforcible by administrative action rather than by new legislation.

"In order to be sufficiently inclusive legislation is likely to be too broad in scope. Also once legislation is placed on the statute books, it is likely to linger long after the need for it has passed, and to be applied to situations not contemplated by the Congress" (pt. III, p. 71).

Mr. Sigal sees his proposal as aimed only at Communist-dominated unions in defense work.

The outline of the method and procedures to be used, as Mr. Sigal describes it, is as follows:

"The Munitions Board is the agency within the Department of Defense through which defense contracts are handled. It is the agency responsible for making and policing security regulations in connection with defense work. It is the agency ultimately responsible for preventing subversive individuals from working directly on classified work. Logically it is the agency which should exercise the responsibility of dealing with Communist leadership which controls the unions working on defense contracts."

"A tripartite committee should be set up within the Munitions Board, consisting of representatives of the procurement agencies, employers, and labor. If a union representing the employees of a present or prospective contractor is suspected, after investigation by representatives of the Munitions Board, of being Communist-dominated, the matter should be submitted to the tripartite committee. The committee could act, also, on its own motion. If a majority of the committee, after a hearing, finds that the allegations are substantiated, the Munitions Board will take 1 of 2 courses, based on provisos which it will place in its security regulations and in all procurement contracts executed by contractors with the military departments: (1) In the case of a prospective contractor, refuse to give him a contract so long as he maintains contractual relations with the union involved; and (2) in the case of a present contractor, direct him to cancel his contractual relations with the union on penalty of losing his contract with the Government if he does not comply" (pt. III, p. 72).

The author of the proposal sees the action of the Atomic Energy Commission described above as a "persuasive precedent" for his approach to the problem (hearings, p. 285). The Munitions Board has the authority to do what the AEC did in that situation.

Critical appraisal of the specifics of the Sigal proposal have come from three sources. From the NLRB's viewpoint, there is a serious question whether it can commit itself in advance to recognize a directive from a Government agency ordering an employer not to recognize a certified union, as a valid defense against a charge of refusal to bargain. It is also pointed out that AEC took its action at a time when the UE was not in compliance with section 9 (h) and that there was no certification in effect for the specific AEC installation (hearings, p. 25, p. 96 ff).

Second, the Department of Defense, speaking through Mr. Small, has serious doubts that the authority of the Department of Defense is sufficiently analogous to the statutory authority of the Atomic Energy Commission so that the Department can exercise without additional legislation the degree of authority which Mr. Sigal's proposal requires. Mr. Small put it this way.

"In the first place, the action undertaken by AEC, in directing General Electric to cease bargaining relations with the UE was taken at a time when the UE officers had not filed non-Communist affidavits and consequently the provisions of the National Labor Relations Act were not available to them when they unsuccessfully challenged the AEC's action in the case of *UEW (CIO) v. Lilienthal* (84 F. Supp. 640 (1949)). Secondly, the expulsion of UE in that case was from a Government-owned facility and not from the facility of a private contractor, who constitute the great majority of the contractors with whom the Department of Defense deals. Thirdly, a reading of the Atomic Energy Act reveals quickly the broad and express authority which that act bestowed on the AEC, to deal with potential subversives. Contrast this with the more general authority which the Department of Defense has and which has to be extracted from a reading of three statutes together, all of which I mentioned previously in my statement. Fourthly, and I think perhaps more convincing than the other since it is less legalistic, the Atomic Energy Commission agreed with the Department of Defense that what we were asked to do with respect to private contractors went beyond what they did with respect to their own Government-owned facility in the Lilienthal case. In fact, AEC joined with NLRB and ourselves in attempting to work out a mutual procedure by which private contractors who were directed by the AEC or the Department of Defense, to cease collective-bargaining relations with UE or any other Communist-dominated unions, were protected from the threat of being adjudged guilty of an unfair labor practice" (hearings, p. 23, 24).

As a matter of practical administration, Mr. Small said that—

"If we were to pursue such a course, we would have deprived the Government and the people of the United States of important weapons of defense in the fields of electronics, jet propulsion, and so on (hearings, p. 23).

Mr. Sigal testified after Mr. Small and undertook to answer the latter's objections. In paraphrase, the fact that UE has since signed the 9 (h) affidavit has not changed the AEC position on that union's qualifications to represent employees in an AEC's installation. Equally irrelevant is the observation that AEC owns the facility. The important consideration is, Who is the employer and the nature of the production? Whether owned by AEC or not, the plants are privately operated and, therefore, are like the contractors with whom the Munitions Board deals. As for express authority, AEC counsel conceded that there was no express authority, either, for action AEC took with respect to the UE. Finally, the proposal, except in rare instances, does not "require the Board to direct the contractor to discontinue" bargaining relations with a duly certified bargaining representative because, as Mr. Sigal explains, the (Munitions) Board "would simply decline to place a contract in plants in which it found a security problem exists."

Only in the special situation, Mr. Sigal continued "where the Department of Defense could not place the contract in another plant would the necessity arise for taking more stringent measures. In such case we propose that the Munitions Board go to court and obtain an injunction restraining the contractor from continuing to deal with the bargaining agent. The basis of the injunction would be the regulation proving that such action would be taken if the tripartite committee found that the union was Communist-dominated" (hearings, p. 287).

In the course of advancing its own proposal which is treated later in this report, the General Electric Corp., through Mr. Lemuel Boulware, criticizes the tripartite feature of the IUE proposal. The function of deciding the important question "of whether an individual or organization is serving the interests of a Communist foreign government" is not properly a matter for tripartite determination but one that should be determined by a Government agency. The special interests of unions or employers should not be permitted to affect national policy on an issue of such great moment (pt. III, p. 9).

Mr. Boulware's positive proposal is in line with the category of remedies which would lodge the responsibility for making determinations of Communist-dominated unionism in an all-public Government agency. He supports legislation to achieve this purpose on the ground that the unions have not really demonstrated their capacity to rid their organizations of Communist leadership. The expulsion of the Communist unions by the CIO, Mr. Boulware attributes to the refusal of the Communist unions to follow the "political" line of the CIO and not "because they were found to constitute a danger or threat to the country (pt. IV, p. 4).

Mr. Boulware makes three specific recommendations as to the principles which should be followed in such legislation:

"1. Official Government investigation and identification of Communist-dominated unions and Communist union leaders.

"2. Establishment of criteria, pursuant to which the independent agency would make its determination.

"3. Disabilities and penalties resulting from determination by the Commission that an organization is Communist-dominated" (pt. IV, pp. 8–10).

The penalties and disabilities applied to a Communist-dominated union as contem-

plated by Mr. Boulware in (3) above come to, in the last analysis, a form of disestablishment, and loss of the rights and privileges which accrue to it as a labor organization, comparable to the sanction invoked against a company-dominated union under both the Wagner and Taft-Hartley Acts.

Mr. Gwilym Price, president of the Westinghouse Corp., makes a proposal comparable to that of Mr. Boulware, involving official determination of Communist domination and the application of drastic sanctions resulting ultimately in the disestablishment of the labor organization for all practical trade-union purposes (pt. IV, p. 15 ff.).

Criticisms of establishment approach

We treat now the criticisms made against proposals of all types which have as their fundamental purpose procedures designed (1) to make findings of Communist domination and, (2) to prescribe penalties and remedies arising out of such findings. The criticisms apply to the proposals whether the National Labor Relations Board or an independent agency are utilized, and whether the proposals rely on legislation or administrative action.

Mr. Philip Murray, the late president of the CIO, stated the criticism in principle.

"If the Government undertakes to determine what unions can represent workers in this country, it will have embarked upon the long trail toward Government control of unions. In the dictatorships of the world, unions exist at the sufferance of the state. We in America do not want to take a single step in that direction" (hearings, p. 279).

This criticism was more specifically amplified by Mr. Allan Haywood, executive vice president of the CIO, in his testimony before the subcommittee. Mr. Haywood equated these proposals with Government licensing of unions.

"The only remedy which has been suggested, in my opinion, would be effective to displace Communist-led unions in a Government directive to employers not to recognize certain unions. This amounts, whether or not it is so labeled, to Government licensing of trade unions. It means that the Government determines which unions are legitimate and may continue to function, and which shall be proscribed.

"Government licensing of unions would, in our opinion, be justified, if ever, only in a desperate situation and as a last resort. It is emphatically not something that should be lightly undertaken to meet a hypothetical danger.

"Government licensing of unions would inevitably involve thought control, since it would turn not on acts but on beliefs and loyalties. The determination of whether a union should be proscribed would necessarily 'reflect the individual political and economic views and attitudes of the Government officials making the determination. Once the gate is opened to Government proscribing of unions, the temptation will be present to use the device to destroy any union with whose objectives the administration in power may not happen to agree.'" (Hearings, p. 279.)

There is objection to the sweeping legislative approach to Communist-dominated unionism by Mr. Sigal of IUE. Referring perhaps to the Boulware proposal for legislation, Mr. Sigal asserts:

"It is typical perhaps of those who have been for so long apparently oblivious to the threat of Communist infiltration of unions that they seek to compensate by going to the other extreme to propose Draconian remedies that bear little relation to the specific problems that must be solved." (Hearings, p. 297.)

An all inclusive approach is rejected by Mr. Sigal on the ground that infringement of the right of workers to chose their own representatives should only be permissible in the face of an overriding emergency. This means limiting the scope of any order to immediate defense requirements. There should be, therefore, no attempt to deal with this problem indiscriminately through permanent legislation. (Hearings, p. 297.)

There have been other proposals which do not fall within the categories already discussed. Prof. Joel Seidman, of the University of Chicago, would suit the steps to be taken to the "danger to the Nation that exists in any particular period." Mr. Seidman distinguishes three possible periods.

"(1) The present period of 'cold' war with the U. S. S. R., combined with a limited shooting war with some of its allies; (2) a shooting war with the U. S. S. R.; and (3) a genuine period of peace with the U. S. S. R." (pt. III, p. 69).

In period 1, steps would be limited to barring Communists and fellow travelers from sensitive employment. In period 2, i. e., a shooting war with Russia, the "national security would require that every Communist Party member and confirmed fellow traveler be treated as a member of a potential fifth column." The arrest of every Communist or confirmed fellow traveler in a position of leadership in a union would clearly be in order "as persons whose primary allegiance is to the U. S. S. R." In period three, Mr. Seidman would "end all restrictions against Communists proposed for the other two periods" (pt. III, pp. 69–70).

Guaranty of democratic processes in unions

Mr. H. W. Story, vice president and general attorney for the Allis-Chalmers Manufacturing Co., introduces a concept of the guaranty of democratic processes in unions, as the key to combating Communist-dominated unionism. Mr. Story rejects generally the attempt to deal with Communists via the route of the criminal law or through the National Labor Relations Act, as being of dubious efficacy, administrability, and constitutionality. He favors, instead, what he calls the guaranty of democratic processes.

"Experience has shown," Mr. Story says, "that Communist leaderships hold their power through stifling of democratic processes in the election of officers and in other administrative union activities" (pt. IV, p. 19).

Mr. Story therefore recommends the incorporation in the National Labor Relations Act of specific standards for the democratic conduct of union government. He lists them as follows:

The standards for assuring democratic processes should include:

(1) Adequate notice of nominations and elections;

(2) Adequate opportunity to nominate candidates;

(3) Reasonable eligibility requirements for nominees;

(4) Protection against fraud and error in the determination of the results;

(5) Opportunity for recounts;

(6) Reasonable hours for the polls to be open;

(7) Location of the polling places so as to assure maximum participation in the election; and

(8) No disqualification of voters or nominees for an act or failure to act consistent with a legal or civil right (pt. IV, p. 20).

Mr. J. B. S. Hardman, a labor editor of long experience, also focuses attention on union civil rights as, at least, a partial answer to the problem of Communist penetration. In Mr. Hardman's judgment, legislation does not provide a useful answer to the problem of Communist-dominated unionism. "The Taft-Hartley Act failed to lick the Communist union issue" because the unions would rather deal with this problem on their own power. The labor movement has reason to believe, Mr. Hardman thinks, that anticommunism has frequently been a cover for antiunionism.

The form which the protection of civil rights within the union would take is the establishment of a court of intraunion relations within the structure and administration of public law. Mr. Hardman's rationale for the establishment of such a court is:

"(1) The preservation of effective and responsible democracy is essential to the purposive and sucessful operation of unionism as a vital and constructive force in the social order of our democratic Nation.

"(2) The union organization, comprising as it does, all in one, the essential features of a diplomatic corps, a business enterprise, a combative organization, an evangelical fellowship, and a training group in industrial constitutionalism, lacks the basic provision under which the civil and democratic rights and duties of union members can be duly protected.

"(3) Consequently, an agency outside the structure of the union body needs to be devised to take care of and administer the development and preservation of member-officer democratic interrelations" (pt. III, p. 45).

Mr. Leon Despres, a Chicago labor attorney, thinks there is no effective legislative approach to Communist-dominated unions "beyond the general existing statutory provisions against sabotage, treason, and similar acts." He suggests that another avenue of inquiry be pursued:

"Why is it that, although Communists are generally pretty well exposed and their domination of certain unions is clearly proved, workers still feel loyalty to those unions? What is it about Communist tactics of control, propaganda, performance, or employer relations that permits them to continue to command the support and loyalty of workers? This is the secret weapon which they have, and which permits them to retain a place, minor though it may be, in the labor movement. Is employer favoritism ever to blame? Is their program superior? Is their efficiency in grievance representation greater? Do they make promises which they cannot fulfill? Or do they have a deliberate policy of making promises and never fulfilling them?" (pt. III, p. 34).

Unions can do their own house cleaning

There is a whole body of opinion, mostly from union sources, that we have ample protection against specific acts of subversion and that therefore there is no need for additional action of any sort to deal specifically with the problems of Communist-dominated unionism. The labor movement has done a successful job of internal house cleaning and, freed from the harassment of Government legislation, which will hurt more than help, the labor movement itself can be depended upon to cleanse itself of the last remnants of Communist infiltration.

Mr. William Green, the recently deceased president of the American Federation of Labor, saw the problem as one of compulsion versus voluntarism.

"Workers are moved by the spirit of voluntarism. Through the exercise of voluntarism and freedom, they have prevented Communists from, in any way, dominating the affairs of any union. Legislation would serve to substitute compulsion for voluntarism. Workers resent compulsion; consequently the enactment of legislation designed to prevent Communist domination of unions would have a bad psychological effect" (pt. III, p. 38).

The Congress of Industrial Organizations, speaking through Mr. Allen Haywood, executive vice president, presented an analysis and justification in support of its position that no additional legislation was necessary. In summary, the CIO position sets up as follows:

1. American workers have a fundamental right to choose their own collective-bargaining representative, which is as basic to

our American way of life as the freedom to worship, to speak, and to assemble.

2. Encroachments on this fundamental right should not be made except in the face of great danger to our national safety.

3. No showing has been made that such a great danger exists.

4. Existing laws against espionage, sabotage, and access to classified materials "are presumably adequate not only to punish individual acts of espionage or sabotage but to provide reasonable assurance against their commission."

5. The overwhelming majority of American workers are patriotic citizens who are sufficiently aroused against communism and Communists that they would not follow those who would "take them down the road to political work stoppages."

6. In specific, the CIO has demonstrated its capacity to deal with the Communists without Government intervention and by due process, when it expelled the nine Communist-dominated organizations from its ranks.

Mr. George Nelson, speaking for the International Association of Machinists, offers additional evidence of the capacity of the labor movement to deal with the Communists in union, on its own, and cites action taken by the IAM as far back as 1925 to keep Communists out of office, and out of membership in the IAM (hearings, p. 323). Known Communists have been expelled, and the IAM, Mr. Nelson says, has spent considerable sums of money defending its action in the courts.

"Our organization," Mr. Nelson says, "along with other bona fide labor unions of this country, has realized the danger of Communists within our ranks before our Government or other institutions in our society realized the necessity of curbing and restricting their influence. I do not think it is fair that labor unions should constantly be singled out as the prime segment of our society harboring Communists" (hearings, pp. 324–325).

Mr. Henry Kaiser and Mr. Gerhard Van Arkel, labor lawyers, with a predominantly AFL practice, argue that those who advocate "legislative interference" in this matter operate on "certain, usually undisclosed premises."

"First, the proponents of such legislation necessarily believe that American workers are either so indoctrinated by communism or so politically apathetic that they can be easily led by the nose on these matters. All our experience has shown this to be untrue; if it is a gross distortion of history and an egregious slander on American workers as a group. Workers are citizens and fully responsive to their obligations as such. They do not require—and properly resent—paternalism. They have more than proved their competence to handle these problems.

"The second assumption is that American workers, though anti-Communist, are too weak and powerless to take effective action. Again, experience demonstrates the falsehood of the premise. American workers can—and do—change their union leadership, or organize other unions if that method fails. There are invaluable benefits in leaving action to them, in strengthening their self-reliance, in the achievement of a greater solidarity, and in a real awareness of what Communist intentions and practice are" (pt. III, pp. 79–80).

President Eisenhower has commented on the 9 (h) affidavit as follows:

"I also think that since patriotic American union leaders must swear that they are not Communists, then the employers with whom they deal should be subject to the same requirement.

"Ladies and gentlemen, let me explain my view in personal terms. I would not mind every morning swearing an oath of loyalty to the United States of America. I would be proud every night to give my sworn oath that I am not a Communist. But I would resent doing this, and I would resent it bitterly, if I were singled out to do it because I happened to be a veteran, or someone who had lived in Kansas—or if I were a labor-union official" (New York Times, September 18, 1952).

SUMMARY OF THE FACTS

The significant facts with respect to the problem of Communist-dominated unions, as revealed by the record, can be summarized as follows:

1. The record before the subcommittee contains an authoritative and comprehensive survey of the relevant facts and opinions from every responsible viewpoint: Government, labor, management, and informed observers.

2. Communist-dominated unions are clearly identifiable as such because of the positive correlation of their policies with the shifting phases of the foreign policy of the Soviet Union.

3. The affirmative evidence of direct action by Communist-dominated unions in support of Soviet Russian foreign policy is less conclusive but the potentialities of such direct action are visible.

4. There is credible evidence that the correlation noted above is not coincidence but the direct outcome of direction by Communist Party functionaries.

5. The non-Communist affidavit in the Taft-Hartley law in its initial period probably contributed toward directing public and trade-union attention on the focal points of Communist penetration in the unions but the decision of the Communist leadership to sign the affidavits has seemed to nullify the practical intent of the law in eliminating Communist domination of certain labor organizations.

6. Communist-dominated unions are still operating in defense production, although in diminished strength. The existence of a few Communist-dominated unions in key industries may in times of war or threatened war constitute a real danger to the safety of the country. Espionage might be practiced through communications and sabotage be committed in the electrical, mining and smelting, and longshore industries. We should not blink our eyes to these dangers.

7. Recent developments arising out of a conviction of a 9 (h) affiant for false swearing and a grand-jury presentment have set in motion policies by the National Labor Relations Board which look toward a more aggressive protection of the affidavit requirement from gross abuse by Communist union leaders.

8. The Atomic Energy Commission has been successful in preventing recognition of a Communist-dominated union as the bargaining representative in an important atomic-energy installation.

9. In the judgment of the Defense Department, its security functions extend only to denying access to facilities and documents on the part of persons of questionable loyalty or reliability. But its authority does not extend to directing contractors to cease recognition of Communist-dominated unions who may be the bargaining representatives of the employees of such contractors.

10. The proposals which have been made to this subcommittee for dealing affirmatively with the threat of Communist-dominated unionism fall under four main categories. All of these proposals start (explicity or implicity) with the assumption that our existing resources are not adequate for the job at hand, that neither existing law nor the voluntary action of unions and employers provide the lawful tools to destroy the threat of Communist-dominated unions.

(a) The utilization of the National Labor Relations Board to find, subject to the requirement of constitutional due process, that certain unions are Communist-dominated, and, upon such finding, to deprive these unions of their privilege to act as exclusive bargaining representatives of employees.

(b) The utilization of an agency other than the NLRB, subject to the requirements of constitutional due process, to make findings of Communist domination and the subsequent loss of bargaining rights by unions found to be Communist-dominated. There are variations on this proposal (1) whether it should be restricted to defense work or not, and (2) whether new legislation is required or whether the findings and the penalties can be established under existing law.

(c) The guaranty of democratic processes approach which has as its basic assumption that Communist-dominated unions flourish only through the denial of democratic process to the members. If such democratic process is guaranteed by law, it is argued, Communist control of certain unions will disintegrate.

(d) The strengthening of the affidavit requirement to provide (a) that every affiant of a 9 (h) affidavit automatically waives his immunity on the questions in the affidavit in proceedings before a legislative committee, or a court of appropriate jurisdiction, (b) the terms of the affidavit be subject to 1-year retroactivity.

11. Those who are critical of any governmental finding of Communist domination of a union urge as their major reasons: (a) the availability of adequate clearance and intelligence facilities makes such procedures unnecessary; (b) the free, democratic unions and their members can deal with the threat of political strikes; (c) this kind of ideological licensing of unions is incompatible with the maintenance of a free society.

12. Those who are critical of utilizing the National Labor Relations Board as the investigative agency argue that the NLRB is not equipped to administer such investigations and that in any case incorporation of this responsibility in the NLRB would open up opportunities for delay which would indiscriminately penalize non-Communist unions as well.

FINDINGS AND RECOMMENDATIONS

Under this heading we want to set down some judgments about this problem which we believe are reasonably warranted by the facts.

1. Nobody has suggested to our subcommittee that our security machinery is not equipped to deal effectively with the protection of facilities and information in sensitive industries, from acts of sabotage or espionage; or at least as effective as it is humanly possible to be. The subcommittee did not have the resources to conduct an independent investigation of whether in fact the security agencies were taking all the precautions they could against Communist subversion. This matter should be fully studied and the facts made available to the Congress. Special attention should be paid by the Government in supervising its contractors and subcontractors engaged in defense work to see that all appropriate safeguards against Communist infiltration are utilized.

2. One of the great assets, if not the greatest, which a democracy has in combating the threat of Communist penetration is an intelligent awareness of the threat and a desire to do something about it. No law, however intelligently framed, is a substitute for this asset.

We must in all candor recognize that an employer who sees rivalry between a Communist union and a non- or indeed anti-Communist union as simple ordinary trade-union competitiveness is lacking in the insight and perspective which we need to rely on so heavily.

We do not suggest, it should be made clear, that the employer favor one union as against another, or do anything else which would be contrary to law, when he is con-

fronted with a rival union situation involving a Communist-controlled union and a non-Communist union. We do suggest, however, that an employer who takes advantage of such a situation to engage in divisive strategy is making no contribution to the common welfare.

The International Union of Electrical Workers (CIO) has charged that the General Electric Corp. has favored the United Electrical Workers (independent) since expelled from the CIO on grounds of Communist domination. The General Electric Corp., speaking through Mr. Boulware, has vigorously denied this charge. We do not feel that we would be justified in making a definite finding on this issue in controversy, one way or the other.

We feel justified, however, in commenting on an attitude reflected in certain statements issued by the General Electric Corp. on the theme of a "Plague on both your houses" (hearings, p. 450 ff.). The essence of the theme is that there is little to choose from between leftwingers and rightwingers. The reference is to the UE and the IUE respectively.

"We believe—the General Electric Corp. has said—they have in the end the same objectives. We believe that what each side advocates would result, in the long run, in substantially the same thing for our employees, our company, and our country" (hearings, p. 451).

This is an amazing statement and shows little comprehension of the forces at work in this world, in the year 1952. It is this attitude on the part of some employers which has made the opposition to the real Communists in the unions very difficult and explains in large part why the Communists have been able to retain as much as they have. If an employer says, in effect, there is no difference between a Communist union and an anti-Communist union, it is understandable why many workers may not pay too much attention to a valid charge that a union is Communist-controlled.

We need to recall Professor Seidman's critical differentiation between Communist unionism and other liberal or radical groups in the American labor movement.

"From the point of view of the other liberal or radical groups, a union is a primary institution that the group seeks to build and make strong, with the objective of winning benefits for the members and for workers in general.

"The policy of such unions is determined by an analysis of the needs of the workers who are employed in the industries in which those unions operate. Such other liberal or radical groups may be critical of employers, of the existing economic system, of Government policy; they may in a particular case be opposed to a war in which this Government is engaged, or even opposed to all wars; and yet I would sharply distinguish between such groups and the Communist Party on the ground that the Communist Party seeks control of unions not primarily to benefit the workers involved, but primarily because the unions then can be manipulated to further a party line which is in turn determined with reference to the interests of the U. S. S. R." (hearings, p. 148).

Not to make this distinction, as apparently General Electric and other employers have not, is to play the Communist theme song, that an attack on Communists is an attack on all liberal ideas. We deny that it is impossible to distinguish between Communists and genuine supporters of liberal or unorthodox ideas. The Communists are spokesmen for a conspiratorial system of power deriving its prime motivation from the needs of the U. S. S. R. We do not have to agree, necessarily, as many of us do not, with the program of free reform groups, to insist that the American tradition and constitutional system gives these groups every right to exist and to pursue every lawful means to propagate their ideas.

3. The issue which needs to be resolved is whether Communist-dominated unions pose a sufficiently serious threat to our security to warrant Government action. We believe that Communist-dominated unions do pose such a threat, and the Government has taken effective steps to protect the national security against these threats. In this report we recommend additional steps that can be taken.

We do not accept the proposition urged upon us that a private group has an inherent immunity from public regulation on this point. This goes for both employers and unions. It happens that this committee has reported out legislation designed to end discrimination in employment based on race, color, creed, or national ancestry. If this legislation were passed no private group, employers, employment agencies, or unions would be permitted to carry on its activities in a way to run counter to the requirements of this policy.

The same principle applies to the question of Communist-dominated unions. The unions have no inherent immunity from regulation on this point. The decisive question is: Will this be a wise and democratic exercise of public authority?

4. The free labor movement must accept the responsibilities which go with its contention that it can handle the Communist problem in the unions on its own. Racketeering, discriminatory practices, exist in a few union situations. Where these unsavory practices exist they are breeding grounds for Communist penetration. They provide a cover for the real purposes of the Communists in the unions. The labor movement must decontaminate itself of these unhealthy influences.

The free unions have done more to isolate and destroy the staging points of Communist unionism than any other single force in American life. It is one thing to require a non-Communist oath as a condition of using the NLRB's facilities. But the critical anti-Communist pressure is exerted when the free unions expel Communist-dominated unions from their midst and then proceed to take their members away. This is anticommunism where it hurts the Communists the most. But, as we have seen, there are still pockets of Communist domination and the free unions must expend added power and resourcefulness in eliminating these Communist pockets.

We commend, too, the action which the American labor movement has taken to combat international communism. The fact that free labor movements all over the world are effectively fighting Communist aggression is in small part due to the economic and moral aid rendered by the American labor movement.

5. The National Labor Relations Board has authority under existing law (in its own words) "to protect its own processes from abuse." If it should develop that the Board does not have this authority, we urge that legislation be enacted to carry out the intent of this recommendation. We recommend that the NLRB in the exercise of such authority under existing law take judicial notice of three kinds of circumstances as reflecting adversely on the good faith of an affiant of a non-Communist affidavit.

(1) The refusal to testify under oath before a judicial body, grand jury, or legislative committee whether the non-Communist affidavit was signed by the affiant.

(2) The refusal to testify under oath before a judicial body, grand jury, or legislative committee whether the affiant is a member of the Communist Party.

(3) A conviction for false swearing in a non-Communist affidavit.

If the Board finds that there is a reasonable doubt as to the truth and validity of the affidavits, as a result of the failure to testify, or as a result of the conviction for false swearing as outlined above it shall give the union in question 30 days within which to purge itself of the officers whose affidavits have been found lacking in good faith. If the union submits proof that it has complied with the order of the Board it shall be considered as having remained in compliance with section 9 (h). If in the judgment of the Board the union has not purged itself of the officers whose affidavits have been found to be lacking in good faith, then the Board shall declare that the union is not in compliance with section 9 (h).

Our reasons for this recommendation are as follows:

(a) Whatever reservations we may have about the efficacy of section 9 (h), we ought not to embark on additional or more dubious legislation until we have exhausted the lawful remedies under existing legislation. With all of its one-sidedness, section 9 (h) of the Labor-Management Relations Act of 1947 has served to point up the issue and may, with appropriate implementation, yet help to identify the Communist-dominated unions. In our judgment, it should not be taken from the law until all Communist domination has disappeared from unions, at least in vital industries, or until, as implemented, it is proven ineffective and other preferable provisions are adopted.

(b) We believe that the NLRB can lawfully apply these recommendations without additional legislation. To be sure, as has been pointed out, Congress did not intend for the Board to conduct an independent investigation on the merits as to whether a particular 9 (h) affiant is or is not a Communist. What we are recommending here, and which in large part the Board has already done, is to protect its processes from obvious abuse. It is our judgment that the three types of circumstances cited above constitute obvious abuse and ought not to be tolerated without question.

(c) We are not insensitive to the implications which our recommendations have for the constitutional protection against self-incrimination. But, it seems to us that the constitutional protection ought not to become an immunity for Communist union officers from the consequences of bad faith in filing non-Communist affidavits. And in any case the loss suffered by such officers is a disqualification from serving as officers of a union which wishes to utilize the procedures of the law. That the unavailability of the Board's processes is something less than catastrophic is attested to by the fact that two large and powerful unions (and anti-Communist unions, by the way) have been able to exist for 5 years without access to NLRB procedures.

(d) The recommendation for a 30-day period of grace within which a union may remove the cloud of doubt prevailing with respect to 9 (h) compliance is motivated by a consideration that innocent victims of bad-faith filing ought not to be penalized for the acts of particular officers. All the members and non-Communist officers of the union could know, for sure, was that an affidavit was on file. They could not be expected to know beyond a reasonable doubt that the affidavit was executed in bad faith, in the absence of an authoritative declaration to that effect.

Therefore, to revoke compliance status retroactively would penalize union members and employers as well for acts over which they had no control. Legal logic may be on the side of retroactivity in this sort of situation but the facts of industrial relations are not.

A refusal of the union members to remove officers after their affidavits have been found defective in an authoritative determination by the NLRB puts the problem in a different posture. They can remove the officers or accept the consequences of noncompliance.

But under our recommendation the alternatives are identifiable.

6. The Department of Justice should establish a special unit to deal with cases arising out of alleged violations of section 9 (h) with effective liaison relationships to the NLRB and the legislative committees engaged in Communist investigations.

7. To the extent necessary, the Munitions Board, the Atomic Energy Commission, the Federal Bureau of Investigation, and other agencies concerned with security problems should develop specialized competence in dealing with security implications of Communist-dominated unions. The Bureau of the Budget should undertake to study how the various Federal responsibilities in this field can be sensibly coordinated. The President, through the Bureau of the Budget, should also consider the development of in-service training programs for these various agencies on the goals and purposes of Communists in unions and how to distinguish the bona fide militant unionist from the Communist agent. It is a distinction which is not infrequently blurred, but as we have said, a very crucial distinction.

8. We do not believe that the National Labor Relations Board has the statutory authority or that Congress intended it to conduct an independent, de novo investigation of whether, in fact, an affiant is a Communist. Moreover, Mr. Herzog's analysis of this proposal we find very persuasive. Identifying Communists is a special form of expertise which the Board does not now have. Moreover, it would have the effect of delaying the processing of the cases of non-Communist unions.

9. We reserve judgment at this time on proposals that new agencies other than the NLRB be given authority to find Communist domination. The reasons for our reservations may be summarized as follows:

(a) The resources of Government agencies charged with security functions, strengthened as necessary, appear to be adequate at this time to deal with hazard of sabotage and espionage.

(b) The practical advantages of these proposals in removing the security hazard of Communist control are questionable if the time consumed by the Subversive Activities Control Board in its proceedings against the Communist Party is any guide. The advantage of operating efficiency is on the side of the agencies like the FBI.

(c) The resultant penalties, such as disestablishment of Communist unions, would in part fall on the Communists but in greater part on the innocent victims, the union members, in the Communist unions who, it is clearly established, are overwhelmingly unsympathetic to the political aims of their leaders.

(d) This ideological testing of a union's right to survive is foreign to our tradition of a free labor movement.

If, however, our relationships with Soviet Russia deteriorate even further, these proposals should be reconsidered in the light of the new circumstances.

10. It is recommended that encouragement be given to unions to clean their own ranks of Communist influence by amending the law to permit a waiving of the affidavit requirement for those unions which incorporate a ban on the holding of office by Communists and enforce the ban in good faith. Such a provision would have the additional effect of cutting down the sizable clerical task of keeping track of thousands of affidavits.

11. The proposal that employers and their representatives be required to take non-Communist oaths as a condition for utilizing the facilities of the National Labor Relations Board has equity on its side to recommend it. The argument runs that union people will not resent the application of the affidavit requirement if they feel that they are not being singled out for special treatment as potential subversives. Measured against the standards of speed in processing cases, however, the advantage of this proposal seem to be dubious.

INDIVIDUAL VIEWS OF SENATOR MORSE

I have not concurred in the foregoing report because I think it is inadequate in several respects, although I think that in many respects it is a very good report. At least it shows a lot of hard work and careful and thorough study of the problems which were taken under consideration by the committee. Nevertheless, I hold several reservations as to the soundness of the conclusions of the report in respect to the jurisdiction, which the National Labor Relations Board should take, over Communist-dominated unions.

The subcommittee has never sat down in a formal committee meeting for a discussion of the recommendations contained in the report. At least, I have never had any knowledge of any such meeting being held. If I had attended a committee meeting for a discussion of this report, I would have found it necessary to raise a series of questions for discussion by the committee about the recommendations in the hope that they would be modified. It is quite possible that other members of the committee, as the result of such a discussion, might have come to share some of my doubts as to the wisdom of some of the recommendations set forth in the report, at least, as far as their present form is concerned. I know that each member of the committee agrees with me that the existence of any Communist-dominated union in America is a threat to the labor unions as well as to the security of the country. However, I do not think that the recommendations of the report propose very effective means for checking and eliminating Communist-dominated unions.

The American people have the right to look to some agency of government to take direct jurisdiction over the question of Communist-dominated unions. Although I have reached no final judgment on the matter, I see great merit in the point of view that the National Labor Relations Board is the agency which should be given jurisdiction over the issue on the administrative level. It is to be understood, of course, that I would favor having the law so worded that all of the procedures of the Administrative Procedure Act would apply in the granting of such a jurisdiction to the National Labor Relations Board. It would seem to be somewhat absurd as a matter of principle to have the National Labor Relations Board grant the privileges and prerogatives of the National Labor Relations Board Act to a union and at the same time not have the legal right and duty to exercise jurisdiction by way of denying those benefits and prerogatives to a Communist-dominated union involved in a case before it.

Also, I think it is only fair to the employers of America that they should have the right before the National Labor Relations Board to prove if they can that the union involved in the case is a Communist-dominated union. If the Board finds that the evidence supports that contention, then I think it is bad public policy for the Board to grant any benefits to that union until it has eliminated its Communist domination.

I fully appreciate the fact that so enlarging the jurisdiction of the National Labor Relations Board will probably require some amendments to the National Labor Relations Act. However, that fact in no way detracts from the merits of the proposal that such jurisdiction shall be given to the Board. It only means that the Congress should get busy and amend the National Labor Relations Act in such particulars as are necessary to grant to the Board the jurisdiction it needs to accomplish the end recommended. It is also true that enlarging the jurisdiction of the National Labor Relations Board so that it can pass judgment on the issue of whether or not a union is Communist-dominated may slow up the work of the Board unless some procedural reforms are concurrently adopted with the expansion of the Board's jurisdiction. It is quite possible that such procedural reforms in the interest of speeding up the work of the Board would be desirable in any event. It should not be very difficult for the Board by procedural rules and regulations to work out a type of pretrial hearing of the Communist-dominated-union issue, and if the Board should find in a specific case that a prima facie case does not exist in support of that charge, then the Board could proceed without further delay to pass upon the merits of the other issues involved in the case.

It should be understood that the references which I make to changes of Board procedure in this separate report are not in any sense recommendations on my part because I should like to hear all sides of the discussion on these points before reaching any final position. It is just such questions that I would have liked to have discussed within the committee before reaching any conclusion to be set forth in the report as to how the problem of Communist-dominated unions should be handled within our governmental system. Therefore, because I do not feel that I can underwrite or affirm the report of the majority of the committee in its entirety, I respectfully submit this separate and independent report.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. BUTLER. I should like to say to the Senator from Minnesota that I have had recourse to his hearings on several occasions.

A moment ago he made reference to the objectivity of those hearings. I believe they were objective. On the other hand, he also made reference to television and emotionalism, and so forth, not in connection with the hearings that I held——

Mr. HUMPHREY. Of course not.

Mr. BUTLER. But only a general reference to that subject. I know the Senator from Minnesota did not mean to imply that there had been any emotionalism or any seeking of headlines in the holding of those hearings. I thought we did everything we could to make these hearings objective, and to keep them strictly within the bounds of legitimate legislative hearings on the bill before us.

Mr. HUMPHREY. Mr. President, will the Senator yield at that point?

Mr. MORSE. I am glad to yield.

Mr. HUMPHREY. I wish to say to the Senator from Maryland that I had no reference at all to the activities of the Senator from Maryland or to those of any Senators associated with him in the pursuit of the hearings and the final writing of the bill before us. As a matter of fact, I have said to the Senator from Maryland, as he undoubtedly will recall, our hearings are available to him, and I hope they may be helpful to him. In fact, I have suggested to every committee of the Senate that is engaged in a study of subversive activities, namely, the Jenner committee, the McCarthy committee, and the subcommittee of the Senator from Maryland, that any file I have or any information which our subcommittee may have been able to obtain

or develop was available to those committees.

I am of the opinion that the activities of our Government in rooting out Communist infiltration in private organizations which have business with the Government and with any Government agency is priority business. I have no time for these "Commies," and they know it.

As the Senator from Oregon has pointed out, on July 11, 1952—and I have before me some pages from the CONGRESSIONAL RECORD—the junior Senator from Minnesota had the privilege of being branded by the Daily Worker as America's No. 1 Fascist, a phony, a faker, and all the other expletives that Communists apply to their enemies.

Mr. MORSE. I remember.

Mr. HUMPHREY. I have had the same treatment on the other side of the political spectrum; I have been treated to the rough side of life on both sides.

Mr. MORSE. Mr. President, I should like to read my individual views, which I wrote following the Humphrey subcommittee hearings:

INDIVIDUAL VIEWS OF SENATOR MORSE

I have not concurred in the foregoing report because I think it is inadequate in several respects, although I think that in many respects it is a very good report. At least it shows a lot of hard work and careful and thorough study of the problems which were taken under consideration by the committee. Nevertheless, I hold several reservations as to the soundness of the conclusions of the report in respect to the jurisdiction, which the National Labor Relations Board should take, over Communist-dominated unions.

The subcommittee has never sat down in a formal committee meeting for a discussion of the recommendations contained in the report. At least, I have never had any knowledge of any such meeting being held. If I had attended a committee meeting for a discussion of this report, I would have found it necessary to raise a series of questions for discussion by the committee about the recommendations in the hope that they would be modified. It is quite possible that other members of the committee as the result of such a discussion might have come to share some of my doubts as to the wisdom of some of the recommendations set forth in the report at least as far as their present form is concerned. I know that each member of the committee agrees with me that the existence of any Communist-dominated union in America is a threat to the labor unions as well as to the security of the country. However, I do not think that the recommendations of the report propose very effective means for checking and eliminating Communist-dominated unions.

The American people have the right to look to some agency of Government to take direct jurisdiction over the question of Communist-dominated unions. Although I have reached no final judgment on the matter, I see great merit in the point of view that the National Labor Relations Board is the agency which should be given jurisdiction over the issue on the administrative level. It is to be understood, of course, that I would favor having the law so worded that all of the procedures of the Administrative Procedure Act would apply in the granting of such a jurisdiction to the National Labor Relations Board. It would seem to be somewhat absurd as a matter of principle to have the National Labor Relations Board grant the privileges and prerogatives of the National Labor Relations Act to a union and at the same time not have the legal right and duty to exercise jurisdiction by way of denying those benefits and prerogatives to a Communist-dominated union involved in a case before it.

Also, I think it is only fair to the employers of America that they should have the right before the National Labor Relations Board to prove, if they can, that the union involved in the case is a Communist-dominated union. If the Board finds that the evidence supports that contention, then I think it is bad public policy for the Board to grant any benefits to that union until it has eliminated its Communist domination.

I fully appreciate the fact that so enlarging the jurisdiction of the National Labor Relations Board will probably require some amendments to the National Labor Relations Act. However, that fact in no way detracts from the merits of the proposal that such jurisdiction should be given to the Board. It only means that the Congress should get busy and amend the National Labor Relations Act in such particulars as are necessary to grant to the Board the jurisdiction it needs to accomplish the end recommended. It is also true that enlarging the jurisdiction of the National Labor Relations Board so that it can pass judgment on the issue of whether or not a union is Communist dominated may slow up the work of the Board unless some procedural reforms are concurrently adopted with the expansion of the Board's jurisdiction. It is quite possible that such procedural reforms in the interest of speeding up the work of the Board would be desirable in any event. It should not be very difficult for the Board by procedural rules and regulations to work out a type of pretrial hearing on the Communist-dominated union issue and if the Board should find in a specific case that a prima facie case does not exist in support of that charge then the Board could proceed without further delay to pass upon the merits of the other issues involved in the case.

It should be understood that the references which I make to changes of Board procedure in this separate report are not in any sense recommendations on my part because I should like to hear all sides of the discussion on these points before reaching any final position. It is just such questions that I would have liked to have discussed within the committee before reaching any conclusion to be set forth in the report as to how the problem of Communist-dominated unions should be handled within our governmental system. Therefore, because I do not feel that I can underwrite or affirm the report of the majority of the committee in its entirety, I respectfully submit this separate and independent report.

Mr. President, the next point I wish to make is that in my judgment the pending bill is even broader, as has been indicated by the Senator from Vermont, than the subject matter we have been discussing. It is broader than trade unions. In my opinion, the Attorney General could exercise these discretionary powers in respect to a great many organizations in this country—for example the Hells Canyon Association, or any organization of citizens which has been developed to assume some civic responsibility. It is an entirely too broad and unlimited power to give to any Attorney General, I care not who he may be.

The last argument I wish to make, and the one to which I invite the attention of the Senator from Vermont, is that we must not overlook the fact that the Department of Justice has jurisdiction now in connection with Communist activities of individuals. That is enough, Mr. President. Give the National Labor Relations Board jurisdiction over organizations working in the field of labor-management relations, and let the Department of Justice proceed with its investigation of an individual who may be involved in Communist activities or espionage activities or subversive activities, be he labor leader or union member or any other citizen.

If the Department of Justice does the job it is now empowered to do, we do not have to worry about the influence of those individuals who may be labor leaders within the labor movement. We do not need this bill, Mr. President, to check the Communist activities of any labor leader. The Department of Justice now has that jurisdiction and authority.

We, the Congress, ought to say to the Department of Justice, "What do you need that we have not given you, to carry out your authority with respect to checking Communist activities on the part of individuals? Do you need more money for the FBI? If you do, here is one vote for it. Do you need any clarification of any statute? If you, here is one vote for it."

Mr. President, in my judgment, those are not the objectives of some who would like to see that kind of legislation passed. Of course I do not refer to the sponsors of the pending bill.

There are some who see in this legislation and in the broad power it gives to the Attorney General one of the most effective devices that could be legislated for destroying the labor movement in this country.

Therefore, Mr. President, I close my argument on this bill, before I turn to another subject, by saying the bill is just not needed, if we want the Department of Justice to check Communist activities on the part of individuals. When we check the activities on the part of an individual he cannot exercise any influence within any labor union. Why drag the labor unions into this situation by giving jurisdiction to the Department of Justice to proceed to treat them as though they were individuals engaged in Communist activities?

Mr. President, I have been advised since I started speaking this afternoon that at one time I did offer a proposed piece of legislation in the Senate, and I have asked my administrative assistant to search the RECORD to see if he can find it. But there is no question about the fact that on several occasions in the Senate, since the Humphrey Committee report and my separate views filed thereon, I have stated on the floor of the Senate that I had come to the final conclusion that the National Labor Relations Board should be given jurisdiction over the issue of Communist-dominated unions. I think it was in connection with some legislation we had before us last year that I made the specific proposal with reference to some piece of legislation by way of an amendment. But I shall check into it and find out whether the amendment was actually offered or whether I simply outlined it on the floor of the Senate.

On June 15, 1954, I made comments along the same line I am expressing today on this issue, and, without reading them, I ask unanimous consent that excerpts from the statement which I made

on July 15, 1954, be inserted at this point in my remarks. I ask for the insertion only because I wish to support the reply I made to the Senator from South Dakota to the effect that it has been my position for quite some time that jurisdiction over this subject matter should be given to the National Labor Relations Board.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

Mr. MORSE. Mr. President, I should like to ask that objection to the bill be withheld until I make a brief statement.

I have no objection to the bill going over for further consideration. In fact, I believe the subject matter is such that the bill ought to be brought up by motion for full debate in the Senate, and I hope full debate will be had on it before Congress adjourns.

The bill raises again the whole subject of procedure in handling the question of Communist infiltration into labor organizations.

There is no question that a problem exists in that connection, and that it is giving great concern to many labor leaders. I would much prefer a proposal which I have urged for some years past, namely, that the National Labor Relations Board be assigned by Congress the duty and obligation to exercise jurisdiction over the infiltration of Communists into American labor unions. In that event, when an employer feels that he is being called upon to negotiate or conduct business with a Communist-dominated union, or a union whose officers are Communist-dominated, or a union which has within it members who are also members of the Communist Party, he should be able to make it the basis for a case on the ground of an unfair-labor practice so far as that particular union is concerned.

The National Labor Relations Board ought to be under the obligation to proceed, let us say, on the basis of what in our Federal courts is known as a pretrial hearing, in which the issue could be gone into singularly, and the employer or the complaining party called upon to establish a prima facie case. If a prima facie case were established, the Board would proceed with a full hearing of the merits of the controversy.

Mr. BUTLER of Maryland. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from Maryland.

Mr. BUTLER of Maryland. Does not the Senator from Oregon feel that the more appropriate body to conduct such a hearing would be the Subversive Activities Control Board?

Mr. MORSE. No. I am aware of the Senator's bill, but I do not think it provides for the most appropriate body to handle the problem, because, in my opinion, it is a mistake to split the jurisdiction of a board over a common subject matter, and I believe the National Labor Relations Board should have complete jurisdiction over labor issues.

Mr. BUTLER of Maryland. Does it not involve a problem of internal security?

Mr. MORSE. Certainly, it does, but it does not follow that the National Labor Relations Board is not the best qualified board to determine whether a particular union is Communist dominated. It seems to me that its knowledge of and familiarity with labor problems places it in an advantageous position to determine at the outset whether it is dealing with a union which is Communist dominated or has Communists in it.

Mr. BUTLER of Maryland. I agree with the Senator's observation that the Board has a peculiar knowledge of matters dealing with labor, but it has no knowledge of matters dealing with internal security. This is strictly a matter of internal security.

Mr. MORSE. There is nothing complicated about that. Let us not make a lot of complexities out of a very simple matter. It is very easy in a judicial hearing before the National Labor Relations Board to advance the proof as to whether a union is Communist dominated. I think it should be given priority of consideration in any charge of unfair labor practices on the part of a labor union. The Board ought to be required to take the proof and determine whether it is a Communist-dominated union. If it is, then I believe the proposal which I made when I refused to sign the majority report, when I was a member of the Committee on Labor and Public Welfare more than 2 years ago, is the proper one. The position I took at that time was that all the privileges of the National Labor Relations law should be taken away from the union immediately. I think that is the fairest way to handle the question, and I think it places the jurisdiction under one board and avoids complicating the situation by giving two boards partial jurisdiction of labor disputes.

Mr. BUTLER of Maryland. We are now working on a bill quite different from the bill which I originally introduced.

Mr. MORSE. I am not familiar with it.

Mr. BUTLER of Maryland. It will be reported, I trust, by the Committee on the Judiciary within the next week or two, and I hope to enlist the support of the Senator from Oregon.

Mr. MORSE. I shall read the bill with great interest.

Mr. MAGNUSON. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. MAGNUSON. I wish to associate myself with my colleague from Oregon with reference to this matter. I should like to ask him a question. The real answer to the problem is the job which 98 percent of the labor unions have done themselves, and very effectively, in clearing the unions of all this type of influence. Is not that a fact?

Mr. MORSE. That is the point with which I was going to close my argument.

Mr. MAGNUSON. As to those unions which have not cleared themselves, the simplest way to do it is by following the course which the Senator has suggested.

The PRESIDING OFFICER. The time of the Senator from Oregon has expired.

Mr. MORSE. Mr. President, I wonder if I might have a half a minute more.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator from Oregon may proceed.

Mr. MORSE. Mr. President, I am asking that this jurisdiction be given to the National Labor Relations Board in order to take care of the rare case of a union that fails to clean its own underwear. Most of them are doing a pretty good job of washing their dirty linen, Mr. President. I think the labor leaders are deserving of a great deal of credit for the job they have done in driving Communists out of the American labor movement. But there are some still left; and when a labor organization does not do a good job by way of cleaning its own linen, I think we must give the washing job to the National Labor Relations Board.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. LEHMAN. Mr. President, I have not studied the bill. I do not know how I shall vote when it comes before the Senate, but I certainly do not think that a bill with such broad implications as has this one should be considered on the Consent Calendar.

Mr. MORSE. Mr. President, will the Senator from New York yield?

Mr. LEHMAN. I yield.

Mr. MORSE. I think the Senator walked onto the floor while I was making my comments. I am not speaking for the bill; I am speaking for an entirely different bill, and I had made the point that I did not think it should be considered on the Consent Calendar, but that it should be considered by way of motion and with opportunity for full debate.

Mr. MORSE. Mr. President, at this time I also wish to refer to a speech I made on the floor of the Senate on July 7, 1953, on the same subject matter. In the course of that speech, again I said I thought jursidiction should be given to the Board. On that occasion I said:

Mr. MORSE. Mr. President, I am glad to hear the Senator from Minnesota say that he is agreeable to taking the amendment to conference. It ought to go to conference. The money will be wisely expended, I believe, by the National Labor Relations Board.

We might as well face the fact that more money is needed if the Board is to assume a certain responsibility which I think we should give to it by law. I refer to amending the law so that the Board will assume jurisdiction over cases charging communism within unions. Apparently that is a no man's land in the law today.

As conditions now are an employer who in good faith says he is not going to negotiate with a union because he is satisfied the union is Communist-dominated cannot get any relief from the Board because the courts have ruled that the law as presently written does not give the Board jurisdiction.

I am in favor of supplying the Board with sufficient funds so that it may assume jurisdiction in cases charging Communist-dominated unions, once we amend the law to give it such jurisdiction. That is why I dissented from a report on Communist influence in a few labor unions, which report was issued by the Subcommittee on Labor-Management Relations, when I was a member of the Labor Committee. In fact, I was quite surprised that a majority of my colleagues went along with the majority report on that issue. We have failed to provide any procedure to protect an American employer who in good faith says, "I do not want to negotiate with this union because it is Communist-dominated." Where is he going to go for relief?

It is perfectly obvious that he should go to the National Labor Relations Board, and the Board should be given such jurisdiction.

That is why I take this opportunity to reinforce the position I took as a dissenter in the Committee on Labor and Public Welfare, when, to my complete surprise, that committee went along with the notion that the National Labor Relations Board should not be the tribunal which should assume jurisdiction over the issue of communism in labor unions. If the Board is not given jurisdiction over that issue, what agency will assume such jurisdiction? We are just playing ducks and drakes on this issue, Mr. President.

We should stop kidding ourselves about it. We should give the National Labor Relations Board the necessary funds and staff, so that it can get to the bottom of the question of communism in American trade unions. Not many American unions are Communist dominated. But when a union is Communist dominated, it should not have the benefit of the services of the National Labor Relations Board, but should be told, "You will not receive any service from this Board until you clean out communism in your union."

So, Mr. President, I am glad the amendment adding $250,000 to the appropriation will be taken to conference.

Mr. President, a word as to why I think the National Labor Relations Board should have jurisdiction over this subject matter. In the National Labor Relations Board there is a staff thoroughly grounded in American labor problems. I know it is difficult in a speech to have people accept the notion that there is an art in the settling of labor disputes, but it is true, Mr. President. Of course, it is an art which can be effectively used only by men who have a background of train-

ing in the field. The issue of various types of radicalism in the American labor movement is nothing new. Not so many years ago, from 1910 on to the middle of the 1920's we had the so-called Wobbly movement in American labor. It was given a variety of names. It was known as the Industrial Workers of the World, I believe—the IWW. It was a very radical movement. It was a direct-action movement in the American labor movement. It would use the strike if it thought it would serve its purposes, but it would also use many illegal practices. We know about the serious riots which developed in the so-called Wobbly movement in this country, which became great national issues in their day.

We have had the anarchist movement within the American labor movement at different periods in its development. We have had various types of so-called direct-actionists who did not believe in promoting a labor movement through a system of government by law, but believed in promoting a labor movement through a system of anarchy, through a system of mob rule, through a system of direct action outside the law. The most vicious type of all these direct-action movements is the Communist movement.

Anyone who has any background in the study of the American labor movement is thoroughly familiar with the various chapters of radicalism in the American labor movement. But they have very little to do with the warp and woof of the American labor movement. They have very little to do with the legitimate ends and methods used by true trade-unionists, who are as devoted and dedicated to a system of government by law as is any Member of the United States Senate.

On the Board and on the staff of the National Labor Relations Board there is a group of men who are well informed as to American labor problems, and they understand, Mr. President, that to some extent we have what I have called earlier in my speech some "termiting" by Communists within the American labor movement.

When any employer is called upon by such a union to enter into a collective-bargaining agreement, or if the union tries, by various direct-action methods, which are typical of Communist-dominated unions, to coerce the employer into entering into a labor-union contract, the employer should have the right to go before the National Labor Relations Board and file an unfair labor practice charge. Amendments to the National Labor Relations Act should be adopted to provide the Board with the jurisdiction to conduct an immediate hearing, giving it priority over any other issue involved in a case, to determine whether there is any basis for the contention of the employer; and if there is, to try the issue forthwith. That is the way I think the situation should be handled. That is my alternative to the Butler bill.

I think the Butler bill should be postponed, and that final consideration should not be given it by this session of Congress. The Butler bill, along with other proposals which undoubtedly will be made, should be referred, at the beginning at the next session of the Congress, to the Committee on Labor and Public Welfare.

As I said earlier in my colloquy with the Senator from South Dakota [Mr. CASE], I, myself, propose to offer some amendments to the National Labor Relations Act, which would grant to the National Labor Relations Board the required jurisdiction over the issue of communism in American labor unions. I think that is the way the problem should be handled. What should be done is either to recommit the bill to the committee which reported it, or transfer it to the Committee on Labor and Public Welfare, with the understanding that it will be reintroduced, come January, along with other measures which can be considered at that time.

But that may not be the course of action which the Senate will decide upon tonight. Therefore, I wish to make a few comments on the basis of my general objections to the bill in its present form.

I have already said that I do not believe the Department of Justice should be given jurisdiction over American trade unions. I think the National Labor Relations Board should be vested with that authority. Furthermore, my colleagues in the Senate have heard me over the years, no doubt to the point of boredom, raise my voice against the granting of broad discretion to any governmental official. I object to the bill because, in my opinion, the language of the bill gives too broad and too wide a discretion to the Attorney General. I think it is discretion which is so broad and so arbitrary that it could be subject to great abuse. The time to prevent abuse or to prevent the danger of abuse developing is at the very time when legislation is being considered for passage. It is then that language should be included which will not permit the abuse of discretion.

I call attention to page 2 of the bill. Perhaps I should start at the bottom of page 1:

> The term "Communist-infiltrated organization" means any organization in the United States (other than a Communist-action organization or a Communist-front organization) which (A) is substantially directed, dominated, or controlled by an individual or individuals who are, or who within 5 years have been actively engaged in, giving aid or support to a Communist-action organization, a Communist foreign government, or the world Communist movement referred to in section 2 of this title.

Because it is necessary to think of the bill in terms of types of factual situations to which it might be applied, let us assume a situation in which the Attorney General of the United States is antilabor. That is not beyond the realm of possibility. Assume there is an antilabor Attorney General. Assume that a business concern goes to him and makes the charge that the union with which it has to deal is Communist-dominated. It points out union members A, B, and C. The Attorney General could find that those members make the union substantially Communist-dominated. The words "substantially directed, dominated, or controlled by" do not have very specific standards attached to them. They confer pretty much a blanket power.

Let me say, furthermore, that I think the section can be used—and I speak respectfully of the bill and of its author, because I know that the author would have no such intention—as a very effective strikebreaking weapon. Suppose there were a situation such as a prospective steel strike or an actual steel strike, and an Attorney General who is antilabor should decide that the union is substantially dominated by Communists. He makes such a finding, the Government goes to work at once, and it is only a matter of a short time until the strike is broken. The bill in its present form could be used as a very effective strikebreaking weapon.

Notice part (B), on page 2, beginning on line 8, which reads: "and is serving, or within 5 years has served, as a means for (i) the giving of aid or support to any such oragnization, government, or movement, or (ii) the impairment of the military strength of the United States or its industrial capacity to furnish logistical or other material support required by its Armed Forces."

That bears upon the point I was making earlier in my speech, when I was interrupted. The interesting thing is that the tactics of the Communists are to termite their way into almost every human institution into which they can work their way, particularly into organizations in which there is some form of self-government. What many persons do not seem to realize is that most American unions operate on the basis of self-governing principles. Most American unions, to the surprise of many people, function on the basis of democratic processes. Of course, that makes it possible for Communists to worm their way into the organization.

Suppose the Attorney General finds there are 1, 2, or 3 men, or he believes there are 1, 2, or 3 men, who 4 or 5 years ago had some Communist connection. Is the whole membership and rank and file of the union to be penalized by giving arbitrary power to the Attorney General to find that the union is substantially dominated by communism and that all the effects of the bill shall then go into play?

I say that the bill does not give to the rank-and-file membership of the unions, and to the perfectly loyal officials of the union the protection to which they are entitled.

The next section of the bill upon which I wish to comment is to be found on page 4.

Mr. GILLETTE. Before the Senator moves to another section, will he yield for a question?

Mr. MORSE. Oh, yes.

Mr. GILLETTE. In the paragraph the Senator has been discussing, the language which the eminent Senator has just quoted provides that if an individual or individuals are found to have substantially directed these organizations, and they have within 5 years contributed aid or support, or have been the means of giving aid or support to a Communist foreign government, they may be

said to have some Communist connection. What would be the Senator's interpretation of aid within the past 5 years to Yugoslavia, which is unquestionably a Communist government? Would it bring under the ban any organization whose individuals had contributed aid or had been the means of contributing aid to Yugoslavia during the past 5 years?

Mr. MORSE. I want to be fair to the bill. Under the terms of the bill that would depend entirely upon the discretion of the Attorney General. That is one of my complaints about the bill. I think it gives the Attorney General entirely too much discretionary power in connection with just such a hypothetical question as the Senator has raised.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. BUTLER. Does it not have to go further than that? A Yugoslav national would have to have direct or dominating control of the labor organization, and would also have to be giving aid or comfort, or would have had to have done so within the past 5 years, as a basis for one of the two findings suggested by the Senator.

Mr. MORSE. I repectfully suggest that I do not believe that follows.

Mr. BUTLER. I think a combination of circumstances must be present.

Mr. MORSE. That is the Senator's interpretation, but I do not share it. I think there is nothing to prevent the Attorney General from making just such an interpretation as the Senator from Iowa has made.

Mr. BUTLER. Of course, in the final analysis, all legislation is subject to interpretation.

Mr. MORSE. Congress must tie it down by language, it seems to me, so that the sort of interpretation about which we are worried cannot be made.

Mr. BUTLER. Let me say to the Senator that, so far as I am concerned, if a member of any Communist government, be he a Yugoslav or anybody else, is in complete domination and control over a labor organization, members of which are employed on our secret defense work, I would not feel too badly about the Attorney General depriving that union of its rights.

Mr. GILLETTE. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield without losing my right to the floor.

Mr. GILLETTE. In response to the statement made by the Senator from Maryland, the provision does not say a man who is completely in control. It says "substantially in control."

Mr. BUTLER. Of course, that is, in a sense, quibbling with words. The provision says "substantially in control." If he is substantially in control, even though he is not completely in control, he is the man who runs the organization.

Mr. MORSE. I should like to say that I think the discretion that is entailed in the word "substantially" can be as broad as a barn door or as narrow as one of the rifle slits in one of our stone fortresses of Revolutionary days. I think it is entirely too flexible a standard to give to the Attorney General.

Mr. BUTLER. Mr. President, will the Senator yield further?

The PRESIDING OFFICER (Mr. UPTON in the chair). Does the Senator from Oregon yield to the Senator from Maryland?

Mr. MORSE. I yield.

Mr. BUTLER. I do not know that it is being proposed to give that discretion to the Attorney General. After all, the determination is to be made by the Subversive Activities Control Board set up under the Internal Security Act of 1950, and any finding by the Attorney General is subject to judicial review.

Mr. MORSE. That brings me to the very next argument I wish to make.

Mr. BUTLER. I seem to be anticipating the speech of the Senator from Oregon.

Mr. MORSE. The Senator from Maryland is a very able lawyer. I would be surprised if he did not anticipate it. After all, on this issue, as on so many other issues, the pros and cons of the debate are pretty well outlined before the debate starts. As the Senator and I know, the major differences on the bill are well known, and we are going to have to pass final judgment on them.

The point the Senator from Iowa [Mr. GILLETTE] just raised goes to the exercise of discretion by the Attorney General and the effect of the exercise of that discretion. I wish that the Senator from Iowa would pay heed as I read this language from the bill.

Mr. BUTLER. Mr. President, will the Senator yield further?

Mr. MORSE. I yield.

Mr. BUTLER. Of course, the discretion of the Attorney General is the first discretion. He can pick out the union to be cited before the Subversive Activities Control Board, but that does not mean that that union will be found to be Communist infiltrated.

Mr. MORSE. I want to discuss what the effect of such a citation would be after I read the language from page 4 of the bill:

> SEC. 13A. (a) Whenever the Attorney General has reason to believe that any organization is a Communist-infiltrated organization, he may file with the Board and serve upon such organization a petition for a determination that such organization is a Communist-infiltrated organization.

Let me say most respectfully that whenever the Attorney General will have done that, he will have wrecked that union. This is not a case of an employer, a private party, filing a charge against the union. This is a case of the chief law enforcement of the United States Government filing the charge. And what kind of a charge? It is a charge that represents opinion finding by the Attorney General. When the Attorney General files such a charge he, in effect, is saying to the American people, "Here is a Communist-dominated union."

Let us consider that union in two factual situations. Let us take it first in a nonstrike situation. Let us consider it in the situation in which it has a collective-bargaining agreement with the employer, but the termination date is about 30 days away. Keep in mind that I am buttressing these remarks with the assumption that there is in office an antilabor Attorney General—and we can have one. That is not presumption on my part. Let us assume that such an Attorney General is inclined very much toward a too-prevalent big-business point-of-view concerning unions. Let us assume that a certain big business is rather worried about negotiations for a new contract which will have to start in about 30 days. Someway, somehow the Attorney General is persuaded that he ought to make a finding that the union is Communist dominated.

When the Attorney General comes out with such a finding, he will have wrecked the effectiveness of that union in any collective-bargaining negotiations to be held in the near future. He will have given the employers a tremendous advantage, because, by and large, he will have placed public opinion behind the employer.

Now let us consider the factual situation of a union that has declared a strike. Of course, the success of any strike is dependent upon the support of public opinion. Suppose an antilabor Attorney General makes a finding such as he is permitted to make under the provision contained on page 4 of the bill. It might just as well be recognized that that strike would be lost. In my judgment, it is being proposed in the bill to give to the chief law enforcement officer of the Government the power to break unions by that innocent-looking language on page 4.

What is my alternative? My alternative is that, by law, we ought to make communism in a labor organization an unfair labor practice, and authorize industry to appear before the Board that has jurisdiction over labor disputes and make the charge there, and then let the Government proceed on the basis of the charge made by an employer.

Let me tell my colleagues of a weakness in my argument, because I hope I am a good enough lawyer to recognize that the first thing a lawyer ought to do in preparing a case is satisfy himself that he understands the arguments that can be used against him as well as the arguments he can use against those who differ with him. By way of argument by analogy, it can be said, "Yes, but the Attorney General or the Department of Justice does go before a grand jury in a criminal case and files charges and asks for an indictment." If one wanted to make an argument by analogy by way of crime indictments, something could be said for this section of the bill.

However, let us not forget what the objective is in proposed legislation such as this. There really is an effort being made to remove from the labor relations field—from employer-employee relationships—the unfair labor practice that is engaged in by Communist labor leaders. That is what we are after. We are dealing, not with matters of crime, but with techniques that are used by the Communists in the economic field.

I am going to say something about individuals in a moment, because I do not propose to take away from the De-

partment of Justice jurisdiction over the Communist issue in respect to individuals.

I say what we are really dealing with is procedure for the handling of labor relations, and those labor relations frequently involve collective-bargaining negotiations and strikes. I do not think any Attorney General of the United States should be given the kind of discretion which it is being proposed he be given by section 13A (a) of the bill, because, in my judgment, all he has to do, if he is an antilabor Attorney General, is make the finding that he believes a certain union is Communist infiltrated. By such a charge he will have wrecked that union and destroyed its effectiveness, both in collective bargaining and in prosecuting strikes.

I now resume reading from section 13A (a):

> Whenever any such petition is accompanied by a certificate of the Attorney General to the effect that the proceeding so instituted is one of exceptional public importance, such proceeding shall be set for hearing at the earliest possible time and all proceedings therein before the Board or any court shall be expedited to the greatest practicable extent.

What a great furor he could make over that. If a steel strike or a rail strike or any other great strike is underway, not only could he make his finding but he could proceed immediately to get it before the Board. The effectiveness of the strike would certainly be destroyed under those circumstances.

Mr. President, throughout the bill I find provisions which are phrased in the broadest of generalities. I find uninhibited discretion placed in both the Board and the Attorney General. I say the effect of it all is to make the bill, if enacted into law, one of the greatest weapons ever written upon the statute books in the hands of the antilabor forces in the United States.

So, Mr. President, action had better be postponed on the bill. It had better be recommitted or referred to the Committee on Labor and Public Welfare, and we should wait until January, when extensive hearings could be held on the bill by the Committee on Labor and Public Welfare, which thereafter could come forward with a bill which would meet some of the objections I have raised.

Mr. President, my memory has been refreshed since I began this speech. At that time I was laboring under the impression that the Board could assume jurisdiction over aspects of communism, affecting labor unions, if the Board really wished to do so. But after beginning this debate, I have discovered there was precedent indicating very clearly that legislation was needed specifically to give such jurisdiction to the Board. My memory has been refreshed by my administrative assistant, and I now realize that I did not actually submit an amendment at that time. I proposed that such an amendment be considered. But we checked with those in charge of the bill at that time, and they satisfied me that there was no chance that such an amendment could be added to the bill then under consideration. To that extent, Mr. President, I now qualify the statement I made earlier in the day, concerning the amendment. The amendment was prepared, but it was not actually submitted.

But, Mr. President, not only the substance of the amendment, but a complete bill on this subject, will be introduced by me, come next January.

Mr. HUMPHREY. Mr. President, will the Senator from Oregon yield to me?

Mr. MORSE. I yield.

Mr. HUMPHREY. As a result of the discussions which have taken place in regard to this matter—and, as I have said, later on, I shall read into the RECORD the report of the National Labor Relations Board on the advisability of having the Board take jurisdiction over the matter of communism in trade unions—on May 14, 1954, the junior Senator from Minnesota and the senior Senator from Illinois [Mr. DOUGLAS] introduced a bill to amend section 9 (h) of the National Labor Relations Act. Introduction of that bill was made necessary, we felt, by a Supreme Court decision holding, in effect, that insofar as the non-Communist affidavit was concerned, the National Labor Relations Board was more or less an official filing cabinet. As the Senator from Oregon knows, some of us disagreed strongly with that view; and in order to clarify the law, we introduced that bill. It is a matter to which the Senator from Oregon has given much attention. The bill substantially authorizes and empowers the National Labor Relations Board to revoke the bargaining rights or other rights of a union before the Board to receive any of the Board's services, if there has been any falsification whatsoever in the non-Communist affidavits.

The language of the bill in regard to that matter is quite simple. It states:

> (3) In any case in which the Board finds that there is serving as an officer of a labor organization, or of any national or international labor organization of which it is an affiliate or constituent unit, a person who has theretofore refused to testify under oath before a judicial body, grand jury, or legislative committee as to (i) whether the affidavit filed by or for him pursuant to this subsection was in fact signed by him or (ii) whether at the time of the execution of such affidavit, or at any time within the 12-month period following the execution of such affidavit, he was a member of the Communist Party or affiliated with such party or believed in or was a member of or supported any organization that believes in or teaches the overthrow of the United States Government by force or by any illegal or unconstitutional methods, such labor organization may, in the discretion of the Board, be deemed not to be in compliance with this subsection during any period, after the expiration of 30 days after notice thereof is given to such labor organization, for which such person is an officer of such labor organization.

The bill goes on to give further definitions.

What the bill intended to do, and what it will do if it is enacted into law, is at least to approach one of the objectives the Senator from Oregon has outlined, namely, to nail down, once and for all, by clear and unqualified statutory authority, the right of the National Labor Relations Board, first, to investigate the validity of a non-Communist affidavit; and, second, to take within cognizance of the operations of the Board, any activities of a labor union or an international union, including, for example, its conduct before legislative committees, if representatives of the union refuse to testify under oath, as has occurred at hearings before certain of the congressional committees. If such conditions develop—and other conditions are set forth in the bill—the National Labor Relations Board may say the union is not in compliance with the law, and is not permitted to have the services of the National Labor Relations Board, and furthermore, is subject to prosecution.

The Senator from Oregon is building a very good case, and he is making a telling point about the importance of the National Labor Relations Board being involved in this field. He is persuasive and his argument is sound.

The Senator from Oregon knows that I have done much thinking about this matter.

I point out that this bill, introduced on May 14, was referred to the Committee on Labor and Public Welfare, and insofar as I know, despite the decision of the Supreme Court, despite the obvious need of the proposed legislation to clarify the law, despite the need of the Attorney General to have such a law so as to enable him to prosecute adequately and successfully those who have falsified affidavits, no action has taken place. That is what disturbs me.

Here is a bill which is to the point, as the Senator knows. When a Supreme Court decision overrules the established statute—and the Congress apparently thought that the statute was clear enough to permit the NLRB to examine these affidavits—when we found out that the Board did not even have that right, within a few days the Senator from Minnesota introduced this bill, and I read a statement before the Senate, urging immediate action. And yet there has been no action whatsoever.

I join with the Senator as he goes along, because I am getting an education out of this debate. I am very grateful to the Senator from Oregon. I think the point he made at the time of our hearings was well taken, as I have said before. It was not only well taken, I think it is becoming more and more evident all the time that it is a valid point, and that the subject matter of his proposed amendment is more than meritorious.

Mr. MORSE. I appreciate deeply the remarks of the Senator from Minnesota. I commend him for his bill. I was aware of the bill. In my judgment, that is the bill we ought to be considering tonight, rather than the bill we have before us. All that I would add to his bill is language to broaden it somewhat so there would be no question that the National Labor Relations Board would have the responsibility of assuming jurisdiction over the entire Communist issue in respect of the charge of a Communist-dominated union.

Mr. HUMPHREY. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Minnesota?

Mr. MORSE. I yield.

Mr. HUMPHREY. I read subsection (4) on page 3 of my bill—my colleagues will be interested in this:

> In any case in which the Board finds that there is serving as an officer of a labor organization, or of any national or international labor organization of which it is an affiliate or constituent unit, a person who—
>
> (A) is a member of the Communist Party or affiliated with such party, or believes in or is a member of or supports any organization that believes in or teaches the overthrow of the United States Government by force or by any illegal or unconstitutional methods; or
>
> (B) has theretofore been convicted of a violation of section 1001 of title 18 of the United States Code or of any other provision of law, committed in the execution of an affidavit filed pursuant to this subsection; such labor organization shall be deemed not to be in compliance with this subsection during any period, after the expiration of 30 days after notice thereof is given to such labor organization, for which such person is an officer of such labor organization.

What does that mean? It means it goes beyond the non-Communist affidavit. The terms of my bill approximate what the Senator from Oregon is now speaking of, and I think he can greatly improve it by the general tenor of his remarks as he develops it into an amendment.

I want the RECORD to show clearly that as of May 14, 1954, the junior Senator from Minnesota, feeling responsibility, since he was the chairman of a subcommittee, did introduce a bill. It was referred to the appropriate committee. In that bill there was provision for two things. There was first the unqualified right of the National Labor Relations Board to examine into the validity of the non-Communist affidavits, and to seek prosecution in case of falsification. Second, the NLRB was authorized to examine into any labor organization before that Board, and if there were Communists, as it says, "In any case in which the Board finds that there is serving as an officer of a labor organization a person who is a member of the Communist Party," the Board may say that that union is not in compliance and shall not have the services of the Board. The only thing that is required is 30-day notice.

It is most peculiar to this Senator that a bill such as this, the result of a Supreme Court decision, the result of months of testimony, the result of the work of the Senator from Oregon and other Senators on the floor who directed their attention to it, should lie dormant in the appropriate committee of the Congress and not even have so much as a hearing and its author not even have the courtesy of being invited to appear before the committee and testify concerning it.

Mr. MORSE. I am so favorably impressed with the bill of the Senator from Minnesota that I make a suggestion for his consideration during the next few minutes. If the Senator will add only to the bill which he proposed one section, containing language similar to that which I made mention of in the remarks which I made a few minutes ago, and which I suggested on the floor of the Senate in July 1953, to the end that the Communist domination of a union shall be considered the basis for an unfair labor practice charge by an employer against a union—if he will incorporate that in his bill, I should be very happy to join with him tonight, if it should develop parliamentarily that that would be the way we should approach the problem, in offering an amendment as a substitute for the Butler bill.

Very frankly, I think the best way to handle this problem would be to have the Senator's bill, the Butler bill, and all other proposed legislation on this subject, go to the Committee on Labor and Public Welfare, come January, so we could take early action on this matter in the next session of Congress.

I respectfully say that I think the pending bill is so full of undesirable features that we should not take action on it tonight. Because of the high regard I have for the authors of the bill and the sincerity of purpose of those sponsoring the bill, I would rather see it handled by way of a recommitment than by way of taking final action on the bill.

If we pass the bill, we shall make a great mistake; and if we vote the bill down it seems to me our action will be interpreted as prejudicing the objective of the bill when it comes to further consideration of it in the next session of Congress.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from Vermont.

Mr. AIKEN. I came into the Chamber a short time ago, and I am a little concerned over some of the things which appear to be in this bill. Is it a fact that after an organization has been found by the Subversive Activities Control Board to be Communist-infiltrated, it cannot appeal that finding until 1 year has passed?

Mr. MORSE. There is a delay in the appeal, which I think is bad.

Mr. AIKEN. It says:

> No such petition may be filed until 1 year has passed after the order determining such organization to be a Communist-infiltrated organization has become final.

Mr. MORSE. I do not think it is fair procedure, but what the Senator now points out bears out the general objections to the procedure of the bill, which I have dwelt on at some length.

Mr. AIKEN. Is it true that during that year before they can make an appeal, all material, literature, letterheads, broadcasts, speeches, and so forth, emanating from such organization must be marked "Disseminated by" such organization, a Communist organization?

Mr. MORSE. In my judgment, the discretion of the Attorney General is so broad in this case that, after a ruling by the Subversive Activities Control Board, such an organization will not be putting out any literature. I think they will simply be prevented from taking any action at all.

Mr. AIKEN. Suppose someone who was convicted of robbing a bank could not appeal the conviction for a year, would it be fair during that year that he should put on all his letterheads, "John Doe, Bank Robber"?

Mr. MORSE. No. The Senator has put his finger on one of the objections I make to the bill. The bill is very badly worded, in my judgment, from the standpoint of its procedural provisions.

Mr. AIKEN. It occurs to me that the provisions are so broad they could conceivably do irrevocable injury to an innocent party.

Mr. MORSE. Yes. It bears out the point the Senator from Vermont has heard me stress many times, namely, that, after all, our system of procedural protections in this country is devised to guarantee to the guilty as well as to the innocent a fair procedure.

Let us take a look at the language the Senator from Vermont just cited:

> No such petition may be filed until 1 year has passed after the order determining such organization to be a Communist-infiltrated organization has become final.

The Subversive Activities Board is not God. It is not infallible. Like any human institution, it may be dead wrong in a verdict.

Of course, basic in our sense of American justice is the feeling that we must have a procedure immediately available to free men with which to protect their rights. Here we have a procedure which simply says there is nothing we can do about it for a year.

Mr. AIKEN. If an appeal is taken after 1 year, during which time the organization must send out all material marked "Communist material," would that appeal be heard again by the Subversive Activities Control Board? Who would hear the appeal?

Mr. MORSE. That I would not know, from the wording of this bill.

Mr. AIKEN. I was trying to ascertain who would hear the appeal. I should like to know whether the same board which heard it in the first place would rehear it.

Mr. MORSE. I do not think that is clear, from the bill.

Let me call the attention of the Senator to the very next sentence:

> No organization may file petitions under this subsection oftener than once in each calendar year.

Since when? Since when have we adopted the notion in America that we are going to put some limitation upon the determination of procedural rights of Americans on the basis of merits and rights in a controversy?

It may be that after we get through with the first petition hearing the lawyers will be well satisfied that there is a basis for further consideration because of error which was made at that hearing. Then they will have to file another petition. Are we going to deny them that right? Are we going to make them wait to protect their rights?

In my judgment procedurally this bill is a monstrosity.

Mr. AIKEN. Then the Senator from Oregon cannot find in the bill the procedure for the hearing on an appeal, after 1 year has elapsed?

Mr. MORSE. In my judgment, it is not clear as to what the steps will be.

Mr. AIKEN. It is certainly not clear to the Senator from Vermont. That is why I am asking the Senator from Oregon about it, in the hope it can be cleared up.

Mr. MORSE. That is one of the reasons for my objection to the bill.

Mr. HUMPHREY. Mr. President, will the Senator yield again?

Mr. MORSE. I yield.

Mr. HUMPHREY. I know the Senator is trying to develop his case very logically.

Mr. MORSE. I have only one more point. I hope the Senator from Vermont will tarry, because this point I desire to make has a relationship to a point of view I know he holds. I hope the Senator will tarry, unless he has another meeting to attend.

I yield to the Senator from Minnesota.

Mr. HUMPHREY. I was just looking at the final report of the subcommittee, to which reference has been made this evening, entitled "Public Policy and Communist Domination of Certain Unions."

On pages 16 and 17, as the Senator will note, there is a chapter called disestablishing Communist-dominated unions via the NLRB.

This is the subject matter of the Senator's suggestion. I note there language which reads as follows:

A similar approach was taken by the Canadian Labor Board on December 7, 1950. This Board decertified the Canadian Seaman's Union on the ground that it was not a trade union within the meaning of the Industrial Relations and Disputes Act. The Board said that the "close association of the respondent with foreign elements of the international Communist front in the promotion of international Communist policies and activities * * * was entirely foreign to the purpose of a trade union under the act." This action was affirmed by the Canadian courts as being a permissible exercise of authority under the Canadian legislation.

A little bit later the labor editor of Business Week, Mr. Merlyn Pitzele, made recommendations as follows for the disestablishment of a labor organization within the confines of the National Labor Relations Act:

(1) The charge is made that a given union is Communist dominated.

(2) The NLRB investigates the charge and finds that the organization is indeed dominated by Communists.

(3) The NLRB orders (a) the union to disestablish itself; and (b) the employer to withdraw recognition from it and cease to deal with it.

This is all part and parcel of some of the hearings we held. I may point out that this is not unusual in America. The Atomic Energy Commission directed the General Electric Co. in one particular case not to deal with a particular union, because the Atomic Energy Commission, through its security resources, came to the conclusion that the certain union was Communist infiltrated and Communist dominated.

We use as an example the Atomic Energy Commission experience. By the way, that experience was participated in by the NLRB. The General Counsel and the Commission itself worked this out with the National Labor Relations Board.

Again, I say that the suggestion being made by the Senator from Oregon, of listing Communist domination or infiltration as an unfair labor practice, for the purposes of the National Labor Relations Act, meets the specifications which have been laid down first in the Canadian case; secondly, in the Atomic Energy Commission labor relations pattern, because that is identical to what happens in the Atomic Energy Commission case; and, third, I think it meets the criteria of what we call a company union. In other words, a company union is not a union in fact; and a Communist-dominated union is not a union in terms of the purposes and objectives of unionism, as outlined under the provisions of law in the National Labor Relations Act.

That is what we are getting down to here. Therefore, to pinpoint it more than is done by the bill which is before us, to which the Senator is referring with keen insight, as to the breadth of its scope, something such as he is suggesting is necessary.

I have listened to the comments of the Senator from Vermont [Mr. AIKEN]. The danger, as I see it, in the proposed legislation is not in its objective. That is no danger. The objective is indeed meritorious. The danger is that instead of getting the group we want, which will be able to really assist the labor movement in ridding itself of the few who are members of the Communist Party, who are still left in key positions, we may very well throw this matter into unlimited litigation and prolonged hearings, and, of course, actually have union busting.

The Senator is correct. We remember the days of the Attorney General, Mr. Palmer; a union buster if there ever was one. We have had other instances at the State level in that regard. We conducted investigations, as the Senator knows, with respect to certain activities under the Taft-Hartley law, and we found in many areas of the country that legal officers at the county or State level actually were used to break up legitimate trade unionism in the name of State law.

Mr. MORSE. I appreciate very much the contribution of the Senator from Minnesota. Let me say I agree with everything he has just said. It bears out, I think, the soundness of the approach he and I think ought to be made to the problem of communism in American unions.

I yield to the Senator from Vermont.

Mr. AIKEN. I notice the discussion here makes reference to unions, but in reading the bill it appears that the bill applies to any organization and not particularly to unions. Is that correct?

Mr. MORSE. That is right.

Mr. AIKEN. The Senator from Oregon is simply using the labor union as an example of an organization which could probably be destroyed.

Mr. MORSE. That is true.

Mr. President, my attention has been called by the distinguished Senator from Alabama [Mr. HILL] to minority views which were filed in the other House, on a bill which I am advised is somewhat similar to the bill now before the Senate. I ask unanimous consent that the document be printed at this point in the RECORD as a part of my remarks.

There being no objection, the minority views were ordered to be printed in the RECORD, as follows:

MINORITY VIEWS TO ACCOMPANY H. R. 9838

The bill H. R. 9838 was reported by the Committee on Un-American Activities without one word of testimony pro or con being introduced, or a report from the Department of Justice submitted. The bill was called up for consideration when a bare majority of the committee was present and despite the protests of Mr. WALTER that a bill of this importance should not be considered without, at least, having an explanation made of what it does. It was reported by a vote of 4 to 1, without ever going through the formality of reading the bill for amendment.

This bill is similar to the legislation that was considered by the Committee on the Judiciary in hearings which started on March 18, 1954, and terminated on June 30, 1954. The difference between H. R. 9838 from those under consideration during these hearings is that not a single word of testimony in all of the hearings held before the Judiciary Committee concerned H. R. 9838. The effects of this legislation are farther-reaching than apparently the proponents understand. As was pointed out in an editorial in the Wall Street Journal of June 8, 1954:

"This type of legislation is intended to extend the authority contained in the Subversive Activities Control Act of 1950."

In view of the fact that much progress is being made under that law it seems dangerous to us to report a far-reaching bill which may, as the Wall Street Journal pointed out, "chip away at the very rights we seek to save from that [Communist] menace." We are firmly of the opinion that a continued vigorous enforcement of the Smith Act obviates the necessity to legislate further when such legislation is hurriedly drawn and only casually considered.

Up until now we have dealt with the procedures followed by the committee majority in approving this bill.

We also have grave reservations with respect to the bill's substantive provisions. This bill is copied word by word from S. 3706, introduced by Senator BUTLER of Maryland. In general outline it resembles House Joint Resolution 528, introduced at the request of Attorney General Brownell, on which the House Judiciary Committee held hearings.

The essence of this bill is that the Subversive Activities Control Board, created by the Internal Security Act of 1950, is authorized to screen unions to determine whether they are Communist-infiltrated. The bill does not in terms apply only to labor unions, but the penalties provided for "Communist infiltrated" organizations seem to be applicable only to unions. The principal penalty is that a union found to be "Communist infiltrated" is to be forbidden to engage in collective bargaining; that is, it is to be put out of business.

It is difficult to avoid the conclusion that this bill is a step toward Government licensing of trade unions. Such a step should be taken only after the most careful consideration and the clearest demonstration of its necessity. Once the power of life and death over unions is vested in a Federal agency, there is always the danger that it may be misused. The danger, too, cannot be overlooked that the bare existence of such a power in the Federal Government will intimidate unions, and tend to make them subservient to the political ends of whatever administration may be in power.

On June 1, the Wall Street Journal said editorially of the Attorney General's very similar proposal:

"We recognize the trying task the Attorney General and his law officers face in combating the secret and sinister Communist intrigue.

But it is not the part of wisdom ourselves to chip away at the very rights we seek to save from that menace."

We agree.

A free trade-union movement is an important bulwark of democracy. Where democracy has been destroyed, as in Soviet Russia and Nazi Germany, the subordination of unions to complete government control, through licensing or some similar device, has always been a first step in the march toward totalitarianism.

It seems to us that a proposal so drastic as this bill, one which departs so markedly from this country's democratic traditions, should be entertained (1) only on the clearest showing of necessity, and (2) only if the bill provides every reasonable safeguard against abuse, both from the standpoint of being precisely drawn and of containing adequate procedural safeguards.

We do not think that these tests are met.

1. Undoubtedly there are in this country certain so-called unions which are still under Communist domination. Undoubtedly the leadership of these unions seeks to use them to promote the interests of Soviet Russia. Undoubtedly this leadership is traitorous to the United States, and to their own rank-and-file members.

Every indication, however, is that this situation is improving rather than growing worse, and that it is being successfully handled by the workers themselves, without Government intervention. The testimony before the House Judiciary Committee on House Joint Resolution 528—and that committee, unlike this one, held hearings—was that out of some 13 unions which in 1949 were Communist-dominated, half of them have by now entirely disappeared, while the others have lost substantial membership. This testimony further showed that this process is a continuing one: within recent weeks the Communist-dominated unions have suffered further substantial loss of membership.

We agree that so long as a single Communist misleader of labor remains in a union office there is no occasion for complacency. But, when the situation is getting better and not worse, neither is there occasion for hysteria.

2. Loyal American unions affiliated with the American Federation of Labor, the Congress of Industrial Organizations, the Railroad Brotherhoods, and the United Mine Workers are doing a very effective job of exposing and destroying the Communist misleaders of labor. None of these unions supports this bill.

On the contrary, both the American Federation of Labor and the Congress of Industrial Organizations have expressed opposition to the approach used in this and similar bills. In his statement to the House Judiciary Committee on House Joint Resolution 528, George Meany, president of the American Federation of Labor, said:

"While the authors of the bill naturally have no such intent, there is real danger that the provisions of this bill could be readily directed against legitimate trade-union organizations.

"The charge of communism is often loosely made and on many occasions has been directed against legitimate labor unions. Because unions must from time to time resort to public protests to gain just ends or defend a minority view, or because a union-organization campaign may involve a conflict of ideas, ill-informed or malicious individuals frequently try to arouse antiunion sentiment by attacking union representatives or particular labor organizations as 'Communist.' If such attacks were to be given credibility and force by an official charge of Communist infiltration, under such circumstances, the status of a bona fide union might easily come into jeopardy.

"Under the bill, charges against organizations are initiated only by the Attorney General. While we are confident that the present Attorney General would not use the proposed law to injure legitimate labor unions, it is quite conceivable that such an official hostile to labor might utilize such a law as a weapon against all unions."

Similar apprehensions were voiced on behalf of the Congress of Industrial Organizations.

3. The standards contained in this bill for determining whether a union is Communist-infiltrated are so vague as to threaten the innocent along with the guilty. Thus the bill lists seven criteria which the Board is to take into consideration in determining whether an organization is Communist-infiltrated. Typical of these criteria is (3), which reads:

"(3) the extent to which the personnel and resources of such organization are, or within 5 years have been, used to further or promote the objectives of any such Communist organization, government, or movement."

This language fails to make it clear that an organization is to be proscribed only if it was deliberately used for the purpose and with the motive of promoting communism. It seems—though surely that would not be the intent—to permit conviction upon a mere showing of a coincidence of views on some subjects between the accused organization and the Communist Party.

To some extent this objection could be met by tightening up the definition, criteria, etc. To a considerable degree, however, it is inherent in the nature of the bill's approach, of dealing with attitudes and affiliations rather than with specific illegal acts. As the Wall Street Journal editorial already referred to said:

"As we see it, the trouble with Mr. Brownell's bill is that he here seeks not to expose organizations or to punish people for what they have done, but to punish people for what they may be in a position to do."

4. The bill applies not only to organizations which are "Communist-infiltrated" now, but to any which have been "within 5 years." This provision is not only unjust, but would deter unions from hereafter throwing off Communist leadership. It makes the bill wholly self-defeating—and demonstrates how superficial is the consideration which this proposal has received.

Within the last 5 years many local unions have broken away from Communist-dominated international unions and have transferred their affiliation to loyal American organizations. That is the form which the destruction of Communist-dominated international unions has taken over the past few years, and is taking. In some instances the elected leadership of the local union has broken with the Communist Party and led the move out of the Communist-dominated international. In other situations rank-and-file workers have revolted against and replaced local leadership which continued subservient to communism.

It seems to us that developments like these should have the encouragement and approbation of the Government. Yet this bill would threaten with destruction these local unions which broke away from Communist-dominated internationals, if the break was within the last 5 years.

This provision is unjust. It is unjust as to organizations whose leadership continues the same, if those leaders have genuinely broken with communism. We in this country believe that it is never too late to reform. We presumably do not believe that a man should be forbidden to be a union official because he was a Communist 4 years ago, or that the union should be punished because he was a Communist 4 years ago. Certainly this committee, and other committies of the Congress as well, relies in its work upon the testimony of avowed former Communists. Presumably this committee regards these witnesses as reliable, and as performing a service for their country. Yet, under this bill, these men would be barred from union office, and unions electing them would be subject to destruction.

If this provision is unjust as to unions whose leaders have reformed, it is doubly so as to unions who have replaced leadership which would not abandon the Communist Party. Yet these unions, too, would be subjected to destruction under this bill.

As far as the practical effect of this provision goes, it might well be entitled a proposal to insure continued Communist control of unions. What incentive is there for a union official to renounce the Communist Party if by doing so—and admitting his former Communist membership—he subjects the union to destruction? What incentive is there for a union to replace Communist leaders if by denouncing them as Communists it subjects the union to destruction by the Government? Under this proposal the Government would penalize the very conduct it should encourage.

5. Obviously, this bill has not been thought through. Obviously there is danger that it would do more harm than good.

That is what the House Judiciary Committee decided after considering a similar proposal—House Joint Resolution 528. That committee concluded that Communist infiltration of unions does present a substantial problem, and one which merits careful and thoughtful consideration. But it was not convinced that legislation of this type is the answer. The Judiciary Committee therefore proposed the creation of a bipartisan public commission, having industry and labor representation, to study this whole problem and report back to the Congress next January. This proposal has received the support of both the American Federation of Labor and the Congress of Industrial Organizations.

We think that is a rational and constructive proposal.

This problem of Communist infiltration of unions should be dealt with carefully and thoughtfully. It should be dealt with in a way which will not damage traditional American liberties, or bring us closer to the totalitarianism this bill purports to guard against.

This is an issue on which politics should be shelved: those who seek to make political capital out of it will only do the country a grave disservice.

FRANCIS E. WALTER.
CLYDE DOYLE.
JAMES B. FRAZIER, Jr.

Mr. MORSE. I summarize my position by saying that, in my judgment, the sound approach is to handle the union problem within the jurisdiction of the National Labor Relations Board and to pass a bill which will give the Board such jurisdiction, and to say to the Department of Justice, "You already have the jurisdiction to proceed to take care of any individual who is engaged in Communist or subversive or espionage activity. You do not need this bill."

Mr. AIKEN. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield with the understanding that I shall not lose my right to the floor.

Mr. AIKEN. Is there any provision for an appeal to the courts from a decision of the Subversive Control Board?

Mr. MORSE. There is some appeal provision, but, in my judgment, it is not adequate.

Mr. AIKEN. Could that appeal be taken immediately after the Subversive Control Board rendered its decision?

Mr. MORSE. I think we shall first have to get a court test on the section of

the bill on which the Senator has already commented.

Mr. LEHMAN. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. LEHMAN. As the Senator from Oregon knows, I am opposed to the bill on many grounds, including those which the Senator from Oregon has stated, but I am interested in the question raised by the Senator from Vermont [Mr. AIKEN], and, I think, earlier today, by the Senator from Maryland [Mr. BUTLER], as to the Court of Appeals. I pointed out in my long speech this afternoon that while of course there is recourse to the courts, we know that any decision must necessarily be very long delayed.

The Senator from Oregon may remember that in 1950 when we had before us the internal security bill, I pointed out that it would take at least 2 years for any decision to be handed down, even in a case involving the Communist Party itself. I was highly conservative about that. That was in 1950. We are getting toward the end of 1954. I am sure the Senator from Oregon will bear me out when I say that even now, after 4½ years, no decision has been handed down by the highest court with regard to the Communist Party. I do not think a case has even been heard by the Supreme Court. So, is it not a fair assumption that any of the cases which might be brought on certification by the Attorney General to the Subversive Control Board would be in the courts for a very long time, and that in the meantime the unions affected would lose all the benefits they have under the law at the present time? They would be painted as subversive; they would have no standing; they would be weakened to the point of annihilation, and still we would have done nothing.

I think this bill is not only a bad bill, but it is a perfectly useless and unworkable bill.

Mr. MORSE. In my opinion the Senator from New York is completely right in comment about the long delay which will flow from the bill, in view of its provisions, as the Senator from Vermont pointed out; although I wish to say that in the subversive control bill itself there is provided a procedure for appeal to the courts, and also—and I wish to be perfectly fair about it—the protection of the Administrative Procedure Act.

But, in my judgment, the procedure which will have to be followed under this bill will cause a final appeal to the courts to be so long delayed that a union will be out of existence, in most cases, by the time a case gets to the district court.

Mr. LEHMAN. It will take 3, 4, or 5 years before any decision is handed down, will it not?

Mr. MORSE. It will take a long time.

Mr. President, for a few minutes I should like to turn to another matter.

The PRESIDING OFFICER. The Senator from Oregon has the floor.

NOMINATION OF HERBERT DAVIS VOGEL

Mr. MORSE. Mr. President, I feel compelled to turn to this subject because of the matter of timing, and I regret to take the time of the Senate at this hour, but I respectfully say it is not my fault.

I feel that the situation which has developed today justifies my making my record on this subject. I refer to the confirmation this morning, when there were about eight Senators on the floor, of the nomination of General Vogel to be a member of the Board of Directors of the Tennessee Valley Authority.

Mr. President, I am very glad the majority leader has returned to the Chamber, because I wish to resume a discussion of the subject matter which I had started. I shall be very brief, I may say to the majority leader. I am sorry it is necessary for me to take it up tonight at all; but in fairness to myself, I think I must make my record on the same day on which the Senate took action on the nomination of General Vogel to the Board of Directors of the Tennessee Valley Authority.

I am not critical. I think it is just one of those things which sometimes happen in the Senate, when persons having good intentions are not fully aware of understandings which existed before the action was taken.

Yesterday the committee completed its hearings on the Vogel nomination. The vote in the Committee on Public Works was 11 to 1. I voted against the nomination. I made a statement in the committee setting forth my reasons. The committee agreed, by a unanimous vote, to have the hearings printed, as will be seen when I refer to the hearings in a moment. Certainly it was the tacit understanding of all members of the committee that action would not be taken on the floor of the Senate until the hearings had been printed, so that they could be used as the basis for Senate discussion of the matter.

The chairman of the committee, the distinguished senior Senator from Pennsylvania [Mr. MARTIN], has informed me that when he reported the nomination, he did so—I will quote him as directly as possible—with the understanding on his part that the nomination would lie on the table. I do not wish to imply that the majority leader told him that it would lie on the table. But the Senator from Pennsylvania has informed me that he took it for granted that the nomination would lie on the table for debate, and that he was as surprised as I was to learn that in the early minutes of the session this morning the Vogel nomination was confirmed by the Senate with about eight Senators on the floor.

Mr. President, the nomination has been confirmed and sent to the White House. It is an accomplished fact. I could, as the Parliamentarian has advised, move to have the nomination returned from the White House, but I am not going to do that, because I am objective enough to know that to do so would be pretty much of an empty gesture. Furthermore, I do not believe, unless a situation was much more extraordinary than this one, that any such request should be made of the President at any time.

I think the incident, however, illustrates the importance of amending the Senate rules. I feel that any nomination ought to remain at the desk for at least 1 calendar day after it has first appeared in print on the Senate Calendar. Had that been done in this case, I would not have found myself in a position which I feel is somewhat embarrassing.

The argument which I made in the Committee on Public Works yesterday was made after certain members of the committee had already expressed themselves publicly on the nomination. Some of them were kind enough to say to me that if they had not made their statements, they would have felt that they should give very serious consideration to the objections I raised to the nomination.

Be that as it may, I desire to have the RECORD show the basis of my objections to the Vogel nomination. I shall do so by way of reading into the RECORD the statement I made at the hearing yesterday, and then by filing at the end thereof the summary which I released to the press, without taking the time to read the summary. I can assure the majority leader that it will not take me long to read the relatively brief statement.

I may say that the printed proceedings before the committee did not arrive, so as to be available to the Senate, until after the nomination had been confirmed. I now read my statement before the committee:

Senator MORSE. I asked the reporter to stay for my remarks, because I do not want to be misunderstood or misrepresented in any way. I do not believe anyone would do it intentionally. However, I am talking on a matter of public policy and I want a written official record of my objections to this nomination.

I want to make very clear that in opposing this nomination I do not do so on the basis of any personal opposition to General Vogel as a man. I have a high regard for him as an individual and as a military officer.

I oppose this nomination because I think it is a very bad nomination from the standpoint of sound public policy. I think it represents unsound public policy on two major grounds.

I am very much disturbed, Mr. Chairman, about the growing tendency of recent years to appoint high military men to civilian posts. It prevailed to some extent during recent Democratic administrations and I vigorously objected to it during those administrations as I do during this one.

I have been heard to make this argument against appointing military officials to high civilian posts during the Truman administration, but the policy is proceeding at a much more rapid pace under this administration. The appointment of military men to positions that I consider to be positions of civilian and not military trust is not in keeping with American traditions of civilian government.

I think it is a very unsound policy, Mr. Chairman, to appoint as the head of the Tennessee Valley Authority a military man.

I think the Tennessee Valley Authority symbolizes to the American people, and will be so recorded in history, as one of the great experiments in a cooperative relationship between a Government and a people in an area in respect to a joint social and economic program.

It represents a great civilian enterprise.

The Government has exercised a proprietary interest, but not a sole proprietary interest, in the program because the people in the Tennessee Valley, as individuals, as

groups, as businesses have a decided proprietary interest in the development of the objectives of the Tennessee Valley Authority.

I repeat, it is a great civilian program.

In my judgment it is a dramatic epitomization of Lincoln's tenet and Jefferson's, who held it before Lincoln, that there is a duty of government to do for the people what they cannot do for themselves, or so well do for themselves.

Through the TVA we are putting into practice a very fine principle of government. The TVA has become a great living example of what that tenet means, and I think it ought to be administered completely free of any military influence.

I think it is a sad thing when we consider the history of the Tennessee Valley Authority to now bring in as Chairman a military man with this man's military background. It is a good military background, but in my judgment, it is not the background we want for the operation of a great civilian institution such as the Tennessee Valley Authority. Incidentally, let me say at this point that the questions I asked yesterday, based upon General Vogel's conception of chain of command of military, were bottomed upon a considerable amount of information that I have received as to his administration of military assignments, and with particular reference to his Canal Zone assignment.

This nominee is a military administrator who operates on the basis of military orders and on the basis of expecting those below him to respond with a click-of-the-heel-and-a-salute attitude.

That is all right at a military post. I have no objection to it in a military post because it brings about military efficiency. But the military chain-of-command administration doesn't bring about civilian efficiency. It brings about civilian resentment. I am advised that he aroused a considerable amount of resentment on the part of civilians in the Panama Canal in his administrative practices down there.

I say without any personal criticism of this nominee that a man with his military training and background and experience who I am satisfied has followed a military chain-of-command policy, and is likely to follow the same in his new post, causes me some concern. I fear that if we confirm this nomination we will put behind the desk of the Chairman of the Tennessee Valley Authority the whole concept of a military command administration. I think such an administrative approach will have a detrimental effect on the morale of the civilian employees of the Tennessee Valley Authority, and I think it will arouse in due course of time a considerable amount of opposition to his administration within the Tennessee Valley.

Next, I would mention another ground of opposition to this nomination. I think this is an unsound appointment from the standpoint of public policy because, if you were going to go to the military for a TVA Chairman, I think the last place you should go to is the Army Corps of Engineers. I say that because the Tennessee Valley Authority has been one of the things that the Army engineers have not liked from the standpoint of construction policy and administration policy from the time of its conception.

The Army Corps of Engineers have never been particularly friendly to the Tennessee Valley Authority because the Army Engineer Corps recommendations were not followed at the beginning of the Tennessee Valley Authority.

This nominee has testified that he favors the contract approach for building such public works. The Tennessee Valley Authority is a great experiment in the force-account approach of public-works construction. It is a magnificent experiment and a successful experiment. Now it is proposed to bring in an Army engineer who, by background, represents the military that has not liked the Tennessee Valley Authority and the policy that has been followed.

In my judgment, it is an inexcusable act on the part of the President of the United States to select his Chairman from the Corps of Engineers when the record is perfectly clear that the Army engineers' recommendations were not followed in the beginning of the Tennessee Valley Authority.

I am not making a charge of prejudice on the part of the nominee but I am saying that we as Senators have an obligation to see to it that we do not bring into the TVA a Chairman who represents an organization that, in my judgment, has been unfriendly to the Tennessee Valley Authority.

I want read into the committee record some excerpts from a lecture that Gordon Clapp gave at the University of Chicago, on February 17, of this year, in one of a series of lectures which he was invited to give on the Tennessee Valley Authority. Incidentally, I think it is inexcusable that Gordon Clapp, on the basis of his magnificent record was not reappointed as Chairman of the TVA.

This appears on page 2 of his remarks where he said:

"The TVA has built these 20 dams in 20 years with its own employees. Each structure was placed, designed, and built to serve a purpose peculiar to itself. Taken together, they form a unit for the control and productivity of a great river system. There is Fontana Dam—fourth largest and highest in the world—rising 480 feet above bedrock in a canyon of the North Carolina mountains.

"There is Kentucky Dam, near the mouth of the Tennessee River as it flows into the Ohio near Paducah, more than a mile and a half long, with two-thirds of its concrete bulk invisible, reaching down a 100 feet through soft overburden to the solid limestone rock.

"Kentucky's foundations are especially designed to withstand earthquakes such as the one which occurred and changed the course of the Mississippi more than a 100 years ago. The shoreline of the 184-mile long lake behind Kentucky Dam, if straightened out, would reach from Chicago to Los Angeles. This great reservoir can regulate the full flow of a flooded Tennessee River to reduce flood crests on the lower Ohio and Mississippi."

But, if you had left it to the Army engineers, you would have never had either one of these dams. If you had left it to the Army Corps of Engineers, you would not have had Douglas Dam and you would not have had the kind of a project that you have in the Tennessee Valley right now.

Mr. Clapp discusses the topic Building the TVA, and I think it is worth a very brief review, Mr. Chairman.

He said:

"Many tasks full of the seeds of precedent confronted the TVA board immediately upon taking over its responsibilities. High on the list was the mobilization of an organization, and, second, and concurrently, an early start on the construction of dams on the Tennessee River.

"In beginning its work to rebuild the river the TVA had wide latitude for important decisions, restricted, however, by two instructions in the law. First, that a navigable channel 9 feet in depth must be provided for the 650 miles from the mouth of the river to Knoxville, the head of navigation; and second, that all planning and operation must give priority to navigation and flood control over all other purposes, including the production of power.

"In the face of this assignment, the board had to decide what engineering plan to follow.

"At the time the TVA bill was being considered by the Congress in 1933, there was available an extensive report which had been compiled by the Army Corps of Engineers prior to 1931. This report included a scheme of 32 low navigation dams and locks for the main channel of the Tennessee. These dams would provide no flood control and no power."

It provided only for navigation, Mr. President.

This is the program that the engineers would have followed.

"An alternative scheme contained in the same report proposed a system of nine high dams, including the Wilson Dam and Hales Bar Dam already built. The high-dam scheme would create the 9-foot navigation channel and also provide for flood control and power. With these alternatives counter proposed, with TVA still unborn, the Army engineers had already secured initial appropriations and begun work on the lock for the first of a compromise system of about 12 intermediate size dams, consistent with neither of the alternatives recommended in their report.

"The TVA Act, as adopted, embraced the high-dam scheme by indirection, for engineering logic inexorably asserted that the maximum amount of flood control, navigation, and power could be achieved only by the construction of high dams properly spaced along the river and its tributaries. TVA began to develop plans for a system of high, multiple-purpose dams. This choice required plans and designs that would use the same space in reservoirs for both flood control and power, a policy deprecated by many permanent engineers of that day.

"In recruiting engineers to give life to this idea—multiple-purpose dams—those who believed in the feasibility of this approach were sought and found."

But not among the Army engineers, because the Army engineers did not believe in that approach.

Furthermore, I wish to stress, Mr. Chairman and members of the committee, that the Army engineers have demonstrated time and time again that they are much more concerned with, and interested in flood control and navigation developments than they are in electric power development.

The Tennessee Valley Authority is an important project from the standpoint of navigation and flood control.

But it probably is the outstanding project in the Nation from the standpoint of its electric power potentialities.

I am very fearful that the nominee will bring to the chairmanship of the Tennessee Valley Authority a demonstrated negative attitude of the Army engineers in power development.

I want to be frank about this. There is a growing feeling in the country, and I think with much justification, that the Army engineers are closely linked in sympathy, at least, and in economic philosophy with the monopolistic approach of the private utilities when it comes to the development of electric power resources. Now I return to a reading of excerpts from Gordon Clapp's paper on TVA as follows:

"TVA built its organization of engineers, competent to plan, to design, and to rebuild the river, it faced another decision—one among many to be sure, but one of great importance for the TVA as it is today: How should these great dams be built? Should they be let out to contract, as was customary, or should the TVA organize its own forces and go to work?"

If Congress had left it to the Army engineers, they would have let it out to contract, but that is not the program that the Tennessee Valley Authority followed, and the program that the Tennessee Valley Authority followed, let me make clear, Mr. Chairman and gentlemen, the Army engineers did not approve.

Let me go on to read from Mr. Clapp's statement:

"To employ contractors requires bids, and a sound-bidding procedure requires advanced preparation of basic designs and detailed

specifications covering thousands of particulars.

"Building a dam by contract, in fact, is to build a dam at least twice—once on the drawing boards before you move a cubic yard of dirt, and building it again on the site. Sometimes you build it a third time—in the courts to adjudicate responsibility for the changes made between original specifications and the structural details and contents as finally built.

"There are shortcuts in this process, to be sure. But the alternatives move very close, very quickly to a cost-plus contract.

"Neither of these alternatives made sense to the TVA."

But I digress, Mr. Chairman, to say that if Congress had left it to the Army engineers we would have received the unsound program criticized by Gordon Clapp.

Mr. Clapp goes on to say:

"The Board saw no justification for waiting months while it prepared blueprints for a call for bids, trying in the meantime to mobilize a syndicate of contractors to submit responsible bids. The Board not only recognized, but welcomed its managerial responsibilities and accountability as spelled out in the act. It sought no escape hatch, wanted no predesigned alibi for failure.

"The Board decided to create its own organization and hold itself responsible directly for construction. Thus the construction of dams and the development of detailed plans could go forward concurrently. Benefits from the finished structures would become available at an earlier date. Costs could be controlled. This original decision has never been changed.

"Twenty years later we think the plan was wise. Time and money have been saved as TVA construction forces are able to take advantage of unusual conditions as they develop.

"We do not have to halt while we work out expensive and delaying contractual changes.

"By having direct control of its work, TVA is able to eliminate middleman costs for managerial services; accept its responsibilities in such matters as employee housing and general working conditions; meet across the table with its employees to work out problems which might otherwise delay the work or end in bitter disputes, and make economical, efficient, and full use of its trained construction crews, and heavy construction equipment from dam to dam."

I ask permission, Mr. Chairman, to have the rest of this particular section of Mr. Clapp's speech inserted at this point as part of my remarks. It bears out the arguments I want to make in opposition to this nomination because I do not think we ought to bring into the Board as Chairman of the Tennessee Valley Authority Board a man from the Army engineers, which corps has made an approach to building dams quite different from the approach that was made in the Tennessee Valley Authority.

The CHAIRMAN. Without objection, it will be incorporated in the record.

(The matter referred to is as follows:)

"The Board met for the first time on June 16, 1933. On October 1, 1933, less than 4 months later, TVA started to build Norris Dam.

"By the end of the first year, an organization of 10,000 men and women had been assembled and was at work, 2 dams had been started—the Norris Dam on the Clinch River above Knoxville and the Wheeler Dam on the main stem of the Tennessee above Wilson Dam at Muscle Shoals. Sites and foundations for additional dams were being explored. Engineering survey parties with rod, chain, and transit were running contours, later to show in the work of TVA's mapping organization, which has become one of the outstanding operations in the history of mapmaking.

"The story of how TVA built its engineering design staff illustrates some of the problems TVA encountered in creating an organization committed by law to pioneer in engineering theory and make it work. For TVA's dams were to provide water storage for navigation and power and at the same time hold empty storage for flood control. TVA was faced with the problem of finding engineers not only able to accept responsibility for the biggest construction job on earth at that time, but engineers willing to test their reputations in reconciling what many in their profession believed to be conflicting purposes.

"To get construction underway at once, TVA turned to a preeminent design organization in the Bureau of Reclamation in Denver for help in designing the first projects.

"While Norris and Wheeler were being built, TVA sent its personnel men around the country to find the engineering and architectural imagination and skill required to rebuild a whole river. Unhampered by the civil service 'rule of three' and stubbornly impervious to political and other pressures. TVA sought out candidates, screened and rescreened them to build its staff. Specialists in a variety of different engineering disciplines were selected and put to work, figuratively, around the same drawing board. Thus, when we were ready to start construction of the Pickwick Dam in March 1935, TVA's E. and C. forces—its engineering and construction people—had come into being. Location and general plans for the dam were decided by TVA water control planning engineers; designs, drawings, and specifications were a TVA product; the field forces to build were TVA; and a TVA operating force was being mobilized to take over the finished structures.

"There are many important measures of results. Reduced cost of design is one. TVA's design costs for its first job—Pickwick Dam—were 5 percent of the cost of the dam, a reasonable standard among private builders. Its design costs for Douglas Dam, begun 7 years and 12 dams later, were held to an incredible 1 percent. Design costs today for its giant complex steam plants are approximately 2 percent.

"And these structures not only serve well the purposes for which they were built; they fit the majesty of the landscape."

Senator MORSE. Let me make myself very clear with regard to the Army engineers. I am a supporter of the Army engineers on the projects that are agreed upon to be constructed by the Army engineers. However, the Army engineers are no sacred cow, in my judgment.

In my judgment the Army engineers need very much a competitive check upon them in public works programs in this country.

The Army engineers, I think, are well served by having the kind of check upon them that the Tennessee Valley Authority has been. The Tennessee Valley Authority has done such an efficient job and such a low-cost job that it is very difficult for the Army engineers to compare favorably some of their exceptionally high-cost projects with the great economy of the force-account approach of the Tennessee Valley Authority.

I shall not sit here and vote to put in as the chairman of a great program that has been developed on the basis of a force-account approach, an Army engineer, who, on the record of this hearing, shows his preference for the contract approach. In stating his preference he made the usual claims of the Army engineers that they can do it more economically by the contract approach. I think the record of the TVA refutes them.

They do not do it more economically, Mr. Chairman. I think it is most unsound public policy to go then to the Corps of Engineers and select from the Corps of Engineers for the Chairmanship of the Board of the Tennessee Valley Authority a man who I do not believe is in sympathy with the force-account approach for building public works. I am convinced that if we had followed the corps' recommendations we would never have had this great program in the Tennessee Valley.

I want to insert certain other quotes from Mr. Gordon Clapp's great speech at the University of Chicago in February. It was made without the slightest knowledge either that he would not be reappointed as Chairman of the Tennessee Valley Authority at the time, or that General Vogel would be the one who would be appointed as his successor. Therefore, it is a highly unprejudiced discussion from the standpoint of being in the slightest degree related to this appointment.

I think there is a great lesson to be drawn from the speech of Mr. Gordon Clapp's.

I would like to have printed certain material, starting on page 30 of Mr. Clapp's speech. I shall not read it all.

The CHAIRMAN. Without objection, it will be made a part of the record.

Senator MORSE. It buttresses a point I want to make. He says:

"A measure of TVA's response to the theory of accountability may be found in this fact: In these 20 years, the actual cost for 20 dams and 3 major steamplants now completed is within seven-tenths of 1 percent of TVA's estimates made at the time the funds for the projects were requested of the Congress."

Seven-tenths of 1 percent. You will look in vain for any major Army engineer project corresponding in scope to TVA that was ever completed within seven-tenths of 1 percent of the project estimates.

Mr. Clapp goes on to say:

"There is another moral to be drawn from the story of any of the projects TVA has built. Consider, if you will, what this record might have been had the TVA been required to have its dams planned and located by one agency; designed by another agency; the work performed by contractors; the land purchased by a separate bureau; contract negotiation and the litigation which invariably arises in small proportion, but in substantial volume in the construction of a project carried out by still another agency; and the employees recruited and certified by still another agency, with procurement of materials and equipment in the hands of someone else.

"Under these circumstances, Douglas Dam could not have been built in record-breaking time, if at all. Under these circumstances, it is probable that the Douglas Dam would not have been recommended in the face of inhibitable political furor. When the board of the TVA told the WPB the President and Congress that it could build Douglas Dam by the deadline required, it was backed by knowledge that the TVA had within its own hands the managerial organization to deliver what it promised. Had this project been approached in piecemeal fashion with responsibility scattered in other agencies whose special duties would be but a part of larger national programs, TVA would have had a dozen built-in alibis for its failure to finish Douglas Dam on time.

"Here in this recital we have an illustration of what President Theodore Roosevelt said in 1908: 'We shall not succeed until the responsibility for administering the policy and executing and extending the plan is definitely laid on one man or group of men who can be held accountable.'"

For the benefit of the record, I ask that the reporter start with the first paragraph beginning on page 30 of Mr. Clapp's speech, as part of my argument, through page 38, down to the conclusion.

The CHAIRMAN. That will be inserted.

(Pages of Mr. Clapp's speech, as requested by Senator MORSE, are as follows:)

"Accountability for results exerts its severe discipline in many ways. In a sense a Government agency, in seeking appropriations

justified by what the experts call a "performance budget," is negotiating a contract with the Congress, the representative of the taxpayer. When TVA asks for money to begin a new project, it gives an engineering estimate of the total cost of that project. A measure of TVA's response to the theory of accountability may be found in this fact: In these 20 years, the actual cost for 20 dams and 3 major steam plants now completed is within seven-tenths of 1 percent of TVA's estimates made at the time the funds for the projects were requested of the Congress. This applies to a total of $847 million covering thousands upon thousands of separate engineering estimates that are summarized by a single figure for each dam—a figure covering the bits and pieces, the large generators, the land to be purchased, and the man-hours to be used.

"Measuring up to a high standard of accountability brings rewards beyond calculation. If you should visit the TVA and talk with its employees, meet its project managers, and walk around on its construction jobs, perhaps you, like others, would be impressed with what you see and what you hear. The story of Douglas Dam is in part an explanation of the prevailing spirit. Money will not buy it; high salaries cannot command it. Integrity and a practice of high expectations must be among the ingredients to produce that result.

"There is another moral to be drawn from the story of any of the projects TVA has built. Consider, if you will, what this record might have been had the TVA been required to have its dams planned and located by one agency; designed by another agency; the work performed by contractors; the land purchased by a separate bureau; contract negotiation and the litigation which invariably arises in small proportion, but in substantial volume in the construction of any project, carried out by still another agency; and the employees recruited and certified by still another agency, with procurement of materials and equipment in the hands of someone else. Under these circumstances, Douglas Dam could not have been built in record-breaking time, if at all. Under these circumstances, it is probable that the Douglas Dam would not have been recommended in the face of inevitable political furor. When the Board of the TVA told the WPB, the President, and the Congress that it could build Douglas Dam by the deadline required, it was backed by knowledge that the TVA had within its own hands the managerial organization to deliver what it promised. Had this project been approached in piecemeal fashion with responsibilities scattered in other agencies whose special duties would be but a part of larger national programs, TVA would have had a dozen built-in alibis for its failure to finish Douglas Dam on time. Here in this recital we have an illustration of what President Theodore Roosevelt said in 1908: 'We shall not succeed until the responsibility for administering the policy and executing and extending the plan is definitely laid on one man or group of men who can be held accountable." (Preliminary Report of the Inland Waterways Commission, U. S. 60th Cong., 1st sess., S. Doc. 325 (1908), p. 5.)

"The story of how TVA rebuilt the Tennessee River certainly does not support the too-often accepted myth that anything of Government is inefficient, corrupt, and wasteful. What I have described would find many parallels among many government agencies within the States, within the cities, within the Federal Government. But these stories of achievement are seldom heard against the din of criticism.

"SHAWNEE AND ATOMIC ENERGY

"I move now to another chapter in the history of TVA—the story of the Shawnee steam plant at Paducah, Ky. Except for TVA's Kingston steam plant, the Shawnee steam plant will be the biggest in the world. During each 24-hour day its 10 giant units will consume nearly 14,000 tons of coal and can return each day to the alchemy of national defense and the growth of the Nation more than half as much electric energy as is used in Chicago. The Shawnee steam plant is but 1 of 7 TVA is building, but it has a special history.

"In the fall of 1950 the Atomic Energy Commission asked TVA, on very short notice, to develop a proposal to supply 1 million kilowatts of power for a new gaseous diffusion plant the AEC was to build at Paducah.

"The TVA submitted a plan and the Atomic Energy Commission accepted it early in November of 1950. Shortly thereafter the Commission's representatives, followed by the TVA, appeared before the House Appropriations Committee to support TVA's request for funds. Later in December, before the committee had acted upon the TVA's request for appropriations, the Atomic Energy Commission announced that it had accepted the proposal of a newly formed private utility company to supply half the required power for the AEC plant. The new company had been formed at the behest of a member of the Atomic Energy Commission, as subsequently explained by the Commissioner in a very illuminating speech.

"TVA did not object to this reversal of the Atomic Energy Commission's position and appeared again before the House Committee on Appropriations with an appropriation request, revised in accord with AEC's decision, to supply, not all but half of the power supply for the Paducah plant. The Atomic Energy Commission entered into a contract with the newly formed Electric Energy, Inc., to supply the other half. In both cases the construction of new steam plants was called for.

"The 'race' between private and public enterprise: The announcement that the power supply for the AEC Paducah plant was to be divided between TVA and Electric Energy, Inc., was hailed by critics of the TVA as a contest between public and private enterprise, giving rise to such statements as the following:

"'Accordingly, many companies pooled their ideas and their resources * * * for the expressed purpose of demonstrating to the Government that private enterprise could do the job much better for half the cost.' (Editorial, A Real Test, Evening Citizen, Cairo, Ill., February 24, 1953.)

"There was some reason for the optimism thus expressed by TVA's sideline critics, for when the construction of the two plants was started, the first unit of the private company's Joppa steam plant was scheduled for initial operation 3 months ahead of TVA's first unit. The schedules were set by agreement between AEC, national defense agencies in charge of allocating materials, the TVA, and Electric Energy, Inc. Priorities on steel, copper, aluminum, and shop space for the manufacturing of turbogenerators were granted to the Joppa contractors on that basis. If this was to be a race, it was a handicap run by agreement.

"For many months the champions of private enterprise continued to point a gleeful finger at this rigged contest between the private power company and the TVA. Trade journals and some of the daily press heralded this 'race' being run on opposite sides of the beautiful Ohio. After a while, the cries of the professional spectators died down. The reason was easy to discern. It began to be apparent that the wrong horse was coming in ahead. Both TVA and Electric Energy, Inc., suffered from delayed deliveries from equipment manufacturers. Both encountered labor difficulties. Both projects missed the completion dates originally scheduled. But on April 9, 1953, approximately 2 years and 3 months from the time construction was started, the first unit at TVA's Shawnee plant was placed in commercial operation while the Joppa smokestacks across the river were still clean and cold. TVA's second Shawnee unit went into operation June 21, 1953. Still no smoke from Joppa. Several weeks later the first unit in the Joppa plant was placed in operation. TVA's third Shawnee unit was placed in operation in October; its fourth unit on January 8, 1954. By this time 2 of the 4 Joppa units were running. Thus the original requirements promised the AEC by TVA were completed when the Joppa plant still had a long way to go. So much for the much publicized race between private and public enterprise.

"Performance on comparative costs: But there is more to the story. On the basis of figures filed with the Securities and Exchange Commission, the private company's Joppa plant will be substantially more expensive per unit of capacity than the Shawnee plant in contrast with the original estimates by which the contract was obtained from the AEC.

"These figures show that the estimated cost of the private company Joppa steam plant of four original units has increased some 45 percent—from $81 million in May 1951 to $118 million in June 1953. The costs per kilowatt of capacity have increased over their original estimate of $126 to $184. Two more units at the Joppa plant being added to supply a smaller portion of AEC's expanded Paducah facilities show estimates even higher—$198 per kilowatt. The taxpayers bought this record, and they will have to pay for it; the private companies lose nothing because these increased costs are paid by the AEC.

"In comparison, the TVA Shawnee plant of four units was originally estimated to cost $147.50 per kilowatt. TVA's actual cost experience to date, while building under the same physical conditions as the Joppa plant, shows that the total 10-unit Shawnee plant capable of producing 1,500,000 kilowatts will be completed by TVA at a capital cost well within our estimates.

"Let me add a few footnotes and observations bearing upon the significance of the Shawnee-Joppa story in TVA's record in these past 20 years.

"Early in June 1953, before it had its first generating unit in operation, Electric Energy, Inc., was given the Charles A. Coffin award in a ceremony at the annual convention of the Edison Electric Institute. The institute bulletin reported the award as the '* * * electric industry's highest honor.'

"The citation commended Electric Energy, Inc., for 'its superb example of competitive enterprise.'[1]

"On July 31, 1953, Electric Energy, Inc., announced it had canceled its contract with Ebasco Services, general contractor for the plant, 'in order to permit reorganization of the construction project so that the station can be completed on a more efficient and economical basis.' The reorganization was necessary, according to the president of Electric Energy, Inc., as reported in the Paducah Sun-Democrat, 'because of the lack of productivity and consequent increased costs characterizing the work so far.'[2]

"The Wall Street Journal reported that 'Construction progress at the big powerplant has been marked by successively rising cost estimates, blamed by Ebasco on the labor situation.'[3]

"However, as the Paducah Sun-Democrat pointed out: 'Shawnee steamplant is being

[1] Electric Energy, Inc., Wins Charles A. Coffin Award, Edison Electric Institute Bulletin, (vol. 21 (July 1953), p. 234).

[2] Sun-Democrat, Paducah, Ky., July 31, 1953.

[3] Wall Street Journal, Chicago, August 3, 1953.

built with the same kind of union labor that is building Joppa's plant.'[4]

"The comment of the Paducah Sun-Democrat was correct in all respects but one. The TVA was building the Shawnee plant with the same kind of union labor that was building the Joppa plant, but the men on the TVA job were working for the TVA. For as one reporter, who surveyed the situation with great care, stated, 'for some reason the men who work for TVA have faith in it.' TVA does not consider its Shawnee record the brightest in its catalog of construction projects. We have built dams and steam-plants on better schedule, with fewer difficulties, and at lower cost. But others invited the comparison between Shawnee and Joppa, and it is that record I recite.

"We have had work stoppages on the Shawnee plant, but not as many as they have had across the river at Joppa. We have drawn our labor forces from the same areas; we pay about the same wages; and we are both building steam plants. The design and manufacture of boilers, turbines, and generators; the fabrication of steel; the erection of steel on the site; the operation of excavating equipment; and the placing of concrete are much the same types of operations whether at Shawnee or at Joppa. Both projects depended upon private manufacturers for boilers, turbogenerators, and the thousands of items of equipment which enter the maze of arrangements in a modern steam plant. Why then was TVA able to move out in front and keep its costs within its estimates as compared with the job across the river? The history of TVA provides the answer: The 20-year record of an organization skilled in management of men and materials and pledged to a practice of performance and accountability time after time.

"The Shawnee story adds another chapter to record the achievement by a Government agency in conflict with the myth that enterprise and good management are the exclusive possessions of private organizations. The men who promoted the arrangement perhaps believed that the requirements of national security, in certainty of achievement to supply power when the Paducah AEC plant was ready, called for participation by private companies to hedge the possible failure of the TVA. Perhaps there was not time enough to examine the facts of TAV's past record. Perhaps the American taxpayer could have been saved the burden of the increased cost to the Government of this electrical energy had those who made the decision questioned the common myth, too often honored, which holds that Government can never do a job as well or as economically as can private contractors. Had the facts been examined, one would have found a record of performance reassuring both as to TVA's ability to meet deadlines and as to the reliability of its estimates of cost. One would have found a history of hundreds of millions of man-hours with a safety record better than private industry averages for comparable types of work as shown by TVA's numerous awards from the National Safety Council. One would have found an engineering organization designing steam plants which were producing electricity more economically and with more efficient use of fuel than most—a significant point indeed when one realizes that in 2 or 3 years TVA will be burning some 18 million tons of coal per year. Above all, one would have found an organization of construction workers still as unafraid to tackle the biggest construction job on earth as in those first days—workers who override emergencies; if they do not have what they need, they invent a substitute way on the spot, and the job moves ahead.

"If this story has a moral, perhaps this is it: Enterprise is where you find it."

Senator MORSE. Mr. Chairman, I think that there is a great danger in this appointment that we will bring to the Tennessee Valley the approach of the Army engineers, and I think TVA is a project in connection with which we want to keep the Army engineers out of it.

I think we ought to leave the Tennessee Valley Authority administratively free to function as it has functioned to date without Army engineer policies being imposed upon it directly or indirectly.

I think we need to keep this great project free of Army engineer influence. It has demonstrated to the Army engineers and to the country the advantages of the force account approach time and time again. I want to say very frankly I think there is a great danger here that behind this nomination is the beginning of the end of the force account approach in the building of projects such as those in the Tennessee Valley. If it comes to an end we are going to pay more for our projects, and we are going to run into all the complications that frequently develops under an Army engineer program.

I am not for abolishing the control of Army engineers over other projects. I have supported time and time again, the Army 308 comprehensive report in the Pacific Northwest. I think it is the best program we have any hope of ever developing in the Pacific Northwest. I have opposed the adoption of the administrative procedure of the Tennessee Valley applied to the Pacific Northwest for many reasons, the major one being that our whole water law situation in the Pacific Northwest is quite different from what it is in the Tennessee Valley.

I taught water law for some years and know something about it. The differences in water rights that have developed in American water right law cases in an area where you have an abundance of water, as you have in the Tennessee Valley, and where you have a scarcity of water as you have in the arid regions of the Pacific Northwest are many and significant.

No charges against the Army engineers can be justifiably levied against me to the effect that I do not want the Army engineers to continue to function in a public-works program. I want them to continue to function, but within their own sphere of specific assignments. I do not want them to get their head under the tent in the Tennessee Valley. I want the Tennessee Valley Authority to remain free of any interference by or control by, directly or indirectly, the Army engineers.

Therefore, I say as a matter of public policy I think this nomination is a definite mistake when the President goes out and selects, from the Army engineers, a man to head the Tennessee Valley Authority, when it is well known that the Army engineers have never appreciated the remarkable success of the Tennessee Valley Authority.

The Tennessee Valley Authority has set up some very interesting competitive yardsticks for the Army engineers and they are going to have to go some to meet that competition under like circumstances, if they use the contracting system in preference to the force account system. This nominee says he prefers the contracting system and that alone is enough to cause great concern in the Tennessee Valley.

Lastly, and then I am through, Mr. Chairman, I think it is most unfortunate that we do not bring into the chairmanship of the Tennessee Valley Authority a recognized authority and enthusiast in respect to the TVA program. I use the word "enthusiast" advisedly, for the economic and social program of the Tennessee Valley Authority calls for an enthusiastic supporter of it. We do not have such a person in this nominee.

Oh, yes; he answers the questions by saying that he is very much in sympathy with the law, and he will carry out the law. But he is not a Lilienthal; he is not a Clapp. I think the American people are entitled to have as Chairman of the Tennessee Valley Authority a man who just reeks with enthusiasm and inspiration for the great social and economic potentiality of the program.

I think the people of the United States are entitled to the best civilian who could be obtained for this job. They are entitled to a man who is an authority in this field, and who is a known proponent of the Tennessee Valley Authority.

There is no substitute for enthusiasm, and enthusiastic convictions in favor of a program that you are going to administer. This isn't a case where you are asking for the appointment of a president of a bank. It is a case where you are asking to have as Chairman of the Tennessee Valley Authority Board a man who is going to head up one of the greatest experiments, if not the greatest experiment, of a cooperative relationship between the Government and the people of a region whereby the Government will help the people to do for themselves what they cannot do for themselves or do so well for themselves.

I want a crusader as Chairman of the Board. I want a crusader who is a social and economic crusader dedicated to the symbolism of the Tennessee Valley Authority as the Chairman of the Board. In my opinion this man does not meet that qualification. Therefore, for the reasons set forth in this statement, Mr. Chairman, I shall vote against the nominee.

Mr. President, for the record—and this is very brief, and bears upon the action which was taken in regard to the printing of the hearings—at this time I wish to read the comments which were made following my announcement of opposition to the nomination:

The CHAIRMAN. I think, Senator MORSE, we all appreciate very much the very vigorous statement that you have made, explaining your opposition to the nominee.

We will now close the hearings. What is the will of the committee?

Senator STENNIS. Mr. Chairman, I appreciate very much the forceful statement by Senator MORSE, too. I do feel that this committee is passing on a man who has already been nominated. We do not originate these names.

As Senator MORSE said, this is a man of high character and integrity and a great deal of ability, and I was well impressed, myself, with the statements he made, and the attitude he had privately adhered to, and under those circumstances I shall vote for his nomination.

Senator MORSE. May I respectfully request that the Chair instruct the reporter to transcribe at the earliest possible moment my statement before the committee, and supply me with a copy?

The CHAIRMAN. Yes; and, Mr. Bassett, get out the record of yesterday and today so we may have it.

Senator MORSE. May I also respectfully request, Mr. Chairman, that the reporter be instructed to make the corrections in the record of yesterday that I have already given to the clerk of the committee?

Senator GORE. Is it your plan to have the hearings printed, Mr. Chairman?

Senator MORSE. I think we ought to print them.

The CHAIRMAN. The only thing about it is the question of expense.

Senator MORSE. I move that the hearings be printed.

The CHAIRMAN. Without objection, they will be printed.

That concludes the executive session.

(Whereupon, at 11:46 a. m., the meeting was concluded.)

[4] Sun-Democrat, Paducah, Ky., April 8, 1953.

Mr. President, following the meeting there was conversation among several of us, and I know that I state the attitude of my colleagues on the committee who were there that it was their impression that the hearings would be printed and that the nomination would be acted upon by the Senate after the hearings were available to the Senate for use in the debate, which it was well known would take place on the floor of the Senate when the nomination came before the Senate for confirmation.

At the beginning of my remarks, Mr. President, I said I criticized no one for the speed with which this nomination was rushed through the Senate this morning at the beginning of our session when there were only about eight Senators on the floor of the Senate. But I want the record to show the only reason I was not here at the beginning of the session this morning is that I was at Bethesda Hospital, where I was undergoing a jaw treatment that I have been receiving periodically for some time past. I arrived in the Chamber, I think, at about 11:20 this morning. No one even told me at that time, Mr. President, that action had already been taken on the nomination. It was not until the Senate went into a second executive session late this afternoon and proceeded with the calendar that I first discovered that action had already been taken this morning on the Vogel nomination and that it had been sent to the White House.

As I have said, I have no intention of going through the gesture of moving to have it recalled from the White House, because I do not think the White House should be so treated, but I hope, Mr. President, and I speak most respectfully, that in the future when it is known that there is objection to a nomination—and it certainly was common knowledge that I had objected to this nomination yesterday—at least it will not be taken up in the Senate until notice of the intention to bring it up can be gotten to the Senator or Senators concerned.

Furthermore, I hope that, come January, we shall see fit to adopt an amendment to our rules, which I shall then offer, that will make it mandatory that nominations remain at the desk for at least one calendar day after they have been first filed at the desk. That would avoid the kind of embarrassing situation that has developed in this instance.

I ask, Mr. President, to have inserted in the RECORD, following my discussion of the Vogel nomination, a summary of my opposition to the nomination as I gave it to the press yesterday in a press release from my office.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

Senator WAYNE MORSE, Independent, Oregon, made the following statement on his vote against the confirmation of Gen. Herbert D. Vogel for the chairmanship of the Board of Directors of the Tennessee Valley Authority:

"The following is a summary of the reasons I expressed to the Public Works Committee in executive session today against the confirmation of Gen. Herbert D. Vogel for chairmanship of the Board of Directors of the Tennessee Valley Authority.

"1. A dangerous trend has developed in our country in recent years, and is going forward at an accelerated rate under the Eisenhower administration, of appointing high ranking military officers to important civilian administrative posts. I criticized this policy when I saw it start to develop under the Democratic administration. It has become even much more serious under the Eisenhower administration.

"The American people need to be on guard against the imposition of military administrative policies or practices over civilian functions of Government. The military chain of command of administration is not desirable or safe for the civilian functions of a democracy.

"I am convinced that General Vogel is so steeped in the military chain of command approach to any administrative position that it is not in the public interest to place him in charge of the chairmanship of the Board of Directors of TVA.

"My opposition to General Vogel's nomination does not rest on any personal opposition to him. To the contrary, I have a high respect for his military record and a high regard for him personally. But I am satisfied that his military administrative policies do not make his appointment a desirable one.

"In fact, I think it is very important that the Congress place a check upon this administration's growing tendency to fill important civilian posts with military personnel. Government by the military is neither safe nor good for America.

"2. It is particularly unfortunate that when the President came to select a military man for the chairmanship of the Board of Directors of the TVA he should select one from the Corps of Army Engineers.

"I am a stanch supporter of the Corps of Army Engineers within their appropriate field. But the Corps of Army Engineers is no sacred cow in my book. The history of TVA shows that it never would have been developed into the great national asset that it is if its development had been left to the Corps of Army Engineers.

"The fact is that the Tennessee Valley projects have been built on the basis of the so-called force-account method of constructing public works in contrast to the Corps of Army Engineers contracting system. I read to the Public Works Committee in executive session this morning some very interesting excerpts from a lecture that Gordon Clapp, former Chairman of the Board of Directors of TVA, gave at the University of Chicago February 14, 1954. In that lecture he discussed the advantages of the force-account procedure used by the TVA over to contracting system used by the Corps of Army Engineers. I am satisfied that the Corps of Army Engineers have never looked with enthusiastic favor upon the great success of the TVA.

"I think it is a great mistake to select an Army engineer who in his testimony before our committee expressed a preference for the contracting system over the force-account system as Chairman of the Board of Directors of TVA. In my judgment it is going to create administrative difficulties and lower morale within the TVA, because the TVA has been developed very successfully by an administrative and construction program quite different from the Corps of Army Engineers. In my opinion it has been good for the country that such has been the case. I think it has been good for the Corps of Army Engineers to have TVA as a sort of competitive yardstick for the Corps of Army Engineers to try to match. I am satisfied that the low cost, high efficiency, and the multipurpose program of the TVA never would have reached such a high state of successful development if the policies of the Corps of Army Engineers had been followed.

"Be that as it may, I think it is obviously unwise to bring in as Chairman of the Board of Directors of the TVA an Army engineer who is bound as a human being to be somewhat influenced by the known conflicting policies of the Corps of Army Engineers, insofar as TVA is concerned.

"Furthermore, it is to be noted that the Corps of Army Engineers have always been primarily interested in navigation development and flood control, and have tended to look upon electric power developments in public works projects as rather secondary in importance. However, in the TVA program, power development, along with flood control and navigation, fertilizer production, recreation, and many other public services, is of primary importance. It is a public power development program and by law is intended to be a public power development program.

"However, there is much evidence which indicates very clearly that the prevailing points of view of the Corps of Army Engineers have for a long time past seemed to lean in the direction of favoring the private utility approach to the development of electric power in our country. It is interesting to note how many of the top officers of the Corps of Army Engineers upon retirement seem to find themselves gravitating toward employment by private utility companies and other corporations that have great interest in the development of programs for private utility monopolies, or serve upon retirement as special consultants to private utilities (which is one and the same thing.)

"The selection of an Army engineer to head the TVA great public power development project, in my judgment, is most unwise.

"4. As I stated to the committee this morning, I think the people of the Tennessee Valley and of the Nation as a whole are entitled to have appointed as Chairman of the Board of Directors of the TVA an enthusiastic advocate of the TVA program. They are entitled, as I put it in committee, to a chairman who will be a true crusader for the maximum development of the economic potentialities of the TVA. If the great experiment of the TVA is to accomplish the success envisioned by the law which authorized it, it must have at its head men who have the enthusiasm to expand its services to the region which it serves under the law. In my judgment, TVA to date has just scratched the surface of its potentialities of service to the people of the Tennessee Valley and of the Nation. It should have at its head one of the most able civilian authorities in the field of public power development. I do not think General Vogel has those qualifications.

"5. Lastly, the TVA program as contemplated by the law, is an example of putting into practice that great tenet that a government of the people has the obligation of doing for them what they cannot do for themselves or cannot so well do for themselves, but what needs to be done in order to promote the general welfare.

"However, in order to keep democratic processes strong, efficient, and effective, in carrying out that tenet, civilians should be appointed and employed from top to bottom in order to make it a living example of democracy put to work.

"The Government has a proprietary interest in TVA, but it is a proprietary interest based upon a cooperative program between the Federal Government and the people not only of the Tennessee Valley but of the Nation as a whole. This cooperative program should be administered in keeping with the civilian philosophy of business management.

"The bringing of a Corps of Army Engineers high ranking officer into the administration of TVA will, I fear, prove to be a great mistake, and therefore I voted against the nomination."

AMENDMENT OF THE FLAMMABLE FABRICS ACT

Mr. PURTELL. Mr. President, the Senate has received a message from the House with respect to Senate bill 3379, to amend the Flammable Fabrics Act, so as to exempt from its application fabrics and wearing apparel which are not highly flammable. I request that the amendments of the House to that bill be laid before the Senate.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 3379) to amend the Flammable Fabrics Act, so as to exempt from its application fabrics and wearing apparel which are not highly flammable, which were, to strike out all after the enacting clause and insert:

That section 4 of the Flammable Fabrics Act (15 U. S. C., sec. 1193) is hereby amended by inserting at the end thereof the following subsection:

"(c) Notwithstanding the provisions of paragraph 3.1 Commercial Standard 191–53, textiles free from nap, pile, tufting, flock, or other type of raised fiber surface when tested as described in said standard shall be classified as class 1, normal flammability, when the time of flame spread is 3½ seconds or more, and as class 3, rapid and intense burning, when the time of flame spread is less than 3½ seconds."

And to amend the title so as to read: "An act to amend section 4 of the Flammable Fabrics Act, with respect to standards of flammability in the case of certain textiles."

Mr. PURTELL. Mr. President, the House has amended this bill. I approve the change in the standard of flammability. I have discussed this matter with the senior member of the minority, both of the full committee and the subcommittee, and they agree with me. However, I believe the House should have exempted scarfs made of plain-surface fabrics, as the Senate Interstate and Foreign Commerce Committee and the Senate had done, or otherwise have adjusted the standards to provide for importation of silks that present no hazard to the wearer. I hope that further hearings next year will convince the House that this is necessary.

In view of the lateness of this session, and because the bill will afford our domestic industry much needed relief, I move that the Senate concur in the House amendments.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Connecticut [Mr. PURTELL].

The motion was agreed to.

IDENTITY OF CERTAIN COMMUNIST-INFILTRATED ORGANIZATIONS

The Senate resumed the consideration of the bill (S. 3706) to amend the Subversive Activities Control Act of 1950 to provide for the determination of the identity of certain Communist-infiltrated organizations, and for other purposes.

Mr. CASE. Mr. President, earlier in the debate this evening on the bill, S. 3706, a bill to amend the Subversive Activities Control Act of 1950, I expressed my position, I suppose, by implication from the inquiries which I addressed to the Senator from Oregon. In particular, I indicated I felt that in the matter of the Communist subversion, the labeling of organizations as subversive ought not to be in the hands of the National Labor Relations Board, but as proposed by the bill, ought to be in the hands of the Subversive Activities Control Board.

I want to assert very positively that it is my opinion that Communist subversion cannot be regarded as a question of labor-management relations. It is primarily a security question. Employers should not be charged with the obligation of defining security. Employers, in my judgment, ought not to be given the right to cite labor organizations on that score, with the penalties of having such organizations denied the benefits of the National Labor Relations Act.

It seems to me that the control of Communist subversive activities is an exercise of the police power; it is a responsibility of Government and not of the employer. That is why I think this bill is soundly based in providing that the citations shall be made by the Attorney General to the Subversive Activities Control Board rather than by initiation through labor-management relations.

During the debate earlier in the evening, too, the suggestion was made by other Senators that this was a matter which ought to be handled by the Labor and Public Welfare Committee, but I am advised that S. 1254, when introduced by the Senator from Arizona [Mr. GOLDWATER], proposed to establish effective means to determine Communist domination, and had several other features in it, including features now in S. 3706. It went to the Committee on Labor and Public Welfare, and by a unanimous vote, on January 15, 1954, that committee asked that the bill be referred to the Committee on the Judiciary.

I should like to ask the Senator from Maryland if that is not correct.

Mr. BUTLER. Yes; it is correct. That bill, S. 23, and S. 1606 were considered by our task force. The pending bill is really a committee bill. We drew on each one of these three bills, and the testimony adduced before our task force, to produce the pending bill.

Mr. CASE. The original Goldwater bill was before the Senate Committee on Labor and Public Welfare.

Mr. BUTLER. That is correct.

Mr. CASE. By unanimous vote, I understand, it was requested that the bill be referred to the Committee on the Judiciary.

Mr. BUTLER. The Senator is correct.

Mr. CASE. In other words, Mr. President, the Labor and Public Welfare Committee itself, by unanimous vote, determined that this was a subject which ought to be considered by the Committee on the Judiciary, which deals with the police powers of the Government.

Mr. BUTLER. It is a question of internal security and not of labor relations.

Mr. CASE. There is one other point on which I should like also to address a question to the Senator from Maryland. As I recall, the President in his message to the Congress pointed out that the Communist disclaimer provisions were not presently applicable to employers under the Labor-Management Relations Act. He recommended that they be made applicable. Then he said:

Specific proposals for legislation dealing with Communist infiltration generally are now under study.

The Committee on Labor and Public Welfare, in its report on the Labor-Management Relations Act amendments, at page 16 of their report, said:

The Taft-Hartley Act now requires officers of labor unions to file with the Board affidavits declaring, among other things, that they are not Communists and that they do not believe in or advocate the overthrow of our Government by force or violence or by other unconstitutional means. The committee recognizes that, although these provisions were at least partially effective during the early years of the Taft-Hartley Act, they have since lost much of this effectiveness. Recently, the Attorney General stated that new approaches to this problem were needed and were being carefully explored.

I should like to ask the distinguished Senator from Maryland if the bill which is now before the Senate, S. 3706, carries any recommendations from the Attorney General which would justify the assumption on the part of the Members of the Senate that this proposed legislation is an outgrowth of the study which the President said was going on and which the Attorney General stated was being made through the exploration of new approaches to the problem, and whether or not this bill incorporates the recommendations of the Attorney General.

Mr. BUTLER. It does, and the Attorney General approves of the bill.

Mr. CASE. I thank the Senator from Maryland. I yield the floor.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. MAGNUSON. Mr. President, I offer an amendment, in the nature of a substitute for S. 3706, which I send to the desk and ask to have read.

The PRESIDING OFFICER. The amendment in the nature of a substitute will be stated.

The CHIEF CLERK. It is proposed to strike out all after the enacting clause and to insert in lieu thereof the following amendment in the nature of a substitute:

That (a) there is hereby established a commission to be known as the "Commission on Security", hereinafter referred to as the "Commission." The Commission shall be composed of 12 members, appointed by the President of the United States, 1 of whom, so designated by him, shall be Chairman of the Commission. The President shall select his appointees in equal number from outstanding leaders in labor, business management, and the general public.

(b) There shall be appointed, in addition to the members provided in subsection (a) of this section, 6 advisory members, who are Members of the 83d Congress, 3 of whom shall be appointed by the President of the Senate and 4 of whom shall be appointed by the Speaker of the House. Advisory members shall have all the rights and privileges of other members of the Commission, except that they shall not have the right to vote upon matters before the Commission.

(c) The members of the Commission shall serve without pay but shall be entitled to $25 per diem in lieu of subsistence while attending meetings of the Commission away from their homes, together with transportation costs and other expenses incidental to attendance upon such meetings.

(d) The expenses of the Commission, which shall not exceed $50,000, shall be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives upon vouchers signed by the Chairman of the Commission. Disbursements to pay such expenses shall be made by the Secretary of the Senate out of the contingent fund of the Senate, such contingent fund to be reimbursed from the contingent fund of the House of Representatives in the amount of one-half of the disbursements so made.

SEC. 2. It shall be the duty of the Commission (1) to study the prevailing practices and conditions in all branches of government and industry in the United States pertaining to security from sabotage, espionage, and other activities designed to injure the interests of the American people, the United States Government, the efficient function of the industry, and the good relationship between labor and management; (2) to report its findings on or before January 15, 1955, to the President, the President of the Senate, and the Speaker of the House of Representatives; and (3) to recommend such administrative procedures and legislation as the Commission shall deem necessary upon an analysis of its findings and in consideration of the existing internal and external danger to the security of the United States.

SEC. 3. The Commission shall terminate upon the filing of its report as provided in section 2.

The PRESIDING OFFICER. The question is on agreeing to the amendment in the nature of a substitute offered by the Senator from Washington [Mr. MAGNUSON].

Mr. KENNEDY. Mr. President, will the Senator yield, so that I may suggest the absence of a quorum, with the understanding that he will not lose his right to the floor?

Mr. MAGNUSON. I yield, with that understanding.

Mr. KENNEDY. Mr. President, with the understanding that the Senator from Washington will not lose the floor, I suggest the absence of a quorum. I ask unanimous consent that I may suggest the absence of a quorum with that understanding.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KNOWLAND. Mr. President——

The PRESIDING OFFICER (Mr. BARRETT in the chair). The Senator from California.

Mr. KNOWLAND. Mr. President, will the Senator yield, with the understanding he does not lose his right to the floor?

Mr. MAGNUSON. I yield.

Mr. KNOWLAND. I send to the desk a proposed unanimous consent agreement and ask that the clerk read the same for the information of the Senate. This proposed unanimous consent agreement is being presented on behalf of the minority leader and the majority leader.

The PRESIDING OFFICER. The clerk will report the proposed unanimous-consent agreement.

The LEGISLATIVE CLERK. The proposed unanimous consent agreement is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That on Friday, August 13, 1954, after the morning business, the Senate shall proceed to the consideration of the conference report on the bill (H. R. 9757) to amend the Atomic Energy Act of 1946, as amended, and for other purposes, and that debate thereon be limited to not exceeding 3 hours, to be equally divided and controlled, respectively, by the Senator from Iowa [Mr. HICKENLOOPER] and the Senator from Texas [Mr. JOHNSON].

The PRESIDING OFFICER. Is there objection to the unanimous consent agreement? The Chair hears none, and it is so ordered.

Mr. MAGNUSON. Mr. President——

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. MAGNUSON. Before I yield to the Senator from Utah, who has a conference report to present, I wonder if I may have the attention of the Senator from Texas [Mr. JOHNSON] and the Senator from California [Mr. KNOWLAND] for a further suggestion.

Would it be agreeable with both the majority and the minority leader, since it is now close to 10 o'clock, if I should present my amendment in the form of a substitute and take about 10 minutes to explain what it means, and then suggest we have a unanimous consent that we shall vote on the substitute tomorrow at 11 or 12 o'clock, or at any time the two groups can agree upon?

Mr. KNOWLAND. I believe we can arrive at a reasonable arrangement.

Mr. MAGNUSON. I can present a short explanation. The Senators are tired, since we have been here all day.

Mr. KNOWLAND. The majority leader is agreeable to any reasonable proposition.

Mr. President, will the Senator yield to me?

Mr. MAGNUSON. I yield.

ORDER FOR RECESS UNTIL 10 O'CLOCK A. M. TOMORROW

Mr. KNOWLAND. I should like to ask unanimous consent that when the Senate completes its labors today it stand in recess until 10 o'clock tomorrow morning.

The PRESIDING OFFICER. Is there objection?

Mr. JOHNSON of Texas. Mr. President, reserving the right to object, I wish to make an inquiry of the majority leader. Am I safe in assuming that we will meet Friday morning at 10 o'clock?

Mr. KNOWLAND. Yes; it is planned to have the Senate meet both Friday and Saturday morning at 10 o'clock.

Mr. JOHNSON of Texas. What would the Senator from Washington [Mr. MAGNUSON] suggest as a time to vote on his substitute?

Mr. MAGNUSON. Either 11 or 12 o'clock.

Mr. JOHNSON of Texas. If the Senate meets at 10 o'clock in the morning, it will take about 30 minutes for the morning hour.

Mr. MAGNUSON. Suppose we make it at 12 o'clock, with 1 hour for both sides.

Mr. HUMPHREY. Mr. President, reserving the right to object, is this agreement with reference only to the Magnuson substitute?

Mr. MAGNUSON. The Magnuson substitute.

Mr. KNOWLAND. That is correct.

Mr. HUMPHREY. May we have it understood that the committees which might otherwise be in session be not permitted to hold sessions, so that we may have our membership here to listen to this debate? This is a very important subject and I think we all ought to be here to hear the alternative proposals.

Mr. JOHNSON of Texas. Mr. President, in response to the Senator from Minnesota, let me say that any Senator may object to any committee meeting during the session of the Senate. There are certain committees which are trying to bring out conference reports, or perhaps are considering the final stages of some bill. If the Senator does not want them to meet he may object to their meeting. Any Senator can do that.

I have no knowledge of any committee meetings tomorrow, but the usual procedure is for the committee to file a card stating the proposed committee meeting with the majority leader. The majority leader then refers the matter to the minority leader, with the question as to whether there is any objection.

If the Senator from Minnesota desires that the minority leader object to any committee meetings tomorrow, the minority leader would be delighted to accommodate him.

Mr. HUMPHREY. I do not wish to be fussy or obstinate about this matter at all, but it was just my feeling, in view of the rather limited amount of time we are going to have on this important piece of legislation, that we all ought to try to be here, if humanly possible. I will work that out with the minority leader.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from California?

Mr. JOHNSON of Texas. Mr. President, what was the unanimous-consent request?

Mr. KNOWLAND. Merely that when we complete our labors this evening we stand in recess until 10 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HUMPHREY. Mr. President, will the majority leader yield?

Mr. KNOWLAND. Yes.

Mr. HUMPHREY. I understand that the unanimous-consent request does not pertain to final passage or any other amendments, but only to the Magnuson substitute?

Mr. KNOWLAND. We have not even gotten that agreement yet.

Mr. WATKINS. Mr. President, will the Senator from Washington yield to me?

Mr. MAGNUSON. Mr. President, I do not wish to usurp the prerogatives of

the minority leader or of the majority leader, but if I may be permitted to do so I should like to propose a unanimous-consent request.

I request that tomorrow at 12 o'clock—or 11:30, as some Senator has suggested—the Senate vote upon the so-called Magnuson substitute for the bill.

Mr. JOHNSON of Texas. If the Senator will withhold his request, let us draft the agreement so that we may allot the time as we usually do. Then the Senator may propose it before he concludes.

Mr. KNOWLAND. What I had in mind was that the Senate would convene at 10 o'clock, and that there would be the usual morning hour for the introduction of bills and resolutions, with speeches not to exceed the 2-minute limitation.

Mr. MAGNUSON. And then there would be 1 hour of debate on the Magnuson amendment in the nature of a substitute.

Mr. KNOWLAND. Normally it takes about a half hour to conclude the morning business. Then there would be debate for 1 hour on the Magnuson amendment in the nature of a substitute, the time to be divided equally, and to be controlled, respectively, by the proponents of the amendment in the nature of a substitute and the distinguished senior Senator from Maryland [Mr. BUTLER].

Mr. MAGNUSON. That is entirely agreeable to me.

Mr. JOHNSON of Texas. The record will show the agreement. If the Chair will put the question, the matter can be settled.

Mr. CASE. Mr. President, reserving the right to object, will the distinguished majority leader advise the Senate where the foot of the calendar has now traveled to?

Mr. KNOWLAND. The foot of the calendar will be picked up as soon as the Senate disposes of the subversive activities bill.

Mr. CASE. I thank the Senator from California.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. LEHMAN. Am I to understand that the unanimous consent agreement which is proposed will apply only to the Magnuson amendment in the nature of a substitute?

Mr. KNOWLAND. It will apply only to the Magnuson amendment in the nature of a substitute. It provides for no other limitation on the debate.

Mr. President, I submit a proposed unanimous consent agreement and ask that it be read.

The PRESIDING OFFICER. The clerk will read the proposed unanimous consent agreement.

The Chief Clerk read as follows:

UNANIMOUS CONSENT AGREEMENT

Ordered, That on Thursday, August 12, 1954, after the morning business, further debate on the amendment in the nature of a substitute offered by the Senator from Washington [Mr. MAGNUSON] to the bill (S. 3706) to amend the Subversive Activities Control Act of 1950 to provide for the determination of the identity of certain Communist-infiltrated organizations, and for other purposes, including any amendments or motions submitted thereto, shall be limited to not exceeding 1 hour, to be equally divided and controlled, respectively, by the Senator from Washington [Mr. MAGNUSON] and the Senator from Maryland [Mr. BUTLER]: *Provided*, That no amendment thereto that is not germane to the subject matter of the amendment shall be received. (August 11, 1954.)

The PRESIDING OFFICER. Is there objection to the proposed unanimous consent request? The Chair hears none, and it is so ordered.

Mr. MAGNUSON. Mr. President, in view of the unanimous-consent agreement which has been entered into, I shall not detain the Senate for more than 10 minutes.

I merely wish to say, at the outset, that the amendment in the nature of a substitute, which I have proposed, is somewhat comparable to the objectives of the bill introduced in the House.

The House Committee on the Judiciary has reported to the House for action a resolution which is similar to the amendment which I propose now as a substitute. So, as a practical matter, if the Senate intends to do something about this matter, if we are to attempt to achieve the goal which the Judiciary Committee is trying to achieve, and which all of us are trying to achieve as a practical legislative matter, it seems to me that, in the closing hours of the session, the substitute I have proposed should be adopted.

The House Committee on the Judiciary reported, after consideration of two bills similar to the one now before the Senate, which is S. 3706, a resolution in language similar to that which is contained in Senate Joint Resolution 182.

I must say, however, for the information of the Senate, that later—why, I do not know—the House Committee on Un-American Activities reported substantially one of the bills which is now before the Senate. There were very vigorous minority views with respect to the bill, which were signed by Representative WALTER, Representative DOYLE, and Representative FRAZIER. I must confess that although I served in the House for a long time, I did not realize that the Committee on Un-American Activities, which is a special committee, is also a legislative committee, which can report bills. But apparently the Parliamentarian of the House has decided that, technically, that committee can do so.

Nevertheless, the permanent Committee on the Judiciary of the House, which discussed both of these phases of proposed legislation, finally submitted a proposal such as is suggested in Senate Joint Resolution 182, the resolution which I have introduced for myself and on behalf of the Senator from Missouri [Mr. HENNINGS], the Senator from Rhode Island [Mr. GREEN], the senior Senator from Montana [Mr. MURRAY], the junior Senator from Montana [Mr. MANSFIELD], the Senator from Tennessee [Mr. GORE], the Senator from Oregon [Mr. MORSE], the Senator from New York [Mr. LEHMAN], the Senator from West Virginia [Mr. KILGORE], and the junior Senator from Washington [Mr. JACKSON]. The joint resolution embodies the exact words of the bill which the House Committee on the Judiciary has reported favorably to the House.

Knowing, somewhat, the legislative procedure in the last few days of a session, it seems to me that the House is waiting to see what the Senate will do with respect to the two bills, but the House has suggested strongly, in a legislative way, that the Senate should pass some kind of resolution.

House Joint Resolution 527, as it was reported by the House Committee on the Judiciary, differs in that it creates a Commission on Security in Industry, only. The House measure does not extend jurisdiction to the Government.

The joint resolution I have introduced broadens the scope of the Commission's responsibility, which is also embodied in these bills. I believe this to be proper and necessary, because in this day the activities in Government and industry are so closely intertwined as to be almost inseparable.

Mr. JENNER. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. JENNER. I heard what the Senator from Washington had to say in regard to the House Committee on the Judiciary. I do not know whether the distinguished Senator from Washington is aware of the fact or not, but a bill which is identical with that which is the order of business in the Senate, S. 3706, has been reported by the House Committee on Un-American Activities, and is now awaiting a rule in the House.

Mr. MAGNUSON. I stated that the House Committee on the Judiciary had reported in substance the resolution which I have suggested; but subsequent to that, the House Committee on Un-American Activities had reported a bill similar to that which is now before the Senate.

Mr. JENNER. I had misunderstood the Senator from Washington.

Mr. MAGNUSON. I further said that I must confess that I did not realize, although probably I should have realized, that the House Committee on Un-American Activities, which is a special committee, is also a legislative committee. Apparently the House has ruled on a point of order, or upon a suggestion of the Parliamentarian, that that committee has the right to propose legislation.

The House committee has the following to say about its resolution:

> The purpose of this resolution, as amended, is to establish a temporary public commission entrusted with the task to study practices and conditions in all branches of industry in the United States, as they pertain to security from sabotage, espionage, Communist infiltration, and other activities designed to injure the interest of the United States; and to recommend such legislation as the Commission would deem necessary in the light of its findings and in consideration of the existing danger to the security of the United States.

As stated earlier, we propose to merely expand the jurisdiction of the Commission, giving it authority and responsibility to study security programs in Government with a view to eliminating overlapping duplication, but at the same time strengthening such programs.

Mr. President, "security" is a word on everyone's lips these days. It is a word that is spoken too glibly by too many. This is a dangerous time for our country, and security is not a word which should be bandied about lightly.

Yet it is sad but true that security has not been given enough clear thought and honest action. Some have tried to use the security issue not against our real enemy, but against their particular political opponents. And some have failed to think through the problem of how to conduct security programs in such a way as to protect the very rights of the individual that would be taken away by a triumphant enemy.

Even among Government agencies, no clear pattern exists for a security program. Instead there is a crazy quilt patchwork that has been built in a hurry, clearly showing that not enough care has been taken to avoid duplication. Identical personnel locations and activities are subjected to security screenings by more than one Government agency. This duplication is not only wasteful and exasperating, but can be dangerous. It does not safeguard us; it ties our hands with redtape.

Even where duplication exists within an area of screening, other parts of the area, the same area, may not be covered at all. Time and effort is wasted in duplicate screening, while other areas are neglected.

In addition, there is evidence that some Government agencies, designed to help protect us from foreign dictators, are operated without proper regard for due process of law and other rights which are considered basic to our tradition. Not only must wasteful duplication be avoided, but freedoms and due process must apply to Government activities in the security field too.

A recent example, showing the need for a security commission study and report, is the so-called security program proposed by the Federal Communications Commission.

Docket No. 11061 of the FCC proposes to launch a program that in some respects duplicates security programs that have been in effect for many years. In another phase of the program, the FCC proposes to screen what amounts to less than 10 percent of the people in yet unscreened fields. While doing this, the FCC also proposes to extend the security program to persons and activities that in no way, shape, or form can be considered sensitive activities, and to persons not even in defense industry or communications.

The FCC proposes to screen over 600,000 holders of commercial radio licenses and permits for security purposes, whether these persons are engaged in sensitive areas or not.

Of these license holders, many that are engaged in sensitive or security covered work, are already screened thoroughly. Take the example of the ship radio officers who are already screened by the United States Coast Guard under the terms of the Waterfront Security Act I introduced in 1950.

What need is there for the FCC to barge into a field already preempted by the Coast Guard under Presidential directive? That sort of thing is not only wasteful duplication, but holds the threat of being worse—disruption of an established security system.

Other FCC license holders are similarly screened by the agencies already active in their own field. In each of the activities involving a license holder, numerous other persons working with him, with the same amount of access to equipment, premises, and information that could be used to injure the Nation, are screened. But the FCC proposes to screen only the license holder as a proper approach to security. The license holder is 1 man in 10, therefore the FCC proposes to screen but 10 percent of the people in these areas.

This would leave vulnerable points in our Nation's armor unprotected, though, on the surface, it might seem to be a comprehensive program.

I mention the FCC proposal, as outlined in docket 11061, because I think it demonstrates the need for greater coordination between and among Government agencies in security matters—and because I think it is symptomatic of what a security commission will find as it proceeds with its study and analysis under this resolution.

Mr. President, security is not something to trifle with. We must protect ourselves, our rights, our traditions, and our form of government against either internal or external aggression. I point out, however, that any security program must likewise protect the very liberties it seeks to preserve.

Among other things, this means that provision must be made for appeal and clearance of the innocent as well as detection and prosecution of the guilty.

We, therefore, are offering this measure which proposes a "Hoover Commission" approach to the security problem—in both industry and Government. It will make available the experience of men most capable of giving the Nation a workable, coordinated security program, with proper safeguards for individual rights and liberties.

As I said earlier, the measure—if adopted—will create a commission to study, to analyze, and then to recommend to the Executive and the Congress a coordinated program for security screening of persons engaged in activities necessary to our defense; to eliminate duplication, conflict and inadequacies of existing programs; to correct abuses—if there be any—against individual rights—all to the end that the people may be safe from enemies—whether domestic or foreign—without the sacrifice, or abuse, or destruction of individual rights.

Mr. President, I ask unanimous consent to have printed in the RECORD as a part of my remarks, so that Senators may by tomorrow be able to read it, a report of the Judiciary Committee of the House of Representatives which relates to the amendment in the nature of a substitute that is now before the Senate.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

The Committee on the Judiciary, to whom was referred the joint resolution (H. J. Res. 527) to provide for the protection of defense facilities, having considered the same, report favorably thereon with amendments and recommend that the joint resolution do pass.

The amendments are as follows:

1. Strike out all after the resolving clause, and insert in lieu thereof the following:

"That (a) there is hereby established a commission to be known as the 'Commission on Security in Industry,' hereinafter referred to as the 'Commission.' The Commission shall be composed of 12 members, appointed by the President of the United States, 1 of whom, so designated by him, shall be Chairman of the Commission. The President shall select his appointees in equal number from outstanding leaders in labor, business management, and the general public.

"(b) There shall be appointed, in addition to the members provided in subsection (a) of this section, 6 advisory members, who are Members of the 83d Congress, 3 of whom shall be appointed by the President of the Senate and 3 of whom shall be appointed by the Speaker of the House. Advisory members shall have all the rights and privileges of other members of the Commission, except that they shall not have the right to vote upon matters before the Commission.

"(c) The members of the Commission shall serve without pay but shall be entitled to $25 per diem in lieu of subsistence while attending meetings of the Commission away from their homes, together with transportation costs and other expenses incidental to attendance upon such meetings.

"(d) The expenses of the Commission, which shall not exceed $50,000, shall be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives upon vouchers signed by the Chairman of the Commission. Disbursements to pay such expenses shall be made by the Secretary of the Senate out of the contingent fund of the Senate, such contingent fund to be reimbursed from the contingent fund of the House of Representatives in the amount of one-half of the disbursements so made.

"SEC. 2. It shall be the duty of the Commission (1) to study the prevailing practices and conditions in all branches of the industry in the United States pertaining to security from sabotage, espionage, and other activities designated to injure the interests of the United States, the efficient function of the industry, and the good relationship between labor and management; (2) report its findings on or before January 15, 1955, to the President, the President of the Senate, and the Speaker of the House of Representatives; and (3) to recomend such legislation as the Commission would deem necessary upon an analysis of its findings and in consideration of the existing internal and external danger to the security of the United States.

"SEC. 3. The Commission shall terminate upon the filing of its report as provided in section 2."

2. Strike out the preamble.

3. Amend the title so as to read: "A bill to provide for the creation of a Commission on Security in Industry."

PURPOSE OF THE RESOLUTION

The purpose of this resolution, as amended, is to establish a temporary public commission entrusted with the task to study practices and conditions in all branches of industry in the United States, as they pertain to security from sabotage, espionage, Communist infiltration, and other activities designed to injure the interest of the United States; and to recommend such legislation

as the Commission would deem necessary in the light of its findings and in consideration of the existing danger to the security of the United States.

GENERAL INFORMATION

A subcommittee of the Committee on the Judiciary has conducted, since March 18, 1954, extensive hearings on a considerable number of legislative measures, introduced in the House, for the purpose of providing adequate means to cope with the mounting danger of internal Communist subversion and the closely related external danger to the security of the United States.

Among the measures receiving considerable part of the committee's attention were those which were aimed at strengthening the protection of all branches of American industry in a manner not much different from that which is authorized under the Magnuson Act (64 Stat. 1038; 50 U. S. C. 191), with regard to the security of vessels, piers, and waterfront facilities.

Simultaneously, the committee has devoted much of its time to the study of certain organizations, including a small number of labor unions, which appear to have been infiltrated by skilled, well-trained Communist agents and professional agitators to a degree which justifies the assumption that such organizations are in effect controlled by the Communist Party and by their foreign command center.

The committee was impressed by the testimony of certain witnesses[1] who opposed all legislation designed to strengthen the internal security of the United States. By the mere choice of their language and by their attitude of hate and contempt for the democratic legislative processes, these witnesses had actually confirmed rather than dispelled, as they obviously wanted, the impression that Communist infiltration of certain labor and professional organizations has gone very far, notwithstanding the efforts of the enlightened leadership and the rank and file of the legitimate labor unions fighting continuously to keep the Communist "activists" away from positions in which they are able to influence the policy of labor unions.

The committee believes that there might exist a real danger to the national defense and the security of the United States, stemming from the activities of Communist agents who have attained positions of control in various organizations directly active in the industry, including such vital branches of it as the electrical and electronics industry, chemical plants, the communications industry, mining, smelting, etc.

The committee also found that there might exist the danger of sabotage and espionage by individuals or groups who had fallen victims to the skilled agents of Communist subversion. It is understood that a definite number of such individuals has already been identified. Some of these individuals are known to be employed in defense facilities where sabotage in time of national emergency or in time of war would seriously impair the military effectiveness of the United States.

The facilities involved are privately owned and are primarily engaged in what is regarded as normal civilian production. Although there is authority for barring subversive individuals from facilities directly engaged in the performance of defense contracts, there is no similar authority with respect to the facilities not so directly engaged, although, as in the case of a powerplant or a producer of other basic materials or supplies required by a defense contractor, sabotage or interruption of production by these facilities could very materially curtail defense production. Espionage is also an important consideration.

Having studied two bills introduced at the request of the Attorney General, to wit, House Joint Resolutions 527 and 528, the committee has found that the language of the proposed measures is not sufficiently carefully drawn so as to enhance the security of the United States on the one hand, but not to limit the constitutional rights of individuals on the other hand. The committee had also found that it does not possess sufficient information for the purpose of amending the proposed measures and recommending to the House for passage legislation which would be both adequate for the protection of the interests of the United States in difficult and trying times, and fully in accord with American traditions and American jurisprudence.

Thus, instead of recommending to the House for action measures hastily drawn and obviously inadequate, the committee has come to the conclusion that a thorough study by an impartial public commission appointed by the President of the United States should be made so as to give the Congress the benefit of impartial study and expert recommendations.

The committee was gratified to find that the American Federation of Labor, as represented by its president, Mr. George Meany, and the Congress of Industrial Organizations, as represented by its president, Walter P. Reuther, concur in its finding of the necessity of having the important subject of security in American industry investigated and reviewed so as to devise the most effective means of combating the possible encroachments of external Communist aggression and internal Communist subversion upon American industry.

Having considered all the facts in the case, the committee is of the opinion that House Joint Resolution 527, as amended, should pass, and it so recommends.

[1] Hearings on internal security legislation, serial No. 14, Committee on the Judiciary, House of Representatives, 1954.

Mr. MAGNUSON. I also ask unanimous consent to have printed in the RECORD as a part of my remarks the minority views on H. R. 9838 of members of the House Committee on Un-American Activities, the distinguished Members of the House of Representatives, Mr. WALTER, Mr. DOYLE, and Mr. FRAZIER.

There being no objection, the minority views were ordered to be printed in the RECORD, as follows:

MINORITY VIEWS TO ACCOMPANY H. R. 9838

The bill H. R. 9838 was reported by the Committee on Un-American Activities without one word of testimony, pro or con, being introduced, or a report from the Department of Justice submitted. The bill was called up for consideration when a bare majority of the committee was present and despite the protests of Mr. WALTER that a bill of this importance should not be considered without at least having an explanation made of what it does. It was reported by a vote of 4 to 1, without ever going through the formality of reading the bill for amendment.

This bill is similar to the legislation that was considered by the Committee on the Judiciary in hearings which started on March 18, 1954, and terminated on June 30, 1954. The difference between H. R. 9838 from those under consideration during these hearings is that not a single word of testimony in all of the hearings held before the Judiciary Committee concerned H. R. 9838. The effects of this legislation are farther reaching than apparently the proponents understand. As was pointed out in an editorial in the Wall Street Journal of June 8, 1954:

"This type of legislation is intended to extend the authority contained in the Subversive Activities Control Act of 1950."

In view of the fact that much progress is being made under that law, it seems dangerous to us to report a far-reaching bill which may, as the Wall Street Journal pointed out, "chip away at the very rights we seek to save from that [Communist] menace." We are firmly of the opinion that a continued vigorous enforcement of the Smith Act obviates the necessity to legislate further when such legislation is hurriedly drawn and only casually considered.

Up until now we have dealt with the procedures followed by the committee majority in approving this bill.

We also have grave reservations with respect to the bill's substantive provisions. This bill is copied word by word from S. 3706, introduced by Senator BUTLER of Maryland. In general outline it resembles House Joint Resolution 528, introduced at the request of Attorney General Brownell, on which the House Judiciary Committee held hearings.

The essence of this bill is that the Subversive Activities Control Board, created by the Internal Security Act of 1950, is authorized to screen unions to determine whether they are Communist-infiltrated. The bill does not in terms apply only to labor unions, but the penalties provided for Communist-infiltrated organizations seem to be applicable only to unions. The principal penalty is that a union found to be Communist-infiltrated is to be forbidden to engage in collective bargaining; that is, it is to be put out of business.

It is difficult to avoid the conclusion that this bill is a step toward Government licensing of trade unions. Such a step should be taken only after the most careful consideration and the clearest demonstration of its necessity. Once the power of life and death over unions is vested in a Federal agency, there is always the danger that it may be misused. The danger, too, cannot be overlooked that the bare existence of such a power in the Federal Government will intimidate unions, and tend to make them subservient to the political ends of whatever administration may be in power.

On June 1, the Wall Street Journal said editorially of the Attorney General's very similar proposal:

"We recognize the trying task the Attorney General and his law officers face in combating the secret and sinister Communist intrigue. But it is not the part of wisdom ourselves to chip away at the very rights we seek to save from that menace."

We agree.

A free trade-union movement is an important bulwark of democracy. Where democracy has been destroyed, as in Soviet Russia and Nazi Germany, the subordination of unions to complete government control, through licensing or some similar device, has always been a first step in the march toward totalitarianism.

It seems to us that a proposal so drastic as this bill, one which departs so markedly from this country's democratic traditions, should be entertained (1) only on the clearest showing of necessity, and (2) only if the bill provides every reasonable safeguard against abuse, both from the standpoint of being precisely drawn and of containing adequate procedural safeguards.

We do not think that these tests are met.

1. Undoubtedly there are in this country certain so-called unions which are still under Communist domination. Undoubtedly the leadership of these unions seeks to use them to promote the interests of Soviet Russia. Undoubtedly this leadership is traitorous to the United States, and to their own rank-and-file members.

Every indication, however, is that this situation is improving rather than growing worse, and that it is being successfully handled by the workers themselves, without government intervention. The testimony before the House Judiciary Committee on

House Joint Resolution 528—and that committee, unlike this one, held hearings—was that out of some 13 unions which in 1949 were Communist dominated, half of them have by now entirely disappeared, while the others have lost substantial membership. This testimony further showed that this process is a continuing one: Within recent weeks the Communist-dominated unions have suffered further substantial loss of membership.

We agree that so long as a single Communist misleader of labor remains in a union office there is no occasion for complacency. But, when the situation is getting better and not worse, neither is there occasion for hysteria.

2. Loyal American unions affiliated with the American Federation of Labor, the Congress of Industrial Organizations, the Railroad Brotherhoods, and the United Mine Workers are doing a very effective job of exposing and destroying the Communist misleaders of labor. None of these unions supports this bill.

On the contrary, both the American Federation of Labor and the Congress of Industrial Organizations have expressed opposition to the approach used in this and similar bills. In his statement to the House Judiciary Committee on House Joint Resolution 528, George Meany, president of the American Federation of Labor, said:

"While the authors of the bill naturally have no such intent, there is real danger that the provisions of this bill could be readily directed against legitimate trade union organizations.

"The charge of communism is often loosely made and on many occasions has been directed against legitimate labor unions. Because unions must from time to time resort to public protests to gain just ends or defend a minority view, or because a union organization campaign may involve a conflict of ideas, ill-informed or malicious individuals frequently try to arouse antiunion sentiment by attacking union representatives or particular labor organizations as "Communist." If such attacks were to be given credibility and force by an official charge of Communist infiltration, under such circumstances, the status of a bona fide union might easily come into jeopardy.

"Under the bill, charges against organizations are initiated only by the Attorney General. While we are confident that the present Attorney General would not use the proposed law to injure legitimate labor unions, it is quite conceivable that such an official hostile to labor might utilize such a law as a weapon against all unions."

Similar apprehensions were voiced on behalf of the Congress of Industrial Organizations.

3. The standards contained in this bill for determining whether a union is Communist infiltrated are so vague as to threaten the innocent along with the guilty. Thus the bill lists seven criteria which the Board is to take into consideration in determining whether an organization is Communist infiltrated. Typical of these criteria is (3), which reads:

"(3) the extent to which the personnal and resources of such organization are, or within 5 years have been, used to further or promote the objectives of any such Communist organization, government, or movement."

This language fails to make it clear that an organization is to be proscribed only if it was deliberately used for the purpose and with the motive of promoting communism. It seems—though surely that would not be the intent—to permit conviction upon a mere showing of a coincidence of views on some subjects between the accused organization and the Communist Party.

To some extent this objection could be met by tightening up the definition, criteria, etc. To a considerable degree, however, it is inherent in the nature of the bill's approach, of dealing with attitudes and affiliations rather than with specific illegal acts. As the Wall Street Journal editorial already referred to said:

"As we see it, the trouble with Mr. Brownell's bill is that he here seeks not to expose organizations or to punish people for what they have done, but to punish people for what they may be in a position to do."

4. The bill applies not only to organizations which are "Communist-infiltrated" now, but to any which have been "within 5 years." This provision is not only unjust, but would deter unions from hereafter throwing off Communist leadership. It makes the bill wholly self-defeating—and demonstrates how superficial is the consideration which this proposal has received.

Within the last 5 years many local unions have broken away from Communist-dominated international unions, and have transferred their affiliation to loyal American organizations. That is the form which the destruction of Communist-dominated international unions has taken over the past few years, and is taking. In some instances the elected leadership of the local union has broken with the Communist Party and led the move out of the Communist-dominated international. In other situations rank-and-file workers have revolted against and replaced local leadership which continued subservient to communism.

It seems to us that developments like these should have the encouragement and approbation of the Government. Yet this bill would threaten with destruction these local unions which broke away from Communist-dominated internationals, if the break was within the last 5 years.

This provision is unjust. It is unjust as to organizations whose leadership continues the same, if those leaders have genuinely broken with communism. We in this country believe that it is never too late to reform. We presumably do not believe that a man should be forbidden to be a union official because he was a Communist 4 years ago, or that the union should be punished because he was a Communist 4 years ago. Certainly this committee, and other committees of the Congress as well, relies in its work upon the testimony of avowed former Communists. Presumably this committee regards these witnesses as reliable, and as performing a service for their country. Yet, under this bill, these men would be barred from union office, and unions electing them would be subject to destruction.

If this provision is unjust as to unions whose leaders have reformed, it is doubly so as to unions who have replaced leadership which would not abandon the Communist Party. Yet these unions, too, would be subjected to destruction under this bill.

As far as the practical effect of this provision goes, it might well be entitled a proposal to insure continued Communist control of unions. What incentive is there for a union official to renounce the Communist Party if by doing so—and admitting his former Communist membership—he subjects the union to destruction? What incentive is there for a union to replace Communist leaders if by denouncing them as Communists it subjects the union to destruction by the Government? Under this proposal the Government would penalize the very conduct it should encourage.

Obviously, this bill has not been thought through. Obviously, there is danger that it would do more harm than good.

That is what the House Judiciary Committee decided after considering a similar proposal—House Joint Resolution 528. That committee concluded that Communist infiltration of unions does present a substantial problem, and one which merits careful and thoughtful consideration. But it was not convinced that legislation of this type is the answer. The Judiciary Committee therefore proposed the creation of a bipartisan public commission, having industry and labor representation, to study this whole problem and report back to the Congress next January. This proposal has received the support of both the American Federation of Labor and the Congress of Industrial Organizations.

We think that is a rational and constructive proposal.

This problem of Communist infiltration of unions should be dealt with carefully and thoughtfully. It should be dealt with in a way which will not damage traditional American liberties, or bring us closer to the totalitarianism this bill purports to guard against.

This is an issue on which politics should be shelved: those who seek to make political capital out of it will only do the country a grave disservice.

FRANCIS E. WALTER.
CLYDE DOYLE.
JAMES B. FRAZIER, Jr.

Mr. MAGNUSON. Mr. President, I also ask unanimous consent to have printed in the RECORD as a part of my remarks, so that Senators may be able to analyze them tomorrow, the following documents:

A letter dated July 16, 1954, from the United Electrical, Radio and Machine Workers of America; an editorial entitled, "The Legal Scatterguns," published in the Wall Street Journal of July 14, 1954; and, while it is too long to have published in the RECORD, I will say that the same conclusions are reached by the official publication of the Brotherhood of Railroad Trainmen; an editorial entitled "Industrial Infiltration," published in the New York Times of July 15, 1954; another editorial entitled "The Curfew at Sundown" published in the Wall Street Journal of July 21, 1954; an article entitled "The Rights We Seek To Save," published in the Wall Street Journal of June 1, 1954; an editorial entitled "Dangers Lie in Mr. Brownell's Plan" published in the Courier-Journal of Louisville, Ky., of May 12, 1954, in which some of the risks now before us are pointed out; a letter which I addressed to the Senator from Missouri [Mr. HENNINGS] relating to this matter, dated August 2, 1954; a letter written to the Congress by the President of the American Federation of Labor, Mr. George Meany, dated July 12, 1954; and a letter which was written to the chairman of the Senate Committee on the Judiciary by Mr. Walter P. Reuther, president of the CIO, dated July 12, 1954.

There being no objection, the documents were ordered to be printed in the RECORD, as follows:

UNITED ELECTRICAL, RADIO AND MACHINE WORKERS OF AMERICA,
New York, N. Y., July 16, 1954.

DEAR SENATOR: In the last few days spokesmen for 16 million organized American workers have spoken in direct opposition to certain legislation pending before the United States Senate. This legislation is the bill, proposed by Attorney General Brownell, to license unions, and introduced by Senators FERGUSON, BUTLER, MCCARRAN and WELKER (S. 3706).

We are calling your attention in the enclosed material to some of these recent actions and earnestly urge you to not only vote against these proposals but also to speak

and act in opposition to these un-American proposals.

Very truly yours,

ALBERT J. FITZGERALD,
General President.

[From the Wall Street Journal of July 14, 1954]

THE LEGAL SCATTERGUNS

Some of Attorney General Brownell's bills to control subversion and to combat communism have caught a cold eye in Congress and, in our opinion, justly so. For there was the look of a scattergun about them.

It is true that his wiretap bill, which this newspaper opposes, probably will become law in some fashion or other. But it has been whittled down in both House and Senate, and in the conference committee perhaps even more restrictions will be placed on the use of wiretapping.

Mr. Brownell's bills to control subversion in private industry—such as powerplants and those engaged in defense contracts—and to allow the Subversive Activities Control Board, after court action, to dissolve any union or private business if it were "Communist-infiltrated," are dead for this session unless the House Judiciary Committee reverses itself.

The bills were written in language that was too sweeping. One of them allowed issuance of orders to bar people from employment if there was reasonable ground to believe they might engage in sabotage, espionage or other subversive activities. The orders could be issued not just when there was a national emergency but also in cases of "threatened disturbance of the international relationships" of this country, a state of affairs we are hardly ever not in the midst of.

Mr. Brownell's companion measure went even further into determining guilt and meting out punishment not for what people have done, or even on proof that they planned to do it, but on "the extent to which" they fit into patterns which could legally classify unions and businesses as Communist infiltrated. But the patterns themselves are unclear, and the proposal did not attempt to set forth limits to the "extent to which" doctrine. Indeed it would have been impossible to do so; and while this doctrine, if adopted into law, doubtless would have gathered in some subversives and Communists, many innocent people may also have been injured in the process.

We recognize that it is difficult to pinpoint a law against a hidden conspiracy and a dedicated treason. But we do think that to punish people by the extent to which they may be able to do some injury or to authorize the invasion of privacy by wiretapping is to use legal scatterguns better left to the police states most Americans oppose.

[From the New York Times of July 15, 1954]

INDUSTRIAL INFILTRATION

The House Judiciary Committee has acted with courage and wisdom in a field where both have been singularly lacking of late; how to deal with the internal threat of communism in the United States.

Last May Attorney General Brownell, with White House approval, sent identical bills to the House and Senate which went so far as to authorize the actual dissolution and liquidation of labor unions, business firms, and other organizations upon a finding by the Subversive Activities Control Board that they were Communist infiltrated. The bill attempted to define this well-worn phrase with as little success as might have been expected—especially for those who might be charged with the administration of the law. On July 6 the Senate committee shelved the bill on the ground, among others, that even the Communist Party itself has not been either liquidated or dissolved. The committee approved a less drastic measure that would require an infiltrated organization to register under the Subversive Activities Control Act, with a loss, if it were a labor union, of collective bargaining rights, and other protections afforded by the Government.

Now the House committee has turned down the Brownell proposal completely and approved a bill of Representative WALTER, of Pennsylvania, to set up a commission composed of 12 members, 4 each from industry and labor, and 4 representing the public, with 3 congressional advisers, to study the whole problem of security in industry and to make recommendations for action to Congress. The President and the officers of Congress are authorized to make appointments to the Commission, which would have to submit its report before January 15 of next year.

We hope the committee will favorably report the Walter bill without delay, that the Senate will substitute a similar bill for the one now on its docket, and that both Houses will promptly pass it. The Brownell legislation was more like that of a police state than of a free democracy, and would have been impossible to administer even had it been either wise or necessary.

[From the Wall Street Journal of July 21, 1954]

THE CURFEW AT SUNDOWN

If the police in a city of some 640,000 people knew that there were 100 housebreakers about, the police would do their best to keep an eye on them. But the law officers would not declare a sundown curfew for everyone in the town in order to catch the lawless hundred.

In this country there are an estimated 25,000 dedicated Communists. They are dedicated to the violent overthrow of law, order, and the Government. The problem of controlling their activities, keeping a check on their movements, learning of their contacts, and countering their subversive plots is a hard task indeed. How difficult it is—and how aware of the difficulty are the FBI, the Justice Department, and congressional committeees which have investigated the problem—is clearly indicated in the number of bills introduced into this Congress to control subversion.

Some of these proposals came from the Attorney General, some from congressional committees, and some from individual Members of Congress. All of them are well-intentioned; they seek to strengthen the security of the Nation. But many of them are questionable, and some of them endanger the rights, privileges, and immunities not of Communists alone but of the 160 million of the rest of us.

To close a loophole in a law is one thing, but to create a lot of new laws which place in jeopardy peaceful people as well as the lawless is not the way to go about it.

The Government has jailed the top echelon of Communists. It has also convicted the second-string Reds. These verdicts were obtained under a law making it a crime to teach or to advocate or to conspire to overthrow the Government by force or violence.

That law, in our view, is a necessary one. But the climate in which laws are adopted and used or left unused on the books is as important as the law itself. Would any law, in the rather revolutionary climate of the 1930's, have been used against the members of the Ware cell which operated almost openly in the Department of Agriculture? Would the present laws have then been used against Alger Hiss, William Remington, or the late Harry Dexter White?

Reports on many of these men were made by the FBI to their department heads, and they were shrugged off. The White House itself had Mr. White's record prior to his appointment as United States Director of the International Monetary Fund, but the appointment was made and confirmed by an unknowing Senate nonetheless.

There is still another climate which affects the wisdom and usefulness of laws. The old days of diffidence about or sympathy to communism are now gone. Most people are aware of the dangers, and there is now a great commotion to pass laws to cure the evil.

This climate, we think, is the reason for the danger in some of the proposals. A wiretap law is now before the Senate Judiciary Committee because wiretapping was used against Judith Coplon, and she was freed because that system of gathering evidence is inadmissible in Federal courts. No wiretap law was needed to convict all the rest, and in our view no wiretap law is necessary to the country's security. It is a bad law, and we hope it fails of passage.

The same committee has before it a bill to grant immunity to congressional investigation witnesses and thus to force them to testify. We think this is also a bad proposal, for it does damage to the fifth amendment. That constitutional restraint on Government was not placed there for the convenience of Communists alone, and to remove it in the one case is to set a precedent for another case, in another climate.

We have expressed heretofore in these columns our opposition to Mr. Brownell's bill, which would empower a Government agency—with the right of court review—to close down a union or a business on "the extent to which" it is determined such an organization may be Communist infiltrated. A philosophy of "extent to which" is a dangerous one; it punishes not for what has been done but because a person or a business or a union may be in position to do a thing.

Apart from their danger to innocent people, these proposals are not necessary from a security standpoint. Mr. Brownell said, just short of a year ago, that Government attention to the present laws, such as the Smith Act, has reduced Communist Party membership from 100,000 to 25,000.

We think even 1 Communist in the schools, in Government, in the Armed Forces, in defense plants, is 1 too many. We think also that sundown curfews for 160 million people are not the way to go about controlling Communists.

[From the Wall Street Journal of June 1, 1954]

THE RIGHTS WE SEEK TO SAVE

We doubt if there are many people about who will question that communism in the United States is a serious problem for those whose responsibility is the Nation's security. The internal Communist movement was recognized by the Congress as a clear and present danger to that security when it enacted the Internal Security Act of 1950.

The difficulty arises when the Congress tries to make security secure, or when the officers charged with maintaining security go about doing it. It is not an easy task for the one or the other.

Proof that it is not easy lies in the suggestions Attorney General Brownell has made from time to time to tighten the net about communism. He has asked that wiretapping be legalized for admission as evidence. He has asked that a law be passed which would compel witnesses invoking the fifth amendment to testify if granted immunity from prosecution in connection with anything testified about.

It was not lack of appreciation of the tasks before Mr. Brownell but awareness of the dangers we thought inherent in these proposals that convinced us they were wrong. These suggestions may make the job a bit easier for the Justice Department, but they would whittle away rights and privileges of the citizens all the same.

Mr. Brownell has recently proposed two other laws to knit loopholes he finds in the 1950 Internal Security Act.

One of these deals directly with the problem of security of private facilities—such as power plants or producers of supplies required by defense plants—and would empower the President to issue regulations to bar individuals from employment where there is reasonable ground to believe that they may engage in sabotage, espionage, or other subversive activities. Such regulations may issue when the President finds that the Nation's security is endangered "by reason of actual or threatened war, or invasion, or insurrection, or subversive activity, or of disturbance or threatened disturbance of the international relations" of the country.

The latter reason would seem a rather sweeping one; and we trust that the Congress will spell out specifically what it means. But in any case, the proposal has much merit. A Communist at the switches of a great city's powerplant could do great damage at an opportune time.

Under Mr. Brownell's other proposal any organization—including a private business or a union—may be destroyed if the Subversive Activities Control Board determines that such organization is Communist infiltrated.

Four guides are created under the measure for determining whether an organization is Communist infiltrated. These include "the extent to which persons who are active" in its management, direction, or supervision, whether holding office or not, are also active in the world Communist movement; the extent to which funds, resources, or personnel are used to further world communism; the extent to which policies of the organization do not deviate from the policies of any world Communist organization, and the extent to which the firm or union or group is in position to impair mobilization of manpower or use of economic resources in connection with defense or security.

This new yardstick to measure Communist activity is an extension of the purposes of the 1950 act, which defined Communist-action and Communist-front organizations and required registration with the Attorney General of any group which the SACB said fit the pattern. A Communist-action organization is there defined as one established by the "Communist dictatorship of a foreign country" in which is vested the direction and control of the "world Communist movement."

A Communist-front organization is one created and maintained to promote the ends of Communist-action groups. The general idea was to expose fronts and action groups and to cut off sources of funds received from unsuspecting contributors. There is, of course, recourse to the courts for any accused and there are ways for fronts to clear themselves and get off the hook.

Mr. Brownell's new and more sweeping bill also provides recourse to the courts and attempts to set up some safeguards for members and stockholders in case an organization is ordered liquidated. The SACB is required to take into consideration and to preserve the "legitimate rights and interests" of such people; but only to the extent the Board determines is consistent with the purposes of the act. These powers are obviously too broad and raise the question whether the Board could not seize the property as well as liquidate the business or union if it decided some morning that such action was consistent with the purposes of the law.

In our view all this sort of language is far too vague and creates a catchall for Communists which quite possibly could injure many innocent people. It is a drastic departure from the purposes of the 1950 law which set out to throw light on action groups and fronts and thus to limit their effectiveness. But the 1950 act did not try to destroy them as this one does.

As we see it, the trouble with Mr. Brownell's bill is that he here seeks not to expose organizations or to punish people for what they have done, but to punish people for what they may be in a position to do.

Certainly the Daily Worker—and perhaps many other publications—could fall into the net. And even though the courts finally ruled against the SACB and the Attorney General those who have had to go to the judges to protect their rights to private property, freedom of speech or publication would have been put in unwarranted jeopardy.

Freedom of speech, thought, and press—including that for the Daily Worker—were specifically acknowledged in the Internal Security Act of 1950 which Mr. Brownell's bill seeks to strengthen. That law says:

"Nothing in this act shall be construed to authorize, require, or establish military or civilian censorship or in any way limit or infringe upon freedom of the press or of speech as guaranteed by the Constitution of the United States and no regulation shall be promulgated hereunder having that effect."

Mr. Brownell's bill contains no safeguard. Indeed, it would have been most difficult to make reference to the Bill of Rights and then attempt to do what this measure suggests.

We recognize the trying task the Attorney General and his law officers face in combating the secret and sinister Communist intrigue. But it is not the part of wisdom ourselves to chip away at the very rights we seek to save from that menace.

[From the Courier-Journal, Louisville, Ky., of May 12, 1954]

DANGERS LIE IN MR. BROWNELL'S PLAN

Attorney General Brownell blueprints a new weapon which in its way is as startling as any bomb. Mr. Brownell proposes to give the Government power to dissolve a labor union or a private enterprise or association if it is found to be infiltrated by Communists. Judgment in the case would be that of the Subversive Activities Control Board.

Ordinarily, such an idea would speak for itself. Its danger for oppression and destruction, both actual and moral, ought to be as plain as the nose on a face. However, the country has had too many warnings in recent years—indeed, in the day at hand—of fear and hysteria inflamed out of reason, beyond truth, beyond the seeking of truth.

Mr. Brownell gives a nod toward the principle of due process of law. A troubled and fearful mood has blunted that principle. If the Government goes itself into pandering to this mood, who may feel himself safe in conceivable circumstances of power in hands of the unscrupulous?

We have in mind warnings like that of Justice Hugo Black in his dissent from a Supreme Court ruling that aliens may be deported for past membership in the Communist Party. "I suppose as long as you can throw that one word (communism) in," he said, "everything may be all right. But I have an idea that the liberty of every American is at stake."

We have in mind the activity of veterans in Norwalk, Conn., a few months ago. They would have turned the people of their community into a mass of informers upon one another. There is the travesty and injustice of a recent Senate committee hearing in New Orleans, when a professional ex-Communist, Paul Crouch, was permitted to smear with insinuation the names of persons whose lives and traditions testified to their loyalty. For the immediate hour, there is the show of condemnation out of hand, the thing which has come to be known as McCarthyism.

Mr. Brownell makes his proposition to take the place of the non-Communist oath required of labor union officers by the Taft-Hartley Act. But this part of the labor-management law is long ago discredited. The Attorney General talks of difficulty in enforcing it, pointing to only one conviction in 7 years. We daresay that the difficulty is not one of legal process, but rather of overcoming deep and natural American qualms.

There is also the knowledge that organized labor itself has done a good job getting rid of groups of questionable leadership. Either by expulsion or competition the process of weeding out has succeeded. Few hardcore radicals like Ben Gold of the Fur and Leather Workers remain, and these are on the outside.

Nor have Americans generally failed to feel the argument which appeared in the President's own approach to the non-Communist oath. Administration proposals for amending the Taft-Hartley Act pointed out unfairness in applying the rule to a single group, the unions. The solution proposed was (1) to apply it to employers as well as workers, (2) to cut out the requirement altogether, and look to broad general legislation to control communism.

It is to be hoped, however, that the Attorney General's idea is not the administration's broad general plan. If it is, we might have a remedy potentially worse even than the disease. The fact that two bills already have been introduced in the Senate at Mr. Brownell's request gives an urgency to our misgivings.

AUGUST 2, 1954.

Hon. THOMAS C. HENNINGS, JR.,
United States Senate.

DEAR SENATOR: Attached is a draft of a Joint Resolution which I intend to introduce sometime this week. It is quite similar to House Joint Resolution 527, reported with a "Do Pass" by the House Judiciary Committee (Rept. 2280). The only practical difference is that the Senate resolution would create a Commission on Security in Government and industry, instead of solely in industry.

I am confident there is much overlapping and duplication of screening for security in the Government. For example, the Federal Communications Commission proposes to launch a security program (Docket 11061) to screen holders of commercial radio licenses and permits.

This will be quite an undertaking. Perhaps all should be screened—on the other hand, it is certain that some have no connection whatever with sensitive areas. In addition, ship radio officers are already screened by the United States Coast Guard under terms of the act I introduced in 1950.

I am sure you will agree that it is essential to have proper and thorough screening where the security of the United States is involved. I am equally sure you will agree there is no point in screening, rescreening, and rescreening the same people, but by different agencies of Government—unless a commission, such as I propose to create, finds that such overlapping and duplication is essential.

I intend to introduce this resolution on Wednesday. I wonder if you would be good enough to have a member of your staff call my assistant, Mr. Hoff, if you are interested in joining with me.

Thanks and kindest personal regards.

Sincerely,

WARREN G. MAGNUSON,
United States Senator.

TEXT OF LETTER FROM GEORGE MEANY, AFL PRESIDENT, TO CONGRESS

JULY 12, 1954.

I am writing to you in connection with legislation now before your committee dealing with the question of Communist infiltration into organizations closely identified

with the national economy and seeking to remove therefrom spies, saboteurs, and other subversive individuals.

On June 30 I submitted to your committee a detailed statement giving the objections of the American Federation of Labor to House Joint Resolutions 527 and 528. In this statement I indicated that the few Communist-dominated unions have steadily lost ground in recent years, although they and other Communist-dominated organizations still represent a problem involving the internal security of this country.

In concluding my statement, I said:

"The A. F. of L. believes that Congress should strengthen the internal security of the United States, but do so without endangering the basic freedoms that we cherish in our democracy."

In my opinion, the bills which Congress is now considering not only involve serious questions of basic civil liberties, but also open the possibility that they could be utilized against legitimate trade unions. Rather than attempt to amend these bills to meet these objections in the closing days of this session of Congress, it would seem more appropriate that some further study prepare the way for dealing with this question in a way that would draw unanimous support from all sections of our society.

I therefore am suggesting that the problems of Communist and other possible subversive infiltration in American industry be referred to a special commission appointed by the President. The commission would be assigned the following tasks:

1. To review the extent of Communist and other subversive infiltration into organizations closely identified with the national economy.

2. To evaluate the extent to which this infiltration endangers the internal security of the United States.

3. To make appropriate recommendations for administrative and legislative policies that might be adopted to protect the internal security of the United States.

I suggest that the membership of this commission be drawn from industry and labor, as well as from Congress and the judiciary. I believe this proposal presents a far more practical and equitable solution to this critical problem than the passage of any of the bills now before your committee.

JULY 12, 1954.

Hon. WILLIAM LANGER,
Chairman, Committee on the Judiciary,
United States Senate,
Washington, D. C.

DEAR SENATOR LANGER: The Congress of Industrial Organizations stands ready to assist in every practicable way in protecting the national security, both from outside aggression and internal subversion.

The CIO, as I am sure you are aware, is firmly committed to a policy of combatting communism and every other form of totalitarianism. This philosophy is imbedded in the CIO constitution and those of our affiliated international unions. Our record of action is a self-evident demonstration of our hostility toward communism. By expelling, in 1949 and 1950, some 11 unions which were found by the CIO to be Communist dominated, and by relentlessly combatting the Communist leadership of those unions since their expulsion, the CIO has delivered a mortal blow to the efforts of the Communist Party to gain and maintain any substantial foothold in the American labor movement. As a result of these actions, the Communist Party's influence in the labor movement and its control of labor unions are at a low point and they are constantly and rapidly increasing.

From this successful experience in combatting communism, we in the CIO have developed certain clear-cut ideas about effective and ineffective methods of combatting totalitarianism in the labor movement.

S. 3428, now under study by your committee, and S. 3706, which was recently approved by your committee, do not, in our estimation, offer a constructive solution to the problem. We fear that the sponsors of the bills, in their wholesome desire to attack the Communist conspiracy, have unwittingly suggested a program that would do harm to the entire labor movement. Both the CIO and the AFL have on this basis voiced their objections to bills similar to these.

Free trade unions are one of the strongest bulwarks of our democracy. Any effort, whatever the motive may be, that might lead to Government control of trade unions, would play directly into the hands of the Communists and other totalitarians. So long as democratic trade unions are free, they will be responsible. So long as they are responsible, they will strive earnestly and successfully to rid the trade union movement of Communist infiltrators seeking control. To weaken the trade unions by placing them under Government control would cause resentment among the rank and file workers, would diminish the effectiveness of the organizations, and would create a propaganda jamboree for the Communists.

The administration's proposals, written with the purpose of eliminating Communist influence in trade unions and of developing a greater degree of security in industrial defense plants, were drafted and transmitted to the Congress so late in the session that there has been no opportunity to give them the thorough consideration which measures of such far-reaching importance certainly deserve. Approval of these proposals by the Congress would, we fear, do more harm than good.

There are many important questions, involving the role of trade unions, free collective bargaining, job security, the right to earn a livelihood, and our basic civil liberties, that are deeply involved in these bills. To rush through legislation would not only be potentially dangerous to our constitutional rights, but might retard any constructicve solution by long drawn-out litigation.

It is our belief that the whole problem of Communist-controlled or infiltrated labor organizations and of defense plant security requires serious and thoughtful study, not only by the Members of Congress who have the responsibility of legislating to protect our national security, but by the representatives of the public and the labor organizations to whom a solution of this problem is likewise vitally important.

Accordingly, on behalf of the Congress of Industrial Organizations, I propose, for your most serious consideration, the establishment of a bipartisan commission to undertake a thorough review of this most important problem. This commission should be required to file its report by mid-December 1954, so that the next Congress will have it at the beginning of the session in January 1955. It is our view that such a commission should have representation from the Judiciary Committees of the Senate and House, together with members representing industry, labor, and the general public, who would be appointed by the President. In other words, it would be similar in character to the Commission on Foreign Economic Policy or the Commission on Judicial and Congressional Salaries, with such changes in composition as may be appropriate because of the different nature of the subject matter.

It would be our hope that such a commission would devise and recommend enactment of a program which, while respecting individual rights and liberties, would provide every needed protection to our internal security. Such a program would have the support of every patriotic American. Needless to say, such a commission, in its search for a constructive solution, would have the continuous and wholehearted cooperation of the Congress of Industrial Organizations.

I, therefore, respectfully urge that legislation be withheld pending a commission study of the problem of Communist infiltration of labor organizations and of security in defense plants.

Respectfully yours,

WALTER P. REUTHER,
President.

Mr. MAGNUSON. Mr. President, I do not wish to bore the Senate tonight with any more documents, but tomorrow I expect to present expressions of opinion from all walks of life in the United States regarding some of the legal and practical pitfalls—and I do not say they are intentional at all; I think the objectives of all of us are the same—that might be involved in the pending bill, which I think the House Committee on the Judiciary realized when it reported in substance the amendment in the nature of a substitute which I have offered on behalf of myself and the Senators I have named.

Mr. HUMPHREY. Mr. President, I send to the desk a series of amendments to the pending bill. I desire to have them printed and lie on the table.

The PRESIDING OFFICER. The amendments will be received and printed, and will lie on the table.

NATIONAL LIBRARY OF WEEKLY NEWSPAPERS

Mr. DANIEL. Mr. President, on behalf of myself and the senior Senator from Texas [Mr. JOHNSON], I introduce for appropriate reference a bill which would establish a National Library of Weekly Newspapers.

This bill would help to preserve that great portion of the true history of our Nation which is recorded in pioneer weekly newspapers and in currently published weekly papers of the United States.

There are many public and private agencies which have preserved the files or the microfilms of our great daily newspapers. They are an excellent primary source of recorded history. However, the full and complete story of our Nation's history and progress cannot be preserved unless we save that which is recorded in the weekly newspapers published throughout the land.

During the early years of our Nation's history we had only weekly newspapers. Even today, the educational, social, political, and religious history of a great portion of our population can be found only in the files of these weekly publications. As a boy I learned to appreciate this fact. My father published weekly newspapers in four different towns of Texas. He left the publishing business in later years, but always retained and carefully preserved the bound volumes of all issues of his newspapers. First I knew them as carefully guarded family treasures, but later I found that they were a constant source of the history of the communities in which they were published. They are now preserved in the library of one of our leading universities.

There are thousands of weekly newspaper files which have been preserved. Others have been destroyed, and in the future there is likely to be continued loss of this valuable historical material unless something is done to encourage its preservation.

Mr. Garland R. Farmer, owner and publisher of the Henderson Times at Henderson, Tex., a weekly newspaperman for over 25 years, saw the need for a national library of weekly newspapers several years ago. With private funds and at his own expense he established such a library and began a nationwide campaign for preservation of weekly newspaper files. His work has inspired me to offer this legislation.

I ask unanimous consent that at the end of my remarks there be inserted an article written by Mr. Farmer entitled "Why We Need the National Library of Weekly Newspapers." Mr. Farmer has offered to make his library and collection available for this purpose.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHY WE NEED THE NATIONAL LIBRARY OF WEEKLY NEWSPAPERS

For many years this Nation had only weekly newspapers. Even today, the educational, political, social, and religious history of the major part of our people can be found only in the files of these publications.

As a weekly newspaperman for over 25 years, I learned that little or nothing was being done to preserve this rich store of information, and make it available to all, even though much was being lost every day.

So I called this neglect to the attention of the Library of Congress, American foundations, historical and press associations, colleges, libraries, and the general public.

The response was immediate and almost unanimous. They agreed the idea of a National Library of Weekly Newspapers was excellent—should have been started generations ago—but where to get the funds to "get the show on the road?"

Not satisfied to allow the campaign to bog down, I started using my own personal funds to set up the National Library of Weekly Newspapers here in Henderson. About 96 percent of the services and contacts are by mail, so location of the library is not important.

Too, it is one of the primary functions of this library to work with and through press and historical associations; State, college, and local libraries to encourage and assist the 48 States in setting up their own programs to preserve this vital store of historical information. The job is too big for one organization, but one organization is needed for the overall work.

With the financial aid of a few other firms and individuals, I have this program on a national and nonprofit basis, but the problem is one that involves everyone—even you. The burden should not be borne by one or just a few.

So, I am offering to turn all my accumulated data, microfilmed weeklies, cabinets, files, etc., to the Federal Government, if only a staff of three is provided to carry on the work.

My program has been strongly endorsed by such colleges as: Stanford, Florida State, University of Texas, Columbia, Michigan, Iowa, Missouri, and so on across the Nation.

Students, teachers, and historians say the work has already been neglected too long. Leaders of both major political parties, in and out of Congress, say they are ready to act, and asked me to draw up a bill which could help at a minimum cost.

That makes good sense, for there are over 8,000 weekly newspapers in the United States, and their readers elect 75 percent of the United States Senators and 61 percent of our Representatives.

This letter, with enclosures, should give you a fair picture of the need, which has been neglected too long.

Cordially,

GARLAND R. FARMER,
Henderson (Tex.) Times.

Mr. DANIEL. Mr. President, Congressman BRADY GENTRY, of Tyler, Tex., has introduced a similar bill in the House of Representatives. The purpose of this proposed legislation is to establish a national library of weekly newspapers to be managed by a director appointed by the President. His job would be to collect, catalog, file, duplicate, preserve, and make available for interested citizens, schools, and libraries, the original files or microfilms of weekly newspapers throughout the Nation. It would apply to newspapers printed before and after the date of the enactment of the proposed legislation.

Mr. President, action on the bill will not be possible during the present session, but I introduce it so that it may be studied by the appropriate committee and executive agencies in the interim. My colleague and I will reintroduce the bill at the next session. In the meantime we commend to Members of the Senate their careful consideration of the need for and the importance of this proposal.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3860) to promote the preservation of the history of the United States as recorded in pioneer weekly newspapers and as currently published in weekly newspapers of the United States by establishment of the National Library of Weekly Newspapers, and for other purposes, introduced by Mr. DANIEL, for himself and Mr. JOHNSON of Texas, was received, read twice by its title, and referred to the Committee on Rules and Administration.

RECESS UNTIL 10 A. M. TOMORROW

Mr. KNOWLAND. Mr. President, if there is no further business to come before the Senate at this time, I now move, pursuant to the previous order, that the Senate stand in recess until tomorrow morning at 10 o'clock.

The motion was agreed to; and (at 10 o'clock and 10 minutes p. m.) the Senate took a recess, the recess being, under the order previously entered, until tomorrow, Thursday, August 12, 1954, at 10 o'clock a. m.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 11 (legislative day of August 5), 1954:

TENNESSEE VALLEY AUTHORITY

Herbert Davis Vogel, of Michigan, to be a member of the Board of Directors of the Tennessee Valley Authority, effective subsequent to August 31, 1954, for the term expiring May 18, 1963.

RAILROAD RETIREMENT BOARD

Horace W. Harper, of Texas, to be a member of the Railroad Retirement Board for a term of 5 years from August 29, 1954. A reappointment.

PUBLIC HEALTH SERVICE

The following candidates for appointment in the Regular Corps of the Public Health Service, effective date of acceptance:

To be senior surgeons

Joseph H. Gerber
Donald S. Martin
Arthur S. Osborne

To be surgeons

Shih Lu Chang
Walter C. Clowers
Robert C. Lam

To be senior dental surgeon

Toyo Shimizu

To be sanitary engineer

Frederick K. Erickson

To be senior scientist

Malcolm S. Ferguson

To be scientists

Hewitt G. Fletcher, Jr.
Max M. Levin

To be senior veterinarian

Frank A. Todd

To be veterinarian

Robert D. Courter

To be nurse officers

Josephine T. Krok
Anne H. MacNeill

POSTMASTERS

ALABAMA

Lowell H. Wilson, Castleberry.
James B. Parker, McKenzie.
Edwin E. Johnson, Samson.

ARKANSAS

Edward F. Horne, Sparkman.

CALIFORNIA

Bernice E. Dewar, Patton.

FLORIDA

John W. Turner, Hallandale.
George E. Southard, Jupiter.
Louise M. Denton, Ruskin.

GEORGIA

Walter H. Phillips, Jr., Forest Park.
Ralph Smith, Jeffersonville.
Arthur C. Curtis, Jr., Norman Park.
Robert L. Roberson, Ochlochnee.
Joseph J. Pope, Omaha.
Walter U. Scott, Pavo.
James S. Rees, Preston.
Valda D. Tanner, Jr., Sandersville.

ILLINOIS

Carl A. Schroeder, Chicago.
William W. Van Gundy, Ellsworth.
Louise Kennedy, Villa Ridge.

INDIANA

Irvin Wesley Dolk, Chesterton.
Roy E. Nelson, Connersville.
Horace C. Little, Danville.
Randall L. McCroskey, Fulton.
Lester C. Rhynard, Kouts.
Lloyd H. Berger, Peru.
Robert F. Wisehart, Shirley.
Granville P. Ziegler, South Bend.

IOWA

Earle W. Mayne, Sanborn.
Victor J. Hesseltine, Wayland.

KENTUCKY

Clyde Murl Bratcher, Clarkson.
Oliver H. Martin, Coral Ridge.
Harry W. Holt, Coxs Creek.
Waldo Redman, Glasgow.
James O. Gibson, Hardinsburg.

Neville P. Perry, Hazel.
John Reinhard, Masonic Home.
Betty J. Moher, Melbourne.
Glenn P. Henson, Mount Olivet.
Maudie L. Hamilton, Rush.
Charles W. Johnson, Virgie.
William R. LeGrand, Warsaw.
James O. Harris, Wheelwright.
Paul A. Criscillis, Williamsburg.

LOUISIANA

George M. Germany, Loreauville.

MAINE

Price Y. Tozier, Fairfield.

MICHIGAN

Raymond P. Brown, Copemish.

MINNESOTA

Marvin A. Halvorson, Dumont.

MISSISSIPPI

Luther D. Henderson, Jr., Preston.

MISSOURI

Eugene M. Royce, Anderson.
Jack E. Bradley, Harrisonville.
Victor N. Remley, Liberty.
Jim R. Preston, Sparta.

NEBRASKA

Morris A. Odvarka, Clarkson.
Kermit Duane Cook, Springview.

NEW JERSEY

Leo Mazza, Garfield.
Harry H. Seylaz, Lincroft.
Edwin A. Lake, Westfield.

OHIO

Winifred L. May, Mineral Ridge.
Elmer Ford Simon, North Baltimore.

OKLAHOMA

Walter D. Barrett, Collinsville.
Newel M. Taylor, Fox.
Carlin M. Whittemore, Hennessey.
Martin R. Jackson, Henryetta.
Esther M. McAdams, Ninnekah.
Ernest Arnold, Nowata.
Claire Shirley, Snyder.
Myron M. Gastineau, Taloga.
Thad D. Jones, Tuttle.

PENNSYLVANIA

Leonard A. Quillen, Ardmore.
Frank F. Luek, Zelienople.

TENNESSEE

Graden Featherstone, McKenzie.

TEXAS

John Harwin Parrish, Gladewater.
Herbert Williams, Hart.
Gilford W. White, Luling.
Billy J. Richardson, Reagan.

VIRGINIA

Michael H. Utz, Brightwood.
Hendrick O. Carwile, Rustburg.

WASHINGTON

Paul V. Roos, Cusick.
Harold L. Woolf, Deming.

WEST VIRGINIA

Eleanor F. Morris, Ashland.
Lee F. Hornor, Bridgeport.
Georgia E. Samples, Coal Fork.
Cecil C. Lanier, Coalwood.
Herbert C. Conley, English.
John L. McMahon, Follansbee.
Odbert Beecher Phillips, French Creek.
James F. Lowe, Jolo.
Benjamin F. Ford, Lewisburg.
Letitia H. Spaulding, Longacre.
Ann L. Errington, Scarbro.
Sabinus M. McWhorter, Weston.

WISCONSIN

Louis J. Andrew, Sr., Fond du Lac.
Amy O. Harder, Mindoro.

HOUSE OF REPRESENTATIVES

WEDNESDAY, AUGUST 11, 1954

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Almighty God, as we turn our minds and hearts toward Thee in worship, wilt Thou illumine them with a radiant revelation of Thyself and Thy holy will and a clear vision of the mission and meaning of our own life.

May we be loyal coworkers with all who are striving to lead our divided and distracted world into the ways of unity and fellowship and peace.

Grant that men everywhere may be inspired with longings for a deeper personal experience and a wider application of the moral and spiritual principles which Thou hast ordained.

Give us a greater faith in the supremacy and conquering power of righteousness, justice, and love as we struggle to gain the mastery over the evil and devastating forces of hatred, suspicion, prejudice, and selfishness.

Hear us in the name of the Captain of our salvation. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Ast, one of its clerks, announced that the Senate had passed without amendment bills and joint resolutions of the House of the following titles:

H. R. 686. An act for the relief of Mrs. Erna Gronowski;

H. R. 692. An act for the relief of Nina Makeef, also known as Nina Berberova;

H. R. 795. An act for the relief of Jean Hollis Vock;

H. R. 1337. An act for the relief of Mrs. Franca Gatti Ohta;

H. R. 1462. An act for the relief of Fotini X. Parisis;

H. R. 1768. An act for the relief of Claire Louise Carey and Vincent F. Carey;

H. R. 1788. An act for the relief of Wanda Luceri, also known as Sister Cecilia; Maria De Padova, also known as Sister Rosanna; Anna Santoro, also known as Sister Natalina; Valentina Ruffoni, also known as Sister Severina; Cosima Russo, also known as Sister Carmelina;

H. R. 1975. An act to amend section 2201 of title 28, United States Code, to extend the Federal Declaratory Judgments Act to the Territory of Alaska;

H. R. 1976. An act to amend title 28, United States Code, to permit the registration of judgments in or from the District Court for the Territory of Alaska;

H. R. 2028. An act for the relief of Mrs. Antonietta Palmieri;

H. R. 2188. An act for the relief of Karoline Diekmeyer;

H. R. 2224. An act to amend the Army-Navy Medical Services Corps Act of 1947 (61 Stat. 734), as amended, so as to authorize the appointment of a Chief of the Medical Service Corps of the Navy, and for other purposes;

H. R. 2371. An act for the relief of Mrs. Maria M. Broix;

H. R. 2403. An act for the relief of Laszlo Varga and Nike Varga;

H. R. 2440. An act for the relief of Lidija Cimze;

H. R. 2499. An act for the relief of Adolfo L. Kalb, and his wife, Mrs. Eugenia G. Kalb;

H. R. 2619. An act for the relief of Sister Aurelia Yanguas Teres and Sister Matilde Cuevas San Martin;

H. R. 2627. An act for the relief of Cecilia Lucy Boyack;

H. R. 2650. An act for the relief of Sister Anna Ettl;

H. R. 3017. An act for the relief of Felix Petrover;

H. R. 3675. An act for the relief of Herre van der Veen, Mrs. Marie van der Veen, Helen Winifred van der Veen, and Jan Herre van der Veen;

H. R. 3743. An act for the relief of Chaim Szemaja Segal and Icek Hersz Segal;

H. R. 4248. An act for the relief of Albertas Bauras;

H. R. 4330. An act for the relief of Dr. Orlando Artuso and family;

H. R. 4690. An act to provide for the erection of appropriate markers in national cemeteries to honor the memory of members of the Armed Forces missing in action;

H. R. 5314. An act to extend the coverage of the Servicemen's Indemnity Act to members of the Reserve Officers' Training Corps when ordered to active training duty for periods in excess of 14 days;

H. R. 5340. An act for the relief of Tibor, Szuzsa (Susanne), and Judith Sauer;

H. R. 5354. An act for the relief of Liborio Guido Rutilio;

H. R. 5816. An act for the relief of Mrs. Caridad Rosa Avila Leyva de Ernest;

H. R. 6026. An act for the relief of Gertrud O. Heinz;

H. R. 6223. An act to amend section 87 of the National Defense Act of June 3, 1916, as amended (32 U. S. C. 47), to relieve the States from accountability and pecuniary liability for property lost, damaged, or destroyed, except in cases where it shall appear that the loss, damage, or destruction of the property was due to carelessness or negligence or could have been avoided by the exercise of reasonable care;

H. R. 6280. An act to extend temporarily the rights of priority of nationals of Japan and certain nationals of Germany with respect to applications for patents;

H. R. 6553. An act for the relief of Esterina Pella Bellucci;

H. R. 6658. An act to provide for the conveyance of certain lands by the United States to the county of Cumberland, State of North Carolina, without remuneration;

H. R. 6855. An act for the relief of Mrs. Elisabeth Metzing Rink;

H. R. 6982. An act for the relief of Maria Elizabeth Sanchez Y Moreno;

H. R. 7041. An act for the relief of Waltruade Elsa Solleder;

H. R. 7131. An act to repeal a limitation on pay of certain officers of the Navy;

H. R. 7140. An act for the relief of Robert A. Duval;

H. R. 7145. An act for the relief of Anneliese Catalino;

H. R. 7150. An act for the relief of Thora June Grumbles;

H. R. 7152. An act for the relief of Jozef Van den broeck;

H. R. 7221. An act for the relief of Anders Taranger;

H. R. 7334. An act to authorize certain property transactions in Cocoli, C. Z., and for other purposes;

H. R. 7411. An act for the relief of Mrs. Esterlee Hutzler Weinhoeppel;

H. R. 7761. An act for the relief of John Lewis Pyles, Jr.;

H. R. 8038. An act to authorize the conveyance to the Hot Springs School District and to Garland County, Ark., for school and for other public purposes, of certain land originally donated to the United States and situated in Hot Springs National Park, Ark., and for other purposes;

H. R. 8155. An act to continue until the close of June 30, 1955, the suspension of duties and import taxes on metal scrap, and for other purposes;

H. R. 8239. An act for the relief of Fung Ping Wah (also known as Reginald Ping Wah Fung) and his wife, Fung Wai-Yin Li (also known as Doris Fung);

H. R. 8501. An act to provide for the conveyance of certain land in Sumter County, Ga., to the Americas and Sumter County Chamber of Commerce;

H. R. 8570. An act to authorize the Secretary of the Navy to dispose of certain uncompleted naval vessels, and for other purposes;

H. R. 8694. An act for the relief of Suzanne L'Heureux;

H. R. 9000. An act to integrate the Judge Advocate's promotion list with that of the Army to restore lost seniority and grade, and for other purposes;

H. R. 9020. An act to provide increases in the monthly rates of compensation payable to certain veterans and their dependents;

H. R. 9236. An act to amend the Federal Credit Union Act, as amended;

H. R. 9302. An act to permit retired members of the uniformed services to revoke elections made under the Uniformed Services Contingency Option Act of 1953 in certain cases where the elections were made because of mathematical errors or misinformation;

H. R. 9406. An act to provide for the conveyance of certain real property to the town of Beaufort, N. C.;

H. J. Res. 257. Joint resolution authorizing the President to invite the States of the Union and foreign countries to participate in the First International Instrument Congress and Exposition to be held in Philadelphia, Pa., from September 13 to September 25, 1954; and

H. Con. Res. 268. Concurrent resolution relating to the enrollment of H. R. 8300.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 8041. An act to provide benefits under the laws administered by the Veterans' Administration based upon service in the Women's Army Auxiliary Corps under certain conditions.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 979. An act for the relief of Dr. James C. S. Lee;

S. 1123. An act for the relief of Kosmas Vassilios Fournarakis;

S. 1201. An act for the relief of Martin P. Pavlov;

S. 1259. An act for the relief of Anastasia Kondylis;

S. 1325. An act for the relief of Szjena Peison and David Peison;

S. 1558. An act for the relief of Sultana Coka Pavlovitch;

S. 1888. An act for the relief of Rica, Lucy, and Salomon Breger;

S. 1909. An act for the relief of Jacob Grynberg;

S. 2105. An act for the relief of Donald Hector Taylor;

S. 2259. An act for the relief of Rev. Charles V. Rossini;

S. 2337. An act for the relief of Jose Alvarez;

S. 2345. An act for the relief of Yun Tai Miao and his wife, Chao Pei Tsang Miao;

S. 2433. An act for the relief of Dr. Sylvia Siu Fan Cheng Chu and Dr. Johnson Chinsheng Chu;

S. 2520. An act for the relief of Julius Maar;

S. 2580. An act for the relief of Anni Marjatta Makela (nee Kirvesmaki) and her son, Markku Paivio Makela;

S. 2586. An act for the relief of Leon J. de Szethofer and Blanche Hrdinova de Szethofer;

S. 2639. An act for the relief of Etsuko Tamaki (Shimizu);

S. 2644. An act for the relief of Maria Louise Andreis;

S. 2666. An act for the relief of Anastasia Alexiadou;

S. 2710. An act for the relief of Chokichi Iraha;

S. 2771. An act for the relief of Guiseppe Minardi;

S. 2842. An act for the relief of Dr. Felix de Pinies;

S. 2893. An act for the relief of Seraphina Papgeorgiou;

S. 2894. An act for the relief of Mrs. Azniv Y. Hasserdjian; and

S. 2967. An act for the relief of James Ji-Tsung Woo, Margie Wanchung Woo, Daniel Du-Ning Woo, and Robert Du-An Woo.

The message also announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 9680. An act to provide for the continued price support for agricultural products; to augment the marketing and disposal of such products; to provide for greater stability in agriculture; and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. AIKEN, Mr. YOUNG, Mr. HICKENLOOPER, Mr. SCHOEPPEL, Mr. ELLENDER, Mr. JOHNSTON of South Carolina, Mr. HOLLAND, and Mr. ANDERSON to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 16. An act to amend the immunity provision relating to testimony given by witnesses before either House of Congress or their committees.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 3482) entitled "An act to amend the District of Columbia Unemployment Compensation Act, and for other purposes"; requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BEALL, Mr. PAYNE, and Mr. MANSFIELD to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 8152) entitled "An act to extend to June 30, 1955, the direct home and farmhouse loan authority of the Administrator of Veterans' Affairs under title III of the Servicemen's Readjustment Act of 1944, as amended, to make additional funds available therefor, and for other purposes."

INCREASE OF VETERANS' BENEFITS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I am sure the House will be glad to know that the Senate has just passed H. R. 9020, a bill to give the disabled veterans a 5 percent increase, and more of an increase to the widows and dependents of service-connected cases.

WOMEN'S ARMY AUXILIARY CORPS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 8041) to provide benefits under the laws administered by the Veterans' Administration based upon service in the Women's Army Auxiliary Corps under certain conditions, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 6, after the word "disability", insert, "incurred in line of duty."

Page 1, line 8, after the word "Corps", insert "established under Public Law 110, 78th Congress."

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

SPECIAL ORDER GRANTED

Mr. FRELINGHUYSEN asked and was given permission to address the House for 10 minutes today, following the legislative program and any special orders heretofore entered.

PERSONAL ANNOUNCEMENT

Mrs. FRANCES P. BOLTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mrs. FRANCES P. BOLTON. Mr. Speaker, on August 3 there was a mistake made in the ringing of the bells. Four bells were rung denoting adjournment rather than three for a straight quorum call, as was intended. The situation was corrected on the second call, but unfortunately I had gone to see the 8th Bomber Squadron film. The second ringing of the bells was not heard there and as my office was unable to reach me, I failed to be present for the quorum call.

I want to make it very clear that my failure to answer this quorum call was because of the failure of the bells to be properly rung.

WITHDRAW FROM THE UNITED NATIONS

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, I desire to call attention to and commend Gen. Mark Clark for his statement yesterday before a committee of the other body that the United Nations should be scrapped in favor of a true alliance against Communist Russia.

General Clark denounced the United Nations as a spawning ground for Soviet spies; as a Russian propaganda sounding board, and asserted the United Nations "has been a great asset to them"—the Russians—"and a great detriment to us."

Mr. Speaker, these views concerning the failures of this international debating society are important coming as they do from a man who commanded so-called U. N. forces in Korea where, excluding South Korea, which is not a member of the United Nations, the United States carried on a war in which Americans did more than 90 percent of the fighting and dying and all of the financing.

Mr. Speaker, no greater service could be performed in behalf of the American people than forthwith withdrawal of the United States from the United Nations and removal of headquarters of that ineffective and glorified debating society from the shores of this Nation.

It has not served the cause of mutual security or peace.

SPECIAL ORDER GRANTED

Mr. BAILEY asked and was given permission to address the House for 10 minutes today, following any special orders heretofore entered.

BIRTHDAY ANNIVERSARY OF THE PRESIDENT OF THE REPUBLIC OF THE PHILIPPINES

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, it had been my intention to ask unanimous consent for a special order for 1 hour on August 28 so that the Members of this body might join in observance of the birthday of President Ramon Magsaysay, of the Republic of the Philippines. As there is a possibility that the Congress will not be in session at that time, I am taking this opportunity of expressing for myself, and I feel confident for all of my colleagues, our heartiest greetings and our affectionate felicitations.

President Magsaysay is the nephew of Dr. John Udan, who has been my close friend for many years and whose wise and inspired leadership among the many fine men and women who compose the Filipino group in Chicago has made a large contribution to the binding ever closer of the ties that unite the people of the Philippines and the people of the United States. Dr. Udan is on the committee now arranging a brilliant celebration of the natal day of President Magsaysay at a banquet on August 28 at the Shoreham Hotel in Washington.

STATUTORY DEBT LIMIT OF THE UNITED STATES

Mr. MARSHALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. MARSHALL. Mr. Speaker, a year ago the House acted in its usual responsible manner and increased the statutory debt limitation of the United States. I note that the other body has that matter under consideration. I regret to say, because the other body did not take action a year ago, this administration has been placed in the position of engaging in some practices which I think are detrimental to the welfare of this country. I am calling to the attention of the Members of the House an item that appeared in the Washington Daily News on Monday describing some of these practices. I hope that the Members of the House will have an opportunity to read that article, because I feel that it certainly is unfair to the people of this country to have the debt limit figures of this country juggled until it is questionable whether or not they have any meaning at all.

AGRICULTURAL PRICE SUPPORT PROGRAM

Mr. HOPE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 9680) to provide for the continued price support for agricultural products; to augment the marketing and disposal of such products; to provide for greater stability in agriculture; and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

Mr. OLIVER P. BOLTON. Reserving the right to object, and I shall not object, Mr. Speaker, as I understand the action taken by the other body on this measure, they retained the same support levels for the basics as we suggested in this House, but they struck out of the bill the provisions which we included to assist the dairy industry in obtaining stability and an equitable price structure for that industry.

Mr. Speaker, it seems inequitable in the extreme to guarantee a floor for products such as wheat, where there are tremendous oversupplies today; and such as peanuts, where their production is being so stimulated as to be used in a process which is competitive with a dairy product; and when the feeds used for dairy cattle are today at such a high price. It seems unfair and unwise, Mr. Speaker, to grant a floor for such products greater than that for dairy products.

I sincerely hope, Mr. Speaker, that our conferees will insist upon equal recognition and treatment for the dairy industry and dairy products as is given to other segments of our agriculture.

The SPEAKER. Is there objection to the request of the gentleman from Kansas? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. HOPE, AUGUST H. ANDRESEN, HILL, COOLEY, and POAGE.

VETERANS' LEGISLATION

The SPEAKER. Under previous order of the House, the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 10 minutes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I wish the House could go into recess because I think there are various House bills on the Senate Calendar that may be passed and if they should be amended, I should like the House to take action on them today so that they could be on their way to the White House.

If I may make a parliamentary inquiry, Mr. Speaker, is it possible to have the House stand in recess?

The SPEAKER. Anything is possible, but the Chair can see no reason why the House should stand in recess today when it is going to meet tomorrow.

Mrs. ROGERS of Massachusetts. I think the veterans are anxious to have their legislation passed, and it would be helpful if we could stand in recess. Of course, if it cannot be done, that is another thing.

The SPEAKER. It can be done, but the Chair can see no harm that would come to anyone by waiting until tomorrow.

Mrs. ROGERS of Massachusetts. Of course toward the end of a session of Congress sometimes a day makes a difference in the enactment of a bill. Mr. Speaker, I yield back the balance of my time.

SPECIAL ORDERS GRANTED

Mrs. ROGERS of Massachusetts asked and was given permission to address the House tomorrow for 10 minutes, following the legislative program and any special orders previously entered.

Mr. HOFFMAN of Michigan. Mr. Speaker, I ask unanimous consent that I may be permitted to address the House today for 10 minutes, following any special orders heretofore entered.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. DODD asked and was given permission to address the House for 15 minutes tomorrow, following the legislative program and any special orders heretofore entered.

NEEDED, A CIVILIAN RESERVE

The SPEAKER. Under previous order of the House, the gentleman from New Jersey [Mr. FRELINGHUYSEN] is recognized for 10 minutes.

Mr. FRELINGHUYSEN. Mr. Speaker, as this second session of the 83d Congress draws to a close, most of us of necessity are looking ahead to the campaigns which we face. It seems an

equally appropriate time for us also to look ahead at other problems. The international tensions characteristic of the postwar period show no sign of easing. The actuality of the cold war affects all our activities, and the threat of a total war apparently cannot be dissipated.

Under these circumstances, I am sure that my colleagues will find of considerable interest a recent report issued by the National Planning Association, entitled "Needed, a Civilian Reserve." This report makes a number of constructive suggestions which are worthy of our consideration.

Before discussing these proposals in greater detail, I should like to include in my remarks two editorials on this subject. On June 30, 1954, the New York Herald Tribune ran the following editorial entitled "Key Men for Key Jobs":

KEY MEN FOR KEY JOBS

Two national emergencies since 1941 have clearly shown the need for a reserve of civilians qualified for top war jobs, as urged by the National Planning Association in a special report just issued. After Pearl Harbor, Government often had to take potluck in recruiting administrators for wage, price, rationing, allocation, and other executive positions. Adequate lists of available executives and their qualifications were often lacking. Patriotism impelled many able men to take Government jobs, but finding them and then training them in Government operations consumed valuable time. The almost instantaneous mobilization the future might force on us will be seriously impeded if key men are not on hand at once for key jobs.

The NPA report advocates creation of a talent pool by the Office of Defense Mobilization. Five to ten names should be available for every important control job. The reserve ought to be 5,000 instead of the less than 500 which the report suggests is now the scale of Government thinking on the subject. A nationwide survey would determine which executives were available. Then volunteers could be trained, about 200 at a time, for 2 weeks out of each year. Continuous schooling would build a roster of executives and specialists who have at least a minimum of training.

NPA's distinguished special committee on manpower policy, under the chairmanship of Mr. David J. Winton, of Minneapolis, deserves much credit for their work on the report. Adoption of their plan or a similar one would greatly aid the Nation in preparing for any eventuality.

On July 22 the New York Times ran an editorial entitled "Executive Talent Pool":

EXECUTIVE TALENT POOL

The National Planning Association has called for imposing responsibility upon the Office of Defense Mobilization to organize a civilian reserve of 5,000 executives, trained and willing to fill top jobs in war agencies in an emergency. A special report by the association, an independent organization of leaders in industry, labor, and agriculture, suggests that a talent pool of executives 5 and 10 deep be created for essential positions required by emergency control and administrative activities.

In urging a nationwide survey of available men, the group finds unsatisfactory present plans for a reserve of only 300 specialized administrators. Part of the new program would set up a Govenment training school to teach selected men wartime management processes and problems.

The Second World War demonstrated the importance of capable executive manpower to national defense. At a time when the military is scrutinizing its own reserve setup it would be unwise to neglect the civilian reserve needed for effective military action. The proposals of the National Planning Association should receive serious consideration.

Both the military and civilian agencies of our Government have been paying increasing attention to the adequacy and state of readiness of the Nation's reserves. In time of emergency, it is realized, the reserve forces, both military and civilian, may be burdened with tremendous responsibilities, which must be discharged properly. If such a test comes, this country must be in a reasonable state of readiness.

In any total war effort in which the United States might become engaged, certain shortages inevitably would develop. Of these, the shortage of manpower probably would be one of the most serious. Manpower shortages would be of two kinds: a shortage in sheer numbers, and a shortage in particular skills essential to an effective war effort. Since an immediate all-out effort in any future war would be vitally necessary, we could not afford to improvise machinery as we did in the months after Pearl Harbor.

How to handle governmental problems in an emergency, therefore, has been a continuing concern of many individuals. These include Washington officials who have participated in many national crises, and individuals in private life who have served the Government in various capacities over the past 15 years. These men are now recommending the prompt formation of a civilian reserve.

The primary function of a civilian reserve would be to staff various executive agencies, and thus make possible a rapid expansion of essential services in an emergency. Rapid, large-scale expansion cannot occur overnight, nor can the exact types of expansion be foreseen. Nonetheless, it is clear that an emergency situation creates needs which must be filled. On June 30, 1940, for example, only 75 individuals staffed all United States emergency agencies. Three years later that number had increased to 193,252. A trained group of top executives may be desperately needed to handle a similar job of civilian mobilization.

In a few Government agencies, plans for a civilian reserve are in some stage of readiness. In the Office of Defense Mobilization, the Commerce Department and the Defense Department, for instance, up-to-date rosters are maintained of men with particular skills now back in private life. These plans are not integrated with one another, however, nor are they sufficiently spelled out. The regular civil service, it is true, could provide some individuals with adequate executive capacity, but the size of the required expansion, and the particular skills which would be required, would necessitate drafts on outside sources of executive and specialist manpower.

The manpower policy committee of the National Planning Association has come up with a number of specific proposals regarding the formation of a civilian reserve. These have been developed after executive consultation with officials concerned with personnel policy, and with top executives from private organizations—including industry, labor, service, and the professions. The legal structure under which executives serve the Government in a temporary capacity also has been thoroughly examined. Here are the main proposals:

First. A national reserve of some 5,000 men should be established at once. Rosters 5 to 10 deep should be established, related to the various commodities and controls which past experience shows would require action. In addition a substantial roster of individuals with genuine executive capacity would be set up. The Office of Defense Mobilization would be designated by the President to handle these rosters, with other interested agencies also represented.

Second. A nationwide canvas to secure qualified individuals should be instituted. National associations, business and trade groups, labor unions, farm organizations, scientific societies, universities and experienced individuals should be asked to make suggestions. The civilian reserve thus established should be composed of properly distributed age groups, with emphasis on the 40-to-50 years bracket. Individuals on the preliminary list should be carefully screened on the basis of capacity, temperament and availability for government work in an emergency.

Third. Training of this civilian reserve should be organized by the Office of Defense Mobilization. A school staffed by civilians should be organized, capable of handling 200 men simultaneously for 2-week periods, and in continuous session. Members of the roster could be informed regarding plans for operating the Government in an emergency, for coordinating industrial production and imposing controls. They could learn also about such governmental functions as the Civil Service, and about budgetary procedures. Trainees should be encouraged to participate in governmental conferences, and to get experience in the civilian phases of war games and problems. At the end of each training period appraisals of each individual's capacities should be incorporated as a permanent part of the roster.

Fourth. Where possible, executives on the civilian reserve roster should be used as consultants or staff members without compensation. Acting in such capacities at ODM, Commerce, Defense, or the Labor Department, for example, they could become familiar with governmental processes. The effectiveness of this training could be increased if rotation were encouraged. As consultants, furthermore, executives would not affect the morale of the permanent civil service employees, and the conflict of interest problem would be minimized.

As recommended by the National Planning Association, this executive reserve would not necessitate binding commitments for service. The type of training afforded, however, would encourage members to make a most useful contribution to any future war ef-

fort. The executive branch, it was felt, might formally recognize this type of service and thus give membership in the civilian reserve recognition commensurate with its importance.

THE RECORD OF THE PRESENT ADMINISTRATION

The SPEAKER. Under previous order of the House, the gentleman from West Virginia [Mr. BAILEY] is recognized for 10 minutes.

Mr. BAILEY. Mr. Speaker, Washington's physical climate is noted for its August doldrums, but this year we have had the doldrums in our political climate since January.

In our politics—and I am using the word in its broadest sense—we have been floundering in a morass of inaction, timidity, and refusal to come to grips with the grave problems we face.

This is a far cry from 1952 when we were promised a "great crusade," piloted by "the best brains," which would have a ready solution for every problem.

It is an even further cry from December, when the Nation awaited the "dynamic, progressive" legislative program which was to give us national security, internal security, peace, and prosperity.

What we have received have been slogans as the solution to some problems, and, where no slogan could be quickly whipped up, a refusal to recognize the problem.

Early in the year, when the hucksters could think of no effective program, the administration flatly refused to admit we were having an unemployment problem. While no slogan could be easily and quickly devised, phrasemaking was resorted to in an attempt to delude the jobless that they were not out of work.

What was happening was a "rolling readjustment"—whatever that may be—and it was good for the country. Those of us who thought what was happening was a recession, and who were fearful that if nothing were done, we were heading into a depression, were given the labels of "political sadists" and "prophets of doom and gloom."

Then, as things became more serious, the administration decided that the best way to lick the recession that really was not there was to try to talk "prosperity."

So far as domestic prosperity was concerned, the drillmasters in the general's administration seemed content with marching thousands of words up the hill, and then marching them back down.

National security was one phase where we expected sound and solid policies. The President had given 37 years of his life to the Army; his greatness came as a military leader. In 1953, this administration cut $5 billion from the Air Force, telling us that we would have more firepower with fewer airplanes. By 1954, this mistake was admitted, when the 5 billion was almost restored, but they insisted on slicing the Defense budget so they picked on the Army this time, against the recommendations of the Chief of Staff, General Ridgway, who was selected by this administration in an ill-conceived move to make the professional military a tool of partisan politics.

Now the Pentagon is reappraising our military situation, and we learn that the proposed cuts in the size of the Army will not be carried out after all. Perhaps the Budget Bureau next year will pick out the Navy to absorb cuts that cannot safely be applied until we are a great deal closer to the goal of world peace.

About the only place where we have strengthened the Defense Establishment was in the Pentagon itself, where we now have a whole flock of new Assistant Secretaries—"vice presidents" is the term I believe chosen by Secretary Wilson, the old General Motors hand, by which to identify them. Whether these new "vice presidents" will be effective weapons is somewhat doubtful.

At any rate, the Defense Department "team" has given us some novel reading. By reaching a goal of fewer air wings, at a target date several years removed from the date selected by the Truman administration, we are supposed to be stronger. Just think how strong we would be today if our goal were cut back to, say, 50 wings and the year 2000 were selected to be the target date.

This administration has shied from the ugly words universal military training like a teen-age girl shying away from a mouse. It is proposing instead something it calls an expanded reserve. Everyone will be drafted, given some training, and put into the reserve. The hucksters in this administration may be clever, but they will find it hard to convince people that this proposal differs, fundamentally, from the hated UMT.

This administration, when it was seeking political favor, particularly in the general's tour of the New York City industrial precincts, promised that the full force of the Federal Government would be utilized to cushion economic declines. The same promise has been made repeatedly since January 1953. I have already alluded to the inaction of the administration.

It makes certain claims to the built-in safeguards of its legislative program. These center chiefly, almost exclusively to the tax-revision bill, a measure which provides for windfall benefits to a few coupon clippers, but does nothing to increase the purchasing power of the farmer and the wage earner.

Someone of the President's hucksters sold him on the idea that taxation of income earned from dividends was double taxation. This is a nasty word; in fact, most of us are just generally against it. The only thing is that paying a tax on your dividends is not double taxation. The administration knows this, too. If such taxes were really double taxation, the administration would have recommended that all dividends be tax free. It only said that some dividends would be tax free in the beginning, with nice fat tax credits on the other dividends, and, maybe, eventually, we shall get around to making all of them tax free. Now if double taxation is bad, and taxing dividends is double taxation, why not make all of them tax free right now?

This feature of the tax bill, according to the administration, will encourage investment and provide for an expanding economy.

My own State of West Virginia provides an excellent example of how much expansion this tax giveaway will encourage. Our Governor has hired a team of experts to survey the economy and resources of the State. Their aim is to pinpoint the opportunities for expansion and diversification, to take up the slack. The Christian Science Monitor discussed this survey in its issue of August 7. It indicated a number of business activities that could expand and diversify job opportunities.

But the Monitor also said there was a lack of investment capital to accomplish this job; and the Monitor did not see any prospect of such investment capital becoming available.

Now I should point out that the Monitor is a rather conservative newspaper, generally more Republican than Democratic. The Monitor's discussion of our problem in West Virginia was published sometime after the President had signed the tax bill into law.

The conservative—and factual—Monitor failed to forsee any investment capital increase because of this tax bill.

People just do not put money in stocks and bonds, or in bank accounts, because of tax credits; they invest money because they hope to earn money. The average investor is a pretty prosaic fellow; he only looks around to invest in a proposition when he feels sure the service or product involved will have a market so that it may be sold.

The administration takes the view that we should be satisfied with a second best—or even a third best—year; we need not break records, according to Secretary Humphrey. Yet, every year the labor force increases; our economy must expand every year to absorb the new workers. The philosophy of standing still, or going back just a little bit, is disastrous and foolhardy.

This administration has fumbled the foreign-trade policy as often and as consistently as it has fumbled all other legislation. During the 1952 campaign, the Republicans came up with the slogan "Trade, not aid." It was misleading.

It appointed the Randall Commission, which recommended a 3-year extension of the Reciprocal Trade Agreement Authority, and suggested further tariff cuts. Now this was perfectly acceptable to the free traders like the Fords and the Charley Tafts. It was not acceptable to the high protectionists, who wish to build a wall around the country.

So the administration compromised, by accepting a straight 1-year extension.

This made practically no one happy. It certainly did not appeal to the moderates, such as the Representative of the Third West Virginia District. Those of us who take the moderate view want to encourage foreign trade all we can; but we do not want to do so at the expense of our own vital industries.

There was no opportunity in the 1-year extension, nor in the President's recommendations to correct inequities under existing practice, nor to bring the administration of the law into line with the original intent of the Congress.

The Randall Commission report would aid only big business, but would harm

little business. We want both aided. We would like to see a quota system adopted, so that our own industries may have a fair share of the domestic market. This is not inconsistent with the intent of the original reciprocal trade law, which was designed to further employment, and promised protection to small industry, as well as to those industries vital to the United States.

West Virginia coal miners are as anxious to win good will in Venezuela and Saudi Arabia as any citizen, but they see little advantage in going hungry themselves to do it. West Virginia potters and glass workers know it is imperative to build up the economy of Japan to keep it from falling to the Communists; but little advantage is gained if they themselves are idle and hungry.

In the field of trade policy, this administration has failed to appreciate the full significance of the problem, which, like most problems, is not sharply etched in black and white. It is colored with all shades of gray. Hence it has offered no solution which will encourage foreign trade, but do so in a manner that does not ruin our own economy.

General Eisenhower promised the farmers 100 percent of parity. Prices paid to farmers in the past 2 years have dropped 16 percent, while consumer prices have risen to 114. Wheat dropped 60 cents a bushel in 1953, but bread rose in price. The lowering of supports on butter increased butter sales of April only 7 percent, which amounted to about $2,290,000. But to the dairy farmer who took the price cut, it meant a loss of $70 million in that 1 month.

The administration, grasping for straws in an effort to save face, is claiming a victory because Congress voted a flexible price-support program of from 82½ to 90 percent of parity. Congress has accepted the flexible principle, according to the administration.

Congress long ago accepted the flexible principle. It is in the present law. Had Congress not passed any legislation whatsoever, price supports would automatically have dropped to the flexible 75-percent floor in January. The new law is not a victory for the administration, but a defeat.

It is more than passing strange to see the White House claiming a victory by reducing supports to 82½ percent, when Candidate Eisenhower, on October 4, 1952, told an audience at Brookings, S. Dak., and I quote:

> The Republican Party is pledged to the sustaining of the 90-percent parity-price support, and it is pledged even more than that to helping the farmer obtain his full parity, 100 percent parity, with the guaranty in the price supports of 90.

Candidate Eisenhower told the American Federation of Labor, New York, 1952, that he recognized in the Taft-Hartley law certain provisions that could be used to break unions. He promised repeal of these union-busting provisions. His Taft-Hartley recommendations left the union-busting provisions intact, in fact, strengthened many of them. Had it not been for united Democratic action in the Senate, the bill passed probably would have left labor unions at the mercy of little Taft-Hartley's in each of the 48 States, many of them far more restrictive than the present law.

Moreover, the President's National Labor Relations Board, through administrative decisions, has further whittled away at labor's few remaining protections.

Veterans have suffered at the hands of this administration. Its penurious budget policies have created a peculiar climate. An employee of the Veterans' Administration now realizes that the measure of his efficiency is not how well he serves the veteran, but how much money he saves. A veteran is automatically on the defensive when he calls upon a VA field office.

The Veterans Affairs Committee, ably directed by the gentlewoman from Massachusetts, who cooperated closely with the gentleman from Texas [Mr. TEAGUE], brought out a bill offering mild cost-of-living increases to veterans and dependents. Compromises had already been made in the committee, but the leadership demanded further cuts. The result was that we enacted a bill which deprived millions of disabled veterans as well as all veterans of the Spanish-American War of any increases.

It resulted in the unprecedented action of the National Tribune and Stars and Stripes, a nonpartisan weekly newspaper, devoting an entire page to criticism of Republican leadership. The National Encampment of the Veterans of Foreign Wars also took the unprecedented action of censuring the administration and the Republican leadership.

The administration's welfare record is spotty. Whereas, we passed legislation expanding the hospital construction program, we curtailed funds for many health services, including the vital mobile tuberculosis X-ray program. The best the administration could come up with was a mild reinsurance program, which was defeated.

Social security was expanded, but not enough. A perfect example was the provision relating to permanent and total disability. The administration bill provides that a man does not lose his equity if he becomes totally and permanently disabled. Thus, if a 50-year-old worker becomes totally and permanently disabled, he may expect to receive his usual benefits when he becomes 65. He should receive disability benefits.

The President has endorsed the unemployment insurance program, but called for and received inadequate legislation. What was needed was legislation that would increase benefits and lengthen the duration to 26 weeks.

The President has endorsed an increase in the minimum wage, but says it should not be done during a period of economic readjustment—recession to us. An increase in the minimum wage to as little as $1 per hour would pump a great deal of needed purchasing power into the economy. When times are good, the law of supply and demand for labor tends to take care of minimum wages. The President's position is very much akin to the chap who did not fix his leaky roof; when it was raining it was too wet to work; when it was not raining, there was no need to fix it.

In the field of education, a very sorry record is being made. Surveys conducted by the United States Office of Education and by the National Education Association show a need for 362,000 new classrooms. These surveys also show that States and local governments do not have the ability to finance this construction. The President and Secretary Hobby want to wait until 1956, when there will be a White House conference to find out (a) whether there is a school construction need, and (b) whether Federal aid is required. If he would read reports from his own agencies, he would have the answers to these questions.

President Eisenhower, who finds time in his schedule for golf, fishing, and stag dinners for the high Wall Street brass, recently could not find time in his schedule to meet the group of educators, who might have told him the facts of school life.

This administration has made a remarkable record in the giveaway field. First, it was the tidelands; then, it was the timber lands—which we in Congress were alert enough to stop—and now it is the synthetic liquid fuels program, the mine-safety program, and our helium plants.

They gave up on soil conservation by ravishing the program and losing the skills of the men who were in it. This was done when drought in the Midwest may bring about a renewal of the dust storms of the thirties; and when flash floods severely damaged Texas, Iowa, and West Virginia this year.

They have attempted to give away the Nation's atomic energy program for private exploitation.

By construction of the St. Lawrence Seaway, they are giving away the Midwest market for coal to foreign oil producers.

It has been a very sorry record.

CONDUCT OF MEMBERS OF THE HOUSE

The SPEAKER. Under previous order of the House, the gentleman from Michigan [Mr. HOFFMAN] is recognized for 10 minutes.

Mr. HOFFMAN of Michigan. Mr. Speaker, the House not having before it any legislation and no other Member desiring to speak, it is my purpose to call attention to what may or may not be the necessity for a resolution of the House authorizing a special committee to ascertain whether the conduct of Members of the House is all that it should be, or is in accord with what the other body is demanding of its Members, or is of a standard which meets the approval of our constituents in this an election year.

Naturally I am not commenting upon the procedure in the other body; what they do and the methods they follow is their business, none of ours. It may be they are setting an example for us. They seem to be striving. They recently held lengthy hearings and the people as well as we had ample opportunity to hear, see, listen, and profit. Soon, again, they will enlighten us by telling all, by expressing their views of each other, of the conduct, past and present, of many

of the past as well as of future Members of their learned body.

It may be that there is a necessity for a resolution asking that a committee look into the doings or nondoings of every individual Member of the House. It might be helpful if we would all ascertain whether our colleagues in days gone by, in their youthful days, smoked cigarettes, drank hard cider, robbed orchards or, if former farm boys, stole eggs from the farmhouse egg basket, took a few eggs, a link of sausage, or a slice of ham and went down in the woods and had a picnic. It is just possible that those things would be of interest to the people though I doubt it. But when this is going on now, having a pride in the House and the Members of the House, having the utmost respect for my colleagues, their integrity, their ability, and all their many outstanding good qualities, I do not want to fall behind the standard set for the other body and its Members.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield to the gentleman from Iowa.

Mr. GROSS. Would the gentleman care to include in that the use of counterpart funds for junketing expeditions all over the world?

Mr. HOFFMAN of Michigan. No. What my colleagues do is really their own business. No one made me a judge of my colleagues conduct. Some junkets so called are well worth the funds spent. Others may not be. But each member must be the judge to determine what is or is not proper. If he guesses wrong often enough his home folks will take care of him—set him right. This being a Republican administration, I would say to my colleague the administration undoubtedly is itself trying to do the right thing and without doubt endeavoring to keep us on the straight and narrow path. It is making some progress. I have been told, with the support of the minority Members, although I myself have not been able to see any of that support when it was needed for the enactment of sound legislation. But I understand they of the minority are supporting the administration except when they think it is politically unwise for them to do so. I do not want to criticise anything in or about the administration except possibly a few of those holdovers—no, they are almost all holdovers, are they not?—those holdovers who were given this administration by the previous administration and whose harmful actions are now being exposed by that able, tireless, courageous, unpurchasable former chief counsel of the Committee on Government Operations, the Honorable William Francis McKenna.

What I am getting around to is this. If the other body—and that is its right and privilege is to investigate the record of each of its Members and establish standards, it occurs to me that perhaps while they are talking about somebody getting say $10,000 for writing a pamphlet, we ought to look into our own activities, or the activities of our Members for of a certainty we must hold our standards as high as those of the other body.

I have here—and one of the Members asked me for it the other day, asked me if I had any extra copies of this one—"Our American Government—What Is It?—How Does It Function?—Two Hundred and Ninety-One Questions and Answers." You have all had them. It is a fine little Government publication—very informative. If you have any extra ones I wish you would give them to me. My constituents are asking for them. Here are the first three pages of the Senate publication. I read:

[83d Cong., 1st sess.—Senate—Document No. 52]

OUR AMERICAN GOVERNMENT—WHAT IS IT?—HOW DOES IT FUNCTION?—TWO HUNDRED AND NINETY-ONE QUESTIONS AND ANSWERS—A COMPREHENSIVE STORY OF THE HISTORY AND FUNCTIONS OF OUR AMERICAN GOVERNMENT INTERESTINGLY AND ACCURATELY PORTRAYED

QUESTIONS AND ANSWERS RELATIVE TO OUR AMERICAN GOVERNMENT

(1953 edition)

Senate Concurrent Resolution 24

(Submitted by Mr. KNOWLAND)

IN THE UNITED STATES SENATE,
March 30, 1953.

Resolved by the Senate (the House of Representatives concurring), That the Joint Committee on Printing is hereby authorized and directed to revise, by bringing up to date the pamphlet entitled "Our American Government," as set out in House Document 465, 79th Congress.

SEC. 2. Such revised pamphlet shall be printed as a Senate document, and there be printed 100,000 additional copies, of which 24,750 copies shall be for the use of the Senate; 66,150 copies for the use of the House of Representatives; 3,100 for the Senate Document Room; and 6,000 for the House Document Room.

Adopted in Senate, May 6, 1953.

Amended and adopted in House of Representatives, May 14, 1953.

Amendment: "SEC. 2. Such revised pamphlet shall be printed as a Senate document, and there be printed 500,000 additional copies of which 30,000 copies shall be for the use of the Senate; 460,900 copies for the use of the House of Representatives; 3,100 for the Senate Document Room; and 6,000 for the House Document Room."

Senate concurred in House amendment, May 18, 1953.

FOREWORD

This nonpartisan publication is a revision of House Document No. 465, 79th Congress, 2d session.

The original compilation was introduced into the CONGRESSIONAL RECORD, September 12, 1940 (vol. 86, pt. 17, p. 5509), by Representative WRIGHT PATMAN.

Since then the following revisions and enlargements of the text have been authorized and published:

1. House Document No. 152, 77th Congress, 1st session.

2. House Document No. 210 (252 questions and answers), 77th Congress, 1st session.

3. House Document No. 619 (282 questions and answers), 77th Congress, 1st session.

4. House Document No. 228 (279 questions and answers), 79th Congress, 1st session.

5. House Document No. 465 (284 questions and answers), 79th Congress, 2d session. More than a million copies of this edition were distributed.

6. This present edition (291 questions and answers) was authorized by Senate Concurrent Resolution No. 24, first adopted in the Senate, May 6, 1953; amended and adopted in the House of Representatives, May 14, 1953; and finally adopted by the Senate on May 18, 1953.

This revision was prepared by Representative WRIGHT PATMAN with the collaboration of W. C. Gilbert of the Legislative Reference Service of the Library of Congress.

WILLIAM F. KNOWLAND,
United States Senator, California.

Read again the foreword by our distinguished colleague of the other body, WILLIAM F. KNOWLAND, endorsing the publication—that is the Government publication—thousands have been printed and distributed at Government expense—it is a valuable publication.

It was revised through the use of tax dollars. It is a revision which Mr. KNOWLAND endorsed, and there is no criticism of him. He received nothing for so doing. He did not have it reprinted or offer it for sale. There is no politics in this because one of these gentlemen is a Republican and the other is a Democrat. This revision purports to have been prepared by our colleague the gentleman from Texas, the Honorable WRIGHT PATMAN, with the help of the Legislative Reference Service. Note if you will that line about the Library's Legislative Service. If it is wrong, and I do not say it is and I do not say it is not, for a Member of the Congress to accept $10,000 for writing a pamphlet about housing, about the activities of the Lustron Corp., I am wondering whether it is justifiable when you get a pamphlet like this prepared with the help of the Library legislative staff, whether it is permissible for a Member of the House to rewrite it, add to it, and then put it on the newsstand with colored covers at 35 cents a copy. It is a neat little Bantam Giant book. The front page reads:

THE ANSWERS TO ONE THOUSAND AND ONE QUESTIONS—OUR AMERICAN GOVERNMENT

(By the Honorable WRIGHT PATMAN, Member of Congress)

(A new edition revised by the author)

The second page reads:

The publishers of Bantam books are proud to bring this book to you.

It was compiled by Congressman WRIGHT PATMAN out of his long legislative experience so that Americans everywhere might better understand the workings of their Government. It is a complete and simply written explanation of the greatest representative government on earth.

Is that all right and proper? I do not know and I do not express an opinion one way or another, for I consider it none of my business.

My curiosity was just aroused by this resolution that was adopted in the other body. Then, if that is proper procedure, and we do not wish to lag behind, I can imagine someone on the minority side, the present minority of the House—you notice I say the present minority; some other time maybe it may be somebody else—they may say over there that if it is right for some Member who is a member of a committee, some majority Member who is a member of one of the standing committees of the House, or of a subcommittee, to sit on that committee and get information on our foreign affairs, let us say, or on any other subject, and

then go out all over the country and—for a fee—capitalize on that information.

Now, mark you—again I am not critical. What is good for the other body may be good—it may not—I repeat—that is none of my business, but being a Member of this House permit me to express my hope that soon our legislative duties will be over so we may adjourn.

And if we are to stay here while the other body searches out rules to guide its Members, just for a change might it not be interesting if we start an investigation of someone who is not fighting communism or the Communists. That would at least be something new.

You see the point I am trying to make? I am wondering now just who made some of us judges over our colleagues, or is each one of us to sit in judgment on the conduct of every Member of the House and report back to the House that each and everyone that has been investigated is or is not a suitable proper individual to sit in the House. I have always thought that our fitness was a decision that was up to our constituents. I recall one time when the House expelled a man from Wisconsin. They just kicked him right out and said he was not a man fit to serve. The people of Wisconsin very promptly sent him back. After all, is it not fair and is it not reasonable to leave this question of whether your conduct, I say to my good colleague from West Virginia, Mr. BAILEY, or my conduct as a Representative from Michigan, is it not fair and is it not the right thing to do to leave the issue of our fitness to the people of our respective districts? I would think so, unless we violate some law or are guilty of some immoral or reprehensible conduct. Just because some man smokes cigarettes or chews tobacco or drinks what people think is a little too much—is the House—or if he goes out to the racetrack and places a bet—some of us do not like that, some of us do not do it, but is that any of our business, the personal conduct of what another colleague does?

I am just serving notice now, if that procedure of a committee passing judgment upon Members of the Congress ever starts in this House, I intend to ask that the conduct of every single Member—not the ladies, not our distinguished colleague from Massachusetts—or any of the ladies of the House—I would not venture to say anything about that, but I am just serving notice now that if the House starts on this—our women colleagues could not be guilty of any misconduct, none of them—I am going to ask that every single Member be investigated from the time he was able to talk until the day before he died. And it might be well, we cannot say anything about the other body, it might be well, however, if we all reread the RECORD as it has been written the last few months and seriously consider what we are about to get into before we start. I have read it several times and I notice that our conduct in the House compares quite favorably with what they do over there, and with the language they use when they compliment each other.

Mr. Speaker, I ask unanimous consent, the gentleman from Ohio [Mr. BOW] just called my attention to the fact that I stated in the talk I made that I used the expression "every single Member," I meant every Member—single or married.

The SPEAKER. The Chair is glad the gentleman made the correction.

Without objection, it is so ordered.

There was no objection.

Mr. HOFFMAN of Michigan. St. Matthew said, 7: 1, "Judge not, that ye be not judged."

St. Luke wrote, 12:14, "Man, who made me a judge or a divider over you?"

Last Monday David Lawrence questioned the right of the Congress to question the personal conduct of its Members except as that conduct was reflected in their official conduct.

Lawrence wrote:

SENATE'S FAILURE TO CHALLENGE HIS SEATING AFTER THE 1952 ELECTION HELD ONE OF THREE FACTORS RENDERING ACTION NOW UNJUSTIFIED

There isn't the slightest shred of constitutional authority to back up a resolution of censure on the basis of the charges filed against Senator MCCARTHY, of Wisconsin—and most of the Members of the Senate know it.

The Constitution has three provisions that could possibly be invoked to censure or expel Members. These read as follows:

"Each House shall be the judge of the elections, returns, and qualifications of its own Members. * * *

"Each House may determine the rules of its proceedings, punish Members for disorderly behavior, and with the concurrence of two-thirds, expel a Member. * * *

"The Senators and Representatives * * * shall in all cases except treason, felony, and breach of the peace, be privileged from arrest during their attendance at the session of their respective Houses, and in going to and returning from the same; and for any speech or debate in either House they shall not be questioned in any other place."

There have been 121 cases in which Members of the Senate have been involved in contests over elections or over the improper use of money in their campaigns and some have been seated and others have been denied seats. But in every instance, the question was raised only when the new Member presented his credentials for admission.

Thus in the case of Senator WILLIAM LANGER, at present chairman of the Senate Judiciary Committee, an issue was presented in the 1941 session immediately after his election in 1940 and the majority of a Senate committee recommended that, "inasmuch as the charge of 'moral turpitude' had been proven beyond all reasonable doubt, the integrity of the United States Senate be upheld by denying WILLIAM LANGER the right to be a Senator from North Dakota."

In that case it had been alleged that Mr. LANGER, while governor, had received $25,000 from the Great Northern Railway for stock in some lands in Mexico already expropriated after the railway's taxes had been cut $150,000 a year. The Senate refused to approve the committee report and by a vote of 52 to 30 upheld Mr. LANGER's right to his seat in the Senate. This case involved personal behavior prior to admission to the Senate. Hence it came under the question of proper qualifications for membership in the Senate. There have been 16 expulsion cases involving misdemeanors, felonies, and treason.

In the only three cases involving actual censure, one involved a physical encounter between Senator Tillman, of South Carolina, and Senator McLaurin, also of South Carolina. Another case involved the practice of certain Senators who carried firearms while in the Senate.

The third case involved Senator Bingham, of Connecticut. The resolution of censure exonerated him from personal misbehavior by declaring that what he did was not the result of corrupt motives. He was reprimanded for designating as one of his clerks on his committee a man who was an employee of a manufacturers' association in his own State interested in the tariff. It is a blot on the record of the Senate that it adopted that resolution. Dollar-a-year men have been employed in executive agencies in the past and have sat in confidential meetings. But even in this instance, the case was presented to the Senate immediately upon its occurrence and not as an afterthought 3 years later as is happening now with most of the charges filed against Senator MCCARTHY.

Nearly all of the acts charged against Senator MCCARTHY are alleged to have occurred prior to the time he was elected to his present term in November 1952, by the people of the State of Wisconsin. He was not questioned as to his qualifications on these or any other of the same matters before the Senate accepted his credentials in January 1953. Thus, the episode involving his sale of a book for $10,000 to the Lustron Corp. relating to housing and veterans occurred in 1951. The hearings by a Senate committee looking into his personal financial transactions about which he declined to testify because he considered the committee politically inspired, occurred before the election of 1952. The MCCARTHY speech attacking General Marshall also was made before the junior Senator from Wisconsin presented his credentials in 1953. He is as immune from censure or punishment for what happened in his senatorial term, since expired, as Mr. Truman was when he refused early this year to answer questions about Harry Dexter White in response to a subpena from a House committee.

As for the charges of discourteous handling of two alleged Communists and his resentment over General Zwicker's refusal to cooperate as a witness after failing to prevent the honorable discharge of a Communist from the Army, these open up new questions about how polite committee chairmen have to be with recalcitrant witnesses. There are no standards or rules now.

So far as other charges are concerned that relate to the conduct of a Senator as a committee chairman or as Speaker in the Senate, there isn't a single instance complained of that hasn't a parallel in the acts of many other Senators, Democrats as well as Republicans. If the Senate ever passes a resolution censuring the Wisconsin Senator on any of those points, a flood of censure resolutions condemning at least a third of the Members of the Senate could be offered on the basis of such an unconstitutional precedent.

Mr. Speaker, I yield back the balance of my time.

AUTOMATIC INSURANCE PROVISIONS FOR VETERANS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, the other body, known as the Senate, has just passed H. R. 5214, and I am making these announcements because we have been so long a time in securing our veterans' legislation—H. R. 5214, which provides insurance benefits for the ROTC boys. The Senate has just passed H. R. 9888, to extend GI training under the Korean GI bill of rights, Public Law 550, for certain disabled veterans, and H. R. 8180, the bill

that provides $700 per veteran to State soldiers' homes. The present law allows $500 per veteran patient to soldiers' homes. It also passed H. R. 8041, a House bill which provides certain benefits for veterans of the Women's Army Corps who were totally disabled. It contained a clarifying amendment which the House just concurred in.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the RECORD, or to revise and extend remarks, was granted to:

Mr. VURSELL and to include extraneous matter.

Mr. JUDD and to include extraneous matter.

Mr. SEELY-BROWN.

Mr. RODINO and to include extraneous matter.

Mr. YATES.

Mr. JOHNSON of California, his remarks on the services of Hon. WESLEY A. D'EWART.

Mr. SADLAK.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 979. An act for the relief of Dr. James C. S. Lee; to the Committee on the Judiciary.

S. 1123. An act for the relief of Kosmas Vassilios Fournarakis; to the Committee on the Judiciary.

S. 1201. An act for the relief of Martin P. Pavlov; to the Committee on the Judiciary.

S. 1259. An act for the relief of Anastasia Kondylis; to the Committee on the Judiciary.

S. 1325. An act for the relief of Szjena Peison and David Peison; to the Committee on the Judiciary.

S. 1558. An act for the relief of Sultana Coka Pavlovitch; to the Committee on the Judiciary.

S. 1888. An act for the relief of Rica, Lucy, and Salomon Breger; to the Committee on the Judiciary.

S. 1909. An act for the relief of Jacob Grynberg; to the Committee on the Judiciary.

S. 2105. An act for the relief of Donald Hector Taylor; to the Committee on the Judiciary.

S. 2259. An act for the relief of Rev. Charles V. Rossini; to the Committee on the Judiciary.

S. 2337. An act for the relief of Jose Alvarez; to the Committee on the Judiciary.

S. 2345. An act for the relief of Yun Tai Miao and his wife, Chao Pei Tsang Miao; to the Committee on the Judiciary.

S. 2433. An act for the relief of Dr. Sylvia Siu Fan Cheng Chu and Dr. Johnson Chinsheng Chu; to the Committee on the Judiciary.

S. 2520. An act for the relief of Julius Maar; to the Committee on the Judiciary.

S. 2580. An act for the relief of Anni Marjatta Makela (nee Kirvesmaki) and her son, Markku Paivio Makela; to the Committee on the Judiciary.

S. 2586. An act for the relief of Leon J. de Szethofer and Blanche Hrdinova de Szethofer; to the Committee on the Judiciary.

S. 2639. An act for the relief of Etsuko Tamaki (Shimizu); to the Committee on the Judiciary.

S. 2644. An act for the relief of Maria Louise Andreis; to the Committee on the Judiciary.

S. 2666. An act for the relief of Anastasia Alexiadou; to the Committee on the Judiciary.

S. 2710. An act for the relief of Chokichi Iraha; to the Committee on the Judiciary.

S. 2771. An act for the relief of Guiseppe Minardi; to the Committee on the Judiciary.

S. 2842. An act for the relief of Dr. Felix de Pinies; to the Committee on the Judiciary.

S. 2893. An act for the relief of Seraphina Papgeorgiou; to the Committee on the Judiciary.

S. 2894. An act for the relief of Mrs. Azniv Y. Hasserdjian; to the Committee on the Judiciary.

S. 2967. An act for the relief of James Ji-Tsung Woo, Margie Wanchung Woo, Daniel Du-Ning Woo, and Robert Du-An Woo; to the Committee on the Judiciary.

ENROLLED BILLS SIGNED

Mr. LECOMPTE from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 685. An act for the relief of Mrs. Erna Gronowski;

H. R. 692. An act for the relief of Nina Makief, also known as Nina Berberova;

H. R. 795. An act for the relief of Jean Hollis Vock;

H. R. 1337. An act for the relief of Mrs. Franca Gatti Ohta;

H. R. 1462. An act for the relief of Fotini X. Parisis;

H. R. 1768. An act for the relief of Clarie Louise Carey and Vincent F. Carey;

H. R. 1788. An act for the relief of Wanda Luceri, also known as Sister Cecilia, and others;

H. R. 2028. An act for the relief of Mrs. Antonietta Palmieri;

H. R. 2188. An act for the relief of Karoline Dickmeyer;

H. R. 2371. An act for the relief of Mrs. Maria M. Briox;

H. R. 2403. An act for the relief of Laszlo Varga, and Mike Varga;

H. R. 2440. An act for the relief of Lidija Cimze;

H. R. 2499. An act for the relief of Adolfo L. Kalb and his wife;

H. R. 2619. An act for the relief of Sister Aurelia Yanguas Teres and Sister Matilde Cuevas San Martin;

H. R. 2627. An act for the relief of Cecilia Lucy Boyack;

H. R. 2650. An act for the relief of Sister Anna Ettl;

H. R. 3017. An act for the relief of Felix Petrover;

H. R. 3675. An act for the relief of Herre van der Veen, Mrs. Marie van der Veen, Helen Winifred van der Veen, and Jan Herre van der Veen;

H. R. 3743. An act for the relief of Chaim Szemaja Segal and Icek Hersz Segal;

H. R. 4248. An act for the relief of Albertas Bauras;

H. R. 4330. An act for the relief of Dr. Orlando Artuso and family;

H. R. 8152. An act to extend to June 30, 1955, the direct home and farmhouse loan authority of the Administrator of Veterans' Affairs under title III of the Servicemen's Readjustment Act of 1944, as amended, to make additional funds available therefor, and for other purposes;

H. R. 8300. An act to revise the internal revenue laws of the United States; and

H. R. 8694. An act for the relief of Suzanne L'Heureux.

BILL PRESENTED TO THE PRESIDENT

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee did on August 10, 1954, present to the President, for his approval, a bill of the House of the following title:

H. R. 9077. An act to amend section 405 of the District of Columbia Law Enforcement Act of 1953, to make available to the judges of such District the psychiatric and psychological services provided for in such section.

ADJOURNMENT

Mr. ARENDS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 29 minutes p. m.) the House adjourned until tomorrow, Thursday, August 12, 1954, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

1816. Under clause 2 of rule XXIV, a letter from the Administrator, Federal Civil Defense Administration, transmitting interstate civil defense compacts as entered into between the State of Utah and the States of New Mexico and Washington, pursuant to Public Law 920, 81st Congress was taken from the Speaker's table and referred to the Committee on Armed Services.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HOPE: Committee on Agriculture. H. R. 6878. A bill to amend the Commodity Credit Corporation Charter Act in order to relieve innocent purchasers of fungible goods converted by warehousemen from claims of the Commodity Credit Corporation; with amendment (Rept. No. 2655). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROYHILL: Committee on Post Office and Civil Service. H. R. 1553. A bill to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide for the inclusion in the computation of accredited service of certain periods of service rendered States or instrumentalities of States, and for other purposes; without amendment (Rept. No. 2656). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII,

Mr. METCALF introduced a bill (H. R. 10223) to provide for the establishment of an American National War Memorial Arts Foundation, and for other purposes; which was referred to the Committee on Education and Labor.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ABERNETHY:

H. R. 10224. A bill for the relief of certain dependents of the late James Anderson O'Donnell, lieutenant (junior grade), United States Naval Reserve; to the Committee on the Judiciary.

By Mr. KING of Pennsylvania:

H. R. 10225. A bill for the relief of Emanuel Frangeskos; to the Committee on the Judiciary.

By Mr. ROBERTS:

H. R. 10226. A bill for the relief of Mrs. Elsie Melba Curry; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Seely-Brown Reports to Constituents on Highlights of New Tax Revision Bill

EXTENSION OF REMARKS
OF

HON. HORACE SEELY-BROWN, JR.
OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 11, 1954

Mr. SEELY-BROWN. Mr. Speaker, the new tax revision bill is one of the most monumental legislative undertakings in the history of the Congress. This measure represents the first comprehensive revision of the internal revenue laws in over 75 years. Approximately a half of a million man-hours of work have gone into this gigantic achievement.

The basic provisions of this legislation are of vital interest and importance to all of those whom I have been honored and privileged to represent as a Member of Congress from the Second District of Connecticut. In general the purpose of the new law is to remove inequities, to end harassment of the taxpayer, and to reduce tax barriers to future expansion of production and employment.

I sincerely believe this legislation provides an important keystone in the free enterprise arch spanning the gap between a wartime economy and full employment for all our people in a peacetime economy.

The new law closes over 50 loopholes through which taxpayers today can avoid paying their fair share of taxes.

The new law contains $827 million relief for individuals and $536 million relief for business. In addition the new law will extend the present 52 percent corporate income for 1 year which means an additional $1.2 billion tax on business. This increased tax on business practically pays for all of the tax relief granted so that the net cost to the revenue will be only $163 million.

Without attempting to give a technical interpretation, the following represents some of the highlights of the new tax law. These changes in general are effective as of last January 1 so that the taxpayers will receive the benefit from them this year.

DEPENDENTS

First. A parent can claim a deduction of $600 for each child regardless of the child's earnings if the child is under 19 and the parent continues to furnish more than half the child's support.

Second. A parent can also claim the $600 dependency deduction for child over 18 regardless of the child's earnings if the child is attending school or college, or receiving on-the-farm training, and the parent continues to furnish more than half the child's support.

Third. An aged parent or other dependent cared for by several members of a family can be claimed as a deduction by one of the members of the family.

Fourth. A taxpayer can claim a $600 dependency deduction for a foster child.

Fifth. A taxpayer can claim a $600 dependency deduction for a child awaiting adoption.

Sixth. A taxpayer can claim a $600 dependency deduction for any other person, regardless of relationship, if the taxpayer supports that person in his home.

Seventh. A taxpayer can claim a $600 dependency deduction for a cousin who is institutionalized because of physical or mental disability.

Savings to taxpayers, $85 million.

CHILD-CARE EXPENSES

First. Single working parents, such as a widow, are allowed a deduction up to $600 for the expense of child-care for children up to 12 years of age.

Second. The same deduction is allowed for a married woman who must work because her husband is incapacitated.

Third. The same deduction is allowed with respect to any dependent, regardless of age, who is mentally or physically incapable of caring for himself.

Fourth. A similar deduction is allowed a married woman if the combined income of her husband and herself does not exceed $5,100.

Savings to taxpayers, $130 million.

MEDICAL EXPENSES

First. Medical expenses can be deducted when they exceed 3 percent of income, instead of 5 percent as under present law.

Second. Example: A family with $3,000 gross income and medical expenses of $150 will be able to deduct $60. The same family can deduct nothing today.

Third. The bill doubles the present maximum limit on the amount that can be deducted.

Savings to taxpayers, $40 million.

HEAD OF FAMILY

First. A single taxpayer who has a dependent son or daughter will be entitled during the first 2 years after the death of his spouse to the same income-splitting privilege as is accorded married couples.

Second. A single individual can receive half the benefits of income splitting if he has a dependent parent and if the taxpayer maintains a household for the father or mother.

Savings to taxpayers, $11 million.

RETIREMENT INCOME CREDIT

First. All retired people 65 and over, including schoolteachers, firemen, policemen, and civil servants, will in effect be exempt on all retirement income up to $1,200. This will mean a tax reduction for these retired people of up to $240 a year.

Second. Example: A retired single individual over 65 who has a total retirement income of $3,000 today pays about $300 in income tax. Under the bill, his tax is reduced to $60—a saving of $240.

Third. The same exemption will extend to individuals under 65 if they receive a pension from a public retirement system, such as do teachers.

Savings to taxpayers, $141 million.

CREDIT PURCHASES

The bill allows a deduction for interest up to 6 percent on installment purchases.

Total saving to taxpayers, $10 million.

CHARITABLE CONTRIBUTIONS

The bill increases from 20 to 30 percent the allowable deduction for charitable contributions to churches, hospitals, and educational institutions.

Total saving to taxpayers, $25 million.

AID TO FARMERS

First. Deductions up to 25 percent of farm income are allowed for soil and water conservation.

Second. The bill permits more rapid write-off of the expense of farm machinery, equipment, and construction.

Third. Removes tax on the proceeds of the sale of cattle when the sale is necessitated by disease.

Savings to taxpayers, $10 million.

SICKNESS AND ACCIDENT PLANS

First. Premiums paid by employers to health and accident plans will not be taxable to their employees.

Second. All accident and health benefits paid as reimbursement for actual medical expenses to employees, their wives, or children, are completely exempted from tax.

Third. Payments to employees for loss of wages due to injury or illness are exempted up to $100 a week.

Savings to taxpayers: No estimate possible.

DEATH BENEFITS

The bill exempts all death benefits up to $5,000 paid by an employer to the widow or other beneficiary of an employee.

Savings to taxpayers: No estimate possible.

PENSIONS AND ANNUITIES

In addition to the $1,200 exemption extended to retirement income, the bill also provides a simpler method for taxation of pensions and annuities, ends annual 3-percent tax paid on annuities and provides instead a method of computing tax on basis of cost divided by years of life expectancy.

Savings to taxpayers, $10 million.

DIVIDEND CREDIT

First. Excludes first $50 in dividends from taxation and provides a credit against tax equal to 4 percent of the balance.

Second. Example: An individual with $50 or less in dividends from his savings will be entirely exempt from tax on that amount.

Third. Example: An individual with $250 in dividends from his savings will exclude the first $50 entirely, and then reduce his total tax by $8—4 percent of the balance of $200.

Savings to taxpayers, $204 million.

DEPRECIATION

The bill will permit the more liberal writeoff of the cost of new equipment. For example, in the first year of life of new equipment, the taxpayer will be able

to write off twice the amount now allowed.

Savings to taxpayers, $375 million, of which $75 million represents savings to individuals such as farmers, shopkeepers, and salesmen.

DECLARATION OF ESTIMATED TAX

The requirements are eased for filing declarations of estimated tax. Upward of a million taxpayers will be relieved of the present requirement for filing.

FILING TAX RETURNS

Tax returns will be due April 15 instead of March 15, giving taxpayers 1 additional month in which to prepare their final tax returns and make their final tax payments.

RESEARCH AND EXPERIMENTATION

The bill grants taxpayers an option to either deduct as an expense or to amortize research and experimental expenditures.

No revenue estimate possible. The provision is designed to encourage business research with the objective of creating new products, new processes, and new jobs.

METHODS OF ACCOUNTING

The bill brings tax-accounting rules into harmony with business accounting, thereby eliminating to a great extent the necessity for taxpayers to maintain two sets of books. It provides realistic computation of net income for tax purposes in conformity with sound business practices.

Savings to taxpayers, $47 million.

DEPLETION

The bill increases the rate of percentage depletion on a variety of critical and strategic minerals in order to encourage the development of domestic sources of supply.

Savings to taxpayers, $34 million.

PARTNERSHIPS

First. The bill adopts comprehensive provisions concerning the tax treatment of partners and partnerships in order to remove confusion of existing law. Principal objectives are simplicity, flexibility, and equity between partners.

Second. Certain proprietorships and partnerships are given the option to be taxed as corporations.

Savings to taxpayers, $20 million.

INVENTIONS

The bill extends capital-gains treatment to proceeds realized by an inventor on the sale or exchange of a patent.

No revenue estimate possible. The new provision is designed to encourage invention and thereby promote a healthy economy and an improved standard of living.

NET OPERATING LOSS

The bill extends the net operating loss carryback to 2 years and makes certain other adjustments.

Savings to taxpayers, $120 million.

LIFE INSURANCE

The bill lessens the estate tax on the proceeds of certain life-insurance policies.

Savings to individual taxpayers, $25 million.

CONSOLIDATED RETURNS

The bill removes the 2-percent penalty tax with respect to consolidated returns filed by regulated public utilities.

Savings to taxpayers, $35 million.

IMPROPER ACCUMULATIONS

The bill eases the penalty tax on certain accumulated earnings in order that business, especially small businesses, may have greater freedom in retaining their funds for legitimate business purposes.

Savings to taxpayers, $10 million.

CORPORATION INCOME TAX

The bill extends for 1 year the present 52 percent corporation income tax.

Total increase in revenue, $1.2 billion.

The 10 percent reduction in Federal income taxes which went into effect last January 1 saves individual taxpayers a total of $3 billion annually. This tax cut would not have been possible if the Congress and the administration had not cut the Truman budget for fiscal 1954 by $12 billion.

Nor would the $2 billion tax saving by elimination of the excess-profits tax have been possible without this budget cutting.

The Republican excise-tax reduction law saves taxpayers an additional $1 billion.

The tax revision act will save taxpayers $1,400,000,000.

A total of $827 million of this tax saving is for individuals. The remainder, $536 million, is tax relief for business.

The overall tax-cut program will save $7,400,000,000. Of this amount, individuals receive an overall total tax saving of $4,700,000,000. The tax savings so far surpass any previous total in the history of Congress.

I shall make this report available to all in my district who wish to receive it so that each person may be fully and accurately advised as to the basic provisions of this all-important legislation which I was proud to support.

Rev. Gardner A. MacWhorter

EXTENSION OF REMARKS
OF
HON. SIDNEY R. YATES
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 11, 1954

Mr. YATES. Mr. Speaker, Hobart College was founded in 1822. William Smith College, which is its coordinate college for women, was founded in 1908. At the 129th annual commencement of the colleges held last June, Rev. Gardner A. MacWhorter, of Chicago, Ill., and a resident of the Ninth Congressional District, was singled out and honored for a long and distinguished career of service to his community. The citation which he received was awarded for his inspiring example of service and devotion to his alma mater, to his church and to his fellow man.

Mr. Speaker, I want to congratulate Reverend MacWhorter and to join in commending him as truly a man of good will and a devoted servant to the ideal which seeks the brotherhood of man under the fatherhood of God.

Hon. Wesley A. D'Ewart

EXTENSION OF REMARKS
OF
HON. LEROY JOHNSON
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 11, 1954

Mr. JOHNSON of California. Mr. Speaker, yesterday while a number of Members were eulogizing our colleague WESLEY A. D'EWART, I was absent on some official business connected with my committee assignment. However, I wish to add my testimony to the worth and ability of Congressman D'EWART. He is a modest, and intelligent Member of the House, who gets a great deal of constructive work done. I do not believe that I could name any one in the House today who is more objective in his attitude toward the problems presented to his committee and to the House than is WES D'EWART.

I came to know this during this session of Congress, because of a bill which I had introduced, namely, House Joint Resolution 330, which provides for the construction of three dams on the Stanislaus River in California. This bill was assigned to the Committee on Interior and Insular Affairs. The chairman, assigned the bill to the Subcommittee on Reclamation and Irrigation. We had a difficult time getting a hearing on the bill, due to the crowded calendar of the subcommittee, and due to some obstructive action which prevented the Subcommittee on Reclamation and Irrigation from getting started on a hearing on this bill.

However, the chairman suggested that we talk to Congressman D'EWART. When I say "we," I mean, myself and some of the directors of the irrigation districts which are proposing to build three dams at a cost of almost $50 million in order to get more water for their districts, and also to generate hydroelectric power. He gave us a very fine hearing and after the story had been told, he promptly stated that he would be glad to give us a hearing on our bill. The hearing was held, and he was frank enough to state that it was one of the most constructive hearings that had ever been conducted by this subcommittee.

I note with much pleasure that Mr. D'EWART is entering the race for United States Senator in the coming election. If the people of Montana want a capable, hardworking, and statesmanlike Senator, I think of no one who would be better fitted and qualified for the job, by background as well as temperament, than Mr. D'EWART. No matter what effort he may be engaged in, his object will be to produce a constructive result. His departure will be a real loss to the House of Representatives, which we hope will be partly compensated for by the United States Senate getting an experienced and statesmanlike legislator.

Refugee Relief Program Needs Speeding Up

EXTENSION OF REMARKS
OF
HON. PETER W. RODINO, JR.
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 11, 1954

Mr. RODINO. Mr. Speaker, before we finish the business of the 83d Congress, I rise to express my profound disappointment in the operation of the refugee immigration program so far. Signed by the President almost a year ago, the act would admit 209,000 refugees by the time it expires in December 1956. Yet, to date, less than 2,000 persons have been admitted. Is this the law which the President described as demonstrating America's traditional concern for the homeless, the persecuted, and the less fortunate of other lands? Can we really expect refugees on the other side of the ocean to believe we are concerned with their tragic plight when we put up all manner of roadblocks to keep them from coming to this country?

It was already apparent in Congress last summer that there was powerful opposition to this program. But yet the majority of us felt it was good and voted for it. As many of my colleagues will remember, I spoke in behalf of this bill during the floor debate on its passage. I believed then that it would be a great psychological weapon in our behalf in the cold war with the Communists, while at the same time offering a haven and a refuge for many of the disinherited and dispossessed of World War II. But the sad fact is that thousands of uprooted Europeans who looked on the passage of this bill as the key to the golden door of freedom and opportunity have been disappointed. They have not only been disappointed in their hopes and dreams of coming to America; they have also been convinced, by our lagging and dilatory tactics, that we are not really interested in them. Worse yet, in their eyes we are in the hypocritical position of having passed legislation for propaganda purposes which we had no intention of implementing.

Why have we given that impression? Mr. Speaker, I believe, and that is the reason I want to go on record before the adjournment of this session, that the fault lies in the administration of this law. I do not seek to impugn the motives of anyone, but in all honesty, it does appear to be a deliberate attempt to ignore the wishes of Congress.

Let us look at the facts. Last August 7 President Eisenhower enthusiastically signed into law the Refugee Relief Act. Congress subsequently appropriated $3 million to get the program started. An experienced administrator, Mr. Scott McLeod, was appointed to head up the program. On the surface this would appear to make for an auspicious beginning of a grand, new program. But this was not the case. From the beginning it was reported that the administrator was unsympathetic to the refugee program itself. As many of you know, it was rumored here on Capitol Hill that everything would be done to impede the progress of the program. Last January, for example, Mr. McLeod told a congressional appropriation committee that he hoped 15,000 persons would be admitted by June 30. And yet—according to a count made in June only 48 refugees had been admitted.

Fortunately, certain Members of Congress did not forget about this program once they voted for it nor did the President give up hope for its success. Last spring—when only 8 refugees had been admitted in so many months of operation—several Members took the floor to register strong protests over what appeared to be a deliberate attempt to sabotage the whole program. One Member, from a State bordering my own, attacked the slowdown as a national scandal. The combined interest of Congressmen and the President had its effect. On April 30, Mr. McLeod sailed for Europe to investigate firsthand the operation of the refugee program. Among other places, he visited Italy where the problem, as Ambassador Luce can verify, is particularly acute and explosive.

In fairness to all concerned, the program has gained momentum in the last month. The last count taken July 22, showed that 1,779 refugees had been admitted to this country, but this is still far short of Mr. McLeod's January estimate of 15,000 by June 30. It amounts to about eight-tenths of 1 percent of the total authorized and the program is almost one-third over.

Every imaginable excuse has been given for the delays. One reason often given is the lack of cooperation from foreign governments in pledging to readmit aliens who obtain visas by fraudulent means. But this reason hardly holds water when we consider that Italy from the beginning has been willing to cooperate in every way and early agreed to take back all refugees who might later be found to have used fraud in obtaining visas. Yet Italians, like refugees from other countries, have been hamstrung in their efforts to come to this country.

Mr. Speaker, the best of laws can accomplish little when there is no will to make it work and when there is lack of cooperation only misfortune for everyone concerned can be the result.

Another reason given for the delay so far is the need for strict security investigations of each refugee. And certainly I think we would all agree that when we voted for the Refugee Relief Act last summer we were voting for an act with adequate security precautions. Special safeguards in regard to security screening were written into the bill. Other precautions, over and above our usual immigration provisions seemed to insure the security of the United States against the possible admittance of subversive agents. I agree that these safeguards are vitally necessary. But I submit, Mr. Speaker, that these precautions should be used only for the purposes for which they were intended.

I believe, further, that we have lost one round in the fight against communism when we indulge ourselves inordinately in the emotions of panic and fear. Let us look at the situation in Italy. As of July 16, 1954, 4,802 visas had been issued to Italians. How many had been refused on any grounds including security reasons? Only 438. And yet the professional purveyors of a particular brand of security would have us believe that it would be hard to find anyone in Italy or in all of Europe who is not really a subversive.

While the passage of time has enormously diminished the moral and psychological impact which I had hoped this law would have, and while we can never undo the damage of a year of almost complete inaction, we can begin to correct the impression we have created abroad that we don't care about these people. My heart goes out to all those who could and should benefit from this program: to the relatives who cannot join their families in this country because the regular immigration quotas are over-subscribed; to the refugees who have been the victims of the very ideologies we are combatting today. I hope and pray that from here on in the law will be administered in the spirit which we intended when we voted for it last summer.

Our Oil Imports Must Be Reduced

EXTENSION OF REMARKS
OF
HON. CHARLES W. VURSELL
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 11, 1954

Mr. VURSELL. Mr. Speaker, many Congressmen in this body who come from key oil producing States and who have been watching the increase of imports of foreign oil into this country, until there is being delivered into our ports 1,050,000 barrels of oil a day, realize the absolute necessity of limiting these imports.

I introduced a bill in the first session of the 83d Congress, last year, to limit imports, which was embodied in bill reported by the Ways and Means Committee, and many of the Members of this House will remember that the Congress seemed in a mood to pass the legislation, however, after heated debate the opposition was able, by only a few votes, to recommend the bill to the committee for further study.

This should have been a warning to the big importers but it was not. They have continued to increase their imports to the point of over a million barrels a day at the present time, which is taking 14 percent of the local oil market of this Nation, with the result that we now have a surplus of oil which is causing the independent producers to sustain great losses, and, in the judgment of many of us, may be endangering the defense of our Nation, should we suddenly become involved in an all-out war.

Mr. Speaker, these excess imports have caused the pipeline companies to reduce, in some instances, by 30 percent of their normal purchase of domestic oil in the last few weeks, which has slowed down exploration and production, causing the loss of millions of dollars to those engaged in the independent oil industry,

forcing hundreds of dealers to stack their rigs and stop production.

Countless thousands of highly skilled and well-paid employees are being thrown out of work, the Government is losing heavily in taxes it would receive, and the business communities throughout the tri-State area of Illinois, Indiana, and Kentucky are losing a tremendous amount of business and taxes the Government would receive.

The same condition exists in practically every oil State in the Nation. Men are being thrown out of work, and the Federal Government is losing millions in taxes it would otherwise receive.

I hold in my hand a page ad appearing in the Mount Vernon Register News, Mount Vernon, Ill., signed by 35 oil companies and banks, which I hope the Members of the House will read the substance of which I am inserting as a part of my remarks. This will give you an idea of what is happening in Southern Illinois, Indiana, and Kentucky, known as the tri-State oil area. This reflects the condition, generally, in many States throughout the United States.

This points out the absolute necessity that the Congress and the executive department, at the earliest possible date, find some solution for this problem in the interest of the economy of our Nation, and in what many of us believe is in the interest of the defense of our Nation.

The matter follows:

ATTENTION—EVERY LANDOWNER IN SOUTHERN ILLINOIS IS A POTENTIAL OWNER OF OIL LAND

Royalty Owners, Land Owners, Businessmen, Oil Producers, Everyone Interested in the Economy of the State of Illinois:

We believe that a healthy oil industry is important to all the people of Jefferson, Marion, Clinton, and Washington Counties, as well as all of southern Illinois. Taxes paid on oil production are based on the daily average production per lease and are an important source of revenue to help build and maintain schools, roads and other public welfare activities. Vigorous oil activity in this area is a strong support for all business and free enterprise.

Without a fair market for Illinois crude oil production, farmers, royalty owners, field workers and businessmen will all feel the effect of the loss of bonus money, rental and royalty income and unemployment in general.

We are confronted with what should be only a temporary oversupply of crude oil. According to our information, this oversupply of crude oil which has resulted in the proration of oil runs in southern Illinois is due largely to excessive imports of foreign oil.

As of July, 1954, the average imports of foreign oil is approximately 1,100,000 barrels daily. Of this amount approximately 800,000 barrels daily come from our friendly neighbors in the Western Hemisphere, Venezuela, and Mexico. With these two countries we do have substantial reciprocal trade.

The other 300,000 barrels come from the Middle East. With this area we have an infinitesimal volume of reciprocal trade. According to our information, this 300,000 barrels daily of Middle East oil which is delivered to eastern seaport at a very low cost is the most direct cause of proration of oil in southern Illinois. If this excess of 300,000 barrels of foreign oil imports were cut down, it is our belief that proration of oil in the southern Illinois area would be unnecessary.

There are two ways by which this excess of 300,000 barrels of foreign oil imports could be cut back. The executive department, headed by President Eisenhower, could raise the import tariff on this amount of oil high enough that this 300,000 barrels could not be profitably imported. (This is the first remedy.)

The second method by which these excess imports could be cut down would be by act of Congress, cutting the imports of all foreign oil to an amount not to exceed 800,000 barrels daily. (This is the second remedy.)

We both advise and request that you take time and make the effort to write the two United States Senators from Illinois asking them to exert their efforts immediately to get adopted either the first or second remedy as above outlined. Please address your letters to Senator EVERETT DIRKSEN and Senator PAUL DOUGLAS, United States Senate Office Building, Washington, D. C., and your Congressman for the 23d Congressional District, Hon. CHARLES W. VURSELL, House of Representatives, Washington, D. C.

Respectfully submitted.

Collins Bros. Oil Co.; Fletcher Farrar; Security Bank of Mt. Vernon; Will I. Lewis; Glenn Cole; E. M. Self; F. L. Strickland; Petro Drilling Co., F. L. Strickland; Stewart Oil Co., J. Russell Stewart; Harold G. Watson; Wilbur L. Griffith; Larkin Packer Co., Wiley Ford; Charlie Wood; Curt Ham; Schlumberger, Dan Moon; Walter Duncan Oil Properties; A. B. Carlisle; Homer Rutherford; Leo Horton; Illinois Exploration Co.; Edward T. Robinson; Illinois National Oil & Gas Co., L. L. Benoist, R. E. Benoist; Nash Redwine; C. E. Brehm; T. L. Metcalf; National Associated Petroleum Co.; Waller J. McGlasson; R. Jungbecker; M. J. Mitchell; Hopkins Drilling Co.; H. J. Schlafly; Hartman & Jordan; Glass & Co.; Robert E. Thorpe; Guard Marvin; R. I. McAfee; First National Bank of Mount Vernon; John J. Callahan; Craig & Craig; C. H. Harrison; Holdren Construction Co.; Mount Vernon Chamber of Commerce; Jefferson County Farm Bureau.

Connecticut Rural Letter Carriers

EXTENSION OF REMARKS
OF
HON. ANTONI N. SADLAK
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 11, 1954

Mr. SADLAK. Mr. Speaker, the Rural Letter Carriers Association of the State of Connecticut this year is observing the 50th anniversary of its affiliation with the national association. The active membership of the Connecticut branch includes 3 women rural letter carriers. At this year's State convention, Miss Rose J. Ferrante, a rural letter carrier from Middlebury, was elected State president, having previously served in other offices. This is the first time in the Connecticut history that a lady was elected as president. This remarkable attainment seemed to me to be not only an indication of great progress but also the first time nationally that such an honor had been won by our ladies. After inquiry, I found that Miss Ferrante had a predecessor nationwide inasmuch as Mrs. Cassie Toresdahl had served as president of the Montana Rural Letter Carriers Association from 1948 to 1950. Not only do our women rural letter carriers perform their duties well but they also take an active participation in their organization and, when elected to office, prove their capability to provide leadership for their fellow members.

Reservoir of Language Specialists

EXTENSION OF REMARKS
OF
HON. ALEXANDER WILEY
OF WISCONSIN
IN THE SENATE OF THE UNITED STATES
Wednesday, August 11, 1954

Mr. WILEY. Mr. President, I send to the desk the text of a statement which I have prepared on the subject of widening the reservoir, so to speak, of American language specialists in the world today, in order that our country may be adequate to all its tremendous challenges on the world scene.

I ask unanimous consent that the text of this statement, together with the text of an appended memo—prepared at my request—by the American Council of Learned Societies, be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WILEY

On July 31, I reproduced in the CONGRESSIONAL RECORD the text of a letter which I had just received from Dr. Mortimer Graves, executive director of the American Council of Learned Societies.

That letter may be found on page 12927 of the CONGRESSIONAL RECORD. In it, Dr. Graves pointed out that an item in the Russian newspaper, Pravda, indicated that the Russians were preparing language dictionaries in some 80 tongues. By contrast, the American Council of Learned Societies is in a position today to prepare dictionaries in only 3 languages.

This is but one of the unfortunate aspects of our present deficiency in foreign languages. Inevitably, therefore, there arises the question, "How can we—under these circumstances—possibly communicate effectively with foreign peoples, particularly those lesser known peoples with whom we have had comparatively little contact in recent years? If we cannot proficiently speak their language and instruct in it, and if they cannot speak ours, how can we possibly get across even our minimal basic concepts and how can they possibly get across theirs? How can we learn about their culture and they about ours? How can they secure technical know-how from us, and how can we understand them and their civilizations so that we, in turn, may profit from their background and experience?"

The barrier of language is encountered by us throughout the world, yet it is a barrier which can be overcome through the application of a reasonable amount of energy and finances. Overcoming the barrier is the indispensable first step in improving contacts with foreign peoples and in strengthening the fraternal bonds of the free world.

The Congress may appropriate hundreds of millions of dollars for a variety of programs—for military assistance, for United States Information programs, for various types of exchange programs and the like. But all these programs will be sadly handicapped if we do not expand the reservoir of United States language specialists. This cannot be done overnight. It should be commenced without further delay.

There follows now a preliminary memo on the problem prepared at my request by the American Council of Learned Societies:

"LANGUAGE PREPAREDNESS FOR NATIONAL SECURITY

"(A preliminary statement prepared by the American Council of Learned Societies, August 11, 1954)

"One of the aspects of a cold war is the constant danger of having one's opponent always prepared to take advantage of a local situation to further his own ends. For example, during the last 5 years Russian training centers have been producing graduates in Arab dialects spoken from Morocco to Indonesia. In this way, the Russians have produced persons capable of representing their government, and—even more important—their ideology, to millions of people. Meanwhile, America is incapable of waging this type of war for men's minds.

"This aspect of national defense has been woefully neglected. The newspapers the last few days have been headlining a crisis in Morocco. Who is competent either to report this situation accurately or to foresee developments vital to American interests? With the exception of the too few trained specialists, unable to work 24 hours a day for more than a few days at a time, there is no one.

"How can we best overtake the Russian lead in this race for the confidence and understanding of other peoples? Only by recognizing our weakness immediately and bracing ourselves to meet it. Fortunately, we are not entirely without resources. The American Council of Learned Societies before and during the Second World War spearheaded a language offensive. At that time the council had the vision to predict the importance of foreign-language training not only as a weapon for war but also as a potential weapon for peace.

"With the impetus of a crisis situation, support was forthcoming from the War Department and 30 textbooks, as well as recordings and dictionaries, were prepared and hundreds of persons received basic language training. This effort was new and was, in large part, experimental. Just as the techniques were beginning to prove themselves—and just as a Korean-English dictionary was ready for publication—the war ended. And so did Government interest in language training; the work was stopped, and that Korean dictionary has never been printed. As a result, the outbreak of the Korean war caught the United States in a little publicized but severely felt state of language unpreparedness; most of the nonnative knowledge of the Korean language was concentrated north rather than south of the Yalu River.

"The year 1954 found America deeply concerned with Vietnam. Who in the United States could read and understand any of the languages of Indochina? With one or two exceptions, only a few emigrees from those countries. How long can this Nation afford this type of ignorance? At the end of 1952 the Department of State had exactly one Thailand expert. In 1953 its man in charge of Thai language training was the victim of reduction in force. Last week, following the Vietnam armistice, we learned that Thailand was next in line. Is this economy?

"Recent elections in Andhra (south India) resulted in substantial gains for the Communist element and put it in opposition to a coalition group which is at least temporarily in power. The United States is greatly handicapped in this connection since no one connected with our Government can read Telegu, the language of the area.

"American inferiority in the language field cannot be remedied overnight through intensive training of a large number of persons in little-known languages. We are further behind than that in that we lack the necessary tools—textbooks, graded readers, and dictionaries which are indispensable to such training. What is even worse, we have an extremely limited reservoir of specialists capable of producing these tools. Mere knowledge of a foreign language does not qualify a person for this. Special training is an essential. For example, the American Council of Learned Societies, with limited private support, is making three dictionaries: Korean-English, Indonesian-English, and Burmese-English. Even with more money, what more could be done at this time? A fourth dictionary could be started, say for Arabic, or Persian, or the language of Afghanistan; and, with great difficulty, perhaps a fifth, but that would be the limit under present conditions. The only way that the situation could be improved, even during the next 10 years, would be the immediate establishment of a long-range program carrying adequate support.

"And where must this support come from? The task is so tremendous that no private source of funds, such as a foundation, no matter how interested and how generously inclined, can make more than a dent on it. The process is so expensive that no commercial organizations could or would attempt it. It is a national responsibility and, as such, must be nationally supported. Unfortunately, the Russians have found this out. They have recognized the production of language tools as being comparable in importance to the production of armaments and have made government funds available for this purpose. Hence, they have reached a point where they can report in Pravda as having 80 dictionaries in process.

"We should not make the mistake, however, of thinking that if sufficient funds could be made available tomorrow that we could begin making 80 dictionaries. With our limited resources of trained specialists, we must begin by the wise use of comparatively modest funds to be expended almost entirely for training. This training should, in the first instance, be directed toward those areas of most obvious strategic importance to American security—southeast Asia and the Arabic world. Recognition by the Congress of the urgency of this aspect of the national defense would go far toward mending the roof before the present showers become a cloudburst."

New Assistant Secretary of Health, Education, and Welfare, Mr. Bradshaw Mintener

EXTENSION OF REMARKS

OF

HON. WALTER H. JUDD

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 11, 1954

Mr. JUDD. Mr. Speaker, the President and Secretary Hobby are to be congratulated on securing Mr. Bradshaw Mintener, of Minneapolis, as Assistant Secretary of Health, Education, and Welfare, with special responsibility for Federal-State relations. This is a very important post because so many of the activities of that Department are joint operations of the Federal and local governments—such as, social security, vocational education and rehabilitation, hospital construction, food and drug administration. Mr. Mintener has had a distinguished career as vice president and general counsel of Pillsbury Mills—and, like so many other officials of this administration, is making a great personal sacrifice to accept this appointment. That is in harmony with the public-spiritedness we in Minnesota have seen Mr. Mintener demonstrate in the many church, interracial, and civic tasks he has accepted in the past and always discharged with distinction. Under leave to extend my remarks, I wish to include an editorial from the Minneapolis Star of August 6, 1954:

THE ABLE MR. MINTENER

Bradshaw Mintener was a key figure in the movement which resulted in a clear call from Minnesota for the nomination of Mintener's old friend, Dwight D. Eisenhower, for the Presidency. Now the President has summoned his good friend to Washington to be Assistant Secretary of Health, Education, and Welfare. But this is no mere paying off of a political or personal debt. The President knows the fine legal and human qualities of the Minneapolis attorney. This city and this State long ago learned that important projects entrusted to Mintener's care were quickly and competently handled. The National Government soon will learn the same.

SENATE

THURSDAY, AUGUST 12, 1954

(Legislative day of Thursday, August 5, 1954)

The Senate met at 10 o'clock a. m., on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Eternal God, Father of our spirits in whose peace our restless, feverish hearts are quieted, from the flickering torches of our own understanding, we would lift the perplexing decisions of the public service and of the Nation's welfare into Thy holy light. Make us, in the purity and integrity of our inner lives, such men that Thou mayest speak to us and through us to this bewildered and groping generation.

In these anxious days, when the destinies of nations hang in the balance, when the tensions of human relationships are like waters tossed and troubled, great God of all the earth, lead us to know the worth of sympathy. May brotherhood increase. May all contentions cease, and nations dwell in peace and unity. In the dear Redeemer's name we pray. Amen.

THE JOURNAL

On request of Mr. KNOWLAND, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, August 11, 1954, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the House had passed a joint resolution (H. J. Res. 118) to designate the 1st day of May 1955 as Loyalty Day, in which it requested the concurrence of the Senate.

COMMITTEE MEETING DURING SENATE SESSION

Mr. KNOWLAND. Mr. President, after consultation with the minority leader I ask unanimous consent that the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations be given permission to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. KNOWLAND. Mr. President, I ask unanimous consent that immediately following the quorum call there may be the customary morning hour for the transaction of routine business under the usual 2-minute limitation on speeches.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Morning business is in order.

LAWS ENACTED BY MUNICIPAL COUNCIL OF ST. THOMAS AND ST. JOHN, V. I.

The PRESIDENT pro tempore laid before the Senate a letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, copies of laws enacted by the Municipal Council of St. Thomas and St. John, V. I., which, with the accompanying papers, was referred to the Committee on Interior and Insular Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LONG, from the Committee on Finance, with amendments:

S. 3447. A bill to amend the Internal Revenue Code to permit the filling of oral prescriptions for certain drugs, and for other purposes (Rept. No. 2471).

By Mr. WATKINS, from the Committee on Interior and Insular Affairs, without amendment:

S. 3108. A bill to modify the act of October 8, 1940 (54 Stat. 1020) and the act of July 24, 1947 (61 Stat. 418) with respect to the recoupment of certain public-school construction costs in Minnesota (Rept. No. 2483);

H. R. 2154. A bill authorizing the issuance of a patent in fee to Leona Hungry (Rept. No. 2473); and

H. R. 7813. A bill authorizing the Secretary of the Interior to adjust or cancel certain charges on the Milk River project (Rept. No. 2481).

By Mr. WATKINS, from the Committee on Interior and Insular Affairs, with an amendment:

S. 2153. A bill to authorize the transfer of certain property to the State of Minnesota, and for other purposes (Rept. No. 2484).

By Mr. WATKINS, from the Committee on Interior and Insular Affairs, with amendments:

H. R. 5301. A bill to supplement the Federal reclamation laws by providing for Federal cooperation in non-Federal projects and for participation by non-Federal agencies in Federal projects (Rept. No. 2472).

By Mr. DWORSHAK, from the Committee on Interior and Insular Affairs, without amendment:

H. R. 7881. A bill to validate a conveyance of certain lands by Southern Pacific Railroad Co., and its lessee, Southern Pacific Co., to Morgan Hopkins, Inc. (Rept. No. 2474); and

H. R. 8205. A bill to authorize the conveyance by the Secretary of the Interior to Virginia Electric & Power Co. of a perpetual easement of right-of-way for electric transmission line purposes across lands of the Richmond National Battlefield Park, Va., such easement to be granted in exchange for, and in consideration of, the conveyance for park purposes of approximately 6 acres of land adjoining the park (Rept. No. 2475).

By Mr. BARRETT, from the Committee on Interior and Insular Affairs, with amendments:

H. R. 9981. A bill to provide for the construction of distribution systems on authorized Federal reclamation projects by irrigation districts and other public agencies (Rept. No. 2476).

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, without amendment:

H. R. 7229. A bill to provide for the conveyance to T. M. Pratt and Annita C. Pratt of certain real property in Stevens County, Wash. (Rept. No. 2477).

By Mr. KUCHEL, from the Committee on Interior and Insular Affairs, with amendments:

H. R. 8498. A bill authorizing construction of works to reestablish for the Palo Verde Irrigation District, Calif., a means of diversion of its irrigation water supply from the Colorado River, and for other purposes (Rept. No. 2482).

By Mr. CARLSON, from the Committee on Post Office and Civil Service, without amendment:

H. R. 5718. A bill to limit the period for collection by the United States of compensation received by officers and employees in violation of the dual compensation laws (Rept. No. 2478);

H. R. 7785. A bill to amend the Civil Service Retirement Act of May 29, 1930, to make permanent the increases in regular annuities provided by the act of July 16, 1952, and to extend such increases to additional annuities purchased by voluntary contributions (Rept. No. 2479); and

H. R. 9825. A bill to authorize the Postmaster General to prohibit or regulate the use of Government property under his custody and control for the parking or storage of vehicles (Rept. No. 2480).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BARRETT:

S. 3861. A bill for the relief of Theresa Pok Lim Kim; to the Committee on the Judiciary.

By Mr. MUNDT:

S. 3862. A bill to authorize the Secretary of Agriculture to exchange certain lands in Pennington County, S. Dak.; to the Committee on Agriculture and Forestry.

HOUSE JOINT RESOLUTION REFERRED

The joint resolution (H. J. Res. 118) to designate the 1st day of May 1955 as Loyalty Day was read twice by its title and referred to the Committee on the Judiciary.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. REYNOLDS:

Letter written by him in response to requests for Government assistance in connection with certain practices in the automobile industry.

FARMERS HOME ADMINISTRATION—LETTER FROM THE ADMINISTRATOR

Mr. AIKEN. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a letter dated August 9, 1954, which I received from the Farmers' Home Administration, United States Department of Agriculture.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES
DEPARTMENT OF AGRICULTURE,
FARMERS HOME ADMINISTRATION,
Washington, D. C., August 9, 1954.

Hon. GEORGE D. AIKEN,
United States Senate.

DEAR SENATOR AIKEN: I do not believe it would be proper for me to see this Congress adjourn without expressing to you and members of your committee and to all of the Members of the Senate my sincere appreciation for the wonderful cooperation which I have received as Administrator of the Farmers' Home Administration during my first year in that capacity.

The action which you have taken in this session to extend and enlarge the water facilities and conservation loans as well as the amendment to the Bankhead-Jones Farm Tenant Act are very significant. These acts will make a major contribution to a stable agriculture in the United States and its Territories.

I think it outstanding and should so be expressed that at no time in any single instance has undue pressure been exerted upon me or any member of my staff by any Member of Congress toward the making of any loan. In many instances Members of Congress have properly requested information regarding the status of loan applications from their constituents. We hope that in all cases we have delivered this information properly and sufficiently.

My staff joins me in expressing sincere thanks for this cooperation and to assure you as well as every Member of Congress that it's fully appreciated.

Sincerely yours,

R. B. MCLEAISH,
Administrator.

FARM LEGISLATION

Mr. AIKEN. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an editorial entitled "A Major Triumph," published in the New York Times of August 11, 1954; an editorial entitled, "Two Victories for Sense Over Nonsense," published in the Baltimore Sun of August 11, 1954; and an editorial entitled "The Farm Victory," published in the New York Herald

Tribune of August 11, 1954, all of which relate to the farm situation.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the New York Times of August 11, 1954]

A MAJOR TRIUMPH

When the Senate voted, 49 to 44, on Monday night, to substitute a system of flexible price supports for the rigid 90 percent supports obtaining on 5 of the Nation's so-called basic farm commodities, it recorded a victory for the administration in one of the most difficult and most important struggles of its entire legislative program to date.

Up to 1942 flexible price supports were established farm policy for this country. In the prewar years the Secretary of Agriculture could determine at his own discretion each year what percentage of parity would be regarded as a reasonable floor to be maintained under each of these commodities. He was limited only by a minimum of 52 percent of parity and a maximum of 75 percent. In selecting the support level for a commodity for any given year, he was guided predominantly by the supply situation in that commodity. In 1942, however, during World War II, American agriculture, like American industry, was faced with an unprecedented production challenge. It had to meet not only the needs of the civilian population at home but also a large part of the requirements of our own Armed Forces and those of our allies.

In order to stimulate agricultural output, the Government underwrote this production effort through emergency legislation which, among other things, set 90 percent of parity as the fixed floor under basic commodities for the duration of the war. Foreseeing that the farmer would require a reasonable amount of time to readjust production to peacetime conditions, Congress provided that the 90 percent supports should continue in effect for 2 years after the President had declared the war emergency at an end. President Truman issued that proclamation December 31, 1946, so the emergency supports should have gone out of existence beginning with the crop year 1949, or 5 years ago. But the powerfully entrenched farm bloc has succeeded up to now in postponing the effective date for this provision of the law every time it drew near. The last such postponement came in midsummer 1952 on the eve of the Democratic Convention.

In this week's Senate debate, as well as many times before, advocates of 90 percent supports have charged that President Eisenhower campaigned on a promise to continue 90 percent supports, and that he has since broken that promise. This is a complete misrepresentation of Mr. Eisenhower's position. In reply to opponents who suggested that if elected he would demand the repeal of the 2-year extension voted in 1952 he denied that he had any such intention. He recognized, he said, a legal and moral obligation to administer that legislation so long as it was on the statute books. However, he made it clear at the same time that he would use that interval to study the farm problem in consultation with the farmers themselves and with the country's best experts in the field.

This is precisely what he did, and as a result, last January 11, in a special message to Congress he outlined his program, which, like the measure sponsored by Senator CLINTON P. ANDERSON in 1949, included provision for flexible supports for the basic commodities, within a range of 75 to 90 percent of parity. As had been expected, the measure emerged from the Agriculture Committees of both Houses with the 90 percent support level restored. In the House the administration succeeded in knocking that provision out in favor of a flexible provision ranging from 82½ to 90 percent of parity. Since the formula agreed on now in the Senate is identical with the House provision, this means that it can't be tampered with in conference committee.

Following its action in upholding the administration in its fight for flexible supports the Senate on Monday night and yesterday voted down the only two other seriously undesirable provisions that had been tacked on by the Agriculture Committee. It upheld the decision of Secretary of Agriculture Ezra T. Benson, who, exercising his discretion under the law, had reduced the support level of dairy products this year to 75 percent of parity. It also rejected a proposed committee amendment which would have made supports mandatory for small feed grains—oats, rye, barley, and grain sorghums.

The breakaway from 90 percent farm price supports is not going to produce any miraculous changes in the farm situation overnight. But it was a step that had to be achieved before any real progress could be made in ridding the Nation of the incubus of the continuously mounting farm commodity surplus. It represents a basic change of direction in economic policy whose long-term importance can hardly be exaggerated.

[From the Baltimore Sun of August 11, 1954]

TWO VICTORIES FOR SENSE OVER NONSENSE

As of this writing, the Senate has gone along with the House of Representatives and accepted the principle, at least, of flexible support for the prices of five basic farm commodities. The outcome constitutes a major victory for President Eisenhower, one comparable to the vote which admitted that it was unjust to subject the dividends of corporations to double taxation.

In both cases, the victory is a partial one. The flexibility in support prices will be sharply limited in range and the tax abatement on dividends will prove, for most owners of common stocks, to be something more like a sprinkle of dollars than a downpour. Still the principle is established and that is what honest men are thankful for.

It is not easy, in matters like these, for commonsense and decency to win out over demagoguery. It has not happened often in the last twenty-odd years. In the matter of double taxation, the demagogs really went to town. All the old bugaboos—Wall Street, princes of privilege, grinding the poor, taking bread out of the mouths of women and children—were dusted off and waved around in the Halls of Congress. The journals which specialize in such play-acting are still shrieking. But a majority of both Houses stood firm in support of the President and he had his way.

When the problem of flexible supports came up, the breastbeaters had another week or so of the same kind of stuff. Senator LEHMAN, of New York, probably with one eye on the upstate farm vote and with full knowledge that his New York City supporters would vote for him regardless, forgot about the taxpayers and consumers he pretends to protect and rushed to the support of the tillers of the soil.

Of course, he wasn't the only one. From the speeches made one would have supposed that every farmer in the United States would be forced into bankruptcy and that all the rest of us would soon be brought face to face with starvation. Some Senators even went so far as to argue that the vast surpluses produced by the rigid support system were a good thing for farmers, instead of threatening the whole farm price structure with collapse as they do.

But despite all this rodomontade, commonsense and common fairness won again. Two victories in a row over the demagogs is not a bad record for Mr. Eisenhower. Maybe it means that the country has finally concluded that 2 and 2 don't make 5.

[From the New York Herald Tribune of August 11, 1954]

THE FARM VICTORY

It was a tight squeeze, but the Senate has voted 49 to 44 to establish lower and flexible price supports for the major farm products. The House has already accepted the principle; the victory is now complete. Economic sense has triumphed over shortsighted political considerations. At last it is agreed, despite all the chronic obstructionism, that high rigid supports cannot be allowed to endure.

The proposition is simply that this country's agriculture should not keep on producing price-propped surpluses which become increasingly unmanageable. The aim is to achieve a better balance between production and consumption, to provide better markets and to lead the way toward fewer controls. Sensible people have long recognized the wisdom of flexible supports—that sooner or later the step toward diminished subsidy had to be taken. But each year since the war Congress has regularly clung to one extension after another, all the while knowing the idea was wrong and that gradual adjustment would have to be applied eventually. The consumers needed relief, the taxpayers needed help, and the farsighted farmers were also well aware of the essential injustice of being overly protected. Yet it takes a lot of courage to resist organized pressure, and the easy way out was to tolerate subsidy and more surpluses.

There comes a time, however, when sanity and determination assert themselves, when leadership insists upon a corrective program, moderate in details, which is for the good of all the people. That is what President Eisenhower has done, with the valiant assistance of Secretary Benson. Government will continue to help agriculture over the rough spots, but not so blindly that the rest of the population is made to suffer. It is a tremendous accomplishment, one that was boldly conceived and energetically driven through.

THE FLEXIBLE PRICE-SUPPORT PROGRAM

Mr. WATKINS. Mr. President, it is with a great deal of personal satisfaction that I view the Senate's action of Tuesday supporting President Eisenhower's flexible price-support program. The institution of a system of flexible price supports, instead of fixed 90 percent price supports, which have resulted in unmanageable surpluses, clearly represents a long overdue and far-reaching change in agricultural policy.

It not only offers reasonable price protection to the growers of basic commodities, but it also provides a realistic method of adjusting farm production of the basic commodities to our consumptive needs. This it does by permitting the law of supply and demand to function more freely, with market price the regulator. Given time, it will result in production for consumption, instead of for Government storage. It also ultimately means less Government control of individual farming operations, since once the market influence is felt, production controls will not be needed.

Secretary Benson is to be congratulated for the statesmanlike manner in which he has presented to the American public the case for a flexible price-support program. We in Utah are very proud of him, as are all thinking farmers throughout this great country.

A timely editorial from the New York Times of August 11, 1954, depicts the Senate action of Tuesday as a major triumph not only for this administration, but the American farmer as well. This editorial is printed in today's RECORD as part of the remarks of the Senator from Vermont [Mr. AIKEN].

PROPOSED TREATY RESTRICTIONS—STATEMENT BY SENATOR WILEY

Mr. WILEY. Mr. President, I shall take the time of the Senate for but a few minutes to comment on the issue of treaty law and the United States Constitution.

It had not been my intention to take the time of the Senate during any of the remaining days of the session for a discussion of this subject. We had already taken a considerable proportion of this entire session in debating Senate Joint Resolution 1. The pros and cons have long since been set forth so completely as probably not to require much, if any, elaboration.

However, last Thursday, August 5, my distinguished associate, the senior Senator from Ohio, commented at length on this subject at the time he introduced Senate Joint Resolution 181.

I feel that comments which he made at that time and as are recorded on pages 13456–13460 of the RECORD, should not go unanswered. For brevity's sake, I shall ask consent that certain material in my statement which follows merely be printed in the RECORD; it is not my purpose to resume now full oral debate on the amendment which bears my colleague's name. I think that both he and I have long since made known our record. Moreover, the Senate, confronted as it is, in these closing days, by a mass of other legislation, should not be faced with another verbal marathon on this subject.

AMERICANS SHOULD REPUDIATE SENATE JOINT RESOLUTION 181

My colleague from Ohio stated that he was introducing his resolution in order to "facilitate the educational and political activity of patriotic Americans in the months ahead."

It is my earnest hope that there will indeed be "educational and political activity" carried on prior to the onset of the 84th Congress. I trust and believe that the American people will register decisively their enlightened repudiation of Senate Joint Resolution 181. I trust they will show definitely that they are not in favor of emasculating the United States Constitution under the guise of defending the Constitution.

They are not in favor of shackling the hands of the President of the United States under the guise of protecting us from some future President. They are not in favor of altering the historic system of checks and balances between the three branches; specifically, they are not in favor of depriving the Chief Executive of our country of authority which, since the beginning of our Constitution, has historically been lodged within the executive branch.

My colleague from Ohio said that, "the fight for protection against treaty law has only just begun."

I can assure him that the fight to protect the United States Constitution has indeed only just begun. It has only just begun against those who for high, patriotic, but misguided motives, would violate the basic spirit of the Constitution.

Were the hour not so late in this session, I would refute in detail each of the hobgoblin arguments raised by my colleague from Ohio—each of the false scares designed to frighten the American people into believing that they are the victims of certain imaginary dangers.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

THE MISREPRESENTATIONS OF "INTERNATIONALISM"

One notes, for example, in every defense of Senate Joint Resolution 1 and its offspring—repeated used of such scare-words as "world government," "violation of United States sovereignty," "rabid internationalism," etc.

Proponents of the resolution consistently try to conjure up panicky fantasies of an "army" of internationalists, on Capitol Hill and throughout America, seeking to destroy the United States Constitution through various treaties and agreements.

I say, however, that such characterizations are totally unfair and totally misrepresent the issue.

Why? Because the issue today is not fantasy; it is war or peace, progress or destruction of civilization.

If there is anything which recent events on the world scene have proven, it is that the United States must collaborate against the danger of international communism in a spirit of partnership and friendship with all like-minded nations.

This view was most recently expounded by the President of the United States in his splendid emphasis on "the good partner."

I might point out incidentally that my colleague from Ohio was significantly silent with regard to the position of the President of the United States against his own resolution. Why? Because no one more keenly understands the need for progress in international cooperation than the Chief Executive of our country, and that is why he has time after time reiterated his "unalterable opposition" to the basic resolution offered by the gentleman from Ohio.

The current offshoot, Senate Joint Resolution 181, does not differ from the basic formula of previous versions which had been offered and defeated.

The spirit of the infamous "which" clause remains, although the "which" phrase as such, has "conveniently" been omitted. "A rose by any other name smells as sweet" but a very unrosy amendment, in spite of minor language changes, is just as unpleasant and objectionable.

Lest my remarks be misunderstood, I can assure one and all that there is nothing personal in differences between my friend from Ohio and myself. We happen to differ strongly on this issue, but I have never questioned the patriotism of his motives nor the zeal with which he has defended what he sincerely feels to be in the best interests of our country. I wish that we could always debate this issue on the high plane of principle.

I wish, moreover, that with my friend's great ability he could devote himself to more meaningful problems of international relations to the extent that his diligent labors as chairman of the Commerce Committee will permit.

WE ARE NOT MENACED BY "INTERNATIONALISTS"

After all, we are not genuine menaced by so-called "internationalists."

The actual number of people who believe in world government, world currency, world taxes, world legislation, and the like, are very, very few; and certainly they do not include the senior Senator from Wisconsin nor any responsible individual in the executive branch of Government.

No, we are not menaced by the "internationalists."

We are menaced by the Soviet Union, and by the terrible danger of the A-bomb and the H-bomb in Soviet hands. What is the answer of my colleague from Ohio to that latter menace? Why does he not direct his great talents toward a meaningful solution to that problem?

He had been a long-time, highly esteemed chief executive of a great sovereign State. Why does he not assist America's Chief Executive in tackling current specific grave international problems?

Thus, what is my Ohio friend's answer to the problem of the Communist conspiracy against Thailand, against Burma, against Malaya?

What is his answer to the problem of the unsettled Middle East, of improving our relations with Latin America? What is his answer to the need for an enforcible system of international control of the most violent instruments of destruction, if it is obtainable with genuine security for ourselves and others? What is his answer to these and a score of other pressing problems on the world scene, most of which will require treaties and agreements and other instrumentalities? And what is the answer of the supporters of his resolution?

With all the world aflame, is their answer that America should stick its head in the ground like an ostrich?

What kind of an answer is that? How frightened do you think the Russians would be by news that the United States Constitution had been amended so that the United States will have retreated from world affairs?

Is that the message which supporters of Senate Joint Resolution 181 want to convey to the troubled world?

Do the supporters of Senate Joint Resolution 181 want us to forget the Soviet Union and remember only the so-called internationalists?

If so, the situation is analogous to a scene where a city is burning up, just as the world today is aflame. But a few misguided individuals run through the burning streets, yelling, "Beware of the fire department. Beware of the friends of the fire department. They seek expanded power against fires."

Yes, these misguided individuals complain not against the arsonists who have set the fire, but against forces of law and order—against the United Nations, against Allied diplomacy—all of whom are trying to strengthen international law and collaboration so that the arsonists cannot burn down the world.

Judging from certain propaganda literature of many of the more extreme supporters of Senate Joint Resolution 181, in their unreal world of myth and fantasy, it is not Communists who are the aggressors today but internationalists.

And strangely enough, the very patriots who are striving hardest against international communism are curiously lumped together with the Communists as allegedly favoring internationalism.

In this extremist literature, we read that every international treaty is a plot; every agreement is a cabal; every international meeting is a conspiracy. The fire department is purported to be the menace, and not the fire or the arsonists.

This is twisted logic indeed, and it is not the sort of thinking which will appeal to the American people.

Fortunately, there has been a great awakening among the American people on the issue of Senate Joint Resolution 1 and its companion resolutions.

The issue has always had a certain sort of surface appeal, a certain type of glamor. After all, who is not for United States sovereignty?

But the issue is not our sovereignty; the issue is our survival. Dwight D. Eisenhower is not abandoning our sovereignty; he is ably fighting for our very survival as a Nation and a people.

It is the good fortune of America that the Senate during the 83d Congress has not blotted its record by adopting Senate Joint Resolution 1 or 181 or their offshoots.

NUMEROUS CONSERVATIVE SENATORS OPPOSED BRICKER AMENDMENT

I remind the Senator from Ohio that on February 26, 1954, after weeks and weeks of debate even a greatly restricted version of Senate Joint Resolution 1 failed of the necessary two-thirds vote.

And I ask him frankly, do his supporters question the patriotism of the 31 Senators who voted against the amendment?

Does anyone purport to denounce as a so-called internationalist, the senior Senator from Arizona [Mr. HAYDEN] or the senior Senator from Michigan [Mr. FERGUSON], or our colleagues from Maryland [Mr. BEALL], or New Hampshire [Mr. UPTON], or Connecticut [Mr. PURTELL], or Massachusetts [Mr. SALTONSTALL]?

These distinguished Senators, like the others in whose ranks I was pleased to vote, are men who love the Constitution as readily as do the Senators who voted on the opposite side of this issue. They respect United States sovereignty as devotedly as does the universally esteemed senior Senator from Georgia [Mr. GEORGE], who had contributed so significantly to the debate on this as on every other major foreign policy problem, even though many of us on this one particular occasion found that, sadly and unfortunately, we could not agree with him.

I remind the senior Senator from Ohio that the amendment offered by the Senator from Georgia and approved on February 26 had, in section 2, dropped all reference to treaties, and merely provided that "an international agreement other than a treaty shall become effective as internal law in the United States only by an act of the Congress."

Thus the modified George amendment omitted treaty reference, aside from section 1, yet the proponents of Senate Joint Resolution 1 had been going up and down the land, denouncing treaties. Yet when it came to a showdown, restrictions on treaties were dropped by the wayside, and justifiably so.

ETERNAL VIGILANCE ALONE WILL SAVE AMERICA

Now, there is nothing in Senate Joint Resolution 181 or in any of its forms which cannot be achieved by the eternal vigilance of the American people.

It is conceivable that some day a dangerous treaty or agreement may be offered and signed. At that time, unless the American people are vigilant, neither the pending amendment to the Constitution nor a hundred such amendments would protect America's liberties.

There is no such thing as a "built-in automatic" insurance against unwise foreign policy or against tyrannical government. Either our people are alert to dangers, or they fall asleep.

The treaty amendment is therefore totally unnecessary at the least, and extremely dangerous, at the most.

SCARE PROPAGANDA WELL FINANCED

The fact of the matter is, however, that a great many well-respected American groups have become unduly aroused on this treaty issue, and are needlessly fearful that somehow their liberties are being endangered by treaty law.

Accordingly, they have devoted a great deal of misspent energy and vast amounts of finances toward flooding the country with scare propaganda.

There is hardly a single American group which has not been impacted by hobgoblin literature designed to frighten Americans out of their wits and panic them into isolationist frenzy.

I urge, therefore, all thinking Americans who have perceived the problem clearly, to mobilize their energies, to mobilize their resources so as to dispel the smokescreens, the fear propaganda which permitted the modified amendment to come within one vote of ominous victory in the Senate.

I urge all thinking Americans to organize at the grassroots against those who would worsen the George substitute and who would panic America into violating the United States Constitution.

MISREPRESENTATIONS OF STATUS OF FORCES AGREEMENT

Much of the scare propaganda has been directed against the NATO Status of Forces Agreement. My colleague from Ohio has had a good deal to say on that issue and has inserted in the RECORD a considerable body of material, as is his right. To clarify a subject which has become considerably clouded, let me state that the agreement, which is incidentally a treaty, even though it is termed an "agreement," was ratified by President Eisenhower on July 24, 1953. The United States Senate gave its consent 9 days earlier by a resounding vote of 72–15. The agreement was wholeheartedly endorsed by the President, and by all of our leading military spokesmen.

Yet a tremendous amount of phony propaganda has been deluging the people of the United States to the effect that under this Status of Forces Agreement, we somehow "gave up" the liberties of our American servicemen abroad. Nothing is further from the truth.

The agreement definitely did not give foreign governments new powers over our overseas forces. It actually modified powers which foreign governments already had. It should be borne in mind that foreign governments ordinarily, in the absence of a treaty or agreement, have jurisdiction over alien nationals within their territory. But under the agreement, a large measure of jurisdiction over our forces was given to ourselves. As the report of our Senate Foreign Relations Committee showed, under the agreement, "The United States will acquire a number of new rights in the field of criminal jurisdiction." And, "The United States gives up no rights over our troops in Europe which we now have in respect to criminal jurisdiction or to any other matter."

If we were to abandon the agreement, as some people unwisely propose, foreign governments would regain full jurisdiction over American troops, rather than having the present partial jurisdiction.

If we were to abandon the agreement, American troops would lose all the many other benefits of the agreement, among which are exemption from passport and visa requirements, exemption from immigration inspection, exemption from certain taxes, the right to import free of duty personal effects and vehicles.

Yet, a great many misguided individuals are trying to propagandize for abandonment of the agreement. They are trying to spread inaccurate sensational reports about the case of two American servicemen who were guilty of offenses in a foreign land. These boys were given competent counsel during the trial; they were assured every single fundamental safeguard that they would have received in a United States court, their rights were not jeopardized in the slightest. The men did not even desire to appeal the sentences which they received; for after conviction they did not receive the maximum punishment.

But, according to the scare propaganda which has been spread, one would think that because of the status of forces agreement, the rights of these and other Americans had been prejudiced, which was definitely not the case.

SECTION BY SECTION ANALYSIS OF SENATE JOINT RESOLUTION 181

Now, let us take a direct look at the provisions of the amendment which my friend from Ohio says that he is going to readvocate next year.

The first section reads as follows:

"SECTION 1. A provision of a treaty or other international agreement which conflicts with this Constitution, or which is not made in pursuance thereof, shall not be the supreme law of the land nor be of any force or effect."

Senator BRICKER says that "this section has been endorsed in principle by the Eisenhower administration."

I am very glad that he added the words "in principle." The texts of his various versions of section 1, although similar in language, would have had very different effects if they had ever been adopted. I have not had time to examine all of the possible consequences of this section. It is possible that the Eisenhower administration might acquiesce in such a single section alone.

The important point that President Eisenhower has repeatedly made is that he is unalterably opposed to any amendment which would hamper his effective control over the foreign relations of this country. I do not know whether the new section 1 would be agreeable to the White House or not. However, I do know it contains certain features that require very careful comment.

Senator BRICKER has added a phrase "made in pursuance thereof." During the months of debate this past session, no one was able to explain very clearly what, if anything, these words added.

It was pointed out during the debate that the words were inappropriate because many treaties might be made which would not conflict with the Constitution, but which were not made "in pursuance thereof," in the dictionary sense of the word "pursuance." The addition of these words may simply be so much verbiage.

SECTION 2—THE "DISAPPEARING-REAPPEARING" WHICH CLAUSE

"SEC. 2. A treaty or other international agreement shall become effective as internal law in the United States only through legislation valid in the absence of international agreement."

Senator BRICKER certainly made the understatement of the session when he said that "this section represents the area of disagreement between myself and administration spokesmen." This section contains in effect the famous and infamous "which" clause.

However, we should note in passing that the word "which"—which—has been omitted. Now you see it, now you don't. The specific "which" may have been eliminated, but its unworthy spirit lingers on. With all due respect, I say the unfortunate "which" or "witch" concept reminds one of Halloween mumbo-jumbo uttered in a world of hobgoblins and boiling caldrons of suspicion and fear. Maybe we should now label section 2 the "hidden witch" clause.

This new section 2 is almost identical with the one that Senator BRICKER started with 2 years ago.

It has all the fallacies and drawbacks which have been pointed out in 2 years of debate. For example, in a speech in August 1953, Secretary of State Dulles said with respect to similar language in Senate Joint Resolution 1 that it "would cut down the Nation's treaty power so that no treaty could bind the Nation in respect of matters which, under our Federal system, fall within the jurisdiction of the States. This would set the clock back to an

approximation of the condition which existed under the Articles of Confederation. Then, that condition was so intolerable and it so jeopardized the Confederation that the present Constitution was adopted to give the Federal Government authority, in international matters, to act for all the Nation, including the States."

It would also require that all treaties be passed by two-thirds of the Senate and then by a majority of the Senate and of the House.

It was for these and a number of other pressing reasons that section 2—even without the which clause—only received the support of 42 Senators.

SECTION 3—RULES CHANGE

Section 3 of the proposed amendment reads as follows:

"SEC. 3. On the question of advising and consenting to the ratification of a treaty, the vote shall be determined by yeas and nays, and the names of the persons voting for and against shall be entered on the Journal of the Senate."

As we all know, the purpose of this section could be achieved by a simple change in the rules of the Senate. The Rules Committee has already approved such a change and it could be adopted at any time by the Senate.

So far as a constitutional amendment is concerned, section 3 is just so much window dressing.

FOUR SO-CALLED NEW DEVELOPMENTS

Now, in his August 5 remarks Senator BRICKER made mention of "four important new developments [that] have strengthened the position of the proponents of the amendment."

Let us examine—very briefly—these so-called new developments to see if they in fact really strengthen the position of the proponents, or if they are the same old hash, warmed over.

Senator BRICKER referred first to the fact that the Human Rights Commission "'has refused to insert a provision in the Human Rights Covenants recognizing the right to own property and to have it protected against arbitrary interference by government."

This statement on his part is relevant to something, but I can see no relevancy whatever to the question of whether or not we should take the solemn step of amending our Constitution.

Since when do we amend the Constitution simply because some international instrument contains a provision we do not like or omits one that we do like? We Americans believe, thank God, in private property. Our view unfortunately did not prevail in this respect as regards this particular covenant. Is that an excuse for amending the Constitution?

The Secretary of State has said upon numerous occasions that the United States has no intention of becoming a party to the Human Rights Covenants. Even if some future Secretary and President changed their minds about this and signed the covenants, it would take two-thirds of the Senate to approve its ratification, unless, of course, we were unwise enough to accept the George amendment, which would permit the President and a simple majority of both Houses of Congress to commit us to the covenants.

Thus, Senator BRICKER'S first important new development turns into a pure smoke screen upon examination.

PRESIDENT'S POWER AS COMMANDER IN CHIEF

His second important new development is Mr. Dulles' statement that "the President can now wage war without a declaration by Congress in the event of attack on one of our treaty allies in Europe or South America," thus reaffirming his Louisville speech of April 1952 before the American Bar Association that a treaty can take powers from Congress and confer them on the President.

I should think that it would be unnecessary to point out to any Senator that the Constitution deliberately provides that it is the Congress that has the power to declare war but the President, as Commander in Chief under the Constitution, has the power, in an emergency and without a congressional declaration, to make war. This is nothing new at all.

What Secretary Dulles announced is the mere reiteration of a well-founded constitutional doctrine. There are numerous examples in the past of Presidents—of various parties—making war without any congressional declaration. In this atomic and hydrogen age when we may be blitzed in a matter of hours the necessity for the possession of this defensive-offensive power should be obvious to even the blindest.

So, there is no queston, as the Senator tried to assert, of taking power from Congress and conferring it on the President; it is a power that he has always possessed. Let no one, however, conjure up the notion of a President willy-nilly starting a third world war; that is Soviet claptrap; it is unworthy of any thinking American.

THE UNITED STATES-BRITISH ATOM AGREEMENT

The third development is the reference to the secret executive agreement of President Roosevelt and Prime Minister Churchill relating to the control of atomic energy.

This agreement was concluded on August 19, 1943, and is a short one. I have a photostatic copy of the agreement here, and, in order that no one will be confused as to exact terms, I would like to have it incorporated into the RECORD at this time. As you will note, the code name "tube alloys" is substituted for the words "atomic energy." The document has been published by the British and is now being published by the United States. No security problem is involved. The text of the agreement is as follows:

"THE CITADEL, QUEBEC—ARTICLES OF AGREEMENT—GOVERNING COLLABORATION BETWEEN THE AUTHORITIES OF THE UNITED STATES OF AMERICA AND THE UNITED KINGDOM IN THE MATTER OF TUBE ALLOYS

"Whereas it is vital to our common safety in the present war to bring the tube-alloys project to fruition at the earliest moment; and whereas this may be more speedily achieved if all available British and American brains and resources are pooled; and whereas owing to war conditions it would be an improvident use of war resources to duplicate plants on a large scale on both sides of the Atlantic and therefore a far greater expense has fallen upon the United States:

"It is agreed between us—

"First, that we will never use this agency against each other.

"Secondly, that we will not use it against third parties without each other's consent.

"Thirdly, that we will not either of us communicate any information about tube alloys to third parties except by mutual consent.

"Fourthly, that in view of the heavy burden of production falling upon the United States as the result of a wise division of war effort, the British Government recognize that any postwar advantages of an industrial or commercial character shall be dealt with as between the United States and Great Britain on terms to be specified by the President of the United States to the Prime Minister of Great Britain. The Prime Minister expressly disclaims any interest in these industrial and commercial aspects beyond what may be considered by the President of the United States to be fair and just and in harmony with the economic welfare of the world.

"And fifthly, that the following arrangements shall be made to ensure full and effective collaboration between the two countries in bringing the project to fruition:

"(a) There shall be set up in Washington a Combined Policy Committee composed of the Secretary of War (United States); Dr. Vannevar Bush (United States); Dr. James B. Conant (United States); Field Marshal Sir John Dill, G. C. B., C. M. G., D. S. O. (United Kingdom); Colonel the Right Honorable J. J. Llewellin, C. B. E., M. C., M. P. (United Kingdom); the Honorable C. D. Howe (Canada).

"The functions of this committee, subject to the control of the respective Governments, will be—

"(1) To agree from time to time upon the program of work to be carried out in the two countries.

"(2) To keep all sections of the project under constant review.

"(3) To allocate materials, apparatus and plant, in limited supply, in accordance with the requirements of the program agreed by the committee.

"(4) To settle any questions which may arise on the interpretation or application of this agreement.

"(b) There shall be complete interchange of information and ideas on all sections of the project between members of the Policy Committee and their immediate technical advisers.

"(c) In the field of scientific research and development there shall be full and effective interchange of information and ideas between those in the two countries engaged in the same sections of the field.

"(d) In the field of design, construction, and operation of large-scale plants, interchange of information and ideas shall be regulated by such ad hoc arrangements as may, in each section of the field, appear to be necessary or desirable if the project is to be brought to fruition at the earliest moment. Such ad hoc arrangements shall bbe subject to the approval of the Policy Committee.

"FRANKLIN D. ROOSEVELT.
"WINSTON S. CHURCHILL.

"Approved August 19, 1943."

That is the end of the text.

The agreement I point out, was concluded almost 2 full years before the end of that frightful global conflict. The agreement dealt with the most secret item that the Allies possessed.

It would have been the sheerest kind of folly—if not criminal nonsense—to have put the agreement in the form of anything other than a secret agreement. Would my colleague from Ohio have asked that the agreement be printed in the newspapers so that Julius and Ethel Rosenberg and Klaus Fuchs and others could have been helped in their spy work? America was at war; the tide had not yet turned; we vitally needed some agreement with the British, with whom we were collaborating in the development of the bomb.

PRECAUTIONARY PROVISION IN NEW ATOMIC BILL

Now, I do not presume to be an expert in the field of atomic energy.

It is a fact that there have been those who strongly disputed certain terms of the Quebec Agreement.

Certainly, we Americans feel today in the present perspective of history that we cannot and should not shackle the hands of our Government in making life and death precommitments to others, involving the A-bomb or the H-bomb.

I point out that on July 26 in the CONGRESSIONAL RECORD, on page 11954, our associate, the able senior Senator from Iowa, Mr. HICKENLOOPER, carefully described a precautionary provision in the new atomic energy bill which expressly provides that "in the performance of its functions under this act, the Commission shall give maximum effect to the policies contained in any international arrangement made after the date of enactment of this act."

The key words are, of course, "* * * after the date of enactment of this act."

The Joint Atomic Energy Committee—of which our Ohio friend is a most active member—unanimously approved this provision. In committee there was no objection to it whatsoever.

In other words, the expert committee refused to require the Atomic Energy Commission to give effect to policies contained in any international arrangement made previous to the date of the present bill. But if the so-called internationalists are so strong—if the supporters of secret agreements are allegedly so strong and if the issue is so simple, why did not the internationalists prevail in validating any and all previous arrangements which may have been made?

The answer is, of course, that by means of the pending atomic energy bill, an overwhelming majority of the Congress is taking a position clearly based upon the best interests of the United States, but in a manner consistent with our future international obligations. So, too, in other bills affecting our country as a sovereign power, we will not prejudice our sovereign rights, but we will fulfill the letter and spirit of those international arrangements which we know to be in the best interests of our country and of the world. Certainly no constitutional amendment is necessary under these circumstances when we can write precautions into regular legislation.

U. N. CHARTER HEARINGS STILL UNDERWAY

The last important new development is that allegedly the current debate on the subject of United Nations Charter revision "has revealed a determined effort on the part of influential persons and organizations to scuttle the sovereignty of the United States at the proposed U. N. Charter Review Conference in 1956 in favor of some form of limited or full world government."

In the first place, the question of whether there will even be a conference to review—not necessarily revise—the charter will not be finally decided until the 10th session of the General Assembly in 1955.

I don't see how the conference could take place before 1956 at the earliest. In other words, there is no urgency in this matter.

Moreover, the Senate subcommittee, of which I have the honor to serve as chairman, has, as my colleague so well knows, been holding extensive grassroots hearings on this subject. We have heard all sorts of suggestions from all shades of opinion.

Throughout the Nation the press has given heart-warming support to our study. No one has been turned away from our hearings. The most fervent partisans of my Ohio friend have had their say.

Why should he fear that the views of commonsense will not prevail in that subcommittee forum?

The fact that we hold hearings doesn't mean that we are going to accept any particular suggestions. Neither the subcommittee nor the full committee is anywhere near ready to make any suggestions to the Senate. Nor is the State Department at the decision-making stage.

I believe that we can have confidence in ourselves and in Secretary Dulles not to make unsound suggestions for revision. In addition, the United States has a veto power over any possibly unsound amendments suggested by other states at a review conference, if one is held. Thus, we are fully protected. Why the fear, why the panic, why the slightest aspersions on a conscientious, careful, diligent review?

My colleagues on the subcommittee have repeatedly pointed out that all the repeated isolationist references to so-called pressure for world government completely ignore the overwhelming bulk of testimony which our subcommittee has received. My colleagues have cited that not a single member of our subcommittee has shown the slightest disposition toward any so-called world government proposal.

Now, in conclusion, let me point out the following:

Senator BRICKER has said that "this revised treaty-control amendment is not introduced with any expectation of action in this Congress."

For this assurance I express my heartfelt gratitude to the Senator.

I am sure that my colleagues and I would not relish debating this issue until Christmas, 1954. However, if need be, and if our energetic Ohio friend wants again to join the issue now on the Senate floor (which we have reason to doubt), we will not shrink from the task.

The mission of defending the Constitution against tinkering is one which merits the fullest possible effort on the part of any United States Senator, including myself.

1954 CANDIDATES SHOULD FIGHT AGAINST THE AMENDMENT

I know that my friend from Ohio is hoping that the elections of this coming November will establish a trend in which the American people indicate their support of his joint resolution.

It is my own earnest hope and prayer that the American people will make known that they want the winning candidates of November 2, 1954, to protect, preserve, and defend the Constitution against those who would wittingly or unwittingly violate it.

The issue is not a partisan one.

Many distinguished representatives of both major political parties have contributed to the defense of the Constitution against this dangerous amendment.

As for the members of my own party running this November, I earnestly hope that, if they have shown any faint-hearted inclination toward voting for this amendment, that they will think the matter over. I hope that they will not irrevocably commit themselves to emasculating the Constitution.

I hope that the Republican Party will never be guilty of having within its ranks a majority of adherents committed to altering the very basis of this Constitutional Republic.

To those Republicans who may campaign on the basis of support of this amendment, I say frankly, that what they would in effect be doing would be to campaign to shackle the hands of the Republican President of the United States. That, to me, is not a sound Republican plank. It is not a sound campaign appeal. It is a path to Republican and national disaster.

Let, therefore, the Republican Party signify in its campaign of 1954 that it does not intend to turn back the clock to the Articles of Confederation days; it does not propose to retreat to a horse-and-buggy era in which America had little, if any responsibility in relation to foreign affairs.

The Republican Party, under the leadership of a great President and a great Secretary of State has been achieving historic new chapters in the record of collective security.

Passage of Senate Joint Resolution 181 would be a step back into the Dark Ages.

It would be a notice to the Soviet Union that we have forgotten about her as a menace, but that we are beginning to think of our own people as menaces. Nothing could delight the Soviets more. They would be happy to have American attack American, question each other's motives, accuse one another of "selling this country down the river, violating its sovereignty," etc.

WHY CAST ASPERSION ON PATRIOTS

Let me say that, totally irrespective of any personality inside or outside the Senate, the entire trend, in which one group of Americans accuses another group of being allegedly less patriotic, simply because it happens to differ on certain foreign policy issues, is, I think, absolutely deplorable. Men who are 100 percent patriotic to the depths of their being, have been smeared in the public print simply because they want to strengthen the United Nations, to strengthen international law, to prevent an endless armaments race leading to an awful Armageddon. These peace-loving men love the American flag, the American Constitution, the American Republic, American sovereignty, as deeply as does anybody else. But they want to spare this country from war. What is wrong with that? For them to be abused, defamed, smeared, vilified, as if they had somehow sold their country out like Benedict Arnold, is to my way of thinking, tragic and unforgivable.

Who are their critics and detractors? Who has the right to besmirch them?

Who are the isolationist superpatriots to claim that only they are the patriots, that they have a complete monopoly on love of country, on love of the Constitution?

In point of fact, many of them seem to demonstrate the least understanding and the least appreciation of the Constitution.

They seem to want to make the Constitution a document of a thousand or more wild-eyed, fear-filled amendments. They seem to want us to pass an amendment every day of the week to guard against some new imaginary danger, some new menace born not out of reality but born out of mistrust and suspicion of our own President, of our own Congress, our own Supreme Court, our own people, and the legislators whom they will elect in years to come.

Let, then, the issue be joined when the hour is ripe, and when the worthy gentleman from Ohio is ready.

Let the issue be joined in the campaign of 1954.

Let it be joined in the 84th Congress next January.

Let the American people register their desire to spare from destruction the beloved document which is the guardian of our liberties.

We do not fear for the outcome.

We have faith in America—in its leadership and its people.

Can our opponents say as much?

A SOUND, SENSIBLE APPROACH TO AMERICAN TARIFF POLICY

Mr. WILEY. Mr. President, I send to the desk a statement I have prepared on the subject of the United States tariff policy. I ask unanimous consent that the statement be printed at this point in the body of the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WILEY

PRESIDENT EISENHOWER IS TO BE COMMENDED ON SOUND TARIFF POLICY

In the closing weeks and months of the present session of Congress, there have, as usual, been a considerable number of tariff matters which have come to the attention of the legislative and executive branches.

This is, of course, one of the perennial thorny issues of the American scene. It is difficult; it is complex; it involves the most careful weighing of a great many factors.

I, for one, have always believed in reviewing each particular tariff problem on its own merits.

I oppose restrictions on oil imports

I have spoken out repeatedly against any arbitrary, rigid policy, for example, against setting up Chinese-type tariff walls, obsolete barriers which might do genuine harm to America's good relations with the world.

I have stated that we should not impose restrictions on those imported items where no harm has been inflicted, or is in prospect on a key American industry, and where

the disadvantages of the restrictions outweigh the advantages to us.

Such an instance would be in the case of the proposed restrictions on the import of Venezuelan petroleum. Various proposals to that effect such as the Simpson bill recommendation would have done incalculable harm to our good-neighbor program, and for that reason I have absolutely opposed them.

Lead and zinc merit protection

To cite a second instance, there is the lead and zinc tariff problem. Here, in my judgment, an important and strategic American industry has been dealt very severe blows. A great number of American mines have literally been put out of commission. The modest tariff increases recommended to help relieve their plight is, I believe, justified, particularly from the standpoint of national defense.

Hardboard should be reclassified

Still another phase of the tariff problem has come up in conjunction with legislation to correct the present tariff classification of hardboard from wood (dutiable at 7½–15 percent ad valorem) to paper (dutiable at a straight 16⅔ percent.)

I had hoped that the Senate Finance Committee would very definitely act upon a bill for this purpose which the House of Representatives has approved, H. R. 9666. Now, however, the committee has deferred action until the Tariff Commission can make an overall study of the hardboard industry and submit recommendations to the committee.

It is a fact that upon this hardwood decision depends the future of a great many companies and employees, including many in my State. In any event, I believe—on the merits—that the facts have long since been available, justifying a favorable decision on this problem, and I am sorry to see the committee's decision for delay. I believe in study, but not when the issue has been studied and studied and harm has already been experienced.

I have in my hands a considerable number of messages from my own and neighboring States: from Mr. D. C. Everest, one of the great figures of the vital Wisconsin paper industry; from Mr. R. W. Pruden, executive manager of the Superior Association of Commerce; from Mr. D. C. Mac Donald, president of the Superior Wood Products Co. of Duluth; from Neils Hedvall, president of the International Brotherhood of Pulp Sulphite and Paper Mill Workers, local at Duluth, all urging prompt action on H. R. 9666. Their position is, I feel, sound. The reclassification is merited.

Sound decision in watch case

A final tariff instance which I shall cite is the notable decision already announced, and that is of course the forthright position of the President in the watch tariff case.

In my judgment, the President's position was eminently fair and wise.

It was quite clear that there was very definitely a grave danger that the domestic watch and clock industry would soon disappear beyond recall unless it were granted relief under the escape clause provision of the Trade Agreements Act.

The Commander in Chief of our Armed Forces well knew from his lifetime of military experience that modern warfare depends on precision timepieces, timing devices, ammunition components, and countless delicate instruments to which the skills of the American watch and clock industry must contribute.

My personal position on behalf of watch tariff relief was primarily based on what I, too, regard as the national defense aspects of the problem. My own State was definitely not involved directly in this issue, unlike various other States which are centers of the watch industry.

Some press comment distorted watch decision

I spoke therefore from a position which I feel was objective and impartial.

I should like to refer now to an interesting aspect of this matter—the comments in the press—before and after the watch decision.

All in all, I think that some press comments on the watch decision offer a good illustration of how the meaning of an issue can be inflated and exaggerated out of all proportion.

The President's decision has of course been praised by many, condemned by others.

Some of those who have condemned it have tried to use it as an excuse to portray the Republican administration and the Republican Party as allegedly "insensitive to world opinion," "unalert to the need for world trade," "unmindful of the fears in the minds of many nations concerning future United States economic policy."

The fact of the matter is, however, that the Republican Party and the Republican administration are very definitely sensitive to each and every one of these problems. The Republican Party and administration know that trade is a cornerstone of world prosperity. We know that nations cannot buy unless they sell.

At the same time, the Republican Party believes in a commonsense approach to this problem. It believes that if every Tariff Commission recommendation for a tariff increase is to be absolutely ignored, then we might just as well not have a tariff commission.

If we are going to take the position that every single tariff increase must be uniformly opposed because it might be regarded as a symptom of so-called Smoot-Hawley protectionism, then we should abandon the whole procedure of tariff hearings.

In the watch tariff instance, the very considerable and well-financed propaganda forces of the Swiss industry had conducted a tremendous campaign to convince everyone that world trade would practically come to an end if the President granted tariff relief; that the entire free world alliance would be practically ripped asunder if the President accepted the Tariff Commission's recommendation for the increase.

Now, of course, nothing of the sort resulted from the President's wise decision.

Although many foreign sources (totally irrespective of the watch industry) would no doubt have preferred an opposite decision, most observers recognized that the problems involved in the watch industry were unique and did demand sympathetic attention.

Of the principal public reaction which came from abroad, virtually all seems to have originated in or been inspired by Swiss sources. Neither the Associated Press nor the United Press reported any special reaction from any of their bureaus located elsewhere in the world, outside Switzerland and West Germany.

The fact of the matter is that most keen-eyed American and foreign observers know that the Swiss watch cartel is not the innocent lamb that it pretends to be.

It has knocked out so many watch industries in so many countries, controlling as it does 95 percent of world markets, that it could hardly hope to arouse any particular sympathy on our part. What our Swiss friends choose to do in their own country—as regard cartel restrictions—is, of course, their own prerogative. We have a very high regard for the Swiss Government and the Swiss people. We admire their diligence, their democracy, their fortitude.

But what we choose to do in our country in order to protect a defense industry from destruction by that cartel is of course our prerogative.

And frankly, some of us get a little tired at wild criticisms of President Eisenhower, simply because on this particular case, on its merits, he came to a decision which his own conscience told him was sound, and which I believe the American people very definitely recognize as such. And, I might add, it was a decision on a vital industry whose importance has been stressed by the Department of Commerce, the Office of Defense Mobilization, our own Senate Armed Services Committee, the Department of Defense, and other agencies.

To be sure, there are some American editors and newspapers who have chosen to misconstrue the President's action as constituting a so-called reversal of previous administration policy aimed at greater trade. It is no such thing.

The tariff subject is definitely not one in which the President can or should take an arbitrary, rigid position for, let us say, either free trade or for high tariff barriers, irrespective of any and all defense and other considerations which prevail in given situations.

As the New York Herald Tribune remarked in its editorial of Thursday, July 29:

"The President's action, painfully difficult as it had to be, cannot in the nature of things stand alone. Foreign friends know well that American trade policy is the product of a balance among multiple and often competing interests. Our foreign-aid program, our unrestricted currency and all of our trade concessions to other countries are also part of our national policy. Our military program provides sinews of free-world defense as well as creating particular economic problems."

This is precisely what I am urging today: a better understanding of our United States position. I am urging that United States policy not be misrepresented; that our country not be criticized every time we choose to take some independent action.

My own deep interest in promoting sound relations with the world needs no reiteration at this point.

On this very day in the pages of the CONGRESSIONAL RECORD will be found an appeal which I am making for rejection of a particular proposal which I regard as contrary to sound American foreign policy; namely, the amendment imposing arbitrary restrictions on the treatymaking process.

Therefore, I hope that on the economic side of our policy, we will continue to adopt a commonsense attitude—one which carefully evaluates the pros and cons, the assets and debits, the advantages and disadvantages, to our own people and to foreign peoples, and with calmness, comes to a fair decision. And I hope that our decision will be understood abroad.

ACTIVITIES OF THE FOREIGN RELATIONS COMMITTEE DURING THE 83D CONGRESS

Mr. WILEY. Mr. President, since the enactment of the Legislative Reorganization Act of 1946, it has been the custom of the Senate Committee on Foreign Relations to prepare an account of its activities during each Congress. This is in the nature of a report to the Senate and the people on the fulfillment of our responsibilities and duties. The report is now being prepared by the committee staff. It will be quite comprehensive. However, since bills and joint resolutions will continue to be signed by the President for a few days after Congress adjourns, and since the committee wants to show such final actions in the report, I shall be unable to file it while the Senate is still in session. I therefore ask permission to file the report, entitled "Legislative History of the Committee on Foreign Relations, United States Senate, 83d Congress," after the adjournment of

Congress, and to have it printed as a Senate document. In the past, these reports have run between 60 and 80 pages; and I expect that this will be approximately the length of the one now under preparation.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Wisconsin? Without objection, it is so ordered.

The PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

GRANT OF CERTAIN LANDS IN NEVADA TO LAS VEGAS VALLEY WATER DISTRICT

The PRESIDING OFFICER (Mr. PAYNE in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 3302) granting to the Las Vegas Valley water district, a public corporation organized under the laws of the State of Nevada, certain public lands of the United States in the State of Nevada, which was, on page 2, line 2, after "purposes", insert "only to the extent required for such development, production, storage, transmission, and distribution of water."

Mr. McCARRAN. Mr. President, I move that the Senate concur in the House amendment.

The motion was agreed to.

GRANT OF CERTAIN PUBLIC LANDS IN NEVADA TO BASIC MANAGEMENT, INC.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 3303) granting to Basic Management, Inc., a private corporation organized under the laws of the State of Nevada, certain public lands of the United States in the State of Nevada, which was, on page 2, line 3, after "purposes", insert "only to the extent required for such development, production, storage, transmission, and distribution of water."

Mr. McCARRAN. Mr. President, I move that the Senate concur in the House amendment.

The motion was agreed to.

INCORPORATION OF NATIONAL FUND FOR MEDICAL EDUCATION

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1748) to incorporate the National Fund for Medical Education, which was, to strike out all after the enacting clause and insert:

That the following persons: Donald C. Balfour, M. D., Rochester, Minn.; Louis H. Bauer, M. D., Hempstead, N. Y.; Margaret Culkin Banning, Duluth, Minn.; E. N. Beesley, Indianapolis, Ind.; James F. Bell, Minneapolis, Minn.; Elmer H. Bobst, New York, N. Y.; Earl Bunting, Washington, D. C.; Carl Byoir, New York, N. Y.; James L. Camp, Jr., Franklin, Va.; Champ Carry, Chicago, Ill.; Robert S. Cheek, Nashville, Tenn.; Colby M. Chester, New York, N. Y.; Frank A. Christensen, New York, N. Y.; Paul F. Clark, Boston, Mass.; Lucius D. Clay, New York, N. Y.; S. Sloan Colt, Westhampton Beach, N. Y.; George H. Coppers, New York, N. Y.; William E. Cotter, Scarsdale, N. Y.; C. R. Cox, New York, N. Y.; Howard S. Cullman, New York, N. Y.; Walter J. Cummings, Chicago, Ill.; Willard K. Denton, New York, N. Y.; Raoul E. Desvernine, Washington, D. C.; Michael Francis Doyle, Philadelphia, Pa.

Victor Emanuel, New York, N. Y.; Peter M. Fraser, Hartford, Conn.; Bernard F. Gimbel, Greenwich, Conn.; William B. Given, Jr., New York, N. Y.; Robert M. Hanes, Winston-Salem, N. C.; David M. Heyman, New York, N. Y.; Oveta Culp Hobby, Houston, Tex.; Herbert Hoover, New York, N. Y.; B. Brewster Jennings, Glen Head, N. Y.; Eric A. Johnston, Washington, D. C.; Devereux C. Josephs, New York, N. Y.; Meyer Kestnbaum, Chicago, Ill.; Edgar Kobak, New York, N. Y.; Allan B. Kline, Chicago, Ill.; Robert Lehman, New York, N. Y.; Samuel D. Leidesdorf, New York, N. Y.; Leroy A. Lincoln, New York, N. Y.; Ralph Lowell, Boston, Mass.; Benjamin E. Mays, Atlanta, Ga.; Neil McElroy, Cincinnati, Ohio; George W. Merck, West Orange, N. J.; Don G. Mitchell, New York, N. Y.; George G. Montgomery, San Francisco, Calif; Seeley G. Mudd, M. D., Los Angeles, Calif.

Charles S. Munson, New York, N. Y.; Herschel D. Newsom, Washington, D. C.; Edward J. Noble, New York, N. Y.; William S. Paley, New York, N. Y.; Thomas I. Parkinson, New York, N. Y.; F. D. Patterson, Tuskegee, Ala.; Joseph M. Proskauer, New York, N. Y.; B. Earl Puckett, New York, N. Y.; Victor F. Ridder, New York, N. Y.; Owen J. Roberts, Philadelphia, Pa.; Winthrop Rockefeller, Little Rock, Ark.; Anna M. Rosenberg, New York, N. Y.; T. J. Ross, New York, N. Y.; Howard A. Rusk, M. D., New York, N. Y.; Frank P. Samford, Birmingham, Ala.; Lester N. Selig, Chicago, Ill.; Eustace Seligman, New York, N. Y.; Spyros P. Skouras, New York, N. Y.; Alfred P. Sloan, Jr., New York, N. Y.; George F. Smith, New Brunswick, N. J.; Harold V. Smith, New York, N. Y.; Harold E. Stassen, Washington, D. C.; John P. Stevens, Jr., New York, N. Y.; William C. Stolk, New York, N. Y.; Harvey B. Stone, M. D., Baltimore, Md.;

Reese H. Taylor, Los Angeles, Calif.; Juan T. Trippe, Greenwich, Conn.; Thomas J. Watson, New York, N. Y.; Ernest T. Weir, Pittsburgh, Pa.; George Whitney, New York, N. Y.; Robert E. Wilson, Chicago, Ill.; R. W. Woodruff, Atlanta, Ga.; Wilson W. Wyatt, Louisville, Ky.; J. D. Zellerbach, San Francisco, Calif.; and John S. Zinsser, Philadelphia, Pa.; and their successors, are hereby created and declared to be a body corporate of the District of Columbia, where its legal domicile shall be, by the name of the National Fund for Medical Education (hereinafter referred to as the corporation) and by such name shall be known and have perpetual succession and the powers, limitations, and restrictions herein contained.

COMPLETION OF ORGANIZATION

SEC. 2. A majority of the persons named in the first section of this act are authorized to complete the organization of the corporation by the selection of officers and employees, the adoption of a constitution and bylaws, not inconsistent with this act, and the doing of such other acts as may be necessary for such purpose.

PURPOSES OF THE CORPORATION

SEC. 3. The purposes of the corporation shall be to raise from private sources, disperse and administer funds for medical education, and in connection therewith to take other appropriate action to promote and foster the following objectives:

(1) The interpretation of the needs of medical education to the American public;

(2) The encouragement of the growth, development, and advancement of constantly improving standards and methods in the education and training of all medical manpower in the Nation; and

(3) The preservation of academic freedom in the institutions of medical education.

CORPORATE POWERS

SEC. 4. The corporation shall have power—

(1) to have succession by its corporate name;

(2) to sue and be sued, complain and defend in any court of competent jurisdiction;

(3) to adopt, use, and alter a corporate seal;

(4) to choose such officers, managers, agents, and employees as the business of the corporation may require;

(5) to adopt, amend, and alter a constitution and bylaws, not inconsistent with the laws of the United States or any State in which the corporation is to operate, for the management of its property and the regulation of its affairs;

(6) to contract and be contracted with;

(7) to take by lease, gift, purchase, grant, devise, or bequest from any private corporation, association, partnership, firm or individual and to hold any property, real, personal or mixed, necessary or convenient for attaining the objects and carrying into effect the purposes of the corporation, subject, however, to applicable provisions of law of any State (A) governing the amount or kind of property which may be held by, or (B) otherwise limiting or controlling the ownership of property by, a corporation operating in such State;

(8) to transfer, convey, lease, sublease, encumber and otherwise alienate real, personal or mixed property; and

(9) to borrow money for the purposes of the corporation, issue bonds therefor, and secure the same by mortgage, deed of trust, pledge or otherwise, subject in every case to all applicable provisions of Federal and State laws.

PRINCIPAL OFFICE; SCOPE OF ACTIVITIES; DISTRICT OF COLUMBIA AGENT

SEC. 5. (a) The principal office of the corporation shall be located in New York City, N. Y., or in such other place as may be later determined by the board of directors, but the activities of the corporation shall not be confined to that place, but may be conducted throughout the various States, Territories, and possessions of the United States.

(b) The corporation shall have in the District of Columbia at all times a designated agent authorized to accept service of process for the corporation; and notice to or service upon such agent, or mailed to the business address of such agent, shall be deemed notice to or service upon the corporation.

MEMBERSHIP; VOTING RIGHTS

SEC. 6. (a) Eligibility for membership in the corporation and the rights, privileges, and designation of classes of members shall, except as provided in this act, be determined as the constitution and bylaws of the corporation may provide.

(b) Each member of the corporation, other than honorary, sustaining or associate members, shall have the right to one vote on each matter submitted to a vote at all meetings of the members of the corporation.

BOARD OF DIRECTORS: COMPOSITION, RESPONSIBILITIES

SEC. 7 (a) Upon the enactment of this act the membership of the initial board of directors of the corporation shall consist of the present members of the executive committee of the National Fund for Medical Education, Inc., the corporation described in section 16 of this act, or such of them as may then be living and are qualified members of said executive committee, to wit: Earl Bunting, Washington, D. C.; Colby M. Chester, New York, N. Y.; S. Sloan Colt, Westhampton Beach, N. Y.; William E. Cotter, Scarsdale, N. Y.; Victor Emanuel, New York, N. Y.; Willian B. Given, Jr., New York, N. Y.;

Herbert Hoover, New York, N. Y.; Devereux C. Josephs, New York, N. Y.; Samuel D. Leidesdorf, New York, N. Y.; Leroy A. Lincoln, New York, N. Y.; Eustace Seligman, New York, N. Y.; Juan T. Trippe, Greenwich, Conn.; and John S. Zinsser, Philadelphia, Pa.; together with the following members of the medical profession, namely, Donald C. Balfour, M. D., Rochester, Minn.; Louis H. Bauer, M. D., Hempstead, N. Y.; Howard A. Rusk, M. D., New York, N. Y.; and Harvey B. Stone, M. D., Baltimore, Md.

(b) Thereafter, the board of directors of the corporation shall consist of such number (not less than 15 and not more than 25, 4 of whom shall at all times be members of the medical profession), shall be selected in such manner (including the filling of vacancies), and shall serve for such term as may be prescribed in the constitution and bylaws of the corporation.

(c) The board of directors shall be the governing board of the corporation and, during the intervals between the meetings of members, shall be responsible for the general policies and program of the corporation and for the control of all contributed funds as may be raised by the corporation.

OFFICERS; ELECTION AND DUTIES OF OFFICERS

SEC. 8. (a) The officers of the corporation shall be a chairman of the board of directors, a president, one or more vice presidents (as may be prescribed in the constitution and bylaws of the corporation), a secretary, and a treasurer, and one or more assistant secretaries and assistant treasurers as may be provided in the constitution and bylaws.

(b) The officers of the corporation shall be elected in such manner and for such terms and with such duties as may be prescribed in the constitution and bylaws of the corporation.

USE OF INCOME; LOANS TO OFFICERS, DIRECTORS, OR EMPLOYEES

SEC. 9. (a) No part of the income or assets of the corporation shall inure to any of its members, directors, or officers as such, or be distributable to any of them during the life of the corporation or upon its dissolution or final liquidation. Nothing in this subsection, however, shall be construed to prevent the payment of compensation to officers of the corporation in amounts approved by the board of directors of the corporation.

(b) The corporation shall not make loans to its officers, directors, or employees. Any director who votes for or assents to the making of a loan or advance to an officer, director, or employee of the corporation, and any officer who participates in the making of such a loan or advance, shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

NONPOLITICAL NATURE OF CORPORATION

SEC. 10. The corporation, and its officers and directors as such, shall not contribute to or otherwise support or assist any political party or candidate for public office.

LIABILITY FOR ACTS OF OFFICERS AND AGENTS

SEC. 11. The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

PROHIBITION AGAINST ISSUANCE OF STOCK OR PAYMENT OF DIVIDENDS

SEC. 12. The corporation shall have no power to issue any shares of stock or to declare or pay any dividends.

BOOKS AND RECORDS; INSPECTION

SEC. 13. The corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its members, board of directors, and committees having any authority under the board of directors; and it shall also keep at its principal office a record of the names and addresses of its members entitled to vote. All books and records of the corporation may be inspected by any member entitled to vote, or his agent or attorney, for any proper purpose, at any reasonable time.

AUDIT OF FINANCIAL TRANSACTIONS

SEC. 14. (a) The financial transactions shall be audited annually by an independent certified public accountant in accordance with the principles and procedures applicable to commercial corporate transactions. The audit shall be conducted at the place or places where the accounts of the corporation are normally kept. All books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the corporation and necessary to facilitate the audit shall be made available to the person or persons conducting the audit; and full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians shall be afforded to such person or persons.

(b) A report of such audit shall be made by the corporation to the Congress not later than March 1 of each year. The report shall set forth the scope of the audit and shall include a verification by the person or persons conducting the audit of statements of (1) assets and liabilities, (2) capital and surplus or deficit, (3) surplus or deficit analysis, (4) income and expense, and (5) sources and application of funds. Such report shall not be printed as a public document.

USE OF ASSETS ON DISSOLUTION OR LIQUIDATION

SEC. 15. Upon dissolution or final liquidation of the corporation, after discharge or satisfaction of all outstanding obligations and liabilities, the remaining assets, if any, of the corporation shall be distributed in accordance with the determination of the board of directors of the corporation and in compliance with the constitution and bylaws of the corporation and all Federal and State laws applicable thereto.

TRANSFER OF ASSETS

SEC. 16. The corporation may acquire the assets of the National Fund for Medical Education, Inc., a corporation organized under the laws of the State of New York, upon discharging or satisfactorily providing for the payment and discharge of all of the liability of such corporation and upon complying with all laws of the State of New York applicable thereto.

RESERVATION OF RIGHT TO AMEND OR REPEAL CHARTER

SEC. 17. The right to alter, amend, or repeal this act is expressly reserved.

Mr. WATKINS. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

TERMINATION OF FEDERAL JURISDICTION OVER ALABAMA AND COUSHATTA TRIBES OF INDIANS OF TEXAS

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 2744) to provide for the termination of Federal supervision over the property of the Alabama and Coushatta Tribes of Indians of Texas, and the individual members thereof; and for other purposes, which were, on page 2, line 21, strike out "in the State of Oklahoma," and on page 4, line 9, strike out all after "SEC. 7." down to and including "citizens" in line 12 and insert "Nothing in this act shall affect the status of the members of the tribes as citizens of the United States."

Mr. WATKINS. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

PARTITION AND DISTRIBUTION OF ASSETS OF THE UTE INDIAN TRIBE OF THE UINTAH AND OURAY RESERVATION, UTAH

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 3532) to provide for the partition and distribution of the assets of the Ute Indian Tribe of the Uintah and Ouray Reservation in Utah between the mixed-blood and fullblood members thereof; and for the termination of Federal supervision over the property of the mixed-blood members of said tribe; to provide a development program for the fullblood members of said tribe; and for other purposes, which were, on page 2, strike out lines 8 to 11, inclusive, and insert:

(b) "Fullblood" means a member of the tribe who possesses one-half degree of Ute Indian blood and a total of Indian blood in excess of one-half, excepting those who become mixed-bloods by choice under the provisions of section 4 hereof,

On page 2, strike out lines 12 to 15, inclusive, and insert:

(c) "Mixed-blood" means a member of the tribe who does not possess sufficient Indian or Ute Indian blood to fall within the fullblood class as herein defined, and those who become mixed-bloods by choice under the provisions of section 4 hereof,

On page 18, line 21, strike out "effective date" and insert "date of enactment", and on page 24, line 12, strike out all after "SEC. 25." down to and including "citizens" in line 15 and insert "Nothing in this act shall affect the status of the members of the tribe as citizens of the United States."

Mr. WATKINS. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

BRUNHILDE WALBURGA GOLOMB, RALPH ROBERT GOLOMB, AND PATRICIA ANN GOLOMB

Mr. WATKINS. Mr. President, I ask the Chair to lay before the Senate the amendments of the House of Representatives to the bill (S. 1225) for the relief of Brunhilde Walburga Golomb, Ralph Robert Golomb, and Patricia Ann Golomb.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 1225) for the relief of Brunhilde Walburga Golomb, Ralph Robert Golomb, and Patricia Ann Golomb, which were, to strike out all after the enacting clause and insert:

That, notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Brunhilde Walburga Golomb Hartsworm may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of

State or the Department of Justice had knowledge prior to the enactment of this act.

And to amend the title so as to read: "An act for the relief of Brunhilde Walburga Golomb Hartsworm."

Mr. KNOWLAND. Mr. President, this matter has been cleared with the minority side. It will take but a moment.

Mr. McCARRAN. Mr. President, may we have an explanation of the bill?

Mr. WATKINS. Mr. President, this bill, which was passed by the Senate on April 5, 1954, provides for the admission into the United States of the fiance and the two minor children of Sgt. Robert F. Hartsworm, an American citizen-soldier. The fiance's name was listed as Brunhilde Walburga Golomb.

Thereafter, on July 1, 1954, Mr. Hartsworm notified the House committee that he had married his fiance last year, prior to his return to the United States. The House amended the bill accordingly by properly listing the name as Brunhilde Walburga Golomb Hartsworm.

I move that the Senate concur in the amendments of the House.

The motion was agreed to.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the concurrent resolution (S. Con. Res. 92) favoring the suspension of deportation in the case of certain aliens, which was, on page 6, strike out line 20.

Mr. WATKINS. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

IDENTITY OF CERTAIN COMMUNIST-INFILTRATED ORGANIZATIONS

The Senate resumed the consideration of the bill (S. 3706) to amend the Subversive Activities Control Act of 1950 to provide for the determination of the identity of certain Communist-infiltrated organizations, and for other purposes.

Mr. KNOWLAND. Mr. President, I understand that the pending question is on agreeing to the amendment of the Senator from Washington [Mr. MAGNUSON].

The PRESIDENT pro tempore. That is the pending question; and a unanimous-consent agreement has been entered regarding the time available for debate on that question.

Mr. KNOWLAND. Mr. President, I now suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

Mr. JOHNSON of Texas. Mr. President, as I understand, the time for this quorum call will not run against the time provided unanimously for debate on the pending measure.

The PRESIDENT pro tempore. As soon as the quorum call is completed, the time will start running.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gore	Murray
Bridges	Green	Pastore
Carlson	Hendrickson	Payne
Case	Johnson, Tex.	Potter
Chavez	Johnston, S. C.	Reynolds
Cordon	Knowland	Saltonstall
Crippa	Kuchel	Smith, N. J.
Dirksen	Lehman	Stennis
Duff	Magnuson	Watkins
Frear	Mansfield	Wiley
George	Martin	Williams
Goldwater	Monroney	Young

Mr. SALTONSTALL. I announce that the Senator from North Dakota [Mr. LANGER] is absent by leave of the Senate.

The Senator from Vermont [Mr. FLANDERS] is necessarily absent.

Mr. CLEMENTS. I announce that the Senator from Mississippi [Mr. EASTLAND], the Senators from North Carolina [Mr. ERVIN and Mr. LENNON], the Senator from Tennessee [Mr. KEFAUVER], and the Senator from West Virginia [Mr. NEELY] are absent on official business.

The Senator from Alabama [Mr. SPARKMAN] is necessarily absent.

The PRESIDING OFFICER (Mr. PAYNE in the chair). A quorum is not present.

Mr. KNOWLAND. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. ANDERSON, Mr. BARRETT, Mr. BEALL, Mr. BENNETT, Mrs. BOWRING, Mr. BRICKER, Mr. BURKE, Mr. BUSH, Mr. BUTLER, Mr. BYRD, Mr. CAPEHART, Mr. CLEMENTS, Mr. COOPER, Mr. DANIEL, Mr. DOUGLAS, Mr. DWORSHAK, Mr. ELLENDER, Mr. FERGUSON, Mr. FULBRIGHT, Mr. GILLETTE, Mr. HAYDEN, Mr. HENNINGS, Mr. HICKENLOOPER, Mr. HILL, Mr. HOLLAND, Mr. HUMPHREY, Mr. IVES, Mr. JACKSON, Mr. JENNER, Mr. JOHNSON of Colorado, Mr. KENNEDY, Mr. KERR, Mr. KILGORE, Mr. LONG, Mr. MALONE, Mr. MAYBANK, Mr. McCARRAN, Mr. McCARTHY, Mr. McCLELLAN, Mr. MILLIKIN, Mr. MORSE, Mr. MUNDT, Mr. PURTELL, Mr. ROBERTSON, Mr. RUSSELL, Mr. SCHOEPPEL, Mr. SMATHERS, Mrs. SMITH of Maine, Mr. SYMINGTON, Mr. THYE, Mr. UPTON, and Mr. WELKER entered the Chamber and answered to their names.

The PRESIDING OFFICER. A quorum is present.

The Senate is now proceeding under a unanimous-consent agreement, pursuant to which debate on the pending amendment is limited to 1 hour, divided equally, and controlled, respectively, by the Senator from Washington [Mr. MAGNUSON] and the Senator from Maryland [Mr. BUTLER]; and no amendment thereto which is not germane to the subject matter of the amendment may be received.

How much time does the Senator from Washington yield to himself?

Mr. MAGNUSON. I yield myself 20 minutes.

At the outset, Mr. President, by inadvertence on my part, on the amendment which is now before the Senate in the nature of a substitute the name of the distinguished junior Senator from New York [Mr. LEHMAN] was omitted as a cosponsor. I ask unanimous consent that his name be added as a sponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MAGNUSON. Mr. President, before the Senate recessed last night, after the submission of the proposed substitute, I pointed out certain facts for the benefit of the Senate, and for the purpose of saving time of the Senate I placed in the RECORD what could be considered a chronological history of the proposal now before the Senate, and similar pieces of legislation.

I wish to point out again certain facts, which I think form a solid foundation for the contention that favorable consideration should be given to the suggestion made by myself and several other Senators that the Senate should adopt the pending amendment to S. 3706 in the nature of a substitute.

Practically every phase of the bill introduced by the Senator from Maryland [Mr. BUTLER], S. 3706, has been considered by the House of Representatives, which is now in virtual semiadjournment.

After hearings, Mr. President, both on the bill before the Senate now and the other bill which came up, the House Committee on the Judiciary, membership of which is composed of 16 Republicans and 14 Democrats, by unanimous vote in each instance did the following:

First, after hearings the committee by unanimous vote tabled the so-called communistic infiltration organization bill—I so designate the bill, since that was the name given to it—proposed by Attorney General Brownell, a bill which I say is similar to or almost identical to S. 3706.

Second, the House Committee on the Judiciary substituted for the Brownell screening bill a proposal for a study commission, which is suggested in the amendment in the nature of a substitute now before the Senate, which they said was virtually identical to the provisions of the so-called Magnuson proposal.

They point out in their report what is also set forth in the minority views in connection with the so-called almost "end around play" that was made later by the House Committee on Un-American Activities, in reporting a bill similar to Senate bill 3706, that the substitute proposal for a study commission was merely an extension of provisions of a bill which I am sure the Senator from Maryland [Mr. BUTLER] and I supported, the other so-called Magnuson screening bill, relating to waterfront and maritime matters. That statement appears in their report.

So the House Committee on the Judiciary, which is the permanent committee of the House which is now in virtual adjournment, to which bills of this character will have to be referred if they pass the Senate, considered these bills after long hearings, and took the action I have stated. That committee reported a bill virtually identical to the amendment in the nature of a substitute which is before the Senate.

I am stating these facts because I am sure all of us want to do something about Communist infiltration. But as a practical legislative matter, if the Senate passes the pending bill, in my opinion, in view of the House action on similar bills, we will finally have no bill at all, and we will not move along toward our chief goal.

Mr. McCARRAN. Mr. President, will the Senator yield for a question?

Mr. MAGNUSON. I yield for a question.

Mr. McCARRAN. Is it not true that Mr. VELDE, the chairman of the House Committee on Un-American Activities, now has an identical bill under consideration?

Mr. MAGNUSON. I will say to the Senator from Nevada that I pointed that fact out. That is correct; but I am relating what the permanent committee of the House did.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. MAGNUSON. I have only 20 minutes, and the Senator from Maryland has a half hour.

I have stated what the House did. It is my firm opinion that as a practical matter the House will not accept these two bills, judging from its previous action. This is not speculation. I have stated what the House actually did.

It is true, let me say to the Senator from Nevada, that the House Committee on the Judiciary, which is a permanent committee, would have jurisdiction to consider these bills in the House. No one has been a more zealous guardian of the jurisdictional prerogative in this body than the Senator from Nevada [Mr. McCARRAN], so far as the jurisdiction of the Committee on the Judiciary is concerned. The House Committee on the Judiciary considered a similar bill, held long hearings, and came up with the proposal which is now before the Senate in the form of a substitute.

Later on, in what I call some kind of an "end around play," the House Committee on Un-American Activities reported a bill which, I think, is almost identical to S. 3706.

Mr. BUTLER. Mr. President, will the Senator yield on my own time?

Mr. MAGNUSON. Yes.

Mr. BUTLER. Does the Senator from Washington not believe that the Senate should go ahead and legislate, and not try to second guess the House of Representatives, especially after the President of the United States within the past several days has said he desires to have this bill passed?

Mr. MAGNUSON. Is that a question?

Mr. BUTLER. That is a question, yes.

Mr. MAGNUSON. Very well. The President of the United States has been in favor of many bills, but the Congress has the power to legislate, and that is what we are doing.

Mr. BUTLER rose.

Mr. MAGNUSON. I refuse to yield. I am going to answer the Senator's question.

It seems that every time some Member of Congress marches down to the other end of the avenue he comes back with a new list of must bills. In other words, they get orders to pass certain bills.

Some of the legislative proposals are good. Some of them I have opposed. But Congress is the legislative body. I am pointing out the practical situation.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. MAGNUSON. No. I refuse to yield, because I have only 20 minutes.

Mr. BUTLER. I will ask my question and have it charged to my own time, if the Senator does not mind.

Mr. MAGNUSON. Let me finish my statement.

Mr. BUTLER. The Senator from Washington did not answer my question.

Mr. MAGNUSON. I will answer it.

Mr. BUTLER. My question was: Does the Senator not think that the Senate should go ahead and legislate on its own responsibility, and not try to second-guess the House of Representatives as to what it is going to do?

Mr. MAGNUSON. I do not think I am second-guessing what the House of Representatives is going to do.

Mr. BUTLER. I think the Senator from Washington is.

Mr. MAGNUSON. I am answering the Senator's question. I think I know what the House of Representatives is going to do.

Mr. BUTLER. I think I know, too.

Mr. MAGNUSON. I think I know. I know the House pretty well. I served in that body for many years. I know what the House is going to do. I know the situation they face now.

I am saying that if the Senate desires to do something about the subject matter of the pending bill—a subject matter which I tackled in 1950 with my own bill, although it related only to maritime matters—the Senate ought to go ahead and act by adopting the amendment I have offered, to which the House will agree because the permanent committee of the House unanimously agreed to it.

It is said that the President of the United States wants this bill passed. There are 16 Republican Members of the House on the Committee on the Judiciary, who apparently did not want it. This bill, if passed, will have to be sent to the House Committee on the Judiciary. That is the only place where it can be sent.

The House Un-American Activities Committee did report a bill similar to S. 3706, but without hearings at all, and there were only five members of the committee present at the meeting when the action was taken.

What I have referred to was the unanimous report of the House Committee on the Judiciary, with a membership of 16 Republicans and 14 Democrats.

What else did the House do? This is not second-guessing. I am stating facts. What else did the House do? Instead of going to the country and saying, "Oh, we passed in the Senate some sort of an anti-Communist bill," if we want to do something solid and intelligent about this subject and get something actually accomplished, the pending amendment should be agreed to. We are all trying to reach the same objective.

What else did the House do? After extensive hearings, the House Committee on Education and Labor, which is concerned with this problem because of the question of infiltration of Communists into unions, refused to report favorably the so-called Rhodes bill, H. R. 3993, which is a companion bill to the bill introduced by the Senator from Arizona [Mr. GOLDWATER], and almost identical with the bill introduced by the Senator from Maryland [Mr. BUTLER] which is now before the Senate.

There are two House permanent committees which have refused to report favorably on this bill. It was not because they did not want to accomplish the objective sought, but rather that they thought the bill did not provide the way to go about it.

The third point I have already discussed, but I think the record ought to be clear. This is not second guessing anything. After the two permanent House committees had discussed this very matter, and the House Committee on Un-American Activities, with only 5 of its 9 members present, without any legislative hearings whatsoever, either pro or con, without any advance notice, and after less than 1 hour of committee discussion, reported the bill which is the companion bill to S. 3706.

Mr. CASE. Mr. President, will the Senator yield?

Mr. MAGNUSON. I do not have time. I have only 20 minutes. I shall be glad to yield later if I have any time left.

What did that House Committee on Un-American Activities do? Only 5 of the 9 members were present, and 3 of those members have submitted for the perusal of Congress minority views on a bill very similar to the one now before the Senate.

The minority views are signed by the distinguished, long-time Member of the House, Representative FRANCIS WALTER, of Pennsylvania, who also is and has been for many years one of the senior members of the House Committee on the Judiciary; Representative CLYDE DOYLE, of California, who also is a member of the House Committee on Un-American Activities; and Representative JAMES B. FRAZIER, of Tennessee, who is a member of both the Committee on the Judiciary, and the Committee on Un-American Activities. They signed the minority views, in which they pointed out some of their apprehensions about the bill similar to the one now before the Senate, and strongly suggested that there be adopted a measure such as has been suggested by my proposed amendment in the nature of a substitute.

On June 1, 1954, the Wall Street Journal published an editorial with respect to this matter. I would not say that the Wall Street Journal was an organ of any of the so-called radical left-wingers or of the Communist Party. However, the Wall Street Journal points out in its editorial as follows:

> We recognize the trying task the Attorney General and his law officers face in combating the secret and sinister Communist intrigue. But it is not the part of wisdom ourselves to chip away at the very rights we seek to save from that menace.

Other editorials of the Wall Street Journal which I have placed in the RECORD have pointed out that the best way

to handle the situation is by such a proposal as is contained in my amendment in the nature of a substitute.

The minority views also point out the apprehensions of the good, solid American labor unions. All the labor unions and railroad brotherhoods, including the American Federation of Labor, the Congress of Industrial Organizations, and, I believe, the United Mine Workers, have expressed themselves unanimously to be of the view that although they favor the objectives sought by the pending bill, nevertheless the bill would not accomplish those objectives to any extent whatsoever. It is their belief that there should be some sort of study made—and my proposed amendment in the nature of a substitute would provide for that—and that a report should be made to Congress by January 15, 1955, so that Congress can begin to consider the question in a wise, intelligent way.

The New York Times, also, in a series of editorials, has discussed the matter, and has become concerned about it. Yesterday morning the Times published another editorial, which I believe is either the fourth or the fifth it has published along these lines in the past month. The editorial suggests a measure which is similar to my amendment in the nature of a substitute.

The minority views of the House Committee on Un-American Activities also point out that probably there are certain so-called unions which might be under some form of communistic domination, and undoubtedly the leadership of such unions seeks to promote the interests of those who are engaged in subversive activities. The minority views, however, state:

> Every indication, however, is that this situation is improving rather than growing worse, and that it is being successfully handled by the workers themselves, without Government intervention. The testimony before the House Judiciary Committee on House Joint Resolution 528—and that committee, unlike this one, held hearings—was that out of some 13 unions which in 1949 were Communist-dominated, half of them have by now entirely disappeared, while the others have lost substantial membership. This testimony further showed that this process is a continuing one: within recent weeks the Communist-dominated unions have suffered further substantial loss of membership.
>
> We agree that so long as a single Communist misleader of labor remains in a union office there is no occasion for complacency. But, when the situation is getting better and not worse, neither is there occasion for hysteria.

Mr. President, there are many provisions in the pending bill which, in my opinion as a lawyer, would cause undue harm in connection with the brilliant and almost unending fight which the solid American labor unions are making to rid themselves of any semblance of communism in their ranks, whether by infiltration or domination.

I sometimes think that if Congress were hastily to pass a bill with the provisions contained in the Butler bill, which is similar to the bill that was reported by the House Committee on Un-American Activities with only 5 of its members present, and 3 of those members submitting strong minority views, we might find ourselves not moving along the road toward abolition of Communist infiltration in the United States, but we might be slowing ourselves up.

Again, as a practical legislative matter, and not as a second guess, the House Committee on the Judiciary, to which the Senate bill would be referred if the Senate should pass the bill, is now virtually in adjournment, after having held weeks of long hearings on bills practically identical with the one now before the Senate, and having reported unanimously—14 Democrats and 16 Republicans; not a dissenting vote—a proposal such as is suggested in my amendment in the nature of a substitute.

I want to fight communism. I think I introduced, in 1950, one of the first bills ever to be introduced in Congress to fight the infiltration of communism along the waterfronts of the Nation. My proposal then was for the establishment of a commission representing industry, labor, and the Government itself. That commission has done a very good job along the waterfronts of America, with some rare exceptions, and the commission is still working on those cases. So I bow to no one in my conviction that the Government should do everything it can to abolish communism or the infiltration of communism into the labor unions. I shall continue to work steadily toward that end.

But, as has been pointed out so brilliantly in the editorials which have been published in the Wall Street Journal, the New York Times, and other newspapers throughout the country, there is only one way in which to accomplish this objective. In my opinion, hasty action on a bill such as the one now before the Senate might set us back, no matter how high the motives or how good the intentions of those who sponsor the bill may be in achieving the goal we all seek to reach.

As a practical legislative matter, and as many of us view the situation, I think the amendment in the nature of a substitute should be agreed to. Then I think we shall continue to move along in the fight against communism. But to pass a bill such as the Butler bill in the closing days of this Congress might result in more harm than good and in a failure to accomplish the purpose which is sought to be achieved.

Even yesterday morning the New York Times published another editorial, in which it said:

> The closing days of a legislative session provide hardly the proper atmosphere for considered debate on anything, least of all on such controversial matters as those affecting constitutional rights and civil liberties. That is why an extra word of caution is appropriate now against hasty enactment of laws in this delicate field.
>
> A number of bills are in various stages of passage that have the laudable aim of protecting the Nation against the dangers of Communist infiltration, but in their wide scope and broad phraseology may themselves contain unintended dangers to the American people.

I underscore the words "unintended dangers to the American people." I continue to read:

> For a bill to be desirable, it is not enough that it be merely labeled anti-Communist. In our anxiety to defend ourselves against Communist subversion we do not want to open the way to a comparable subversion of our institutions from a different direction. The path of commonsense and of moderation must be scrupulously followed if we are not to lose everything we seek to preserve.
>
> In some instances during the present session the appropriate committees of House or Senate have shown commendable restraint by withholding or modifying proposals that—however well intentioned—might have proved to be serious infringements on American liberty. For example, the House Judiciary Committee last month shelved two bills that created threats to civil liberties in their efforts to deal with Communist infiltration of industrial plants and of unions. Instead, the committee proposed a commission to investigate the entire problem. It would be well if both House and Senate acted on this suggestion.

Mr. President, that is exactly what is before the Senate. I am certain that members of the opposite party would not shy away from the suggestion that a commission be appointed to study this question, because the present administration has created commissions to study many things. More commissions have been created in the past 18 months, I think, than were created in the previous 5 or 10 years. Commissions have been appointed to study almost everything—to study trade practices, maritime conditions, aviation, government, and many other subjects. Unfortunately, some of the commissions have not submitted reports, but under the pending amendment the commission provided for would report on January 15. This is what Republican and Democratic Members of the House unanimously said Congress should do and is what they would agree to. If the pending bill is passed, it will go back to the House Judiciary Committee, and will have to buck the unanimous opinion of the committee, despite the fact that there has been a suggestion that this is one of the "must" bills.

The PRESIDING OFFICER. The time the Senator from Washington allotted himself has expired.

Mr. MAGNUSON. Mr. President, I am sure the Senator from Maryland would not object to my continuing.

The PRESIDING OFFICER. The Senator from Washington has 10 minutes remaining.

Mr. MAGNUSON. I thought the half hour had not expired.

The PRESIDING OFFICER. Does the Senator yield himself the remainder of the time?

Mr. MAGNUSON. I yield myself an additional 5 minutes, and then I shall yield 5 minutes to the Senator from New York [Mr. LEHMAN].

Mr. President, I could put into the RECORD well-thought-out editorial opinions from reliable, sensible, and surely anticommunistic newspapers. I could put into the RECORD well-thought-out letters written by persons who might be affected by the bill and who are as anticommunistic and just as good Americans as any Member of this body. We are approaching the problem in the wrong way in the last days of the session. I believe the adoption of the amendment in the nature of a substitute would result in our moving in the right direction.

On July 14, the Wall Street Journal published an editorial on the bill, suggesting that it might become a legal scattergun and might in effect stop us from moving along the path in which we want to move.

Mr. President, I yield the remainder of my time, and will yield to the Senator from New York.

Mr. CASE. Mr. President, before the Senator yields to the Senator from New York, will he yield to me so that I may ask a question?

Mr. MAGNUSON. I yield for that purpose.

Mr. CASE. Is it not a fact that several committees of the Congress, including the House Un-American Activities Committee, during the course of many years have been taking testimony on Communist infiltration in certain labor organizations?

Mr. MAGNUSON. Yes.

Mr. CASE. It seems to me that the time to act has come.

Mr. MAGNUSON. Surely, testimony has been taken on the whole broad question, but it is one thing to take testimony on the broad problem and another thing to take testimony on a specific, legal proposal in a bill. The House Judiciary Committee, which had held hearings on these very same proposals for weeks, unanimously reported the proposal that is now before the Senate in the nature of a substitute.

Mr. CASE. Four or five years ago, when I was a member of the committee, it was taking testimony.

Mr. MAGNUSON. The committee made a broad inquiry, but even then the members disagreed. I suggest to the Senator from South Dakota that he read the very cogent and pointed minority views of the members of the House Un-American Activities Committee.

Mr. MANSFIELD. Mr. President, will the Senator yield for a question?

Mr. MAGNUSON. I yield to the Senator from Montana.

Mr. MANSFIELD. Why would it not be better to pass bills which many of us have introduced to outlaw the Communist Party, in order to meet the issue head-on, and make the cleavage sharp and clean once and for all?

Mr. MAGNUSON. I have no objection to that, but I think the whole problem would be better solved at this time by adopting the amendment in the nature of a substitute, particularly in view of the fine work which the American labor unions have been doing. It must be remembered that in some unions the membership runs into millions. As was stated by the Wall Street Journal, which surely is an anti-Communist newspaper, the bill may become in effect a legal scattergun. The proposal is that the Congress should do the job in a manner in which the House Judiciary Committee said it should be done.

Mr. President, I yield the remainder of my time to the Senator from New York.

Mr. LEHMAN. Mr. President, I rise in support of the Magnuson substitute, of which I am very proud to be a cosponsor. I spoke at length yesterday on the pending bill, S. 3706. I pointed out that, in my opinion, S. 3706 was not only a highly dangerous bill, but completely useless.

Mr. President, I wish to say that I do not in the slightest degree minimize the threat of communism, and I yield to no Member of this body or to any person anywhere in my determination to block the nefarious efforts of the Communists, who, as we all know, are taking their orders in the main from a foreign power which is our enemy. However, I think we would be doing an extremely unwise thing if we passed a blunderbuss bill for the ostensible purpose of rooting out Communists from the labor movement, while we overlooked the fact that this bill, which would not, in fact, truly control or limit Communist activities, would instead constitute an extremely serious threat to the great organized labor movement in this country.

This bill would place in the hands of an Attorney General who might be antagonistic to labor, a powerful weapon to cripple labor, to break strikes, to prevent efforts to organize labor in areas where labor is weak or unorganized, and finally would penalize millions of hard-working patriotic men and women who are just as loyal to the interests of this country as is any Member of this body. The bill has the opposition of every branch of responsible organized labor.

I had printed in the RECORD yesterday certain views which were expressed by the great leaders of organized labor. These leaders want to protect this country; they do not want to let Communists hurt this country; but they also want to make certain that in the blunderbuss, hasty efforts to pass a bill, which has already been repudiated by a responsible committee of the House of Representatives, the organized labor movement itself is not made to suffer beyond repair.

I have said that, in my opinion, this bill would be a useless one. It would not hurt the Communists in any way. The bill would give protection by way of court action and appeals and the right to be heard by the legal tribunals, as should be provided; but, Mr. President, such legal procedures might, and probably would, take years and so many years might elapse before there would be any effective control of Communists in labor unions.

We know that under the Internal Security Act, action has been taken against the Communist Party itself. At that time—it was in 1950—I predicted that it would be 2 years before any determination of that action would be made. Mr. President, I was far too conservative, for here we are already approaching 1955—it has been nearly 5 years—and still no determination has been had in that case. As far as I know the case has not even been heard by the Supreme Court of the United States. In my opinion the same situation can and will be duplicated in every proceeding that is initiated under this bill.

Mr. President, this is a highly important matter. Action should not be taken lightly. It should not be taken without weighing the implications and the probable results.

What the Senator from Washington [Mr. MAGNUSON] and I have proposed, and what has been proposed by the Judiciary Committee of the House of Representatives, is that a commission of 12 members be appointed by the President of the United States, consisting of men and women who are outstanding leaders of labor, of business management, and of the general public. Our amendment provides that the commission shall report its findings on or before January 15, 1955, to the President of the United States, the President of the Senate, and the Speaker of the House of Representatives.

The PRESIDING OFFICER. The time of the Senator from New York has expired.

Mr. LEHMAN. Then, Mr. President, I ask unanimous consent to have printed in the RECORD, as a part of my remarks, a memorandum which has been prepared in connection with Senate bill 3706.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

AUGUST 9, 1954.

MEMORANDUM

SUMMARY OF S. 3706

S. 3706 would amend the Subversive Activities Control Act of 1950 so as to enable the Subversive Activities Control Board on petition filed by the Attorney General to determine whether any organization named in the petition is Communist-infiltrated. It does not in terms apply to unions, but the consequences which follow a determination by the Board that an organization is Communist-infiltrated are such as to apply effectively only to unions.

The bill defines a Communist-infiltrated organization as "any organization in the United States (other than a Communist-action organization or a Communist-front organization) which (A) is substantially directed, dominated, or controlled by an individual or individuals who are, or who within 5 years have been actively engaged in, giving aid or support to a Communist-action organization, a Communist foreign government, or the world Communist movement referred to in section 2 of this title, and (B) is serving, or within 5 years has served, as a means for (i) the giving of aid or support to any such organization, government, or movement, or (ii) the impairment of the military strength of the United States or its industrial capacity to furnish logistical or other material support required by its Armed Forces."

The bill lists seven factors which the Board is to take into consideration in determining whether an organization is Communist-infiltrated within the meaning of this definition. These are similar to those presently set forth in subsections (e) and (f) of section 13 of the Subversive Activities Control Act of 1950, and are substantially as follows:

(1) The extent to which the management of the organization is in the hands of one or more individuals who are, or within the past 5 years have been, members, agents or representatives of any Communist organization, Communist foreign government, or the world Communist movement, or have been actively engaged in giving aid or support to the same, with knowledge of the nature and purpose thereof;

(2) The extent to which the policies of the organization are, or within the past 5 years have been formulated and carried out under the direction or advice of any member, agent or representative of any Communist organization, government or movement;

(3) The extent to which personnel or resources of the organization are, or within the past 5 years have been, used to further or promote the objectives of any Communist organization, government or movement;

(4) The extent to which within the past 5 years the organization has received from, or furnished to or for the use of, any Communist organization, government or movement any funds or other material assistance;

(5) The extent to which the organization is, or within the past 5 years has been, affiliated in any other way with any Communist organization, government or movement;

(6) The extent to which the affiliation of the organization or of any individual or individuals who are members of the organization or manage its affairs, with any Communist organization, government or movement is concealed from or not disclosed to the membership of the organization; and

(7) The extent to which the organization or any of its members or managers are, or within the past 5 years have been, knowingly engaged in conduct punishable under the criminal penalties provided for in the Subversive Activities Act of 1950, or under the chapters of the Criminal Code dealing with espionage and censorship, sabotage, and treason, sedition and subversive activities.

The bill provides that whenever the Attorney General has reason to believe that any organization is Communist infiltrated he shall file with the Subversive Activities Control Board a petition for a determination by the Board to that effect. If the Attorney General certifies that the proceeding is one of exceptional public importance, the proceeding is to be expedited to the greatest practicable extent before the Board and in the courts. Generally speaking the procedures before the Board follow closely those provided for in the Subversive Activities Control Act of 1950 with regard to Communist-action or Communist-front organizations. An organization determined to be Communist infiltrated could file a petition with the Board for a determination that such organization no longer is a Communist-infiltrated organization, but such a petition could not be filed until at least a year had passed after a determination that it is Communist infiltrated, nor more frequently thereafter than once each year.

The effect of a determination by the Subversive Activities Control Board that an organization is Communist infiltrated would be to deprive it of its standing as a labor organization for purposes of the National Labor Relations Act, as amended by the Taft-Hartley Act. It would be ineligible to act as representative of any employee for purposes of either section 7 (protecting the right to organize and bargain collectively) or section 9 (providing procedure for the selection of employee representatives for collective bargaining purposes) of that act. And it would also be prohibited from obtaining any hearing before the National Labor Relations Board on any charge of unfair labor practice brought against an employer under section 10 of the act. The organization would be deprived of the right to "exercise any other right or privilege, or receive any other benefit, substantive or procedural, provided by such act for labor organizations."

The bill further provides that a determination that a union which is certified as bargaining representative of the employees in a bargaining unit under the Taft-Hartley Act is Communist infiltrated would have the effect of raising a question of representation within the meaning of section 9 (c) of the National Labor Relations Act as amended. If a petition were filed by not less than 20 percent of the employees in a bargaining unit or by "any person or persons acting in their behalf" the National Labor Relations Board would be required to direct an election in the unit for the selection of a representative for collective-bargaining purposes and to determine whether the employees wish to rescind the authority they previously granted to the proscribed labor organization to represent them in collective bargaining with their employer.

COMMENTS ON S. 3706

The following specific comments may be made on S. 3706:

(1) It is a documented fact (see Senate Document No. 89, 82d Cong., 1st sess., Communist Domination of Certain Unions, being the reports of committees of the CIO executive board on charges brought against 9 unions affiliated with the CIO which resulted in the expulsion of these 9 unions from the CIO) that Communists have infiltrated certain unions and have sought to manipulate these organizations for their own purposes rather than for legitimate trade-union objectives. To the extent that these unions represent employees in plants engaged in activities relating to the national defense, this fact is a matter of great concern, not only to those in the Government whose specific duty it is to protect the national security, but also to every American citizen who is devoted to the maintenance and preservation of our way of life.

(2) The bill seeks to deal with the problem of Communist-dominated unions by utilizing the procedures provided for in the Subversive Activities Control Act of 1950 for their identification as such and by depriving unions so identified of the protection and procedure afforded employees and unions in the National Labor Relations Act, as amended. Its provisions raise questions as to (a) its effectiveness in achieving the purpose for which it is designed, (b) its implications for the labor-union movement in general, which is overwhelmingly loyal and anti-Communist in its beliefs and activities, and for employees the great majority of whom are also loyal and anti-Communist, who are presently represented by Communist-dominated unions, and (c) its effects in broadening and intensifying Government control in an area of activity which is particularly difficult to deal with successfully by legislation and governmental action.

(a) With respect to the effectiveness of S. 3706 in achieving the purposes for which it is designed, it may be pointed out that more than 3 years have elapsed since proceedings were first instituted before the Subversive Activities Control Board for a determination that the Communist Party is a Communist-action organization within the meaning of the Subversive Activities Control Act of 1950. No final determination has yet been reached. There is no reason to believe that a determination that a union is Communist-infiltrated can be reached any more expeditiously.

Both the initiation of a proceeding under the bill and the long period of time that would be required to secure a final determination would, in all probability, be welcomed by the Communist infiltrators of the union, who would use them as proof that the union was in danger and needed the loyal support of all its members. This would be an added barrier that the anti-Communist unions would have to break down in their efforts to persuade their members to throw off the yoke of Communist domination and return to the fold of the free democratic trade union.

The effective way to deal with the problem of Communists in unions is not through legislation, but through the organizing activities of the free democratic unions in the A. F. of L. and the CIO. That this is the most effective method of dealing with this problem is demonstrated by the fact that more than three-fourths of the nearly 1 million members who belonged to the unions expelled from the CIO in 1949–50 have returned to the CIO and are no longer members of those unions. Today those unions are weak and are dwindling in number and importance every day. It would be unfortunate if anything were done which would slow down this healthy process, such as the enactment of the cumbersome procedures provided for in S. 3706.

If any Government action is to be taken in this field, it should be preceded by careful study and thought. The House Judiciary Committee has proposed that a bipartisan commission be established to undertake a thorough review of the problem of Communist dominated or infiltrated unions and of defense plant security. This action has the support of the major labor organizations. It constitutes a far more effective approach to the problem than that proposed in this bill.

(b) With respect to the implications of the bill for the labor movement in general and for the members of unions that may be proscribed under its provisions, the looseness and vagueness of the standards for determining whether a union is Communist-infiltrated are an invitation to antiunion employers and other individuals to use the bill to destroy unions.

Thus, the definition of a "Communist-infiltrated" organization is one which is dominated by an individual or individuals "actively engaged in" a Communist organization, etc. What is meant by "actively engaged in"? Does it include mere membership in a Communist organization?

A union could be proscribed if its "effective management" was conducted by one or more individuals who are, or within 5 years have been, members, agents, or representatives of any Communist organizations, any Communist foreign government, or the world Communist movement, "with knowledge of the nature and purpose thereof." What does "effective management" mean in this context? What "knowledge of the nature and purpose" of "any Communist organization," etc., is required?

To what extent must the policies of a union be carried out "pursuant to the direction or advice of any member, agent, or representative" of a Communist organization, Communist foreign government, or the world Communist movement, as provided in paragraph (2) of the standards, in order to condemn the union? Is a showing of mere coincidence of policies sufficient, or must something more be shown? If so, what else?

The third standard refers to the furtherance or promotion of the objectives of Communist organizations, etc. There have been instances in the past, as, for example, during World War II, when some of the objectives of Communist organizations and of loyal Americans have been the same. Under the bill it is possible that if some of the objectives of a legitimate organization coincide with those of a Communist organization, the organization could be deemed to be Communist infiltrated.

Paragraph 5 of the standards contains a blanket basis for condemnation, namely, affiliation "in any other way" with any Communist organization, etc. This is a wide open provision extending "guilt by association" in such a way as to enable the Subversive Activities Control Board to condemn any organization which the Board, depending on the individual predilections of its members, believes should not be entitled to use the facilities of the National Labor Relations Board.

Finally, the Board is to take into consideration whether or not "the affiliation of such organization, or of any individual or individuals who are members thereof or who manage its affairs" with a Communist organization, etc., "is concealed from or is not disclosed to the membership" of such organization. This would appear to mean that a union officer or agent can deny Communist ties only at the peril of the organization, for if it is alleged that he has such ties, the organization can be proscribed on the ground that he did not make full disclosure to the membership.

The significance of these loose and indefinite standards must be considered in the light of the fact that there still are many persons in certain sections of this country who still look upon unions as alien elements in our society. These are times when even

the most unfounded charges can get a hearing and when an individual with a grudge against the union or one of its active members could subject the union to lengthy proceedings before the Subversive Activities Control Board. The bill would give a weapon to the unscrupulous employer who wished to use it for his own purposes in frustrating the organization of his employees and undermining legitimate trade-union activities.

While unions can be condemned under the bill simply by virtue of the affiliations and activities of alleged "Communist infiltrators," nothing can be done under the bill to penalize or halt the activities of these same infiltrators.

It will be noted, furthermore, that the bill specifically excludes Communist-front and Communist-action organizations. Under the Subversive Activities Control Act these organizations are only required to register. While the Communist Party, therefore, could still lawfully exist, organizations that are "infiltrated" by Communists would be liquidated by denying them access to the National Labor Relations Board. This hardly comports with reasonable national security considerations.

To the extent that the bill is effective in identifying certain unions as "Communist infiltrated" it will have the effect of eliminating for employees who are members of such unions the possibility of resort to the orderly procedures of representation and collective bargaining provided for in the National Labor Relations Act, as amended. While it is probable that many of them may join other unions, many may not, and trade unionism as a whole will suffer. Possibly if this bill afforded the only effective means of dealing with the problem of Communists in unions, this is a cost which could be borne. In the face of indisputable evidence, however, that the bill can hardly be as effective in dealing with this problem as the efforts of the unions themselves have been, it is a cost which the labor union movement could well be spared.

(c) With respect to the matter of Government control of unions, a major effect of S. 3706 would be to place in the hands of the Attorney General and the Subversive Activities Control Board, the power to determine whether a union shall be entitled to the benefits and procedures provided for in the National Labor Relations Act, as amended. One of the fundamental characteristics of a free society is that individuals should be free to join whatever organizations they feel will best promote and protect their interests and that neither they nor those organizations should be subject to Government dictation in this respect. On the other hand, it is one of the hallmarks of dictatorship, whether of the Fascist or Communist variety, that organizations are permitted to exist and function only under the direction and sufferance of the Government.

President Philip Murray, of the CIO, pointed this out in a letter to Senator HUMPHREY in 1952, saying:

"We believe that if the Government undertakes to determine what unions can represent workers in this country it will have embarked upon the long trail toward Government control of unions. In the dictatorships of the world, unions exist at the sufferance of the State. We in America do not want to take a single step in that direction."

This position was reiterated by the CIO executive board at its meeting on March 22 of this year. Its statement on this problem issued at that time said:

"To sacrifice the dividends of fredom now enjoyed by the members of our unions for the very grave disadvantages of Government control and regulation would be as illogical as it is unnecessary. To the same degree, it would be a mighty victory in the Communist efforts to discredit free labor in America and the validity of our American democratic institutions. The masters of the international Communist conspiracy, acting from the standpoint of long-range strategy, would gladly exchange control of a few insignificant and weak Communist-led unions for government shackling of our whole free trade union movement, just as they welcome any setback to America's healthy economy and expanding democracy."

Similar views were voiced by President George Meany, of the A. F. of L., in testimony before the House Judiciary Committee.

This bill could be a very damaging weapon in the hands of an antilabor administration. The mere publication of charges against a union alleging that it was infiltrated by Communists could well be a death blow to the organization, particularly if made in the midst of an organizing campaign or a strike. It would take many months or possibly years before the union could clear itself of the allegation, even if the allegation were wholly without foundation.

Our national policy in the field of labor-management relations is founded on voluntary organization of workers in unions and free collective bargaining. These cannot exist, however, where Government undertakes to regulate, not only the relations between unions and employers, as provided in the Taft-Hartley Act, but even the kind of unions that may maintain such relations.

This bill raises important issues of labor policy. Yet, it has not been considered by our Committee on Labor and Public Welfare. Furthermore, at the hearings held by the Butler subcommittee on proposals for dealing with the problem of subversive activities in labor unions the subcommittee heard testimony only from witnesses who were either ardent advocates of the bills or who represented unions which would be directly affected by the provisions of the bill. No representatives of the A. F. of L. or the CIO testified at the hearing. The views of these organizations are found only in communications to the subcommittee which are printed at the very end of the volume of the printed hearings. The subcommittee was evidently not interested in the views of these representatives of labor who have had long experience in dealing with the problem of communism in unions and who have achieved a remarkable record of driving out of the labor movement those who would subvert it in the interest of the Communist movement.

Mr. BUTLER. Mr. President, has all the time of the proponents of the pending amendment expired?

The PRESIDING OFFICER. It has expired.

Mr. BUTLER. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Maryland is recognized for 5 minutes.

Mr. BUTLER. Mr. President, the proponents of the amendment by way of a substitute have said the pending bill is a hastily conceived one. Last night, I went to great lengths to emphasize to the Senate that such is not correct. I would refer the Senators to my remarks in that regard appearing on page 14097 of yesterday's CONGRESSIONAL RECORD.

Mr. President, the burden of the argument of the proponents of the amendment simply surrounds the proposition that the Internal Security Subcommittee of the Judiciary Committee of the United States Senate, which under the law has the responsibility of determining that the Internal Security Act of 1950 operates justly and satisfactorily, should be displaced by a commission to be appointed by the President of the United States. I object to such a procedure. I think the Senate of the United States is fully capable, through its committees, of conducting its own business and discharging the obligation placed upon it by the Internal Security Act of 1950. So I resent the suggestion that the Congress of the United States should be augmented by a Presidential commission to tell it how to operate one of its duly organized committees. I say to the Senate, most emphatically, this amendment is but a device to postpone consideration of this bill. So I am opposed to it.

As I said to the Senator from Washington [Mr. MAGNUSON], irrespective of what the committees of the House of Representatives may do, irrespective of what the House of Representative itself may do, it is our duty, as Members of this great body, to legislate on our own bills, and not to try to prognosticate what the House of Representatives will do with a bill, after we pass it.

The proponents of the amendment by way of a substitute say the situation is improving, and that we should permit the union leadership and membership to continue to purge itself of communism. Let us examine that contention for a brief moment, Mr. President.

We in the Internal Subcommittee have been holding hearings throughout the country on that very situation. What do we find? We find admitted and avowed Communists at the head of some of the most powerful unions in this country—unions that sit astride our most vital communications; unions that have to do with the mining of our metals; unions composed of electrical workers, that have to do with radar and other sensitive communications equipment which are manufactured in various plants throughout the country. Those men, I say to the Senate, have been known to be Communists year in and year out. They are still Communists, and they are still holding the same offices they held in those unions when we first initiated these investigations.

Much has been said by Senators on the other side of the aisle about how they have been working on this problem since 1950. Mr. President, if they have been working on it since 1950, and have taken volumes of testimony, where are their recommendations? Where is the bill which would correct what all of us know exists today? Where is their proposed legislation?

Mr. MAGNUSON. Mr. President, will the Senator from Maryland yield?

Mr. BUTLER. I am very glad to yield to the Senator from Washington.

Mr. MAGNUSON. What I said related only to maritime matters.

Mr. BUTLER. I am not referring to the Senator from Washington. Furthermore, his bill has been passed.

But we have heard many other Senators say, within the last day, that they held very comprehensive hearings, and that they are very much worried about the problem, and that they know it exists.

I ask the Senate of the United States, where are the fruits of their labors? Where is the legislation?

The PRESIDING OFFICER. The 5 minutes allotted to the Senator from Maryland have expired.

Mr. BUTLER. Mr. President, I yield myself an additional 5 minutes.

The PRESIDING OFFICER. The Senator from Maryland is recognized for an additional 5 minutes.

Mr. BUTLER. Mr. President, I wish to say that this bill has been drafted and redrafted. Parts of this legislation came from as many as 4 or 5 other bills which have been introduced in either 1 or the other of the 2 Houses of the Congress. The bill is not a hastily conceived one. All of us know that we have been taking testimony and holding hearings on this matter for many, many years, in both Houses of the Congress.

This bill may not be a perfect one. If not, as a member of the Internal Security Subcommittee I shall be the first one to come on this floor and offer an amendment to rectify any injustice or any inequity which may develop in its administration. I have no desire to hurt any labor union. I do not think the bill will injure any legitimate labor union. But this bill will hurt a union that is Communist-infiltrated and Communist-dominated, and that should be the aim of every Member of this great body. Communists who control or dominate United States labor unions are the persons we here seek to reach. We wish to eradicate them from the American labor scene.

Mr. President, some Senators contend the bill cannot possibly pass the House of Representatives. I say that we should completely disregard that statement, for the reason that the Senate is traditionally and historically an independent legislative body. It should in its own wisdom pass on the legislative proposals before it, and should not try to forecast the action of the other body.

But, Mr. President, I can tell you confidently that the President of the United States wants the bill. I can tell you confidently that the Attorney General of the United States has approved it; and I do not think the President of the United States and the Attorney General of the United States would endorse and support any bill which would hurt any legitimate labor organization.

Mr. President, in closing these brief remarks, let me say that the Senator from Washington—I am sorry he is not now in the Chamber—last night made reference at page 14164 to a letter which had been written to him by Albert J. Fitzgerald, general president of the United Electrical, Radio, and Machine Workers of America, and introduced into the RECORD a copy of that letter. When Mr. Fitzgerald was before the Internal Security Subcommittee task force of which I am chairman, what was his response when asked whether or not he was a Communist? For the information of the Senate, I refer to page 236 of the hearings on this bill. After having been asked by the Senator from Mississippi [Mr. EASTLAND], "Your officials have never been members of the Communist Party?" Mr. Fitzgerald replied:

Mr. FITZGERALD. So that we will not waste time, and we will get back to it later on when I get to my part of the testimony, for the present time, I suppose you want me to claim the privilege of the fifth amendment, which I will do.

Senator BUTLER. We do not want you to claim anything.

Mr. FITZGERALD. Then I will claim it, sir.

Mr. ARENS. Do you feel that a truthful answer to the question by the Senator from Mississippi will furnish information which might be used in a criminal prosecution of you?

Mr. FITZGERALD. I feel that under the Constitution of the United States that I have the right to claim the privilege of the fifth amendment.

I shall read from page VI of the report of the task force growing out of the investigation of that union in the Pittsburgh area, the conclusions that we arrived at:

The testimony establishes that there exists in the area of Pittsburgh, Pa., a serious potential danger to the security of this Nation. It is unthinkable that a large segment of the heavy industrial area of Pittsburgh, Pa., should be manned by a Communist-controlled organization masquerading as a labor union. All the forces of the Government of the United States must be brought to bear promptly to meet this critical situation.

In addition, the Senator from Washington referred to the fact that the Mine, Mill, and Smelter Workers were opposed to this bill and in favor of his proposed amendment by way of a substitute.

It is commonly known that the officers or some of the officers of that union are avowed and professed Communists. They are not bashful about this affiliation. They even protest when forced to resign from the Communist Party for the purpose of making an affidavit under the Taft-Hartley Act.

The PRESIDING OFFICER. The Senator's time has expired. Does the Senator yield further time to himself?

Mr. BUTLER. Mr. President, I yield myself an additional 2 minutes.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry. How much time is left?

The PRESIDING OFFICER. Eighteen minutes.

Mr. BUTLER. I yield myself an additional 2 minutes.

To point up that situation, let me read the comments and recommendations by the Internal Security Subcommittee after holding hearings on the mine, mill, and smelter workers in Salt Lake City, Utah:

It should be a matter of deep and continuing concern to all patriotic citizens that the International Union of Mine, Mill, and Smelter Workers, which operates in an industry so vital to the security of this Nation, is controlled by officers who have been identified under oath as Communists, and will not deny their membership in the Communist Party.

Those men had been Communists for many, many years. They had been officials of that union for many, many years. I ask my colleagues on the other side of the aisle, Where are the fruits of their labors? Where is the legislation that they would bring forth, after all the hearings that were held, to correct a situation, fully illuminated, like that, in which avowed members of the Communist Party are sitting astride our most vital industries?

We would be most derelict to our trust if we did not take means with which to put an end to that situation.

Mr. FERGUSON. Mr. President, will the Senator yield some time?

Mr. BUTLER. How much time does the Senator desire?

Mr. FERGUSON. How much time does the Senator have?

Mr. BUTLER. Sixteen minutes, if the Senator would like it.

Mr. FERGUSON. Will the Senator yield such part of that time as I may desire?

Mr. BUTLER. That is agreeable.

Mr. FERGUSON. Mr. President, some time ago, at the suggestion of the Attorney General, who is the chief legal adviser of the President of the United States, who has Cabinet status, and who is very familiar with what is going on so far as Communist penetration in America is concerned, I introduced a bill dealing with communism. Anti-Communist legislation is needed in America.

I came to the Senate 12 years ago, and 10 of those years I have spent on the Judiciary Committee of the Senate. One of the jobs of the Judiciary Committee is to look into the question of communism. I came from the bench in Michigan. I had had some experience with Communists in Michigan, but I did not understand communism as I later learned it to be. While I had had Communists before me in my court and had experience with communism, I really did not understand communism until Communist leaders such as Foster and Gates sat across the table from me and told of their Communist activities. I then understood more about communism.

I went to New York City as a minority member of the Internal Security Subcommittee under the distinguished Senator from Nevada [Mr. MCCARRAN] to look into the question of Communist penetration into schools and educational programs. Mr. Dubinsky, the head of the labor union of the clothiers, of New York, wrote an article in the Saturday Evening Post of May 9, 1953, in which he described one of the cases. I ask unanimous consent to insert in the RECORD at this point a portion of his article telling how he dealt with Communists in the union.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HOW I HANDLED THE REDS IN MY UNION

(By David Dubinsky, president, International Ladies Garment Workers Union)

(One of the scrappiest labor leaders in America tells the revealing story of how he whipped the Communists in his union, when they were on the point of capturing it. His favorite weapon? The ex-Communist. Author Dubinsky: "Seek them out, expose them, fight them, destroy their capacity for evil.")

For 12 years Dr. Harry G. Albaum, a biology professor at Brooklyn College, had nursed a secret to his bosom and hoped desperately that he would be rid of it before it devoured him. He had been sucked into the Communist Party in 1938 and now he was trapped. When he suggested to a fellow member that he wanted to quit, the latter told him, "Brother, you don't resign from

the Communist Party; you are expelled." He might have welcomed expulsion, except for the fact that the Communists had the goods on him. By order of the party higher-ups he had told a lie under oath to a State examining board, and he knew they would not hesitate to give him away to the authorities once he left them for good. Not only would he risk the loss of his position and rating as a professor but he would also incur the obloquy attendant on disclosure of his secret past. He was desperate, for, although he had drifted away from them and had had no contact with them for 12 years, his past was about to catch up with him. He had just received a summons to testify before the Senate Internal Security Subcommittee.

What was Albaum to do—take refuge behind the evasions and legal subterfuges by which others had sidestepped the truth or make a clean breast of it and take the consequences? He was in a state of emotional collapse as he faced his inquisitors, Senator HOMER FERGUSON, chairman of the hearing at which he was to be examined, and Robert Morris, counsel of the committee, who was to conduct the examination. Finally he pulled himself together and told all. Yes, he had been a member of the Communist Party. He had stayed with them only 2 years and had spent the rest of the time trying to live it down. "This pall," he blurted out, "has been hanging over me for 12 or more years, and I cannot live with it any more."

Senator FERGUSON'S response on that occasion is worth noting, for it holds the key, it seems to me, to the tactics and strategy to be pursued against the native agents of the Moscow hierarchy. Said Senator FERGUSON, "* * * It is very refreshing to realize that there has finally been a place that you could come to * * * (where a man) can come in and testify and free his soul."

Long experience in unrelenting and sometimes harrowing infighting with the Communists has taught me that certain methods will work against them while others will not. It is for this reason that I consider Senator FERGUSON'S remark not only a charitable one but also a sagacious one. It represents the proper approach to the problem of what to do with former Communists and disaffected present adherents of the Reds.

Mr. FERGUSON. We were trying to solve a problem, Mr. President, and that subcommittee has worked for years on that endeavor.

When the Senate considered the internal security bill it was confronted with some of the same maneuvers which are apparent today, seemingly designed to defeat the legislation without an actual vote on it. If anybody understands communism, I think he will want legislation enacted to cope with it.

One of the criticisms of investigations of communism in America is that following them no action is taken. The hue and cry is, "Why do we not leave this problem to the Attorney General of the United States under criminal statutes? Why do we not allow J. Edgar Hoover to investigate Communists?" Then, Mr. President, when we ask the Senate to pass a bill which will enable the Attorney General of the United States and the FBI to make investigations of communism, what do we get? We get the same answer: "Oh, let us refer it to a commission. Let us have another year's study of it."

Mr. President, I am for studying a problem. I want to get the facts. I do not want to legislate in a smog. However, this issue is clear. We have studied the question of penetration of communism in America long enough. Although we are asking other nations to rid themselves of Communists in their governments and in their labor unions, we are not doing anything about it in America so far as enacting a law is concerned. I believe in law. I believe in equal justice under law. That is what we are trying to do here. If we create a commission to study the question, there will arise the same hue and cry, that we are smearing honest, reliable people, and that we are trying to destroy unions because some of them have been penetrated by Communists.

I rise today to say that the pending bill will do the greatest amount of good for labor unions that they can have done for them. The unions are in favor of it. The CIO, the A. F. of L., the Mechanics Union, and every other honest, reliable union is in favor of the bill, because it will give them the one thing they need, and that is a law under which they can get rid of Communist domination of unions.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. MANSFIELD. Why does not the Senator from Michigan go one step further and support bills like those I have introduced in the House and in the Senate, which would outlaw the Communist Party? Then the line will be drawn sharply, cleanly, and clearly.

Mr. FERGUSON. The reason I do not advocate outlawing the Communist Party in America is that the Communists would go underground, and it would not do an iota of good to outlaw them. That is what the Communists want. They think they can cover up the movement if we outlaw the Communist Party.

We passed the Smith Act. Do we see the Communist Party before the court when individual Communists are being tried on the charge of conspiracy to to overthrow the Government of the United States?

Outlawing the Communist Party will not solve the problem. Why does not the Senator from Montana join with us in this crusade to get at the Communists in America?

Mr. MANSFIELD. Mr. President, will the Senator yield further?

Mr. FERGUSON. I yield.

Mr. MANSFIELD. The Senator certainly does not mean to say that the Communists are not underground now, does he?

Mr. FERGUSON. Not at all. But they are in labor unions because labor unions cannot cope with the situation. If they were able to cope with the situation they would not allow them in the unions. All the Communists need in any organization is 1 or 2 members of the Communist Party. After 10 years of working in the Senate on this issue, and many years on the bench and at the bar, I know that today wherever the minds of men are called into play anywhere in the world the Communists are attempting to penetrate organizations and influence the decisions of men.

I should like to relate a little story which was told to me as a fact when I was in Tokyo visiting Gen. Douglas MacArthur. He told me about Mr. Malik, who had been Ambassador to Japan prior to the end of the war, before the Russians entered the war. Malik had voted with MacArthur on a certain point that had come up before the Commission in Japan. The General asked him why he had gone along. He said, "Why did you go along with us? We are rather surprised that you should go along with us on that point."

Mr. Malik took out three matches and laid them in a row on the table. He said, "General, the reason we went along is this. The first match is capitalism. The second match is socialism. The third match is communism. When anything moves from the first match, capitalism, along a line to socialism, you will always find us there in favor of that movement, going along with it. It will take time and patience. However, we know that the time is coming when the movement will be over to the third match, communism."

I say that anything that concerns the minds of men will always have around it Communists attempting to move from one point to the next, to communism, and attempting to influence our country to move along the line to communism. That is what we must guard against today.

There was read into the RECORD the other day a resolution adopted by a great labor union. I am not surprised that the Communists are trying to stop this bill. They are in the gallery and in the corridors of the Capitol today. If I were a Communist, I would be trying to stop it, too.

However, let me read what the CIO has said. I defy anyone to say that the CIO is trying to destroy unions in America, or that it is antiunion. This is what the CIO organization said in 1949 in connection with a resolution of expulsion directed against the United Electrical, Radio, and Machine Workers of America, a communications union, whose members handle vital messages which are sent all over the world. They are radio and electrical workers. Their union was expelled from the CIO on November 2, 1949. Let me read the resolution:

> We can no longer tolerate within the family of CIO the Communist Party masquerading as a labor union. The time has come when the CIO must strip the mask from these false leaders, whose only purpose is to deceive and betray the workers. So long as the agents of the Communist Party in the labor movement enjoy the benefits of affiliation with the CIO, they will continue to carry out this betrayal under the protection of the good name of the CIO.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. FERGUSON. I am glad to yield.

Mr. BUTLER. Are those men still officers in the union to which the Senator has referred?

Mr. FERGUSON. I understand they are.

Mr. BUTLER. The union still has the same officers?

Mr. FERGUSON. That is correct.

Mr. BUTLER. They are in control of a very powerful union, whose workers

make our most secret radar and radio equipment, are they not?

Mr. FERGUSON. That is correct.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. KNOWLAND. The question was raised a little earlier as to why the Communist Party, as such, was not outlawed. In addition to whatever constitutional questions may be involved, is there not the additional factor that the Communists could very easily call themselves by another name—for example, the L. S. and M. Party, which to the Communists might mean the Lenin-Stalin-Malenkov Party—thus giving an entirely different outward appearance?

Mr. FERGUSON. That is correct.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. FERGUSON. What I have read are the words of the CIO. I respect that union because it is trying to cleanse itself of communism. Are we going to help them? Are these the words of a "union-busting" Senator? These are the words of the CIO themselves in connection with an attempted expulsion of Communists. We cannot solve this problem by outlawing the Communist Party. We can solve it only by having laws on the statute books which will give equal protection to all.

Mr. President, Senators stood upon the floor of the Senate for long periods when the internal security bill was under consideration, and in one case a Senator exhausted himself and had to be carried from the floor. This debate should not take a long time. I never was more interested in anything in my life than I am in having communism in America under law. We have investigated sufficiently. Therefore, Mr. President, I raise my voice, and I raise it loudly today, because I want this proposed legislation to pass and not merely to have a study of the subject for another decade.

Mr. HUMPHREY. Mr. President, will the Senator from Michigan yield?

The PRESIDING OFFICER. The time has about expired. The Senator from Maryland has 1 minute remaining.

Mr. BUTLER. Mr. President, I regret that I shall not be able to yield.

The amendment in the nature of a substitute offered by the Senator from Washington [Mr. MAGNUSON] to the bill is simply a parliamentary device to defeat the pending legislation. I urge Members of the Senate to stand up and be counted on the simple issue which is before the Senate, and not to sidestep that issue by voting for the substitute.

The instant bill is an internal-security measure, designed to protect this Nation against the Communist fifth column. It is not an antilabor bill. It is not a union-busting bill. It is an internal-security measure. It has not been hastily conceived. This bill is a vital and integral part, a much needed part, of the Internal Security Act of 1950.

I hope the Senate will in due time defeat the proposed amendment and pass the bill.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Gillette	McCarthy
Anderson	Goldwater	McClellan
Barrett	Gore	Millikin
Beall	Green	Monroney
Bennett	Hayden	Morse
Bowring	Hendrickson	Mundt
Bricker	Hennings	Murray
Bridges	Hickenlooper	Pastore
Burke	Hill	Payne
Bush	Holland	Potter
Butler	Humphrey	Purtell
Byrd	Ives	Reynolds
Capehart	Jackson	Robertson
Carlson	Jenner	Russell
Case	Johnson, Colo.	Saltonstall
Chavez	Johnson, Tex.	Schoeppel
Clements	Johnston, S. C.	Smathers
Cooper	Kennedy	Smith, Maine
Cordon	Kerr	Smith, N. J.
Crippa	Kilgore	Stennis
Daniel	Knowland	Symington
Dirksen	Kuchel	Thye
Douglas	Lehman	Upton
Duff	Long	Watkins
Dworshak	Magnuson	Welker
Ellender	Malone	Wiley
Ferguson	Mansfield	Williams
Frear	Martin	Young
Fulbright	Maybank	
George	McCarran	

The PRESIDING OFFICER. A quorum is present.

The question is on agreeing to the amendment in the nature of a substitute offered by the Senator from Washington [Mr. MAGNUSON].

Mr. KNOWLAND. Mr. President, have the yeas and nays been ordered?

The PRESIDING OFFICER. They have not been ordered.

Mr. KNOWLAND. I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment in the nature of a substitute offered by the Senator from Washington [Mr. MAGNUSON].

Mr. MAGNUSON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MAGNUSON. As I understand, this yea and nay vote will be on the amendment in the nature of a substitute which I offer on behalf of myself and other Senators. Is that correct?

The PRESIDING OFFICER. The question is on agreeing to the amendment in the nature of a substitute offered by the Senator from Washington [Mr. MAGNUSON] for himself and on behalf of other Senators.

The yeas and nays having been ordered, the clerk will call the roll.

The Chief Clerk called the roll.

Mr. SALTONSTALL. I announce that the Senator from Vermont [Mr. FLANDERS] is necessarily absent.

The Senator from North Dakota [Mr. LANGER] is absent by leave of the Senate.

If present and voting, the Senator from Vermont [Mr. FLANDERS] would vote "nay."

Mr. CLEMENTS. I announce that the Senator from Mississippi [Mr. EASTLAND], the Senators from North Carolina [Mr. ERVIN and Mr. LENNON], the Senator from Tennessee [Mr. KEFAUVER], and the Senator from West Virginia [Mr. NEELY] are absent on official business.

The Senator from Alabama [Mr. SPARKMAN] is necessarily absent.

I announce further that on this vote the junior Senator from North Carolina [Mr. ERVIN] is paired with the Senator from West Virginia [Mr. NEELY]. If present and voting, the junior Senator from North Carolina would vote "nay" and the Senator from West Virginia would vote "yea."

I announce further that if present and voting, the senior Senator from North Carolina [Mr. LENNON] would vote "nay."

The result was announced—yeas 31, nays 57, as follows:

YEAS—31

Anderson	Hennings	Long
Burke	Hill	Magnuson
Chavez	Humphrey	Mansfield
Clements	Ives	Maybank
Cooper	Jackson	Monroney
Douglas	Johnson, Colo.	Morse
Fulbright	Johnston, S. C.	Murray
Gillette	Kennedy	Pastore
Gore	Kerr	Symington
Green	Kilgore	
Hayden	Lehman	

NAYS—57

Aiken	Ellender	Payne
Barrett	Ferguson	Potter
Beall	Frear	Purtell
Bennett	George	Reynolds
Bowring	Goldwater	Robertson
Bricker	Hendrickson	Russell
Bridges	Hickenlooper	Saltonstall
Bush	Holland	Schoeppel
Butler	Jenner	Smathers
Byrd	Johnson, Tex.	Smith, Maine
Capehart	Knowland	Smith, N. J.
Carlson	Kuchel	Stennis
Case	Malone	Thye
Cordon	Martin	Upton
Crippa	McCarran	Watkins
Daniel	McCarthy	Welker
Dirksen	McClellan	Wiley
Duff	Millikin	Williams
Dworshak	Mundt	Young

NOT VOTING—8

Eastland	Kefauver	Neely
Ervin	Langer	Sparkman
Flanders	Lennon	

So Mr. MAGNUSON's amendment in the nature of a substitute was rejected.

Mr. FERGUSON. Mr. President, I move that the vote by which the amendment in the nature of a substitute was rejected be reconsidered.

Mr. KNOWLAND. Mr. President, I move to lay on the table the motion of the Senator from Michigan.

The motion to lay on the table was agreed to.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from New York is recognized.

Mr. IVES. Mr. President, I send to the desk an amendment, ask that it be stated, and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On line 14, page 2, following the words "Armed Forces", it is proposed to insert the following language:

Provided, however, That any labor organization which is an affiliate in good standing of a national federation whose policies and activities have been directed to opposing Communist organizations, any Communist foreign government, or the world Communist movement, shall be presumed not to be a Communist-infiltrated organization.

Mr. IVES. Mr. President, the amendment would exempt from the provisions of S. 3706 bona fide labor organizations

whose loyalty to the United States has been proven on innumerable occasions.

I am in full sympathy with the purposes of S. 3706, as I know that certain so-called labor organizations have been and are being used by the forces of international communism to destroy free trade unionism and our democratic form of government. On the other hand, organizations such as the American Federation of Labor, the Congress of Industrial Organizations, and the Railroad brotherhoods deserve a great deal of credit for their unceasing efforts to weed out subversive influences in labor organizations. It is common knowledge that the Communists have infiltrated into labor organizations in every country which has succumbed to the domination of Soviet Russia, because free trade unionism is the greatest bulwark against any form of totalitarianism.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. IVES. I yield to the Senator from Oregon.

Mr. MORSE. I know how easy it is, when one starts citing specific organizations, to overlook one and not include it in the list; but I am sure I am correct when I say that the Senator from New York will agree with me that the United Mine Workers organization also has carried on a very effective fight against communism within its ranks.

Mr. IVES. I might well have added that organization. I said organizations such as the American Federation of Labor, and so forth.

Mr. MORSE. That is right.

Mr. IVES. Mr. President, in our efforts to eliminate Communist domination from free trade unionism, we must be most careful not to destroy trade unionism itself.

The bill before the Senate contains broad standards for determining whether or not an organization is a Communist-action or a Communist-front organization. Although there is no present danger that any bona fide labor organization would be construed to fall within these standards, we must be certain that true and tried supporters of democracy, such as those to which I have referred, are not placed in jeopardy.

Therefore, I urge the favorable consideration of my amendment, which would exempt from the coverage of S. 3706 free and democratic labor organizations which have proved their undying loyalty to the United States of America on every occasion when our democratic way of life has been imperiled.

Mr. President, on my amendment, I ask for the yeas and nays, while there are a sufficient number of Senators present to get a yea-and-nay vote.

The yeas and nays were ordered.

Mr. BUTLER. Mr. President, my first reaction is to disagree to the amendment of the Senator from New York. I believe that the great labor leaders deserve a tremendous amount of credit. They have done a creditable job in kicking out Communist-dominated unions. The amendment would prevent them from doing so in the future. If there were such Communist-dominated unions, the parent organizations would not be able to clean them out and we would not be able to clean them out, under the law. It would completely defeat the efforts of labor unions and of those who want to see Communist-dominated unions purged of all taints of communism.

Also, the amendment would place an undue burden on the Attorney General and the Subversive Activities Control Board. I do not believe anyone should have to assume such a burden. I believe we should all help rather than hinder what is proposed to be accomplished by the bill with regard to the labor organizations of America.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New York [Mr. IVES]. On this question the yeas and nays have been ordered.

Mr. KUCHEL. Mr. President, will the Senator permit me to ask him a question?

Mr. IVES. Certainly.

Mr. KUCHEL. I have just read the amendment of the Senator from New York. Does the Senator use the word "presumed" in the legal sense?

Mr. IVES. Yes.

Mr. KUCHEL. So it would be a presumption which, in any instance, if the facts were so developed, could be overcome?

Mr. IVES. That is correct. That was my purpose in using that word.

ORGANIZED INFILTRATION BY COMMUNISTS SO PRONOUNCED BY THE ATTORNEY GENERAL

Mr. MALONE. Mr. President, will the Senator yield?

Mr. IVES. I yield to the Senator from Nevada.

Mr. MALONE. I should like to ask the Senator from New York if the bill itself is confined to labor unions in the extended investigation of subversive organizations or are they simply included if and whenever found to be so infiltrated?

Mr. IVES. I have read the bill very carefully. After reading it, I am not sure whether it is or not. I think the bill ought to be amended in certan respects. I am very much disturbed about a provision on page 4, section 13A, which I think is altogether too severe.

Mr. BUTLER. If the Senator will yield, may I ask to which provision the Senator is referring?

Mr. IVES. I refer to the provision that there must be a waiting period of 1 year before the organization can be absolved from the determination that it was a Communist-infiltrated organization. However, that has nothing to do with the amendment I have offered. I was merely replying to the question of the Senator from Nevada.

Mr. MALONE. Mr. President, will the Senator from New York yield further?

Mr. IVES. I yield.

Mr. MALONE. As I read the subsection referred to by the distinguished Senator from New York, section 13A, on page 4 of the bill, neither mentions labor unions nor is it confined to labor unions. They are simply included if so affected. Is that correct?

Mr. IVES. Yes.

Mr. MALONE. It merely refers to any organization the Attorney General may have pronounced as being infiltrated by Communism. Is that correct?

Mr. IVES. That is correct.

Mr. MALONE. It seems to me that there has been an attempt to pinpoint the proposed legislation as being aimed at destroying labor unions. That is the furthest thing from the mind of the junior Senator from Nevada and I believe of every Senator here trying to find a way of reaching Communist-affected organizations.

Mr. IVES. Certainly.

Mr. MALONE. Will the Senator from New York wait until I finish my statement?

Mr. IVES. I was going to agree with the Senator from Nevada.

Mr. MALONE. The Senator from New York may not agree when I complete my statement. Then, am I to believe that the Senator's feeling is that the proposed legislation includes all Communist-front or Communist-infiltrated organizations which have been difficult to reach through existing legislation?

Mr. IVES. I would not say so, no.

Mr. MALONE. Certainly the junior Senator from Nevada does not wish to injure or destroy any labor union that is conducting its business in a proper way, and he likewise does not wish to have destroyed any other organization that is conducting its business in a proper manner. The problem is to reach individuals or groups deliberately organized to injure this Nation—and to assist legitimate organizations to clean up their own house as many of them are trying to do.

But there has been difficulty in dealing with these Communist-front organizations—and in assisting legitimate organizations in destroying Communist infiltration. The pending bill is clearly for the purpose of creating a board or establishing the power to "put the finger" on them when so organized and to destroy their influence.

Mr. IVES. The bill does not create a board, for the Board already exists. The bill will utilize the services of the Board for that purpose.

Mr. MALONE. Then it is not the purpose to injure or destroy the American Federation of Labor or the railroad brotherhoods or any loyal American organization?

Mr. IVES. I do not think it is the purpose to destroy them. I have no thought whatever that the sponsors of the bill intend to destroy labor organizations. I do not think that is their intent. I think that is furthest from their intent.

But under the bill, as it is drafted, I believe a great deal of damage can be done to bona-fide labor organizations. That is why I fear the bill.

Mr. MALONE. We attempt to name legitimate labor organizations. We should also name other law-abiding organizations.

Mr. BUTLER. Mr. President, will the Senator from New York yield to me?

The PRESIDING OFFICER. Does the Senator from New York yield; and if so, to whom?

Mr. IVES. Mr. President, I am willing to yield, in order to permit the Senator from Nevada to continue, although I should like to have it understood that I have a right to reply to the questions he asks me.

Mr. MALONE. Yes; after I have finished asking the questions.

Mr. IVES. Mr. President, I have the floor; and although I am willing to yield for questions, I wish the Senator who asks a question to give me an opportunity to reply to it.

Mr. MALONE. Then, Mr. President, this is my question: Does not the bill apply to all organizations?

Mr. IVES. It is aimed principally at labor organizations.

Mr. MALONE. I do not think it is aimed at any specific type of organizations, however, I agree that the Senate speeches have been slanted that way.

Mr. IVES. The Senator from Nevada may not think so; but according to all the evidence which has been produced and according to the report of the committee, the bill is principally aimed at such organizations.

Mr. MALONE. Mr. President, will the Senator from New York yield further to me?

Mr. IVES. Certainly.

Mr. MALONE. I should like to point out that in much of the debate, the speeches which have been made—probably for public consumption—would put Senators who vote in favor of the legislation in the position of trying to destroy labor unions when nothing could be farther from the truth.

Mr. IVES. I should like to answer on that point.

Mr. MALONE. I should like to have the Senator from New York do so.

Mr. IVES. I shall construe the Senator's statement as a question. I do not think Senators who vote for the bill tend to destroy labor organizations; I do not think that is their purpose, and I never would construe a vote in favor of the bill to be a vote of that type at all.

Mr. MALONE. Then I shall ask the question again, of the distinguished Senator from New York: If it appears necessary, from the speeches which have been made in the last several hours, to mention certain labor unions that are obviously above reproach, would not it also be necessary to mention certain other organizations which are obviously clear of all suspicion?

Mr. IVES. That could be done, but I do not think that is the chief purpose of the bill. I believe the chief purpose is the elimination of communism from labor organizations; and therefore an amendment of the type I have proposed——

Mr. MALONE. Of course the Senator from New York is entitled to that opinion, but the junior Senator from Nevada does not think the proposed legislation is aimed at any legitimate lawful organization or one not officially designated as Communist infiltrated.

Mr. IVES. I have read the report, and the report seems definitely to indicate that. That is all I know about it.

Mr. BUTLER. Mr. President, will the Senator from New York yield to me?

Mr. IVES. I yield.

Mr. BUTLER. The Senator from New York just voted to have a further study made in connection with the problem.

Mr. IVES. I certainly did.

Mr. BUTLER. But now the Senator from New York brings to the floor an amendment, which no one else has ever seen, which goes directly to the heart of the bill. I do not think that is the way to legislate.

Mr. IVES. Then why did not the Senator from Maryland vote in favor of having a further study made?

Mr. BUTLER. Because I did not think that amendment was sound, and neither do I believe the amendment of the Senator from New York is practicable.

Mr. IVES. I think it is sound.

With regard to the question of making a study, I have had some experience in dealing with labor-management relations and labor-management problems. From long experience in that field, one learns that the way to resolve a question, when there is a conflict of feeling of this type, is to get the groups together, as proposed by the amendment of the Senator from Washington.

For that reason, I voted for the amendment of the Senator from Washington. The amendment itself would have delayed action on this matter for a period of only approximately 5 months, and I think it would be far better to get the parties in interest to sit down and arrive at something on which they would at least be in agreement.

By the way, let me point out that the amendment provided for consultation with Members of the House of Representatives and Members of the Senate. I believe it is far better to legislate in that way than to legislate out of the whole cloth, as we are now legislating.

Mr. BUTLER. We are not legislating out of the whole cloth. This matter has received very careful study. I do not agree with the Senator from New York that this is a question of labor-management relations. It is a question of internal security.

Mr. IVES. I, too, think it is a question of internal security; but I think it has a definite bearing on labor-management relations. The very fact that the Taft-Hartley Act would, in effect, be amended by the bill demonstrates that the bill is dealing with labor-management relations.

Mr. BUTLER. Is it not true that the real foundation of the amendment of the Senator from New York is that if Communists happen to be in good company, there will be a presumption in their favor?

Mr. IVES. Not at all.

Mr. BUTLER. Then what does the amendment mean?

Mr. IVES. It means exactly what it says.

Mr. BUTLER. Then let me read the amendment at this time:

Provided, however, That any labor organization which is an affiliate in good standing of a national federation whose policies and activities have been directed to opposing Communist organizations, any Communist foreign government, or the world Communist movement, shall be presumed not to be a "Communist-infiltrated organization."

It might be that the affiliates were completely dominated by communism; but this amendment would give them a cloak of immunity simply because they associate with nice people. That is not the way for us to proceed.

Mr. IVES. Let me emphasize the importance of the words "in good standing." They must be in good standing; otherwise, they are not presumed to fall within the purview of the amendment. That makes a great deal of difference.

Mr. COOPER. Mr. President, will the Senator from New York yield to me?

Mr. IVES. I yield.

Mr. COOPER. Will the Senator from New York read his amendment again?

Mr. IVES. Yes.

Mr. COOPER. At what point in the bill is the amendment offered?

Mr. IVES. It is offered to page 2 of the bill, in line 14, following the words "Armed Forces." The amendment is offered to section 2 of the bill, and it would insert the following words:

Provided, however, That any labor organization which is an affiliate in good standing of a national federation—

And let me emphasize again the importance of the words "in good standing," because all of us know that the great federations of labor, the great labor organizations, have been doing their utmost to get communism out of their affiliates, out of their internationals, and out of their locals. That is why the important words here are "in good standing."

I shall start again at the beginning of the amendment:

Provided, however, that any labor organization which is an affiliate in good standing of a national federation whose policies and activities have been directed to opposing Communist organizations, any Communist foreign government, or the world Communist movement, shall be presumed not to be a Communist-infiltrated organization.

Mr. COOPER. I wish to ask the distinguished Senator from New York a question regarding the proper interpretation of the words "shall be presumed."

On page 4 of the bill, we find the section entitled "Proceedings With Respect to Communist-Infiltrated Organizations"; and section 13A sets forth the proceedings which will be followed in arriving at a determination that such an organizaion is a Communist-infiltrated organization.

Does the Senator from New York intend in any way, or does he consider that it would be the purpose of the word "presumed," to prevent the Attorney General from initiating any petition or proceeding to declare any particular organization Communist dominated or Communist infiltrated?

Mr. IVES. No; that is not the intent at all.

Mr. COOPER. Then is it the interpretation of the Senator from New York that his amendment would not prevent the Attorney General from initiating any such action?

Mr. IVES. That is correct.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. IVES. I am trying to answer the Senator from Kentucky.

Mr. COOPER. And there would not be any presumption?

Mr. IVES. There is what is known as a rebuttable presumption.

Mr. COOPER. The bill, S. 3706, is an amendment to the Subversive Activities Control Act of 1950. As I understand, the act of 1950 provides for judicial review of the determination of the Board.

Mr. IVES. That is correct.

Mr. COOPER. I assume, as has been brought out by the Senator from California, that the words in the amendment of the Senator from New York simply establish what would be a rebuttable presumption. If upon a determination by the Board itself, and then later, if a review were made by the court, it would be a question whether or not there were sufficient facts to overturn the rebuttable presumption.

Mr. IVES. Exactly.

Mr. COOPER. I wish to ask one or two other questions.

I understand the intent of the Senator's amendment would be to create presumption in favor of a labor union organization, which was a part of a federation whose opposition to communism in unions was well known, such as the American Federation of Labor, the United Mine Workers of America, of the CIO.

Mr. IVES. That is why the words "in good standing" are in the amendment.

Mr. COOPER. But there would be nothing in the amendment which would prevent an inquiry by the Attorney General or a determination by the Board either against the federation or against an affiliate of the federation, if the facts were thought sufficient to require such an inquiry.

Mr. IVES. That is correct. That is definitely the intent of the amendment. Nothing stands in the way of such action by the Attorney General or the Board.

I might as well yield to the Senators one at a time, as they stand in front of me. I yield to the Senator from Maryland.

Mr. BUTLER. The Senator's amendment gives this presumption to an organization or an affiliate "in good standing." In good standing in what respect—that they pay their dues, or that they do good work? What does it mean?

Mr. IVES. In good standing in line with the terms of the bill and the law.

Mr. BUTLER. I do not think that is any way to legislate. I think "in good standing" could mean anything. They are in good standing if they pay their dues. They are in good standing if they live up to the constitution of their parent organization. I do not know what it means.

Mr. IVES. I think the term "in good standing" is very clear.

Mr. BUTLER. I do not agree with the Senator.

Mr. IVES. We are dealing definitely with labor organizations.

Mr. BUTLER. That is true.

Mr. IVES. The Senator knows what is intended by "labor organizations." He knows what is intended by the term "in good standing" with respect to Communist infiltration. We are dealing distinctly with Communist infiltration, and nothing else.

Mr. BUTLER. I do not agree with the Senator from New York.

Mr. IVES. The Senator from Maryland and I just do not agree.

I yield now to the Senator from Massachusetts, who has been trying to get me to yield for some time.

Mr. SALTONSTALL. I think the Senator from Kentucky covered most of the questions I had in mind. It is my understanding that the Senator from New York is trying by this amendment to say, by the word "presumed," that a labor union which is an affiliate of a national organization and which is in good standing with the national organization is presumed not to be a Communist-infiltrated union. That means there is a prima facie case that it is not one; but it does not mean that the Attorney General cannot proceed, if he has facts which will overcome that prima facie case.

Mr. IVES. That is correct. That is what is intended.

Mr. SALTONSTALL. That is the whole purpose of it?

Mr. IVES. That is the whole purpose of it.

Mr. SALTONSTALL. The General Electric Co. is a large organization in my State and in New York State, and in its employ are members of several unions which have been having difficulties with each other continuously. One of those unions is in good standing, as I understand, with the CIO. The other union is not in good standing, and is not connected with the CIO. What the Senator means is that the union which is in good standing with the CIO and concerning which there is no evidence to overcome a prima facie case should come within the proviso; and that the other union, which is not connected with the CIO, and concerning which there is some evidence of Communist infiltration, would not come within the purview of the provision.

Mr. IVES. Definitely it would not. That is correct.

Mr. SALTONSTALL. So "in good standing" means in good standing in connection with the other terminology of the bill; it is not a question whether dues are paid or are not paid.

Mr. IVES. It applies specifically to subversion and communism, nothing else.

Mr. FERGUSON and Mr. BUTLER addressed the Chair.

The PRESIDING OFFICER. Does the Senator from New York yield, and if so, to whom?

Mr. IVES. I must yield to the Senator from Michigan first, because he has been trying to get me to yield for some time.

Mr. FERGUSON. This morning the Senator from Michigan quoted a strongly worded resolution of the CIO expelling an affiliate for Communist domination.

Mr. IVES. I did not happen to hear the Senator. I assume that was the UE, was it not?

Mr. FERGUSON. Yes. Does the Senator's amendment mean that if a union is not expelled by resolution, it is in good standing?

Mr. IVES. Not at all. It does not have to be expelled to be not in good standing.

Mr. FERGUSON. The next question: The Senator says it is a rebuttable presumption. In law there are two kinds of presumptions. One is known as a conclusive presumption, which evidence cannot overcome. I am glad the Senator has stated and now states that the presumption in this case is not intended to be a conclusive presumption.

Mr. IVES. It is not intended to be a conclusive presumption.

Mr. FERGUSON. It can be rebutted by evidence.

Mr. IVES. That is correct.

Mr. FERGUSON. There would be merely a prima facie case, as we lawyers speak of it, so that if no other evidence were introduced before the Attorney General or the Board, but the union was an affiliate of a national federation which said, "This union is in good standing so far as Communist domination is concerned," then the Board would have no alternative but to say there had been a prima facie case made, and no action could be taken.

Mr. IVES. That is, assuming no other evidence were introduced.

Mr. FERGUSON. That is what I mean.

Mr. IVES. In line with the Senator's statement, yes.

Mr. FERGUSON. If the Attorney General introduced evidence which overcame the prima facie presumption, then action could be taken by the Board.

Mr. IVES. That is the intention of the amendment.

Mr. FERGUSON. I assume the Senator would allow the rules of the Subversive Activities Control Board to control as to the admission of evidence.

Mr. IVES. The Senator will remember that I strongly supported the act back in 1950. I am not trying to get away from it.

Mr. FERGUSON. I think we ought to make the record very clear as to what we are trying to do here today. If the presumption may be overcome, then it is up to the Board to determine whether there has been sufficient evidence introduced to overcome the prima facie case of good standing of the union.

Mr. IVES. I agree to that statement. I want to make clear where I stand. That statement is correct.

Mr. FERGUSON. Of course, the Senator is the author of the amendment, and therefore his interpretation is very material in determining what the courts will consider.

Mr. IVES. I think the interpretation we are developing on the floor is very material.

Mr. FERGUSON. I think the interpretation of the Senator who has offered the amendment is very material to this question.

May I ask what kind of union the Senator has described in his amendment? Were the words, "international union," or what is the exact terminology?

Mr. IVES. No, I do not use the word "international." It reads, "good standing of a national federation."

Mr. FERGUSON. Will the Senator explain, so the record will be clear, what is meant by a "national federation"?

Mr. IVES. I think I covered that in my earlier remarks. What I have in mind are organizations like the American Federation of Labor, the Congress of Industrial Organizations, the Railroad Brotherhoods, and the United Mine Workers. They are four big national organizations.

Mr. FERGUSON. Does the Senator intend to include any labor union which is recognized by the National Labor Relations Board?

Mr. IVES. No.

Mr. FERGUSON. That is not the determination?

Mr. IVES. No; that has nothing to do with it.

Mr. FERGUSON. I wanted to have it clear on the record.

Mr. MORSE. With regard to the meaning of the language of the amendment, the phrase "in good standing" means that if a local union is under investigation by its national organization in connection with financial irregularities, at that time it is not a union in good standing; does it not?

Mr. IVES. Not in that sense of the word; no.

Mr. MORSE. If a union is under investigation at the time for any violation of the international laws of the union, while that investigation is going on, the union is not in good standing; is it?

Mr. IVES. No.

Mr. MORSE. If a union is under investigation by its national organization for Communist activities or for violation of the Communist affidavit requirement, or if it is under investigation on any charge of any subversive activity within the union, that union is not in good standing at that time; is it?

Mr. IVES. It is definitely not in good standing.

Mr. MORSE. What the Senator from New York is doing, if I understand him correctly—and I completely agree with his objective—is seeking to provide by his amendment that the unions, the national federations, are to be given an opportunity to clean their own house in regard to Communist domination as they have been doing?

Mr. IVES. May I interrupt at that point?

Mr. MORSE. Certainly.

Mr. IVES. What I am trying to do is to have the Government cooperate in the efforts being made by the great labor organizations which are trying to clean house, and at the same time preserve the necessary protection to the Government itself and to the country itself.

Mr. MORSE. So far as labor-management relationships are concerned, and so far as the relationships between the Government and labor-management relationships are concerned, would not one of the benefits of this amendment really be that we would impliedly recognize the fact that the national labor federations are trying to do a job with respect to subversive activities problems and that we stand ready as a Government to assist them in connection with any union which is not in good standing, so that they will know they are to have the support of the Government.

Mr. IVES. Yes; and they are also expected to assist the Government. There would be a quid pro quo. Cooperation would extend in both directions.

Mr. MORSE. As so frequently happens, the Senator from New York is one jump ahead of me. That is the next point I wished to inquire about. In other words, we are trying to adopt an amendment which puts the Government and the unions in a cooperative relationship, and we are not placing a black mark upon the unions in advance.

Mr. IVES. No stigma.

Mr. MORSE. We are saying to the unions, "We will give you the benefit of a rebuttable presumption."

Mr. IVES. That is correct.

Mr. MORSE. We are also saying, "But if we have evidence that overcomes that rebuttable presumption we will proceed against any organization in your union."

Mr. IVES. That is exactly the intent of what is contained in the amendment.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. IVES. I yield.

Mr. FERGUSON. I realize that all organizations will have the benefit of the presumption of innocence. That is the only way we do business in this country.

Mr. IVES. That is the way we started operations in this country.

Mr. FERGUSON. That is the only way we do business. Everyone has equal protection under the law. We assume that to be the case. Under the circumstances, in accordance with the explanation of the amendment that has been placed in the RECORD, and is a part of the legislative history, I should like to ask a question of the Senator from Maryland, if the Senator from New York will yield for that purpose.

Mr. IVES. Mr. President, provided I do not lose the floor, I yield to the Senator from Michigan so that he may ask a question of the Senator from Maryland.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FERGUSON. Is this not an amendment that should be accepted by the Senator from Maryland? After all, what we are trying to do is to establish a procedure which will allow labor unions and the United States Government to throw out—let us use that expression, because that is what we are trying to do—the Communists who dominate and penetrate unions, and thus dominate the minds and the actions of men.

Mr. BUTLER. I will say to the Senator from Michigan, on the basis of the legislative history that has here been made on the floor of the Senate in connection with the amendment, and with respect to the purposes of the Senator's amendment, that I would accept the amendment. The amendment should tend to bring the Government and the labor unions into a closer working relationship, which would be for the good of all of us. As I said at the beginning, I would not hurt any legitimate labor organization. I am willing to accept any reasonable amendment. I think this is a reasonable amendment. It gives labor a chance to clean its own house. If labor does not clean its own house, the Government says, "We will proceed anyway, because we have the evidence."

Mr. FERGUSON. Is it not correct to say that under the amendment a union itself could endeavor on all occasions to cleanse itself of Communist domination, so that it would not be criticized before the public for not cleansing itself?

Mr. BUTLER. That is correct.

Mr. FERGUSON. After all, the unions themselves know better than anyone else who is Communist dominated.

Mr. BUTLER. That is correct.

Mr. FERGUSON. The procedure would involve teamwork on the part of the Government, the Board, the Attorney General's Office, and the unions, in ferreting out Communists. It will require some ferreting, because when the Communists get into any kind of organization they work like termites in the dark.

Mr. BUTLER. I agree with the Senator. I accept the amendment.

Mr. FERGUSON. I think it is a very good amendment.

Mr. IVES. Mr. President, I understand the yeas and nays have been ordered on the amendment.

Mr. BUTLER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BUTLER. I do not believe the yeas and nays have been ordered.

The PRESIDING OFFICER. The yeas and nays have been ordered.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gillette	McCarthy
Anderson	Goldwater	McClellan
Barrett	Gore	Millikin
Beall	Green	Monroney
Bennett	Hayden	Morse
Bowring	Hendrickson	Mundt
Bricker	Hennings	Murray
Bridges	Hickenlooper	Pastore
Burke	Hill	Payne
Bush	Holland	Potter
Butler	Humphrey	Purtell
Byrd	Ives	Reynolds
Capehart	Jackson	Robertson
Carlson	Jenner	Russell
Case	Johnson, Colo.	Saltonstall
Chavez	Johnson, Tex.	Schoeppel
Clements	Johnston, S. C.	Smathers
Cooper	Kennedy	Smith, Maine
Cordon	Kerr	Smith, N. J.
Crippa	Kilgore	Stennis
Daniel	Knowland	Symington
Dirksen	Kuchel	Thye
Douglas	Lehman	Upton
Duff	Long	Watkins
Dworshak	Magnuson	Welker
Ellender	Malone	Wiley
Ferguson	Mansfield	Williams
Frear	Martin	Young
Fulbright	Maybank	
George	McCarran	

The PRESIDING OFFICER [Mr. COOPER in the chair]. A quorum is present.

Mr. FERGUSON. Mr. President, I should like to ask the Senator from New York a question.

Reference was made to the presumption of innocence of any person under the proposed amendment.

Mr. IVES. That is correct.

Mr. FERGUSON. Is it not possible, even though the yeas and nays have been ordered, for the Senator to ask unanimous consent to insert language to provide that not only organizations connected with a national federation, but also other labor organizations, should enjoy the benefit of such a presumption, so that we would not be in the position of having the presumption apply to some while excluding others?

Mr. IVES. It is not my intention to discriminate against other labor organizations. In order to avoid any such possibility in the amendment which I am proposing, I suggest that the amendment be modified, after the words "national federation," by adding "or other labor organizations."

Mr. FERGUSON. I think that would cover the subject.

Mr. IVES. I think that would take care of everything which the Senator from Michigan has in mind.

Mr. FERGUSON. That is correct.

Mr. BUTLER. Mr. President, would the Senator from New York read into the RECORD the amendment as it is now modified?

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. IVES. I yield to the Senator from Florida.

Mr. HOLLAND. Is it the purpose of the Senator's modification to make it clear that any labor union, regardless of whether or not it is affiliated with one of the national organizations which is against communism, so long as it is a lawful labor union, large or small, has the benefit of a presumption of innocence which must be overcome by competent proof?

Mr. IVES. I think that is what should be done, in all fairness. That is the purpose of the modification.

Mr. HOLLAND. If the Senator from New York so provides in his amendment, I shall support it. But if he attempts to make a distinction between a labor organization which is affiliated with a large organization, and a smaller union or labor organization which is not so affiliated, I could not support the amendment.

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. IVES. I yield.

Mr. McCARRAN. I call the attention of the Senator from New York and of the Senate as a whole to the fact that already certain unions have been, to use a common expression, "kicked out," by national organizations. Is the Senator attempting to say that their expulsion was an erroneous action?

Mr. IVES. No.

Mr. McCARRAN. It seems to me that that is what the Senator's amendment would accomplish.

Mr. IVES. No. If the Senator from Nevada had been present when the colloquy was taking place between the Senator from Maryland [Mr. BUTLER], the Senator from Michigan [Mr. FERGUSON], and myself, he would have understood that that question was cleared up. That is not the purpose of the amendment at all.

Mr. McCARRAN. The presumption of innocence cannot operate in favor of an organization already expelled by a parent organization.

Mr. IVES. No. The presumption would not be in favor of an organization which had been kicked out.

Mr. McCARRAN. That is what I had in mind.

Mr. IVES. The amendment is intended to operate in exactly the opposite way.

Mr. KILGORE. Mr. President, will the Senator yield?

Mr. IVES. I yield.

Mr. KILGORE. Does the Senator's modification take care of an organization like the United Mine Workers of America, which has in its own constitution provided against communism?

Mr. IVES. The United Mine Workers would be covered in the amendment as it was originally submitted. It is a national organization. As I proposed to modify the amendment, the United Mine Workers and similar organizations would be covered. I shall read the amendment as it is modified:

Provided, however, That any labor organization which is an affiliate in good standing of a national federation or other labor organization whose policies and activities have been directed to opposing Communist organizations, any Communist foreign government or the world Communist movement, shall be presumed not to be a "Communist-infiltrated organization."

I think that takes care of every situation.

Mr. SMITH of New Jersey. Mr. President, will the Senator yield?

Mr. IVES. I yield.

Mr. SMITH of New Jersey. Does the amendment take care of an unaffiliated labor organization, an independent organization which is not affiliated?

Mr. IVES. Yes. The amendment reads:

Any labor organization which is an affiliate in good standing of a national federation or other labor organization—

That is inclusive. It covers any independent labor organization or other labor organization.

Mr. BUTLER. Is it the opinion of the Senator from New York that if the Senate should agree to the amendment, some of the labor organizations which have been ejected by the CIO could say, "We have been approved by the United States Senate. We are perfectly innocent of any wrongdoing"?

Mr. IVES. No; there is no presumption of innocence in such a case.

Mr. BUTLER. Those unions would not be protected and would not be able to make such a claim?

Mr. IVES. No; the amendment provides quite the contrary.

Mr. McCARRAN. While I have not the exact language in mind, I respectfully suggest that the words "shall be presumed prima facie" should be included.

Mr. IVES. Does the Senator from Nevada desire to have those words included?

Mr. McCARRAN. I do.

Mr. IVES. I shall modify the amendment by including those words.

Mr. BUSH. Mr. President, will the Senator now read the amendment as it has been modified?

Mr. IVES. I shall have to begin back a little way.

Mr. KNOWLAND. I suggest that the entire amendment be read in its proposed modified form.

Mr. GORE. Mr. President, will the Senate again state at what page and line the amendment appears?

Mr. IVES. On page 2, in line 14, after "Armed Forces", I propose an amendment as follows:

Provided, however, That any labor organization which is an affiliate in good standing of a national federation or other labor organization whose policies and activities have been directed to opposing Communist organizations, any Communist foreign government, or the world Communist movement, shall be presumed prima facie not to be a Communist-infiltrated organization.

Mr. GORE. Mr. President, will the Senator yield?

Mr. IVES. I yield.

Mr. GORE. Is it the opinion of the distinguished Senator from New York that his amendment, if adopted, would provide a sufficient modification of the three lines immediately preceding, namely, that an organization which had been on strike in a concern which provided material needed by the Armed Forces would not be adjudged a Communist-infiltrated organization?

Mr. IVES. I did not quite understand the Senator from Tennessee.

Mr. GORE. If the Senator will read lines 11, 12, and 13, on page 2——

Mr. IVES. I am reading them.

Mr. GORE. He will see the reference to "any organization which is substantially directed by an individual or individuals who are, or who within 5 years have been actively engaged in the impairment of the military strength of the United States or its industrial capacity to furnish logistical or other material support required by its armed forces."

My question is: Does the able Senator hold that the adoption of his amendment would so modify the language which I have just quoted that an organization which had engaged in a legitimate strike within 5 years could not, because of such action be adjudged to be a Communist-infiltrated organization?

Mr. IVES. Oh, no; not if the strike had been a legitimate strike. Of course not.

Mr. GORE. Perhaps I should not have used the word "legitimate."

Mr. IVES. I use the same words as the Senator did, because I think perhaps we had the same meaning in mind; namely, that when a strike has come about through Communist activity, or has been engineered by communism, my amendment very definitely would apply.

Mr. GORE. I do not hold that the section reads in that way; but I still think the Senator's interpretation may clarify the meaning of the language.

Mr. McCARRAN. It seems to me that the language of the proposed amendment is too near, and is too much involved with the language referred to by the Senator from Tennessee, and might be construed as in some way modifying it. Perhaps if it could be set out at another place in the bill, it might be made clearer.

Mr. IVES. It is not intended to modify the preceding language exclusively. Very definitely, the conversation we are now having with respect to the section should clear up any misunderstanding, because it is not the purpose of the amendment to modify the preceding language.

Mr. GORE. Mr. President, will the Senator from New York yield?

Mr. IVES. I yield.

Mr. GORE. If the amendment does not operate as a modification, then what effect does it have?

Mr. IVES. Well, it is merely an additional provision; not a modification of what is already there.

Mr. GORE. If it has any effect, it seems to me that it must operate as a modification. The Senator will understand, I favor a modification, frankly.

Mr. IVES. If the Senator from Tennessee would prefer, or if the Senator from Nevada [Mr. McCARRAN] would prefer, this can easily be stated as a separate section.

Mr. GORE. I do not prefer it.

Mr. IVES. The purpose of it is to insert the language in the bill.

Mr. GORE. My position is that if lines 11, 12, 13, and 14 remain unchanged and unmodified, I do not see how I can support the bill. It was my interpretation of the Senator's amendment that it would operate as a modification, that it would set up a prima facie presumption that irrespective of the provision cited in these lines an organization described by his amendment would be presumed to be a loyal, non-Communist-dominated organization.

Mr. KNOWLAND. Mr. President, will the Senator yield for a question?

Mr. IVES. I yield.

Mr. KNOWLAND. Apropos of the point made by the Senator from Nevada [Mr. McCARRAN], I wish to raise an inquiry, and we shall have to allow the lawyers to interpret the legal aspects of it.

I was wondering whether it would not be better to insert this language under (A) on line 8, right after the word "title," and perhaps before "and." Would it not be better to insert the Senator's proviso at that point?

Mr. IVES. I think it would be appropriate to have it there.

Mr. KNOWLAND. Then (A) would read: "is substantially directed, dominated, or controlled by an individual or individuals who are, or who within 5 years have been actively engaged in, giving aid or support to a Communist-action organization, a Communist foreign government, or the world Communist movement referred to in section 2 of this title," with the proviso to follow thereafter.

Mr. IVES. That is all correct.

Mr. KNOWLAND. Would the Senator so modify the amendment?

Mr. IVES. I so modify it. Is that on line 8?

Mr. KNOWLAND. That is line 8, after the word "title."

Mr. IVES. After the word "title."

Mr. President, I ask unanimous consent that my amendment be modified as I have indicated in the various changes which I have been reading.

The PRESIDING OFFICER (Mr. PURTELL in the chair). Is there objection?

Mr. CORDON. Mr. President, reserving the right to object, the Senator's amendment refers to certain labor groups for which there is a presumption of non-Communist connection. Is it the Senator's view there are other labor groups as to which there is a presumption of Communist connection?

Mr. IVES. It is a rebuttable presumption.

Mr. CORDON. I understand it is rebuttable. It makes no difference whether it is rebuttable or not. The question is: Are we saying certain groups are presumed not to be Communist-dominated, and therefore other groups are presumed to be Communist-dominated?

Mr. IVES. No; that is not the intent or purpose of it at all.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. IVES. I yield.

Mr. KNOWLAND. Is it not correct that the point raised by the Senator from Oregon was raised by a number of Senators, prior to the modification of the amendment by the Senator from New York?

Mr. IVES. That is correct.

Mr. KNOWLAND. That would have been the situation, if the amendment had not been modified.

Mr. IVES. That is correct. I modified the amendment to take care of that situation by putting in "or other labor organizations."

Mr. BUTLER. Mr. President, will the Senator yield further?

Mr. IVES. I yield.

Mr. BUTLER. Is it not true that if the Senator's amendment is adopted as presently framed there will be some independent unions which will not have the protection afforded by the bill?

Mr. IVES. Certainly.

Mr. BUTLER. Those unions are the ones which have been kicked out by the CIO, are they not?

Mr. IVES. The UE is one of them.

Mr. CORDON. I am attempting to ascertain when the presumption of guilt does attach.

Mr. COOPER. Mr. President, will the Senator from New York yield?

Mr. IVES. I yield to the Senator from Kentucky.

Mr. COOPER. I am interested in the question the Senator from Oregon has raised. I believe the Subversive Activities Control Act itself—and I am certain the Senator from Nevada [Mr. McCARRAN] would know about this—provides that in every case a preponderance of evidence must be established before a finding can be made by the Board. Is that correct?

Mr. McCARRAN. That is correct.

Mr. COOPER. I think that under the law as it applies to any person or organization brought before the Board, a preponderance of evidence must be established, which is a little bit more than even a presumption of innocence.

This wording seems to me simply to apply that presumption, which must be rebutted, in the case of certain organizations; but in every case, according to the act, I believe it is certain that the preponderance of the evidence must be established.

Mr. McCARRAN. I understand the amendment as modified applied the presumption to all labor organizations.

Mr. IVES. That is right.

Mr. McCARRAN. Otherwise it would have provided for a class to which a presumption applied and another class to which no presumption applied; which was the question raised by the Senator from Oregon. The change of the amendment altered that situation, as I understand it.

Mr. IVES. It was intended to.

Mr. GORE. Mr. President, reserving the right to object, this whole subsection (4A) of section 2 describes the conditions under which an organization can be termed a "Communist-infiltrated organization." If we are to set up a presumption of innocence, then it would appear to the junior Senator from Tennessee that the presumption should apply to the whole subsection, rather than to just a part of the subsection.

I hope the Senator from New York [Mr. IVES] will allow his amendment to be inserted at the conclusion of the subsection. I see no justification for providing a presumption of innocence down to and including line 8, but providing no presumption to cover the conditions set out in lines 9, 10, 11, 12, 13, and 14.

I should not like to object to the Senator's request.

Mr. IVES. I really think it should be at the end, myself.

Mr. GORE. I believe that is right.

Mr. IVES. I think it should be at the end, the way I had it originally. What I was trying to do was to comply with thoughts being expressed here.

The PRESIDING OFFICER. The Senator from New York has asked unanimous consent to modify his amendment. Is there objection?

Mr. GORE. Mr. President, reserving the right to object, I understand the Senator wishes to withdraw his unanimous-consent request to make it apply to line 8.

Mr. IVES. My unanimous-consent requests cover the other two modifications I have added. I am making a unanimous-consent request on all three.

Mr. GORE. Reserving the right to object, is it still the Senator's intention to offer the amendment to follow the word "Forces"?

Mr. IVES. Yes.

Mr. GORE. I have no objection.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. IVES. I yield.

Mr. HOLLAND. Reserving the right to object—and I shall not object, if the situation is as I understand it—is it the Senator's intention by his series of modifications to make it clear that the presumption of innocence, which is a prima facie presumption, shall pertain to all lawful union organizations regardless of whether they are affiliated with the great national organizations or whether they are smaller organizations which have a good record for law observance?

Mr. IVES. That is my purpose.

Mr. McCARRAN. Mr. President, that could not be the purpose of the Senator from New York if I understood the answer to my question—at least, if I propounded an intelligible question. Sup-

pose an organization has already been ousted from a national organization because it is communistic.

Mr. IVES. Then such organization is not in good standing.

Mr. McCARRAN. The presumption does not then apply?

Mr. IVES. No; it does not apply at all. That is definitely implied in the amendment.

I should like to read the amendment as it now is, finally, and to ask unanimous consent that it may be so modified.

On page 2, in line 14, following the words, "Armed Forces", add the following:

Provided, however, That any labor organization which is an affiliate in good standing of a national Federation of other labor organization whose policies and activities have been directed to opposing Communist organizations, any Communist foreign government, or the world Communist movement, shall be presumed prima facie not to be a "Communist-infiltrated organization."

The PRESIDING OFFICER. The Senator from New York has requested unanimous consent to modify his amendment.

Is there objection? The Chair hears none. Without objection, the amendment is modified accordingly.

Mr. IVES. Mr. President, I ask that the vote be taken on the amendment.

The PRESIDING OFFICER. The question is on agreeing to the modified amendment of the Senator from New York.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. SALTONSTALL. I announce that the Senator from North Dakota [Mr. LANGER] is absent by leave of the Senate.

The Senator from Vermont [Mr. FLANDERS] is necessarily absent.

If present and voting, the Senator from Vermont [Mr. FLANDERS] would vote "yea."

Mr. CLEMENTS. I announce that the Senator from Mississippi [Mr. EASTLAND], the Senators from North Carolina [Mr. ERVIN and Mr. LENNON], the Senator from Tennessee [Mr. KEFAUVER], and the Senator from West Virginia [Mr. NEELY] are absent on official business.

The Senator from Alabama [Mr. SPARKMAN] is necessarily absent.

I announce further that if present and voting, the Senators from North Carolina [Mr. ERVIN and Mr. LENNON], and the Senator from West Virginia [Mr. NEELY] would vote "yea."

The result was announced—yeas 87, nays 1, as follows:

YEAS—87

Aiken	Cooper	Hayden
Anderson	Cordon	Hendrickson
Barrett	Crippa	Hennings
Beall	Daniel	Hickenlooper
Bennett	Dirksen	Hill
Bowring	Douglas	Holland
Bricker	Duff	Humphrey
Bridges	Dworshak	Ives
Burke	Ellender	Jackson
Bush	Ferguson	Jenner
Butler	Frear	Johnson, Colo.
Byrd	Fulbright	Johnson, Tex.
Capehart	George	Johnston, S. C.
Carlson	Gillette	Kennedy
Case	Goldwater	Kerr
Chavez	Gore	Kilgore
Clements	Green	Knowland
Kuchel	Morse	Smathers
Lehman	Mundt	Smith, Maine
Long	Murray	Smith, N. J.
Magnuson	Pastore	Stennis
Malone	Payne	Symington
Mansfield	Potter	Thye
Martin	Purtell	Upton
Maybank	Reynolds	Watkins
McCarthy	Robertson	Welker
McClellan	Russell	Wiley
Millikin	Saltonstall	Williams
Monroney	Schoeppel	Young

NAYS—1

McCarran

NOT VOTING—8

Eastland	Kefauver	Neely
Ervin	Langer	Sparkman
Flanders	Lennon	

So Mr. IVES' amendment, as modified, was agreed to.

AMBASSADOR CLARE BOOTH LUCE

Mr. BUSH. Mr. President, I have the honor to call the attention of the Senate to the presence today of a distinguished citizen of my State and a distinguished American, the Honorable Clare Booth Luce, American Ambassador to Italy. [Applause, Senators rising.]

The PRESIDING OFFICER (Mr. COOPER in the chair). The Chair is sure he speaks the sentiments of the Senate in extending to our distinguished guest a warm welcome.

Mr. KNOWLAND. Mr. President, I wish to join with the distinguished Senator from Connecticut [Mr. BUSH] and with the present occupant of the chair in extending a welcome to the distinguished American Ambassador to Italy, an outstanding American citizen and a former Member of the House of Representatives.

Mr. MAYBANK. Mr. President, may I, on this side of the aisle, join with the distinguished Senator from Connecticut, in welcoming the distinguished Ambassador, who lived on the Cooper River in South Carolina for many, many years during the winter. We always welcome her to South Carolina, and remember the good work she did in our State for charity.

Mr. SMITH of New Jersey. Mr. President, I am happy to join with my colleagues in extending a warm welcome to the distinguished Ambassador to Italy from the United States.

Mr. WILEY. Mr. President, I, too, wish to associate myself with the comments of my colleagues, because this distinguished American for quite some time, when she was a young lady, lived in the great State of Wisconsin, up among the lakes, and ate considerable of that great product known as Wisconsin cheese—and then she went forth and gave her wisdom to the world. I am happy she is here with us. She has made a great contribution in the diplomatic history of our country.

INTERNAL SECURITY

Mr. McCARRAN. Mr. President, some days ago it was my privilege to preside over a meeting of the Subcommittee on Internal Security, at which time we heard the testimony of Mr. David Hoyt, former security officer for the Intergovernmental Committee for European Migration. His testimony is exceedingly interesting, in that it discloses no screening whatever for the security of the countries of the Western Hemisphere, or any other country, for that matter. I ask that his testimony, which is quite brief, be inserted at this point in the RECORD as a part of my remarks.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

INTERNAL SECURITY

UNITED STATES SENATE,
SUBCOMMITTEE TO INVESTIGATE
THE ADMINISTRATION OF
THE INTERNAL SECURITY ACT AND
OTHER INTERNAL SECURITY LAWS,
OF THE COMMITTEE ON THE JUDICIARY,
Washington, D. C., July 30, 1954.

The subcommittee met at 3:45 p. m., pursuant to call, in room F–52, the Capitol, Hon. PAT MCCARRAN presiding.

Present: Senator MCCARRAN.

Also present: Richard Arens, special counsel to the subcommittee.

Senator MCCARRAN. The committee will come to order.

Do you solemnly swear the testimony you are about to give before the subcommittee of the Committee on the Judiciary of the United States Senate will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HOYT. I do, Senator.

Senator MCCARRAN. You may proceed.

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

TESTIMONY OF DAVID D. HOYT, SARASOTA, FLA.

Mr. HOYT. My name is David D. Hoyt. I am presently residing at Sarasota, Fla., the home of my brother-in-law, Dr. Cecil E. Miller. I have been employed for some 9 years as an investigator and security officer with the State Department. I was loaned by the State Department to the Migration Committee for 2 years and 3 months.

Mr. ARENS. What Migration Committee is that?

Mr. HOYT. That is known as ICEM, I-C-E-M, Intergovernmental Committee for European Migration.

Mr. ARENS. And when were you loaned to the Intergovernmental Committee for European Migration?

Mr. HOYT. I was last loaned to them on April 1, 1952, as the security officer with the committee.

Mr. ARENS. Would you tell us what was your particular job with the Intergovernmental Committee for European Migration?

Mr. HOYT. My particular job was to act as the committee's security officer, in that capacity performing the normal work of a security officer, screening the staff and so forth.

Mr. ARENS. Were you the chief person employed by the Intergovernmental Committee for European Migration on security matters?

Mr. HOYT. I was the only one, sir. I was the only security man.

Mr. ARENS. How long were you so engaged?

Mr. HOYT. From April 1, 1952, until July 9 of 1954.

Mr. ARENS. And what precipitated the severance of your relationship with the Intergovernmental Committee for European Migration?

Mr. HOYT. I left generally because I was dissatisfied with the security within the committee and principally in relation to the screening or migrants moving to South America.

Mr. ARENS. Did you resign?

Mr. HOYT. I resigned.

Mr. ARENS. It was not a forced resignation in any sense of the word?

Mr. HOYT. No, sir.

Mr. ARENS. And you anticipate shortly being reengaged in the Department of State

of the United States in security work; is that correct?

Mr. HOYT. Yes, sir.

Mr. ARENS. I understood you to say a moment ago you left because you were dissatisfied with screening of migrants.

Mr. HOYT. That's correct.

Mr. ARENS. Tell us, first of all, who are the people who are moved by the Intergovernmental Committee for European Migration?

Mr. HOYT. The people moved are European member governments of the committee who are financially unable to move themselves.

Mr. ARENS. They are not necessarily in the refugee or displaced persons category, are they?

Mr. HOYT. Not necessarily, but that may be.

Mr. ARENS. And what is the volume of movement of the Migration Committee? May I ask you if you know the prospective volume, say, for 1954?

Mr. HOYT. About 118,000, sir.

Mr. ARENS. And these people will be moved from Europe during 1954 principally into the Western Hemisphere, will they not?

Mr. HOYT. Principally.

Mr. ARENS. They will go into Argentina, Brazil, Venezuela, Chile, and other countries principally in the Western Hemisphere; is that not correct?

Mr. HOYT. Yes, sir; and Canada, and the only member government outside of the Western Hemisphere is Australia where we are moving migrants.

Mr. ARENS. On the basis of your background as a security officer and on the basis of your knowledge and observation of the screening operations of the Intergovernmental Committee for European Migration, can you tell this committee whether or not in your judgment the security screening of these people who are being moved into the Western Hemisphere from Europe is a satisfactory screening?

Mr. HOYT. For those migrants moving to South American countries, with minor exceptions, the security is entirely inadequate.

Mr. ARENS. The people who are being moved are people principally from Italy, are they not?

Mr. HOYT. Principally from Italy, but quite a number from Greece.

Mr. ARENS. And in Italy there is a 40-percent Communist vote, is there not?

Mr. HOYT. That is correct.

Mr. ARENS. In your judgment is the present process of moving people in vast numbers from Europe who are inadequately screened from a security standpoint a risk to the security of the Western Hemisphere and to the United States of America?

Mr. HOYT. I feel very strongly that it is.

Senator MCCARRAN. I want to express my gratitude and the gratitude of the committee for your coming before the committee to give your testimony here and enlightening us on the subject because it is highly important.

Mr. HOYT. Thank you, Senator.

Senator MCCARRAN. Thank you for coming up here.

(Whereupon, at 3:55 p. m., Friday, July 30, 1954, the hearing was recessed, subject to the call of the Chair.)

IDENTITY OF CERTAIN COMMUNIST-INFILTRATED ORGANIZATIONS

The Senate resumed the consideration of the bill (S. 3706) to amend the Subversive Activities Control Act of 1950 to provide for the determination of the identity of certain Communist-infiltrated organizations, and for other purposes.

Mr. HUMPHREY. Mr. President, I wish to call up my amendment designated "8-11-54-J," an amendment in the nature of a substitute.

The PRESIDING OFFICER. Does the Senator from Minnesota desire that the entire substitute be read?

Mr. HUMPHREY. Yes. I want to have the entire substitute read, and I make one modification. On page 3, line 18, where it is written "punished as provided by section 15," it should read "punished as provided by the penalty provisions of section 15."

Prior to the reading of the amendment, if I may be permitted, I ask unanimous consent to have added as additional cosponsors along with Senators DOUGLAS, KENNEDY, MORSE, and myself, the following Senators: MANSFIELD, SMATHERS, PASTORE, MURRAY, JOHNSTON of South Carolina, MAYBANK, ANDERSON, SYMINGTON, JACKSON, MAGNUSON, STENNIS, LEHMAN, JOHNSON of Colorado, MONRONEY, HILL, KERR, and DANIEL.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will state the amendment.

The LEGISLATIVE CLERK. It is proposed to strike out all after the enacting clause and insert in lieu thereof the following:

That this act may be cited as the "Communist Control Act of 1954."

FINDINGS OF FACT

SEC. 2. The Congress hereby finds and declares that the Communist Party of the United States, although purportedly a political party, is in fact an instrumentality of a conspiracy to overthrow the Government of the United States. It constitutes an authoritarian dictatorship within a republic, demanding for itself the rights and privileges accorded to other political parties, but denying to all others the liberties guaranteed by the Constitution. Unlike other political parties, which evolve their policies and programs through public means, by the reconciliation of a wide variety of individual views, and submit those policies and programs to the electorate at large for approval or disapproval, the policies and programs of the Communist Party are secretly prescribed for it by the foreign leaders of the world Communist movement. Its members have no part in determining its goals, and are not permitted to voice dissent to party objectives. Unlike members of other parties, members of the Communist Party are recruited for indoctrination with respect to its objectives and methods, and are organized, instructed, and disciplined to carry into action slavishly the assignments given them by their hierarchical chieftains. Unlike other political parties, the Communist Party acknowledges no constitutional or statutory limitations upon its conduct or upon that of its members. The Communist Party is relatively small numerically, and gives scant indication of capacity ever to attain its ends by lawful political means. The peril inherent in its operation arises not from its numbers, but from its failure to acknowledge any limitation as to the nature of its activities, and its dedication to the proposition that the present constitutional Government of the United States ultimately must be brought to ruin by any available means, including resort to force and violence. Holding that doctrine, its role as the agency of a hostile foreign power renders its existence a continuing threat to the security of the United States. It is the means whereby individuals are seduced into the service of the world Communist movement, trained to do its bidding, and directed and controlled in the conspiratorial performance of their revolutionary services.

PROSCRIBED ORGANIZATIONS

SEC. 3. (a) Whoever knowingly and willfully becomes or remains a member of (1) the Communist Party, or (2) any other organization having for one of its purposes or objectives the establishment, control, conduct, seizure, or overthrow of the Government of the United States, or the government of any State or political subdivision thereof, by the use of force or violence, with knowledge of the purpose or objective of such organization, shall upon conviction be punished as provided by the penalty provisions of section 15 of the Subversive Activities Control Act of 1950 (50 U. S. C. 794).

(b) For the purposes of this section, the term "Communist Party" means the organization now known as the Communist Party of the United States of America, the Communist Party of any State or subdivision thereof, and any unit or subdivision of any such organization, whether or not any change is hereafter made in the name thereof.

SUBVERSIVE ACTIVITIES CONTROL ACT AMENDMENT

SEC. 4. Subsection 5 (a) (1) of the Subversive Activities Control Act of 1950 (50 U. S. C. 784) is amended by striking out the period at the end thereof and inserting in lieu thereof a semicolon and the following: "or

"(E) to hold office or employment with any labor organization, as that term is defined in section 2 (5) of the National Labor Relations Act (29 U. S. C. 152) or to represent any employer in any matter or proceeding arising or pending under that act."

And to amend the title so as to read: "A bill to outlaw the Communist Party, to prohibit members of Communist organizations from serving in certain representative capacities, and for other purposes."

Mr. HUMPHREY. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. HUMPHREY. Mr. President, the amendment is offered in the nature of a substitute. I have discussed the parliamentary situation with respect to offering amendments to the amendment in the nature of a substitute. My comments on the amendment will be very brief, because it is not necessary to make extensive remarks on the amendment.

Section 2 of my substitute is headed "Findings of Fact." Those findings of fact have been verified in recent weeks by the Subversive Activities Control Board, namely, that the Communist Party is a conspiracy directed toward the violent overthrow of the Government of the United States.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. MORSE. Is it within the power of the imagination of the Senator from Minnesota to conceive that any Senator could not take judicial notice of the findings of fact set out in section 2 of our amendment?

Mr. HUMPHREY. If any Member of the Senate will study section 2 of the amendment, which relates to findings of fact, he will have to come to the conclusion that it is a true statement of fact. It is a statement which is not based upon theory or upon some form of philosophical analysis, but upon observation of the facts of life, both at home and abroad.

Mr. President, I inquire whether by the reading of the amendment by the clerk the text of the amendment is incorporated in the body of the RECORD?

The PRESIDING OFFICER (Mr. COOPER in the chair). The Chair ad-

vises the Senator that the amendment has been incorporated in the RECORD. It will be printed in the RECORD at the point where it was read.

Mr. HUMPHREY. The first statement under "Findings of fact" reads:

SEC. 2. Congress hereby finds and declares——

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. MAYBANK. Do I understand that the amendment in the nature of a substitute offered by the Senator from Minnesota would in no way weaken the present law, but would make the law stronger? Is that correct?

Mr. HUMPHREY. That is correct. I point out that the amendment gets at the root of the evil, instead of working on the fringes and on the flanks of the problem. The findings of fact state:

The Congress hereby finds and declares that the Communist Party of the United States, although purportedly a political party, is in fact an instrumentality of a conspiracy to overthrow the Government of the United States. It constitutes an authoritarian dictatorship within a republic, demanding for itself the rights and privileges accorded to other political parties.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. PASTORE. I ask the Senator whether it is not a fact that the President of the United States took that identical position in his state of the Union message, when, speaking on the subject, he said:

The subversive character of the Communist Party in the United States has been clearly demonstrated in many ways, including court proceedings. We should recognize by law a fact that is plain to all thoughtful citizens—that we are dealing here with actions akin to treason—that when a citizen knowingly participates in the Communist conspiracy he no longer holds allegiance to the United States.

Mr. HUMPHREY. I thank the Senator from Rhode Island. Of course, he is eminently correct. The President in his state of the Union message made manifestly clear the nature of the Communist Party, its activities, its apparatus, its purposes, and its objectives.

In my statement of findings of fact I say:

The Congress hereby finds and declares that the Communist Party of the United States, although purportedly a political party, is in fact an instrumentality of a conspiracy to overthrow the Government of the United States.

I do not believe that further documentation of that fact is necessary. There have been cases in court in which leaders of the Communist Party were tried and convicted and sentenced on that charge. We have had innumerable instances in which leaders of the Communist Party have been found to be advocating and conspiring the overthrow of this Government. I continue reading from the findings of fact:

It constitutes an authoritarian dictatorship within a republic, demanding for itself the rights and privileges accorded to other political parties, but denying to all others the liberties guaranteed by the Constitution.

Let us face the facts and get down to the root of the evil. The Communist Party changes its direction, its tactics, and its strategy, not by a vote of its membership, not by due consideration on the part of its members within the United States, but on orders from the Cominform or the Kremlin. There is not a shadow of a doubt that that is the case.

The findings of fact continue:

Unlike other political parties, which evolve their policies and programs through public means, by the reconciliation of a wide variety of individual views, and submit those policies and programs to the electorate at large for approval or disapproval, the policies and programs of the Communist Party are secretly prescribed for it by the foreign leaders of the world Communist movement.

There is no better illustration of that fact than what happened in the days prior to American participation in World War II. Only a few weeks before Nazi Germany attacked the Soviet Union, the war in Europe was branded as an imperialist war. Banners were carried in the Nation's Capital proclaiming "The Yanks Are Not Coming." Every effort was made to stymie and hold back the defense effort of the Government of the United States and the people of our country.

On the day the Nazi attack on the Soviet Union took place, the Communist Party of the United States turned completely about, and suddenly we were told that the war was not an imperialist design. Suddenly we were told it was a crusade, and the banners that had proclaimed "The Yanks Are Not Coming," suddenly proclaimed "The Yanks Are Coming Too Late."

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. PASTORE. Is the distinguished Senator bothered too much by the specious argument that by outlawing the Communist Party we will drive it underground?

Mr. HUMPHREY. I have heard that statement made again and again, and for a period of time I believed that outlawing the Communist Party or, better, prescribing certain punishment for membership in the Communist Party, would drive the Communist Party so far underground that we would not be able properly to protect the security of this country. I do not believe that argument any more, and I will tell the Senate why.

With the passage of the McCarran Act of 1950 and the Smith Act in the early 1940's, whatever going underground was to take place has already taken place.

Mr. PASTORE. Does the Senator agree with me that if this amendment is adopted, it will not only drive Communists underground, but will bury them once and for all?

Mr. HUMPHREY. That would be my hope.

Mr. MORSE. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. MORSE. Along the line of the question which the Senator from Rhode Island has so keenly asked, is it not true that the activities of the Communist Party, so far as the subversion and espionage are concerned, have always been underground and that we have always had to dig them out?

Mr. HUMPHREY. The Senator is absolutely correct. The apparatus of the Communist Party works literally at two levels: one, the soapbox type of apparatus, namely, the public pronouncement; second, the carefully planned conspiratorial apparatus which carries on infiltration into key Government agencies, labor organizations, and cultural institutions.

The purpose of this amendment is to "come clean." I, for one, am growing sick and tired of having bill after bill brought to the Congress that does not reflect a willingness and the courage to go to the center of the problem.

Mr. MORSE. Does the Senator from Minnesota agree with me—and I am sure the question of the Senator from Rhode Island [Mr. PASTORE] indicates that he shares my point of view—that what our amendment seeks to do is really to meet the Communist issue in this country head-on?

Mr. HUMPHREY. That is correct.

Mr. MORSE. We seek to make the Communist movement an unlawful activity, and to place the burden where it belongs, both upon the Subversive Activities Board and also upon the Department of Justice, to proceed to do something about bringing to an end the Communist danger in this country.

Mr. HUMPHREY. The Senator is correct; and I thank him for his very appropriate observations.

Mr. PASTORE. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield to the Senator from Rhode Island.

Mr. PASTORE. Is it not a fact that what we are trying to do through this substitute is to recognize the fact that the Communist Party is a part of an international conspiracy to destroy our Bill of Rights and our American institutions? By this action are we not saying that everyone who belongs to it is a criminal in the eyes of Americans?

Mr. HUMPHREY. That is correct. Is there one iota or shadow of doubt that the Communist Party in the United States is but a part of a world conspiratorial organization, the effort and purpose of which are the destruction of republican government, of free political institutions, free economic institutions, free religious institutions, and free cultural institutions? Is there any doubt about that?

Mr. KENNEDY. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield to the Senator from Massachusetts.

Mr. KENNEDY. Does not the Senator feel that one of the great difficulties has been our treatment of the Communist Party as a legitimate political party, permitting its candidates to run for office, permitting members to be drafted into the armed services and so forth, and, on the other hand, treating many Communists as enemies of the Republic? That situation would be ended if we should adopt the amendment proposed by the Senator from Minnesota and other Senators.

Mr. HUMPHREY. The Senator is eminently correct. I point out that the President of the United States, in his State of the Union message, stated in a public speech before the Congress of the United States exactly what the amendment of the Senator from Minnesota and other Senators proposes to state by law. There is no use in kidding ourselves. If there is anything illegal about branding the Communist Party as a conspiratorial apparatus, this amendment would make that illegality legal, if I may use that kind of terminology.

Mr. JOHNSTON of South Carolina and Mr. LEHMAN addressed the Chair.

Mr. HUMPHREY. I yield first to the Senator from South Carolina, and then to the Senator from New York.

Mr. JOHNSTON of South Carolina. Is it not also true that there are two types of Communists? One is the soap box orator. This amendment would certainly do away with him. Does not the Senator from Minnesota think that when we let them talk, and talk and talk we are aiding them to a certain extent, and that this amendment would put them out of existence?

Mr. HUMPHREY. I think so.

I ask the indulgence of the Senate as I read a few lines of section 3, subsection (a) of the amendment:

> Whoever knowingly and wilfully becomes or remains a member of (1) the Communist Party, or (2) any other organization—

There is a possibility that they will change into a new political cloak. We take care of that situation in this amendment, when we say:

> Whoever knowingly and wilfully becomes or remains a member of (1) the Communist Party, or (2) any other organization having for one of its purposes or objectives the establishment, control, conduct, seizure, or overthrow of the Government of the United States, or the Government of any State or political subdivision thereof, by the use of force or violence, with knowledge of the purpose or objective of such organization, shall upon conviction be punished as provided by section 15 of the Subversive Activities Control Act of 1950.

That means due process of law, in a court of competent jurisdiction.

We also say:

> knowingly and wilfully becomes or remains a member of the Communist Party.

We also say:

> or any other organization having for one of its purposes or objectives the establishment, control, conduct, seizure, or overthrow of the Government of the United States, or the government of any State or political subdivision thereof.

Mr. President, this amendment is a frank approach to the very difficult, harassing, constantly perplexing problem of Communist domination of certain organizations and subversions in Government. As one who is deeply interested in the preservation of our basic liberties, and as one who has stood on the floor of the Senate with my colleagues defending our Bill of Rights and our constitutional government, I say the time is at hand to join issue with reference to this problem. I am of the opinion that many a bill has been introduced in the Congress which touches on the fringes of the issue but does not get to the heart of it. We are making an honest attempt to remedy the situation.

I now yield to the Senator from New York.

Mr. LEHMAN. Mr. President. I think the Senator has already made the point I had in mind. This substitute is an honest and undisguised frontal attack on the very heart of the problem. It avoids all pussyfooting. It is frank and undisguised in its nature.

Does the Senator agree with me that if the substitute should be adopted it would obviate the necessity of considering a large number of little fringe bills which are constantly being introduced, which do not reach the heart of the matter, but merely confuse the issue and confuse the thinking of the people throughout the country?

Mr. HUMPHREY. The Senator is correct. Much of the time of Congress is taken up week after week and month after month in investigating Communists, and hundreds of thousands of dollars are appropriated. Political capital is constantly being made of the issue. The time is at hand for Americans who believe in the principles of republican constitutional government to quit "horsing around" on this issue. I did not require very long to reach the conclusion that I had seen enough of piecemeal attempts. I have had enough of delayed efforts in the dying moments of a congressional session to line up Senator after Senator in support of a bill containing a multitude of details which it is impossible to comprehend in the last few moments remaining in a session.

The simple issue is, Are we for outlawing the Communist Party, or are we not? Do we believe it is a party dedicated to the destruction of this Republic? Is it a force dedicated to the destruction of this Government as we know it? If it is, then Senators should vote for this amendment.

If Senators do not believe that the Communist Party is such a conspiratorial force, let them vote against the amendment. There is no way in the world in which one can cloak himself in nice legal phrases.

The issue is before Congress, and I am quite confident that some persons are a little surprised that the junior Senator from Minnesota has placed the issue before Congress. Let the record be clear. This Senator has been fighting the Communist movement ever since he entered public life, and before. I am tired of reading headlines about being "soft" toward communism. I am tired of reading headlines about being a leftist, and about others being leftists. I am tired of having people play the Communist issue as though it were a great overture which has lasted for years. I want to come to grips with the Communist issue. I want Senators to stand up and to answer whether they are for the Communist Party, or are against it. The proposal in the amendment will place Senators right on the line. They cannot duck this one. This amendment would make the Communist Party, its membership, and its apparatus illegal. It would make membership in the Communist Party subject to criminal penalties. It would support the Department of Justice by all the law which any department would need. I feel proud at this hour to be able to present to the Senate an amendment with such distinguished cosponsors.

I shall not say much more about it, but if our proposal is accepted, the rash of little resolutions which have been coming through the Senate will not be needed. We shall have struck at the snake. We shall hold him in the hollow of our hands. We shall have a club in our hands. We shall have the means to strike a lethal blow at the conspiratorial forces of international communisim, as it works its devious, subtle, and dangerous way throughout the United States.

I do not intend to be a half patriot. I will not be lukewarm. The issue is drawn. Either Senators are for recognizing the Communist Party for what it is, or they will continue to trip over the niceties of legal technicalities and details.

I believe the amendment is necessary to strengthen the hand of our Government in dealing with conspiratorial forces.

Mr. President, I have no more to say. I have made my case.

Mr. MORSE. Mr. President, I shall be very brief in my comments in support of the amendment of which I have the honor to be one of the cosponsors, together with my friend, the distinguished junior Senator from Massachusetts [Mr. KENNEDY], under the authorship of the distinguished junior Senator from Minnesota [Mr. HUMPHREY].

In my judgment, this should be considered one of the most unifying legislative proposals offered in the Senate of the United States for many a year. In fact, I think the line ought to form on the right at the desk of the clerk for the cosponsorship of this amendment by other Members of the Senate.

I have listened for years to a great deal of fanning of the breeze in the Senate on the Communist issue; but, in my judgment, this amendment brings us to grips with the Communist problem. We who are offering the amendment are doing so because it is high time to strike a blow against the Communist Party in no uncertain terms by making it unlawful.

In my judgment, this amendment should bring the conservatives and the liberals together, because we have always been of one mind on the issue of communism. As constitutional liberals, on the one side, and as constitutional conservatives, on the other, we have all been dedicated to a common patriotic motive, namely, that our constitutional system of Government shall persevere in the history of the United States.

What is sought to be done by the amendment is to remove any doubt in the Senate as to where we stand on the issue of communism. Senators may recall that the last argument which I made in my remarks last night against the Butler bill was that, in my judgment, we should go after the problem of communism in this country from the standpoint of acts committed by the individual. The Department of Justice now has all the authority it needs to proceed to handle the problem of commu-

nism from the standpoint of the acts of individuals. But in my judgment there is needed on the statute books a law which will make it very clear to the Department of Justice that Congress has outlawed the activity of the Communist Party.

As I said earlier, in my questioning of the Senator from Minnesota, I am not moved to the slightest degree by the old, fallacious, phony argument that if the problem of communism is met head-on by outlawing the party, communism will be driven underground. Its dangerous activities, its subversive activities, its espionage activities, always have been carried on underground. It is about time for us to face the fact that what is needed to be done is to define the Communist Party as an unlawful conspiracy, as it is defined in the amendment, and then make it clear to the Department of Justice and the Subversive Activities Control Board that Congress expects from them effective law enforcement against the conspiracy program of the Communist Party to undermine constitutionalism in the United States.

I understand that the junior Senator from Texas [Mr. DANIEL] has given some consideration to possible further amendment of the amendment which the junior Senator from Minnesota has offered, and which the junior Senator from Massachusetts [Mr. KENNEDY] and I have cosponsored. I have not had an opportunity to consult with the Senator from Minnesota, but the discussion which I had with the Senator from Texas leads me to believe that there is great merit in most of the suggestions which he made to me. I am perfectly willing to go along with amendments to the pending amendment which would make it even stronger and more effective, if that can be done. I think the suggestions made by the Senator from Texas would accomplish that purpose.

I close by saying that I am proud to stand on the floor of the Senate today as one of the cosponsors of an amendment which, in my judgment, would carry out one of the pronouncements of the President of the United States in his state of the Union message on the subject of communism. I am proud to be associated with the Senator from Minnesota and the Senator from Massachusetts in sponsoring the amendment, because by the amendment we put it up to the Senate to "fish or cut bait" on the Communist issue.

Mr. BUTLER. Mr. President, the amendment offered by the Senator from Minnesota is merely another way of keeping the bill from coming to a vote. The Senator from Minnesota must know that there is much doubt about the constitutionality of the amendment in the nature of a substitute which he has offered. We are all against communism. We all want to see the Communist Party outlawed. But we do not want to do it in a way which, in my opinion, would destroy the Internal Security Act, which has been on the statute books since 1950, the Smith Act, and other laws designed to combat the Communist menace.

The Senator from Minnesota must know that there is no longer any such thing as a member of the Communist Party. Such persons do not carry membership cards. No membership records are kept. There is no way of knowing who is a member of the Communist Party.

I feel that the amendment would not only destroy the bill which was reported by the committee, after much study, but would also destroy the Internal Security Act, the Smith Act, and other acts directed toward breaking up the Communist conspiracy in the United States.

Mr. DANIEL. Mr. President, will the Senator yield?

Mr. BUTLER. I am happy to yield.

Mr. DANIEL. I agree with some of the remarks which have just been made by the Senator from Maryland. Certainly the amendment in the nature of a substitute offered by the Senator from Minnesota would have the effect of displacing the bill now before the Senate. The Senator from Minnesota seeks to go a step further and to outlaw the Communist Party in the United States.

Mr. BUTLER. I would have no objection to that.

Mr. DANIEL. Therefore, I should like to ask the Senator from Maryland if he does not think it is possible to accomplish both purposes.

Mr. BUTLER. I do.

Mr. DANIEL. I should like to vote for the substitute which has been offered by the Senator from Minnesota, which declares that the Communist Party shall be outlawed because it has been found to be part of a conspiracy to overthrow our Government by force. I should also like to vote for most of the provisions in the bill now before the Senate concerning Communist-infiltrated organizations.

Therefore, would it not be possible to amend the bill to accomplish both purposes? I intend to offer such an amendment. I have had one prepared. I have discussed it with some Senators.

My amendment would amend the Humphrey substitute by including provisions of the Butler bill which has been reported from the committee. The Senate would then be in a position to accomplish both purposes which have been discussed; outlaw the Communist Party, embodying the provisions which the Senator from Minnesota has outlined, and at the same time adopt the provisions concerning Communist-infiltrated organizations, as outlined by the Senator from Maryland.

Mr. BUTLER. The Senator from Maryland would accept such an amendment.

Mr. DANIEL. However, I may say to the Senator from Maryland that my amendment would make some minor changes in his bill.

Mr. BUTLER. I should like to hear them. I merely wish to say that extensive hearings were held on the bill, and there was never any intimation that an amendment would be offered such as has been offered by the Senator from Minnesota. The Senator from Minnesota did not appear before the committee to offer, or even suggest he was going to offer, such an amendment.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. BUTLER. I yield to the Senator from Minnesota.

Mr. HUMPHREY. I may say to the Senator from Maryland that the junior Senator from Minnesota on May 14, on behalf of myself and the Senator from Illinois [Mr. DOUGLAS], offered an amendment which was the result of 7 months' work on the part of the Senate Committee on Labor and Public Welfare, which would have provided the National Labor Relations Board with extensive authority to enforce the filing of non-Communist affidavits, which, by the way, the Supreme Court said were not enforceable under present law. Also it was proposed to provide the National Labor Relations Board with complete authority to hold a union as being in noncompliance with the National Labor Relations Act if it was Communist infiltrated, or if it had any officers who were members of the Communist Party.

The Senator from Minnesota is no "Johnny-come-lately" in this area. I was rather surprised that the amendment to the bill which the Senator from Minnesota presented on May 14, as a result of 7 months of hearings, was not given the courtesy of a friendly reception by the appropriate committee of the Senate.

Mr. MANSFIELD. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. HENDRICKSON in the chair). The Senator from Maryland has the floor.

Mr. BUTLER. Before I yield to the Senator from Montana, I should like to say to the Senator from Minnesota that he did not really touch the question I raised. I know the Senator from Minnesota and the Senator from Illinois offered an amendment of the nature he has described. He did not offer to the committee or to the task force conducting the hearings the proposal which he is now making, or anything even approaching the present proposal. He now offers on the floor of the Senate an amendment which, in my opinion, would completely kill the bill, kill the Interal Security Act, and kill the other bills or acts designed to break up the Communist conspiracy.

Mr. HUMPHREY. Mr. President, those are strong words. Will the Senator yield?

Mr. BUTLER. I yield.

Mr. HUMPHREY. Does the Senator from Maryland interpret the substitute presented by the Senator from Minnesota for himself and many other Senators as a means or an effort to weaken or destroy the attempts of the Government of the United States to knock out the conspiratorial apparatus of the Communist Party? I know the Senator from Maryland is very sincere in his comments, but I may say to the Senator that what my substitute proposes to do is what no other public law to date has done, namely, declare that the Communist Party is a conspiratorial party directed toward the overthrow of the Government; secondly, that any person who knowingly or wilfully becomes or remains a member of the Communist Party is subject to the full penalties of the law. What more powerful law could we have to enforce than that?

Mr. BUTLER. I shall answer the question of the Senator from Minnesota.

In the first place, the Senator from Minnesota knows that there is a great deal of doubt as to the constitutionality of the amendment he offers. In the second place, the Senator knows that there is no longer any such thing as a member of the Communist Party. The party has destroyed all its membership lists. Members do not have cards. They do not have any visible means of showing that they are members of the Communist Party. The Senator also knows that the Attorney General of the United States is absolutely opposed to his amendment. The Senator also knows that J. Edgar Hoover, head of the Federal Bureau of Investigation, is in great doubt as to validity of the amendment of the Senator from Minnesota, and is against it. The Senator also knows that, in view of those facts, the adoption of his amendment would reverse the whole process of going after the issue of communism in this country.

Mr. HUMPHREY. Mr. President, will the Senator yield at that point?

Mr. BUTLER. I yield.

Mr. HUMPHREY. Does the Senator realize that the Federal Bureau of Investigation does know, and has so stated, that there are members of the Communist Party? Does he know that publications in this country have listed the members of the Communist Party by numbers, State by State? Does the Senator further know that the Communist Party is an organized unit in this country? Does he know that only last week newspapers published stories of a secret meeting in the city of New York? Does the Senator further know that one of the reasons why the Senator from Minnesota had grave doubts about the original antisubversive bill was that he thought it might drive the Communists underground? Finally, may I say to the Senator, it is wonderful to hear from the Republican side of this body that laws passed by a Democratic Congress were really effective on communism. My party has been branded as being soft on communism. I am delighted to hear the Senator from Maryland state that we passed an effective law against communism.

Mr. BUTLER. Mr. President, the Senator from Maryland has the floor. The Senator from Maryland will say to the Senator from Minnesota that the Internal Security Act was enacted over the veto of a Democratic President.

Mr. HUMPHREY. May I say to the Senator from Maryland that it was passed by a Democratic Congress?

Mr. BUTLER. With a lot of help from the Republicans and no help from the White House.

Mr. DANIEL. Mr. President, will the Senator yield?

Mr. BUTLER. I yield to the Senator from Texas.

Mr. DANIEL. The junior Senator from Texas is merely trying to compose differences. I want to vote for the Humphrey substitute, and also for the Butler bill.

Mr. BUTLER. So does the Senator from Maryland.

Mr. DANIEL. In a few moments, as soon as the Senator from Texas gets the floor, he will offer an amendment to the Humphrey substitute, which will enable the Senate to vote for a bill which will both outlaw the Communist Party and also take care of Communist-infiltrated organizations as proposed by the Butler bill.

Mr. BUTLER. As I said to the Senator from Texas, I would be very glad to accept the amendment.

Mr. DANIEL. The Senator from Maryland desired to have me explain the changes I had made in his proposal.

Mr. BUTLER. Yes, if he will.

Mr. SMATHERS. Mr. President, will the Senator yield so that I may ask a question?

Mr. BUTLER. I am presently having a colloquy with the Senator from Texas.

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Florida?

Mr. BUTLER. I yield.

Mr. SMATHERS. I wanted to ask the Senator from Maryland how it is that he can say that it is legal to pass a law which states that a labor union cannot follow certain communistic practices, and then say it is illegal to outlaw the Communist Party? It seems to me that if one decides to cut off the branches of a tree because they are diseased, he must perforce say that the trunk of the tree is also diseased. What the Senator from Minnesota is trying to say is that communism per se is wrong, and that therefore any union or any person who follows the Communist line must likewise be wrong.

Mr. BUTLER. Let me say to the Senator that the outlawing of the Communist Party involves very serious constitutional questions.

Mr. SMATHERS. Yes. The Senator from Maryland says that the results of communism are bad but he will not go so far as to say that communism itself is bad. Is that what the Senator says?

Mr. BUTLER. We all say communism is bad.

Mr. SMATHERS. Then why do we not outlaw communism?

Mr. BUTLER. We are going to outlaw communism. We are going to accept the amendment.

Mr. SMATHERS. That is what the Senator from Minnesota [Mr. HUMPHREY] desires to do. It seems to me the Senator from Maryland should be very happy to support the substitute offered by the Senator from Minnesota. The Senator from Maryland does not like the results of communism. He says they are bad, and that we should declare them illegal. Why should we not say that the whole process is illegal?

Mr. BUTLER. That is what I hope we shall say. Will the Senator permit the Senator from Texas [Mr. DANIEL] to proceed?

Mr. DANIEL. Mr. President——

The PRESIDING OFFICER. The Chair reminds the Senator from Maryland that he can yield only for a question. Does the Senator from Maryland request unanimous consent that he may yield to the Senator from Texas for the purpose of offering a proposed amendment?

Mr. BUTLER. Mr. President, I make such a request, with the understanding I shall not lose the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Senator from Texas [Mr. DANIEL] is recognized.

Mr. DANIEL. Mr. President, the amendment which I shall send to the desk would amend the substitute offered by the Senator from Minnesota [Mr. HUMPHREY] so as to add all the provisions of the Butler bill which have been under discussion, with certain changes which I shall now outline.

I shall begin the discussion of my proposed amendment by saying that I have provided at the end of my proposed amendment a severability clause, which would take care of any doubts the distinguished Senator from Maryland [Mr. BUTLER] might have as to the constitutionality of the provisions of the substitute offered by the Senator from Minnesota [Mr. HUMPHREY].

Mr. BUTLER. I believe that is a very salutary provision. It should be in the bill.

Mr. HUMPHREY. Mr. President, will the Senator yield to me?

Mr. DANIEL. I yield for a question.

Mr. HUMPHREY. Would it not be appropriate, since the pending question now is the proposed amendment of the Senator from Minnesota, for the Senator from Texas to consult with the Senator from Minnesota and the cosponsors of the substitute to determine whether or not the amendment which the Senator from Texas proposes would meet with their approval?

The Senate is not now considering the bill of the Senator from Maryland [Mr. BUTLER]. The Senate is considering the amendment offered by the Senator from Minnesota [Mr. HUMPHREY], which is cosponsored by 16 or 17 of our colleagues.

Mr. DANIEL. The Senator from Minnesota probably did not hear my earlier remarks. I was agreeing with the Senator from Minnesota. In fact, I have joined him as a coauthor of his proposal.

Mr. HUMPHREY. Good.

Mr. DANIEL. I support the amendment of the Senator from Minnesota to outlaw the Communist Party. However, I also wish to preserve certain provisions of the bill which has been under discussion, with certain changes, adding them to the substitute offered by the Senator from Minnesota.

The Senator from Maryland raised certain objections, which I was trying to satisfy.

Mr. HUMPHREY. I am sorry. I misunderstood the Senator. I apologize to the Senator for not having clearly understood his intent.

Mr. DANIEL. I was simply trying to meet those objections, one of which I shall now discuss.

The Senator from Maryland said that he feared the constitutionality of some of the provisions in the amendment offered by the Senator from Minnesota. I said to the Senator from Maryland that one of the provisions in my amendment—the last provision, of course—is a severability clause. It would take care of that fear.

The other changes I should like to propose, Mr. President, begin on page 2 of S. 3706.

In each place in the bill where the words "5 years" appear I should like to insert in lieu thereof the word "3 years." Some argument has been made to the effect that if we provide for too long a period for going back into a person's affiliation with a Communist-infiltrated organization or a Communist-action organization, some people might be hesitant about leaving such organizations. I have discussed this particular provision with several Senators on both sides, and I propose to change the "5 years" to "3 years" in each place.

Mr. HUMPHREY. Mr. President, will the Senator yield at that point?

Mr. DANIEL. I yield to the Senator from Minnesota.

Mr. HUMPHREY. What the Senator from Texas is suggesting is along the line of what is provided in my proposed amendment, "8–11–54–I." I would have stricken "5 years" and inserted "1 year." Does the Senator suggest making it "3 years"?

Mr. DANIEL. That is correct. I am trying to compromise the difference, if possible, between the provisions of the bill and the provisions of the amendment offered by the Senator from Minnesota. I refer to another amendment of his which has not yet been considered.

Mr. HUMPHREY. It is lying on the desk.

Mr. DANIEL. It is on the desk. That amendment would reduce the period of time to 1 year. The provision in the bill of the Senator from Maryland is now 5 years.

I provide in my amendment that that period of time shall be 3 years. I believe the Senator from Maryland and the Senator from Minnesota will accept that compromise.

Mr. HUMPHREY. Yes; I would accept it.

Mr. DANIEL. That amendment is acceptable to the Senator from Minnesota. Is it acceptable to the Senator from Maryland?

Mr. BUTLER. I believe the reduction from 5 years to 3 years would very adversely affect the bill. I think such a time limit would be very difficult to operate under, and that amendment would very materially weaken the bill.

Mr. DANIEL. In what manner, may I ask? I had intended to suggest 2 years, and at the insistence of the Senator from Maryland that it should be a longer period of time I have changed it to 3 years. The Senator from Minnesota desires it to be 1 year.

Mr. BUTLER. Would the Senator be willing to accept 4 years?

Mr. DANIEL. In what way would it weaken the bill to have it 3 years instead of 5 years so far as the affiliation of an individual with such an organization is concerned?

Mr. BUTLER. I think it would tend to weaken the bill in this respect: Since the enactment of the Internal Security Act, the Smith Act, the bill of the Senator from Washington [Mr. MAGNUSON], and other legislation directed toward the control of the Communist menace, the Communists have attempted to destroy all records and go underground, and they have not left as much of a trace as we prefer they would leave. If the law permits us to go back only 3 years with regard to Communist affiliation, in all probability we shall not be able to include a number of persons who should be included.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. DANIEL. If that be true, is it not also true that it means that the organizations have cleansed themselves or in some way have improved in recent years?

Mr. BUTLER. No. I do not think it would work that way at all. I know what the Senator from Texas is thinking, and I know what the Senator from Minnesota is thinking. It proves that these people have gone underground. To some extent that is true. It would be more difficult to operate on a 3-year basis than on a 5-year basis.

Mr. DANIEL. Will the Senator from Maryland hear the other modifications? I shall not ask for acceptance of any particular changes, but I request that the Senator from Maryland hear them all, and then determine whether or not he can accept the changes I shall suggest.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. DANIEL. I yield for a question.

Mr. HUMPHREY. The Senator will recall, I am sure, the statements of Mr. Gouzenko, now under protective custody in Canada. He was the former code clerk for the Russians who broke away from communism. Mr. Gouzenko, I believe, has testified before representatives of the Senate.

Every expert, including Mr. Gouzenko, says that one thing which is needed in any kind of legislation dealing with this problem is an incentive for men and women to leave the Communist Party, so that they will not have scorn heaped upon them and will not be punished for their past action.

If we provide for going back 5 years, all we are going to do is literally to drive people back into the Communist apparatus, because we are unwilling to accept their cleansing and their willingness to change their pattern of life and become responsible and respectable citizens.

Mr. BUTLER. May I answer the question of the Senator from Minnesota?

Mr. DANIEL. I yield to the Senator from Maryland.

Mr. BUTLER. I think that is one of the weaknesses in the amendment proposed by the Senator. The Senator knows that all the Communists have to do is what they have done in connection with the affidavits required under section 9 (h) of the Taft-Hartley law. They resign from the Communist Party for a day and sign the affidavit. Then they immediately return to the party.

I do not believe there is any substance in the argument of the Senator from Minnesota.

Mr. MAGNUSON rose.

Mr. DANIEL. I yield to the Senator from Washington for a question.

Mr. MAGNUSON. I wonder if the Senator——

The PRESIDING OFFICER. The Chair reminds Senators that the Senator from Texas has the floor under a unanimous-consent agreement.

Mr. BUTLER. Mr. President, to clarify the situation, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland yields the floor. The Chair recognizes the Senator from Texas.

Mr. DANIEL. I yield to the Senator from Washington for a question.

Mr. MAGNUSON. Is the Senator not trying to resolve some legal doubt as to the question of the statute of limitations? As the Senator knows, lawyers in most States of the Union in criminal prosecutions operate under a statute of limitations of 3 years. This proviso would be in line with that practice, and would provide for going back 3 years. It would not be particularly in line legally, but it would establish a limitation upon the time it would be possible to go back.

Mr. DANIEL. Yes. With some exceptions, most of our criminal statutes have limitation periods of from 2 to 4 years.

Mr. MAGNUSON. Three is the average.

Mr. DANIEL. I had in mind that 3 years would probably be the average.

Also, it seemed to me that it might be a good compromise between what was advocated by the Senator from Minnesota [Mr. HUMPHREY] and the Senator from Maryland [Mr. BUTLER]. I am sure there will be several words and phrases and several provisions in this bill that will not meet with unanimous approval but that is what I had in mind in making the period 3 years instead of 5.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. MANSFIELD. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator yield, and if so, to whom?

Mr. DANIEL. I yield to the Senator from Minnesota for a question.

Mr. HUMPHREY. Does the Senator realize that the Senator from Michigan [Mr. FERGUSON] has an amendment lying on the table which would strike out the phrase "within 5 years"? I say that the figure 3 is a fair compromise, and reasonable, in terms of legal precedent.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. DANIEL. I yield to the Senator from Kentucky for a question.

Mr. COOPER. Mr. President, I recognize the great legal ability of the Senator from Texas.

Mr. DANIEL. I did not yield for that purpose.

Mr. COOPER. I am sure the Senate recognizes his ability and, if he will permit me, I should like to ask him a few questions. I do not wish to take up his time, but I should like to ask some questions.

Mr. DANIEL. If I may, I should like to complete the explanation of the changes I have made in the Butler proposal, and then I shall yield for questions.

Mrs. SMITH of Maine. Mr. President, will the Senator yield for an observation?

Mr. DANIEL. I yield for an observation.

Mrs. SMITH of Maine. I do not intend to oppose any agreement that is

made between the distinguished Senator from Maryland [Mr. BUTLER] and the distinguished Senator from Texas [Mr. DANIEL], but I do want to say that I am for outlawing the Communist Party. In fact, I introduced the first bill in the history of the United States Senate to outlaw the Communist Party. It was Senate bill 200.

Mr. President, I do not believe it is proper to legislate on this matter by way of an amendment. I believe a proposal to outlaw the Communist Party should be the subject of a separate bill instead of an amendment to the pending bill.

I say this in spite of the manner in which the Attorney General stalled for more than a year before taking a position on my bill, S. 200, and thus bottling it up in committee. I say this in spite of the fact that he now opposes my bill, S. 200, to outlaw the Communist Party.

I serve notice on the Senate now that next year I shall renew my fight to outlaw the Communist Party, and I invite all Members of the Senate to join me next year in cosponsoring my bill to outlaw the Communist Party, and overcome the stalling tactics which have been used to bottle up my bill.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas has the floor.

Mr. DANIEL. Mr. President, I prefer to complete the explanation of the changes that I propose to the Butler bill, because I have only a few.

Mr. HUMPHREY. Mr. President, will the Senator permit me to make an observation with reference to the comment by the Senator from Maine [Mrs. SMITH]?

Mr. DANIEL. I yield once more to the Senator from Minnesota.

Mr. HUMPHREY. I merely wish to say that the Senator from Maine is indeed worthy of the fullest commendation and praise of the Senate, and I regret that I was not able to get in touch with her before I offered my amendment. I do not know what her wishes are, but of all the Members of the Senate who deserve the opportunity to be associated with this movement and to lead in the fight, it is the Senator from Maine. If she would like to join with me as a cosponsor, along with others, I should be singularly honored.

Mrs. SMITH of Maine. Mr. President, will the Senator from Texas yield?

Mr. DANIEL. I yield.

Mrs. SMITH of Maine. I have only one wish, and that is that we outlaw the Communist Party, but I want to do it in the proper manner, by a separate bill and not by an amendment.

I thank the Senator very much.

The PRESIDING OFFICER. The Senator from Texas has the floor.

Mr. DANIEL. Mr. President, does the Senator from Maryland desire to ask a question or make some comment?

Mr. BUTLER. I thought the Senator from Texas would offer some amendments to the pending measure.

Mr. DANIEL. Yes, I shall.

Mr. CASE. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from South Dakota.

Mr. DANIEL. I wish to complete the explanation of my proposed changes, and then I shall yield.

The other change I propose is on page 5, line 17, of S. 3706. The wording now in line 17 is:

> In determining whether any organization is a Communist-infiltrated organization, the Board shall take into consideration—
> (1) the extent to which—

Certain things are found to exist. There are seven different items which the Board would be authorized to take into consideration.

Mr. President, the change I would make at that point would be this: In line 18, instead of the words "the Board shall take into consideration" I would substitute the words "the Board shall be required to determine", and then the first word in each subparagraph would be "whether" in place of the words "the extent to which."

With this amendment, the paragraph would read as follows:

> In determining whether any organization is a Communist-infiltrated organization, the Board shall be required to determine—
> (1) whether the effective management of the affairs of such organization is conducted by one or more individuals who are, or within 3 years have been, (A) members, agents, or representatives of any Communist organization—

And so forth. In each other subparagraph the word "whether" would be substituted in place of the words "the extent to which."

Mr. President, as I have said, the changes I have outlined so far are these: The period of years which would be taken into consideration in connection with past activities would be changed to 3 years instead of 5 years. Second, there is the change which I have just outlined as to the procedure of the Board; third, the Ives amendment has been incorporated in the proposal that I shall offer; and fourth, a severability clause has been incorporated.

There is one further change, on page 8, line 12. Let me explain this change in general terms first.

The bill provides that after "a final order of the Board determining that any such labor organization is a Communist-infiltrated organization, such labor organization shall be ineligible to"—and we find several things named there. It would be restricted, and denied certain benefits under the National Labor Relations Act.

Mr. President, if we are to adopt the provision as to Communist-infiltrated organizations, we certainly ought to make the same restrictions and denials applicable to any organizations found to be Communist-action or Communist-front organizations. We have had some experience in this field.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. DANIEL. I yield.

Mr. BUTLER. Is the Senator now suggesting an additional amendment to the Internal Security Act with respect to Communist-action and Communist-front organizations?

Mr. DANIEL. Yes. All this would be an amendment, in addition to what is proposed by the Senator from Maryland [Mr. BUTLER].

Mr. BUTLER. Mr. President——

Mr. CASE. Mr. President, will the Senator yield?

Mr. DANIEL. I yield first to the Senator from Maryland.

Mr. BUTLER. I should like to clear up one point. Does the Senator's amendment go to line 18 on page 5?

Mr. DANIEL. No. The amendment would go to line 12 on page 8. We now have these words, beginning with line 11:

> When there is in effect a final order of the Board determining that any such labor organization is a Communist-infiltrated organization, such labor organization shall be ineligible to—

Do certain things which follow.

Just before "Communist-infiltrated organization" I would add these words: "Communist-action organization, Communist-front organization, or Communist-infiltrated organization."

In other words, whatever penalties are applied to an organization found to be Communist-infiltrated certainly ought to be applied to an organization found to be a Communist-front organization or a Communist-action organization.

There are numerous instances of the practicability of what I now propose. An organization was operating in the State of Texas which had been found to be either a Communist-dominated organization or a Communist-action organization. However, the National Labor Relations Board said it still must treat that organization and its officers as it must treat other organizations. It said it must give that organization the same rights and privileges as are given to other labor organizations. Therefore what I would do in this respect is merely to add Communist-action organizations to the provision prescribing penalties with respect to the National Labor Relations Board, the same restrictions which the Senator from Maryland would apply to Communist-infiltrated organizations.

Mr. BUTLER, Mr. HUMPHREY, and other Senators addressed the Chair.

Mr. DANIEL. I yield further to the Senator from Maryland so that he may clearly understand the purpose of my amendment.

Mr. BUTLER. I understand what the Senator is trying to accomplish, but I did not know there was any Communist-action organization or Communist-front organization which represented employees as a bargaining agent and which would ask for a hearing before the NLRB.

Mr. DANIEL. There is one such organization in existence. There was such case before the National Labor Relations Board, and we received the reply which I outlined. I am sure the Senator agrees with me that if any labor organization is found by the Board to be a Communist-action organization or a Communist-front organization it should be ineligible for the privileges and rights which are enjoyed by other labor organizations.

Mr. BUTLER. I agree. I am surprised to hear that there is such an organization. If there is such an organ-

ization, I shall be very glad to accept the amendment.

Mr. DANIEL. Those are my changes.

Mr. BUTLER. Will the Seantor recite them, so that I can say what I will do about them?

Mr. HUMPHREY. Mr. President, who is accepting what?

Mr. DANIEL. I have not asked anyone to accept anything. I am about to send my amendment to the desk and formally offer it.

Mr. HUMPHREY. The Senate is now considering the Humphrey substitute, not the Butler bill.

Mr. CASE rose.

Mr. DANIEL. I am offering an amendment to the Humphrey substitute, so that some of us who wish to vote on the Humphrey substitute to outlaw the Communist Party, but who also wish to vote for the provisions relating to Communist infiltrated organizations in the Butler bill, may have the opportunity to do both.

Mr. MANSFIELD. Mr. President, will the Senator yield for a comment?

Mr. DANIEL. I yield first to the Senator from South Dakota. He has been on his feet for some time.

Mr. CASE. First, the Senator from South Dakota asks the Senator from Texas where the amendment he proposes would fit into the bill or substitute.

Mr. DANIEL. I did not quite hear the last part of the Senator's statement.

Mr. CASE. Is the amendment the Senator from Texas is offering, an amendment to the Humphrey amendment or to the bill?

Mr. DANIEL. The amendment which I am sending to the desk is an amendment to the Humphrey substitute, and it would be added at the end of the Humphrey substitute.

Mr. CASE. What I do not quite understand is whether the language requiring the Board to make a determination as to whether or not certain things are true is to be an amendment to the Subversive Activities Control Act of 1950.

Mr. DANIEL. It is a new section which is being added to the Subversive Activities Control Act of 1950. It is to be added as a new section.

The form proposed by the Senator from Maryland is exactly the same form that is now in the law. Some criticism has been made of that form. My amendment would meet that criticism by changing the procedure. Instead of providing that the Board shall take into consideration certain things, and the extent to which such things exist, I would change the form by providing that the Board shall determine whether certin things do exist or have existed.

Mr. CASE. When the Senator does that, he is prescribing a more rigid formula relating to membership in a Communist infiltrated organization than is provided with respect to membership in a Communist-action organization or in a Communist-front organization.

Mr. DANIEL. That may be true, but I do not think so.

Mr. CASE. The Senator from South Dakota served on the committee of the House which developed the language providing that the Board shall take into consideration the extent to which participation took place in a Communist-action organization or in a Communist-front organization. The reason we did it was that there were instances in which there was not a clear-cut pattern of complete participation in a front organization or in an action organization. Instances came to our attention in which a person's name was used on a letterhead, or in which a person was identified with a front organization, or with an action organization. After investigating some of those cases, the committee felt that the facts did not establish a sufficient case to warrant penalizing an individual. In many instances a person's name was used on a letterhead for the purpose of sponsoring a dinner, or something of that sort. It involved persons of very high repute, who had no general pattern of following the Communist line.

If we accept the language the Senator from Texas suggests, and apply that language to a Communist-front organization and make the whole act uniform, if it is determined that a person was identified in a single instance with such an organization, we bring down upon the head of such an individual the penalty of the entire act.

Let us take category 4 of the bill. It appears at page 6 of the bill and reads:

> (4) The extent to which such organization within 5 years has received from, or furnished to or for the use of, any such Communist organization, government, or movement any funds or other material assistance.

Reading that paragraph in connection with subsection (e) on page 5, the bill would provide that the Board shall take into consideration the extent to which a person has received funds from a Communist organization. If that language changed to provide that the Board shall determine whether a person has received even a $5 contribution from a front organization or from any other Communist organization, it would bring down on the head of such an individual all the penalties of the act.

Mr. DANIEL. Does the Senator from South Dakota see any difference between a provision relating to a $5 contribution to a Communist organization and the extent to which a person has made a contribution?

The language does not provide that if the Board finds some act or contribution, it is necessary to bring down on the individual the penalties of the act. The bill now reads:

> In determining whether any organization is a Communist-infiltrated organization, the Board shall take into consideration the "extent to which"—

And so forth. I would change that by requiring the Board to make a finding of whether $5, for example, was contributed. I do not see any great difference.

Mr. CASE. Does the Senator believe that a more rigid formula should be prescribed with respect to membership in Communist-infiltrated organizations than is prescribed with respect to membership in Communist-action organizations? Would not the Senator's amendment establish a more rigid formula with respect to membership in Communist-infiltrated organizations than with respect to Communist-action organizations?

Mr. DANIEL. The Senator from Texas does not believe so. Other Members of the Senate believe it would be more rigid. It is the feeling of some Senators that something should be added to provide that a person should be served with specifications and should know what he has been charged with before any penalty is assesed against him.

Some Members of the Senate feel that there should be a definite finding by the Board as to whether the individuals under consideration actually participated in Communist-front organizations, and so forth. Some believe there should be a definite finding with respect to Communist-infiltrated organizations even though this is not the case with respect to Communist-front organizations or Communist-action organizations.

I do not believe the difference in the wording is very great. We are merely referring to procedures. All I am doing is changing the wording in an effort to compromise the differences between Senators who have a definite feeling one way or the other.

If the Senator from South Dakota is willing, I shall discuss the question with him briefly as soon as I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the senior Senator from Texas.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that my colleague may, without losing his rights to the floor, yield to the Senator from Montana [Mr. MANSFIELD] not to exceed 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I wish to address myself to the substitute offered by the Senator from Minnesota [Mr. HUMPHREY] and other Senators, to wit, a bill to outlaw the Communist Party. Of course, the Senator from Maine [Mrs. SMITH] has been a leader in the introduction of bills to outlaw the Communist Party. Others have joined with her in the House and in the Senate. I think now is the time to face up to our responsibilities, because this is the first opportunity we have had in this body to face up to the question as to whether we want to outlaw the Communist Party. I think the time has arrived for all of us to stand up and be counted. I certainly hope that this afternoon we shall have an opportunity to vote on the question, because I, for one, wish to outlaw the Communist Party, because I think it is a party contrary to American principles and a party which does advocate the overthrow of the Government of the United States.

Outlawing the Communist Party would not be a violation of the fundamental right of people in the United States to organize and function through a political party as the Communist Party is not a legitimate political organization, any more than a group of doctors operating an illegal narcotics ring would constitute a legitimate medical enterprise. By its own declaration of aims and purposes, the Communist

Party is engaged in a criminal conspiracy and operation: The advocacy and projected overthrow of the American Government by force and violence.

The outlawing of the party will destroy its false appearance of respectability as a political party within the constitutional limitations. The passing of such legislation would be no different than when the Nazi Bund was outlawed here in the early forties.

One of the main arguments, if not the main one, given by FBI Chief J. Edgar Hoover in his testimony before congressional committees has been his assertion that to outlaw the Communist Party would drive it underground. In new testimony before the House Appropriations Committee, this year, Mr. Hoover states:

> The investigative burden in covering the Communist underground has been increased tremendously as is shown by the fact that where 1 agent was formerly needed for proper coverage, we now require as many as 9 or 10 by reason of their greater security consciousness in carrying out their conspiratorial activities.

He further states in the same testimony:

> Today there are two types of Communist Party leadership: Open leadership comprised of people like William Z. Foster and a select group of others; and an underground leadership, which actually has been assuming more and more authority and control to administer the entire party in the event it is no longer feasible to continue in the open.

These statements indicate to me that the Communist Party has gone underground; therefore, the chief objection made by Mr. Hoover prior to this year is no longer valid. As to the extent of the conspiracy, it might be well for us to note further testimony given by the Director of the FBI in which he says:

> Through the perfection of the underground apparatus, the party aims to preserve intact a hard core of militant Communists to carry out the aims and objectives of the international Communist movement under all forms of adversity.
>
> The security measures which the Communist Party have taken in order to thwart the efforts of the FBI have been many and detailed in character. No longer are Communist Party membership cards issued; maintenance of membership records are forbidden; contacts of rank-and-file members are limited to from 3 to 5—the basic club unit. Most of the local headquarters have been discontinued, and party records have been destroyed. No evening meetings are permitted in hearquarters without staff members present. Conventions and large meetings are held to the absolute minimum. The use of the telephone and telegraph is avoided.
>
> No contact is had with families or friends; contacts between functionaries are arranged through frequently changed intermediaries; false drivers' licenses have been obtained; assumed names have been adopted; modification of physical appearance has been effected, such as dyeing hair and eyebrows, as was done by a member of the national committee who was apprehended by agents of the FBI in a hideout in the high Sierras in California last August.
>
> They have removed conspicuous means of personal identification, such as moles; they have affected a new manner of walking, have changed their dress standards, have avoided old habits, and even have avoided old vices, and have avoided appearance in public places where their recognition would be probable.
>
> They communicate through couriers and avoid the use of written communications. They have instituted loyalty tests for all prospective underground personnel. They rotate the underground personnel to avoid detection. The underground staff is usually recruited from trusted Communist Party members, having at least 10 or 12 years' experience.

The PRESIDING OFFICER. The time of the Senator from Montana has expired.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the Senator from Montana may have his time extended another 5 minutes.

The PRESIDING OFFICER. Without objection, the Senator may proceed.

Mr. MANSFIELD. I thank the distinguished majority leader.

Mr. President, again quoting from Mr. Hoover:

> They appear outside of hideouts only at night. They use different automobiles, and the cars frequently are registered in fictitious names and not names of party members; the license plates are frequently changed.
>
> They have used extreme precautions in regard to surveillance, making rapid and frequent changes of conveyances, entering and leaving subways and buses just before the door close, and doubling back on their course.
>
> I cite these various security measures not only because they are of interest to the committee but to show the stealth of the American Communists. It again shows the increased difficulty with which we are faced in trying to handle these investigations.

A group such as the Communists which is the servant of a foreign power and places the interests of a foreign power above those of our own country should be outlawed in the United States. Such a law would not outlaw ideas, it would not outlaw thoughts, it would make illegal organized conspiracy against this Nation.

The outlawing of the subversive groups is in line with the recommendations made by President Eisenhower in his state of the Union message. He said that any American convicted of conspiring to overthrow the Government by force and violence should be stripped of his citizenship.

Mr. President, the question has been raised regarding the constitutionality of action such as that proposed by the distinguished Senator from Minnesota [Mr. HUMPHREY]. It is my opinion that, so far as the constitutionality of any law is concerned, it is a question for the Supreme Court of the United States to decide. I sincerely hope, Mr. President, that the Members of this body this afternoon will face up to their responsibility, and will stand up and be counted on this issue of outlawing the Communist Party in the United States.

The PRESIDING OFFICER. The Senator from Texas [Mr. DANIEL] has the floor. He yielded to the Senator from Montana [Mr. MANSFIELD] under a unanimous-consent agreement.

Mr. DANIEL. Mr. President——

Mr. SMATHERS. Mr. President, I should like to ask the Senator from Texas to yield to me for 10 minutes.

Mr. DANIEL. I promised to yield to the Senator from Kentucky [Mr. COOPER] for a question.

The PRESIDING OFFICER. The Senator from Texas yields to the Senator from Kentucky for a question.

Mr. COOPER. Mr. President, I have several questions.

Mr. DANIEL. I have not had any lunch yet. Let me see how the questions run.

Mr. COOPER. Mr. President, I happened to be in the chair when the speech of the distinguished Senator from Minnesota was made. I heard his speech, and I have listened carefully to the speeches that have been made on the pending bill. As I have listened, several legal questions which the bill presents have addressed themselves to me.

I should like to say that I am not too greatly moved by the argument of "stand up and be counted." The statement implies that there are some Senators in the Chamber who are not interested in seeing the Communist Party outlawed or made ineffective. I do not think that is true.

I think we have a right to ask if the Humphrey substitute is what it is claimed to be, and if it would be really effective. First, I have heard the statement made several times in the debate that the Humphrey amendment would outlaw the Communist Party. I wish to ask the Senator from Texas about that, because I know of the Senator's legal ability.

The first section of the Humphrey substitute, which is section 2, is a long pronouncement of the purposes of the Communist Party, as to which I think all of us agree.

Section 3 provides a penalty for membership in the Communist Party. As I understand, up until the present time the penalty has been based on overt acts. I ask the distinguished Senator from Texas if he would interpret section 3 strictly to mean one who is a recorded member of the Communist Party?

Mr. DANIEL. I have not studied the section with that in mind. However, I understand the main question the Senator has in mind, I believe, because I attempted to draft a similar bill for the Texas State Legislature while serving as attorney general.

Mr. COOPER. I understand the Senator's fine attitude on the question. I desire to ask the Senator a question concerning section 3 of the Humphrey substitute which would impose a criminal penalty upon anyone who could be proved to be a member of the Communist Party.

Undoubtedly there are many people in the Communist movement, who are not recorded members of the party. The substantial test of their allegiance is the type of activity which the person is carrying on. Does the Senator believe that section 3, which is the only effective section of the substitute, would outlaw the Communist Party?

Mr. DANIEL. I should say that that certainly is the intention, and it probably would outlaw the Communist Party by making membership an offense.

I, once, drawing a similar bill for the Texas Legislature, did not word it in exactly the form of the Humphrey substitute. The bill was drawn so as not to name any particular party or organi-

zation. It simply referred to any organization which was shown to be in a conspiracy to overthrow, or which advocated the overthrow of the Government of the United States by force. The Communist Party was not mentioned by name, but, of course, it clearly came within the definition.

Based upon the findings of the courts and administrative agencies that the Communist Party of the United States is engaged in a conspiracy to overthrow the American Government by force, I believe Congress could constitutionally define membership in that conspiracy to be an offense punishable under the laws of the United States. The overt act is joining or remaining a member of a conspiracy against our Government.

Mr. COOPER. I do not disagree with the statement that the Congress could constitutionally act. I doubt the effectness of the Humphrey substitute. I am trying to ascertain the effect of the Humphrey substitute. How does the Senator compare section 3 of the Humphrey substitute, which is the only effective section of the amendment, with the Smith Act, which imposes a penalty for conspiring to carry out the purpose or objectives of the Communist Party? What is the distinction, if any, between the nature of the penalty imposed by section 3 of the Humphrey amendment and that imposed by the Smith Act?

Mr. DANIEL. I do not believe there is any difference in the penalties.

Mr. COOPER. Would I be correct if I say that nothing of substance is added by the substitute to the Smith Act, except for the declaration of pronouncement in the preamble?

Mr. DANIEL. I disagree with the Senator from Kentucky on that point. Under the substitute, if it is adopted, all that will have to be shown to a jury, in order to support a conviction, is the evidence that the individual charged is a member of the Communist Party, because the law would provide that that organization, by name, is one which is involved in a conspiracy to overthrow the Government.

Mr. COOPER. Section 3 of the Humphrey substitute provides that a member of the Communist Party, with knowledge of the purpose or objective of such organization shall upon conviction be punished.

Does not the Senator consider that the language differs from the requirements of the Smith Act?

Mr. DANIEL. I do not know. I have not compared the two on that point.

I believe that knowledge would certainly have to be shown. It will be noted that in three places in the amendment which I intend to offer I have added the word "knowingly," so that the court will not have to assume that the word was implied as I believe was done in one case.

Mr. COOPER. I question the claims made for the Humphrey substitute, which, it seems to me, either duplicates many other acts on the statute books today or launches out into a field of doubtful constitutionality.

I compare section 3 of the substitute with section 4 (a) of the Subversive Activities Control Act, which provides as follows:

> It shall be unlawful for any person knowingly to combine, conspire, or agree with any other person to perform any act which would substantially contribute to the establishment within the United States of a totalitarian dictatorship, as defined in paragraph (15) of section 3 of this title, the direction and control of which is to be vested in, or exercised by or under the domination or control of, any foreign government, foreign organization, or foreign individual.

I doubt that section 3 requires a substantial or any contribution to conspiracy. Even if it is possible to take into account the long declaration of the Humphrey substitute, and then the requirement, imposed in section 3, by the words "with knowledge of the purpose or objective of such organization," does not the Senator from Texas say that the Humphrey substitute is a substantial departure from section 4 (a) of the Subversive Activities Control Act?

Mr. DANIEL. There is the difference which I outlined a moment ago. If the amendment in the nature of a substitute were to be held constitutional, it would make the handling of such cases easier for the prosecuting authorities. If the Senator from Kentucky has ever had the job of trying to prove in court that the Communist Party of the United States is engaged in an attempt to overthrow the Government of the United States by force, he knows that the prosecuting officers have quite a task on their hands.

Mr. COOPER. I know that it is a difficult task.

Mr. DANIEL. I have had that experience. I believe that the amendment in the nature of a substitute certainly would make it easier on the prosecuting authorities of the United States to establish a case. They can establish a case now if they are able to get the witnesses and go to the expense of bringing in the proof, as has been done many times and at great expense in our courts and administrative agencies. If Congress should now officially declare that the Communist Party of the United States is found to be a part of a conspiracy to overthrow the Government of the United States, it may be possible to avoid separate proof of the fact in each case. Evidence of membership alone will suffice, if this portion of the substitute is held to be constitutional.

Mr. COOPER. I respect the judgment of the Senator from Texas. I think the emphasis of the Subversive Activities Control Act is entirely different from that of the Humphrey substitute. This proposal would simply make membership in the Communist Party an offense. Subversive Activities Control Act provides a procedure for registration of members of Communist organizations; when they have been registered, they cannot hold office or employment in the Government, and they cannot engage in certain defense activities. Registration prevents their employment or their activity in certain areas of the Government.

Would the Senator say that if the amendment in the nature of a substitute were adopted denouncing as a crime membership in the Communist Party, such members then could not be required to register as they could undoubtedly claim the fifth amendment? Would section 3 thus have the effect of nullifying the Subversive Control Act?

Mr. DANIEL. I think they could still be required to register. However, I am not certain, because I have not studied that question sufficiently.

The Senator from Kentucky was very complimentary to the junior Senator from Texas when he said he thought the Senator from Texas was judicious. I shall try to be judicious on this question by asking time to study it before expressing a definite opinion.

Mr. COOPER. I shall not ask any further questions.

Mr. DANIEL. I should like to study the last question, and answer it when I return, so that I may attempt to answer that question, as well as any further questions which the Senator may wish to ask.

The distinguished junior Senator from Florida [Mr. SMATHERS] has been waiting patiently for some time. He would like to have the floor for about 10 minutes, under a unanimous-consent request, without my losing the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. COOPER. Mr. President, will the Senator permit me to make one statement?

Mr. SMATHERS. I shall be glad to yield for a short observation. I have only 10 minutes.

Mr. COOPER. I questioned the Senator from Texas [Mr. DANIEL] because of my great respect for his legal ability and judicial attitude. I wish to make clear that what I have said was not directed against the purposes of the substitute as stated by the junior Senator from Minnesota. I wanted to express my conviction that, despite the claims that are made for it, I do not think the substitute would abolish the Communist Party. In my judgment section 4 (a) of the Subversive Activities Control Act and the Smith Conspiracy Act cover substantially the purposes of section 3, which is the only effective section of the Humphrey substitute. I also feel that the passage of the substitute might make more difficult the enforcement of anti-Communist statutes, rather than helping in their enforcement. I do not think the substitute would do what is claimed for it. I shall present my views at more length later in the debate.

Mr. SMATHERS. Mr. President, first I should like to say that I am very pleased and happy to join with the very able Senator from Minnesota [Mr. HUMPHREY] in the sponsorship of the amendment in the nature of a substitute—the purpose of which is to outlaw the Communist Party. I might say that long ago I wrote a letter to the very able senior Senator from Maine [Mrs. SMITH], and asked if I might be permitted to join with her in the sponsorship of a bill to accomplish a similar purpose known as S. 200. I did that after serious thought on my own part in trying to determine the best means to most

effectively combat the Communist threat.

Like my colleagues, I had pondered on this problem for many years. I had listened to various recommendations. I had read the recommendations of the administration and others. Finally it became unmistakably clear to me that there was only one really effective way to get rid of the Communist threat to the United States Government, and that was to introduce and enact legislation which would outlaw the Communist Party. It was for this reason that I wrote to the senior Senator from Maine and asked her if I could at that time join with her in the sponsorship of what I believed and still believe to be a good piece of proposed legislation.

I do not think the proposal to outlaw the Communist Party should be stopped merely because of a question of procedure. I think what we are trying to do is to accomplish a certain result, that of outlawing the Communist Party. If we can do it by the pending proposed legislation, whether it comes under the sponsorship of certain Senators on this side of the aisle or the other side of the aisle, does not make too much difference to the junior Senator from Florida, and I do not believe it should make too much difference to any Senator who thinks that the right answer to the problem of communism is outlawing the Communist Party. The question of whether the bill has been in committee, or whether it has my name, or the name of the Senator from Minnesota, or some other Senator's name seems to me to be unimportant. What we are trying to accomplish is the outlawing of the Communist Party. We now have an opportunity to vote on a substitute amendment which would do just that, as the Senator from Montana has pointed out.

Another point I should like to make is that I do not believe we should become bogged down with a lot of technicalities as to whether an organization is Communist controlled or indulging in Communist activities, or in what respect it is engaging in communism. I cannot help but believe that if the Communist Party per se is outlawed, and membership therein is made a crime, then we are not going to have to worry about such collateral questions. If the law is enforced, which, of course, we have a right to expect it will be, then there will not be unions which will be Communist controlled or Communist led, because the Communist influence will be destroyed in its essence, and before it can operate.

Therefore it seems to me that we waste much time in the Senate when we talk about whether we like the Daniel amendment, the Butler amendment, the amended Butler bill, or whatever else it might be. Let us get to the root of the matter. The root of the problem is that we have Communists who do not believe as we do, who are out to destroy our way of government, and who infiltrate, not only labor unions, but other organizations and direct them and their membership against American democratic institutions.

From the debate which has taken place so far, one could presume that the only organizations which have Communists are labor unions. Obviously that is not the case. We have them in the teaching profession, in government, in the military service; in political parties; we find them in every activity of our lives. So why do we not get at the real problem, and cover the whole field, and not limit it to just labor organizations? Why do we not do this right and say, "Let us outlaw the Communist Party and membership in the Communist Party"? In that way I think we can most effectively combat communism in this country.

To talk about needing laws to stop a union's doing this or that, because it might be Communist—helpful to Communists—seems to me to be just like saying that we have an orange tree, and that the meat of the oranges on that tree is deadly poisonous. If these oranges are actually deadly, it obviously results because the trunk of the tree or the roots of the tree are infected. Now, you wouldn't just knock those oranges off the tree and leave the trunk and limbs to breed a new crop of poison fruit. The thing to do is destroy the trunk, the roots, and the tree itself. That is the manner in which we should approach the problem before us today.

As the Senator from Oregon [Mr. MORSE] has said, I think we should stop hitting around on the fringes of the problem, stop tiptoeing back and forth, and instead recognize the problem and know the problem for what it is, and meet it directly head on.

We live under a government of law. Duly enacted laws govern our lives. A man's rights, or privileges, are not taken from him without due legal action. However, today we condemn persons with Communist leanings or beliefs. We have been throwing them out of the teaching profession. We even make it difficult for Communists to work in ordinary industry. We are surely driving them out of all social, professional, and industrial life, and yet while we so proscribe these people there is no hard and fast law that says it is wrong or illegal to be a Communist or that a Communist cannot work in these fields of endeavor. So today without benefit of law, we pick at them, hold them up to bad publicity and ridicule, punish and persecute them, and finally we throw them out; but not by benefit of law. Mr. President, to conduct ourselves this way—without benefit of law—is to practice the grossest type of discrimination. We are discriminating against them for their thoughts and acts, when under present law, what they think and do is completely legal. If we are going to be a government of law, why do we not meet the problem head on and say, "We do not like communism; we fear it; it is opposite to what we believe in; therefore, anybody who believes in it, advocates it, or who belongs to a political party which itself advocates or believes in communism, is guilty of a crime against the United States"? If we take this step then we will have a legal basis on which we can proscribe them in our society. The way to face this issue, Mr. President, is to meet the problem head on.

Mr. WELKER. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield to the Senator from Idaho.

Mr. WELKER. Will the Senator advise me how many Communists we would be able to catch and convict by outlawing the Communist Party? I have served on the Internal Security Subcommittee for more than a year. I have learned that it is very difficult to make persons who belong to the party admit their membership in it, or to establish proof that they are open or undercover members of the Communist Party. I should like the Senator from Florida to advise me what effect outlawing the Communist Party would have on the Communists within our land.

Mr. SMATHERS. I am sure the Senator would agree with me it would not be any harder if we provided that membership in the Communist Party was illegal. It is true that such members might go underground. I presume that many of them would go underground. In fact, I believe most of them are underground now. I do not know of a narcotic peddler who has gone down the street and said, "I am a narcotic peddler." Nevertheless, we have a law against narcotic peddling. Why? Because peddling narcotics is dangerous. It is dangerous to our society. We do not say to such persons, "We are going to try to convince you it is unwise or unhealthy to take dope and sell it." We say it is dangerous, and we enacted a law to curb the illegal use of narcotics. Any person who violates this law is thereafter subject to prosecution. I submit to the Senator from Idaho that, under the authority of law, we can also do the same thing so far as Communists are concerned. We touch on the question here, or we have a little law about it there; but we do not meet it head-on.

Mr. WELKER. Mr. President, will the Senator from Florida yield to me?

Mr. SMATHERS. I yield.

Mr. WELKER. I am sure my colleague from Florida is advised that under present Communist Party discipline the practice is not to issue membership cards.

Mr. SMATHERS. That may be true; I have no particular knowledge of issuance of membership cards by the Communist Party.

Mr. WELKER. Whenever the Communists know we do not have positive proof that they are Communists, they will swear under oath that they are not now, and never have been, members of the Communist Party.

Mr. SMATHERS. I can agree with the distinguished Senator from Idaho. He has been an able prosecutor, and I am sure he will agree that before he could prosecute anyone, it was necessary for him to have a law authorizing such a prosecution. But today, since it is not illegal for a person to be a member of the Communist Party, or to advocate the overthrow of our Government, it is not possible to prosecute members of the Communist Party, unless we find them in some incidental or collateral activity which we have outlawed.

The PRESIDING OFFICER. The time of the Senator from Florida has expired.

Mrs. SMITH of Maine. Mr. President, will the Senator from Florida yield to me?

The PRESIDING OFFICER. The Senator from Texas [Mr. DANIEL] has the floor.

Mr. SMATHERS. Mr. President, I ask unanimous consent that the Senator from Texas may yield further time to me, so that I may yield to the Senator from Maine.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DANIEL. I yield 10 minutes more to the Senator from Florida.

Mr. SMATHERS. Now, Mr. President, I am glad to yield to the distinguished Senator from Maine.

Mrs. SMITH of Maine. Mr. President, I ask unanimous consent that the Senator from Florida may yield to me, so that I may ask a question of the chairman of the Internal Security Subcommittee.

Mr. SMATHERS. I shall be happy to yield for that purpose, if the Senator from Maine can limit her question to 2 minutes.

Mrs. SMITH of Maine. My question will be brief.

Mr. SMATHERS. I yield.

The PRESIDING OFFICER. Without objection, the Senator from Maine is recognized for 2 minutes.

Mrs. SMITH of Maine. Mr. President, I should like to ask the distinguished junior Senator from Indiana [Mr. JENNER], the chairman of the Internal Security Subcommittee, whether he can give the Senate any assurance concerning action by his committee on the bill which proposes to outlaw the Communist Party, and in regard to obtaining a vote on that bill.

Mr. JENNER. Mr. President, as the Senator from Maine knows, her bill is pending before our committee.

I think the procedure being followed today is a very poor way to legislate on this very important matter. I think this matter should be gone into thoroughly, and hearings should be held on it, at the beginning of next session.

In further answer to the question of the Senator from Maine, let me say that to outlaw the Communist Party will not mean a thing, because experience under the Taft-Hartley Act gives us a clear example of how the Communists will operate in connection with the signing of affidavits. We have different cases of known Communists who have signed anti-Communist affidavits. When they are asked to sign, they say, "Certainly, I will gladly sign an affidavit under the Taft-Hartley Act." All they do in that case is make a tactical withdrawal from the Communist Party, for the purpose of being able to sign the affidavit.

In the committee we have had the experience of having a Communist come through the door of the committee room, and we have asked him, "Were you a Communist 5 minutes ago?"

His answer invariably was, "I refuse to answer, under the fifth amendment of the Constitution."

Then we ask him, "Were you a Communist when you walked through the door to the committee room?"

Invariably his answer was, "I refuse to answer, under the fifth amendment of the Constitution."

Then if we ask him, "Are you a Communist now?" his answer will be, "No, I am not a Communist now"—in other words, not for the purpose of taking the anti-Communist oath. So there is no such thing as Communist membership anymore; and if this bill is passed in its present form, it will be impossible to convict anyone, for there will not be any Communists.

However, the overt acts of a person prove what he is. The overt acts of Communists prove what they are. We know them by their acts.

Let me say that I think the bill introduced by the Senator from Maine should have a complete hearing, because the public does not understand the situation. Many persons think that if the Communist Party is outlawed, all those problems will be solved. But we know that the courts have ruled, in connection with the affidavit under the Taft-Hartley Act, that the burden of proof is on the Government, to prove that at the time when the affidavit was signed, the person was a Communist at that particular moment. It is impossible to prove that; it is impossible to prove what is in a person's mind or heart.

But it is possible to prove, by his overt acts, that a person is attempting to overthrow the Government of the United States by force or violence; and that his acts constitute a part of a world-wide conspiracy.

So let us not be sidetracked by something that reads well—something which states that by outlawing the Communist Party, we shall solve these problems.

Mr. SMATHERS. Mr. President, I have been happy to yield to the Senator from Maine, who has sponsored the bill to outlaw the Communist Party, and I am happy to agree with her.

I appreciate what the very able senior Senator from Maine [Mrs. SMITH] has done in attempting to outlaw the Communist Party. I have regretted, as I know she has, that some of the leadership on her side of the aisle has not seen fit to have that bill brought up at this time. I believe it should have been considered and adopted.

As I have said earlier, I believe that if what we are after is to outlaw the Communist Party, we now have the best opportunity to do that that we will have for some time to come. Senators who believe that this is the effective way to fight the Communist Party can express their belief now by voting for the amendment of the Senator from Minnesota.

Of course the Senator from Indiana, chairman of the Internal Security Subcommittee, has had more experience combating communism than I have. However, I cannot understand, for the life of me, how we can continue to talk about Communist activities as being illegal and about how we are attempting to check those activities, yet still refuse to hit at the core of the Communist Party itself, by declaring it and membership in it to be illegal.

It seems to me that if we follow the suggestion of the Senator from Maine [Mrs. SMITH] and the Senator from Minnesota [Mr. HUMPHREY] and outlaw the Communist Party in the first instance, it will be easier for us to fight the Communist Party and its activities wherever it may be found in the future.

A moment ago I heard the Senator from Maryland [Mr. BUTLER] say he had some doubt about the constitutionality of the amendment of the Senator from Minnesota.

Let me point out that from 1919 up to 1924, I believe, the Communist conspiracy was outlawed in this country by wartime legislation and no one questioned the constitutionality of that measure. There are from 13 to 15 States of the Union which today have statutes outlawing or prohibiting the Communists from functioning as a political party, and no court has yet held those laws to be unconstitutional.

As a matter of fact, Mr. President, they must be constitutional if they help the American people defend themselves. Surely our laws do not make it impossible to stop crime. We have laws against murder, narcotics traffic, and other crimes. Similarly, the American people clearly have a right to legally defend themselves against a conspiracy which seeks to overthrow us and defeat us here at home.

So, Mr. President, after this debate is over, I hope the Members of the Senate who do not like communism and who think the best way to fight communism is to face the issue head on and destroy it, will proceed to do just that.

In the meantime, let us proceed in the way suggested by the Senator from Minnesota [Mr. HUMPHREY] so as to go on record and say clearly and without the slightest doubt that we do not like the Communist Party and its principles. Let us, here today, strike a devastating blow against this ungodly menace. This is our chance to do so. Let us not fail in this hour of concern and opportunity to all of us.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Texas [Mr. DANIEL] now has the floor, having yielded it under a unanimous-consent agreement.

Mr. DANIEL. Mr. President, I send to the desk the amendment I have already explained, and ask that it be printed in the RECORD, but not read. I shall be glad to answer any other questions about it which Senators may care to ask. I may say that the amendment is offered by me for myself and on behalf of the Senator from Kentucky [Mr. CLEMENTS], the Senator from Iowa [Mr. GILLETTE], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from New Mexico [Mr. ANDERSON], and the Senator from Illinois [Mr. DOUGLAS].

The PRESIDING OFFICER. Without objection, the amendment will not be read, but will be printed in the RECORD.

The amendment submitted by Mr. DANIEL is as follows:

That this act may be cited as the "Subversive Activities Control Act Amendments of 1954."

SEC. 5. Communist-infiltrated organizations. (a) Section 3 of the Subversive Activities Control Act of 1950 (50 U. S. C. 782) is amended by inserting, immediately after

paragraph (4) thereof, the following new paragraph:

"(4A) The term 'Communist-infiltrated organization' means any organization in the United States (other than a Communist-action organization or a Communist-front organization) which (A) is substantially directed, dominated, or controlled by an individual or individuals who are, or who within 3 years have been actively engaged in, knowingly giving aid or support to a Communist-action organization, a Communist foreign government, or the world Communist movement referred to in section 2 of this title, and (B) is knowingly serving, or within 3 years has knowingly served, as a means for (i) the giving of aid or support to any such organization, government, or movement, or (ii) the impairment of the military strength of the United States or its industrial capacity to furnish logistical or other material support required by its Armed Forces: *Provided, however*, That any labor organization which is an affiliate in good standing of a national federation or other labor organization whose policies and activities have been directed to opposing Communist organizations, any Communist foreign government, or the world Communist movement, shall be presumed prima facie not to be a 'Communist-infiltrated organization.'"

(b) Paragraph (5) of such section is amended to read as follows:

"(5) The term 'Communist organization' means any Communist-action organization, Communist-front organization, or Communist-infiltrated organization."

(c) Subsections 5 (c) and 6 (c) of such act are repealed.

SEC. 6. (a) Section 10 of such act (50 U. S. C. 789) is amended by inserting, immediately after the words "final order of the Board requiring it to register under section 7", the words "or determining that it is a Communist-infiltrated organization."

(b) Subsections (a) and (b) of section 11 of such act (50 U. S. C. 790) are amended by inserting immediately preceding the period at the end of each such subsection, the following: "or determining that it is a Communist-infiltrated organization."

SEC. 7. (a) Subsection 12 (e) of such act (50 U. S. C. 791) is amended by—

(1) striking out the period at the end thereof and inserting in lieu thereof a semicolon and the word "and"; and

(2) inserting at the end thereof the following new paragraph:

"(3) upon any application made under subsection (a) or subsection (b) of section 13A of this title, to determine whether any organization is a Communist-infiltrated organization."

(b) The section caption to section 13 of such act (50 U. S. C. 792) is amended to read as follows: "Registration Proceedings Before the Board."

SEC. 8. Such act is amended by inserting, immediately after section 13 thereof, the following new section:

"PROCEEDINGS WITH RESPECT TO COMMUNIST-INFILTRATED ORGANIZATIONS

"SEC. 13A. (a) Whenever the Attorney General has reason to believe that any organization is a Communist-infiltrated organization, he may file with the Board and serve upon such organization a petition for a determination that such organization is a Communist-infiltrated organization. In any proceeding so instituted, two or more affiliated organizations may be named as joint respondents. Whenever any such petition is accompanied by a certificate of the Attorney General to the effect that the proceeding so instituted is one of exceptional public importance, such proceeding shall be set for hearing at the earliest possible time and all proceedings therein before the Board or any court shall be expedited to the greatest practicable extent.

"(b) Any organization which has been determined under this section to be a Communist-infiltrated organization may file with the Board and serve upon the Attorney General a petition for a determination that such organization no longer is a Communist-infiltrated organization. No such petition may be filed until 1 year has passed after the order determining such organization to be a Communist-infiltrated organization has become final. No organization may file petitions under this subsection oftener than once in each calendar year.

"(c) Each such petition shall be verified under oath, and shall contain a statement of the facts relied upon in support thereof. Upon the filing of any such petition, the Board shall serve upon each party to such proceeding a notice specifying the time and place for hearing upon such petition. No such hearing shall be conducted within 20 days after the service of such notice.

"(d) The provisions of subsections (c) and (d) of section 13 shall apply to hearings conducted under this section, except that upon the failure of any organization named as a party in any petition filed by or duly served upon it pursuant to this section to appear at any hearing upon such petition, the Board may conduct such hearing in the absence of such organization and may enter such order under this section as the Board shall determine to be warranted by evidence presented at such hearing.

"(e) In determining whether any organization is a Communist-infiltrated organization, the Board shall be required to determine—

"(1) whether the effective management of the affairs of such organization is conducted by one or more individuals who are, or within two years have been, (A) members, agents, or representatives of any Communist organization, any Communist foreign government, or the world Communist movement referred to in section 2 of this title, with knowledge of the nature and purpose thereof, or (B) engaged in giving aid or support to any such organization, government, or movement with knowledge of the nature and purpose thereof;

"(2) whether the policies of such organization are, or within 3 years have been, formulated and carried out pursuant to the direction or advice of any member, agent, or representative of any such organization, government, or movement;

"(3) whether the personnel and resources of such organization are, or within 3 years have been, used to further or promote the objectives of any such Communist organization, government, or movement;

"(4) whether such organization within 3 years has received from, or furnished to or for the use of, any such Communist organization, government, or movement any funds or other material assistance;

"(5) whether such organization is, or within 3 years has been, affiliated in any other way with any such Communist organization, government, or movement;

"(6) whether the affiliation of such organization, or of any individual or individuals who are members thereof or who manage its affairs, with any such Communist organization, Government, or movement is concealed from or is not disclosed to the membership of such organization; and

"(7) whether such organization or any of its members or managers are, or within 3 years have been, knowingly engaged—

"(A) in any conduct punishable under section 4 or 15 of the act or under chapter 37, 105, or 115 of title 18 of the United States Code; or

"(B) with intent to impair the military strength of the United States or its industrial capacity to furnish logistical or other support required by its Armed Forces, in any activity resulting in or contributing to any such impairment.

"(f) After hearing upon any petition filed under this section, the Board shall (1) make a report in writing in which it shall state its findings as to the facts and its conclusions with respect to the issues presented by such petition, (2) enter its order granting or denying the determination sought by such petition, and (3) serve upon each party to the proceeding a copy of such order. Any order granting any determination on the question whether any organization is a Communist-infiltrated organization shall become final as provided in section 14 (b) of this act.

"(g) When any order has been entered by the Board under this section with respect to any labor organization (as defined by section 2 of the National Labor Relations Act, as amended), the Board shall serve a true and correct copy of such order upon the National Labor Relations Board and shall publish in the Federal Register a statement of the substance of such order and its effective date.

"(h) When there is in effect a final order of the Board determining that any such labor organization is a Communist-action organization, a Communist-front organization, or Communist-infiltrated organization, such labor organization shall be ineligible to—

"(1) act as representative of any employee within the meaning or for the purposes of section 7 of the National Labor Relations Act, as amended (29 U. S. C. 157);

"(2) serve as an exclusive representative of employees of any bargaining unit under section 9 of such act, as amended (29 U. S. C. 159);

"(3) make, or obtain any hearing upon, any charge under section 10 of such act (29 U. S. C. 160); or

"(4) exercise any other right or privilege, or receive any other benefit, substantive or procedural, provided by such act for labor organizations.

"(i) When an order of the Board determining that any such labor organization is a Communist-infiltrated organization has become final, and such labor organization theretofore has been certified under the National Labor Relations Act, as amended, as a representative of employees in any bargaining unit—

"(1) a question of representation affecting commerce, within the meaning of section 9 (c) of such act, shall be deemed to exist with respect to such bargaining unit; and

"(2) the National Labor Relations Board, upon petition of not less than 20 percent of the employees in such bargaining unit or any person or persons acting in their behalf, shall under section 9 of such act (notwithstanding the limitation of time contained therein) direct elections in such bargaining unit or any subdivision thereof (A) for the selection of a representative thereof for collective-bargaining purposes, and (B) to determine whether the employee thereof desire to rescind any authority previously granted to such labor organization to enter into any agreement with their employer pursuant to section 8 (a) (3) (ii) of such act."

SEC. 9. Subsections (a) and (b) of section 14 of such act (50 U. S. C. 793) are amended by inserting in each such subsection, immediately after the words "section 13," a comma and the following: "or subsection (f) of section 13A."

SEC. 10. If any provision of this title or the application thereof to any person or circumstances is held invalid, the remainder of the title, and the application of such provisions to other persons or circumstances, shall not be effected thereby.

Mr. BUTLER. Mr. President, will the Senator from Texas briefly state the effect of his amendment?

Mr. DANIEL. Mr. President, the amendment I have sent to the desk would amend the amendment in the nature of a substitute, offered by the Senator from Minnesota [Mr. HUMPHREY], by adding to that amendment the so-called

Butler bill, which has been under discussion on the floor of the Senate, but with a few minor changes, which I have explained to the Senate.

Some of those changes are in accordance with the amendment which the Senator from Minnesota has at the desk. The changes are these:

The 5-year period during which previous activities would be considered would be changed to 3 years. The procedure set up for the Board would be that it shall not only take into consideration certain activities which would be outlawed hereby, but that it make a determination of whether or not it finds that the individuals concerned in these organizations were guilty of these acts. The amendment I have sent forward has the Ives amendment in it. It contains a severability clause.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. DANIEL. I yield to the Senator from California.

Mr. KNOWLAND. Some question has been raised on the floor as to the constitutionality of the Humphrey amendment itself, that is, the outlawing of the Communist Party. Of course, no one knows how the Supreme Court may decide that issue. If they should perchance decide that the amendment was unconstitutional, in the Senator's judgment as a lawyer, if his severability clause were included, would the Butler bill be left intact?

Mr. DANIEL. Yes, that is correct. If any portion of the Humphrey substitute should be declared unconstitutional, or if the Butler bill, which I have sent to the desk as an amendment to the Humphrey substitute, should be declared unconstitutional, it is my opinion that under the severability clause the remaining portion of the bill would be in force and effect.

The final change I have made in the Butler bill by my amendment would be simply to add, on page 8, beginning with line 11, Communist-action organizations and Communist-front organizations to Communist-infiltrated organizations when we provide that such organizations shall be ineligible in certain respects, enumerated in the bill, before the National Labor Relations Board. Those are the changes.

Mr. BUTLER. Mr. President——

The PRESIDING OFFICER. Does the Senator yield to the Senator from Maryland?

Mr. DANIEL. I yield to the Senator from Maryland.

Mr. BUTLER. Has the Senator an amendment in line 5 on page 2?

Mr. DANIEL. In 3 places on page 2—line 5, line 8, and line 9—I have added the word "knowingly" before the word "giving" in line 5, before the word "serving" in line 8, and before the word "served" in line 9, in accordance with the explanation heretofore made.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. DANIEL. I yield to the Senator from Minnesota.

Mr. HUMPHREY. So the RECORD will be clear as to the amendment lying on the desk, which is my amendment designated "8-11-54-H", the word "knowingly" is the addition to which the Senator refers, is it not?

Mr. DANIEL. That is correct. The word "knowingly" is added. As I said a moment ago, I believe the Senator from Minnesota [Mr. HUMPHREY] has that amendment at the desk.

Mr. KNOWLAND. The amendment marked "H," or "J"?

Mr. HUMPHREY. The one designated "H."

Mr. KNOWLAND. No; the amendment designated "J" is the amendment of the Senator which is at the desk, the one outlawing the Communist Party.

Mr. HUMPHREY. I may say to the distinguished Senator that I have four amendments at the desk.

The PRESIDING OFFICER. The Chair is advised that the one marked "J" is the one which is pending.

Mr. HUMPHREY. Yes. I was saying that there was also an amendment which is printed and lying on the desk which I would have called up, but I shall not do so in view of what the Senator from Texas [Mr. DANIEL] is now doing, namely, modifying the original proposal before the Senate, S. 3706. He is modifying that proposal in this instance in light of a particular amendment. That is all I wished to clarify.

Mr. DANIEL. The Senator is correct.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Texas [Mr. DANIEL] for himself and other Senators in the nature of a substitute for the amendment offered by the Senator from Minnesota [Mr. HUMPHREY] for himself and other Senators.

Mrs. SMITH of Maine. The Senator from Maine should like again to ask the distinguished chairman of the Internal Security Subcommittee if he could give us assurance that there will be hearings and a full discussion on the floor of the Senate on a bill outlawing the Communist Party.

Mr. JENNER. Yes; I can say to the distinguished Senator from Maine that that is going to be done in the early part of next year. The big difficulty, the Senator will find, is writing a definition. It has been tried many times before. That is one of the stumbling blocks. "Outlawing the Communist Party" is mere words, because it is action that does the damage, and not membership in the Communist Party.

Mrs. SMITH of Maine. The Senator from Indiana would agree with the Senator from Maine that there should be a full discussion and a lengthy discussion on the floor of the Senate before we vote on amendments outlawing the Communist Party?

Mr. JENNER. I most assuredly do.

Mrs. SMITH of Maine. I should like a similar assurance from the majority leader.

Mr. KNOWLAND. Mr. President, all I can say is that of course I cannot schedule proposed legislation until first it has been reported by the proper legislative committee, and, secondly, it has been cleared for action by the policy committee. Assuming that such legislation has been reported by the proper legislative committee, and assuming it has been cleared for action by the policy committee, and that I am still majority leader, I can assure the Senator that it will be scheduled for action by the Senate.

Mrs. SMITH of Maine. I thank the Senator very much.

Mr. KNOWLAND. Mr. President, I wish to speak briefly in regard to this proposal.

I recognize some of the problems involved in the amendment offered by the Senator from Minnesota [Mr. HUMPHREY]. Without the amendment to the substitute offered by the Senator from Texas [Mr. DANIEL], I should not vote for the Humphrey substitute; but with the amendment to the substitute proposed by the Senator from Texas, I shall support the Daniel amendment and then, if the amendment is carried, I shall support the substitute, as amended, and then the bill, as amended, provided, of course, no future amendments are adopted which would completely destroy the effectiveness of the bill.

Apparently there is a question among the legal lights as to whether or not the outlawing of the Communist Party would be constitutional. Undoubtedly, able and distinguished lawyers will differ on that subject. No one will know the answer to that question until the Supreme Court of the United States speaks the final word, and we know that even in the Supreme Court on various issues there are sometimes 5-to-4 decisions, sometimes 6-to-3 decisions, or 7-to-2, or 8-to-1, or unanimous decisions. No one can look into a crystal ball and know what the ultimate decision in that regard may be.

I call the attention of the Members of the Senate to the fact that this bill, as amended in whatever form the Senate may pass it, will have to go to the House, and undoubtedly to a conference between the two Houses. Further study may be given as to the desirability or the exact language of the provision outlawing the Communist Party.

Furthermore, with the severability clause which has been added by the distinguished and able Senator from Texas, who is one of the outstanding lawyers of this body, in the event the Supreme Court of the United States should declare part of the substitute bill unconstitutional, namely, the Humphrey original substitute, there will still be standing the complete Butler bill as reported by the Judiciary Committee of the Senate.

Under those circumstances, Mr. President, I intend to vote first for the Daniel amendment, and then for the bill as amended by the substitute.

Mr. President, I think the discussion on the floor has been of great value. I am sure that the conferees—and there will be a distinguished group from this and the other body—will give further consideration to the various arguments and discussions that have taken place, but I believe the time has come to face up to this issue, and it seems to me that here and now is the place to do it.

In the event Congress does not at this session enact legislation to outlaw the Communist Party, I certainly hope the whole issue will be explored, as indicated

by the distinguished and able Senator from Maine [Mrs. SMITH].

So far as I am concerned, I am prepared to vote on this issue today, and I ask that the yeas and nays be ordered on the amendment proposed by the Senator from Texas [Mr. DANIEL] to the Humphrey substitute.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. HUMPHREY. Mr. President——

Mr. FERGUSON. The Senator from California has yielded, and I should like to ask a question.

The PRESIDING OFFICER. The yeas and nays have been requested.

Mr. KNOWLAND. Let me withhold that request until the Senator from Michigan has an opportunity to ask a question.

The PRESIDING OFFICER. The Senator withholds the request, and yields to the Senator from Michigan.

Mr. FERGUSON. The Senator from Michigan is concerned with this question: To outlaw the name "The Communist Party" and not to outlaw the activities, the conduct, and the overt acts which we have been trying to deal with in America is the problem we must face today.

There is one difficulty involved. We passed a security act, not based on the outlawing of a party. If we now pass a law to outlaw a party as a party in my opinion we shall find ourselves in serious trouble. I have not today had sufficient time to go back and study the Internal Security Act, but I believe we must face that question, because we propose to compel people to testify against themselves, which is something we tried to avoid when we very carefully drew up the Mundt-Ferguson section of the Internal Security Act.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. FERGUSON. I am glad to yield.

Mr. KNOWLAND. It seems to me that is one of the problems with which, obviously, the conferees will have to concern themselves.

Certainly we wish to do nothing which would interfere with the effectiveness of the Internal Security Act, which is a good piece of legislation and is being effectively used.

I understand the legislative intent, as expressed by the Senator from Texas [Mr. DANIEL], and I believe by the Senator from Minesota [Mr. HUMPHREY], I do not believe there is any legislative intent to subvert the Internal Security Act.

It seems to me that any overt acts would still be illegal, whether they were performed by something which might call itself the Communist Party or something else. Earlier in the day the Senator yielded for a question from the Senator from California, and I pointed out that we are all agreed that the mere outlawing of the Communist Party, as a name, would not solve the problem.

Mr. FERGUSON. That is correct.

Mr. KNOWLAND. As I pointed out earlier, the same people might form themselves into an organization called the "L. S. and M. Society," giving to the outside world some other meaning, but actually meaning "Lenin, Stalin, and Malenkov Society." They would be the same Communists, but they would be operating under a different name. But if they were performing overt acts and doing things in violation of the Internal Security Law, it seems to me they would still be in violation of the law. Nothing in the proposed legislation would prevent their prosecution, if they committed overt acts.

If there is any problem in that regard, and further clarification is felt to be necessary, it seems to me that the conferees, who will be very distinguished members of the Committee on the Judiciary of this body, will have an opportunity to study the question and determine what might be needed to prevent the weakening in the slightest degree of the internal security law.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. HUMPHREY. Mr. President——

Mr. MAYBANK. Mr. President——

The PRESIDING OFFICER. Does the Senator from California yield; and, if so, to whom?

Mr. KNOWLAND. I yield first to the Senator from Michigan [Mr. FERGUSON]; then to the Senator from Minnesota [Mr. HUMPHREY]; and then to the Senator from South Carolina [Mr. MAYBANK].

Mr. FERGUSON. I should like to inquire of the Senator from Minnesota what he thinks his amendment would outlaw? What would the amendment make illegal?

Mr. HUMPHREY. I think the Senator from Florida [Mr. SMATHERS] answered that question some time ago in his colloquy. Under the Butler bill we are declaring——

The PRESIDING OFFICER. Does the Senator from California ask unanimous consent that this colloquy may ensue?

Mr. KNOWLAND. Yes; I ask unanimous consent that the colloquy be permitted.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HUMPHREY. Under the Butler bill we are declaring illegal, for the purposes of the National Labor Relations Board and for the purposes of governmental agencies in the labor-relations field, a Communist-dominated organization.

Mr. FERGUSON. And other organizations.

Mr. HUMPHREY. And other organizations.

Mr. FERGUSON. Communist-dominated.

Mr. HUMPHREY. Obviously if such an organization is illegal it must be because of the communism which is involved.

Mr. KNOWLAND. Regardless of its name.

Mr. HUMPHREY. Regardless of how it may be termed, it is illegal, because the group or the individual is dedicated to the overthrow of the Government of the United States.

Mr. FERGUSON. And its purpose.

Mr. HUMPHREY. And its purpose. What my amendment does is simply to state this unqualifiedly, and get at the root of the problem rather than at the fringe of it.

The analogy was stated, that if we are going to pick all the fruit from a tree and saw off the branches, because the fruit and branches are bad, maybe it would be better to strike at the roots of the tree.

Mr. FERGUSON. But what conduct would the Senator make illegal by his amendment?

Mr. HUMPHREY. Will the Senator listen?

Mr. FERGUSON. Yes.

Mr. HUMPHREY. Section 3 (a) reads:

> Whoever knowingly and willfully becomes or remains a member of (1) the Communist Party, or (2) any other organization having for one of its purposes or objectives the establishment, control, conduct, seizure, or overthrow of the Government of the United States, or the government of any State or political subdivision thereof, by the use of force or violence——

Mr. KNOWLAND. Or commits overt acts.

Mr. HUMPHREY. Quoting further—

> with knowledge of the purpose or objective of such organization, shall upon conviction be punished as provided by section 15 of the Subversive Activities Control Act of 1950 (50 U. S. C. 794).
>
> (b) For the purposes of this section, the term "Communist Party" means the organization now known as the Communist Party of the United States of America, the Communist Party of any State or subdivision thereof, and any unit or subdivision of any such organization, whether or not any change is hereafter made in the name thereof.

I have tried to close every door.

Mr KNOWLAND. If I may pick up the inquiry at this point, I should like to ask the Senator if it is his judgment, as author of this amendment, that while it outlaws the Communist Party, as indicated——

Mr. HUMPHREY. Yes.

Mr. KNOWLAND. Under the Internal Security Act there would still be full power in the Government to prosecute overt acts committed by those who might call themselves the Communist Party?

Mr. HUMPHREY. Or the Malenkovites.

Mr. KNOWLAND. Or the Malenkov Society, or anything else?

Regardless of the banner under which they travel, if they were in fact a part of the conspiracy and were committing overt acts against the Government and the institutions of this country they could be prosecuted?

Mr. HUMPHREY. I thank the majority leader. Indeed, that is exactly what I mean. This proposed amendment in no way limits the Internal Security Act. In no way does it limit the Smith Act or any other law on the books for the control of subversives.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. HUMPHREY. Mr. President, I wish to say——

Mr. MAYBANK. Mr. President, the Senator from California said he would yield to me.

Mr. KNOWLAND. I will.

Mr. HUMPHREY. In behalf of myself and my cosponsors of the substitute, let me say that we readily accept the amendment to the substitute offered by the Senator from Texas [Mr. DANIEL].

I ask that it may be incorporated in the amendment.

Mr. KNOWLAND. I should like, if the Senator is willing, to have the yeas and nays on that amendment, as we have had the yeas and nays on the Ives amendment, because I think from the point of view of legislative history it will be a great deal stronger. If the author of the amendment [Mr. DANIEL] does not object, I should like to have the yeas and nays ordered on his amendment to the Humphrey amendment.

Mr. MAYBANK. Mr. President, will the Senator yield to me?

Mr. DANIEL. I have no objection, so long as the amendment is adopted. That is what I am interested in.

The PRESIDING OFFICER. The Chair advises the Senator from Minnesota that his proposal can be modified only by unanimous consent.

Mr. HUMPHREY. I realize that. I was merely exploring, as the majority leader says.

The PRESIDING OFFICER. The Senator from California has the floor. To whom does the Senator from California yield?

Mr. KNOWLAND. I yield to the Senator from South Carolina.

Mr. MAYBANK. I wish to ask the Senator from Michigan a question. Was the so-called Mundt-Ferguson bill, about which he spoke, the bill which passed when the Senate was meeting in the old Supreme Court room?

Mr. FERGUSON. That is correct.

Mr. MAYBANK. I was very much in favor of it when it passed and I am now. This morning when I voted for the Magnuson amendment, I knew and understood that the so-called Humphrey amendment would be presented, and I joined as a cosponsor. I spoke to the Senator from Texas [Mr. DANIEL], who told me he intended to offer an amendment to the amendment of the Senator from Minnesota. I told him I would support his amendment to the end. I congratulate the Senator from Texas, the Senator from Minnesota, and the Senator from Maryland [Mr. BUTLER] who originally brought the bill to the floor. I intend to vote as I always vote against Communists.

Mr. FERGUSON. We are dealing in this proposed amendment——

Mr. MAYBANK. I should like to ask the Senator from Michigan a question. By my voting for the Humphrey substitute, the Daniel amendment, and for the final passage of the bill, would I be in any way affecting the votes cast some years ago for the Mundt-Ferguson bill?

Mr. FERGUSON. What is now proposed, in my opinion, is to undo what we tried to do in the Mundt-Ferguson section of the Internal Security Act. We were dealing with overt acts. We were avoiding the word "membership," because it will be found that in the United States there is practically no "member" of the Communist Party. I should like to indicate what we are trying to do in the Butler bill and what we shall be doing if we outlaw the Communist Party. It is proposed to outlaw membership in a party.

Mr. MAYBANK. Can the Senator from Michigan amend the bill so that I can vote for it? I wish to vote against Communists.

Mr. FERGUSON. This is what we provide in the Butler bill. I read from the bottom of page 1:

> The term "Communist-infiltrated organization"—

It will be noted that we are not talking about membership—

> means any organization in the United States (other than a Communist-action organization or a Communist-front organization)—

Those are the two organizations which are mentioned in the Internal Security Act—

> which (A) is substantially directed, dominated, or controlled by an individual or individuals who are, or who within 5 years have been, actively engaged in giving aid or support to a Communist-action organization, a Communist foreign government, or the world Communist movement referred to in section 2 of this title—

That is the Internal Security Act.

Mr. KNOWLAND. Mr. President, will the Senator from Michigan permit an interruption at that point?

Mr. FERGUSON. Certainly.

Mr. KNOWLAND. Assuming that the Senate accepts the amendment of the Senator from Texas to the substitute offered by the Senator from Minnesota, this language will be in the substitute. How does that affect the question of overt acts under the Internal Security Act? Overt acts, regardless of by whom they are committed, whether by the Communist Party or by a party calling itself the M. L. and S. Society, or whatever it may call itself, so long as they are prohibited by the Internal Security Act, will still be illegal, still be subject to prosecution, and still be a part of the Communist conspiracy.

Mr. FERGUSON. The difficulty is that under the Internal Security Act we require Communists to register.

Mr. HUMPHREY. How many have registered?

Mr. FERGUSON. They have not registered because they are Communists. They have not registered yet, but the time is coming when they will have to comply with the law. We require them to register; and now it is proposed to make it a crime to do the thing for which they must register.

Mr. SMATHERS. Mr. President, will the Senator yield for a question?

Mr. FERGUSON. I yield.

Mr. SMATHERS. Which is worse—having them register or making it illegal to do the things which they do?

Mr. FERGUSON. We are repealing the whole law.

Mr. SMATHERS. The Senator has not answered my question. Which is worse—to have them register, or to make it illegal to do the things which they want to do and which they practice all the time?

Mr. FERGUSON. The Senator has asked, in effect, which is the best way to handle the situation.

Mr. SMATHERS. That is correct.

Mr. FERGUSON. Is it better to require registration, or is it better to outlaw communism and make it a crime?

Mr. SMATHERS. And go after them directly with the means we have.

Mr. FERGUSON. The same question arises in connection with the Taft-Hartley law. We require a person to say whether he is a member of the Communist Party or is affiliated with such party. If we approve this provision we cannot compel a man to make an affidavit that he is a Communist. We shall be repealing that section of the Taft-Hartley law.

Mr. HUMPHREY. Mr. President, will the Senator from Michigan yield?

Mr. FERGUSON. I yield.

Mr. HUMPHREY. Does the Senator think that provision is effective now? Does the Senator realize that only recently the court literally threw it out?

Mr. FERGUSON. There is no longer any "membership." The Senator is saying that he wishes to outlaw membership. Why not outlaw conduct and use the same definition which is used in the Internal Security Act and in the bill which is before us?

Mr. HUMPHREY. I think the majority leader answered that question when he stated that we not only outlaw the conduct which is described in the statute but we also outlaw membership. We strengthen the tools of the Government of the United States to do the job we wish to do.

Mr. FERGUSON. The difficulty is that there are no such things as "members" of the Communist organization——

Mr. HUMPHREY. Oh, yes; there are.

Mr. MANSFIELD. Mr. President, will the Senator from Michigan yield?

Mr. FERGUSON. I yield.

Mr. MANSFIELD. I think the next logical step is to outlaw the party. If we are against Communists, we had better outlaw the party, and this is the way to do it.

Mr. FERGUSON. Why not outlaw certain types of conduct?

Mr. MANSFIELD. Outlaw the whole party.

Mr. FERGUSON. Why not outlaw an organization which is substantially directed, dominated, or controlled by an individual or individuals who are, or who within 5 years have been, actually engaged in knowingly giving aid and support to a Communist-action organization?

Mr. KNOWLAND. That is all taken care of by the amendment of the Senator from Texas [Mr. DANIEL], which is now the pending amendment. He has added the precise language of the Butler bill as a part of the Humphrey substitute.

Mr. FERGUSON. But the difficulty is that we are still retaining the "membership" idea.

Mr. MANSFIELD. The difficulty is that we are faced with a decision, at long last, and for the first time, as to whether or not we want to outlaw the Communist Party in the United States.

Mr. KNOWLAND. As a part of an international conspiracy.

Mr. MANSFIELD. Yes; because it advocates the overthrow of the Government, violates the laws of the country, and is a part of an international conspiracy.

Mr. FERGUSON. If it is the intention to retain membership in the Communist Party as one of the elements, I

should like to ask the Senator from Minnesota where he would add the words on page 2 of the Butler bill in his amendment in the nature of a substitute.

Mr. HUMPHREY. I shall be delighted to answer the Senator from Michigan.

Mr. KNOWLAND. The author of the amendment, who is offering the entire Butler bill, as modified, could give that as a part of the legislative history.

Mr. DANIEL. At the end of the Humphrey substitute, my amendment would add all of the Butler bill, renumbering the sections and making certain modifications which I have explained to the Senate. If my amendment is adopted, there will have been added to the Humphrey substitute all of the Butler bill.

Mr. KNOWLAND. With a separability clause, so that if the Humphrey substitute should be declared unconstitutional by the Supreme Court, the Butler bill would stand as reported by the committee, with such modifications as have been agreed to, including the Ives amendment.

Mr. HUMPHREY. Or vice versa.

Mr. KNOWLAND. Or vice versa.

Mr. DANIEL. So that if part of either proposal should be declared unconstitutional by the Supreme Court, the remaining portion, which would be severed, would remain the law of the land.

Mr. KNOWLAND. I ask the Senator from Texas—and this may be one of the points bothering the Senator from Michigan—whether or not the provisions of the Butler bill, in and of themselves, are contingent upon the sections of the Humphrey amendment.

Mr. HUMPHREY. Not at all.

Mr. KNOWLAND. In other words, it is not required that these things shall have been done, plus membership in the party, but it is like two bills in one.

Mr. HUMPHREY. Siamese twins, so to speak.

Mr. KNOWLAND. If this provision is held to be constitutional and sound, and if such persons violate the law and are also members of the International Communist conspiracy, the Communist Party—which is a conspiracy, rather than a political party—and if they have committed any overt act, the Attorney General could still apply against them the Internal Security Act provisions for having violated the sections of the Butler bill and the Internal Security Act. Is that correct?

Mr. DANIEL. That is correct.

Mr. FERGUSON. But the difficulty is that the Senator has not changed the definition of membership in the proposal to outlaw the Communist Party. I say that what is sought to be done is an idle gesture. The Senator is seeking to outlaw what no longer exists in the United States. What the Senator is seeking to outlaw is the following:

> Whoever knowingly and willfully becomes or remains a member of (1) the Communist Party, or (2) any other organization having for one of its purposes or objectives the establishment, control, conduct, seizure, or overthrow of the Government of the United States, or the government of any State or political subdivision thereof, by the use of force or violence, with knowledge of the purpose or objective of such organization, shall upon conviction be punished as provided by section 15 of the Subversive Activities Control Act of 1950.

The Senator from Minnesota is requiring the element of membership in a party which has for its purpose the control, seizure, or overthrow of the United States Government or one of its subdivisions.

Mr. KNOWLAND. That is not exclusive. If the Senator from Michigan is correct in his statement that under the Taft-Hartley Act no one has admitted that he was a member of the Communist Party—and generally or probably that has been the case——

Mr. FERGUSON. Because it cannot be proved.

Mr. KNOWLAND. Because it cannot be proved. It seems to me, under those circumstances, it is not necessary to proceed under this section, which might be called a separate title, if it were desired to have the bill written in that way. It would not be necessary to proceed under the Humphrey substitute. The procedure could be under the section offered by the Senator from Texas [Mr. DANIEL], or under the Internal Security Act, which prescribes certain standards for determining overt acts against the Government of the United States.

I think the legislative intent has been made clear by the author of the original substitute, the Senator from Minnesota [Mr. HUMPHREY], and the author of the amendment to the substitute, the Senator from Texas [Mr. DANIEL]. They do not desire to affect adversely, in the slightest degree, the operation or scope of the Internal Security Act.

If there is any technical situation because of which the conferees might find that some change in language were needed, it seems to me that that could be settled in conference. But I think the legislative intent is clear—at least, I hope it is clear—from the debate.

As I understand, it has been confirmed by both Senators that the Daniel amendment, which is really the Butler bill, is not dependent in the slightest degree upon the Humphrey substitute.

Mr. HUMPHREY. It is not.

Mr. KNOWLAND. Prosecutions under the Daniel amendment would not be dependent upon the Humphrey substitute. Each stands on its own feet. A proceeding may be had under the Daniel amendment without regard to the Humphrey substitute.

If in case of the Humphrey substitute the empty gesture of preserving the Communist Party, as such, were made, because of continuing to maintain its name, or if it becomes an overt, subversive organization under any other name, procedure can be taken under the Internal Security Act or under the Butler bill.

Mr. HUMPHREY. Or under the Humphrey substitute.

Mr. KNOWLAND. Or under the Humphrey substitute.

Mr. HUMPHREY. Section 2 of the Humphrey substitute contains findings of fact which declare as a congressional policy that the Communist Party is not a political party in the normal understanding of the terminology, but is a conspiratorial apparatus, an international conspiracy, with a sort of holding company operation in the United States. Therefore, it does not qualify as a political party. Second, this conspiratorial apparatus is dedicated to the destruction and overthrow of the Government and all representative institutions throughout the country, through the overthrow of the Republic. That is an established fact; and once that fact is acknowledged it will be much easier to deal with the Communist conspiracy in this country.

Mr. KNOWLAND. If a person refuses to register, which is what is being done now, because such persons resign from the party the moment they walk through the doorway, as was so well poined out by the Senator from Indiana [Mr. JENNER], it is still not necessary to prove that they are members of the Communist Part, because if they have been engaged in an organization which has tried to subvert the Government by overt acts or by other violations of the Internal Security Act, they can still be proceeded against under the power and authority of the Butler bill.

Mr. HUMPHREY. And under the Smith Act.

Mr. FERGUSON. The difficulty with the procedure now is that the Senator is trying to outlaw one thing, namely, membership in a party.

Mr. KNOWLAND. In a conspiracy.

Mr. FERGUSON. No, in a party.

Mr. HUMPHREY. Or any other organization.

Mr. FERGUSON. That is right; or any other organization. The Humphrey substitute refers to membership in "the Communist party, or any other organization having for one of its purposes or objectives the establishment, control, conduct, seizure, or overthrow of the Government of the United States."

What I seek to outlaw is what communism is doing—not membership in a party or an organization.

Notice how the Humphrey substitute avoids this language:

> Any organization in the United States which is substantially directed, dominated, or controlled by an individual or individuals who are, or who within 5 years have been actively engaged in.

Now we come to the real meaning of what the Communists are doing in America. It is not membership in the party which concerns us; it is what the members are doing. What are they doing?

> Giving aid or support to a Communist-action organization, a Communist foreign government, or the world Communist movement.

Why does not the Senator from Minnesota include that in his definition?

Mr. HUMPHREY. I have accepted the amendment offered by the Senator from Texas [Mr. DANIEL], which is exactly what the Senator from Michigan has been reading.

Mr. FERGUSON. The Senator from Minnesota does not add anything to this definition.

Mr. HUMPHREY. The Senator from Texas has been consulting with me all afternoon. We have been working on his proposal. I have said I thought it

was a desirable proposal, and I have accepted it as a modification of my substitute.

Mr. KNOWLAND. The Senator from Minnesota said he would be willing to accept it.

Mr. HUMPHREY. I said I would be willing to accept it.

Mr. KNOWLAND. I said I wanted to have a separate vote on the two parts.

Mr. HUMPHREY. I point out to the Senator from Michigan that I have done, in the findings and declarations set out in section 2 of my substitute, everything to which the Senator from Michigan is directing attention therein. We have been making speeches about the menace of communism in every American Legion and VFW Post in America to the effect that we ought to outlaw the party. We are going to outlaw it this afternoon.

Mr. FERGUSON. We would be outlawing something that does not exist now. That is the trouble. There is no longer such a thing as membership in the party. What we should do is outlaw the conduct of communism. I propose to revise the language of the Humphrey substitute so as to encompass only those actually engaged in a conspiracy. That is the point. Certainly, we must not use idle words today.

Madam President, I ask unanimous consent that I may ask the Senator from Texas a question.

The PRESIDING OFFICER (Mrs. SMITH of Maine in the chair). Without objection, it is so ordered.

Mr. FERGUSON. First, I should like to ask the Senator from Minnesota if he has included in the definition of membership in the party the words or the substance of the Butler bill beginning on page 1, line 9, down through and including line 14 on page 2?

Mr. HUMPHREY. We included it all.

Mr. FERGUSON. It was included in a separate bill.

Mr. HUMPHREY. I wish the Senator from Michigan would work it out with the majority leader. The majority leader has the proper insight into the situation. I see no sense in being involved in this. I concur with the majority leader. He knows what we are after. He understands we are not proposing to repeal the Smith Act or other anti-Communist acts. All I am trying to do is help a little. I do not want to become involved in this family fight. I shall take my seat.

Mr. FERGUSON. Will the Senator from Minnesota answer the question of the Senator from Michigan as to whether there are now two bills in one, and whether the provision as to membership includes the definition in the Butler bill as to the conduct of communism?

Mr. DANIEL. I said earlier in the afternoon that had I drafted the Humphrey substitute I would have omitted such language. When I was attorney general of my State I drafted such a bill for the Texas Legislature, and I did not specify the names of parties. However, with that in mind, I carefully read all of the language relating to the congressional declaration that the Communist Party of the United States is a part of an international conspiracy which would overthrow the United States Government by force.

I believe that if it is constitutionally possible ever to single out an organization and say that membership therein is a violation of the law, the language of the bill properly does that very thing.

However, suppose we are wrong about that. Suppose the Court should say it is unconstitutional to single out a certain organization by name; and that we ought to single out certain actions of the members of the organization, and the purposes and designs of the organization in general, so that any organization violating those proscribed actions might come under the law. That is in the Humphrey substitute just as clearly as it could be placed in it.

It seems to me that the Senator from Michigan is right when he states that those provisions could be put in two separate bills; but since the Senator from Minnesota has offered his substitute to outlaw the Communist Party, it would mean, if it should be adopted, that the Butler bill and all the work done on it with respect to Communist-infiltrated organizations would go by the board. Therefore I began work to see if the Humphrey substitute could not be amended so as to include the provisions of both the substitute and the bill. That proposal is now before the Senate. If my proposal is adopted, the provisions of the Butler bill would be added to the Humphrey substitute, and the Senate could then vote on the provisions in one bill.

Mr. FERGUSON. The difficulty is that two sections are involved.

Mr. DANIEL. Almost all bills have more than one section.

Mr. FERGUSON. This is how the term "Communist Party" is defined in the Humphrey substitute:

> For the purposes of this section, the term "Communist Party" means the organization now known as the Communist Party of the United States of America, the Communist Party of any State or subdivision thereof, and any unit or subdivision of any such organization, whether or not any change is hereafter made in the name thereof.

The Butler bill spells out Communist organization, the Communist foreign government, or the world Communist movement. That definition is left out in the Humphrey substitute. In the definition, reference to Soviet Russia is left out.

Mr. MORSE. Madam President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Oregon?

Mr. KNOWLAND. Madam President, I have the floor, but in order that the situation may be clarified, I ask unanimous consent that I may be permitted to yield without losing my right to the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. KNOWLAND. I yield to the Senator from Oregon.

Mr. MORSE. As one of the sponsors of the substitute, let me say that we welcome adding the suggestion of the Senator from Michigan to the substitute.

Mr. FERGUSON. That is what I have been trying to do.

Mr. MORSE. We are glad to add that language to it.

Mr. FERGUSON. The Senator from Texas put it in another section, and allowed it to be severed from this section.

Mr. KNOWLAND. Madam President, in view of that statement—and the author of the original substitute is present—if the Senator wants to add that provision to the original substitute, we are prepared to take it. Then there would be included both the provision for the outlawing of the Communist Party in the language which the Senator desires and the provisions of the Butler bill.

Mr. FERGUSON. It is perfectly satisfactory to the Senator from Michigan if a proper definition is included. If the Senator from California will allow us sufficient time to frame the language, I think I can revise the language of the Humphrey substitute—and this goes to the very heart of the matter—so as he include only conspirators.

Mr. KNOWLAND. I expect to suggest the absence of a quorum very shortly.

Mr. PAYNE. Madam President, will the Senator yield?

Mr. KNOWLAND. I yield to the Senator from Maine.

Mr. PAYNE. I have been greatly interested in the long debate which has taken place with reference to the measure which has been under discussion It is a measure in which many of us long have had an interest, but I think the record should be made unmistakably clear, and it should be emphasized in the RECORD, that the first Member of the Senate to introduce proposed legislation of this nature was none other than my distinguished colleague, the senior Senator from Maine [Mrs. SMITH]. She has constantly fought to have the Congress outlaw the Communist Party, an organization which is international in scope, and with respect to whose members our people have spent millions of dollars in an effort to eliminate them from government, and others places, for they have found a way to ferret themselves even into the very structure of our free Government itself; up to this very moment the Government and we of the Congress have not given the recognition to which, in my opinion, the senior Senator from Maine has long been entitled for having recognized the necessity for legislation which would clearly and unmistakably outlaw a party with which we cannot live and which is determined to tear down the very structure of the American Government and the institutions of its free people. Let the word go out to the entire world that we of America will have no part of it. We will not live with it, and we do not want it under any guise whatever.

So I am happy to say that I stand, as I always have stood, with the senior Senator from Maine [Mrs. SMITH], and I shall likewise stand in support of the position the majority leader has taken this afternoon in supporting both the

amendment of the distinguished Senator from Texas and the substitute of the Senator from Minnesota.

Mr. MORSE and Mr. LEHMAN addressed the Chair.

Mr. KNOWLAND. I yield first to the Senator from Oregon. Then I shall yield to the Senator from New York.

Mr. MORSE. I wish to say to the junior Senator from Maine [Mr. PAYNE] that I completely agree with the tribute he has just paid to the senior Senator from Maine [Mrs. SMITH].

I am sure the junior Senator from Maine was not on the floor earlier in the afternoon when the Senator from Minnesota paid a similar tribute to the senior Senator from Maine, for the leadership she has taken on this issue.

Mr. President, if the majority leader will permit me——

Mr. KNOWLAND. Yes.

Mr. MORSE. I should like to ask the Senator from Texas a question which I think is most relevant to the discussion we have been having with the Senator from Michigan [Mr. FERGUSON]. When we come to the issue of whether any part of the Humphrey amendment may raise a constitutional question, and particularly with reference to the point the Senator from Texas made, relating to the singling out of an organization by name, rather than by setting forth the acts that are to be made illegal, does the Senator from Texas agree with me that the language of the Humphrey amendment, the language of the Butler bill and, for that matter, the language of the Daniel amendment permit of the application by the courts of the doctrine of separability? Does the Senator agree with me that when the court comes to pass on any constitutional issue which may be raised in connection with the bill, it will find itself in a position to say that if some portion of the bill is found not to comply with some legal test the court may wish to apply to it, the doctrine of separability will be applicable to this bill?

Mr. DANIEL. I certainly agree.

Mr. MORSE. I also agree. However, I wish to say that I am satisfied that the bill in its entirety will meet any constitutional test the courts may put it to.

Mr. KNOWLAND. I thank the Senator from Oregon.

Mr. LEHMAN. Madam President, will the Senator from California yield to me?

Mr. KNOWLAND. I yield.

Mr. LEHMAN. I was very much interested in the remarks of the junior Senator from Maine [Mr. PAYNE], and I agree with him that the senior Senator from Maine [Mrs. SMITH] deserves a great deal of credit.

I have been amazed to hear some of my colleagues, notably the Senator from Michigan, imply that there is no such thing as danger from the Communist Party in this country. As a matter of fact, we have been hearing for days, months, and years about the danger.

Mr. KNOWLAND. Madam President, in fairness to the Senator from Michigan, who is not now on the floor, I wish to state that I was here during the entire discussion, and I do not think the Senator from Michigan said there was no danger from the Communist Party. As I understood his remarks, he said the Communist as a matter of party practice deny they are members of the so-called Communist Party; and, except for the officers they have from time to time, the membership is a sort of vanishing membership, and is very difficult to deal with them, just as it is very difficult to handle quicksilver. Whenever Communists appear before a committee to testify or to sign the Taft-Hartley affidavit, they automatically resign from membership just before they testify or sign the affidavit. However, that does not mean that the Communist Party is not a danger. Certainly it is a danger; and all Senators—including the Senator from Michigan [Mr. FERGUSON], the Senator from New York [Mr. LEHMAN] and all the others of us—recognize the danger.

Perhaps I am treading where angels should fear to tread—because I am not a lawyer—but at least I may say that I have tried to analyze the situation carefully. It seems to me that the Butler bill is a sound one; and with the modifications which have been made to it, by way of amendment—including the amendment of the Senator from New York [Mr. IVES], as modified, and with the pending amendment of the Senator from Minnesota [Mr. HUMPHREY], with the changes submitted by the Senator from Texas [Mr. DANIEL]—I believe the bill will be a good one.

As I have recognized earlier in my remarks, some further clarification may be necessary; and, if so, I believe the conferees will be able to work it out.

But in view of the suggestion which finally has developed, and which the Senator from Michigan has accepted, namely, to add the amended provisions of the Butler bill to the Humphrey amendment—and the distinguished Senator from Minnesota and the distinguished Senator from Michigan made it very clear that that would be agreeable to them—I hope we shall solve the problem and shall be able to pass the bill, and then proceed with bills on the calendar and with other legislative business.

In fairness to the Senator from Michigan, I wished to clarify that point.

Mr. LEHMAN. Madam President, will the Senator from California yield further to me?

Mr. KNOWLAND. I yield.

Mr. LEHMAN. However, the impression was given that the Communist Party in this country amounts to very little, and that its members virtually disappear.

Let me ask the distinguished majority leader whether it is not a fact that the many Communist leaders who were convicted under the Smith Act were convicted because of their known and established membership in the Communist Party.

Mr. KNOWLAND. I think they were convicted for the part they were taking in the international conspiracy. Again I state that I am not a lawyer, but I believe those leaders were convicted for the part they took in the international conspiracy which has for its purpose the overthrow by force or violence of the Government of the United States. Under those circumstances, it matters little whether the organization is known as the Communist Party or has some other name; the revolutionary banner carriers, by whatever name they might be called, would still have been guilty under the Smith Act if they were participating in an organized movement directed at the forcible overthrow of the Government of the United States.

Mr. LEHMAN. But the basis on which those leaders were convicted was membership in the Communist Party.

Mr. KNOWLAND. Yes; but even if they are proved not to be members of the Communist Party, that does not free us from such a conspiracy. In that connection, let me point out that when I was in Czechoslovakia, about 1947, the leaders of the then free Government of Czechoslovakia said to me, "Senator, in our last election in this country the Communists polled less than 5 percent of the total vote."

I asked, "What do you think they will do in the next election?"

They said, "We think they will show a loss of strength, and probably will not poll more than 3 percent of the vote."

I said, "I have just come from Poland, where the Communists are taking over the government. Aren't you afraid they will do the same thing here in your country?"

They said, "No, Senator. We have a constitution molded on the American Constitution. Our great leaders, Benes and Masaryk, were educated partly in your country, and they know American constitutional procedures. We have a completely free press, and freedom of religion, and the highest standard of living in Eastern Europe. We do not think we will ever lose our freedom."

But within 7 months from that date, a coup d'etat in Prague and in the other cities of Czechoslovakia destroyed the freedom of Czechoslovakia; and every one of the leaders to whom I talked, is today either dead or is in a prison camp or has been exiled into the Soviet Union or, in some cases, has fled to the United States. Several of them have come to the United States. All who have not been forcibly captured by the Russians have been forced to flee from their country. Yet, while that conspiracy existed in Czechoslovakia, in the last free election that was held in that country the Communists polled less than 5 percent of the votes.

So I am not particularly impressed by statements that the Communist organization in the United States is a small one. It is a revolutionary conspiracy, with the purpose of destroying the Government of the United States, of destroying free institutions; and it takes its party line from the Kremlin. In my judgment, in the event of war between the United States and the Soviet Union, the members of the Communist Party would be espionage agents and saboteurs, and would operate behind our lines, in an attempt to destroy the productive capacity of the United States and to sabotage our industrial plants and to blow up our railroad lines and our port facilities, and to spy for the Soviet Union; and, in fact, they would be, and they are, the enemies of the people of

the United States and of all the other people of the free world.

That is the type of conspiracy with which we are attempting to deal in this case. They are in no sense a political party. They are part and parcel of a movement which has for its purpose the death of freedom everywhere in the world.

Mr. LEHMAN. Madam President, will the Senator from California yield to me at this point?

Mr. KNOWLAND. I am glad to yield.

Mr. LEHMAN. I am very glad, indeed, to hear those very encouraging words from the majority leader. It was because of my strong feeling that it is necessary to make an honest, sincere, undisguised frontal attack on the Communist conspiracy, led by the Communist Party, in this country, that I was very glad, indeed, and proud to join with my friend and colleague, the junior Senator from Minnesota [Mr. HUMPHREY], in sponsoring the amendment.

Mr. HUMPHREY. Madam President, will the Senator from California yield to me?

Mr. KNOWLAND. I yield.

Mr. HUMPHREY. First, Madam President, I wish to commend the majority leader for what I regard as his splendid dissertation upon and description of the Communist apparatus.

If the Senator from California will permit me to do so, I wish to say that I believe he will be interested in having me read into the RECORD at this time certain language of my amendment "J," as follows:

> The Communist Party is relatively small numerically, and gives scant indication of capacity ever to attain its ends by lawful political means. The peril inherent in its operation arises not from its numbers, but from its failure to acknowledge any limitation as to the nature of its activities, and its dedication to the proposition that the present constitutional Government of the United States ultimately must be brought to ruin by any available means, including resort to force and violence. Holding that doctrine, its role as the agency of a hostile foreign power renders its existence a continuing threat to the security of the United States.

The Senator from Minnesota has tried in the compactness of a few paragraphs to point out the nature of this conspiratorial apparatus that hangs over our heads and gnaws at our sinews. I am willing to accept amendments which will improve my substitute amendment. All I am asking is that the Senate once and for all state its position on this amendment. Whether or not the law will become as effective as everybody wants it to, if the bill shall be passed, at least we have come clean morally and politically on this proposition.

Mr. KNOWLAND. I yield to the Senator from Idaho, and then I shall yield to the Senator from Michigan.

Mr. WELKER. I am delighted to hear this discussion of the Communist conspiracy. I do not think I have ever enjoyed a Senate debate as much as I have the one this afternoon, seeing the Members of the Senate fight against this conspiracy which seeks to destroy our country.

Madam President, I have heard it said that the pending measure and the amendment attack only the branches, leaves, fruit, and limbs of the tree, and that we should also attack the trunk. I should like to suggest, on behalf of the junior Senator from Idaho, that we should not only attack the trunk of the consipracy, but as the first order of business when Congress reassembles next January we should dig out the roots of this infamous conspiracy by severing diplomatic relations with Russia and every one of the satellite countries she controls, because, in the opinion of the junior Senator from Idaho, all their embassies and every place where they stay in this country are nothing but havens, nests for spies, saboteurs, and espionage agents.

I invite the Senator from Minnesota to join me in a crusade, come January, to get the roots as well as the trunk.

Mr. KNOWLAND. I yield to the Senator from Michigan.

Mr. FERGUSON. The proposal we desire to submit is on page 3 of the Humphrey substitute to add at the end of line 25 the following language:

> Or whose members are substantially directed, dominated, or controlled by an individual or individuals who are, or who within 3 years have been actively engaged in, knowingly giving aid or support to a Communist-action organization, a Communist foreign government, or the world Communist movement referred to in section 2 of the Internal Security Act of 1950 and (B) is serving, or within 3 years has served, as a means for (i) knowingly giving of aid or support to any such organization, government, or movement or (ii) the impairment of the military strength of the United States or its industrial capacity to furnish logistical or other material support required by its Armed Forces.

Then we propose to add another section at the end of the bill, to read:

> For the purpose of this act, in determining whether or not a person is a member of an organization, the court or agency required to determine such membership shall take into consideration the connection of such person or persons with such organization as evidenced by his adherence to the discipline of the organization, his acceptance of the purposes and objectives of the organization, and other such incidents of affiliation with the organization.

What is membership?

Mr. HUMPHREY. If the Senator wants to propose a substitute to the Humphrey substitute, let him so propose. I cannot understand what his idea is, unless the Senator simply desires to amend the bill by adding the Ferguson amendment. What we have here already is a statement of the findings of fact, a statement as to proscribed organizations and their nature, and the Daniel amendment, which brings in everything the Butler bill contains. Now the Senator gets into a whole wide area far beyond anything that has ever been discussed in connection with this matter.

Mr. KNOWLAND. Is what the Senator from Michigan proposes substantially the language of the Butler bill?

Mr. FERGUSON. The first part which I read——

Mr. HUMPHREY. Is in the bill.

Mr. FERGUSON. Wait a minute. It is not in this part of the bill. There is a severability clause in it.

Mr. KNOWLAND. Can we not take the amendments one at a time?

Mr. FERGUSON. Will the Senator take the first proposal I have read?

Mr. DANIEL. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. DANIEL. As I understood the Senator from Michigan, he was going to improve upon the definition of "Communist Party."

Mr. FERGUSON. That is correct.

Mr. DANIEL. It appears to me that he is including organizations which we are defining in the Butler bill as being Communist-infiltrated organizations. Would the Senator say that all Communist-infiltrated organizations are the same as the Communist Party?

Mr. FERGUSON. No.

Mr. DANIEL. The Senator would not want the definition of "Communist Party" to include Communist-infiltrated organizations, would he?

Mr. FERGUSON. This definition is one which would apply to a Communist organization, or a Communist foreign government, or a world Communist movement.

Mr. HUMPHREY. We have all that in the bill.

Mr. FERGUSON. We do not have it in the definition of what we are outlawing.

Mr. KNOWLAND. Will the Senator read his first proposed amendment again so we can follow it, and without the subsequent one at the end of the bill?

Mr. FERGUSON. I am reading now from——

Mr. KNOWLAND. Page 3 of the Humphrey substitute.

Mr. FERGUSON. I will read it all so it will join up properly.

Mr. GEORGE. Would it not be wise to give some consideration to saying what the court shall consider as evidence? The Senator's amendment is a mandatory order to the Supreme Court.

Mr. FERGUSON. That is covered in the second section.

Mr. GEORGE. Yes.

Mr. FERGUSON. Line 20 reads:

> (b) For the purposes of this section, the term "Communist Party" means the organization known as the Communist Party of the United States of America, the Communist Party of any State or subdivision thereof, and any unit or subdivision of any such organization, whether or not any change is hereafter made in the name thereof—

Mr. KNOWLAND. Parenthetically, that is the existing language of the Humphrey substitute. Now the Senator brings in new language.

Mr. FERGUSON. To continue—

> or whose members are substantially directed, dominated, or controlled by an individual or individuals who are, or who within 3 years have been actively engaged in, knowingly giving aid or support to a Communist-action organization, a Communist foreign government, or the world Communist movement referred to in section 2 of the Internal Security Act of 1950—

Mr. DANIEL. Madam President, will the Senator yield right there?

Mr. FERGUSON. I yield.

Mr. DANIEL. Under the definition as far as the Senator has gone, he would say that "Communist Party" as used in this act means any organization whose members have been contributing aid to a Communist-front organization or a Communist-action organization. Is that correct?

Mr. FERGUSON. A Communist-action organization, a Communist foreign government, or the world Communist movement.

Mr. DANIEL. Would the Senator want all organizations which had members who were in that category to be defined as the Communist Party?

Mr. FERGUSON. As being included in the membership of the Communist Party. We are not dealing with the Communist Party.

Mr. DANIEL. We are dealing with the definition of the term "Communist Party." That is what the Senator's words refer to.

Mr. FERGUSON. Yes; that is the Communist Party, where the membership is substantially directed.

Mr. DANIEL. Suppose there is an organization of a thousand members, and only 2 members are substantially aiding Russia or a Communist-front organization, would the Senator mean to define that organization of a thousand members, 998 of whom are not engaged in the proscribed acts, as the Communist Party?

Mr. FERGUSON. I believe if we are to act on the membership, it is necessary to do it as I suggest.

Mr. DANIEL. I do not see how the Senator could include those words in the definition of the Communist Party.

Mr. FERGUSON. Would the Senator accept this language?

Mr. MORSE. Madam President, will the Senator from California yield?

Mr. KNOWLAND. I yield.

Mr. MORSE. I should like to ask the Senator from Michigan a question. Is the first part of the language the Senator has read taken verbatim from the Butler bill?

Mr. FERGUSON. Practically so.

Mr. MORSE. I made very clear that if the Senator's objection to the Humphrey amendment is that it does not include certain language in the Butler bill which he believes is needed for clarification purposes, I would welcome, so far as I am concerned, the insertion of such language. I still stand by what I said. If it be true that the Senator is adding language over and above what is contained in the Butler bill, then I shall want to study its effectiveness.

Mr. FERGUSON. I strike out the word "title" and substitute "Internal Security Act of 1950," which is the act itself, or the title referred to.

Mr. HUMPHREY. We are dealing with two organizations. First there is a Communist-infiltrated organization, and then a Communist-dominated organization. They are separate and distinct, insofar as their structure is concerned, from the Communist Party, or other organizations that are designed for the purpose of sabotage, force, and violence.

Communist-front organizations are designed for political purposes. It appeared to me that the Butler bill and the Subversive Activities Control Act of 1950 are directed primarily toward those organizations which could be called action organizations in political, social, and cultural areas. The purpose of my substitute is to pinpoint the Communist Party and to outlaw membership in that party and thereby the party itself. The organizations are really separate and distinct. I am not trying to weaken the bill; I am endeavoring to improve it.

Mr. FERGUSON. But the Senator from Minnesota is weakening it.

Mr. HUMPHREY. I believe we have covered the tracks as well as we can and have covered the main area involved.

Mr. FERGUSON. The Senator is weakening it to this extent—that all he would be outlawing would be the Communist Party. I read from his definition:

> For the purpose of this section, the term "Communist Party" means the organization now known as the Communist Party of the United States of America.

Mr. DANIEL. Madam President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. DANIEL. In addition to that, the Humphrey substitute would outlaw any other organization having—I am reading from page 3, line 11—

> any other organization having for one of its purposes or objectives the establishment, control, conduct, seizure, or overthrow of the Government of the United States, or the government of any State or political subdivision thereof, by the use of force or violence—

And so forth.

Mr. FERGUSON. It would not outlaw those organizations in America which are the real Communist Party in America, and which are carrying out the Communist foreign government idea or the world Communist movement referred to in section 2 of the Internal Security Act of 1950.

Mr. DANIEL. There are now included in the bill the Communist Party, which is referred to in the Humphrey substitute, and Communist-infiltrated organizations referred to in the Butler bill. The Senator's definition would appear to me to make the organizations synonymous. They are actually separate. We are dealing with one in the Butler bill and with the other in the Humphrey substitute.

Mr. FERGUSON. Will the Senator amend the section so as to include organizations which are formed to carry out the policies of a Communist foreign government or the world Communist movement referred to in section 2 of the Internal Security Act of 1950?

Mr. DANIEL. That would certainly be acceptable to the Senator from Texas.

Mr. FERGUSON. I believe that would cover the situation.

Mr. MORSE. Madam President——

Mr. KNOWLAND. I yield to the Senator from Oregon.

Mr. MORSE. Mr. President, I am just thinking out loud. I have not had a chance to sit down and write anything on paper.

In order to outline an area of possible agreement, is there any objection, on page 3 of the Humphrey amendment, to inserting after line 19, language to the following effect? It would be a new section (b). The present section (b) would become section (c).

> (b) Who has knowingly and willfully become or remained a member of a Communist-infiltrated organization.

Mr. FERGUSON. I do not want to go that far. I want to provide for a Communist organization organized or carrying out a Communist foreign government policy.

Mr. MORSE. Let me state it this way. I think this might solve our problem. Let me redraft the language on page 3 so that we will accept article (a) of section 3 as it appears in the Humphrey substitute, and then add section (b), which will cover the activities of the Communist-infiltrated organizations.

Mr. FERGUSON. I do not want to go that far. I want to cover those organizations which are carrying out a Communist foreign government policy or the world Communist movement referred to in section 2 of the Internal Security Act of 1950.

Mr. MORSE. Is not the Communist Party such an organization?

Mr. FERGUSON. No. The Communist Party is the organization that is carrying out the foreign government policy or program. I do not want to go as far as the Senator suggests.

Mr. MORSE. I shall step into the cloakroom to put something on paper.

Mr. DANIEL. Does the Senator from Michigan have his proposal reduced to writing?

Mr. FERGUSON. No; I have not. I have tried to compose it on the floor. If we may have a quorum call, I may be able to write it out and submit it to the Senator from Texas.

Mr. KNOWLAND. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. KNOWLAND. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KNOWLAND. Madam President, I ask that the yeas and nays be ordered on the Daniel amendment to the Humphrey amendment, which is in the nature of a substitute for the bill.

The yeas and nays were ordered.

Mr. KNOWLAND. The other amendments will come on the substitute after the Daniel amendment is adopted.

The PRESIDING OFFICER. The yeas and nays have been ordered. The question is on agreeing to the amendment of the Senator from Texas [Mr. DANIEL] to the amendment of the Senator from Minnesota [Mr. HUMPHREY].

Mr. MORSE. Madam President, will the Senator from California yield that I may make an insertion in the RECORD?

Mr. KNOWLAND. I would rather have the vote on the pending amendment first.

Mr. CASE. Madam President, will the Senator yield?

Mr. KNOWLAND. I yield to the Senator from South Dakota.

Mr. CASE. May I have the attention of the Senator from Minnesota for a question? On page 3, line 2, of the Humphrey substitute, the language is as follows:

> Holding that doctrine, its role as the agency of a hostile foreign power renders its existence a continuing threat to the security of the United States.

I am wondering if that preamble or finding of facts really has value or meaning. I suppose it does, but I always wonder about preambles. If that sentence is to be included, should there not be included such language as "clear, present, continuing threat," in view of court decisions?

Mr. KNOWLAND. Madam President, the parliamentary situation is such that after the amendment of the Senator from Texas has been acted upon, the Humphrey substitute will still be open for amendment of the section to which the Senator from South Dakota refers to as a preamble.

All that is done by the Daniel amendment is to add the Butler bill, as modified, to the Humphrey substitute. After action has been taken on the Daniel amendment, the Humphrey substitute will be open to amendment. The Senator from Michigan [Mr. FERGUSON] and the Senator from Oregon [Mr. MORSE] have been working further on the Humphrey substitute, and I understand it is now acceptable to the Senator from Minnesota and will be taken up for consideration following action on the Daniel amendment.

While the Senator from South Dakota is privileged, of course, to ask for consideration of his suggestion now, I simply wish to suggest that the Humphrey substitute will be open for further modification after the vote on the Daniel amendment.

Mr. HUMPHREY. I think the Senator from South Dakota has made a good point, because what he has suggested is a matter of legal doctrine. At the proper time, I shall be glad to accept the modification, but I think the majority leader has correctly outlined the procedure which should now be followed.

Mr. KNOWLAND. Madam President, as I understand, the yeas and nays have been ordered on the Daniel amendment.

Mr. KUCHEL. Madam President, I should like to have the clerk read the text of the Daniel amendment.

Mr. DANIEL. Madam President, I asked unanimous consent, in offering the amendment, that it be printed but not read, because it is so long. It is the entire Butler bill, which has been discussed in the Senate since yesterday, with a few modifications.

Mr. KUCHEL. Does the Senator from Texas mean that the amendments which have been considered and, at least in one instance, adopted will be eliminated if his amendment is agreed to?

Mr. DANIEL. No. As I pointed out earlier in the day, amendments which already have been adopted, including the Ives amendment, are all a part of the Butler bill, which I have now offered as an amendment, with other modifications. In the interest of time, I hope that the junior Senator from California will not ask to have the amendment read in full. I will be glad to explain the modifications. Otherwise, it is the Butler bill which we have been discussing for 2 days.

Mr. KUCHEL. Until a half hour ago, the Committee on Interior and Insular Affairs, of which I am a member, was meeting, and I did not hear the discussion which has taken place on the bill. I desire to be certain of the text of the Senator's amendment. As I understand, the Daniel amendment is merely the Butler bill as modified by the amendment offered by the senior Senator from New York [Mr. IVES] which was agreed to.

Mr. DANIEL. That is substantially correct. The Butler bill with slight modifications, offered as an amendment to the Humphrey substitute.

The PRESIDING OFFICER (Mrs. BOWRING in the chair). The question is on agreeing to the amendment of the Senator from Texas [Mr. DANIEL] to the amendment in the nature of a substitute of the Senator from Minnesota [Mr. HUMPHREY].

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. SALTONSTALL. I announce that the Senator from North Dakota [Mr. LANGER] is absent by leave of the Senate. The Senator from New Hampshire [Mr. BRIDGES], the Senator from Indiana [Mr. CAPEHART], and the Senator from Vermont [Mr. FLANDERS] are necessarily absent.

If present and voting, the Senator from New Hampshire [Mr. BRIDGES], the Senator from Indiana [Mr. CAPEHART], and the Senator from Vermont [Mr. FLANDERS] would each vote "yea."

Mr. CLEMENTS. I announce that the Senator from Mississippi [Mr. EASTLAND], the Senators from North Carolina [Mr. ERVIN and Mr. LENNON], the Senator from Tennessee [Mr. KEFAUVER], and the Senator from West Virginia [Mr. NEELY] are absent on official business.

The Senator from Alabama [Mr. SPARKMAN] is necessarily absent.

I announce further that if present and voting, the Senator from Mississippi [Mr. EASTLAND], the Senators from North Carolina [Mr. ERVIN and Mr. LENNON], and the Senator from West Virginia [Mr. NEELY] would each vote "yea."

The result was announced—yeas 85, nays 1, as follows:

YEAS—85

Aiken	Duff	Johnson, Colo.
Anderson	Dworshak	Johnson, Tex.
Barrett	Ellender	Johnston, S. C.
Beall	Ferguson	Kennedy
Bennett	Frear	Kerr
Bowring	Fulbright	Kilgore
Bricker	George	Knowland
Burke	Gillette	Kuchel
Bush	Goldwater	Long
Butler	Gore	Magnuson
Byrd	Green	Malone
Carlson	Hayden	Mansfield
Case	Hendrickson	Martin
Chavez	Hennings	Maybank
Clements	Hickenlooper	McCarran
Cooper	Hill	McCarthy
Cordon	Holland	McClellan
Crippa	Humphrey	Millikin
Daniel	Ives	Monroney
Dirksen	Jackson	Morse
Douglas	Jenner	Mundt
Murray	Saltonstall	Upton
Pastore	Schoeppel	Watkins
Payne	Smathers	Welker
Potter	Smith, Maine	Wiley
Purtell	Smith, N. J.	Williams
Reynolds	Stennis	Young
Robertson	Symington	
Russell	Thye	

NAYS—1

Lehman

NOT VOTING—10

Bridges	Flanders	Neely
Capehart	Kefauver	Sparkman
Eastland	Langer	
Ervin	Lennon	

So Mr. DANIEL's amendment to Mr. HUMPHREY's amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. GOLDWATER. Madam President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. GOLDWATER. Is S. 3706 open to further amendment?

The PRESIDING OFFICER. The original bill is open to perfecting amendments.

Mr. GOLDWATER. Am I to understand that such amendments require unanimous consent?

The PRESIDING OFFICER. Unanimous consent is not required to amend the original bill, but is required to amend the amendment which was just voted on.

Mr. FERGUSON. Madam President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. FERGUSON. I should like to address a question to the Senator from Minnesota [Mr. HUMPHREY]. Do I correctly understand that the proposal of the Senator from Michigan would not now be in order as an amendment to amendment J by changing the period in line 25, page 3, and adding certain words?

The PRESIDING OFFICER. The Humphrey amendment is open to amendment.

Mr. FERGUSON. That answers the question.

The PRESIDING OFFICER. The amendment to which the Senate has just agreed is not open to further amendment.

Mr. HUMPHREY. Madam President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HUMPHREY. Is it not true that the pending question before the Senate is the substitute for the bill as originally presented, and that therefore it is open to amendment, as has been suggested by the Senator from Michigan?

The PRESIDING OFFICER. The substitute is open to amendment.

Mr. FERGUSON. Madam President, I send to the desk an amendment to Humphrey substitute J, and I ask that it be stated for the information of the Senate.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 3, line 25, it is proposed to strike the period, insert a comma, and add the following: "or any organization which is substantially directed, dominated, or controlled by the foreign government or foreign

organization controlling the world Communist movement referred to in section 2 of the Internal Security Act of 1950."

Mr. FERGUSON. Madam President, I understand that the Senator from Minnesota is willing to accept that amendment to his substitute, and that he hopes the Senate will agree to it.

The PRESIDING OFFICER. The Chair reminds the Senator that the yeas and nays have been ordered.

Mr. HUMPHREY. Madam President, I accept the amendment to my substitute, and modify it accordingly.

Mr. FERGUSON. Madam President, I send to the desk another amendment to the Humphrey substitute designated "J," and ask that it be stated. It defines membership in the party, and I hope the Senator from Minnesota will accept the amendment to his substitute.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. At the end of the substitute proposed by Mr. HUMPHREY it is proposed to insert the following:

SEC. —. For the purposes of this act in determining whether or not a person is a member of an organization referred to in section 3 hereof the court may take into consideration the connection of such person with such organization as evidenced by his adherence to the discipline of the organization, his acceptance of the purposes of the organization and other incidents of affiliation with the organization with knowledge of such purposes.

Mr. FERGUSON. Madam President, I understand that the Senator has requested unanimous consent——

Mr. HUMPHREY. Madam President, I ask unanimous consent that I may modify my substitute, as amended, in accordance with the amendment of the Senator from Michigan.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. HUMPHREY. I thank the Senator from Michigan, the Senator from Oregon, and other Senators who have cooperated in connection with these amendments.

Mr. SMITH of New Jersey. Madam President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from New Jersey will state it.

Mr. SMITH of New Jersey. I have an amendment which I propose to offer to the original bill, Senate bill 3706. I am not certain where to offer the amendment. Should I offer it to the Daniel amendment to the Humphrey amendment, or to the Humphrey amendment as amended?

Mr. KNOWLAND. Madam President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from California will state it.

Mr. KNOWLAND. Would not the so-called Daniel amendment, which was the original bill, but which now has been added to the Humphrey substitute, be subject to amendment by unanimous consent, only?

The PRESIDING OFFICER. Yes; by unanimous consent only.

Mr. KNOWLAND. Let me suggest to the distinguished Senator from New Jersey that if he will send his amendment to the desk and have it read for the information of the Senate, and if he will then make an explanation of his amendment, it is possible, as I understand it, that it will be agreeable to the Senator from Maryland, and that the Senate may be willing—in view of the nature of the amendment of the Senator from New Jersey—to have it agreed to, by unanimous consent, as a further amendment to the Daniel amendment, which has previously been agreed to by the Senate as an amendment to the Humphrey substitute.

Mr. SMITH of New Jersey. Then, Madam President, that is what I wish to do.

Mr. HUMPHREY. Madam President, let me state that, according to my understanding, the pending question is on agreeing to the substitute.

The PRESIDING OFFICER. As amended.

Mr. HUMPHREY. That is correct, as amended.

If an amendment is now to be added to the substitute, as amended, I should like very much to have an opportunity at least to read the amendment, because I understand that unanimous consent will be required in this case.

Mr. KNOWLAND. Madam President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. KNOWLAND. The Senator from Minnesota will be fully protected in that connection, because the amendment of the Senator from New Jersey cannot be added at this point, in view of the parliamentary situation, except by unanimous consent. As I understand the explanation which has been given by the Senator from New Jersey, all his amendment will do is apply to employers the same rule which will be applied to labor organizations. After all, that was one of the amendments which it was proposed to have added to the Taft-Hartley Act when it was originally passed.

So if the Senator from New Jersey will permit his amendment to be read at the desk, for the information of the Senate, I doubt that there would be any objection to it.

Mr. HUMPHREY. Madam President, let me say that, so far as I am concerned, I have no objection whatsoever to the amendment of the Senator from New Jersey. I have discussed this matter with other Members of the Senate, and I concede that there is no objection to the amendment.

Mr. SMITH of New Jersey. Madam President, I send my amendment to the desk, and ask that it be read.

The PRESIDING OFFICER. The amendment will be read.

The LEGISLATIVE CLERK. On page 8, line 5, it is proposed to insert the words "or employer" immediately following the words "labor organization."

On page 8, line 6, it is proposed to insert the words "these terms are", after the word "as."

On page 8, line 7, after the word "amended" and before the parenthesis, it is proposed to insert the words "and which are organizations within the meaning of section 3 of the Subversive Activities Control Act of 1950."

On page 10, it is proposed to insert a new subsection to be lettered (j) immediately preceding section 6, to read as follows:

(j) When there is in effect a final order of the Board determining that any such employer is a Communist-infiltrated organization, such employer shall be ineligible to:

(1) file any petition for an election under section 9 of the National Labor Relations Act, as amended (29 U. S. C. 157), or participate in any proceeding under such section; or

(2) make or obtain any hearing upon, any charge under section 10 of such act (29 U. S. C. 160); or

(3) exercise any other right or privilege or receive any other benefit, substantive or procedural, provided by such act for employers.

The PRESIDING OFFICER. Is there objection to the present consideration of the amendment of the Senator from New Jersey, which is offered as an amendment to the Daniel amendment to the Humphrey substitute as modified and amended.

Mr. SMITH of New Jersey. Madam President, the amendment has been taken up with the Senator from Maryland [Mr. BUTLER]. The amendment simply does what we asked to have done this year, in connection with the Taft-Hartley Act, by applying to employers the same rule which would be applied to labor organizations.

This matter was called to my attention, and I took it up with the Department of Labor. The justice of my amendment is perfectly clear; in other words, the same penalty should apply to Communist infiltration, wherever it may be found—whether among management or employers groups or among labor groups. In any case, either management or labor that is Communist infiltrated should not be allowed to enjoy the privileges of the provisions of the Taft-Hartley Act.

Mr. HUMPHREY. Madam President, I understand that the amendment of the Senator from New Jersey is offered as an amendment to the substitute of the Senator from Texas for my amendment, as modified.

Mr. SMITH of New Jersey. Madam President, I ask unanimous consent that my amendment, which has just been read by the clerk, be agreed to as an amendment to the Daniel substitute, as modified, to the Humphrey amendment, as modified.

The PRESIDING OFFICER. Is there objection?

Mr. DOUGLAS. Madam President, reserving the right to object——

Mr. GOLDWATER. Madam President, I offer the amendment which I send to the desk——

The PRESIDING OFFICER. The Senator from Arizona will wait, please. Is there objection to the unanimous-consent request of the Senator from New Jersey?

Mr. DOUGLAS. Madam President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. DOUGLAS. I understand that the amendment of the Senator from New Jersey is offered as an amendment to the Humphrey substitute.

The PRESIDING OFFICER. The amendment of the Senator from New Jersey is offered as an amendment to the Daniel amendment to the Humphrey amendment, in the nature of a substitute, as modified.

Mr. BUTLER. Madam President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Maryland will state it.

Mr. BUTLER. Do I correctly understand that the pending business is the so-called Butler bill, as proposed to be amended by the Humphrey substitute? If that is so, the amendment of the Senator from New Jersey would be offered to the so-called Butler bill, as amended, when it is amended; is that correct? I simply wish to refresh the recollection of the Senator from Illinois.

Mr. DOUGLAS. Madam President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. DOUGLAS. What is the pending question?

The PRESIDING OFFICER. The pending question is, Is there objection to the unanimous-consent request of the Senator from New Jersey?

Mr. DOUGLAS. And, Madam President, what is the pending unanimous-consent request of the Senator from New Jersey?

The PRESIDING OFFICER. To agree to the amendment of the Senator from New Jersey, which is offered to the Daniel substitute amendment, as modified, and as agreed to by the Senate, to the Humphrey substitute, as modified.

Is there objection? Without objection, the amendment of the Senator from New Jersey to the amendment to the Humphrey substitute is agreed to.

Mr. GOLDWATER. Madam President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Arizona will state it.

Mr. GOLDWATER. Is the Daniel version of the Butler bill open to amendment, by unanimous consent?

The PRESIDING OFFICER. By unanimous consent only.

Mr. GOLDWATER. Then I ask unanimous consent that the amendment which I now send to the desk, and ask to have read, be considered as an amendment to the Daniel amendment to the Humphrey substitute.

Mr. KNOWLAND. Madam President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from California will state it.

Mr. KNOWLAND. Has the amendment of the Senator from New Jersey [Mr. SMITH] to the Daniel amendment to the Humphrey substitute been agreed to by unanimous consent?

The PRESIDING OFFICER. That is correct.

Mr. GOLDWATER. Madam President, I now send my amendment to the desk, and ask that it be read.

The PRESIDING OFFICER. The amendment will be read, for the information of the Senate.

The LEGISLATIVE CLERK. On page 4, in line 20, it is proposed to strike out all after the word "organization", through line 25, and to insert in lieu thereof the following: "Upon removing from the organization those persons determined by this section to be Communists."

Mr. DOUGLAS. Madam President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. DOUGLAS. Do I correctly understand that the amendment of the Senator from Arizona is offered as an amendment to the Daniel amendment to the Humphrey substitute, as modified and amended, and is not offered to the original Butler bill?

Mr. GOLDWATER. Madam President, let me say that my amendment is offered to the Daniel version of the Butler bill. The Humphrey substitute has not yet been voted on.

Mr. DOUGLAS. Madam President, I submit that the Butler bill is not now before us. [Laughter.]

Mr. KNOWLAND. Madam President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from California will state it.

Mr. KNOWLAND. Madam President, we have had a little facetiousness on the floor; but is it not a fact that when the Humphrey substitute, as modified by the Daniel amendment as modified, and as amended by such other amendments as may be voted by the Senate, is finally acted upon, it will be voted into the pending bill, which is Senate bill 3706; and that the bill the Senate will act on, on the question of final passage, will be Senate bill 3706, as thus amended?

The PRESIDING OFFICER. That is correct.

Mr. GOLDWATER. Madam President, I should like to explain, very briefly, my amendment.

Under the bill as it is now written, a Communist-infiltrated labor organization or, as the substitute now reads, any Communist-infiltrated organization, would be penalized by not being permitted to appeal, until 1 year from the date of the Board's order, such an order holding the organization to be Communist infiltrated.

Under the original bill I introduced, a labor organization or any organization could purge itself of those members who are Communists and could come back into the good graces of the NLRB. I think this bill, unless we include the language I suggest, would work an undue hardship and would put an undue penalty upon organizations.

I ask the author of the bill if he will not accept this amendment because of the fairness of it.

Mr. DOUGLAS. Madam President, a parliamentary inquiry. I suggest that the Senator from Arizona address his inquiry to the Senator from Texas [Mr. DANIEL] and not to the Senator from Maryland [Mr. BUTLER], because I submit that nothing submitted by the Senator from Maryland is now before this body.

Mr. GOLDWATER. Madam President, if it will make the Senator from Illinois happy, I shall be glad to address the question to the Senator from Texas.

Will the Senator from Texas entertain this inquiry?

Mr. DANIEL. As I understand the situation, Madam President, my amendment has been adopted, and there is now before the Senate the Humphrey substitute, as amended. Any amendment would have to be by unanimous consent.

Mr. GOLDWATER. That is correct. I am asking unanimous consent.

Mr. HUMPHREY. Will the Senator permit me to ask the Senator from Arizona a question? Madam President, will the Senator from Arizona be kind enough to give us the benefit of his description and analysis of his amendment? He discussed it with me yesterday, and I believe he has a very worthy amendment, but I do not believe we all understand what it is about. Will the Senator explain it again?

Mr. GOLDWATER. Yes.

Under the original bill on this subject which I introduced last January, I had a provision that an organization which had been determined to be Communist-dominated could purge itself of those members, and the organization would immediately come back under the jurisdiction of the NLRB.

Now other organizations have been added, and they would come back into the good graces of whatever organization they might be at odds with. The present language reads:

> No such petition may be filed until 1 year has passed after the order determining such organization to be a Communist-infiltrated organization has become final. No organization may file a petition under this subsection oftener than once each calendar year.

In other words, if it is determined that "X" union or "X" company is Communist-dominated, and they say, "We did not know that. We will get rid of them. We will fire them right away," we then penalize that union or company by making it wait 1 year before they can come under the jurisdiction of the NLRB.

Mr. KENNEDY. Is it not a fact that, as the Senator from Maryland pointed out last night, they are able by a petition of 20 percent of their members to regain their rights under the National Labor Relations Act? The 1-year period pertains to removing the stigma of being a Communist organization, but by a petition of 20 percent of their members, they can regain their rights under the National Labor Relations Act.

Mr. GOLDWATER. That is correct. If the Senate is worried about union-busting clauses, this is union-busting language.

Mr. HUMPHREY. As it is in the bill.

Mr. GOLDWATER. As it is now. I should like to strike that language so as to give the unions, and now the companies, a fair chance to get back into the good graces of the Government agencies.

Mr. DANIEL. Madam President, after hearing the explanation, I have no objection to the amendment.

Mr. KENNEDY. Reserving the right to object, as I understand the present language of the amendment of the Senator from Texas, the union, provided 20 percent of its members sign a petition, can have its rights under the National Labor Relations Act restored. Under the 1-year provision which the Senator is now discussing, it still will bear the stigma for a year, but its rights under the National Labor Relations Act can be

granted to it if a petition is signed by 20 percent of its members.

Mr. GOLDWATER. As I understand the language, it could petition by having 20 percent of its membership sign a petition. Let us say it is a CIO union. It could not petition under the CIO. It would have to petition as the A. F. of L. or as a company union.

As this language is written, it could be utilized for union-busting. When a union purges itself voluntarily, or a company purges itself voluntarily, I think it is fairer to recognize the goodness in that act and let it come back immediately into the fold of whatever company or union is concerned.

Mr. FERGUSON. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. PURTELL in the chair). Does the Senator from Arizona yield to the Senator from Michigan?

Mr. GOLDWATER. I yield.

Mr. FERGUSON. As one of the authors, I think we should accept this particular amendment.

Mr. HUMPHREY. As the sponsor of the proposal before the Senate, I think the Senator from Arizona has made a contribution that is very desirable. He discussed it with me yesterday when we were talking about the Butler bill in general terms. I have no objection.

The PRESIDING OFFICER. Is there objection to the unanimous consent request of the Senator from Arizona [Mr. GOLDWATER]?

Mr. BUTLER. Mr. President, to make it unanimous, I should like very much to associate myself with the sponsors of this amendment.

The PRESIDING OFFICER. Is there objection?

SEVERAL SENATORS. Vote! Vote!

Mr. COOPER. Mr. President——

Mr. CASE. Mr. President——

Mr. COOPER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. COOPER. Is it possible now to offer an amendment to the bill as amended?

The PRESIDING OFFICER. As soon as the pending question is disposed of.

Mr. COOPER. By unanimous consent, would it be possible to offer an amendment?

The PRESIDING OFFICER. There is pending an amendment by the Senator from Arizona which, in the opinion of the Chair, can be disposed of very quickly, after which other amendments will be entertained.

The question is, Is there objection to the request of the Senator from Arizona [Mr. GOLDWATER]? The Chair hears none and the question is on agreeing to the amendment of the Senator from Arizona to the amendment offered by the Senator from Texas [Mr. DANIEL] for himself and other Senators.

The amendment to the amendment was agreed to.

Mr. COOPER. Mr. President, I wish to offer an amendment. First, may I address a question to the distinguished Senator from Minnesota?

Mr. HUMPHREY. I am listening.

Mr. COOPER. I refer to section 3 of his amendment. Will the Senator state whether section 3 of his amendment requires any overt act by a person against whom the amendment is directed, as a condition to punishment?

Mr. HUMPHREY. The language is quite plain. Of course, it is predicated as set forth in section 2, upon the findings of fact, which findings of fact already label the Communist Party as a conspiratorial force dedicated to the overthrow of the Government of the United States. Therefore, section 3 provides that whoever knowingly or willfully becomes and remains a member and has knowledge of the purposes and the objectives of such organization, ipso facto automatically becomes subject to the penalties.

Mr. COOPER. I know that in his career in the Senate and in his speeches the Senator has always been very strongly against infringements of liberty, personal freedom, and all that. I should like to ask him this question: Does he know whether or not the Congress has ever passed a bill which proscribed free speech, although there are certain limitations, which a court can place upon it? Has Congress ever passed a bill which proscribed free speech?

Mr. HUMPHREY. This is not directed toward free speech. This is directed toward membership in a conspiratorial organization.

The point of the Humphrey substitute is membership in a political organization, whether it be the Communist Party or not, which has as its express purposes, as I have listed them here, the control, conduct, or overthrow of the Government of the United States by the use of force and violence. That is what is proscribed in this amendment. I have gone into this matter on the point of what we call civil liberties. The truth is that this legislation is not an infringement upon civil liberties. We are not infringing upon civil liberties. We are protecting civil liberties.

Mr. COOPER. Does the Senator believe that in any way this section is designed to penalize the thinking of an individual?

Mr. HUMPHREY. I do not consider this amendment as one that penalizes the thinking of an individual at all. How one thinks is entirely his own business. But if he maintains membership in an organization, and maintains it knowingly and willingly, and becomes and remains a member of an organization which has as its objective the overthrow of the Government of the United States, and he does this with knowledge of the purposes of the organization, then he is subject to the penalty.

Mr. COOPER. Of course, the Board or court with jurisdiction would have to determine what the accused was thinking. To emphasize this point, I ask the Senator if his substitute provides that the commission of an overt act by the accused as a condition precedent to conviction or imposition of a penalty under section 3?

Mr. HUMPHREY. Yes. In response to the Senator's question let me say that once we have adopted the findings of fact, in which Congress finds that the Communist Party of the United States is an instrumentality of a conspiracy to overthrow the Government of the United States, and that membership in the Communist Party is an overt act. That membership is an overt act subject to penalty, if a person knowingly is a member of such an organization.

Mr. COOPER. Mr. President, I offer my amendment.

Mr. HUMPHREY. Mr. President, reserving my right to object——

The PRESIDING OFFICER (Mr. PURTELL in the chair). The Chair informs the Senator from Minnesota that the amendment is in order.

Mr. HUMPHREY. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HUMPHREY. The Chair has been ruling that amendments are not in order.

The PRESIDING OFFICER. The Chair informs the Senator from Minnesota that the amendment is being offered to the substitute, not to the Daniel amendment.

Mr. HUMPHREY. The Daniel amendment is no longer before the Senate. The amendment before the Senate is the substitute.

The PRESIDING OFFICER. The Senate has passed on the Daniel amendment, and it requires unanimous consent therefore to offer an amendment to that part of the pending substitute amendment. The remaining part of the pending substitute on which the Senate has not yet acted, is open to amendment.

Mr. HUMPHREY. Very well. I always respect the rulings of the Chair, except on unusual occasions.

The PRESIDING OFFICER. The Chair hopes the Senator from Minnesota will agree that this is not an unusual occasion.

The Senator from Kentucky will send his amendment to the desk.

Mr. COOPER. I have not reduced it to writing. I will state the amendment orally. I ask that there be inserted in section 3, on page 3, line 17, after the word "organization", the following words, "and commit any act designed to carry into effect the purposes of such Communist Party or organization", and move the adoption of the amendment.

The PRESIDING OFFICER. The Secretary will state the amendment.

The LEGISLATIVE CLERK. On page 3, line 17, after the word "organization", it is proposed to insert the words: "and commit any act designed to carry into effect the purposes of such Communist Party or organization."

Mr. COOPER. Mr. President, I will explain briefly the purposes of my amendment. In the first place, let me say that I do not think it proper to attempt to legislate on a very important and difficult subject as is presented by the substitute of the Senator from Minnesota without proper consideration by committee. His substitute has not been considered by a committee of the Senate.

We are dealing with a subject that is complex and far-reaching in its constitutional implications. The original

bill of the distinguished Senator from Maryland, Senator BUTLER, is very complex itself. Only this morning we were trying to reach the subject and cure Communist-infiltrated unions without writing language which would create the possibility of injuring loyal unions. That itself is a very difficult question.

Every patriotic sentiment and impulse moves us when we consider the substitute which has been offered by the Senator from Minnesota today, and we are moved to support it because every Member of the Senate is conscious of the dangers of communism and of the Communist conspiracy. At the same time, we must know that we are proposing action which the Congress has not heretofore considered or taken. There are grave constitutional questions involved in the substitute. We know, speaking quite frankly, that it is difficult to consider objectively this bill because of the political atmosphere and implications. It presents difficult questions for every one of us, because a vote against an amendment like this subjects one to the criticism of many good-intentioned and patriotic people all over the country. Yet I am certain that in the heart and mind of every one of us we know that there are grave questions involved concerning the constitutionality of such a measure, with respect to the precedents involved, and the traditions thus far followed by our Government.

I believe I am correct in saying that heretofore the Congress and the courts have proceeded upon the theory that what a man says—within certain limitations of public policy determined by the courts—his right of free speech and of free expression is a right protected by the first amendment to the Constitution.

One does not speak, does not express himself without thought, without thinking. The courts have certainly held that what a man thinks is protected; is not a subject of limitation, of penalty, or conviction by a court. Surely no one will question that statement or the right and principle involved. Thinking, adherence to belief, has never been a crime unless translated into action. I asked the distinguished Senator whether his amendment carried with it the traditional and legal requirement that some act must be committed before a man can be penalized criminally—because that is what it amounts to—and the Senator told me that it is the intention of his amendment to so require.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. COOPER. It is not so stated in section 3. If it is his intention to so provide it can only be read into section 3 from the preamble. The preamble is a declaration by Congress. We all agree with the findings of the preamble. But I do not agree with the Senator that his substitute requires any act to penalize an accused. I have offered my amendment to bring his substitute into line with the decisions of the Supreme Court, with the philosophy and thinking of the great leaders of our country throughout the years and with our best traditions.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. HUMPHREY. First of all I should like to say to the Senator from Kentucky that I have the greatest respect and admiration for his dedication to civil rights and civil liberties.

Mr. COOPER. I would rather be dedicated to the Constitution, which protects civil rights and liberties.

Mr. HUMPHREY. And to the Constitution. My answer to the Senator's question was that an overt act is membership in an organization, which membership must have been obtained by some overt act; therefore, membership in an organization that is proscribed as a subversive and conspiratorial organization is an overt act, particularly when every Member of the Senate knows that the Communist Party is not an independent political party in the normal sense of American political parties, but is controlled and disciplined and managed from abroad, and its leadership takes orders and follows the discipline of the leadership abroad.

All I am saying is that membership is considered, under the terms of this proposal, as an overt act. That is the legal background of what I am proposing.

Mr. COOPER. Mr. President, I will say to the Senator that I accept what he has said as his intention and belief that section 3 contemplates the preamble and the findings of fact, and that he believes the preamble and findings of fact imply an act precedent to conviction or penalty. The Senator's statement, as the author of the amendment, is in my view the only basis upon which the court would so interpret it. If the Senator so intends, then my amendment makes perfectly clear and sure his intention. The fundamental issue is before us, whether the Senate is prepared at this time on the basis of this quickly contrived substitute without any real consideration, to depart from our precedents and principles held since the adoption of the Constitution. My amendment will prevent such hasty action.

Mr. LONG. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. I yield.

Mr. LONG. I will say to the Senator from Kentucky that there are crimes of omission and crimes of commission. A crime of omission may be the failure of an individual to file an income-tax return. He can be put into jail for that reason. If a person is a member of a Communist organization intent upon destroying or overthrowing this country, it would be his duty to quit the organization and break away from any group that would seek to undermine this country. For that reason I prefer to vote for a bill which would make it a crime of omission for a person to fail to quit membership in a Communist organization. For that reason, I shall vote against the Senator's amendment.

Mr. COOPER. Mr. President, the words "overt act" are, I believe, in a legal sense "words of art." They contemplate the actual commission or omission of an act or a course of action taken by an individual in this field.

Mr. MORSE. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. I yield.

Mr. MORSE. I should like to have the attention of the Senator from Louisiana [Mr. LONG]. It is true, is it not, that the Senator from Kentucky has not used the so-called word of legal art "overt"? The amendment uses the language "commit any act designed to carry into effect the purpose of such Communist Party or organization." I think that clearly covers what the Senator from Louisiana has in mind, and I think it is a perfectly acceptable amendment.

Mr. COOPER. If the word "overt" is in my amendment I withdraw the word "overt."

Mr. HUMPHREY. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. I yield.

Mr. HUMPHREY. Mr. President, I think much of this amendment was covered under the definition of "membership," which the Senator from Michigan [Mr. FERGUSON] submitted some time ago, and I believe it would be a desirable addition to the bill. I appreciate the very deep sincerity of purpose which the Senator from Kentucky expresses in trying to pinpoint exactly what we mean by an act designed to carry into effect the purposes of an organization. I have no objection. I would be more than happy to accept the amendment.

Mr. LEHMAN. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. I yield.

Mr. LEHMAN. Mr. President, I feel that the Senator from Kentucky has made a real contribution. I feel that, following the suggestion of the Senator from Oregon, I shall be glad to support the amendment.

Mr. CASE. Mr. President——

The PRESIDING OFFICER. The Chair recognizes the Senator from South Dakota [Mr. CASE].

Mr. CASE. Mr. President, the question involved in the amendment proposed by the Senator from Kentucky is, I think, a real problem which I wish to meet, to a degree, by the suggestion I made a little while ago with reference to the decisions under the Smith Act which have held that if a man belongs to a conspiratorial organization, that constitutes an act. That is what the decisions amount to. That is why I was hoping that the Senator from Minnesota would modify his amendment to conform to the holding of Judge Hand, or some other recognized jurist, who used the phrase "clear and present danger."

Mr. HUMPHREY. Where should that language be inserted?

Mr. CASE. I think it should be inserted in line 3, on page 3, where the language now reads "continuing threat." By substituting the words "continuing clear and present danger" it would be brought within the holdings of the courts on this particular issue.

Mr. HUMPHREY. Mr. President, as the sponsor of this amendment, I am more than happy to accept that modification.

Mr. CASE. Mr. President, I should like to be recognized, following the action on the amendment offered by the

Senator from Kentucky, and then I should like to ask that this modification be made.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Kentucky [Mr. COOPER], as modified, to the amendment in the nature of a substitute offered by the Senator from Minnesota [Mr. HUMPHREY] for himself and other Senators.

The amendment, as modified, was agreed to.

Mr. CASE. Mr. President, I should like to suggest that the Senator from Minnesota modify the sentence appearing on line 2, page 3, which now reads:

> Holding that doctrine, its role as the agency of a hostile foreign power renders its existence a continuing threat to the security of the United States.

And that, instead of the words "continuing threat." it read "a clear, present, and continuing danger."

Mr. HUMPHREY. Mr. President, I ask unanimous consent that I may accept that modification. I think it is helpful.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MAGNUSON. Mr. President, will the Senator from South Dakota yield?

Mr. CASE. I yield.

Mr. MAGNUSON. Mr. President, the suggestion which I am about to make may not be necessary, but I have had a personal legal experience in which I found it to be necessary. I am sure the Senator from Minnesota can have no objection to it.

On page 3, line 10, where the language now reads, "knowingly and willfully," I would add the word "intentionally", because there are many cases where the word "willfully" is vague as to intent, although, in the main, "willfully" means "with intent."

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the modification which has been suggested by the Senator from Washington may be accepted.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment offered by the Senator from Minnesota [Mr. HUMPHREY] and other Senators, as modified. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. SALTONSTALL. I announce that the senior Senator from North Dakota [Mr. LANGER] is absent by leave of the Senate.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from Indiana [Mr. CAPEHART], the Senator from Vermont [Mr. FLANDERS], and the junior Senator from North Dakota [Mr. YOUNG], are necessarily absent.

If present and voting, the Senator from New Hampshire [Mr. BRIDGES], the Senator from Indiana [Mr. CAPEHART], the Senator from Vermont [Mr. FLANDERS], and the junior Senator from North Dakota [Mr. YOUNG], would each vote "yea."

Mr. CLEMENTS. I announce that the Senator from Mississippi [Mr. EASTLAND], the Senators from North Carolina [Mr. ERVIN and Mr. LENNON], the Senator from Tennessee [Mr. KEFAUVER], the Senators from West Virginia [Mr. KILGORE and Mr. NEELY], are absent on official business.

The Senator from Alabama [Mr. SPARKMAN] is necessarily absent.

I announce further that if present and voting, the Senator from Mississippi [Mr. EASTLAND], the Senators from North Carolina [Mr. ERVIN and Mr. LENNON], and the Senators from West Virginia [Mr. KILGORE and Mr. NEELY] would each vote "yea."

The result was announced—yeas 84, nays 0, as follows:

YEAS—84

Aiken	Gillette	McCarran
Anderson	Goldwater	McCarthy
Barrett	Gore	McClellan
Beall	Green	Millikin
Bennett	Hayden	Monroney
Bowring	Hendrickson	Morse
Bricker	Hennings	Mundt
Burke	Hickenlooper	Murray
Bush	Hill	Pastore
Butler	Holland	Payne
Byrd	Humphrey	Potter
Carlson	Ives	Purtell
Case	Jackson	Reynolds
Chavez	Jenner	Robertson
Clements	Johnson, Colo.	Russell
Cooper	Johnson, Tex.	Saltonstall
Cordon	Johnston, S. C.	Schoeppel
Crippa	Kennedy	Smathers
Daniel	Kerr	Smith, Maine
Dirksen	Knowland	Smith, N. J.
Douglas	Kuchel	Stennis
Duff	Lehman	Symington
Dworshak	Long	Thye
Ellender	Magnuson	Upton
Ferguson	Malone	Watkins
Frear	Mansfield	Welker
Fulbright	Martin	Wiley
George	Maybank	Williams

NOT VOTING—12

Bridges	Flanders	Lennon
Capehart	Kefauver	Neely
Eastland	Kilgore	Sparkman
Ervin	Langer	Young

So Mr. HUMPHREY's amendment, as amended and modified, was agreed to.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DOUGLAS. Are we now voting on the Humphrey-Daniel substitute for the original Butler bill?

The PRESIDING OFFICER. The Chair informs the Senator that the question before the Senate is on the passage of the so-called Butler bill, as modified by the Humphrey substitute as amended and modified. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. SALTONSTALL. I announce that the senior Senator from North Dakota [Mr. LANGER] is absent by leave of the Senate.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from Indiana [Mr. CAPEHART], the Senator from Vermont [Mr. FLANDERS], and the junior Senator from North Dakota [Mr. YOUNG] are necessarily absent.

If present and voting, the Senator from New Hampshire [Mr. BRIDGES], the Senator from Indiana [Mr. CAPEHART], the Senator from Vermont [Mr. FLANDERS], and the junior Senator from North Dakota [Mr. YOUNG] would each vote "yea."

Mr. CLEMENTS. I announce that the Senator from Mississippi [Mr. EASTLAND], the Senators from North Carolina [Mr. ERVIN and Mr. LENNON], the Senator from Tennessee [Mr. KEFAUVER], the Senator from West Virginia [Mr. NEELY] are absent on official business.

The Senator from Alabama [Mr. SPARKMAN] is necessarily absent.

I announce further that if present and voting, the Senator from Mississippi [Mr. EASTLAND], the Senators from North Carolina [Mr. ERVIN and Mr. LENNON], and the Senator from West Virginia [Mr. NEELY] would each vote "yea."

The result was announced—yeas 85, nays 0, as follows:

YEAS—85

Aiken	Goldwater	McCarthy
Anderson	Gore	McClellan
Barrett	Green	Millikin
Beall	Hayden	Monroney
Bennett	Hendrickson	Morse
Bowring	Hennings	Mundt
Bricker	Hickenlooper	Murray
Burke	Hill	Pastore
Bush	Holland	Payne
Butler	Humphrey	Potter
Byrd	Ives	Purtell
Carlson	Jackson	Reynolds
Case	Jenner	Robertson
Chavez	Johnson, Colo.	Russell
Clements	Johnson, Tex.	Saltonstall
Cooper	Johnston, S. C.	Schoeppel
Cordon	Kennedy	Smathers
Crippa	Kerr	Smith, Maine
Daniel	Kilgore	Smith, N. J.
Dirksen	Knowland	Stennis
Douglas	Kuchel	Symington
Duff	Lehman	Thye
Dworshak	Long	Upton
Ellender	Magnuson	Watkins
Ferguson	Malone	Welker
Frear	Mansfield	Wiley
Fulbright	Martin	Williams
George	Maybank	
Gillette	McCarran	

NOT VOTING—11

Bridges	Flanders	Neely
Capehart	Kefauver	Sparkman
Eastland	Langer	Young
Ervin	Lennon	

So the bill (S. 3706) was passed.

The title was amended so as to read: "A bill to outlaw the Communist Party, to prohibit members of Communist organizations from serving in certain representative capacities, and for other purposes."

Mr. FERGUSON. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. KNOWLAND. Mr. President, I move to lay on the table the motion of the Senator from Michigan.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California to lay on the table the motion of the Senator from Michigan.

The motion to lay on the table was agreed to.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that there be printed at the proper place in the RECORD the bill in its final form.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The bill S. 3706, as passed, is as follows:)

Be it enacted, etc., That this act may be cited as the "Communist Control Act of 1954."

FINDINGS OF FACT

SEC. 2. The Congress hereby finds and declares that the Communist Party of the United States, although purportedly a political party, is in fact an instrumentality of a conspiracy to overthrow the Government of the United States. It constitutes an

authorization dictatorship withi na republic, demanding for itself the rights and privileges accorded to other political parties, but denying to all others the liberties guaranteed by the Constitution. Unlike other political parties, which evolve their policies and programs through public means, by the reconciliation of a wide variety of individual views, and submit those policies and programs to the electorate at large for approval or disapproval, the policies and programs of the Communist Party are secretly prescribed for it by the foreign leaders of the world Communist movement. Its members have no part in determining its goals, and are not permitted to voice dissent to party objectives. Unlike members of other parties, members of the Communist Party are recruited for indoctrination with respect to its objectives and methods, and are organized, instructed, and disciplined to carry into action slavishly the assignments given them by their hierarchical chieftains. Unlike other political parties, the Communist Party acknowledges no constitutional or statutory limitations upon its conduct or upon that of its members. The Communist Party is relatively small numerically, and gives scant indication of capacity ever to attain its ends by lawful political means. The peril inherent in its operation arises not from its numbers, but from its failure to acknowledge any limitation as to the nature of its activities, and its dedication to the proposition that the present constitutional Government of the United States ultimately must be brought to ruin by any available means, including resort to force and violence. Holding that doctrine, its role as the agency of a hostile foreign power renders its existence a clear, present, and continuing danger to the security of the United States. It is the means whereby individuals are seduced into the service of the world Communist movement, trained to do its bidding, and directed and controlled in the conspiratorial performance of their revolutionary services.

PROSCRIBED ORGANIZATIONS

SEC. 3. (a) Whoever knowingly, willfully, and intentionally becomes or remains a member of (1) the Communist Party, or (2) any other organization having for one of its purposes or objectives the establishment, control, conduct, seizure, or overthrow of the Government of the United States, or the government of any State or political subdivision thereof, by the use of force or violence, with knowledge of the purpose or objective of such organization, and commit any act designed to carry into effect the purposes of such Communist Party organization shall upon conviction be punished as provided by the penalty provisions of section 15 of the Subversive Activities Control Act of 1950 (50 U. S. C. 794).

(b) For the purposes of this section, the term "Communist Party" means the organization now known as the Communist Party of the United States of America, the Communist Party of any State or subdivision thereof, and any unit or subdivision of any such organization, whether or not any change is hereafter made in the name thereof, or any organization which is substantially directed, dominated, or controlled by the foreign government or foreign organization controlling the world Communist movement referred to in section 2 of the Internal Security Act of 1950.

SUBVERSIVE ACTIVITIES CONTROL ACT AMENDMENT

SEC. 4. Subsection 5 (a) (1) of the Subversive Activities Control Act of 1950 (50 U. S. C. 784) is amended by striking out the period at the end thereof and inserting in lieu thereof a semicolon and the following: "or

"(E) to hold office or employment with any labor organization, as that term is defined in section 2 (5) of the National Labor Relations Act (29 U. S. C. 152) or to represent any employer in any matter or proceeding arising or pending under that Act."

SEC. 5. For the purposes of this Act in determining whether or not a person is a member of an organization referred to in section 3 hereof, the court may take into consideration the connection of such person with such organization as evidenced by his adherence to the discipline of the organization, his acceptance of the purposes of the organization, and other such incidents of affiliation with the organization with knowledge of such purposes.

COMMUNIST-INFILTRATED ORGANIZATIONS

SEC. 6. (a) Section 3 of the Subversive Activities Control Act of 1950 (50 U. S. C. 782) is amended by inserting, immediately after paragraph (4) thereof, the following new paragraph:

"(4A) The term 'Communist-infiltrated organization' means any organization in the United States (other than a Communist-action organization or a Communist-front organization) which (A) is substantially directed, dominated, or controlled by an individual or individuals who are, or who within 3 years have been actively engaged in, knowingly giving aid or support to a Communist-action organization, a Communist foreign government, or the world Communist movement referred to in section 2 of this title, and (B) is knowingly serving, or within 3 years has knowingly served, as a means for (i) the giving of aid or support to any such organization, government, or movement, or (ii) the impairment of the military strength of the United States or its industrial capacity to furnish logistical or other material support required by its Armed Forces: *Provided, however*, That any labor organization which is an affiliate in good standing of a national federation or other labor organization whose policies and activities have been directed to opposing Communist organizations, any Communist foreign government, or the World Communist Movement, shall be presumed prima facie not to be a 'Communist-infiltrated organization'."

(b) Paragraph (5) of such section is amended to read as follows:

"(5) The term 'Communist organization' means any Communist-action organization, Communist-front organization, or Communist-infiltrated organization."

(c) Subsections 5 (c) and 6 (c) of such Act are repealed.

SEC. 7. (a) Section 10 of such Act (50 U. S. C. 789) is amended by inserting, immediately after the words "final order of the Board requiring it to register under section 7", the words "or determining that it is a Communist-infiltrated organization".

(b) Subsections (a) and (b) of section 11 of such Act (50 U. S. C. 790) are amended by inserting immediately preceding the period at the end of each such subsection, the following: "or determining that it is a Communist-infiltrated organization".

SEC. 8. (a) Subsection 12 (e) of such Act (50 U. S. C. 791) is amended by—

(1) striking out the period at the end thereof and inserting in lieu thereof a semicolon and the word "and"; and

(2) inserting at the end thereof the following new paragraph:

"(3) upon any application made under subsection (a) or subsection (b) of section 13A of this title, to determine whether any organization is a Communist-infiltrated organization."

(b) The section caption to section 13 of such Act (50 U. S. C. 792) is amended to read as follows: "REGISTRATION PROCEEDINGS BEFORE THE BOARD."

SEC. 9. Such Act is amended by inserting, immediately after section 13 thereof, the following new section:

"PROCEEDINGS WITH RESPECT TO COMMUNIST-INFILTRATED ORGANIZATIONS

"SEC. 13A. (a) Whenever the Attorney General has reason to believe that any organization is a Communist-infiltrated organization, he may file with the Board and serve upon such organization a petition for a determination that such organization is a Communist-infiltrated organization. In any proceeding so instituted, two or more affiliated organizations may be named as joint respondents. Whenever any such petition is accompanied by a certificate of the Attorney General to the effect that the proceeding so instituted is one of exceptional public importance, such proceeding shall be set for hearing at the earliest possible time and all proceedings therein before the Board or any court shall be expedited to the greatest practicable extent.

"(b) Any organization which has been determined under this section to be a Communist-infiltrated organization may file with the Board and serve upon the Attorney General a petition for a determination that such organization no longer is a Communist-infiltrated organization upon removing from the organization those persons determined by this section to be Communists.

"(c) Each such petition shall be verified under oath, and shall contain a statement of the facts relied upon in support thereof. Upon the filing of any such petition, the Board shall serve upon each party to such proceeding a notice specifying the time and place for hearing upon such petition. No such hearing shall be conducted within 20 days after the service of such notice.

"(d) The provisions of subsections (c) and (d) of section 13 shall apply to hearings conducted under this section, except that upon the failure of any organization named as a party in any petition filed by or duly served upon it pursuant to this section to appear at any hearing upon such petition, the Board may conduct such hearing in the absence of such organization and may enter such order under this section as the Board shall determine to be warranted by evidence presented at such hearing.

"(e) In determining whether any organization is a Communist-infiltrated organization, the Board shall be required to determine—

"(1) whether the effective management of the affairs of such organization is conducted by one or more individuals who are, or within 2 years have been, (A) members, agents, or representatives of any Communist organization, any Communist foreign government, or the world Communist movement referred to in section 2 of this title, with knowledge of the nature and purpose thereof, or (B) engaged in giving aid or support to any such organization, government, or movement with knowledge of the nature and purpose thereof;

"(2) whether the policies of such organization are, or within 3 years have been, formulated and carried out pursuant to the direction or advice of any member, agent, or representative of any such organization, government, or movement;

"(3) whether the personnel and resources of such organization are, or within 3 years have been, used to further or promote the objectives of any such Communist organization, government, or movement;

"(4) whether such organization within 3 years has received from, or furnished to or for the use of, any such Communist organization, government, or movement any funds or other material assistance;

"(5) whether such organization is, or within 3 years has been, affiliated in any other way with any such Communist organization, government, or movement;

"(6) whether the affiliation of such organization, or of any individual or individuals

who are members thereof or who manage its affairs, with any such Communist organization, government, or movement is concealed from or is not disclosed to the membership of such organization; and

"(7) whether such organization or any of its members or managers are, or within 3 years have been, knowingly engaged—

"(A) in any conduct punishable under section 4 or 15 of this act or under chapter 37, 105, or 115 of title 18 of the United States Code; or

"(B) with intent to impair the military strength of the United States or its industrial capacity to furnish logistical or other support required by its Armed Forces, in any activity resulting in or contributing to any such impairment.

"(f) After hearing upon any petition filed under this section, the Board shall (1) make a report in writing in which it shall state its findings as to the facts and its conclusions with respect to the issues presented by such petition, (2) enter its order granting or denying the determination sought by such petition, and (3) serve upon each party to the proceeding a copy of such order. Any order granting any determination on the question whether any organization is a Communist-infiltrated organization shall become final as provided in section 14 (b) of this act.

"(g) When any order has been entered by the Board under this section with respect to any labor organization or employer (as these terms are defined by section 2 of the National Labor Relations Act, as amended, and which are organizations within the meaning of section 3 of the Subversive Activities Control Act of 1950), the Board shall serve a true and correct copy of such order upon the National Labor Relations Board and shall publish in the Federal Register a statement of the substance of such order and its effective date.

"(h) When there is in effect a final order of the Board determining that any such labor organization is a Communist-action organization, a Communist-front organization, or a Communist-infiltrated organization, such labor organization shall be ineligible to—

"(1) act as representative of any employee within the meaning or for the purposes of section 7 of the National Labor Relations Act, as amended (29 U. S. C. 157);

"(2) serve as an exclusive representative of employees of any bargaining unit under section 9 of such act, as amended (29 U. S. C. 159);

"(3) make, or obtain any hearing upon, any charge under section 10 of such act (29 U. S. C. 160); or

"(4) exercise any other right or privilege, or receive any other benefit, substantive or procedural, provided by such act for labor organizations.

"(i) When an order of the Board determining that any such labor organization is a Communist-infiltrated organization has become final, and such labor organization theretofore has been certified under the National Labor Relations Act, as amended, as a representative of employees in any bargaining unit—

"(1) a question of representation affecting commerce, within the meaning of section 9 (c) of such act, shall be deemed to exist with respect to such bargaining unit; and

"(2) the National Labor Relations Board, upon petition of not less than 20 percent of the employees in such bargaining unit or any person or persons acting in their behalf, shall under section 9 of such act (notwithstanding any limitations of time contained therein) direct elections in such bargaining unit or any subdivision thereof (A) for the selection of a representative thereof for collective bargaining purposes, and (B) to determine whether the employees thereof desire to rescind any authority previously granted to such labor organization to enter into any agreement with their employer pursuant to section 8 (a) (3) (ii) of such act.

"(j) When there is in effect a final order of the Board determining that any such employer is a Communist-infiltrated organization, such employer shall be ineligible to—

"(1) file any petition for an election under section 9 of the National Labor Relations Act, as amended (29 U. S. C. 157), or participate in any proceeding under such section; or

"(2) make or obtain any hearing upon any charge under section 10 of such act (29 U. S. C. 160); or

"(3) exercise any other right or privilege or receive any other benefit, substantive or procedural, provided by such act for employers."

SEC. 9. Subsections (a) and (b) of section 14 of such act (50 U. S. C. 793) are amended by inserting in each such subsection, immediately after the words "section 13", a comma and the following: "or subsection (f) of section 13A,".

SEC. 10. If any provision of this title or the application thereof to any person or circumstances is held invalid, the remainder of the title, and the application of such provisions to other persons or circumstances, shall not be affected thereby.

Mr. MORSE subsequently said: Mr. President, yesterday the Senator from Arizona [Mr. GOLDWATER] inserted in the RECORD a selected list of the unions having constitutions barring Communists from office or membership. To the table there was a footnote reading as follows:

The omission of a union from this list does not necessarily mean that its constitution does not include a provision barring Communists.

I spoke to the Senator from Arizona and told him I was about to make an addition to the list today. He has no objection. He said he obtained the list from the Department of Labor. It is the official list which was supplied to him.

A member of the American Federation of Technical Engineers, AFL, spoke to me today and said he thought in fairness, a section of the constitution of the American Federation of Technical Engineers should be inserted in the RECORD, because section 2 of its membership article contains a prohibition, in the case of membership, which this union official feels meets the qualifications of the list which was placed in the RECORD yesterday, by the Senator from Arizona.

I read from section 2 of article IV of the constitution of the American Federation of Technical Engineers, AFL, 1952:

SEC. 2. No person shall be admitted to membership in the federation who is not employed, or eligible for employment, in an occupation under the jurisdiction of this federation, or who advocates principles or lends support to organizations or movements whose purposes and objectives are contrary to the fundamental principles of the established Government of the United States of America, or which are in conflict with the policies of this federation.

Mr. President, I ask unanimous consent that article IV of the constitution of the American Federation of Technical Engineers, AFL, be printed at this point in the RECORD, as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ARTICLE IV. MEMBERSHIP

SECTION 1. Any individual employed or qualified for employment in the general field of engineering or architecture shall be eligible to membership in this federation upon application, election, and initiation in the manner and form prescribed in this constitution. Eligible membership in the federation shall include, but is not limited to, such occupations as aeronautical, chemical, civil, commercial, electrical, mechanical, mining and metallurgical, sales, structural, and research engineering; architects, draftsmen, metallurgists, physicists, engineering inspectors, test technicians, planners, estimators, specification writers, technical clerks, time-study men, blueprinters, engineering and laboratory assistants, and aides, etc.

SEC. 2. No person shall be admitted to membership in the federation who is not employed, or eligible for employment, in an occupation under the jurisdiction of this federation, or who advocates principles or lends support to organizations or movements whose purposes and objectives are contrary to the fundamental principles of the established Government of the United States of America, or which are in conflict with the policies of this federation.

SEC. 3. Qualified members who interrupt their regular employment to serve as paid representatives of the federation and its subdivisions shall be considered as still employed in the fields under the jurisdiction of the federation and shall be entitled to full membership rights and privileges.

SEC. 4. Members shall be affiliated with, and members of, local unions chartered by the federation, except in localities where no local union has been chartered, members may be members at large directly affiliated with the federation until such time as a local union is chartered in such locality, at which time such members at large shall seek to become members of such local union.

Mr. MORSE. Mr. President, let me say, further, that I understand that the Federation of Technical Engineers, A. F. of L., has, since 1937, had in its constitution a provision that members shall be dismissed from the union if they are found to be antagonistic to the representative character of the United States Government. In that connection, I read from section 7 of article III, on page 5, of the constitution and bylaws of the International Federation of Technical Engineers' Architects' and Draftsmen's Unions, of the American Federation of Labor, the 1937 issue:

SEC. 7. On being pledged to membership, it devolves on the member to faithfully live up to his obligations. He will attend all regular and special meetings of his local, and strive for the collective progress of his fellow members. He will promptly pay all dues and assessments as they come due. Any member found to be antagonistic to the representative character of the United States Government shall be liable to expulsion by his local union. Members at large shall be subject to similar action by the international president by and with the consent of the executive council. All moneys in the way of initiation fees, dues, assessments, etc., paid by such member or members shall be forfeited.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were commu-

nicated to the Senate by Mr. Miller, one of his secretaries, and he announced that the President had approved and signed the following acts:

On August 10, 1954:

S. 1244. An act relating to the renewal of star-route and screen vehicle service contracts;

S. 2408. An act to amend the Merchant Marine Act, 1936, to provide a national defense reserve of tankers and to promote the construction of new tankers, and for other purposes;

S. 2846. An act to amend certain provisions of the Securities Act of 1933, as amended, the Securities Exchange Act of 1934, as amended, the Trust Indenture Act of 1939, and the Investment Company Act of 1940;

S. 2864. An act to approve an amendatory repayment contract negotiated with the North Unit Irrigation District, to authorize construction of Haystack Reservoir on the Deschutes Federal reclamation project, and for other purposes;

S. 3458. An act to authorize the long-term time chartering of tankers and the construction of tankers by the Secretary of the Navy, and for other purposes;

S. 3683. An act to amend the District of Columbia Credit Unions Act; and

S. 3699. An act granting the consent of Congress to a compact entered into by the States of Louisiana and Texas and relating to the waters of the Sabine River.

On August 12, 1954:

S. 3713. An act to give effect to the International Convention for the High Seas Fisheries of the North Pacific Ocean, signed at Tokyo, May 9, 1952, and for other purposes.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the House had passed, without amendment, the following bills and joint resolution of the Senate:

S. 154. An act for the relief of George Pantelas;

S. 232. An act for the relief of Hugo Kern;

S. 546. An act to authorize payment for losses sustained by owners of wells in the vicinity of Cold Brook Dam by reason of the lowering of the level of water in such wells as a result of the construction of Cold Brook Dam;

S. 1308. An act for the relief of Leonard Hungerford;

S. 1706. An act to provide for taxation by the State of Wyoming of certain property located within the confines of Grand Teton National Park, and for other purposes;

S. 1845. An act for the relief of Dr. Ian Yung-Cheng Hu;

S. 1904. An act for the relief of Ottilie Theresa Workmann;

S. 1959. An act for the relief of Mrs. Annemarie Namias;

S. 2456. An act for the relief of Martin Genuth;

S. 2461. An act for the relief of Berta Hellmich;

S. 2958. An act for the relief of Ida Reissmuller and Johnny Damon Eugene Reissmuller;

S. 3028. An act to require the Postmaster General to reimburse postmasters of discontinued post offices for equipment owned by the postmaster;

S. 3085. An act for the relief of Mrs. Helen Stryk;

S. 3393. An act authorizing the Administrator of Veterans' Affairs to convey certain property to Milwaukee County, Wis.; and

S. J. Res. 183. Joint resolution to extend greetings to the Gold Coast and Nigeria.

The message also announced that the House had passed the bill (S. 3233) to amend the Merchant Marine Act, 1936, to provide permanent legislation for the transportation of a substantial portion of waterborne cargoes in United States-flag vessels, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had insisted upon its amendment to the bill (S. 3482) to amend the District of Columbia Unemployment Compensation Act, and for other purposes, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. TALLE, Mr. KEARNS, and Mr. TEAGUE were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 2263) to authorize the Postmaster General to readjust the compensation of holders of contracts for the performance of mail-messenger service; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. REES of Kansas, Mr. BROYHILL, and Mr. MURRAY of Tennessee were appointed managers on the part of the House at the conference.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 3522) for the relief of Arthur S. Rosichan.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 7886) for the relief of Mrs. Cecil Norton Broy; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. JONAS of Illinois, Mr. BURDICK, and Mr. FORRESTER were appointed managers on the part of the House at the conference.

The message further announced that the House had severally agreed to the amendment of the Senate to the following bills of the House:

H. R. 1514. An act for the relief of Clint Lewis;

H. R. 1797. An act to provide for the conveyance of certain land to the State of Oklahoma for the use and benefit of the Eastern Oklahoma Agricultural and Mechanical College at Wilburton, Okla., and for other purposes;

H. R. 1912. An act for the relief of Hayik (Jirair) Vartiyan, Annemarie Vartiyan, and Susanig Armenuhi Vartiyan;

H. R. 2009. An act to authorize the sale of certain land in Alaska to the Niniichik Hospital Association, of Niniichik, Alaska, for the use as a hospital site and related purposes;

H. R. 2010. An act to authorize the sale of certain land in Alaska to the Alaska Evangelization Society, of Levelock, Alaska, for missionary purposes;

H. R. 2012. An act to authorize the sale of certain public lands in Alaska to the Alaska Council of Boy Scouts of America for a campsite and other public purposes;

H. R. 2014. An act to authorize the sale of certain public land in Alaska to the Community Club of Chugiak, Alaska;

H. R. 2015. An act to authorize the sale of certain land in Alaska to Lloyd H. Turner, of Wards Cove, Alaska;

H. R. 2024. An act for the relief of Frank L. Peyton;

H. R. 2645. An act for the relief of Donald James Darmody;

H. R. 2791. An act for the relief of Esther E. Ellicott;

H. R. 2881. An act for the relief of Mrs. Rosaline Spagnola;

H. R. 3008. An act for the relief of Esther Smith;

H. R. 3854. An act to authorize the sale of certain public land in Alaska to the Turnagain Arm Community Club of Anchorage, Alaska;

H. R. 6455. An act to create a National Monument Commission, and for other purposes;

H. R. 6959. An act to authorize the sale of certain land in Alaska to the Baptist Mid-Missions, an Ohio nonprofit corporation, for use as a church site;

H. R. 7290. An act to authorize an appropriation for the construction of certain public-school facilities on the Klamath Indian Reservation at Chiloquin, Oreg.;

H. R. 8020. An act authorizing the transfer of certain property of the United States Government (in Klamath County, Oreg.) to the State of Oregon; and

H. R. 8128. An act to amend section 1089 of the Code of Law for the District of Columbia relating to attachment proceedings.

The message also announced that the House had severally agreed to the amendments of the Senate to the following bills of the House:

H. R. 270. An act to provide for the control and extinguishment of outcrop and underground fires in coal formations, and for other purposes;

H. R. 2615. An act for the relief of Julio Mercado Toledo;

H. R. 2815. An act for the relief of Floyd C. Barber;

H. R. 4118. An act to authorize the preparation of rolls of persons of Indian blood whose ancestors were members of certain tribes or bands in the State of Oregon, and to provide for per capita distribution of funds arising from certain judgments in favor of such tribes or bands;

H. R. 5093. An act for the relief of Mrs. Dorothy J. Williams, widow of Melvin Edward Williams;

H. R. 6814. An act to facilitate the acquisition of non-Federal land within areas of the National Park System, and for other purposes;

H. R. 7045. An act for the relief of Dr. Marciano Gutierrez, Dr. Amparo G. Joaquin Gutierrez, and their children, Rosenda, Rebecca, Raymundo, and Marciano, and Mrs. Brigida de Gutierrez; and

H. R. 8915. An act to amend the act entitled "An act to consolidate the Police Court of the District of Columbia and the Municipal Court of the District of Columbia, to be known as 'The Municipal Court of Appeals for the District of Columbia,' and for other purposes."

The message further announced that the House had passed a bill (H. R. 9866) to prescribe certain limitations with respect to outpatient dental care for veterans, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the amendment of the Senate to the concurrent resolution (H. Con. Res. 267) authorizing the printing of additional copies of the hearings held by the Joint Committee on Atomic Energy relative to the contribution of atomic energy to medicine.

HOUSE BILL REFERRED

The bill (H. R. 9866) to prescribe certain limitations with respect to outpatient dental care for veterans was read twice by its title, and referred to the Committee on Labor and Public Welfare.

SOCIAL SECURITY AMENDMENTS OF 1954

Mr. KNOWLAND. Mr. President, merely in order to make the social-security bill the unfinished business, I now move that the Senate proceed to the consideration of Calendar No. 2004, House bill 9366, amending the Social Security Act and the Internal Revenue Code, and for other purposes. Notice has previously been given of the proposed consideration of the bill, and I have consulted about it with the minority leader. We shall not ask to have the Senate proceed further with the bill today, after it has been made the unfinished business.

The PRESIDING OFFICER. The bill will be read by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 9366) to amend the Social Security Act and the Internal Revenue Code so as to extend coverage under the old-age and survivors insurance program, increase the benefits payable thereunder, preserve the insurance rights of disabled individuals, and increase the amount of earnings permitted without loss of benefits, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Finance with amendments.

ORDER FOR CALL OF THE CALENDAR, FOR CONSIDERATION OF BILLS PLACED AT FOOT OF THE CALENDAR

Mr. FERGUSON obtained the floor.

Mr. KNOWLAND. Mr. President, before the Senator from Michigan proceeds with his remarks, will he yield to me, to permit me to make a brief announcement?

Mr. FERGUSON. Yes, Mr. President; provided I may obtain unanimous consent to do so without losing the floor.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. KNOWLAND. Mr. President, let me state that, following the completion of the remarks of the Senator from Michigan, it is my plan to ask unanimous consent that the Senate proceed to the consideration of measures which, during the call of the calendar yesterday, were ordered placed at the foot of the calendar.

I wish all Senators to be advised of the proposed procedure. Therefore, I desire to say that I shall ask unanimous consent to have the Senate proceed to consider those measures as soon as the Senator from Michigan completes his remarks and as soon as I can obtain recognition.

Mr. HENDRICKSON. Mr. President, will the Senator from Michigan yield to me, to permit me to make a unanimous-consent request?

Mr. FERGUSON. I yield, provided I may obtain unanimous consent to do so without losing the floor.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. HENDRICKSON. Mr. President, in a few minutes we shall proceed to consider the bills and other measures which, during the call of the calendar on yesterday, were ordered placed at the foot of the calendar. If we were to call those measures in the usual way, they would be called more or less at random. I have discussed, earlier today, with the able Parliamentarian of the Senate and the able and hard-working clerks, the problem which arises in that connection. They state that if the bills and other measures ordered to the foot of the calendar are called seriatim, instead of having to go from page to page of the calendar, back and forth, it will be much more convenient for both them and for the Senate itself. I know it will be much more convenient for Senators who follow the calendar.

I have discussed this matter with the minority calendar committee, and they feel as does the Parliamentarian.

Therefore, Mr. President, I ask unanimous consent that when, a little later today, the bills which, on yesterday, were ordered placed at the foot of the calendar, are called, they be called seriatim.

The PRESIDING OFFICER. Is there objection?

Mr. KNOWLAND. In other words, Mr. President, as I understand the request, no measures will be added to those already placed at the foot of the calendar; but the measures which previously have been ordered to the foot of the calendar will be called up in their calendar order, seriatim, on the basis of the regular procedure during the ordinary call of the calendar.

Mr. HENDRICKSON. That is correct.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New Jersey?

Mr. SMATHERS. Mr. President, I apologize for not having heard the request of the Senator from New Jersey. Will he please repeat it briefly?

Mr. HENDRICKSON. I stated that I had discussed with the clerks at the desk and the Parliamentarian the question of calling up in numerical order, seriatim, the bills which, on yesterday, were ordered placed at the foot of the calendar. I said I had talked with the Senator from Florida, as a member of the minority calendar committee, about that matter, and that he had agreed that it would be more convenient, both for him and for the entire Senate.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New Jersey? Without objection, it is so ordered.

ISSUANCE OF CONSOLIDATED DEBENTURES BY CENTRAL BANK FOR COOPERATIVES AND REGIONAL BANKS FOR COOPERATIVES

Mr. AIKEN. Mr. President, will the Senator from Michigan yield to me at this time?

Mr. FERGUSON. Yes, Mr. President; provided I may obtain unanimous consent to do so without losing the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. AIKEN. Mr. President, there is at the desk a message from the House regarding amendments of the House of Representatives to Senate bill 3487. I ask to have those amendments laid before the Senate at this time. They have been discussed with both the majority leader and the minority leader.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 3487) to authorize the Central Bank for Cooperatives and the regional banks for cooperatives to issue consolidated debentures, and for other purposes, which were on page 3, line 9, strike out "central" and insert "Central"; and on page 4, strike out lines 5 through 15, inclusive.

Mr. AIKEN. Mr. President, this bill authorizes the 12 regional banks for cooperatives and the Central Bank for Cooperatives to issue joint debentures. The bill as it was passed unanimously by the Senate contained a provision prohibiting the making of loans which could be used to expand the poultry industry. The House has adopted amendments striking out that provision.

I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

RECLASSIFICATION OF DICTAPHONES IN TARIFF ACT OF 1930—REQUEST TO HAVE BILL RETURNED BY THE HOUSE OF REPRESENTATIVES

Mr. HUMPHREY. Mr. President, will the Senator from Michigan yield to me at this time?

Mr. FERGUSON. I yield, Mr. President, provided I may do so without losing the floor.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. HUMPHREY. Mr. President, on yesterday, I was temporarily absent from the floor at the time when House bill 8932, Calendar 2001, was passed by the Senate.

The PRESIDING OFFICER. The Chair is advised that the bill has already gone to the House of Representatives.

Mr. HUMPHREY. Mr. President, I desire to submit a motion for reconsideration.

The PRESIDING OFFICER. The Chair is informed that the regular order would be to request that the House return the bill to the Senate.

Mr. HUMPHREY. Mr. President, I now move that the House of Representatives be requested to return the bill to the Senate.

Mr. President, let me state, by way of explanation, that the Representative from the Sixth Congressional District of the State of Minnesota had previously asked me to object to the bill when it was reached during the call of the calendar. However, I was unable to be present when that bill was considered.

I have discussed this matter with the majority leader. I think we may be able to work out the difficulties without delay.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota that the House be requested to return to the Senate, House bill 8932, to reclassify dictaphones in the Tariff Act of 1930, as passed on yesterday by the Senate.

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Michigan has the floor.

Mr. FERGUSON. I yield, without losing the floor, to the Senator from Ohio.

LABELING OF PACKAGES CONTAINING FOREIGN-PRODUCED TROUT

Mr. BRICKER. Mr. President, there are on the desk amendments of the House to Senate bill 2033. I ask that the amendments be laid before the Senate.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 2033) relating to the labeling of packages containing foreign-produced trout sold in the United States, and requiring certain information to appear on the menus of public eating places serving such trout, which were, on page 1, line 6, strike out "'(n)" and insert "'(o)"; on page 1, lines 8 and 9, strike out "of this title"; on page 2, lines 10 and 11, after "(2)" strike out "each part of the contents of the package is contained in a wrapper" and insert "if the package is broken while held for sale, each unit for sale (consisting of one or more trout) is in a package; and"; on page 2, strike out line 17 over to and including line 2, page 3, and insert:

"(b) No person shall possess in a form ready for serving or shall serve at a public eating place trout produced outside the United States, its Territories, or possessions, unless a notice is displayed prominently and conspicuously in such eating place stating that '———— trout is served in this restaurant', the blank space to be filled with the name of the country in which such trout was produced."

On page 3, after line 13, insert:

SEC. 4. This act shall take effect 6 months after the date of its enactment.

And to amend the title so as to read: "An act relating to the labeling of packages containing foreign-produced trout sold in the United States, and requiring certain information to appear in public eating places serving such trout."

Mr. BRICKER. I move that the Senate concur in the House amendments.

Mr. JOHNSON of Texas. I am not familiar with this matter, Mr. President. I wonder if the Senator will give me an opportunity to confer with Members on this side.

Mr. BRICKER. The principal amendment of the House requires that when foreign-produced trout is served in a restaurant, a notice must be posted, not merely that notice be stated on the menu.

Mr. JOHNSON of Texas. If the Senator will give me a chance to clear this with the appropriate Members on this side, I shall do so.

Mr. BRICKER. I cleared it with the author of the bill, and he is satisfied with the bill as amended.

Mr. JOHNSON of Texas. Who is the author of the bill?

Mr. BRICKER. The Senator from Idaho [Mr. DWORSHAK].

The PRESIDING OFFICER. Does the Senator withdraw his request?

Mr. JOHNSON of Texas. I wish to protect myself, and there are members of the committee with whom I have not had a chance to confer.

Mr. BRICKER. That is satisfactory to the committee. The Senate passed the bill with the requirement that there be notice on the menu that foreign-produced trout was served. The House amendment includes the requirement that the notice be posted in the restaurant. That is all there is to it.

Mr. JOHNSON of Texas. Will the Senator withhold it?

Mr. BRICKER. I shall be happy to.

The PRESIDING OFFICER. Does the Chair understand the Senator withdraws his request?

Mr. BRICKER. I withdraw the request, and I shall take it up at a later time.

Mr. JOHNSON of Texas. We shall clear it as quickly as possible.

TENTH ANNIVERSARY OF THE GI BILL OF RIGHTS

Mr. FERGUSON. I ask unanimous consent that the Senator from Illinois [Mr. DOUGLAS] may be permitted to make an insertion in the RECORD, without the Senator from Michigan losing the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOUGLAS. Mr. President, I ask unanimous consent to have printed in the RECORD an address concerning the 10th anniversary of the GI bill of rights, delivered by Mr. Edgar C. Corry, Jr., of Chicago, Ill., on August 2 over the Columbia Broadcasting System.

Mr. Corry is well-fitted to assess the results of the GI bill of rights, for as a veterans' leader and a successful businessman, he has carefully observed the workings of this legislation. He is past national commander of AMVETS—American Veterans of World War II and Korea—the president of the AMVETS National Service Foundation and vice president of the Mathers Stock Car Co.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

TEXT OF REMARKS BY EDGAR C. CORRY, JR., PAST NATIONAL COMMANDER OF AMVETS, AND PRESIDENT OF THE AMVETS NATIONAL SERVICE FOUNDATION, ON THE 10TH ANNIVERSARY OF THE GI BILL, DELIVERED OVER CBS, CHICAGO, AUGUST 2, 1954

Ten years ago—while the guns of World War II were still firing in Europe and Asia, in the Atlantic and the Pacific, and the outcome of that global struggle was in doubt, the United States Congress drafted a bill unparalleled in history. In the course of one decade, it affected the lives of more than 10 million men and women, and stimulated the economic welfare of America.

On June 22, 1944, President Roosevelt signed into law the GI bill of rights (more formally known as Public Law 346). At that time he said, "This law gives emphatic notice to the men and women of our Armed Forces that the American people do not intend to let them down."

A new concept was thus introduced into American thinking—help the veteran help himself. For as far as possible, the cost of war and of victory was to be shared by all Americans—not just those who served or died in uniform. It substituted the "helping hand" for the "handout."

It is appropriate now—10 years later—to measure the results and the cost of the GI bill of rights.

Under the GI bill, the door of opportunity was reopened to millions in whose faces it had banged shut with frightening decisiveness after Pearl Harbor. During the troublesome years since 1944, millions of veterans have passed through this door; some to acquire new homes or farms, or to enter new businesses made possible by the guaranteed loan provisions; some to receive educational and on-the-job-training benefits; and some merely to receive readjustment allowances while seeking a job.

It was very hard for most veterans to readjust themselves to the challenging circumstances confronting them when they returned from the war. But thanks to the GI bill, the transition period was measurably shortened, the absorption of 18 million additional civilians into a peacetime society was accomplished with a minimum of difficulty, and a threatened depression turned into prosperity.

How different from the aftermath of former wars. If you came back then in one piece you were on your own—go pick up the shreds of life by yourself—if you had a family to support in the meantime, well, it was just your tough luck. If you hadn't been able to learn a peacetime trade, or hadn't finished your schooling, or had little actual job experience, well—you were a tough-luck Charlie. Vast numbers of odd-job drifters and unemployed were taken for granted as a necessary price of war.

This time America faced facts. Almost a whole generation of our youth had been put into uniform. You can't turn loose 18 million young men from whom you have taken the 4 most crucial years of their life—you can't just turn them loose without wrecking a large percentage of them, and thereby inviting national economic disaster. Our Congress evolved a way of assisting the GI to become integrated into the business and community life of this country.

As a past national commander of AMVETS—and as president of the board of trustees of AMVETS National Service Foundation—I know at first hand some of the great good the GI bill has accomplished. The basic intent of the law—the restoration of opportunities lost through no fault of one's own, likewise was one of the motivating reasons for the establishment of AMVETS—the only World War II veterans organization chartered by Congress. To help fulfill this objective, the AMVETS Service Foundation was created in 1948.

The help the veterans needed as conceived by Congress fell into three categories: education, readjustment allowances, and financial loans.

Nearly 8 million World War II veterans obtained education and training under the GI bill—that's one out of every two veterans. Some finished high school, others entered colleges and post-graduate schools. Still others received business education in

what was known as on-the-job training and on-the-farm courses. More than 3½ million went to trade and vocational schools. The cost of all these training benefits was $14½ billion, but the country is reaping a rich reward in that investment. Since the draft law was enacted in 1940, the Armed Forces have been channeling much of our youth away from colleges and universities, but since 1944, the GI bill has been filling the vacancies so created, with veterans. Every level of education and training has boomed under the impact.

The GI educational benefits have helped build our reservoir of trained manpower in fields of endeavor ranging from atomic physics to airplane mechanics—from medicine to the ministry. It has assured that the productivity of our land will continue high because of new specialists in agriculture and animal husbandry. It has raised the education level of the entire country and likewise has raised the national income level. A Census Bureau survey discloses that from 1947 to 1952, the median income of the veteran has shot up 40 percent while during the same period the nonveteran group has gone up only 10 percent. The Census Bureau further reports "the higher incomes of these veterans may reflect the combined influence of the increase in work experience and higher level of education which veterans have achieved as compared with nonveterans." The net result is that the veterans who have had GI training will be paying approximately $1 billion more each year in Federal income tax. Within the next 14 years, these same veterans alone will pay off the entire cost of this program.

The second category of help which Congress devised was the readjustment allowance program which permitted allowances of $20 a week for a maximum of 52 weeks for veterans seeking a job. For those millions who were seeking their first job, and who now had families and dependents, the situation was exceedingly grim. They didn't want to be on relief. Nearly 9 million veterans received some readjustment payments, but to show you what stuff these guys were made of, only 10 percent drew their full benefits. The average GI had his new job in hand in 6 weeks. The readjustment allowance program was often viciously attacked and ridiculed during its first 2 years of operation. It was nicknamed the 52–20 club with the implication that everybody would take a free ride on the Government, would wait until they had drawn their full $1,040, before they even started looking for a job. Well, the boys proved the cynics were wrong in a big way, and that the faith Congress had in them was well justified. And, by the way, that $3½ billion spent on them was immediately pumped back into circulation—it went for food, clothing, and rent. With a perspective now of 10 years, it can be safely said that the readjustment allowance program which ended in 1949 amply fulfilled the need for which it had been created.

The third major category of opportunities was the GI loan. Under this provision, the veteran was given the right to borrow money for which he had to pay interest at 4 or 4½ percent. With a guaranty by the United States Government, over three million veterans acquired a home for themselves and their families. When a man becomes a homeowner, he becomes an important and stable member of his community. You will be interested in knowing that $23½ billion were borrowed from banks, insurance companies, building and loan associations and other lending institutions. What kind of homes did these veterans buy? Sixty percent of all the homes acquired were in the $10,000 to $15,000 bracket. Each home purchased or built added strength to its community, and provided an additional source of tax revenue. The veteran's need for housing spurred a gigantic building boom, and the availability of credit thus furnished, stimulated a multibillion dollar exchange of money.

Much can be said for the other types of loans guaranteed by the GI bill—such as business and farm loans. There are thousands of success stories emerging from modest beginnings aided by small business loans guaranteed by the Government in an amount not to exceed $4,000. More than 50 percent of the one-half billion dollars of these loans have been repaid in full. Now that is such a terrific fact, that I'm going to repeat it again—more than one-half of all the business loans have been repaid in full. How's that for ability, integrity and drive?

Many were fearful that the veteran was being saddled with a financial burden that would result in wholesale bankruptcy and create national chaos. The facts prove that the veteran has been an exceptionally sound financial risk. Over $3 billion have been repaid in full. The total defaults on all loans have been less than 1 percent of the funds borrowed by veterans. Many cynics anticipating a very high default rate on the Government guaranteed loans believed that the American taxpayer would be the big loser when these defaults were absorbed by the Government. That less than 1 percent of defaults I mentioned amazed not only the cynics, but the hopeful endorsers of the GI bill. In actuality, the Government received an additional source of tax revenue from all the individuals, businesses and industries which profited and prospered as a result of this multibillion dollar spending.

Has the task undertaken by Congress in 1944 been completed? In part yes, and in part no. In part yes, because as I said, the readjustment allowances were terminated in 1949, and no new applicants for education and training benefits are being accepted. The only major benefit still in force today is the GI loan. Its deadline is 1957. The VA has done a monumental and praiseworthy job in processing and administering all these many benefits for the ablebodied as well as its vast work in the medical field for the disabled.

In part no, because the problem of lending a helping hand to those who need it never ceases. AMVETS and its service foundation were established for the purpose of helping the veteran help himself, and to repay in what small way we can, the moral debt we owe to the widows and orphans of our partners in combat. To acomplish this, we have maintained a staff of national service officers and VA accredited representatives who counsel, free of cost, with the veteran, acquainting him with his rights and assisting him in the complicated mechanics of obtaining them.

Another illustration of the work of the AMVETS service foundation is the annual 4-year college scholarship given to 6 deserving high-school students whose fathers died in combat, or were totally disabled. These students, carefully tested by the National Association of Secondary School Principals, receive the sum of $2,000 prorated by semesters. By the way, they are setting a terrific pace in college.

The annual AMVETS Christmas party provides homeless orphans throughout the Nation with a real Christmas complete with toys, individual gifts, and a TV set or radio-phonograph for the orphanages in which they live. Right now—let me thank all of you whose generous donations have helped us carry out such programs.

American generosity has given much to those who bore the brunt of battle. The 10th anniversary of the GI bill heralds an enriched America whose heroic soldiers have become its most devoted citizens, its local, State, and national leaders. That bill was a humane as well as a sound business investment made in the youth and, therefore, the future of America.

THE RIGHT OF CLERGYMEN TO SPEAK AND ACT

Mr. DOUGLAS. Mr. President, I wish to make available to the Members of Congress a resolution adopted earlier this year by the executive committee of the Church Federation of Greater Chicago on The Right of Clergymen To Speak and Act.

At a time when loose charges are made against many religious leaders, it seems appropriate to direct attention to this strong affirmation by the Chicago Church Federation of its unequivocal opposition to communism, its forthright support of the right and duty of clergymen to speak and act on the urgent problems of our time, and its conviction that reforms should be made in congressional investigating procedures.

Those of us who have been advocating such reforms in investigating procedures, as in my joint resolution, Senate Joint Resolution 137, or the Kefauver resolution, Senate Resolution 256, of which I am a cosponsor, welcome this support. We also hope that the Senate Rules Committee, which is now considering these proposals, will give heed to the growing public feeling and conscience which this resolution reflects.

I ask unanimous consent that the resolution of the Church Federation be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION OF THE CHURCH FEDERATION OF GREATER CHICAGO

THE RIGHT OF CLERGYMEN TO SPEAK AND ACT

Resolved: As Christians and leaders of our churches we are unequivocally opposed to communism. Its materialistic philosophy is a denial of the reality of God in whom we believe. Its ruthless totalitarian methods violate the Christian doctrine of love as taught by our Lord Jesus Christ. The basic premises of the Communist doctrine of personality and human relationships, and of the social, economic, and political organization of society, are false. They are antithetical to democracy.

Week after week and year after year throughout all of their ministries more than 2,000 clergymen of all faiths in Greater Chicago have by their teaching and their lives witnessed to these truths, as those who know the minds of ministers and who attend the services of the churches regularly would gladly testify.

However, in our opinion, the issue as drawn by those who are currently attacking the clergy is not the issue of communism, nor the investigation of treachery. We favor every proper legal procedure to enforce the law against treasonable acts or incitements, whether committed by clergymen or others.

What then is the issue? It is whether or not clergymen have the right to speak and act in applying the Christian faith to the urgent moral and social problems of our age.

Clergymen have a duty imposed on them by their churches and God to be concerned about social conditions which in their best judgment violate the moral order which God has revealed through Jesus Christ.

Clergymen have the obligation to proclaim the eternal truths which inhere in the nature of God's universe, and to make these truths relevant to the relationships of men to men as well as of men to God.

Yet ministers, teachers, and other citizens concerned about racial, social, and eco-

nomic disorder and injustices in society or the realization of peace have too often been smeared with the accusation of communism. A principal foundation stone of freedom in America is religious liberty. We shall never surrender that freedom.

We denounce the false charges that have been made against the clergy of all faiths, educators, and other leaders.

We urge that the congressional accusers bring their charges in courts of law where the accused can be given a fair trial by accepted judicial procedure.

We call for the reform of congressional and Senate investigating committee procedure so that innocent men will not have their reputations blackened by star-chamber proceedings which imitate the methods of communism and fascism.

These are the real issues. As clergymen responsible to God and our churches we declare that we shall endeavor to proclaim the word of God about the vital issues of human life.

We shall not be intimidated by false charges of communism or communistic sympathizing leveled by those who seek to silence the clergy.

We make this declaration in humility and with gratitude for the freedom and privilege of our American heritage. We pledge ourselves to uphold the spiritual integrity of this heritage and we urge all Americans to dedicate themselves to this purpose.

A NATION SECURE—TODAY AND TOMORROW

Mr. FERGUSON. Mr. President, for some years we expanded our military forces. The enlargement has drawn into the services the sons and daughters of families throughout the land. One of the effects of this situation has been to make our people, more than ever before, conscious of the perilous times in which we live. They do not know whether there is peace or war behind the ever-threatening clouds. No generation since 1815 has been so troubled with fear for the safety of our homeland. From the questions we hear in every quarter it is clear that there is deep anxiety over the state of our national defense. Confused by the babble of contradictory and alarming pronouncements by the uninformed, our people seek assurance that the Nation is reasonably secure against attack. They want to know what policies the administration has developed to guide the military in various contingencies. They want to know what our program is, what it costs, and how effective it is likely to be in meeting such challenges as world events may thrust upon us.

It is my purpose today to answer these questions, to explain why we had to make a reappraisal of our military requirements, to dispel some of the misconceptions that have grown up around the term New Look, and to present in some detail the specific programs we have developed for the common defense. I think I can show that, behind the smog of words which has all but smothered our achievements over the past 18 months, we do have a comprehensive military program, at a price the national economy can afford, and capable of defending our homeland and supporting our policies abroad.

When the Republican Administration and the 83d Congress took office in January 1953, the Nation was at a critical stage in its defense program. The stalemate in Korea was still pending and the weekly casualty lists of young men were coming in. We had no assurance that increased fighting would not be resumed. Our rearmament program still continued strong because we had no way of knowing whether Korea was merely a limited war or the beginning of a global war which would require the highest level of military preparedness. Our military spending, which totaled $11.9 billion in the fiscal year 1950, was projected by the outgoing administration at $50 billion for the fiscal year 1953. Military manpower had increased from 1,460,000 in June 1950, to 3,555,000 by June, 1953. Defense treaties had been concluded with some 39 nations, thus extending our commitments around the world.

And yet all was not well with our Military Establishment. There had been critical shortages of ammunition and other supplies. Our military planning moved from crisis to crisis on a stop and start basis because the national goal was not clear. We were constantly seeking to meet some peak year of calculated danger. And in our rapid-fire buildup, we rarely paused to appraise the situation, to eliminate the enormous waste, or to note the cost and disruption to our economy.

Then the situation changed again, and on July 27, 1953, the Korean truce was signed, thus ending the fighting in which the United States suffered 142,126 in total casualties. By this time, too, the military preparedness of our allies in the North Atlantic Treaty Organization had become more effective. In Korea, the defense forces of the Republic became stronger through the training and equipment of its own divisions. And we had reached a point in the growth of our Military Establishment where prudence indicated the necessity of a balance between maximum military strength and the capacity to bear the load without imparing the health and solvency of the national economy. It became clear to all who were concerned with the problem that we were going to have to devise a new program to meet the long pull if we hoped to counterbalance the Soviet calculations which contemplate a whole historical era.

In these circumstances a fresh appraisal of our situation was clearly called for. Moreover, it was a natural desire for the new Republican administration to want to make its own interpretation of the basic requirements for the national defense in the light of rapidly changing circumstances. We wanted to evaluate the commitments that had been made, and to calculate the risks we faced in the light of the best military intelligence on the intentions and capabilities of the Soviet Union. We wanted to find up-to-date answers on three main questions: What are our requirements? Do we have the capabilities to meet these requirements? And can we meet them at a lessened rather than increased cost over the indefinite future?

MILITARY PLANNING DEPENDS UPON NATIONAL POLICY

Military planning is only one factor in our total policy for national security. Traditionally, war is regarded as "an instrument of national policy"—not to be used unless all other methods fail in the conduct of peaceful international relations. As far as the United States is concerned, it is to be used only when and if war is forced upon us by enemy aggression. I want to repeat that statement: It is to be used only when and if war is forced upon us by enemy aggression.

This is more than ever true today when the possibility of attack and counterattack with hydrogen bombs could result only in the mutual destruction of the participants. But it is also more than ever true because the Communists have devised so many different ways of committing aggression that we must be prepared to deal with each type whether it is primarily political, economic, military, or psychological. In fact, during a cold-war period the battle for men's minds is on the spiritual, moral, and the diplomatic fronts. Spiritual values based upon the concepts of Christianity and representative democracy, emphasizing the innate worth of each man and of his right to freedom and liberty—these are the real weapons for winning victory in an ideological conflict. We firmly believe that given a fair opportunity to choose, men everywhere will take freedom as against slavery. Much of our foreign policy today is designed to see that men have this fair opportunity to choose between freedom and slavery.

But we must be prepared not only for the cold war which the Communists instigated by anti-American and anti-representative-government propaganda, but also for a period of half-war-half-peace, during which the techniques of war-by-satellite or war-by-revolution, may again and again be attempted in order to extend the boundaries of communism. Beyond that, we must be ready for total war, if war is forced upon us.

We must be prepared for these wars-by-satellites or wars-by-revolution.

The primary objects of our national policy are twofold: to prevent war, and to bring about conditions that will establish a peaceful atmosphere of faith and confidence. To achieve these objectives we use a variety of methods—political, psychological, economic, and military. The military, it will be observed, is only one element interlocked with others in a complex pattern of defense. It was never intended by responsible planning officials that our program should be interpreted as consisting of only one particular element, much less only a part of one element such as "massive retaliation." Yet some of our critics are trying to mislead the public by such absurd charges.

We know that battles are not lost alone on the field of combat; and we have taken steps to make sure that no battles are lost by armchair generals or typewriter machine guns here in Washington.

Since the end of the Korean war a profound study of defense policies has been made. The President, the National Security Council, the State Department, the Defense Department, and Congress have all had an active hand in it. We have to outline the strategy of defense before calculating the appropriations

for specific purposes and parts of it. As chairman of the Senate Subcommittee on Military Appropriations I know how hard and carefully we have worked on this problem.

It is interesting to observe that the National Security Council met during the previous administration 20 times in 1950, 34 times in 1951, and 17 times in 1952; whereas during the present administration it met 51 times in 1953, and 26 times in the first half of 1954. In fact, during the first year and a half of the present administration 66 meetings were held, out of a total of 193 meetings of the National Security Council since the beginning of the Council in September 1947.

The actions taken at those meetings were, in the present administration, 399, as compared with a total of Council actions in the 7 years the Council has been in existence of 1,095.

These figures show the tremendous emphasis given by the present administration to the work of the National Security Council and all aspects of the national-security policy.

Now that our program has been crystallized in size and shape by the passage of the 1955 military and related budgets, we know where we are headed, but our plans are flexible and if events disprove any of the assumptions on which our estimates were based, we can and will of necessity make adjustments to the new conditions.

THE TERM "NEW LOOK" AS APPLIED TO MILITARY POLICY

You will notice that I have chosen to speak of our present military policy and program rather than to use the term New Look which has become so widely current. It has, indeed, become a sort of catchall phrase which means many things to many people, and hardly anything to others. I have purposely refrained from using New Look because some who have done so have made the mistake of taking a part for the whole. Sometimes they have taken several parts. And again they have used the words as a label to describe everything that has a military aspect. If we are to understand the elements of our military policy and program—and they must be pretty definite for we have appropriated more than $29 billion for the military budget this year—then we would certainly do well at the beginning to make sure that we agree on our terminology and that our purpose is not to confuse the issues by indulging in a war of words.

The use of New Look to describe our military policy has grown up like Topsy, and has gained such popular acceptance that I do not expect others will suddenly abandon this phrase merely because I have chosen to speak as I do. But I do think that a few words about the term may provide perspective and prevent some mistakes about it, particularly on the part of those who neglect the forest in favor of looking at 1 or 2 trees.

It became apparent very soon after New Look hit the headlines that our civilian officials and military planners were disinclined to accept the term as being explanatory of the situation with which they were dealing. When President Eisenhower, on April 30, 1953, called attention to the "crazy quilt of promises, commitments, and contracts," with which the administration was confronted when it took office, he said that we must have "a completely new, fresh look" at this condition. He was referring to a simple appraisal and to the need for bringing the fiscal situation into "some kind of realistic focus." But over and above this, his main purpose was to bring out that "a true posture of defense is composed of three factors—spiritual, military, and economic."—White House Press Release, April 30, 1953.

Nor did Secretary of Defense Charles E. Wilson say anything that would tend to convey the impression that the New Look was a partial term or that it could be used indiscriminately. When he appeared before the Senate Committee on Appropriations, May 19, 1953—that was the first hearing before my subcommittee on the defense bill—to testify on the military budget, he said:

> During the summer and fall of 1953, it is planned to take a new look at the entire defense picture. This will involve an intensive and detailed study by the newly designated Joint Chiefs of Staff. They will consider all aspects of defense—strategic plans, forces, missions, weapons, readiness levels and mobilization reserves, both stockpiles of material and capacity to produce. This will provide the basis for the fiscal year 1955 budget. The current force plans are subject to whatever change may be indicated by this forthcoming review. (Hearings before the subcommittee of the Committee on Appropriations, United States Senate, 83d Cong., 1st sess., on H. R. 5969, Department of Defense Appropriations for 1954. Pp. 6–7.)

By December 1953, when Adm. Arthur W. Radford spoke before the National Press Club in Washington (December 14, 1953), he sought to make clear that:

> The new look really is not the first such review of military requirements. The Joint Chiefs of Staff since their inception have continuously reviewed security problems and requirements. Actually, the new look is new in only two respects. First, the Joint Chiefs of Staff, who are making it, are newly appointed.
>
> Second, and more important, our current review is based on a guiding precept that is significantly different. Our new look prepares for the long pull, not a year of crisis. (Address by Adm. Arthur W. Radford, Chairman of the Joint Chiefs of Staff, to the National Press Club, Washington, D. C., December 14, 1953. The New York Times, Dec. 15, 1953.)

In spite of these clear explanations with regard to the nature of the military planning process, we have been favored with a number of articles which seem to imply that the new look military policy means 1 or 2 of several different things, such as cutting the military budget or bringing home 2 divisions from Korea—it depends on who is speaking as to how it is described—or not consulting with our allies; or not consulting with Congress; or starting a big war to stop a little war; or cutting ground troops; or emphasizing airpower too much; or not emphasizing airpower enough; and so on, down the long line of such ideas.

The term came to be so needlessly abused that, finally, at a press conference on March 18, 1954, President Eisenhower said he did not like the expression "New Look" because it did not mean much to him—that what we were really trying to do was to "keep abreast of latest developments by planning to employ new weapons and new tactics" and that "we are striving our best to meet the grave responsibilities that are placed upon people whose job is to protect this country"—transcript of presidential press conference with comment on retaliation to aggression, the New York Times, March 18, 1954.

The main thing wrong with those who abused the term "New Look" is that they tried to imply either that we have some fatal weakness in our defense policies, or that we have no understandable defense prorgam at all. Both of these implications are false.

In a moment I intend to show conclusively that we do have a well-rounded military policy and program which is carefully and wisely meshed with our foreign policies and with all other elements bearing on our security.

THE ROUNDED NATURE OF OUR PREPAREDNESS CONCEPTS

The course that has been charted by the Government to prevent war and achieve peace is made up of a number of guiding lines. During a cold war period, or for any period short of a shooting war, fencing with the enemy is done by diplomatic, economic, and psychological means.

Communism has brought into the world a new meaning to this cold-war period, or this period which is short of a shooting war. Therefore, we must have a new approach and a new policy.

As we meet the aggressively purposeful will of the enemy, we are in the parrying and thrusting stages of a conflict that is taking place in the unpredictable realm of political decision. From the variety of means available for implementing our policy in this cold war, we may give priority first to one method and then to another, depending upon how we decide to exercise our initiative. Nor do we wish, at such a time, to give the enemy a complete blueprint of what we plan to do and how we plan to do it.

I think we courageously provided on the floor today one of our instruments in this cold war.

But the broad outlines of our intent must be made plain to the whole world—that while we intend to seek the solution of international problems at the council table, we are determined to withstand aggression by force if absolutely necessary.

Mr. President, it is all-important that not only those who would destroy our way of life, but all peoples of the world, should know that while we intend to seek the solution of international problems at the counsel table, we are determined to withstand aggression by force, if absolutely necessary.

My purpose here is to present our official policy, as I understand it, in terms of some eight elements into which I believe it can be divided:

First. Our long-term security program;

Second. The mutual system of defense;

Third. Our plans for preventing war by deterring aggression;

Fourth. Readiness for both global or small wars;

Fifth. The use of new weapons systems;

Sixth. Strengthening our continental defense;

Seventh. The continuing reorganization of the Department of Defense in the interest of economy and efficiency; and

Eighth. The constant review of policy to meet changing conditions.

OUR LONG-TERM SECURITY PROGRAM

Our present program is based upon a recognition of the fact that communism is a threat to the free world for an indefinite period of time in the future. Although the military forces of the Soviet-bloc nations cast their threatening shadow over the western democracies, this warmaking capacity is only one of the means used by the Communist leaders to force compliance with their world revolutionary ideology. With great patience they are willing to use internal subversion, war-by-satellite, hate-stirring propaganda, or any other economic or political device which will gain their object without a fighting war, using their own troops. They seem willing to take 10, 40, or 100 years to conquer the world.

Mr. President, 1938 was 100 years from the manifesto of Karl Marx, which is the heart of communism. So they go on to win their point.

As Secretary of State Dulles has pointed out, "* * * the threat is virtually unlimited so far as time is concerned. Soviet communism operates not in terms of an individual lifetime so that the threat will end with someone's death. It operates in terms of what Lenin and Stalin called 'an entire historical era' "—hearings before the Committee on Foreign Relations, United States Senate, 83d Congress, 2d session, March 19 and April 14, 1954.

Mr. President, that is very important. Both Lenin and Stalin are dead, but communism did not stop, because it is unlimited so far as they are concerned and so far as time is concerned.

It has taken us a little while to come to this conclusion. Senators will recall that after World War II, the United States in accordance with past traditions demobilized its military establishment. We had hoped that international disputes could be settled largely through the United Nations, and although we had a monopoly of atomic weapons in 1946, we took the initiative in proposing an effective system for the international control of atomic energy.

America wants peace not only at home, but all over the world. It soon became apparent, however, that the Soviet Union was committed, not to the idea of cooperating with other nations in the settlement of difficult problems, but to a deliberate course of action designed to obstruct progress toward disarmament.

Mr. President, an analysis of the whole situation for the past decade since the end of the war must convince those who look at the question that this is true. At the same time the U. S. S. R. was engaged in building up its military forces to a point far in excess of that required for purely defensive purposes. Meanwhile, in the 10-year period between 1939 and 1949, the Soviet Union revealed its predatory nature by expanding its territory from 8,176,000 square miles, with a population of 170,467,000, to 13,415,660 square miles with a total population of 752,878,000—background information on the Soviet Union in international relations report of the Committee on Foreign Affairs pursuant to House Resolution 206, House Report No. 3135, 81st Congress, 2d session, 1950.

But the men in the Kremlin still were not satisfied. They reached out far beyond their own boundaries to sponsor armed Communist aggression against the Republic of Korea in June 1950.

I called the attention of the Senate, in a speech I made on the floor, to the fact that I believed at that time—and I am more convinced of it every day—that it was Communist aggression which moved into Korea on June 25, 1950. The same was true in Indochina.

By this time the United States had come full swing from partial disarmament after World War II to the necessity for rearmament, not only to fight aggression in Korea, but also for preparedness to win another global war if one were launched by the Communists.

The unlimited time element in the Soviet strategy for conquest, plus the fact that atomic weapons allow us little or no time to prepare for a future war, mean that we must maintain a strong military posture for an indefinite period. Our preparations must be adequate, but they must also be realistically related to maintaining a healthy economy.

When Stalin was head of the Communist conspiracy he let it be known to the people of Russia and to all other people throughout the world that he believed America and the other nations which believed in representative government would destroy themselves in their preparedness programs.

We would simply be playing the game of the Communists if we were to indulge in military expenditures to the point of economic collapse. Nor would such a course guarantee peace. Military preparedness is not equal to the amount of money spent. We might draft twice as many men, and in the absence of war, unnecessary personnel would have been withdrawn from productive civilian activities which are also necessary to national strength. We cannot forget that.

We must have a firm core of trained military manpower, active and reserve, the best available weapons, a strong productive base, and a stockpile of strategic materials.

The hearts of the American people, who believe in freedom, must remain strong and true. That is the first requirement of defense. What is our manpower thinking? What is the real and true inspiration of their souls?

The essential element of a long-term preparedness program is quick conversion from partial to total mobilization of all the requisites for carrying on a war. This long-term program must also include the capability to deliver a massive retaliatory blow with nuclear weapons, which is the great deterrent to general war, and the great means of winning such a general war if it should come, and steps to protect this capability in the homeland and abroad from destruction by enemy attack, as well as protect the mobilization base of the civilian population.

Being militarily prepared to win a war that we hope to prevent is complicated by an unknown factor—the enemy's plans and the timing of a possible attack. I know it is much harder because of those two factors.

In recognizing the long-term nature of our security program, therefore, we realize that our degree of preparedness depends upon a continuous and accurate analysis of the size and nature of the Communist threat realistically projected into the future. We are fully aware that at any given moment our state of readiness must be sufficiently adequate to meet this threat regardless of the cost or the sacrifices which that might entail.

THE MUTUAL SYSTEM OF DEFENSE

Another pillar that supports our defense structure is the mutual system of defense that has sprung up among the free countries banded together against aggression. Separately, each nation does not have sufficient resources to withstand the nibbling tactics of communism, but when their strength is combined, it can be great enough to turn back the would-be conquerors.

Our present policy and program call for continuing and strengthening the mutually agreed upon arrangements which were a result of bipartisan action by the Congress. In addition to the commitments involved in extending economic, military, and technical assistance, the United States has concluded defense treaties with some 39 nations. The Inter-American Treaty of Reciprocal Assistance—the Rio Pact between 21 nations of the Western Hemisphere—provides that an armed attack against any one of these states will be considered as an attack against all. The 14 nations allied by the North Atlantic Treaty have made a similar pledge. The treaty between the United States, New Zealand, and Australia declares that an armed attack on any one of the three will be considered dangerous to peace and safety. We are now exploring the possibility of another regional security agreement to protect the stability of southeast Asia. And in addition to these regional alliances, the United States has mutual defense pledges with the Philippine Republic, Japan, and the Republic of Korea.

We have reviewed all these arrangements to see what effect they would have on our defense planning. Obviously, they are of mutual advantage. The United States is enabled to have bases abroad; our allies are assured of economic and military assistance; and each Nation can contribute its share toward total defense requirements of the free world according to its capacity. On the one hand, the treaties serve notice on a potential aggressor of the intent of these nations to combat imperialism; on the other, they indicate to our own planning officials the necessity for a flexible, mobile

military force which is capable of being supported by men, weapons, and supplies in many far-flung areas throughout the world.

Mutual security arrangements look toward the building up of indigenous military strength, helped by United States logistic support, military training and military defense support, plus, if necessary, United States mobile forces and the available forces of U. N. or other regional agreements countries.

DETERRING AGGRESSION AND THE CAPACITY FOR MASSIVE RETALIATION

The United States will not start a war, nor does it consider a third world war inevitable, but if an enemy launches an aggressive attack, we will be prepared and have the capacity to retaliate with devastating force. Now the enemy knows exactly what he can expect if he starts a war. Apparently the aggressors who started the two world wars thought that we would not fight, and so they embarked upon a course which they assumed they could get away with. It was the same in Korea when the Communists concluded from Secretary of State Acheson's speeches that America would not act against aggression in Korea. Had all these aggressors appreciated the firm determination of the United States and of her allies to resist attacks upon our republican institutions, they might not have started the wars in the first place. Because we are determined to head off a war before it ever gets started, because we do not want enemy leaders to make this same mistake again, we are calling their attention to our determination to resist aggression and to participate in the enforcement of peace.

I think, Mr. President, it is very important that we do not mislead the enemy by some of the things we say and do; but rather, that we must advise them so that they will know that we are calling their attention to our determination to resist aggression and to participate in the enforcement of peace. It is not as a threat, Mr. President, but just a matter of advising them what the facts are.

When President Eisenhower spoke before the United Nations on December 8, 1953, calling for a pool of atomic power for peace, he called attention to the devastation—indeed the utter ruin—that could be expected to result from atomic warfare, and he stated that "no sane member of the human race could discover victory in such desolation." Firmly he said that:

> Should such an atomic attack be launched against the United States, our reactions would be swift and resolute. But for me to say that the defense capabilities of the United States are such that they could inflict terrible losses upon an aggressor * * * all this, while fact, is not the true expression of the purpose and the hope of the United States * * * My country wants to be constructive, not destructive. It wants agreements, not war, among nations [and] is instantly prepared to meet privately with such other countries as may be "principally involved" to seek "an acceptable solution" to the atomic armaments race which overshadows not only the peace, but the very life, of the world * * * The United States knows that if the fearful trend of atomic military build-up can be reversed, this greatest of destructive forces can be developed into a great boon, for the benefit of all mankind. (Department of State Publication No. 5314, pp. 1–14.)

The existence of our Strategic Air Command, and of its network of forward bases overseas does not mean that this is the only method we have of meeting enemy agression. Nor does it mean that we would overshoot a target by using an atomic bomb where a hand grenade might suffice. It does not mean that we would instantly start a major military operation in order to deal with some minor skirmish. Nor does it mean that we shall ever ignore our treaty partners. We shall naturally consult with our allies where collective defense requires collective action because we want them to know we shall not ignore our treaties. And the President has been explicit regarding his intention to consult with the Congress in matters relating to the role of the legislature in providing for the common defense and in making any declaration of war.

Mr. President, that is as it should be.

I think the misconceptions that have grown up around this point should be dispelled by the testimony of Secretary of State Dulles before the Senate Foreign Relations Committee on March 19, 1954. I heard his remarks, and they were impressive. He said:

> What I have said has often been misquoted as a policy of instant retaliation. I never have said that there was a policy of instant retaliation. I said we should have the capacity to retaliate instantly, and I believe that then, the decision as to when and how to use that capacity is made through the ordinary processes of government. * * *
>
> To apply this deterrent principle the free world must maintain and be prepared to use effective means to make aggression too costly to be tempting. (Hearings before the Committee on Foreign Relations. U. S. Senate, 83d Cong., 2d sess., Mar. 19 and Apr. 14, 1954.)

There are many ways to retaliate, as Secretary Dulles testified, and the main thing is to have mobility in order to have—

> a large measure of choice * * * which [would] force a potential aggressor to worry as to where and how the attack will be.

To say that we depend primarily upon a capacity to retaliate certainly does not mean that we depend solely, only, or exclusively on this method. Admiral Radford has assured us that—

> Our planning does not subscribe to the thinking that the ability to deliver massive atomic retaliation is, by itself, adequate to meet all our security needs. It is not correct to say we are relying exclusively on one weapon, or one service, or that we are anticipating one kind of war. I believe that this Nation could be a prisoner of its own military posture if it had no capability, other than one to deliver a massive atomic attack.

Although we cannot guarantee that this deterrent principle will be foolproof in the future, certainly it has worked to prevent a major war thus far. And even now that the Soviet Union has developed atomic bombs and the means of delivering them to vulnerable western targets, there is still hope that the discovery of this weapon will bring peace rather than war. I think it is well to ponder a moment the words of Winston Churchill:

> It may be * * * that when the advance of destructive weapons enables everyone to kill everybody else no one will want to kill anyone at all. At any rate, it seems pretty safe to say that a war which begins by both sides suffering what they dread most—and that is undoubtedly the case now—is less likely to occur than one which dangles the lurid prizes of former days before ambitious eyes. (Speech in the House of Commons, November 3, 1953.)

READINESS FOR BOTH GLOBAL OR SMALL WARS

Prior to the outbreak of hostilities in Korea, our military planning was dominated by the idea that if war broke out it would be total and worldwide. Naturally, such an assumption led to plans that were based upon total rather than partial mobilization of our men and resources. It led to grave injustice when reservists were called up to serve in Korea, after they had already fought in World War II.

Mr. President, that was brought forcibly to my attention when I spent a month in the Korean theater with the Air Force, the Marines, the Army, and the Navy. When one talked to the reservists, he found that out very forcibly.

It led to the Nation's being unprepared for the type of war it had to fight in Korea.

As a result, the United States undertook a major mobilization, and attempted to build up military strength at every possible danger spot throughout the world, an effort that would inevitably involve unbearable expense. At the same time, it did not give us the type of protection we needed to meet different situations which might arise. There is no safety in commitments everywhere and strength nowhere.

Our military experience in Korea gave us a new measure of the enemy, indicating that we would have to be prepared not only for total war, but also for "brush-fire" wars that might have to be put out all around the edge of the Communist borders. This fact, in the light of the cost of trying to be strong everywhere, emphasized the necessity of a strategic reserve of flexible and mobile military forces. It also meant that we would have to be prepared to fight with conventional weapons, as well as with atomic weapons. In putting out "brush fires," we hope to rely as much as possible on indigenous military strength. To that end we offer to our allies military training, military defense support, economic support, and logistic support. Such ideas as these have helped us in planning the size and shape of our Military Establishment.

Our analysis of the situation indicated that we could get maximum defense at a minimum cost over a long period of time by emphasizing the role of air power. This does not mean, however, that the Air Force is being built up "at the expense of" the Army and Navy, as some persons have alleged. In this connection, we must keep in mind the fact that the planes of our powerful Air Force do not solely comprise our national military air power. The fast carrier task force has long since been accepted as the core of the Navy's offensive capabil-

ity. Perhaps it should be emphasized that the Navy has an active inventory of over 13,000 planes, and that the carrier-based planes are also fully capable of delivering the atomic bomb. The Joint Chiefs of Staff are in agreement that ground troops are important and necessary, and would be required on a grand scale for a global war and for the full use of our superior atomic weapons. However, the Joint Chiefs believe that we can maintain effective strength throughout the cold-war period without undue expansion in the size of the military establishment.

It has always been difficult to provide for a unified, long-term military manpower program. Traditionally, as a republic, we have been reluctant to maintain large standing Armed Forces; and the pattern we followed in all our past wars was to mobilize after the war started, and to demobilize as soon as it was over. Now, however, it appears to be essential that we have a stabilized Regular force which can be augmented, when necessary, by strong, trained, and ready Reserves. The size of this total force must be determined by the function it is to perform. It would be wasteful to have the number too large, and hazardous to have the number too small. Whether we have 3 million or 3½ million men in the Regular forces, it would still be necessary to call up the Reserves if a major war broke out, and it would be essential that the Reserves be trained in the techniques of modern warfare. The administration is now working on the details of such a strong and equitable Reserve system.

Congress has given the Department of Defense an area of discretion in fixing the numbers of men necessary for defense. The number may vary from a little over 2 million to up to 5 million. At the height of the fighting in Korea it went up to some 3.6 million. The budget for fiscal 1955 calls for military personnel to number 3,038,000 by June 1955—a figure that is not so much lower than the peak of our Korean strength, but more than a million higher than the regular strength which might suffice, except for the enemy threat we face. It is the highest level of military manpower strength the United States has ever undertaken to maintain when a war was not going on. Three million is a planning figure—and I emphasize the words "planning figure"—for this cold-war period, or, perhaps we should call it this period of armed peace.

THE USE OF NEW WEAPONS SYSTEMS

One of the main factors which helped us determine the size of a military establishment that could be maintained on a combat-ready, but standby, basis, was the decision to incorporate atomic weapons into the regular arsenal of the Armed Forces. Today, we have not only strategic weapons, but also tactical atomic weapons, available in a variety of sizes and types. And all of our services—the Army, the Navy, the Air Force, and the Marine Corps—are trained and organized to use these weapons.

The research and development necessary to keep us in the forefront of scientific achievement have been emphasized by our 1955 military budget. There will be a constant effort to use new weapons and new techniques to increase the combat effectiveness of our troops. We know that atomic weapons are not the only answer to all military problems; we must be prepared with conventional types, as well, wherever they best suit the purpose.

We are well aware of the problem of maintaining the right balance between the weapons we have on hand and the new models we may produce. We cannot afford to abandon all our present equipment; we cannot run the risk of letting contracts to build up stockpiles of obsolete materiel; nor can we be so tempted by the glamor of new weapons and planes that we start living in a hazy cloud of blueprints. Between the old and the new, and in accordance with the international situation in which we find ourselves, we intend to keep a realistic balance.

STRENGTHENING OUR CONTINENTAL DEFENSE

We are moving to take whatever steps are necessary to strengthen our continental defense system. During the past year, this is the problem that has increased the most in size and difficulty. We know that the enemy has atomic bombs, has developed the hydrogen bomb, and has produced intercontinental bombers which are capable of making devastating attacks on American cities. We know that atomic bombs can be delivered to their targets by submarines as well as by planes, and we know the awful possibilities of bacteriological warfare.

The military problems are being met by improving our early warning system, so that people can quickly be alerted to the danger of an enemy attack. We are emphasizing the mission of our fighter-interceptor force in bringing down enemy planes before they reach their targets. We have already made great strides in the development of antiaircraft weapons, and the National Guard is playing a vital role in this aspect of our home defense. We are also working on a coordinated system of communications, so that the entire country can be prepared to cope with the problems of reconstruction. In all the military preparations we are making to ward off attack, we have the valued assistance and cooperation of our Canadian neighbors to the north. They, too are threatened with the common danger. Many elements of our early warning system must, of geographic necessity, be outside our border, and located in and shared with Canada.

The nonmilitary problems are connected with our civil defense effort; and this requires the close cooperation of all levels of government—local, State, and Federal. By advance planning, we hope to make certain that during and following an enemy attack, the people as a whole will know what to do. We are working on plans for the evacuation of people to safer spots in the country. If the whole life pattern of a city is disrupted by bombing, we shall be faced with the problems of disaster relief. These are similar to those we have faced as a Nation when we have had great floods, or fires, or epidemics. We shall have to provide food, clothing, shelter, and hospital care for the homeless people. We shall have to restore their means of making a living. And we shall have to reconstruct our productive economy, so the war can be carried to the enemy.

The problems of civil defense take on a different aspect, depending upon whether they occur before, during, or after an attack. We are now in a period before an attack, which we are doing our best to prevent. The most important advance we can make at this time is to awaken the people to the danger, so that, as citizens, they will seek the education which is necessary if they are to be prepared to meet the problems which may arise in the future.

CONTINUING REORGANIZATION OF THE DEPARTMENT OF DEFENSE

In June 1953 President Eisenhower's plan for the reorganization of the Department of Defense became effective, and since that time we have had a better basis for bringing about civilian control, effectiveness with economy, and the development of the best possible military plans.

During the past year Secretary of Defense Wilson has devoted himself to the task of managing our military affairs on a more economical basis. Certain unwieldy boards have been abolished and a streamlined administration has been set up in the Office of the Secretary. In accordance with the President's plan, new arrangements for efficiency in administration are also being worked out for the Army, the Navy, and the Air Force. Our new officials have been bringing about economy by better planning, better programing, and better operations.

The Joint Chiefs of Staff have had the responsibility for planning the size and kind of military forces and weapons needed for our probable future needs. They came to agreement on the force levels before the military budget was presented to the Congress this year.

Economy in programing is an aim of the entire team of military and civilian officials in the Department. It means that they are giving careful examination to working out the proper balance of all the component parts of a military program—manpower, materiel, and construction requirements.

By better operations, our defense team has been able to cut down on waste and inefficiency wherever they have been found. To achieve economy by this method requires the cooperation of every member of the armed services in a day-by-day effort to save money.

This improved organization and increased efficiency and economy of operation have already produced real results. Additional improvements may be expected in the future, particularly from the work of the Hoover Commission on Organization of the Executive Branch of Government. As a member of that Commission, I know of the studies it has underway into various phases of the activities of the Department of Defense.

WHAT THE BUDGET PROVIDES IN TERMS OF MILITARY STRENGTH

Definite form has been given to the Military Establishment with the passage

of the budget for fiscal year 1955. The total appropriation of $28,800,125,486, when added to the latest estimate of the carryover of $55 billion from previous appropriations, will make a total of $83.8 billion available for expenditure in our Military Establishment. The estimate for 1955 expenditures, however, is only $36 billion—which is about $4 billion less than the $40.2 billion expended for fiscal 1954—hearings before the subcommittee of the Committee on Appropriations, United States Senate, 83d Congress, 2d session, on H. R. 8873; Department of Defense appropriations for 1955.

From the $28.8 billion which we have just appropriated for the coming year, $7,619,066,986 is for the Army; $9,712,823,500 is for the Navy; and $10,927,930,000 is for the Air Force. In addition, the Congress is now working on a separate appropriation for military public works, the bulk of which has been requested for Air Force projects, which will appear before us in just a few days.

These appropriations will provide the level of military strength that has been agreed upon by the President, on the recommendation of the National Security Council and advice of the Joint Chiefs of Staff, and the Congress. It is a level that is realistically related to our military requirements for security and our capacity to maintain a well-balanced economy. Within this budget, we shall have a combat-ready Air Force, Army, Navy, and Marine Corps.

The Air Force will have not only the $10.9 billion appropriated in new funds, but also a $23.8 billion unexpended balance carried over into fiscal 1955. Any future war will require a superior Air Force and, indeed, our use of airpower as a deterrent to war calls for the utmost strength in this arm of the service. Our plan for the next year is to build up our Air Force military personnel from 947,000 to about 970,000. Our wing strength, during the next 3 years, is to be built up to a 137-wing structure by June 30, 1957. At the present time we have 115 wings—having added 12 during the past year—and by June 1955 we expect to have 120. Although some aircraft have been eliminated from the 143-wing program, we did not cut any combat unit aircraft before agreement was reached on the 137-wing objective. We expect that the new aircraft which are coming off the lines to replace old marginal planes will give us greater combat efficiency than we could have expected under our old schedules. There will also be a buildup of the airpower of the other services. The Navy will have 16 carrier air groups and 15 carrier antisubmarine warfare squadrons. The Marine Corps will have three air wings, and the Naval and Marine Corps Air Reserve will be strengthened.

The Army with its appropriation of $7.6 billion in new funds also has available a carryover of $16.6 billion for the coming fiscal year. That has been previously appropriated, but not spent. This may mean a possible reduction to a minimum of 17 divisions, depending on the outcome of organizational studies, but this is only 3 below the peak attained at the height of the Korean war. And never before have we attempted to maintain such large forces over an indefinite period of time. The number of regiments and regimental combat teams will remain the same—18; but there will be an increase in antiaircraft battalions from 117 to 122. The number of National Guard divisions will also increase from 25 to 27. All this means that during the coming year Army military personnel will be reduced from approximately 1,402,000 to 1,173,000. At the same time our Army forces will be maintained on a mobile, flexible basis and in a high state of combat readiness.

The budget for the Navy and Marine Corps—$9.7 billion plus $14.3 billion in carryover funds—is to be used to improve their combat strength. The plan calls for operating 1,080 ships and 9,941 aircraft. Three Marine divisions and 3 Marine air wings will be maintained in a high state of preparedness. New ships and aircraft will be added to the Navy to take the place of those that have become obsolete since World War II. Navy plans provide for the construction of a new aircraft carrier, 5 destroyers, 3 submarines—2 of which will be nuclear powered—8 escort vessels, some amphibious ships; plus the conversion and modernization of a *Midway* class carrier, 3 *Essex* class carriers, and various radar picket vessels.

CONSTANT REVIEW OF POLICY TO MEET CHANGING CONDITIONS

The President, the Joint Chiefs of Staff, the Secretary of Defense and the Secretary of State—all our planning officials emphasize the point that our present military policy and program are based on the facts as we see them today and as far into the future as we can project them realistically. We have today something new in the relationship of man to man—not a national enemy—or group of nations but an international enemy who owes his loyalty to a conspirational concept with incidental geographical roots.

Napoleon is reputed to have said that a revolution is an idea that has found bayonets, and the bayonets today are in the hands of a group of propagandized malcontents who can start a revolution anywhere on the face of the globe. They are armed with more than bayonets, Mr. President. We know their strength.

In a program as vast as ours there is always the opportunity for critics to pick flaws in the details. There is no end to the claims and charges they can make and we can never hope to satisfy all who set up shop as critics. Some of these critics are sincere and genuinely concerned about one phase or another of our defense program. While there probably is some merit to the points they raise, I ask them to enlarge their sights to encompass the whole picture where we have compromised any weaknesses and risks in the details in order to gain balance and strength for the whole. And I would remind them that never in history has any major nation succeeded in reaching perfection in shaping its national defense. And this is so because the imponderables of military preparedness cannot always be translated into such realistic terms as money, men, and munitions.

Then there are other critics whose sincerity is very doubtful. They deliberately look for flaws in order to magnify them into partisan issues calculated to win political ends. My best answer to these people is to expose their fallacies and to describe the well-rounded program we have developed, as I have done here today. After all, the man we have as President today is the man who brought us through the World War safely and victoriously. He has taken a personal and intense interest in our defense program, and if he is satisfied that the program is the best we can devise, then our people need have no fear.

As I sit at the council table with him, and with other leaders of the Senate and the House, I am sure those leaders feel the same way about it and are willing to tell the American people that they feel that way about it.

One thing more. Our plans are not static—they are flexible—and we intend to maintain our initiative to change them in whatever way seems necessary to protect the vital interests of the United States.

OUR TOTAL APPROACH TO NATIONAL SECURITY

In summary, let me say we have approached the problem of maintaining our national security from every possible angle, and have fashioned a policy and program designed to meet the many types of Communist aggression. It is in the nature of defense planning to be prepared for the worst possible contingency. If foresight and imagination can prevent it, we shall not have another Pearl Harbor. But it is our hope that the best will happen as a result of the many different kinds of effort we are making to prevent war.

The problems that we face are not easy of solution. Apparently the cold war is a continuing prospect, and we are meeting it by political, economic, and psychological measures. Another war of the Korean type might break out, or even a series of small wars in several different places. Any of these operations might lead to total warfare, or there might be a major war without much more advance notice than we have already had. Nor can we overlook the possibility that the enemy will resort to all devices short of war, with international relations continuing to take place in an atmosphere of uneasiness.

Yes, Mr. President, war may break out even while I utter these words on the floor of the Senate.

We cannot foretell exactly what will happen or for how long a period this fear and uncertainty will continue. We are confronted with a new type of enemy whose sympathies are not subject to the litmus test of national loyalty—or to use the more appropriate term, patriotism. We know that humans want and desire for individual freedom are subverted to a cause which is absolutely opposed to that very achievement. The religion of communism rejects natural patriotism.

At any rate, it is certain that we cannot be militarily prepared at every possible danger point throughout the world. It would not be feasible from the standpoint of manpower and resources, of the economy and our political institutions,

to dedicate our energies to the maintenance of a garrison state. How then have we chosen to meet the variety of uncertainties with which we are faced?

Our answer, militarily, is to have strong Regular Armed Forces, ready for any type of initial assault and also able to expand rapidly thereafter from partial to total mobilization. We must have trained and ready reserves, new weapons, increased combat effectiveness, and a great productive capacity. All these capabilities must be maintained for an indefinite period of time in order to check the long-term ambitions of the Communist leaders.

The advice of the Joint Chiefs of Staff regarding the force levels needed to meet our probable military requirements will be based upon a continuous examination of the world situation, an estimate of the strength and weakness of the enemy, and our own ability to make adjustments to new conditions. Any change in the calculation of our risks, or in the assumptions upon which our plans are based, will necessarily bring changes in the size and shape of our Defense Establishment.

Military strength, however, is only one factor in our total approach to national security. We shall also give priority to all other means of dealing with the conflicts created by the aggressive nature of communism. The men in the Kremlin are animated by a strong compulsion to arrange a series of advances for their ideology. Steps or stages in the "world revolution," they call them. To meet their predatory tactics, we must maintain the initiative on all fronts—spiritual, political, diplomatic, economic, and psychological—keeping our minds and conscience clear, our guns clean, and our powder dry while we seek victory along lines that will ultimately insure international stability and peace.

THE AGRICULTURAL ACT OF 1954

Mr. HUMPHREY. Mr. President, yesterday I read an Associated Press news story whose headline reads as follows: Carryover Assures Plenty of Livestock Feed, Benson Says.

It goes on to say:

Secretary of Agriculture Benson said today there will be plenty of corn and other feed for the Nation's big livestock industry despite a 15-percent drop caused by drought in the size of the prospective crop.

The indicated corn crop will not be large enough by itself to meet all livestock needs, but farmers have on hand from previous years a record supply on which they can draw, Mr. Benson said.

The Senator from Minnesota has repeatedly said that the prospects for the corn crop during the early part of this year were not particularly good. I have made note of the desirability of carrying over of excesses or reserves of corn.

As this article explains, the amount of the carryover which we will have as a result of the short crop this year, with which to meet the needs of our livestock and the other feed requirements, will be relatively low. In fact, it will be below the normal requirements which are prescribed by law. I believe we would do well to keep this article in mind, because we may be faced with exactly the same situation.

I ask unanimous consent to have the article printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CARRYOVER ASSURES PLENTY OF LIVESTOCK FEED, BENSON SAYS

Secretary of Agriculture Benson said today there will be plenty of corn and other feed for the Nation's big livestock industry despite a 15-percent drop, caused by drought, in the size of the prospective crop.

The indicated corn crop will not be large enough by itself to meet all livestock needs, but farmers have on hand from previous years a record supply on which they can draw, Mr. Benson said.

Some of this grain is held in the Government's $6,250,000,000 stockpile of farm surpluses, acquired under the price-support program.

But, Mr. Benson added, the prospective small corn crop may put a brake on the current sharp uptrend in production of hogs and poultry.

CORN PROSPECTS REDUCED

In its monthly crop report yesterday, the Agriculture Department said searing hot temperatures and dry weather during July reduced corn prospects 487 million bushels below its previous forecast of 3,311,000,000 bushels, and about 350 million below last year's harvest.

The adverse weather also hurt the prospects for some other crops, including soybeans, peanuts, sorghums, and hay. The aggregate volume of all crops declined, the Department said, by about 5 percent during the month.

But recent rains have brought partial relief. The Weather Bureau, in its weekly crop bulletin, said yesterday the past week had brought improvement in the crop output in the northern two-thirds of the country.

In a statement on the drought, Mr. Benson said it served as a reminder that we need to maintain safe reserves of farm commodities in the national interest.

BIG CORN CARRYOVER

The Department has estimated there will be a carryover of 950 million bushels of corn from previous crops on October 1. This supply has been described by Mr. Benson as being in excess of a normal reserve for safety requirements. He invoked planting allotments on this year's crop in an attempt to bring the surplus supply down.

It appears now that the drought and the allotments may pare away that portion of the carryover supply described as surplus, leaving a more nearly normal reserve on hand a year from now.

If that does happen, Department officials said, it might mean a somewhat higher support price for the 1955 corn crop under flexible price supports than would have been the case had there been no drought loss.

Offsetting to some extent the estimated loss of corn is the forecast of a record crop of 1,529 million bushels of oats, also an important livestock feed.

The Department made a slight reduction in its estimate of the wheat crop, but this did not alter the picture of heavy surpluses of this grain or change plans for further cutbacks in production next year under rigid Federal controls.

Mr. HUMPHREY. Two nights ago the Senate adopted the Humphrey amendment to the farm bill. The amendment protects the rights of farmers to elect fellow farmers of their own choice to serve on county committees administering the farm program. The Senate reaffirmed that vote by refusing to reconsider the vote. Later the chairman of the Committee on Agriculture and Forestry, the Senator from Vermont [Mr. AIKEN] moved that the Senate insist on its amendments, and request a conference thereon with the House of Representatives. According to the CONGRESSIONAL RECORD, at page 13938, that motion was agreed to.

However, as of yesterday, the news ticker carried the statement, attributed to the Senator from Vermont, the chairman of the Committee on Agriculture and Forestry, that he will ask the conference committee to strike out the amendment adopted by the Senate, on which the Senate had instructed him to insist.

I merely wish to bring this matter to the attention of my colleagues, because, if I am not mistaken, once the Senate takes a vote and that vote is reconsidered and reaffirmed, as it was in this instance, there is a moral obligation upon the conferees of the Senate in conference with the conferees on the part of the House to insist upon the Senate amendment and to maintain that amendment to the best of their ability.

I serve notice now that I shall carefully watch the conference report, because this amendment is highly desirable, and I believe most of my colleagues will agree with me.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the House had severally agreed to the amendment of the Senate to the following bills of the House:

H. R. 3216. An act for the relief of E. C. Mills;

H. R. 3217. An act for the relief of Mrs. Florence D. Grimshaw;

H. R. 3273. An act for the relief of Edgar A. Belleau, Sr.;

H. R. 3732. An act for the relief of Catherine (Cathrina) D. Pilgard;

H. R. 3951. An act for the relief of Frank C. Koch;

H. R. 4175. An act for the relief of Charles R. Logan;

H. R. 4329. An act for the relief of Huntington, McLaren & Co.;

H. R. 4474. An act for the relief of Frederick Joseph Buttaccio;

H. R. 4531. An act for the relief of Lyman Chalkley;

H. R. 4580. An act for the relief of the Florida State Hospital;

H. R. 5028. An act for the relief of Petra Ruiz Martinez and Marcelo Maysonet Mirell and Maria Benitez Maysonet Mirell;

H. R. 5086. An act for the relief of George Eldred Morgan;

H. R. 5092. An act for the relief of Robert Leon Rohr;

H. R. 5489. An act for the relief of Rocco Forgione;

H. R. 5986. An act for the relief of Harold E. Wahlberg;

H. R. 6332. An act for the relief of James Philip Coyle;

H. R. 6562. An act for the relief of Capt. C. R. MacLean;

H. R. 6566. An act for the relief of Daniel D. Poland;

H. R. 7413. An act for the relief of Harold J. Davis;

H. R. 7835. An act for the relief of S. Sgt. Frank C. Maxwell; and

H. R. 8252. An act for the relief of the city of Fort Smith, Ark.

The message also announced that the House had agreed to the amendments of the Senate to each of the following bills of the House:

H. R. 5460. An act for the relief of Chancy C. Newsom; and

H. R. 5461. An act for the relief of Wah Chang Corp.

TRANSPORTATION OF WATERBORNE CARGOES IN UNITED STATES-FLAG VESSELS

The PRESIDING OFFICER (Mr. MORSE in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 3233) to amend the Merchant Marine Act, 1936, to provide permanent legislation for the transportation of a substantial portion of waterborne cargoes in United States-flag vessels, which was, on page 2, line 21, after "agencies" insert ": *And provided further*, That the provisions of this subsection shall not apply to cargoes carried in the vessels of the Panama Canal Company."

Mr. KNOWLAND. Mr. President, I should like to ask the distinguished Senator from Maryland if this matter has been taken up by him with the ranking minority member of the committee and with the acting minority leader?

Mr. BUTLER. That is correct.

Mr. KNOWLAND. Mr. President, will the Senator give a brief explanation of the amendment of the House?

Mr. BUTLER. The bill was passed by the Senate on the call of the calendar. When it passed the House it passed with an amendment exempting ships of the Panama Canal Company. That is the only amendment which was made.

I move that the Senate concur in the House amendment.

The motion was agreed to.

THE CALENDAR

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum before making a unanimous-consent request relative to the call of the calendar of bills which were placed at the foot of the calendar.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the call of the roll be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the unfinished business may be temporarily laid aside and that the Senate proceed to the consideration of bills on the calendar to which there is no objection, limited to those which went to the foot of the calendar at the last call of the calendar.

The PRESIDING OFFICER (Mr. CASE in the chair). Without objection, it is so ordered.

The clerk will call the first order of business under the unanimous-consent agreement.

CREATION OF CERTAIN UNITED STATES JUDGESHIPS—BILL PASSED OVER

The bill (S. 2910) providing for the creation of certain United States judgeships, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. McCARRAN. Mr. President, this is a bill to create certain new judgeships in United States courts, and to change some judicial districts. I think the bill should not be taken up on the call of calendar, but should be called up when it can be fully discussed.

Mr. KNOWLAND. The Senator from Nevada might suggest, then, that the bill go over.

Mr. McCARRAN. I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

BILL PASSED TO FOOT OF CALENDAR

The bill (S. 2601) to provide for Federal financial assistance to the States and Territories in the construction of public elementary and secondary school facilities was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. SMATHERS. I shall have to ask, by request, that the bill go over.

Mr. HENDRICKSON. Mr. President, will the Senator withhold his request?

Mr. SMATHERS. I am happy to do so.

Mr. HENDRICKSON. The Senator from Kentucky [Mr. COOPER] will be in the Chamber in a few minutes. I dislike to ask that the bill go to the foot of the calendar, but I think it wise that I should do so, because I believe the Senator from Kentucky desires to make a statement for the record.

Mr. SMATHERS. It is perfectly agreeable to the minority calendar committee that the bill go to the foot of the calendar.

The PRESIDING OFFICER. Without objection the bill will be passed to the foot of the calendar.

SANTA MARIA PROJECT, CALIFORNIA—BILLS PASSED OVER

The bill (H. R. 2235) to authorize the Secretary of the Interior to construct the Santa Maria project, South Pacific Basin, Calif., was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. JOHNSTON of South Carolina. Mr. President, I objected to consideration of the bill on the previous call of the calendar. I now withdraw my objection.

Mr. MORSE. I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. KUCHEL subsequently said: Mr. President, I understand the Senator from Oregon interposed an objection to Calendar No. 1801, H. R. 2235. I merely wished to ask him whether or not he was quite sure that that was a bill to which he desired to object, since I had understood earlier he had no objection to the bill.

Mr. MORSE. Mr. President, when I talked to the Senator from California this afternoon I told him I did not think I had objection to the bill, that I was not sure which bill we were talking about, and that I would look into it. I did look into it, and I found that I did have an objection to the bill.

Mr. KUCHEL. Could the Senator from Oregon indicate the general nature of his objection?

Mr. MORSE. I shall be glad to make a statement of my objection to the bill. The bill is authorization for the Secretary of the Interior to construct the Santa Maria project in California. As the bill now reads, it contains the following proviso, which I object to:

> *Provided*, That in view of the special circumstances of the Santa Maria project, neither the provisions of the third sentence of section 46 of the act of May 25, 1926 (44 Stat. 636, 649) nor any other similar provision of the Federal reclamation laws shall be applicable thereto.

A pertinent portion of the sentence referred to, which is to be found in section 423e of title 43, of the United States Code, and United States Code Annotated—title 43, United States Code Annotated, section 423e—reads as follows, beginning with a reference to irrigation district contracts with the Secretary of the Interior:

> Such contract * * * shall further provide that all irrigable land held in private ownership by any one owner in excess of 160 irrigable acres shall be appraised * * * and the sale prices thereof fixed * * * on the basis of its actual bona fide value at the date of appraisal without reference to the proposed construction of the irrigation works; and that no such excess lands so held shall receive water from any project or division if the owners thereof shall refuse to execute valid recordable contracts for the sale of such lands under terms and conditions satisfactory to the Secretary of the Interior and at prices not to exceed those fixed by the Secretary of the Interior.

Mr. President, the exemption from the above excess-lands provision in the Federal reclamation laws was made for the Santa Maria project as an amendment to the original bill (H. R. 2235) by the House Committee on Interior and Insular Affairs. The committee amendment so proposed was agreed to by the House of Representatives with the further amendment that such exemption should apply only "so long as the water utilized on project lands is acquired by pumping from the underground reservoir."

The exemption provision, with a further amendment relating to a repayment contract, has been reported favorably by the Senate Committee on Interior and

Insular Affairs, and therefore is in the bill now on the calendar.

The printed committee hearings—which are serial No. 5, for April 29, 30, and May 19, 1953, before the House Subcommittee on Irrigation and Reclamation—and the committee reports—which are House Report No. 1098 and Senate Report No. 1789—do not present a convincing argument to warrant excluding this particular project from the operation of the excess-lands provisions of the Federal reclamation laws.

I want to make it abundantly clear that I am not objecting to authorization of construction of the project, but I am heartily opposed to suspending operation of an important element of our national laws, namely, the acreage limitation. To permit the proposed exemption, to favor a few owners of excess lands, to be written into the law by the Congress for a particular project, would do violence to our national policy on the subject. An exemption would be justified only on a clear showing of unusual circumstances meriting suspension of the normal application of the basic law. I fail to find such circumstances in the present case.

The acreage limitation provision was written into the great Reclamation Act of 1902 to carry forward similar provisions in public-land laws of the preceding century to encourage the working farmer and his family and to combat land monopoly and speculation. Simply stated, it was considered to be in the best interests of the country—socially, economically, and politically—to assist individual farmers and their families, and to prevent federally financed water projects from being the means of greatly enriching owners of large tracts of land. This national policy of acreage limitation has withstood the initial attacks, and opposition over the years, directly made by some large landholders. The Congress has turned back all direct attacks. The policy has been supported by all administrations, Democratic and Republican alike, until this one. Are we now to see opposition take the form of flank attacks instead of frontal attacks? Are we to see the attacks made through the device here proposed for the Santa Maria project—as an exemption from the regular workings of the law?

This would be just one more example of a giveaway. This would be another example of a whittling away at precious property rights and opportunities for the many as against the selfish interests of a few.

This exemption approach would amount to a victory for large landholders—a total of only 13 in the Santa Maria area—and a congressionally issued encouragement to all large landowners elsewhere to seek similar exemptions for all future projects. Such victories, project by project, would have a disastrous effect on the national land and water policy, because it would practically give them success on an issue as to which they have never been able to be successful by direct attack.

In order to examine the alleged "special circumstances of the Santa Maria project"—which is the language of the bill as the grounds for granting the exemption—for us to determine if a sound reason does exist, let us take a look at the proposed project as revealed in the hearings before the House subcommittee and in the House committee and Senate committee reports.

The purpose of H. R. 2235 is to authorize the Secretary of the Interior to construct the Vaquero Dam and Reservoir project for irrigation and the conservation of water, flood control, and for other purposes, on the Santa Maria River in the Southern Pacific Basin of California. There has been joint planning by the Bureau of Reclamation of the Department of the Interior and of the Corps of Engineers of the Department of the Army. The works which enactment of the bill would authorize are those recommended to be constructed by the Bureau of Reclamation, and consist of a 214,000 acre-foot Vaquero Reservoir on the Cuyama River and appurtenant facilities. Related flood-control levees and channel improvements in the Santa Maria Valley, below the Cuyama River, would be constructed by the Corps of Engineers under authorization separate from this bill. The report of the Secretary of the Interior showed that construction of the levee system by the Corps of Engineers was anticipated as part of the overall plan of development.

The Santa Maria River is formed by the confluence of the Sisquoc and Cuyama Rivers at Fugler Point, about 10 miles east of the city of Santa Maria in Santa Barbara County, Calif. From Fugler Point, the river runs westward for approximately 20 miles, entering the Pacific Ocean near Guadalupe. The project service area is composed of the Santa Maria Valley, the adjoining Sisquoc Valley, and adjacent upland areas, most of which are south of the Santa Maria Valley.

All irrigation, municipal, and industrial water now used in the service area is obtained by pumping from the common underground basin, underlying the entire area. Agricultural water supplies are, and will continue to be, obtained by pumping privately owned wells. The recharge of the groundwater basin is accomplished from rainfall and streamflows in the river and its tributaries. The reservoir, the only structure required for the reclamation project, will increase the total annual water supply available in the common underground basin to permit satisfactory continued irrigation of about 38,000 acres, although the present ground storage supply is sufficient, on a premanent basis, under natural conditions of runoff and percolation, for only 27,000 acres. So the project is one of conservation of water.

Construction of the 184-foot-high earth-fill Vaquero Dam and Reservoir on the Cuyama River 7 miles from the city of Santa Maria would make possible the retention of waste water during flood periods, and the later release of this water during the dry season into the Santa Maria River channel, at a rate not greater than the percolation capacity, thus providing for the entire stored flow to seep into the underground storage basin (i. e., ground-water reservoir). No surface-water delivery would be made to irrigators. Thus, floodwater which would otherwise be wasted will be conserved and placed in the underground storage basin. At least this is the intention of the project.

Does this commingling of waters in a common source basin underground—from which each water user in the area pumps his needs in privately owned wells—create such insurmountable obstacles to orderly, reasonable, and equitable administration of land limitation provisions as to demand that such provisions be made inoperative with respect to this project? I cannot agree that it does. It can be readily seen that mechanical means of control of project water supplies are unavailable. But this does not mean that there are no means available for enforcing the provisions of the land limitation provisions of the law. The reclamation law now provides that ownership of land receiving, or to receive, water benefits from federally financed reclamation projects shall be restricted to 160 acres a person, or 320 acres owned by husband and wife. Owners of excess lands must agree to divest themselves of ownership of those excess lands within a certain amount of time in the future. Here, then, is the mechanism for obtaining compliance with the basic provisions of the law: The Congress should make it a condition precedent of the Santa Maria authorization bill that no funds subsequently appropriated to carry out the authorization shall be spent unless and until all excess landholders have signed recordable contracts agreeing to divest themselves within a stated period of time of their excess lands. This surely works no hardships on anyone, and does prevent excess landholders from dictating project terms to the Congress of the United States.

It is asserted in committee hearings that two excess landholders, the Union Sugar Co. and the LeRoy family, owning land at the western end of the area, cannot immediately derive benefits from the project, although it is admitted that their lands will ultimately benefit. This, then, would appear to be a possibly reasonable argument for extending the deadline by which their excess lands have to be sold. That possibility should be explored. But a reasonable argument like this for an extension of a deadline because of delayed project benefits should not be permitted as justification for exemption entirely from the acreage limitation provisions. And, to be orderly and use good business form, the Government should insist upon the signing of valid recordable contracts to sell the land at a future date. The signing of such contracts should be done by every excess landholder before any Federal funds are expended on the project.

There are 11 other excess landholdings at the upper portion of the valley. Since there is no showing that water benefits to these lands will be delayed, there is no basis for extension of the deadline for them, and even less reason for permitting them an exemption.

Incidentally, only two of the excess landholders are identified by name: the Union Sugar Co. and the LeRoy family. Although testimony before the House subcommittee was to the effect that these two excess landowners are willing

to participate in the payment of costs of the Santa Maria project if they are exempt from operation of acreage-limitation provisions, there is no testimony to the converse; that is, there is no showing that the large landholders will refuse to participate in the project district if they have to comply with acreage limitation. Therefore, I feel the Congress should not be cowed by the possibility of threatened refusal to cooperate. To be cowed by such a possibility is hardly to decide a case on its merits. Even when the threat has been made, as it was for the Elliott rider to the 1944 rivers and harbors bill, the Congress rejected it.

I come to the conclusion, Mr. President, that there is no valid basis for suspending acreage limitations for the Santa Maria project.

The PRESIDING OFFICER. The time of the Senator from California has expired.

Mr. KUCHEL. Mr. President, I ask unanimous consent that I be given 3 additional minutes.

Mr. MORSE. I yield the remainder of my time to the Senator from California. Let me close by saying, Mr. President, that I feel we have an issue here of such importance that we should not try to handle it on the Unanimous Consent Calendar.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from California to speak for 3 additional minutes? The Chair hears none, and it is so ordered.

Mr. KUCHEL. Mr. President, I regret with all my heart that the Senator from Oregon has seen fit to interpose an objection to the bill. The facts were completely developed, not only in the House of Representatives, both in committee and on the floor, but they were likewise developed in the Senate Committee on Interior and Insular Affairs. The fact is that the dam, agreed to be built both by the Army engineers and the Department of the Interior, would provide a storage for water which would percolate into the ground. There would be no surface distribution. As a result, it is physically and legally impossible to apply the 160-acre restriction, or restrictions of any other kind or character.

Among those in the House of Representatives from the State of California is a friend of mine, a Democrat from the city and county of San Francisco, a past president of the State Federation of Labor, and one who is completely devoted to continuing in the law the 160-acre limitation. I read from page A858 of the daily CONGRESSIONAL RECORD Appendix for February 3, and I quote from Representative SHELLEY, who went all through the hearings:

Mr. SHELLEY. Madam Chairman, when this bill was first proposed I was inclined to oppose it because I am a very ardent supporter of the 160-acre limitation law as applied to lands which receive the benefit of irrigation water developed by public funds. I think the 160-acre limitation which has been in our law for some 50 years or longer has been a great boon to the development of the family sized farm in western lands particularly, and has certainly contributed to a sound economy in the development of farming areas by families. It has stood in the way of the large factory farm, or the corporation farm, as we call them in California, getting undue benefits from the expenditure of public funds and getting irrigation water which they could pay for with their own funds.

After discussing the proposal with members of the committee I realize that there has been a continuous practical problem as to the measurement of the underground water and earmarking from whence that water comes and to whom it goes, and how much is used. I have therefore offered this amendment—

The amendment, I observe parenthetically, to which my friend, the Senator from Oregon now refers—

to the committee amendment which will limit the exemption of the 160-acre law to the distribution of underground waters only, so that if at any time in the future there is any effort to distribute the waters impounded by this dam in this project by surface distribution, then automatically, as I understand this amendment and as I have been assured by those who have studied the subject, the 160-acre limitation will apply; and I am happy that the committee is willing to accept the amendment.

Mr. President, what more can I say? I come to the floor of the Senate, with everyone in agreement; and in this matter I have done my best to persuade my friend, the Senator from Oregon, to agree regarding what constitutes a unique situation, namely, that there will be no surface distribution of the water, but the water will percolate into the ground, or, if the water is not conserved back of the dam, the water will waste away into the sea.

On that basis, I wish to say that I regret exceedingly that I am placed in this position on this bill, to which I thought the Senator from Oregon had no desire to interpose objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MORSE. Mr. President, I have used up my time; have I not?

The PRESIDING OFFICER. That is correct.

Mr. MORSE. May I have a little additional time?

Mr. KUCHEL. Mr. President, I ask unanimous consent that the Senator from Oregon be permitted to proceed for 2 additional minutes at this time.

The PRESIDING OFFICER. Is there objection?

Without objection, the Senator from Oregon may proceed for 2 minutes more.

Mr. MORSE. Mr. President, I wish to make just two suggestions. I hope the bill will be set for the next call of the calendar, if we have one at this session of Congress; and, if not, I hope the majority leader will bring up the bill by motion, because I wish to assure the junior Senator from California that I have no desire to prevent the passage of the bill, if a discussion of the bill will bear out the very persuasive premises he has laid down in his remarks this evening. However, the information I have regarding the bill is in conflict with some of the observations which have been made by the Senator from California. Of course, I know that any difference would be a perfectly sincere and honest one.

So I must ask that the bill go over, tonight; and I make that request in the hope that we can have a further discussion of the bill, either by way of motion between now and the next call of the calendar, or during the next call of the calendar. Meantime, I can check against the observations which have been made this evening by the Senator from California, the information I have in regard to the bill.

I assure the Senator from California that I am not seeking to use any parliamentary tactic to prevent the taking of action on the bill at this session of Congress; but my present opinion is that the bill should not be considered tonight, during the call of the Unanimous Consent Calendar.

Therefore, Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. JOHNSTON of South Carolina. Mr. President, I ask unanimous consent that the bill be placed at the head of the uncontested bills to be called at the next call of the calendar.

Mr. MORSE. I join in that request.

The PRESIDING OFFICER. The Chair is informed by the Parliamentarian that there is difficulty in ascertaining what the uncontested bills would be.

The Senator from South Carolina might request that the bill be called at the next call of the calendar.

Mr. JOHNSTON of South Carolina. I so request, Mr. President.

The PRESIDING OFFICER. Without objection, it is so ordered.

BILL PASSED OVER

The bill (S. 620) to provide authorization for certain uses of public lands was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MORSE. Over.

The PRESIDING OFFICER. The bill will be passed over.

EXTENSION OF TIME FOR ENTERING INTO AMENDATORY REPAYMENT CONTRACTS

The bill (H. R. 8027) to amend the act of March 6, 1952 (66 Stat. 16), to extend the time during which the Secretary of the Interior may enter into amendatory repayment contracts under the Federal reclamation laws, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Mr. President, I objected to the bill at the last call of the calendar, because the Senator from North Dakota [Mr. LANGER] had entered an objection. I am advised that he has withdrawn his objection, so there is now no objection to the bill.

The PRESIDING OFFICER. Objection having been withdrawn, the bill will be considered.

The bill was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 3219) to amend certain provisions of title XI of the Merchant Marine Act of 1936, as amended, to facilitate private financing of new ship construction, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. WILLIAMS. Mr. President, I have discussed the bill with the Senator from Maryland [Mr. BUTLER], and he has agreed that the bill should be considered for a longer time than is possible under the 5-minute rule. Therefore, I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

CLAIMS ARISING FROM CONSTRUCTION OF ELEPHANT BUTTE DAM

The Senate proceeded to consider the bill (S. 417) conferring jurisdiction upon the United States District Court for the District of New Mexico to hear, determine, and render judgment upon certain claims arising as a result of the construction by the United States of Elephant Butte Dam on the Rio Grande, which had been reported from the Committee on the Judiciary with an amendment, on page 2, line 6, after the word "within", to strike out "six" and insert "two", so as to make the bill read:

Be it enacted, etc., That, notwithstanding any statute of limitations or lapse of time or any limitation upon the jurisdiction of the United States district courts to hear, determine, and render judgment on claims against the United States, jurisdiction is hereby conferred upon the United States District Court for the District of New Mexico to hear, determine, and render judgment upon any claim against the United States for compensation for the taking of or for damage to real or personal property as a result of the construction by the United States of Elephant Butte Dam on the Rio Grande.

SEC. 2. Suit upon any such claim may be instituted by the owner of the property with respect to which the claim is made or by his heirs at any time within 2 years after the date of enactment of this act. Proceedings for the determination of any such claim and review thereof and payment of any judgment thereon shall be in accordance with the provisions of law applicable in the case of the taking by the United States of private property for public use, but nothing contained in this act shall be construed as an inference of liability on the part of the United States Government.

The amendment was agreed to.

Mr. SMATHERS. Mr. President, on behalf of the Senator from Texas [Mr. DANIEL], I offer an amendment, which I ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 2, line 13, it is proposed to change the period to a colon and insert the following:

Provided, That no judgment hereunder shall become the liability of or chargeable to the Elephant Butte Irrigation District of New Mexico or the El Paso County Water Improvement District No. 1 of Texas.

Mr. CHAVEZ. Mr. President, I have discussed the amendment with the Senator from Texas [Mr. DANIEL]. It is entirely satisfactory to me, because no liability will accrue to New Mexico.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Florida.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CITY OF SANDPOINT, IDAHO

The bill (S. 3166) for the relief of the city of Sandpoint, Idaho, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MORSE. Over.

Mr. DWORSHAK. Mr. President, will the Senator from Oregon withhold his request that the bill be passed over?

Mr. MORSE. I withhold my request.

Mr. DWORSHAK. Mr. President, the bill was drafted in cooperation with the United States Army Corps of Engineers. When the Albeni Falls Dam was built on the Idaho-Washington border—construction is now being completed—the raising of the water level at Sandpoint disrupted the operations of the local municipal sewage system. The Army engineers recognized that they had a responsibility to cooperate with the municipal government to provide some alternative plan for the disposal of the sewage.

After considerable consultation, the Army engineers have suggested this particular bill, to which the committee added one proviso, namely:

That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. President, I am certain the Senator from Oregon will recognize that the bill involves the loss of no funds to the Federal Government, by virtue of the fact that the expense involved for the replacement of the municipal sewage system, amounting to $98,200, will be charged to the Albeni Falls Reservoir project, and will be reimbursed in full to the Government. There are three power units, as the Senator from Oregon well knows. There will be no monetary loss to the Government.

Mr. MORSE. Reserving the right to object, I shall make a brief statement, and then perhaps the Senator from Idaho and I can come to some understanding about the one problem which concerns me on the facts, as I understand the facts to be.

The bill seeks to authorize and direct the Secretary of the Treasury to pay to the city of Sandpoint, Idaho, the sum of $98,200 in satisfaction of all claims of such city against the United States for necessary expenses incurred by that city in the construction of a new sewage disposal plant, the construction of such plant being made necessary as a result of the construction and operation by the Corps of Engineers of Albeni Falls Dam.

In 1953, the city of Sandpoint undertook the obligation to convey a perpetual flowage easement over portions of the existing sewage system for a consideration of $45,000, to be paid by the United States to that city. A clause in the deed reads as follows:

Grantor, in consideration of the specified sum above written, does hereby release the United States * * * from all claims for damages that have accrued or may hereafter accrue to any or all of the above-described lands by reason of the overflow of water occasioned by the construction and operations of the said Albeni Falls project.

The city now contends that payment for the flowage easement has not adequately compensated the city for its loss, and that it believes that the United States should stand "at least a part" of the additional cost of maintenance and operation of the new sewage-disposal facilities which it proposes to construct.

The case is now pending in the United States district court, but a decision has not yet been reached. That is the point which troubles me.

In this case the city, in 1953, entered into what it thought was a perfectly satisfactory arrangement. Apparently it has now discovered that it did not strike a very good bargain with the Federal Government, and it feels it should get an additional sum from the Federal Government. The case has been taken to court.

As a matter of policy, I do not like the idea of Congress enacting legislation when issue has been joined in the courts. I think, under the circumstances, it would be better to wait and see what the court decision is. If the Senator feels, after the court decision, that some equities still accrue to the city, the question can be taken up at that time.

I do not believe there is any great emergency which necessitates the handling of the bill in the closing days of this session, while the court case is still pending.

On the other side of the picture, the Senator from Idaho is completely correct when he points out that the Corps of Engineers feels that the amount of money which is provided for in the bill is reasonable, and that the Secretary of the Army, as the record of the case shows, does not object to the bill.

I should like to hear the Senator for a moment on the point I have raised. My objection goes to what I think is a pretty sound policy, namely, that we should not be passing a bill on a matter that has been taken to court. The processes of the court have been invoked. Under those circumstances I think we ought to wait for a court decision, and subsequently, if we think there is justification for legislation, proceed with legislation, at that time. I should like to hear the Senator from Idaho on the question of whether or not I am wrong in my observation that there will be plenty of opportunity, come January, to take care of the case if the court decision

does not seem to do equity to the city. So long as it is in the court already, why not wait for the court decision?

Mr. DWORSHAK. So far as the Senator from Idaho is concerned, I shall not press the point insofar as the case pending in the court is concerned. I think the Senator from Oregon has taken a reasonable position. The bill was introduced last March, after several months of negotiation, at the request of the Corps of Army Engineers. The Senator from Idaho was simply trying to cooperate. I presume there is some significance in the fact, if I may be pardoned for injecting a political overtone, that the Attorney General for the city of Sandpoint is the Democratic nominee for Lieutenant Governor. I was simply trying to do everything I could to cooperate with him. [Laughter.]

Mr. MORSE. I assure the Senator from Idaho that I did not know anything about the political overtones or undertones. I now pledge my cooperation, come January, in the event that at that time it is necessary to consider legislation based on the court decision.

The PRESIDING OFFICER. The bill will be passed over.

CARL PIOWATY AND W. J. PIOWATY

The Senate proceeded to consider the bill (H. R. 1665) for the relief of Carl Piowaty and W. J. Piowaty, which had been reported from the Committee on the Judiciary with amendments, on page 1, line 6, after the words "sum of", to strike out "$4,450" and insert "$5,873.33"; in line 8, after the word "States", to insert "which represents principal and interest paid"; and on page 2, line 4, after the word "Act", to strike out "in excess of 10 percent thereof."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

ESTABLISHMENT OF MOTOR-VEHICLE POOLS AND TO PROVIDE OFFICE FURNITURE AND FURNISHINGS

The Senate proceeded to consider the bill (H. R. 8753) to amend the Federal Property and Administrative Services Act of 1949, as amended, to authorize the Administrator of General Services to establish and operate motor vehicle pools and systems and to provide office furniture and furnishings when agencies are moved to new locations, to direct the Administrator to report the unauthorized use of Government motor vehicles, and to authorize the United States Civil Service Commission to regulate operators of Government-owned motor vehicles, and for other purposes, which had been reported from the Committee on Government operations with amendments, on page 5, line 11, after the word "accounting", to strike out "Payments to the General Supply Fund for motor vehicle pools or systems services shall be accounted for as other contractual services."; on page 7, line 12, after the word "payment", to strike out "to" and insert "by"; in line 17, after the word "authorizing", to insert "civilian"; on page 11, line 2, after "write-off", to strike out "when" and insert a period and "When"; in line 19, after the word "designed", to strike out "and" and insert "or", and in line 22, after the word "depot", to insert "and any vehicle regularly used by an agency in the performance of investigative, law enforcement, or intelligence duties if the head of such agency determines that exclusive control of such vehicle is essential to the effective performance of such duties."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

APPOINTMENT OF FOREIGN SERVICE OFFICERS FROM DEPARTMENT OF STATE OR FROM FOREIGN SERVICE TO CERTAIN CLASSES

The bill (S. 3778) amending section 413 of the Foreign Service Act of 1946 was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Mr. President, reserving the right to object, although I shall not object, once more I should like to ask the distinguished senior Senator from Wisconsin [Mr. WILEY], whether there is in the bill anything to prevent Senate confirmation of the appropriate officials in either of these two services.

Mr. WILEY. No.

Mr. President, I understand that an amendment is to be submitted to the bill.

First, I ask unanimous consent that, in lieu of considering Senate bill 3778, Calendar No. 1963, the Senate now proceed to consider Calendar No. 2388, House bill 9910, a companion bill.

The PRESIDING OFFICER. The bill will be read by title, for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 9910) to amend section 413 (A) of the Foreign Service Act of 1946.

Mr. SMATHERS. Mr. President, I wish to offer to House bill 9910 an amendment, on behalf of the Senator from Oklahoma [Mr. MONRONEY] and the Senator from Montana [Mr. MANSFIELD].

The PRESIDING OFFICER. Before that is done, let the Chair put the pending question:

Is there objection to the request for the present consideration of House bill 9910?

There being no objection, the Senate proceeded to consider the bill (H. R. 9910) to amend section 413 (A) of the Foreign Service Act of 1946.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. SMATHERS. Mr. President, I offer the amendment which I send to the desk and ask to have stated. As previously stated, the amendment is offered on behalf of the Senator from Oklahoma [Mr. MONRONEY] and the Senator from Montana [Mr. MANSFIELD].

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 1, in line 9, after the word "appointed", it is proposed to insert "from the classified civil service or the Foreign Service reserve or Foreign Service staff."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Florida.

Mr. MCCARRAN. Mr. President, may we have an explanation of the purpose of the amendment?

Mr. MANSFIELD. Mr. President, the purpose is simply to continue to make possible the transfers which now can be made within the Department of State.

Mr. MCCARRAN. I do not quite understand. At this time, I ask unanimous consent to have read at the desk an explanatory letter from the State Department.

The PRESIDING OFFICER. Without objection, the letter will be read.

The legislative clerk read as follows:

DEPARTMENT OF STATE,
Washington, August 11, 1954.

The Honorable ALEXANDER WILEY,
United States Senate.

DEAR SENATOR WILEY: It has come to my attention that certain of your colleagues have some apprehensions with respect to S. 3778. In this connection I wish to assure you that no position in the Passport Office or Visa Office which is currently occupied by a civil service employee will be reclassified as a Foreign Service position with standards of eligibility to preclude the present incumbent from qualifying to retain that position, except with respect to the 21 positions in the Passport Office which the Director of that Office has recommended be so reclassified.

I feel that it is of the utmost importance that the Foreign Service Act of 1946 be amended as provided in S. 3778 in order that my program for improving and strengthening the personnel administration of the Department of State may proceed. The manner in which this program is administered during the next few months will be subject to review by the 84th Congress when it convenes in 1955. At that time there will be adequate opportunity for any necessary adjustments.

Sincerely yours,

JOHN FOSTER DULLES.

Mr. MCCARRAN. Mr. President, I should like to have some Senator explain the amendment which has been offered, in light of the letter which has just been read.

Does the Senator from Wisconsin care to explain the amendment?

Mr. WILEY. I have not seen the amendment. I talked to the Senator from Montana [Mr. MANSFIELD] about it, and he said he had cleared it with the Democratic side; and the amendment appeared to me to be all right.

The Senator from Montana can explain the amendment.

Mr. MANSFIELD. Mr. President, let me say to the Senator from Nevada that there is no conflict between the sentiments expressed in the letter which he has just had read to the Senate and the amendment, because the purpose is to continue the situation which exists at the present time.

Mr. MCCARRAN. Let me see if I correctly understand the amendment. As

I understand it, the amendment will exempt the newly appointed civil-service employees from the effect of the bill. Is that correct?

Mr. MANSFIELD. That is correct.

Mr. SMATHERS. The reference is to the non-civil-service appointees. As I understand, the amendment will permit those who already are working within the State Department, under classified civil-service status, to move over into the Foreign Service at the same status at which they left the classified civil service; but the amendment does not authorize other than that. It would not authorize others to do so.

Mr. McCARRAN. I understand that it does not permit it, but rather limits it.

Mr. SMATHERS. That is correct.

Mr. McCARRAN. In view of the letter which has been read to the Senate, and with the explanation of the amendment, I have no objection. Otherwise I would have objection.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Florida [Mr. SMATHERS].

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

The PRESIDING OFFICER. Without objection Senate bill 3778 is indefinitely postponed.

Mr. WILEY. Mr. President, I ask unanimous consent to have printed in the RECORD a statement which I have prepared on this subject.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WILEY

The fundamental purpose of this amendment is to make it possible for the more expeditious transfer into the Foreign Service of the United States of civil service officers in the Department of State who have served in the Department for a minimum of 3 years.

At the present time, section 413 of the Foreign Service Act requires that when officers of the Department of State have qualified for transfer to the Foreign Service and are seeking what is known as lateral entry to the Service, their salaries must be fixed at the lowest rate in the class to which they are admitted. Let me illustrate.

Let us suppose that Mr. Jones, a man who has been the departmental desk officer for Spain for 5 years and who receives a salary of $10,800 per year, qualified for admission to the Foreign Service. It is determined that he should be admitted to Foreign Service class 3. In that class, salaries range from $9,130 to $11,030 per year. At the present time, our hypothetical Mr. Jones would have to be appointed at the annual salary lowest in the class, namely, $9,130. He would thus suffer a salary loss of $1,670 per year, and under these circumstances might not accept the appointment, only 51 having been admitted by the lateral entry route in recent years.

The purpose of the amendment of section 413 is to make it possible for such persons to transfer into the Foreign Service without a sacrifice in their salary.

In proposing this amendment, the committee noted that it fulfills one of the recommendations of the Wriston committee in its recent report to the Secretary of State.

The Wriston committee (the Secretary of State's Public Committee on Personnel) submitted a number of recommendations which I expect the Committee on Foreign Relations will examine in considerable detail next year. At the present time, however, and in view of the lateness of the session, we are taking action only on this one recommendation.

Urgent action is required at the present time in order to give impetus to the movement of regular departmental officers into the Foreign Service. In recent years the Foreign Service has shrunk in size desipte the fact that the world responsibilities of the United States have been increasing. From a top level of 1,427 officers in 1953, the Service has fallen to 1,285 in March of this year.

Mr. President, it is obvious to me that all is not well with the Foreign Service and with the State Department career service.

Mr. Dulles, with the able assistance of Under Secretary Bedell Smith and Under Secretary Saltzman, is moving with vigor to get our Foreign Service mechanism in shape to deal with our worldwide responsibilities. Much remains to be done. This bill is a starter.

P. H. McCONNELL

The bill (S. 3326) for the relief of P. H. McConnell was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to P. H. McConnell, of Fort Peck, Mont., the sum of $4,370.76, in full settlement of all claims against the United States for work performed by P. H. McConnell under Contract Numbered W-631-eng-2373, dated May 14, 1940: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. GORE subsequently said: Mr. President, I ask unanimous consent to revert to Calendar No. 1966, Senate bill 3326. I am advised that the beneficiary, P. H. McConnell, has died, and that an amendment should be made to make the relief payable to the estate.

The PRESIDING OFFICER. Without objection, the vote by which the bill was ordered to be engrossed for a third reading, read the third time, and passed, is reconsidered.

The bill is open to amendment.

Mr. McCARRAN. Mr. President, I offer an amendment on page 1, line 5, after the word "to", to insert the words "the estate of."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. McCARRAN. Mr. President, I move that the title be amended so as to read "A bill for the relief of the estate of P. H. McConnell."

The motion was agreed to.

ANNA K. McQUILKIN

The bill (H. R. 3516) for the relief of Anna K. McQuilkin was considered, ordered to a third reading, read the third time, and passed.

L. R. SWARTHOUT AND THE LEGAL GUARDIAN OF HAROLD SWARTHOUT

The bill (S. 1022) for the relief of L. R. Swarthout and the legal guardian of Harold Swarthout was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MORSE. Mr. President, I shall ask that the bill go to the foot of the calendar until the Senator from Idaho [Mr. WELKER] returns to the Chamber. The last time I talked with him, he was opposed to the position which I take with respect to the bill. In view of my knowledge of his position, I would not want action to be taken on any suggestion of mine in his absence. However, I wish to make my statement at this time, because the Senator from Idaho is familiar with my position.

I respectfully request that the Committee on the Judiciary withdraw its amendment No. 5 relative to this bill.

Amendment No. 5 would expressly prohibit any part of the amount appropriated under the bill from being paid to any attorney on account of services rendered in connection with this claim. I understand fully the laudable purpose behind the Judiciary Committee's policy of scrutinizing with extreme care all provisions in private relief bills which authorize the payment of attorneys' fees. On June 15, 1954, the Senator from New Jersey [Mr. HENDRICKSON] gave a very clear explanation of the committee's position on this matter, and I commend him as well as the other members of the committee for taking steps to prevent abuses in the collecting of attorneys' fees in private bill claim cases.

During the colloquy on the floor of the Senate on June 15 I pointed out that there are cases of this type in which lawyers render valuable services for which they are entitled to fair and reasonable fees. Mr. President, the case now under consideration is, in my opinion, a very clear case for the inclusion of what was previously the standard 10-percent attorneys' fee proviso.

In this case, the lawyer representing the Swarthouts has rendered legal services for a period of more than 10 years in an effort to obtain fair compensation for grievous injuries to a child and heavy expense to his parents caused by the explosion of an Army practice bomb. The details of the tragic accident are contained in the report and need not be repeated here.

As late as last Saturday, I checked with the Portland, Oreg., law firm of which the Swarthouts' attorney is now a member and was advised that this attorney has not received one cent by way of an attorney's fee in this case. However, the legal services he has rendered are very substantial. He has engaged in the customary conferences with interested and adverse parties, and those of my colleagues who are members of the legal profession know how extensive such conferences can be. He prepared and tried a lawsuit in the State circuit court in an effort to recover damages against a third party. No compensation

resulted from that lawsuit and thereafter the attorney in this case conferred with the Army engineers in Portland concerning the possibility of a claim against the United States under the Federal Tort Claims Act. It developed that proceedings under that act would not be feasible because the accident occurred before the effective date of the act—February 1, 1945.

The foregoing legal services were essential preludes to the final source of possible relief—a private bill in Congress. The Swarthouts' attorney accordingly brought the matter to the attention of my office, provided me with the essential facts. As a result, a private relief bill was filed in the 82d Congress and ultimately the present bill was filed early in the 83d Congress.

If any attorney has earned a legal fee, Mr. President, it is the attorney who represents the Swarthouts in this case. For that reason, I respectfully request that the Judiciary Committee withdraw its amendment No. 5 thereby restoring in this bill the standard proviso:

Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding.

I do not wish action to be taken at this particular time, in the absence of the Senator from Idaho. I had a very pleasant and cooperative conference with the Senator from Idaho, as I always do when I talk with him. When we were through, he said he still felt that, so far as this particular bill was concerned, he did not feel that this attorney had earned a fee. He laughingly said, "WAYNE MORSE has earned the fee, because he introduced the bill." Of course, he spoke facetiously.

Nevertheless, as a lawyer, I feel that in some of these cases, with this kind of record, we do an injustice to the legal profession when we deny the heretofore standard 10 percent fee. At the same time, I know that, as the Senator from New Jersey [Mr. HENDRICKSON] pointed out on June 15, I believe, there have been great abuses in this connection.

Therefore, knowing the view of the Senator from Idaho, and hoping that he may change his opinion if the bill goes to the foot of the calendar, I ask that it be placed at the foot of the calendar.

My last word is this: The person in whom I am primarily interested is this boy. I do not want the bill to be defeated over any issue as to whether or not an attorney is to receive a 10 percent legal fee. So even if the Senator from Idaho persists in his objection when he returns to the Chamber, I hope the bill can be passed later this evening, even with amendment No. 5 of the Judiciary Committee in it. However, in fairness to the lawyer, I believe the amendment No. 5 should be withdrawn.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Mr. President, I have taken the liberty of sending a message to the Senator from Idaho [Mr. WELKER]. He is on his way to the Chamber. I do not know when he will arrive.

I am sure my distinguished colleague on the Judiciary Committee, the Senator from Nevada [Mr. MCCARRAN], will agree that it was never the intention of the Judiciary Committee to deprive any lawyer of a fee justly earned.

However, we have seen the ever-increasing growth of so-called private claim bills involving money awards, and it seemed to us that it was about time to put a stop to some of the encroachments by certain attorneys.

Mr. MCCARRAN. Mr. President, I understand the Senator from Oregon [Mr. MORSE] has moved to strike——

The PRESIDING OFFICER. The request is that the bill be placed at the foot of the calendar, to be called later this evening.

Mr. MORSE. Mr. President, I should like to have the view of the Senator from Nevada, if he has a view with respect to the bill, so that it can be intelligently discussed with the Senator from Idaho when he returns to the Chamber.

Mr. MCCARRAN. The fact that a bill comes from Idaho is no reason why there should be any variance from the rule laid down by the Judiciary Committee.

Mr. MORSE. Not Idaho, but Oregon.

Mr. MCCARRAN. I beg the Senator's pardon. The rule has been laid down. No action was commenced in this case, and no legal fee was earned, so far as I know.

The mere fact that the Senator from Oregon presented this bill does not entitle him to a fee, and I know he is not trying to get a fee. Neither does it entitle an attorney on the outside to a fee. If we vary the rule in this case we shall have to vary it in every other case.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. MCCARRAN. Every case has some merit to it.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. MCCARRAN. I yield.

Mr. MORSE. I agree, of course, that unless a lawyer has performed legal services he should not receive a fee. However, am I to understand that amendment No. 5 of the Judiciary Committee, which is now regularly attached to such bills, means that no attorney fees can be paid unless the attorney starts suit?

Mr. MCCARRAN. No; I do not mean that. In this case I do not believe there was any legal activity of any kind that would justify a 10-percent fee.

Mr. MORSE. Mr. President, as I said, the lawyer had the case in his office for 10 years. He has held many conferences on the case. He has spent a great deal of time with the Army engineers and went into the question as to whether he could bring an action under the tort claims law. The Army engineers favored that procedure. He held conferences with the Army engineers on the case. Then it was discovered that a case could not be brought under that law. I am sure the Senator from Nevada will agree with me that that is legal work in a law office for which some fee is justified.

Mr. MCCARRAN. I shall take the last expression of the able Senator from Oregon, before he took his seat, when he said he was interested in getting the money for this child.

Mr. MORSE. I am interested in that.

Mr. MCCARRAN. That is why the committee approved the bill. It is to get compensation for this child, not compensation for an attorney. I am not saying anything about the services that may have been rendered. However, if we lower the bars, we shall have to lower them in too many cases, and, as a result, there will be abuses.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. MCCARRAN. I yield.

Mr. MORSE. Because of the last comment of the Senator, am I to understand that it is the position of the Senator from Nevada that no exceptions should be made with respect to amendment 5, and that whenever a private bill comes to the floor of the Senate no lawyer is to get any fee, no matter what work he does?

Mr. MCCARRAN. I would not go that far.

Mr. MORSE. I hope that privately the Senator from Nevada will give me a few hypothetical sets of facts which would justify an attorney fee, if he feels that in this case, after 10 years, the lawyer is not entitled to a fee.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon that the bill be passed to the foot of the calendar? The Chair hears none, and it is so ordered.

CONVEYANCE OF A CERTAIN TRACT OF LAND IN MISSISSIPPI TO JONATHAN JONES

The bill (S. 3316) to authorize and direct the conveyance of a certain tract of land in the State of Mississippi to Jonathan Jones was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MORSE. Mr. President, the Senator from Louisiana [Mr. LONG] and my colleague from Oregon [Mr. CORDON] have temporarily stepped out of the Chamber. If they were present they would verify what I now present to the Senate. It is in the form of an amendment which I send to the desk.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. MORSE. Mr. President, I offer an amendment. My colleague has arrived on the floor, and I ask his attention to this matter.

The PRESIDING OFFICER. The secretary will state the amendment.

The LEGISLATIVE CLERK. On page 2, after line 2, it is proposed to strike:

SEC. 2. The tract of land authorized to be transferred by the first section of this act shall be conveyed upon the payment of the appraised value of the lands as determined by the Secretary of the Interior if payment is made within one year after the Secretary has notified the Federal Land Bank of New Orleans and any other person applying for an interest in these lands under this act within 90 days after its enactment, of the appraised

price of the lands. The appraised price shall not include any increased value resulting from the development or improvement of the lands by the applicants or their predecessors in interest, and the Secretary shall consider and give full effect to all of the equities of the applicants in making such appraisal.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Oregon [Mr. MORSE].

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Interior is directed to issue a patent to Jonathan Jones, of Jefferson County, Miss., subject to the conditions provided for in section 2 of this act, conveying all right, title, and interest of the United States, including mineral rights or any part of such interest, in and to the following-described tract of land situated in the State of Mississippi: Section 5, township 9, north, range 1 east, Washington meridian, Jefferson County, Miss., described as 111 acres, in a plat filed by Deputy Surveyor Charles De France on March 31, 1806.

BILLS PASSED OVER

The bill (H. R. 5047) to amend section 2879 (b) of the Internal Revenue Code was announced as next in order.

Mr. HENDRICKSON. Mr. President, by request, I ask that the bill go over.

The PRESIDING OFFICER. The bill will go over.

The bill (H. R. 7774) to establish a uniform system for the granting of incentive awards to officers and employees of the United States, and for other purposes, was announced as next in order.

Mr. HENDRICKSON. By request, Mr. President, I ask that the bill go over.

The PRESIDING OFFICER. The bill goes over.

CONSTRUCTION OF BRIDGE OVER POTOMAC RIVER

The Senate proceeded to consider the bill (H. R. 1980) to authorize and direct the Commissioners of the District of Columbia to construct a bridge over the Potomac River in the vicinity of Jones Point, Va., and for other purposes, which had been reported from the Committee on the District of Columbia with an amendment, to strike out all after the enacting clause and to insert:

TITLE I—BRIDGE IN VICINITY OF CONSTITUTION AVENUE

That (a) the Commissioners of the District of Columbia are authorized and directed to construct, maintain, and operate a low-level bridge over the Potomac River, from the vicinity of Constitution Avenue in the District of Columbia to the Virginia side of the Potomac River, such bridge to be constructed north of the Memorial Bridge and south of the southern portion of Theodore Roosevelt Island, sometimes referred to as "Small Island," together with bridge approaches and roads connecting such bridge and approaches with streets and park roads in the District of Columbia and with streets and park roads on the Virginia side of the Potomac River: *Provided,* That in planning such bridge approaches and connecting roads, the Commissioners shall consult with the National Capital Planning Commission.

(b) The Commissioners of the District of Columbia are authorized to construct and maintain a structure to provide pedestrian access from the low-level bridge referred to in subsection (a) of this section to the aforesaid "Small Island": *Provided,* That before entering into any contract for such structure providing pedestrian access, the plans therefor shall be approved by the Theodore Roosevelt Association.

(c) The Secretary of the Interior is hereby authorized to construct, maintain, and operate a structure connecting the main body of Theodore Roosevelt Island and the aforesaid portion thereof referred to as "Small Island" to provide pedestrian access between such islands: *Provided,* That the plans for such structure connecting such islands shall be subject to the approval of the Theodore Roosevelt Association.

(d) The plans for any bridge or other structure authorized by this title shall be submitted to the Commission of Fine Arts for advice with respect to the architectural features of any such bridge or structure, and no contract for the construction thereof may be entered into until this subsection shall have been complied with: *Provided,* That upon failure of the Commission of Fine Arts to report its advice within 90 days of submission of plans to it, the requirements of this subsection shall be deemed to have been met.

(e) Appropriations for construction of the bridge and other structures authorized by this title, payable from the highway fund of the District of Columbia, in amounts not exceeding $24,500,000 are hereby authorized.

SEC. 102. The Federal agencies having control and jurisdiction over the lands at and adjacent to the ends of the bridge shall transfer to the Commissioners of the District of Columbia, upon their request, the areas to be occupied by said bridge, approaches, and connecting roads, all as shown more particularly on plans of such bridge, approaches, and connecting roads, to be prepared and approved by the Commissioners of the District of Columbia and the Bureau of Public Roads, Department of Commerce.

SEC. 103. The Commissioners of the District of Columbia are authorized to enter into an agreement or agreements with the State Highway Commission of Virginia, acting for and on behalf of the Commonwealth of Virginia, for the purpose of providing for cooperation by the State Highway Commission of Virginia, to such extent as the Commissioners of the District of Columbia shall deem necessary, in the construction of said bridge, approaches, and connecting roads, acquisition of land for rights-of-way, contributions toward costs, temporary or permanent closing of existing roads, and any other matters relating to the construction of said bridge which the Commissioners of the District of Columbia may consider appropriate.

SEC. 104. The Commissioners of the District of Columbia are authorized to make such use of federally owned and controlled lands at and adjacent to the bridge as may be necessary for making borings, performing other preliminary work, routing and rerouting traffic, constructing said bridge, approaches, and connecting roads, and storing of materials incident to such preliminary work and to actual construction.

SEC. 105. The Commissioners of the District of Columbia are authorized and directed to route and reroute and to cause the routing and rerouting of traffic on, and to close or cause to be closed park roads, streets, and highways under the jurisdiction of the United States, and to negotiate for the closing of roads by agreement with Virginia authorities, where necessary in connection with the preparation of plans for, and during the actual construction of, said bridge, approaches, and connecting roads. The Commissioners of the District of Columbia are further authorized to prepare plans for such changes in park roads as they deem necessary to provide maximum efficiency in handling traffic to and from said bridge, and when such plans are approved by the Bureau of Public Roads, to construct roads in conformity with such approved plans.

SEC. 106. (a) The National Park Service is authorized and directed to remove or transplant to other locations any and all planting materials within the area to be used for the bridge, approaches, and connecting roads or for construction purposes, when requested by the Commissioners of the District of Columbia. The Commissioners of the District of Columbia are authorized and directed to regrade the areas involved in the construction of the bridge, approaches, and connecting roads so as to conform with the plans to be approved by them and the Bureau of Public Roads.

(b) Upon completion of said bridge, approaches, and connecting roads and the regrading of the areas, or prior thereto, when authorized by the Commissioners of the District of Columbia and when such operation or operations will not interfere with the construction of said bridge, approaches, and connecting roads, the National Park Service is directed to landscape such areas in accordance with the plans of the National Park Service as may be approved by the Commissioners of the District of Columbia and the Bureau of Public Roads, the cost of said landscaping to be paid out of funds made available for the purposes of this title.

SEC. 107. The cost of construction, reconstruction, and repair of all roads which are changed or made necessary as an incident to the construction of said bridge, approaches, and connecting roads, when approved by the Commissioners of the District of Columbia and the Bureau of Public Roads, shall be paid out of funds made available for construction of said bridge, approaches, and connecting roads.

SEC. 108. The right to alter, amend, or repeal this title is hereby expressly reserved.

TITLE II—BRIDGE IN VICINITY OF JONES POINT

SEC. 201. (a) The Secretary of the Interior (referred to hereinafter as the "Secretary") is authorized and directed to construct, maintain, and operate a six-lane bridge over the Potomac River, from a point at or near Jones Point, Va., across a certain portion of the District of Columbia, to a point in Maryland, together with bridge approaches on property owned by the United States in the State of Virginia.

(b) The bridge shall be of deck girder structure with a swing span having a 150-foot horizontal clearance on each side of the pivot pier and a 70-foot vertical clearance above mean low water, and shall be constructed in accordance with the provisions of subsection (b) of section 502 of the "General Bridge Act of 1946," approved August 2, 1946 (60 Stat. 847), as amended, and subject to the conditions and limitations in this title.

(c) The Secretary shall request recommendations and suggestions of the National Capital Planning Commission relative to the design of such bridge and approaches.

SEC. 202. (a) Any Federal agency and the District of Columbia having control and jurisdiction over any land at or near the site of the bridge shall transfer to the Secretary, upon his request, any such lands to be occupied by the bridge or approaches thereto.

(b) The Secretary may acquire by purchase or by condemnation any land in the State of Maryland, not under Federal or District jurisdiction or control, needed for the construction of such bridge, title to such land to be taken directly to and in the name of the United States. In case a price satisfactory to the Secretary cannot be agreed upon for the purchase of such land or in case the title cannot be made satisfactory to the Attorney General of the United States, then the latter is directed to procure

such land by condemnation, and the expenses of procuring evidence of title, or condemnation, or both, shall be paid from funds made available for the purposes of this title.

SEC. 203. (a) The Secretary may make such use of lands owned or controlled by the United States, at or adjacent to the site of the bridge, as may be necessary for making borings, performing other preliminary work, routing and rerouting traffic, constructing such bridge, approaches, and connecting roads, and storing materials incident to such preliminary work and to actual construction.

(b) The Secretary may route and reroute and cause the routing and rerouting of traffic on, and close or cause to be closed, streets, roads, and highways under the jurisdiction of the United States, and negotiate for the closing of streets, roads, and highways by contact with Virginia, Maryland, and District authorities, when necessary in connection with the preparation of plans for, and during the actual construction of, the bridge.

SEC. 204. Notwithstanding any other provision of this title, the Secretary shall not begin construction of the bridge above referred to until the State of Virginia and the State of Maryland have taken such steps as the Secretary deems adequate to give assurances that there will be constructed and maintained, by and in such States, such approaches to such bridge as will be reasonably adequate to make possible the full and efficient utilization of such bridge.

SEC. 205. The sum of $14,925,000 is hereby authorized to be appropriated out of any moneys in the Treasury not otherwise appropriated, to carry out the provisions of this title.

SEC. 206. The right to alter, amend, or repeal this title is hereby expressly reserved.

Mr. CASE. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement which I have prepared.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The Committee on the District of Columbia of the House of Representatives gave the entire Potomac River bridge problem exhaustive consideration. It conducted 7 days of hearings on 3 different proposals. In its report (No. 1851) on H. R. 1980, the committee said, in part:

"It was evident, by the expressions of the various members of the subcommittee, as well as those who testified before the subcommittee, that there was great need for an additional bridge across the Potomac River, especially in the central area which would relieve the snarled traffic conditions during the peak periods. * * * it was evident that the members of the subcommittee could not agree upon a location for a bridge in the central downtown area. It was obvious that all of the members of the subcommittee agreed that the best compromise would be the bill, H. R. 1980, to construct a bridge in the vicinity of Jones Point, Va."

The House committee amended the Jones Point bill to reduce substantially the Federal share of the cost and at the same time to expand the capacity of the bridge. The Senate committee concur in these changes, described in the House report as follows:

"Under this amendment the total cost of the bridge will be $24,398,000. This cost will provide a 6-lane bridge rather than a 4-lane, as proposed in the original legislation. Of the total cost of this bridge $7,388,000 will be assumed by the State of Virginia as a total cost of approaches in that State; $885,000 will be assumed by the State of Maryland to be spent on approaches to the bridge. In the District of Columbia, $1,200,000 will be spent for the construction of roads and structures. The additional $14,847,000 will be borne by the Federal Government.

"The bill authorizes the amount of $14,925,000 to carry out this construction.

"Under the amendment adopted by this committee, a 6-lane bridge would be obtained at a total cost of $14,847,000 to the Federal Government rather than a 4-lane bridge, as requested in the original bill, at a cost of $20 million to the Federal Government. This would be possible through the participation of the District of Columbia and the States of Maryland and Virginia."

Your committee, through its fiscal subcommittee, reviewed carefully the hearings held by the House and supplemented this study with additional hearings of its own, conducted on July 15, 1954. Testimony was taken from 13 witnesses, covering the Jones Point proposal as well as the bridge needs of the central area.

It was evident that the purposes of the Jones Point Bridge are not related to the pressing need for cross-river traffic relief in the central downtown area. Jones Point would provide a link in the "outer belt"—parts of which are in existence or under construction—designed to serve traffic that desires to bypass Washington. All affected agencies and jurisdictions were agreed on the need for and the location of the Jones Point crossing. All witnesses agreed, moreover, that Jones Point is in no sense a substitute for a central area bridge to relieve congestion of traffic between the downtown area and Virginia.

Your committee for several months prior to its hearings had had the problem under study. The chairman held several conferences with District officials, the Chairman of the National Capital Planning Commission and other interested groups.

As a result of these and subsequent efforts, the chairman of your committee, the Chairman of the Planning Commission, and the Engineer Commissioner of the District agreed on a span approximately parallel to Memorial Bridge running from the foot of Constitution Avenue on the District side to Columbia Island on the Virginia side in a line just south of Small Island.

At a meeting of the National Capital Planning Commission held on July 28, 1954, this proposal was approved, together with other bridge and street proposals incident thereto. The executive director of the Theodore Roosevelt Association also informed your committee that he favors the central area bridge proposal and believes that it eliminates all features of earlier proposals that had been objectionable to the association.

After this further extensive consideration, the subcommittee decided to recommend authorization of this central area bridge from the foot of Constitution Avenue running south of Small Island for the following reasons:

1. A thorough study of the area traffic needs reflecting 1953 volumes but based upon the origin and destination survey conducted in 1948 indicates conclusively that a bridge is necessary at a point just upstream from the existing Arlington Memorial Bridge.

2. The approaches to the proposed central area bridge can afford the greatest accomodations for the dissipation as well as the collection of traffic. These approaches can be tapped merely by constructing short connections from the bridgeheads to existing streets. The bridge would connect to the inner belt in the vicinity of 24th Street on the District side of the river and with George Washington Memorial Parkway, Arlington Boulevard, Wilson Boulevard, and the Jefferson Davis Highway on the Virginia side. These connections are all short, direct, and capable of loading the bridge to its full capacity.

3. It is estimated that by 1975 there will be a deficiency in the capacity of the Potomac River bridges amounting to 5,600 vehicles destined for the District during the morning peak rush hour. It is also estimated that in 1975, 62 percent of the traffic desiring to cross the Potomac during the morning peak hour would seek a crossing in the Arlington Memorial-Key Bridge reach. In view of the latter estimate, it would be desirable to take up this projected deficiency at the proposed central area site.

4. Trafficwise, all evidence points to the advantages had by this location. For example, from the total traffic destined for the downtown area from Virginia during the peak morning rush hour, 71 percent are destined west of 12th Street, and 79 percent are destined north of Constitution Avenue. Routing this traffic into the area north of Constitution Avenue (the most heavily traveled artery in the District), constitutes a major advantage which a bridge at this location can render. Under present and future conditions, this structure would be well situated to serve the majority of the motorists seeking their destinations downtown during the peak morning rush hour, because of the available capacity of east-west streets.

5. The proposed bridge would provide a greater degree of relief to the three existing central area bridges than would other bridges which have been proposed. In providing this relief, it would absorb a heavy load of central-area-bound traffic and thereby would permit both the Key Bridge and the Highway Bridge to perform the functions advocated for an Arizona Avenue and a Roaches Run Bridge, respectively.

6. All the Virginia connections to the proposed bridge have some traffic capacity in reserve, but the most important fact is that Arlington Boulevard has a 200-foot right-of-way all the way out through Arlington County. This means it can be made a controlled access highway with six lanes for through-traffic movements and with additional roadways to serve the abutting property. Present plans for the Arlington area contemplate the development of the Arlington Boulevard to approximately 70,000 vehicles per day which is double its present capacity. This traffic cannot be conducted to and from the District by any of the other proposed bridges which have been suggested as alternatives, for this general location.

7. Ample capacity to receive the traffic is insured on the District side. For example, in 1975, in the corridor between Constitution Avenue and H Street a peak-hour volume of traffic amounting to 6,050 vehicles will flow easterly across 17th Street. However, a capacity for 7,030 vehicles can be provided in that direction.

The relative importance of the proposed central-area bridge is indicated by the fact that some 60,000 vehicles a day would use such a bridge, compared with about 15,000 a day for the proposed Jones Point crossing.

The critical nature of the entire Potomac bridge problem was further pointed up in testimony by General Prentiss that the existing Highway Bridges carry some 105,000 vehicles a day, a load greater than that carried by any other bridge in the world.

Altogether, more vehicles cross the Potomac daily than cross the Hudson River in New York City.

In recognition of this general Potomac River bridge problem, agreement was reached during the discussions conducted among interested officials and agencies that the old Highway Bridge at 14th Street should be replaced with a bridge in the vicinity of Roaches Run, just south of the existing railroad bridge. It is believed, however, that sufficient legislative authority already exists for the construction of such a bridge when appropriations are provided therefor.

Your committee, accordingly, propose that the bill, H. R. 1980, be amended to provide for a low-level bridge from the vicinity of Constitution Avenue running north of Memorial Bridge and south of Small Island to

the Virginia side of the river, as well as for a bridge at Jones Point.

The bridges compete neither for traffic nor for funds with which to build them. The Jones Point span, as noted in the House report cited above, would be built by the States of Virginia and Maryland, which would construct all approaches, and by the Federal Government, which would pay for the span itself. It is expected that this actually may result in an almost even division of total cost between the States and the Federal Government.

The central area bridge, authorized by title I, would be built entirely by the District of Columbia at a cost not to exceed $24,500,000. The District, of course, presumably would have available part of its regular Federal-aid highway funds to help in meeting this expense.

The Jones Point Bridge is authorized by title II. This title differs from the House-passed bill in that the Secretary of the Interior, rather than the Commissioners of the District, is authorized to build, operate, and maintain the bridge.

This change was proposed by the Commissioners because only the central portion of the Jones Point Bridge actually would lie within the District's boundaries, and even that part would be entirely above water. It seemed appropriate, therefore, to place this responsibility in a Federal agency. The total cost of maintaining and operating the bridge is estimated at about $45,000 a year.

The committee believe that provision in title I for pedestrian access from the central area bridge to Small Island, and from there to Roosevelt Island, subject to approval of the Theodore Roosevelt Association, actually will enhance the value of the islands as a wilderness memorial to Theodore Roosevelt by making them more accessible for enjoyment and appreciation by the public.

The central area bridge is to be a low-level bridge, of the approximate height of the existing Memorial Bridge. It will have a lift span to permit boats to proceed to the present head of navigation, the Key Bridge.

The so-called E Street Bridge, to which the Roosevelt Association objected, would have crossed Roosevelt Island and would have been a high bridge. The alternative bridge was proposed by your committee in part to avoid any possible conflict with the development of Roosevelt Island.

To further safeguard the esthetic beauty of the Memorial Bridge-Roosevelt Island area, the bill requires consultation with the Commission of Fine Arts on the design for the central area bridge, and it is expected that the bridge will be so designed as to harmonize with and enhance existing structures and landscape.

Mr. CASE. Mr. President, in concluding my remarks, I wish to read the resolution of the National Capital Planning Commission approving the central area bridge and other related matters:

NATIONAL CAPITAL PLANNING COMMISSION,
Washington, D. C., July 28, 1954.

Resolved, That the Commission authorizes the following statement:

"For a considerable time this Commission and the District Commissioners have endeavored earnestly to have a meeting of minds on the very important question of new bridge crossings of the Potomac River.

"Any project which is not integrated with a logical plan or pattern of traffic distribution will not merely fail of its purpose but would be an unwarranted waste of public funds. In order to avoid such a result, the Commission has repeatedly emphasized the importance of the so-called inner loop and the location of bridge connections thereto. We are confident this view is also shared by the District Commissioners.

"The Commission is pleased to announce at this time that substantial agreement has been reached on the following:

"IMMEDIATE NEEDS PROGRAM

"1. A new bridge at Jones Point, heretofore approved.

"2. The construction of the replacement bridge for the old southbound Highway Bridge, generally on the site proposed for a Roaches Run bridge. Authority for construction and funds for design of a companion bridge to the new Highway Bridge have been heretofore granted by Congress.

3. A new bridge north of and substantially parallel to Memorial Bridge, south of Roosevelt Island, and at a location to be agreed upon by the District Commissioners and the National Capital Planning Commission.

4. Early construction of the west (approximately 24th Street-Ohio Drive) and south (Southwest Freeway) legs of the inner loop.

FUTURE NEEDS PROGRAM

5. Later construction of a bridge somewhere between Key Bridge and Chain Bridge, to reduce crossings of central area bridges when traffic volumes justify.

6. Later construction of an additional bridge in the vicinity of Roaches Run or 14th Street, when additional traffic volume warrants it.

The Commission is highly appreciative of the cooperation extended by the District Commissioners and the National Park Service and their respective staffs in this matter. Our Commission recognizes that working out the detailed plans for the projects above agreed to in principle will require appreciation and understanding of our respective viewpoints. We are confident that the same spirit of cooperation will prevail in undertaking these subsequent studies.

Final responsibility for the development of the Federal City rests with the Congress, which has taken cognizance of the urgency of these bridge, traffic, and other public-works matters through approval of the District of Columbia public-works bill and hearings held recently on the several bridge matters. The Commission is cognizant of the prompt recognition of these matters by the Congress and wishes to express its appreciation thereof.

Mr. President, I appreciate the indulgence and consideration of the Senate in this matter. It represents an important step in the development of the Nation's Capital City.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes."

THE RESERVE COMPONENTS OF THE ARMED FORCES OF THE UNITED STATES

The bill (H. R. 6573) to provide for the promotion, precedence, constructive credit, distribution, retention, and elimination of officers of the Reserve components of the Armed Forces of the United States, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Mr. President, with some reluctance, I ask that the bill go over, by request.

Mrs. SMITH of Maine. Will the Senator from New Jersey advise the Senate who the objectors are?

Mr. HENDRICKSON. The Senator from Pennsylvania [Mr. MARTIN].

Mrs. SMITH of Maine. Mr. President, will the Senator from New Jersey withhold his objection for a moment?

Mr. HENDRICKSON. Certainly.

Mrs. SMITH of Maine. Mr. President, will the Senator from Tennessee [Mr. GORE] advise the Senator from Maine if there are any objectors on the Democratic side?

Mr. GORE. Objection has been registered with the junior Senator from Tennessee.

Mrs. SMITH of Maine. Will the Senator from Tennessee advise the Senator from Maine who the objectors are?

Mr. GORE. The junior Senator from Tennessee always likes to respond to the curiosity of any Member of this body, but has not made it a practice to advise the Senate of the identity of his colleagues who have registered objection.

Mrs. SMITH of Maine. Mr. President, am I to understand that the junior Senator from Tennessee refuses to advise the Senate who the objectors are on the Democratic side of the aisle?

Mr. GORE. The junior Senator from Tennessee would not refuse the distinguished Senator from Maine any request if he could possibly comply, but since this objection has been registered, and it is not the practice to reveal publicly the identity of Senators who register objections, I cannot do it publicly. I assure the distinguished Senator I shall be delighted to confer with her privately.

Mrs. SMITH of Maine. Mr. President, that is very kind of the Senator from Tennessee, but I prefer to have the Senate know who the objectors are. Will the Senator from Tennessee advise if he is objecting to this bill?

Mr. GORE. The junior Senator from Tennessee is not objecting to the bill; but if objection should not be registered otherwise he would be compelled to do so as a matter of duty, because of a request.

Mrs. SMITH of Maine. But the junior Senator from Tennessee is not personally objecting to the bill.

Mr. GORE. No.

Mr. JOHNSTON of South Carolina. Mr. President, I am very much interested in this bill, too, and I hope it will be taken up. I should like to ask the majority leader if it is his intention to have this bill brought up?

Mr. KNOWLAND. I will say to the Senator from South Carolina as I said in response to an earlier question with regard to quite a number of bills in which Senators have an interest, that when we have concluded the calendar call we intend to have a policy committee meeting to go over all measures other than those which have already been scheduled. I expect then to consult with the minority leader and also make an announcement to the Senate with respect to proposed legislation which we feel can be handled at this session of Congress.

Mr. JOHNSTON of South Carolina. Mr. President, I think this is a very important bill, and I hope the policy committee will see fit to take it up in the near future.

Mrs. SMITH of Maine. Mr. President, I am shocked to learn that the Democrats are not willing to identify publicly their objectors. I think this information should be a matter of public record. Is it the policy of the Democrats to have secret voting?

Mr. CASE. Mr. President, there is a widespread interest in this bill, and I also wish to express the hope that the bill may be made the pending business of the Senate before the Senate adjourns.

Mr. MARTIN. Mr. President, I regret exceedingly to be an objector to this bill, but I have received a great number of requests from people who are very familiar with the defense of our country, particularly the reserve forces. The strength of America depends upon the reserve forces, the National Guard and Organized Reserves. I have received many requests from both National Guard officers and Reserve officers that this bill come up on the floor for proper discussion. But this bill is entirely too important to be considered on the consent calendar.

There are probably a half million Americans who are directly interested in the bill. For that reason I sincerely hope that it may come before the Senate for consideration.

Probably I shall not say a word when the bill comes before the Senate for consideration. However, I think it is of sufficient importance to be considered, so that there will be an opportunity fully to debate it if the Members of the Senate desire to do so.

Mr. GORE. Mr. President, will the Senator yield?

Mr. MARTIN. I am glad to yield.

The PRESIDING OFFICER. Does the Senator renew his objection?

Mr. HENDRICKSON. In the light of the statement of the distinguished Senator from Pennsylvania I do not think it is necessary for me to renew the objection. I think the Senator has interposed an objection.

Mr. GORE. Will the Senator withhold his objection?

Mr. MARTIN. I am glad to do so.

Mr. HENDRICKSON. I join the distinguished Senator from Pennsylvania [Mr. MARTIN] and the able senior Senator from Maine [Mrs. SMITH] in the hope that the majority policy committee will schedule this bill for consideration. It is a highly important bill in which many Members of the Senate and a great many members of the Reserve are interested. If the bill does come up for consideration I shall support it. But I doubt the advisability considering it on a calendar call though I shall not personally object to it.

The PRESIDING OFFICER. Objection is heard. The bill will go over.

Mr. MARTIN. Mr. President, I do not want to take much time of the Senate. I have considered the bill during the last few hours, and when it comes up on the Senate floor for consideration I will support it. But I think it is entirely of too great importance to be considered on the Consent Calendar.

The PRESIDING OFFICER. The clerk will state the next bill on the calendar.

CONVEYANCE OF CERTAIN LANDS IN CAMP ROBERTS MILITARY RESERVATION, CALIF.

The bill (S. 3189) providing for the conveyance by the United States to the Monterey County Flood Control and Water Conservation District, Monterey County, Calif., of certain lands in Camp Roberts Military Reservation, Calif., was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 3189) which had been reported from the Committee on Armed Services, with an amendment to strike out all after the enacting clause and insert:

That (a) the Secretary of the Army is authorized to convey by quitclaim deed, to the Monterey County Flood Control and Water Conservation District of Monterey County, Calif., for the purpose of constructing, operating, and maintaining thereon a dam and reservoir area for its El Nacimiento Reservoir project, all right, title, and interest of the United States, except as reserved herein, in and to so much of the following described lands within the boundaries of Camp Roberts Military Reservation, Calif., as the Secretary of the Army, or his designee, and the Monterey County Flood Control and Water Conservation District shall determine to be necessary as a dam site and reservoir area for the El Nacimiento project:

The east half of the southeast quarter of section 11; the southwest quarter of section 12; the west half of section 13; and the east half of the east half of section 14, all lying in township 25 south, range 10 east, Mount Diablo base meridian.

(b) The deed conveying the lands determined to be necessary for the dam site and reservoir area for the El Nacimiento project shall provide (1) for the reservation by the United States of all mineral rights, including oil and gas, in and underlying the lands conveyed, (2) that the lands conveyed shall be used solely for the purpose of constructing, maintaining, and operating a dam and reservoir project thereon, and in the event such dam has not been constructed thereon within 10 years after the enactment of this act, or in the event the lands conveyed shall at any time after construction of the dam cease to be used for the sole purpose of maintaining and operating a dam and reservoir thereon, all right, title, and interest in and to such lands shall revert to the United States, (3) that in the event the existing water supply at Camp Roberts shall be diminished or adversely affected in any manner by the construction, operation, and maintenance of the dam and reservoir project, the grantee, its successors, and assigns, shall provide to the United States without additional cost substitute or supplementary water supply necessary to equal the existing supply at Camp Roberts, (4) the Armed Forces of the United States shall be granted for recreational and training purposes the use of the lands conveyed, to the extent that such use does not adversely affect the operation and maintenance of the dam and reservoir, and the use of the remaining portion of the reservoir area, to the extent provided in the regulations of the Monterey County Flood Control and Water Conservation District generally applicable to the reservoir area, and (5) the grantee shall remove, relocate, and reconstruct, at its own cost and expense all structures, roads, and fences at Camp Roberts affected by the proposed conveyance.

SEC. 2. The Secretary of the Army is authorized to issue to the Monterey County Flood Control and Water Conservation District, without compensation therefor, and on such terms and conditions as he deems appropriate, a license to use and occupy any lands in the area described in section 1 not conveyed pursuant to the authorization contained therein, as may be required for the excavation of borrow materials and any other purposes related to the construction of the El Nacimiento project.

SEC. 3. The conveyance herein authorized shall be made for a monetary consideration determined by the Secretary of the Army or his authorized representative to represent the fair market value of the estate conveyed and, in making such determination, the Secretary shall take into account the value of the benefits accruing to the Camp Roberts Military Reservation as a result of the conveyance.

The amendment was agreed to.

Mr. MORSE. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Oregon.

The LEGISLATIVE CLERK. On page 5, line 8, beginning with "to represent", it is proposed to strike out all through "conveyance", in line 12, and insert in lieu thereof a comma and the following: "after appraisal, to represent the appraised fair market value of the estate conveyed."

Mr. MORSE. Mr. President, the purpose of the amendment is to maintain the same standard as that provided in other bills of a similar nature. The amendment calls upon the Secretary to make an appraisal of the fair market value.

Mr. KUCHEL. Mr. President, I wish to make a very brief statement with respect to the amendment offered by the Senator from Oregon, and to say that I approve of his offering it. I believe that it is, in this situation, an amendment with complete merit. However, I wish to point out the way the bill was written and was reported by the committee. I quote section 3 on page 5:

The conveyance herein authorized shall be made for a monetary consideration determined by the Secretary of the Army or his authorized representative to represent the fair market value of the estate conveyed and, in making such determination, the Secretary shall take into account the value of the benefits accruing to the Camp Roberts Military Reservation as a result of the conveyance.

Mr. President, the building of the dam at Camp Roberts, Calif., will not cost the Federal Government a dime. A local public agency has been created. It will supply all the money for the building of the dam.

In the negotiation with Camp Roberts in the Military Establishment it was deemed proper, so far as both sides were concerned—the Army and the local agency—to point out that in connection with this dam there would be a great area which could be used for recreational purposes. That was the reason the formula laid down by my good friend [Mr. MORSE] was not originally written into the bill.

But even so, in this instance I believe the Senator is correct. Nevertheless, I hope that there will be a happy relationship between the local agency and the Military Establishment.

Mr. MORSE. I completely agree with my friend from California. I think the objective which he has in mind will be accomplished under the language of my amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Oregon [Mr. MORSE] to the committee amendment.

The amendment to the amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill providing for the conveyance by the United States to the Monterey County Flood Control and Water Conservation District, Monterey County, Calif., of certain lands in Camp Roberts Military Reservation, Calif., for use as a dam and reservoir site, and for other purposes."

RETIREMENT OF CERTAIN OFFICERS OF THE REGULAR ARMY AND REGULAR AIR FORCE

The Senate proceeded to consider the bill (H. R. 9002) to amend the Officer Personnel Act of 1947 to provide for the retirement of certain officers of the Regular Army and the Regular Air Force at age 60, and for other purposes, which had been reported from the Committee on Armed Services with amendments, on page 1, after the enacting clause, to strike out:

That section 514 (a) (1) of the Officer Personnel Act of 1947 (61 Stat. 902) is amended to read as follows:

"SEC. 514. (a) (1) Each commissioned officer (other than a professor of the United States Military Academy or of the United States Air Force Academy) on the active list of the Regular Army or the Regular Air Force whose permanent grade is below that of lieutenant general shall, unless retired or separated at an earlier date or unless his retirement is deferred under other provisions of law, be retired on the date upon which he becomes 60 years of age."

On page 2, at the beginning of line 4, to strike out "SEC. 2." and insert "That"; in line 12, to change the section number from "3" to "2"; and on page 3, line 11, to change the section number from "4" to "3."

The amendments were agreed to.

Mr. MORSE. Mr. President, I wish to have the attention of the Senator from Massachusetts [Mr. SALTONSTALL] as I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Oregon.

The LEGISLATIVE CLERK. It is proposed to insert at the appropriate place an additional section, as follows:

SEC. (a) That the third sentence of the eleventh paragraph of the first section of the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1883, and for other purposes," approved August 6, 1882 (22 Stat. 286), is hereby amended by striking out all after "Hereafter" through "retired: *And provided further*, That."

(b) Section 1591 of the Revised Statutes of the United States (34 U. S. C., sec. 993) is hereby amended by inserting after the word "except" the words "as may be directed or approved by the President, by and with the advice and consent of the Senate, or."

(c) Notwithstanding the provisions of this act, this section shall be considered to have become effective on January 1, 1942.

Mr. KNOWLAND. Mr. President, may we have an explanation of the amendment?

Mr. MORSE. Mr. President, the basic aim of this amendment is to remove from an old law enacted August 5, 1882, certain language which discriminates against retired officers of the Navy, as distinguished from retired officers of the Army, the Air Force, or the Marine Corps. That old law is the Naval Appropriations Act for the fiscal year ending June 30, 1883.

This is an amendment which has been before the Armed Services Committee—I was about to say almost beyond memory. It is an amendment which seeks to correct what the Armed Services Committee has felt in the past has been an injustice to a couple of naval officers, and it is offered now to meet what I understand is a barrier which has been thrown in the way of doing justice to the Navy.

I call attention to a statement that was submitted to me by a retired Navy officer.

In this connection Comdr. Edward White Rawlins, U. S. Navy (retired), testified before the Senate Armed Services Committee on February 19, 1954, in part, as follows:

On August 8, 1952, before Admiral Carney's letter of the 6th reached me I called on Rear Adm. Ira Nunn, the new Judge Advocate General of the Navy, who was a Naval Academy classmate and personal friend of mine. In the course of our talk he offered the purely unofficial personal suggestion that I submit a petition to the President for promotion to captain by Executive appointment. He said he felt certain the President had this appointive power under the Constitution. He also said unofficially that this would appear to offer a satisfactory solution to a case of long standing.

Acting upon Admiral Nunn's unofficial suggestion I drafted a documented detailed petition to the President. Before submitting it I transmitted my draft to Admiral Carney for any comment or advice he might choose to make. Admiral Carney replied immediately with wise and valuable suggestions which I followed implicitly. My petition then was submitted under date of November 25, 1952. Much to my surprise 6 weeks later, however, I received a letter dated January 7, 1953, from the then Secretary of the Navy reading in part as follows:

"The Judge Advocate General of the Navy has informed me that, although the Constitution of the United States grants the President the authority, with the advice and consent of the Senate to appoint officers in the naval service, the President is precluded by statute (act of August 5, 1882, 22 Stat. 286, 34 U. S. C. 402) from promoting an officer on the retired list without congressional legislation."

I understand that this particular amendment was drafted with the expert advice of the professional staff, and that it is what is needed in order to do justice in the so-called Commander Rawlins' case. I also was informed—and I assume accurately—that the chairman of the Armed Services Committee has no objection to the amendment if it is attached to this bill.

Mr. SALTONSTALL. Mr. President, I should like to say first that I hope the Senator from Oregon will permit the committee amendments to be adopted. They are merely technical amendments to put the bill in proper form.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

Mr. SALTONSTALL. If the Senator from Oregon feels that he wishes to offer his amendment, I believe the bill should be considered and debated in the regular order. I say that with some reluctance, because I have great sympathy for Commander Rawlins and the position in which he finds himself, particularly because of the support which he gets from the present Chief of Naval Operations, Admiral Carney.

However, this amendment, which goes back to an old law of 1882, has been turned down by the committee several times, and it has been turned down in the House. While I should like to tell the Senator that I would accept the amendment in my desire to help Commander Rawlins, I shall tell him that I saw Commander Rawlins this afternoon and told him that I felt there should be no attempt to attach such a rider to an administration bill which is of considerable importance, because if that were done it might well tie up the bill and make it impossible for it to become law at this time. For those reasons I shall ask that the bill go over, if the Senator insists on his amendment.

Mr. COOPER. Mr. President, I have been serving during this year and last year as a member of the Committee on Armed Services. In connection with my work on the committee, I have become familiar with the claim of Commander Rawlins. He is not a constituent of mine. I never knew him until the presentation of his claim. He has spoken to me several times about this claim. I went into the case rather fully, because I thought there was equity in the claim.

I have read the report of the House of Representatives, and the various statements Commander Rawlins made in connection with his claim, and particularly the letters which had been written in approval of his claim by Admiral Carney, who is now a member of the Joint Chiefs of Staff.

I know that this case would be an exception to Navy regulations and would require special legislation. I believe there is equity in the case, and that it ought to have consideration.

I must say to my good friend, the chairman of the committee, that while an exception would be required, I believe one of the duties of Congress is to take care of equitable cases. Such cases are being handled all the time. Merely because some person in the Pentagon, who is connected with the Navy, says we should not deviate from prescribed procedure should not affect questions of equity before us. Therefore, I hope that at some time justice will prevail in this case.

The PRESIDING OFFICER. The Senator from Massachusetts has entered an objection.

Mr. SALTONSTALL. Mr. President, I hope the Senator from Oregon may feel as I do after he hears what I am about to say. I have told Commander Rawlins that if I am in the Senate next year, and I am a member of the Committee on Armed Services, I will try to help him get the legislation which is necessary to assist him. I make this statement because the present Chief of Naval Operations is in Commander Rawlins' corner, as was one of the previous Chiefs of Naval Operations.

The bill affects 23 permanent major generals in the Army, who under the present law would be retired no later than the age of 60, after having completed 35 years of service, with 5 years in grade. The bill will permit such officers to be retained in the service of our country on active duty until the age of 62, in the discretion of the Secretary.

In other words, 23 permanent major generals, now serving with the rank of lieutenant general in the Army, can render 2 more years of their valuable service if the bill becomes law. Otherwise, those officers will have to retire at the age of 60, and the Government will lose the benefit of their intelligence, training, and experience at a time when the benefits of their service are most needed.

Mr. MORSE. Mr. President, of course, the Chairman of the Committee on Armed Services knows that I would not think of preventing passage of the bill, which would be the result, from what the Senator has said, if I insisted upon my amendment. Apparently I was laboring under misinformation, because I was advised that if I offered an amendment to the bill the Senator from Massachusetts, in all probability, would not object.

I have no interest in the case, so far as the individual is concerned, as the Senator from Kentucky [Mr. COOPER] also has said. Commander Rawlins is not a constituent of the Senator from Kentucky, and he is not a constituent of mine. I met him in connection with my former work as a member of the Committee on Armed Services, but this is one of the cases which came before the subcommittee of which I was a member. The subcommittee felt that an injustice had been done, the full committee felt than an injustice had been done, and the Senate felt an injustice had been done, because I think the Senate twice passed legislation seeking to correct the injustice.

The difficulty is that the Navy personnel at the Pentagon always find some new blockade to throw in our way when we seek to correct the injustice. This is the latest one. We have been advised that this kind of amendment would remove the blockade which the Navy has now fallen behind.

I shall withdraw my amendment, but before doing so I wish to say that I do not think the Government ever should become so big that it cannot do justice to an individual in governmental service.

When we find Admiral Carney, as he very clearly has stated on the record, favoring the doing of justice in this case, I think in some way, somehow, legislation should be passed which would do justice.

The Senator from Massachusetts can count on me, come January, to join with him in giving any assistance I can toward having legislation passed.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. KNOWLAND. I told the chairman of the Committee on Armed Services that I, as majority leader, would have to object to the amendment to the bill because of the bill's importance and the problem which I felt it would encounter in the other branch of Congress if the amendment were adopted.

I am perfectly willing to consider the case on its merits if it comes before the Senate as a separate bill. I shall be glad to consult with the Senator from Oregon and the chairman of the committee. But in this instance I will take the responsibility, because had not the chairman spoken and reserved his right to object, I had told him that I would have to object to the amendment.

Mr. MORSE. I think the Senator from California will agree with me that at least we have accomplished the purpose tonight of issuing another very clear notice to the Navy officials that we think they ought to get busy and do justice in the case.

I withdraw my amendment.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act to amend the Officer Personnel Act of 1947 to defer the retirement of certain officers of the Regular Army and the Regular Air Force, and for other purposes."

COMPACT RELATING TO HIGHER EDUCATION IN THE NEW ENGLAND STATES

The bill (S. 3726) granting the consent of Congress to certain New England States to enter into a compact relating to higher education in the New England States and establishing the New England Board of Higher Education was announced as next in order.

The PRESIDING OFFICER. The Chair wishes to state that Calendar No. 2232, H. R. 9712, is identical with Senate bill 3726. Is there objection to the consideration of the House bill?

There being no objection, the bill (H. R. 9712) granting the consent of Congress to certain New England States to enter into a compact relating to higher education in the New England States, and establishing the New England Board of Higher Education was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 3726 is indefinitely postponed.

EXTENSION OF CERTAIN TIMBER RIGHTS

The Senate proceeded to consider the bill (S. 3601) to provide that the Secretary of Agriculture is authorized to extend until not later than October 18, 1962, certain timber rights and necessary ingress and egress, and for other purposes, which had been reported from the Committee on Agriculture and Forestry with amendments, on page 1, line 3, after the word "Agriculture", to insert "hereinafter referred to as the Secretary"; on page 2, line 9, after the word "half", to insert "south half"; on page 3, line 6, after the word "Company", to insert "and its successors in interest"; at the beginning of line 11, to insert "and its successors in interest"; in line 13, after the word "the", to strike out "regional forester, region 3, Forest Service" and insert "Secretary"; at the beginning of line 16, to insert "forage"; and in line 19, after the word "the", to strike out "said regional forester" and insert "Secretary", so as to make the bill read:

Be it enacted, etc., That the Secretary of Agriculture, hereinafter referred to as the Secretary, is hereby authorized to extend until not later than October 18, 1962, those certain timber rights and necessary ingress, egress, or occupancy in connection therewith, of the M. R. Prestridge Lumber Co., and its successors in interest, on the following-described lands:

Township 17 south, range 12 east, New Mexico principal meridian:

Section 22, south half; section 23, south half; section 24, northeast quarter northeast quarter, southwest quarter northeast quarter, south half northwest quarter, southwest quarter, south half southeast quarter; section 25, northeast quarter northeast quarter, south half northeast quarter, northwest quarter, south half; section 26, northwest quarter, northeast quarter southeast quarter, south half south half; section 27, north half, northwest quarter southeast quarter, south half southeast quarter, southwest quarter; section 28, all; section 33, all; section 34, north half; section 35, all.

Township 18 south, range 12 east, New Mexico principal meridian:

Section 3, west half; section 4, all; section 9, all.

All lying within the Lincoln National Forest, Otero County, N. Mex.; such timber rights being those as were excepted as outstanding in the Southwest Lumber Co., predecessors in interest to the M. R. Prestridge Lumber Co., and expiring October 18, 1957, by that certain warranty deed, dated August 31, 1940, from Lee H. Orndorff, Alice V. Orndorff, M. H. Barrough, and Lula N. Barrough, to the United States of America, of record in said county on October 7, 1940, in book 117 of deeds at pages 617–8–9; which rights, by reference, were described and reserved in that certain deed of conveyance to the land involved from the Alamogordo Lumber Co., predecessors in interest to the Southwest Lumber Co., dated October 18, 1917, and recorded in book 53, pages 257, 262, deed records of Otero County, N. Mex.: *Provided*, That said M. R. Prestridge Lumber Co. and its successors in interest shall leave uncut henceforth from the date of this act, all trees whose diameter at a point 4½ feet above ground equals 16 inches or less: *Provided further*, That the said M. R. Prestridge Lumber Co. and its successors in interest shall after date of this act comply with reasonable logging and occupancy restrictions prescribed by the Secretary to prevent unnecessary damage to public resources and interests including uncut timber and young growth, forage, soil, water,

improvements, and public health and to insure reasonable fire protection. The said company shall, after date of this act, conform to road construction and maintenance standards acceptable to the Secretary, but not higher than required of other purchasers of national forest timber on the Lincoln National Forest and shall contribute a fair share toward the maintenance of the national forest roads used for log and lumber hauling by them.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHARTER OF PASSENGER SHIPS IN DOMESTIC TRADE

The bill (H. R. 9868) to amend the Merchant Ship Sales Act of 1946 to provide for the charter of passenger ships in the domestic trade was considered, ordered to a third reading, read the third time, and passed.

Mr. MAGNUSON. Mr. President, I ask unanimous consent to have printed at this point in the RECORD an explanation of H. R. 9868.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MAGNUSON ON H. R. 9868 (S. 3732)

This is a completely noncontroversial bill. Its purpose is to authorize the chartering of Government-owned, war-built passenger vessels for use in the domestic trade specifically, in the case of the proponents of this bill, to pave the way for application to the Maritime Board for approval for a proposed tourist-type passenger service between San Francisco and Honolulu.

There is authority presently in the law for charter of such vessels for use in foreign trade, but apparently the question of charter for domestic use has never arisen previously.

The responsible Government agencies favor the bill. The Seafarers International Union of North America urges its passage. The Hawaiian Visitors Bureau supports it. And the one passenger line operating in this service reports that it has no objection.

The Commerce Department took the position that passage of the bill would provide a desirable authority in the Government to charter any war-built passenger vessel in the defense reserve. It pointed out also that chartering of passenger vessels in the domestic trade would place in service additional units which would be readily available for military use in the event of an emergency and should be valuable operating units in our merchant marine.

The Commerce Department recommended that, in the interest of better arrangements, the bill be so worded as to amend section 5 (f) instead of section 5 (e) of the 1946 act, so that provisions for chartering passenger vessels be set forth in one subsection.

USES OF PUBLIC LANDS—BILL PASSED OVER

The bill (H. R. 1254) to provide authorization for certain uses of public lands was announced as next in order.

The PRESIDING OFFICER. A companion bill to this bill was objected to earlier in the day, and therefore the bill will go over.

Mr. KUCHEL. Mr. President, may I have unanimous consent to speak for a moment?

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator from California may proceed.

Mr. KUCHEL. Mr. President, the objection lodged to the companion bill was one lodged by my friend, the Senator from Oregon [Mr. MORSE]. I had assumed, earlier in the evening, that it was to this bill which he had the idea of continuing to object this evening. I should like to ask my friend, the Senator from Oregon, if in this instance the material which I gave him from the State attorney general in California may have been able to indicate the necessity for this legislation or the companion bill to which earlier he objected?

Mr. MORSE. Mr. President, I always feel badly when I find myself in disagreement with the same colleague more than once on the Unanimous Consent Calendar. I can assure him that my difference with him is a sincere one. However, I would have no objection to the bill being called on the next call of the calendar.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the Senate bill to which objection was previously made and House bill 1254, which is almost, but not quite a companion measure, go over to the next call of the calendar.

The PRESIDING OFFICER. The bills will go over to the next call of the calendar.

AUTHORIZATION OF APPROPRIATIONS FOR CONSTRUCTION, OPERATION, AND MAINTENANCE OF WESTERN LAND BOUNDARY FENCE PROJECT

The bill (S. 114) authorizing appropriations for the construction, operation, and maintenance of the western land boundary fence project, and for other purposes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That there is authorized to be appropriated to the United States section, International Boundary and Water Commission, United States and Mexico, such sums as may be necessary for the construction, operation, and maintenance of the western land boundary fence project, as said project is presently planned or as the plans therefor may be amended from time to time.

SEC. 2. The said sums may be appropriated specifically for said project, or may be included with the appropriation for all construction projects of said United States section. The expenditures and appropriations herein authorized shall not be construed as placing a limitation on funds which may be hereafter appropriated for the operation and maintenance of said project. The United States Commissioner, International Boundary and Water Commission, United States and Mexico, notwithstanding the provisions of section 3679 of the Revised Statutes (31 U. S. C. 665), sections 3732 and 3733 of the Revised Statutes (41 U. S. C. 11 and 12), or any other law, may enter into contracts beyond the amount actually appropriated for so much of the work on said project as the physical and orderly sequence of construction or considerations of expediting said work make necessary or desirable, such contracts to be subject to and dependent upon future appropriations by Congress: *Provided*, That the total construction cost of said project shall not exceed $3,500,000.

SEC. 3. Notwithstanding any contrary provisions of appropriation or other acts applicable to said project, the United States section is authorized to acquire by purchase, exercise of the power of eminent domain, or by donation any real or personal property which may be necessary for such project, as determined by the United States Commissioner, including rights-of-way not exceeding 60 feet in width, as may be necessary for such boundary fence and roads parallel thereto required for the patrol and maintenance thereof.

SEC. 4. Notwithstanding any contrary provisions of law, any executive department, independent establishment, or other agency of the United States is authorized to transfer to the United States section, without payment or reimbursement therefor, (a) any equipment, supplies, or materials which any of these agencies may have and which may be needed for the construction, repair, operation, or maintenance of such boundary fence project by the United States section; and (b) any existing fences, or portions thereof on or along the United States-Mexican boundary, which may be under the jurisdiction of such other Federal agency. The United States section is hereby authorized to expend, out of funds made available for boundary-fence construction, any sums of money which may be necessary for the reconstruction, repair, and operation and maintenance of boundary fences so transferred.

SEC. 5. The said United States Commissioner, in his discretion, is authorized to employ personnel for the survey, inspection, construction, and supervision of construction of such fence project without regard to personnel ceilings otherwise imposed, and without regard to the civil-service laws or regulations requiring the employment of American citizens: *Provided*, That such employment shall not be for a period longer than that required for the completion of construction of such fence project, nor in any event for a period in excess of 3 years from the effective date of this act.

SEC. 6. Said fence project may be constructed by contract or by force account, or partly by contract and partly by force account, in the discretion of the said United States Commissioner; and in either event the provisions of title 41, United States Code, section 5, and other laws and regulations relating to advertising for proposals for purchases and contracts for supplies or services for departments of the Government and laws and regulations placing limitations upon the purchase of passenger-carrying or other motor-propelled vehicles shall be inapplicable to purchases and contracts for equipment and supplies or services for the survey, construction, or supervision of said fence project.

SEC. 7. The opinion of the Attorney General in favor of the validity of the title to any tract of land or easement therein to be acquired for right-of-way for said fence project shall not be required as a condition precedent to construction thereon when, in the opinion of the said United States Commissioner, such requirement would unduly delay the construction program and the interests of the United States are not jeopardized by the waiver of such requirement: *Provided*, That proceedings for the acquisition of such tracts or easements therein by purchase, exercise of the power of eminent domain, or condemnation have been commenced, and the consent of the record or apparent owner or owners of any such tract has been secured for the immediate occupancy thereof, or appropriate orders have been entered therefor in eminent domain proceedings: *Provided further*, That the United States Commissioner shall proceed, as expeditiously as may be possible, to secure title to such tracts or easements therein in the manner and to the extent required for the approval of the Attorney General in accordance with existing law: *Provided further*, That where portions of such fence are to be built within the right-of-way lines of existing State, county, or other public roads or highways, the United States Commissioner is authorized to accept, and the Attorney General is

authorized to approve, rights-of-way, easements, or licenses from any such State, county, or other public agency having jurisdiction thereover, subject to such conditions and limitations as may be required by State or municipal law or regulation, including, but not limited to, conditions requiring the removal of said fence, or portions thereof, to points outside of the right-of-way lines as may not be objectionable to the State, county, or other public agency concerned, where considerations of widening said roads or highways, or other considerations of public necessity, make such removal necessary, and when, in the opinion of the United States Commissioner, the interests of the United States will not thereby be unduly jeopardized. The opinion of the attorney general of the State wherein such rights-of-way, easements, or licenses are granted, if such opinion be obtained, shall be conclusive as to the right or authority of the State, county, or other public agency concerned, and of the officials thereof, to grant any such right-of-way, easement, or license.

EXTENSION OF CERTAIN PATENTS DURING CERTAIN EMERGENCY PERIODS—BILL PASSED OVER

The bill (H. R. 3534) to authorize the extension of patents covering inventions whose practice was prevented or curtailed during certain emergency periods was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Mr. President, in view of the fact that the calendar committee on this side of the aisle has not received full and complete reports from the agencies involved, I ask that the bill go over until the next call of the calendar. I should like to say, in fairness, that we do have a report from the Department of Commerce, but I will not be entirely satisfied until I get the full report.

The PRESIDING OFFICER. The bill will be considered at the top of the next endar.

BILL PASSED OVER

The bill (H. R. 8898) to amend section 401 (e) (2) of the Civil Aeronautics Act, as amended, was announced as next in order.

Mr. HENDRICKSON. Mr. President, by request I ask that the bill go over.

Mr. SMATHERS. Mr. President, I ask unanimous consent that the bill be considered at the top of the next call of the calendar.

The PRESIDING OFFICER. Without objection, it is so ordered, and the bill will be considered at the top of the next call of the calendar.

LAWRENCE F. KRAMER

The Senate proceeded to consider the bill (S. 2083) to confer jurisdiction upon the Court of Claims to hear the claim of Lawrence F. Kramer, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and to insert:

That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lawrence F. Kramer, of 354 East 42d Street, Paterson, N. J., the sum of $67,500 in full satisfaction of his claim against the United States for (1) compensation for services rendered by him during the period from 1935 to 1952 in assisting and enabling the United States to prosecute successfully criminal proceedings against certain defendants who had defrauded the Government in connection with fixing prices on Works Projects Administration projects in the State of New Jersey, and (2) for reimbursement for expenses incurred by him in rendering such services: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Lawrence F. Kramer."

M. M. HESS

The bill (H. R. 7762) for the relief of M. M. Hess was announced as next in order.

The PRESIDING OFFICER. The Chair will state that the amendment of the committee and the amendment by the Senator from New Jersey [Mr. HENDRICKSON] have been agreed to. Is there objection to the present consideration of the bill?

Mr. GORE. Mr. President, reserving the right to object, does the Chair refer to the amendment prohibiting the payment of interest?

The PRESIDING OFFICER. Yes.

Mr. GORE. I withdraw my objection.

The Senate resumed the consideration of the bill (H. R. 7762) for the relief of M. M. Hess.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read the third time.

The bill was read the third time and passed.

INCREASE OF PENSIONS TO VETERANS AND DEPENDENTS

The bill (H. R. 9962) to increase by 5 percent the rates of pension payable to veterans and their dependents was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 3772) to amend the Federal Property and Administrative Services Act of 1949, as amended, to provide for the payment of appraisers, auctioneers, and brokers fees, from the proceeds of disposal of Government surplus real property, and for other purposes was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

EXTENSION OF AUTHORITY OF THE SECRETARY OF THE INTERIOR TO ISSUE CERTAIN PATENTS—BILL PASSED TO NEXT CALL OF THE CALENDAR

Mr. FERGUSON. Mr. President, why was Calendar No. 2351, S. 3716, passed over?

The PRESIDING OFFICER. It was not placed at the foot of the calendar.

Mr. FERGUSON. I ask unanimous consent that it may be brought up on the next call of the calendar.

Mr. HENDRICKSON. Mr. President, if the Senator will yield, we have a definite agreement concerning this measure.

Mr. FERGUSON. Mr. President, I understand it will be called on the next call of the calendar.

The PRESIDING OFFICER. Without objection, the bill will be called on the next call of the calendar.

BILL PASSED OVER

The bill (S. 3844) to provide for a reciprocal and more effective remedy for certain claims arising out of the acts of military personnel and to authorize the pro rata sharing of the cost of such claims with foreign nations, and for other purposes was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The bill will be passed over.

REVIEW OF CUSTOMS TARIFF SCHEDULES, ETC.

The bill (H. R. 10009) to provide for the review of customs tariff schedules, to improve procedures for the tariff classification of unenumerated articles, to repeal or amend obsolete provisions of the customs laws, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. GORE. Mr. President, reserving the right to object, I wish to say that at the last call of the calendar I registered an objection to the bill. Since that time I have had an opportunity to confer with the distinguished Senator from Georgia, and also with Representative COOPER, of Tennessee, and Representative MILLS, of Arkansas, both of whom are members of the House Ways and Means Committee. All three distinguished Members of Congress recommend the passage of the bill. Therefore I withdraw objection.

Mr. MALONE. Mr. President, may we hear what the amendments are?

The PRESIDING OFFICER. The clerk will state the amendments.

The amendments which had been reported from the Committee on Finance were, on page 2, line 1, after the word "classified", to strike out "for the purpose of determining the applicable rate of duty or exemption from duty" and insert "for tariff purposes"; at the beginning of line 4, to strike out "certain" and insert "related"; in line 12, after "(1)", to strike out "established" and insert

"establish"; in line 21, after the word "classifications", to strike out:

With respect to particular products by (i) eliminating multiple provisions for the tariff treatment of the same product; (ii) revising tariff descriptions; (iii) establishing a single classification provision for each group of articles which are subject now to different classifications but which are similar in character and in competitive relationship to products of the United States; (iv) changing forms of rates of duty; and (v) establishing consistent and simplified principles and standards of tariff classification.

(b) The schedules prepared in accordance with subsection (a) shall specify two recommended rates of duty for each classification provision in the dutiable schedules, which rates may be identical or different. Such rates shall be respectively (1) the rate, or equal in ad valorem equivalent to the rate or rates, applicable on the date of completion of the schedules (even though temporarily suspended by act of Congress) to articles covered by such classification provision which are products of countries whose products are not at that time entitled to the benefits of reduced rates of duty established pursuant to trade agreements entered into under the authority of section 350 of the Tariff Act of 1930 as amended (U. S. C., 1952 edition, title 19, sec. 1351) and (2) the rate, or equal in ad valorem equivalent to the rate or rates, applicable on the date of completion of the schedules (even though temporarily suspended by act of Congress) to articles covered by such classification provision which are products of countries, other than Cuba and the Philippine Republic, whose products are at that time entitled to the benefits of rates of duty established pursuant to the aforesaid trade agreements. For the purposes of specifying all rates of duty in the schedules, such tolerances shall be applied as the Commission shall deem appropriate to round out the rates within reasonable standards of uniformity. If the Commission in preparing its schedules changes the form of the rate of any duty, or establishes a single classification provision for a group of articles formerly subject to different rates of duty, the revised rates, whether ad valorem, specific, or compound, shall be those which, in the judgment of the Commission, will bring substantially the same amount of duties as would have been collected by application of the superseded rate or rates, based upon reasonably available information as to the amounts of duties which were and would have been collected on imports entered, or withdrawn from warehouse, for consumption, during the calendar years 1952 and 1953.

(c) The schedules prepared in accordance with the preceding subsections shall be accompanied by a statement of the amount of each difference between an existing rate and the corresponding rate in the schedule, based upon reasonably available information as to the amounts of duties which were, and which by application of the schedule rates would have been, collected on imports entered, or withdrawn from warehouse, for consumption, during the calendar years 1952 and 1953. They shall also be accompanied by summaries of all the data on the basis of which the new rates in the schedules were calculated.

On page 5, after line 2, to insert:

(b) The Commission shall seek to accomplish the purposes of subsection (a) without suggesting changes in any rate or rates of duty on individual products, whether those rates are applied by statute or by Presidential proclamation. Where, however, in the judgment of the Commission, the purposes of subsection (a) cannot be accomplished without such changes, the Commission shall specify each incidental change in rates which in its judgment would accomplish such purposes, and shall accompany it with a summary of all the data on which such suggested change was based, together with a statement of the probable effect of such suggested change on any industry in the United States. Before suggesting any changes in rates of duty, the Commission shall give public notice of its intention to do so and shall afford reasonable opportunity for parties interested to be present, to produce evidence, and to be heard at public hearings with respect to the probable effect of such suggested changes on any industry in the United States.

On page 5, line 21, to change the subsection letter from "(d)" to "(c)"; in line 23, after the word "data", to insert "and statements"; on page 6, line 3, to change the subsection letter from "(e)" to "(d)"; after line 12, to insert:

(e) The Commission may invoke all the powers granted to it under part II, title III, of the Tariff Act of 1930, as amended, and is authorized to make reasonable rules and regulations, for the purpose of carrying out its functions under this title.

After line 17, to insert:

(f) The Commission may procure temporary and intermittent services in accordance with section 15 of the act of August 2, 1946 (5 U. S. C., sec. 55a), but at rates not to exceed $75 per diem for individuals. The Commission may reimburse employees, experts, and consultants for travel, subsistence, and other necessary expenses incurred by them in the performance of their official duties, and make reasonable advances to such persons for such purposes. Service by a person pursuant to the first sentence of this subsection shall not be considered as service or employment bringing such person within the provisions of section 281, 283, 284, or 1914 of title 18 of the United States Code, or section 512 of the Mutual Security Act of 1954, or section 190 of the Revised Statutes (5 U. S. C., sec. 99).

On page 7, line 7, to change the subsection letter from "(f)" to "(g)"; in line 11, in the heading, after "Title II", to strike out "Tariff Classification of"; in line 12, in the heading, after the word "Articles" to insert "American Goods Returned"; on page 8, after line 11, to insert:

CERTAIN METAL ARTICLES RETURNED TO UNITED STATES

SEC. 202. Paragraph 1615 (g) of the Tariff Act of 1930, as amended (U. S. C., 1952 edition, title 19, sec. 1201, par. 1615 (g)), is further amended to read as follows:

"(g) (1) Any article exported from the United States for repairs or alterations may be returned upon the payment of a duty upon the value of the repairs or alterations at the rate or rates which would apply to the article itself in its repaired or altered condition if not within the purview of this subparagraph (g).

"(2) If—

"(A) any article of metal (except precious metal) manufactured in the United States or subjected to a process of manufacture in the United States is exported for further processing; and

"(B) the exported article as processed outside the United States, or the article which results from the processing outside the United States, as the case may be, is returned to the United States for further processing,

then such article may be returned upon the payment of a duty upon the value of such processing outside the United States at the rate or rates which would apply to such article itself if it were not within the purview of this subparagraph (g).

"(3) This subparagraph (g) shall not apply to any article exported—

"(A) from bonded warehouse or from continuous customs custody elsewhere than bonded warehouse with remission, abatement, or refund of duty;

"(B) with benefit of drawback through substitution or otherwise; or

"(C) for the purpose of complying with any law of the United States or regulation of any Federal agency requiring exportation.

"(4) For the purposes of this subparagraph (g), the value of repairs, alterations, or processing outside the United States shall be considered to be—

"(A) the cost to the importer of such repairs, alterations, or processing; or

"(B) if no charge is made, the value of such repairs, alterations, or processing,

as set out in the invoice and entry papers; except that, if the Secretary of the Treasury concludes that the amount so set out does not represent a reasonable cost or fair value, as the case may be, then the value of the repairs, alterations, or processing shall be determined in accordance with section 402 of this act. No appraisement of the imported article in its repaired, altered, or processed condition shall be required unless necessary to a determination of the rate or rates of duty applicable to such article."

On page 11, line 15, after the word "from", to insert "the invoice or other papers or from"; in line 16, after the word "him", to insert "or to any person to whom authority under this section has been delegated"; in line 18, after the word "exporter's", to strike out "sale" and insert "sales"; in line 24, after the word "than", to strike out "sixty" and insert "one hundred and twenty"; in line 25, after the word "been", to insert "raised by or"; on page 12, at the beginning of line 1, to insert "or any person to whom authority under this section has been delegated"; in line 12, after the word "than", to strike out "sixty" and insert "one hundred and twenty"; at the beginning of line 14, to insert "raised by"; in the same line, after the word "Secretary", to insert "or any person to whom authority under section 201 has been delegated"; in line 18, after the word "exporter's", to strike out "sale" and insert "sales"; on page 14, line 13, after "SEC. 402. (a)", to strike out "section 3 of the act of March 3, 1917 (39 Stat. 1133), as amended (U. S. C., 1952 edition, title 48, sec. 1394), is amended to read as follows" and insert "section 28 (d) of the Revised Organic Act of the Virgin Islands, approved July 22, 1954, is amended to read as follows"; in line 18, at the beginning of the line, to strike out "SEC. 3." and insert "(d)"; in line 22, after the word "section", to strike out "3350" and insert "7652 (b)"; in the same line, after the word "Code", to insert "of 1954"; on page 15, after line 3, to strike out:

TITLE V. OBSOLETE PROVISIONS OF CUSTOMS LAWS

SEC. 501. The following obsolete, inoperative, and unnecessary statutes and parts thereof relating to the duties, functions, and operations of certain officers and employees of the Customs Service are repealed:

1. Section 2649, Revised Statutes (U. S. C., 1952 edition, title 19, sec. 12).

2. Section 1 of the act of March 4, 1911 (ch. 285, 36 Stat. 1393), as amended, and so much of the acts of August 15, 1876 (19 Stat. 152), March 3, 1891 (26 Stat. 968), March 4, 1911 (36 Stat. 1393), and March 4, 1923 (42 Stat. 1453), as relate to the number and

titles of special agents or members of the Customs Special Agency Service (U. S. C., 1952 edition, title 19, sec. 13).

3. Section 2651, Revised Statutes (U. S. C., 1952 edition, title 19, sec. 14).

4. Section 2999, Revised Statutes (U. S. C., 1952 edition, title 19, sec. 15).

5. Section 2940, Revised Statutes, as amended (U. S. C., 1952 edition, title 19, sec. 16).

6. Section 2941, Revised Statutes (U. S. C., 1952 editon, title 19, sec. 17).

7. Section 2942, Revised Statutes (U. S. C., 1952 edition, title 19, sec. 18).

8. Section 2616, Revised Statutes (U. S. C., 1952 edition, title 19, sec. 21).

9. Section 2614, Revised Statutes, as amended (U. S. C., 1952 edition, title 19, sec. 22).

10. Section 2615, Revised Statutes, as amended (U. S. C., 1952 edition, title 19, sec. 23).

11. Section 2617, Revised Statutes, as amended (U. S. C., 1952 edition, title 19, sec. 24).

12. Section 2611, Revised Statutes, as amended (U. S. C., 1952 edition, title 19, sec. 26).

13. Section 11 of the act of February 8, 1875 (ch. 36; 18 Stat. 309), as amended (U. S. C., 1952 edition, title 19, sec. 27).

14. Act of September 24, 1914 (ch. 309, 38 Stat. 716; U. S. C., 1952 edition, title 19, sec. 28).

15. Section 2627, Revised Statutes, as amended (U. S. C., 1952 edition, title 19, sec. 40).

16. Section 2687, Revised Statutes (U. S. C., 1952 edition, title 19, sec. 53).

17. Section 2646, Revised Statutes (U. S. C., 1952 edition, title 19, sec. 54).

18. Section 2647, Revised Statutes, as amended (U. S. C., 1952 edition, title 19, sec. 55).

19. Section 2944, Revised Statutes (U. S. C., 1952 edition, title 19, sec. 56).

20. Section 2648, Revised Statutes, as amended (U. S. C., 1952 edition, title 19, sec. 57).

21. Section 2635, Revised Statutes, as amended (U. S. C., 1952 edition, title 19, sec. 59).

22. Section 2580, Revised Statutes (U. S. C., 1952 edition, title 19, sec. 61).

23. Act of December 18, 1890 (ch. 22, 26 Stat. 690), as amended (U. S. C., 1952 edition, title 19, sec. 62).

24. Section 258, Revised Statutes (U. S. C., 1952 edition, title 19, sec. 77).

25. Section 2612, Revised Statutes (U. S. C., 1952 edition, title 19, sec. 379).

26. Section 2918, Revised Statutes (U. S. C., 1952 edition, title 19, sec. 390).

27. Section 13 of the Act of June 22, 1874 (ch. 391, 18 Stat. 188; U. S. C., 1952 edition, title 19, sec. 494).

28. Act of February 10, 1913 (ch. 35, 37 Stat. 665; U. S. C., 1952 edition, title 19, sec. 542).

29. Section 3650, Revised Statutes, as amended (U. S. C., 1952 edition, title 31, sec. 549).

30. So much of section 3689 of the Revised Statutes (U. S. C., 1952 edition, title 31, sec. 711 (7)) as reads: "Repayment of excess of deposits for unascertained duties (customs): To repay to importers the excess of deposits for unascertained duties, or duties or other moneys paid under protest."

31. So much of section 1 of the act of September 30, 1890 (ch. 1126, 26 Stat. 511), as reads: "And such clerks and inspectors of customs as the Secretary of the Treasury may designate for the purpose shall be authorized to administer oaths, such as deputy collectors of customs are now authorized to administer, and no compensation shall be paid or charge made therefor."

SEC. 502. Subsection (f) of section 500 of the Tariff Act of 1930 (U. S. C., 1952 edition, title 19, sec. 1500 (f)) is amended by deleting from the second sentence the words "take the oath."

SEC. 503. Section 583 of the Tariff Act of 1930 (U. S. C., 1952 edition, title 19, sec. 1583) is amended by deleting therefrom the words "the back of."

On page 18, line 20, to change the title number from "VI" to "V"; in line 22, to change the section number from "601" to "501"; on page 19, line 18, to change the section number from "602" to "502"; on page 20, line 2, after "(a)", to strike out "Every" and insert "Except as specified in the proviso to section 594 of this act, every"; in line 18, to change the section number from "603" to "503"; on page 21, line 18, to change the section number from "604" to "504"; on page 22, line 5, to change the section number from "605" to "505"; in line 18, to change the section number from "606" to "506"; in line 23, to change the section number from "607" to "507"; on page 23, line 3, to change the title number from "VII" to "VI"; in line 4, to change the section number from "701" to "601"; and in the same line, after the word "and" to strike out "VI" and insert "V."

The PRESIDING OFFICER. The question is on agreeing to the amendments of the committee.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

THE SO-CALLED CUSTOMS SIMPLIFICATION BILL

The PRESIDING OFFICER. The bill having been read a third time, the question is, Shall it pass?

Without objection——

Mr. MALONE. Mr. President, reserving the right to object, I should like to ask the distinguished chairman of the Finance Committee whether all the amendments which have just been read were approved by the Senate Finance Committee.

Mr. MILLIKIN. I think they were approved, after a considerable debate between ourselves—I refer to the distinguished Senator from Nevada and myself—and after numerous meetings with the Government agencies affected, who met with the members of the Senate Finance Committee to discuss the thoughts we developed as we went along to meet the points the Senator from Nevada had in mind.

Mr. MALONE. Mr. President, still reserving the right to object, I want to say for the benefit of the record that for several years we have had a continual stream of these so-called customs simplification bills—customs simplification always including the lowering of the import fees or tariffs or duties as they are called in the Constitution of the United States.

The final net result is always a reduction of such duties or fees through what is called simplification—either through changing the valuation from the American valuation to the foreign valuation, or changing classifications to take a lower duty.

Again for the benefit of the record, let me say that the junior Senator from Nevada has discussed this bill with the Secretary of the Treasury and it is understood that there is no intention on his part of disturbing the tariff structure through this proposed legislation and that the Secretary will cooperate with the Senate Finance Committee in preventing such further misrepresentations under the general heading of simplification.

All over the country we have continuous propaganda relative to customs simplification which always adds up to only one thing, namely, reclassification or revaluation to take a lower duty. The junior Senator from Nevada is tired of it, and serves notice now that any further simplification bill cloaking such tariff or duty revisions will be debated on the Senate floor until thoroughly understood by a long-suffering public.

It has become the custom to present such bills during the closing days of the sessions when there is no time for hearings or even adequate reading and study.

It is time the workingmen's jobs and the investors' money is again protected through the principle of a flexible tariff or duty adjusted by the Tariff Commission as an agent of Congress on the basis of fair and reasonable competition—the tariff or duty representing the difference between the wages and taxes here and in the chief competing country.

The PRESIDING OFFICER. Does the Senator from Nevada offer further objection?

Mr. MALONE. Mr. President, I do not object.

Mr. DOUGLAS. Mr. President, will the Senator from Nevada yield for a question?

Mr. MALONE. I am happy to yield for a question.

Mr. DOUGLAS. Do I correctly understand that the Senator from Nevada is objecting to a part of the legislative program fo simplification of tariff duties?

Mr. MALONE. I am objecting to the type of simplification the junior Senator from Illinois always favors—that is a lowering of tariffs and putting foreign sweatshop labor directly into competition with American workers and investors.

Mr. DOUGLAS. Do I correctly understand that the Senator from Nevada is opposed to the President's program?

Mr. MALONE. I am opposed to anybody's program which includes a lowering of tariffs or duties putting the American workingman in direct competition with the sweatshop labor of Europe and Asia. This includes the foreign-trade program, which has always been supported by the Senator from Illinois.

The PRESIDING OFFICER. The amendments having been engrossed, and the bill read a third time; the question is, Shall the bill pass?

The bill (H. R. 10009) was passed.

The title was amended so as to read: "An act to provide for the review of customs tariff schedules, to improve procedures for the tariff classification of unenumerated articles, and for other purposes."

TRANSMITTAL OF INTERNATIONAL AGREEMENTS TO SENATE WITHIN 30 DAYS AFTER EXECUTION

The bill (S. 3067) to require that international agreements other than treaties,

hereafter entered into by the United States, be transmitted to the Senate within 30 days after the execution thereof, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. SMATHERS. There is no objection from this side to the present consideration of the bill.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

TRIBUTE TO SENATOR PAYNE, OF MAINE

Mr. HOLLAND. Mr. President, reserving the right to object, in connection with the consideration of Senate bill 3067—although I do not intend to object—let me say that in view of the effective activities on the part of the distinguished junior Senator from Maine [Mr. PAYNE], who now is presiding so ably over the Senate—and I refer to his necessary activities in keeping the Members of the Senate in a proper state of discipline and good working order—I think perhaps a brief item just carried on the Associated Press ticker may be appropriately read at this time:

WASHINGTON.—A statistically minded Senate parliamentarian figured out today that the Senate under the rapid gaveling of Senator PAYNE (Republican, Maine) has established an all-time record in bill passage.

Starting in on a mountainous accumulation of bills Tuesday night with Maine's former governor in the chair the Senate whipped through 47 bills in 10 minutes.

With PAYNE again presiding on Wednesday the Senate took up its calendar at 10:15 a. m., and by 2:15 p. m., just 4 hours later, had considered 432 bills, passing 366 and deferring 66 for later action.

At one point PAYNE called up and banged through private immigration bills at the rate of 100 in 10 minutes.

At the end of the gruelling session PAYNE looked fresh but admitted he was "a bit weary."

I thought the insertion into the RECORD at this time of that item might be an inspiration to future presiding officers of the Senate. [Laughter and applause.]

The PRESIDING OFFICER (Mr. PAYNE in the chair). Let the Chair state that if the Chair had the right to do so, he would rule the Senator from Florida out of order. [Laughter.]

Mr. MALONE. Mr. President, will the Senator from Florida yield for a question?

Mr. HOLLAND. I yield.

Mr. MALONE. Was the distinguished Senator from Florida apologizing for the Senate to the country, or is it supposed to be a compliment to have the Senate pass 47 bills in 10 minutes, without consideration at all?

Mr. HOLLAND. In reply to my distinguished friend, Mr. President, I may say that I think it is a compliment to the Senate committees for their care in getting the bills in excellent shape, and to the expedition of the junior Senator from Maine [Mr. PAYNE], who has been presiding over the Senate in such commendable fashion; and, besides, I thought the inclusion of that item at this particular time might inspire future Senators and future presiding officers to continue to expedite the business of the Senate. In addition, I thought that the people of the Nation might be pleasantly surprised to hear that their Senate, which at times is said to spend vast amounts of time on one bill, can make such speedy progress on occasion?

Mr. HUMPHREY. Mr. President, will the Senator from Florida yield to me?

Mr. HOLLAND. I yield.

Mr. HUMPHREY. I think the Senator from Florida should include in the commendation the distinguished Members of the Senate who serve on the two calendar committees. I notice that the calendar committee on this side of the aisle is composed of Members of the Senate who have been most faithful and loyal in watching over the calendar in behalf of all Members of the Senate on this side of the aisle, as each of us individually watches over the measures relating to our respective interests and fields. I think those Senators have done an extremely fine job.

Mr. HOLLAND. I thoroughly agree with my distinguished friend, the Senator from Minnesota, in extending the commendation to my colleague, the distinguished junior Senator from Florida [Mr. SMATHERS], to the distinguished junior Senator from Tennessee [Mr. GORE], and in referring equally to the calendar committee serving so faithfully and tirelessly on the other side of the aisle, to the distinguished junior Senator from New Jersey [Mr. HENDRICKSON], and to the distinguished junior Senator from Kentucky [Mr. COOPER]. Certainly all of these able Senators are entitled to receive the accolade of the Senate.

TRANSMITTAL OF INTERNATIONAL AGREEMENTS TO SENATE WITHIN 30 DAYS AFTER EXECUTION

The PRESIDING OFFICER. Calendar No. 2365, Senate bill 3067, requiring that international agreements other than treaties, hereafter entered into by the United States, be transmitted to the Senate within 30 days after the execution thereof, has already been announced as next in order.

Is there objection to the present consideration of the bill?

Mr. SMATHERS. Mr. President, reserving the right to object, in order to slow down the proceedings a little, let me state that we have received a request for an explanation of the bill.

Mr. FERGUSON. I should like to give the explanation.

Mr. President, I wish to speak very briefly concerning the bill (S. 3067) which, under the committee amendment, would require international agreements other than treaties to be transmitted to the Senate within 60 days after they have been concluded.

This bill would amend section 112 of title I of the United States Code by adding a new section, 112b, enlarging the duty of the Secretary of State to keep Congress and the people informed concerning the existence of agreements which are concluded between other governments and our own.

At the present time, section 112a requires the Secretary of State to compile and publish all treaties to which the United States is a party, that have been proclaimed during each calendar year. Information with respect to international agreements other than treaties—loosely described as executive agreements—has not in the past been available as quickly as it should have been to satisfy many members of the Senate. The present bill would ensure that the Senate be kept regularly advised as to the subject matter of agreements which are finalized by the Executive alone.

Under the committee amendment, all such agreements must be transmitted to the Senate within 60 days, except for those agreements which, for security reasons, are classified, and which the President does not believe should in the national interest be disclosed to the general public. The latter category would, under the bill, be transmitted, with appropriate security safeguards, to the Senate Committee on Foreign Relations. Members of that committee will thus be kept fully informed as to the nature of the obligations assumed by our Government in such agreements.

The bill will not only encourage greater liaison between the Executive and Congress throughout the entire range of the treaty process, but will remove some of the objections which in the past have been made on this floor, to the effect that this Nation was being committed to undertakings which the Senate had no opportunity to learn about until long afterward.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MONRONEY. Mr. President, reserving the right to object, I should like to ask the distinguished Senator from Michigan if he can inform the Senate who is to decide which of those agreements are executive agreements, and which are made under the President's authority as Commander in Chief of the armed services?

Mr. FERGUSON. This bill would cover all executive agreements, whether they were made under authority of the bill, or under his power as Commander in Chief; and he would determine whether or not they were such that they should be brought only to the Senate committee. There is no objection on the part of the State Department.

As I recall, decision on both sides of the aisle in the committee was unanimous.

Mr. MONRONEY. The distinguished Senator has not yet clarified the question for me, unless he is now telling the Senate that all the agreements made by the Executive, whether or not made as Commander in Chief, even in time of war, must be sent to the Senate and made a matter of public knowledge to the Senate.

Mr. FERGUSON. Not made public knowledge to the Senate. The agreement would be made available to the Senate or, if the President thought the security of the Nation was at stake, to the Foreign Relations Committee. The President would determine that question.

Mr. MONRONEY. I can understand the desire of the Senate to have these international agreements, but since this bill has absolutely nothing in it that I have been able to find, involving the duties and prerogatives of the Executive and the necessary secrecy surrounding the powers of the Commander in Chief in time of war, I wonder if we are not rushing headlong into something which might even threaten us with military disaster.

Mr. KNOWLAND. Mr. President, if the Senator will yield, I do not believe the pending measure would have that effect at all. In the first place, it is not unusual in the history of our country for the President to send to the Senate, under the ban of secrecy, and before the ban of secrecy is removed, treaties which have been negotiated and the Senate ratifies them in open session later. In this case a report was made by a subcommittee representing both sides of the aisle; and, as I recall, the bill was reported unanimously by the Foreign Relations Committee. What we were trying to do was to keep the Senate of the United States, which has the responsibility in the field of foreign policy, from operating in the dark in connection with important executive agreements which might have great effect upon our country, without any knowledge of such agreements on the part of the Senate or the Committee on Foreign Relations of the Senate, which has a direct responsibility in dealing with matters of foreign policy.

When such agreements are filed at the U. N. it seems to me that not to require such information, to deprive the Senate of knowledge of them, is merely blinding ourselves to a source of information which I think the Senate is entitled to have.

Mr. MONRONEY. I am in perfect agreement with respect to international agreements as such, but I tried to get from the distinguished Senator from Michigan [Mr. FERGUSON] a statement as to where the dividing line is as between agreements which are made on a military basis by the Commander in Chief, with respect to which agreements can be permitted in the realm of our military security in relationship to time of war or peacetime, and other international agreements.

Mr. FERGUSON. I quote from the report of the committee:

> At the present time, section 112a of title I of the United States Code requires the Secretary of State to compile and publish, beginning with January 1, 1950, a compilation entitled "United States Treaties and International Agreements," containing all treaties to which the United States is a party, that have been proclaimed during each calendar year, along with international agreements other than treaties concluded by the United States during each calendar year.

To answer the Senator's question, the President of the United States would decide what is to be made public and what is not. When he makes an executive agreement under his power as Commander in Chief, under the present law he must publish it in a volume at the end of the year. The proposed legislation would require him only to give it secretly and confidentially to the Foreign Relations Committee within 60 days. It would speed up operations.

Mr. MONRONEY. The distinguished Senator from Michigan has not yet approached the question on the basis of which I made my reservation of objection, namely, the dividing line as between the constitutional prerogatives with respect to executive agreements and the powers and rights of the Chief Executive as Commander in Chief.

Of course, executive agreements, as such, should come to the Senate and be filed. In time of war or in time of crisis, if a real security question is involved, they should be kept secret. During many weeks of debate on the Bricker amendment, a subject very similar to this, no Member of the Senate, so far as I could tell, could properly define the area of power constitutionally belonging to the President as Commander in Chief and the area of power reserved with respect to treaties and executive agreements. I think it is too much to expect the Senate, on a call of the calendar at 9:30 at night, after 11½ hours of fast debate, to pass on a bill as vital as this may be, requiring disclosures to the Senate, which would conflict with the constitutional prerogatives of the Commander in Chief.

Mr. KNOWLAND. If the Senator desires to cut the Senate off from sources of information, of course, he is entirely within his right in objecting.

Mr. MONRONEY. The majority leader knows I am inquiring about the distinction between the rights of the President as Commander in Chief and the rights and prerogatives of the President with respect to international agreements.

Mr. FERGUSON. There is no distinction in the Constitution between such powers. They are all constitutional powers. The President's Secretary of State has no objection to the bill in this form.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MALONE. Mr. President, reserving the right to object, I should like to ask the distinguished Senator from Michigan a question. Does the requirement with respect to disclosure of these treaties include trade agreements?

Mr. FERGUSON. Yes; it would include all agreements.

Mr. MALONE. If this bill should be enacted, as I understand, the President of the United States would still determine whether a given agreement should be secret or whether it should be disclosed. He would decide whether the security of the country was involved. A former President decided that the agreements made at Yalta should not be disclosed to the country. This provision would not have safeguarded the country from the Yalta agreement.

Mr. FERGUSON. Under the present law the agreements made at Yalta would have had to be published within a year, or at the end of the year. Under the bill which we are now considering they would have to be filed with the Senate within 60 days.

Mr. MALONE. Not if the President of the United States considered the national security to be involved.

Mr. FERGUSON. In any event, he would have to file it with the Committee on Foreign Relations of the Senate. At the end of the year, under the present law, without exception, it would have to be published.

Mr. MALONE. I did not understand the Senator from Michigan to describe it in that manner. I understood him to say that if the President of the United States considered it a security measure, or for security purposes, he would not be required to file it.

Mr. FERGUSON. He must file it. Under present law, it would not be released to the public until it was published at the end of the year, long after execution. Under this bill, he would have to file it with the committee.

Mr. SMATHERS. Mr. President, in view of the fact that there is so much debate and discussion on the bill, I ask that it go over.

The PRESIDING OFFICER. Objection is heard. The bill goes over.

DISPOSITION OF WAGES AND EFFECTS OF DECEASED AND DESERTING SEAMEN

The bill (S. 2017) to revise the procedure in the district courts relating to the disposition of the wages and effects of deceased and deserting seamen was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. GORE. Reserving the right to object, I should like to have an explanation of the bill, particularly as to why the Department concerned was not consulted.

Mr. McCARRAN. While I make this explanation, I hope Senators will also remember that the Senator from Nevada is acting temporarily in the absence of the chairman of the Committee on the Judiciary.

This is a bill designed to provide a better method of dealing with the wages and effects of deceased and deserting seamen. It follows the recommendations of a committee of seven distinguished district judges of the United States.

At the present time, numerous ministerial duties with regard to the effects of deceased and deserting seamen are imposed upon the courts. These include such tasks as having custody of the effects, inventorying them, giving them protection, and so on.

Under this bill, these administrative duties, which have become so burdensome to the courts, would be handed over to the Coast Guard.

Let me stress the fact that only custodial and administrative duties are involved, and that under this bill, performance by the Coast Guard of its new responsibilities would be subject to the Administrative Procedure Act wherever applicable.

This bill has the approval of the Judicial Conference of the United States.

Mr. GORE. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. GORE. Is the Senator advised as to the position of the Coast Guard itself in this regard?

Mr. McCARRAN. My information is that the Coast Guard does not want the job.

Mr. GORE. It does not want the job?

Mr. McCARRAN. That is correct.

Mr. GORE. And the judges want to get rid of the job. Is that true?

Mr. McCARRAN. That is true.

Mr. GORE. That leaves the junior Senator from Tennessee in a worse spot than he was in at the beginning. I shall resolve the doubt in favor of the perspicacity of the senior Senator from Nevada, and withdraw my objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That sections 4539, 4540, 4541, 4542, 4543, 4544, and 4545 of the Revised Statutes of the United States (46 U. S. C. 622, 623, 624, 625, 626, 627, 628) are amended to read as follows:

"SEC. 4539. In cases embraced by the preceding section, the following rules shall be observed:

"First. If the vessel proceeds at once to any port in the United States, the master shall, within 48 hours after his arrival, deliver any such effects remaining unsold, and pay any money which he has taken charge of or received from such sale, and the balance of wages due to the deceased, to the Coast Guard official to whom the duties of shipping commissioner have been delegated at the port of destination in the United States.

"Second. If the vessel touches and remains at some foreign port before coming to any port in the United States, the master shall report the case to the United States consular officer there, and shall give to such officer any information he requires as to the destination of the vessel and probable length of the voyage; and such officer may, if he considers it expedient so to do, require the effects, money, and wages to be delivered and paid to him, and shall, upon such delivery and payment, give to the master a receipt; and the master shall within 48 hours after his arrival at his port of destination in the United States produce the same to the Coast Guard official to whom the duties of shipping commissioner have been delegated there. Such consular officer shall, in any such case, indorse and certify upon the agreement with the crew the particulars with respect to such delivery and payment.

"Third. If the consular officer does not require such payment and delivery to be made to him, the master shall take charge of the effects, money, and wages, and shall, within 48 hours after his arrival at his port of destination in the United States, deliver and pay the same to the Coast Guard official to whom the duties of shipping commissioner have been delegated there.

"Fourth. The master shall, in all cases in which any seaman or apprentice dies during the voyage or engagement, give to such officer or Coast Guard official to whom the duties of shipping commissioner have been delegated an account, in such form as they may respectively require, of the effects, money, and wages so to be delivered and paid; and no deductions claimed in such account shall be allowed unless verified by an entry in the official log book, if there be any; and by such other vouchers, if any, as may be reasonably required by the officer or Coast Guard official to whom the duties of shipping commissioner have been delegated to whom the account is rendered.

"Fifth. Upon due compliance with such of the provisions of this section as relate to acts to be done at the port of destination in the United States, the Coast Guard official to whom the duties of shipping commissioner have been delegated shall grant to the master a certificate to that effect. No officer of customs shall clear any foreign-going vessel without the production of such certificate.

"SEC. 4540. Whenever any master fails to take such charge of the money or other effects of a seaman or apprentice during a voyage, or to make such entries in respect thereof, or to procure such attestation to such entries, or to make such payment or delivery of any money, wages, or effects of any seaman or apprentice dying during a voyage, or to give such account in respect thereof as is above directed, he shall be accountable for the money, wages, and effects of the seaman or apprentice to the Coast Guard in whose jurisdiction such port of destination is situate, and shall pay and deliver the same accordingly; and he shall, in addition, for every such offense, be liable to a penalty of not more than treble the value of the money or effects, or, if such value is not ascertained, not more than $1,000; and if any such money, wages, or effects are not duly paid, delivered, and accounted for by the master, the owner of the vessel shall pay, deliver, and account for the same, and such money and wages and the value of such effects shall be recoverable from him accordingly; and if he fails to account for and pay the same, he shall, in addition to his liability for the money and value be liable to the same penalty which is incurred by the master for a like offense; and all money, wages, and effects of any seaman or apprentice dying during a voyage shall be recoverable in the courts and by the modes of proceeding by which seamen are enabled to recover wages due to them.

"SEC. 4541. Whenever any such seaman or apprentice dies at any place out of the United States, leaving any money or effects not on board of his vessel, the consular officer of the United States at or nearest the place shall claim and take charge of such money and effects, and shall, if he thinks fit, sell all or any of such effects, or any effects of any deceased seaman or apprentice delivered to him under the provisions of section 4539 (46 U. S. C. 622), and shall quarterly remit to the Commandant of the Coast Guard all moneys belonging to or arising from the sale of the effects or paid as the wages of any deceased seamen or apprentices which have come to his hands; and shall render such accounts thereof as the Commandant of the Coast Guard requires.

"SEC. 4542. Whenever any seaman or apprentice dies in the United States, and is, at the time of his death, entitled to claim from the master or owner of any vessel in which he has served, any unpaid wages or effects, such master or owner shall pay and deliver, or account for the same, to the Coast Guard official to whom the duties of shipping commissioner have been delegated at the port where the seaman or apprentice was discharged, or was to have been discharged or where he died.

"SEC. 4543. All claims with respect to the money and effects of any seaman, paid, remitted, or delivered to the Coast Guard pursuant to the provisions of section 4539 (46 U. S. C. 622) or section 4604 (46 U. S. C. 706), shall be heard by an examiner of the Coast Guard appointed pursuant to the provisions of the Administrative Procedure Act (5 U. S. C. 1001–1011) with the right of review by appeal within thirty days after final action by the examiner, to the district court embracing the port from which such vessel sailed, or the port where the voyage terminates, by any party.

"SEC. 4544. If the money and effects of any seaman or apprentice paid, remitted, or delivered to the Coast Guard, including the moneys received for any part of his effects which have been sold, either before delivery to the Coast Guard or by direction of an examiner, do not exceed in value the sum of $1,000, then, subject to the provisions hereinafter contained, and to all such deductions for proven expenses incurred in respect to the seaman or apprentice, or of his money and effects, as the said examiner thinks fit to allow, the examiner may direct the Coast Guard to pay and deliver the said money and effects to any claimants who can prove themselves either to be his widow or children, or to be entitled to the effects of the deceased under his will, or under any statute, or at common law, or to be entitled to procure probate, or take out letters of administration or confirmation, although no probate or letters of administration or confirmation have been taken out, and the Coast Guard shall be thereby discharged from all further liability in respect of the money and effects so paid and delivered; or may, if the examiner thinks fit so to do, require probate, or letters of administration or confirmation, to be taken out, and thereupon direct the Coast Guard to pay and deliver the said money and effects to the legal personal representatives of the deceased; and if such money and effects exceed in value the sum of $1,000, then, subject to deduction for expenses, the examiner shall direct the Coast Guard to pay and deliver the same to the legal personal representatives of the deceased.

"SEC. 4545. The Coast Guard, in its discretion, may at any time sell the whole or any part of the effects of a deceased seaman or apprentice, which it has received, and shall hold the proceeds of such sale as the wages of deceased seamen are held. When no claim to the wages or effects or proceeds of the sale of the effects of a deceased seaman or apprentice, received by the Coast Guard, is substantiated within 6 years after the receipt thereof by the Coast Guard, it shall be in the absolute discretion of an Examiner of the Coast Guard appointed pursuant to the provisions of the Administrative Procedure Act (5 U. S. C. 1001–1011), if any subsequent claim is made, either to allow or refuse the same. The Coast Guard shall, from time to time, pay any moneys arising from the unclaimed wages and effects of deceased seamen, which in their opinion it is not necessary to retain for the purpose of satisfying claims, into the Treasury of the United States, and such moneys shall form a fund for, and to be appropriated to, the relief of sick and disabled and destitute seamen of the United States merchant marine."

SEC. 2. Sections 4554 and 4555 of the Revised Statutes of the United States, as amended (46 U. S. C. 651, 652), are amended to read as follows:

"SEC. 4554. Every Coast Guard official to whom the duties of shipping commissioner have been delegated shall hear and decide any question whatsoever (except questions involving wages and effects of deceased or deserting seamen which shall be heard and decided pursuant to the provisions of section 4543 of the Revised Statutes of the United States, as amended (46 U. S. C. 626)) between a master, consignee, agent, or owner and any of his crew, which both parties agree in writing to submit to him; and every award so made by him shall be binding on both parties, and shall, in any legal proceedings which may be taken in the matter, before any court of justice, be deemed to be conclusive as to the rights of parties. And any document under the hand and official seal of such Coast Guard official purporting to be such submission or award, shall be prima facie evidence thereof.

"SEC. 4555. In any proceeding relating to the wages, claims (except claims for wages or effects of deceased or deserting seamen which shall be heard and decided pursuant to the provisions of section 4543 of the Revised Statutes of the United States, as

amended (46 U. S. C. 626)), or discharge of a seaman, carried on before any Coast Guard official to whom the duties of shipping commissioner have been delegated, under the provisions of this title, such Coast Guard official may call upon the owner, or his agent, or upon the master, or any mate, or any other member of the crew, to produce any logbooks, papers, or other documents in their possession or power, respectively, relating to any matter in question in such proceedings, and may call before him and examine any of such persons, being then at or near the place, on any such matter; and every owner, agent, master, mate, or other member of the crew, who, when called upon by such Coast Guard official, does not produce any such books, papers, or documents, if in his possession or power, or does not appear and give evidence, shall, unless he shows some reasonable cause for such default, be liable to a penalty of not more than $100 for each offense; and, on application made by such Coast Guard official to the district court of the district where such Coast Guard official has conducted such proceeding, shall be further punished, in the discretion of the court, as in other cases of contempt of the process of the court."

SEC. 3. Section 4597 of the Revised Statutes of the United States, as amended (46 U. S. C. 702), is amended to read as follows:

"SEC. 4597. Upon the commission of any of the offenses enumerated in the preceding section (46 U. S. C. 701) an entry thereof shall be made in the official logbook on the day on which the offense was committed, and shall be signed by the master and by the mate or one of the crew. The entry thus made shall set forth in detail the full circumstances of the offense. The offender, if still in the vessel, shall, before her next arrival at any port, or, if she is at the time in port, before her departure therefrom, be furnished with a copy of such entry, and have the same read over distinctly and audibly to him, and may thereupon make such a reply thereto by way of admission, or denial, or in mitigation of the offense as he deems necessary. A statement that the entry has been so furnished, or the same has been so read over, together with his reply, if any, made by the offender, shall likewise be entered and signed in the same manner. The Coast Guard official shall forthwith upon receipt of any log containing an entry of desertion by a seaman, obtain a detailed sworn statement, and, if possible, cause to be taken the deposition in the usual formal manner, of the master and first mate of the vessel with respect to such offense. In any subsequent administrative or legal proceedings the entries hereinbefore required shall, if practicable, be produced or proved, and in default of such production or proof an examiner or court hearing the case may, at its discretion, refuse to receive evidence of the offense. Any entry in an official logbook which is made in conformity with the requirements of this section shall be admissible in evidence in a hearing before an examiner of the Coast Guard or the district court."

SEC. 4. Sections 4603 and 4604 of the Revised Statutes of the United States, as amended (46 U. S. C., 705, 706), are amended to read as follows:

"SEC. 4603. Any question concerning the forfeiture of, or deductions from, the wages of any seaman or apprentice (other than wages and effects of deceased or deserting seamen which shall be heard and decided pursuant to the provisions of section 4543 of the Revised Statues of the United States, as amended (46 U. S. C., sec. 626)) may be determined in any proceeding lawfully instituted with respect to such wages, notwithstanding the offense in respect of which such question arises, though made punishable by imprisonment as well as forfeiture, has not been made the subject of any criminal proceeding.

"SEC. 4604. All clothes, effects, and wages which, under the provisions of this title, are forfeited for desertion, shall be applied, in the first instance, in payment of the proven expenses occasioned by such desertion, to the master or owner of the vessel from which the desertion has taken place, and the balance, if any, shall be paid by the master or owner to any Coast Guard official to whom the duties of shipping commissioner have been delegated, resident at the port at which the voyage of such vessel terminates, within 48 hours after such termination. Whenever any master or owner neglects or refuses to pay over to such Coast Guard official such balance, he shall be liable to a penalty of not more than treble the amount of the money or effects, or, if such value is not ascertained not more than $1,000, recoverable by such Coast Guard official in the same manner that seamen's wages are recovered. In all other cases of forfeiture of wages, the forfeiture shall be for the benefit of the master or owner by whom the wages are payable."

BILLS PASSED OVER

The bill (S. 2975) to amend title 28, United States Code, relating to the Customs Court, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. SMATHERS. Over.

The PRESIDING OFFICER. Objection is heard. The bill will be passed over.

The bill (S. 1813) to amend title 28, United States Code, so as to extend the privilege of trial by jury to certain cases arising within the special maritime and territorial jurisdiction of the United States was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. GORE. Over.

The PRESIDING OFFICER. Objection is heard, and the bill will be passed over.

The bill (S. 3131) to amend title 28, United States Code, with respect to the United States Court of Customs and Patent Appeals was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The bill will be passed over.

AMENDMENT OF SECTION 84 (A) (2) OF TITLE 28, UNITED STATES CODE

The Senate proceeded to consider the joint resolution (S. J. Res. 158) to amend section 84 (a) (2) of title 28 of the United States Code, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause, and insert:

That section 84 (a) of title 28 of the United States Code is hereby amended as follows:

(1) By amending the first sentence thereof so as to read: "The Northern District comprises three divisions."

(2) By amending the second subparagraph thereof to read as follows:

"(2) The southern division comprises the counties of Marin, Monterey, San Benito, San Francisco, San Mateo, Santa Clara, and Santa Cruz. Court for the southern division shall be held at San Francisco."

(3) By adding at the end thereof a new subparagraph as follows:

"(3) The eastern division comprises the counties of Alameda and Contra Costa. Court for the eastern division shall be held at the county seat of Alameda County."

The amendment was agreed to.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A joint resolution to provide for a new third division of the Northern Judicial District of California."

BILL PASSED OVER

The bill (S. 960) to amend sections 1505 and 3486 of title 18 of the United States Code relating to Congressional investigations, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. SMATHERS. Over.

The PRESIDING OFFICER. Objection is heard. The bill will be passed over.

FEDERAL FINANCIAL ASSISTANCE TO STATES AND TERRITORIES IN THE CONSTRUCTION OF PUBLIC ELEMENTARY AND SECONDARY SCHOOL FACILITIES

The PRESIDING OFFICER. Earlier this evening two bills were placed at the foot of the calendar. The Secretary will state the first bill.

The LEGISLATIVE CLERK. A bill (S. 2601) to provide for Federal financial assistance to the States and Territories in the construction of public elementary and secondary school facilities.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. SMATHERS. Mr. President, by request, I ask that the bill go over. I made the same request a short time ago, and the able Senator from New Jersey asked that I withhold my objection and have the bill go to the foot of the calendar, because the Senator from Kentucky wanted to make a statement.

Mr. COOPER. Mr. President, I understand there is an objection to the passing of the bill on the consent calendar.

The PRESIDING OFFICER. Objection is heard. The bill will go over.

Mr. COOPER. I do not object, but there is an objection.

Mr. SMATHERS. I do not object, either, but there is an objection.

The PRESIDING OFFICER. The bill will go over.

L. R. SWARTHOUT AND THE LEGAL GUARDIAN OF HAROLD SWARTHOUT

The PRESIDING OFFICER. The other bill passed to the foot of the cal-

endar earlier today is S. 1022, which the Secretary will state by title.

The LEGISLATIVE CLERK. A bill (S. 1022) for the relief of L. R. Swarthout and the legal guardian of Harold Swarthout.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. WELKER. Mr. President, is the Senate considering Calendar No. 1978, S. 1022?

The PRESIDING OFFICER. That is correct.

Mr. WELKER. Mr. President, I appreciate very sincerely the remarks made by my colleague from Oregon [Mr. MORSE] in connection with this bill. My objection to the bill has been an objection to the fact that attorneys' fees are allowed.

Reserving the right to object, I call the attention of the Senate to the part that there is no question, in my opinion, with respect to liability. I think I am correct in saying that the attorneys in this case no doubt worked diligently for more than 10 years. They lost a lawsuit in the circuit courts in the State of Oregon. As a result of that defeat, they presented the case to the Senate Committee on the Judiciary.

It is my opinion, Mr. President, that the most important work done on this bill was done by my distinguished colleague, the junior Senator from Oregon [Mr. MORSE]. I think we both agree that the essential element of this case is that the person injured should be compensated.

Since we have established a rule in the Committee on the Judiciary that attorneys should not be allowed compensation by virtue of the work done by the junior Senator from Oregon and the Judiciary Committee, I shall object unless the amendment of the Committee on the Judiciary is accepted.

Mr. MORSE. Mr. President, I certainly will not sacrifice the compensation for this boy; and the Senator from Idaho and I are completely in agreement on that matter. After all his interest should prevail.

I think our basic difference here really is with regard to a policy within the Senate, and I do not believe we should try to decide it on the basis of this bill.

I shall not make the request that amendment 5 be stricken from this bill. Amendment 5 is the amendment of the Committee on the Judiciary, which denies attorneys' compensation.

I wish to make perfectly clear for the RECORD, as I did on July 15 in the colloquy with the Senator from New Jersey [Mr. HENDRICKSON] that I believe in the general policy of the Committee on the Judiciary; namely, that attorneys' fees should not be allowed on private claim bills when it can be shown that attorneys' fees have not been earned.

I repeat what I said earlier tonight; I think there are cases in which attorneys' fees are earned in connection with private bills, and in those cases they ought to be allowed.

My friend from Idaho [Mr. WELKER] and I are in disagreement as to whether or not the attorney's fees really were earned in this case. I am going to yield to the Senator's judgment in the matter, in order to facilitate passage of the bill, and to obtain for this boy some compensation, which for 10 long years he has not been able to obtain.

Therefore I accede to the wishes of my friend from Idaho and I say to him and to my friend from Nevada that next January, when we have more time to discuss the general policy, I think we ought to clarify amendment 5 of the Committee on the Judiciary, so that we shall at least have something more definite and certain as a measuring rod for determining when we are to allow the old standard 10 percent for attorney's fees in a meritorious case.

Mr. WELKER. Mr. President, reserving the right to object again, I should like to reply to my distinguished friend from Oregon.

I have seen many disastrous cases such as this, in which the attorneys have lost their lawsuit. The court of last resort is the Committee on the Judiciary, which is not a court of jurisdiction but a court of gratuity, to grant relief.

I have lost many cases in my young lifetime, and I have not come here to ask the taxpayers of the United States to compensate me for my work. Perhaps I am wrong, but attorneys who have worked diligently will make more as a result of the fact that they have done great work and have had the junior Senator from Oregon carry them through this court of last resort than they would have made in the event they had received the 10-percent fee.

Therefore, in view of the remarks of the junior Senator from Oregon, I withdraw my objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 1022) for the relief of L. R. Swarthout and the legal guardian of Harold Swarthout, which had been reported from the Committee on the Judiciary with amendments, on page 1, line 5, after the word "to", to strike out "the legal guardian of"; in line 6, after the name "Swarthout", to strike out the comma and "a minor"; on page 2, at the beginning of line 3, to strike out "$5,260.20" and insert "$4,625.20"; and in line 8, after the word "act", to strike out "in excess of 10 percent thereof", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, (1) to Harold Swarthout the sum of $10,000, in full satisfaction of the claim of the said Harold Swarthout against the United States for compensation for permanent injuries sustained as a result of the severe burns he received when an Army practice bomb that he was examining, while playing in the yard of a neighbor on April 2, 1943, exploded when accidentally dropped, and (2) to L. R. Swarthout, of Burns, Oreg., father of the said Harold Swarthout, the sum of $4,625.20 in full satisfaction of his claim against the United States for reimbursement of medical, nursing, hospital, and other expenses incurred by him on account of the injuries so sustained by the said Harold Swarthout: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Harold Swarthout and L. R. Swarthout."

DISCONTINUANCE OF CERTAIN REPORTS

Mr. HENDRICKSON. Mr. President, I am interested in calendar No. 1985, House bill 6290. I was under the impression, at the call of the calendar on yesterday, that we had asked unanimous consent that calendar 1985, House bill 6290, to discontinue certain reports now required by law, be included, but I was in error. In view of the assurance I gave to the distinguished Senator from Maine that it had been included in the calendar call, I think it should be included.

The PRESIDING OFFICER. Is there objection?

Mr. KNOWLAND. Mr. President, reserving the right to object—and I shall, of course, not object, because of the circumstance the Senator from New Jersey has mentioned—I understand there is a similar bill which Senators on the other side of the aisle desire to have considered. I think this is entirely within the spirit of the call. I have been assured by both calendar committees that it will not open up a discussion.

Mr. HENDRICKSON. We are in complete agreement.

Mr. SMATHERS. There is a bill which was reported by the Senator from Utah [Mr. WATKINS] to which an objection was made inadvertently.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 6290) to discontinue certain reports now required by law, which had been reported from the Committee on Government Operations, with amendments, on page 4, after line 4, to strike out:

11. Annual report submitted to Congress in accordance with section 18 of the Federal Airport Act (60 Stat. 180; 49 U. S. C. 1117), describing operations conducted under the Federal Airport Act.

On page 4, line 9, to change the section number from "12" to "11"; in line 13, to change the section number from "13" to "12"; in line 18, to change the section number from "14" to "13"; in line 22, to change the section number from "15" to "14"; on page 5, line 2, to change the section number from "16" to "15"; in line 9, to change the section number from "17" to "16"; in line 21, to change the section number from "18" to "17"; on page 6, line 5, to change the section number from "19" to "18"; in line 9, to change the section number from "20" to "19"; in line 13, to change the section number from "21" to "20"; in line 17, to

change the section number from "22" to "21"; in line 21, to change the section number from "23" to "22"; on page 7, line 2, to change the section number from "24" to "23"; in line 6, to change the section number from "25" to "24"; in line 11, to change the section number from "26" to "25"; in line 18, to change the section number from "27" to "26"; in line 23, to change the section number from "28" to "27"; on page 8, line 4, to change the section number from "29" to "28"; in line 9, to change the section number from "30" to "29"; in line 12, to change the section number from "31" to "30"; in line 16, to change the section number from "32" to "31"; in line 21, to change the section number from "33" to "32"; in line 23, after the word "appropriation" to strike out "and for funds on the books of the Government and also funds in the official custody of officers and employees of the United States in which the Government is financially concerned, for which no accounting is rendered to the General Accounting Office, as in the judgment of the Comptroller General, after a survey thereof, may be in the public interest."

On page 9, line 5, to change the section number from "34" to "33."

The amendments were agreed to.

Mr. HENDRICKSON. Mr. President, I send to the desk an amendment and ask to have it stated by the clerk.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from New Jersey.

The LEGISLATIVE CLERK. It is proposed to strike out, on page 1, item 1, and to renumber all succeeding items.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Jersey.

The amendment was agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

ORDER FOR RECESS TO 10 A. M. TOMORROW

Mr. KNOWLAND. Mr. President, I ask unanimous consent that when the Senate completes its session tonight it stand in recess until 10 o'clock tomorrow morning. This is in keeping with the prior understanding with reference to the special order for tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

RELIEF OF S. H. PRATHER

Mr. WELKER. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield.

Mr. WELKER. Mr. President, earlier in the afternoon I discussed with the distinguished majority leader House bill 9357, for the relief of S. H. Prather, and, because of the fact that I must leave soon, I ask unanimous consent for the immediate consideration of that bill. It was reported unanimously by the Judiciary Committee. It was suggested by the senior and junior Senators from Georgia and Representatives from Georgia.

Mr. KNOWLAND. Mr. President, because the Senator from Idaho must leave in the fairly near future, and because the distinguished Senator from Georgia [Mr. GEORGE], who has heavy responsibilities, had also asked that this bill be taken up, I do not object, in view of the nature of the bill.

The PRESIDING OFFICER. Is there objection to the consideration of House bill 9357?

Mr. HENDRICKSON. Mr. President, may we have an explanation of the bill?

Mr. WELKER. Mr. President, this case arose in Marcus, Ga., when two revenue agents who were traveling down a road saw a suspicious car. They knew the occupants of the car. They had no reasonable grounds or probable cause to believe that they were violating any law whatsoever, but, notwithstanding that fact, the revenue agents of the United States Government pursued the car and drove at a rapid rate of speed into an intersection in a large city——

Mr. HENDRICKSON. Mr. President, will the Senator from Idaho yield?

Mr. WELKER. I yield.

Mr. HENDRICKSON. I recall distinctly the bill and the discussions in the Senate Committee on the Judiciary, and I need no further explanation.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 9357) for the relief of S. H. Prather, which had been reported from the Committee on the Judiciary with an amendment, on page 2, line 22, after the word "act" to strike out "in excess of 10 percent thereof."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

AMENDMENT OF REFUGEE ACT OF 1953

Mr. SMATHERS. Mr. President, I ask unanimous consent for the immediate consideration of Calendar No. 2070, House bill 8193, to amend the Refugee Relief Act of 1953. It was objected to by the minority calendar committee, but it was done inadvertently.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 8193) to amend the Refugee Relief Act of 1953, which had been reported from the Committee on the Judiciary with amendments, on page 1, line 10, to strike out "Subdivision" and insert "Subsection; on page 2 line 10, to strike out "birth, nationality, and last residence" and insert "birth, or nationality, or last residence"; and to add a new section, as follows:

SEC. 4. That subsection (a) of section 7 be amended by adding at the end thereof the following: "No visa shall be issued under the allotment of 45,000 visas heretofore made by paragraph (5) of subsection 4 (a) of this act to refugees in Italy, or under the allotment of 15,000 visas heretofore made by paragraph (7) of subsection 4 (a) of this act to refugees in Greece, or under the allotment of 15,000 visas heretofore made by paragraph (9) of subsection 4 (a) of this act to refugees in the Netherlands, to an alien who qualifies under the preferences specified in paragraph (2), (3), or (4) of section 203 (a) of the Immigration and Nationality Act, until satisfactory evidence is presented to the responsible consular officer to establish that the alien in question will have suitable employment and housing, without displacing any other person therefrom, after arrival in the United States. Verification of such available employment and housing shall be made in accordance with such regulations as the Administrator may, in his discretion, prescribe for the administration of the act, including job order clearances by the United States Employment Service and its affiliated State employment services, and a certification by local housing authorities wherever they exist and are authorized and prepared to make such certifications."

Mr. McCARRAN. Mr. President, if the committee amendments to this bill are adopted it will be a good bill, and I shall vote for it. These amendments were worked out on the basis of an agreement between the senior Senator from Utah [Mr. WATKINS], the chairman of the standing subcommittee on immigration, and the senior Senator from Nevada [Mr. MCCARRAN]. If these amendments are not agreed to, the bill will be objectionable to the senior Senator from Nevada.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

INTERGOVERNMENTAL COMMITTEE FOR EUROPEAN MIGRATION

Mr. McCARRAN. Mr. President, I ask unanimous consent that certain testimony before the Internal Security Subcommittee of the Senate with reference to the Intergovernmental Committee for European Migration be inserted in the RECORD at this point, as part of my remarks.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
SUBCOMMITTEE ON INTERNAL SECURITY,
Washington, D. C., July 30, 1954.

The subcommittee met, pursuant to call, at 3:45 p. m., in room F-52, the Capitol, Hon. PAT MCCARRAN presiding.

Present: Senator MCCARRAN.

Also present: Richard Arens, special counsel to subcommittee.

Senator MCCARRAN. The committee will come to order.

You do solemnly swear the testimony you are about to give before the subcommittee of the Committee on the Judiciary of the United States Senate will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HOYT. I do, Senator.

Senator MCCARRAN. You may proceed.

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

TESTIMONY OF DAVID D. HOYT, SARASOTA, FLA.

Mr. HOYT. My name is David D. Hoyt. I am presently residing at Sarasota, Fla., the home of my brother-in-law, Dr. Cecil E. Mil-

ler. I have been employed for some 9 years as an investigator and security officer with the State Department. I was loaned by the State Department to the Migration Committee for 2 years and 3 months.

Mr. ARENS. What migration committee is that?

Mr. HOYT. That is known as ICEM, I-C-E-M, Intergovernmental Committee for European Migration.

Mr. ARENS. And when were you loaned to the Intergovernmental Committee for European Migration?

Mr. HOYT. I was last loaned to them on April 1, 1952, as the security officer with the committee.

Mr. ARENS. Would you tell us what was your particular job with the Intergovernmental Committee for European Migration?

Mr. HOYT. My particular job was to act as the committee's security officer, in that capacity performing the normal work of a security officer, screening the staff and so forth.

Mr. ARENS. Were you the chief person employed by the Intergovernmental Committee for European Migration on security matters?

Mr. HOYT. I was the only one, sir. I was the only security man.

Mr. ARENS. How long were you so engaged?

Mr. HOYT. From April 1, 1952, until July 9 of 1954.

Mr. ARENS. And what precipitated the severance of your relationship with the Intergovernmental Committee for European Migration?

Mr. HOYT. I left generally because I was dissatisfied with the security within the committee and principally in relation to the screening of migrants moving to South America.

Mr. ARENS. Did you resign?

Mr. HOYT. I resigned.

Mr. ARENS. It was not a forced resignation in any sense of the word?

Mr. HOYT. No, sir.

Mr. ARENS. And you anticipate shortly being reengaged in the Department of State of the United States in security work; is that correct?

Mr. HOYT. Yes, sir.

Mr. ARENS. I understood you to say a moment ago you left because you were dissatisfied with screening of migrants.

Mr. HOYT. That's correct.

Mr. ARENS. Tell us, first of all, who are the people who are moved by the Intergovernmental Committee for European Migration.

Mr. HOYT. The people moved are European member governments of the committee who are financially unable to move themselves.

Mr. ARENS. They are not necessarily in the refugee or displaced persons category, are they?

Mr. HOYT. Not necessarily, but they may be.

Mr. ARENS. And what is the volume of movement of the Migration Committee? May I ask you if you know the prospective volume, say, for 1954?

Mr. HOYT. About 118,000, sir.

Mr. ARENS. And these people will be moved from Europe during 1954 principally into the Western Hemisphere, will they not?

Mr. HOYT. Principally.

Mr. ARENS. They will go into Argentina, Brazil, Venezuela, Chile, and other countries principally in the Western Hemisphere; is that not correct?

Mr. HOYT. Yes, sir; and Canada, and the only member government outside of the Western Hemisphere is Australia where we are moving migrants.

Mr. ARENS. On the basis of your background as a security officer and on the basis of your knowledge and observation of the screening operations of the Intergovernmental Committee for European Migration, can you tell this committee whether or not in your judgment the security screening of these people who are being moved into the Western Hemisphere from Europe is a satisfactory screening?

Mr. HOYT. For those migrants moving to South American countries, with minor exceptions, the security is entirely inadequate.

Mr. ARENS. The people who are being moved are people principally from Italy; are they not?

Mr. HOYT. Principally from Italy, but quite a number from Greece.

Mr. ARENS. And in Italy there is a 40-percent Communist vote; is there not?

Mr. HOYT. That is correct.

Mr. ARENS. In your judgment is the present process of moving people in vast numbers from Europe who are inadequately screened from a security standpoint a risk to the security of the Western Hemisphere and to the United States of America?

Mr. HOYT. I feel very strongly that it is.

Senator MCCARRAN. I want to express my gratitude and the gratitude of the committee for your coming before the committee to give your testimony here and enlightening us on the subject because it is highly important.

Mr. HOYT. Thank you, Senator.

Senator MCCARRAN. Thank you for coming up here.

(Whereupon, at 3:35 p. m., Friday, July 30, 1954, the hearing was recessed, subject to the call of the Chair.)

CLAIM OF THE BUNKER HILL DEVELOPMENT CORP.

Mr. JOHNSTON of South Carolina. Mr. President, I ask unanimous consent that the Senate proceed to consider Senate bill 2980, conferring jurisdiction upon the United States District Court for the Southern District of New York to hear, determine, and render judgment upon a claim of the Bunker Hill Development Corp.

The PRESIDING OFFICER. Is there objection to the request?

Mr. JOHNSTON of South Carolina. Mr. President, 2 bills relating to this matter have already been passed, 1 of which has become an act.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the bill (S. 2980) conferring jurisdiction upon the United States District Court for the Southern District of New York to hear, determine, and render judgment upon a claim of the Bunker Hill Development Corp., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the jurisdiction conferred upon the United States District Court for the Southern District of New York by subsection (b) of section 1346, title 28, United States Code, is hereby extended to a civil action, which may be commenced not later than 1 year after the date of the enactment of this act, asserting any claim or claims of Bunker Hill Development Corp., of Newburgh, N. Y., against the United States for alleged damages arising out of the construction of Stewart Field, a United States Air Force base located at Newburgh, N. Y., in such a manner as to allegedly damage its golf course and buildings as a result of weed-laden soil dust and cement dust blowing over its properties in 1942 and 1943, and to destroy a proposed housing development of said corporation, and for alleged damages to the property of said corporation by reason of the alleged failure of the Government to provide and maintain proper drainage from said Stewart Field, which resulted and successively results in the storm-flooding of the property of the corporation. Any such civil action may be joined for trial with any pending action between the Bunker Hill Development Corp. and the United States relative to damages in the construction of Stewart Field. Except as otherwise provided in this act, all provisions of law applicable in and to such subsection, and applicable to judgments therein and appeals therefrom, are made equally applicable in respect of the civil actions authorized by this act. Nothing in this act shall constitute an admission of liability on the part of the United States.

Mr. KNOWLAND. That completes the call of the calendar of bills to which there is no objection.

The PRESIDING OFFICER. What is the pleasure of the Senate?

MUTUAL SECURITY ACT OF 1954—CONFERENCE REPORT

Mr. KNOWLAND. Mr. President, there is at the desk a privileged matter. I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of the conference report on the mutual security bill.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. JOHNSON of Texas. Does the Senator plan to take up the mutual security bill conference report tonight?

Mr. KNOWLAND. Yes.

Mr. JOHNSON of Texas. How late does the Senator plan to have the Senate remain in session?

Mr. KNOWLAND. I had understood there would be no necessity to have a yea-and-nay vote on the mutual security bill conference report. I know of no objection to the conference report; I believe it was unanimously agreed to. This is not the appropriation bill; it is the authorization bill.

Mr. JOHNSON of Texas. I understand.

Mr. KNOWLAND. When action on the conference report has been completed, it will be my intention to move that the Senate recess until tomorrow morning.

Mr. JOHNSON of Texas. If action is completed on it by 10 o'clock?

Mr. KNOWLAND. By 10 o'clock tomorrow morning?

Mr. JOHNSON of Texas. No; by 10 o'clock tonight.

Mr. KNOWLAND. I believe there is a reasonable chance of doing so. The distinguished Senator from Nevada has a matter to take up, which he informs me will not take long.

Mr. JOHNSON of Texas. I have no objection to the consideration of the conference report on the Mutual Security bill. I had expected that it would follow the call of the calendar, as the Senator from California told me it would. But if it involves any prolonged discussion or a yea-and-nay vote, I desire to have it understood that there will not be a yea-and-nay vote tonight.

Mr. KNOWLAND. I do not expect that there will be a yea-and-nay vote. I doubt if it will be necessary to have one.

Mr. WILEY. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two

Houses on the amendment of the Senate to the bill (H. R. 9676) to promote the security and foreign policy of the United States by furnishing assistance to friendly nations, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of August 9, 1954, pp. 13787–13797, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. MANSFIELD. Mr. President, I desire to ask the Senator from Wisconsin a few questions.

Mr. WILEY. I shall be glad to answer them, if I can.

Mr. MANSFIELD. Under the terms of the conference report, it is understood, is it not, that the Foreign Operations Administration as an independent agency will go out of existence by next June 30?

Mr. WILEY. That is correct.

Mr. MANSFIELD. The technical assistance program, point 4, will be handled by the State Department. Is that correct?

Mr. WILEY. That is correct.

Mr. MANSFIELD. Military aid will be continued through the Department of Defense, without a termination date; is that correct?

Mr. WILEY. That is correct.

Mr. MANSFIELD. Title 2, the economic development and assistance program, will go out of existence next June 30, with a 1-year liquidation period. Is that correct?

Mr. WILEY. That is correct.

Mr. MANSFIELD. In other words, the Foreign Operations Administration will be terminated completely and finally on June 30, 1955. Is that correct?

Mr. WILEY. The bill so provides.

Mr. MANSFIELD. I thank the distinguished chairman.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. WILEY. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement which I have prepared on the mutual security bill conference report.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WILEY ON THE MUTUAL SECURITY BILL CONFERENCE REPORT

I submit for the approval of the Senate the report of the Senate conferees on the Mutual Security Act of 1954. I believe that the conferees did a commendable job in taking care of the interests of the Senate. The report was unanimously approved and was signed by all five Senate conferees—Senator SMITH of New Jersey, Senator HICKENLOOPER, Senator GEORGE, Senator GREEN, and myself, as chairman. For the most part, the changes which the Senate insisted on retaining in the House bill were accepted by the House conferees.

I shall say just a word about the amount authorized in the pending bill. The committee of conference agreed upon a total authorization of $3,252,886,000. This represents a reduction of $314,040,000 from the House figure and an increase of $314,040,000 over the Senate bill.

I do not propose to detain the Senate with a detailed account of the decisions taken by the conference. The House accepted the provisions of the Senate bill with respect to the following matters:

1. The development of weapons of advanced design.

2. Opposition to the seating of Red China in the United Nations.

3. The 50–50 shipping clause.

4. Elimination of the program relating to strategic materials.

5. The provisions relating to the use of counterpart currency.

There are 3 or 4 matters that I wish to discuss very briefly. These are the provisions of the bill relating to loans, agricultural surplus, transferability, and finally, the termination of the program.

1. Agricultural surplus: The House bill earmarked $500 million of the funds available for the purchase and export of surplus agricultural commodities. The Senate bill set aside $350 million for this purpose. The conferees agreed upon the $350 million figure and, with some changes, the language contained in the Senate bill.

2. Loans: A similar compromise was achieved with respect to loans. The House bill provided, in general, that not less than 10 percent of the amounts available should be used in the form of loans. The Senate, on the other hand, provided that not less than $150 million of the total amount available should be used to make loans. The conferees agreed upon $200 million, which is the figure contained in the bill before the Senate. It is our hope that the administration will be able to make effective use of these funds on a loan basis.

3. Transferability of funds: There was also a substantial difference in the House and Senate versions relating to the transferability of funds from one section of the bill to another. While I personally prefer the Senate provision because it provides a broader transfer authority, the conferees finally adopted a compromise which is considerably less liberal than the Senate had approved but still much less restrictive than the language in the House bill. It is my hope that even with this reduced transferability, there will be enough flexibility in the bill to enable the President to meet any unforeseen emergency.

4. Termination of the program: The conferees also adopted substantially the Senate language with respect to the termination of the Foreign Operations Administration. The bill as now drafted makes it clear that the FOA shall come to an end on June 30, 1955, and provides for its remaining functions to be transferred to the appropriate departments of the Government at that time.

I commend to the Senate the work of the conferees. The bill which we present is another important step in our collective efforts to build the defensive strength of the free world. I hope the Senate will give the conference report its overwhelming approval.

AMENDMENT OF SECTION 32 OF TRADING WITH THE ENEMY ACT

The PRESIDING OFFICER (Mr. PAYNE in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 2420) to amend section 32 of the Trading With the Enemy Act, as amended, which was to strike out all after the enacting clause and insert:

That section 32 of the Trading With the Enemy Act of October 6, 1917 (40 Stat. 411), as amended, is hereby further amended by adding at the end thereof the following subsection:

"(h) The President may designate one or more organizations as successors in interest to deceased persons who, if alive, would be eligible to receive returns under the provisos of subdivision (C) or (D) of subsection (a) (2) thereof. An organization so designated shall be deemed a successor in interest by operation of law for the purpose of subsection (a) (1) hereof. Return may be made, to an organization so designated, (a) before the expiration of 2 years from the vesting of the property or interest in question, if the President or such officer or agency as he may designate determines from all relevant facts of which he is then advised that there is no basis for reasonable doubt that the former owner is dead and is survived by no person eligible under section 32 to claim as successor in interest by inheritance, devise, or bequest; and (b) after the expiration of such time, if no claim for the return of the property or interest is pending. Total returns pursuant to this subsection shall not exceed $3 million.

"No return may be made to an organization so designated unless it files notice of claim before the expiration of 1 year from the effective date of this act and unless it gives firm and responsible assurance approved by the President that (i) the property or interest returned to it or the proceeds of any such property or interest will be used on the basis of need in the rehabilitation and settlement of persons in the United States who suffered substantial deprivation of liberty or failed to enjoy the full rights of citizenship within the meaning of subdivisions (C) and (D) of subsection (a) (2) hereof; (ii) it will transfer, at any time within 2 years from the time that return is made, such property or interest or the equivalent value thereof to any person whom the President or such officer or agency shall determine to be eligible under section 32 to claim as owner or successor in interest to such owner, by inheritance, devise, or bequest; (iii) it will make to the President, with a copy to be furnished to the Congress, such reports (including a detailed annual report on the use of the property or interest returned to it or the proceeds of any such property or interest) and permit such examination of its books as the President or such officer or agency may from time to time require; and (iv) will not use such property or interest or the proceeds of such property or interest for legal fees, salaries or any other administrative expenses connected with the filing of claims for or the recovery of such property or interest.

"The filing of notice of claim by an organization so designated shall not bar the payment of debt claims under section 34 of this act.

"As used in this subsection, 'organization' means only a nonprofit charitable corporation incorporated on or before January 1, 1950, under the laws of any State of the United States or of the District of Columbia with the power to sue and be sued."

SEC. 2. The first sentence of section 33 of the Trading With the Enemy Act of October 6, 1917 (40 Stat. 411), as amended, is hereby amended by striking out the period at the end of such sentence, and inserting in lieu thereof a semicolon and the following: "except that return may be made to successor organizations designated pursuant to section 32 (h) hereof if notice of claim is filed before the expiration of 1 year from the effective date of this act."

Mr. McCARRAN. Mr. President, this is the bill dealing with "heirless property." It provides that certain property

seized by the United States on the theory that it was owned by enemy nationals but which has been found, in fact, to have been owned by persecuted persons, who have now died without heirs, may be turned over to nonprofit organizations designated by the President for the use of persons in the same class as the original owners.

As Senators know, by far the largest class of persecutees whose property would be affected by this bill were Jews. I am informed that the interested Jewish organizations have been consulted in connection with the House amendments to this bill, which are substantially technical, and that the House amendments are acceptable to these organizations, and that Senate concurrence is desired.

I ask unanimous consent that there may be printed at this point in the RECORD a letter which I have received from Mr. Seymour J. Rubin, reciting the facts as I have stated them.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

LANDIS, COHEN, RUBIN & SCHWARTZ,
Washington, D. C., August 9, 1954.

The Honorable PAT MCCARRAN,
United States Senate,
Washington, D. C.

DEAR SENATOR MCCARRAN: The undersigned understands that S. 2420, the heirless property amendment to the Trading With the Enemy Act, with certain amendments, was passed today by the House of Representatives.

The interested Jewish organizations were consulted in connection with the amendments in question. The amendments are therefore acceptable to those organizations, and, in the interests of insuring enactment in the present session of Congress, they would be in favor of Senate concurrence in those amendments.

It goes without saying that we are most appreciative of your great contribution to passage of this bill.

For the American Jewish Committee, I am,
Most sincerely yours,
SEYMOUR J. RUBIN.

Mr. MCCARRAN. Mr. President, I move that the Senate concur in the House amendment to the bill (S. 2420).

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Nevada.

The motion was agreed to.

LABELING OF PACKAGES CONTAINING FOREIGN-PRODUCED TROUT

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 2033) relating to the labeling of packages containing foreign-produced trout sold in the United States, and requiring certain information to appear on the menus of public eating places serving such trout, which were, on page 1, line 6, strike out "(n)" and insert "(o)"; on page 1, lines 8 and 9, strike out "of this title"; on page 2, lines 10 and 11, after "(2)" strike out "each part of the contents of the package is contained in a wrapper" and insert "if the package is broken while held for sale, each unit for sale (consisting of one or more trout) is in a package;"; on page 2, line 12, strike out "and wrapper"; on page 2, strike out line 17 over to and including line 2, page 3, and insert:

(b) No person shall possess in a form ready for serving or shall serve at a public eating place trout produced outside the United States, its Territories or possessions, unless a notice is displayed prominently and conspicuously in such eating place stating that "——— trout is served in this restaurant," the blank space to be filled with the name of the country in which such trout was produced.

On page 3, after line 13, insert:

SEC. 4. This act shall take effect 6 months after the date of its enactment.

And to amend the title so as to read: "An act relating to the labeling of packages containing foreign-produced trout sold in the United States, and requiring certain information to appear in public eating places serving such trout."

Mr. FERGUSON. Mr. President, today the senior Senator from Ohio [Mr. BRICKER] asked for the consideration of the House amendments to Senate bill 2033. The minority leader desired to have time to consider the matter. I now desire to have the House amendments considered.

The House has amended the bill. However, since introduction of the bill, Public Law 518 of the 83d Congress, 2d session, has been passed, and that law has added a section 408 to the Federal Food, Drug, and Cosmetic Act, as amended (21 U. S. C. 341 et seq.). Accordingly, I move that the Senate concur in the House amendment with a perfecting amendment as follows:

On page 2, line 6, of S. 2033, strike: "Sec. 408." and insert in lieu thereof: "Sec. 409."

On page 1, line 8, of S. 2033, strike "section 408" and insert in lieu thereof: "section 409."

Mr. JOHNSON of Texas. Mr. President, earlier in the day the distinguished chairman of the Committee on Interstate and Foreign Commerce [Mr. BRICKER] suggested that the Senate concur in the House amendments. At the time he made the suggestion I had not had an opportunity to confer with the minority members of the committee. I assured the distinguished chairman of the committee that as soon as I could do so, I would clear the proposed legislation. That has been done.

I concur in the request made by the distinguished Senator from Michigan. I hope that the House amendments will be concurred in and the bill passed.

Mr. FERGUSON. Senators on this side of the aisle appreciate the efforts which the distinguished minority leader has put forth.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Michigan.

The motion was agreed to.

HAWAII-ALASKA STATEHOOD

Mr. MALONE. Mr. President, I have received a very informative letter from Hon. Ingram M. Stainback, supreme court justice at Honolulu, T. H., relative to the temper of the people of that Territory regarding the issue of statehood.

Judge Stainback asks that statehood for Hawaii be denied, and that a bill providing for commonwealth status—electing their own governor and adopting their own constitution, subject to the approval of Congress—be reintroduced in the 1st session of the 84th Congress in January 1955.

Mr. President, I ask unanimous consent that Judge Stainback's two letters dated July 20 and 21, respectively, be printed at this point in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

SUPREME COURT, TERRITORY OF HAWAII,
Honolulu, T. H., July 20, 1954.

Senator GEORGE W. MALONE,
United States Senate,
Washington, D. C.

DEAR SENATOR: Perhaps you will be interested in the enclosed articles I wrote for the Honolulu Advertiser which appeared in the July 15, 16, 17, and 18 issues. The reaction has been very favorable according to the oral comments and letters I have received. The editor of the Advertiser gives me a similar report. I believe if the people of the Territory knew something about the advantages of commonwealth they would overwhelmingly favor the same.

Hawaii appears to be deep in the red and unemployment is increasing daily. The economic situation looks very bad indeed.

Governor King is back in Washington making last desperate efforts to put over statehood. I hope you will block it for this session. I believe that by another year if we can get the people informed of the great advantages of commonwealth they will favor it by a large majority.

With kindest personal regards, I am,
Yours sincerely,
INGRAM M. STAINBACK.

SUPREME COURT, TERRITORY OF HAWAII,
Honolulu, T. H., July 21, 1954.

Senator GEORGE W. MALONE,
United States Senate,
Washington, D. C.

DEAR SENATOR: Supplementing my letter of yesterday, I am enclosing clipping from the Honolulu Advertiser of this morning with a statement made by Mr. Harold Rice of Maui in which I thought you might be interested.

Yours sincerely,
INGRAM M. STAINBACK.

Mr. MALONE. Mr. President, I ask unanimous consent that the four articles, dated July 15, 16, 17, and 18, from the Honolulu Advertiser, be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Honolulu Advertiser of July 15, 1954]

A COMMONWEALTH FOR HAWAII—JURIST SAYS HAWAII SHOULD FORGET STATEHOOD AND TAKE COMMONWEALTH STATUS—AND PROSPERITY

(EDITOR'S NOTE.—The following was written by a former Democratic governor of Hawaii, now associate justice of the Territorial supreme court. It is the first of a series of articles.)

(By Ingram M. Stainback)

Hawaii's government is in the red and the Territory is faced with increasing unemployment.

If Hawaii would forget its seemingly futile agitation for statehood and accept commonwealth status, we might be put onto the path of prosperity very quickly. Puerto Rico is showing the way and we in Hawaii have

much better natural advantages than Puerto Rico.

There is nothing of second-class citizenship in commonwealth status, quite the contrary. We would have almost complete independence, would govern ourselves, and we would have from $135 million to $185 million a year that now goes into Federal taxes. In a biennium that would mean that the government here would have $3.50 to spend for every dollar it now uses. We would have $4.50 if we kept the present Territorial taxes. That would abolish the red ink in our present system.

Even our lavish Territorial government could hardly spend three and a half dollars where it now spends one. And we could abolish the present Territorial tax system, especially that upon new businesses which would be expected to develop in a thriving, semi-independent commonwealth in the mid-Pacific.

I realize that the politicians think that if they yell statehood loud enough it is an open sesame to political office. I know that the statehooders are on the popular side. But let us look at this statehood question realistically. Let us examine for a moment what would happen under a commonwealth form of government, which I am confident could be achieved speedily if we asked for it.

What is a commonwealth? It is a body of people constituting a State or politically organized community. It is a State. The very word "commonwealth" is attached officially to the States of Massachusetts, Pennsylvania, Virginia, and Kentucky.

Hawaii's Commonwealth would be a State but not a State of the Union.

We would send no United States Senators or Representatives to the Congress.

But all Federal taxes, including customs duties collected here, would be remitted.

We would constitute a self-governing State freely associated with the United States, using the same postal system, and our courts would be associated with those of the Federal Government as our State courts are at present. We would and should make our normal contribution in manhood to the armed services. We would remain under the protection of those selfsame Armed Forces.

The fine status of a commonwealth would put Hawaii into practically the same relationship with the United States Government as that of Canada or Australia to England.

With our hands freed we could proceed to the development of this region here to the extent of our capabilities. We would foster new industries and continue building up tourism. We would do this as first-class citizens in every respect.

[From the Honolulu Advertiser of July 16, 1954]

WHY STATEHOOD?—FORMER GOVERNOR OF HAWAII SAYS COMMONWEALTH OFFERS HIGH IDEALS OF HUMAN DIGNITY

(EDITOR'S NOTE.—In this article, second of a series, a former Governor of Hawaii, now associate justice of the Territorial supreme court, continues to state his case in favor of commonwealth status for Hawaii.)

(By Ingram M. Stainback)

Any consideration of what Hawaii might expect as a semiautonomous State, or Commonwealth, freely associated with the United States, has to be in the light of developments in the Commonwealth of Puerto Rico.

There the United States Congress, fully recognizing the principle of government by consent, entered into a compact with the people of Puerto Rico so that the population might organize a government with a constitution of their own adoption.

Little Puerto Rico has an area of only 3,423 square miles, about one-half that of Hawaii. But the population in 1950 was more than 2,210,000, about 5 times that of Hawaii.

If Hawaii had the same density of population as Puerto Rico, we would have more than 4 million people living in these islands. We do not expect that, but Hawaii is growing and we want to create new opportunities for the new crops of youth as they come along. At present no very concentrated campaign is being carried out. A commonwealth type of government would automatically open the way for new opportunities for our reservoir of skilled labor, just as it did in Puerto Rico.

There a miracle of sorts has been achieved. The government by Operation Bootstrap has raised the standard of living until it is the highest in the Caribbean. Admittedly it is not as high as that of America, but it still is being raised. In the process, more than 250 new factories have been built and at least 50,000 new jobs have been created. The national income has risen one-third.

The situation in Puerto Rico was so bad a few years ago that a Senate committee called it unsolvable because it was a scandal of slums, disease, overpopulation, and poverty. Today there is an atmosphere of high hope and the tax moneys formerly drained into the Federal Treasury now are utilized for the benefit of Puerto Rico.

The Puerto Rican Legislature, only this year, in a concurrent resolution, is on record as declaring that the people of Puerto Rico "have chosen democratically and for themselves to be a free people voluntarily associated with the United States and have rejected, as the legislative assembly in their name now rejects, any proposal for separation whatsoever."

Another interesting commentary on the state of mind which welcomed so enthusiastically commonwealth status is contained in another paragraph of that concurrent resolution. It declared that "the Commonwealth is neither a transitory status nor a status intermediate between Federal statehood and absolute independence, since it is a status in itself which fulfills the highest ideals of human dignity and which is dynamic in its potentialities for growth."

And the legislature rejected outright President Eisenhower's endorsement of more complete or even absolute independence. "Common citizenship, and therefore common defense of and common loyalty to the concept of liberty, are the essential bases of the association between the people of the United States and the people of Puerto Rico," the resolution went on.

Hawaii could have similar status.

In the interest of progress let us cease to follow the ignis fatuus of statehood into the swamps and sloughs of depression.

[From the Honolulu Advertiser of July 17, 1954]

PROSPECTS FOR COMMONWEALTH—TERRITORY OF HAWAII JUDGE SAYS CONGRESS IN MOOD TO GIVE HAWAII FULL RIGHT TO LOCAL SELF-GOVERNMENT

(EDITOR'S NOTE.—This is the third of a series of articles by Hawaii's former Governor, now a Supreme Court Associate Justice, listing arguments in favor of Commonwealth status for Hawaii.)

(By Ingram M. Stainback)

In two articles I have spoken of the very great advantages of a Commonwealth status for Hawaii, explaining that remission of Federal taxes could give the Territory 3½ times as much income, almost immediately.

With those advantages so striking, one may wonder what prospect we have of achieving Commonwealth status if we asked for it. I believe the prospects are very good.

Debate in the Congress over Hawaiian affairs has, in general, demonstrated that the majority of Representatives and Senators are keenly conscious of their own responsibilities to the people of these islands. Their deliberations have been conducted in a studious atmosphere but with a keen grasp of the realities.

Some of them, including Senator MALONE, of Nevada, and Senator EASTLAND, of Mississippi, in Senate debate only in March of this year, went into extreme detail concerning the needs of Hawaii, while opposing statehood for Hawaii on the old but sound grounds of noncontiguity.

They showed a surprising understanding of the Communist grip upon the ILWU and of the grip of the ILWU on Hawaii.

Opposition of some clear-thinking Senators is based on the principle that statehood should not be granted to noncontiguous areas. Senator MONRONEY, of Oklahoma, is one who presented a powerful argument on this ground in a speech in the Senate only last March. Others in the Senate have expressed fear that moving into the Pacific or into the Atlantic and beyond would mean the losing sight of America as a homogeneous Nation while we were building an empire. Empire building will weaken our American system of government.

Some years ago a New England Senator—Lodge, I believe—circulated a memorandum among Senators, pointing out that creation of a State in the mid-Pacific, such as Hawaii, would be an abandonment of the principles upon which this Government was founded.

But it is not a question of statehood or nothing. We do not have to stay in our present situation; neither is statehood necessary. We can have all our freedom and independence under commonwealth status.

Senator MONRONEY, proposing to restore the taxation power to Hawaii, said that this would give recognition to the right of representation in tax matters. "Instead of being a sop," said the Senator, "I think it is a recognition of the importance of commonwealth status to them (Hawaii) on the basis of self-government."

Another quotation from this speech is in order:

"We would offer them in this commonwealth plan the right to levy and collect all their own taxes and to determine how these tax moneys can best be spent to develop and improve their areas.

"Because of their strategic location (Hawaii and Alaska), the Government expenditures in huge amounts for military bases and for military personnel will undoubtedly continue to be large for the foreseeable future.

"It would seem to me that such a plan, granting full rights of local self-government, full use of all tax resources of these areas, to be spent by their own local governments; full protection of the United States both in military and civilian matters, plus free trade and free access, offers a better and more beneficial program for offshore areas than that enjoyed by any possessions of any foreign country the world over."

I think it should be noted parenthetically, however, that the granting of Commonwealth status to Hawaii would be no bar to statehood in the future if conditions should change.

This was pointed out by Senator MALONE in the hearings last January.

[From the Honolulu Advertiser of July 18, 1954]

CASE FOR COMMONWEALTH—FORMER GOVERNOR VISUALIZES FINEST, BEST PAID SCHOOL SYSTEM, OTHER ADVANTAGES

(Editor's NOTE.—This is the fourth and last of a series of articles in which a former Governor, now a Territorial supreme court justice, outlines his arguments in favor of a Commonwealth status for Hawaii.)

(By Ingram M. Stainback)

In closing the case for a Commonwealth of Hawaii it should be noted that such status

would give us at once more revenue than we have dreamed of. I need not describe in detail what could be done with 3 or 4 times our present revenues in the way of improving our schools, hospitals, public building, our roads, our parks, and recreation centers.

But imagine what could be done in the way of developing, with more than adequate financing, one of the best school systems in the world, a system with the finest and the highest paid personnel, to be found anywhere. That is just one of the possibilities.

Let us explore and develop the water resources of the Territory. It might be possible to convey Molokai's windward water to make fertile its near-desert lands. Kona would be rich, indeed, if we develop a water source there. There also are undeveloped water possibilities on Maui, where there are immense water supplies on the windward side. On Kauai we could curb the Waimea River with dams and reservoirs to furnish irrigation and cheap power.

Consider, too, the highway system that could be perfected, both for our own needs and to open scenic routes inaccessible but beautiful portions of these islands for the benefit of the expanding tourist industry. On Kauai we could build attractive roads into the Napali cliff area. On Hawaii we could have a scenic drive into remote and romantic Waipio Valley. Molokai offers possibilities. Some beautiful areas can be reached only by difficult trail or boat at present.

Another bit of construction that suggests itself as a tourist attraction would be the completion of the scenic highway to the summit of Mauna Loa, together with the establishment of botanical gardens along the route. This road, called the Stainback Highway, I mention with due modesty, would extend through a system of plantings ranging from lush tropical growth at sea level to the higher elevations that favor the various plants and shrubs of the temperate zones. We already have tried experiments in growing various temperate zone plants at Kulani Camp. The results were promising, indeed, as far as we went. Unfortunately these experiments have not been continued.

These are only a few suggestions as to the many ways in which we could attain added prosperity through Territorial expenditures of funds made available because of commonwealth status of Hawaii. In addition we could attract numerous new industries by giving them exemption from taxation, as is done in Puerto Rico.

It has been suggested by some that one of the reasons for the attraction of new industry to Puerto Rico is the low wages of labor. Low wages, however, do not mean cheap production. Puerto Rico had no labor to begin with except agricultural workers, many ill-educated or illiterate, subject to disease and far from being skilled workers. Hawaii in contrast has a surplus of well-trained, well-educated, healthy, and competent workers whose wages, though higher, would be cheaper in the end because of their high productivity.

Some have suggested that we are far from markets and assert freight rates would be a bar to establishment of industry in Hawaii. This might be a bar to heavy industries such as steel, but should be no handicap to the production of any number of high-class commodities. Power is as cheap here, too, as in many States, because transportation of fuel oil by steamer is cheaper than by rail.

I need not repeat the arguments of Senator MONRONEY and others on the essentially homogeneous nature of the United States but I know that those arguments do have a powerful appeal to many broad-minded citizens who also are friends of Hawaii. In this connection it should be remarked that some of our statehood advocates are appealing to racial prejudice themselves when they claim that it is racially prejudiced southerners who are keeping Hawaii from statehood. Obviously Senator MALONE, of Nevada, a strong advocate of the commonwealth plan for Hawaii, is far from being a southerner, while RUSSELL LONG, an ardent advocate of statehood, is from the deep South. Just incidentally, the bill to provide commonwealth status for Alaska was introduced by the late Senator Butler of Nebraska.

This plan has not received support in Hawaii because we have lacked information on the subject. Let us put aside our prejudices and preconceived ideas and examine this important question objectively and intelligently. Clearly, if we accomplish half as much as Puerto Rico has done there will be no unemployment and no deficit in the Territorial budget.

I trust that this brief exposition of the benefits of a commonwealth for Hawaii will encourage others to speak up in behalf of a system of government that offers our people prosperity and a great measure of independence.

Mr. MALONE. Mr. President, I ask unanimous consent that the article appearing in the Honolulu Advertiser, July 21, 1954, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RICE BACKS STAINBACK'S HAWAII PLAN

Judge Ingram M. Stainback's stand in favor of commonwealth status for Hawaii has attracted an extraordinary amount of attention. Reaction to the series by the former Democratic governor, now an associate justice of the Territorial supreme court, has been both favorable and unfavorable.

Harold W. Rice, of Maui, said yesterday that "I can see no other way for the Territory to get out of its financial morass except by relief from taxes. If that has to come by the method of making the territory a commonwealth, so be it."

Mr. Rice, a rancher and leading Democrat, onetime territorial Senator and vice president of the 1950 constitutional convention, made his statement in Wailuku during a telephone conversation with The Advertiser.

"There are some technical questions in my mind that would need answers before I could make a statement of unqualified support for a commonwealth," he continued. "How, for instance, can you retain Federal Government services without paying for them?"

Whatever the emergency unemployment committee may do to create more jobs in Hawaii can be only a stopgap at best, he went on. "Where do we go after that money has been spent? We simply have to have more industries in Hawaii and we must go after them ourselves.

"We must remember the situation in the Pacific has changed a great deal since the 1950 constitutional convention." Since then, America's Pacific outpost has been pushed westward from Pearl Harbor, he observed.

Mr. MALONE. Mr. President, I ask unanimous consent that my letter of August 10, 1954, to Justice Stainback be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
COMMITTEE ON INTERIOR
AND INSULAR AFFAIRS,
August 10, 1954.

HON. INGRAM M. STAINBACK,
Supreme Court, Territory of Hawaii,
Honolulu, T. H.

DEAR JUDGE: I have received your two letters of July 20 and 21, and appreciate your interest in this important matter. My intention is to submit the articles for the CONGRESSIONAL RECORD, since I believe that all Members of Congress will be extremely interested in your point of view since you have served as governor, and as a member of the Supreme Court of the Territory of Hawaii.

I remember well my visit with you in 1943, when I was on my way to the South Pacific serving as special consultant to the Senate Military Affairs Committee to make a confidential investigation of the Pacific area, which included a report not only on the situation in Hawaii, but throughout the South Seas and as far as our military activities had taken us at that time, in New Guinea and beyond, where we had just conquered Buna at New Guinea and were still fighting at Lae. It was my privilege to fly over most of the Pacific area in this investigation.

You will remember that you had two governors then. Gen. Robert C. Richardson, Jr., was the military governor, and Adm. Chester Nimitz was in charge of the fleet, technically under Gen. Douglas MacArthur. Admiral Nimitz held a special staff meeting for me there and briefed me on the whole situation before I left for the Fiji Islands, New Caledonia, Australia, and New Guinea.

I have had an exceptional opportunity to know your problems and I agree with you that the Territory of Hawaii should start by electing her own governor, adopting a constitution within the purview of the Constitution of the United States, approved by Congress, and proceed to run her own business in the same general category that Congress has elected to place Puerto Rico.

In 1945 I was chosen as 1 of the 5 Senators to visit Puerto Rico. They were then very insistent upon statehood and after a thorough examination we recommended to our full Interior and Insular Affairs Committee, and thence to Congress, that they not be given statehood but that they be set up under a constitution that they themselves would adopt subject to approval by Congress, to elect their own governor and proceed to run their own business.

Apparently it has been very successful and very satisfactory, and, if it meets with approval of the people of Hawaii, I would be very glad to reintroduce my Senate bill 2003 in January 1955, and in the meantime if your people have any specific suggestions for improvement in the bill, I will be very glad to receive them.

With best wishes, I am,

Sincerely yours,

GEORGE W. MALONE,
United States Senator.

Mr. MALONE. Mr. President, statehood for Puerto Rico, Hawaii, and Alaska has been proposed for many years. Few citizens have considered the full import of the precedent of admitting to statehood with full voting privileges in the United States Senate and House of Representatives of the offshore noncontiguous areas.

Mr. President, I was 1 of 5 Senators who reported on Puerto Rico's applicatio for statehood in 1947 after full investigation of that Territory. Our report was adverse for statehood, and favorable to a self-governing area electing its governor and adopting its own constitution, approved by the Congress of the United States.

This was done, and Puerto Ricans have experienced satisfaction with their own self-government.

The position has long been maintained that offshore noncontiguous areas should not be accepted as States, with Senators and Congressmen in the Congress of

the United States, since there is no opportunity for a homogeneous people; and that if one offshore State is accepted then there is no stopping place, and the Senate and the Congress could be controlled through the balance of power furnished by such offshore areas.

I intend to reintroduce my Senate bill, S. 2003, in January 1955, providing for the election of a governor and for the adoption of a constitution, approved by the Congress of the United States, by the people of the Territory of Hawaii; and I hope that it will be adopted without undue delay.

The CONGRESSIONAL RECORD, volume 99, part 4, page 5635, contains my statement and a copy of my bill, S. 2003, already described.

The late Senator Hugh Butler, the former chairman of the Committee on Interior and Insular Affairs, introduced a similar bill for the Territory of Alaska. It should be reintroduced early in the 84th session of Congress.

CRITICAL MATERIALS—MICA

Mr. President, a recent dispatch in the Wall Street Journal of May 5, 1954, is concrete evidence of the complete lack of perception and understanding of the continual progress through laboratory research and experiments and through inventions, by the so-called experts advancing the doctrine that we are a "have not" nation.

The report of the Minerals, Materials, and Fuels Economics Subcommittee of the Committee on Interior and Insular Affairs submitted, as Senate Report 1627, on July 9, 1954, said of mica as a critical material:

> Western Hemisphere: Self-sufficiency can be attained through expansion of reconstituted and synthetic expansion.

Mr. President, I ask unanimous consent that the dispatch from the Wall Street Journal be printed in the RECORD at this point as a part of my remarks.

There being no objection, the dispatch was ordered to be printed in the RECORD, as follows:

NEW JERSEY FIRM TO PRODUCE SYNTHETIC FORM OF MICA TO COMPETE WITH FOREIGN SUPPLY

(By Richard P. Cooke)

NEW YORK.—Mica, a strategic material without which the electrical and electronic industries would find it hard to function, is soon to be produced synthetically for the first time on a commercial scale.

The manufacturer will be Mycalex Corporation of America, of Clifton, N. J., which has been cooperating for several years with five Government agencies—the Bureau of Mines, Bureau of Ships, Office of Naval Research, National Bureau of Standards, and the Army Signal Corps—on a pilot operation. By the end of this year the new facility should be turning out high-grade mica, a super-insulator vital to the manufacture of such products as vacuum tubes.

Today the United States is dependent on India for most of its electrical quality mica. There's a considerable output in Brazil, too, but this mica isn't of as high quality as the Indian product. Much low-grade mica is produced in the United States for such non-electrical uses as roofing paint and chicken feed. But this country produces only about 5 percent of the high-quality mica used. All told, more than 10,000 tons of mica, worth about $20 million, is imported annually.

Like most new synthetics, synthetic mica is going to cost more at first than natural mica, which has a wide price range—from as little as 3 cents a pound for the low grade used in paint to several dollars a pound for large crystals. Superlarge crystals command much higher prices, but most grades of electrical mica range from 15 cents to $1 a pound.

Jerome Taishoff, president of Mycalex Corp., is confident that with the achievement of substantial volume (nearly 200,000 pounds already has been produced at the pilot plant at the Bureau of Mines Electrotechnical Laboratory at Norris, Tenn.), prices will come down to a range comparable with natural mica.

SYNTHETICS BETTER

Synthetic mica has a big advantage to start with. It is chemically pure and considerably more efficient as an insulator, particularly at high temperatures, than natural mica. This is an important quality, since the efficiency of many types of electrical equipment, including electric motors, triples when the operating temperature doubles. This is the sort of thing synthetic mica can do best.

So far, synthetic mica has been made only in small crystals. The Mycalex technical staff believes that in 1 or 2 years the problems of making larger crystals can be solved. Much sharper images on TV, for example, can be obtained by using large crystals of synthetic mica. Sylvania Electric Products, Inc., important manufacturer of vacuum tubes, is already purchasing most of the larger synthetic mica crystals (although these are quite small) being made. And Mycalex Corp. is cooperating with Rutgers University in further improving the already high qualities of synthetic mica.

Mr. Taishoff believes it won't be too long before synthetic mica plants can free this country from dependence on India, whose supply of the material might be shut off in case of war. The raw materials for the synthetic product are readily available in this country: Magnesium, silicon, aluminum, and fluorine. The trick is to melt these ingredients together electrically and then cool them slowly under perfect control. Even the slightest vibration will be harmful.

GLASS-BONDED MICA

Although the big crystals are needed for TV camera tubes, a leading form of mica insulation is in what is called glass-bonded mica, a combination of high-quality glass and powdered mica. Mycalex Corp. is owner of the registered trade-mark name "Mycalex" for the glass-bonded product. General Electric Co. and Westinghouse Electric also make glass-bonded mica with the names "G-E Mycalex" and "Insanol," respectively. But Mycalex Corp. considers itself the leader in the field.

Glass-bonded mica has a big range of important uses, from improving the safety of airplanes to improving transmission in the growing field of microwave.

The aircraft application highlights the qualities of this tough material. A couple of Boeing Airplane Co. engineers, Thomas J. Martin and Raymond L. Hauter, after 3 years' research found that glass-bonded mica was about the only safe material to use in the fuse box (called a "current limiter" in technical parlance) in an airplane, an installation similar to the one in home cellars where a fuse may blow if there is a short circuit. Only in a plane, where the current is much more powerful than in homes, a blown fuse may result in a hot arc of electrical flame, causing the block on which it is mounted to catch fire or to become a conductor instead of an insulator. Mycalex was the material used by the Boeing men in this test.

As a result of these tests, it now seems likely that Mycalex will replace other types of insulation in key spots in aircraft where fires could result through short-circuiting of overheating.

In the microwave field, the company soon will offer commercially a series of "microstrip" components using a thin layer of silver paste on a Mycalex backing to replace much bulkier apparatus now used for the directional "beaming" of radio waves. The microstrip, developed by Federal Telecommunications Laboratories of International Telephone & Telegraph Co., must be baked at high heat to make the silver paste stick, and glass-bonded mica has been found able to withstand this heat. A 5-pound microstrip can replace a complex machine-made metal apparatus weighing 32 pounds, it has been found by Mycalex engineers.

ATOMIC ENERGY GUIDED MISSILES

Glass-bonded mica also is finding increasing uses in atomic energy installations. Wires which must pass through nuclear barriers (insulating walls against radiation) require connectors which can withstand radiation which would destroy certain other types.

Glass-bonded mica is a leading material for miniature vacuum tube sockets, and although Mycalex generally is more expensive than competing materials, such substantial volume has been attained in this type of product that Mycalex prices are about in line with those of the sockets made from cheaper ingredients.

Still another important application of the substance is in telemetering, which means the automatic transmission of messages from guided missiles, remote stations in oil fields or flood control areas unattended by human operators. In this type of installation, the utmost precaution against fires or breakdown due to overheating must be taken, and glass-bonded material has proved the best, Mycalex engineers claim.

Mr. MALONE. Mr. President, there is no question, according to the evidence before the Minerals, Materials, and Fuels Economic Subcommittee, during the investigation under Senate Resolution 143, to determine the accessibility of the critical materials in time of war, for our expanding economy and for our security, that the Western Hemisphere is the only dependable supply of such materials in the event of world war III, and that it can be made self-sufficient in its production considering substitutes and replacements.

The noted progress in the case of synthetic mica is a case in point.

Mr. President, I yield the floor.

SOCIAL SECURITY AMENDMENTS OF 1954—AMENDMENT

Mr. JOHNSTON of South Carolina submitted an amendment intended to be proposed by him to the bill (H. R. 9366) to amend the Social Security Act and the Internal Revenue Code so as to extend coverage under the old-age and survivors insurance program, increase the benefits payable thereunder, preserve the insurance rights of disabled individuals, and increase the amount of earnings permitted without loss of benefits, and for other purposes, which was ordered to lie on the table and to be printed.

Mr. HUMPHREY submitted amendments intended to be proposed by him to House bill 9366, supra, which were ordered to lie on the table and to be printed.

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable report of a nomination was submitted:

By Mr. CARLSON, from the Committee on Post Office and Civil Service:

E. George Siedle, of Pennsylvania, to be an Assistant Postmaster General, vice John C. Allen, resigned.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDING OFFICER laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

RECESS

Mr. KNOWLAND. Mr. President, pursuant to the prior order of the Senate, I move that the Senate now stand in recess until 10 o'clock tomorrow morning.

The motion was agreed to; and (at 10 o'clock and 2 minutes p. m.) the Senate took a recess, the recess being, under the order previously entered, until Friday, August 13, 1954, at 10 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate August 12 (legislative day of August 5), 1954:

DEPARTMENT OF THE NAVY

William Birrell Franke, of New York, to be an Assistant Secretary of the Navy.

POSTMASTERS

The following-named persons to be postmasters:

ALABAMA

Prince W. Cofield, Bexar, Ala., in place of Pearce Goggans, retired.

John T. Knight, Hayneville, Ala., in place of R. R. Hairston, retired.

ARKANSAS

Louie C. Horn, Searcy, Ark., in place of G. O. Yingling, retired.

CALIFORNIA

Charles C. Clark, Fullerton, Calif., in place of F. D. Lowrey, removed.

Emma M. Fernald, Julian, Calif., in place of E. C. McGowan, retired.

CONNECTICUT

Edward J. Butner, Sr., Westport, Conn., in place of Edward McElwee, deceased.

DELAWARE

Howard W. Dill, Harrington, Del., in place of C. F. Wilson, retired.

GEORGIA

Thomas Adamson 3d, Cedartown, Ga., in place of C. R. Brumby, retired.

ILLINOIS

Ray C. Rogers, Bonnie, Ill., in place of O. I. Hicks, transferred.

Vernon W. Dickey, Marissa, Ill., in place of C. G. Sinn, resigned.

Earl J. Thompson, O'Fallon, Ill., in place of J. L. Anheuser, resigned.

Owen W. Morell, Shobonier, Ill., in place of F. E. Donaldson, retired.

James W. O'Brien, Thayer, Ill., in place of Jennie Puma, retired.

INDIANA

Fred V. Hayden, Lowell, Ind., in place of H. A. Loyce, transferred.

Lloyd D. Spann, Madison, Ind., in place of Stella Cisco, retired.

Joseph S. Dean, Napoleon, Ind., in place of E. A. Behlmer, retired.

Robert Craig Dillon, New Augusta, Ind., in place of R. A. Shaw, removed.

IOWA

Ray L. Haefner, Arthur, Iowa, in place of A. C. Watts, retired.

KANSAS

Wayne E. Richards, Arkansas City, Kans., in place of C. T. Hills, deceased.

KENTUCKY

Paul D. Fowler, Saint Mary, Ky., in place of W. R. Logsdon, retired.

LOUISIANA

Leo S. Behrens, Madisonville, La., in place of J. H. Scheppf, retired.

MAINE

Leo T. Spain, Houlton, Maine, in place of M. E. Peabody, retired.

MARYLAND

James W. Scott, La Plata, Md., in place of B. H. Barnes, deceased.

MICHIGAN

Calvin C. Oke, Richmond, Mich., in place of J. W. Winkel, retired.

Almon Schoch, Romeo, Mich., in place of J. L. Lucas, retired.

Harold J. Hawkins, Wayland, Mich., in place of M. R. Ehle, removed.

MINNESOTA

Erling M. Wollan, Glenwood, Minn., in place of C. C. O'Donnel, resigned.

MISSISSIPPI

John H. Magee, Magee, Miss., in place of J. B. Vinson, retired.

Virginia M. Hatcher, Scott, Miss., in place of E. B. Comegys, retired.

Keith D. Davis, Terry, Miss., in place of A. F. Fleck, retired.

MISSOURI

Allen B. Cooper, Charleston, Mo., in place of T. W. Gwaltney, retired.

Cyrenius J. Jones, Jonesburg, Mo., in place of J. B. Diggs, resigned.

MONTANA

Olga Strand, Reserve, Mont., in place of E. K. Riley, retired.

Alma E. Fischer, Somers, Mont., in place of Ralph Drew, deceased.

NEW HAMPSHIRE

Jessie G. Thompson, Moultonboro, N. H., in place of R. E. Goodwin, retired.

John W. Crawford, Tilton, N. H., in place of F. M. Boynton, retired.

NEW JERSEY

Harry C. Lake, Hampton, N. J., in place of K. A. Butler, retired.

Agnes V. Huenke, Thorofare, N. J., in place of M. E. Lyster, retired.

John Dawson, Trenton, N. J., in place of J. L. Malley, deceased.

NEW MEXICO

Hugh P. Cooper, Albuquerque, N. Mex., in place of J. A. Werner, removed.

NEW YORK

Peter Hillen, Jr., Amityville, N. Y., in place of T. L. Wardle, deceased.

Howard W. Wheeler, Kinderhook, N. Y., in place of C. M. Magee, retired.

Louis B. Cartwright, Rochester, N. Y., in place of D. A. Dailey, resigned.

Donald M. Tobey, Victor, N. Y., in place of F. B. Mead, retired.

NORTH CAROLINA

Lyle B. Cook, Boone, N. C., in place of J. E. Brown, Jr., removed.

Numa D. Redmon, Jr., Leaksville, N. C., in place of W. W. Hampton, retired.

NORTH DAKOTA

John B. Williams, Barney, N. Dak., in place of R. A. Halvorson, resigned.

OHIO

Smith B. Applegarth, Barton, Ohio, in place of M. I. Timko, resigned.

Lewis J. Dye, Bergholz, Ohio, in place of M. N. Morrow, retired.

Homer H. Goltzene, Defiance, Ohio, in place of E. L. Partee, deceased.

OKLAHOMA

Carson Scott, Okmulgee, Okla., in place of H. B. Torbett, removed.

Joseph T. Courts, Quinton, Okla., in place of F. R. Hendrickson, retired.

OREGON

Mary J. Rugg, Pilot Rock, Oreg., in place of F. L. Hartmen, retired.

Lola N. Steagall, Seneca, Oreg., in place of B. I. Denson, resigned.

Nellie A. Bembry, Sisters, Oreg., in place of S. J. May, resigned.

PENNSYLVANIA

Harry H. Birney, Athens, Pa., in place of S. J. Morley, retired.

Americo P. Campagna, Lilly, Pa., in place of A. B. Kearney, deceased.

Robert Howard McFarland, Jr., Oaks, Pa., place of L. I. Brower, retired.

SOUTH CAROLINA

Clara C. Drake, Blenheim, S. C., in place of J. B. Ayers, removed.

SOUTH DAKOTA

Percy C. Heinzen, Frederick, S. Dak., in place of A. H. Hoffman, transferred.

Ranald A. Bishop, Hurley, S. Dak., in place of S. P. Hutchinson, resigned.

TENNESSEE

William T. Starbuck, Hohenwald, Tenn., in place of J. H. Warf, removed.

TEXAS

Charles A. Joplin, Littlefield, Tex., in place of W. D. T. Storey, retired.

Evelyn Neale Walker, Robstown, Texas, in place of R. B. Horney, resigned.

VERMONT

Francis A. Bolles, Bellows Falls, Vt., in place of T. J. Fitzgerald, retired.

WASHINGTON

Joseph E. Shannon, Dash Point, Wash., in place of C. P. Steele, resigned.

Dean M. Corliss, Port Orchard, Wash., in place of R. J. Caretti, resigned.

WEST VIRGINIA

Adrian Fray Lilly, Beckley, W. Va., in place of J. T. Hollandsworth, Jr., retired.

Obie H. Young, Dunbar, W. Va., in place of F. C. Ellis, retired.

Frank J. Ailiff, Fort Gay, W. Va., in place of V. D. Sorensen, resigned.

Leland S. Griffith, Jr., Hurricane, W. Va., in place of G. C. Sowards, retired.

Harry O. Rogers, Keyser, W. Va., in place of T. F. Ward, deceased.

Victoria B. Lindamood, Omar, W. Va., in place of P. D. Young, removed.

WISCONSIN

Arnold L. Peters, Marinette, Wis., in place of W. F. Coffey, resigned.

Lawrence T. Hoyt, Rosendale, Wis., in place of A. O. Randall, deceased.

Maurice W. Schaefer, Sauk City, Wis., in place of A. E. Von Wald, retired.

Irene Peterson, Wilson, Wis., in place of L. J. Mulvaney, deceased.

Albert O. Olson, Woodville, Wis., in place of J. G. Behm, retired.

HOUSE OF REPRESENTATIVES

THURSDAY, AUGUST 12, 1954

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

God of all grace, whose blessings cannot be numbered and whose treasury of goodness is inexhaustible, lift us now to the lofty spiritual heights, whence cometh our wisdom and strength for each new day.

Grant that we may never place our supreme confidence in human ingenuity, but in the God of all wisdom and blessedness.

May our vision of the coming of the kingdom of righteousness never fade. Inspire us to carry on with humility and courage, trusting in Thy faithfulness.

Hear us in Christ's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Ast, one of its clerks, announced that the Senate had passed without amendment bills, joint resolutions, and a concurrent resolution of the House of the following titles:

H. R. 669. An act for the relief of George D. Kyminas;

H. R. 787. An act for the relief of Israel Ratsprecher and Maryse Ratsprecher;

H. R. 803. An act for the relief of Christakis Modinos;

H. R. 804. An act for the relief of Enrichetta F. C. Meda-Novara;

H. R. 818. An act for the relief of Mrs. Emma Martha Staack;

H. R. 868. An act for the relief of Ciriaco Catino;

H. R. 905. An act for the relief of Franciszek Wolczek;

H. R. 950. An act for the relief of Panoula Panagopoulos;

H. R. 970. An act for the relief of George Economos;

H. R. 977. An act for the relief of Mrs. Aimee Dutour Rovzar;

H. R. 1171. An act for the relief of Mrs. Wai-Jan Low Fong;

H. R. 1324. An act for the relief of Georgina Chinn;

H. R. 1463. An act for the relief of Ilona Elizabeth Carrier;

H. R. 1646. An act for the relief of Arthur Neustadt and Mrs. Emma Neustadt;

H. R. 1697. An act for the relief of Mrs. Katharina Batke;

H. R. 1843. An act to increase the retired pay of certain members of the former Lighthouse Service;

H. R. 1897. An act for the relief of Mrs. Betty E. LeMay;

H. R. 1974. An act to amend the third paragraph of section 4, chapter 1, title I, of the act entitled "An act making further provision for a civil government for Alaska, and for other purposes," approved June 6, 1900 (31 Stat. 322; 48 U. S. C., sec. 101), as amended;

H. R. 2051. An act for the relief of Ivo Markulin;

H. R. 2358. An act for the relief of Dr. Vahram Uluhogian;

H. R. 2359. An act for the relief of Joseph Veich, also known as Guiseppe Veic;

H. R. 2635. An act for the relief of Olga Abitia;

H. R. 2654. An act for the relief of Sisters Linda Salerno, Luigiana C. Cairo, Antonietta Impieri, Anna Impieri, Rosina Scarlato, Iolanda Gaglianone, Maria Assunta Scaramuzzo, Franceschina Cauterucci, and Filomena Lupinacci;

H. R. 2793. An act for the relief of Miyoko Nagare;

H. R. 2843. An act to authorize the Secretary of the Interior to investigate and report to the Congress on the conservation, development, and utilization of the irrigation and reclamation resources of the Waimanalo, Oahu; Waimea, island of Hawaii; and Molokai projects, Territory of Hawaii;

H. R. 2874. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of Mary K. Reynolds, as successor in interest to the Colonial Realty Co.;

H. R. 2879. An act to stay deportation proceedings on Juan Onativia;

H. R. 2901. An act for the relief of Tokuko Kobayashi, and her minor son;

H. R. 3116. An act for the relief of Dimitra Makhavitzki;

H. R. 3125. An act for the relief of Alexander Hahn and Suzanne Hahn;

H. R. 3144. An act for the relief of Elias Y. Richa;

H. R. 3238. An act for the relief of Danica Maria Vavrova;

H. R. 3344. An act for the relief of Carmen Salvador and her daughter, Ruby Salvador;

H. R. 3419. An act to authorize a $50 per capita payment to members of the Red Lake Band of Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation;

H. R. 3444. An act for the relief of Toki Yaeko;

H. R. 3616. An act for the relief of Nicoletta Di Donato;

H. R. 3677. An act for the relief of Sister Paolina (Angela Di Franco);

H. R. 3759. An act for the relief of Babette Mueller Esposito;

H. R. 3855. An act for the relief of Sister Agrippina (Agrippina Palermo), Sister Battistina (Franceschina Serpa), Sister Romana (Angela Iolanda Morelli), Sister Franceschina (Maria Caruso), and Sister Bruna (Giuseppina De Caro);

H. R. 4092. An act for the relief of Mira Tellini Napoleone;

H. R. 4213. An act to authorize works for development and furnishing of water supplies for waterfowl management, Central Valley project, California, and for other purposes;

H. R. 4371. An act for the relief of June Ann Sakurai;

H. R. 4620. An act for the relief of Natale Joseph John Ratti;

H. R. 4721. An act to provide that the excess-land provisions of the Federal reclamation laws shall not apply to lands in the Owl Creek unit of the Missouri Basin project;

H. R. 4740. An act for the relief of Kaoru Yoshioka;

H. R. 4881. An act to amend the Canal Zone Code in reference to the survival of things in action;

H. R. 4959. An act for the relief of Muhittin Schuer;

H. R. 4998. An act for the relief of Paul Frkovich;

H. R. 5072. An act for the relief of Carmen D'Ottavio, also known as Cameron D'Ottavio;

H. R. 5077. An act for the relief of Sophia Nassopoulos;

H. R. 5443. An act for the relief of Eva Lowinger;

H. R. 5639. An act for the relief of Edeltraut Kamberg Douglass;

H. R. 5822. An act for the relief of Evanthia Demetrios Makrozonari;

H. R. 5832. An act to authorize the commissioner of public lands of the Territory of Hawaii to sell public lands to certain lessees, permittees, and others;

H. R. 5944. An act for the relief of Alberto Ugo Landry;

H. R. 5997. An act to enable the Legislature of the Territory of Hawaii to authorize the issuance of general obligation bonds, the proceeds thereof to be used for veterans' mortgages;

H. R. 6113. An act to amend title 18 of the United States Code, so as to increase the penalties applicable to the smuggling of goods into the United States;

H. R. 6127. An act to amend the act entitled "An act to create a Board for the Condemnation of Insanitary Buildings in the District of Columbia, and for other purposes," approved May 1, 1906, as amended, and for other purposes;

H. R. 6253. An act to amend Public Law 410, 78th Congress, with regard to compensation for overtime, Sunday, and holiday work of employees of the United States Public Health Service, Foreign Quarantine Division;

H. R. 6367. An act for the relief of Nobu Nogawa Nitta;

H. R. 6393. An act granting the consent and approval of Congress to an interstate forest fire protection compact;

H. R. 6414. An act for the relief of Barbara Pator Allen;

H. R. 6885. An act to amend section 1 of Joint Resolution 12 enacted by the 25th Legislature of the Territory of Hawaii, in the regular session of 1949 and approved by the 81st Congress of the United States of America at the second session (Public Law 746, ch. 833);

H. R. 6886. An act to ratify and confirm sections 5 and 6 of Act 254 and Act 280 of the Session Laws of Hawaii, 1953, and to authorize the issuance of certain public improvement bonds by the Territory of Hawaii;

H. R. 6955. An act for the relief of Margers Nulle-Siecenieks;

H. R. 6987. An act for the relief of Gene C. Szutu and Florence C. Szutu;

H. R. 7051. An act for the relief of Mary George Solomon;

H. R. 7088. An act for the relief of Antonio Cazzato;

H. R. 7138. An act for the relief of Rosa Marie Adelheid Herok;

H. R. 7251. An act to authorize the Secretary of the Interior to transfer to Vernon F. Parry, the right, title, and interest of the United States, in foreign countries, in and to a certain invention;

H. R. 7398. An act to repeal the requirement of section 3921 of the Revised Statutes that postmasters report to the Postmaster General failure to cancel postage stamps;

H. R. 7399. An act to authorize the sale of postage-due stamps for philatelic purposes;

H. R. 7451. An act for the relief of Erika Jette Lavery;

H. R. 7460. An act to pay Warren P. Hoover for services rendered the Army of the United States;

H. R. 7486. An act to amend section 1071 of title 18, United States Code, relating to the concealing of persons from arrest, so as to increase the penalties therein provided;

H. R. 7494. An act for the relief of Elizabeth Forster Austin;

H. R. 7508. An act for the relief of James Dore, Jr.;

H. R. 7517. An act to enable the Legislature of the Territory of Hawaii to authorize the city and county of Honolulu, a municipal corporation, to issue public improvement bonds;

H. R. 7518. An act to enable the Legislature of the Territory of Hawaii to authorize the city and county of Honolulu, a municipal corporation, to issue public improvement bonds;

H. R. 7568. An act to authorize and direct the Farm Loan Board of Hawaii to convey certain land and to ratify and confirm certain acts of said Farm Loan Board;

H. R. 7569. An act to authorize the removal of a restrictive covenant on land patent numbered 9628, issued to the board of the

Hawaiian Evangelical Association on January 18, 1929, and covering lots 5 and 6 of Waimea town lots, situated in the county of Kauai, T. H.;

H. R. 7584. An act for the relief of Angele Marie Boyer (nee Pieniazeck);

H. R. 7593. An act for the relief of Theresia Probst Uhl;

H. R. 7606. An act for the relief of Michael Henry LaFleur;

H. R. 7612. An act for the relief of Enrico Intravaia;

H. R. 7628. An act for the relief of Mrs. Adriana M. Truyers Aretz;

H. R. 7629. An act for the relief of Mrs. Ruth Gruschka Krug;

H. R. 7635. An act for the relief of Martti Ilmari Timonen, Maj-Lis Timonen, and Marja Timonen;

H. R. 7807. An act for the relief of Heinz Gerhard Rolappe;

H. R. 7924. An act for the relief of Giuseppi Clementi;

H. R. 7925. An act for the relief of Mrs. Dina Mianulli (nee Kratzer);

H. R. 7945. An act for the relief of Bart Blaak (formerly Johannes J. M. Gijsbers);

H. R. 7987. An act for the relief of Roger Feghali;

H. R. 8006. An act to authorize the Secretary of the Interior to issue patents for certain lands in Wisconsin bordering upon inland lakes or rivers;

H. R. 8034. An act for the incorporation of the Sons of Union Veterans of the Civil War;

H. R. 8066. An act for the relief of Mrs. Gertrud Eckerl Strickland;

H. R. 8115. An act for the relief of Tannous Estephan;

H. R. 8146. An act for the relief of Palmina Smarrelli (nee Lattanzio);

H. R. 8180. An act to increase the amount of Federal aid to State or Territorial homes for the support of disabled soldiers, sailors, and airmen of the United States;

H. R. 8334. An act for the relief of Helmut Cermak and Hana Cermak;

H. R. 8365. An act to confirm the authority of the Secretary of the Interior to issue patents in fee to allotments of lands of the Mission Indians in the State of California prior to the expiration of the trust period specified in the act of January 12, 1891, as amended;

H. R. 8384. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Talent division of the Rogue River Basin reclamation project, Oregon;

H. R. 8385. An act to amend section 2382 of the Revised Statutes, in order to make the size of town lots conform in size to local standards;

H. R. 8520. An act to provide for the inclusion of the Ainsworth, Lavaca Flats, Mirage Flats Extension, and O'Neill irrigation developments in the Missouri River Basin project;

H. R. 8634. An act to amend section 22 of the Organic Act of Guam;

H. R. 8658. An act to amend title 18, United States Code, to provide for the punishment of persons who jump bail;

H. R. 8736. An act to authorize the issuance of a land patent to certain public lands, situate in the county of Kauai, T. H., for school purposes;

H. R. 8821. An act to authorize the exchange of lands acquired by the United States for the Catoctin recreational demonstration area, Frederick County, Md., for the purpose of consolidating Federal holdings therein;

H. R. 8897. An act to authorize and direct the Secretary of the Interior to transfer 40 acres of land in the Northern Cheyenne Indian Reservation, Mont., to school district No. 6, of Rosebud County, Mont.;

H. R. 8921. An act to establish the rate of compensation for the position of the General Counsel of the Department of Commerce;

H. R. 9194. An act to provide for the conveyance of certain land owned by the Federal Government near Vicksburg, Miss., to Vicksburg, Miss.;

H. R. 9336. An act for the relief of Marianne Geymeier;

H. R. 9390. An act to extend certain civilian-internee and prisoner-of-war benefits under the War Claims Act of 1948, as amended, to civilian internees and American prisoners of war captured and held during the hostilities in Korea;

H. R. 9582. An act to provide for the disposition of surplus personal property to the Territorial Government of Alaska;

H. R. 9584. An act to protect the rights of vessels of the United States on the high seas and in territorial waters of foreign countries;

H. R. 9630. An act to authorize the Secretary of the Interior to execute an amendatory contract with the Black Canyon Irrigation District, Idaho, and for other purposes;

H. R. 9671. An act for the relief of Dr. Liang Nun Wang and his wife and child, Fa-chi Ling Wang and Eileen Wang;

H. R. 9814. An act for the relief of Alfio Capizzi;

H. R. 9821. An act to amend titles 18 and 28 of the United States Code;

H. R. 9832. An act to incorporate the Foundation of the Federal Bar Association;

H. R. 9888. An act to amend the laws granting education and training benefits to certain veterans to extend the period during which such benefits may be offered;

H. R. 9889. An act to authorize the Secretary of the Interior to execute an amendatory contract with American Falls Reservoir District No. 2, Idaho, and for other purposes;

H. R. 9996. An act for the relief of Susan Ellen Heiney;

H. J. Res. 356. Joint resolution authorizing the erection of a memorial gift from the people of the Netherlands;

H. J. Res. 359. Joint resolution designating the period from October 11 to October 16, inclusive, 1954, as National Nurse Week;

H. J. Res. 560. Joint resolution to authorize the Commissioners of the District of Columbia to promulgate special regulations for the period of the American Legion National Convention of 1954, to authorize the granting of certain permits to the American Legion 1954 Convention Corporation on the occasion of such convention, and for other purposes;

H. J. Res. 561. Joint resolution to authorize the quartering in public buildings in the District of Columbia of troops participating in activities related to the American Legion National Convention of 1954; and

H. Con. Res. 254. Concurrent resolution, favoring the granting of the status of permanent residence to certain aliens.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills and concurrent resolutions of the House of the following titles:

H. R. 270. An act to provide for the control and extinguishment of outcrop and underground fires in coal formations, and for other purposes;

H. R. 1514. An act for the relief of Clint Lewis;

H. R. 1797. An act to provide for the conveyance of certain land to the State of Oklahoma for the use and benefit of the Eastern Oklahoma Agricultural and Mechanical College at Wilburton, Okla., and for other purposes;

H. R. 1912. An act for the relief of Hayik (Jirair) Vartiyan, Annemarie Vartiyan, and Susanig Armenuhi Vartiyan;

H. R. 2009. An act to authorize the sale of certain land in Alaska to the Ninilchik Hospital Association, of Ninilchik, Alaska, for the use as a hospital site and related purposes;

H. R. 2010. An act to authorize the sale of certain land in Alaska to the Alaska Evangelization Society, of Levelock, Alaska, for missionary purposes;

H. R. 2012. An act to authorize the sale of certain public lands in Alaska to the Alaska Council of Boy Scouts of America for a camp site and other public purposes;

H. R. 2014. An act to authorize the sale of certain public land in Alaska to the Community Club of Chugiak, Alaska;

H. R. 2015. An act to authorize the sale of certain land in Alaska to Lloyd H. Turner, of Wards Cove, Alaska;

H. R. 2024. An act for the relief of Frank L. Peyton;

H. R. 2163. An act for the relief of Lillian Schlossberg;

H. R. 2263. An act to authorize the Postmaster General to readjust the compensation of holders of contracts for the performance of mail-messenger service;

H. R. 2615. An act for the relief of Julio Mercado Toledo;

H. R. 2645. An act for the relief of Donald James Darmody;

H. R. 2791. An act for the relief of Esther E. Ellicott;

H. R. 2815. An act for the relief of Floyd C. Barber;

H. R. 2881. An act for the relief of Mrs. Rosaline Spagnola;

H. R. 3008. An act for the relief of Esther Smith;

H. R. 3216. An act for the relief of E. C. Mills;

H. R. 3217. An act for the relief of Mrs. Florence D. Grimshaw;

H. R. 3273. An act for the relief of Edgar A. Belleau, Sr.;

H. R. 3732. An act for the relief of Catherine (Cathrina) D. Pligard;

H. R. 3854. An act to authorize the sale of certain public land in Alaska to the Turnagain Arm Community Club of Anchorage, Alaska;

H. R. 3951. An act for the relief of Frank G. Koch;

H. R. 4118. An act to authorize the preparation of rolls of persons of Indian blood whose ancestors were members of certain tribes or bands in the State of Oregon, and to provide for per capita distribution of funds arising from certain judgments in favor of such tribes or bands;

H. R. 4175. An act for the relief of Charles R. Logan;

H. R. 4329. An act for the relief of Huntington, McLaren & Co.;

H. R. 4474. An act for the relief of Frederick Joseph Buttaccio and others;

H. R. 4531. An act for the relief of Lyman Chalkley;

H. R. 4580. An act for the relief of the Florida State Hospital;

H. R. 5028. An act for the relief of Petra Ruiz Martinez and Marcelo Maysonet Mirell and Maria Benitez Maysonet Mirell;

H. R. 5086. An act for the relief of George Eldred Morgan;

H. R. 5092. An act for the relief of Robert Leon Rohr;

H. R. 5093. An act for the relief of Mrs. Dorothy J. Williams, widow of Melvin Edward Williams;

H. R. 5460. An act for the relief of Chancy C. Newsom;

H. R. 5461. An act for the relief of Wah Chang Corp.;

H. R. 5489. An act for the relief of Rocco Forgione;

H. R. 5986. An act for the relief of Harold E. Wahlberg;

H. R. 6332. An act for the relief of James Philip Coyle;

H. R. 6455. An act to create a National Monument Commission, and for other purposes;

H. R. 6562. An act for the relief of Capt. C. R. MacLean;

H. R. 6566. An act for the relief of Daniel D. Poland;

H. R. 6814. An act to facilitate the acquisition of non-Federal land within areas of the national-park system, and for other purposes;

H. R. 6959. An act to authorize the sale of certain land in Alaska to the Baptist Mid-Missions, an Ohio nonprofit corporation, for use as a church site;

H. R. 7045. An act for the relief of Dr. Marciano Gutierrez, Dr. Amparo G. Joaquin Gutierrez, and their children, Rosenda, Rebecca, Raymundo, and Marciano, and Mrs. Brigida de Gutierrez;

H. R. 7290. An act to authorize an appropriation for the construction of certain public-school facilities on the Klamath Indian Reservation at Chiloquin, Oreg.;

H. R. 7413. An act for the relief of Harold J. Davis;

H. R. 7734. An act to amend section 47 of the National Defense Act concerning the requirement for bond covering certain property issued by the United States for use by Reserve Officers' Training Corps units maintained at educational institutions;

H. R. 7835. An act for the relief of S. Sgt. Frank C. Maxwell;

H. R. 7853. An act to permit retired policemen, firemen, and teachers of the District of Columbia to waive all or part of their annuities, relief, or retirement compensation;

H. R. 7886. An act for the relief of Mrs. Cecil Norton Broy;

H. R. 8020. An act authorizing the transfer of certain property of the United States Government (in Klamath County, Oreg.) to the State of Oregon;

H. R. 8128. An act to amend section 1089 of the Code of Law for the District of Columbia relating to attachment proceedings;

H. R. 8252. An act for the relief of the city of Fort Smith, Ark.;

H. R. 8628. An act to amend the Tariff Act of 1930 to insure that crude silicon carbide imported into the United States will continue to be exempt from duty;

H. R. 8647. An act to amend Revised Statutes 4426;

H. R. 8915. An act to amend the act entitled "An act to consolidate the police court of the District of Columbia and the municipal court of the District of Columbia, to be known as the municipal court of appeals for the District of Columbia, and for other purposes";

H. R. 8932. An act to reclassify dictaphones in the Tariff Act of 1930;

H. R. 9248. An act to amend section 308 (5) of the Tariff Act of 1930, as amended;

H. R. 9924. An act to provide for family quarters for personnel of the military departments of the Department of Defense and their dependents, and for other purposes;

H. Con. Res. 227. Concurrent resolution favoring the granting of the status of permanent residence to certain aliens; and

H. Con. Res. 267. Concurrent resolution authorizing the printing of additional copies of the hearings held by the Joint Committee on Atomic Energy relative to the contribution of atomic energy to medicine.

The message also announced that the Senate had passed bills, joint resolutions, and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 17. An act to provide general rules of practice and procedure before Federal agencies;

S. 19. An act to suspend the running of the statutes of limitations applicable to offenses involving performance of official duties by Government officers and employees during periods of Government service of the officer or employee concerned;

S. 47. An act for the relief of Joseph Andrew Wright;

S. 101. An act for the relief of Phed Vosniacos;

S. 209. An act for the relief of Irene C. Karl;

S. 221. An act to amend subsection (a) of section 6 of the War Claims Act of 1948, as amended, to include claims of certain American citizens who served in the Armed Forces of any government allied with the United States during World War II and who were taken prisoner of war;

S. 264. An act to provide for the conveyance of certain lands in the State of Maryland to the Disney-Bell Post 66 of the American Legion, Bowie, Md.;

S. 346. An act for the relief of Alick Bhark;

S. 377. An act for the relief of the State of Oklahoma;

S. 547. An act for the relief of Hava Shpak, A. A. Shpak, and Sympcha Shpak;

S. 575. An act for the relief of Moniek Lemberger, Frida Lemberger, and Peysach Lemberger;

S. 675. An act to amend sections 2311, 2312, and 2313 of title 18, United States Code, so as to extend the punishment for the transportation of stolen motor vehicles in interstate or foreign commerce to tractors, commercial truck trailers, and truck semitrailers, and for other purposes;

S. 831. An act for the relief of Pietro Meduri;

S. 1061. An act for the relief of Norman F. George;

S. 1083. An act for the relief of Kurt Glaser;

S. 1291. An act for the relief of Charalampos Socrates Iossifoglu, Nora Iossifoglu, Helen Iossifoglu, and Efrossini Iossifoglu;

S. 1336. An act for the relief of Euline Saliba Sihwel (Eveline Saliba Suhweil);

S. 1338. An act for the relief of Nabiha Elias Audi;

S. 1341. An act for the relief of Salamy Khouri;

S. 1417. An act for the relief of Gerard Lucien Dandurand;

S. 1445. An act for the relief of Evelyn Hardy Waters;

S. 1601. An act for the relief of Jeremy Allen Clore;

S. 1604. An act for the relief of Margot Herta Matulewitz;

S. 1605. An act for the relief of James Arthur Cimino and Joan Cimino;

S. 1622. An act for the relief of Constantinos Pantermalis;

S. 1625. An act for the relief of Milan K. Jovanovic;

S. 1687. An act for the relief of T. C. Elliott;

S. 1692. An act for the relief of Francis C. Pollard;

S. 1720. An act for the relief of Capt. George Gafos, Eugenia Gafos, and Adamantios George Gafos;

S. 1838. An act for the relief of Azzam Isaac Rafidi;

S. 1852. An act for the relief of Juan Antonio Gorrona Lejarzabulo and Jesus Maria Ojenola Guernica;

S. 1871. An act for the relief of Antonio Fopp;

S. 1873. An act for the relief of Ursula Wilke and Mike Mario Wilke;

S. 1887. An act to amend sections 3182 and 3183 of title 18 of the United States Code so as to authorize the use of an information filed by a public prosecuting officer for making demands for fugitives of justice;

S. 1890. An act for the relief of Olivia Mary Orciuch;

S. 1893. An act for the relief of Andreas Georges Vlaston (Andreas Georges Vlastos);

S. 1898. An act for the relief of Walter H. Berry;

S. 1978. An act for the relief of Dr. Chang Ho Cho;

S. 2010. An act for the relief of Alexy W. Katyll and Ioanna Katyll;

S. 2056. An act for the relief of Deborah Jordan Williams (Grace Yoko Watanabe);

S. 2064. An act for the relief of Aniceto Sparagna;

S. 2109. An act for the relief of Claire Heiszler;

S. 2216. An act for the relief of Vasilios Demetriou Kretsos and his wife Chryssa Thomaidou Kretsos;

S. 2316. An act for the relief of the Birmingham Iron Works, Inc.;

S. 2329. An act for the relief of Garabed Papazian;

S. 2452. An act for the relief of David Wei-Dao Lea and Julia An-Fong Wang Lea;

S. 2486. An act authorizing the Secretary of the Interior to transfer certain property of the United States Government (in the Wyoming National Guard Camp Guernsey target and maneuver area, Platte County, Wyo.) to the State of Wyoming;

S. 2496. An act for the relief of Harvey Schwartz;

S. 2525. An act for the relief of Lupe M. Gonzalez;

S. 2532. An act for the relief of Giuseppina Latina Mozzicato and Giovanni Mozzicato (John Mozzicato);

S. 2536. An act for the relief of Ellen Henriette Buch;

S. 2540. An act to amend the act entitled "An act to provide for the registration and protection of trade-marks used in commerce, to carry out the provisions of international conventions, and for other purposes," approved July 5, 1946;

S. 2613. An act for the relief of Dr. Luciano A. Legiardi-Laura;

S. 2632. An act for the relief of Epes Transportation Corp.;

S. 2633. An act for the relief of Stanislavas Racinskas (Stacys Racinskas);

S. 2634. An act for the relief of Mrs. William A. Curran;

S. 2636. An act for the relief of Arturo Rodriguez Diaz;

S. 2640. An act for the relief of Esther Joanne Potter;

S. 2646. An act for the relief of Victoriana Areitio Berincua;

S. 2649. An act for the relief of Chaya Frangies;

S. 2669. An act for the relief of Andree M. Doyle;

S. 2674. An act for the relief of Moxon J. van den Abeele;

S. 2678. An act for the relief of Liselotte Warmbrand;

S. 2679. An act for the relief of Ahti Johannes Ruuskanen;

S. 2682. An act for the relief of Maria Bertagnolli Pancheri;

S. 2695. An act for the relief of Francoise O. McMahon;

S. 2709. An act for the relief of Peter Haberl;

S. 2731. An act for the relief of Jean Cantalini;

S. 2768. An act for the relief of Lydia Tischler;

S. 2789. An act for the relief of Gianni Bernardis;

S. 2791. An act for the relief of Ernesto DeLeon;

S. 2801. An act for the relief of Graphic Arts Corp. of Ohio;

S. 2830. An act for the relief of Christos Paul Zolotas;

S. 2840. An act for the relief of Jonas Dercautan;

S. 2841. An act for the relief of Vittoria Alberghetti, Daniele Alberghetti, Anna Maria Alberghetti, Carla Alberghetti, and Paolo Alberghetti;

S. 2843. An act for the relief of Ursula Else Boysen;

S. 2849. An act for the relief of Elisa-Pompea Roppo (Elisa-Pompea Cardone);

S. 2877. An act for the relief of Philopimin Michalacopoulos (Mihalakopoulos);

S. 2879. An act for the relief of Peter Julian Newberry and Prudence Ellen Newberry;

S. 2884. An act for the relief of Sister Anna Scrinzi, Sister Giuliana Paladini, Sister Iolanda Mazzocchi, and Sister Giuseppina Zanchetts;

S. 2885. An act for the relief of Sandra Lea McMullin;

S. 2887. An act for the relief of Hon Cheun Kwan;

S. 2904. An act for the relief of Jan Hajdukiewicz;

S. 2921. An act for the relief of Ervin Fuchs;

S. 2922. An act for the relief of Robert A. Borromeo;

S. 2925. An act for the relief of Evantiyi Yorgiyadis;

S. 2936. An act for the relief of Elisa Palumbo Castaldo;

S. 2941. An act for the relief of Kim Kwang Suk and Kim Woo Shik;

S. 2945. An act for the relief of Eulalio Rodriguez Vargas;

S. 2950. An act for the relief of Domenico Scaramuzzino;

S. 2954. An act for the relief of Christine Thum;

S. 2968. An act for the relief of Franciszek Janicki and Stefania Janicki;

S. 2973. An act for the relief of Henry Duncan;

S. 2984. An act for the relief of Roger Ouellette;

S. 2993. An act for the relief of Ruch Wehrhan;

S. 2994. An act for the relief of Mr. and Mrs. Edward H. Hon;

S. 2996. An act for the relief of Sister Ramona Maria (Ramona E. Tombo);

S. 3017. An act for the relief of Thomas Barron;

S. 3024. An act for the relief of Malbina Rouphael David, nee Gebrael;

S. 3029. An act for the relief of Miroslav Slovak;

S. 3031. An act for the relief of Antonin Volejnicek;

S. 3032. An act for the relief of Bohumil Suran;

S. 3033. An act to authorize the Secretary of Commerce, acting through the Coast and Geodetic Survey, to assist the States of Maryland and Delaware to reestablish their common boundary;

S. 3043. An act to authorize the leasing of restricted Indian lands in the State of Arizona, other than those of the Navaho or Hopi Indians, for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases;

S. 3045. An act for the relief of Margaret Isabel Byers;

S. 3046. An act for the relief of Nejibe El-Sousse Siyman;

S. 3047. An act for the relief of Luzia Cox;

S. 3054. An act for the relief of Rosita A. Jocson;

S. 3055. An act for the relief of Jan R. Cwiklinski;

S. 3056. An act for the relief of S. Sgt. Silvestre E. Castillo;

S. 3058. An act for the relief of certain nationals of Italy;

S. 3065. An act for the relief of Ernest Ludwig Bamford and Mrs. Nadine Bamford;

S. 3071. An act to amend the act authorizing agricultural entries under the nonmineral land laws of certain mineral lands in order to increase the limitation with respect to desert entries made under such act to 320 acres;

S. 3076. An act to provide for the reimbursement of Meadow School District No. 29, Upham, N. Dak., for loss of revenue resulting from the acquisition of certain lands within such school district by the Department of the Interior;

S. 3084. An act for the relief of Elsa Lederer;

S. 3087. An act for the relief of Peter Charles Bethel (Peter Charles Peters);

S. 3094. An act for the relief of Christa Harkrader;

S. 3101. An act to amend section 490 of title 14, United States Code, entitled "Coast Guard," and for other purposes;

S. 3104. An act for the relief of Theodore J. Harris;

S. 3105. An act for the relief of Stanley Rydzon and Alexander F. Anderson;

S. 3110. An act for the relief of the Portsmouth Sand & Gravel Co.;

S. 3112. An act for the relief of Emiko Watanabe;

S. 3116. An act to amend section 1073 of title 18 of the United States Code to provide for the punishment of any individual who travels in interstate or foreign commerce to avoid prosecution or punishment for indecent molestation of a minor;

S. 3138. An act for the relief of Wakako Niimi and her minor child, Katherine;

S. 3148. An act for the relief of Francesco Pugliese;

S. 3150. An act for the relief of Zanthi Georges Komporozou;

S. 3156. An act for the relief of Slavoljub Djurovic and Goran Djurovic;

S. 3160. An act for the relief of Irene Julienne Givens;

S. 3163. An act for the relief of Myung Sik Hong;

S. 3164. An act for the relief of Rosario Estevez de Aponte (nee Frias), otherwise known as Rosario Estevez Aponte;

S. 3187. An act to authorize the United States of America to quitclaim all its right, title, and interest in and to certain lands in Arizona, except for mineral interests therein, and for other purposes;

S. 3200. An act to amend section 3 of the Travel Expense Act of 1949, as amended, to provide an increased maximum per diem allowance for subsistence and travel expenses;

S. 3218. An act for the relief of Maria Elena Venegas and Sarah Lucia Venegas;

S. 3221. An act for the relief of Ingeborg Otto;

S. 3234. An act for the relief of Aron Klein and Zita Klein (nee Spielman);

S. 3251. An act to provide for the conveyance of certain mineral rights to Mrs. Pearl O. Marr, of Crossroads, N. Mex.;

S. 3273. An act for the relief of Cirino Lanzafame;

S. 3276. An act for the relief of Cleophat Robert Joseph Caron;

S. 3293. An act for the relief of Lt. P. B. Sampson;

S. 3304. An act conferring jurisdiction upon the Court of Claims of the United States to consider and render judgment on the claim of the Cuban-American Sugar Co. against the United States;

S. 3322. An act for the relief of Ali Hassan Waffa;

S. 3327. An act for the relief of Rev. Lorenzo Rodriguez Blanco and Rev. Alejandro Negredo Lazaro;

S. 3341. An act to provide punishment for certain confidence game swindles;

S. 3343. An act for the relief of Babette Bayer Trisler;

S. 3392. An act for the relief of Anna C. Giese;

S. 3393. An act authorizing the Administrator of Veterans' Affairs to convey certain property to Milwaukee County, Wis.;

S. 3400. An act to authorize the issuance of commemorative medals to certain societies of which Benjamin Franklin was a member in observance of the 250th anniversary of his birth;

S. 3404. An act for the relief of Anni Stroee Jacobsen;

S. 3413. An act for the relief of Shigeko Nakamura Bulmer;

S. 3415. An act for the relief of June Rose McHenry;

S. 3424. An act for the relief of Anneliese Hofmann;

S. 3429. An act to authorize the assessment of costs and reasonable attorneys' fees against the United States in certain appellate proceedings;

S. 3436. An act for the relief of Laurie Dea Holley and the legal guardian of Karmen Lael Holley, minor child;

S. 3485. An act for the relief of Liselotta Kunze;

S. 3494. An act for the relief of the Central Railroad Company of New Jersey;

S. 3562. An act for the relief of McMahon Co., Inc.;

S. 3569. An act for the relief of Mrs. Lisa Lear;

S. 3577. An act for the relief of Milos Knezevich;

S. 3582. An act for the relief of Col. David W. Stonecliffe;

S. 3585. An act to amend the Strategic and Critical Materials Stockpiling Act (60 Stat. 596);

S. 3586. An act for the relief of Mrs. Hildegard Simon Walley;

S. 3595. An act to direct the Secretary of the Army to convey certain property located in El Paso, Tex., and described as part of Fort Bliss, to the State of Texas;

S. 3598. An act for the relief of Elonore Schmucker and her child;

S. 3622. An act to provide for the preparation of plans and specifications for a museum building for the Smithsonian Institution;

S. 3625. An act for the relief of Mrs. Juana Padilla de Caballero (Mrs. Juana Padilla de Ontiveros);

S. 3627. An act to amend the Civil Service Retirement Act, as amended;

S. 3628. An act to amend Public Law 815, 81st Congress, in order to extend for 3 additional years the program of assistance for school construction under title III of that act;

S. 3629. An act to postpone the effective date of the 3-percent absorption requirement in Public Law 874, 81st Congress, for 1 year;

S. 3652. An act for the relief of Francis Timothy Mary Hodgson (formerly Victor Charles Joyce);

S. 3666. An act for the relief of Mary Palanuk;

S. 3688. An act for the relief of Helga Schart Coulson;

S. 3689. An act for the relief of Gisela Nagel (nee Maireder);

S. 3712. An act to authorize the Commander, Air University, to confer appropriate degrees upon persons who meet all requirements for those degrees in the Resident College of the United States Air Force Institute of Technology;

S. 3744. An act to change the name of Gavins Point Reservoir back of Gavins Point Dam to Lewis and Clark Lake;

S. 3750. An act to direct the Secretary of the Air Force or his designee to convey certain property located in proximity to San Antonio, Bexar County, Tex., to the State of Texas;

S. 3756. An act for the relief of Howard Carl Kaiser;

S. 3773. An act to authorize reciprocal fire protection agreements between departments and agencies of the United States and public or private organizations engaged in firefighting activities, and for other purposes;

S. 3774. An act to extend the benefits of the Watershed Protection and Flood Prevention Act to Alaska, Hawaii, Puerto Rico, and the Virgin Islands;

S. 3800. An act to amend section 6 of the act of August 30, 1890, as amended, and section 2 of the act of February 2, 1903, as amended;

S. 3816. An act to authorize the replacement of certain Government-owned utility facilities at Glacier National Park, Mont., and Grand Canyon National Park, Ariz.;

S. 3822. An act to authorize the conveyance to the State of Texas of approximately 9 acres of land in Houston, Tex., to be used for National Guard purposes;

S. J. Res. 183. Joint resolution to extend greetings to the Gold Coast and Nigeria; and

S. Con. Res. 104. Concurrent resolution to print additional copies of part 4 of the hearings held before a subcommittee of the Committee on Interior and Insular Affairs relative to stockpile and accessibility of strategic and critical materials to the United States in time of war.

The message also announced that the Senate agrees to the amendments of the House to bills, a joint resolution, and a concurrent resolution of the Senate of the following titles:

S. 1225. An act for the relief of Brunhilde Walburga Golomb, Ralph Robert Golomb, and Patricia Ann Golomb;

S. 1748. An act to incorporate the National Fund for Medical Education;

S. 2744. An act to provide for the termination of Federal supervision over the property of the Alabama and Coushatta Tribes of Indians of Texas, and the individual members thereof; and for other purposes;

S. 3302. An act granting to the Las Vegas Valley water district, a public corporation organized under the laws of the State of Nevada, certain public lands of the United States in the State of Nevada;

S. 3303. An act granting to Basic Management, Inc., a private corporation organized under the laws of the State of Nevada, certain public lands of the United States in the State of Nevada;

S. 3532. An act to provide for the partition and distribution of the assets of the Ute Indian Tribe of the Uintah and Ouray Reservation in Utah between the mixed-blood and full-blood members thereof; and for the termination of Federal supervision over the property of the mixed-blood members of said tribe; to provide a development program for the full-blood members of said tribe; and for other purposes;

S. J. Res. 140. Joint resolution to establish a commission for the celebration of the two hundredth anniversary of the birth of Alexander Hamilton; and

S. Con. Res. 92. Concurrent resolution favoring the suspension of deportation in the case of certain aliens.

The message also announced that the Senate agrees to the report of the Committee of Conference on the amendment of the House to the bill of the following title:

S. 3546. An act to provide an immediate program for the modernization and improvement of such merchant-type vessels in the reserve fleet as are necessary for national defense.

SPECIAL ORDER GRANTED

Mr. JAVITS asked and was given permission to address the House for 20 minutes on Monday next, following the legislative program and any special orders heretofore entered.

COMMITTEE ON PUBLIC WORKS

Mr. DONDERO. Mr. Speaker, I ask unanimous consent that the Committee on Public Works may sit this afternoon briefly in an emergency matter while the House is in session.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

WITHDRAWAL OF DENMARK FROM NATO

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, to those Members of Congress who have been voting through the years for billions of dollars in so-called foreign aid I call attention to the fact that Denmark, one of the chief beneficiaries has now pulled out of NATO.

This leaves a gaping hole in the defensive wall from Western Germany to Norway on the northern flank. Moreover, the Danish Government firmly refuses to permit the stationing of NATO troops or construction of NATO airfields on the soil of that country.

I have previously called attention of the House to the fact that in addition to military aid, the United States, in 1953, bought nearly 5½ million pounds of butter from Denmark and shipped it to the Far East Command. This was done at the instigation of the State Department in an effort to curry favor with Denmark even though there was a huge surplus of butter in this country.

Mr. Speaker, the withdrawal of Denmark from NATO points up the complete fallacy of a foreign policy that is predicated on the buying of friends.

SPECIAL ORDERS GRANTED

Mr. STAGGERS asked and was given permission to address the House for 5 minutes today, following the legislative program and any special orders heretofore entered.

Mr. SHELLEY. Mr. Speaker, I ask unanimous consent that the special order heretofore granted to the gentleman from Connecticut [Mr. DODD] for today be transferred to Tuesday next.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

HORACE CHANDLER DAVIS

Mr. VELDE. Mr. Speaker, I offer a privileged resolution (H. Res. 704) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the Speaker of the House of Representatives certify the report of the Committee on Un-American Activities of the House of Representatives as to the refusal of Horace Chandler Davis to answer questions before the said Committee on Un-American Activities, together with all of the facts in connection therewith, under seal of the House of Representatives, to the United States attorney for the western district of Michigan, Grand Rapids, Mich., to the end that the said Horace Chandler Davis may be proceeded against in the manner and form provided by law.

The resolution was agreed to, and a motion to reconsider was laid on the table.

DESIGNATION OF ACTING CLERK

The SPEAKER laid before the House the following communication which was read by the Clerk:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, D. C., August 12, 1954.

The honorable the SPEAKER,
House of Representatives.

SIR: Desiring to be away from the office for a few days, I hereby designate Don Bostwick, an official in my office, to sign any and all papers and do all other acts for me which he would be authorized to do by virtue of this designation and clause 4, rule III of the House.

Respectfully yours,

LYLE O. SNADER,
Clerk of the House of Representatives.

THE AIR NATIONAL GUARD—AMERICA'S LOW COST DEFENSE IN DEPTH

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, the other day I had the opportunity to visit one of our Nation's great Air National Guard units—the relatively new unit located at Fort Smith, Ark., which is just across the State line from the Oklahoma district which I have the honor to represent.

Once again, I was deeply impressed by the tremendous return which Uncle Sam receives on the defense dollar which the Government invests in the National Guard—both in the air and on the ground.

The Air Force is to be congratulated on the decision, which I understand was announced the other day, to make greater use of our country's fine Air National Guard through a series of runway alerts which will be maintained by ANG units in many parts of the Nation.

At comparatively low cost, we will have the benefit of many additional combat-ready planes and men at strategic points in the great alert system of the Air Defense Command. The men who stand these runway alerts will be on guard at the air approaches of their own home towns and communities, and their presence in the defense system will add sharp and experienced eyes as well as aerial muscle to America's air arm.

There are many strong and valid arguments for expansion of the Air National Guard in these times of atomic peril and budgetary difficulty for our Government.

Because of its very nature, an Air Guard unit can be maintained in a state of readiness at only a fraction of the cost of a Regular Air Force outfit. Full-time personnel requirements are of course only fractional, housing and medical needs are at a minimum, and many other cost items are nominal or nonexistent.

While no one contends that Air Guard units could replace needed Regular Air Force squadrons in some functions, no

one will deny the following ANG advantages:

First. Air Guard units provide the most economical air defense in depth available.

Second. Air Guard units assure continued training and readiness for thousands of combat-experienced pilots and crewmen.

Third. Air Guard units are equally helpful in continued training and experience for needed technicians, mechanics, and ground crews.

Fourth. Air Guard units provide a convenient means to keep in fighting trim a great number of airplanes which are surplus to regular Air Force requirements.

Fifth. Air Guard units assure the coordination of many additional airports and communities in the air defense effort, and serve to enlist the active interest in air defense of millions of Americans.

There are many other reasons to be proud of America's Air Guard and the fine job its officers and men are doing in manning our Nation's ramparts of the air.

For my part, Mr. Speaker, I repeat that congratulations are due the Air Force for putting to greater use this fine defense force, and I sincerely hope that next year will see an even more active and expanded effort in this well-justified direction.

CONSENT CALENDAR

The SPEAKER. Under the previous order of the House, the calling of the Consent Calendar is in order today. The Clerk will call the first bill on the calendar.

TAX REFUNDS ON CIGARETTES LOST IN THE FLOODS OF 1951

The Clerk called the bill (H. R. 4319) to authorize tax refunds on cigarettes lost in the floods of 1951.

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wiscousin?

There was no objection.

INCREASE OF COMPENSATION FOR CERTAIN DISABILITIES

The Clerk called the bill (H. R. 7712) to amend the veterans' regulation to provide an increased statutory rate of compensation for veterans suffering the loss or loss of use of an eye in combination with the loss or loss of use of a limb.

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

ADDITIONAL COMPENSATION FOR CERTAIN DISABILITIES

The Clerk called the bill (H. R. 7851) to amend the veterans' regulations to provide additional compensation for veterans having the service-incurred disability or loss, or loss of use of both buttocks.

Mr. FORD. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

SPECIAL PENSION PAYABLE TO PERSONS AWARDED THE MEDAL OF HONOR

The Clerk called the bill (H. R. 8900) to increase the rate of special pension payable to certain persons awarded the Medal of Honor.

Mr. FORD. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

EXTENSION WORK AMONG INDIAN TRIBES

The Clerk called the bill (S. 3385) to provide for more effective extension work among Indian tribes and members thereof, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. MARSHALL, Mr. FERNANDEZ, and Mr. METCALF objected and the bill was stricken from the calendar.

STATE OF NORTH CAROLINA

The Clerk called the bill (H. R. 6427) for the relief of the State of North Carolina.

Mr. FORD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

AMENDMENT TO MERCHANT MARINE ACT OF 1936

The Clerk called the bill (S. 3233) to amend the Merchant Marine Act, 1936, to provide permanent legislation for the transportation of a substantial portion of waterborne cargoes in United States-flag vessels.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 901 of the Merchant Marine Act, 1936, as amended, is hereby amended by inserting "(a)" after "SEC. 901." and by adding at the end of the section the following new subsection:

"(b) whenever the United States shall procure, contract for, or otherwise obtain for its own account, or shall furnish to or for the account of any foreign nation without provision for reimbursement, any equipment, materials, or commodities, within or without the United States, or shall advance funds or credits or guarantee the convertibility of foreign currencies in connection with the furnishing of such equipment, materials, or commodities, the appropriate agency or agencies shall take such steps as may be necessary and practicable to assure that at least 50 percent of the gross tonnage of such equipment, materials, or commodities (computed separately for dry bulk carries, dry cargo liners, and tankers), which may be transported on ocean vessels shall be transported on privately owned United States-flag commercial vessels, to the extent such vessels are available at fair and reasonable rates for United States-flag commercial vessels, in such manner as will insure a fair and reasonable participation of United States-flag commercial vessels in such cargoes by geographic areas: *Provided*, That the provisions of this subsection may be waived whenever the Congress by concurrent resolution or otherwise, or the President of the United States or the Secretary of Defense declares that an emergency exists justifying a temporary waiver of the provisions of section 901 (b) and so notifies the appropriate agency or agencies. Nothing herein shall repeal or otherwise modify the provisions of Public Resolution No. 17, 73d Congress (48 Stat. 500), as amended."

With the following committee amendment:

Page 2, line 21, after "agencies:", insert the following: "*And provided further*, That the provisions of this subsection shall not apply to cargoes carried in the vessels of the Panama Canal Company."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GRAND TETON NATIONAL PARK, WYO.

The Clerk called the bill (H. R. 4770) to provide for taxation by the State of Wyoming of certain property located within the confines of Grand Teton National Park, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. MILLER of Nebraska. Mr. Speaker, the bill, S. 1706, is identical with the House bill, H. R. 4770, and I ask unanimous consent that the Senate bill be considered in lieu of the House bill.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the act entitled "An act to establish a new Grand Teton National Park in the State of Wyoming, and for other purposes," approved September 14, 1950 (64 Stat. 849), is amended by adding at the end thereof the following new section:

"SEC. 10. (a) The State of Wyoming or any duly constituted taxing authority thereof, shall have the jurisdiction and power to levy taxes with respect to any hotel or public facility for lodging purposes erected by persons, firms, or corporations pursuant to an agreement with any department, establishment, or agency of the United States, upon land embraced within Grand Teton National Park, together with all personal

property appurtenant thereto or used in connection therewith.

"(b) In the event title to any property described in subsection (a) above is acquired by the United States by gift, donation, or purchase, payments in lieu of taxes lost as a result of such acquisition shall be made to the State of Wyoming for distribution to the county in which such property is located in accordance with the following schedule of payments: For the fiscal year in which such property may be acquired there shall be paid an amount equal to the full amount of annual taxes last assessed and levied on such property pursuant to the authority granted by this section, less any amount, to be determined by the Secretary of the Interior, which may have been paid on account of taxes for a period falling within such fiscal year. For each succeeding fiscal year, in perpetuity, there shall be paid an amount equal to the full amount of annual taxes last assessed and levied on such property: *Provided*, That no payments shall be made with respect to any such property that has been disposed of by the United States, or that has been demolished or destroyed, prior to the beginning of the fiscal year for which such payments would otherwise be made.

"(c) As soon as practicable after the end of each fiscal year, the amount then due for such fiscal year under subsection (b) above shall be computed and certified by the Secretary of the Interior, and shall be paid by the Secretary of the Treasury: *Provided*, That such amount shall not exceed that portion of the revenues received by the United States during such fiscal year from visitors to Grand Teton National Park and Yellowstone National Park which is in excess of the payments for such fiscal year required by section 5 of this act. Payments made to the State of Wyoming by the United States under this section shall be distributed to such public taxing units in the county where the property is located and in such manner as the State of Wyoming may prescribe.

"(d) No person, firm, or corporation shall be relieved from liability for payment of, collection of, or accounting for any tax levied by the State of Wyoming, or by any duly constituted taxing authority thereof, pursuant to authority contained in this section, on the ground that the property, with respect to which such tax is levied, is located in whole or in part within a Federal area; and such State or taxing authority shall have full jurisdiction and power to levy and collect such tax to the same extent and with the same effect as though such area was not a Federal area."

The bill was ordered to be read a third time, was read the third time, and passed.

A similar House bill (H. R. 4770) was laid on the table.

A motion to reconsider was laid on the table.

INCREASING ANNUITIES OF CERTAIN EMPLOYEES OF PANAMA CANAL

The Clerk called the bill (H. R. 3660) granting increases in the annuities of certain former civilian officials and employees engaged in and about the construction of the Panama Canal, and for other purposes.

Mr. FORD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

PRESCRIBING CERTAIN LIMITATIONS WITH RESPECT TO OUTPATIENT DENTAL CARE FOR VETERANS

The Clerk called the bill (H. R. 9866) to prescribe certain limitations with respect to outpatient dental care for veterans.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LONG. Mr. Speaker, I object.

There being no further objections, the Clerk read the bill, as follows:

Be it enacted, etc., That Veterans' Regulation No. 7 (a) is hereby amended by adding the following sentence thereto:

"No outpatient dental services and treatment, or related dental appliances, shall be furnished by authority of the provisions of this Veterans' Regulation No. 7 (a), or the provisions of section 6, Public Act No. 2, 73d Congress, as amended, unless the dental condition or disability (1) is service connected and of compensable degree; or (2) is service connected, shown to have been in existence at time of discharge and application for treatment is made within 1 year after discharge or by December 31, 1954, whichever is the later; or (3) is associated with and held to be aggravating disability from some other disease or injury which was incurred in, or aggravated by, service: *Provided*, That the foregoing limitations shall not apply to veterans of the Spanish-American War, including the Philippine Insurrection and the Boxer Rebellion, nor shall they be construed to restrict the authority provided by Public Law 16, 78th Congress, as amended and extended, to furnish dental services to veteran trainees thereunder: *Provided further*, That benefits (except for a dental condition or disability due to combat wounds or other service trauma or of a former prisoner of war) afforded under clause (2) shall be on a one-time completion basis only, unless the services rendered on a one-time basis are found unacceptable within the limitations of good professional standards, in which event such additional limited services may be afforded as are required to complete professionally acceptable treatment."

SEC. 2. The provisos to the item "Outpatient care" under the caption "Veterans' Administration" in the Second Independent Offices Appropriation Act, 1954 (67 Stat. 191), approved July 27, 1953, and the Independent Offices Appropriation Act, 1955 (68 Stat. 272), approved June 24, 1954, are hereby repealed.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENDING TO CERTAIN NATURALIZED CITIZENS OF THE UNITED STATES THE BENEFITS OF THE ACT OF MAY 29, 1944

The Clerk called the bill (H. R. 2305) to extend to certain naturalized citizens of the United States the benefits of the act of May 29, 1944, entitled "An act to provide for the recognition of the services of the civilian officials and employees, citizens of the United States, engaged in and about the construction of the Panama Canal."

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

AUTHORIZING PAYMENT FOR LOSSES SUSTAINED BY OWNERS OF WELLS IN THE VICINITY OF COLD BROOK, S. DAK.

The Clerk called the bill (S. 546) to authorize payment for losses sustained by owners of wells in the vicinity of Cold Brook Dam by reason of the lowering of the level of water in such wells as a result of the construction of Cold Brook Dam, S. Dak.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FORD. Mr. Speaker, reserving the right to object, I would like to ask a question or two concerning this legislation. As I understand it, as a result of the construction of the Cold Brook Dam in South Dakota certain wells have been adversely affected. This bill would authorize the Federal Government to pay approximately $15,000 to make those wells effective again.

Will this additional $15,000 in cost be considered as a part of the original cost of the construction of the project and, if so, will any repayments made against the cost of construction include the amortization of this $15,000?

Mr. BERRY. I assume that is correct.

Mr. FORD. Could I get the assurance of the gentleman from South Dakota and also the chairman of the Committee on Public Works of the House of Representatives that this $15,000 will be added to the cost of the project and that the $15,000 will be amortized against any repayments made to the United States Treasury?

Mr. DONDERO. Mr. Speaker, if the gentleman will yield, answering the question of the gentleman from Michigan, I cannot give that assurance to the gentleman for this reason: This is a Senate bill. Our committee did not hold hearings on it. But, it was explained to me that the wells were completely destroyed by the engineers in the erection of the dam, and this money is to enable those people to dig new wells where they are carrying water today in pails from the river for household purposes and for their stock. It simply makes restitution to those people who were injured.

Mr. FORD. I understand what the gentleman has said. However, this $15,000, or approximately that amount, should be construed as a portion of the cost of the construction of the project, because the damage was done while the project was being built.

Mr. DONDERO. I would so consider it.

Mr. FORD. Therefore, it is my belief that this $15,000 should be added to the overall cost of the project and amortized out of any repayments which are made.

Mr. DONDERO. I believe it should be, and I am of the opinion it will be.

Mr. FORD. I do not like to interfere with the approval of this legislation, but

I think we should have something written into the bill in the form of an amendment to guarantee that this aim and objective is achieved. I would be glad to withdraw my objection if such an amendment could be drafted and included in the bill. Otherwise, I might be constrained to object.

Mr. DONDERO. I hope the gentleman will not object. It is a Senate bill. The Senate has already passed it. And, as I have already explained, it is simply to make restitution where the Government has caused damage to these people who are in no way at fault, and it simply provides means where they can have new wells dug.

Mr. FORD. Is this a multipurpose project?

Mr. BERRY. This is a flood-control project.

Mr. FORD. Is there any hydroelectric power connected with it?

Mr. BERRY. No.

Mr. FORD. Any irrigation?

Mr. BERRY. No; it is entirely flood control.

Mr. FORD. It is entirely, 100 percent, flood control? Under those circumstances, there is no payment made from revenues derived from the project.

Mr. DONDERO. That is correct.

Mr. FORD. Under those circumstances, I think, then, that since there will be no payments made to the Government that there is no point in trying to include such an amendment. But, certainly the cost, this additional $15,000, should be charged against the benefits accruing from the project.

Mr. BERRY. That is correct.

Mr. DONDERO. I agree with the gentleman from Michigan on that.

Mr. FORD. I withdraw my reservation of objection, Mr. Speaker.

Mr. BERRY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. BERRY. Mr. Speaker, S. 546 authorizes payment for losses sustained by property owners below the Cold Brook Dam in Fall River County, S. Dak. The damages were created by lowering the water level in the construction of Cold Brook Dam.

This dam was part of a flood-control project to protect the city of Hot Springs, S. Dak., in my district. The project was begun in 1950 and completed in 1952.

Construction of Cold Brook Dam required the construction of a grout curtain in the rock formation under the dam and an impervious cutoff trench in the alluvium material overlaying the rock formation. To accomplish this work it was necessary for a period of about a year to intercept the normal stream flow and to bypass this water in a temporary channel. These interceptions to the stream flow have apparently resulted in lowering the ground water table in the alluvium. As a result, at least eight wells in the valley area below Cold Brook Dam have had a greatly reduced water supply.

This reduction in water supply has created a grave hardship for the property owners affected, and it has also caused a substantial reduction in the value of the property involved. Since the cause of this decreased water supply can be traced directly to the construction work on Cold Brook Dam performed by the Corps of Engineers, I feel the Federal Government is obligated to compensate these individuals for their loss. Early this year, therefore, I introduced H. R. 8176 with the same objective as S. 546. My bill was referred to the House Judiciary Committee, but before it could be acted upon by that group, the Senate passed and referred to your committee S. 546. In order to expedite action, I have asked that H. R. 8176 be tabled if S. 546 is passed by the House.

Although the cost of improving or replacing the affected wells has been estimated at only $15,000, the importance of this measure to the individual landowners involved is tremendous. I am firmly convinced the Federal Government is responsible for the damages these property owners have suffered, and I strongly urge the passage of S. 546 to provide the relief necessary.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Army, through the Chief of Engineers, is authorized and directed to compensate the owners of water wells in the vicinity of Cold Brook Dam in South Dakota for losses determined by him to have been sustained by reason of the lowering of the level of water in such wells as a result, wholly or partially, of the construction and operation of Cold Brook Dam. Losses compensable under this act shall include, but not be limited to, (1) the expense of improving or replacing the affected wells so that an amount of water equal to the amount previously obtainable from the affected wells will be available to the owners; (2) the expense of maintaining an adequate supply of water pending the completion of the improvement or replacement of the affected wells; and (3) injuries to property resulting from the lack of an adequate supply of water pending the completion of the improvement or replacement of the affected wells.

SEC. 2. Claims for losses compensable under this act shall be submitted to the Secretary of the Army, through the Chief of Engineers, in such form and in such manner as the Secretary may prescribe. Any such claim shall be submitted not later than 2 years after the date of enactment of this act, or not later than 2 years after the lowering of the level of water which is the basis for the claim, whichever is the later.

SEC. 3. Payment of claims for losses compensable under this act shall be made by the Secretary of the Army out of any funds available for flood control.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADJUST TOLLS ACROSS BRIDGE NEAR ST. FRANCISVILLE, MO.

The Clerk called the bill (H. R. 8651) to provide for the adjustment of tolls to be charged by the Wayland Special Road District No. 1 of Clark County, Mo., in the maintenance and operation of a toll bridge across the Des Moines River at or near St. Francisville, Mo.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the event that the Wayland Special Road District No. 1 of Clark County, Mo., shall issue toll bridge revenue refunding bonds for the purpose of refunding or redeeming its outstanding 4 percent toll bridge revenue bonds dated December 1, 1935, which were issued to provide funds for the construction of the bridge authorized by an act of the 72d Congress, 1st session, approved February 14, 1933 (Public Law 337), or in the event that the said District shall extend the maturity date or dates of said outstanding bonds, the rates of toll to be charged for the use of said bridge shall be so adjusted as to provide sufficient revenues to pay for the reasonable cost of maintaining, repairing, and operating said bridge and its approaches under economical management and to provide a fund sufficient to pay the principal, interest, and redemption premium, if any, of such toll bridge revenue refunding bonds, or of said outstanding bonds, as soon as possible under reasonable charges, but within a period of not exceeding 30 years from the date of approval of this act, and such tolls shall be continued until such payments shall have been made. After such bonds and the interest thereon shall have been paid, said bridge shall thereafter be maintained and operated free of tolls. An accurate record of the expenditures for maintaining, repairing, and operating said bridge, and of the daily tolls collected, shall be available for the information of all persons interested.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COMPENSATION OF CHAIRMAN OF COUNCIL OF ECONOMIC ADVISORS

The Clerk called the bill (H. R. 6790) to amend the act of October 15, 1949, with respect to the rate of compensation of the Chairman of the Council of Economic Advisors.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 3 of the act entitled "An act to increase rates of compension of the heads and assistant heads of executive departments and independent agencies," approved October 15, 1949 (Public Law 359, 81st Cong.; 63 Stat. 880), is amended by inserting "the Chairman of the Council of Economic Advisors," immediately after "the Administrator of General Services."

SEC. 2. Section 4 of such act of October 15, 1949, is amended by striking out "members of the Council of Economic Advisors" and inserting in lieu thereof "members (other than the Chairman) of the Council of Economic Advisors."

SEC. 3. The incumbent Chairman of the Council of Economic Advisors on the effective date of this act may, if he so elects, continue to receive compensation under section 4 of such act of October 15, 1949, for such period as he may determine.

SEC. 4. This act shall take effect on the first day of the first pay period which begins after the date of enactment of this act.

With the following committee amendments:

Page 2, line 5, strike out section 3.

Page 2, line 10, strike out "4" and insert "3."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMEND SECTIONS 5 (A) OF THE FEDERAL TRADE COMMISSION ACT

The Clerk called the bill (H. R. 9916) to amend section 5 (a) of the Federal Trade Commission Act with respect to certain unfair methods of competition in connection with the sale of manufactured products.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CELLER. Mr. Speaker, reserving the right to object, will the proponents of the bill give us an explanation? I object, Mr. Speaker.

AMEND THE FEDERAL TRADE COMMISSION ACT

The Clerk called the bill (H. R. 9917) to amend section 5 (a) of the Federal Trade Commission Act with respect to certain unfair methods of competition in connection with the sale of motor vehicles.

Mr. FORD. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. OAKMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. OAKMAN. Mr. Speaker, first, the proposed amendments have not received sufficient study. Neither the automobile manufacturers nor the manufacturers of other products were invited to attend the hearings, and no manufacturer appeared. The proposed amendments could have far-reaching effects on manufacturers and whole industries. Such legislation should not be passed until they have been heard and their views given appropriate consideration. The methods for charging freight currently in use in the automotive industry have been in use for more than 30 years.

Second. The proposed amendments are ambiguous. It is not at all clear from the bills whether inbound freight to assembly plants, warehouses and depots may be included in charges for freight by manufacturers to customers. If inbound freight cannot be so included, multiplant manufacturers or manufacturers with branch warehouses or depots will be penalized, while their dealers or customers in outlying areas will receive a windfall which will give them a competitive advantage over customers of single-plant manufacturers.

Third. The proposed bills have not been given study to determine their effect on industry. More specifically, in the case of H. R. 9917, no study has been given to the effect of the bill on the smaller motor-vehicle producers who have no branch assembly plant, and on their dealers. Current pricing methods are believed to permit single-plant producers to compete with multiplant producers in outlying areas. Reduction of prices in outlying areas by those producers having branch assembly plants in such areas would injure substantially the competitive position of the smaller, single-plant car and truck manufacturers.

Fourth. H. R. 9917 is unworkable in the automobile industry. In order that prices to dealers be fair as between and among dealers in a particular line of vehicles, there must be "blending" of prices at many points. Moreover, when a multiplant manufacturer ships cars to a dealer from several different assembly plants, it is necessary for the manufacturer to adjust its prices so that the price for the same model car to the same dealer is the same, even though the cars are shipped from different plants. Both of these practices are permissible under existing law because they have no substantial, adverse effect on competition. Both would be outlawed by H. R. 9917.

Fifth. The present practices of charging for freight in the automotive industry are not the primary cause of bootlegging. As was pointed out by representatives of the NADA at the hearings, bootlegging is a practice which takes place in low-freight areas as well as high-freight areas. A change in the present practice of freight charges in the automotive industry would not stamp out bootlegging, which presently is the principal subject of concern to the NADA. The NADA has strongly endorsed H. R. 9769, which is directed specifically to the bootlegging problem. Most of the testimony in the hearings was related to that bill, and was not designed to bring out the facts relevant to H. R. 9916 and H. R. 9917. No facts have been developed as to the extent, if any, to which so-called phantom freight may exist in the automotive industry.

Sixth. The committee report compares rail freight rates with the costs of caravanning. This is not a fair comparison. Caravanning is not licensed by the Interstate Commerce Commission whereas freight rates are set by the ICC. This purported comparison emphasizes the lack of study given to the proposed bill. There are no data at all as to actual costs of the manufacturers.

Seventh. The Federal Trade Commission has taken a position in opposition to the bills. No reference to this is made in the committee report.

AMEND ACT OF JUNE 30, 1948

The Clerk called the bill (H. R. 9790) to amend the act of June 30, 1948, so as to extend for 5 additional years the authority of the Secretary of the Interior to issue patents for certain public lands in Monroe County, Mich., held under color of title.

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

REPLACEMENT OF GOVERNMENT-OWNED FACILITIES AT GLACIER NATIONAL PARK

The Clerk called the bill (H. R. 10074) to authorize the replacement of certain Government-owned utility facilities at Glacier National Park, Mont., and Grand Canyon National Park, Ariz.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That for the purpose of facilitating the installation of adequate electric and communication facilities at Glacier National Park and Grand Canyon National Park, the Secretary of the Interior is authorized to exchange, on an equal value basis, the existing inadequate facilities at these parks for more modern and efficient facilities.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INVESTIGATION BY THE ATTORNEY GENERAL OF CERTAIN OFFENSES

The Clerk called the bill (S. 2308) to authorize and direct the investigation by the Attorney General of certain offenses, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. MULTER. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

Mr. JAVITS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

OFFICE OF GOVERNMENT INVESTIGATION

Mr. JAVITS. Mr. Speaker, H. R. 6898 which I introduced on January 6, 1954, to establish an Office of Government Investigation within the General Accounting Office seeks to attain the same result as S. 2308 by what I consider to be a much more effective method and without incurring the dangers of S. 2308. Under my bill the Office of Government Investigation would be responsible to the Congress and would be established as part of the Comptroller General's Department. It would be a permanent agency to investigate corruption and unethical acts relating to the transaction of the business of the Federal Government. This new agency should go far to build into the structure of the Government the machinery which has been built into the structure of the government of New York State and New York City for a year-round and constant review of the actions of Government officials and Government employees bear-

ing both on their integrity and ethics. The responsibilities of the Comptroller General in his authority over books and accounts is limited essentially to the audit function and to the propriety of paying out money under applicable law while the activities of the office which I recommend could be coordinated with the other responsibilities of the Comptroller General and under his general authority while carrying out a function which the history of government shows to be vital.

The office created by my bill is to be headed by a Commissioner of Investigation and by a Deputy Commissioner, both appointed by the President with the advice and consent of the Senate, for a single stated term of 10 years, but neither of these officials may be removed sooner except by joint resolution of Congress or impeachment. The Commissioner is given the power to subpena witnesses and records, subject to court review and upon the consent of the United States attorney and the United States district court in the jurisdiction where an investigation is being conducted, the power to grant immunity to a witness required to testify in such investigation. All departments, agencies, and establishments of the executive department including law enforcement officials are required to furnish to the Commissioner such information as he may require to carry out his duties.

The Commissioner, according to my bill, may undertake studies and make recommendations for the correction and prevention of improper, illegal, or unethical acts relating to the transaction of the official business of the Federal Government by any such officer or employee. He is required, through the Comptroller General, to make to the President when requested by him and to the Congress at the beginning of each regular session a report in writing of the work of the Office of Government Investigation containing recommendations concerning the legislation he may deem necessary for the prevention of improper and illegal acts relating to the transaction of the official business of the Federal Government by such officers and employees.

It will be noted that the bill does not give the Commissioner of Investigation power to investigate Members of Congress or the judiciary. This is necessary in order to maintain the integrity of three great branches of the Federal Government. The investigatory powers of the Congress and the normal processes of the courts as well as the frequently recurring elections can deal effectively with wrongdoing in the legislative branch and the congressional power to impeach Federal judges are adequate to deal with wrongdoing in the judiciary.

I think that H. R. 6898 is very desirable legislation and hope it will receive attention in the next Congress.

TO ESTABLISH FINALITY OF CONTRACTS BETWEEN GOVERNMENT AND COMMON CARRIERS

The Clerk called the bill (S. 906) to establish the finality of contracts between the Government and common carriers of passengers and freight subject to the Interstate Commerce Act.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HESELTON. Mr. Speaker, reserving the right to object, I ask unanimous consent to extend my remarks in the RECORD at this point.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. HESELTON. Mr. Speaker, the information I have received, particularly through the departmental reports, as to S. 906 leaves a very real doubt in my mind as to whether it should pass in its present form. However, I am impressed with the argument that common carriers should be able to count on some definite period of finality with reference to the rate agreements involved and I do not feel justified in opposing the present consideration of the bill particularly in view of the almost complete support of it by my other colleagues on the committee, whose opinions I respect thoroughly.

If it were not for the situation now confronting the House, I would be inclined to attempt to carry out the recommendations of the Comptroller General that the 180-day period be extended to 1 year and the 2-year period be extended to 3 years.

I do have in mind that experience can be gained under this bill if it becomes law which may well warrant further consideration of the matter and some possible amendments being considered in the next session.

Therefore, and since the letters are not included in the committee report, I am including these letters at this point:

OFFICE OF THE ASSISTANT
SECRETARY OF DEFENSE,
WASHINGTON, D. C., *July 8, 1954.*

Hon. CHARLES A. WOLVERTON,
Chairman, Committee on Interstate and Foreign Commerce,
House of Representatives.

DEAR MR. CHAIRMAN: This refers to S. 906, a bill to establish the finality of contracts between the Government and common carriers of passengers and freight subject to the Interstate Commerce Act, and to the report of the Department of Defense on H. R. 3288 which was forwarded to the House Committee on Interstate and Foreign Commerce on April 28, 1954. H. R. 3288 is identical with S. 906, as introduced in the Senate. This Department submitted identical unfavorable reports to the Senate and House Committees on Interstate and Foreign Commerce on S. 906 and H. R. 3288, and, in addition, witnesses from the Department of Defense testified in opposition to S. 906 before the Senate Committee. However, subsequent to the submission of the reports, the Senate passed S. 906 with three amendments.

The Department of Defense still considers legislation, such as H. R. 3288 and S. 906, as amended by the Senate, objectionable and reiterates its opposition to those bills for the reasons set forth in its report of April 28, 1954. The amendments made to S. 906 by the Senate in no way alter the position of this Department.

Further, it is believed that if legislation of this type were enacted, it would deny to the Government a right accorded to private shippers; that is, the right to have the reasonableness of a rate adjudicated by the Interstate Commerce Commission. A rate negotiated between a private shipper and a carrier, which is published in a tariff and filed with the Commission in accordance with current procedures, remains subject, at any time, to the right of the private shipper to have a determination of the reasonableness of the rate made by the Commission. Under the proposed legislation, however, if the Government negotiates a rate with a carrier who, for reasons of its own, incorporates that rate in a section 22 tender instead of a tariff, and the rate is accepted by the Government, it would be conclusively presumed to be just and reasonable and the right accorded to the private shipper to appeal to the Commission would not be available to the Government.

Because of the urgency for submitting this report to your Committee for immediate consideration, time has not permitted its prior submission to the Bureau of the Budget for advice as to its relationship to the program of the President. However, when such advice is available, it will be forwarded to your committee.

Sincerely yours,

ROBERT TRIPP ROSS
(For the Assistant Secretary.)

COMPTROLLER GENERAL
OF THE UNITED STATES,
Washington, July 16, 1954.

Hon. CHARLES A. WOLVERTON,
Chairman, Committee on Interstate and Foreign Commerce,
House of Representatives.

DEAR MR. CHAIRMAN: Reference is made to your letter of July 9, 1954, requesting comments of the General Accounting Office on S. 906, 83d Congress, which was passed by the Senate on July 6, 1954, and is now pending before your committee.

The General Accounting Office furnished a report on S. 906 to the Senate Committee on Interstate and Foreign Commerce on May 19, 1953, setting forth in detail the reasons why the General Accounting Office does not recommend favorable consideration of the bill. In addition, a representative of the General Accounting Office appeared before the Senate committee on April 29, 1954, in opposition to the bill. Copies of the report of May 19, 1953, and of the statement of the General Accounting Office representative given on April 29, 1954, are enclosed. It is noted from the printed hearings of the Senate committee that the Department of Defense, the Department of Justice, and the General Services Administration also opposed favorable consideration of the bill.

The General Accounting Office has no reason to change its previous recommendations, notwithstanding the amendments made by the Senate which would provide that quotations or contracts made under section 22 of the Interstate Commerce Act would not become final until after 180 days, or 2 years in the case of contracts entered into during a national emergency declared by the Congress. However, in the event your committee decides to report the bill favorably, it is urged that both the 180-day period and the 2-year period be extended. Insofar as the General Accounting Office is concerned it is often several months after an agreement is entered into before the paid vouchers for transportation services rendered are submitted for audit and then it is rarely possible to place the vouchers under immediate scrutiny. In periods of national emergency the situation is greatly aggravated. In order that the interests of the Government may be protected, it is recommended that the 180-day period be changed to 1 year and that the 2-year period be changed to 3 years.

Sincerely yours,

FRANK H. WEITZEL,
Acting Comptroller General of the United States.

COMPTROLLER GENERAL
OF THE UNITED STATES,
Washington, May 19, 1953.

Hon. CHARLES W. TOBEY,
Chairman, Committee on Interstate and Foreign Commerce, United States Senate.

MY DEAR MR. CHAIRMAN: Further reference is made to your letter of February 14, 1953, acknowledged by telephone on February 17, 1953, requesting any comments that may be considered desirable concerning S. 906, entitled "A bill to establish the finality of contracts between the Government and common carriers of passengers and freight subject to the Interstate Commerce Act."

This bill is in most material respects similar to bills introduced in the 2d session of the 81st Congress, S. 4067, and in the 2d session of the 82d Congress, S. 2355. In its reports to the Congress on the said bills, this office recommended that they be not favorably considered and it continues to be the view here that amendment of section 22 of the Interstate Commerce Act in the proposed manner should not be effectuated.

The purpose of section 22 of the Interstate Commerce Act was to settle beyond doubt that preferential treatment of certain classes of shippers and travelers including those representing the United States is to be permitted. *Nashville, C. & St. L. Ry.* v. *State of Tennessee* (262 U. S. 318). This section must be read in connection with other sections of the act. (*Handling of Exhibits for Expositions and Fairs* (235 I. C. C. 603, 604).) The various other obligations of the carriers with respect to the charges they may exact for their services are not canceled by reason of a contractual or implied contractual relationship created through employment of a section 22 quotation and the act does not deny to the Interstate Commerce Commission authority to prescribe reasonable ratings and rates on traffic covered by section 22 quotations. On the contrary, the act prohibits every excessive charge, whether exacted directly or obtained by indirection, and its provisions are designed to prevent evasion of the rule that every charge for transportation shall be just and reasonable. *Lewis-Simas-Jones Co.* v. *Southern Pacific Company* (283 U. S. 654, 660). If enacted the proposed amendment would deprive the United States of the benefit of the procedure, available to all other shippers, for testing the reasonableness of rates and charges collected by carriers pursuant to section 22 quotations.

A legal rate under the Interstate Commerce Act is not necessarily a lawful rate. To be lawful a rate must not be in conflict with the requirement for reasonableness, for while a published and filed tariff which contains the legal rates in the sense that they are filed with the Interstate Commerce Commission and required to be observed by carriers in collecting charges from shippers as enjoined by section 6 (7) of the act, has the force and effect of a statute—*Lowden* v. *Simonds-Shields-Lonsdale Grain Co.* (306 U. S. 516, 520); *Boone* v. *United States* (109 F. 2d 560, 562) it must, in event of a contest, reflect adherence to the limitations and principles enunciated in the act and enforced by the Commission. No presumption arises as to lawfulness from the mere fact of filing tariffs with the Commission, for "Charges to be lawful are required to be reasonable and just and no omission to express disapproval, nor any failure to challenge them anywhere can make rates lawful, which are unreasonable and unjust." 4 ICC 104, 115; order held invalid on other grounds, *Interstate Commerce Commission* v. *Atchison, T. & S. F. Ry. Co.* (50 Fed. 295; appeal dismissed, 149 U. S. 264); *J. T. Rather & Co.* v. *Nashville, C. & St. L. Ry.* (174 S. W. 1113).

Concerning common carriers by railroad subject to the act, lawfulness implies, among other things, that rates and charges are just and reasonable (49 U. S. C. 1 (5)) and it is the carriers' responsibility to initiate just and reasonable rates. In this connection, it is interesting to note that the recent case of *Reconstruction Finance Corp.* v. *Akron, C. & Y. Ry. Co.* (287 ICC 353, 383), dismissing the Government's complaint seeking reparation on past shipments of aluminum ingots, the dissenting opinion by Chairman Alldredge, of the Interstate Commerce Commission, in which Commissioners Mahaffie and Arpaia concurred, contained the statement that:

"The aluminum industry, as is commonly known, is a metal industry which received tremendous acceleration during the war. It is, however, one of our newer industries. Its products had not, at the beginning of World War II, and probably have not now, found their settled places in our economy. Rates on aluminum raw materials and aluminum products had likewise not been fitted into our general freight-rate system with any degree of permanency when the war started. Many of the movements which took place immediately before and during the war were, to be sure, unexpected; some of them were sporadic. Such things, however do not defeat the right of the Government as a shipper, or of any other shipper, to just and reasonable charges on its shipments. The responsibility rests upon the carriers under the law to initiate just and reasonable rates on the traffic which they transport and to keep them within the bounds of justness and reasonableness at all times."

What is true of aluminum and aluminum products, as to the fact that the freight rates on such materials had not been fitted into the general freight rate system with any degree of permanency when the war started, is also probably true of many materials and articles which were newly developed and transported for the first time during the war and thereafter.

The courts have long declined to assume jurisdiction over matters involving the reasonableness of rates, regulations, practices, etc., pointing out that the law confides that duty to a body of experts like the Interstate Commerce Commission. *Texas & P. Ry. Co.* v. *Abilene Cotton Oil Co.* (204 U. S. 426); *Southern Ry. Co.* v. *Tift* (206 U. S. 428); *Mitchell Coal & Coke Co.* v. *Pennsylvania R. Co.* (230 U. S. 247, 258); *Florida* v. *United States* (292 U. S. 1, 12); and *General American Tank Car Corp.* v. *El Dorado Term. Co.* (308 U. S. 422). In the last cited case it was held that determination of the rights of a tank car company and a private shipper under a contract covering the lease of tank cars should have been held in abeyance pending conclusion of an appropriate proceeding before the Interstate Commerce Commission regarding the validity of the practice involved. In *Union Pacific R. Co.* v. *United States* (121 C. Cls. 463, 465), it was stated:

"The defendant adds that it desires 'to present and develop in a manner not done at the former trial the basic principles which underlie the whole matter of classification and ratemaking.' We have neither the facilities nor the experience to go into the complicated field of ratemaking. Besides, that is a function placed by Congress in the hands of the Interstate Commerce Commission.

"We have no means of finding whether a rate established by the Commission is too high or too low. In fact, we are not authorized to pass on that question. We have no ratemaking functions.

"If the rate is too high the defendant may make a showing of that fact to the Interstate Commerce Commission and may ask for a different classification."

And in *Board of Trade* v. *United States* (314 U. S. 534, 546), it was stated:

"The process of ratemaking is essentially empiric. The stuff of the process is fluid and changing—the resultant of factors that must be valued as well as weighed. Congress has therefore delegated the enforcement of transportation policy to a permanent expert body and has charged it with the duty of being responsive to the dynamic character of transportation problems."

See also *Railroad Commission* v. *Oil Co.* (310 U. S. 573, 581–582). In the same vein it was stated in the case of *New York* v. *United States* (331 U. S. 284, 335):

"These problems of transportation economics are complicated and involved. For example, the determination of transportation costs and their allocation among various types of traffic is not a mere mathematical exercise. Like other problems in cost accounting, it involves the exercise of judgment born of intimate knowledge of the particular activity and the making of adjustments and qualifications too subtle for the uninitiated."

It is difficult to understand how shipping and procuring officers of the Government, not having available to them the detailed facts available to the regulatory bodies or adduced at open hearings held by them, and not enjoying ordinarily the broad perspective which those bodies acquire through their comprehensive and continuing study of transportation facilities and economics, can be expected adequately to balance and apply the factors inherent in ratemaking or rate adjustment problems and give due consideration to the provisions of the act relative to the establishment of just and reasonable rates under section 15 a. (2) of the act. It seems probable that carriers and Government shippers, in negotiating arrangements for rates and charges, will not, because of the complexities involved, be able to give due consideration and effect to all the standards applied by the Interstate Commerce Commission in proceedings involving the reasonableness of rates, and a conflict in the administration of transportation policy would seem to be encouraged by making section 22 arrangements conclusive upon the parties in the manner specified in this bill.

If the law contemplates that there must be uniformity in the establishment of reasonable rates, so that the decisions of the Commission, which in effect voices the attitudes and policies of Congress, will continue to be guideposts by which shippers and carriers may mark out the course of their relationship, it is not believed that the Commission's exclusive responsibility in this regard should be impinged upon to allow other Government agencies to make conclusive determinations as to the reasonableness of section 22 rates and charges. In the event this bill becomes law any extensive utilization of section 22 quotations, would tend to distort rate relationships over wide territories and undermine the vital role the Commission plays in seeking to maintain reasonable rates and charges for the benefit of shippers, including the Government, and carriers alike. In this connection a report prepared for the Bureau of the Budget, by a special committee consisting of W. B. Hammer, Charles E. Bell, and Emory B. Ussery, printed in part in the CONGRESSIONAL RECORD for February 1, 1946, 92 CONGRESSIONAL RECORD, part 1, pages 697, 699, indicates that there was not, at the time of procuring section 22 quotations during World War II any organization in the War Department adequately equipped, staffed, and fully empowered to negotiate, with the carriers, necessary revisions of transportation rates, ratings, charges, rules, and regulations.

It does not appear unusual for shippers of freight to apply to responsible railroad officers and their committees for revisions of tariff rates. The provisions of section 5 (a) of the act of June 17, 1948 (62 Stat. 472; 49 U. S. C. 5 (b)), authorize common carriers and freight forwarders subject to the act to apply to the Interstate Commerce Commission for approval of any agreement among such carriers relative to rates, fares, classifications, etc. Such agreements reflect strong consolidations of ratemaking functions of

individual carrier organizations and a specialization in the control and development of rates and charges of the participating carriers. One type of such an agreement is discussed in Western Traffic Association Agreement (276 ICC 183). But whether rate proposals are initiated by shippers or carriers, they are still subject to review and to supervision on complaint or on the Interstate Commerce Commission's own initiative. (See page 215 of the above case.)

The private shipper is not deprived of his right to contest the reasonableness or lawfulness otherwise of rates charged and collected pursuant to tariff in conformity with requests of the shipper after study and approval by carrier representatives, and he may seek an award of reparation representing the difference between the collected charges and those computed on a basis found lawful by the Interstate Commerce Commission. There is no apparent reason why the Government should be deprived by statute of a privilege exercised or within reach of shippers generally, and there would seem to exist the possible danger of needlessly sacrificing public funds by prior statutory waiver of a right ordinarily afforded an aggrieved party in the circumstances. Certainly the assertion that reduced rates to the Government results in burdening other shippers with higher rates does not justify the maintenance of unreasonable rates on Government traffic. The proposed bill, in denying the Government the right to seek relief from unlawful rates in the same manner as afforded the general public, would result in a discrimination against the Government which would seem to circumvent one of the essential purposes for which the Interstate Commerce Act was designed.

It seems noteworthy that under the proposed bill the parties may cancel or terminate rates, fares, etc., negotiated under the authority of section 22, as sought to be amended, on not less than 90 days' written notice. Such a provision would operate to extend the life of negotiated rates and fares for a period of 3 months after it may have been definitely established that the particular rates or charges covered by section 22 quotations exceed the reasonable or otherwise lawful rates found proper in application to the public and for an additional 90 days leave the Government without recourse to any remedy for recovery of excess charges on transportation performed under the terms of those quotations. The Government should not be prevented from withdrawing, at any time, from any arrangement which precludes liability for unreasonableness for prior charges, and the allowance to the carriers of 90 days during which the conclusive presumption of reasonableness would operate could result in unjust enrichment of the interested carriers at the expense of the United States. The finality that this provision affords section 22 negotiated rates would, for example, require that a negotiated rate of 28 cents per designated unit of shipment must be considered as final and binding upon the Government, until the agreement therefor is canceled, which under the terms of the amendment can be effected only upon notice of not less than 90 days, even though, on a petition filed by a private shipper, the Interstate Commerce Commission may find that a tariff rate of 30 cents, applicable commercially on the identical type of service for which the negotiated rate of 28 cents applies, is and has been unreasonable for a period extending from 2 years prior to the date of the filing of the petition, to the extent that it exceeds 25 cents. Upon such a finding the commercial shippers would be entitled to reparation sufficient to reduce the charges retained by the carrier to those due on the basis of the reasonable rate of 25 cents, but the Government presumably would have to regard the 28-cent rate collected from it for similar service as final and not subject to attack in the absence of actual fraud, deceit, or clerical mistake.

And in the case where application of the section 22 quotation accepted by the Government as to shipments made in contemplation thereof results in the charging by railroads subject to the Interstate Commerce Act more for a shorter than for a longer haul or more for a through haul than the aggregate of the intermediate rates, without special relief to the railroads as authorized by section 4 of the act, the Government would be powerless to enforce recovery of the excess charges so resulting although it is well established that apart from the statutory enactment such charges are prima facie unreasonable. See *Patterson* v. *L. & N. Railroad* (269 U. S. 1, 11); *Davis* v. *Portland Seed Co.* (264 U. S. 403).

It is desired to make clear that there is no basis for quarrel with the view that protection should be afforded carriers against the revocation of the terms of a proper section 22 quotation which in fact provides for special services or special rates not otherwise available to the United States so long as such rates are just and reasonable and therefore lawful. It would seem equally clear, however, that the laws and regulations which govern the operations of the transportation industry requiring adherence to a standard of reasonableness and affording a means of testing such adherence before the Interstate Commerce Commission, should be no less available in the case of services for the Government than in the case of charges for services rendered the general public. Whenever injustices occur because of unreasonableness, or any purported requirement for the payment by the Government of higher-than-tariff rates opportunity should not be denied the United States to seek redress for the injustices so sustained in the same manner as is afforded the private shipper.

In summary, it is considered that enactment of the present bill is not desirable because it is believed that there should not be created by statute a conclusive presumption that rates, fares, or charges, etc., are just and reasonable simply because they are a matter of negotiation between common carriers and the Government as shipper. However, if passage of this bill be deemed proper, it is believed that a due protection of the interests of the United States would require that provision be incorporated therein which would assure at least that nothing in said section 22 shall be construed to authorize payment by the United States of any charges to any common carrier or freight forwarder in excess of those based on contemporaneously applicable rates, fares, or charges, and rules, regulations, or practices, prescribed in schedules duly published and filed with the Interstate Commerce Commission and that nothing therein shall prevent the United States from availing itself of any benefit or privilege that the general public may have or obtain as a result of determinations made by the Interstate Commerce Commission in proceedings filed by private, as distinguished from Government, shippers.

Sincerely yours,

FRANK L. YATES,
Assistant Comptroller General of the United States.

STATEMENT OF ROBERT F. KELLER, ASSISTANT TO THE COMPTROLLER GENERAL, BEFORE THE SUBCOMMITTEE ON SURFACE TRANSPORTATION, COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE, UNITED STATES SENATE, ON S. 904, 83D CONGRESS, ACCOMPANIED BY HARRELL O. HOAGLAND, DIRECTOR, TRANSPORTATION DIVISION, GENERAL ACCOUNTING OFFICE

Mr. Chairman and members of the committee, the General Accounting Office opposes the enactment of S. 904, as indicated in the Comptroller General's report to this committee of March 13, 1953. While passage of the legislation would result in an increased cost of governmental operations of several million dollars our comments are not restricted to that basis alone.

The most significant areas for consideration appear to be those which relate to (1) the fact that the proposed legislation is not supported—so far as we are aware—by a substantial majority of the carriers who conduct the business of movement of household goods for the Government or by some of the largest carriers in this limited field; (2) the proposed legislation is much more drastic than is apparent on the surface since it would bar voluntary or negotiated tenders at less than tariff rates for the movement of hospital equipment and office furniture and fixtures of Government agencies as covered in existing tariffs published voluntarily by carriers; and (3) the effect of this bill would be to impose control by congressional action within a segment of industry as to which each household-goods carrier could accomplish such result without legislation.

It is not required by law that any carrier submit a tender for reduced rates to the United States. That such rates are continuously offered by carriers of substance and by a large number of carriers raises considerable doubt in our minds as to whether the industry, as a whole, favors the enactment of the legislation.

Aside from the fact previously mentioned, that this proposed legislation affects Government movements of hospital equipment and office furniture and fixtures, although not clearly stated therein, there has not been brought to the attention of the General Accounting Office any situation as to which household-goods carriers generally have complained to it of Government practices relative to this traffic or of serious economic reactions by reason of carrier operation under the present law.

Finally, it could be that the present situation might follow the foot-in-the-door technique so far as abolition of section 22 and related sections of the law are concerned. If this be so, we believe the proposed legislation should be rejected as failing to represent an open and uniform approach by all interested and related carrier industries.

GENERAL SERVICES ADMINISTRATION,
Washington, D. C., July 22, 1954.

Re S. 906

Hon. CHARLES A. WOLVERTON,
Chairman, Committee on Interstate and Foreign Commerce,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN WOLVERTON: Your letter of July 9 requests a report and our comments on S. 906, which has been adopted by the Senate. On April 29, 1954, we submitted a report to you recommending against H. R. 3288, a bill pending in the House, which is substantially the same as S. 906. We wish to reiterate our opposition to this type of legislation, and refer you to our views on H. R. 3288, a copy of which is attached.

Our traffic officials seek to obtain on Government traffic rates which are comparable to so-called commodity rates applying on commercial traffic. When the carriers act on our requests, the option lies with them as to whether to do it by tariff publication or by the issuance of a quotation under section 22 of the Interstate Commerce Act. If the carriers choose to respond to our requests by a tariff adjustment, we may seek retroactive review of the rate under sections 8 and 13 of that act, if we are dissatisfied, in the same manner as a commercial shipper. Under the proposed legislation, however, if the carrier elects to publish the rate in the form of a section 22 quotation, it would be beyond review. Such option, exercised by the carrier, would remove the right of review enjoyed by all other shippers.

The reasons advanced for this type of regulation are that the rates received by the Government under section 22 are extremely low, adversely affecting the earnings of the carriers; that there is a reluctance by the carriers to deal with the Government under section 22; and that a growing number of reparation cases might bog down the work of the Commission. In our opinion, the record does not justify any of these contentions.

Actual studies introduced at the hearings on S. 906 indicate conclusively that section 22 rates produce a high level of earnings, considerably higher than on commodity rate traffic generally. Further, the Government departments are experiencing no resistance or reluctance by the carriers to the use of section 22 rate adjustments; to the contrary, we would be gratified if more of these adjustments were made by tariff publication. Finally, there is no indication of a growing number of reparation cases, the last of the wartime reparation cases having been filed in 1948 and covering traffic which generally moved prior to October 1, 1946.

A report recommending against the enactment of S. 906 was submitted April 28, 1954, to the former Chairman, Senate Committee on Interstate and Foreign Commerce. The reports on S. 906, as well as H. R. 3288, were cleared with the Bureau of the Budget, which advised that there was no objection to the submission of those reports and that they would recommend against the enactment of the proposed legislation.

Cordially yours,

EDMUND F. MANSURE,
Administrator.

EXECUTIVE OFFICE OF
THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C., August 3, 1954.

Hon. CHARLES A. WOLVERTON,
Chairman, Committee on Interstate and Foreign Commerce, House of Representatives, New House Office Building, Washington, D. C.

MY DEAR MR. CHAIRMAN: This is in reply to your letter of July 9, 1954, requesting the views of this office on S. 906, a bill to establish the finality of contracts between the Government and common carriers of passengers and freight subject to the Interstate Commerce Act.

The Secretary of Defense and the General Services Administrator, in the reports they have made to your committee on this act, recommended against its enactment for the reasons set out therein.

This office concurs with the views contained in these reports and recommends that this measure not be enacted.

Sincerely yours,

HAROLD PEARSON,
Assistant Director.

Mr. HARDY. Mr. Speaker, reserving the right to object, I served on a subcommittee with the able gentleman from Ohio [Mr. BENDER] in the 80th Congress, at which time we considered a great many of these transportation matters. I do not believe this is a proper bill. I notice also that it is opposed by the Secretary of Defense. Therefore, I object.

The SPEAKER. Objection is heard.

WASHITA RIVER BASIN RECLAMATION PROJECT, OKLAHOMA

The Clerk called the bill (S. 118) to authorize the Secretary of the Interior to construct, operate, and maintain the Washita River Basin reclamation project, Oklahoma.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CUNNINGHAM. Mr. Speaker, this would cost approximately $37 million. I understand that an endeavor is being made to get a rule. There is entirely too much money involved to pass this bill on the unanimous-consent calendar and therefore I ask unanimous consent that it be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

AMENDING CIVIL SERVICE RETIREMENT ACT OF 1930

The Clerk called the bill (H. R. 9586) to amend the Civil Service Retirement Act.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 5 of the Civil Service Retirement Act of May 29, 1930, as amended, is amended by adding at the end thereof the following:

"Notwithstanding any provision of law to the contrary, title to annuity payable from the civil service retirement and disability fund shall not arise from any separation unless the officer or employee so separated has, within the 2-year period immediately preceding such separation, completed at least 1 year of creditable civilian service during which he was subject to this act. Any annuity rights based on a separation which (a) terminated service meeting this requirement or (b) occurred prior to this amendment, shall be restored upon separation from subsequent service which fails to meet said requirement.

"No credit shall be allowed for any service subsequent to the date of the separation on which title to annuity is based. Any amounts deducted from salary for retirement purposes during such service shall upon separation be refunded to such officer or employee without interest, and shall be subject to redeposit as provided in section 12 (b) (2) of this act. Any such amount not so refunded to the officer or employee before his death shall be paid in the order of precedence prescribed in section 12 (e)."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REIMBURSEMENT FOR EQUIPMENT OWNED BY POSTMASTERS AT DISCONTINUED OFFICES

The Clerk called the bill (S. 3028) to require the Postmaster General to reimburse postmaster: of discontinued post offices for equipment owned by the postmaster.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That whenever a post office is discontinued, the Postmaster General shall reimburse the postmaster of such discontinued post office, on a fair and equitable basis, for any fixtures and equipment in use in such post office at the time of discontinuance, which were furnished by such postmaster out of personal funds and which were necessary to the efficient operation of such post office.

SEC. 2. That there is hereby authorized to be appropriated such amount each year as may be necessary to enable the Postmaster General to make reimbursement to postmasters of discontinued post offices under the provisions of this act, except a post office of the fourth class.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PREVENTING ENTRY OF LIVESTOCK AND POULTRY DISEASES INTO THE VIRGIN ISLANDS

The Clerk called the bill (H. R. 10077) to amend section 6 of the act of August 30, 1890, as amended, and section 2 of the act of February 2, 1903, as amended.

Mr. FORD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

INCLUSION OF SERVICE RENDERED STATES TOWARD CIVIL SERVICE RETIREMENT

The Clerk called the bill (H. R. 1553) to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide for the inclusion in the computation of accredited service of certain periods of service rendered States or instrumentalities of States, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BROWN of Ohio. Mr. Speaker, reserving the right to object, I should like to inquire just what this bill does.

Mr. HARVEY. This makes vocational teachers who might be drafted into the service of the United States Department of Agriculture eligible under the same conditions that a county agent would be for certain civil-service benefits.

Mr. BROWN of Ohio. It applies only to those particular employees?

Mr. HARVEY. That is right.

Mr. BROWN of Ohio. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 5 of the Civil Service Retirement Act of May 29, 1930, as amended, is amended by inserting after the first paragraph thereof the following:

"Subject to the conditions contained in this paragraph, there shall be included, in determining for the purposes of this act the aggregate period of service rendered by an officer or employee who is serving in a position within the purview of this act (other than a position described in this paragraph) at the time of his retirement or death, all periods of service rendered by him as an employee of a State, or any instrumentality thereof, exclusively or primarily in the carrying out of—

"(1) the program of a State Rural Rehabilitation Corporation created for the purpose of handling rural relief the funds for which were made available by the Federal Emergency Relief Act of 1933 (48 Stat. 55), the act of February 15, 1934 (48 Stat. 351), and the Emergency Appropriation Act, fiscal year 1935 (48 Stat. 1055), and any laws or parts of laws amendatory of, or supplementary to, such acts;

"(2) the Federal-State cooperative program of agricultural experiment station re-

search and investigation authorized by the act of March 2, 1887, as amended and supplemented (7 U. S. C., ch. 14);

"(3) the Federal-State cooperative program of vocational education authorized by the act of February 23, 1917, as amended and supplemented (20 U. S. C., ch. 2);

"(4) the Federal-State cooperative program of agricultural extension work authorized by the act of May 8, 1914, as amended and supplemented (7 U. S. C., secs. 341–348);

"(5) the Federal-State cooperative program of forest and watershed protection authorized by section 2 of the act of March 1, 1911 (16 U. S. C., sec. 563), and by the act of June 7, 1924, as amended and supplemented (16 U. S. C., secs. 564–568b);

"(6) the Federal-State cooperative program for the control of plant pests and animal diseases authorized by the provisions of law set forth in chapters 7 and 8 of title 7 and in section 114a of title 21 of the United States Code.

The period of any service specified in this paragraph shall be included in computing length of service for the purposes of this act of any officer or employee only upon compliance with the following conditions:

"(A) the performance of such service is certified, in a form prescribed by the Civil Service Commission, by the head, or by a person designated by the head, of the department, agency, or independent establishment in the executive branch of the Government of the United States which administers the provisions of law authorizing the performance of such service;

"(B) the officer or employee shall have to his credit a total period of not less than 5 years of allowable service under this act, exclusive of service allowed by this paragraph;

"(C) the officer or employee shall have deposited with interest at 4 percent per annum to December 31, 1947, and 3 percent per annum thereafter, compounded on December 31 of each year, to the credit of the civil-service retirement and disability fund a sum equal to the aggregate of the amounts which would have been deducted from his basic salary, pay, or compensation during the period of service claimed under this paragraph if during such period he had been subject to this act.

If the annuity computed under this act of any individual entitled to the benefits of this paragraph, when combined with any annuity received by him from a State, exceeds an amount equal to 80 percent of the highest average annual basic salary, pay, or compensation received by such individual during 5 consecutive years of allowable service under this act (including service allowed by this paragraph), the annuity payable under this act shall be so reduced that the aggregate amount received from such annuities shall not exceed an amount equal to 80 percent of such highest average annual basic salary, pay, or compensation. As used in this paragraph the term 'State' includes Alaska, Hawaii, and Puerto Rico."

SEC. 2. The first paragraph of section 6 of the Civil Service Retirement Act of May 29, 1930, as amended, is amended by adding at the end thereof the following: "Such time limitation may also be waived by the Civil Service Commission in the case of an officer or employee who failed to file the required application for retirement within the prescribed time limit because at the date of separation from service the position he was occupying was not considered to be within the purview of this act; but the application in such case must be filed with the Civil Service Commission not later than 6 months after the determination that such position is within the purview of this act, except that in the case of any such person heretofore separated from service, application may be filed within 6 months after the date of the enactment of this sentence."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PRIVATE CALENDAR

The SPEAKER. The Clerk will call the first bill on the Private Calendar.

CARLOS M. COCHRAN

The Clerk called the bill (S. 820) for the relief of the estate of Carlos M. Cochran.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Carlos M. Cochran, late of Miami, Fla., the sum of $5,000. Payment of such sum shall be in full settlement of all claims of such estate against the United States on account of the death of the said Carlos M. Cochran in line of duty, while he was serving as private, first class, in the military forces of the United States (XC–3119193), when he was shot by a sentry at the north auxiliary gate on Highway No. 98 at Tyndall Field, Fla., on December 19, 1942: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 2, line 3, after the word "act", strike out "in excess of 10 percent thereof."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARY BEATON DENNINGER

The Clerk called the bill (S. 3064) for the relief of the estate of Mary Beaton Denninger, deceased.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Mary Beaton Denninger, deceased, the sum of $780.36. The payment of such sum shall be in full settlement of all claims of the said estate against the United States for payment of the proceeds under the Servicemen's Indemnity Act of 1951, accruing to said Mary Beaton Denninger, deceased, during her lifetime: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 11, strike out "in excess of 10 percent thereof."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HUGO KERN

The Clerk called the bill (S. 232) for the relief of Hugo Kern.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Hugo Kern shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon the payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARTIN GENUTH

The Clerk called the bill (S. 2456) for the relief of Martin Genuth.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Attorney General is authorized and directed to discontinue any deportation proceedings and to cancel any outstanding order and warrant of deportation, warrant of arrest, and bond, which may have been issued in the case of Martin Genuth. From and after the date of enactment of this act, the said Martin Genuth shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and order have been issued.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. MERLE CAPPELLER WEYEL

The Clerk called the bill (S. 45) for the relief of Mrs. Merle Cappeller Weyel.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Merle Cappeller Weyel, of Reno, Nev., the sum of $5,437.21. Payment of such sum shall be in full settlement of all claims of the said Mrs. Merle Cappeller Weyel against the United States arising out of the death, on December 5, 1948, of her husband, Lt. Comdr. Oscar H. Weyel, United States Navy, serial No. 35612, for compensation for medical expenses incurred, $2,707.33; and for the difference between active-duty pay from the date of his retirement, on March 5, 1948, to the date of his death, $2,729.88: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this

claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 2, line 2, after "pay", insert "and retired pay."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LEONARD HUNGERFORD

The Clerk called the bill (S. 1308) for the relief of Leonard Hungerford.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Leonard Hungerford shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. IAN YUNG-CHENG HU

The Clerk called the bill (S. 1845) for the relief of Dr. Ian Yung-cheng Hu.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Dr. Ian Yung-cheng Hu shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the enactment of this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

OTTILIE THERESA WORKMANN

The Clerk called the bill (S. 1904) for the relief of Ottilie Theresa Workmann.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions of section 212 (a) (9) of the Immigration and Nationality Act, Ottilie Theresa Workmann may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. ANNEMARIE NAMIAS

The Clerk called the bill (S. 1959) for the relief of Mrs. Annamarie Namias.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions of section 212 (a) (9) of the Immigration and Nationality Act, Mrs. Annemarie Namias may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN ENEPEKIDES, HIS WIFE, ANNA, AND HIS SON, GEORGE

The Clerk called the bill (S. 2156) for the relief of John Enepekides, his wife, Anna, and his son, George.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the provision in the second sentence of subsection (c) of section 316 of the Immigration and Nationality Act, waiving the requirements of subsection (b) for an uninterrupted period of at least 1 year of physical presence in the United States, shall be applicable to John Enepekides, his wife, Anna, and his son, George.

With the following committee amendment:

Page 1, line 4, strike out "waiving" and insert "modifying."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BERTA HELLMICH

The Clerk called the bill (S. 2461) for the relief of Berta Hellmich.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, in the administration of the Immigration and Nationality Act, Berta Hellmich, the fiance of Alfred Martin, a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months: *Provided*, That the administrative authorities find that the said Berta Hellmich is coming to the United States with a bona fide intention of being married to the said Alfred Martin and that she is found otherwise admissible under the immigration laws. In the event the marriage between the above-named persons does not occur within 3 months after the entry of the said Berta Hellmich, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Berta Hellmich, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Berta Hellmich as of the date of the payment by her of the required visa fee.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ERTOGROUL OSMAN

The Clerk called the bill (S. 2618) for the relief of Ertogroul Osman.

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

IDA REISSMULLER AND JOHNNY DAMON EUGENE REISSMULLER

The Clerk called the bill (S. 2958) for the relief of Ida Reissmuller and Johnny Damon Eugene Reissmuller.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions of section 212 (a) (9) of the Immigration and Nationality Act, Ida Reissmuller, the fiancée of Sgt. Howard E. Quinton, a citizen of the United States, and her minor child, Johnny Damon Eugene Reissmuller, shall be eligible for visas as nonimmigrant temporary visitors for a period of 3 months, if the administrative authorities find (1) that the said Ida Reissmuller is coming to the United States with a bona fide intention of being married to the said Sgt. Howard E. Quinton, and (2) that they are otherwise admissible under the Immigration and Nationality Act. In the event the marriage between the above-named persons does not occur within 3 months after the entry of the said Ida Reissmuller and the minor child, Johnny Damon Eugene Reissmuller, they shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Ida Reissmuller and her minor child, Johnny Damon Eugene Reissmuller, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Ida Reissmuller and her minor child, Johnny Damon Eugene Reissmuller, as of the date of the payment by them of the required visa fees.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RENE RACHELL LUYSE KUBICEK

The Clerk called the bill, H. R. 1190, for the relief of Rene Rachell Luyse Kubicek.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provision of the 11th category of section 3 of the Immigration Act of 1917, as amended, Rene Rachell Luyse Kubicek may be admitted to the United States for permanent residence if she is found to be otherwise

admissible under the provisions of the immigration laws.

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That, notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Rene Rachell Luyse Kubicek may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. REUBEN RAPAPORT

The Clerk called the bill (H. R. 2030) for the relief of Dr. Reuben Rapaport.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That (a) effective June 12, 1946, for the purposes of section 212 of the Economy Act of June 30, 1932, as amended (5 U. S. C., sec. 59a), Dr. Reuben Rapaport (Army serial number O1689011), Brooklyn, N. Y., is granted all the rights, benefits, and privileges which are granted to commissioned officers retired for disability incurred in combat with an enemy of the United States.

(b) The Secretary of the Army shall pay to the said Dr. Reuben Rapaport, from and after the first day of the first month following the month in which this act is enacted, the disability retirement pay which he is entitled to receive by reason of the enactment of the preceding subsection.

SEC. 2. The Secretary of the Army is authorized and directed to certify to the Secretary of the Treasury an amount equal to the amount of the disability retirement pay which has been withheld from the said Dr. Reuben Rapaport pursuant to section 212 of the Economy Act of June 30, 1932, as amended (5 U. S. C., sec. 59a), during the period beginning June 12, 1946, and ending on the last day of the month in which this act is enacted; and the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Dr. Reuben Rapaport, in a lump sum, the amount so certified. No part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FREDERICK F. GASKIN

The Clerk called the bill (H. R. 7362) for the relief of Frederick F. Gaskin.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $500 to Frederick F. Gaskin, route 88, Rodgers Avenue (Alexton), Harrisburg, Pa., in full settlement of all claims against the United States as reimbursement for bond posted for Maria Grazia Stoudt (nee Russo) on October 6, 1947: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOSEPH H. WASHBURN

The Clerk called the bill (H. R. 7717) for the relief of Joseph H. Washburn.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Joseph H. Washburn, Long Beach, Calif., the sum of $6,100. The payment of such sum shall be in full settlement of all claims of the said Joseph H. Washburn against the United States arising out of his erroneous recall to extended active duty in the United States Marine Corps on July 29, 1950, after he had been discharged from the Marine Corps on July 6, 1950, and out of the hardships and privations which he and his dependents were forced to undergo during the period (beginning July 29, 1950, and ending February 11, 1951) in which he was performing such active duty (including extensive combat duty in Korea) as a result of such erroneous recall: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$6,100" and insert in lieu thereof "$2,500."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FAY JEANNETTE LEE

The Clerk called the bill (H. R. 8261) for the relief of Fay Jeannette Lee.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, the alien Fay Jeannette Lee, a stepchild of Samuel Thorn, a citizen of the United States, shall be held and considered to be under 21 years of age.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That for the purposes of section 101 (a) (27) (A) and section 205 of the Immigration and Nationality Act, the alien, Fay Jeannette Lee, shall be held and considered to be the minor natural-born alien child of Samuel Thorn, a citizen of the United States."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HAROLD C. NELSON AND DEWEY L. YOUNG

The Clerk called the bill (H. R. 8994) for the relief of Harold C. Nelson and Dewey L. Young.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Harold C. Nelson, of Fairbanks, Alaska, the sum of $77.28, and to Dewey L. Young, of Fairbanks, Alaska, the sum of $84.90, in full settlement of all claims against the Government of the United States, as reimbursement for handtools destroyed as the result of a fire which occurred on December 22, 1953, at the Alaska Road Commission's Gardiner Creek construction camp, Alaska: *Provided*, That no part of the amounts appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GEORGE PANTELAS

The Clerk called the bill (S. 154) for the relief of George Pantelas.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Attorney General is authorized and directed to discontinue any deportation proceedings and to cancel any outstanding order and warrant of deportation, warrant of arrest, and bond, which may have been issued in the case of George Pantelas. From and after the date of enactment of this act, the said George Pantelas shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and order have issued.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. HELEN STRYK

The Clerk called the bill (S. 3085) for the relief of Mrs. Helen Stryk.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions of section 212 (a) (6) of the Immigration and Nationality Act, Mrs. Helen Stryk may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REGINA BERG VOMBERG

The Clerk called the bill (H. R. 8215) for the relief of Regina Berg Vomberg.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, in the administration of the Immigration and Nationality Act, Regina Berg Vomberg, the fiancée of John C. Fenerty, a citizen of the United States, and her children, Wilma and Helga Vomberg, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months: *Provided*, That the administrative authorities find that the said Regina Berg Vomberg is coming to the United States with a bona fide intention of being married to the said John C. Fenerty and that she is found admissible under all of the provisions of the Immigration and Nationality Act, other than section 212 (a) (9): *Provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this act.

In the event the marriage between the above-named persons does not occur within 3 months after the entry of the said Regina Berg Vomberg and her children, Wilma and Helga Vomberg, they shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Regina Berg Vomberg and her children, Wilma and Helga Vomberg, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Regina Berg Vomberg and her children, Wilma and Helga Vomberg, as of the date of the payment by them of the required visa fee.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Regina Berg Vomberg, and her children, Wilma and Helga Vomberg."

A motion to reconsider was laid on the table.

SISTER MARY BERARDA

The Clerk called the bill (H. R. 5964) for the relief of Sister Mary Berarda.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the immigration and nationality laws Sister Mary Berarda shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of required visa fee. Upon the granting of permanent residence to such alien as provided for in this act the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

With the following committee amendment:

On page 1, lines 3 and 4, strike out "immigration and nationality laws" and substitute "Immigration and Nationality Act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GEORGE D. HOPPER

The Clerk called the bill (H. R. 5844) for the relief of George D. Hopper.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to George D. Hopper, Foreign Service officer, class 1, American Foreign Service, retired, of Asheville, N. C., the sum of $710.28. Payment of such sum shall be in full settlement of all claims of the said George D. Hopper against the United States for reimbursement of the amount of the loss sustained by him while in the American Foreign Service in making payment from his personal funds of the amount of a certain trust fund to the proper parties after having paid the amount of such trust fund in Stockholm, Sweden, to an individual not entitled to such payment who subsequently confessed to being an imposter: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. That concludes the call of bills on the Private Calendar.

DR. MARCIANO GUTIERREZ ET AL.

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 7045) for the relief of Dr. Marciano Gutierrez, Dr. Amparo G. Joaquin Gutierrez, and their children, Rosenda, Rebecca, Raymundo, and Marciano, and Mrs. Brigida de Gutierrez, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments as follows:

Page 1, line 6, after "Rebecca", insert "and."

Page 1, line 6, strike out "and Marciano."

Page 2, line 3, strike out "seven" and insert "six."

Amend the title so as to read: "An act for the relief of Dr. Marciano Gutierrez, Dr. Amparo G. Joaquin Gutierrez, and their children, Rosenda, Rebecca, and Raymundo, and Mrs. Brigida de Gutierrez."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. GRAHAM]?

There was no objection.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

HAYIK (JIRAIR) VARTIYAN ET AL.

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 1912) for the relief of Hayik (Jirair) Vartiyan, Annemarie Vartiyan, and Susanig Armenuhi Vartiyan, with a Senate amendment thereto, and concur in the Senate amendment..

The Clerk read the title of the bill .

The Clerk read the Senate amendment, as follows:

Line 11, strike out "two" and insert "three."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. GRAHAM]?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

AMENDING SECTION 1089 OF THE CODE OF LAW FOR THE DISTRICT OF COLUMBIA

Mr. HYDE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 8128) to amend section 1089 of the Code of Law for the District of Columbia relating to attachment of proceedings, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 9, strike out "1809" and insert "1089."

The SPEAKER. Is there objection to the request of the gentleman from Maryland [Mr. HYDE]?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

THE MUNICIPAL COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA

Mr. HYDE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 8915) to amend the act entitled "An act to consolidate the police court of the District of Columbia, to be known as the municipal court of appeals for the District of Columbia, and for other purposes," with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 3, line 1, strike out "121" and insert "1121."

Amend the title so as to read: "An act to amend the act entitled 'An act to consolidate

the police court of the District of Columbia and the municipal court of the District of Columbia, to be known as the municipal court for the District of Columbia, to create "the municipal court of appeals for the District of Columbia," and for other purposes'."

The SPEAKER. Is there objection to the request of the gentleman from Maryland [Mr. HYDE]?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

AMENDMENTS TO CLASSIFICATION ACT OF 1949

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 2263) to authorize the Postmaster General to readjust the compensation of holders of contracts for the performance of mail-messenger service, together with Senate amendments, disagree to the Senate amendments and agree to the conference asked.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kansas? [After a pause.] The Chair hears none and appoints the following conferees: Mr. REES of Kansas, Mr. BROYHILL, and Mr. MURRAY.

SALE OF CERTAIN LAND IN ALASKA TO BAPTIST MID-MISSIONS

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6959) to authorize the sale of certain land in Alaska to the Baptist Mid-Missions, an Ohio nonprofit corporation, for use as a church site, together with a Senate amendment, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, strike out lines 3 to 11, inclusive, and insert:

"SEC. 2. Such conveyance shall be subject to the terms and conditions provided for the sale of public lands to a nonprofit corporation or nonprofit association under the act of June 4, 1954 (Public Law 387, 83d Cong., 2d sess.): *Provided*, That the conveyance hereby authorized shall not include any land covered by a valid existing right initiated under the public land laws, or a valid possessory right based upon section 8 of the act of May 17, 1884 (23 Stat. 24), section 14 of the act of March 3, 1891 (26 Stat. 1095), or section 27 of the act of June 6, 1900 (31 Stat. 321; 48 U. S. C., sec. 356): *Provided further*, That notwithstanding any of the provisions of this act, the Secretary shall convey the lands to the Baptist Mid-Missions only if the organization pays the price fixed by the Secretary within 5 years after notification by the Secretary of the price."

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

Mr. GAVIN. Reserving the right to object, Mr. Speaker, will the gentleman explain what this bill is about?

Mr. MILLER of Nebraska. This is a bill that confers to the Baptist Mid-Mission in Ohio, a nonprofit corporation of Cleveland, Ohio, for the period of 1 year, a certain tract of land in Alaska for missionary purposes.

Mr. GAVIN. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

CONVEYANCE OF CERTAIN LAND IN THE STATE OF OKLAHOMA FOR USE AND BENEFIT OF EASTERN OKLAHOMA AGRICULTURAL AND MECHANICAL COLLEGE

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 1797) to provide for the conveyance of certain land to the State of Oklahoma for the use and benefit of the Eastern Oklahoma Agricultural and Mechanical College at Wilburton, Okla., and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 4, line 1, strike out all after "SEC. 2." down to and including "otherwise" in line 5 and insert "The conveyance authorized by this act shall be conditional upon the State of Oklahoma agreeing to pay to the Secretary of the Interior, in return for the lands conveyed, an amount equal to the appraised fair market value of such lands."

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

SALE OF CERTAIN LAND IN ALASKA TO LLOYD H. TURNER

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 2015) to authorize the sale of certain land in Alaska to Lloyd H. Turner, of Wards Cove, Alaska, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 15, strike out all after "laws" down to and including "permits" in line 19 and insert ": *Provided further*, That the coal and other mineral deposits in the land shall be reserved to the United States, together with the right to prospect for, mine, and remove the same under applicable laws and regulations to be prescribed by the Secretary of the Interior."

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

SALE OF CERTAIN PUBLIC LANDS IN ALASKA TO THE ALASKA COUNCIL OF BOY SCOUTS OF AMERICA

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 2012) to authorize the sale of certain public lands in Alaska to the Alaska Council of Boy Scouts of America for a campsite and other public purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 3, strike out lines 9 to 16, inclusive, and insert:

"SEC. 2. Such conveyance shall be subject to the terms and conditions provided for the sale of public lands to a nonprofit corporation or nonprofit association under the act of June 4, 1954 (Public Law 387, 83d Cong., 2d sess.): *Provided*, That the conveyance hereby authorized shall not include any land covered by a valid existing right initiated under the public land laws, or a valid possessory right based upon section 8 of the act of May 17, 1884 (23 Stat. 24), section 14 of the act of March 3, 1891 (26 Stat. 1095), or section 27 of the act of June 6, 1900 (31 Stat. 321; 48 U. S. C., sec. 356): *Provided further*, That notwithstanding any of the provisions of this act, the Secretary shall convey the lands to the Alaska Council of Boy Scouts of America only if the organization pays the price fixed by the Secretary within 5 years after notification by the Secretary of the price."

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

SALE OF CERTAIN LAND IN ALASKA TO THE TURNAGAIN ARM COMMUNITY CLUB OF ANCHORAGE, ALASKA

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 3854) to authorize the sale of certain public land in Alaska to the Turnagain Arm Community Club of Anchorage, Alaska, together with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, strike out all after line 9 over to and including line 3 on page 3 and insert:

"SEC. 2. Such conveyance shall be subject to the terms and conditions provided for the sale of public lands to a nonprofit corporation or nonprofit association under the act of June 4, 1954 (Public Law 387, 83d Cong., 2d sess.): *Provided*, That the conveyance hereby authorized shall not include any land covered by a valid existing right initiated under the public land laws, or a valid possessory right based upon section 8 of the act of May 17, 1884 (23 Stat. 24), section 14 of the act of March 3, 1891 (26 Stat. 1095), or section 27 of the act of June 6, 1900 (31 Stat. 321; 48 U. S. C., sec. 356): *Provided further*, That notwithstanding any of the provisions of this act, the Secretary shall convey the lands to the Turnagain Arm Community Club of Anchorage, Alaska, only if

the organization pays the price fixed by the Secretary within 5 years after notification by the Secretary of the price."

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

SALE OF CERTAIN PUBLIC LAND IN ALASKA TO THE COMMUNITY CLUB OF CHUGIAK, ALASKA

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 2014) to authorize the sale of certain public land in Alaska to the Community Club of Chugiak, Alaska, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, strike out lines 1 to 15, inclusive, and insert:

"SEC. 2. Such conveyance shall be subject to the terms and conditions provided for the sale of public lands to a nonprofit corporation or nonprofit association under the act of June 4, 1954 (Public Law 387, 83d Cong., 2d sess.): *Provided*, That the conveyance hereby authorized shall not include any land covered by a valid existing right initiated under the public land laws, or a valid possessory right based upon section 8 of the act of May 17, 1884 (23 Stat. 24), section 14 of the act of March 3, 1891 (26 Stat. 1095), or section 27 of the act of June 6, 1900 (31 Stat. 321; 48 U. S. C., sec. 356): *Provided further*, That notwithstanding any of the provisions of this act, the Secretary shall convey the lands to the Community Club of Chugiak, Alaska, only if the organization pays the price fixed by the Secretary within 5 years after notification by the Secretary of the price."

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

SALE OF CERTAIN LAND IN ALASKA TO THE ALASKA EVANGELIZATION SOCIETY OF LEVELOCK, ALASKA

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 2010) to authorize the sale of certain land in Alaska to the Alaska Evangelization Society, of Levelock, Alaska, for missionary purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, strike out all after line 15, over to and including line 2 on page 3, and insert:

"SEC. 2. Such conveyance shall be subject to the terms and conditions provided for the sale of public lands to a nonprofit corporation or nonprofit association under the act of June 4, 1954 (Public Law 387, 83d Cong., 2d sess.): *Provided*, That the conveyance hereby authorized shall not include any land covered by a valid existing right initiated under the public land laws, or a valid possessory right based upon section 8 of the act of May 17, 1884 (23 Stat. 24), section 14 of the act of March 3, 1891 (26 Stat. 1095), or section 27 of the act of June 6, 1900 (31 Stat. 321; 48 U. S. C., sec. 356): *Provided further*, That notwithstanding any of the provisions of this act, the Secretary shall convey the lands to the Alaska Evangelization Society only if the organization pays the price fixed by the Secretary within 5 years after notification by the Secretary of the price."

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

PUBLIC-SCHOOL FACILITIES AT KLAMATH INDIAN RESERVATION

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 7290) to authorize an appropriation for the construction of certain public-school facilities on the Klamath Indian Reservation at Chiloquin, Oreg., with a Senate amendment and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert "That there is hereby authorized to be appropriated the sum of $206,880 to be used by the Secretary of the Interior for assisting the Klamath County School District in constructing and equipping new public-school facilities, which shall include an elementary school site, school building, and necessary equipment, on the Klamath Indian Reservation at Chiloquin, Klamath County, Oreg.

"SEC. 2. The expenditure of any money appropriated pursuant to the first section of this act shall be subject to the express conditions that (1) 40 percent of the cost of such facilities shall be paid by the Klamath County School District; (2) such facilities shall be available to all Indian children of the district on the same terms, except as to payment from Federal funds of tuition of Indian children under Federal supervision, as other children of the district; (3) the cost of preparing the plans and specifications for such facilities, to be furnished by the local or State authorities, shall be paid out of the appropriation authorized in this act in the same proportion as the building costs; (4) upon the approval of such plans and specifications by the Secretary of the Interior, the actual work shall proceed under the supervision of such local authority; and (5) payment for the work completed shall be made monthly on vouchers properly certified by the local officials of the Bureau of Indian Affairs."

Mr. GAVIN. Mr. Speaker, reserving the right to object, will the gentleman explain the bill?

Mr. MILLER of Nebraska. The other body passed the bill rearranging the names of the tribes. I hope the gentlemen will not ask me to go into that.

Mr. GAVIN. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

SALE OF CERTAIN LANDS IN ALASKA TO HOSPITAL GROUP

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 2009) to authorize the sale of certain land in Alaska to the Ninilchik Hospital Association, of Ninilchik, Alaska, for the use as a hospital site and related purposes, with a Senate amendment and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, strike out all after line 4, over to and including line 7 on page 3, and insert:

"SEC. 2. Such conveyance shall be subject to the terms and conditions provided for the sale of public lands to a nonprofit corporation or nonprofit association under the act of June 4, 1954 (Public Law 387, 83d Cong., 2d sess.): *Provided*, That the conveyance hereby authorized shall not include any land covered by a valid existing right initiated under the public land laws, or a valid possessory right based upon section 8 of the act of May 17, 1884 (23 Stat. 24), section 14 of the act of March 3, 1891 (26 Stat. 1095), or section 27 of the act of June 6, 1900 (31 Stat. 321; 48 U. S. C. sec. 356): *Provided further*, That notwithstanding any of the provisions of this act, the Secretary shall convey the lands to the Ninilchik Hospital Association only if the association pays the price fixed by the Secretary within 5 years after notification by the Secretary of the price."

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

CONTROL AND EXTINGUISHMENT OF UNDERGROUND COAL FIRES

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 270) to provide for the control and extinguishment of outcrop and underground fires in coal formations, and for other purposes, with Senate amendments and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 3, line 14, after "SEC. 5.", insert "(a)."

Page 3, line 21, strike out "(a)" and insert "(1)."

Page 4, line 1, strike out "(b)" and insert "(2)."

Page 4, after line 3, insert:

"(b) The Secretary of the Interior shall require in connection with any project for the control or extinguishment of fires in any inactive coal mine on any lands not owned or controlled by the United States or any of its agencies, except where such project is necessary for the protection of lands or other property owned or controlled by the United States or any of its agencies, (1) that the State or person owning or controlling such lands contribute on a matching basis 50 percent of the cost of planning and executing such project, or (2), if such

State or person furnishes evidence satisfactory to the Secretary of the Interior of an inability to make the matching contribution herein provided for, that such State or person pay to the Government, within such period of time as the Secretary of the Interior shall determine, an amount equal to 50 percent of the cost of planning and executing such project. At least 75 percent of the funds expended in any fiscal year, from any appropriation available to carry out the purposes of this act, in connection with projects for the control or extinguishment of fires in inactive coal mines where such action is not necessary for the protection of lands or other property owned or controlled by the United States or any of its agencies, shall be expended in conformity with clause (1) of this subsection."

Page 4, line 8, after "act", insert "of 1949."

Page 5, line 10, strike out all after "fund" down to and including "require," in line 12 and insert "to be disbursed by the Secretary of the Treasury upon certification by the Secretary of the Interior in accordance with the terms of the grant."

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

CREATION OF NATIONAL MONUMENT COMMISSION

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6455) to create a National Monument Commission, and for other purposes, with a Senate amendment and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 15, after "Arts", insert ", and thereafter submitted to Congress for legislative authorizations."

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

TO FACILITATE ACQUISITION OF FEDERAL LANDS

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6814) to facilitate the acquisition of non-Federal land within areas of the National Park System, and for other purposes, with Senate amendments and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 4, strike out "areas" and insert "existing boundaries."

Page 1, line 4, strike out "the" where it appears the second time and insert "any."

Page 1, line 4, strike out "System."

Amend the title so as to read: "An act to facilitate the acquisition of non-Federal land within the existing boundaries of any national park, and for other purposes."

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

EXCHANGE OF FACILITIES IN GLACIER AND GRAND CANYON NATIONAL PARKS

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent to return to the Consent Calendar and consider the bill (H. R. 10074) to authorize the replacement of certain Government-owned utility facilities at Glacier National Park, Mont., and Grand Canyon National Park, Ariz.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent that an identical Senate bill (S. 3816) to authorize the replacement of certain Government-owned utility facilities at Glacier National Park, Mont., and Grand Canyon National Park, Ariz., be considered in lieu of the House bill.

Mr. GAVIN. Mr. Speaker, reserving the right to object, will the gentleman explain the bill?

Mr. MILLER of Nebraska. The bill authorizes replacement of certain Government-owned facilities in Glacier National Park, Mont. The gentleman from Montana [Mr. D'EWART] is familiar with the bill, and I will ask him to explain it.

Mr. D'EWART. This bill was introduced at the request of the National Park Service because a year ago we passed legislation having to do with certain management policies in the park. In that bill the word "exchange" was left out. We now find that they want to exchange certain telephone lines and electric lines for REA services in Glacier National Park and in Grand Canyon National Park. This bill permits the exchange with the approval of the Secretary of these facilities so that the REA can come into these two areas.

Mr. GAVIN. How much land would be involved?

Mr. D'EWART. No land is involved whatever. It has to do only with utilities.

Mr. GAVIN. Mr. Speaker, I withdraw my reservation of objection.

Mr. BROOKS of Louisiana. Mr. Speaker, reserving the right to object, is there any private enterprise in this at all?

Mr. D'EWART. My understanding is that these are exchanges so that the REA can come in. I am not sure who owns the lines, but I think the National Park Service owns them.

Mr. BROOKS of Louisiana. It is the Government turning the mover to REA?

Mr. D'EWART. That is true.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That, for the purpose of facilitating the installation of adequate electric and communication facilities at Glacier National Park and Grand Canyon National Park, the Secretary of the Interior is authorized to exchange, on an equal value basis, the existing inadequate facilities at these parks for more modern and efficient facilities.

The bill was ordered to be read a third time, was read the third time, and passed.

A similar House bill (H. R. 10074) was laid on the table.

A motion to reconsider was laid on the table.

PREPARATION OF ROLLS OF CERTAIN PERSONS OF INDIAN BLOOD (OREGON)

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 4118) to authorize the preparation of rolls of persons of Indian blood whose ancestors were members of certain tribes or bands in the State of Oregon, and to provide for per capita distribution of funds arising from certain judgments in favor of such tribes or bands, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 5, strike out all after "the" where it appears the second time down to and including "Oregon" in line 8 and insert "Molel or Molallalas Tribe of Oregon and of the Confederated Bands of the Umpqua Tribe of Indians and the Calappoias residing in the Umpqua Valley, and of the Tillamook, Coquille, Tootootoney, and Chetco Tribes of Oregon."

Page 2, line 13, strike out "115 Ct. Cl. 463" and insert "119 C. Cls. 835."

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

AUTHORIZING SECRETARY OF THE INTERIOR TO CONSTRUCT, OPERATE, AND MAINTAIN THE WASHITA RIVER BASIN RECLAMATION PROJECT, OKLAHOMA

Mr. WICKERSHAM. Mr. Speaker, I ask unanimous consent to return to No. 571 on the Consent Calendar, and for the immediate consideration of the bill (S. 118) to authorize the Secretary of the Interior to construct, operate, and maintain the Washita River Basin reclamation project, Oklahoma.

The Clerk read the title of the bill.

The SPEAKER. Has the gentleman conferred with the objectors in reference to this matter?

Mr. WICKERSHAM. Mr. Speaker, I have talked to the objectors about this bill.

Mr. HALLECK. Mr. Speaker, under the circumstances I will have to object. I do not see any of the gentlemen who objected here at the moment.

AUTHORIZING SECRETARY OF THE INTERIOR TO ISSUE PATENTS FOR CERTAIN PUBLIC LANDS IN MONROE COUNTY, MICH.

Mr. MEADER. Mr. Speaker, I ask unanimous consent to return to No. 564 on the Consent Calendar, and for the immediate consideration of the bill (H. R. 9790) to amend the act of June 30, 1948, so as to extend for 5 additional years the authority of the Secretary of the Interior to issue patents for certain public lands in Monroe County, Mich., held under color of title.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act authorizing the Secretary of the Interior to issue patents for lands held under color of title," approved June 30, 1948 (Public Law 856, 80th Cong.), as amended, is amended by striking out "within 6 years after passage of this act" and inserting in lieu thereof "within 11 years after passage of this act."

SEC. 2. The amendment made by the first section of this act shall take effect as of June 29, 1954.

With the following committee amendment:

Page 1, line 8, strike out "eleven" and insert "seven."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read the third time, was read the third time, and passed.

The title was amended so as to read: "A bill to amend the act of June 30, 1948, so as to extend for 1 year the authority of the Secretary of the Interior to issue patents for certain public lands in Monroe County, Mich., held under color of title."

A motion to reconsider was laid on the table.

SPECIAL ORDERS GRANTED

Mr. HINSHAW asked and was given permission to address the House for 30 minutes today, following the legislative program and any special orders heretofore entered.

Mr. SPRINGER asked and was given permission to address the House today for 20 minutes, following any special orders heretofore entered.

KLAMATH COUNTY, STATE OF OREGON

Mr. COON. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 8020) authorizing the transfer of certain property of the United States Government in Klamath County, Oreg., to the State of Oregon, with Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 4, line 18, strike out all after "of" down to and including line 21 and insert "section 203 (d) (2) (D) of the Federal Property and Administrative Services Act of 1949, as amended (40 U. S. C., 484 (k) (2) (D))."

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

Mr. GAVIN. Mr. Speaker, reserving the right to object, will the gentleman explain what this is about?

Mr. COON. The Senate amendment just states the new provision of the law.

Mr. GAVIN. What does the House bill involve?

Mr. COON. The House bill is to transfer a small piece of property to the National Guard Association of Oregon to build an Armory at Glen Falls.

Mr. GAVIN. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

CLINT LEWIS

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 1514) for the relief of Clint Lewis, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 1, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

Mr. CELLER. Mr. Speaker, reserving the right to object, may I ask what this bill is about?

Mr. REED of Illinois. The amendment provides that no attorney's fees shall be paid.

Mr. CELLER. What does it refer to? What is the subject matter generally?

Mr. REED of Illinois. It is a bill for the relief of Clint Lewis, of Texas, in the sum of $200.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

FRANK L. PEYTON

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 2024) for the relief of Frank L. Peyton with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, lines 1 and 2, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

JULIO MERCADO TOLEDO

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 2615) for the relief of Julio Mercado Toledo with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 5, after "to", insert "the estate of."

Page 1, line 11, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

DONALD JAMES DARMODY

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 2645) for the relief of Donald James Darmody, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 8, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

ESTHER E. ELLICOTT

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 2791) for the relief of Esther E. Ellicott with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 4, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

FLOYD C. BARBER

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 2815) for the relief of Floyd C. Barber with Senate

amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 5, strike out "$1,853" and insert "$1,596.38."

Page 2, line 1, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

MRS. ROSALINE SPAGNOLA

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 2881) for the relief of Mrs. Rosaline Spagnola with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, lines 1 and 2, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

ESTHER SMITH

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 3008) for the relief of Esther Smith with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 1, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

E. C. MILLS

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 3216) for the relief of E. C. Mills, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 11, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

Mr. EVINS. Mr. Speaker, reserving the right to object, I should like to ask the distinguished gentleman, the chairman of the Judiciary Committee, if this is going to be the future and continuing policy on all of these claim bills? It is my understanding that the subcommittee and the full Committee on the Judiciary have reported these claim bills with the usual 10 percent attorney fee proviso, but when they reach the Senate committee certain Members of the other body write this amendment in each claims bill which prohibits the payment of any attorney's fee. Although the House authorized it, the Senate will not, and we have to go along. It is my information that within the last few days injunctive proceedings have been filed in the Federal Court for the Middle District of Tennessee, questioning the constitutionality of a similar rider as here proposed, as impairing the obligation of contracts. Suppose a lawyer has already entered into an agreement with a client relative to a reasonable fee for assistance on a claim and he does a substantial amount of work upon it and later this rider is attached to the bill, are we not thus impairing a private contract entered into between a client and a lawyer? It is a most unusual precedent, a most unusual procedure to insist upon these no-fee riders. It is my information also that the Treasury Department and the Office of the Solicitor of the Treasurer of the United States do not think it good practice, and state that those who oppose this procedure have a very good point in raising the question. I wonder whether we will continue to yield to 1 or 2 members of the Judiciary Subcommittee of the other body insisting on these riders being attached to these claims. I am just asking for information.

Mr. REED of Illinois. It is a limitation, of course, upon an appropriation, and so far we have not been able to come to any agreement with the Senate regarding these riders. We hope to be able to at the next session. We have not been able to do so thus far. All these private bills would be held up if we did not agree.

Mr. EVINS. Mr. Speaker, further reserving the right to object, may not the court authorize and provide for a fee, upon a hearing in these cases?

Mr. REED of Illinois. I do not know that these cases will come before a court.

Mr. FORRESTER. Mr. Speaker, will the gentleman yield?

Mr. EVINS. I yield to my distinguished friend.

Mr. FORRESTER. I should like to ask my distinguished chairman if we are not down to this point in this situation, that irrespective of what is going to be done in the future, if these bills are to pass at this session of Congress, we will have to accede to the position taken by the Senate in this matter. The remedy, if there is any, is that if anyone has a bill providing for attorney's fees and they do not want the bill passed with the provision for attorney's fees stricken, they can get up and say so.

Mr. REED of Illinois. That is correct.

Mr. FORRESTER. But there are many other bills here where, as a matter of fact, no attorney's fees are involved. We on the Committee on the Judiciary find ourselves in these closing days in the situation where, if we do not agree with the Senate committee, whether they are right or wrong, the bills simply cannot be passed.

Mr. REED of Illinois. The gentleman is absolutely correct.

Mr. EVINS. Mr. Speaker, I feel that this is a very bad practice and precedent, that one or two Members of the other body can override the views of a subcommittee or the full Committee on the Judiciary or the wish of the House. I think the conferees should object to a continuation of this practice.

Mr. BROOKS of Louisiana. Mr. Speaker, will the gentleman yield?

Mr. EVINS. I yield to the gentleman.

Mr. BROOKS of Louisiana. I should like to join in what my colleague has said in reference to this matter, and I should like to ask the gentleman this question. Are these bills so framed that they cannot allow any attorney's fees?

Mr. REED of Illinois. The Senate proviso is to the effect that no part of the amount appropriated in excess of 10 percent shall be paid or delivered to or received by any agent or attorney on account of services rendered.

Mr. BROOKS of Louisiana. And that is stricken out?

Mr. REED of Illinois. That is right.

Mr. BROOKS of Louisiana. Therefore, it would be illegal for any attorney to charge any fee. It would be in violation of the law?

Mr. REED of Illinois. That is right.

Mr. BROOKS of Louisiana. Over a period of years we have had a uniform practice of limiting attorney's fees so that a person could not be gouged by an attorney, could not be taken advantage of.

Mr. REED of Illinois. That is correct.

Mr. BROOKS of Louisiana. I think there should be some means of providing that an attorney's fees should be moderate. I do not think we should attempt to abandon the practice of setting a reasonable attorney's fee. I am not going to object now, but it seems to me, with all the time that we have here, that we might work out some agreement, even before this Congress adjourns, on this matter.

Mr. KEATING. Mr. Speaker, will the gentleman from Tennessee [Mr. EVINS] yield to me?

Mr. EVINS. I yield to the gentleman from New York.

Mr. KEATING. The way these bills are worded, as I interpret them, they would only bar the attorney from receiving pay for services in connection with getting the particular claim through; that is, the services rendered in connection with this particular claim. If the attorney rendered services other than in connection with getting the bill through Congress, I should think he would be eligible for compensation by his client. This bill says that no part of the money can be used to pay the attorney.

Mr. EVINS. In other words, if a claimant had moneys other than the moneys provided in the bill, he could pay the attorney with those "other moneys"—moneys not here authorized or appropriated?

Mr. KEATING. I should think that is so. I might say to the gentleman from Tennessee [Mr. EVINS] that I know that the clerk of the Committee on the

Judiciary followed the practice with reference to one of these bills in which I was personally interested of calling me to find out whether I objected to the Senate action. I am quite sure that in other cases he has done the same. As was said, if any Member who had a bill in objected to the elimination of that phrase by the Senate, he would have that opportunity, I feel sure. It is quite true what the gentleman from Georgia [Mr. FORRESTER] has said, that the only way we can get these bills through in this session is by agreeing with the Senate amendments. I quite agree with the gentleman from Tennessee [Mr. EVINS] that it is a matter that we should take up with the Committee on the Judiciary in the other body and try to iron out some of the differences that are involved.

Mr. EVINS. I appreciate the gentleman's views. I rather think that it is the feeling of the Committee on the Judiciary and of the House that this practice of inserting this rider should not be continued. As I have indicated, a petition is now pending in Federal district court questioning the constitutionality and legality of this prohibitive rider on a claims bill previously passed. I think this should be called to the attention of the Members. Under the circumstances, I shall not object at this time, but I feel that the practice should not be continued.

Mr. GROSS. Further reserving the right to object, Mr. Speaker, this would not preclude a private contractual relation between a client and a lawyer?

Mr. REED of Illinois. I cannot see that it would.

Mr. GROSS. Not being a lawyer, I wonder what these lawyers do charge. Can the gentleman tell me?

I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

MRS. FLORENCE D. GRIMSHAW

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 3217) for the relief of Mrs. Florence D. Grimshaw, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Line 11, after "insurance", insert ": *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

EDGAR A. BELLEAU, SR.

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 3273) for the relief of Edgar A. Belleau, Sr., with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Line 6, strike out "$1,209" and insert "$1,101.75."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

CATHERINE (CATHRINA) D. PILGARD

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 3732) for the relief of Catherine (Cathrina) D. Pilgard, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Line 14, after "to" where it appears the second time, insert: "the date of application filed following date of."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

FRANK G. KOCH

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 3951) for the relief of Frank G. Koch, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 5, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

CHARLES R. LOGAN

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4175) for the relief of Charles R. Logan, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 6, strike out "$800" and insert "$2,799.93."

Page 2, line 5, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

HUNTINGTON, McLAREN & CO.

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4329) for the relief of Huntington, McLaren & Co., with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, lines 11 and 12, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

FREDERICK JOSEPH BUTTACCIO AND OTHERS

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4474) for the relief of Frederick Joseph Buttaccio and others, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 7, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

LYMAN CHALKLEY

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4531) for the relief of Lyman Chalkley, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 3, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

FLORIDA HOSPITAL

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4580) for the relief of the Florida Hospital, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 3, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

PETRA RUIZ MARTINEZ AND MARCELO MAYSONET MIRELL AND MARIA BENITEZ MAYSONET MIRELL

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 5028) for the relief of Petra Ruiz Martinez and Marcelo Maysonet Mirell and Maria Benitez Maysonet Mirell, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, lines 6 and 7, strike out "Marcelo Maysonet Mirell, and Maria Benitez de Maysonet Mirell" and insert "Mr. and Mrs. Marcelo Maysonet Mirell."

Page 1, line 10, strike out "Juan Gilbert Maysonet Benitez" and insert "Juan Gilberto Maysonet Benitez."

Page 2, lines 1 and 2, strike out "when they were struck by a United States Army truck" and insert "in an accident involving a United States Army truck, which occurred."

Page 2, lines 4 and 5, strike out "in excess of 10 percent thereof."

Amend the title so as to read: "An act for the relief of Petra Ruiz Martinez and Mr. and Mrs. Marcelo Maysonet Mirell."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

GEORGE ELDRED MORGAN

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 5086) for the relief of George Eldred Morgan, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 2, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

ROBERT LEON ROHR

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk (H. R. 5092) for the relief of Robert Leon Rohr, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 1, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. REED]?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

MRS. DOROTHY J. WILLIAMS

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk (H. R. 5093) for the relief of Mrs. Dorothy J. Williams, widow of Melvin Edward Williams, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Line 9, after "duty", insert ": *Provided*, That no part of any proceeds paid as the result of the enactment of this legislation shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

Amend the title so as to read: "An act for the relief of the survivors of Melvin Edward Williams."

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. REED]?

There was no objection.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

CHANCY C. NEWSOM

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk (H. R. 5460) for the relief of Chancy C. Newsom, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Strike out all after the enacting clause and insert "That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, (1) to the legal guardian of Susan M. Newsom, a minor, the sum of $17,473, in full satisfaction of all claims against the United States for personal and permanent injuries, pain and suffering, facial and other physical disfigurement sustained by the said Susan M. Newsom on February 21, 1952, when she was severely burned by the explosion of an oil switch at Camp Wood, Kumamoto, Kyushu, Japan, and (2) to Chancy C. Newsom, of 28 Northwest 36 Court, Miami, Fla., father of the said Susan M. Newsom, the sum of $327, in full satisfaction of his claim against the United States for reimbursement for hospital and other expenses incurred by him on account of the injuries so sustained by the said Susan M. Newsom: *Provided*, That no part of the amount appropriated by this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

Amend the title so as to read: "An act for the relief of Chancy C. Newsom and the legal guardian of Susan M. Newsom, a minor."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

WAH CHANG CORP.

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk (H. R. 5461) with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Strike out all after the enacting clause and insert "That notwithstanding any statute of limitations, lapse of time, or any prior court decision on this claim by any court of the United States, jurisdiction is hereby conferred upon the United States Court of Claims to hear, determine, and render judgment on the claim of Wah Chang Corp., against the United States for compensation for loss of property and for removal expenses incurred as a result of the acquisition in the year 1942 by the United States for military purposes of pier No. 13, New York foreign trade zone, Staten Island, N. Y., which had theretofore been leased by said Wah Chang Corp., and upon which the said Wah Chang Corp., had erected and maintained a tungsten processing plant.

"SEC. 2. Suit upon such claim may be instituted hereunder not later than 1 year after the date of the enactment of this act: *Provided, however*, That nothing contained in this act shall be construed as an inference of liability on the part of the United States Government."

Amend the title so as to read: "An act to confer jurisdiction upon the United States Court of Claims to hear, determine, and render judgment on the claim of Wah Chang Corp., against the United States."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

ROCCO FORGIONE

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 5489) for the relief of Rocco Forgione, with Senate amendment thereto and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 7, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

HAROLD E. WAHLBERG

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 5986) for the relief of Harold E. Wahlberg, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 3, after "amended", insert ": *Provided*, That no part of any proceeds paid as the result of the enactment of this legislation shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

JAMES PHILIP COYLE

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 6332) for the relief of James Philip Coyle, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Line 9, after "1938.", insert "Current applicable appropriations shall be available for the payment of any claims resulting from the enactment of this act".

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

CAPT. C. R. MacLEAN

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 6562) for the relief of Capt. C. R. MacLean, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 1, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

DANIEL D. POLAND

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 6566) for the relief of Daniel D. Poland, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 3, strike out all after "act" down to and including "act" in line 5.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

HAROLD J. DAVIS

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 7413) for the relief of Harold J. Davis, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, lines 9 and 10, strike out "on the 3d and 4th of July" and insert "on or about the 3d or 4th day of June."

Page 2, line 3, strike out "medical expenses shall" and insert "hospital and medical expenses actually incurred shall."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

S. SGT. FRANK C. MAXWELL

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 7835) for the relief of S. Sgt. Frank C. Maxwell, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 2, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

CITY OF FORT SMITH, ARK.

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 8252) for the relief of the city of Fort Smith, Ark., with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, lines 1 and 2, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

MRS. CECIL NORTON BROY

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's table (H. R. 7886) for the relief of Mrs. Cecil Norton Broy, together with Senate amendments, disagree to the Senate amendments, and ask for a conference.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois? [After a pause.] The Chair hears none, and appoints the following conferees: Mr. JONAS of Illinois, Mr. BURDICK, and Mr. FORRESTER.

ARTHUR S. ROSICHAN—CONFERENCE REPORT

Mr. REED of Illinois. Mr. Speaker, I call up the conference report on the bill (H. R. 3522) for the relief of Arthur S. Rosichan, and I ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2575)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 3522) for the relief of Arthur S. Rosichan, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment and agree to the same.

EDGAR A. JONAS,
WILLIAM E. MILLER,
THOMAS J. LANE,
Managers on the Part of the House.

ALEXANDER WILEY,
JOHN M. BUTLER,
OLIN D. JOHNSTON,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 3522) for the relief of Arthur S. Rosichan submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The bill as passed the House would relieve Arthur S. Rosichan, of Buffalo, N. Y., of all liability to pay to the United States the sum of $1,935.85, said amount representing sums disbursed by him while he was employed from September 1, 1933, through December 31, 1934, as disbursing agent for the District of Columbia Transient Service of the Federal Emergency Relief Administration. In the settlement of the accounts of any officer of the United States or the District of Columbia, full credit shall be given for any amount for which liability is relieved by this act.

The Senate amended the bill by reducing the amount to which Mr. Rosichan would be relieved of to the sum of $659.85. At the conference the Senate conferees concurred in the House action, and receded from its amendment.

EDGAR A. JONAS,
WILLIAM E. MILLER,
THOMAS J. LANE,
Managers on the Part of the House.

The SPEAKER. The question is on the conference report.

The conference report was agreed to, and a motion to reconsider was laid on the table.

STATEHOOD FOR HAWAII

Mrs. FARRINGTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

Mrs. FARRINGTON. Mr. Speaker, 56 years ago today Hawaii voluntarily became a part of the United States of America. I would be derelict in my duty to the people of Hawaii if I did not speak to the issue closest to their hearts on this day when the people of Hawaii voluntarily became a part of the United States of America, especially since the question was raised in a slight colloquy between the able chairman of the House Interior and Insular Affairs Committee, the distinguished gentleman from Nebraska, and the masterful leader of the minority, the distinguished gentleman from Texas, on the floor on Tuesday.

I will not present any arguments for statehood for Hawaii. Those have already been presented to you in this session by my late husband more eloquently than I could ever offer them to you and so convincingly that two-thirds of you have already voted for the bill.

The Hawaiian statehood bill went from this House to the Senate and was returned with the Alaskan amendment.

Those who oppose Hawaiian statehood have momentarily stopped the progress of the measure. Although, we of Hawaii, are bitterly disappointed we acknowledge that those who oppose us are enjoying a momentary success. But this parliamentary maneuver, plus the death of my husband who gave his life for this cause, have inspired the people of Hawaii to greater zeal than ever before to carry on our fight until victory is achieved.

Meanwhile, may I suggest that it would be an act of courage upon the part of those who have won the battle to send this bill to conference despite their fears, for I can assure you it is far too late for us to win the war in this session.

It would be an act of vision because, even at this late hour, it would tell the freedom-loving peoples of Asia, who are engaged in a great struggle against communism, that we Americans do practice what we preach.

Hawaii is the lighthouse of democracy in the Pacific. That lighthouse is being watched day by day by freemen in Asia to guide them to their rightful destiny while the Communists of Asia hope that that light will go out so that freedom may perish on our rockbound shores.

Why else did Madame Chiang Kai-shek, Syngman Rhee, and many other crusaders for freedom in Asia, immediately send messages of sympathy to me when the leader of this crusade was taken? We spend billions to try to stop the wars in Asia. Thousands of our own boys have given their lives in Korea, when without the expenditure of one penny or the cost of one precious life, statehood for Hawaii would accomplish far, far more for peace.

It would be an act of integrity to send this bill to conference because it would indicate that statesmen—and I believe my colleagues to be statesmen—are running the Government of the United States. The voice of the Nation, through its duly elected representatives in both the Senate and the House by a two-thirds vote in each body, has spoken. For a willful few to deny the people a final opportunity to vote on this measure by holding it from conference is not democracy in action. It is a declaration to all the world that we, who profess to be the champions of freemen everywhere, deny the very freedoms we claim to cherish.

Our President, once elected, must be our trusted leader if freedom is to survive. He has repeatedly, and again this past week, urged the leaders of this Congress to resolve the issue of Hawaiian statehood. Can we do less than find a way to send this bill to conference now?

It may be too late to hope for action in the Senate. But at least the House of Representatives can adjourn, secure in the knowledge that a nation, run by statesmen, can long endure.

CONFERENCE REPORT ON AGRICULTURAL BILL (H. R. 9680)

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that the conferees on the bill H. R. 9680, the agricultural bill, may have until midnight Saturday night to file a conference report.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

ADJOURNMENT OVER

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at noon on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

GUESTS IN THE VISITORS GALLERY

Mr. REAMS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. REAMS. Mr. Speaker, one of the happy privileges of membership in this House of Representatives is to be host to our guests in the gallery. There are many of us here who, observing a session of this legislative body from the gallery, were inspired to plan to become a Member of Congress. Thousands of other citizens and visitors from abroad have had a better understanding and greater appreciation for the problems that faced the Nation because they have been guests in the gallery of this House.

There are rules that are necessary for the conduct of our visitors. These have never been published or circulated to the Members. Oftentimes when guests violate the rules with reference to reading, or applause, or other demonstrations, they are greatly embarrassed when their attention is called to it. I am convinced that very rarely have any of our guests in the gallery intentionally violated the rules under which they are permitted to visit with us during our sessions. It has seemed to me for some time that we should furnish them with a copy of the few simple rules which they are asked to observe when they enter the gallery of this Chamber.

We issue to them visitors' cards which are entirely blank on the reverse side. May I suggest to you, Mr. Speaker, or to the proper committee responsible for this matter, that on the reverse side of the guest card some such statement as the following be printed:

Guests of Members seated in the gallery will please observe these rules:

(1) Speak quietly if conversation is necessary.

(2) Reading is not allowed.

(3) Applause or demonstration of any kind is prohibited.

We hope that you will enjoy your visit with us.

There may be other rules which should be added. I offer these as a suggestion.

I am quite sure that this will prevent our guests being embarrassed by unwittingly violating the rules and curtail the necessity of its being called to their attention.

INTERIM AUTHORITY TO THE SPEAKER AND THE CLERK OF THE HOUSE

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that notwithstanding the adjournment of the House until Monday next, the Clerk be authorized to receive messages from the Senate and that the Speaker be authorized to sign any enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

FARM AND RETAIL FOOD PRICES

Mr. BROOKS of Louisiana. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BROOKS of Louisiana. Mr. Speaker, I think one phase of our congressional work has been overlooked, by us, and this deals with a problem that should receive the careful consideration of the Congress as well as the executive department of the Government. The House Agriculture Committee referred to this problem from the viewpoint of the farmer and I commend this committee for these timely remarks.

I have reference to the failure of retail prices of food commodities to fall in accordance with production levels.

Congress has had many investigations in the course of the last several months. None of these investigations have focused the spotlight of pitiless publicity upon the fact that prices of agricultural commodities are falling without a compensating fall in the prices of these same commodities to the consumer. In other words, the farmer is getting less for his product, but the public is not benefiting from the softening of farm prices. Somewhere between the producer of food and the housewife who buys in the grocery store, someone steps in to absorb almost every price reduction. In other words, to put the matter differently, retail prices are not following producer prices in their downward trend.

A committee of Congress to investigate the reason why this anomalous situation is occurring could do excellent work. The farmer is being hit hard by the drooping of farm prices. Farm prices will drop even further; but if the farmer is to be forced to accept this squeeze caused by lowering of farm prices, I certainly think that the consuming public should get the full benefit of compensating price reductions and a committee of Congress for this problem could be of great assistance to our 48 million American families. This committee could emphasize to the public the heavy losses the farmer is taking and at the same time, it could tell the American public who is making the inordinate profit which holds retail prices up on stilts. We should name exactly who is profiteering and give some data as to the exent of the inordinate profit.

CONVEYANCE OF CERTAIN LANDS TO MILWAUKEE COUNTY, WIS.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3393) authorizing the Administrator of Veterans' Affairs to convey certain property to Milwaukee County, Wis. I may say that this has been cleared with the leadership.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs is authorized and directed to convey to Milwaukee County, Wis., for use for highway, motor vehicle parking, and recreational purposes all right, title, and interest of the United States in and to a tract of 28 acres of land, more or less, together with structures thereon, constituting a portion of the reservation of the Veterans' Administration Center, Wood, Wis., and situated along the southwesterly boundary of certain land conveyed to Milwaukee County by the Administrator pursuant to the act of September 1, 1949 (63 Stat. 683), and described therein as parcel II. The exact legal description of the land to be conveyed shall be determined by the Administrator or his designate and, in the event that a survey is required in order to make such determination, Milwaukee County shall bear the expense thereof.

SEC. 2. The deed of conveyance shall—

(a) provide that Milwaukee County shall construct for the Veterans' Administration two service buildings, a duplex house and two-car garage, an animal house (all with necessary utilities and service drives), a water meter pit, necessary fencing, and a service road, all of which construction shall be in accordance with plans, and at locations on the reservation of the Veterans' Administration Center, Wood, Wis., to be mutually agreed upon by the Administrator of Veterans' Affairs or his designate and Milwaukee County;

(b) provide that if Milwaukee County fails to use the tract of land so conveyed for highway, motor vehicle parking, and recreational purposes or alienates or attempts to alienate all or any part thereof, title thereto shall revert to the United States; and

(c) contain such additional terms, conditions, reservations, and restrictions as may be determined by the Administrator of Veterans' Affairs to be necessary to protect the interests of the United States.

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. ZABLOCKI. Mr. Speaker, the bill before us, Senate bill 3393, authorizing the Administrator of Veterans' Affairs to convey certain land to Milwaukee County, Wis., will benefit all parties concerned.

The Veterans' Administration Center at Wood, Wis., will receive $225,000 worth of construction and improvements under this measure. In return, Milwaukee County will acquire land much needed for the completion of our expressway, and for the expansion of parking facilities at the Milwaukee County Stadium.

As all the Members of this august body undoubtedly know, our ball team is fighting for the National League pennant. The team has been receiving the wholehearted support of the people of our city, and will continue to do so. It would be a great help if the great throngs which drive up to the County Stadium each time that the Milwaukee Braves are playing at home, had ample space to park their automobiles. I am certain all sportsmen would favor this.

The bill before us passed the other body just yesterday. In view of the scheduled early adjournment, it is imperative that the bill receive the favorable consideration of this House as expeditiously as possible. If the bill should fail of enactment during this Congress, and I earnestly hope that this will not occur, our Milwaukee expressway program would be delayed for at least a year. This would have a serious effect on our city and compound our traffic problems.

I want to take this opportunity to express my appreciation to the leadership on both sides of the aisle, and to the distinguished chairman of the Veterans' Affairs Committee, the gentlewoman from Massachusetts, Mrs. EDITH NOURSE ROGERS, for permitting such immediate floor action on Senate bill 3393. The people of my district, and the people of the entire city of Milwaukee, are deeply interested in this measure. It is a good bill and one of the few pieces of legislation through which the Federal Government will benefit by enjoying a net gain.

I want to urge the membership of this body, Mr. Speaker, to allow this bill to pass.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PRINTING OF ADDITIONAL COPIES OF HEARING BY JOINT COMMITTEE ON ATOMIC ENERGY

Mr. SCHENCK. Mr. Speaker, by direction of the Committee on House Administration, I ask unanimous consent to take from the Speaker's desk House Concurrent Resolution 267, authorizing the printing of additional copies of the hearings held by the Joint Committee on Atomic Energy relative to the contribution of atomic energy to medicine, with a Senate amendment and concur in the Senate amendment.

The Clerk read the title of the resolution.

The Clerk read the Senate amendment, as follows:

Line 3, strike out "fifteen" and insert "twenty-five."

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

EXTENDING GREETINGS TO THE GOLD COAST AND NIGERIA

Mr. JAVITS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the resolution (S. J. Res. 183) to extend greetings to the Gold Coast and Nigeria.

The Clerk read the resolution, as follows:

Whereas it is the policy of the United States to encourage efforts toward independence and self-government truly expressive of the desires of the people and as they show their capability to establish and protect free institutions; and

Whereas the continent of Africa is a vital part of the free world area; and

Whereas a revised constitution of the Gold Coast was approved on April 29, 1954, and the first formal meeting of the legislature of that territory under this constitution will take place on July 29, 1954; and

Whereas a revised constitution of Nigeria is expected to be approved during August 1954, and the first meeting of the federal legislature of that territory under this constitution is expected to take place shortly thereafter; and

Whereas these occasions mark important milestones in their progress toward self-government and independence: Now, therefore, be it

Resolved, etc. That the Congress of the United States extend its most cordial greetings to the representative bodies of the Gold Coast and Nigeria on the occasion of the first meeting of their legislatures under the revised constitutions, in recognition of the democratic ideals shared by the United States and those territories, and in reaffirmation of the friendship of the United States for the peoples of Africa; and be it further

Resolved, That the Secretary of State is hereby requested to appoint a United States delegation at the appropriate time to represent the United States at ceremonies marking the achievement of complete self-government for these territories.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SPECIAL ORDER GRANTED

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to transfer my special order for 10 minutes today to Monday next following any other special orders heretofore entered.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

ACCOMPLISHMENTS OF THE 83D CONGRESS

Mr. PELLY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, about 10 days ago a Member remarked in the well of this House that as we approached the end of the session, we were getting mellow. As for me, Mr. Speaker, I do not think I am any more mellow now than I was last January and, in spite of the pressure and the work, I am not conscious of any change of emotion, except in one respect and that is, Mr. Speaker, that ever since the first day of the first session of the 83d Congress I have been conscious of a mounting sense of admiration for the majority leadership of this House.

In particular I would like to pay my respects and congratulate our majority leader the gentleman from Indiana [Mr. HALLECK]. Day in and day out he has been under pressure, yet has always demonstrated self-restraint and consideration for opposing viewpoints. Under the responsibility of getting legislation through this House, beset as he was with problems, some of which arose from the right side of the aisle and some from the left side of the aisle, he has been always considerate, forceful, and fair.

In the light of history, Mr. Speaker, the leadership of this House has given us what may well prove to be one of the greatest legislative programs in the history of the Nation. It has been during the long and difficult days of achieving this program that my admiration for our respected and beloved majority leader the gentleman from Indiana [Mr. HALLECK] has been mounting and now I cannot resist expressing commendation for the able and effective manner in which he has exercised his duties and responsibilities. To you, too, Mr. Speaker, for your unfailing fairness, cooperation, and good programing, as well as to the gentleman from Indiana, I offer this simple tribute, and I know that my colleagues on both sides of the aisle share this sentiment. Under great leadership we have established a record of accomplishment that will go down in the annals of the history of this great body with lasting credit.

Mr. COON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. COON. Mr. Speaker, I wish to associate my remarks with those of the gentleman from Washington [Mr. PELLY], and also express my admiration for the leadership of the House.

I think our majority leader, the gentleman from Indiana [Mr. HALLECK], has done a most outstanding job. I want to say as one who is serving a first term in the Congress, that the gentleman from Indiana [Mr. HALLECK] has always had time and been willing to help me in the many problems that I have taken to him. He has assisted me on a number of occasions. For a man who has the great responsibilities which his official duties carry, he has been most considerate to each and every one of us. Even with the daily pressures that he has had upon him, still he has had great tolerance and patience and has met every situation in a most commendable way. It seems to me that he has done a magnificent job in handling the legislative program that has come before us. He has always been just and fair and has done this big job in such a way that he has won the admiration and respect of his colleagues.

And our Speaker, Mr. JOSEPH MARTIN, has been untiring in his efforts to get a good legislative program for the good of all of the people in the United States. He has presided ably and with fairness to all, and he has always had time to help us whenever we asked him for assistance or advice. His efforts to get President Eisenhower's program through to completion have been outstanding, and he has helped greatly in accomplishing our legislative aims. We can be justly proud of our Speaker of the House.

Mr. BUDGE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. BUDGE. Mr. Speaker, I am most happy that the gentleman from Washington has taken a few minutes to express the feeling of all of us toward our Speaker and toward our majority floor leader, the gentleman from Indiana [Mr. HALLECK]. I know that he expresses the sentiments and the profound regard which each Member of the 83d Congress has for them.

There would be little which I could add except to say that in my 4 short years as a Member of the House of Representatives there has never been a time when either or both of them would not take time out from their extremely busy schedules to assist me and help me in the problems which I encountered and which the people of my district encountered. Their assistance to the new Members of Congress will be a thing not soon forgotten. No finer gentlemen have been called upon by their colleagues to lead them in the conduct of the Congress, and their leadership during the 83d Congress has certainly been admirable and something for which all of us owe them a personal debt of gratitude.

AMERICA'S FUTURE

The SPEAKER. Under special order heretofore entered, the gentleman from West Virginia [Mr. STAGGERS] is recognized for 5 minutes.

Mr. STAGGERS. Mr. Speaker, another school year has rolled around, but not every child will be extended the educational opportunity he is entitled to under the rights of our Constitution.

Members of Congress, as well as most Americans, are aware of the teacher shortage, overcrowded classrooms, lack of trained personnel, and so forth. But who really seems to care, or who is doing anything about it. The teachers are the only ones who seem to be crusading to right this wrong, but their voice is like one out of the wilderness, drowned out by those who are seeking selfish personal advantages and are not farsighted enough to know or to see the future of America lies in the strength of the school system.

The greatest resources of any nation are its children. Virtually all important differences between man today and man 10,000 years ago are due to education. Man is no stronger physically although he has a longer span of life due to advances in medical science which are, in turn, due to education. Scientists tell us that man has no greater mental capacity than he had 10,000 years ago. All his achievements can be accredited to education—to knowledge discovered, transmitted, and applied.

Whatever we can do to improve the education of our young people will make our country stronger and bring its everyday practice nearer to its great ideals.

The first and foremost problem in improving and even in providing education for our young people today, is to make some effort to solve the shortage of teachers. The shortage of teachers,

coupled with overcrowded classrooms, continues to deprive at least 500,000 pupils of full-time schooling today in our country.

Nearly a hundred years ago, Horace Mann, one of our country's greatest teachers, said:

> All the high hopes which I do avowedly entertain of a more glorious future for the human race are built upon the elevation of the teacher's profession and the enlargement of the teacher's usefulness. Whatever ground of confidence there may be for the perpetuation of our civil and religious liberties; whatever prospect of the elevation of our posterity; whatever faith in a more glorious future for the world—these aspirations and this faith depend upon teachers, more than upon any, more than upon all other human instrumentalities united.

What can be done by the Congress of the United States to help find a solution for this shortage of teachers?

Dr. William G. Carr, executive secretary of the National Education Association, points out that the task of securing a sufficient number of qualified teachers is directly affected by four things: The economic rewards of teaching; competing demands for manpower, both civilian and military; public attitudes toward teaching in comparison with other occupations and working conditions, including such matters as stability of employment and opportunities for growth.

Of these four, the first—economic rewards of teaching—is by far the most important and the one which is keeping our young people out of the teaching profession and making it impossible for some good teachers to remain in the profession.

The public schools, elementary and secondary, employed approximately 1 million teachers in the school year 1953–54. Next year, if the usual pattern is followed—and we have no reason to believe it will not be—nearly one-tenth of this total will leave the profession. Such a loss of skilled personnel would be regarded as disastrous in most business organizations. In education, this loss occurs year after year among both qualified and unqualified teachers.

Can you blame these teachers for seeking more money in fields that are better paid?

A high-school principal was looking for a man to teach auto shop in his vocational course. He could not find a qualified teacher who would not make more money working in a garage as a mechanic?

In my own State of West Virginia, the average yearly wage of teachers is $2,960, and that is the average—some are paid as little as $700, and none are paid as much as $4,500. Teachers are paid by taxpayers, and taxes are already too high, the public says. True, county taxes are high, and it is county taxes in general which pay the teachers' salaries, with some State aid. But let us look at the salaries of civil-service workers in my State, and Government workers are not notably overpaid. Civil-service salaries range from $1,742 to $10,330, with an average of $4,742. Compared to teaching, working for the Government as a stenographer, or even as a janitor, offers greater opportunities for increased income. I have six children to educate in West Virginia. I certainly want them to have a good education and an equal opportunity with every other man's child, but on the other hand, I want every other man's child to have an equal opportunity with mine.

We must recognize that manpower supply and occupational choices are directly affected by salaries. To attract and to hold enough qualified teachers, salary schedules must be promptly and substantially raised.

The counties cannot do it—many of them are already spending as much as 80 percent of their income on schools—the States cannot do it. States with the lowest income are using the greatest percentage of their funds for education. Federal aid is the only answer.

Only through Federal aid can teachers' salaries be made attractive to the type of professional worker you would want to influence and mold your child. Only through Federal aid can teachers' salaries be made more uniform so that a teacher is not worth twice as much in California as he is in Arkansas.

Since 1928 there have been 7 national conferences and $7 million spent by the Federal Government in surveying our schools. Each conference reported there was only one solution to make an equal education available to every man's child, and that is by Federal equalization. Now this administration has proposed another conference on top of the previous set of seven, which will spend more millions and will not report back until 1956.

If we could keep our Nation's children from growing for 2 years, if we could give them some sort of pills so that, like junior Rip Van Winkles, they would sleep for 2 years; maybe the administration's solution would be the best one. It is not, however, a realistic one.

This year, there was an increase of approximately 1,197,000 in enrollments in public elementary and secondary schools. The 1951 babies will enter the first grade in 1957. They constitute an all-time new high for an entering class—nearly 4 million. Will we be prepared for them?

This is a time for action, not more conferences and surveys.

In the first session of this Congress, three bills were introduced which would alleviate the teacher shortage through Federal aid. Everyone of these measures safeguarded the State rights to have complete control over the educational system, which I agree with wholeheartedly. Sixty-four universities in our Nation, located in every State in the Union, receive Federal aid and the Federal Government has not attempted to interfere in the internal affairs of these schools. I believe if Federal aid is granted to our public schools that the Government should not interfere in any way. It should be a pure grant to the State in order to equalize education throughout the Nation.

Our country's prime domestic responsibility is the extension and improvement of education. The greatest single force in the American way of life is the school system.

A well-known writer and student of school problems has said: "The Duke of Wellington said, after the Battle of Waterloo, that this victory which saved Europe from Napoleon's domination, was won on the playing fields of Eton." It is my carefully considered opinion that the freedom of our country and, therefore, the non-Communist world, will be lost or preserved in the classrooms of our schools.

During the year 1952 we spent for alcoholic beverages alone $9,570,000,000; for cosmetics and tobacco $7,951,000,000—making a total of $17,521,000,000. Compare this with our expenditures of $9,600,000,000 for public education, which includes all building, teaching, and maintenance programs. Certainly we can do better than this in the building of a better America.

This Nation spends $38 billions for defense. Yet our most important factor in the defense of our Nation is the education of our young people. And we must have teachers in order to educate them, also classrooms to teach them in. This situation is critical now. Shall we, as Members of Congress, face the problem and accept our responsibility, or will we let it drift on until some other Congress is alerted to and removes this roadblock in the pathway to America's future. You, and you alone, have the answer.

THE HONORABLE WILLIAM HENRY HARRISON

The SPEAKER. Under special order heretofore entered, the gentleman from Illinois [Mr. SPRINGER] is recognized for 20 minutes.

Mr. SPRINGER. Mr. Speaker, today I want to pay tribute to a great American, in my estimation, who is leaving this body at the end of the present session. He is now in the closing days of his term as a Member of this House. I refer to WILLIAM HENRY HARRISON, of Wyoming.

Mr. Speaker, when I first came to the Congress in January 1951, I met BILL HARRISON and came to know him well. Out of the high regard that the Members of the 82d group had for Mr. HARRISON, they elected him as the president or the chairman of the 82d group, which included all of the Republican Members who came in in the 82d Congress. He served so well in that capacity that when I took over as chairman of that same group in January of 1952, there was very little for me to do to keep the organization going.

I have watched BILL HARRISON from day to day on the floor. I think it will be admitted that in his attendance to the duties of this House there was none who did a better job. That has been true during all of the 4 years he has been a Member of this body. During that same time he has been a member of the Committee on Interior and Insular Affairs. He has done a fine job as a member of that committee. I have checked from time to time with the gentleman from Montana, chairman of that committee, during the last 2 years, and know of the splendid work performed by Mr. HARRISON.

Mr. BUDGE. Mr. Speaker, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Idaho.

Mr. BUDGE. Mr. Speaker, coming from the adjoining State of Idaho, may I say that all of us in the West appreciate the fine work that Mr. WILLIAM HENRY HARRISON has done for the West. He has served as chairman of the Committee on Irrigation and Reclamation, a committee which means much to all of us in the arid States of the West. Not only for that reason has he been one of the foremost spokesmen for everything that affects the Western States.

It is with profound regret that we see him leave the House of Representatives and all of us wish him well in his new endeavors.

Mr. ADAIR. Mr. Speaker, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Indiana.

Mr. ADAIR. Mr. Speaker, I am very happy to join my colleagues in these expressions on behalf of the Honorable WILLIAM HENRY HARRISON. Those of us who have served with him during the 82d and 83d Congresses are aware of his great ability and the diligence with which he has performed his duties as a Representative from that great State of Wyoming. He is truly a zealous and fair-minded Representative and has made a magnificent record in this House. We wish him well in the future.

Mr. SPRINGER. Mr. Speaker, I yield to the gentleman from Ohio [Mr. BETTS].

Mr. BETTS. Mr. Speaker, I wish to associate myself with the remarks of the gentleman from Illinois, concerning BILL HARRISON. I learned to know him well ever since we first came to the 82d Congress, because his room was next to mine in the Old House Office Building. We associated together informally as well as on the floor of the House. I had the honor to succeed the gentleman from Illinois [Mr. SPRINGER] and BILL HARRISON as head of the 82d group, and I am proud that I followed in their footsteps. I am happy to know that BILL HARRISON will still be with us. Through our friendship I have found that he has always been not only a perfect gentleman through and through, a true inheritor of all his rich ancestry, which goes back to William Henry Harrison, a President of the United States, but he is also an able legislator. I certainly hope that he will be able to continue with us and grace the other body.

Mr. SPRINGER. Mr. Speaker, I yield to the gentleman from Indiana [Mr. HARVEY].

Mr. HARVEY. Mr. Speaker, I wish to associate myself with the gentleman from Illinois in commending our colleague, the gentleman from Wyoming, WILLIAM HENRY HARRISON. The name "Harrison" carries with it a great tradition in the political life of our country. Our colleague has upheld that fine tradition, and I think deserves not only the congratulations but the best wishes of all those associated with him here. We wish him every success.

Mr. SPRINGER. Mr. Speaker, I yield to the gentleman from Indiana [Mr. BEAMER].

Mr. BEAMER. Mr. Speaker, the gentleman from Illinois [Mr. SPRINGER] recognizes that on the fifth floor of the House Office Building where we now have offices, by coincidence there are five Members from Indiana. However, we call it Hoosier Hall because there are two other distinguished Members from other States whose roots came from the Hoosier State. The gentleman who has the floor at the present time, the gentleman from Illinois [Mr. SPRINGER] was born and reared in Sullivan County, Ind. We like to claim him from Indiana as his home. Equally well, we always think of the Harrison family, more specifically WILLIAM HENRY HARRISON, as one of our outstanding Hoosiers. I had the privilege a few years ago, in 1950, to be a member of the Indiana Territory Sesquicentennial Commission. In 1800 the United States recognized Indiana as a territory. The first Governor was William Henry Harrison, who later became a President of the United States. There is an interesting story told about that period, and I wish I had the time to relate it. However, throughout the period of Indiana history we also found another Harrison, Benjamin Harrison, grandfather of the man we respectfully submit to you. In my personal contact with WILLIAM HENRY HARRISON and his graceful, charming wife, Mary, we have found them to be people above reproach; we have found them to be people of high moral standards, and in every way good American citizens, and an example to all of us. I know that when WILLIAM HENRY HARRISON moves into the other body it will be a loss to this House, but a gain for the other side.

Mr. SPRINGER. Mr. Speaker, I yield to the gentleman from Nebraska [Mr. MILLER].

Mr. MILLER of Nebraska. Mr. Speaker, I join my colleagues in speaking a kind word about WILLIAM HENRY HARRISON. You know, the name "Harrison" is emblazoned in history, and many footprints in the political sands are marked by that name. WILLIAM HENRY HARRISON is a graduate of the University of Nebraska. He married a Nebraska girl. My district, incidentally, borders Wyoming, and he represents the empire State of Wyoming. As chairman of the Committee on Interior and Insular Affairs, I have had the pleasure of having Mr. HARRISON as a subcommittee chairman of the Indian Affairs Committee and lately on the Committee on Irrigation and Reclamation. His knowledge of western problems has been of tremendous value to the committee. WILLIAM HENRY HARRISON has worked hard. He has been faithful in attendance and has made contributions at all times not only to the subcommittee but to the full committee. I am sorry, in a way, that Mr. HARRISON is going to leave the Committee on Interior and Insular Affairs of which he was such a valuable member. I hope as he goes over to the other body—as I know he will—he will carry with him much information and knowledge which will be of benefit to him there.

Mr. SPRINGER. Mr. Speaker, I yield at this time to the gentleman from California [Mr. HUNTER].

Mr. HUNTER. Mr. Speaker, I, too, would like to associate myself with the remarks of my colleagues who have spoken concerning our friend and colleague, BILL HARRISON. As a member of the 82d Club, I appreciated very much the fine job he did as the first president of our organization. During this session of Congress I have noted the splendid work he has done as chairman of the Subcommittee on Irrigation and Reclamation of the Committee on Interior and Insular Affairs.

Mr. HARRISON has demonstrated a wide knowledge and a deep understanding of irrigation and reclamation problems. These are matters of great importance to me representing, as I do, an area in California which is dependent primarily on irrigation water for the production of its crops. Water is the very lifeblood of our economy. We have felt very fortunate in having BILL HARRISON as chairman of this particular subcommittee. I wish him the best of luck in all of his present and future endeavors. His services will be missed by the House.

Mr. SPRINGER. Mr. Speaker, I yield at this time to the gentleman from Arizona [Mr. RHODES].

Mr. RHODES of Arizona. Mr. Speaker, I should like to add my words to those of my colleagues who have commended the service of WILLIAM HENRY HARRISON, our colleague from Wyoming. In the early part of my career in this body I was instrumental in organizing the 83d Congress Club. As the first president of the 82d Club, BILL HARRISON volunteered to help us perfect our organization. His help was very valuable. Without it we would have had a very much more difficult time than we experienced.

As a member of the Committee on Interior and Insular Affairs, I had occasion to work with him on numerous projects. I found him always to be thoroughly informed and very helpful to his freshmen colleagues on the committee. Because of the fact that he came from a western State, and a State with a small delegation, he had many of the same problems that I had. He was very understanding of my problems and I shall never forget his kindness on many occasions.

I hope that he will be successful in any future endeavor and although he will not be on this side of Capitol Hill, he will be with us on the other side.

Before taking my seat, Mr. Speaker, I should like to observe that the Committee on Interior and Insular Affairs seems to breed the type of men who run for seats in the other body. We have four members of the committee who are candidates for a seat in the other body. I should like particularly to mention the gentleman from Montana [Mr. D'EWART], who has been chairman of the very important Subcommittee on Public Lands. I do not know any man who is a Member of this House who has as much knowledge of public lands and the ramifications of that subject as does the gentleman from Montana [Mr. D'EWART]. He has been a very hard-working and intelligent member of this committee. I wish him also all the luck

in the world in any undertaking which he may pursue in the future.

Mr. SPRINGER. Mr. Speaker, I yield at this time to the gentleman from Montana [Mr. D'EWART].

Mr. D'EWART. Mr. Speaker, I want to join my colleagues in paying tribute to WILLIAM HENRY HARRISON. He serves a State that adjoins mine and has the same kind of problems; irrigation, reclamation, power, mining, oil.

It has been a pleasure to work with him during his service in Congress and to work under him as chairman of the Subcommittee on Indian Affairs and Irrigation and Reclamation. He is an able Member and deserves the commendation he is receiving today. I know his wife; I have visited with his family in their home; they are friends of mine. I wish him and his family well in all future undertakings.

Mr. SPRINGER. Mr. Speaker, I yield to the gentleman from South Dakota [Mr. BERRY].

Mr. BERRY. Mr. Speaker, as a neighbor from the State bordering on the east of Wyoming, I wish to join with my colleagues in expressing the thought that it has been a great privilege for me to have known and to have served with BILL HARRISON. I worked with Mr. HARRISON on the same committee and I know of the careful and thorough job he has done on that committee, both on the Subcommittee on Indians Affairs and the Subcommittee on Reclamation. While the Senate is getting a very valuable man, I feel that we in the House are losing one.

Like the gentleman from Arizona who just spoke, I should like to mention also the loss this House is suffering as the gentleman from Montana [Mr. D'EWART] goes over to the other body. I shall never forget when I came to the House that my predecessor, Senator FRANCIS CASE, came to the floor with me and introduced me to a number of the Members. Before he introduced me to this Member he said, "I want you to meet a man who, if you ever need any help, here is the place to get it," and he introduced me to Congressman WESLEY D'EWART of Montana. I have found in the years I have been here the truth in the statement Senator CASE made then. I have always felt that Congressman D'EWART is probably one of the most capable if not the most capable man on the floor of the House.

The House is losing two of the most capable men from the Middle West as Representative HARRISON of Wyoming and Representative D'EWART graduate to the other body. I join with my colleagues in wishing them every possible success.

Mr. McINTIRE. Mr. Speaker, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Maine.

Mr. McINTIRE. I certainly want to join my colleagues in this expression of esteem and appreciation to BILL HARRISON for kindnesses he extended me as I came to the Congress in the second session of the Eighty-second. It was a privilege to affiliate myself with the Eighty-second Club, which he was serving as president at that time. His many helpful suggestions were deeply appreciated.

I have also had the privilege of visiting in Wyoming as a member of the Committee on Agriculture and enjoyed the hospitality of the Harrisons while there. I am very happy to say at this time that the things which have been said by our colleagues about him are certainly well deserved. May I join with them in wishing him unbounded success in the future and the rewards in health and happiness which he and his family so richly deserve.

Mr. BRAY. Mr. Speaker, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Indiana.

Mr. BRAY. Mr. Speaker, perhaps I have known BILL HARRISON longer than anyone on this floor. We practiced law 30 miles from each other back in Indiana. I always found him a capable and highly respected lawyer. He came from a family that has been long famous in the Nation and has been famous and highly respected in the State of Indiana since the founding of that State. He has always stood for the things that are right and is willing to fight for them.

I was very happy when BILL HARRISON was elected to Congress from the State of Wyoming. I also had the pleasure of serving with him as secretary of the Eighty-second Club at the time that he was president of that club. We will deeply feel the loss of BILL HARRISON in this body. After all, though, our loss will be the gain of the other body. He has been a fine gentleman, a capable and loyal legislator. He will always do a good job wherever he is. I have always viewed with a great deal of pride my long friendship and association with BILL HARRISON.

Mr. YOUNG. Mr. Speaker, will the gentleman yield?

Mr. SPRINGER. I yield.

Mr. YOUNG. When I commenced my service in Congress I felt a special kinship to BILL HARRISON, who, like me, has the honor of representing an entire State. His problems are similar to my problems. I admire not only the outstanding way he served his people but also the competent manner in which he served as chairman of three important subcommittees—the Irrigation and Reclamation Subcommittee, one special Indian Affairs Subcommittee, and the regular Subcommittee on Indian Affairs. As chairman of the special Subcommittee on Indian Affairs and the regular Subcommittee on Indian Affairs, I think he has played an important role, together with the distinguished gentleman from South Dakota [Mr. BERRY], in presenting to the American people a truly outstanding record of legislative accomplishment. As chairman of the Subcommittee on Irrigation and Reclamation, he considered 37 bills, some 28 of which were approved by the House. Some, I believe, are still pending. When serving as chairman of the Irrigation and Reclamation Subcommittee while considering the upper Colorado River development bill he performed an outstanding service to his people, demonstrating that he is a true friend of reclamation and vitally interested in the problems of the West.

I would also like to pay tribute to the gentleman from Montana [Mr. D'EWART], who is likewise seeking to serve his State in the other body. In my opinion, he has been one of the most outstanding Members of Congress. He has consistently displayed a profundity of knowledge in the Committee on Interior and Insular Affairs which has brought him the admiration and appreciation of his associates.

He has been a source of inspiration to the new members of the committee and a bulwark of strength in working for the development of the West.

I hope that the other body will be fortunate enough to benefit by the service of these two outstanding legislators and Americans who are terminating their work here.

Mr. SPRINGER. Mr. Speaker, I thank the gentleman of the House who have today so ably and well pointed out the contribution which WILLIAM HENRY HARRISON has made in this body as a legislator. It happens that I was born within a few miles of the place he was born in the State of Indiana. I know that Bill came to the Congress with a great heritage and a great background and oftentimes possibly a man may not measure up to that heritage and that background, but I want to say that Bill has measured up to all of his forebears in every way that could be expected of him. He has done a great work here in the House and I am sure everyone here wishes him every success as he starts on his new job in January.

Mr. DAWSON of Utah. Mr. Speaker, will the gentleman yield?

Mr. SPRINGER. I yield.

Mr. DAWSON of Utah. Mr. Speaker, I, too, join my colleagues in expressing my appreciation for the association I have had with both the gentleman from Montana [Mr. D'EWART] and the gentleman from Wyoming [Mr. HARRISON]. I do not think we have 2 abler men on the floor of this House than these 2 gentlemen. They have labored long and hard on many detailed matters which required long hours of application and study. I think they are as well informed and as well able to represent their districts as any two individuals with whom I am acquainted. I endorse all that has been said in their behalf.

Mr. COON. Mr. Speaker, will the gentleman yield?

Mr. SPRINGER. I yield.

Mr. COON. Mr. Speaker, we regret to see WILLIAM HENRY HARRISON leaving the House of Representatives. I have come in contact on many occasions with Mr. HARRISON on matters relating to our Second Congressional District in Oregon.

As chairman of the Committee on Irrigation and Reclamation, Mr. HARRISON has been very instrumental in helping us with legislation relating to our reclamation projects. He has been a strong supporter of all legislation for the West and particularly for the State of Wyoming, which he so ably represents. All of us who have served with him recognize his ability, and we wish him well in his new venture.

Mr. AYRES. Mr. Speaker, I wish to take this opportunity to bid farewell to

my very able colleague, the Honorable WILLIAM HENRY HARRISON, of Wyoming.

BILL and I came to Congress together, and I have not only valued him as a friend but I have come to respect his ability and integrity as a legislator. The House will miss him. However, I am confident that he will prove to be as much of a success in his future political endeavors. I want to thank my colleague for a job well done and wish him the best of luck.

TRANSOCEAN AIRLINES

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent to extend my remarks at this point and include additional matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MILLER of California. Mr. Speaker, I am in receipt of a telegram signed by the employees of the Transocean Airlines of Oakland, Calif., containing over 1,500 names. The telegram reads as follows:

> The Transocean Airlines application for transpacific certificate is now before the Civil Aeronautics Board for decision. Transocean is not asking for subsidy or mail pay such as other airlines receive. The Transocean family represents the third largest employer in the East Bay area. Over 2,500 employees. Payrolls have totaled $55,295,000. We the undersigned constituents and employees of the Transocean family urge you to help us in this just and vital fight for our job security and save millions of dollars of the taxpayers money in subsidy and mail pay.

Sometime ago it was my privilege to address this House setting forth the record of Transocean, which is a proud one.

These people are, naturally, concerned about their jobs and the whole east bay community of California is also concerned about the economic impact that will be felt in that area if this fine team is allowed to disintegrate. I am hopeful that the Civil Aeronautics Board in reaching its decision will take into consideration the plight in which these employees find themselves and further that they give consideration to the potential that these employees offer the defense establishment in the event of immediate and unforeseen emergency.

You can build buildings and accumulate the equipment out of the surplus and stand by stockpiles that we have set up to expand our production in time of hostilities but you cannot bring together a smooth well-oiled functioning group of employees over night.

This group of well-trained, well-organized, and well-coordinated specialists in the field of airplane maintenance and repair is a valuable national asset that cannot be lightly tossed aside.

COMMERCIAL AVIATION RELATIONS BETWEEN THE UNITED STATES AND INDIA

The SPEAKER pro tempore. Under previous order of the House, the gentleman from California [Mr. HINSHAW] is recognized for 30 minutes.

Mr. HINSHAW. Mr. Speaker, I should like to address myself, before the Congress adjourns, to a subject of tremendous importance in the field of international aviation. The increase in the development of international commercial aviation has been so dynamic, and we tend to take it so much for granted, that sometimes we lose sight of many of the past, present, and future problems which are involved in the operation by American-flag airlines to all the countries of the world. Recently I was drawn up short by the announcement of the Government of India that it proposed to reject, effective January 17, 1955, an existing air-transport agreement between the United States and India.

The renunciation of this agreement by the Indian Government impressed me with the importance of our international air operations and with the shortsightedness of the Indian Government in its proposed rejection of existing reciprocal air rights between the Government of India and our own United States.

I think it worth while to review briefly the history of United States experience with air-transport agreements, since without them our air commerce and that of other nations of the world would not have developed so rapidly.

Freedom of the air, as a concept, does not prevail in the international law of air transportation as freedom of the seas does in marine transportation. Ever since international aviation operations began it has been necessary to negotiate bilateral or multilateral agreements between nations authorizing the aircraft of one nation to enter the airspace over another.

Prior to World War II the commercial air-transport operations of the world were conducted under painfully negotiated bilateral agreements that were basically restrictive in their nature. A review of them now would indicate that the negotiators were then afraid of air transportation and sought to restrict its scope rather than develop it.

The war was a great impetus to the development of international consciousness of the importance of air transportation. We, all of us, became aware that the world had shrunk and that no country was more than hours away from any other. Then came peace, and with it the realization that commerce by air was a world business. There was also an appreciation that a greater degree of international air travel was an important force for continued peace in the world. From the very outset, the United States took the initiative in trying to negotiate agreements with other countries that would assure to all of us the freedom of the air, much as we had enjoyed for centuries the freedom of the seas.

We negotiated with many foreign countries but, at the outset, convinced just a few. In February of 1946, we concluded the Bermuda agreement with the United Kingdom. The basis of that agreement was a mutual extension of what we have come to refer to as the five freedoms of the air. Here are what these freedoms mean to us and to those countries who have accepted them as a result of bargaining and negotiation:

First. The privilege to fly across the territory of any other country without landing.

Second. The privilege to land anywhere for nontraffic purposes.

Third. The privilege to put down passengers, mail, and cargo in that country when those passengers have been taken on in the United States.

Fourth. The privilege to take on passengers, mail, and cargo for the United States in that country.

Fifth. The privilege to take on and put down in that country passengers, mail, and cargo coming from or destined for a third country.

The Bermuda agreement was entered into only between the United Kingdom and the United States and authorized air transportation operations between points within the territories of these two nations. It went beyond this, however, as you will note, and also authorized a fifth freedom-type of traffic, the most controversial of all traffic rights extended, since it permitted the carriage of traffic between points not only in the territories of our two nations but also from and to a third country. The right to transport such traffic was recognized at an early date by our air transport operators as of utmost importance, because they recognized that, on long international routes, it would be absolutely essential to be able to pick up traffic in an intermediate country and move it to another intermediate country.

However, in granting these traffic rights, particularly the fifth freedom rights, the Bermuda agreement and others like it have included limitations on capacity. By that, I mean limitations on the amount of service that a particular airline may operate along a route. This restriction may seem odd to the Members of the House, because traditions in the United States favor greater and greater air transport service and no community in this country ever thinks that it will receive too much service. However, these capacity limitations are contained in our bilateral agreements. They are general in nature, but they are carefully drawn with the objective of permitting an air carrier to meet the demands of existing traffic, to develop new traffic, and to take other action necessary and appropriate to maintain the economy of our international air operations.

We assume that, following the consummation of the Bermuda agreement, freedom of competition, and not restriction of competition, would characterize the air-transport agreements that the United States would negotiate in the future. Our hopes were fulfilled in large part since, after the precedent set in the Bermuda agreement, we were able to negotiate air-transport agreements with other countries which included these principles. Today, the United States has concluded over 40 of these agreements, including 1 with India, all of them in the image of the Bermuda agreement and each of them opening up to an even greater extent

the opportunities implicit in a free exchange of air-traffic rights between nations.

In each instance the United States has given at least as much as it has received, and I should state quite frankly that I believe that we have given up in each instance a good deal more than we may have gotten in return. But that is the basis of reciprocity and fair exchange, even though it can be freely acknowledged that more tourists originate in the United States and a great number of American dollars fly with them into the nations of the world who need American tourism as a source of income. This is indeed a logical way in which to implement our international economic slogan of "Trade, Not Aid."

I said before that I thought the Government of India was shortsighted in renouncing this agreement. It seems to me to be completely at odds with the professions of cooperation by the leaders of that country. This renunciation seems to be at variance with the efforts of India to live in greater understanding with the other democracies of the free world.

The Government of India contends that the bilateral is being renounced because the traffic rights granted to American carriers under it are to the disadvantage of India's own air-transport industry. The Indian Government maintains that the flow of traffic between the United States and India via intermediate countries is limited, and that air-carrier capacity should be similarly limited.

To this I say that air transportation is no different from any other communication between peoples. Communication is limited only by such artificial barriers which may be erected and which are, accordingly, self-limiting. Therefore, our basic objection to this shift in position by the Government of India is that a cutback in international air service must result in substantial reduction in air communication between the two countries at the very time when we need to increase this communication and build good will. It is an arbitrary restriction of a very dangerous kind, and it is in contravention of the philosophy of freedom of air rights which we have both embraced in the past.

At the present time, Pan American World Airways and Trans World Airlines are operating a total of 10 flights a week into India. This is a minimum of service. There should be more. We believe stimulants to international communication of all kinds is good business—for ourselves and for the rest of the world.

Here in the United States, international communication, through trade and travel, has been the subject of great promotional efforts by the Randall Commission. President Eisenhower, in his foreign economic policy speech on March 30, emphasized the importance of international trade and travel to world peace. The International Civil Aviation Organization and the International Air Transport Association exist for the purpose of activating these intentions through the facilitation of international communication by air. Through the continuing efforts of these organizations, much of the redtape surrounding world commerce and travel has been removed.

India's proposed restriction of air transportation would set a bad precedent for other nations of the world. It is a step backward and a dangerous one. In fact, since India announced her intention to terminate the bilateral agreement with the United States, other countries have demonstrated a similar tendency to restrictionism. A related danger lies in the fact that restrictionism in one sense can expand into a general attitude of exclusion and bring corresponding retaliation. This is international isolationism of the worst sort. And the world should know by now the evils which may result from this kind of isolationism.

Cutting back air service has a most adverse effect on world aviation, and on the development of a global network of air routes. Under a system of free enterprise operating in a highly competitive market, international carriers must have the right to carry fifth freedom traffic in order to support their long-line routes. For example, a United States international carrier flying from New York to Bombay would probably discharge some passengers in Paris, Geneva, Rome, Athens, and other stations along the route. If the carrier could not fill the vacated seats at those points with new passengers with fifth-freedom passengers—the through traffic—the passengers going all the way to Bombay—would have to pay a very much higher fare. Without fifth-freedom rights, the through traffic would then rarely justify the operation. Accordingly, scheduled flights, such as those to India, would have to be cut. This would mean, of course, that service to the intermediate points would also be reduced in number. This basic economic fact of international air transport was one of those firmly recognized in the Bermuda agreement. The experience of all international carriers indicates that civil aviation—both national and international—will continue to improve only so long as the customer has the privilege of selecting the airline on which he will fly. This is true of every country with international-flag carriers and not just of the United States.

While it is true that India's restrictionist attitude would seriously affect the progress of international air transportation as a whole, this attitude will prove especially harmful to her own interests. India has every reason to maintain close working relations with the countries with whom she has been traditionally friendly and with whom her future development lies. The United States is such a country. Since 1951, United States aid to India will have totaled about $484 million through the fiscal year ending June 30, 1955. Each American family, therefore, can be said to be contributing over $10 out of the family purse to India's prospective development and in India's improving democratic way of life.

India is now a free and sovereign nation. Since its independence from Great Britain, it has made enormous strides in the direction of improving its economy and making itself felt as a force in the world community. The United States has contributed happily and freely to this development. As an example, India's trade with the United States has been growing steadily. Today United States-India trade volume is second only to India's trade with the United Kingdom. The United States purchased from India in 1953 more than $228 million worth of Indian merchandise.

The friendship which the United States has traditionally expressed toward India was demonstrated again recently when a special Ford Foundation team, at India's invitation, spent 3 months in that country studying opportunities for increasing Indian industrial production and employment. The Ford Foundation report stipulates that India is one of the largest potential consumer markets in the world. It states that, if fully developed in both cities and villages, the Indian domestic market could stimulate perhaps the greatest industrial revolution ever seen and make India one of the foremost producing and consuming areas in the world. With such a potential, it must be to India's advantage that she keep open the avenues of trade and commerce with those countries which can absorb as well as stimulate her productive output.

The increase in interest, in the Far East, of tourists, especially from the United States, is another reason why India's own interests would appear to lie in developing the best communication facilities possible. Tourism to India has experienced substantial growth since World War II; 1953 showed an increase over 1951 of about 35 percent in the Indian tourist trade, and it is estimated that 1954 will register an increase of more than 50 percent over 1951.

Of the approximately 30,000 tourists traveling to India in 1953, about one-fourth were from the United States. These visitors spent nearly $4 million on goods and travel within India. This is significant in that 1 rupee earned out of the United States tourist dollar is worth 10 rupees earned locally. This is so because the United States dollar is worth more than the rupee on the world market.

American interest in India at the present time is small compared with expectations for the future. The excellent work being done by the Government of India tourist office in New York to acquaint Americans with what India has to offer is attracting American tourist interest to that land. Through that office, Americans are learning of India's rich cultural heritage and of her industrial and technical progress. They are learning that today India offers to the traveler, hotel accommodations and modes of transportation almost on a par with their own. Today, 18 months since its inception, this office has grown from a small operation involving 3 persons to a flourishing enterprise with a staff of 12. It has become a member of the American Society of Travel Agents and is assisting the United States travel agent, the United States air carriers, and

the individual United States tourist with extensive advice and information about India. All of this is salutory and worthwhile, but it will be dissipated effort unless supported by free exchange of persons between our two countries.

The international airlines of the United States have been cooperating with the Government of India in its efforts to encourage travel to India. Low cost tourist fares are making air travel to India increasingly attractive, as evidenced by the 10-percent increase in the number of tourists in 1953 over 1952 flying from the United States to India and the expectation of an even further increase in 1954. Recently, nonstop tourist air service was inaugurated between Bombay and Cairo by an international carrier of the United States, reducing the air-travel time by 2½ hours between India and the United States. These tourist fares have been pioneered by United States airlines and have helped to lower the cost barrier which seriously affects the flow of tourist traffic.

The international airlines of the United States cooperate with India's tourist interests in other ways. They train their Indian employees in the United States. They cooperate with the Government of India in making India's tourist attractions better known in the States. As an example, United States flag-airlines are distributing Go-India tourist films on a coast-to-coast film hookup. United States airline employees themselves are traveling to India in increasing numbers on their vacations.

In a general sense, India stands to benefit from the delayed-payment plan recently inaugurated by Pan American World Airways and Trans World Airlines. Under this pay-later arrangement, more than 90 percent of the tickets sold by Pan American during the first 6 weeks of operation represented new business. India's distance from the United States suggests that many of our tourists who normally could not afford to include a visit to the subcontinent in their itineraries will now be inclined to do so on credit. It is significant to note that, in addition to the basic travel costs, the financing under the pay-later plan, covers all-expense tours to the countries visited.

These, then, are some of the methods whereby tourists are being encouraged to travel to India. Yet, in view of India's proposal to cut back the means of transportation which makes these visits increasingly possible, tourist promotion to India becomes a glaring contradiction. What is the value of a program designed to stimulate tourists from the United States to travel to India, if a policy of restrictionism is pursued by the Indian Government? For example, the current Textile Centenary Exhibition in Bombay, which features such travel-inducing items as unique Indian embroidery, a scale model of the Taj Mahal and other evidences of India's achievement, is scheduled to be exhibited soon at important cities in the United States. Why does the Government of India send such exhibitions advertising the wonders of India to the important cities of the United States on the one hand, and, then, on the other, place obstacles in the way of traveling to see them?

It must be obvious that, in terminating the bilateral air agreement with the United States, the Government of India denies the United States international airlines the ability to serve India—in terms of tourists and in terms of trade. But that is not all. Denied India, air service by flag carriers of the United States to a large segment of the world would be adversely affected.

Such a development would represent a severe blow to the progress of civil aviation. It would represent a step backward in the pioneering efforts of our international carriers to develop a strong network of worldwide air routes.

Undoubtedly, there will be further negotiations between the United States and India before the date on which India has indicated she will terminate the existing bilateral air transport agreement. Spokesmen for the United States in these negotiations must insist upon the position which we developed at Bermuda in 1946. This agreement adopted a philosophy of free exchange of air transport rights which, in the years since 1946, has been a tremendous stimulant in the development of international air commerce. Our negotiators must impress the representatives of the Government of India with the anomaly of their position. The Government of India would call for a free exchange in all fields except in the field of air commerce on the grounds that the interests of India might be better served through more restricted air operations on the part of the airlines of the United States. This is a narrow approach. It is an approach which will limit rather than expand the growth of air commerce from the United States to India, along with the advantages which result from extensive tourism. Even more important is that unrestricted communication by air gives rise to an exchange of ideas which, ultimately, brings greater understanding.

The Government of India must realize that its decision to renounce its air transport agreement with the United States must not be taken in a vacuum. It should be reanalyzed in the light of all the relations that exist between the United States and India. It should be reassessed as part of a philosophy of mutual understanding and good will. The Government of India must appreciate that the rejection of this air agreement will not find favor in a country which has, since India attained her independence, been unselfish in its direct contributions to India's advance and in the many indirect benefits which result from a free exchange of people and ideas between our two democracies.

I am sure that, after considered consultation, India will realize that a continuation of the existing agreement is of vital importance to India, to the United States, and as an example to all the world. I feel somewhat optimistic that, on that basis, the Government of India will reconsider and recognize that there can be erected no artificial limitations on communication between democracies.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include such matter as may appear in my typed remarks in tabular form.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

AMENDING DISTRICT OF COLUMBIA UNEMPLOYMENT COMPENSATION ACT

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 3482) to amend the District of Columbia Unemployment Compensation Act, and for other purposes, with House amendments, insist on the amendments of the House, and agree to the conference asked by the Senate.

Mr. RAYBURN. Mr. Speaker, reserving the right to object, the gentleman from Iowa just spoke to me about that. This is the first I heard of it. I ask if he cleared the matter with the gentleman from South Carolina [Mr. McMILLAN]. I do not know whether he has or not.

Mr. TALLE. Mr. Speaker, I have not talked with the gentleman from South Carolina today. However, I did last week. He informed me it would be all right last week. However, I did want to check with him, but I cannot reach him at his office. I have just tried again.

Mr. RAYBURN. If the gentleman from South Carolina [Mr. McMILLAN] said last week it was all right, I presume it is all right today.

The SPEAKER. Is there objection to the request of the gentleman from Indiana? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. TALLE, KEARNS, and TEAGUE.

DISTRICT OF COLUMBIA UNEMPLOYMENT COMPENSATION ACT

Mr. TALLE. Mr. Speaker, I ask unanimous consent that the Committee on the District of Columbia may have until midnight Saturday night to file a conference report.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. MACK of Washington, for 10 days, on account of official business.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the RECORD, or to revise and extend remarks, was granted to:

Mr. CRUMPACKER.

Mr. YOUNG in three instances.

Mr. ALLEN of California and to include extraneous matter.

Mr. CLEVENGER, reciting some of the accomplishments of the Subcommittee for State, Justice of the Appropriations Committee.

Mr. COOLEY (at the request of Mr. MATTHEWS) and include extraneous matter.

Mr. O'HARA of Illinois and to include extraneous matter.

Mr. BEAMER.

Mrs. HARDEN and include extraneous matter.

Mr. OSMERS.

Mr. ZABLOCKI and include extraneous matter.

Mr. HUNTER and to include extraneous matter.

Mrs. FRANCES P. BOLTON and to include extraneous matter.

Mr. GWINN and to include additional matter.

BILLS PRESENTED TO THE PRESIDENT

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee did on August 11, 1954 present to the President, for his approval, a bill of the House of the following title:

H. R. 8300. An act to revise the internal revenue laws of the United States.

ADJOURNMENT

Mr. HALLECK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 56 minutes p. m.), under its previous order, the House adjourned until Monday, August 16, 1954, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

1817. Under clause 2 of rule XXIV, a letter from the Assistant Secretary of the Interior, transmitting one copy each of certain bills and resolutions passed by the Municipal Council of St. Thomas and St. John, pursuant to section 16 of the Organic Act of the Virgin Islands of the United States approved June 22, 1936 was taken from the Speaker's table and referred to the Committee on Interior and Insular Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. TALLE: Committee of conference. S. 3482. A bill to amend the District of Columbia Unemployment Compensation Act, and for other purposes. (Rept. No. 2657). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CELLER:

H. R. 10227. A bill to amend the Refugee Relief Act of 1953; to the Committee on the Judiciary.

By Mr. FENTON:

H. R. 10228. A bill to provide for temporary measures of flood control and anthracite mine drainage, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. REAMS:

H. R. 10229. A bill to provide for the incorporation of the National Woman's Relief Corps, Auxiliary to the Grand Army of the Republic, organized 1883; to the Committee on the Judiciary.

By Mr. BAKER:

H. J. Res. 584. Joint resolution to designate Mrs. Elizabeth (Ben) Kennedy as "United States GI Mother"; to the Committee on Veterans' Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. HOLT (by request):

H. R. 10230. A bill for the relief of Howard J. Gensler; to the Committee on the Judiciary.

By Mr. HUNTER:

H. R. 10231. A bill for the relief of the estate of Joseph Kelsch; to the Committee on the Judiciary.

By Mr. KING of California:

H. R. 10232. A bill for the relief of Jiro Kunisaki and Mrs. Fuji Kunisaki; to the Committee on the Judiciary.

By Mr. MAILLIARD:

H. R. 10233. A bill for the relief of Alexander A. Nifiodoff; to the Committee on the Judiciary.

By Mr. ROOSEVELT:

H. R. 10234. A bill for the relief of Sophie K. Valmas; to the Committee on the Judiciary.

By Mr. SHELLEY (by request):

H. R. 10235. A bill for the relief of George K. Jue (also known as Jew Ten); to the Committee on the Judiciary.

By Mr. SHELLEY (by request):

H. R. 10236. A bill for the relief of Ko Wai Sing and Go You Gin; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1139. By the SPEAKER: Petition of Ramon Magsaysay, President, Manila, Philippines, relative to proclamation No. 52, declaring August 13, 1954, Philippine-American Day, and calling for all Filipinos and Americans residing within Philippine territory to observe this date; to the Committee on Foreign Affairs.

1140. Also, petition of Lee In Jai, president, Kyong Nam Brick Co., Seoul, Korea, relative to a claim for bricks used by the United States Eighth Army between May 1951 and March 1952, and requesting that payment be made for same; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Indiana Voters and the 83d Congress

EXTENSION OF REMARKS
OF

HON. CECIL M. HARDEN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 12, 1954

Mrs. HARDEN. Mr. Speaker, during March and April of this year I conducted an extensive survey of voter opinion in my district on portions of President Eisenhower's legislative program. More than 12,500 completed questionnaires were received, many of them representing the views of whole families or of groups.

Now, as Congress prepares to adjourn, I think it of interest to the Members to review the results of that poll as compared with the legislative action which has taken place on the issues involved. A full report is contained in the table below.

The hundreds and hundreds of letters which accompanied poll returns are deserving of more than passing attention. I learned much from them. Many letters covered points and issues not contained in the poll. This indicates a wide interest among the people in legislative affairs. It is a healthy interest, and I am very grateful to those who participated.

The response indicated moreover that people generally are confident that in President Eisenhower they have a leader whom they can trust. They are anxious for him to succeed and they are likewise anxious that their representatives in the Congress help him succeed.

For my part, I am happy that my record in support of President Eisenhower's legislative program is among the best in the Congress. I have supported the President wholeheartedly, for the program he presented to this Congress has as its goal the achievement of prosperity and security at home, peace and good will abroad.

The President of the United States has what is probably the most difficult job in the world. Dwight Eisenhower has met the challenge with dignity, with confidence, and with great ability. He has seen much of his program enacted.

The war in Korea has been ended and today no American lives are being lost in wars anywhere in the world.

We have strengthened our national defense while cutting the cost of its maintenance by billions of dollars.

A firm, consistent foreign policy guides our path toward a just and lasting peace.

Rigid economy and elimination of waste in the Federal Government have resulted in a $14 billion reduction in spending.

Taxes have been reduced by $7.4 billion, most of the reduction going to individuals.

Inflation has been halted, the value of the dollar preserved.

Controls are gone.

The social-security system has been broadened and benefits increased.

A far-reaching highway construction program was approved.

Better care for our older citizens and high health standards for the Nation will result from a 3-year program involving construction of diagnostic centers, hospitals for the chronically ill, and rehabilitation and nursing homes.

Three measures provide the groundwork for research and study in the field of education. Yet there has been no move toward Federal control in this vital field.

Home ownership is encouraged by a new and liberalized Housing Act.

The St. Lawrence seaway will soon be a reality, joining the Midwest to the Atlantic Ocean.

Recognizing weaknesses in the farm program, Congress and the President agreed on an equitable long-range price support law.

Fourteen major reorganization plans to increase efficiency and promote economy in the Federal Government are in operation. The Department of Health, Education, and Welfare was elevated to Cabinet status.

Nearly a quarter of a million unnecessary jobs have been abolished from the Federal payroll.

Internal security has been tightened and new weapons forged for use by the Department of Justice in its war on traitors.

Hundreds of suspected or proved subversives have been removed from the Federal payroll. Many have been deported. Court convictions have increased. The drive continues on a 24-hour-a-day basis.

We have moved successfully to take government out of competition with private enterprise. States and local government have been encouraged to assume more direction of their own affairs.

America is economically sound.

We have achieved prosperity without war.

Results of Harden legislative poll

	Yes	No	No opinion	Action by Congress
1. Grant 18-year-olds the right to vote	6,347	4,693	442	Defeated by Senate.
2. Extend social-security coverage to farmers	6,612	3,469	1,401	Passed by House; pending in Senate.
3. Strip citizenship rights from Americans convicted of conspiring to overthrow our form of government.	10,985	294	203	Passed by House; pending in Senate.
4. Amend the Taft-Hartley Labor-Management Act, as suggested by President Eisenhower.	7,171	2,450	2,061	Defeated by Senate.
5. Shift agricultural price-support program from fixed levels, as in present law, to flexible support program advocated by Secretary of Agriculture Benson.	8,074	1,724	1,684	Approved.
6. Join with Canada in building the St. Lawrence seaway	8,499	1,387	1,596	Approved.
7. Continue United States support of the United Nations	8,013	2,318	1,152	Approved.

NOTE.—A special tabulation was made among farm voters on questions 2 and 5, since both are of prime importance to farm families. Farmers voted 1,377 "yes" 1,144 "no", and 216 "no opinion" on the question of extending social security. Flexible price supports won out by a margin of 1,625 "yes," 806 "no," and 306 "no opinion."

The Cost of Using American-Flag Ships

EXTENSION OF REMARKS
OF

HON. JOHN J. ALLEN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 12, 1954

Mr. ALLEN of California. Mr. Speaker, on at least two occasions during the present session members of the Merchant Marine and Fisheries Committee have risen to urge that there should be included in bills reported by other committees a provision that at least 50 percent of the cargoes financed by our Government should move in American-flag ships. The amendments proposed have been resisted on the basis that the cost of transportation in American-flag ships exceeded the cost that would be paid for transportation in foreign-flag ships. I believe that the presentations which were made in opposition to the American-flag ships were made without full information and were based upon a consideration of only one element of the cost which might be involved. Accordingly, I inquired for further information, and some was made available to me. It seemed to me that this information, the facts involved in which I believe to be true and the conclusions drawn from which I believe to be reasonable, should be included in the CONGRESSIONAL RECORD.

Recently a Member stated on the floor of the House that under our foreign-aid programs approximately $700 million of the $1 billion paid for shipping the foreign-aid commodities overseas has been paid to American-flag vessels. In his statement he emphasized that it cost our Government $121 million more by shipping the commodities on American-flag ships than it would have if shipped aboard foreign-flag ships. He implied that this increased cost was a direct contribution by the American taxpayer to American-flag shipping.

I do not know what assumptions have been applied to the cost of shipping our foreign-aid cargoes to arrive at the so-called increased cost of $121 million. However, even though we assume that the $121 million figure is correct, I believe that dollarwise the American taxpayer realizes a savings by having our foreign-aid cargoes shipped in American bottoms.

To begin with, any analysis of comparative costs between American- and foreign-flag ships must consider the type of service in which the ships are engaged and the dollar values of the foreign-aid cargoes carried. This breakdown is contained in table I:

TABLE I.—*Transportation costs for United States foreign aid,[1] April 1948 to June 1953*

[In million dollars]

	Total United States and foreign ships	Carried by United States-flag ships	
		Total out of United States and foreign ports	Total out of United States ports
All services	1,040	763	629
Tramps	429	346	341
Liners	337	274	270
Tankers	267	138	17
Miscellaneous	7	5	1

[1] Includes CF and CIF shipments freight elements of above shipments.

Source: Foreign Operations Administration.

The above table shows that American-flag ships in our liner services received $274 million for the carriage of foreign-aid commodities between April 1948 and June 1953. However, it is important to note that the great majority of ships in liner services are members of conferences of which member shipowners of foreign-flag ships charge the same shipping rates as American-flag ships. Therefore, if all of these cargoes were carried in foreign-flag liners the cost to our Government would have been the same. Thus, the shipment of foreign-aid cargoes aboard our liners does not in any way increase the cost to our Government.

Of the $267 million paid for the carriage of liquid foreign-aid cargoes, $138 million was paid to American-flag tankers. However, it is important to note in table I that only $17 million of these cargoes originated from United States ports. The remaining liquid cargoes carried by American-flag ships originated in foreign ports and, therefore, American tankship owners lifted them at the world market rates. The higher cost which resulted from transporting these cargoes aboard American-flag ships is negligible, and, therefore, is not to be considered as an important factor in the $121 million figure which is quoted.

After studying table I, it is obvious that the so-called increased cost of $121 million largely applies to the difference of cost between American-flag and foreign-flag tramp ships. This observation should not be taken to mean that our Government is wasting money by having the American tramp ships carry these cargoes. Both the Department of Defense and the Department of Commerce have arrived at the very definite conclusion that an American tramp fleet is essential for our national defense. Also, Congress has time and time again mandated that our ships shall carry at least 50 percent of our foreign-aid cargoes, including the bulk cargoes which are carried by tramp ships.

Also, it is important to note that in the immediate post-World War II period and during the Korean war there was a shortage of ships to carry our foreign economic- and military-aid cargoes. In fact, during the Korean war our Government was compelled to activate over 600 ships from our national-defense reserve fleet in order to meet the shipping needs of the free world. Therefore, it is clear that if our tramp fleet had not been available to carry our aid cargoes, the bidding for such cargoes in the open market, short of ships, would have resulted in rates much higher than those

paid to the American tramp-ship operators. This is in accordance with the basic economic law of price being set by supply of and demand for a given commodity or service. This was proved to be true in World War I when our Nation was caught short of ships and general cargo rates soared over 1,000 percent with some rates rising over 2,000 percent. It is a matter of record that many foreign shipowners were able to realize profits from a single voyage equal to the total cost of the ships. Therefore, even though the reservation of foreign-aid cargoes is a form of Government aid to the tramp shipowners, there is absolutely no validity in a statement charging that our taxpayers paid $121 million more by shipping in American merchant ships than they would have if shipped in foreign ships.

No one would lightly dismiss the tariff question by saying that the elimination of all American tariffs would result in a savings to the American consumer and taxpayer. This complex subject must be considered in its entirety as pertaining to the protection afforded to the American farmer, businessman, and worker, and the end result of adjusting American income to the American standard of living. This is also true when the American merchant marine is considered. The American merchant marine is a vital industry which is not only required to develop our foreign trade in times of peace, but to serve as a military auxiliary in time of war. Because the memories of two World Wars and the Korean war are still fresh in our minds, we shall not attempt to go into the details for the necessity of achieving and maintaining an adequate American merchant marine.

Aside from the need of the American merchant marine for the development of our foreign markets and for our national defense, it is essential that we study the effect of the industry upon our national economy. In order to limit our analysis we shall present data pertaining to the disbursement of the dollars earned by American shipowners in the carriage of our foreign-aid cargoes, the domestic jobs created, and the taxes collected by our Government. These basic facts in our analysis are contained in the following table:

TABLE II.—*Estimated disbursement and resulting jobs created from ocean transportation of foreign-aid cargoes from April 1948 to June 1953*

	Amount disbursements of subsidized lines in 1950 Col. A [1]	Percent of total disbursements Col. B	Resultant number of direct and indirect employed Col. C [1]	Estimated amount disbursements from foreign-aid programs, 1948–53 Col. D	Estimated resultant number of direct and indirect employed Col. E
Direct employment:					
Domestic salaries and wages paid to:					
Administrative-type personnel	$20,475,000	6.20	7,100	$36,890,000	12,797
Seamen	88,507,000	26.81	33,400	159,519,500	60,200
Longshoremen	11,982,000	3.63	6,400	21,598,500	11,535
Subtotal	120,964,000	36.64	46,900	218,008,000	[2] 84,532
Indirect employment: [3]					
Domestic vessel expenditures, other than above salaries and wages	179,263,000	54.30	38,600	323,085,000	69,573
Other domestic overhead and miscellaneous expenditures	29,889,000	9.06	6,400	53,907,000	11,535
Subtotal	209,152,000	63.35	45,000	376,992,000	81,108
Grand total	330,116,000	100.00	91,900	595,000,000	165,640
Foreign expenditures for necessary port charges, etc				35,000,000	
Estimated earnings				70,000,000	
Total paid for United States-flag carryings				700,000,000	

[1] Analysis of Construction and Operating Subsidies Under Merchant Marine Act, 1936, as amended, the Ocean Shipping Panel to the Transportation Council for the Department of Commerce, Oct. 12, 1953, schedule III, excluding capital expenditures, p. 29.
[2] In man-years.
[3] Based on Department of Commerce productivity factors.

Although that portion of table II which refers to the disbursements of the dollars earned by American shipowners by carrying our foreign-aid cargoes is listed as "estimated," the area of error is at a minimum and negligible. We shall explain how these figures were arrived at.

The $35 million item for foreign expenditures for port charges and similar items is estimated on the basis of 5 percent of the total $700 million foreign aid cargo revenues received by American shipowners. This figure is no larger due to the fact that most recipient nations were required to provide their own discharging services and, therefore, neither the American steamship companies nor the United States Government incurred any cost in this connection. The figure of $35 million, therefore, would cover only such cargoes which moved under berth term shipment through commercial channels. This is a reasonable estimate of the amounts so expended.

The item of $70 million as the estimated earnings has been fixed at approximately 10 percent of the freight revenue of $700 million. Creditable evidence shows this figure represents the maximum amount believed to have been earned by shipping companies on this carriage during these years.

Columns A and C of table II were carefully calculated by the Ocean Shipping Panel to the Transportation Council for the Department of Commerce. These figures are based upon the disbursements of the subsidized lines during 1950, and the resultant number of man-years of domestic employment created by these disbursements.

Column B contains the percentages of each disbursement item to total disbursements. For example, the first percentage in column B is 6.20 percent. This was arrived at by dividing the grand total of $330,116,000 disbursements into the $20,475,000 paid as salaries and wages to administrative type personnel. The percentages of all of the other individual items were arrived at by the same type of calculation.

Columns D and E are statistical projections based upon columns A, B, and C. Although columns A, B, and C pertain to the subsidized lines only while columns D and E pertain to both subsidized and unsubsidized lines, the projection is accurate because the earnings and operating costs on the revenue dollar have been substantially similar for the subsidized and unsubsidized liners and tramps during these years. This is confirmed by the maritime subsidy policy study, which was published by the Office of the Under Secretary of Commerce for Transportation and the Maritime Administration in April 1954.

The individual items of column D are arrived at by applying the percentages of column B to the total of $595 million which is the amount of disbursements of revenues from the foreign-aid programs, excluding foreign expenditures for port charges, capital expenditures, and estimated earnings for the period April 1948 to June 1953 of the $700 million freight revenues paid to American operators. For example, domestic salaries and wages paid to administrative type personnel by the subsidized lines in 1950 was $20,475,000 or 6.20 percent of their grand total disbursements of $330,116,000. Therefore 6.20 percent of the $595 million which is the amount of disbursements of revenues from the foreign-aid programs, resulted in the figure $36,890,000 as the domestic wages and salaries paid to administrative-type personnel. In this manner the remainder of the percentages of column B were applied to the $595 million figure to arrive at the projected disbursement for each item.

Column E is the projected estimated number of man-years of direct and indirect domestic employment resulting from the disbursement of revenues from the foreign-aid programs. This is based on the ratio of the $595 million disbursements of the revenues from foreign-aid programs to the $330,116,000 disbursements of the subsidized lines in 1950 and the resulting employment. Five hundred and ninety-five million dollars divided by $330,116,000 is 180.24 percent. Therefore, each individual employment item of column C was increased by 180.24 percent to arrive at the man-years of employment shown in column E.

The grand total of man-years of employment resulting from the disbursements of $595 million of revenues from foreign-aid programs is estimated at 165,640 man-years. This is approximate-

ly 50 percent[1] of the total number of persons employed in our anthracite coal-mining industry and 25 percent[1] of the number employed in the local railways and bus lines industry during the 5-year period 1948 through 1952. No one would question the fact that this is a significant direct contribution to our national economy. In fact, the full employment impact of the revenues realized by American shipping companies from foreign-aid cargoes is not contained in the above data. If this revenue had not been forthcoming, many shipping companies would not have realized sufficient profits to continue their commercial nongovernmental cargo operations which result in the employment of more than 6 times the man-years of employment resulting from the foreign-aid shipping revenues.

The estimated minimum taxes paid into the United States Treasury as a result of the carriage of foreign-aid cargoes in American bottoms is contained in table III below:

TABLE III.—*Taxes paid into U. S. Treasury*

A. Taxes on direct wages at minimum rates of 22 percent[1]	$48,000,000
B. Taxes on indirect employment at minimum rates of 22 percent[1]	83,000,000
C. Corporate taxes and taxes paid by stockholders on dividends received at 50 percent	35,000,000
Total minimum increase in U. S. Treasury Revenues	166,000,000

[1] Internal Revenue, Washington, D. C.

Thus, even if one subtracts the supposed saving of $121 million which might have been realized through carriage of our foreign-aid tramp cargoes in foreign tramp ships, we still find the United States Treasury has benefited by $45 million. Moreover, there has been created and maintained 165,000 man-years of employment for American citizens. However, we again state that this supposed saving is unrealistic because the shipping rates of the foreign shipowners would have been much higher had not American ships been available during this period.

A very important saving realized by our Government by having subsidized ships carry foreign-aid cargoes is in the recapture provision contained in the Merchant Marine Act of 1936. This provision enables the Government to recapture one-half of the profits which are over 10 percent of capital necessarily employed over 10-year periods of the operating subsidy contracts up to the amount of subsidy accrual. The amount of foreign-aid shipment revenues received by the subsidized lines would be recaptured by the United States Government in the degree of the recapture position of the companies. The three main categories of recapture are as follows:

First. Companies which, even with the foreign-aid revenues, would not have earned over 10 percent of the capital necessarily employed in the business. In this case, the Government would not recapture any of the foreign-aid shipment revenues.

Second. Companies which are in a recapture position because of the additional profits realized from foreign-aid cargo revenues. In this case, the Government would recapture one-half of the profits resulting from foreign-aid cargo carriage which is above the 10 percent of capital necessarily employed.

Third. Companies which are in full recapture position because of their commercial non-foreign-aid cargoes and foreign-aid cargoes. When companies are in a full recapture position, the Government recaptures one-half of the profits which are over 10 percent of the capital necessarily employed and this amounts to the full subsidy accrual. In this case, the Government may well recapture all of the profits realized by the company from foreign-aid shipment revenues.

In the Maritime Subsidy Policy, published by the Under Secretary of Commerce for Transportation and the Maritime Administration, there is contained a statement pertaining to the effect of cargo carriage on subsidy payable. In part, this statement is as follows:

> The amount of cargo available to subsidized American-flag vessels is an important factor in the ultimate amount of subsidy payable by the Government. * * * Consequently, if private industry is to provide a merchant fleet adequate for national requirements, all Government assistance in providing cargo and protection against unfair competition should be provided.

It is estimated that for the 5-year period, 1948 through 1952, the Government will recapture 30 percent[2] of the subsidy accrual for these years. It is obvious that a substantial amount of this recapture results from the foreign-aid shipping revenues received by the subsidized lines. This should be encouraging to the American taxpayers who are interested in developing their national economy and protecting their national security at a minimum cost.

In addition to the foregoing, there are other factors which cannot and must not be ignored. For example, during the 5 calendar years, 1948 through 1952, the American shipowners paid the United States Government a total of $185,862,278 as charter hire of Government-owned ships.[3] A primary reason for the charter hire of these ships was to carry our foreign-aid cargoes over the world shipping lanes short of ships. Therefore, we can safely say that the shipment of foreign-aid cargoes in American bottoms resulted in many millions of dollars of charter-hire revenue to the United States Treasury.

Also, our Nation benefits through the maintenance of a self-perpetuating merchant marine which is needed to develop our foreign markets in peacetime and also serve as a military auxiliary in times of war.

All of the above facts barely touch upon the many reasons why American-flag shipping makes real and continuing contributions to our American way of life and why we must preserve unto ourselves a fair share of our foreign commerce, especially that foreign commerce which consists of our economic and military-aid cargoes to foreign nations.

APPENDIX TABLE A.—*Employees in anthracite coal and local railways[1] and buslines industries: 1948–52*

Year	Anthracite coal	Local railways and buslines
1948	80,000	163,000
1949	77,300	158,000
1950	75,100	145,000
1951	69,100	139,000
1952	63,400	134,000
Total	364,900	739,000

[1] Source: U. S. Department of Labor, Bureau of Labor Statistics, published in current Labor Review.

NOTE.—Number employed includes all full-time and part-time employees who worked during, or received pay for, any part of the pay period ending nearest 15th of month. The above annual data are averages of the monthly data.

APPENDIX TABLE B.—*Total charter hire paid to U. S. Government by United States ship operators,[1] 1948–52*

Calendar year:	Charter hire paid
1948	$84,942,410
1949	39,400,242
1950	14,557,486
1951	28,915,490
1952	18,046,650
Total	185,862,278

[1] Source: U. S. Maritime Administration, Washington, D. C., July 21, 1954.

[1] Source: U. S. Department of Labor, Bureau of Labor Statistics, published in current Labor Review (see appendix, table A).

[2] Maritime subsidy policy, Office of the Under Secretary of Commerce for Transportation and the Maritime Administration, April 1954, appendix, table 17.

[3] Source: Maritime Administration, July 21, 1954 (see appendix, table B).

Letter From Senator Reynolds Regarding Requests for Government Assistance to the Automobile Industry

EXTENSION OF REMARKS
OF
HON. SAM W. REYNOLDS
OF NEBRASKA
IN THE SENATE OF THE UNITED STATES
Thursday, August 12, 1954

Mr. REYNOLDS. Mr. President, the junior Senator from Nebraska, like many other Senators, has been literally bombarded in the last few days with communications from automobile dealers, relative to a bill known as the bootleg bill.

My reply to those communications sets forth my views on the proposition of an industry's running to the Government whenever that industry has a problem which it cannot solve within its own ranks.

I ask unanimous consent to have my letter on that subject printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
COMMITTEE ON FINANCE.

This will acknowledge your message relative to S. 3596, having to do with certain

practices now prevalent in the automobile industry.

The writer has been engaged in the coal business for 46 years. No great industry has been plagued with cutthroat competition and ruinous trade practices more than has the coal industry.

In 1937, this great industry threw in the towel and came running to Uncle Sam crying for help. In effect, it said to its Government, "We have neither the courage nor the ability to solve our own problems. We abdicate the rights of free American businessmen to run their own affairs, the rights under which our forebears built a great industry. We ask the Government to take over and run the coal business. Let your bureaucrats write the rules and regulations."

The result was the infamous Guffey Coal Act of 1937. Fortunately, that act expired in 5 years under its own terms. Five years was enough. Never again will we coalmen ask the Government to solve problems which should be solved within our own industry, and solved without violation of antitrust laws.

I will oppose any bill which comes to the Senate as a result of some industry running to Uncle Sam for help because it is unable to control bad practices within its own ranks.

Yours very truly,

SAM W. REYNOLDS,
United States Senator, Nebraska.

Achievements of the 83d Congress

EXTENSION OF REMARKS
OF
HON. S. J. CRUMPACKER, JR.
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 12, 1954

Mr. CRUMPACKER. Mr. Speaker, the Republican 83d Congress has established an outstanding record of legislative achievement. Although handicapped by the fact that the Republicans held only a slim majority in the House and for a time were in a minority in the Senate, a major portion of President Eisenhower's program has been enacted.

The New Deal spending spree has been halted; inflation has been checked; social security benefits have been expanded; home ownership has been made easier; farm prices are being stabilized; the St. Lawrence Seaway is on the road to reality; Communists and security risks have been expelled from Government; and the people at long last have seen honesty and integrity restored in Washington. Above all, the Nation is at peace.

The Democrats did succeed in killing some segments of the Eisenhower program: the right of 18-year-olds to vote, statehood for Hawaii, health reinsurance, and revision of the Taft-Hartley Act.

The foundation of the Eisenhower program has been laid. Our economy has been placed firmly on the pathway of American enterprise after 20 years of straying off into leftwing experiments. A new approach has been made to the Lincoln doctrine of government of, by, and for the people.

The record of accomplishments of the Republican 83d Congress is a long one, but here is a summary of its major achievements:

The fighting has been stopped in Korea and today no American lives are being lost or endangered in wars anywhere in the world.

We have strengthened our defense structure while cutting the cost of its maintenance by billions.

A firm, consistent foreign policy, based on the principle of collective security, guides our path toward a just and lasting peace.

Rigid economy and elimination of waste in the Federal household has cut Government spending by billions.

This has made possible the greatest tax reduction program in history, with savings of $7.4 billion to individuals and business, the lion's share going to the people themselves.

We have halted inflation, preserving the value of the dollar.

Controls are gone.

The social-security system has been broadened and benefits increased.

Home ownership is encouraged by the new Housing Act which corrects abuses in existing law, expands the mortgage credit system, and provides for slum clearance.

Development of the St. Lawrence Seaway project, stripped of frills, is assured by action of the 83d Congress.

Contending with weaknesses in the farm program, this Congress has moved to insure agriculture its fair share of the national income. Immediate needs have been accommodated with laws dealing with such problems as surpluses and drought.

Fourteen major reorganization plans to increase efficiency and promote economy in the Federal Government are in operation, and a Department of Health, Education, and Welfare has been elevated to cabinet status.

More than 200,000 unnecessary jobs have been abolished from the Federal payroll.

Internal security has been tightened and new weapons have been forged for use by the Department of Justice in its war against traitors.

We are getting more government back home and we have moved to take government out of competition with private enterprise.

This record adds up to good stewardship—the kind that should merit continued confidence and support of the American people.

Public Opinion

EXTENSION OF REMARKS
OF
HON. FRANK C. OSMERS, JR.
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 12, 1954

Mr. OSMERS. Mr. Speaker, in June I mailed 100,000 questionnaires to voters in the Ninth Congressional District of New Jersey, which I represent. About 15,000 replies have already been received and because of the interest among Members in public opinion, under unanimous consent, I insert the questions and the percentages of the replies thus far received. They follow:

Recapitulation

Do you favor—	Yes	No	Undecided
1. Investigation and exposure of Communists in Government?	96.0	3.5	0.5
2. Senator McCarthy's methods?	42.6	51.0	6.4
3. Outlawing the Communist Party?	68.6	22.9	8.5
4. Lowering the voting age to 18?	27.4	64.0	8.6
5. Universal military training?	80.3	13.0	6.7
6. Statehood for Alaska?	76.1	13.2	10.7
7. Statehood for Hawaii?	77.5	13.3	9.2
8. Pay raises for postal and Federal employees?	58.9	26.6	14.5
9. Raising the postal rates to cover the postal deficit?	74.1	19.5	6.4
10. Ending Government competition with private business?	71.4	19.4	9.2
11. Lower tariffs even if some American industry is hurt?	48.9	38.5	12.6
12. Deferring income tax cuts until budget is balanced?	65.0	27.4	7.6
13. Changing the Taft-Hartley Act?	50.0	37.3	12.7
If answer is "yes":			
Change to favor labor? 39.5			
Change to favor management? 60.5			
14. Regulation of workers pension and welfare funds?	73.4	14.9	11.7
15. Social security for all not now covered?	74.7	15.4	9.9
16. Pay raises for Congressmen?	63.6	22.6	13.8
17. Income tax deduction for depreciation on homes?	75.6	16.0	8.4
18. The record of the Eisenhower administration?	65.9	19.1	15.0

Postal Pay Increases

EXTENSION OF REMARKS
OF
HON. JOHN V. BEAMER
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 12, 1954

Mr. BEAMER. Mr. Speaker, I supported H. R. 9245, the Corbett bill, in its original form and signed discharge petition No. 9 in its behalf.

Then, when it seemed possible that the Congress might adjourn before action could be taken on that bill, I voted for the bill combining salary raise and postage increase with the feeling that the postal employees were entitled to some consideration.

Since this particular measure was brought out under suspension of rules, two-thirds vote of the Members was necessary and the bill failed to pass.

However, the Congress was delayed in its adjournment plans and thus on Monday, August 9, the original Corbett bill, H. R. 9245, came to the House for vote. It was approved and again I supported this salary increase.

The bill also provides for a study of reclassification and personnel. Several other provisions of the bill were for the improvement of service and conditions in the Post Office Department. To me

these improvements are worthy and a salary increase was due the postal people. I am pleased that the House of Representatives acted before the Congress adjourned.

Congressman Hunter Represents Working People

EXTENSION OF REMARKS
OF
HON. OAKLEY HUNTER
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 12, 1954

Mr. HUNTER. Mr. Speaker, as the Representative in Congress from the 12th California District, I believe it is important that I report to the people of my district on legislative activities which affect them and my action on such issues. The vast majority of these people are conscientious, thrifty, energetic persons who work hard at their jobs to earn their livelihood. Some of them have passed their productive years and have retired after a lifetime of labor.

Because these people are working, or have worked and are retired, I intend to discuss at this time legislation of special importance to them.

TAX RELIEF

The 83d Congress completely revised our complicated tax structure, closing numerous loopholes which had been giving unfair advantages to the rich, and eliminating or lowering many taxes which had been creating a real hardship on the working people. More than two-thirds of the tax relief goes to wage earners, families, and other individuals. I supported these tax-relief measures. This is the biggest tax cut in our history—nearly $7½ billion.

Specifically, the workingman has received tax relief through drastically slashed excise taxes on drugstore items, cosmetics, baby oils, ladies' handbags, telephone bills, and numerous other items. The 10 percent tax on home washing machines has been eliminated entirely. This means that when you go to the store, you have more to spend on yourself and your family, and the tax collector gets less from you. Earlier this year, the tax bill of each individual taxpayer was reduced 10 percent. In addition, the new tax-revision bill gives more generous deductions for medical expenses, freedom from taxation for a retired couple if they have $200 monthly pension income, and children working after school or during summer vacation can now earn more than $600 in a year and still be listed as a dependent. Also, salesmen have fairer means of computing expenses, thus saving money under the new tax law. Working widows will be permitted to deduct the cost of child care.

HOSPITALS AND HEALTH

The 83d Congress has taken important and vigorous steps to promote and protect the Nation's health. One of its first acts was to create a new executive Department of Health, Education, and Welfare with Cabinet rank.

Legislation has been passed to provide Federal aid in the construction of public and nonprofit hospitals, diagnostic and treatment centers, rehabilitation facilities, and nursing homes. Research into health problems is encouraged through the National Heart Institute and the National Institute of Dental Research. Additional funds have been appropriated to expand the State-Federal vocational rehabilitation system, which is designed to help disabled persons to become economically independent.

A new law aids Federal law officers in seizing and destroying unsafe fabrics used in certain inflammable cowboy suits and explosive sweaters which have burned many children in home accidents. It is now also against the law to ship dangerous fireworks into any state which bans their sale.

At the present time, Congress is considering legislation to encourage the establishment or expansion of voluntary private health insurance plans—permitting a broadening of their coverage in some cases, with increased protection, or lower rates in others. Approximately 92 million Americans are already covered by private plans, but better protection is needed, particularly against long-term illness. This legislation has had my support.

SCHOOLS AND EDUCATION

Congress has authorized an extension of the program of assistance in construction of schools in crowded defense centers and other areas which have grown abnormally because of Federal activities. Congress has also granted similar assistance for school operating expenses. Legislation has been enacted to allow expanded use of surplus foods in the school-lunch program.

HOUSING

The Housing Act of 1954 will raise housing standards, help more of our people to acquire homes, assist communities in getting rid of slums and in improving older neighborhoods, and strengthen our mortgage credit system. In the future, the new law will also stimulate the Nation's entire economy, particularly the construction industry.

The new act makes it possible to buy new homes under FHA-insured loans with much lower down payments. For example, on a $10,000 new home under FHA, a buyer previously had to make a downpayment of $1,250. Now the downpayment is only $700.

HIGHWAYS

The new highway law means that we in the 12th Congressional District can drive our cars with greater convenience and personal safety. Almost all of our gasoline-tax money will be used for highways instead of being diverted for other uses. California gets a big share of funds authorized in this law for freeways, secondary roads, and streets. I cast my vote for more and better roads for my district.

VETERANS

Our Nation's war veterans will have plenty of hospital space for treatment required as a result of service to our country. Congress has provided this year for a record number of beds in veterans' hospitals. Last year I joined with my colleagues in voting for an extension of the GI bill of rights for veterans of the Korean war. This year, as in 1951, I voted for increases in rates of compensation and pensions payable to veterans and their dependents. In view of the present cost of living, these increases were necessary and reasonable.

GOVERNMENT EMPLOYEES

In 1951 Congress gave postal workers and classified civil-service employees a long-overdue pay raise. Due to inflation, however, the ordinary civilian Federal employee today is economically worse off than in 1939. You cannot recruit or keep competent employees to conduct the business of the United States with that kind of economic prospect confronting them. Aware of this situation, I have supported legislation this year providing for further pay increases. Government employees and others living on fixed incomes can be thankful that the present administration has brought a halt to the deadly spiral of constantly climbing prices.

RAILROAD RETIREMENT

New legislation enacted by the House liberalized the provisions of the railroad retirement system by reducing the eligibility age of widows from 65 to 60, raising maximum earnings from $75 to $100, increasing maximum creditable compensation from $300 to $350, and in many other ways. In the meantime, the unemployment insurance was raised from $7 to $8.50 a day. I supported these provisions.

SENIOR CITIZENS

The House has increased social-security and old-age and survivors insurance benefits by raising benefit amounts, increasing the earning base, eliminating the 5 lowest years of earnings in computing averages, raising minimum primary insurance amounts, increasing maximum family benefits from $168.75 to $200, broadened coverage, and expanded benefits in many other ways. I have supported these provisions and have personally supported Dr. Francis Townsend in his attempt to develop an adequate pay-as-you-go pension plan to assure our senior citizens a dignified standard of living.

Remarkable Man

EXTENSION OF REMARKS
OF
HON. HAROLD D. COOLEY
OF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 12, 1954

Mr. COOLEY. Mr Speaker, herewith I submit for the RECORD a brief editorial about a remarkable man and a very friendly fellow—a man who has cultivated the sweet flowers of friendship throughout his native land and on far-distant shores. Wherever he has traveled, at home or abroad, his constant

companion has been a genial smile. His open heart has been his passport and his warm handclasp has been his visa. Real friendships are priceless and real friends are few, but it does not cost much to smile. Some people are too busy to be friendly, too important to be kind, and too selfish even to smile or to speak a kindly word. Here is a man who has labored in the laboratories of his Lord—never too great to be humble, never too busy to be kind, and never in his life has he been cruel.

Surely he was not born great, nor has greatness been thrust upon him, but he has achieved greatness in the fields of spiritual, civic and social welfare and has endeared himself to the people of his native land. He is great, not because he is a physical giant and big, tall and strong, but merely because he is a gentle man who has planted seeds of friendship along the thoroughfares of life. All who have known him have been impressed with the unaffected elegance and amiable simplicity of his manners.

This remarkable man of whom I speak is James A. Farley, known everywhere as Jim. He has lived a long and useful life, but he shall never grow old because he is animated by the spirit of youth. He has lived well and magnificently and always and ever he has lived above the fog in public duty and in private thinking. From the dawn of manhood's morning to the golden hours of his great life he has been inspired by lofty principles and high ideals and attended by a righteous influence. Surely he has the right to exact from life the real compensations which by his life and love and labor he has so richly earned. He is a man of courage and conviction, and is remarkable merely because of the life he has lived. In politics he has been powerful; in public office he has been a paragon.

Perhaps you wonder why I am having all this to say. Certainly I am not nominating Jim Farley for public office. Neither am I singing a political swan song, and surely this brief tribute is not a requiem. Actually, the little editorial in the Gastonia Gazette prompted me to say these few kind words about Jim Farley, whose friendship most all of us have enjoyed through the years. He has walked with kings, but he has never lost the common touch.

REMARKABLE MAN

Congratulations to Belmont Abbey College on securing James A. Farley as the principal speaker for the approaching commencement exercises.

Jim Farley is one of the most remarkable politicians in American history. And one of the most remarkable personalities of his generation.

Now well in his seventies, and we believe nearing 80, Jim Farley has changed very little in appearance in the last 20 years. Just a few years ago we saw him marching with the Knights of Columbus in the mammoth parade which welcomed Gen. Douglas MacArthur to New York.

He marched the full 5 miles or more without missing a step, walking as erect and with as firm a step as the youngest man in the crowd.

It has been said that Jim Farley knows at least 100,000 people by name, knows where they come from and what their business is.

We can testify to the fact that he has a most remarkable memory, for when we spoke to him at a dinner in New York several years ago, he boomed out, before we could tell him who we were:

"Hello, Atkins. How are things in Gastonia?"

The remarkable thing about it was that we had talked with him only briefly when he was passing through Gastonia some 15 years before, on his way to Newton to dedicate a new post office. That was when he was serving as Postmaster General under President Franklin Roosevelt.

Farley doesn't brag about it, or claim any particular moral preeminence for it, but he has never taken a drink or smoked in his life. Unusual, to say the least, for a national politician.

He is really an outstanding man, and perhaps the most astute politician of his day.

We welcome him to Gaston County to address the graduates at Belmont Abbey.

Mr. Speaker, the fine and friendly editor who wrote the editorial Remarkable Man was in error in estimating the age of the man about whom he was writing. Actually, Jim Farley is well on the south side of 3 score years and 10, and my fondest hope is that he shall reach 100 years and take a new lease on life. May Heaven's blessings attend him and light his pathways through many years to come.

Congressman Young Will Hold Conferences in Nevada

EXTENSION OF REMARKS

OF

HON. CLIFTON (CLIFF) YOUNG

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 12, 1954

Mr. YOUNG. Mr. Speaker, since I have been in Congress I have attempted to keep in close communication with the people whom I represent.

Immediately following my return to Nevada, I will make an official business tour of the 17 counties in my State. A temporary office will be established in various communities, and local citizens will have an opportunity to confer informally with their Representative in Congress. A member of my Washington staff will accompany and assist me.

The schedule for the first part of my tour is as follows:

Monday and Tuesday, August 30 and 31, 1954: 9 a. m. to 12 m.; 1 p. m. to 5 p. m., Federal courtroom, Las Vegas.

Thursday, September 2, 1954: 9 a. m. to 12 m.; 1 p. m. to 5 p. m., Townsite Elementary School, room 12, Henderson.

Friday, September 3, 1954: 9 a. m. to 12 m.; 1 p. m. to 5 p. m., municipal council chambers, Boulder City.

Tuesday, September 7, 1954: 1 p. m. to 5 p. m.; 7 p. m. to 10 p. m., mayor's office, city hall, Sparks.

Wednesday, September 8, 1954: 9 a. m. to 12 m., courthouse, Yerington.

Wednesday, September 8, 1954: 2 p. m. to 5 p. m., courthouse, commissioner's room, Hawthorne.

Thursday, September 9, 1954: 9 a. m. to 12 m., courthouse, Fallon.

Thursday, September 9, 1954; 2 p. m. to 5 p. m., courthouse, Carson City.

Friday and Saturday, September 10 and 11, 1954: 9 a. m. to 12 m.; 1 p. m. to 5 p. m., courthouse, commissioners' room, Reno.

No appointments are necessary for these conferences. Any or all of my constituents are urged to meet with me on the date most convenient to them to discuss problems where my office may be of assistance. I am looking forward with enthusiasm to this tour.

Philippine-American Day

EXTENSION OF REMARKS

OF

HON. BARRATT O'HARA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 12, 1954

Mr. O'HARA of Illinois. Mr. Speaker, tomorrow will be observed in Manila and on the islands of the Philippines as Philippine-American Day, marking the 55th anniversary of the inauguration of relations between the Philippines and the United States of America.

As the last veteran of the Spanish-American War in this body, I have an especial interest in this anniversary. When the *Maine* was sunk in Habana Harbor on February 15, 1898, the Philippines were under the cruel yoke of Spanish rule. Then came our war with Spain and shortly after the declaration of hostilities Dewey and the American Fleet on that memorable 1st of May of 1898 started the islands on the road to a long-dreamed-of but insufferably long-denied freedom. It is to the eternal credit of the United States that our pledge of Filipino independence was kept with fidelity. It is to the eternal credit of the people of the Philippines that in the hour of our need their friendship to us was proved to the utmost. Whatever the future has in store for this world of ours we may be certain that throughout the years and centuries the people of the Philippines and the people of the United States will stand together as brothers on the firm foundation of a friendship tried and proved.

We wish for President Ramon Magsaysay an administration of brilliant accomplishment and for the men, women, and children of the Republic of the Philippines all the blessing of a benevolent God and a free country.

By unanimous consent, I am extending my remarks to include the proclamation of President Magsaysay:

PROCLAMATION NO. 52 BY THE PRESIDENT OF THE PHILIPPINES DECLARING AUGUST 13, 1954, PHILIPPINE-AMERICAN DAY

Whereas August 13, 1899, marked the official beginning of relations between the Philippines and the United States and the commencement of a happy and mutually profitable association between Filipinos and Americans;

Whereas on the occasion of the 55th anniversary of that event, it is appropriate that the two peoples renew and further strengthen the bonds that bind them in view, particularly, of the prevailing critical world conditions that threaten their security and the democratic institutions that they have jointly developed and stanchly defended at the cost of their resources and blood;

Whereas it is meet and proper that this historic event in the lives of the two nations, loyal partners in the active defense of freedom, be properly commemorated so that it may ever remain a source of inspiration in the noble effort to insure the success and permanence of the free and democratic enterprises in which they are engaged and which constitute their contribution to the peace of the world and the happiness of mankind; and

Whereas it is desirable that the two peoples be afforded every opportunity to get together on an intimate basis and encouraged to find a common medium for the friendly, intelligent, and unselfish appraisal of the problems as well as the advantages that arise from their present relationship, always in a spirit of cooperation and with due regard for each other's rights, interests, and aspirations;

Now, therefore, I, Ramon Magsaysay, President of the Philippines, do hereby declare August 13, 1954, as Philippine-American Day. I call upon all our people and all Americans residing within Philippine territory to observe this date with appropriate ceremonies designed to promote mutual understanding and helpfulness and to enhance the practical significance of the intimate association existing between Filipinos and Americans and between the Government of the Republic of the Philippines and the Government of the Republic of the United States of America. I especially call on all civic, business, religious, and service organizations and schools, both public and private, to devote this date to exercises calculated to advance knowledge and wider appreciation of the value of Philippine-American relationship and of the benefits derived from it.

In witness whereof, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the city of Manila, this 29th day of July, in the year of our Lord, 1954, and of the independence of the Philippines, the ninth.

RAMON MAGSAYSAY,
President of the Philippines.

By the President:

FRED RUIZ CASTRO,
Executive Secretary.

Eighty-third Congress Appropriations

EXTENSION OF REMARKS
OF
HON. CLIFF CLEVENGER
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 12, 1954

Mr. CLEVENGER. Mr. Speaker, the one big promise the Republican Party made to the people 2 years ago was to cut unnecessary spending, deficit financing, and arrest the rapid deflation of our dollar and cut our taxes.

The first must come from saving through less spending; the next, stopping inflation through checking the great borrowing in excess of national ability to pay more taxes.

What is the record of the 83d Republican Congress?

83d Cong.	Budget estimate	House Appropriations Committee recommendation	Approved	Decrease below budget estimated
1st sess	$68, 621, 899, 638	$53, 989, 760, 150	$54, 539, 342, 491	−$14, 082, 557, 147
2d sess	50, 238, 590, 985	46, 780, 200, 703	47, 642, 131, 205	−2, 596, 459, 780

It will be noted from the above that the reductions in the Truman budget estimates in the 1st session of the 83d Congress totaled $14,082,557,147. The reduction for the 2d session totaled $2,596,459,780. The total appropriations for the last session of the 82d Congress exceeded $75 billion. The following table shows the reductions recommended by my subcommittee for the State Department, Commerce Department, and the United States Information Administration:

Bill	Budget estimate	House subcommittee recommendation	Decrease below estimate
State, Justice, and Commerce, fiscal year, 1954	$1, 469, 494, 515	$1, 143, 146, 712	−$326, 347, 803
The supplemental, 1954	147, 854, 042	72, 018, 242	−75, 835, 800
State, Justice, Commerce, and USIA, fiscal year, 1955	1, 313, 920, 960	1, 146, 988, 000	−166, 932, 960
The supplemental, 1955	129, 305, 746	23, 291, 297	−106, 014, 449
Total	3, 060, 575, 263	2, 385, 444, 251	−675, 131, 012

From the above table it will be seen that the State, Justice, and Commerce Departments subcommittee, of which it is my privilege to be chairman, made one of the deepest percentage cuts of any committee.

The men on my committee, Mr. COUDERT, Mr. BOW, and Mr. COON—and for the most part sustained by the three from the minority party, Mr. ROONEY, Mr. PRESTON, and Mr. SIKES—and the members of the full Committee on Appropriations all deserve the thanks of the American taxpayers everywhere. This subcommittee recommended reductions of more than $675 million below the budget estimates, which represent a reduction of over 22 percent.

Every time an appropriations request is reduced those responsible therefor are severely criticized. It is a thankless task, but one which must be done if this great Nation is to remain solvent.

Report to the People of the Fourth Congressional District of Wisconsin—My Record and Votes on Major Issues in the 83d Congress

EXTENSION OF REMARKS
OF
HON. CLEMENT J. ZABLOCKI
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 12, 1954

Mr. ZABLOCKI. Mr. Speaker, the 2d session of the 83d Congress is coming to an end. It is timely, therefore, to pause for a moment, survey the past 2 years, and see what this Congress has achieved, and where it has failed.

We must look at the record, and compare the promises made during the past election campaign with the performance of the 83d Congress. Such stock-taking will help us—and help all the people of the United States—to evaluate the work of our elected Representatives. It will help to elect a good Congress for 1955–56.

This report to the people of the Fourth Congressional District of Wisconsin deals with the work of the 83d Congress. It covers the major issues considered by Congress during the past 2 years, and shows my stand and votes on those questions.

I realize full well that my legislative record may not please each and every one of my constituents. That is to be expected in a democracy, where each and every one of us has the right to his own opinion—a right that we must always respect and safeguard.

Nevertheless, I believe that the voters have the right to know how their Representatives voted on issues of importance to our Nation. For that reason, I have always reported to my constituency on my actions as their Congressman. I want the people of the Fourth Congressional District of Wisconsin to know that I have conscientiously tried to represent them to the best of my ability.

POLITICS AND REALITY

The 1st session of the 83d Congress—described in detail in my 1953 report—acquired the "do nothing" tag. The second session produced a more palatable record, as shown in the table at the end of this report. Nevertheless, one brutal fact remains clear: the legislative program of the present administration thus far has been neither bold, inspiring, dynamic, nor very important. Aside from the St. Lawrence Seaway, the meager accomplishments of the 83d Congress boil down to the passage of routine housekeeping bills—such as the annual appropriations—and to the extension, with minor modifications, of long-existing programs developed by past administrations—for instance, social security, Federal aid to highways, airports, hospitals, and other programs.

As I already noted, the passage of the St. Lawrence Seaway bill was a noteworthy accomplishment. However, only after Congress follows through with additional legislation and appropriations necessary to complete the project, will

a new highway of commerce between the heartland of America and the Atlantic Ocean become a reality. The seaway, for which we in Wisconsin have fought so long, can prove of tremendous benefit to our entire Nation.

LEST WE FORGET

Lest we forget, however, the American people were promised manifold other blessings during the 1952 election campaign by the glib and generous Republican candidates.

The GOP spokesmen pledged, for instance, to cut Federal spending by $15 to $20 billion to balance the budget and to reduce the national debt. Yet during fiscal year 1953 the national debt increased by $7 billion; another $5 billion were added to it during fiscal year 1954, and it appears that the Government will continue to operate in the red through the rest of this year and into 1955.

During the past campaign the Republicans made many extravagant charges about the "mess" in Washington. Upon being elected to office they found themselves in an embarrassing situation: not only were they unable to substantiate most of their accusations, but in addition, they were harassed by exposés of their own "4-percenters," of corruption in the Justice Department, and scandals in the Federal Housing Administration.

It was then that the Nation witnessed a shameful display in which Government officials, led by the Attorney General of the United States, began to pervert and twist facts to save face. The biggest abuses were perpetrated in the name of internal security. Men who died, men who resigned from Government service for personal reasons, men who were fired for plain inefficiency, and many others were branded as subversives and included in the infamous list of "2,000 cleaned-out subversives."

It was only after minority Representatives and the press began to demand names and facts that this fraud was exposed.

THE SANTA CLAUS PARADE

The 83d Congress will be especially remembered for the shameless giveaway of our national resources.

The first big giveaway came with the passage of the so-called tidelands oil bill, which gave to a few States our national oil resources located under the marginal sea, valued at between $70 and $200 billion. The oil interests tried unsuccessfully to secure access to these Federal resources for over 10 years. The Republican majority in the 83d Congress approved this giveaway, and the President signed it.

Then came the betrayal at Hells Canyon, the authorization for the disposal of 28 Government-owned synthetic-rubber plants to private interests for a fraction of their cost, the raid on our public grazing lands, the lumber giveaway, the sellout at Niagara, the natural-gas "steal," the atomic-energy deal—involving a $12 billion investment of the taxpayer's money—and other "fast shuffles."

To be certain, we managed to block some giveaways, to slow down and discourage others. The fact remains, however, that since the Teapot Dome scandal in the early 1920's, there has been nothing in our history to compare with the record of the 83d Congress and our present administration in the bartering away of public resources.

Under the guise of getting the Government out of business, resources and developments in which billions of tax dollars have been invested were offered in "cut rate" deals to big business. To paraphrase a well-known idiom, "never has so much been done for so few, and so little for so many."

HEALTH, EDUCATION, AND SECURITY

Defying old traditions, a number of GOP Representatives joined with the Democrats this year in pressing for new amendments to the Social Security Act. The 1954 amendments grant modest increases in the rates of benefits, extend the coverage of the program, and introduce a number of minor improvements in the law.

While this legislation is neither original nor adequate—especially with regard to the much-needed lowering of retirement age for women workers and the extension of insurance benefits to disabled persons—it represents a step in the right direction.

Among other programs continued by the 83d Congress were the extension of Federal aid for construction of medical facilities; aid for the improvement of vocational rehabilitation services to handicapped persons; aid to schools in defense areas; assistance to construction industry and Federal insurance of home mortgages.

Little was done to enact a realistic program of school construction assistance, or to aid families submitted to hardship because of illnesses. Last year, 8 million American families went into debt for over $1 billion to pay for medical bills. Five hundred thousand families had medical expenses which equaled or exceeded their income.

The administration's attempt to remedy this problem by having the Government underwrite certain health insurance losses of private companies was blocked in the House. The majority of Representatives felt that the administration's health reinsurance bill was inadequate to meet our people's needs, and that it could enrich certain insurance companies with "windfall profits."

THE "TRICKLE-DOWN" POLICY

In reviewing the tax situation, we must keep one thing clear: The automatic 10-percent tax cut which went into effect on January 1, 1954, was approved by the Democratic 82d Congress and signed by President Truman. This is the only tax relief which benefits the average taxpayer to any appreciable extent—in addition, the 82d Congress provided for automatic cuts in excess profits; corporation, excise, and other tax rates, increased temporarily to pay for defense rearmament after the outbreak of the Korean conflict.

The tax bill sponsored by the present administration and approved by the 83d Congress gives very little relief to the average taxpayer. Eighty percent of our people earn less than $5,000 a year. This vast majority will receive a $311 million tax reduction under the administration's bill. This amounts to 9 percent of the total tax relief provided for in the 1954 Republican tax cut.

Corporations and individuals earning over $5,000 a year will receive 91 percent of the tax relief provided for in the $3.3 billion GOP tax bill. This is what is known as the "trickle down" policy, under which tax concessions are made to the well-to-do with the hope that they will seep through to those below.

Together with a number of my Democratic colleagues, I worked for an increase in the individual tax exemption which would benefit all taxpayers, instead of just a few. Our efforts to increase individual tax exemption to a minimum of $700 did not meet with much success.

WHAT ABOUT WORKERS?

The Republican campaign pledge for a revision of the Taft-Hartley Act was just so much talk. No serious effort was made by the majority leadership to enact the needed changes in our labor laws.

The majority party in the House also defeated all attempts to extend the duration of jobless benefits, and to increase their rates. A token gesture was subsequently made to extend the coverage of the unemployment compensation program.

In spite of the high cost of living, and the appreciable level of unemployment, little was done to combat these problems. In fact, the GOP leadership in the Senate overwhelmingly refused money for a committee on consumer interests, which was to investigate middleman profiteering and the reasons for the wide gap between farm income and consumer prices.

Postal and other classified Federal employees received the "runaround" in the needed cost-of-living salary adjustments.

OUR FOREIGN POLICY

The limitations of this report will not permit me to comment on all the issues considered by the 83d Congress. They are listed, however, at the end of this résumé. Before concluding, I want to say a few words about the poor performance of the present administration in the important field of foreign policy.

All of us will long remember the bitter criticisms heaped upon the foreign policy of the past administration by the Republicans. We will also recall the GOP campaign assurances that communism would be stopped in its tracks, that liberation of the Soviet-dominated nations would be at hand, and that our Nation would receive a new, dynamic foreign policy as soon as the Republicans were elected to office.

The miserable and even tragic record of the present administration in the field of foreign affairs makes mockery of those empty promises.

In less than 2 years, Communists have made great gains. Their hold on one-half of Korea was sanctioned—at least for the time being—when the administration accepted the shaky and unsatisfactory truce. The Reds then took over a big portion of Indochina, while our leaders stood by, piously pledging that they would not condone any agreements which would provide for the enslavement

of free peoples. In the meantime, 7 million Vietnamese were committed into Communist bondage through the Indochina armistice agreement.

What is even more tragic, is that the unity of the free world has been crumbling under the inept leadership of our Government during the past 21 months. Further, in the face of new Communist advances, our administration has been cutting back our military, mutual security, and anti-Communist propaganda appropriations.

How sadly does this great crusade compare with the record of the past Democratic administration which stopped communism in Greece, Turkey, Iran, and Berlin; which blocked Red progress in Europe with the Marshall plan and the North Atlantic Treaty Organization; which fostered the free world alliance and frustrated Communist plans for the underdeveloped areas through the point 4 programs and which led in stopping Communist aggression in Korea.

Voting record, 83d Cong.

Stand	Issue	Status
	INTERNATIONAL AFFAIRS	
Voted for	Mutual security program [1]	Approved.
Voted for	Renewal of the reciprocal trade agreements program [1]	Approved.
Voted against	High-tariff Simpson bill	Defeated.
Voted for	Simplification of United States customs procedures [1]	Approved.
Voted for	Emergency Migration Act (refugee relief bill)	Approved.
Voted for	Making agricultural surpluses available to needy nations	Approved.
Voted for	Resolution opposing admission of Red China to the United Nations [1]	Approved.
Voted for	Resolution condemning Soviet enslavement of free peoples	Approved.
	NATIONAL DEFENSE AND INTERNAL SECURITY	
Voted against	$5 billion Air Force cut, and resultant cutback of our airpower	Approved.
Voted against	Deep cuts for civil defense and atomic energy	Approved.
Voted for	Revision of specialists' draft law [1]	Approved.
Voted for	$450 million naval patrol and submarine vessel construction program	Approved.
Voted for	Establishment of U. S. Air Force Academy	Approved.
Voted for	Restricted use of wiretapped evidence in cases involving treason	Pending.
Voted for	Revocation of United States citizenship of convicted traitors	Pending.
Voted for	Inclusion of words "under God" in Pledge of Allegiance to the Flag	Approved.
	NATIONAL ECONOMY	
Voted for	6-month extension of excess-profits tax [1]	Approved.
Voted for	Reduction in excise taxes and repeal of theater admission tax [1]	Approved.
Voted for	Omnibus revision of the Internal Revenue Code	Approved.
Voted for	Increase in personal tax exemptions to a minimum of $700	Defeated.
Voted for	$966 million highway construction assistance program [1]	Approved.
Voted against	Subterfuge attempt to "abolish" the RFC by changing its name	Approved.
Voted against	Giveaway provisions in authorization of sale of Government rubber plants	Approved.
Voted for	Extension of duration and increase of unemployment compensation rates [1]	Defeated.
Voted against	Increase in first-class postal rates	Defeated.
Opposed	Raising the ceiling on the national debt	Pending.
Favored	Revision of the Taft-Hartley Act	Pending.
	NATURAL RESOURCES	
Voted against	Giveaway of tidelands oil resources, valued between $70 and $200 billion	Approved.
Favored	Oil revenue from outer Continental Shelf for educational purposes	Defeated.
Voted against	Giveaway of Federal regulatory power over certain natural-gas companies	Approved.
Voted against	Giveaway of Government control over power and regulation of atomic energy	Approved.
Opposed	Giveaway of mineral resources under certain public lands	Pending.
Opposed	Giveaway of public grazing lands	Pending.
Voted for	St. Lawrence Seaway	Approved.
	GOVERNMENT REORGANIZATION	
Voted for	Renewal of President's authority to reorganize executive departments [1]	Approved.
Voted for	Statehood for Hawaii and Alaska	Pending.
Voted for	Government reorganization plans (Departments of Defense, Health, etc.)	Approved.
	VETERANS AND SERVICEMEN	
Voted for	Family allowances to dependents of servicemen [1]	Approved.
Voted for	Direct housing loans to veterans [1]	Approved.
Voted for	Automatic renewal of Government life insurance [1]	Approved.
Voted for	Income-tax exemptions for servicemen on combat duty [1]	Approved.
Voted for	Increase in veterans pensions, compensation, and survivors benefits [1]	Approved.
Voted for	Extension of Korean veterans GI bill of rights and housing benefits [1]	Approved.
Voted for	Changing of Armistice Day, November 11, to Veterans' Day	Approved.
Opposed	Increased interest rates on veterans' housing loans	Approved.
	AGRICULTURE	
Voted for	Emergency aid to drought and disaster areas	Approved.
Voted for	Federal regulation of trading in coffee	Approved.
Voted for	Sale of $1 billion of surplus agricultural commodities	Approved.
Voted for	Omnibus farm program bill	Pending.
Opposed	Increased interest rates on Bankhead-Jones Farm Tenant Act loans	Approved.
	SOCIAL SECURITY, HEALTH, AND WELFARE	
Voted for	Extension of the National Housing Act [1]	Approved.
Voted for	Increased FHA authority to insure housing loans, with new safeguards [1]	Approved.
Voted for	Federal aid for survey and construction of medical facilities [1]	Approved.
Voted for	Federal aid to schools in defense areas and for vocational rehabilitation [1]	Approved.
Voted for	1954 Amendments to the Social Security Act [1]	Approved.
Voted for	Coordination of Wisconsin State retirement funds with social security	Approved.
Voted for	Allowing full benefits under social security and railroad retirement [1]	Approved.
Voted for	Factory inspection by Food and Drug Administration [1]	Approved.

[1] Denotes extension or modification of a program originated by past administrations.

Rollcall record

	Total roll-calls	Paired	Not voting	Absent on roll and quorum calls [1]
1st session	123	8	1	5
2d session (through Aug. 12, 1954)	140	3	0	5

[1] Absence on quorum calls does not necessarily mean a legislative day's absence.

Gunpowder Politics

EXTENSION OF REMARKS
OF
HON. CLIFTON (CLIFF) YOUNG
OF NEVADA
IN THE HOUSE OF REPRESENTATIVES

Thursday, August 12, 1954

Mr. YOUNG. Mr. Speaker, the RECORD has been unduly burdened of late days with propaganda on behalf of what has been appropriately called gunpowder politics. Among others, apparently certain manufacturers of shotgun and rifle shells are assisting in a nationwide campaign of villification of livestock producers of the West under the guise of pseudoconservation organizations. They have succeeded to the extent of misleading even some of our foremost sportsmen's groups. They are even financing legitimate organizations in the distribution of propaganda based on glittering generalities rather than facts. Regrettably it has had some effect on the public because of the names of these respected sportsmen's groups.

The gentleman from Montana's First Congressional District was recently honored by a number of groups, apparently to some extent, for his part in an unceasing campaign against the livestock industry of the range regions of the West. He has been most considerate of those promoting these gunpowder political attacks on the administration-supported Forest Lands Grazing Act. He has assisted by placing in the RECORD copies of editorials which unfairly and unjustly criticize this measure.

One of the latest of these is entitled "The Neatest Trick of 1954." The charges included therein point out no specifics in opposition to the bill, but must be answered to clear up certain misstatements and protect the integrity of the Forest Service, the Department of Agriculture, one of our greatest basic private enterprises of the agriculture industry, namely, livestock producing, and those representatives of the western range areas who have worked so diligently to bring about uniformity and the most efficient use of the natural resources of the West.

Mr. Speaker, one of the responsibilities of this Congress is the drafting of legislation to most wisely utilize for the good of the Nation the vast land areas of the 11 Western States which are held in public trust in the name of the United States Government. Fifty percent of the land areas of the 11 Western States is owned by the Federal Government. As can be readily seen, this does not include land upon which cities have grown, but is comprised principally of the rugged mountains, deserts, and forests where settling under the Homestead Act with an acreage limitation was found to be impracticable to establish a sound economy. The grass which grows on these public land areas is one of the greatest natural resources this country has. When we mine the mountains the product is gone forever; when we drill for oil we exhaust that much of our natural resources; but when we harvest the grass which comes up each year, we

not only utilize one of the greatest natural resources of this area but we know that, with proper management and care, that natural resources will be ready for harvest again the next season, and both the quantity and quality of that natural resource can be improved under proper safeguards.

There are those who would have you believe that it should be established as the national policy that the livestock men of the areas who have built a major portion of the economy of the West upon the proper utilization of these resources should be driven from the public lands so it could be turned over to the exclusive use of men pleasure-bent—with rifle and shotgun under arm—who would wander through the unharvested grass and shoot at deer and duck. Were this to be done, a valuable, recurring resource—this annual forage crop—would be irretrievably lost.

What heinous crime have these livestock men committed which causes the gentleman from Montana to raise this anguished cry against them in the RECORD? Mr. Speaker, these men have produced from this natural resource, grass, the meat, the leather, and the wool which have fed and clothed the Nation. Remember the leather shoes you are wearing, the wool of your suit, the meat at your table is the direct harvested result of utilization of the natural grass resources.

Upon the production of these articles depends the income of vast land areas of the Western States. Not only have these users of the public lands paid their fee for the use of the grass crops which have been harvested, but from the profits they have paid some part of the taxes which built schools and financed State governments. In many of these areas it is the only economy upon which is based the commerce and business of the area.

The gentleman from Montana has placed in the RECORD an editorial stating the attempt to pass the forest grazing bill is for a small group of stockmen. Mr. Speaker, there are thousands of permittees who graze livestock on the forest lands and other public lands of the West. Consider how many more thousands are furnished employment in the industry and in the service organizations which supply them with their needs and handle their products. Mr. Speaker, without confusing the RECORD with the many thousands of stockmen who have permits—for which they pay—to graze under strict control, on other public lands, but just directing our attention to the forest grazing bill, there are more than 26,000 such stockmen who graze on forest lands. The Nation benefits from their production, and from the tax revenues on all their profits and on the wages of the employees and on the wages and profits of the allied industries. In 1953, 3 million head of sheep and 1,150,000 head of cattle harvested the grass natural resources of the public forest lands. Figured on an animal-month-unit basis of grazing, there were 8,500,000 sheep months and 6 million cattle months of grazing on the forest lands. Please realize, Mr. Speaker, this is only supplemental grazing—summer grazing, if you please—to make more productive the livestock operations on the private lands of the western feeding areas. Yet the opponents of this forest grazing act, by the deft use of glittering-generalities propaganda, would try to make you and the public believe the forest grazing bill is for only a few.

Over in the other body, an amendment has been accepted to the omnibus farm bill which would establish a more secure working relationship between the livestock producers of the West, as tenants who lease land, and the Government of the United States, which is the landlord for the livestock industry.

Mr. Speaker, this amendment is identical with the forest grazing bill which passed the Senate unanimously early this year. Hearings were held in the House Agriculture Committee and there was every indication that after 2 years of study this measure would be approved quite overwhelmingly by the House of Representatives, because of the reasonableness of the measure which would establish a sound landlord-tenant relationship between the Forest Service and the livestock industry. I take pride in the fact that this Republican administration has been quick to recognize the benefits of establishing and recognizing the multiple uses of the forest lands and giving some sense of security to an industry which harvested the grass resources of our forest lands for the benefit of the Government and the profit of our citizens.

Material placed in the RECORD by the gentleman from Montana mentions that the forest grazing bill is not germane to the agriculture bill. It is germane. It was this body of the Congress which made of the agriculture bill, receiving consideration in the House, an omnibus bill, carrying several items which had been passed separately by the Senate. Practically all matters affecting the Department of Agriculture, from agriculture attaches to support prices on basics, were included in the agriculture bill made into an omnibus bill by the Agriculture Committee of the House of Representatives. Then why, Mr. Speaker, is it not germane to include legislation directing the activities of the Secretary of Agriculture and the Forest Service in the production of meat, leather, and fiber on the public lands?

Mr. Speaker, the gunpowder politicians and their propaganda do not point out specific places in which they oppose the forest grazing bill, they only make wild, arm-swinging charges that there is a great strain on many for the benefit of a few. The facts refute this. They would have you believe that all people who believe in conservation oppose this bill. That is not true. For 2 years conservation groups, the administration, and the livestock industry have been presenting their position on this matter to Congress. Let me quote a small portion of a considerable amount of material delivered to the Senate by Senator ANDERSON on August 3 of this year, in which the National Wildlife Federation supports the forest grazing bill. Hugh B. Woodward, regional director of the National Wildlife Federation, states that they have attempted a sane and dispassionate evaluation of the measure as passed by the Senate on March 8 of this year, and says "such an approach must be divorced from unreasoning prejudice." Their declaration that widespread opposition persists is due to lack of knowledge and understanding, and I again quote Mr. Woodward:

> After a complete review of all congressional legislation affecting national forests; after many months of careful and conscientious study of S. 2548 from the time of its introduction through the committee hearings, careful analysis of the Aiken committee report to the Senate, and the debate and colloquy at the time the bill was passed by the Senate, as printed in the CONGRESSIONAL RECORD, we have an abiding conviction that the merits of the amended bill justify and should command the support of every thoughful citizen of the United States interested in the protection of the public values of our national forests.

Mr. Speaker, now that the other body has adopted the Anderson forest grazing amendment, it will give this body an opportunity to agree in the establishment of a broad declaration of congressional policy for the administration of all national forest lands. I hope that the Members of the House will not be deluded by the misinformation circulated on this amendment and will join with the other body in giving the American people a constructive program for improving the multiple use of our national forest areas.

Genevieve de Galard-Terraube, French Airborne Nurse, Visits the United States at the Request of Congress, July 26 Through August 17, 1954

EXTENSION OF REMARKS

OF

HON. FRANCES P. BOLTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 12, 1954

Mrs. FRANCES P. BOLTON. Mr. Speaker, on June 4 both the House and Senate passed House Concurrent Resolution 236, which read as follows:

> Whereas this year marks the 100th anniversary of Florence Nightingale's historic nursing of the wounded in the Crimean War; and
>
> Whereas Nurse Genevieve de Galard-Terraube, officer of the Army of the Republic of France, in her ministering to the sick and wounded at Dien Bien Phu and her subsequent service to her comrades as prisoners of the Viet Minh has provided an example of the courage of a woman in battle and of the devotion of a nurse to her sworn duty which has been unsurpassed in this century; and
>
> Whereas this inspiring woman is representative of the devotion to duty of soldiers of the Republic of France, which has been an ally of the United States for 178 years, and whose people today are considered the warm friends of the people of the United States; and

Whereas Nurse Genevieve de Galard-Terraube's example of fortitude in the face of supreme danger has changed the fall of Dien Bien Phu from a military reversal to a great psychological victory of the undefeatable principles of free mankind fighting the forces of darkness; and

Whereas this nurse, known affectionately as "the Angel of Dien Bien Phu," embodies the finest attributes of free women accepting with men the full burden of living in our modern world: Therefore be it

Resolved by the House of Representatives (the Senate concurring), That the Congress hereby extends to Nurse Genevieve de Galard-Terraube its warm congratulations for her gallant service and invites her, at the earliest time convenient to her and her country, to visit the United States as an honored guest.

The President is respectfully requested to transmit copies of this resolution to the Government of France, and to Nurse Genevieve de Galard-Terraube.

This was transmitted to Mlle. de Galard-Terraube with the following cover letter from President Eisenhower:

THE WHITE HOUSE,
Washington, D. C., June 14, 1954.

DEAR MLLE. DE GALARD-TERRAUBE: It gives me great pleasure to transmit to you a resolution by the Congress of the United States inviting you, at the earliest time convenient to you and your country, to visit the United States as an honored guest.

The people of the United States have followed with sympathy and deep admiration the courageous and resolute resistance of French Union forces against Communist aggression. I wish to include myself among the many to whom the example set by your fortitude, your devotion to duty, and your concern for the sick and wounded has been inspiring and in accordance with the best traditions of humanity.

With best wishes,

Sincerely,

DWIGHT D. EISENHOWER.

On July 24 the Speaker laid before the House the following communication:

VISIT OF MLLE. GENEVIEVE DE GALARD-TERRAUBE—COMMUNICATION FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following communication from the President of the United States, together with a letter from Mlle. Genevieve de Galard-Terraube, which were read:

THE WHITE HOUSE,
Washington, July 23, 1954.

Hon. JOSEPH W. MARTIN, Jr.,
Speaker, House of Representatives,
Washington, D. C.

DEAR MR. SPEAKER: I am pleased to transmit herewith a letter addressed to me by Mlle. Genevieve de Galard-Terraube accepting the invitation of the Congress to visit the United States and asking that her thanks be submitted to the Congress.

Sincerely,

DWIGHT D. EISENHOWER.

[Translation of letter to the President from Mlle. de Galard]

JUNE 28, 1954.

MR. PRESIDENT: I am profoundly touched by the great honor which it has pleased the American Congress to do me by inviting me to go to the United States. This honor belongs to all those whose lot I proudly shared for nearly 2 months and to all the nurses who, in a more obscure situation, sought to relieve the suffering of the wounded. It is on these terms that I accept with gratitude the invitation of the Congress.

In accepting this invitation I am mindful of all the families in mourning, of all those who are still out there, of those who battle and those who are in the prison camps and who, more than I, merit the honor which is paid me; their thought will stay with me and without doubt my taking to the people of the United States an echo of their heroic courage will be of a continuing aid to them.

The American Nation will understand my feelings all the better in that at this very moment it is making a generous contribution to the repatriation of the wounded of Indochina. I shall be happy, upon the occasion of my visit, to express the gratitude of the French families for this gesture which translates so well the traditional friendship of our two countries.

I beg Your Excellency to please transmit my most humble thanks to the Congress of the United States and to accept the assurances of my profoundly respectful sentiments.

GENEVIEVE DE GALARD.

On Monday, July 26, with the unanimous consent of this House to be absent on official business, I went to New York to welcome to the United States on the part of the President and the Congress this young guest whose valiant service to the wounded at Dien Bien Phu—Indochina—has so stirred the imagination and gripped the heart of America.

Today, I have asked for this time in order to report upon the results of our invitation and its acceptance by Mlle. Genevieve de Galard-Terraube, airborne nurse of France.

NEW YORK

I need hardly tell you that on July 26 the press, radio, television, and newsreels were at Idlewild Airport in full force, all of them immediately captivated by Mademoiselle.

The reception party consisted of myself, representatives of the State and Defense Departments, Army, Navy, and Air Force nurses, as well as members of the French Embassy and their New York consulate. With the mayor of New York's representative Ambassador Richard Patterson, rolling out the red carpet in the usual form, the parade cars and the police escort throughout the day could not have been surpassed.

A delightfully intimate note was added by the presence at the airport of several members of Mlle. de Galard's family. This group was escorted to the airport by Mrs. John Lodge, wife of the distinguished Governor of Connecticut. In the party were Mr. and Mrs. Joseph F. Kelly, of Ridgefield, Conn.; Mrs. Kelly being an aunt; their son, Count Gaston de Galard de Bearn, Mademoiselle's cousin; and Mrs. Chantel Munier Prouty, of Windsor, Conn. Mrs. Prouty had attended the Louise de Bettignies School in Paris with Mademoiselle.

We made a brief stop at the Plaza Hotel, whose management very generously made a beautiful suite available, and then on to the Battery for the parade to the city hall.

I should not be giving you the full story did I not try to tell you something of the drama of her reception by the people of that great gateway city of New York.

From the Battery to the city hall the sidewalks were literally packed with eager folk applauding, cheering, waving, calling "Bravo, Bravo," "Vive la France." Men and women wiped their eyes quite unashamed. Photographers kept calling "Look this way, honey"—"Smile, Jenny"—"Wave to us, Genevieve." And she? Sitting alongside her in the lead parade car, where she was perched high on the back of the seat, I saw tears of deep emotion in her eyes, too.

The ceremony at the city hall was colorful and gracious. The invited audience of city officials, nurses, representatives of various welfare organizations, and representatives of the various services, presenting the colors of the two countries, received our guest with a warmth that was good to see. The Marseillaise and The Star-Spangled Banner preceded the short welcoming speeches and the presentation by the mayor of the scroll of the city.

Mademoiselle's gracious word of appreciation endeared her for all time to those who heard her.

The official program follows:

OFFICIAL RECEPTION IN HONOR OF LT. GENEVIEVE DE GALARD-TERRAUBE, "ANGEL OF DIEN BIEN PHU", MONDAY, JULY 26, 1954

COMMISSION FOR PUBLIC EVENTS,
New York, N. Y.

National Anthem, France; National Anthem, United States of America; United States First Army Band.

Presiding: Richard C. Patterson, Jr., Commissioner, Department of Commerce and Public Events.

Address: The Honorable FRANCES P. BOLTON.

Address: The Honorable Count Jean de Lagarde, Minister Plenipotentiary, Consul General of France.

Address: The Honorable Roger Seydoux, Minister Plenipotentiary at the French Embassy, Washington, representing his Excellency, Ambassador Henri Bonnet.

Address of welcome: The Honorable Robert F. Wagner.

Presentation of scroll: Mayor of the city of New York.

Response: Lt. Geneieve de Galard-Terraube, "Angel of Dien Bien Phu."

Municipal Broadcasting System, WNYC, Department of Correction Band, Capt. William Warfield.

Honor escort to Lt. Genevieve de Galard-Terraube: Col. J. R. Bowers, First Army and staff; mounted police escort; United States Army Band and contingent; United States Marine Corps contingent; United States Navy contingent; United States Air Force Band; Fire Department Band and contingent; New York Post Office Band; 40 and 8 contingent; massed colors, Fire Department.

After these ceremonies we proceeded to the Plaza, again between enthusiastic crowds.

Luncheon was in a tiny French restaurant with the French officials. There I listened with all my absorptive capacity to her replies to their many questions. Again I saw how sincere is her humility, how unassuming her courage. Truly, she is a valiant daughter of a long, long line of splendid soldiers of France.

That afternoon I held a reception in the Plaza for the members of our national welcoming committee and representatives of the nursing profession, as well as of hospitals, nursing schools, welfare organizations, Red Cross and others. They were a fitting background for the following citations given

her by: Columbia University, the American Nurses' Association, and the National League for Nursing:

CITATION FOR DISTINGUISHED SERVICE IN THE PROFESSION OF NURSING TO LT. GENEVIEVE DE GALARD-TERRAUBE

For her heroic devotion to the sick and wounded soldiers at Dien Bien Phu which has stirred the respect of all citizens:

For her courage in remaining with her patients during the last terrible weeks of siege at the battered bastion in Indochina and later by her presence greatly influencing the morale of her patients and fellow prisoners of the Viet Minh:

For her faithful adherence to duty as a volunteer for service and as a nurse through which she has symbolized and dramatized for all the free world the high precepts of the nursing profession and the contributions of modern military nursing:

This citation is inscribed and awarded to her on the 27th day of July 1954 by the American Nurses' Association.

AGNES OHLSON,
President.

JULY 26, 1954.

The National League for Nursing salutes Genevieve de Galard-Terraube, airborne nurse of the French Air Force.

The dark brings out her light; her valor perpetuates the inner spirit of her countrymen; her heroism quickens the pulse of humanity; her radiance reflects a loftiness of service in the career of nursing.

Mademoiselle de Galard was awarded a Columbia University bicentennial medallion in silver, with an acompanying citation which read:

The bicentennial committee of Columbia University in cooperation with the division of nursing education, teacaers college, and the department of nursing of the faculty of medicine awards to Mlle. Genevieve de Galard-Terraube a Columbia University bicentennial medallion in recognition of her heroic devotion to duty in nursing the soldiers of Dien Bien Phu. In putting the needs and comforts of her patients beyond personal freedom and safety, in ministering to the sick and wounded, whether friend or foe, she followed with honor the example set by Florence Nightingale 100 years ago.

In honoring Mademoiselle Galard-Terraube Columbia University pays tribute to the nurses of all nations whose valor, though outstanding, remains unsung.

By her courageous stand in face of danger, Mademoiselle Galard-Terraube has exemplified a dedication to duty that has become a tradition of nurses. She has symbolized anew throughout the world the high calling of the modern professional nurse.

That evening the French Consul General entertained with an informal dinner in her honor, at which I had the opportunity to express something of our appreciation for her coming, what her visit can mean to nurses and nursing here and in France as well, and the hope that her visit would bring about a better understanding between our two peoples.

WASHINGTON

The welcomings in Washington were very different, but just as moving. The Defense Department plane which was to carry her across the country touched down at MATS' terminal, where a detachment of nurses from the three military services stood at attention to receive her before an honor guard and band from Bolling Field. There also were Ambassador and Madame Bonnet, of the French Embassy; Representatives Edna Kelly and James Fulton, of the Committee on Foreign Affairs of the House; representatives of Vietnam, Laos, and Cambodia; Mr. John F. Simmons, chief of protocol, and Mr. Jameson Parker, public-affairs officer, both of the State Department; and the special representatives of Defense, Army, Navy, and Air Force nurses.

Later she was received by members of the House Committee on Foreign Affairs and was honored guest at a congressional luncheon I gave. The Senators I had invited found it difficult to attend because of the pressure of legislative business on the floor. I deeply appreciated that several came in for a few moments. We House Members kept tabs on what was happening on the House floor through the Speaker and whip, who were also present.

On Wednesday, Madamoiselle Genevieve and I appeared together on two television network programs. Later she laid a wreath at the National Nurses Memorial in Arlington Cemetery in a moving ceremony which will not be forgotten by those who attended. Her visit to Walter Reed Hospital was deeply appreciated. Mrs. John Foster Dulles very graciously included her in the luncheon she was giving for the wives of diplomats of the 16 nations who joined us in Korea. Later I had the pleasure of introducing her to the Secretary of State. She was accompanied, of course, by the French Ambassador, Henri Bonnet, and Assistant Secretary McCardle and Mr. Parker, of the State Department, joined us. At 6 o'clock she was guest of honor at a beautiful reception at the French Embassy.

If there was to be any highlight in this spectacular tour, it most certainly came on Thursday when Madamoiselle de Galard was received by President and Mrs. Eisenhower. The President expressed the appreciation of a professional soldier for this young woman's outstanding display of heroism and then awarded her the Medal of Freedom with bronze palm. The medal takes its place beside the Legion of Honor, which was conferred upon her during the siege of Dien Bien Phu.

THE WHITE HOUSE

The President of the United States of America, authorized by Executive order, July 6, 1945, has awarded the Medal of Freedom with bronze palm, to Mlle. Genevieve de Galard-Terraube, French airborne nurse, for meritorious service.

MEDAL OF FREEDOM (WITH BRONZE PALM)

Mlle. Genevieve de Galard-Terraube, French airborne nurse, by her ministrations to the sick and wounded at Dien Bien Phu, inspired and heartened the entire free world. Her service to her comrades, marked by the courage of a woman in battle and by the devotion of a nurse to her sworn duty, has been unsurpassed in this century. Her supreme fortitude in hours of peril, her unfaltering dedication to her mission reflected the greatness of spirit manifested on many fields, in many centuries, by the soldiers of France.

The republic she serves so nobly has been an ally of the United States for 178 years. The continuing friendship between the peoples of the two Republics is symbolized today in their joined salute to Mlle. de Galard-Terraube. Her service at Dien Bien Phu reflects great credit upon herself and her country and the cause of freedom around the world.

JULY 29, 1954.

From the White House, Mlle. de Galard went to the National Institutes of Health in Bethesda. There Surgeon General Dr. Leonard A. Scheele awarded her a citation and honorary membership in the Association of Military Surgeons.

Genevieve de Galard-Terraube, French airborne nurse, with nobility of purpose, with selfless devotion to duty despite danger, you denied yourself comfort and safety that you might serve God, your country, and your people in the heroic defense of Dien Bien Phu. You are a symbol of the highest traditions of professional nursing and have brought honor to all who care for the sick or wounded, in peace as in war. The Association of Military Surgeons of the United States commends you.

LEONARD A. SCHEELE, M. D.,
The Surgeon General, United States Public Health Service; President, Association of Military Surgeons.

JULY 29, 1954.

Later that day she was guest of honor at a tea given by the American Red Cross Nursing Services where she planted two little holly trees. The Red Cross has also recommended her for the Florence Nightingale Medal, highest honor of the nursing profession.

RESOLUTION OF TRIBUTE TO LT. GENEVIEVE DE GALARD-TERRAUBE

During the siege and fall of Dien Bien Phu, Lt. Genevieve de Galard-Terraube, a French nurse, acted in the finest tradition of nursing, established in the Crimean and other bitter wars, by providing an heartening example of unselfish service and inspiration to the garrison during the siege, by administering aid and comfort to the wounded, courage and cheer to the disheartened, and, after the fortress fell, by refusing an offer of freedom so she could stay until the wounded were cared for and repatriated; be it

"Resolved, therefore, That the American National Red Cross in convention assembled pay tribute to Lt. Genevieve de Galard-Terraube for her outstanding contribution to the nursing profession and for the renewal of faith and hope for humanity which her uplifting example of selfless fortitude has provided people throughout the world; and be it further

"Resolved, That this tribute to Lieutenant de Galard-Terraube be presented to her through the offices of the French Red Cross; and that the American National Red Cross join with the League of Red Cross Societies in recommending to the International Red Cross Committee that she be awarded the Florence Nightingale medal.

(Adopted unanimously at the American Red Cross National Convention, Los Angeles, Calif., June 16, 1954.)

Friday, July 30, saw us at Bolling Field taking off for Cleveland, where I left Mlle. de Galard and returned to Washington. We were received by the Governor, the mayor, and other officials, and the regional French consul, M. Beliard, down from Detroit.

Mlle. de Galard was the weekend houseguest of Mr. and Mrs. Kenyon C. Bolton. First came a reception at their home, under the auspices of the Council on World Affairs, on Friday. Monday, a second reception gave opportunity to literally thousands of nurses and student nurses, to meet Mlle. de Galard. There were visits to the Red Cross headquarters of the Cleveland

area, and observation of a mobile blood-donor operation in action. Interspersed with all this were an informal luncheon at the home of Mr. Laurence Norton in Mentor, a dinner given by the French consular agent, refreshing swims, a delightful evening at the "Musicarnival" where at the end of the play our Jenny was called on stage and presented with flowers.

August 3 to 6 our guest was in Chicago where she was received by Mayor Kennelly and other high city officials, as well as representatives of the American Medical Association, the American Hospital Association, the Illinois League for Nursing, the Institute of International Education, and representatives of the Fifth Army. The American Medical Association and the American Hospital Association graciously arranged receptions for Mlle. de Galard and afforded her the opportunity of meeting many prominent members of the medical and nursing professions in the Chicago area. She also visited the Veterans' Administration Research Hospital and attended a reception for student nurses at the Michael Reese Hospital, arranged by Miss Lorentz, of the Illinois League for Nursing. The French Consul General also entertained Mlle. de Galard at a dinner on the evening of August 4 and on August 5 she was given a luncheon by the Chicago office of CARE, which is now launching a special program for relief of refugees in Indochina.

At this point, Mr. Speaker, I should like to tell you a touching little story which tells in a few words what pages might not convey as to the meaning of Mlle. de Galard's visit in this country. It happened in Chicago at the veterans' hospital. My correspondent told it this way:

I thought it might interest you to know what happened in our hospital the day of Mlle. de Galard's visit. There was a little celebration for her which was attended by all nurses and patients who could leave their wards. After the celebration, when our honored guest had left the building, the nurses returned to work. On one of the floors all the patients were waiting for their arrival at the elevators. They had little presents and gardenia corsages for every one of them. They said they admired what Mlle. de Galard had done in Indochina, but that their nurses take good care of them, too, and deserve gratefulness and attention as well. We all thought it was very nice of the patients, and I knew you would be pleased to hear about it. I am sorry I had no chance to tell the story to Mlle. de Galard, because I am sure it would make her very happy, too.

On behalf of the men and women who devote their lives to caring for the sick and injured, the American Hospital Association and the American Medical Association present this citation to Mlle. Genevieve de Galard-Terraube, "the Angel of Dien Bien Phu," whose devotion to the same noble cause has made her a 20th century symbol of the traditions established by Florence Nightingale.

EDWIN L. CROSBY, M. D.,
Director, American Hospital Association.

GEORGE F. LULL, M. D.,
Secretary and General Manager, The American Medical Association.

(For the officers and trustees of our organizations.)

CHICAGO, *August 3, 1954.*

To Genevieve de Galard-Terraube in admiration and tribute for heroic devotion to the care of the sick and wounded soldiers at Dien Bien Phu, we, the hospitalized veterans of the Veterans' Administration Research Hospital, Chicago, Ill., gratefully affix our names.

Edward B. Cushing, Max R. Chomblee, Harvey Nerod, James D. Washington, Jessi A. Shuke, Charles B. Gerndt, Joseph Cusack, Fred H. Zeiss, Orville Canney, Walter Covington, Henry McFarland, Walter R. Moody, Joseph M. Henley, Chester Wysocki, Howard A. Matthews, Roland Blanchetto, Ray V. Johnson, Harry M. Semmers, Aaron H. Cole, O. L. Norton, Rev. Walter J. Braselton, Charles H. Strey, Louis Mosier, John Buhr, Benna H. Siy, Perry W. Collinson, Robert E. Shannon, Roy G. Weidleman, Estelle H. Wajerski, Laurence La Carza, Glenn L. Woolworth, Jr., Harold Moore, John Gengler, George Ready, Roy L. Davis, John C. Kelleher, William J. Gerleve, Charles L. Neigh, William Markley, Lee R. McCullony, Eugene K. Blair, Emery E. Nale, Ernest Stellwag, Henry L. Falconio, John E. Murray, John Dailey, Joseph Hartridge, Mike Smith, Wm. M. Denear, Ole M. Heltner, Robert R. Nangle, etc.

GRANT HOSPITAL OF CHICAGO,
SCHOOL OF NURSING,
Chicago, Ill.

Mlle. Genevieve de Galard-Terraube, in recognition of the honor and glory your heroism has brought to the profession of nursing throughout the world the Grant Hospital of Chicago, School of Nursing, hereby establishes a 3-year scholarship in your honor to be known as the Mlle. Genevieve de Galard-Terraube scholarship.

This scholarship will be awarded to that candidate whose qualities of mind and heart and spirit make her most likely to carry on noblest traditions of the nursing profession which you exemplify.

Given at Chicago, in the State of Illinois, August 4, 1954.

COYL C. MASON, M. D.,
President, Medical Staff.

JOSEPH F. DITEN,
President, Board of Directors.

MONA JACKSON, R. N.,
Director, School of Nursing.

WILLIAM A. HUTCHINSON, M. D.,
Executive Director.

Veterans' Administration, Department of Medicine and Surgery, Nursing Service, pays tribute to Mlle. Genevieve de Galard-Terraube in recognition of her outstanding courage and performance of duty at Dien Pien Phu exemplifying the ideals and traditions of the nursing profession.

Given at Chicago, Ill., this 5th day of August 1954.

DOROTHY V. WHEELER,
Director of Nursing Service.

After a restful weekend at Lake Tahoe with her cousin, M. de Guiringaud, French consul general in San Francisco, Mlle. de Galard proceeded to San Francisco, arriving there on August 10. Met by representatives of the Armed Forces and officials of the local medical, civic, and service organizations, and of the French consular corps, she was then welcomed to the city by Mayor Elmer Robinson. That evening a reception at the local Red Cross chapter headquarters was held for representatives of the Red Cross, chapter officials, service chairmen, and professional nursing organization representatives and members, after which the French consul general gave a dinner in her honor. During the next 2 days she visited Fort Miley Veterans' Administration Hospital, the Presidio, the Irwin Memorial Blood Bank, Treasure Island, and Travis Air Force Base. This last is the base through which the wounded French soldiers from Indochina were sent on their way home. A cosponsored reception was held for her by the World Affairs Council of Northern California, the American Women's Voluntary Services, and France-Amerique; and another reception was held under the auspices of the French colony in San Francisco.

Leaving San Francisco August 12 the party spent a night in New Orleans en route to Gunter Field at Montgomery, Ala. This gave her opportunity to visit the School of Aviation Medicine, and observe the air flight training courses given for Air Force nurses.

August 14 saw her back in New York where she remained over the weekend, again the guest of the Plaza Hotel, taking off for Paris via Air France, August 17.

This in brief, Mr. Speaker, is an account of the visit of the French airborne nurse, Genevieve de Galard-Terraube. May I take this opportunity to thank some of the many hundreds of people and organizations who have played a direct part in her tour of the United States. The very heaviest roles have been played by the Departments of State and Defense, the French Embassy, and by the member organizations in the National Welcome Committee. These last-named are: American Association of Social Workers; American Cancer Society; American Heart Association; American Hospital Association; American Medical Association; American National Red Cross; American Nurses Association; American Public Health Association; Defense Advisory Committee on Women in the Services; National League for Nursing; United States Public Health Service; United States Defense Department; United States Air Force Nurse Corps; United States Army Nurse Corps; United States Navy Nurse Corps; the Veterans' Administration; Womens Medical Specialist Corps—United States Army and United States Air Force—and the World Medical Association.

A particularly happy choice by Assistant Secretary of State McCardle of Mr. Jameson Parker gave this project an experienced Foreign Service officer to travel with the official party. For the past month he has worked tirelessly around the clock to coordinate every effort in this endeavor. I want to mention also Mr. James Donovan of the Department of State, who is responsible for Mlle. de Galard's itinerary and receptions in the various cities and Maj. Howard McGrath, special events officer of the Department of Defense who has coordinated the Defense effort. Mr. Joseph Tambone, protocol officer at the United States Mission to the United Nations, offered splendid assistance on the New York plans.

Ambassador and Madame Bonnet, of the French Embassy, were the gracious hosts of Mlle. de Galard during her entire stay in Washington. M. Roger

Seydoux, Minister, and M. Jacques Dupuy, Second Secretary, could not have been more helpful and cooperative.

Mr. Speaker, it is my hope that this brief report on the results of the unique invitation we extended this French airborne Nurse Genevieve de Galard-Terraube will give to each and every member of the 83d Congress a sense of the dual purpose behind our action: to honor a gallant nurse whose service in the fortress of Dien Bien Phu, way off in Indochina, so deeply touched the hearts of the free world, and to further cement the friendship between our two great nations.

Wherever Mlle. de Galard went she won the hearts of all who saw her with her gentle dignity, her humility, and the rare spirit which radiated from her. We can be sure that as she goes among her own people she will take with her a better understanding of the people of our United States. And after all, Mr. Speaker, understanding is the cornerstone of peace.

Under leave previously granted, I am appending hereto several documents pertaining to Mlle. de Galard's visit:

THE ANGEL OF DIEN BIEN PHU

(By Ruth Boyer Scott, registered nurse)

Courage is often an unsung quality of nurses—possibly because it is usually a deeply instinctive rather than a premeditated reaction to a sudden situation. But a 29-year-old brown-haired French nurse made world headlines recently when she deliberately sought a dangerous situation and met it with unforgettable courage.

French Air Force Lieutenant Genevieve de Galard-Terraube, having lived through the terrible siege and fall of the Dien Bien Phu fortress in Indochina, refused the first offer of freedom when it was made by the Communists. As the only woman among 11,000 soldiers, she waited and worked until more than 400 wounded had been flown out.

Creative appreciation is also a much needed quality. Congresswoman FRANCES P. BOLTON for years has been an admirer of nurses and an active worker on their behalf. With inspiration, she introduced a resolution inviting Mlle. de Galard to visit the United States as an honored guest of Congress.

A layman who knows the history of nursing, Mrs. BOLTON pointed out in the resolution that this year marks the one-hundredth anniversary of Florence Nightingale's historic contribution to the Crimean War.

"Everyone was thrilled in the House and Senate by the hope of recognizing this unsurpassed nurse who served under fire, with no other woman about to offer either physical or moral support, and transformed a military reversal into a great psychologic victory," the Congresswoman related. "The resolution was passed by both Houses of Congress without one dissenting voice."

President Eisenhower himself sent the congressional invitation to the Government of France. He also wrote directly to the nurse herself with warmest praise of "your fortitude and devotion to duty."

Mrs. BOLTON says, "Lafayette was given the use of a United States vessel so that he could come here to be honored in post-Revolutionary times. No other person before Nurse de Galard-Terraube has ever been invited formally by Congress to become an 'honored guest'." Nearly 2 centuries have intervened since Lafayette's visit but only this difference is apparent—today the contemplated honors will go to a Frenchwoman of unique gallantry rather than to a gallant Frenchman.

As plans began to take shape for Mlle. de Galard's visit, Mrs. BOLTON became the focus of day and night activity. "And I mean night," Mrs. BOLTON laughed. "I had a phone call at 1:30 a. m."

As chairman of the National Committee to Welcome Genevieve de Galard-Terraube, Mrs. BOLTON surveyed the attitudes in 15 national organizations outstanding in health and allied fields. Members of the American Nurses Association, the National League for Nursing, the United States Public Health Service, and the Army, Navy, and Air Force Nurse Corps were happy to assist with the arrangements.

"We must remember," Mrs. BOLTON told planners, "that our guest is a little tired, a little shy, and doesn't speak much English.

"The spectacular public welcome in New York City and Washington must be tempered with quiet hours and a full opportunity to see what any nurse is eager to observe."

Like Florence Nightingale, Nurse de Galard volunteered for war service. She asked for duty in Indochina in the fall of 1953. She flew in and out of the enemy-surrounded fortress of Dien Bien Phu in helicopters with the wounded. Artillery fire damaged her plane on March 27 so that it couldn't take off. The next day, while she was still grounded, according to an article in the Paris magazine, Match (May 1–8), the airlift was interrupted, and in the ensuing blockade she remained as the only woman member of the garrison.

And so she went about her nursing, helping the doctors care for the wounded. Despite the overwhelming burden of her duties, she didn't miss the chance to visit with a wounded soldier who also was a native of her beloved Paris. Her fluent chatter distracted his mind from pain during surgery, he proudly related when he was flown out before she was.

While Lieutenant de Galard was still under shellfire in the tottering fort, the grateful French Republic made her a Knight of the Legion of Honor, and awarded her the French Military Medal for heroic duty. Her 41 days under siege were followed by 17 days as a prisoner. To her, those record-making days "opened new horizons and the camaraderie was wonderful." She left her prison with mingled "joy and sadness."

When she reached the relative safety of Hanoi, she said, "I had no idea I was famous." And so, as in Florence Nightingale's life, we find another instance where the relationship between patient and nurse was such that tragedy and overwork could be translated into a "wonderful experience." Unlike Florence Nightingale, however, who sailed from England accompanied by a staff of 38 nurses, Genevieve de Galard-Terraube was quite alone as a woman. It is this triumph of dedicated service and buoyant spirits over "the lone woman" which has so deeply moved not only the French and American people, but everyone in the free world.

Florence Nightingale was never a prisoner. But the Angel of Dien Bien Phu, an appellation Mlle. de Galard will have to bear for eternity, could not be sure when she refused the first offer of freedom that she would ever have another chance.

Unlike Florence Nightingale, who returned to London, still weakened from fever, by slow passage on a British man-of-war, the French heroine came home to Paris, worn but well, by the modern miracle of plane flight, to find her likeness in color on the cover of Match (June 12).

Just as Florence Nightingale came from a family of refinement and social standing, so does Mlle. de Galard. Her family bears one of the old and proud names in French military annals.

Her mother, Vicountess Oger de Galard-Terraube, wept when she heard the news from Geneva that her famous daughter had been flown out safely from Dien Bien Phu to Hanoi, Indochina. When the heroic nurse reached Paris the aging vicountess, her black garb relieved only by a mauve blouse, hugged her daughter briefly. Then she released her to the wildly joyful crowd at the Orly Airport. Genevieve, in the trim navy blue uniform and beret of the French Air Force, had a smile for everyone, and her blue eyes were full of joy.

But observers say that her smile was just as heart-warming when she was flown out from the fallen fort, weary and dusty, in the coverall which is the paratrooper's campaign uniform. That she wore shoes without stockings was the most insignificant personal sacrifice of a gently reared girl. That she wore lipstick was the gallant gesture of today's nurse who works under fire in field pants, and still is a delightful woman.

To the American planners of Congresswoman BOLTON's welcoming committee, who were trying to combine consideration with enthusiastic appreciation, a French Embassy secretary brought word from a San Francisco-stationed cousin of Mlle. de Galard that he had talked with her in Paris. Her cousin reported that she was "extremely tired but extremely grateful" to the American people.

Other bits of information about her relatives have come out. While she was yet a prisoner of the Communists, another cousin was in Geneva at the peace conference as a correspondent for a French newspaper. The Communists told him, "The army high command has decided to liberate your cousin." But, as the world soon learned, the plucky nurse refused the proffered freedom at this point.

As planners were coping with the impossibility of including all the major American cities—and all the officials, nurses, doctors and American Red Cross workers who wanted to meet her—into the proposed itinerary, this was the word: "San Francisco is a must, because she has relatives there."

Magazines must go to press months ahead. When this issue reaches you, many nurses already may have seen Genevieve de Galard-Terraube. Many more will not have had this privilege, but will have looked to radio and television and newspapers for details of her tour.

In June Mrs. BOLTON was "hoping" and trying in her humanitarian way to make a success of the "Welcome of Two Centuries." She was hoping that Mlle. de Galard would spent a night or two in Mrs. BOLTON's home, across the street from the French Embassy where a tea was planned. She was hoping, as a member of the Board of Regents of Mount Vernon, to take Genevieve to this beautiful colonial shrine and home of our First President—whom France helped to victory.

She was hoping that hazel-eyed, blond-haired Miss Mary Vance Trent of the State Department would be the American angel for this famous nurse. The tour was officially under the guidance of the State Department's exchange program, by which many foreigners visit our country every year. Miss Trent, who speaks French fluently, was scheduled as official interpreter and traveling guide for the nurse. But of equal importance, Miss Trent is a capable, warm-hearted person, who would try to be more friend than guide as she accompanied a famous nurse and protected her from the overexuberance of the admiring public.

Whatever may come of these plans, while this magazine rolls through the presses, American nurses salute 1954's Nurse of the World. And they voice appreciation for Congresswoman BOLTON, who is not only a friend to nurses here, but also, through her memberships internationally, is unusually well informed on nursing in France and in other parts of the world.

Have Subsidies Become Our Lifeblood?—Is There a Remedy?

EXTENSION OF REMARKS
OF

HON. RALPH W. GWINN
OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 12, 1954

Mr. GWINN. Mr. Speaker, some time ago the Government took by force private property by taxation and gave big gobs of it to the beef cattlemen. In effect, beef became the public property of the Government. More and more people went into raising beef for Government subsidies. Surpluses of cattle increased. Prices to the consumers were fixed high by the Government, in spite of increasing surpluses. Suddenly the people quit eating beef. They struck. Just as suddenly the sturdy big-hatted ranchers woke up to the fact that they were raising socialized beef for the Government which is a most unreliable political customer. They had lost their real dependable customers, the American people. So the cattlemen took a vote and threw Government price supports and control of their business out. They chose the hard road of winning their customers back in a free beef market. That meant lower prices, but increased beef consumption from 62 to 76 pounds per capita—an alltime record. Congress was not smart enough to stop subsidies, but the cattlemen were.

The potato growers were corrupted for years by Government checks totaling $478 million. They, too, delivered their potatoes to the Government instead of the consumers. Suddenly the taxpayers were shocked to see the Government paying farmers for potatoes with taxpayers' money, then burning the potatoes to make them scarce to keep the prices high. To make it worse, after destroying the potatoes on one side of the road, the Government bought potatoes from Canada to feed the people on the other side. Congress went right on, year after year, and could not stop. The people did stop it. Potatoes won their freedom from Government. And tough as freedom is, potatoes would not go back into socialism, viz, big management, ownership, and control by the Government.

In the same way the Government has been insisting on taking by force private property and building publicly owned Government houses. It rents them at half rent, exempt from taxation. And, of course, Government expects tenants to vote right in return for favors. A very narrow majority in Congress has been insisting lately on forcing public houses on to the people in spite of the fact that the people do not want them. Generally wherever the people vote they throw Government housing out, keep their own money at home, and manage their own affairs.

Now come the people of Tennessee telling the true story of TVA, the first and most highly touted of American socialistic experiments. It is turning out very badly for Tennessee. For the Tennessee Valley has become totally dependent upon Government power and annual appropriations from Congress, and is falling behind the other Southeastern States. That is because the other States are not dependent on what Congress may or may not do. The other States make and pay for their own electric power, depending upon themselves. Tennessee has found by bitter experience that business firms will not move into a State where the amount of electric power they produce depends on Congress taking the money to build their powerplants by force from somebody else in far-distant States. Congress is finding it more and more impossible to buy the votes in Tennessee by taking the money from Massachusetts, New York, Illinois, and other States. Even the little schoolboys now define TVA as "a river that flows through 7 States and drains 41." Even so, they are being drained again for the 22d year.

This year be it noted, a Republican Congress is appropriating less than any year before, but it is still $120 million to build steam plants. That will help heat their houses with electricity, though Tennesseans have plenty of coal in their backyards which they could use. They could also use oil like other people. But it is cheaper to use electricity so long as taxpayers in other States can be socked to provide it partly at their expense for Tennessee. But Tennessee knows that no scheme to buy votes as crazy and incredible as TVA can last. So Mr. Robert M. Metcalf, Jr., vice president of Guaranty Mortgage & Trust Co., of Memphis, Tenn., comes up with this remedy. He proposed a new and greater TVA in Spotlight for the Nation. He says:

A NEW AND GREATER TVA

We are nearing a fork in the road.

With the inexorable march of events, it may not be far ahead.

Probably during this administration, our Government will be faced with a choice of what to do with TVA—for the long pull. The administration itself is pledged to a withdrawal of Government from the fields of industrial enterprise. The new Hoover Commission is already girding itself for that job; a task force of the Commission under Ben Moreell is working in the specific realm of water resources and power. In the battle that has already raged for years in the press and through the Halls of Congress, the recommendations that come in from the task force may well bring on the climax.

With the taxpayer who lives elsewhere in the Nation naturally reluctant to continue being forced to invest in power facilities for Tennesseeans, the fight over TVA appropriations has become increasingly bitter.

The resident in the TVA region, on the other hand, sees TVA as a fait accompli and will declare war at the flick of a power switch when he feels that his city's growth has a ceiling being placed on it by threat of a power shortage. He realizes that it is unsound and risk-filled to be dependent upon Congressmen from all sections of the country to vote funds for his power expansion needs. Nonetheless that is the way it has been and still remains.

What would be the happiest solution of the problems posed by TVA—the best answer for the country as a whole and for the residents in the TVA region?

It is this: Sell the power-generating facilities to the people in the area it serves.

By this one stroke we would accomplish these great objectives:

1. Reverse one of the biggest socialistic steps the United States has ever taken.

2. Lift TVA off the backs of the Nation's taxpayers (as it has been with respect to (a) its demands for capital funds and (b) its nontaxpaying status, though a producing enterprise).

3. Get the ownership of TVA truly in the hands of the people (and they would be the people most concerned) with control of the vast project at home.

4. Give to TVA the dynamism and flexibility of private enterprise, with an ownership truly alert and responsive to power needs.

5. Eliminate the tyranny, abuse, and graft of politics to which an institution like TVA is so subject.

6. Stop the threat of a power shortage that constantly hangs over the TVA region because of dependence upon Congress for growth funds.

The legislative processes to bring into being this new TVA need not be labryinthine. They might well lead to the following steps:

1. Empowering TVA to issue bonds, debentures, preferred and common stock for private sale (in the order noted below), specifying that the United States Treasury shall be the ultimate recipient of all securities sales proceeds.

2. Sale of the senior securities first, in proportions that are normal for a public utility of that type.

3. Sale of the common stock, to be offered first to individuals residing in the TVA region. The equity would probably not be too large, after step 2 is taken, for the TVA region residents to take all of the stock. They would be allowed to purchase for cash, exchange for United States bonds or pay by installments.

4. Election of board members by the new owners and complete divorce of TVA from the United States Government. The cognizant State regulatory bodies would take over regulation, and from them must be obtained prior agreements to allow rates to go to proper economic levels.

Then Mr. Metcalf concludes by asking, "Could any American dedicated to basic principles ask for a better TVA?"

And so, Mr. Speaker, as this session of Congress comes to a close, I propose to the people that they help, as Mr. Metcalf has helped with a new idea, to solve our problems. No President, no Congress, no government can solve them without such help. For 20 years Congress indulged itself in a kind of vote-getting game, sometimes under the lash of a President, to redistribute the wealth. They indulged in doing good with other people's money without too much disturbance to conscience in taking private property and making it public ownership and operation. If conscience were disturbed, alleged national defense relieved it. But by now each group getting the benefits of the redistribution are running head on into each other or running out of benefits. Indeed the mess, which this Congress came into power 2 years ago to clean up, has smeared the faces of those who have quite diligently wrestled with it.

If there are critics of the failure of Congress to reverse the New Deal trend and save the taxpayers much more, let them answer these questions. Which particular group feeding in the public trough would they knock out first? Which subsidy law would they repeal to start with? They must be repealed one at a time. That is, which group's vote would they risk losing first? That's been tried.

Three weeks ago the Illinois delegation in Congress representing corn attacked peanuts. Corn having been for nearly 20 years in the public trough and feeling quite secure said in effect: "Now what basic rights have peanuts to put their feet in this trough?" "Why the country would never miss them if we never raised another peanut. They are indigestible anyway." And corn called for a vote of all the others to throw peanuts out. Whereupon peanuts furiously counter-attacked with most devastating effect. They said, "Why of all those feeding in this trough that have grown sleek and fat and should be thrown out, it's corn. Above all others it should fall on its knees and ask forgiveness for its sins in the well of this House." So little peanuts, who really had no case at all, shamed corn and scared the others so that the vote was 228 to 170 to keep peanuts in. After the fight peanuts got nearly as much subsidy as corn got for keeping itself padlocked in cribs so as to make itself look scarce and high priced.

After that vote in the House in which peanuts did so well, apples were heard tumbling all over themselves out in the halls. They said, "Why sure enough we are just as basic as any of the rest. Besides we can be kept by freezing. What's more basic than an apple a day keeping the doctor away?" In the distance you could hear groups without number organizing the votes so that every seat in the House will be endangered unless the Member votes to give each new group theirs for no good reason except that all the others are getting theirs. When I asked a friend on the floor if this would ever stop, he answered "No; it will go on for ever."

When Government controls the economic laws of potatoes, it controls the moral laws surrounding their use. If Government owns your house, and rents it to you, it will tell how to live in it. You may commit one sin or have one illegitimate child in Government housing but not two. This is the rule in the book of morals in Houston, Tex. You are free to vote, of course, but if you vote against the party that provided your house you may expect to move. And so cattlemen, potatomen, many Government tenants, dependents on Government for power or loans or health, must do the will of Government and not of God. Government becomes a substitute for God.

I dare say a majority of Congressmen are leaving Washington this August 1954 with a greater political, economic, and moral sense of frustration, than at any time in 22 years. It is not primarily because of entanglements with other nations, but because we have tried and failed to resolve questions of right and wrong on a constitutional basis in our domestic affairs. The contentions of groupism and the outright disorder and lawlessness of some of the more powerful ones have wearied the souls of Congressmen. What is worse, they have no defense from these groups, no limitations on their power to satisfy them, no ground on which to stand and fight.

So the people themselves must come to the defense of the President and the Congress to get the Government out of all its unlawful, unconstitutional business. They must remove such questions from elections. And then amend and clarify the Constitution by action in the State legislatures so as to keep the Republic from going Socialist ever again.

Let me know your reaction to the Metcalf proposal and subsidies.

Congressman Young Represents Working People

EXTENSION OF REMARKS

OF

HON. CLIFTON (CLIFF) YOUNG

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 12, 1954

Mr. YOUNG. Mr. Speaker, as the sole Representative in Congress of the State of Nevada, I feel it important at this time to report to the people of my congressional district on legislative activities of the 83d Congress which affect them.

The past 10 years have seen a truly amazing economic growth in my State—and the future holds promise of even more rapid development. There are many factors in Nevada favorable to industrial expansion. One such factor is a large group of conscientious, energetic, working people. They labor hard at their jobs, earning a livelihood while building a stronger and sounder State economy. Others have passed their productive days and have retired after a lifetime of labor. Knowing of their interest in matters before Congress from the many letters received by me during the past year, I intend at this time to discuss legislation of special importance to them.

HOSPITALS AND HEALTH

The 83d Congress has taken vigorous steps to protect and promote the Nation's health. A new national emphasis was given to this field by the establishment of the Department of Health, Education, and Welfare.

These specific provisions were included in a forward-looking health program: First, Federal aid in the construction of public and nonprofit hospitals and nursing homes; second, research in the perplexing health problems. I regret that time does not permit me to tell of the great advances which have been made in the battle against cancer, heart disease, polio, and many other diseases as a result of the Federal research program; third, an expanded vocational rehabilitation program was approved which will greatly increase future aid to disabled persons and build a more productive America by assisting these people to become economically independent.

HIGHWAYS

The 1954 Federal Highway Act provides the greatest sums for highway improvements in the history of our Nation. The State of Nevada will receive $8,719,541 during each of the next 2 years. This exceeds by nearly $3 million annually funds available in the past.

Improved highways will mean more convenience, greater personal safety, stimulation of our important tourist trade, and the strengthening of national security and civil defense.

I supported this legislation and also measures to secure four-lane highways from the west coast inland to southern and northern Nevada.

SENIOR CITIZENS

Improvements were made in our social security and old-age and survivors insurance programs by increasing the earning base; raising the benefit amounts; eliminating the 5 lowest years of earnings in computing averages; increasing the amount a beneficiary can earn without losing benefits; and by extending protection under the act. I will be glad to furnish details to those who request them.

TAX RELIEF

The 83d Congress completely revised our cumbersome, crazy-quilt tax code, and passed tax relief measures representing the biggest tax cut in the history of our Nation—nearly $7.5 billion.

I am pleased to report that more than two-thirds of the tax relief will benefit wage earners' families and other individuals. Henceforth, when the people of Nevada go shopping they will have more to spend for themselves and their families, and the tax collector will claim less.

On January 1, 1954, the tax bill of each individual taxpayer was reduced 10 percent. The new law provides these tax benefits: more liberal deductions for medical expenses; exemption on retirement income up to $1,200 per year for all retired persons 65 and over; dependency deduction by a parent who furnishes more than half the support of a child, even though the child earns more than $600 per year; full exemption of accident and health benefits paid as reimbursement for actual medical expenses to employees; exemption up to $100 per week on payments to employees for loss of wages due to injury or illness; deductions for child-care expenses by working widows and widowers in certain instances.

The workingman in Nevada will also be interested in drastic slashes in excise taxes on many items such as light bulbs, cigarette lighters, sporting goods, baby oils, cosmetics, telephone bills, ladies' handbags, and numerous other things.

RAILROAD RETIREMENT

I supported legislation enacted to permit persons entitled to benefits under the Railroad Retirement Act and the Social Security Act to receive full amounts under both acts. Since October 1951, railroad retirement benefits have been reduced by the amount of old-age insurance benefits.

I also supported another measure to improve the railroad retirement system by, first, reducing the eligibility age of widows from 65 to 60; second, increasing earned income limitation of annuitant from $75 to $100 per month; third, permitting a totally and permanently disabled child and his widowed mother to receive benefits after child reaches age 18; and, fourth, increasing from $300 to $350 maximum compensation taxable and creditable for both railroad retirement and unemployment insurance.

MINING

In a State such as Nevada, where mining is an important part of our economy, it has been distressing to witness the trend during the past several decades which has favored foreign operators to the detriment of American producers. Our Government has in the past spent millions of dollars in other countries to develop mines operated by low-cost foreign labor.

I am pleased to report a change in this philosophy, which resulted in boom towns in foreign countries and ghost towns in the West. Although trade with foreign countries is important in a sound foreign policy, it is impossible to defend the past policy which made us dependent on foreign sources for minerals necessary to our national security.

At long last, Congress this year quite properly halted the appropriation of American funds to develop foreign mines. I am hopeful that the future will see even more vigorous steps taken to protect our own mining industry, particularly in the field of strategic minerals; thereby not only strengthening our security program but stabilizing our economy as well.

VETERANS

I joined with my colleagues in voting for a number of bills on matters of real concern to veterans and their dependents. This year legislation was passed, first, giving Korean veterans homestead rights similar to those given to veterans of other wars; second, extending the period in which disabled veterans of World War II and the Korean war can secure vocational education; third, extending the direct home-loan program to June 30, 1955, and authorizing an additional $150 million of loans by that date; fourth, increasing rates of compensation and pensions payable to veterans and their dependents; fifth, providing for a record number of beds for veterans' medical treatment; and, sixth, providing for automatic renewal of Government and national service life insurance.

FEDERAL EMPLOYEES

As a result of inflation, the average civilian Federal employee is today economically worse off than prior to World War II. Thus it is difficult to recruit or retain competent employees to conduct the business of the United States Government.

While the burden of increasing prices has been eased, Government employees are entitled to wage increases in order to give them parity with their pre-World War II economic position.

I therefore supported legislation this year providing pay increases to postal workers and classified civil-service employees.

HOUSING

As a result of the Housing Act of 1954, our Nation will be able to raise housing standards, assist communities in getting rid of slums, help more of our people to acquire homes, strengthen our mortgage credit system, and eliminate past abuses in the housing program.

The new law will stimulate the Nation's entire economy, particularly the construction industry, which is important to many of my constituents.

Under the new act it will be possible to buy homes under FHA-insured loans with much lower down payments. For example, on a $10,000 new home a buyer previously had to make a down payment of $1,250. This has been reduced to only $700.

EDUCATION AND SCHOOLS

The 83d Congress continued the program of Federal assistance for school construction in defense areas, and in other communities which have grown abnormally because of Federal activities. Similar aid was granted for school operating expenses in federally impacted areas. Legislation was enacted to permit expanded use of surplus foods in the school-lunch program.

In addition to providing for these immediate needs, the Congress authorized a comprehensive study and analysis of our Nation's education problems to determine what must be done to provide for a stronger educational system capable of meeting the challenges posed by the atomic age. There will probably be a strong effort in the next Congress to improve educational standards.

Mr. Speaker, time does not permit full discussion of each and every bill considered by the 2d session of the 83d Congress. However, I feel certain that the people in Nevada will be interested in this part of the record.

SENATE

FRIDAY, AUGUST 13, 1954

(Legislative day of Thursday, August 5, 1954)

The Senate met at 10 o'clock a. m., on the expiration of the recess.

Rev. Dr. Joseph F. Thorning, pastor of St. Joseph's Church, Carrolltown Manor, Md., offered the following prayer:

Heavenly Father, author of light and of love, let the light of Thy countenance shine brightly upon the Presiding Officer of the Senate and all the Members of the United States Congress; strengthen, we beseech Thee, dear Saviour, the ties of devotion and loyalty among all who dwell in the Western Hemisphere; preserve us in the enjoyment of our freedom and in the ways of righteousness toward our neighbors; make us mindful of the sufferings of our brothers under God throughout the world, and grant us the courage to see that our own destiny will be decided in the light of our zeal for truth and fairness.

We implore these graces in the name of Christ, our Redeemer. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

UNITED STATES SENATE,
Washington, D. C., August 13, 1954.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. EDWARD D. CRIPPA, a Senator from the State of Wyoming, to perform the duties of the Chair during my absence.

STYLES BRIDGES,
President pro tempore.

Mr. CRIPPA thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. KNOWLAND, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, August 12, 1954, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the House had passed, without amendment, the bill (S. 3816) to authorize the replacement of certain Government-owned utility facilities at Glacier National Park, Mont., and Grand Canyon National Park, Ariz.

The message also announced that the House had passed the following bills of the Senate, severally with an amendment, in which it requested the concurrence of the Senate:

S. 45. An act for the relief of Mrs. Merle Cappeller Weyel;

S. 820. An act for the relief of the estate of Carlos M. Cochran;

S. 2156. An act for the relief of John Enepekides, his wife, Anna, and his son, George; and

S. 3064. An act for the relief of the estate of Mary Beaton Denninger, deceased.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 1190. An act for the relief of Rene Rachell Luyse Kubicek;

H. R. 1553. An act to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide for the inclusion in the computation of accredited service of certain periods of service rendered States or instrumentalities of States, and for other purposes;

H. R. 2030. An act for the relief of Dr. Reuben Rapaport;

H. R. 5844. An act for the relief of George D. Hopper;

H. R. 5964. An act for the relief of Sister Mary Berarda;

H. R. 6790. An act to amend the act of October 15, 1949, with respect to the rate of

compensation of the Chairman of the Council of Economic Advisors;

H. R. 7362. An act for the relief of Frederick F. Gaskin;

H. R. 7717. An act for the relief of Joseph H. Washburn;

H. R. 8215. An act for the relief of Regina Berg Vomberg, and her children, Wilma and Helga Vomberg;

H. R. 8261. An act for the relief of Fay Jeannette Lee;

H. R. 8651. An act to provide for the adjustment of tolls to be charged by the Wayland Special Road District No. 1 of Clark County, Mo., in the maintenance and operation of a toll bridge across the Des Moines River at or near St. Francisville, Mo.;

H. R. 8994. An act for the relief of Harold C. Nelson and Dewey L. Young; and

H. R. 9790. An act to amend the act of June 30, 1948, so as to extend for 1 year the authority of the Secretary of the Interior to issue patents for certain public lands in Monroe County, Mich., held under color of title.

LEAVE OF ABSENCE

On his own request, and by unanimous consent, Mr. BRICKER was excused from attendance on the session of the Senate tomorrow.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. KNOWLAND. Mr. President, I ask unanimous consent that immediately following the quorum call there may be the customary morning hour for the transaction of routine business, under the usual 2-minute limitation on speeches.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CALL OF THE ROLL

Mr. KNOWLAND. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Ervin	Lehman
Barrett	George	Mansfield
Bennett	Gillette	Martin
Bowring	Gore	McCarran
Bricker	Green	Monroney
Burke	Holland	Murray
Carlson	Johnson, Colo.	Reynolds
Clements	Johnson, Tex.	Robertson
Cooper	Johnston, S. C.	Schoeppel
Crippa	Kilgore	Thye
Ellender	Knowland	Young

Mr. SALTONSTALL. I announce that the Senator from Indiana [Mr. CAPEHART] is absent on official business.

The Senator from New Hampshire [Mr. BRIDGES] and the Senator from Vermont [Mr. FLANDERS] are necessarily absent.

Mr. CLEMENTS. I announce that the Senator from Mississippi [Mr. EASTLAND] is absent on official business.

The Senator from Alabama [Mr. SPARKMAN] is necessarily absent.

The ACTING PRESIDENT pro tempore. A quorum is not present.

Mr. KNOWLAND. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The ACTING PRESIDENT pro tempore. The Sergeant at Arms is directed to execute the order of the Senate.

After a little delay, Mr. ANDERSON, Mr. BEALL, Mr. BUSH, Mr. BUTLER, Mr. BYRD, Mr. CASE, Mr. CHAVEZ, Mr. CORDON, Mr. DANIEL, Mr. DIRKSEN, Mr. DOUGLAS, Mr. DUFF, Mr. DWORSHAK, Mr. FERGUSON, Mr. FREAR, Mr. FULBRIGHT, Mr. GOLDWATER, Mr. HAYDEN, Mr. HENDRICKSON, Mr. HENNINGS, Mr. HICKENLOOPER, Mr. HILL, Mr. HUMPHREY, Mr. IVES, Mr. JACKSON, Mr. JENNER, Mr. KEFAUVER, Mr. KENNEDY, Mr. KERR, Mr. KUCHEL, Mr. LANGER, Mr. LENNON, Mr. LONG, Mr. MAGNUSON, Mr. MALONE, Mr. MAYBANK, Mr. MCCARTHY, Mr. MCCLELLAN, Mr. MILLIKIN, Mr. MORSE, Mr. MUNDT, Mr. NEELY, Mr. PASTORE, Mr. PAYNE, Mr. POTTER, Mr. PURTELL, Mr. RUSSELL, Mr. SALTONSTALL, Mr. SMATHERS, Mrs. SMITH of Maine, Mr. SMITH of New Jersey, Mr. STENNIS, Mr. SYMINGTON, Mr. UPTON, Mr. WATKINS, Mr. WELKER, Mr. WILEY, and Mr. WILLIAMS entered the Chamber and answered to their names.

The ACTING PRESIDENT pro tempore. A quorum is present.

Morning business is in order, under the 2-minute limitation on speeches.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON SPECIAL ASSISTANTS EMPLOYED BY DEPARTMENT OF JUSTICE

A letter from the Attorney General, transmitting, pursuant to law, a report showing the number of Special Assistants employed by the Department of Justice, for the period January 1 to June 30, 1954 (with an accompanying report); to the Committee on Appropriations.

REPORT ON TORT CLAIMS PAID BY CANAL ZONE GOVERNMENT

A letter from the Governor, Canal Zone government, Balboa Heights, C. Z., transmitting, pursuant to law, a report on tort claims paid by that government, for the period July 1, 1953, to June 30, 1954 (with an accompanying report); to the Committee on the Judiciary.

FEDERAL AID TO LOCAL REHABILITATION CENTERS—RESOLUTION OF COMMON COUNCIL OF CITY OF MILWAUKEE, WIS.

Mr. WILEY. Mr. President, I present a resolution adopted by the Common Council of the City of Milwaukee, Wis., which was sent to me by the city clerk, relative to the proposed establishment of federally aided local rehabilitation centers. I ask unanimous consent that the resolution be printed in the body of the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Resolution memorializing Congress on the passage of bill to aid handicapped persons through establishment of federally aided local rehabilitation centers

Whereas President Eisenhower's humanitarian bill to aid the handicapped throughout the Nation has been recently passed by unanimous vote of both Houses of Congress; and

Whereas this bill aims to increase the number of persons needing rehabilitation from the 60,000 now being reached, to 250,000 disabled persons per year, under a new legislative program wherein the Federal Government will meet two-thirds of the cost involved, with the State or local group concerned meeting the remainder in the setting up of these rehabilitation centers as provided for in this measure; and

Whereas here in Milwaukee, notwithstanding the city's better than average rehabilitation facilities, the need for such a Federal-Milwaukee supported medical rehabilitation center is imperative in order that the thousands of disabled persons in this area who would receive aid through no other medium will be helped: Therefore be it

Resolved by the Common Council of the City of Milwaukee, That it hereby goes on record as fully supporting President Eisenhower's recently passed bill to aid the handicapped through the establishment of federally aided local rehabilitation centers, and that it memorializes the honorable Congress of these United States on its excellent position and approach to the solution of this national problem.

WILDLIFE PRESERVATION — RESOLUTIONS OF ASSOCIATION OF MIDWEST FISH AND GAME COMMISSIONERS, ST. LOUIS, MO.

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have two resolutions adopted at the recent annual convention of the Association of Midwest Fish and Game Commissioners at St. Louis, Mo., printed in the body of the RECORD and appropriately referred. These resolutions are the expressions of concern by a distinguished group of conservationists in America over developments in the field of wildlife preservation. I share those concerns and urge greater vigilance on the part of the Congress in protecting our vital national heritage.

There being no objection, the resolutions were referred to the Committee on Interstate and Foreign Commerce and ordered to be printed in the RECORD, as follows:

RESOLUTION 2—USE OF THE DUCK STAMP FUND

(Adopted by the Association of Midwest Fish and Game Commissioners, 21st annual conference, St. Louis, Mo., July 8, 1954)

Whereas financial statements of the Fish and Wildlife Service have brought to the attention of this association that the duck stamp funds are not and have not been spent entirely in accordance with congressional intent for the purchase of waterfowl land acquisitions; and

Whereas additional wet lands are being drained by private landowners with Federal financial assistance and additional waterfowl habitat is being eliminated by the drainage of marshes by Federal construction agencies; and

Whereas it is essential to maintain suitable waterfowl habitat if production of a harvestable surplus is to be maintained: Now, therefore, be it

Resolved, That the Association of Midwest Fish and Game Commissioners go on record as being unalterably opposed to any policy which prohibits or limits the purchase of additional wet lands for waterfowl habitat by the United States Fish and Wildlife Service; be it further

Resolved, That we recommend to the Congress and to the Fish and Wildlife Service

that an accelerated refuge acquisition program be launched, using the greater portion of the duck stamp money to purchase new areas where the needs are apparent along flyways. We oppose the expenditure of duck stamp funds for administrative purposes or for the normal operating functions of the United States Fish and Wildlife Service, for which appropriations from the General Treasury have been made in the past. We further urge that Congress study these expenditures and make the needed appropriations to the Fish and Wildlife Service to take care of their administrative and operating expense in order that the duck stamp funds may be used primarily for the acquisition of lands and water areas and to bring to completion the refuge programs as provided by law in the Norbeck-Andersen Act of 1929 and the Duck Stamp Act of 1934; be it further

Resolved, That in the event this request for the expenditure of duck stamp funds for acquisition and restoration of additional waterfowl habitat goes unheeded that this association recommend the enactment of legislation in the National Congress designed to return to the States all funds collected under the Duck Stamp Act of 1934 and subsequent amendments on the basis of a formula which would earmark these funds solely for wet-land acquisition, preservation, and restoration.

RESOLUTION 6

(Adopted by the Association of Midwest Fish and Game Commissioners 21st Annual Conference, St. Louis, Mo., July 8, 1954)

Whereas there has been adopted by the United States Department of the Interior a joint policy under order No. 2744, which order provides that the Bureau of Reclamation and the Army engineers shall acquire in fee simple only those lands which are absolutely necessary for reclamation purposes, and specifically provides in section 6 that no title to land will be acquired for purposes of preservation of wildlife or forests, restoration or replacement of such values destroyed by reservoirs, or for creating additional values of like nature or for recreational purposes; and

Whereas such policy represents abandonment by the Department of the Interior of its historic and legal obligation to safeguard wildlife and recreational resources; and

Whereas such a shortsighted policy makes all reclamation and flood-control projects which might be extremely valuable for recreational purposes subject to control and exploitation; and

Whereas such policy is in direct contradiction to the intent and purpose of Public Law 732, commonly known as the coordination act; and

Whereas such policy is not in the general public interest because of failure to provide adequate parking and recreational use for the general public; and

Whereas such planned acquisition policy fails to recognize the value of recreation and wildlife as an important part of multipurpose reclamation projects: Now, therefore, be it

Resolved, That the Association of Midwest Fish and Game Commissioners go on record as being unalterably opposed to this expressed policy; be it further

Resolved, That the Secretary of Interior and Members of Congress be so notified and every effort be made to alter such policy to meet the public need for proper wildlife and recreational value as a part of Federal reclamation and flood-control projects.

REPORTS OF A COMMITTEE

The following reports of a committee was submitted:

By Mr. DWORSHAK, from the Committee on Interior and Insular Affairs, without amendment:

H. R. 8859. A bill to convey the reversionary interest of the United States in certain lands to the city of Pawnee, Okla. (Rept. No. 2485).

By Mr. KUCHEL, from the Committee on Interior and Insular Affairs, with amendments:

H. R. 8009. A bill to provide for the hospitalization and care of the mentally ill of Alaska, and for other purposes (Rept. No. 2486).

BILLS AND A JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JENNER:

S. 3863. A bill for the relief of Peter Skole; to the Committee on the Judiciary.

By Mr. KILGORE:

S. 3864. A bill for the relief of Loren E. Thompson; to the Committee on the Judiciary.

By Mr. LEHMAN:

S. 3865. A bill for the relief of Martino Palmeri; to the Committee on the Judiciary.

By Mr. BEALL:

S. 3866. A bill for the relief of Matrona G. Karpuk; to the Committee on the Judiciary.

By Mr. KNOWLAND:

S. 3867. A bill for the relief of Mr. Dello A. Loo Margas and Mrs. Dello A. Loo Margas; to the Committee on the Judiciary.

S. J. Res. 184. Joint resolution to amend the Atomic Energy Act of 1946, as amended; to the Joint Committee on Atomic Energy.

EXCUSING GOVERNMENT EMPLOYEES TO ATTEND PARADE OF AMERICAN LEGION ON AUGUST 31, 1954

Mr. JOHNSTON of South Carolina submitted the following concurrent resolution (S. Con. Res. 105), which was referred to the Committee on Post Office and Civil Service:

Whereas the parade of the National Convention of the American Legion will be held in the District of Columbia on the afternoon of August 31, 1954; and

Whereas it has been the practice in connection with similar events in the past to excuse employees of the Government in order that they may attend such events: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that all officers and employees of the departments, establishments, and agencies of the Government, including the municipal government of the District of Columbia, who are employed in the metropolitan area of the District of Columbia and whose services can be spared, should be excused from duty on the afternoon of August 31, 1954, without loss of pay or charge to annual leave, in order that they may attend the parade to be held in connection with the National Convention of the American Legion.

HOUSE BILLS REFERRED OR PLACED ON CALENDAR

The following bills were severally read twice by their titles, and referred, or placed on the calendar, as indicated:

H. R. 1190. An act for the relief of Rene Rachell Luyse Kubicek;

H. R. 2030. An act for the relief of Dr. Reuben Rapaport;

H. R. 5844. An act for the relief of George D. Hopper;

H. R. 5964. An act for the relief of Sister Mary Berarda;

H. R. 7362. An act for the relief of Frederick F. Gaskin;

H. R. 7717. An act for the relief of Joseph H. Washburn;

H. R. 8215. An act for the relief of Regina Berg Vomberg, and her children, Wilma and Helga Vomberg;

H. R. 8261. An act for the relief of Fay Jeannette Lee; and

H. R. 8994. An act for the relief of Harold C. Nelson and Dewey L. Young; to the Committee on the Judiciary.

H. R. 1553. An act to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide for the inclusion in the computation of accredited service of certain periods of service rendered States or instrumentalities of States, and for other purposes; and

H. R. 6790. An act to amend the act of October 15, 1949, with respect to the rate of compensation of the Chairman of the Council of Economic Advisors; to the Committee on Post Office and Civil Service.

H. R. 8651. An act to provide for the adjustment of tolls to be charged by the Wayland special road district No. 1 of Clark County, Mo., in the maintenance and operation of a toll bridge across the Des Moines River at or near St. Francisville, Mo.; to the Committee on Public Works.

H. R. 9790. An act to amend the act of June 30, 1948, so as to extend for 1 year the authority of the Secretary of the Interior to issue patents for certain public lands in Monroe County, Mich., held under color of title; placed on the calendar.

NOTICE OF MOTION TO SUSPEND THE RULE—AMENDMENT TO MUTUAL SECURITY APPROPRIATION BILL

Mr. McCARRAN submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H. R. 10051) making appropriations for mutual security for the fiscal year ending June 30, 1955, and for other purposes, the following amendment, namely: On page 14, line 8, strike out section 108 and insert the following:

"SEC. 108. Fifty-five million dollars of the unobligated balances continued available under this act shall be available only for the procurement and sale, in accordance with provisions of section 402 of the Mutual Security Act of 1954, of surplus agricultural commodities as assistance to Spain during the current fiscal year: *Provided*, That the limitations on obligation of military assistance funds during fiscal year 1955 shall not apply to such assistance: *Provided further*, That 95 percent of the foreign currencies generated hereunder shall be used to strengthen and improve the civilian economy of Spain, the balance to be available for use of the United States."

Mr. McCARRAN also submitted an amendment intended to be proposed by him to House bill 10051, making appropriations for mutual security for the fiscal year ending June 30, 1955, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

RECORD OF SENATOR WILEY IN 83D CONGRESS

Mr. WILEY. Mr. President, I ask unanimous consent that there be printed

in the final edition of the CONGRESSIONAL RECORD for the 83d Congress, a summary of my activities during these 2 sessions.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Wisconsin? The Chair hears none, and it is so ordered.

CHALLENGES AT HOME AND ABROAD TO AMERICA

Mr. WILEY. Mr. President, I ask unanimous consent that in the final edition of the CONGRESSIONAL RECORD there be printed material which I am now preparing on the theme of challenges to the United States at home and abroad.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Wisconsin? The Chair hears none, and it is so ordered.

STUDY ENTITLED "NEW OUTLETS FOR WHEAT" — INTRODUCTORY ADDRESS BY SENATOR HUMPHREY (S. DOC. NO. 154)

Mr. HUMPHREY. Mr. President, I ask unanimous consent that a most significant study, "New Outlets for Wheat" including a practical solution to a very grave and urgent world problem be printed as a Senate document together with an introduction by me in the form of an address.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Minnesota? The Chair hears none, and it is so ordered.

VALIDATION OF CERTAIN PAYMENTS FOR ACCRUED LEAVE

Mr. SALTONSTALL. Mr. President, I have spoken to the majority leader and the minority leader, and should like to call up at this time the House amendments to Senate bill 22.

The ACTING PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 22) to validate certain payments for accrued leave made to members of the Armed Forces who accepted discharges for the purpose of immediate reenlistment for an indefinite period, which were, on page 1, strike out all after line 9 over to and including line 11 on page 2; and on page 2, line 12, strike out "(c)" and insert "(b)."

Mr. SALTONSTALL. Mr. President, I hope the Senate will accept the amendments of the House. It is a very small bill which involves validating the accrued leave pay of several members of the Armed Forces in 1946. The House has eliminated the second section of the bill which is no longer needed because of further information sent to us by the Defense Department.

I move that the Senate concur in the House amendments.

Mr. JOHNSON of Texas. Mr. President, the distinguished chairman of the Armed Services Committee has discussed the subject with me. I think it is proper procedure, and I think the Senate should concur in the House amendments.

The ACTING PRESIDENT pro tempore. The question is on the motion of the Senator from Massachusetts [Mr. SALTONSTALL].

The motion was agreed to.

FIFTY-SIXTH ANNIVERSARY OF THE CAPTURE OF THE CITY OF MANILA BY AMERICAN SOLDIERS

Mr. MARTIN. Mr. President, today is the 56th anniversary of the historic event in the glorious record of American military achievement. Fifty-six years ago the city of Manila was captured by American soldiers, bringing to an end 300 years of Spanish rule in the Philippines.

The capture of Manila may not be listed as a great, decisive military engagement, but its importance can be measured in the light of subsequent world history.

When the American troops marched into the walled city of Manila, with bands playing and colors flying, the United States took its place as a world power. We gained new prestige among the Nations of the world, and at the same time assumed obligations of far-reaching consequence.

Two weeks before Manila fell my old outfit, the 10th Pennsylvania, received its baptism of fire—the first American troops to be fired on in the Philippines. Fighting in a raging typhoon, the Pennsylvania boys met and repulsed a superior force of Spanish regulars, veterans of many years of battle experience.

The old Eighth Army Corps had as its commanders such outstanding American military leaders as Merritt, Anderson, Otis, the elder MacArthur, and many others.

Every man who served in the Spanish-American War was a volunteer. It was the last armed conflict in American history in which every participant volunteered his services.

On this anniversary it may be of interest to recall the units that fought in the Philippines a half century ago. They were: Astor Battery, 1st California, California Heavy Artillery, 1st Colorado, 1st Idaho, 51st Iowa, 20th Kansas, 13th Minnesota, 1st Montana, 1st Nebraska, Nevada Cavalry, 1st North Dakota, 2d Oregon, 10th Pennsylvania, 1st South Dakota, 1st Tennessee, Utah Light Artillery, 1st Washington, and 1st Wyoming.

CHARGES AGAINST SENATOR McCARTHY

Mr. McCARRAN. Mr. President, Mr. David Lawrence, the dean of American columnists and editors, frequently writes an article of unusual merit. One such article by Mr. Lawrence, dealing with the McCarthy case appeared under date of August 4. I ask unanimous consent that the text of this article, which is not long, may be printed in the RECORD at this point as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Herald Tribune of August 6, 1954]

SENATE VIEWED AS TRYING McCARTHY FOR HIS OPINIONS

(By David Lawrence)

WASHINGTON, August 4.—An unprecedented challenge to constitutionalism—and one that can curtail the right of a Member of Congress hereafter to express freely and without fear of intimidation his views on public questions—has been projected by the vote of the Senate to create a special committee of six to consider certain charges made by other Senators against Senator McCARTHY.

The issue is not whether what the Wisconsin Senator has said in his speeches about General Marshall or anyone else was or was not meritorious, but whether the Senate is about to try a United States Senator for conduct which it has never heretofore proscribed as a violation of its rules.

The Supreme Court of the United States has set aside as unconstitutional many a law passed by Congress because it did not specify standards for the application of the law in question.

What are the standards by which the new Senate committee is to judge the conduct of the Wisconsin Senator, and can a rule be applied now which refers to acts allegedly committed before the rule was ever adopted?

If it be ethics that now are to be defined, there is the charge that Senator McCARTHY received a fee for the preparation of a book on housing of veterans, published by a housing company. Senator FULBRIGHT says the fee was not paid for comparable services. Then what shall be said of those Senators who—as Senator KNOWLAND pointed out in the debate—have received fees for public speaking in excess of those normally paid? Also, what of the fact that labor unions, trade associations, and corporations having business with the Congress paid out such huge fees to Members of Congress?

ROOSEVELT'S ETHICS QUESTIONED

If it be unethical for a Senator to accept a fee for writing a book derived from information received from his own committee or from executive agencies of the Government, what shall be said of the ethics of the late President Franklin D. Roosevelt, who, while he was in the White House, had published for private profit and put a personal copyright on information that belonged to the Government of the United States? Thus, the transcripts of press conferences from 1933 to 1940—which the newspapermen of America were forbidden to quote in the first person—were published for gain, and the copyright which Mr. Roosevelt held has prevented the press from reprinting all those transcripts as a matter of right, and it can be done today only with the permission of the book publisher.

Mr. Roosevelt, in the foreword, extended thanks to the members of the Cabinet and heads of other agencies and others who have assisted in the gathering of this material in the various departments of the Government and in the executive offices in the White House.

Is that a standard for a Senator, too? And should any Member of Congress receive outside income—from private law practice for example—while he is in office? There is no rule on this, either.

Shall Members of Congress accept compensation for articles they write for publication in newspapers or periodicals while, as always, there is under consideration legislation to increase second-class postal rates?

Shall Members of Congress vote on any measure affecting any constituent who has contributed substantial sums to his campaign fund? Should he disclose his own investments and disqualify himself from voting on any issue directly or indirectly affecting his personal property?

ON THE RELEASE OF SECRETS

As for making classified information public, what is the rule or standard? Is it a matter for censure when one Senator makes it public and no violation when another does? Not long ago a western Senator on television told facts about the hydrogen bomb which were supposed to be top secret. Should he have been censured for that? If so, where is the rule which says that a member of the coordinate branch of the Government is not authorized to use any information which he deems in the public interest?

Again, it has been charged that the Wisconsin Senator urged Federal employees to violate their oaths and the law by encouraging them to give him information which, it has been argued, they should not transmit. Conceding that a Federal employee should be fired for doing it—and maybe, if he suspects corruption or treason, he may feel justified in risking his job for the public welfare—is there any rule of conduct by either house of Congress which says the Members cannot use in hearings information of any kind which they receive? If so, it hasn't been written yet anywhere in the rules.

The case is parallel to the action of the late President Roosevelt when he wrote a letter to a committee chairman in the House and urged that the Guffey Coal Act be passed irrespective of any doubts which Members might have as to the constitutionality of that bill. Was this asking Members of Congress to violate the oaths in which they promised "to support the Constitution," and, if not, is it any different conduct from that which is charged against the Wisconsin Senator?

ONE CHARGE BLOWS UP

One of the charges now has blown up in the faces of the accusers—the Army has just suspended for the second time Annie Lee Moss, who Senator McCARTHY charged was a Communist, and this time it is stated some new information has been uncovered by the FBI. Supposing the resolution of censure for his having made the charge in the Moss case had passed the Senate when the anti-McCarthy Senators were pressing for a vote last week—would they today be revoking their action? Could they undo the damage done the Wisconsin Senator by such a resolution of censure impugning his integrity and his fidelity to his duty, as he sees it, in trying to rid the Government of Communists?

The select committee of Senators can make a report promptly and briefly—namely, that it cannot try Senator McCARTHY because there are no rules of conduct covering his speeches or alleged attitudes in his committee hearings and that, if there are to be rules, then all Members should be subject to them hereafter and not retroactively.

SUPPRESSION AND DENIAL OF HUMAN RIGHTS BY THE INTERNATIONAL COMMUNIST CONSPIRACY

Mr. McCARRAN. Mr. President, one of the outstanding anti-Communist lawyers in the United States today is Mr. Charles S. Rhyne, of Washington, D. C., bar, who is outstanding in other respects also.

At the International Bar Association conference in Monte Carlo, Monaco, to which he was a delegate, Mr. Rhyne delivered an address on July 23 of this year, on the subject of suppression and denial of human rights by the international Communist conspiracy, through destruction of the traditional role of lawyers.

Information which has reached me indicates that Mr. Rhyne's address caused something of a furore at the conference. Surprisingly enough—or perhaps it is not so surprising—it appears that some of those who attended the conference from the United States were among those who felt that Mr. Rhyne had made a mistake in speaking out against communism at this international conference. I want to say, Mr. President, that I think most of the Members of this body, and the vast majority of the bar of the United States, as well as of the people of the United States, will agree with me that Mr. Rhyne made no mistake, and that those who would have had him keep still and not voice his convictions, for fear of hurting the feelings of some friend or friends of communism, were the ones who were mistaken.

Not only because of the circumstances under which Mr. Rhyne's address was delivered, but also because the address itself is worthy of the widest possible distribution in this country, I ask unanimous consent that the text of the address Mr. Charles Rhyne delivered at Monte Carlo on July 23 before the International Bar Association conference may be printed in the RECORD at this point as a part of my remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

SUPPRESSION AND DENIAL OF HUMAN RIGHTS BY THE INTERNATIONAL COMMUNIST CONSPIRACY THROUGH DESTRUCTION OF THE TRADITIONAL ROLE OF LAWYERS

(By Charles S. Rhyne, Washington, D. C.; delivered before the International Bar Association conference, July 23, 1954, in Monte Carlo, Monaco)

The function of the International Bar Association in this field would seem to be an evaluation of the status of individual human rights throughout the world. And, of course, the main emphasis must be upon the role of law and the lawyer in this important field.

In carrying out this evaluation, we can immediately divide the peoples on earth into two large groups, i. e., those people living in the free world and those forced to live behind the Iron Curtain.

In the free world, God-given human rights of the individual citizen are respected by governments and vigorously defended by the legal profession. The individual is protected by constitutional guarantees of freedom of speech, assembly, press, fair and uniform due process of law and all the other human rights with which we, as lawyers, are so familiar. For it has been, and is now, our task to stand between the individual and Government and to protect these human rights of the individual against arbitrary governmental action or governmental accusation. We lawyers of the free world have in common our training and tradition of carrying out this high function.

Turning to the facts with regard to individual human rights and the function of law and lawyers behind the Iron Curtain, we find the most shocking record in all world history of wholesale, systematic denial, suppression and destruction of human rights of the individual. In fact, the average citizen of Communist-controlled states has few rights. Those he does have are often violated. Soviet lawyers owe their first duty to the State—not to their client. Communism has prostituted the God-given human rights of man to those of an all-powerful State. The very nature of the role of the function of what is called "law" under the Communist system makes difficult the Soviet citizen's path toward being law abiding. And the role of the lawyer is so controlled and curtailed as to destroy his traditional functions.

I feel that we as lawyers should pause to collect the facts and to consider the role of the lawyer in the free world and his role behind the Iron Curtain in this vital field of human rights. Only in this way do we face up to the vast difference which exists. For example, lawyers who go to the trouble of informing themselves know that in the drifting quicksands of the Soviet system, what is legal today is suddenly illegal tomorrow. Written constitutional provisions may be stripped of all meaning by a Communist Party decision. Many activities and kinds of initiative, which in the free world find honest expression in an atmosphere of freedom, in the U. S. S. R. of necessity take clandestine, degrading, and demoralizing forms. Soviet citizens live constantly under the threat of violating law or party regulation. These are things which should be brought to the attention of the people in the free world by lawyers. The legal profession is peculiarly equipped to collect the facts and present this picture to the people of the free world.

Under the Soviet system, the individual must always play a secondary role to the interests of the State. Within the courts, the individual's rights stand second to what are deemed the interests of the State and party. The courts themselves are regarded primarily as a means for educating the masses, not as instruments created for the purpose of dispensing impartial justice as in the free world. They are subservient to the party. And as adjuncts of the State, judges are strictly guided by party policy.

The Soviet regime has not abolished all law as the party program of 1917 propounded. A large body of so-called law necessitated by the peculiarities of the Soviet system has been developed. This body of law is largely expressed in the verbiage of that existing in the free world. But it has a vastly different meaning as it functions in the Soviet world. As in so many other cases, the concepts of a democracy have been subverted beyond recognition by Communist interpretation. The U. S. S. R. Constitution is mere window dressing. And the majority of its provisions are openly and continuously flouted by the Communist Party government.

Unprotected in any real sense by constitution or courts, and governed by a party and bureaucracy which are a law unto themselves and denied the full unfettered services of lawyers, the Soviet citizen's life is clouded with uncertainty. He is further a victim of officially inspired fear—an instrument of control deliberately developed by the dictatorship.

Such then are some of the facts one must start with in any evaluation of law and lawyers as related to the present status of the human rights with which we are here concerned. And in adverting to these rights, I want to make it clear that we are not here concerned with social or economic rights. That distinction is important. Here we deal only with legal or constitutional rights of the individual as against unfair governmental action—commonly referred to as our Bill of Rights in my country.

I have mentioned in broad outline some of the facts I will document in this paper.

I believe that we as lawyers must face up to the picture of suppression and denial of human rights by the Communist system of government, evaluate it and acquaint the peoples of the world with it. Lawyers are by training and tradition the leaders in the formation of public opinion in their home communities. They are expected to speak out on public issues and inform their people, especially on such matters as this where the key to the whole situation is a destruction of the role of the lawyer. Here we have an obligation to speak out and explain the dread dangers of the international Communist conspiracy so our people will understand it, fight it, destroy it and thus remain free—and in possession of their God-given human rights.

SOVIET LAWYERS MUST PLACE CLIENT SECOND TO STATE

Let us first consider the status and role of the lawyer under the Soviet system. Unlike lawyers of the free world, Soviet lawyers are deliberately so organized and regulated as to prevent them from protecting the human rights with which law and lawyers of the free world are traditionally concerned. I will sketch in a few words what my study has revealed as to how Soviet lawyers do their work and their function under the Soviet system as illustrative of the points I make herein.

Soviet lawyers assigned to the defense are expressly required to serve the State ahead of the interests of their clients. Lawyers practice through collective organizations or guilds, called Colleges of Advocates, which are organized on a regional level. They are semipublic bodies with the Ministry of Justice supervising them. They maintain in cities and towns consultation points where citizens are encouraged to turn for legal advice and counsel in civil or criminal affairs. In order to belong to the collective the lawyer must be a Communist, or be in good standing with the party. The State sets the fees, which are paid to the guild directly, the lawyer collecting his salary from that organization. The client must present his case to the secretary of the guild, who then assigns him to a lawyer chosen by the secretary as suitable.

The rules of the collectives lay down the lawyer's obligations in conducting the defense of a client. They bluntly stress the fact that his first obligation is to the State, not the client. During the trial the defense lawyer is duty bound to help the prosecution bring out adverse points against his client. Reports of defense pleas, which I have read, are replete with Marxist-Leninist dialectic and admissions of ideological sins by the defendants. Little attention is paid to the actual merits of the defendant's case. In fact, the chief way a lawyer can serve his client is to work for mitigation of the sentence. In many instances the defendant's guilt is predetermined—his confession obtained—by pre-trial brainwashing methods infamous the world over. If a defense counsel attempted to plead his client's case against the wishes—or interests—of the party or Soviet State, he would accomplish nothing for the client and only ruin for himself. The individual, therefore, is left with little protection. Political and Communist ideological considerations govern the conduct of both civil and criminal cases. Performance of the high function of the lawyer, as we know it, in protecting human rights as we define them, is strictly prohibited.

FORGET ETHICS—DEPUTY MINISTER OF JUSTICE TELLS SOVIET LAWYERS

"It is necessary to give up once and for all the ridiculous ideas of some sort of special lawyers' ethics which by virtue of the peculiarities of the profession justifies the departure from the principles of Communist morality and rules of Socialist intercourse which are compulsory for all Soviet people" warns P. Kudryavtsev, Deputy Minister of Justice of the U. S. S. R. in the Literary Gazette of June 8, 1951, in telling Soviet lawyers how to perform their function.

The Deputy Minister continues by warning Communist lawyers that in the U. S. S. R. they are not to undertake to defend cases where the accused had violated basic Communist law.

"The deliberations in certain quarters about the obligation of the lawyer toward the defendant, about professional secrets, about his right to defend a hopeless and unjust case by any means and about the absence of the obligation to be truthful before the court and morally discriminating in relation with the client are out of place and intolerable when our Soviet bar is involved * * * the Marxist-Leninist science of the state and law eliminate these questions."

Kudryavtsev lays down certain rules for Soviet lawyers when they defend a case:

"Lawyers must not use tricks in court, must not try to confuse the case, and resort to obsolete means of defense designed for the cheap tastes of Philistines. He must lift the defense in court to the level of the interests of the Soviet state. Bravely and consistenty defending the accused, the lawyer must be guided by the principles of socialist justice. He must present his argument for the defense without departing from the standpoint of a Soviet defense attorney."

The lawyer, furthermore, while supposedly in the employment of the accused is expected to think of his client only secondarily:

"A Soviet lawyer cannot confine his task merely to the interests of the client, but must always think in the first instance of the interests of the people, the interests of the state."

While the Malenkov regime has issued much propaganda regarding a new scheme of socialistic legality, no concrete steps have been taken to soften the harshness of Soviet law as it affects the individual citizens and his human rights. Nor has Malenkov given back to lawyers their traditional role in protecting against the denial of these rights to any individual. This recent Soviet talk about rights of citizens therefore does not really mean that a brighter day is coming for the average Russian. Even if the present regime should remove some of the onerous restrictions on its citizens and take genuine steps to curb the excess of its bureaucracy, socialist legality would hold little hope for the citizen as an individual. Under the Soviet system, the individual and justice must always play a secondary role to the interests of the State as those interests are interpreted from day to day by the Communist Party.

RUSSIAN SATELLITES DENY HUMAN RIGHTS

Each Russian satellite country has a similar story to tell of the misuse of their courts of justice and destruction of the traditional role of lawyers in defending individual human rights. From the record to date we can see that as the Soviet system descends upon a helpless people, the Communists take complete control of the nation's laws, law students, judicial philosophy, prosecutors, judges, and lawyers. A complete revolution is accomplished in the system of administration of justice so as to prostitute the rights of individuals to those of the all-powerful Communist State. Destruction of the traditional role of the lawyer is essential to accomplish this objective.

Russia has unmistakably taken advantage of the chaos and impoverishment which World War II brought to the world to carry out a program of aggressive expansion which recognizes no limits, which flouts all treaties, which is accomplished by force, and threat of force, and which is destroying human rights on a scale undreamed of heretofore. Witness the self-imposed exile of millions from Iron Curtain States and the thousands of others who have died trying to escape a life often worse than death. What other proof do we need as to the status of human rights behind the Iron Curtain?

To the familiar accompaniment of executions and mass deportations country after country has fallen under Soviet influence. And spearheads of further aggression are pointed toward lands outside the current sphere of dominant Soviet influence. We as lawyers from all over the free world must consider just what this picture means to us, to the peoples of our countries, and to our role as lawyers.

Every Soviet annexation may fairly be characterized as an act of lawless, predatory aggression in direct violation of international law. The Soviet Union would not have expanded by 1 square mile, or 1 square foot, if the decision to join or not to join had been left to a free and honest vote of the people affected, and whose human rights are destroyed by the very nature of the Soviet system as already outlined. In no case is there the slightest reason to believe that a majority, or even a substantial minority of the people affected welcomed the change to Soviet rule. Again the wholesale risk of death by millions seeking to escape from behind the Iron Curtain proves this point to our legal minds without need for further factual citation. If human rights were not denied, would these people take such action? Obviously the answer is "No."

A military occupation has been used in Poland, Hungary, Rumania, and Bulgaria to clamp down upon unwilling people Communist-controlled regimes. Handpicked legislative bodies chosen under conditions of extreme intimidation have obediently voted Latvia, Lithuania, and Estonia into the Soviet Union colonial empire. And these Soviet annexations are carried out by the crudest violation of numerous specific treaties and international agreements to which the Soviet Union had freely subscribed. Such violations of international law must be of great concern to an organization such as this one where we are dedicated, as Mr. Loyd Wright, president-elect of the American Bar Association, said in his opening address to this conference, to the rule of law rather than the rule of men.

And as stressed by experts in the field, international law is built upon ideas of morality and law wherein men keep their solemn agreements. Such ideas the Soviets do not recognize at all. Without such recognition human rights cannot exist.

As it ruthlessly pursues its world conquest objectives, the Soviet Union has created a well-deserved reputation as an irresponsible international marauder. Before the court of world opinion, it stands indicted for disregarding its international treaties and agreements, openly flouting protocols and agreements to recognize human rights such as those it specifically agreed to respect in the Yalta and Potsdam agreements. Further, it encourages other treaty signatories belonging to its colonial empire to violate basic human rights, examples of which I will cite in just a moment.

The Soviet Union follows a deliberate policy of refusing to work with other nations, takes abrupt and unauthorized unilateral action, and unceasingly strives to subjugate the free world. Agreements with it are worthless. From Yalta to the present international relations are marked by broken pledges and international law violations by the U. S. S. R.

SPECIFIC EXAMPLES OF DENIAL OF HUMAN RIGHTS

To move from the general to the specific, I will cite a few of the thousands of instances of Soviet denial of human rights. Under specific peace treaties the Hungarian, Bulgarian, and Rumanian Governments undertook to guarantee the enjoyment of human rights and fundamental freedoms, including freedom of expression, of press and publication, of religious worship, of political

opinion, and of public meetings. The human rights clauses. Freedom of expres- U. S. S. R. has directly aided and abetted these governments in failing to fulfill these sion and of press and publication no longer exist in any of these countries. Freedom of worship has been interfered with time and again, either through subtle means or drastic procedure such as trial and imprisonment of church leaders. All political groups opposing the Communist-controlled governments of these countries have been eliminated, thus forcefully violating freedom of political opinion. While Britain and the United States of America charged these governments with these treaty violations as long ago as 1949, Russia does not agree that violations have occurred and has condoned and abetted the violations by refusal to act to redress or prevent them under express provisions of the treaty designed for that purpose.

To be even more specific about the role of law and lawyers behind the Iron Curtain, I need cite only two world-famous trials, those of Cardinal Mindszenty and Associated Press Reporter Oatis.

The staged trial of Joseph Cardinal Mindszenty is a warning to all that a war is being waged against religion and the basic principles of humanity and human freedom. The length to which Godless men of the Hungarian Communist Party will go to gain their ends is shown by the Hungarian handwriting experts who, after escaping beyond the Iron Curtain, admitted that they forged the documents used by the Hungarian Communists to convict Cardinal Mindszenty.

In fact, and I need not repeat here the well-known facts of these two trials—it is certain that the peoples of the world have cringed with the shock of the terrifying effect of Communist "brain-washing" tactics and their induced confessions, "Communist-style," such as those of Cardinal Mindszenty and Associated Press Reporter Oatis. And there are thousands of similar cases. Such "confessions" are an especial concern of lawyers in this field as they end the rule of law and lawyers in protecting human rights. And it is well known that false confessions, such as those just referred to, have been extorted from many persons arrested by other Communist States. The Soviet Union itself recently issued an embarrassed apology for this widespread "brain-washing confession" method of procedure, when it publicly admitted that the confessions of nine prominent physicians to acts shortening the lives of Soviet leaders were obtained by illegal methods. The admittedly innocent doctors were freed. In fact, the Paris edition of the New York Herald Tribune has just reported the *in camera* trial, conviction, and execution of M. D. Ryumin, the former Vice Minister of State Security and investigating magistrate in this famous doctors' plot case. He was shot to death for falsifying material and inducing the doctors to confess falsely and denounce themselves. This *in camera* 5-day trial of Ryumin is nothing unusual under the Soviet system, but shocking to lawyers who have always fought such Star Chamber methods regardless of the charge against the accused. The number of *in camera* (behind closed doors) cases heard by Soviet courts, however, is legion.

Every so often news of some of these cases leaks out from behind the Iron Curtain. Witness the famous recent trial and judgment of execution pronounced against Beria in this same way.

Soviet authorities, in violation of the Potsdam declaration of July 1945, have instituted in East Germany a system of intimidation and cold terrorism through military, police, and party authorities. Freedom of speech and press as guaranteed by that declaration have not been allowed. Moreover, the Soviets have systematically built up a totalitarian system of police control which suppresses basic human rights and legal processes. They resort to arbitrary seizures of property, illegal arrests, forced labor, and other practices which are incompatible with democratic legal principles.

COMMUNISM—THE NEW COLONIALISM

The record of Soviet aggression is very imperfectly summed up by the list of outright Soviet annexations. Domination of other countries can be and is being achieved without formal annexation. In each annexed nation the destruction, suppression, and denial of human rights comes automatically with the ending of the traditional role of the lawyer. This is a cardinal part of the Soviet system of government. That system cannot coexist with protection of human rights by the performance of the traditional role of the lawyer.

Satellite local regimes give Russia control of many countries. Methods and degrees of control vary from country to country. But these local administrations can take no important decision without the sanction and approval of Moscow. They all fall into one mold—one basic system. Russia wants no friendly neighbors but only vassal states—ruled by Russian-trained Communists unable to take a step without advance approval from Moscow.

Let us examine how the Soviet system of colonizing other nations now works: First, let me call your attention to the fact that the colonial empires which the nations of Western Europe built up in the two centuries preceding World War II are a thing of the past. The list of nations that have achieved their sovereignty peacefully since 1945 includes India, Pakistan, Burma, Ceylon, Indonesia, and the Philippines. The three Associated States of Indochina, Vietnam, Cambodia, and Laos, have already achieved autonomy within the French Union. The French Government has made clear its intentions to perfect the independence of these states; Laos has already achieved independent status within the French Union through a basic treaty recently signed with France. The British have clearly announced their intention, and have instituted initial steps, to provide self-government for Malaya.

But as the old colonialism dies, a new and far more deadly form of colonialism is spreading across the globe. From its European and Asian bases, world communism is fastening colonial shackles on many once-free peoples. In short, Western European nations who brought light and civilization to many dark corners of the earth have brought freedom and independence to 600 million people. At the same time the Communists have enslaved a like number.

Since 1939, the nations that have had Communist rule forced on them by aliens are: Tannu Tuva, Lithuania, Latvia, Estonia, Poland, Czechoslovakia, Bulgaria, Hungary, Rumania, Albania, East Germany, Tibet, Outer Mongolia, and North Korea.

The processes through which these nations have been reduced to abject colonial slavery have varied, but the result in the field of human rights is always the same. In the Baltic States the process was one of direct seizure. In Eastern Europe the Soviet methods have included engineered political coups under the guise of Soviet occupation activities and the subversion of governments from within by infiltration of Soviet-trained agents. In East Germany and North Korea it was one of taking advantage of military occupation.

Whatever the specific process, one of its key elements has always been perversion of genuine feelings of nationalism in the target country so as to accomplish the vital control of law, the courts, and the legal profession. The Communist colonial regime invariably is set up under the guise of protecting the people from the oppression of their rulers or of protecting them from contemplated aggression by western nations, which, of course, exists only in the contemplations that go on in the Kremlin.

The process has not ended. In Indochina world communism has carried out a military conquest as the first step in adding it to the list of new colonies.

One of the standard devices of the Communist colonization process is to pre-train the key figures of Communst puppet regimes in the Soviet Union prior to the Communist capture of a country so that the U. S. S. R. is assured their conditioning, ideology, and ultimate loyalty is to the Kremlin, the center of the world Communist plot, rather than to the country of origin. Only in this way can the Kremlin be sure that these leaders will understand and carry out its system of destruction of human rights—an understanding which is basic to success of the Soviet system. This Communist education often is planned so far in advance that the training of these leaders occupies years of experience before they actually come to power; needless to say, this training consists in large part in learning the fundamental principles of a system whereby, under false labels, the rights of the individual are suppressed, destroyed, and subverted to those of an all-powerful State so that individual rights are eroded and gone before the colonized people awake to just what has happened to them. Surely we as lawyers can analyze this system—what it is, what it has done, is doing, and what it plans to do—for our people so they will be awake to the false labels, the subtle misrepresentations, and the evil designs the Communists have in mind for the free peoples of the world.

I have recently examined an impressive list of the leaders of the Iron Curtain colonial empire of 15 formerly independent nations. In every instance the present local-controlling Communist leaders were trained in the U. S. S. R. and sent to take over the particular nation. Usually they were born in the colonized nation. The free world was recently alerted to this kind of operation when a regime of Communist sympathizers took over and was then overthrown in Guatemala. There, as elsewhere, it was revealed that the real leaders of the deposed regime were U. S. S. R.-instructed for their specific colonial tasks. These are facts which we lawyers can collect and bring before our people before the Soviet scheme makes headway in our countries so our people can avoid all the dread consequences which so certainly flow from Soviet colonization.

CONCLUSION

The above are a few of the facts which prove beyond refutation that the international Communist conspiracy is carrying out a systematic denial, suppression and destruction of basic God-given human rights in every nation which falls under its dominion. And beyond question the key to Soviet domination lies in subversion and destruction of the role of law and lawyers in this vital field of human rights. We, as lawyers, must fight the menace of communism by calling the attention of the people of the world to the Soviets' record and intentions.

The uncertainty of peace the world over is due primarily to the fact that the Russians have deliberately undermined the foundations upon which peace was to be built. And the fact that the framework for peace has never been completed by peace treaties is due to the U. S. S. R.'s intransigence and the unreliability of its word.

What is behind this record of Soviet aggression which looms up as far and away the greatest threat to a world of peace, order and freedom? We know that on the record to date it is the fatalistic idea that communism must conquer the world or perish. And no one can refute the fact that, upon the record as herein reviewed, successful conquest of the free world by the Soviet system requires destruction of the traditional role of law and the lawyer, and the death knell of human rights.

So long as there is even one free country the masters of the Kremlin will not feel secure in their dictatorship. The record of Soviet aggression to date, long and formidable as it is, must be considered only a foretaste of what will come—unless we who believe in liberty under law succeed in building impregnable ramparts against this would-be conqueror of the world. We must also keep the torch of freedom under law burning for those behind the Iron Curtain against the day when it can burst into liberating flame.

FLANDERS CENSURE RESOLUTION—LETTER FROM 23 "NONPROMINENT MEN"

Mr. McCARRAN. Mr. President, I have received a copy of a letter addressed to the Members of the United States Senate by 23 "nonprominent men."

This letter speaks for itself; and in order that any Members of the Senate who did not have an opportunity to see the letter in their mail may see it in the RECORD, I ask unanimous consent that the text of the letter, together with the names and addresses of the signers, may be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SEATTLE, WASH., *August 5, 1954.*

To the Members of the United States Senate.

DEAR SENATOR: We, the undersigned, are 23 nonprominent men.

We deplore the action of 23 "prominent" men who sent you telegrams in support of the Flanders censure motion against Senator McCARTHY, and who join hand in hand with the known enemies of the Republic of the United States of America.

We call upon you to defeat the Flanders motion. Then to vote overwhelmingly a motion of confidence and approval of Senator McCARTHY and his exemplary methods.

Prominent men are few in number.

Nonprominent men number tens of millions. We feel we are speaking for those millions when we ask you to support that great incorruptible patriot, Senator JOSEPH MCCARTHY.

Not one of our group is or ever has been a member of any organization which has been named as subversive. Nor have we ever affiliated with people who have been named as members of a subversive organization.

Can the 23 "prominent" men make this claim?

There is not one "fifth amendmenteer" among the following signers. We pledge to answer cheerfully, under oath, any questions asked of us by any legally constituted committee of the House or Senate which is investigating communism. How many of the 23 "prominent" men are willing to make this public pledge?

John W. Carlson, Office Equipment, 8076 Bothell Way, Seattle; Norman I. Glover, Ice-Cream Manufacturer, 8074 Bothell Way, Seattle; Leo Berman, Leo's Market, 8022 15th NE., Seattle; C. M. Johns, Johns Shell Service, 8100 Bothell, Seattle; John E. Carlson, Real Estate, 8020 Bothell Way; F. M. Fredricksen, Insurance, 5035 Eighth NE., Seattle; R. L. Woodman, Jeweler, 8072 Bothell Way, Seattle; Art Potter, Cashier, 8059 Bothell Way, Seattle; Oliver Frank Mitchell, Salesman, 6845 16th NE., Seattle; W. H. Burghduff, Auto Parts, 8001 14th NE., Seattle; G. A. Dalgety, Auto Supplies, 8208 Greenwood Avenue, Seattle; Roy Davidson, Jeweler, 131 North 85th, Seattle; A. Wm. Johnson, Salesman, 1104 Eighth Avenue, West Seattle; Gene Elrod Keller, Associate American Detectives, 614 Bigelow Building; Chas. M. Bryant, Insurance, Post Office Box 436, Seattle, Wash.; William H. Mullen, Attorney, 806 West McGraw; Leonard L. Higgins, Private Investigator, Suquamish, Wash.; J. Albert D. Hulse, Security Police, Port Embarkation, Pier 39, Seattle, Wash.; Conrad W. Swanson, Real Estate Broker, 8050 16th NE., Seattle; Bryson, Reinhardt, 2608 West Boston, Seattle; Pryor N. Adskim, 3212 36th Avenue, West Seattle; Marvin E. Munyon, 7811 31st Street South, Tacoma; L. J. Boardman, 902 First Avenue, Seattle; Lawrence Timbers, Advertising Specialty Co., 315 First West, Seattle.

As coauthor I reserve the right to be the 24th.

EISENHOWER'S "METHODS"—EDITORIAL FROM THE TULSA TRIBUNE

Mr. McCARRAN. Mr. President, there has come to my desk an editorial which was published in the Tulsa Tribune of Saturday, July 31, 1954. The burden of the editorial is that "patriotism is being punished in Washington today."

The importance of the theme dealt with in the editorial is very great, and I ask unanimous consent that the editorial may be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

EISENHOWER'S "METHODS"

(By Richard Lloyd Jones)

We are bewildered. We are confused. We are frustrated. We have grown so apathetic that a lot of us no longer give a whoop. And that is no way to save our liberties. We need a President.

Eisenhower is attempting to make himself the master of a one-party government. And that is the historic road to dictatorship. Where is the Republican Party? Its leaders do not resist this attempt.

During the 1952 campaign Eisenhower's spokesmen informed those who inquired about specific domestic matters that General Eisenhower's position as an international commander does not permit his personal participation in domestic political affairs, even if his responsibilities to the 12 countries of the North Atlantic Treaty Organization afforded him time to do so.

That is what we elected. That is what he is, a man too busy to be interested in the problems of the American people. So, we have no leadership.

Our President today is utter stranger to the candor and the direct honesty of Theodore Roosevelt. Why doesn't Eisenhower say exactly what he means instead of indulging in innuendoes? He is the thought promulgator for the Pinks. Both he and the Pinks don't like McCARTHY's methods. Yet, no one can name one single American who has been hurt in the slightest by whatever may be defined as "McCARTHY's methods." But it is time now to look at the Eisenhower methods and the methods of George Marshall behind him.

In a recent speech Eisenhower said, "Thorough knowledge and understanding will drive from the temple of freedom all who seek to establish over us thought control whether they be agents of a foreign state or demagogs thirsty for personal power and public notice."

An honest President would explain himself. What did Eisenhower mean by this language? His lieutenants admit that it was a pot shot at Senator McCARTHY. No one can find the slightest evidence that McCARTHY ever attempted to establish thought control over the people. That assertion is so false it is silly. To imply such a thing is dishonest. To evade the direct question as to whom he had in mind is also dishonest.

Who are "the demagogs thirsty for personal power and public notice?" Name one. Eisenhower's methods are dishonest.

What about the meeting Eisenhower called on January 21 to plot the destruction of JOSEPH MCCARTHY? There is a "method" of attempting to destroy a patriotic Senator.

Then he tries to hide the record. If the record is right why not bring it out into the open?

The forces that nominated Eisenhower at the Republican convention in 1952 put up an infamous cry of "Thief," implying that the Taft forces had stolen certain Texas delegates. Had there been an Abraham Lincoln as a competing candidate for that nomination, there would have been no such infamous charge because there was no theft. None. And honest men would not profit by a demagogic charge that had not the slightest substance.

A year ago today Senator Taft died. Taft was maligned by Eisenhower and his plotplanner, George Marshall. Taft, the great statesman, was condemned by the very people who profited by the manipulations in Aldrich's hotel rooms in Chicago.

Eisenhower has talked piously about the crime of "burning books." But he can name nobody who has burned a book. No one, not one. Therefore to imply such a thing is to bear false witness.

The Eisenhower crowd talks about the infamies of "smear." And not one of them can name a single soul whose honesty and patriotism is clear and above reproach who has been singed by smear.

But, on the Ike side, we now have the conspicuous example of Roy Cohn, a real patriot who has been tortured with Eisenhower-sanctioned smear for doing a great patriotic work.

Under the Truman administration we were prepared to accept performances that smelled to high heaven. But the people elected Eisenhower to clean house, to be a heroic patriot and to help the Members of our Congress who are trying to rid us of enemy infiltration. But we didn't get what we voted for. Under Eisenhower's administration we punish patriotism.

We began this business of punishing patriotism years ago when we witnessed the destruction of Dr. Wirt. Then we saw Martin Dies destroyed. We saw General MacArthur destroyed, then followed J. B. Matthews and Dean Manion. Now they have tortured with smear a brilliant young man whose only offense was that he was a competent defender of our country, a finder of our foes and an efficient prosecutor of our enemies. The White House outfit got him. They got him to cripple McCARTHY. Now they are going to cripple JENNER and VELDE. What about these methods?

For shame. A President of the American people engineering the repudiation of patriotism. And he accomplishes these ends by sneaky methods, by innuendoes, by implications. We elected him to be forthright, courageous, and heroically honest. And he has failed us.

Part of the administration's methods is to destroy the Republican Party and the Democratic Party by amalgamation and thereby destroy the Republic itself. Then make a military master dictator. Then the one worlders will include America in their conquest.

Already the Stars and Stripes are placed behind the United Nations flag on parades.

There are enough American citizens who are now alarmed to rally to the support of

honest and courageous leadership. But we have had no leadership, and we have got none now. If any Member of Congress, House or Senate, behaves as a patriot and champions the cause of the American people, he is called to the White House mat to have his brain washed and to learn that his patronage rights are of no interest to the Chief Executive, that his party has no financial help to offer him in his campaign to retain his patriotic crusade in Congress.

The Republican Party has got to face it. It has either got to show Eisenhower how to be an honest, cooperative patriot, or they have got to ease him out of the party.

He is a shallow Republican who sits in the Senate of the United States and yields to the Republican National Committee as directed by Leonard Hall. Hall is a weak man or he would reveal the weakness of the brain-washing tactics of the White House outfit.

The brave men in the United States Senate today are the ones that Eisenhower and his coterie are out to get. But let them beware, it is no crime to love our country and defend it.

Patriotism is being punished in Washington today. That is the ugly fact. And we, the people, had better get busy or we are not going to have a country. What are our Senators afraid of that they yield to the intimidating methods of those who promote the one world flag and the one world party and the one world citizenship and the destruction of the American Republic.

Eisenhower's methods are the menace that confronts us.

THE REPUBLICAN ADVANCE

Mr. McCARRAN. Mr. President, very few newspapers in this country have printed anything, so far as I know, about the Republican Advance, which appears to stand in approximately the same relation to the Republican Party as Americans for Democratic Action stands to the Democratic Party.

One newspaper which printed something about the Republican Advance, and quite recently, was the Monroe (La.) News-Star. In an editorial under date of August 3, this newspaper has a number of things to say about the Republican Advance. Because of the great interest in this subject, which I feel certain is shared by Senators on both sides of the aisle, I ask unanimous consent that the editorial to which I have referred may be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE REPUBLICAN ADVANCE—DECISION TO DESTROY

The censure motion by Senator RALPH FLANDERS came about as scheduled. He referred to Senator McCARTHY as a "fifth amendment" Senator in that the Wisconsin Communist hunter had "refused to divulge information on his tax status and finances."

Senator McCARTHY has time and time again stated that he would be glad to testify to anyone as regards his financial status. Even Drew Pearson couldn't get anything on JOE McCARTHY'S record.

As was expected, Senator McCARTHY had great support in the Senate from his colleagues who leaped to his assistance upon the close of FLANDER'S "motion." The odd and extremely curious manner in the entire situation is the position of the Eisenhower administration which is prodding FLANDERS into this affair. In short, the administration is determined at all costs to wreck McCARTHY. It is now involved in starting another "investigation" of the Senator. It would appear that any man, whether he is in or out of public life, who attempts in any way to disturb the forward progress of the International Communist war machine, will receive the full brunt of the Communists and their associates, the Marxists in this Nation.

Unhappily for the United States, there are still Marxists in policy making positions in the Government and there are public officials who because of various and sundry reasons (many of them, financial) who will either appease these international pirates or will agree to support their various causes.

In the McCarthy issue is a problem of the times. The Senate is at the direct request of the administration, ordered to censure the main member of the Senate investigating Committee on Government Operations due to the simple fact that he was carrying out the duties as required by his office—that of investigating conditions inside the administration. The administration is thus telling the Senate to "keep hands off—look what will happen if you don't."

Who is behind this administration move to destroy McCARTHY, JENNER, McCARRAN, and others who are interested primarily in the well-being of the Nation, themselves second? From time to time, the News-Star has described the curious operations of the Republican Advance. The Advance is to the GOP what the ADA is to the Democratic Party, only worse due to the fact that the Advance now controls the patronage and the treasury of the Republican National Committee.

It is directly controlled by several sources. The sources are not located in Washington, but in the city of New York. Among the politicians involved are Thomas Dewey, the former crime fighter of New York; Herbert Brownell, the Advance hatchetman, former Dewey assistant; Sherman Adams, former Governor of New Hampshire and present Presidential adviser; Henry and John Lodge, New England politicians of some fame; James Duff, of Pennsylvania; Ralph Flanders, of Vermont, and numerous others of a like political order.

The main idea of the Advance as was originally proposed as far back as 1950 in Philadelphia, is to softpeddle communism and attempt to evolve a fair-deal program. The man behind the situation is said to be Mr. Sidney Weinberg, of New York, a banker on a colossal scale whose hands are in all types of "pies." Weinberg is a business partner (or owner) of the Lehman Bros. (Continental Can), of which brother Herbert is a "liberal" Senator from New York.

The News-Star has at times described these international bankers and the manner in which they operate. Sometimes, they do not feel a tinge of patriotism when dealing with the Communists or European nations. In short, finances and economics play a much larger part in their lives than patriotism and the fight against international communism.

The Advance is a left-wing organization which seeks to control the Republican Party and thus destroy it as a patriotic American political organization. Using the Marxian tactics of infiltration and self-destruction through deliberate confusion, the Advance has gained control of the Citizens for Eisenhower movement which today is actually the Advance. Citizens for Eisenhower merely plans to elect either Republicans or Democrats (it doesn't matter) who suit their purposes.

Much as the ADA seeks to control elections and primaries within the framework of the Democratic Party (Texas, Louisiana, Florida, Alabaha, Oklahoma, and others) the Advance is determined to control the Republican primaries and elections in the States involved. In short, if the GOP candidate is not a 100 percent internationalist, follower of New Deal principles, or will agree to support these principles, he will not get the support of the Republican National Commitee as it presently exists.

To quell such erroneous beliefs, the President has agreed to support candidate for the Senate, Joe Meek, of Illinois, but it is reliably reported that the Advance will attempt to destroy him. The Advance has plans to undercut any American, especially a Republican, who seeks (as does McCARTHY) to support the United States first, other nations last.

The Advance is in full cooperation with the Americans for Democratic Action and the allied and associated elements. It gives the White House nod to those who will play ball and it destroys those who resist. It uses pressure tactics to any degree in attempts to destroy its opponents and will not halt at blackmail and extortion. The News-Star has some curious facts as regards those last two items. Already, the pressure has been put to newspapers throughout the country, through various sources, to halt any further information on the Advance.

The worst aspect to the situation is that many, many Republicans are not aware as to the existence of this Trojan horse inside the party. Best they acquaint themselves as soon as possible.

The Advance, as you can now see, will support any man who has apparently had dealings and proposes more dealings with the Soviet Communists while attacking in a bitter and terrible manner the man whom even John Edgar Hoover has seen fit to praise in the fight against communism.

The decision to destroy was passed long ago. Now it is being put into effect.

Americans all need to support Senator McCARTHY in his fight against these sources seeking to destroy your Nation.

CHICAGO TRIBUNE

Mr. KERR. Mr. President, a few days ago the senior Senator from Oklahoma made some extended remarks about the farm bill which was then being considered by the Senate. In my discussion, I referred to a report showing the subsidies received by 10 very large newspaper and magazine publications in the United States in the form of very low postage rates, which cost the taxpayers about $7,500,000 a year, and which inured primarily to the benefit of those publications. The Chicago Tribune was 1 of the 10 publications referred to by me.

In the course of my remarks I referred to the Chicago Tribune as being "as shoddy a propaganda sheet as any that ever tried to mislead the patriotic population of a great country."

I have received from Mr. Walter Trohan, Washington correspondent of the Chicago Tribune, a letter which criticizes me a little for having made that statement, and asking me to be fair in my attitude and remarks. I think that is a reasonable request.

With regard to news items in which the publisher of the Chicago Tribune has no political interest, I believe the Chicago Tribune is one of the great newspapers of the country. I think its news coverage is wide and extensive, and makes it a publication of great value in that regard.

However, when the publisher of that paper has political objectives in mind, I must say that I have reached the conclusion that he is not above propagandizing in the columns in his newspaper; and it may be that I should have placed

the adjective "shoddy" at another place in my remarks. I referred to the newspaper as being "as shoddy a propaganda sheet." Probably what I should have said was that it is a sheet capable of printing propaganda as shoddy as can be found in any paper in the country—when the publisher has a political objective in mind.

I think Mr. Walter Trohan is a very fine, outstanding correspondent. He and the reporter personnel of that great paper have been very courteous to the senior Senator from Oklahoma. I think that they are men of very high type, and I want to express my appreciation of and to them.

Mr. President, I ask unanimous consent to have printed at this point in the body of the RECORD the letter I have received from Mr. Walter Trohan, under date of August 11, 1954, in order that I may do what I can to evidence my attitude of fairness.

However, I close by saying that the conclusion I had formerly reached as to the capacity of the publisher of the Chicago Tribune to insert shoddy propaganda in his newspaper when it serves his wishes or purposes has not changed.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CHICAGO TRIBUNE,
WASHINGTON BUREAU,
Washington, D. C., August 11, 1954.

The Honorable ROBERT S. KERR,
United States Senate,
Washington, D. C.

DEAR SENATOR: I see by last Saturday's RECORD that you belabored the Chicago Tribune for benefiting from postal subsidies. You have every right to feel about the Tribune in any way you please, even to saying that it is "as shoddy a propaganda sheet as any that ever tried to mislead the patriotic population of a great country," although I have letters of yours thanking me for favors done you by the Tribune. However, when you blast the Tribune, you should be just a little bit fair.

For 25 years, to my personal knowledge, the Tribune has openly and loudly pleaded for revision of the rates you complain about. I can show you a file of our editorials calling for upward revision of the newspaper rate. Some years ago Senator DOUGLAS attacked us on this ground. When I showed him this file, he apologized on the floor of the Senate. If you do not believe me, you might consult Senator DOUGLAS.

Sincerely yours,

WALTER TROHAN.

CALL OF THE ROLL

The ACTING PRESIDENT pro tempore. Is there further morning business?

Mr. SALTONSTALL. Mr. President, if there be no further morning business, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Byrd	Douglas
Anderson	Carlson	Duff
Barrett	Case	Dworshak
Beall	Chavez	Ellender
Bennett	Clements	Ervin
Bowring	Cooper	Ferguson
Bricker	Cordon	Frear
Burke	Crippa	Fulbright
Bush	Daniel	George
Butler	Dirksen	Gillette
Goldwater	Kuchel	Potter
Gore	Langer	Purtell
Green	Lehman	Reynolds
Hayden	Lennon	Robertson
Hendrickson	Long	Russell
Hennings	Magnuson	Saltonstall
Hickenlooper	Malone	Schoeppel
Hill	Mansfield	Smathers
Holland	Martin	Smith, Maine
Humphrey	Maybank	Smith, N. J.
Ives	McCarran	Stennis
Jackson	McCarthy	Symington
Jenner	McClellan	Thye
Johnson, Colo.	Millikin	Upton
Johnson, Tex.	Monroney	Watkins
Johnston, S. C.	Morse	Welker
Kefauver	Mundt	Wiley
Kennedy	Murray	Williams
Kerr	Neely	Young
Kilgore	Pastore	
Knowland	Payne	

The ACTING PRESIDENT pro tempore. A quorum is present.

REVISION OF ATOMIC ENERGY ACT OF 1954—CONFERENCE REPORT

Mr. HICKENLOOPER. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9757) to amend the Atomic Energy Act of 1946, as amended, and for other purposes.

The ACTING PRESIDENT pro tempore. The report will be read for the information of the Senate.

(The legislative clerk read the report.)

(For conference report, see House proceedings of August 9, 1954, pp. 13765–13779, CONGRESSIONAL RECORD.)

Mr. KNOWLAND. Mr. President, pursuant to the order of the Senate of August 11, 1954, I now request that the Senate proceed to the consideration of the conference report.

The ACTING PRESIDENT pro tempore. Under the unanimous-consent agreement of August 11, the question is on agreeing to the conference report.

Mr. HICKENLOOPER. Mr. President——

The ACTING PRESIDENT pro tempore. The Senator from Iowa [Mr. HICKENLOOPER] has 90 minutes. The Senator from Texas [Mr. JOHNSON] has 90 minutes.

Mr. HICKENLOOPER. I yield myself sufficient time to make the statement I wish to make.

Mr. President, this is the conference report on H. R. 9757, which is the proposed Atomic Energy Act of 1954. I should like at this time to read the statement of the managers on the part of the House in submitting the conference report to the House, because it is substantially the same as the report the Managers on the part of the Senate would make.

In the first place, I may say that the committee of conference met for several days, and the Managers on the part of the House agreed to this report by a vote of 4 to 1, one not voting. There were five managers on the part of the House on the conference committee.

On the part of the Senate there were five conferees. The report submitted to the Senate is signed by 3 of those conferees, 2 not signing the report.

The report has been in the Senate for several days, and is available to any Senators who may not presently have it on their desks.

I now read from the statement on the part of the managers of the House, which statement I shall ask leave to have incorporated in my remarks:

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9757) to amend the Atomic Energy Act of 1946, as amended, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate struck out all of the House bill after the enacting clause and inserted a substitute amendment. The committee of conference has agreed to a substitute for both the House bill and the Senate amendment. Except for technical, clarifying, and conforming changes, the following statement explains the differences between the House bill and the substitute agreed to in conference.

The House bill continued in effect the provision of existing law which establishes within the Atomic Energy Commission a Division of Military Application and such other program divisions, not exceeding 10, as the Commission may determine (subsec. 25a). The Senate amendment added to the House bill a requirement that there be within the Commission "a division or divisions the primary responsibilities of which include the application of civilian uses." The conference substitute retains the substance of the language added by the Senate amendment.

Mr. President, I have a statement of my own which I desire to make. Therefore, inasmuch as this statement on the part of the managers of the House is contained in the report which is available on the desks of Senators, I ask that the full statement of the managers on the part of House be incorporated at this point in my remarks and that I may proceed with my own personal statement, in order to conserve time.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF THE MANAGERS ON THE PART OF THE HOUSE

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9757) to amend the Atomic Energy Act of 1946, as amended, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate struck out all of the House bill after the enacting clause and inserted a substitute amendment. The committee of conference has agreed to a substitute for both the House bill and the Senate amendment. Except for technical, clarifying, and conforming changes, the following statement explains the differences between the House bill and the substitute agreed to in conference.

DIVISIONS OF THE COMMISSION

The House bill continued in effect the provision of existing law which establishes within the Atomic Energy Commission a Division of Military Application and such other program divisions, not exceeding 10, as the Commission may determine (subsec. 25 a.). The Senate amendment added to the House bill a requirement that there be within the Commission "a division or divisions the primary responsibilities of which include the application of civilian uses." The confer-

ence substitute retains the substance of the language added by the Senate amendment.

DISPOSITION OF ENERGY PRODUCED AT COMMISSION FACILITIES

The House bill provided for the disposition of energy produced in the production of special nuclear material at production or experimental utilization facilities owned by the United States (sec. 44). It also provided for a preference to public bodies and cooperatives in the disposition of such energy, and prohibited the Commission from engaging in the sale or disposition of energy for commercial use except in the case of energy produced incidental to the operation of research and development or production facilities of the Commission.

The Senate amendment retained the provisions relating to disposition of energy produced by the Commission, but added a preference for high-cost power areas and a new section 45 which would authorize the Commission to engage in the production of electric power in its own facilities. It also would authorize other Federal agencies to be licensees of the Commission.

The committee of conference eliminated the Senate section 45 and revised section 44 so as to make it applicable to the disposition of energy produced at facilities of the Commission. It retained the requirement that, insofar as practicable, the Commission give preference to public bodies and cooperatives and to utilities in high-cost areas. It also retained the provision prohibiting the Commission from engaging in the sale of energy for commercial use except in the case of energy produced by the Commission incident to the operation of research and development facilities of the Commission and of facilities of the Commission for the production of special nuclear material.

The committee of conference amended section 31 a. (4) so as to clarify the authority of the Commission to build or contract for the building of large-scale atomic energy utilization facilities for the purpose of demonstrating the practical value of such facilities in the generation of electric energy, or for other industrial or commercial purposes. The construction of such large-scale demonstration facilities would require specific authorization by the Congress as provided in section 261.

For the purpose of clarity, sections 103 and 104 (which relate to the licensing of production and utilization facilities) were amended by the committee of conference so as to include the authority to issue licenses to "persons applying therefor" instead of to "applicants." The effect of this amendment is to make it clear that Government agencies are on an equal footing with all others before the Commission with respect to obtaining licenses from the Commission, since the definition of "persons" (subsec. 11 n.) specifically includes Government agencies (other than the Commission). In order to make this effect even more specific, a new section 273 was added to the bill to incorporate the substance of the final sentence of section 45 as added by the Senate amendment. This new section states that nothing in the act shall preclude any Government agency authorized by law to engage in the production, marketing, or distribution of electric energy from obtaining a license under section 103, if qualified under the provisions of section 103, for the construction and operation of production or utilization facilities for the primary purpose of producing electric energy for distribution for ultimate public consumption.

Since there was no thought that the Commission, in carrying out its obligations under this act, should not be required to get congressional approval for its operations, the amendment made by the Senate to section 261 which exempted the Commission from the necessity of obtaining congressional approval for certain construction and acquisition projects was deleted by the conference substitute.

NOTICE OF LICENSES

The House bill contained a provision requiring the Commission to give notice of proposed licenses under section 103 to those within transmission distance who might be engaged in the distribution of electricity. The Senate amendment required that notice be given to private utilities as well as to those persons included within the House provision. The conference substitute retains the Senate language with a minor amendment.

LICENSE PREFERENCES

The House bill contained a provision requiring the Commission to give preferred consideration in issuing licenses under section 103 to facilities which will be located in high-cost power areas where there is a limited opportunity for such licenses (sec. 182 c.). The Senate amendment added a provision requiring that in such situations applications submitted by public and cooperative bodies were also to be given preferred consideration. The conference substitute follows the Senate amendment but requires such preference to be given "insofar as practicable."

APPLICABILITY OF FEDERAL POWER ACT

The Senate amendment added to the House bill a requirement that licensees under section 103 transmitting electric energy in interstate commerce or marketing such energy at wholesale in interstate commerce are to be subject to the Federal Power Act. The conference substitute retains the substance of the provision added by the Senate amendment and makes it a new section (sec. 272) in the bill.

SOURCE MATERIAL

In connection with the leasing of lands belonging to the United States for prospecting for or mining of deposits of source material, the House bill provided for the award of leases or permits on a competitive bidding basis after notice has been published in a newspaper in the county in which the lands are situated (sec. 67). The Senate amendment deleted this provision, and the conference substitute follows the Senate amendment.

The problems involved in issuing leases on the basis of competitive bidding require further study. It was decided by the committee of conference that this matter should be taken up in the next session of Congress if the Commission does not itself institute such methods of procedure after holding hearings specifically on the point.

ADVICE OF ATTORNEY GENERAL ON LICENSES

In connection with the issuance of licenses for utilization and production facilities, the House bill provided certain requirements with respect to the antitrust laws (sec. 105). Among these was the requirement that the Commission obtain the advice of the Attorney General before issuing any such license. The Senate amendment required that the Commission follow the advice of the Attorney General unless the President made a finding that the issuance of such a license was essential to the common defense and security and the finding was published in the Federal Register. This amendment in effect made the advice of the Attorney General a decision binding upon the Commission and the applicant without hearing. The conference substitute deletes the portion of the provision added by the Senate amendment which required that the advice of the Attorney General be followed, but requires that the advice of the Attorney General be published in the Federal Register.

INTERNATIONAL ACTIVITIES

The House bill provided that agreements for cooperation (sec. 123) were to be submitted to the President by the Commission or the Department of Defense, whichever was responsible for the initiation of the agreement. The Senate amendment required in addition that the Commission or the Department of Defense favorably recommend the agreement for cooperation. The corresponding provision in the conference substitute requires that the Commission or the Department of Defense submit the agreement for cooperation to the President together with its recommendation concerning the agreement.

The House bill provided for the termination of agreements for cooperation by the President or by the Congress (sec. 123 (2) and (3)). A similar provision in section 54 of the House bill provided for the termination by the Congress of agreements for cooperation for the foreign distribution of special nuclear material. The Senate amendment eliminated these provisions, and the conference substitute follows the Senate amendment. In view of the requirement in section 123 that each proposed agreement shall include "the terms, conditions, duration, * * * of the cooperation," the committee of conference believed that the agreements themselves would provide for termination conditions which would be most suitable under the special circumstances in each case.

ELECTRIC UTILITY CONTRACTS

The House bill contained an authorization for the Commission to enter into contracts for electric utility services in connection with the construction and operation of facilities at Oak Ridge, Paducah, and Portsmouth. The Senate amendment authorized the Commission to enter into contracts to provide for replacement to the Tennessee Valley Authority of electric utility services furnished by TVA to the Commission in accordance with the basic authority, and also required any contract hereafter entered into to be submitted to the Joint Committee for a period of 30 days before becoming effective. The conference substitute follows the Senate amendment.

CONTRACT PRACTICES

The Senate amendment added to the House bill a provision (sec. 170) prohibiting the Commission from entering into a contract providing for the direct payment by the Commission of Federal income taxes on behalf of any contractor or for any payment to such contractor as reimbursement for any Federal income taxes paid by such contractor. The conference substitute limited the prohibition to the direct payment or direct reimbursement by the Commission of any Federal income tax, and made the prohibition as so limited a part of section 165. It was the intention of the committee of conference to prohibit the direct payment of Federal income taxes to contractors of the Commission, but it was not the intention of the committee of conference to bar inclusion of such taxes in the computation or adjustment of the base rate or cost structure of the Commission contract.

PATENTS

The House bill and the Senate amendment both provided, as does the Atomic Energy Act of 1946, as amended, that there shall be no patents issued in the field of atomic weapons. With respect to other areas in the atomic-energy field the House bill permitted normal patents. However, it required that inventions or discoveries made under contract or other arrangement with the Commission shall be deemed to have been made by the Commission and patents therefor shall be the property of the Government unless the Commission either waives its claim or its claim is not held valid by the Board of Patent Interferences. The House bill provided a procedure for testing out the question of whether or not inventions were made or conceived under contract with the Commission, using the Board of

Patent Interferences as the deciding tribunal. Each applicant for a patent in the atomic-energy field would be required to file with the application for such patent a statement under oath setting forth the facts surrounding the making or conceiving of the invention. The Atomic Energy Commission would then be provided an opportunity to review the statement, and if it believed that the invention was made under a contract or other arrangement with the Commission, the Commission would be authorized to direct the Commissioner of Patents to issue the patent to the Commission. If the applicant should not concur, he would be given an opportunity for a hearing before the Board of Patent Interferences. This Board would then have to decide when the invention was made and whether, under all the circumstances, the Commission's claim was valid. The resolution of any question of when an invention is made or conceived is, of course, a normal function of the Board of Patent Interferences.

The Senate amendment did not have this protective device to insure that the Commission would receive all of the patents which properly belonged to it. Instead it authorized the Commission to require compulsory cross-licensing of inventions of primary importance in the field. It also provided for the use by others of patents found by the Government to have been used by their owners in violation of the antitrust laws.

The committee of conference chose a somewhat different approach to the problem so as to avoid as far as possible doubt as to the constitutionality of the licensing system. Therefore, the committee of conference accepted provisions requiring the Commission to give preferred consideration for commercial licenses in the next five years to those applicants who agree to make their atomic-energy patents available to all other Commission licensees who demonstrate need therefor upon payment of a reasonable royalty to be determined in accordance with the provisions of the act. In addition the committee of conference retained the House provision affording protection of the Commission's interest in patents conceived under contract or other arrangement with the Commission.

Furthermore, the committee of conference accepted the Senate amendment which would require those licenses given by patent owners under the circumstances above to be nonexclusive. It also accepted the Senate amendment that the royalty determined in connection with such licensing shall not be less favorable than royalties levied by the owner of the patent or by the Commission to similar licensees for comparable use.

The committee of conference also retained the substance of the Senate amendment dealing with the use of any patents in the atomic field in a manner so as to violate the antitrust laws.

By the provisions selected by the committee of conference it is thought the interest of the public and of the Government are protected in a constitutional manner and to the greatest extent possible without interfering unduly with the incentives inherent in the established patent system.

W. STERLING COLE,
CARL HINSHAW,
JAMES E. VAN ZANDT,
CARL T. DURHAM,
Managers on the Part of the House.

STATES AND MUNICIPALITIES PREFERENCE TO FEDERALLY FINANCED POWER

Mr. MALONE. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield to the Senator from Nevada.

Mr. MALONE. I should like to ask a vital question of the distinguished Senator from Iowa, who, I think, has done a first-class job in a difficult situation in bringing to the floor a bill which seems to be a very practicable measure in a new and importantly vital field—a principle observed more than half a century in reclamation law with regard to power financed by Federal funds—and that is a State and municipal preference for use of the power.

Senator Newlands, from Nevada, introduced the bill to set up what is now known as the Bureau of Reclamation in 1902.

The law has been amended many times since, but the principle has been carried through when public money is used to finance a power project, or where power is developed as a byproduct, such as, for example, the Boulder Dam, now Hoover Dam, and many other projects throughout the West. Public bodies—the States or municipalities—were given a flat preference under like conditions. The public bodies, States and municipalities, are given preference under the law; there is no discretion exercised by the Secretary of the Interior.

Do I understand correctly that there is a preference clause in this bill which would guarantee that the same policy is carried forward?

Mr. HICKENLOOPER. There is a preference clause in this bill for cooperative and public bodies, for all power produced by public bodies or the Atomic Energy Commission.

Mr. MALONE. Is the provision a flat preference under like conditions, or is such preference dependent upon the judgment of a commission or an individual?

Mr. HICKENLOOPER. It is indefinite to a certain extent.

The Senator from Nevada will find this provision on page 12 of the report, in the middle of section 44:

> In contracting for the disposal of such energy, the Commission shall, insofar as practicable, give preference and priority to public bodies and cooperatives—

Public bodies would include municipalities; and coperatives are really private bodies, but we put in the word "cooperatives" to emphasize it for understanding of Senators on the floor, "or to privately owned utilities providing electric utility services to high-cost areas not being served by public bodies or cooperatives."

I should like to proceed with my statement, but I wish to say that the reason why the term "insofar as practicable" was used in this bill is that the Atomic Energy Commission is not a commercial power-producing agency.

The Commission has authority to produce power if it gets the money from the Congress enabling it to do so. It has the authority to build any sized reactor for research and development, and to produce power on a commercial basis, if it feels the reactor is feasible and if it desires to build it. If the Commission builds such a reactor and has excess power resulting therefrom, and if there is a cooperative or a municipal body accessible to receive that power, there is no question in the world that this preference governs and controls. But the phrase is used because the Atomic Energy Commission is a research and development body, and in connection with its other installations and with its research and development, it might be not only desirable but almost necessary that it locate such experimental power-producing reactor in an area adjacent to certain facilities where there would be no cooperatives or no public bodies with accessibility to the power.

Mr. PASTORE. Mr. President, will the Senator yield at that point?

Mr. HICKENLOOPER. I yield to the Senator from Rhode Island.

Mr. MALONE. If the Senator will permit, I should like to follow through and complete my questions.

Mr. HICKENLOOPER. I have only 90 minutes.

Mr. MALONE. Perhaps we could get consent to devote more time to this important bill.

Mr. President, I should like to ask the distinguished Senator from Iowa why he believes that under this bill, which sets up a special body to develop power, the Commission would always give preference to a State or municipality in allocating the power.

Mr. HICKENLOOPER. On the basis of the language, which states that they shall give preference insofar as practicable.

Mr. MALONE. Who makes the decision who is to be the judge?

Mr. HICKENLOOPER. I suppose the Commission will make the decision. If there are a competitive cooperative or public body and private users, the Commission would have no recourse other than to give preference to the cooperative.

Mr. MALONE. Mr. President, I should like to say to the distinguished Senator from Iowa that we in the West have been dealing with this problem for more than a half century. The junior Senator from Nevada has personally dealt with the problem in his engineering practice for 30 years and as State engineer of his State from 1927 to 1935. The matter of preference is always the problem. The power from Boulder Dam, now Hoover Dam, when it was sold, was sold with the preference clause favoring the State of Nevada, the State of Arizona, the city of Los Angeles, and other southern California cities in their turns. There was no latitude given any official at all. The private companies and other agencies cooperated in such allocations.

Mr. HICKENLOOPER. I should like to correct the Senator's impression.

Mr. MALONE. Very well.

Mr. HICKENLOOPER. Those were plants built specifically for the purpose of producing commercial power as a commercial operation. The AEC is not in that business. It is not authorized to go into the business of producing public power or commercial power. It will produce usable power only in connection with whatever research and development activities it undertakes.

If we want to put Government money into any public bodies such as TVA, such as the Bonneville power district, such as any other public body, for the purpose of producing commercial power, which they do today, then a different type of

preference clause should be written in the bill.

Mr. MALONE. The Bureau of Reclamation is not in the business of producing commercial power, as such. It is in the business of building dams and projects to store water for irrigation, for flood control, and for other purposes, and incidentally producing power to contribute in amortizing the cost of such projects. The Bureau is not in the commercial power business, as such, at all.

Many of us have always been against the idea of the Bureau entering the business of commercial power as such. It is incidental to the objective of the projects and is for the purpose of repaying the cost.

They set a commercial price on their power to assist in repaying the cost, and the flat preference applies.

I have some knowledge of the commercial application of atomic energy. The production of nuclear power according to the learned professors and theorists was that it would be feasible within 25 or 30 years, but they ignored or did not know about the high-cost power areas in the intermountain and desert areas.

I discussed with the Commission when I first came to the Senate in 1947 the subject of feasibility. I maintained that feasibility was a relative term. Power is costing us 2 to 3 cents per kilowatt-hour in many of the desert and mountain areas in Nevada. We wanted the first commercial reactor built in Eureka, Nev.

We could have utilized from 20,000 to 30,000 kilowatts of power in that area.

The Commission decided to build a 60,000-kilowatt reactor, which is too big for the Eureka area. Our work in the promotion of the commercial reactor idea for the high-cost areas resulted in a rather extensive survey of such areas and the Eureka area was chosen at the highest cost and a favorable location.

Research was the original purpose of the Commission, but now it is going into 60,000-kilowatt reactors as a sort of pilot plant—and can go into any size reactor which they may later decide is necessary to prove same effective.

Does the Senator from Iowa see the distinction—that the Commission is the judge?

Mr. HICKENLOOPER. I see the distinction, except that I believe the Senator is making some assumptions with which I do not agree.

Mr. MALONE. I understand that the Senator does not see the lengths to which they can go.

Mr. HICKENLOOPER. The assumption, as I understand the Senator, is that the Atomic Energy Commission is going into the power business.

Mr. MALONE. It is in the power business.

Mr. HICKENLOOPER. It is not in the commercial power business. It is in the research and development business.

Mr. MALONE. We hope it will be commercial, and I think it will be.

Mr. HICKENLOOPER. But not as a business of the Commission. Once the Commission establishes the economic factors relating to power from reactors, then it is out of the power business from that time on. It may be turned over to any public power bodies or to any private people who can get a license to go into that business.

Mr. MALONE. If the Senator will further yield, this will be the last question I shall ask. There is nothing in the bill which puts the Commission out of the power business when it comes under the head of research or pilot plant experimentation—and the need for research never ends.

Mr. HICKENLOOPER. Yes, indeed, there is.

Mr. MALONE. They can continue to build experimental reactors, just as we continue to build dams for reclamation and flood control.

Mr. HICKENLOOPER. That is correct.

Mr. MALONE. If the distinguished Senator from Iowa will study the situation, he will see that if they are in the business only for research, it should not matter to them who gets the power. If the power is not attractive to a municipality or a State, then there will be no bids or requests for it; but if it is attractive to them, it should not make any difference to the Commission to whom the power goes; on the same basis, since what they will want to do is to dispose of it on a reasonable basis—if they need it for use of the Commission then it will not be offered for sale.

Mr. HICKENLOOPER. I suggest to the Senator that the Commission is today building 5 different types of reactors, using 5 different types of elements within the reactor, to see if they can get some answers on the question of economy, feasibility, practicability, and all that. Those are experimental and developmental reactors. The Commission may decide that 1 or 2 or 3 of those can be certified as practical reactors. After that, they get out of that reactor business.

Mr. MALONE. We hope it proves commercial and that they then get out of the business—but under the bill they can continue in business for further research.

Mr. HICKENLOOPER. According to this bill, that is what will happen. Of course, I do not know what future Congresses will do.

Mr. MALONE. Who is the judge when the decision is made that the reactors are practical? Practical where? Practical in the high-cost desert and mountain areas, or in the power centers where low-cost petroleum or coal is available? Who is the judge?

Mr. HICKENLOOPER. The Commission certifies to that.

Mr. MALONE. And it is the judge beyond any question under this bill—so it is particularly important.

Mr. HICKENLOOPER. It is the judge.

Mr. MALONE. It may continue to build reactors.

Mr. HICKENLOOPER. They may certify that a particular project is not a practical one, and they may go on to another type. They have five of them under consideration right now.

Mr. MALONE. I point out to the distinguished Senator that the setting of such a policy—allowing a public officer to use his discretion in allotting the power—would be a precedent in the Congress of the United States. We would then have the precedent of public money—taxpayers' money used to finance a product without a flat preference clause.

Now, if they are only in the business to develop power for research, then it does not make any difference to them as to the principle involved in the disposal of it, and I suggest to the Senator that the best thing to do would be by unanimous consent or by returning it to committee and to delete those words, "insofar as practicable," and I so suggest at this moment.

The more than half century principle would then be carried on, that when taxpayers' money is utilized to develop a commercial product then public bodies would have preference in its utilization.

Mr. HICKENLOOPER. I do not know what the parliamentary situation is on this particular matter. I yield to the Senator from Rhode Island.

Mr. PASTORE. Mr. President, it was my intention to make the same observation. I am frank to admit that all the phrase "insofar as practicable" does is to confuse the minds of many who are interested in giving effect to the additional preference by furnishing the power developed to public projects and cooperatives. Personally, I feel there is no legal meaning that would disturb that traditional purpose of the Congress, but I think it is regrettable that the language was inserted, because, in explaining this feature of the law, whether much power or little power is produced, the fact of the matter is that we intended that that power, if and when distributed, would be distributed according to the Federal Power Act.

By adding the words "insofar as practicable," I think all we have done is to confuse the matter.

Mr. HICKENLOOPER. I have no objection to having a mandatory preference without the phrase "insofar as practicable," but I do not feel that I have the responsibility, as an individual, at this moment to accept any suggestion about eliminating those words, by unanimous consent or otherwise. I may consult a little with some of those assisting me, if the Senator will be patient with me. Based on the fact that I believe this gives a preference to public bodies and cooperatives whenever they are accessible to receive the excess power, I do not disagree with the Senator's theory. I can say that.

Mr. PASTORE. I wish to say to the Senator that under parliamentary procedure I do not see how the Senator can agree to such a suggestion. I think the Senator must take the bill back to conference and have the words eliminated there.

Mr. HICKENLOOPER. I do not know whether unanimous consent on the floor of the Senate could take care of the matter. It is my opinion that we could not delete those words without submitting the matter to the other body, but I am out of my element in passing on this parliamentary situation.

The Senator from Tennessee has been desirous of asking a question, and I yield to him.

Mr. GORE. I appreciate the Senator's yielding. In my opinion the able junior Senator from Nevada [Mr. MALONE] has put his finger on the tender spot, insofar as any preference is concerned.

Mr. MALONE. Mr. President, I should like to say that I am for the bill, I am for a proper utilization of this new field. It is a terrific new field, and I believe within the reasonably near future nuclear power will be utilized generally in the high cost power area in the desert and mountain areas of Nevada and the Intermountain States.

I do not want anything to prevent my being for the bill wholeheartedly all the way through, and I do not want to see a precedent set when it is entirely unnecessary, that will destroy the half-century old principle of preference to public bodies for utilization of publicly financed power.

The principle set by the reclamation law 53 years ago by the direction of the Nevada Senator, Mr. Newlands, has worked well; it has protected the public who financed the development; let us continue the principle in the new field of nuclear power.

Let us keep the confidence of the taxpayers, who put up the money for the necessary Federal financing of the projects.

The use of nuclear energy and the entire field of use of atomic energy will be a great boon to civilization in the foreseeable future.

Mr. GORE. I share the sentiments of the Senator.

I want to ask the distinguished Senator from Iowa how he would think the veterans' organizations of the country would react if we changed the veterans' preference laws, and in every place where a veteran was given preference we wrote in the words "insofar as practicable."

Mr. HICKENLOOPER. With all due respect to the Senator from Tennessee, I do not see the cases are within gunshot of being comparable. I have already explained the matter so far as my view and the view of the committee is concerned. If, as, and when public-power groups or cooperatives are accessible to receive the surplus power, in my judgment, it will be mandatory that they receive it. However, this provision eliminates the mandate to the Commission that they must build an experimental reactor at some place where it is not practicable for them to do it, if they are to have access to the power.

I agreed to yield to the Senator from Alabama just a moment ago, and I now yield to him.

Mr. HILL. I desire to ask the Senator if it is not true, from a parliamentary standpoint, that the only way in the world that the words "insofar as practicable" can be taken out of the bill and out of the conference report is for the Senate to vote down the conference report and send the bill back to conference.

Mr. HICKENLOOPER. I am not an expert on that point, and I would hesitate to answer the question, but I might as well say to the Senator now that if the report is voted down today, in my judgment, that will mean the practical death of the bill, and so I do not believe it can be done.

Mr. HILL. I have seen a good many conference reports voted down because either the Senate or the House wanted certain changes made, and the bills went back to the conference, and the desired changes were made. The only way in the world in which these words can be taken out of the bill before it is enacted into law is to send it back to conference. The Senate in and of itself cannot eliminate those words.

Mr. HICKENLOOPER. That may be an argument in opposition to the adoption of the report. I have only 90 minutes, and I have a statement which I insist on getting into the RECORD, if I can. I should like to be as courteous as I can within the time limitations, but I would now like to make the statement.

I shall now yield to the junior Senator from Virginia for a question, and after that I would ask the indulgence of the Senate that I be not interrupted until I can get my short statement into the RECORD in the way in which I would like to have it appear, and then I shall discuss it during any time I have left.

Mr. ROBERTSON. Mr. President, the junior Senator from Virginia is disturbed about two points in the conference report, which I should like to hear the distinguished Senator from Iowa discuss. One is the question of monopolistic control. The junior Senator from Virginia does not want to vote for monopolistic control.

Mr. HICKENLOOPER. I join the junior Senator from Virginia in that sentiment, and there is not one slight iota of monopolistic control in this bill. I give the Senator that assurance as my firm belief.

Mr. ROBERTSON. The second point is that the junior Senator from Virginia has voted, every time he has had an opportunity to do so, to give farmers preference in securing power produced by a public plant. I wonder now if the distinguished Senator is for the farmers.

Mr. HICKENLOOPER. Indeed; and so is this bill. The bill gives them preference where they have accessibility to the excess power which will be developed by the Atomic Energy Commission in connection with research and development activities. It gives preference to cooperatives and public bodies where they have access to such power.

Mr. ROBERTSON. There have been inserted the words "insofar as practicable." Those words have been written into the Johnson amendment, the Humphrey amendment, and the Pastore amendment. In each case where preference was given to farmers, it has been qualified by saying, "Well, if we find it practicable to do it, we will do it; otherwise, you do not get your preference."

Mr. HICKENLOOPER. I attempted to touch on that point a moment ago in my discussion with the Senator from Nevada [Mr. MALONE]. The Atomic Energy Commission is not a commercial power-producing agency. Its primary purpose is research and development. If the Commission were to find that it is necessary in order properly to perform their duties, to locate an experimental commercial power reactor in the immediate vicinity of some of their other installations in order to have the cooperation and assistance of those other installations, and there are in the area no public power groups or no cooperatives that can take it, then, of course, there is a question of practicability so far as the location is concerned. If there are public power bodies or cooperatives that can take it, they are given the preference under the proposed law absolutely, and we intended it so, and I think we have written it into the bill.

Mr. MUNDT. Mr. President, will the Senator yield on that particular point?

Mr. HICKENLOOPER. I announced a moment ago that I preferred to get my statement into the RECORD, and at the time I yielded to the Senator from Virginia I asked not to be further disturbed. However, I will yield to the Senator from South Dakota, but I have only 90 minutes, and much of that time has expired.

Mr. MUNDT. My particular point deals with the preference clause phrase, and I should like to say just a word on that point.

The manager of one of the largest REA cooperatives in the country is Mr. V. T. Hanlon, of my hometown, who lives in Madison. He is a neighbor of mine, and manager of the East River Co-op.

Mr. Hanlon is interested in trying to bring eventually, when the proper time arrives, some kind of REA power, atomically produced, to his great cooperative. I am interested in helping him in that desire.

I have a telegram from Mr. Hanlon asking for an explanation of the preference provision as it appears on page 12 of the report, and the phrase "insofar as practicable," to which the Senator from Virginia referred. I have a similar telegram from the president of the South Dakota Rural Electric Association, Mr. A. C. Hauffe, of Leola, S. Dak.

Mr. President, I ask unanimous consent to insert in the RECORD at this point the telegrams to which I have referred.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

LEOLA, S. DAK., *August 7, 1954.*

Senator KARL MUNDT,
Washington, D. C.:

I urge you to vote for commitment of atomic energy bill to committee. Bill must not be passed without features protecting the right of preference for power. Also the many benefits of atomic research and power must be made available to cooperatives and others as well as the few powerful corporations.

A. C. HAUFFE,
President, South Dakota Rural Electric Association.

MINNEAPOLIS, MINN., *August 10, 1954.*

KARL MUNDT,
Senate Office Building:

Urge you to help restore preference language in atomic energy bill by referring same to conference.

V. T. HANLON.

Mr. MUNDT. Do I correctly understand that it is the opinion of the conferees, the opinion of the committee, and the opinion of the REA Administrator, that the bill provides complete protec-

tion of the preference clause insofar as farmers and REA's are concerned? At some time there may be in some area of the land a place where there is no REA, and an atomic energy plant might be built there for some security reason, and so far as the phrase "so far as practicable" is concerned——

Mr. HICKENLOOPER. My view and the view of the committee is—and it is my intention and the intention of the committee—that the "insofar as practicable" phrase goes to the question of the location in keeping with the Atomic Energy Commission's responsibility as a research and development agency. If the Atomic Energy Commission should decide it should build a research and development plant directed toward experimentation, to receive data and information on commercial power, in the eastern part of the Senator's State, there are REA cooperatives and public bodies which have an absolute preference under this bill. There is no possible question about it, if they are accessible to the power generated in connection with that development.

Mr. MUNDT. It is that particular phase of this situation in which I am interested, because, obviously, if a plant is built in some area which the REA does not serve, that is another question.

Mr. HICKENLOOPER. The question was discussed in our committee meeting. Suppose that at some time in the future the Atomic Energy Commission should say, "We believe it is desirable and proper to construct a plant in one of the New England States, in a high-cost area." The Senator from Nevada may have a high-cost area in his State. A place is found where it is desirable, for various scientific reasons, to construct the plant. There is no municipal body within 120 miles of that place; there is no cooperative within 120 miles of it. Suppose the Atomic Energy Commission says, "If we maintain absolute preference under this situation we shall have to operate an uneconomical line or use discretion as to whether it should be disposed of at whatever price is practicable."

Mr. MUNDT. It is important that the legislative history in connection with this conference report be very clear, because it can be a guide to future administrators. It is important that the statement of the chairman of the conference committee be very clear, and I think it is important that there be something in the RECORD from the REA itself, because we wish to make sure that in areas where there are municipalities, where there are State or public bodies, the preference clause will in no sense be weakened or vitiated by anything we may do here today.

Mr. HICKENLOOPER. Let me say that as quickly as I can read this prepared statement into the RECORD, I shall bare my breast to any questions that Senators may have to ask me.

I have been in touch with the Director of the REA. He is at the present time in Alaska on some REA business. I received a telegram from him which I shall ask to have placed in the RECORD in a little while.

Mr. MALONE rose.

Mr. HICKENLOOPER. I now yield to the Senator from Nevada.

Mr. MALONE. I wish to draw the attention of the distinguished Senator from Iowa to one fact with reference to what he has referred to as a high-cost area. He said the Atomic Energy Commission might have to build an uneconomical transmission line presumably to deliver the power. If he had given it due consideration I am sure he would realize that the public body must receive the power and deliver it to the place of use. If the operation is uneconomical, it will not apply for it. It is a matter of preference to utilize it. If a public body does not apply for it within the reasonable time set by the Commission, then general bids may be received.

Mr. HICKENLOOPER. So far as I am concerned, I have stated my own position. The provision was maintained because it was sought to protect the opportunities of certain high-cost areas. We went along with the idea. I am stating my assumption that if the power is accessible to REA or any other public body on a reasonable basis, they should have a preference.

Mr. ANDERSON. Mr. President, will the Senator from Iowa yield?

Mr. HICKENLOOPER. I yield.

Mr. ANDERSON. As one of the conferees, I believe, with the Senator from South Dakota and the Senator from Nevada, that those words should not have been inserted if they do not mean something.

Mr. MALONE. They do mean something.

Mr. HICKENLOOPER. Mr. President, I again ask that I be not interrupted until I finish my prepared remarks.

PRODUCTION OF POWER BY THE COMMISSION

The committee of conference has worked out many points of difference between the House and Senate versions of the bill.

One of the more controversial items in the bill related to the ability of the Federal Government to enter the business of commercially producing electricity from atomic energy. This was encouraged by the Senate—Johnson—amendment which added section 45. The bill as introduced did not preclude Federal agencies from getting licenses from the Commission, and in fact permitted them to obtain licenses on an equal footing with other applicants for licenses. The amendments made by the committee of conference to sections 103 and 104 reinforce this fact. Specifically, they make it clear that the Commission must issue licenses to persons who might apply therefor if they are otherwise qualified. In the dennition chapter of the bill, the term "person" is defined to include "any public or private institution, group, Government agency other than the Commission, any State or any political subdivision of, or any political entity within a State or other entity." Thus, "persons" clearly include all Federal agencies other than the Commission.

In addition, the committee of conference added a new section to the bill, section 273, which reincorporates as a separate section the sentence in the Senate amendment dealing with the right of other Federal agencies to obtain licenses. There are public agencies, State and Federal, which are well versed in the problems of distribution of energy for commercial purposes. If these agencies desire to generate electricity from atomic energy they may obtain licenses to do so. If the number of licenses which can be granted is limited at the time when these public agencies are applying for licenses, they will be preferred according to the terms of section 182c.

With respect to the ability of the Commission to build large scale reactors, the committee of conference clarified what had been the intent of the legislation as it was introduced, namely, that the Commission would be—and is presently—empowered to build full-scale reactors if they are being built as part of the research and development program of the Commission in order to prove out as practical a particular type of reactor.

Mr. President, under existing law the Commission is assisting in the building of five different types of reactors. It already has the authority to do so. The five types are: a pressurized water reactor, a boiling water reactor, a sodium-graphite reactor, a homogeneous reactor, and a fast breeder reactor. As I recall, they range from approximately 10,000 kilowatts capacity to 60,000 kilowatts capacity.

The Commission now has the authority to do this, and is doing it. The bill amplifies and clarifies the fact that the Commission can do it. Under the bill, if Congress gives the Commission power, the Commission can build a 1 million kilowatt reactor as a part of its experimental and developmental activities. The Commission could do it under the old law, also, if it could get the money from Congress.

In order to accomplish this, clarifying language was added to the section dealing with the research and development program of the Commission, section 31 a (4). Among the research and development activities specifically authorized there are now included those relating to building and testing full-scale atomic-powerplants.

The House adopted an amendment specifically prohibiting the Commission from engaging in the commercial sale of electric power except for the power generated in connection with research and development facilities or that generated at production facilities of the Commission. This was retained by the conferees as part of section 44.

I reiterate what I have said several times, that that provision was included so as to state clearly and make certain beyond question that the Atomic Energy Commission's research and development group in government is not in the business of building commercial powerplants for the purpose of the commercial sale of power. If it is desired to have the Government sell power commercially, other governmental agencies could do that, or could equip themselves to do it; or a special Government agency could be created to go into that business. But the Atomic Energy Commission's research and development group should

not be in the business of the production and sale of commercial power. I wish to make that perfectly clear.

The Atomic Energy Commission, if it builds a 1 million kilowatt reactor as an experiment, can sell as much power as it does not need; but to go into the business of building reactors throughout the country, for the purpose of producing commercial power, no. That should rest with other agencies, public or private.

That portion of the Senate amendment relating to Commission operation of powerplants which would have exempted the construction or expansion of such plants from specific congressional authorization was removed from section 261 as being contrary to the intent of the sponsors of the amendment. The Commission must, under the conference bill, obtain specific congressional authorization as well as appropriations for each new plant, construction, or expansion regardless of the type of plant involved.

That is nothing unique. This principle is followed throughout most of the departments of the Government. If the Commission seeks to build new plants, it will have to come to Congress for the money. This provision does not apply uniquely to the Atomic Energy Commission; it is in keeping with policies which have been established for a long time.

FEDERAL POWER COMMISSION AUTHORITY (SEC. 183 E)

Another Senate amendment, the Humphrey amendment, added section 183 e, required licensees operating utilization or production facilities under section 103 to be subject to the regulatory provisions of the Federal Power Act. This was moved to a new section, section 272. It provides a specific statement in the bill that the jurisdiction of the Federal Power Act is applicable to commercial electrical energy transmitted in interstate commerce or marketed at wholesale in interstate commerce without regard to the fact that such electricity is generated from atomic energy. While it was the contention of the sponsors of the bill that this effect was obtained by the provisions of section 271, this amendment was accepted and retained in substance by the conferees on the theory that it was a specific restatement of the applicability of the Federal Power Act.

BYPRODUCT ENERGY PREFERENCE (SEC. 44)

The preference in the disposal of energy created by the Commission which was given to specific bodies and cooperatives has been retained in substance by the Gillette amendment, section 44, while giving the Commission some leeway in arranging its research and development contracts so that contracts such as they recently entered into with the Duquesne Light & Power for the construction of the first atomic reactor of a certain type in the research and development program of the Commission will not be hindered.

That happens to be the 60,000 kilowatt reactor, for which the Duquesne Light & Power Co. is contributing $35 million, and the United States Government $50 million. It is a combination operation, which is located at Pittsburgh.

The phrase "insofar as practicable" was inserted as a relief from the absolute character of the preference clause adopted by the Senate. Such absolute preference denies to the Commission the discretion needed to meet purely technical problems of sale of power. At the same time the preference for high-cost areas was retained.

PRELICENSING ANTITRUST PROVISION (SEC. 105 C)

With respect to the advice that the Commission receives from the Attorney General before issuing any license, the basic thought of another Senate amendment—Humphrey—section 105 c—was retained, in that the amendment required the Commission not to issue a license after the Attorney General has given advice that the issuance of such license would create a situation inconsistent with the antitrust laws. Where this amendment would require the Commission to be bound by the ruling of the Attorney General—that is, if he said that, in his opinion, it was inconsistent with the antitrust laws—unless the President finds that the issuance of such a commercial license is essential to the common defense and security and publishes the findings in the Federal Register, the conference report requires the advice of the Attorney General to be published in the Federal Register. This Senate amendment as it stood would have made the Attorney General—the prosecuting officer of the Federal Government—a judge and jury. This is not an appropriate role for the prosecuting attorney to play. Furthermore, there was no provision requiring the Attorney General's advice to be given on the basis of a hearing or to be subject to judicial review. The committee of conference believes that the benefits of this amendment can be obtained simply by requiring the publication of the Attorney General's findings without, at the same time, putting the Attorney General into a new role.

ELECTRIC UTILITY CONTRACTS (SEC. 164)

The committee of conference retained the Senate amendment—Ferguson—section 164—which permits the Commission to enter into contracts for electric utility services, where such electric utility services are to be furnished to the TVA as replacement for electric utility services by the TVA to the Commission.

In addition, a further Senate amendment — Gore — which prohibited the Commission from entering into contracts requiring the direct payment or direct reimbursement of Federal income taxes was substantially retained. The latter amendment prohibited any tax payments, either directly or indirectly. Senate debate on this amendment indicated that it was the intent of the sponsors of the amendment not only to prohibit direct payments but to permit inclusion of Federal income taxes as an element in the computation of the cost of the product purchased by the Government for the purpose of establishing a rate structure. I think that is the language which was used in the debate on the floor of the Senate. This intent is contained in the conference bill.

PATENTS

The major difficulty in the committee of conference was the patent provision. The Senate adopted a provision requiring compulsory licensing of all patents for which applications are filed within the next 10 years. The House did not accept the compulsory licensing route but adopted the provisions suggested by the chairman of the joint committee—section 152.

That was the action of the House when the bill was considered originally by that body. The House repudiated the compulsory patent features.

These House provisions require that each applicant for a patent in the atomic-energy field must file with his application a statement under oath setting forth the circumstances under which the applicant made or conceived the invention or discovery. The Commission is given the opportunity of saying whether it agrees with the conclusions of the applicant. If there is a dispute the question of whether the invention or discovery was made or conceived during a Commission contract is to be litigated before a Board of Patent Interferences in the Patent Office. The normal function of this Board is, and for many years has been, to determine the dates of making or conceiving of discoveries and inventions in order to decide who has a prior claim on an invention. The only burden that the House procedure adds to the Board of Patent Interferences which is beyond its normal duties is interpreting a contract or agreement to decide whether or not a particular invention falls within the terms of that agreement. It should be noted that this provision was not intended to apply to licensees of the Commission or to persons doing independent work, involving only a Commission security clearance, and not contractual arrangement.

The underlying thought behind the compulsory licensing of patents was carried over in the committee of conference. The committee adopted a provision—section 182 (d)—requiring the Commission to give preference in the issuance of commercial licenses to those people who agreed to make their inventions in the atomic-energy field available to other licensees of the Commission on reasonable royalty basis for a 5-year period. In the case of research and development facilities the Commission was given authority to follow such a preference although it was not required to do so.

Mr. KERR. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. Will the Senator from Oklahoma please permit me to make my formal statement for the RECORD? Then I shall yield to him.

The underlying principle of one Senate amendment, the Langer amendment, section 156, was that those who used patents in violation of the antitrust laws should be required, when found by a court to have been guilty of violating the antitrust laws, to license those patents to all other persons upon payment by the users of a reasonable royalty fee.

The House chose its approach because of doubt as to the constitutionality of compulsory licensing. The Constitution specifically empowers the Congress to "promote the progress of science and useful arts, by securing for a limited time

to authors and inventors the exclusive right to their respective writings and discoveries." This language raises a very serious doubt as to the ability of the Congress to confer any rights on inventors except exclusive rights. Compulsory licensing is clearly the granting of a nonexclusive right, and I might add for the period of time during which it may be in effect. Enactment of the compulsory licensing provisions would inevitably lead to judicial interpretation, and there is a very strong possibility that the provisions would be found to be invalid. Such a finding would then leave the atomic-energy program without any of the patent safeguards which would otherwise be available.

The provisions selected by the committee of conference for inclusion with respect to patents give protection against the basic fears of patent monopoly, and they give protection without raising any serious constitutional problems. The House amendment, which insures that Commission contractors cannot use their position to acquire patents to which they are not entitled, has no time limit. This is a continuing protection even beyond the 5 or 10 years discussed in connection with compulsory license. The provisions of the Langer amendment reach patents used in violation of the antitrust laws. These are the basic problems which compulsory licensing is designed to mean.

I should add that the language of the Senate amendment, which is the Kerr amendment, section 155, with respect to the amounts of royalty to be determined where there is cross-licensing under the provisions of the conference substitute, has been retained in that the licenses are not exclusive, and that the royalties are to be not less favorable than the patent owner or the Commission grant for similar uses to similar licensees.

Now I shall yield to the Senator from Oklahoma, if he desires me to. I thank him for his indulgence. I wanted to get my entire statement into the RECORD.

Mr. KERR. I think the Senator referred to section 782d in the conference report, and, as I understood his statement, he said that there would be restrictions with reference to any license granted under section 103 of the bill.

Mr. HICKENLOOPER. Restrictions?

Mr. KERR. Restrictions in the nature of making the license nonexclusive, so that there could be cross-licensing.

Mr. HICKENLOOPER. Yes. The provision in general is that the Commission shall give preferential consideration—I believe that is the language—to those applicants for a license——

Mr. KERR. If I may interrupt, to those applicants for what license?

Mr. HICKENLOOPER. For a license under section 103, which is the commercial production licensing section, and that the Commission may—the word "shall" refers to section 103—give such consideration to applicants under section 104, which is the experimental licensing provision, who include in their application for their licensing agreement that they will cross-license any patent which they may develop within a 5-year period with other licensees who hold licenses from the Commission, at a reasonable royalty fee, to be fixed by the Commission under the procedure set up under the bill.

Mr. KERR. If the Senator from Oklahoma understood the Senator from Iowa, section 182 d applies only to those seeking a license under section 103?

Mr. HICKENLOOPER. Let me get the exact language for the Senator. I am about to read from page 36 of the conference report.

Mr. KERR. Is the Senator about to read from section 182 d?

Mr. HICKENLOOPER. I am about to read from section 182 d of the proposed bill.

Mr. KERR. Of the conference report?

Mr. HICKENLOOPER. Yes, of the conference report which is before us.

Mr. KERR. The only place in which the word "shall" occurs there is with reference to a license under section 103.

Mr. HICKENLOOPER. I so stated to the Senator from Oklahoma a moment ago.

Mr. KERR. I am not arguing with the Senator; I am merely trying to make something clear.

Mr. HICKENLOOPER. With reference to section 104, which is the research and experimental licensing section of the bill, it says that the Commission "may."

Mr. KERR. But the commercial licensing to which the Senator has referred is contained in section 103, is it not?

Mr. HICKENLOOPER. That is correct.

Mr. KERR. The only place where the word "shall" appears under section 182 d is with reference to patent licenses under section 103. Is that not correct?

Mr. HICKENLOOPER. The Senator is correct.

Mr. KERR. What licenses are contemplated under section 103?

Mr. HICKENLOOPER. I will have to say to the Senator from Oklahoma I do not know, and I do not think anybody else knows what the future holds in that regard.

Mr. KERR. I will ask the Senator if it is not very clearly set forth in section 102.

Mr. HICKENLOOPER. It says licenses in connection with processes and any other matters which may be found to be usable.

Mr. KERR. I think the answer to the question will be found in section 102. If it goes beyond that, I would like to have the Senator tell me what it is.

Mr. HICKENLOOPER. I again say I do not know. I do not know what the licenses will be. I shall read into the RECORD section 102, but I say nobody has a crystal ball to look into and see what may eventuate in the future.

Mr. KERR. Will the Senator read section 102 and see if that does not define what is available under section 103?

Mr. HICKENLOOPER. Section 102 reads:

> Whenever the Commission has made a finding in writing that any type of utilization or production facility has been sufficiently developed to be of practical value for industrial or commercial purposes, the Commission may thereafter issue licenses for such type of facility pursuant to section 103.

That has nothing specifically to do, except in production generally, with licenses. Here is the procedure: Any person or organization, public or private, who wants to go into the business of trying to make heat, or use uranium to turn generators to make electric energy, will have to come in under section 104 d and get a license to build an experimental reactor. After he has built the reactor, and the Commission has looked it over and made a finding that that particular type of reactor—and there are a number of types, at least in theory, and probably they are feasible—has been sufficiently developed to be of practical value for industrial or commercial purposes, then he must apply to the Commission, under section 103, under the commercial clauses, for a license to use that type of reactor for commercial purposes.

Mr. KERR. Will the Senator yield further for a question at that point?

Mr. HICKENLOOPER. I yield.

Mr. KERR. The word "shall" in section 182 d does not apply, subsequently to what the Senator has just referred to, as being necessary to take place.

Mr. HICKENLOOPER. That is correct. The word "shall" applies to section 103, which refers to the commercial operation in this field.

Mr. KERR. Is it not a fact that section 182 d in the conference report expires 5 years from the date of the agreement to the conference report?

Mr. HICKENLOOPER. That is correct.

Mr. KERR. Does the Senator think any of that 5-year period will be subsequent to what he has described as having to take place with reference to a license for a research development under section 104, and then with reference to the granting or securing of a license under section 103? Does the Senator think any of that 5-year period will still apply subsequent to that time?

Mr. HICKENLOOPER. I think it may well be, although I cannot look into the future. I will say to the Senator that I had a call yesterday from an organization in the eastern part of the United States that has been doing some work on this matter. The person to whom I talked said, "We have a reactor. We are ready to go to work on building a prototype reactor. We are convinced it will be a commercial reactor, and we think it is all right. We think we will have it operating in a year. We would like to get into production. What do your licensing provisions require?"

I said, "You will have to read it and get your attorney to look into it."

Mr. KERR. Mr. President, will the Senator yield for another question?

Mr. HICKENLOOPER. That is one group which said, "We think we can have a commercial reactor in operation." I do not know that I agree with them.

Mr. KERR. Madam President, will the Senator yield for another question?

The PRESIDING OFFICER (Mrs. BOWRING in the chair). Does the Senator from Iowa yield to the Senator from Oklahoma?

Mr. HICKENLOOPER. I yield.

Mr. KERR. Sections 102 and 103 of the conference report are practically identical with the sections which appeared in H. R. 9757, when the committee reported it to the Senate several weeks ago, are they not?

Mr. HICKENLOOPER. I think that is substantially correct.

Mr. KERR. At that time the committee was of the opinion that section 152 was a necessary addition to H. R. 9757.

Mr. HICKENLOOPER. Will the Senator state the question again? I have section 152 before me now.

Mr. KERR. The Senator from Iowa has advised me that sections 102 and 103 in the conference report are practically identical with the sections as they appeared in H. R. 9757, when the bill came to the Senate several weeks ago.

Mr. HICKENLOOPER. The Senator is substantially correct. There may be some slight variations, but the intent and purposes are the same.

Mr. KERR. To all intents and purposes they are the same?

Mr. HICKENLOOPER. Yes.

Mr. KERR. At that time the Senate and the committee felt that section 152 was a necessary addition to the bill?

Mr. HICKENLOOPER. At that time, yes. That is the compulsory licensing section. I think the Senate felt it was a necessary addition.

Mr. KERR. Did the committee not feel it was a necessary addition?

Mr. HICKENLOOPER. I forget what the vote was, but I think the committee inserted it.

Mr. KERR. It was in the bill when it was brought to the Senate; was it not?

Mr. HICKENLOOPER. The committee inserted it. I am sure it was felt to be necessary.

Mr. KERR. Will the Senator tell the Senate——

Mr. HICKENLOOPER. I am not so certain that all the provisions are necessary.

Mr. KERR. Will the Senator tell the Senate where any part of section 152 can be found in the conference report?

Mr. HICKENLOOPER. It has been entirely removed, in the conference report, with the exception of section 182 d.

Mr. KERR. But the only place in section 182 d where the word "shall" appears is with reference to licenses to be issued in connection with section 103.

Mr. HICKENLOOPER. The Senator is correct.

Mr. KERR. Those licenses were made available under the bill when it passed the Senate.

Mr. HICKENLOOPER. That is correct.

Mr. KERR. Licensing under section 103 was in the bill when we passed it.

Mr. HICKENLOOPER. The Senator is correct.

Mr. KERR. At that time the Atomic Energy Commission, the Senator from Iowa, and the Senate felt that section 152 was a necessary part of the bill, in addition to section 103.

Mr. HICKENLOOPER. Yes. I think the committee felt it was a proper provision. But I assure the Senator that the majority of the committee thinks that section 182 (d) is wholly adequate to meet certain objections which might have been heard before, and accomplishes the desired purpose.

Mr. KERR. Madam President, will the Senator yield for one more question?

Mr. HICKENLOOPER. I am delighted to yield. I have occupied the floor for almost 1 hour of my total allotment of one and a half hours. Other Senators supporting the conference report are entitled to some opportunity to be heard. I do not wish to monopolize all the time. Also, I wish to give Senators opposing the conference report an opportunity to discuss it.

Mr. KERR. First, I thank the Senator for his very gracious courtesy to me in this colloquy, as well as when the bill was before the Senate.

The Senator from Iowa has said he could not look into the future and foresee what might be the situation.

Mr. HICKENLOOPER. What type of patent is referred to? The fundamental patents in this field already belong to the Atomic Energy Commission and are in the public domain. As a matter of fact, they are available without charge.

Mr. KERR. I shall discuss that subject in a little while.

I ask the Senator if, at the same time he tells us he cannot foresee the future, he is not asking the Senate and the Congress if we accept section 182 (d) in lieu of section 152, to take a leap in the dark?

Mr. HICKENLOOPER. I do not wish to take the time to discuss that question fully. In the Atomic Energy Act of 1946 covering the whole field of atomic energy, we took the biggest leap in the dark that we have ever taken. We had only the least idea of what would happen. We knew that the bomb would explode, but we did not know anything further. We wrote the bill and took a leap in the dark. We provided safeguards. We gave discretion in many cases. The Atomic Energy Act of 1946 has worked quite well, but the situation has changed.

It is time for the American economy to take part in this industry. We shall have to take some reasonable chances, with reasonable safeguards, in order to permit this great art to expand in a great free economy.

Mr. KERR. Previously, however, every patent developed under the Atomic Energy Act of 1946 either belongs to the Government or was available to the Government.

Mr. HICKENLOOPER. The fact that the Government was preempting patents and rights theretofore considered sacred property rights of individuals was a theory which was revolting to every member of the committee who participated in writing that particular bill, but we knew of no other way to accomplish the desired end at that particular moment.

Now we think it is time that the American economy, at a reasonable time in the future, should be permitted to have access to this information and use its genius in that field.

Mr. KERR. Again I thank the Senator for his courtesy to me.

Mr. PASTORE. Madam President, will the Senator yield to me for one question?

Mr. HICKENLOOPER. I yield.

Mr. PASTORE. As a preface to my question, let me recapitulate my understanding of what has been presented by the Senator from Iowa.

Under the procedure provided by this proposed law, as the Senator has explained in the first instance an applicant comes in under section 104 (b), which provides for research in this particular field.

Mr. HICKENLOOPER. That is substantially correct. Let me clarify that point. It is conceivable that someone may "cook up" in a basement somewhere a reactor which the Commission might look at and say, "This is a practical reactor. We will permit you to apply under section 103, because you have already built the reactor. You did not apply under section 104 (b)." However, I doubt that such a thing will occur.

Mr. PASTORE. In any event, that applicant or individual comes in under the provisions of section 104 (b).

Mr. HICKENLOOPER. That is correct.

Mr. PASTORE. Until the point is reached, under section 102, where the particular utilization reaches the level of practicability; is that correct?

Mr. HICKENLOOPER. That is correct.

Mr. PASTORE. The procedure is then covered under section 103 (b)?

Mr. HICKENLOOPER. But the individual must apply and be rescreened.

Mr. PASTORE. I shall come to that point in a moment.

When the individual applies under section 104 (b), it is discretionary with the Commission as to whether or not it will enforce the preference, insofar as obligating the applicant to agree that he will cross-license for a period of 5 years is concerned?

Mr. HICKENLOOPER. The Senator is correct.

Mr. PASTORE. At that point it is discretionary. We are dealing with one applicant. When that one applicant comes under section 103, when he applies for the commercial utilization of this development, it is mandatory upon the Commission, under section 182, to require the licensee, if he wants to obtain the preference, to agree to cross-license for a period of 5 years.

Mr. HICKENLOOPER. If he wants it. It says "The Commission shall give preference."

Mr. PASTORE. That is correct.

Mr. HICKENLOOPER. I do not wish to be misunderstood. It is not obligatory.

Mr. PASTORE. The question I desire to ask the distinguished Senator from Iowa is this: How are we to invoke the preference if only one person is being dealt with?

Mr. HICKENLOOPER. In the case of only one individual the preference is not involved.

Mr. PASTORE. In other words, if we are dealing with one individual, the entire preference feature of section 182 is not worth the paper on which it is written.

Mr. HICKENLOOPER. If we are dealing exclusively with one individual, that is correct. I do not believe there is much likelihood of such a situation.

Mr. PASTORE. Very well. Let me begin by referring to section 104 (b). When the work has reached the point where the application is practicable, section 103 applies. We are always dealing with one individual. Where is the rivalry or contest?

Mr. HICKENLOOPER. Under section 104 (b) undoubtedly a number of individuals will be pursuing the same theory.

Mr. PASTORE. Perhaps at intervals of 1 or 2 or 3 years?

Mr. HICKENLOOPER. I am assuming that they will start to work as quickly as possible. Several individuals will be pursuing the same theory. When the theory becomes practicable, and has been certified, several applicants will be found working on the same theory, and the preference will apply.

Mr. PASTORE. Will the Senator permit me to ask one more question?

Mr. HICKENLOOPER. Yes.

Mr. PASTORE. I am perfectly willing to have this discussion charged to my own time, if the Senator feels that would be fair.

Mr. HICKENLOOPER. That is quite all right. I wish to yield further time to this side, however.

Mr. PASTORE. The Senator has said the reason why the conferees eliminated the compulsory licensing feature was that they were afraid the entire act might be vitiated on the ground that it was unconstitutional. Is that correct?

Mr. HICKENLOOPER. That question was raised in the House. It was raised in the committee. Arguments which are quite persuasive to many persons indicate that there is a constitutional question.

Mr. PASTORE. Could not that constitutional question be taken care of by obligating and requiring every applicant for a license to agree, before he received the license, that for a period of 5 years he would, at a reasonable royalty, grant to anyone who wanted it the use of that license, which was affected with the public interest?

Mr. HICKENLOOPER. That could be done. It was not done in the conference report.

Mr. PASTORE. In other words, all these arguments of unconstitutionality are nothing more than "eyewash."

Mr. HICKENLOOPER. I do not agree to that statement. I said that that language could have been adopted by the conference committee. It could have been put into the conference bill, but it was not.

Mr. PASTORE. That would not have raised the question of unconstitutionality, would it?

Mr. HICKENLOOPER. I have not undertaken any research on that matter. I could not answer the Senator's question.

Madam President, I should like to terminate this portion of my remarks and yield to the Senator from Texas [Mr. JOHNSON].

Mr. JOHNSON of Texas. I yield to the distinguished Senator from New Mexico [Mr. ANDERSON].

Mr. ANDERSON. I shall vote against the adoption of the conference report.

First, I wish to say to the able Senator from Iowa [Mr. HICKENLOOPER] that I have appreciated listening to his discussion today. The Senator from Iowa, in my opinion, tried hard to make possible a conference report to which there would be agreement. Throughout the entire conference, his attitude was one of trying to develop a good bill which would be acceptable to both the House and the Senate. I should certainly feel ashamed of myself if I did not say that, while I disagree with his final conclusion, I can only commend the conduct he maintained throughout the entire conference.

I am opposed to this conference report for many reasons. Strangely, the reasons are not those that might have impelled me in the early discussion of the bill itself. I was not completely satisfied with the bill as it was reported by the committee.

At that time the bill contained a provision legalizing the Dixon-Yates contract. I fought that provision as hard as I could. I lost that fight, and recognized the validity of the majority sentiment of the Senate of the United States. Subsequently in the conference I did not raise one question about that provision, because it represented the sentiment of the Senate of the United States. If this bill goes back to conference, I do not intend to raise the issue of the Dixon-Yates contract, because that matter has been closed as far as this bill is concerned.

I am interested only in trying to make sure that we get a better bill than we now have. If the bill goes back to conference, it shall not be my purpose to try to prevent its enactment into law. I am desirous of seeing a conference report quickly emerge and be adopted by both the House and the Senate. I think that can be done.

I am interested in the amendments, however, which represented the sentiment of the Senate and which were adopted by the Senate. I think the atomic-energy bill was greatly improved in its course through the Senate. It was improved first by the Johnson amendment, which would have permitted the Atomic Energy Commission to build atomic-energy plants for the generation of electric energy.

It was improved by the Gillette amendment, providing preference and priority to public bodies and cooperatives.

It was improved by the Gore amendment, providing that there should be no direct reimbursement to contractors for their Federal taxes.

Finally, it was improved by the Kerr amendment, extending the period of compulsory licensing of atomic patents from 5 to 10 years, requiring the patent licenses to be nonexclusive, and that the terms for similar licenses be the same for comparable uses.

As I indicated a moment ago, I think the junior Senator from Nevada [Mr. MALONE] put his finger on the very touchy point in this whole thing when he pointed out the references that were made to this particular section relating to the Johnson amendment. I commend the Senator from Nevada for what he did in that regard.

There were other good amendments, several by the junior Senator from Minnesota [Mr. HUMPHREY], at least 2 by the able Senator from Rhode Island [Mr. PASTORE], 1 by the able senior Senator from North Dakota [Mr. LANGER]. These were all good amendments, but in the main, my feeling that the bill had been greatly improved in the Senate rested on the broad base of the Johnson, Gillette, Gore, and Kerr amendments.

Madam President, I supported the bill on final passage, and urged other Senators to support it. It was not everything I wanted. It contained one amendment which I had bitterly resisted. But, in my judgment, it was an improvement over the act of 1946, because the art of using nuclear energy has greatly advanced since 1946, and we needed to bring our legislative program more nearly in line with our scientific progress.

Then the bill went to conference, and to some degree, at least, these gains were whittled away. The Gore amendment, I am happy to say, was retained. The Gillette amendment was greatly reduced in its effect. Instead of requiring that in disposing of such energy, the Commission would at all times give preference and priority to public bodies and cooperatives, it was made to read that the Commission would "insofar as practicable" give preference and priority to public bodies and cooperatives; and, in respect to a part of the Pastore amendment, there was added to the preference section these words: "or to privately owned utilities providing electric services to high-cost areas not being served by public bodies or cooperatives."

Mr. Newlands, the great Senator from Nevada, who originally had the preference clause adopted in 1901, did a very wise thing. I believe that that preference clause should remain in this bill and should be more clearly expressed.

It ought to be said in behalf of the conferees that I do not think they intended to strike quite so deeply as they did strike by the words "insofar as practicable." I think it would be agreed that those words were inserted because of a situation the Senator from Iowa [Mr. HICKENLOOPER] suggested, that there might be a utility 150 miles away which it might not be practicable to serve. Since then I have found that the preference clause, as the Senator from Nevada [Mr. MALONE] pointed out a while ago, can be applied in instances of that kind. Therefore, the words "insofar as practicable" should be stricken from the conference report.

The Senator from Nevada suggested we might do that by unanimous consent. I know of no way of doing it in the Senate. I think the bill must go back to conference in order that those words may be stricken from the report.

Next we are faced with the fact that the Johnson amendment has completely disappeared from the bill. The Senate approved the amendment of the able Senator from Colorado, because, while we were anxious, even on our side of the aisle, to make sure that we were not putting the Atomic Energy Commission in the business of generating public power forever and ever and ever, in a

thousand plants across this country, yet we felt it was essential, as a sound business proposition, to say that there must be one of these plants built by the Atomic Energy Commission if private interests did not stand ready to build it.

As the able Senator from Iowa knows and has pointed out, the first one of these plants might cost $75 million or $100 million, and it would still be a small plant. A plant of substantial size to do the job that is required may cost $250 million. No private entrepreneur can afford to put $250 million of stockholders' money into a plant that may not work when it is finished; but the great Government of the United States, which could afford to put $2 billion into a bomb which it did not know would explode, can afford to spend enough money to find out, once for all, whether a plant of this character can be built. Therefore, we tried very carefully to provide that at least one such plant might be built.

Therefore, I say that the Johnson amendment was a good amendment, and should be restored to the bill in a further conference, so as to make sure that such a plant will be built. Language was written into the report which I do not like. Perhaps it is all right. When I say that the building of a single plant should be permitted, I say that as an individual who has believed in free enterprise, who believes in it in his own business, and continues to believe that the Government ought to give free enterprise a chance to work in this field. But free enterprise is shackled if it has to risk $150 million or $200 million on a single turn of the dice. It cannot be done that way. The Government has to proceed with its research and development program. It has to proceed, as the Senator from Iowa so ably pointed out, in diverse, small development stages. Then when the Commission determines that one large plant can be built, it should be allowed to go ahead.

I think it is very, very important that we proceed in that fashion, and therefore I should like to see the language of the report make certain that such an effort will not be stopped by a provision which says that none of this power can be used for commercial purposes.

Finally, I think the one thing that broke down the conference was the action taken with reference to the amendment offered by the able senior Senator from Oklahoma [Mr. KERR]. I think the Senate is entitled to know——

Mr. MAGNUSON. Madam President, will the Senator yield before he goes to that phase of the matter?

Mr. ANDERSON. I am happy to yield.

Mr. MAGNUSON. I agree with the Senator's remarks. If some huge corporation could afford to build a $250 million plant and it worked out the way they thought it would, then there would be a monopoly. I know that what the Senator from New Mexico is trying to do is the reasonable, sensible, middle course.

Mr. ANDERSON. I do not want the Government to go into my business. I do not want the Government to go into the power business, building atomic power reactors all over the Nation and putting them up in competition with private power companies now in existence. I do not want the Government to move in and threaten any other institutions that now exist. It is not necessary. What the Government ought to do is to demonstrate that this power can be used beneficially; and, when that demonstration has been made, then make it available for those communities and those individuals or those companies, public or private, which want to make use of it.

Mr. MAGNUSON. Does not the Senator from New Mexico agree with me that that would be a yardstick which could be used in the interest of the common welfare?

Mr. ANDERSON. There can be no question about that. A short time ago I read the testimony given by Lawrence Hafstead, an expert on reactors, in which he said one could be built to develop power at a cost of 6 mills per kilowatt-hour of capacity, with the initial cost a little higher than for a coal plant. The construction cost per kilowatt-hour of capacity might run to $200–$300 a kilowatt, as against $135 a kilowatt for a conventional coal plant, but the fuel cost might be as low as 1 mill, against 3 mills for the coal plant.

I realize that if that could be developed, it ought to be integrated into the system of American free enterprise. Therefore, I was greatly interested in the patent section of the bill.

The Senator from Oklahoma [Mr. KERR] will remember that I went over to him and said that from his great business skill and his great experience with the free-enterprise system, I hoped he would make sure that the patent section of the bill would be so drawn that it could not be weakened materially within a few years. Therefore, the Kerr amendment was proposed by him and written into the bill by the Senate.

I should like to refer to the history of the patent section, because I think its importance has not been revealed to the extent that it should have been. When the committee started its consideration of this bill, it first held private hearings. We invited experts to discuss with us the scope the public hearings should take, and what subjects should be discussed in such open hearings, without breaking down security, and how far we might go in public hearings before we would reveal something that should not be revealed.

Then the public hearings were held. At the time the original suggestion was made, there was in the bill a provision similar to the one finally passed by the House.

First, Madam President, I will call it the House version. It is not the version which was reported by the House committee. I want that understood. It was the final House version, so-called.

What happened to that version? That provision was considered in committee. Then the members of the Atomic Energy Commission appeared before the committee, as is shown on page 598 of the hearings, and they said they recommended the restoration of the section along the lines of section 11 of the act in its present form, making it the duty of the Commission to declare certain patents to be affected with a public interest.

The Joint Committee on Atomic Energy took that testimony from the Atomic Energy Commission. It listened to that request, and decided that it had come from the President of the United States, and wrote into the bill the patent section which was the patent section as recommended on the floor by the Joint Committee on Atomic Energy. That was adopted by the Senate.

We lost that provision in conference. The House adopted the old section, which had been rejected almost by a unanimous vote every time it had come up before the Joint Committee on Atomic Energy. Only one member of the joint committee voted for it—the chairman, to be sure—and the rest of us voted against it. We voted against it not once, but twice. When the matter came up in the House of Representatives at 2 o'clock in the morning, the chairman stood up and persuaded the House Members to follow him in the adoption of that provision. That was the most serious mistake that could have been made, and it is a mistake we must undo in the Senate and in conference.

Mr. JOHNSON of Texas. Madam President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. JOHNSON of Texas. We all realize, of course, that the conferees were influenced by the desire of the House to adjourn, and of the Members of the House to go home. Of course those plans have been materially changed, because of developments. Does not the Senator from New Mexico believe that if it is the majority will of the Senate that the conference report be returned to conference, the conferees can readily make improvements in the conference report and act on it in a matter of a few days?

Mr. ANDERSON. I believe they can act on it in a matter of a few hours. As a matter of fact, the senior Senator from Iowa knows that the question with reference to the patent section probably could be resolved very quickly if we returned to conference determined to carry out the will of the Senate and determined to do what the Senate had done and what the joint committee had done.

Mr. JOHNSON of Texas. Madam President, will the Senator yield further?

Mr. ANDERSON. I yield.

Mr. JOHNSON of Texas. The distinguished Senator from Colorado [Mr. JOHNSON] is a member of the conference committee. I should like to ask him whether he concurs in the expression of those views.

Mr. JOHNSON of Colorado. I believe the question can be settled in a very short time, within a matter of a few hours. I believe the question could be settled easily enough.

Of course, I do not know how stubborn one member of the conference committee may be.

Mr. JOHNSON of Texas. Of course I hope we have not reached the point where we must let one man tell the entire Congress that it must take his view or leave it.

Mr. BRICKER. Madam President, will the Senator yield?

Mr. ANDERSON. I yield.

The PRESIDING OFFICER. The time of the Senator from New Mexico has expired.

Mr. JOHNSON of Texas. I yield an additional 2 minutes to the Senator from New Mexico.

Mr. BRICKER. I think it is unfair to say that those who do not go along with us are stubborn, or that one man who does not go along with us is stubborn. I believe there is involved a matter of difference of policy, to which some of us are definitely and personally committed, and in which we very seriously believe. I do not think it is fair to say that one is stubborn when he does not cave in and accept the other man's point of view in any matter.

Mr. ANDERSON. Let me say that I believe substantial progress would be made if Congress were to adopt the language which was agreed upon originally by the Joint Committee and carried in the bill as submitted to the House and carried in the bill as submitted to the Senate. It is not a question of one man's viewpoint. The full committee reported it, and the Senator from Ohio voted for it, as I did, and as did the Senator from Colorado, and as many other Senators did. If the conference report goes back to committee quickly and the conferees act and report new patent provisions, and perhaps a new preference clause, and a few other changes, which we have all agreed upon, it seems to me the result would be a very fine bill.

Mr. BRICKER. Madam President, will the Senator yield?

Mr. ANDERSON. After all, we are dealing with an investment of approximately $12 billion. The Federal Government, through its Atomic Energy Commission, already owns several hundred patents in the atomic energy field, and it ought to own for the next few years the refinements on those patents and the art that is developed.

Therefore, I think the compulsory licensing section suggested by the Atomic Energy Commission itself ought to be adopted.

Mr. BRICKER. Madam President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. BRICKER. Does not the Senator agree that the RECORD shows the House went one way on the patent section, away from the conferees, and that the Senate went the other way?

Mr. ANDERSON. That is correct.

Mr. JOHNSON of Texas. I yield 8 minutes to the distinguished Senator from Colorado.

Mr. JOHNSON of Colorado. Madam President, I submitted the conference report to the legislative counsel of the Senate and asked him to make a report to me on the effects of the changes that were made by the conference in the bill as it passed the Senate, especially as it relates to section 45, which was placed in the bill by the Senate. I have received a memorandum from legislative counsel. The legislative counsel's office has no interest one way or another in the bill, I presume; all that it did was to make an analysis of the language in the conference report.

I ask unanimous consent to insert this memorandum at this point in the RECORD. It comes from the legislative counsel, signed by Mr. John Reynolds, who is the assistant counsel.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

MEMORANDUM FOR SENATOR JOHNSON OF COLORADO

This memorandum responds to your request for an analysis of certain action taken by the committee of conference on H. R. 9757 in connection with the deletion of section 45 of the bill, as it passed the Senate. The changes made in the bill by this conference action (other than the deletion of sec. 45) are in several parts. The effect of these changes would appear to be as follows:

(1) Section 31a (4) is amended to read as follows:

"(4) utilization of special nuclear material, atomic energy, and radioactive material and processes entailed in the utilization or production of atomic energy or such material for all other purposes, including industrial uses, the generation of usable energy, and the demonstration of the practical value of utilization or production facilities for industrial or commercial purposes; and."

The conference substitute for section 31a (4) broadens or clarifies the authority of the Commission with respect to the conduct of research and development activities. Under the conference substitute, read in conjunction with section 32, the Commission has the express authority, among other things, to engages in research and development activities for the purpose of demonstrating the practical value of utilization or production facilities for industrial or commercial purposes. Under this authority the Commission could clearly build plants to demonstrate the practical value of atomic-energy facilities for commercial purposes, including the generation of power. If the Commission had this authority under section 31a (4), prior to the conference action, it had it only inferentially, not explicitly.

(2) The conference action included four amendments to sections 103b, 104a, 104b, and 104c. The effect of these amendments is to make it clear that any person may apply for a commercial license under section 103, or a license for medical therapy and research and development under section 104. "Person" is defined in section 11n, as follows:

"n. The term 'person' means (1) any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, Government agency other than the Commission, any State or any political subdivision of, or any political entity within a State, any foreign government or nation or any political subdivision of any such government or nation, or other entity; and (2) any legal successor, representative, agent, or agency of the foregoing."

(3) The conference action amended section 44 to read as follows:

"SEC. 44. Disposition of energy: If energy is produced at production facilities of the Commission or is produced in experimental utilization facilities of the Commission, such energy may be used by the Commission, or transferred to other Government agencies, or sold to publicly, cooperatively, or privately owned utilities or users at reasonable and nondiscriminatory prices. If the energy produced is electric energy, the price shall be subject to regulation by the appropriate agency having jurisdiction. In contracting for the disposal of such energy, the Commission shall insofar as practicable give preference and priority to public bodies and cooperatives or to privately owned utilities providing electric utility services to high-cost areas not being served by public bodies or cooperatives. Nothing in this act shall be construed to authorize the Commission to engage in the sale or distribution of energy for commercial use except such energy as may be produced by the Commission incident to the operation of research and development facilities of the Commission, or facilities for the production of special nuclear material of the Commission."

As revised in conference, section 44, as it appeared in the Senate bill, is retained with the following changes:

(a) The section heading is broadened to read "Disposition of Energy" instead of "By-product Energy."

(b) The energy referred to in the section is that energy which is produced at production facilities of the Commission or which is produced in experimental utilization facilities of the Commission. Under the Senate bill the energy was that produced in the production of special nuclear material at production or experimental utilization facilities owned by the United States. Under the Senate bill the energy had to be a "by-product" occurring in the production of special nuclear material. Under the conference substitute, read in conjunction with the revised section 31 a. (4), the energy may be produced directly in a facility designed by the Commission to demonstrate how special nuclear material may be utilized for commercial purposes. It would seem that this change enlarges the possibilities of the Commission for producing disposable energy.

(c) The section specifically provides that where the energy produced is electric energy, the price will be subject to regulation by the appropriate agency having jurisdiction.

(d) Language is added which has the effect of prohibiting the Commission from engaging in the sale or distribution of energy for commercial use, unless it is produced by the Commission incident (1) to the operation of research and development facilities of the Commission, or (2) to the operation of facilities of the Commission for the production of special nuclear material.

(4) The conference action deletes in section 261 (authorization for appropriations) the parenthetical phrase "(other than for such acquisition, condemnation, construction, or expansion as may be undertaken under the authority of section 45a. of this act)." Since the conference action deletes section 45, as it appeared in the Senate bill, this amendment is conformable to that deletion.

(5) The conference action adds a new section 273 to the bill which is largely a restatement of the last sentence in section 45b.

The effect of this amendment is to further clarify (without retaining sec. 45) the changes discussed in (2) above; namely, to indicate beyond any doubt that Government agencies which are authorized by law to engage in the production, marketing, or distribution of electric energy are eligible for commercial licenses to construct and operate facilities for the purpose of producing electric energy for public consumption.

CONCLUSION

The conference action in deleting section 45 makes it very clear that the Commission has no authority to construct facilities for the sole purpose of producing electric power for sale.

The other action taken by the conference committee, along the lines previously indicated, clarify the following matters:

(1) The Commission has the authority to build plants to demonstrate the practical value of atomic energy for industrial or commercial purposes.

(2) Government agencies are not barred from obtaining Commission licenses under sections 103 and 104. In this connection, they may obtain a license to engage in the production, marketing, or distribution of

electric energy under section 103, if they are authorized by law to engage in such activity and they can comply generally with the requirements for such licenses.

(3) The Commission has the authority to utilize and dispose of energy produced in a production or experimental utilization facility owned by the Commission. Such energy may be produced in a facility designed by the Commission to demonstrate how special nuclear material may be utilized for commercial purposes. In the disposition of electric energy so produced the price will be subject to regulation by the appropriate regulatory agency. All energy to be sold or distributed by the Commission for commercial use, must be produced as an incident to the operation of research and development facilities of the Commission, or to the operation of facilities of the Commission for the production of special nuclear material.

Respectfully,

JOHN M. REYNOLDS,
Assistant Counsel.

AUGUST 7, 1954.

Mr. JOHNSON of Colorado. Madam President, I shall read the conclusion, which is not long, although the other parts of the analysis are somewhat extended.

In dropping from the conference report section 45, which was inserted by the Senate, the conferees made five separate amendments in different parts of the bill. He has listed those five changes which were made in the conference report.

This is the conclusion Mr. Reynolds reached:

The conference action in deleting section 45 makes it very clear that the Commission has no authority to construct facilities for the sole purpose of producing electric power for sale.

There Mr. Reynolds is talking about the conference report, and I know the Senators have been disturbed, thinking that perhaps under section 45, which was placed in the bill by the Senate, the Atomic Energy Commission was authorized to build powerplants at every crossroads in the country. It is clear from this language that the conference report does not permit any such thing as that to happen.

The analysis goes on:

The other actions taken by the conference committee, along the lines previously indicated, clarify the following matters:

(1) The Commission has the authority to build plants to demonstrate the practical value of atomic energy for industrial or commercial purposes.

That is the principle in which the Senator from Colorado was interested. He wanted to be sure that, in this great new effort and in this unknown potential of power development, at some place in this bill provision would be made to assure that yardsticks would be possible, so that if the Atomic Energy Commission itself felt that the private power companies were not doing full justice to this new source of power, this new kind of power, the Commission itself might build yardsticks and demonstrate what could be done in the field. That is the first point Mr. Reynolds found that the conference report now provides.

(2) Government agencies are not barred from obtaining Commission licenses under sections 103 and 104. In this connection they may obtain a license to engage in the production, marketing, or distribution of electric energy under section 103, if they are authorized by law to engage in such activity and they can comply generally with the requirements for such licenses.

Mr. BYRD. Would that apply to REA?

Mr. JOHNSON of Colorado. That would apply to REA.

Mr. BYRD. And the REA could get a license if authorized by law?

Mr. JOHNSON of Colorado. Yes, if they were authorized by law, and had the money. They are building steam plants now, and the conference report includes that part of section 45 which was adopted by the Senate to make certain that the REA, if it has the money, and if it has the authority, can build an atomic powerplant just as now they can build a steam plant. When the bill came before the Senate, they could not do that. However, they can now do it.

Mr. GORE. Madam President, I wish to congratulate the able senior Senator from Colorado upon this accomplishment. It is to be regretted that his amendment has been modified, but to this specific effect the accomplishment is very real.

Mr. JOHNSON of Colorado. I thank the Senator. The third conclusion of the memorandum is as follows:

(3) The Commission has the authority to utilize and dispose of energy produced in a production or experimental utilization facility owned by the Commission. Such energy may be produced in a facility designed by the Commission to demonstrate how special nuclear material may be utilized for commercial purposes. In the disposition of electric energy so produced the price will be subject to regulation by the appropriate regulatory agency.

That provision includes the public utilities commissions of the States and the Federal Power Commission, or other regulatory agencies.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JOHNSON of Texas. I yield to the distinguished Senator from Colorado 2 additional minutes.

Mr. JOHNSON of Colorado. The third conclusion continues:

All energy to be sold or distributed by the Commission for commercial use, must be produced as an incident to the operation of research and development facilities of the Commission, or to the operation of facilities of the Commission for the production of special nuclear material.

That should prove conclusively that the conference bill does not make it possible for the Atomic Energy Commission to build an atomic powerplant at every crossroads in the country.

In working out these different amendments, section 44 was completely rewritten. Section 44, as Senators will recall, had for its title and had for its purpose and objective the byproduct of powerplants.

The purpose of section 44 is changed and the title is now changed to "Disposition of Energy."

I should like to read the last sentence of section 44, because it emphasizes what I have already said.

Nothing in this act shall be construed to authorize the Commission to engage in the sale or distribution of energy for commercial use except such energy as may be produced by the Commission incident to the operation of research and development facilities of the Commission, or of production facilities of the Commission.

The PRESIDING OFFICER. The time of the Senator from Colorado has expired.

Mr. JOHNSON of Texas. Madam President, I desire to be as generous as my allotment will permit, but I do not have the time to yield further to the Senator from Colorado. I could take time from some other Senator and I know most of them would agree. Could the Senator complete his statement in an additional 2 minutes?

Mr. JOHNSON of Colorado. I think so.

Mr. JOHNSON of Texas. I yield 2 minutes to the Senator from Colorado.

Mr. JOHNSON of Colorado. Madam President, a long time ago I had a very wonderful milk cow, one of the best I have ever seen anywhere. That milk cow had the bad habit of giving milk to fill a gallon and a half milk bucket, and just as the person doing the milking was about through, the cow would kick the bucket over.

That is what the conference did with section 44. We worked this whole matter out on an agreeable basis, and everything seemed to be all right, and then they wrote in the words "insofar as practicable," relating to contracting for the disposal of such energy. That is where the conferees kicked the bucket of milk over so far as giving preference and priority to public bodies and cooperatives is concerned.

As the junior Senator from Nevada [Mr. MALONE] has pointed out, those words should not be in the bill. I pleaded with the committee of conference not to include them in the conference report; I urged them to leave out that language. There are plenty of safeguards without such language.

The REA's throughout the country do not want Congress to establish that kind of principle with respect to the preference clause, where the REA's are entitled to receive electric energy produced with the finances of the United States Government.

The bill should be returned to conference. The three words "insofar as practicable" should be deleted. Then section 44 would be fairly satisfactory.

Mr. HILL. Madam President, will the Senator yield for a brief question?

Mr. JOHNSON of Colorado. My time has expired.

Mr. JOHNSON of Texas. Madam President, I yield 8 minutes to the distinguished Senator from Iowa [Mr. GILLETTE].

Mr. GILLETTE. Madam President, I wish to discuss the same three words which have been discussed by a number of my colleagues this afternoon. I desire to call attention to the legislative history of preference clauses.

I hold in real affection and high respect my distinguished colleague, the senior Senator from Iowa [Mr. HICKENLOOPER], but his explanation of why these three words are in the conference report lacks persuasion. He states that

they have really no effect, so far as modifying the preference clause is concerned. They are words which were not included in the Senate version of the bill, and they were not included by the House; they were placed in the report by the conference committee. If they have no purpose, if they are innocuous, or if they have no meaning, they should not have been included.

In addition, my esteemed colleague states that they have one purpose only, namely, to take into consideration the fact that the Atomic Energy Commission is not a merchandising group, but is established for research and development. For that reason he thought that the words were necessary.

In reply to my colleague, I may say that it does not make any difference for what purpose the Atomic Energy Commission was established. When it or any other agency of the Government, with Government money, is producing merchandise for sale, merchandise which belongs to the people of the United States, such agency then becomes a merchant, and Congress has a duty to prescribe rules for the sale of the energy, which it was attempted to do in this case.

Furthermore, if the words have that limited application, why was the same phraseology used in the amendment which the able Senator from Colorado [Mr. JOHNSON] has just been discussing? The same words were added to that amendment.

In this limited time, for the purpose of the RECORD, I think it is essential to review as quickly as possible the legislative history behind this type of limitation on the sale of governmental property.

I might say at the outset that nowhere in all the laws where preference is a consideration do we find any justification, any precedent, for the action taken by a majority of the conference members.

The first congressional enactment of any so-called preference clause came in the 1906 amendment of the Reclamation Act of 1902—title 43, United States Code, section 522. The language contained in setting forth the preference to public bodies was as follows:

> Lease of waterpower: Whenever a development of power is necessary for the irrigation of lands, under any project undertaken under the said reclamation law, or an opportunity is afforded for the development of power under any such project, the Secretary of the Interior is authorized to lease for a period not exceeding 10 years, giving preference to municipal purposes, any surplus power or power privilege.

Thus in this basic act, passed by Congress during the Theodore Roosevelt administration, the Secretary of the Interior was directed to give preference to "municipal purposes" in the lease of any surplus power or power privilege from projects created under the act.

In succeeding legislative enactments this preference language was used, but nowhere in those acts do we find language implying that this was a matter of discretion with the administrative agency involved. In the Boulder Canyon Act of 1928 the language used states:

> Except that preference to applicants for the use of water and appurtenant works and privileges necessary for the generation and distribution of hydroelectric energy, or for delivery at the switchboard of a hydroelectric plant, shall be given, first, to States for the generation or purchase of electric energy for use in the State, and the States of Arizona, California, and Nevada shall be given equal opportunity as such applicants.

In the TVA Act of May 18, 1933—title 16, United States Code, section 831i—the language expressing the preference clause states, "and in the sale of such current by the Board—TVA governing body—it shall give preference to States, counties, municipalities, and cooperative organizations of citizens or farmers not organized or doing business for profit, but primarily for the purpose of supplying electricity to its own citizens or members." We might note here in passing that this is the first recognition by Congress of the rural cooperative organizations specifically as preference customers. But note with particularity that the language used is mandatory and does not in any way authorize discretion in the administrative agency.

The next legislative recognition by Congress was in the Bonneville Dam Act of 1937—title 16, United States Code, section 832c—providing for the disposition of power from that hydroelectric project on the Columbia River. In regard to preference the act sets out:

> In order to insure that the facilities for the generation of electric energy at the Bonneville project shall be operated for the benefit of the general public, and particularly of domestic and rural consumers, the administrator shall at all times, in disposing of electric energy generated at said project, give preference to public bodies and cooperatives.

Again, in the Fort Peck Act of 1938 (16 U. S. C. 833c), the language indicates no discretion, as it states:

> In order to insure that the facilities for the generation of electric energy at the Fort Peck project shall be operated for the benefit of the general public, and particularly of domestic and rural consumers, the Bureau [Bureau of Reclamation] shall at all times, in disposing of electric energy generated at said project, give preference and priority to public bodies and cooperatives.

The Reclamation Project Act of 1939 (43 U. S. C. 485 H (c)) states:

> Any sale of electric power or lease of power privileges, made by the Secretary [Secretary of the Interior] in connection with the operation of any project or division of a project shall be for such periods, not to exceed 40 years and at such rates as in his judgment will produce power revenues at least sufficient to cover an appropriate share of the annual operation and maintenance costs, interest on an appropriate share of the construction investment and not less than 3 percent per annum, and such other fixed charges as the Secretary deems proper: *Provided further*, That in said sales or leases preference shall be given to municipalities and other public corporations or agencies; and also to cooperatives and other nonprofit organizations financed in whole or in part by loans made pursuant to sections 901–914 of title 7.

The language in the Reclamation Project Act of 1939 goes far to show that the intention of Congress is not to allow any discretion on the part of the administrative agency when it comes to administering preference. This is borne out by the fact that in the Reclamation Project Act the Secretary is given discretion in fixing the rates for such power. It will be noted that the phrase is found in the early part of the section stating: "and at such rates as in his judgment will produce power revenues at least sufficient to cover an appropriate share of the annual operation and maintenance costs," and so forth. This made the rates a matter of discretion to be set in accordance with the Secretary's judgment. But it is also clear that no such discretion is voiced concerning preference because the preference phrase is set off entirely from that part concerning the use of judgment on rates by the words "*Provided further*," and then setting out that preference shall be given.

We now come to the Flood Control Act of 1944. It is in section 5 of the Flood Control Act of 1944 (16 U. S. C. 825s) that the preference clause is found. It states:

> Electric power and energy generated at reservoir projects under the control of the Department of the Army and in the opinion of the Secretary of the Army not required in the operation of such projects shall be delivered to the Secretary of the Interior, who shall transmit and dispose of such power and energy in such manner as to encourage the most widespread use thereof at the lowest possible rates to consumers consistent with sound business principles. The rate schedules to become effective upon confirmation and approval by the Federal Power Commission. * * * Preference in the sale of such power and energy shall be given to public bodies and cooperatives.
>
> The Secretary of the Interior is authorized, from funds to be appropriated by the Congress, to construct or acquire, by purchase or other agreement, only such transmission lines and related facilities as may be necessary in order to make the power and energy generated at such projects available in wholesale quantities on fair and reasonable terms and conditions to facilities owned by the Federal Government, public bodies, cooperatives, and privately owned companies. All moneys received from such sales shall be deposited in the Treasury of the United States as miscellaneous receipts.

The pertinent part of section 5 specifically provides:

> Preference in the sale of such power and energy shall be given to public bodies and cooperatives.

The PRESIDING OFFICER. The time of the Senator from Iowa has expired.

Mr. JOHNSON of Texas. I yield 2 additional minutes to the Senator from Iowa.

Mr. GILLETTE. Madam President, although I hesitate to labor the point, I feel it is so vital in the consideration of the conference committee reports before the Senate that again I must emphasize this, that nowhere in the legislative history of the preference clause is any language to be found to justify an interpretation that granting preference is a matter of discretion with the administrative agency involved.

From a study of the legislative history of the preference clause, there can be no doubt that Congress meant and intended

that public bodies and cooperatives, in being given a preference for the sale of power, were to have a special advantage or prior choice in acquiring that power. True, this does not necessarily mean that the Department of the Interior or the administrative agency selling the power would be required to construct transmission facilities in order to allow the public bodies or municipalities to exercise the preference granted to them by Congress, but it must surely mean that if a private company and a cooperative each offers to purchase the power from the agency disposing of that power at the dam site or at the place where it is generated, on the same or substantially the same terms, the power must be sold to the cooperative or public municipality in order to comply with the law. Furthermore, it is clear that the Congress in writing the preference laws did not intend for the Secretary of the Interior to have to exercise discretion in the sale of the power. In every instance the language is mandatory. The language is always couched in terms of preference: "shall be given," or words to that effect. Thus, we are inescapably driven to the conclusion that Congress, when it expressed the term "shall be given" in relation to preference, was speaking with authority and imposing a compulsion on the distributing agency. In short, Congress said "preference must be given" and the choice in the matter had been decided by Congress as a question of substantive law rather than a question for administrative determination by the Secretary of the Interior or the administrative agency selling the power.

As the atomic-energy bill was originally reported to the Senate from the committee there was no provision for preference. This was a complete departure from a Federal power policy that had provided for preference in disposing of any Federal-generated power. In the days of debate in this body two amendments were adopted dealing directly with the sale and disposition of electrical energy. One was the Johnson amendment, introduced by the Senator from Colorado. His amendment not only provided that the Atomic Energy Commission shall have the authority to generate such power, but also that if it did so it would be sold in accordance with the traditional preference clause. The language used was that of the Flood Control Act of 1944, for the amendment specifically spelled that point out clearly by stating:

> Electric power not used in the Commission's own operations shall be delivered to the Secretary of the Interior, who shall transmit and dispose of such power in accordance with the provisions of section 5 of the Flood Control Act of 1944.

There was also the additional provision that in high-cost power areas not being served by public bodies or cooperatives the Secretary of the Interior shall give the same degree of preference to any other purchaser who serves such areas.

And what is the language of that act? It states very clearly:

> Preference in the sale of such power and energy shall be given to public bodies and cooperatives.

The other amendment dealing with this matter of preference was introduced by the junior Senator from Iowa with the cosponsorship of a dozen Senators, to amend section 44 of the bill, entitled "Byproduct Energy." Here again, the language of the amendment was couched in the traditional phraseology of prior enactments for it stated:

> The Commission shall at all times, in disposing of such energy, give preference and priority to public bodies and cooperatives.

As a result of those two amendments, Madam President, the Senate of the United States reaffirmed a policy of preference in clear, unambiguous terms. Although there have been no court decisions construing the language of the various preference clauses which I have outlined, there can be little question that the preference clause is mandatory. It is not a matter of discretion with the administrative agency concerned.

Consider now the language found in the conference report. Notwithstanding the fact that both Houses went to conference with no such language in any of the preference amendments, we now find a new wording, a most inconspicuous little phrase inserted in the preference clause. We find these words to be: "insofar as practicable."

There was no outright attempt to eliminate preference but, rather, the attempt was to put the issue in doubt; to change the language of the amendment from a clear statement of the intent of Congress as expressed in prior acts to language that at best would be ambiguous, uncertain in meaning, and subject to endless court interpretations; and, at worst, this seemingly innocent little phrase "insofar as practicable" means the death knell for the preference clause as Congress has written it heretofore.

The term "insofar as practicable," means simply this: Whether or not preference shall be given will remain a matter of discretion with the administering agency. This is the very opposite of the policy of this body so clearly evidenced in the legislative history of the preference language used in the past. It has been a mandatory preference which Congress has repeatedly expressed—not a matter of discretion with the administering agency.

And what recourse would be open to preference customers if the administering agency ruled that, in its judgment, such preference was impracticable? It is a well-settled principle of law that the courts will not overturn a decision of an administrative agency if that agency is authorized to use its own judgment in the matter. In some instances, if that judgment is purely unreasonable, arbitrary, and capricious, the courts have overturned that discretion but the burden of proof required in such cases is overwhelming.

Reduced to its simplest terms, Madam President, we can come to only one conclusion. We must conclude that the proponents of these three little words—"insofar as practicable"—wished to literally abolish the preference clause or were willing to transform years of legislative history of preference security to one of ambiguity. We must come to the conclusion that in a controversy such as now exists in regard to the disposition of the power from Clark Hill Dam in Georgia that the inclusion of these words "insofar as practicable" would mean no preference because the Secretary of Interior could simply decide it to be the practicable thing to do to sell the power to the private power company having its transmission lines at the site. This means the defeat of the whole purpose of preference, which has meant that these public bodies and rural cooperatives would have the iron-clad right, the first availability, in getting such power. If it does not mean that, Madam President, then this body has been laboring under a false premise for these many years while these power laws were being passed.

For this reason, Madam President, it is the judgment of the junior Senator from Iowa that the bill should be returned to conference with specific instructions that the words "insofar as practicable" should be stricken out of the preference clause wherever they are found in the bill.

Mr. HUMPHREY. Madam President, will the Senator from Texas yield me half a minute?

Mr. JOHNSON of Texas. I yield half a minute to the distinguished Senator from Minnesota.

Mr. HUMPHREY. I have prepared a statement on the conference report, and I ask unanimous consent that the statement be printed in the body of the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HUMPHREY

I want to vote in favor of an atomic energy bill that will permit the private companies, the REA's, and the public bodies to enjoy the peacetime benefits of atomic energy and electrical power generated from atomic energy. The conference report is unsatisfactory in at least three respects. First, it emasculates the preference clause. Second, it is inadequate in the patent provisions and the antitrust regulations. If this conference report is rejected and then goes back to conference where the Senate amendments can be agreed to, we can and will vote for the bill. I shall cast my vote for the atomic-energy bill designed along the lines of the bill as approved by the Senate.

I now want to address myself to those parts of the conference report which deal with preference for public bodies and cooperatives—and if I were to give a title to what I have to say, I think I would call it A Lesson in Duplicity, or What Is Practicable?

Section 44 of the act provides for the sale of byproduct energy and in its original form the section was entitled "Byproduct Energy." As it comes to us from conference, however, the section is entitled "Disposition of Energy." Now, titles are not always of great importance. But this change in title is very significant—because it highlights and symbolizes the true character of the conference report. It is a perfect example of the sleight of hand that characterizes the entire report.

After all, just what does section 44 deal with? It deals only with byproduct energy. It was correctly labeled when it was last before us. But now—now it is called Disposition of Energy. And the reason is clear. The sponsors of this change in the title of section 44 know that only a few will read the act carefully and completely. Many will read it, but they will read quickly—and they will fall into the trap. For in a quick reading of a section with such a title, and with

the misleading language in the body of the section that I will discuss more in detail, they may be fooled into thinking that the section carries out the traditional electric power policies of the Government—namely, to develop the natural power resources of the Nation for the benefit of the people.

And for the great majority of the people—who will not read the act at all—just imagine how easy it will be to fool them with this false new title and with the misleading language in the body of the section. All the proponents of this fake provision need do is to read the title slowly, and the preference language slowly, and they can fool any audience.

That change in title is the tipoff. Now let us see where it leads to. As passed by the Senate, section 44 provides that the Atomic Energy Commission "shall at all times, in disposing of such energy, give preference and priority to public bodies and cooperatives." Now this provision is absolutely clear. It requires no special interpretation. It is not subject to the whims of the particular persons who may be charged with the duty of disposing of byproduct energy at any particular time. It follows the pattern that has been consistently used by the Congress in all power legislation containing preference language.

But what has the conference report done with this? It has inserted the magic words "insofar as practicable." The conference report substitutes for the Senate language the following: "In contracting for the disposal of such energy, the Commission shall insofar as practicable give preference and priority to public bodies and cooperatives * * *."

Insofar as practicable. Can anyone tell me what that means? Can you find any two people anywhere who, under a given set of facts, will give you the same interpretation? Is it practicable to spend $1 for lunch or $2 for lunch? Is it practicable to buy one kind of an automobile rather than another kind, or perhaps none at all? Is it practicable to eat 2 meals a day instead of 3? I could go on and on this way. Almost anything we do in life could be subjected to the same question, and you would get the same result—every person would give you a different answer.

Let us just take the dictionary meaning of the word. One dictionary defines practicable in the following ways: (1) Capable of being done or used; (2) useful; (3) feasible; (4) usable; (5) possible. I should like the proponents of the conference language to tell me which one of these meanings they think applies. Certainly, something can be possible and yet not be useful. It can be capable of being done or used and yet not be feasible. It can be usable, but not necessarily useful. What does this language mean as set forth in section 44 of the conference report? What is the test to be? Is it to be feasibility? Is it to usefulness? Is it to be capability of being done? I don't know what it means here, and I defy anyone to show me clearly and simply what it does mean.

What the conference report does to the language that we adopted in the Senate is to destroy it. This is not legislation, this is emasculation. This is not clarification, this is befuddlement. The conference report has taken perfectly clear, simple language—language that has had a long history of legislative use and administrative application—and has surrounded it with a fog that no human understanding can penetrate. It would have been far more honest to have deleted the entire preference provision.

Personally, I have never been able to understand why the power lobby has fought so long and so bitterly—and has spent so much of its customers' money—fighting the so-called preference provisions of the power marketing statutes. Despite the fact that the Congress has consistently included preference provisions in the power marketing statutes, the rural electric systems of the country still get less than 6 percent of the power sold by the Federal Government. The public bodies get more. They get 26 percent, but the bulk of it still goes to the private power companies. And during the years that these preference provisions have been in effect, the private power companies have prospered and prospered. I am afraid there is only one explanation for this bitter and expensive fight which the power companies have been waging against the preference provisions, and that explanation is that it is in the nature of a monopoly to try to swallow up everything.

We must always remember that the power utilities are monopolies, protected monopolies. They have their territories and no one else can serve in those territories. If you want electricity, you must buy it from the power company serving your area. And the power companies are guaranteed rates which return them a handsome profit—after all taxes have been paid. Thus, they are not only monopolies, but they are protected in their monopolistic activities.

To emphasize just what this means, compare these power company monopolies with any ordinary business type of monopoly. Before our antitrust laws were enacted, it was possible for a business organization or a syndicate of some kind to get a monopoly on some product. But despite that, they were always subject to the danger that some other group would develop a substitute product and crack their monopoly by use of the substitute. But the power companies are protected even from that. There is no substitute for electricity in the modern day world. And it doesn't matter how the science of producing electricity changes, the protected monopoly called a power company cannot be disturbed. They, and they alone, can serve in their respective areas.

In this connection, it is interesting to note that the big battles which the Power Trust has carried on against the rural electric systems has been in connection with cooperative generation and transmission. It is there that they fight most bitterly. They don't want these systems to be too independent. They don't want them to have their own sources of power. They want the rural electric systems to be totally dependent upon the private utilities for their power sources, because they realize that as long as they control the power sources, they really control the rural electric systems—and perhaps at some propitious time they will be able to swallow up the distribution systems as well. So they fight bitterly whenever the issue is a source of power for the rural electrics and the public bodies which is not under the control of the Power Trust.

That is why the words "insofar as practicable" have been inserted in section 44 of the Atomic Energy Act. It is power trust language. They know that they cannot, yet, win their fight against the rural electric systems and the public bodies by meeting the issue directly. They know that Congress is not, at this time, knowingly going to throw out the window the 50 years of successful operation of the preference provisions. So they try to accomplish their end through the back door. They leave the preference language in, but they insert 3 little words—3 destructive words, 3 words, the meaning of which no one can be sure, 3 little words that can receive any interpretation that anyone wants to give them, 3 little words that strike the death knell for the preference provision.

Let us just try to visualize a few of the obvious situations that normally arise in connection with the sale of electric power by the Government. Suppose a few miles away from a rural electric system, the Atomic Energy Commision should have a plant from which it has electric power to dispose of. Would it be practicable for the Commission to construct those few miles of line in order to serve that rural electric system?

Suppose a power company already had a line connected with the Atomic Energy Commission plant. Would it be practicable for the Commission to work out an arrangement for the power company to take the Commission's power and deliver it to a rural electric cooperative?

Suppose a rural electric cooperative was willing to build a line to the Atomic Energy Commission plant in order to purchase power there, but it needed time to obtain a loan and construct the line. Would it be practicable for the Commission to wait? I could go on and on like this.

There would be no normal situation in which you could say definitely that service to a rural electric cooperative by the Atomic Energy Commission would or would not be practicable. In every case, it would be a matter of personal opinion. It would be no different from the varying taste which all of us have for different flavors. It would be like saying that vanilla ice cream should be eaten by certain people insofar as practicable. But with the other flavors available and with a group of people who prefer those other flavors, would it be practicable for them to eat the vanilla ice cream?

So here, we can be sure that there will almost always be a number of possible ways for the Atomic Energy Commission to sell or dispose of the electric energy. Faced with all these possible alternatives, how can we say the Commission will ever find it practicable to sell to a rural electric cooperative or to a public body?

Let us have some honesty in dealing with this subject. Let us have legislation that has some meaning. Let us not pretend to give preference rights—as they have always been given and as they should always continue to be given—to the rural electric cooperatives and to the public bodies, when, in fact, we are doing nothing of the kind. Let us not talk about preference and priority to public bodies and cooperatives when what we are really saying is that the Commission should do with electric power as it will. You either give preference or you don't—and the Senate amendment to section 44, as emasculated in the conference report, does not give it.

I feel very strongly about this subject. I feel strongly about it, in the first place, because I feel that we should not make fools of ourselves by enacting provisions which have no meaning. Or, rather, by enacting provisions which have so many different meanings that they might as well have no meaning. I have already pointed out to you how many different meanings the word "practicable" has, and I will welcome being informed just which one of the many meanings of "practicable" is intended to be applied to section 44. We should not ever pass acts containing provisions capable of so many different interpretations. Just as legislators with pride in their work, just as any conscientious craftsman, we should never turn out shoddy merchandise; and this provision as now contained in the conference report is the shoddiest kind of legislative merchandise.

And I am strongly opposed to this part of the conference report because it is just not honest treatment. It is the worst kind of hypocrisy and duplicity. In its present form, it gives the outward appearance of dealing properly with the preference issue, but actually it does nothing of the kind. It attempts to fool the people into believing that there is a preference provision, while all the time, through the device of those three weasel words, it destroys preference. I don't mind arguing any issue that I believe in with any man, but for heaven's sake when we discuss this issue, let us discuss just that and not try to fool one another by the use of duplicity.

And I object strongly to the conference report treatment of section 44, because it

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actually destroys preference. Preference for the people, in the use of the people's resources, is a principle for which I have always fought and will always continue to fight. Until recently the battles on the issue of preference for the people and the people's organizations, in connection with electric power, concerned the water resources of the people. It was hydroelectric power, made possible through the development of the Nation's waterways, that we were talking about. There we firmly established, and through the years maintained, that cardinal principle of democracy that what the Government owns, the people own. And when the Government put the people's great natural resources—the Nation's waterways—to work to produce electricity, the first use of that electricity was offered to the peoples themselves, through the agencies which the people created so as to be able to use that publicly-owned power, namely, the rural electric systems, and the public bodies of the Nation.

Today we are on the threshold of a new era. We are about to enter into a period where the greatest natural resource of the people will be atomic energy. But the material from which this tremendous energy will be released belongs to the people as a whole just as surely as do the waterways of the country. So when that material is made available for the production of electric energy, the people should have the very same rights of first use of that energy that they have always had in connection with hydroelectric energy produced by the Government. There can be no distinction. It is merely a substitution of uranium owned by the people for water owned by the people. And whether the Government produces the power through the use of uranium or through the use of water, it is still using the people's resources and it must still act for the best interest of the people as a whole and not merely for the aggrandizement of the Power Trust.

Everything that I have said with respect to the conference report version of section 44 applies to the treatment of section 182c. Section 182 deals with license applications. As the Senate passed the bill, section 182c provided that where "conflicting applications resulting from limited opportunity for such license includes those submitted by public or cooperative bodies such applications shall be given preferred consideration."

But as it comes back to us from conference, it reads that where "conflicting applications resulting from limited opportunity for such license include those submitted by public or cooperative bodies such applications shall, insofar as practicable, be given preferred consideration."

There they are—the same three little words—"insofar as practicable." And the result is, of course, the same. Those three words completely nullify and destroy any preference that the rest of the language purports to give. The entire matter becomes discretionary with the Atomic Energy Commissioners. Their personal feelings, their economic philosophies, their likes and dislikes become the determining factors.

It is precisely as though in a will all the property of the deceased is left to Mr. X, with the provision that Mr. X should take care of Mr. Y "insofar as practicable." Under such a will, Mr. Y would have no rights whatsoever. It would be entirely up to Mr. X—and to him alone—to decide what, if anything, he should do for Mr. Y. He could do nothing if he so desired, and Mr. Y could not do anything about it.

So, here, if we adopt the conference report, if we allow these words to remain in the Atomic Energy Act, the Commission will be able to deny any preference to the cooperatives and public bodies, and no one will have the power to challenge them.

We cannot accept the conference report on the preference provisions. We cannot accept it because it is such poor legislative language—because it is so vague—because it will be so meaningless in application—and because in its final result it will destroy preference for the people in the use of their own resources.

We must emphatically reject the conference report on sections 44 and 182c.

Mr. JOHNSON of Texas. Madam President, I yield 15 minutes to the Senator from Oklahoma.

Mr. KERR. Madam President, I rise to oppose the conference report. I do so on two propositions.

The first is that the conference report does violence, as has been so ably set forth and described by the Senator from Colorado and the Senator from Iowa, to the time-honored preference to rural electric cooperatives and other public bodies in the purchasing of power produced by the Federal Government.

The second proposition is that the conference report does violence to the will of the Senate, to the will of the President, to the will of the Atomic Energy Commission, and to the will and judgment of the Joint Committee on Atomic Energy.

Madam President, it has been fully shown today that when the words "insofar as practicable" are added to the giving of a preference, there is taken away with one hand that which has been given with the other. Is it not ridiculous to say that these worthy groups of citizens shall have a preference insofar as practicable—that is, insofar as is convenient? Madam President, that, in my judgment, can be no more than giving almost a preference—that is, almost, but not quite. I am reminded of the words of the ancient and beloved hymn, Almost Persuaded:

"Almost persuaded," harvest is past!
"Almost persuaded," doom comes at last!
"Almost" cannot avail;
"Almost" is but to fail!
"Sad, sad, that bitter wail—
"Almost—but lost!"

I do not believe the Senate will accept language, Madam President, which means that we "almost" gave a preference, but did not quite do so.

I now wish to talk about patents. I wish to talk about them because, in my judgment, the position taken, so far as I know, by everybody, with one exception, prior to the formulation of this conference report, has been abandoned.

I first wish to thank the distinguished Senator from Iowa for his many courtesies to me in this matter, both in the discussions had on the bill prior to passage, and in his discussions today. Yet I remind Senators of the fact that he has acknowledged that section 152 of the bill as passed by the Senate is gone. And section 152 was the section which provided for compulsory licensing. It was the section which would have prevented the development of monopoly.

With reference to section 152, it is well known that the President of the United States wanted it. He called for it in his message of February 17 to the Congress, in which he said:

Until industrial participation in the utilization of atomic energy acquires a broader base, considerations of fairness require some mechanism to assure that the limited number of companies, which as Government contractors now have access to the program, cannot build a patent monopoly which would exclude others desiring to enter the field. I hope that participation in the development of atomic power will have broadened sufficiently in the next 5 years to remove the need for such provisions.

Mr. GORE. Madam President, will the Senator yield?

Mr. KERR. I yield to the Senator from Tennessee.

Mr. GORE. Will the Senator elaborate on that language about the few companies which have access to the program?

Mr. KERR. Madam President, it is so apparent that this great program has been brought about first by Government expenditures of vast sums of money, and, second, through limited groups of great, powerful corporations, who had the facilities, and have developed them, both in equipment and manpower, that, as of this hour, they and they alone are in a position to go forward. They and they alone have the know-how that comes from vast research and great experience, therefore they and they alone are in position to reap great profit if permitted to create or develop monopoly in this vital field of endeavor. It was that which the President had in mind when he said he hoped the Congress would have some mechanism to assure that that limited number of companies who, as Government contractors and at Government expense, now have, and have had, access to the program, cannot build a patent monopoly. He also said he hoped that participation in the development of atomic power will have broadened sufficiently in the next 5 years to remove the need for such provisions. What provisions? The provisions of section 152, which were in the bill which the Senate passed.

The Atomic Energy Commission has unanimously recommended and urged the language contained in section 152 to achieve compulsory licensing. Every Government official with responsibility, prior to the formulation of this conference report, has set that forth as a prime, basic principle and requirement. The Joint Committee on Atomic Energy unanimously, with one exception, has stood for the establishment and the recognition and the implementation of that principle.

The Senator from Iowa, on the floor of the Senate, said that it was basic, that it was a principle that had been recognized by the President, by the Atomic Energy Commission, by the Joint Committee on Atomic Energy, and by the Senate itself, Madam President. The Senate wanted it to an even greater extent and more available extent than was contained in the language as brought to us in section 152. The Senate wanted that provision broadened.

I want to say that when the bill came to the Senate, section 152 provided a means for compulsory licensing, but it was a tortuous means. It was a restricted means. It was a limited means. It was limited to 5 years. It was limited by technical requirements.

I thank the Senator from Iowa and the Senate for accepting an amendment suggested by many Senators but, in the final analysis, it was put into words by the staff of the Joint Committee on Atomic Energy.

The Senator from Iowa brought back to the floor of the Senate the language which was accepted by the Senate under the Kerr amendment, and it was language calculated to implement section 152 of the bill. It was language calculated to make a reality of the recommendations of the President. It was language calculated to protect this country from the development of monopoly, which was in the minds of the President of the United States, Atomic Energy Commission, the Joint Committee on Atomic Energy, and the Members of the Senate when we approved that language and made it part of the bill. The bill went to conference, and I want to say to the Senate that section 152 disappeared. We talk about a performance of magic. The hand was quicker than the eye, and that language and that principle are no longer contained in the conference report.

My good friend from Iowa says, "No, that is not in it, but section 182 (d) is." I hope Senators will read section 182 (d). I have read it. I have combed it with a fine-toothed comb, and I say to the Senate that I do not know what it is; but, as the farmer said, "I know what it ain't."

I am much like the farmer who went to the zoo and saw a hippopotamus for the first time in his life. He was amazed and astounded, and was seeking information from the keeper of the zoo as to what that amazing phenomenon was. After some 30 minutes of explanation he shook his head, walked away, and said, "I don't know what it is, but I know it ain't a horse."

I do not know what section 182 (d) is, Madam President, but I know it is not protection from monopoly. It says "any license issued under section 103."

Let Senators read section 103. I challenge the chairman of the committee or any other Senator to find the word "patent" in that section.

Let Senators read section 104 (a) or section 104 (b), and, in connection with those sections, section 182 (d). The bill does not say that he who receives the license "shall agree." It says that the "Commission may require."

It is stated that a license received under section 103 shall have certain limitations. But section 103 does not relate to patents. It is not meant to include patents.

Sections 103 and 104 (b) were both in the bill when it came to the Senate, but the cross-licensing of patents was also there in section 152.

Mr. HICKENLOOPER. Madam President, will the Senator yield?

Mr. KERR. I am glad to yield to my good friend from Iowa.

Mr. HICKENLOOPER. I invite the Senator's attention to the fact that anything which is contained in an application for a license under this bill, or any statements or agreements or commitments contained in such application for a license, inhere in and become a part of the license when it is issued.

Mr. KERR. But that is only with reference to a license under section 103 or section 104 (b), which do not refer to a patent.

Mr. HICKENLOOPER. Madam President, I do not wish to trespass on the time of the Senator from Oklahoma, but if there is an agreement in the license with regard to cross-licensing patents, that inheres in the license and becomes an integral part of the license.

Mr. KERR. Madam President, I love the Senator from Iowa. He is a great man. He is a good man. He is an honorable man. But he is mistaken, because section 182 (d) refers only to licenses under section 103; and the word "patent" cannot be found in section 103.

Madam President, no Senator has a higher respect for private enterprise than has the senior Senator from Oklahoma. No Senator would do more, within the limitations and opportunities of his responsibility, than I would to protect private enterprise. But we do not protect private enterprise by creating monopoly. We do not foster an environment in which private enterprise can develop and expand by creating not only the opportunity for a monopoly, but also a condition from which only monopoly can emerge.

Madam President, more than 100 years ago this Government began to enact antitrust laws for the prevention of monopoly in limited fields. We could only contemplate fields which we could visualize. But who visualized the field of atomic energy?

When steam came along, suppose somebody had sought the opportunity to obtain a monopoly on its use. Suppose, when electricity came along, somebody had sought the opportunity to secure a patent and a monopoly on its use. Madam President, people would have risen up in every section of our great country to demand the prevention of such an occurrence. Yet such an opportunity is in this conference report with reference to atomic energy. There is no comparison between atomic energy and steam or electricity.

Under the proposed legislation, if someone should receive a patent for the cure of cancer, it would be his property, although it might have been formulated from knowledge gained as the result of a $12-billion expenditure by the Government.

I have watched the northern lights, or the aurora borealis, the most amazing natural phenomenon I have ever seen, compared to which all other things the Senator from Oklahoma has ever witnessed pale into insignificance. The same is true as we contemplate the future of atomic energy. We cannot see into the future. No man has yet discovered the source of the aurora borealis. No man has ever explained that mystery.

The PRESIDING OFFICER. The time of the Senator from Oklahoma has expired.

Mr. JOHNSON of Texas. Madam President, I yield the Senator 2 additional minutes.

Mr. KERR. The aurora borealis is the most amazing phenomenon of nature man has yet witnessed. Yet as all other sights are pale as compared to it, so is it a minor event compared to the power and glory and future possibilities of atomic power. Behold what God hath permitted and what man has wrought in unlocking the magic door and solving of the mystery of atomic energy. Yet this has been done by the expenditure of $12 billion of Government money. This was the people's money and their interest in the results must be our primary interest. Shall we now take action which will permit a limited few, in opposition to the warning of the President and in opposition to everything we know, to gain a monopoly in this great field?

Mr. KEFAUVER. Madam President, will the Senator yield for a question?

Mr. KERR. I yield.

Mr. KEFAUVER. Does not the amendment of the Senator, which was stricken out in conference, follow almost exactly the recommendation of the President in his message to the Congress, which is printed on page 12 of part 1 of the hearings?

Mr. KERR. Indeed it does and the Senator from Oklahoma has made reference to that Presidential action.

The action of the Senate followed the language of the President. It followed the recommendation of the Atomic Energy Commission. It followed the recommendation of the joint committee. It followed the will of a majority of the Senate.

Senators should not now be intimidated by someone who says, "If the Senate does not accept the conference report it will deny the President the legislation which he wants."

I say to him, "Will the Senate deny the President the legislation he wants and the provision he wants for the prevention of monopoly merely as a tribute to the stubbornness of one man?"

I do not believe that the Senate will participate in any such unconditional surrender to the stubbornness of one man or the will of those whose purpose must be to permit the opportunity for the development of complete monopoly in the peacetime use of atomic energy.

The PRESIDING OFFICER. The time of the Senator from Oklahoma has expired.

Mr. JOHNSON of Texas. Madam President, I yield 10 minutes to the distinguished Senator from Rhode Island [Mr. PASTORE], a member of the Joint Committee on Atomic Energy.

Mr. PASTORE. Madam President, merely for the purposes of emphasizing the amount of work devoted to this proposed legislation, I remind Members of the Senate that the Joint Committee on Atomic Energy devoted 14 months to a study of this measure. In that period we held 91 meetings, both executive and public. We listened to more than 200 witnesses.

I am amazed at this juncture to hear a rumor, which it now quite prevalent on the floor of the Senate, and which has been prevalent for several days throughout the corridors of the Capitol, that unless we agree to the conference report we stand a chance of losing for all time, and particularly for this session, all the work, all the study, and all the consideration which went into the preparation of this proposed legislation.

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Madam President, I am one of those who do not believe that rumor. But if there is any substance to the rumor, the responsibility for such a result will fall upon the shoulders of the 6 Republicans who constitute the majority of the conference committee.

Madam President, we are not very far apart when we speak in terms of compromise and when we speak in terms of time that will have to be devoted to this problem in order to arrive at a reasonable and equitable bill.

It has been said many times on the Senate floor—and I think it worthy of repetition—that the taxpayers of the United States have spent more than $12 billion for fundamental research in the field of atomic energy. There are many—and I am included within that group—who feel that the time has come for private industry to play its part in this program. I am one of those who feel that the door should now be opened for all to come in, with a high degree of liberality, and make their contribution to the goal that we are trying to achieve through this act.

What are we saying, Madam President? We are saying to everyone in the United States of America who is engaged in free enterprise, "You can now take advantage of the $12 billion expenditure. There will be no restraints upon you. True enough, you will invest your own money, but all we are asking you to do is to adopt the same philosophy that brought this act into being." The United States is opening the door to all to come in, but by this very act we propose to allow the first few who come in to close the door to everyone else.

If that does not shock every sense of reason, if that does not destroy the philosophy of the act, if it does not emasculate the very motives which brought this act into being, someone will have to answer the question for me.

It has been argued that section 182 does not constitute a monopoly. All we have to do is to read it. It has been brought out very clearly today that before anyone can participate in this program he must apply under section 104b, which means that he will have to apply for a license in order to benefit from the research element of the program. Section 104 provides that once the practicability of the research has been established, an applicant may apply for a commercial license under section 103.

When the applicant comes in under section 104b, in the first instance, it is discretionary with the Commission as to whether or not it will require the licensee or the applicant for a license to agree to cross-licensing. I suppose the reason for the discretion in that part of the section is that now we are engaged in a research program, and everyone feels that those who come in must invest large sums of money for a very small return.

After this license has been obtained, and after we have reached the level prescribed by section 102, where the practicability is established, then an applicant may apply for a commercial license under section 103.

What does the bill provide in that respect? Section 182 provides that preference shall be given to licensees who agree to allow others to use the patents which they acquire within a period of 5 years.

The one hiatus in section 182 lies in the fact that there will be only one applicant, and there will be no opportunity to exercise any preference. Therefore, I maintain that it is an innocuous provision. It results in no preference because there will be no rivalry. The Commission will not be in position to say, "A shall have it because he agrees and B shall not have it because he will not agree," for the simple reason that it will be dealing with only one individual at a time. If that one individual refuses to agree, of course there will be no agreement for a cross-license.

The question has been raised as to the possible violation of the Constitution because article I, section 8, of the Constitution provides that the Congress can limit only the time of a patent, but not the exclusiveness of such patent.

There is a legal question as to whether the Congress has the right to deal with the question of the exclusiveness of the patent, or whether the patentee who applies has, under basic fundamental law, the exclusive right to the patent and Congress has the right to limit the time only.

If that confuses anyone, then I say, Madam President, let us rewrite section 182 so as to provide that no license shall be granted to any applicant unless he agrees to allow someone else to use any patent which he applies for or acquires within a period of 5 years, if such a patent is affected with the public interest and if it is designed to carry out the purposes of this law. I submit that if we rewrite section 182 in that manner, we will not violate any constitutional provision.

But that is not the reason the preference was written into the bill. The preference was included because there was a very clear intent, from the beginning, to leave the patent ownership question wide open and unrestricted.

The argument has been made repeatedly that cross-licensing of patents would stifle creativeness and initiative on the part of private industry. Under my suggestion we would be allowing private industry to obtain a patent. We would be allowing private industry to be paid for the use of the patent, which is the important thing. All we are saying to private industry is, "We do not want you, through the provisions of this law, to do to others what you do not want done to yourselves." To use positive language, "All we want you to do is to grant the same opportunities to those who follow you as we are giving you when we unlock the door to the benefits of a $12 billion investment." That is how simple my argument is.

What did the President of the United States say in that connection? He recognized the problem when he said:

Until industrial participation in the utilization of atomic energy acquires a broader base—

The broadness of the base is what I am talking about—

considerations of fairness—

Now we are talking about justice and equity—

requires some mechanism to assure that the limited number of companies—

Everyone recognizes that there will not be a stampede for these licenses. Not many have the money to enter this business. There will be only a handful of companies in the beginning—

to assure that the limited number of companies, which as Government contractors now have access to the program, cannot build a patent monopoly which would exclude others desiring to enter the field. I hope that participation in the development of atomic power will have broadened sufficiently in the next 5 years to remove the need for such provisions.

Madam President, every single member of the Commission who appeared before our hearings took the position that there should be compulsory licensing. That was unanimously agreed upon. They all took the position that it should be for a period of 5 years.

The PRESIDING OFFICER. The time of the Senator from Rhode Island has expired.

Mr. PASTORE. May I have 5 more minutes?

Mr. JOHNSON of Texas. The Senator does not have any more time. He has used every single minute he has, plus an additional minute.

Mr. PASTORE. One more minute to wind up up my remarks.

Mr. JOHNSON of Texas. I yield the Senator 1 minute.

Mr. PASTORE. Madam President, all I am asking is that we carry out the recommendation of the President, and the unanimous recommendation of the 5 Commissioners; that we rewrite into the bill what we originally wrote into it when it came to the floor of the Senate, and that we repudiate the views of 1 member of the committee and reestablish the judgment of the remainder of the joint committee.

Mr. JOHNSON of Texas. Madam President, will the Senator yield?

Mr. PASTORE. I have only 1 minute. Will the Senator give me another minute?

Mr. JOHNSON of Texas. Yes.

Mr. PASTORE. I yield.

Mr. JOHNSON of Texas. Does not the Senator believe, if we refuse to approve the conference report, that the bill can go back to conference, and the conferees can adjust the differences in a very few days, so that a bill may be enacted at this session?

Mr. PASTORE. In my opinion, such amendments have already been drafted. The joint committee knows what is going on. It knows what our problem is. I imagine the staff has already drafted suitable language. It would not require more than 2 hours to rewrite the bill the way it should be rewritten. It was written properly when it came to the floor of the Senate. Let us not be carried off by false rumors that there is a possibility of losing the entire law unless we knuckle down to the will of 1 or 2.

We do not take that kind of chance. If anyone dare do it, let him assume the responsibility of repudiating his own President.

The PRESIDING OFFICER. The time of the Senator from Rhode Island has expired.

Mr. JOHNSON of Texas. Madam President, I yield 1 minute to the distinguished Senator from Tennessee [Mr. KEFAUVER].

Mr. KEFAUVER. Madam President, I have prepared a statement setting forth the reasons why I oppose the conference report. I ask unanimous consent that the statement be printed in the RECORD at this point.

The being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR KEFAUVER

THE GREAT ATOMIC HOAX

For nearly 2 years now, while the drive to amend the Atomic Energy Act was being whipped up, the people have been fed a constantly increasing flow of propaganda whetting their appetites for atomic power development while making such development appear well beyond immediate accomplishment.

Thus by keeping a bale of hay just far enough ahead of the mules, the private monopolists have been tempting the mules on toward the objective of rewriting the law which would turn this vast new resource over to private enterprise.

The bait has been this, "It's still a long way ahead, but you'll get it quicker if you will just let private enterprise, with its well-known zeal for competitive profits, take over." There has been constant intimation that as long as the responsibility remains with government, progress will necessarily be slow.

Thus, the record of statements by officials like Chairman Strauss of the Atomic Energy Commission and Chairman Cole of the Joint Committee on Atomic Energy have been full of such pessimistic utterances as "it will be 5 to 10 years," or "perhaps by 1975," or "it may be 25 years before it is really commercially feasible," or "it will be many, many, many years."

Increasingly this feigned pessimism has been belied by papers and articles appearing in technical and trade journals. But, of course, the general public does not read such journals.

So it would be safe to wager that a question to the average man met on the way to work in the morning would elicit the impression that, with the Government running the show, atomic power was still a long way off. He would probably add that Congress ought to hurry up and let private enterprise in on the deal so that the people could get cheap power out of the atom.

A few weeks ago the Electrical World, leading trade journal of the electric utility and electric equipment industry, carried an exciting story about two General Electric Co. atomic powerplant designs which the big company figures could produce electricity for 6.7 mills and 6.8 mills, respectively. This would beat the cost of coal-fired steam stations using coal costing about $9 per ton.

The general caption of the article said "Two Reactors Point Way to Wide Use of Atomic Power" and the subcaption said that "General Electric sees promise of A-generated electricity at competitive cost to utilities in 5 to 10 years."

The article cites a General Electric credo which holds, among other things, that "electric companies will own and operate a number of atomic powerplants within the next 10 years" and that "this will be accomplished without Government subsidy, for production plant construction or operation, and that the Government-supplied fuel will be priced at cost-of-production levels."

Thus it is becoming clear that, as they begin to feel that the giveaway atomic energy bill is a cinch, they are beginning to tell each other that the Government-sponsored program has actually brought the technology of atomic power production to the point where all that is required is the investment of $75 to $100 million in a big atomic powerplant to show that atomic power is already feasible, is already realized as a part of the country's power economy. The people, if they knew it, could dictate the terms on which private enterprise would be allowed to participate, instead of being allowed to dictate the terms of the new atomic energy bill as the price of giving the people economically feasible atomic power.

Nor is this the whole story. For the August 9 issue of Electrical World brings us a lead editorial with the caption "Nuclear Power Progress Can Be Speeded." As I will note in a moment, the McGraw-Hill editor's prescription for speeding progress does not by any means fit in with the patent sections of the atomic-energy bill as reported back by the conferees.

But, before discussing that point further, I want to call attention to the first paragraph of the editorial. It says:

"Almost phenomenal progress has been made in nuclear power in the last 6 months. Before that hardly anyone promised a physically feasible plant in less than 10 years, and each asked for another 10 to establish economic practicality. More recently these periods have been halved, not once but twice, and the hope is now held out that nuclear kilowatts will be on the line within 3 years."

This statement ought to throw an entirely new light on the need for hasty and ill-considered legislation, designed to give away the fruits of the people's huge investment which has made progress to date possible.

Three years is no more than the time required for construction of any large steam electric station. That means that feasible atomic power has arrived, under the McMahon Act. It means that feasible atomic power has arrived with the Federal Government serving as the general organizing center and financier for all the experimental and development work. It means that we do not need drastic changes in the McMahon Act to enable the people to get the fruits of their labor in lower cost electricity.

In fact, this editorial opens wide the doors to the real situation in which the bill, which the sponsors are trying to rush through Congress, will mean the higher cost power resulting from monopoly control, rather than the low-cost power which would be possible with a Government atomic-power program paralleling and competing with licensed private development.

The bill, as reported back from conference, would close the doors on such an active Federal program competing with the development of atomic-power stations as part of private utility systems. It would close the doors on the opportunity of the country's 2,000 municipal electric systems and 1,000 rural electric cooperative systems to obtain low-cost power supply from their Government's atomic-power resource.

The only opportunity for a truly balanced American system of private and public development of this new and mightiest energy resource was closed when the conferees struck out or emasculated the Senate amendments which would bring the development of atomic power under the same power policy which Congress has consistently written into all laws governing the use of the Nation's waterpower resources.

Any argument that the two resources are different in terms of the public interest is sheer hypocrisy, designed to deceive the people, and even Members of Congress, and so ram a bill through which will constitute the biggest giveaway in the history of the American people.

The proponents of this bill would constantly persuade us that it is not a power bill. Yet the interests which are pressing for its enactment are primarily power interests, electric equipment industries, and those other industries which require large quantities of low-cost power or which see possibilities of profit from the patents associated with its development.

There is not a business or trade paper or journal in the country that does not discuss the bill primarily in terms of the fact that it will open the development of atomic power to the private power industry.

The leader in the organization and conduct of the Atomic Industrial Forum is Walker Cisler, president of the Detroit Edison Co., the utility executive who has most openly favored legislation which would amend the Federal Power Act to free big electric utilities to engage in interstate commerce without coming under Federal regulation.

Unquestionably his attitude was reflected in the opposition to extending Federal Power Commission regulation which applies to licensees for waterpower development to apply also to licensees for atomic power development. A review of what happened to critically important amendments, offered with the purpose of including the licensing of atomic power development under the same policy provisions as Congress has established to protect the public interest in waterpower development, is significant of the extent to which the bill is a power bill, rather than the contrary.

Let me discuss briefly the amendments which have been offered and their fate to show that the bill under consideration is not in the public interest.

In the first place, we should face clearly the fact that the bill, as originally reported to Congress by the joint committee, was designed to let private power companies in and get the Federal Government out of the atomic power business as rapidly as possible.

In the second place, the bill provided that AEC could issue licenses for private atomic power development without a single one of the safeguards for the public interest in electric power that Congress has consistently applied to the licensing of waterpower development.

In the third place, the bill did not contemplate in any of its provisions a Federal program of public atomic power development to enable the people of the country, if they choose, to use their own credit to obtain low-cost wholesale power supply for their own community public and cooperative distribution systems.

In the fourth place, the bill did not contain a single provision according such community systems a preference either as purchasers of energy developed incidental to the operation of the facilities of the AEC, or as applicants for licenses to develop atomic electric power.

In both the Senate and the House a series of amendments were introduced to cure these deficiencies by making the provisions of the revised act, insofar as they involve the development of atomic electric power for commercial uses, consistent with the power policy which Congress has written into the laws of the land. But not a single one of these amendments survived the handiwork of the conferees in any effective form.

There was the amendment introduced in both the House and the Senate to establish the basis for a sound AEC-Federal power agency program which could develop a certain amount of public atomic electric power to provide a yardstick influence in an industry which might otherwise veer toward an all-out private monopoly. What happened to this amendment? It was defeated in the House but passed the Senate, and when the bill went to conference, the conferees eliminated this provision and substituted a number of modifications of the language of existing provisions which did no more than clarify what the act had authorized in its original form. The possibility of Federal participation in the atomic power program,

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so far as the bill is concerned, is out the window.

Furthermore, the conferees accepted a contrary amendment which had passed the House, limiting the power distribution activities of the AEC to electric energy produced as an incident to its research, development, and demonstration activities. This combination alone renders the bill a threat to the public interest in electric power and a precedent of dangerous import in terms of existing Federal power programs.

The amendments, designed to recognize the traditional preference for public bodies and cooperatives which has been in laws passed by Congress for nearly 50 years, have actually been turned into a vehicle for serious damage to that vital principle. By insertion of the words "insofar as practicable" in each one of these amendments, the effectiveness of the provision has been nullified. But, far worse, if the bill is enacted without striking out these misleading inserts, a congressional underscored precedent will have been established which will damage the case of rural electric cooperatives and municipal electric systems throughout the land.

The record in the House suggests that the preference provisions, so canceled out, have been allowed to stay in the bill to accomplish the very opposite purpose from that which actuated the sponsors of the original amendments.

For this reason, I feel sure that the rural electric cooperatives throughout the country, who are watching our action on this bill, will recognize these amendments as amended by the conferees as a Trojan horse of the private power companies.

Then we may turn to a series of amendments, introduced in the House or Senate or both, designed to make clear the purpose of Congress in the field of atomic power development as well as congressional recognition of the importance of atomic electric power to the country's future, second only, if at all, to the importance of the military aspects of atomic development.

These included proposed additions to the statements of findings and purpose, as well as provision for the setting up of a Division of Civilian Power Application and an Electric Power Liaison Committee.

None of these amendments can be found in the bill before us, except for the vestigial remains of the Division of Civilian Power Applications, in language which does not highlight the importance of the Commission's functions in developing or licensing atomic-power development at all.

In other words, a bill which, if passed, would constitute, by all odds, the most important piece of power legislation in two decades, is still being offered in a form which successfully masks its major purpose. The reason that major purpose is masked is because it would be intensely unpopular. The purpose of the sponsors, as shown clearly by the handling of all power-policy amendments, is to turn the development of atomic power over to private monopoly with as few public-interest strings on it as possible.

I do not believe that Members of the Senate want to be parties to such a gigantic giveaway.

Now I have said that private-power monopoly not only wants a bill enacted which will get the Federal Government out of the atomic-power business and turn it over to them, but they want it turned over to them so far as possible without regulatory strings. To prove my point, I want to refer very briefly to the fate of a series of amendments designed to bring the licensing of private development of atomic power under the same provisions as the Federal Power Act applies to private waterpower development.

With the exception of certain procedural amendments, every one of these amendments failed to find a place in the bill before us.

The Federal Power Act says that, in entertaining applications for licenses for waterpower development, the Federal Power Commission must first determine whether the United States itself should not make the development and must turn down the application if it makes such a determination. There is no similar provision proposed in connection with the consideration of license applications for atomic-power development under the proposed bill.

The Federal Power Act says that where their applications conflict with applications of private companies for development of a waterpower site, States and municipalities shall enjoy a clean-cut preference. As already noted, the conferees have reduced an amendment intended to write the same provision into the Atomic Energy Act to a zero, by incorporating the words "insofar as feasible."

The Federal Power Act says that licensees for development of the people's waterpower resources shall not claim more than net investment in the project as part of a rate base. A proposed amendment incorporating the same condition into the atomic energy bill before us was rejected.

The Federal Power Act says that at the end of the license period, the United States may take over and operate the hydroelectric project on payment of the net investment, plus severance damages, and that, in connection with issuance of a new license, States and municipalities shall enjoy the same preference as they do in connection with the issuance of the first license. An amendment to this effect was rejected.

Finally, the Federal Power Act gives the Federal Power Commission authority to regulate the books and accounts, as well as to require reports from private power companies holding licenses for development of the people's waterpower resources, irrespective of whether or not they are engaged in interstate commerce. This is related to the privilege of using a public resource and involves no invasion of State jurisdiction over intrastate electric rates. But an amendment to extend the same regulation to private power companies granted the privilege of developing the people's atomic-power resources was watered down to the point that it is meaningless, on the ground that it was socialistic and an invasion of States' rights.

In other words, we have before us a naked atomic power bill, unclothed so far as the basic conditions hewn out over the years by Congress to protect the public interest in electric power are concerned. In the name of decency, we should send it back to the conferees with instructions to put on the necessary clothes. They will be found in the bill as passed by the Senate.

There are many other parts of the bill which are out of line with sound public policy. The international section puts obstacles in the way of, instead of facilitating, President Eisenhower's great plan for cooperation in the peactime uses of this new resource.

The antimonopoly provisions are ineffective and the least that should be done would be to ask the conferees to restore in full force and effect the provisions of the bill as it passed the Senate.

The bill has come back from conference with its patent provisions wider open to the establishment of monopoly control of this new atomic industry than the original bill as it was reported by the joint committee. Not only have the important amendments introduced by Senators KERR and LANGER and adopted by the Senate been stricken, but the conferees have gone further and accepted the version of the patent provisions adopted by the House. Thus the bill has altogether eliminated the compulsory or discretionary licensing of private patents by the Atomic Energy Commission during a transition period.

The provision for licensing patents may be interpreted as providing for a period of pooling patents. And the pooling of patents might well have the effect of stimulating progress which might otherwise be slower. Monopoly has never brought about great technical progress.

This is recognized in the same Electrical World editorial on Nuclear Power Progress Can Be Speeded, from which I have already quoted statements to the effect that nuclear kilowatts will be on the line in 3 years. This ably edited trade journal is apparently not convinced that the best progress can be attained by each corporation going off into its corner and hugging its own patented invention. Says the editor:

"What could be seriously wrong with setting up a manufacturing pool to coordinate present disjointed efforts to make nuclear power feasible and competitively economical? It could provide a means for stimulating calm and logical decisions by a composite staff dedicated to sustainable composite answers on each detail. * * * The pooled technology would be able to offer the nuclear power field the best possible developments in facilities whether for small mobile power, for propulsion in submarine, aviation, and rail fields, for export to industrially backward nations, and, above all, for sale of big units which utility power plants require.

"Utilities could well stay out and let the equipment manufacturers merge their efforts toward the end indicated. Utilities need not hazard capital funds until a physically workable and economically feasible plant is ready to purchase. Then they would presumably do as they have consistently done when building orthodox steam plant, namely, stipulate names of makers of each constituent piece of equipment no matter who designs that plant as a whole. Individual manufacturers in the pool thus would still have to compete for their share of the nuclear equipment business. That feature alone should forestall any cry of 'monopoly'."

Then we come to this very interesting statement which may well be emphasized in support of a proposal to postpone hasty legislation at this time. The editor concludes:

"The Atomic Energy Act now apparently sanctions the pooling pattern outlined. Each manufacturer of reactors and accessories should ask himself whether he would not gain more than he sacrifices by entrusting his present nuclear ventures to an industry hopper for the sake of a sounder and faster progress in 'power from reactors'."

In its consideration of the report of the conferees the Senate faces a far-reaching choice between a huge giveaway of the people's atomic resources to controlling monopoly or sending the bill back to conference for restoration of all the Senate language designed to extend congressionally established power policy to the atomic power business and remove the cramping grip of monopoly from this new industry. I will cast my vote in favor of the latter course, knowing well that if the result is to delay amendment of the McMahon Act until the new Congress meets, the statute already on the books is broad enough to meet the need for another year.

Mr. JOHNSON of Texas. Madam President, I yield 5 minutes to the Senator from North Dakota.

Mr. LANGER. Madam President, I shall vote against the conference report. As chairman of the Judiciary Committee and as chairman of the Subcommittee on Antitrust and Monopoly Legislation, I have known that there is no question but that the amendment written into the original bill would have protected the

people. That amendment reads as follows:

Any patent hereafter granted for an invention or discovery useful in the utilization or production of special nuclear material or atomic energy which is found by a court of competent jurisdiction to have been intentionally—

I emphasize the word "intentionally"—

used by the owner thereof for the violation of the antitrust laws specified in subsection 105a may, on conviction of the owner for such violation, and in the discretion of the court, be forfeited and be declared to be the property of the United States, to be held by the Commission as the agent for and on behalf of the United States, and to be available for license to any person without payment of any royalty fee.

In other words, that amendment would protect the common people, the rank and file of our people. That provision has been amended by the conference. It has been watered down and made almost useless. I want to read how it has been changed, and you will note how the watering down is all in favor of the big corporations, and against those whom I represent here, to wit: the rank and file of our people. If anyone thinks that the senior Senator from North Dakota has come to the Senate to vote for great big corporations who intentionally violate the law you are greatly mistaken. The voters of North Dakota sent me here to do just the opposite and to treat all folks fairly—rich or poor, strong or weak. Let us see what was done to that section. It now reads:

SEC. 156. Monopolistic use of patents: Whenever the owner of any patent hereafter granted for any invention or discovery of primary use in the utilization or production of special nuclear material or atomic energy is found by a court of competent jurisdiction to have intentionally used such patent in a manner so as to violate any of the antitrust laws specified in subsection 105a., there may be included in the judgment of the court, in its discretion and in addition to any other lawful sanctions, a requirement that such owner license such patent to any other licensee of the Commission who demonstrates a need therefor. Such licensee shall pay a reasonable royalty fee, to be determined in accordance with section 155, to the owner of the patent.

In other words, if a corporation intentionally violates the law, that corporation, instead of losing the patent and having the patent go back to the Commission and to the United States, can turn the patent over to a subsidiary or another person, who may even have been a party in the original antitrust agreement although not arrested or convicted by the Government. Therefore, instead of protecting the people, that section protects the corrupt corporations who intentionally violate the law.

I may say, as all Senators know, that it has been a terrific job to enforce the antitrust violations up to this time—all during the last 60 or more years. Up to now, whether we have had a Democratic Attorney General or a Republican Attorney General, no one has gone to jail for antitrust violations. Now, for the first time we have an Attorney General who, when anyone pleads nolo contendere, brings that person when he again violates the law before a judge and has him fined for contempt of court. In my opinion an honest effort is being made to have those who plead nolo contendere brought to justice whenever they violate the antitrust laws a second time. Our REA co-ops will be helpless unless the antitrust laws are enforced. Under the conference report enforcement would be a joke.

Mr. KEFAUVER. Madam President, will the Senator from North Dakota yield?

Mr. LANGER. I yield.

Mr. KEFAUVER. I believe the fact that the Senator's amendment was watered down and emasculated is a good argument against accepting the conference report. Is it not true that in almost all large industrial fields during the past 2 years, according to the report of the Federal Trade Commission, there has been a large concentration and a large number of mergers and monopolies, which we certainly do not want to have started in the field of atomic energy.

Mr. LANGER. They have grown by leaps and bounds. Small businesses are going bankrupt. This year 50 percent more small businesses have gone bankrupt than a year ago, as is shown in the Wall Street Journal report.

Mr. KEFAUVER. Has not the Senator's own subcommittee pointed out the need for tightening controls on industry, instead of slackening them, which would be done if this conference were agreed to.

Mr. LANGER. It is essential, if we are going to protect the public, to have this amendment retained in the bill. The entire Dixon-Yates contract stinks to high heaven.

Mr. KEFAUVER. That is correct.

Mr. CLEMENTS. Madam President, I yield 8 minutes to the Senator from Virginia.

Mr. ROBERTSON. Madam President, it may seem a bit strange to those who read the debates in the CONGRESSIONAL RECORD of today, to read that a lifelong and loyal Democrat rose on the floor of the Senate and appealed to his Republican colleagues to stand by the recommendations of a Republican President, and thus perhaps deprive the Democratic Party of what might otherwise be a very valuable campaign issue in the November elections.

The Republican President is against monopoly, and very properly so, because it was a great Republican Senator from Ohio who sponsored the Sherman Antitrust Act in the 51st Congress, which was a Republican Congress. Officially, the Republican Party has been against monopoly ever since. The Democrats are against monopoly, and it was a great Democrat named Clayton who sponsored the first major amendments to the antitrust laws in the 63d Congress, and the Democrats have been against monopoly ever since.

By happenstance there have been more rich Republicans in the North than rich Democrats in the South, and consequently the antitrust laws have been used perhaps more frequently against the Republicans than against the Democrats. However, that does not alter the fundamental principle that one is either in favor of the welfare of the people of the Nation, as a whole, or he is in favor of concentrated wealth, which will gouge the consumer if the antitrust laws are not applied.

President Eisenhower does not want the future tremendous development of atomic energy monopolized.

He wants all to share in a program that has already cost the taxpayers of this Nation $12 billion, and under which the Atomic Energy Commission already has patented over 700 devices, with the end not yet in sight. Every one of those devices is open to all the people.

Therefore the President recommended, and the Atomic Energy Commission unanimously recommended, that we write into this law a compulsory provision for 5 years of cross licensing, to prevent monopolistic control. That provision was unanimously adopted by the Senate. We went beyond that, because without any protest, so far as I know, the distinguished vice chairman of the joint committee said he would accept the Kerr amendment and take it to conference, and that increased the period to 10 years.

I am asking that the Senate uphold the position of a Republican President as against monopoly and send the bill back to conference with an expression on our part that the minimum we want is to restore the language sent to us by the Atomic Energy Commission providing for 5-year compulsory cross-licensing, on which the Senate was unanimously agreed.

Let no one argue that the weasel words substituted will do the job. It is said that we will give preference to those who agree to cross-license, but everyone knows that in these costly undertakings the word "preference" becomes meaningless when we are forced to deal with only one corporation, and it says, "We do not agree to give our secrets to anyone, and when we patent a secret we shall rely on the patent laws to use it to our our advantage."

So, Madam President, we must stand up and be counted on a fundamental issue today. We are either for the people and against monopoly, or we are for monopoly and vested interests.

The junior Senator from Virginia takes his stand for the people on that issue.

The second thing that was done to this conference report was to add, for the first time in any preference law, the qualifying words, "insofar as practicable."

We passed a number of acts relating to public power, and after 1934, when we organized rural electric cooperatives, we said they should have preference along with municipalities and other public agencies with respect to any power developed by a powerplant built and operated by the Government. That was provided in reclamation laws, in flood-control laws, in all laws dealing with the development of power. We put it into this bill on the Senate side, without a dissenting vote. What happened? It went to conference, and the words were changed. The conferences changed them in the Johnson amendment with reference to the sale of surplus

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power from a plant built and operated by the Atomic Energy Commission. They changed them in the Gillette amendment with reference to the distribution of byproduct energy. They changed them in the Humphrey-Pastore amendment concerning licenses for the generation of electric power.

Madam President, there are some words which are so simple and so fundamental in their meaning that to qualify them is to weaken them. As Voltaire said, "The adjective is the enemy of the noun." With reference to truth, honesty, courage, and loyalty, who stands on this floor and says, "insofar as practicable"? Who stands on this floor when we hold up our hands and swear on the Bible that we will uphold and support the Constitution of the United States, and then says, "insofar as practicable"?

Madam President, I heard that one reason for this change was because of a situation in one of the New England States where there were no cooperatives in a given area. It is changed all through the bill, and changed for a purpose. It gives some future agency a discretion under which preference may be denied on a flimsy excuse. In the realm of discretion it would probably stand up in the courts.

A few days ago I supported a flexible farm bill recommended strongly by the chairman of the Committee on Agriculture and Forestry, the Senator from Vermont [Mr. AIKEN]——

The PRESIDING OFFICER. The time of the Senator from Virginia has expired.

Mr. ROBERTSON. Madam President, I ask for 2 additional minutes.

Mr. JOHNSON of Texas. Madam President, I yield 2 additional minutes to the Senator from Virginia.

Mr. ROBERTSON. It also was recommended by my colleague from New Mexico [Mr. ANDERSON]. Both of those Senators are devoted to the welfare of the farmer. I felt they were right in saying that in the long run our farm interests would be promoted if we gave them freedom and did not restrict them until the little man was restricted to the point of stabilized poverty.

Madam President, I am devoted to agriculture. I feel as Jefferson felt when, 24 years after he was elected to office, he said, "When I first entered on the stage of public life I came to a resolution never to wear any other character than that of a farmer."

Jefferson loved the mother earth from which he drew strength and inspiration. He was a practical farmer. He was a friend of the farmer, and he hoped the time would never come when more than 50 percent of our people were engaged otherwise than in farming. Now only 14 percent of our people are farmers and they receive only 7 percent of the national income.

One of the best things I ever did to help farmers was to vote to give them the benefit of cheap electric power.

I want any Senator who does not believe in that program and is not willing to stand by the President and the Atomic Energy Commission in giving REA preference with reference to public power from fissionable material to vote his conviction. But let him not think he is fooling anyone on this floor or in the rural areas of the Nation if he votes to modify or qualify that simple word "preference." We are either for the farmers or we are against them.

The PRESIDING OFFICER. The time of the Senator from Virginia has again expired.

Mr. MORSE. Madam President, I had prepared some remarks on the conference report on the atomic energy bill, which I did not take the time to make during the debate on the report. I ask unanimous consent that my remarks be printed in the body of the RECORD, at a point prior to the vote on the conference report.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MORSE

I would like to remind this body that the extended debates which took place here some days ago and the conference report we are confronted with at this time all relate to an effort being made to pass an amended atomic energy bill. The pressure for passage of this bill derives, ostensibly, from the desire of its proponents to meet the request of the President for amendments which would accomplish two purposes, (1) to facilitate the international exchange of information among the nations of the free world on peacetime uses of nuclear resources and (2) to facilitate increased participation of private enterprise in research and development of peacetime uses of nuclear resources.

I am emphatically in favor of both these general aims, as, I believe, is every other man who has attempted to amend this bill. Near the end of the last debates it was asserted on this floor that Senators attempting to amend this bill had been misled, misled by groups which were actually enemies of private enterprise. That statement was an unjust and unfair reflection upon the Members of this body who have fought to improve this bill; it was a reflection upon our intelligence; it was a reflection upon the many fine groups in this country who have asked us, individually and collectively, not to pass this bill either as it came from the joint committee originally or as it appears here in the conference report. The attempt to malign either the Senators who have fought to improve this bill and the peoples organizations who have solicited our assistance to that end will not be successful. When the facts are known; when the cards are down; when all has been said and done it will be those who have attempted to ram through a giveaway bill who will be held to account, by the people and by private enterprise. I do not believe that private enterprise must be handed bonanzas like this to survive. Indeed, I do not believe that a majority of the businessmen of this country favor the passage of a bill which will promote not private enterprise—but private privilege.

THE GIVEAWAY OF THE UNIVERSE

In the early part of the 19th century when the champions of privilege of that day were battling to maintain the trade barriers and monopolistic privileges which had come down from feudal times, a French writer, Frederic Bastiat, wrote an essay entitled, "Petition of the Candlemakers, a Petition from the Manufacturers of Candles, Waxlights, Lamps, Chandeliers, Reflectors, Snuffers, Extinguishers; and from the Producers of Tallow, Oil, Resin, Alcohol, and Generally Everything Used for Lights." This essay is a great classic in the literature of satire and the literature of competitive enterprise. In this essay, Bastiat reduced to absurdity the arguments of the champions of trade restriction. In this fictitious petition, Bastiat urged the French Parliament to pass a law to encourage private enterprise. He wrote:

"Our petition is, that it would please your honorable body to pass a law whereby shall be directed the shutting up of windows, dormers, skylights, shutters, curtains, * * * in a word, all openings, holes, chinks, and fissures through which the light of the sun is used to penetrate into our dwellings, to the prejudice of the profitable manufacturers which we flatter ourselves we have been enabled to bestow upon the country."

The petition, in short, called for an act of the Parliament to restrict the competition of the sun with the candlemakers and allied vested interests. It was a long recitation of the national benefits which would flow from barring competition from the sun. It was a plea for privilege, for restriction of output, for denial of the right of all of the people to equal benefits from the sun and a plea that every man be made to pay tribute to producers of artificial lights. The justifications for such a procedure were as logical as they were absurd.

This petition comes to mind when I consider this conference report. For this report, and the bill it recommends to this body, are a plea for the passage of legislation, in the name of private enterprise, presumbly competitive, free private enterprise when the results of this bill would bear little or no relation to the purposes which it purports to further. This bill is a bill to promote private monopoly and a gigantic giveaway of the peoples' resources; it is a bill which would facilitate not the development of atomic energy for peacetime purposes, but the development of private privilege monopoly, and free income, that is, unearned income.

Yet this bill, like the petition of the candlemakers, is brought to us in the name of free competitive private enterprise. Like the petition of the candlemakers, the logic of the proponents of this bill is as sound as it is absurd.

We are advised that this bill is designed to promote participation of private individuals and corporations in the development of peacetime uses of nuclear resources. Yet this bill is loaded with provisions which will only create monopoly and permit a handful of great corporations to corner the market on much of the know-how of this great new resource.

This bill deals with the stuff of the universe, the very forces of physical creation. Yet this bill has been brought in here as though it were dealing with the latest plans for the Post Office or rivers and harbors.

There is sound reason to believe that the forces we have uncovered in the nuclear field in recent years will have an impact upon humanity which will dwarf the influences growing out of the discovery of America, yet the approach here is casual—too casual for my taste and that of millions of Americans.

As a matter of fact, I do not really believe the actual approach is casual. I think it is only made to appear so. For I believe that the overwhelming purpose of this bill is a gigantic giveaway of resources, in techniques, knowledge, fuels, and what have you.

If the proponents of this bill are acting in good faith, why should they attempt to ram through a bill facing such opposition? Why were the amendments adopted in this body before the bill went to conference emasculated in conference? Those amendments were directed at protecting the people's investment, protecting the freedom of public bodies and cooperatives in participating in this great resource, protecting the people from a private monopoly on atomic-electric power, protecting the people from bottlenecking and profiteering on patents in this field of research. The proponents of this bill would, in the abstract, support every one of these principles just named, yet in the origi-

nal bill and in the conference report those principles are bludgeoned to death or emasculated to impotency. Does this not reveal the intention of those behind this bill? Is it not true that by their works shall ye know them? Is it not true that many of the proponents of this bill may have been misled by the champions of monopoly privilege into believing that this bill is good and that they will wake up shortly with a tragic hangover from the mental spree on which the friends of monopoly have led them these weeks?

I think the answers to all of these questions would lead to only one conclusion. This bill should not be passed this session, or, if it is, those who stress the urgency of its passage should ponder the consequences of the passage of it in this form and yield to the will of the majority of this body and insert in the bill the amendments passed by the Senate, and in their original form. This is the least that we can expect as an evidence of good faith on the "urgency of this bill."

On behalf of the taxpayers, consumers, farmers, indeed, on behalf of all of the people of this Nation, except those who pant with the passion of monopolistic desire, I urge that this bill be recommitted with instructions to accept the Senate amendments as approved by this body and with instructions to strike all portions of the bill in conflict with those amendments.

Mr. HICKENLOOPER. Madam President, I yield 2 minutes, or whatever time may be necessary, to the Senator from Michigan [Mr. POTTER].

Mr. POTTER. Madam President, I take this time to propound two questions to the distinguished chairman of the committee, the Senator from Iowa.

Would an electric utility company, acting as a licensee under the Atomic Energy Act, as amended, but operating within a single State and having no license to transmit electrical energy across that State's border to a sister State, be considered as engaged in interstate commerce within the meaning of this amendment so as to subject that electric utility company to the regulatory provisions of the Federal Power Act?

Mr. HICKENLOOPER. It is my personal opinion that the answer to that question is "No."

Would an electric utility company, acting as a licensee under the Atomic Energy Act, as amended, and not now subject to the regulatory provisions of the Federal Power Act, and having no license to transmit electrical energy across that State's border to a sister State, but serving customers within its own State, such as manufacturers of steel, automobiles, drugs, stoves, furniture, and other products, who are themselves engaged in interstate commerce, would such an electric utility company become engaged in interstate commerce by reason of supplying electrical energy to such customers within its own State and thus become subject to the regulatory provisions of the Federal Power Act?

Mr. HICKENLOOPER. The Senator from Michigan has presented that question heretofore. I have sought the advice of counsel on the specific question which the Senator is asking for the RECORD, and I would answer that it is my own personal opinion and that of counsel that the answer to the question is "No."

Mr. POTTER. I thank the Senator from Iowa.

Mr. HICKENLOOPER. Madam President——

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HICKENLOOPER. I yield myself 5 minutes.

Madam President, the cry of "monopoly" is always a clarion call by which politicians can rally support and excite crowds. It is difficult to discuss a bill and point out something which is not there. There is nothing whatsoever in this bill which would create monopoly. There are provisions throughout the bill to prevent monopolies, and providing punishment for monopolistic practices and monopolistic activities. The licensing sections provide for licensing of those who can qualify, both public and private cooperatives, and public bodies.

In my judgment, there will be no more of a monopoly than may have existed in the past—in fact, not as much. There will be no more of a monopoly in this field in the future than there has been in the electric business or the electric activities of this country during the period of development of electricity in past years.

The great misconception prevails that the uranium business is something which can be taken into a small enclosure and there concealed and held as the personal property of some individual or group. Again I submit that there is not the slightest evidence in the bill that that can be done. In my judgment, those allegations are only for the purpose of exciting those who are not thoroughly familiar with the bill.

Mr. BRICKER. Madam President, will the Senator yield?

Mr. HICKENLOOPER. I believe that Members of the Senate who have made such allegations have been misinformed.

I now yield to the distinguished senior Senator from Ohio [Mr. BRICKER].

Mr. BRICKER. There could be no monopoly unless it were with the consent of the local governing body, because a franchise is necessary before any organization producing power can go into any city. Is that not true?

Mr. HICKENLOOPER. That is correct, but the alleged monopoly over the right to use atomic energy is nonexistent in the bill. If a public utility or a cooperative should receive a license to use it in a certain area, it would not necessarily have a monopoly over the material, but it would have a power monopoly in that community similar to the power monopoly which now exists in every community.

Mr. BRICKER. It is inherently a public utility.

Mr. HICKENLOOPER. It is a local monopoly.

Mr. BRICKER. And the Commission must furnish, under lease arrangement, the source material to all under equal conditions.

Mr. HICKENLOOPER. The Senator is correct. I wish to make it clear in the RECORD, however, that this is dangerous material, and any applicant for a license must meet certain qualifications of ability to handle such dangerous material, so as to protect the public against infection.

Mr. BRICKER. That provision relates to the health and safety of the public.

Mr. HICKENLOOPER. Otherwise, the license is nonexclusive, and is open to anyone who can qualify, subject only to the limitation of the amount of material which may be available for such use.

Mr. BRICKER. I ask the Senator whether or not this material would become the property of the power-producing company or whether the title would still remain subject to recapture by the Atomic Energy Commission.

Mr. HICKENLOOPER. The essential part of the material is leased to the licensee. The only reason in the world for the lease is that of the national security, against the time when our Government may have to recall that material for weapon production. Frankly, that is the only reason in the world to justify such a lease. If it were not for that, uranium and its products would be as free as any other metal in the ground, or the oil which so abundantly blesses the State of the Senator from Oklahoma.

Mr. BRICKER. I thank the Senator from Iowa.

Mr. HICKENLOOPER. I yield 3 minutes to the Senator from Wisconsin [Mr. WILEY].

Mr. WILEY. Madam President, much has been written about what the conferees on the atomic energy bill should or should not have done. In the midst of other passing and pressing activities, I have been glad to give consideration to the portions of the conference report which have caused so much discussion.

I have reference particularly to the REA challenges referred to on page 12; in section 44, the words "insofar as practicable"; and on page 36 the same words, "insofar as practicable." I have discussed the subject with both Democrats and Republicans. I have received numerous telegrams from REA officials in my own State. I have talked the matter over with representatives of the President, and I have discussed it personally with the President of the United States.

These are the closing days and hours of this session. Men differ on practically everything, including the meaning of language and the significance thereof. Personally, I do not believe that the language which I have discussed—"insofar as practicable"—has the limiting effect that has been stated, but I am informed that steps will be taken by joint resolution to clear up this question. That would eliminate probably the largest issue. Of course, if the report fails, then the conferees can make this change.

If the bill should become law, the real question would be, Is it in the public interest? To me, that is the sole criterion.

I remember what the distinguished late Senator Vandenberg, of Michigan, said about Senators. He said that for 5 years we are statesmen, and the sixth year God Almighty does not know what a Senator is. Sometimes I think in an election year God Almighty does not know what Senators are, for the simple

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reason that Senators allow the political equation to enter into and dictate their activities and their reasoning. That, of course, is not true of anyone listening to me here today. Politics does not enter into our work here today—or does it?

I am assured by the President of the United States that he has had the advice of the best authorities in relation to the objections of officials of the REA and others in relation to the patent section.

The PRESIDING OFFICER. The time of the Senator from Wisconsin has expired.

Mr. HICKENLOOPER. I yield the Senator from Wisconsin 2 more minutes.

Mr. WILEY. In relation to the objections raised, the President stated that he had written to the Senator from Iowa [Mr. HICKENLOOPER] on the subject. The President stated to me that in his opinion the passage of the bill was in the public interest, and that it would not create a monopoly.

Madam President, the President is the leader of my party, and he has the confidence of the American people. I am not a member of the committee which has had this question under consideration. I have listened to much that has been said on the floor of the Senate relative to the subject. I understand that the conference report was signed by all but 3 of the conferees, those who did not sign being Democrats, 2 in the Senate and 1 in the House.

In view of all of the facts and circumstances, and the direction and wisdom which come from the White House, I feel that I should support the conference report. Also, in order to clear up the maze of misunderstanding, I shall vote to delete, by joint resolution, the words "insofar as practicable."

Mr. GORE. Will the Senator yield?

Mr. WILEY. I yield to the Senator from Tennessee.

Mr. GORE. Does the Senator seriously propose that the Senate agree to the conference report and write it into the law, and in the very same breath pass a joint resolution repealing the same things? Would not that be a bizarre performance?

Mr. WILEY. I do not know what the distinguished Senator means by "bizarre." I have seen a good many bizarre performances and a number of jackass performances in the Senate, but I would not say this was one of them; legislative action to strike out the clause referred to makes sense to me. It would not repeal the bill.

If we admit in humility that there is confusion, and we clear it up by striking out a clause, we are doing the constructive and statesmanlike thing. That is all that has been suggested. To quarrel over the method is foolishness, unless of course there is some political end to be served.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HICKENLOOPER. Madam President, our time is growing very short. I yield 2 minutes to the Senator from Oregon [Mr. CORDON].

Mr. CORDON. Madam President, I shall vote to adopt the conference report. In doing so, I want it understood that I am not in agreement with a number of the items in the report. I believe that ultimately the meat of section 152 of the bill as it passed the Senate needs to be enacted into law. I also believe that most of the arguments which have been advanced today are based on misunderstanding of both the conference report and the physical facts of atomic energy. Because the bill as it appears in the conference report embodies some basic administration changes that are absolutely necessary and, what is far more important and altogether vital, security provisions which every passing day makes even more desperately needed, I shall support the conference report. I am sure that when a full understanding of the basic facts of atomic energy is had we will be able to evolve the kind of a law my colleagues have indicated they desire and which, to a very great extent, I desire. There is adequate time to do that in separate legislation without incurring the danger of having no legislation at this time, which may well happen if we reject the conference report.

Mr. HICKENLOOPER. Madam President, I have received a letter from the President of the United States in answer to a letter which I addressed to him on the 11th of August concerning the allegations that the bill, as it has come from conference, if enacted into law, would injure the REA and would create a monopoly. I ask unanimous consent that a copy of the letter be printed in the RECORD at this point as a part of my remarks. The letter clearly negates those allegations.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AUGUST 12, 1954.

The Honorable BOURKE B. HICKENLOOPER,
United States Senate,
Washington, D. C.

DEAR SENATOR HICKENLOOPER: I have your letter of August 11, 1954, with reference to allegations that the provisions of H. R. 9757, the atomic-energy bill now before the Congress, will adversely affect the Rural Electrification Administration program or the REA cooperatives.

One of the basic and important principles of this administration has been and will continue to be the protection, strengthening, and extension of rural electrification through the REA in the interests of the millions of farm people.

I have examined this legislation carefully and have consulted with fully informed agencies of Government about it. It is my opinion that the bill does not contain any provisions that would be in any way harmful to REA cooperatives or to the Rural Electrification Administration. In fact the bill can greatly benefit the REA program in the future.

In the event that atomic power becomes an economical source of electric energy, the REA cooperatives should and will have protection as preference customers. The bill adequately provides for such protection.

I am directing the Administrator of the Rural Electrification Administration to keep me fully advised concerning these matters, and to make recommendations to me for developing the use of atomic power for the REA program.

With reference to the claim being made that the bill will establish a monopoly, I think the provisions of the bill itself give complete assurance of protection of the public interest against monopolies. Its provisions with respect to patents adequately meet my recommendations on this subject and will prevent use of patents for monopolistic purposes.

The vital interest of the United States and the cause of world peace make it a matter of utmost importance that the bill as reported by the committee of conference and passed by the House of Representatives, be enacted.

Sincerely,

DWIGHT D. EISENHOWER.

Mr. HICKENLOOPER. I now yield to the Senator from California [Mr. KNOWLAND] such time as he may require. I ask that 2 minutes be reserved at the end of the remarks of the Senator from California.

The PRESIDING OFFICER. The Senator from California is recognized.

Mr. KNOWLAND. Madam President, if I may have the attention of the distinguished Senator from Nevada [Mr. MALONE] there was a discussion of the conference report today, and the Senator from Nevada and other Senators asked questions regarding the words, "insofar as practicable," believing that those words might water down the preference clause relative to waterpower distribution.

I am prepared now to say to the Senate that I have consulted with the leadership in the House and those who will handle the atomic energy bill on the floor of the House. I am prepared to follow 1 of 2 alternative courses. One is to submit a concurrent resolution reading as follows:

That in the enrollment of the bill H. R. 9757, entitled "An act to amend the Atomic Energy Act of 1946, as amended, and for other purposes," the Clerk of the House is authorized and directed to make the following corrections:

On page 12, of the conference report, line 35, strike out "insofar as practicable."

On page 36, of the conference report, line 44, strike out ", insofar as practicable."

I wish to be absolutely frank with Senators on both sides of the aisle. Under the Senate precedents, a concurrent resolution to accomplish the objective would require unanimous consent; but it would solve the problem, and the House could handle the situation on Monday.

To meet any possible objection to the concurrent resolution, I have already introduced a Senate joint resolution which reads as follows:

That "An act to amend the Atomic Energy Act of 1946, as amended, and for other purposes" be amended as follows:

In chapter 5, section 44, in the third sentence, after the words "the Commission shall" strike out the words "insofar as practicable."

In chapter 16, section 182, section "c", in the last sentence, after the words "such applications shall" strike out the words ", insofar as practicable."

I am assured by the leadership in the House that the House will be prepared to act on Monday on the joint resolution. Then both the atomic energy bill and the joint resolution would go to the President. He would sign the atomic energy bill first. Immediately thereafter he would sign the joint resolution, and the words objected to by the distinguished Senator from Nevada would be out of the law.

Mr. GEORGE. Madam President, will the Senator yield?

Mr. KNOWLAND. I have only about a minute, but I yield to the distinguished Senator from Georgia.

Mr. GEORGE. If the Senator can rely on the House in this way, why could he not rely upon the committee of conferees, who know most about this subject, to take the bill back and make the necessary adjustments in a short time?

Mr. KNOWLAND. I will say to the distinguished Senator from Georgia that two basic problems confronted us. One dealt with the power preference, and the words "insofar as practicable," which some Senators felt modified the preference.

Mr. GEORGE. I have listened to every word of the debate today.

Mr. KNOWLAND. The other problem dealt with the patent feature.

Having served on the conference committee, it is my personal opinion that should the bill go back to conference with several items in disagreement, we might find that the bill would be killed this year, or there might be a prolonged delay in the adjournment of the two Houses of Congress. That is a personal opinion. The Senator from Georgia has been a Senator longer than I have, and his judgment may be better than mine.

Mr. GEORGE. I do not wish to encroach upon the time of the Senator from California, but there is no way to change a conference report by a concurrent resolution. It cannot be done. A point of order could be raised in either House. A joint resolution is a legislative step, which must be taken in the same manner as in the case of any other legislation. In my judgment, if the bill should become law, there would be too many powerful vested interests in the way of changing the law by a joint resolution.

Mr. KNOWLAND. I respectfully disagree with the distinguished Senator from Georgia. I think by unanimous consent the concurrent resolution method could be used. From time to time both the Senate and the House have handled legislation in that way.

The PRESIDING OFFICER (Mr. PURTELL in the chair). The Chair must advise the Senator that his time has expired.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JOHNSON of Texas. How much time remains on each side?

The PRESIDING OFFICER. The Senator from Iowa has 2 minutes remaining, and the Senator from Texas has 5 minutes remaining.

Mr. JOHNSON of Texas. Mr. President, I yield myself 3 minutes.

The proposal as announced by the distinguished chairman of the Committee on Foreign Relations, to the effect that we should abandon the conferees and start legislating on the conference report was one of the most shocking announcements I have ever heard made in the Senate. Mr. President, the situation is ridiculous. The action proposed would make a laughing stock out of the United States Senate.

There are two principal issues at stake today. One is the phrase "insofar as practicable." The distinguished majority leader assures the Senate, within 4 minutes of the time we are called upon to vote on the conference report, that he and his leadership, and some leaders in the House, whoever they may be, are willing to strike out that offensive language.

The Senator does not say a word about the anti-monopoly section—the patents section. The distinguished Senator from Oklahoma [Mr. KERR] told the Senate a few moments ago that he was willing to accept the patents section, reported and supported by every member of the Joint Committee on Atomic Energy but one.

It seems to me that we should follow orderly procedure. We should send this bill back to conference. If we vote "no" on the adoption of the conference report, the minority leader proposes to ask immediately for a conference with the House, to insist on the Senate amendments, and appoint conferees.

The House of Representatives is going to be unavailable this week. The House will be in session next week. No one thinks Congress will be through by Saturday night. Why should we brand our conferees as men in whom we have no trust and no confidence, and say they know nothing about the bill? Why come in here with a mimeographed amendment 4 minutes before the conference report is to be voted on?

I appreciate the concessions which have been made. I think the very fact that the Senator from Wisconsin [Mr. WILEY] made his suggestion indicates that our worthy opponents recognize the mistakes they have made. I do not wish to dwell on their mistakes, because I could not do it in 4 minutes.

Mr. President, I think the orderly procedure is for every Member of the Senate, when the roll is called on the adoption of the conference report, to vote "No"; and if the conference report is not adopted, we will immediately make a motion to send this bill back to conference, insist on the Senate amendments, and appoint conferees. That is the orderly procedure, and I believe the Senate will follow it.

The PRESIDING OFFICER. The Senator's 3 minutes have expired. There are 2 minutes remaining for the Senator from Iowa [Mr. HICKENLOOPER] and 2 minutes remaining for the Senator from Texas [Mr. JOHNSON].

Mr. HICKENLOOPER. I yield 1 minute to the Senator from Nevada [Mr. MALONE].

The PRESIDING OFFICER. The Senator from Nevada.

Mr. MALONE. Would there be any objection to a joint agreement to strike out these words? I ask that question of the distinguished majority leader.

Mr. KNOWLAND. I would have no objection. I have said I would offer a resolution, but it would require unanimous consent to adopt a concurrent resolution. I could move to take up the joint resolution.

Mr. MALONE. The junior Senator from Nevada has no objection to this bill, except as to the words included in the two parts of the bill he outlined this morning, and will vote for the conference report if it excludes those words.

The procedure for excluding those words must be definite, of course, so it might be well to find out if there is an objection.

The PRESIDING OFFICER. The Senator's 1 minute has expired.

Mr. HICKENLOOPER. Mr. President, I yield myself 1 minute.

It is not possible under the parliamentary procedure to exclude words prior to the vote on the conference report. Immediately after the vote on the conference report, if the conference report is adopted, a resolution will be offered by the Senator from California. That is the only proper procedure the parliamentarian knows which can be followed. It cannot be done otherwise.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. MUNDT. The Senator from South Dakota understands that this action will be a complete victory, because we have been trying to sustain the preference clause. There is no question but that that will be done, because the majority leader has said that if it cannot be done by unanimous consent it will be done by adoption of a regular joint resolution.

Mr. HICKENLOOPER. May I say to the Senator I do not agree that it is a complete victory, because the preference clause was in the bill anyway.

Mr. MUNDT. But this action will put it into language.

Mr. HICKENLOOPER. It is a matter of the use of words, which satisfies those who feel it was not covered.

Mr. MUNDT. It is a change in language.

The PRESIDING OFFICER. The time of the Senator has expired. Two minutes remain for the Senator from Texas [Mr. JOHNSON].

Mr. JOHNSON of Texas. Mr. President, I yield 2 minutes to the distinguished Senator from Georgia [Mr. GEORGE].

Mr. President, I ask for order.

The PRESIDING OFFICER. The Senate will be in order.

Mr. GEORGE. Mr. President, I dislike to take any time to speak on this conference report. When the bill was before the Senate, and after it had been amended as it was amended in the Senate, I was prepared to vote for the bill.

Mr. LANGER. Mr. President, may we have order? We cannot hear.

The PRESIDING OFFICER. The Senate will be in order, and the Chair asks the guests in the gallery to be in order also.

The Senator from Georgia will continue.

Mr. GEORGE. I had just said, Mr. President, that when we considered the bill in the Senate, and after the amendments had been made to the bill, I was prepared to vote for the bill as amended. However, I do most of my voting before 8 o'clock at night, and the final vote on this bill came at 10 o'clock in the evening, and I was not here. I was prepared to vote for the bill with the Senate

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amendments. I would still vote for the bill with the Senate amendments.

There is now an effort to doctor the conference report, first by a resolution, which would require unanimous consent. We could not get unanimous consent, because the concurrent resolution would be subject to a point of order in the Senate and in the other House, and an individual objection could block it.

Of course, we can always pass a law and the next day repeal it, but why pass a law just for the sake of repealing it? That is not the orderly process.

Although the distinguished majority leader thinks such action could be taken, he will find that if this bill becomes a law there are interests in this country who will insist on it remaining law. The joint resolution which the majority leader would offer would have the full effect of a statute. It would be just as though we put a bill in the hopper, and passed it, if it took its orderly course.

In this case, Mr. President, I shall regard this as the most important vote I shall cast at this session of the Congress, and perhaps the most important vote I have ever cast. I shall vote to recommit the bill to conference by rejecting the conference report.

The PRESIDING OFFICER. All time for debate has expired. The question is on agreeing to the conference report.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gore	McCarran
Anderson	Green	McCarthy
Barrett	Hayden	McClellan
Beall	Hendrickson	Millikin
Bennett	Hennings	Monroney
Bowring	Hickenlooper	Morse
Bricker	Hill	Mundt
Burke	Holland	Murray
Bush	Humphrey	Neely
Butler	Ives	Pastore
Byrd	Jackson	Payne
Carlson	Jenner	Potter
Case	Johnson, Colo.	Purtell
Chavez	Johnson, Tex.	Reynolds
Clements	Johnston, S. C.	Robertson
Cooper	Kefauver	Russell
Cordon	Kennedy	Saltonstall
Crippa	Kerr	Schoeppel
Daniel	Kilgore	Smathers
Dirksen	Knowland	Smith, Maine
Douglas	Kuchel	Smith, N. J.
Dworshak	Langer	Stennis
Ellender	Lehman	Symington
Ervin	Lennon	Thye
Ferguson	Long	Upton
Frear	Magnuson	Watkins
Fulbright	Malone	Welker
George	Mansfield	Wiley
Gillette	Martin	Williams
Goldwater	Maybank	Young

The PRESIDING OFFICER. A quorum is present.

Mr. KNOWLAND. Mr. President, I request the yeas and nays.

The yeas and nays were ordered.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JOHNSON of Texas. The question is on agreeing to the conference report, is it not?

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The PRESIDING OFFICER. The yeas and nays having been ordered, the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MAYBANK (when his name was called). On this vote I have a live pair with the distinguished senior Senator from New Hampshire [Mr. BRIDGES]. If he were present—and he had intended to be present—he would vote "yea." If I were permitted to vote, I would vote "nay." I therefore withhold my vote.

Mr. JENNER. My colleague, the distinguished senior Senator from Indiana [Mr. CAPEHART], is in Indiana on official business. He had intended to return to the Senate and to vote in the affirmative.

The distinguished senior Senator from Mississippi [Mr. EASTLAND] is also absent from the Senate on official business. He had intended to return and to vote in the negative.

In view of the circumstances, the Senator from Indiana and the Senator from Mississippi have entered into the equivalent of a live pair, thereby eliminating the necessity of their returning to vote.

The rollcall was concluded.

Mr. SALTONSTALL. I announce that the Senator from Vermont [Mr. FLANDERS] and the Senator from Pennsylvania [Mr. DUFF] are necessarily absent.

On this vote, the Senator from Vermont [Mr. FLANDERS] is paired with the Senator from Alabama [Mr. SPARKMAN]. If present and voting, the Senator from Vermont [Mr. FLANDERS] would vote "yea," and the Senator from Alabama [Mr. SPARKMAN] would vote "nay."

If present and voting, the Senator from Pennsylvania [Mr. DUFF] would vote "yea."

Mr. CLEMENTS. I announce that on this vote the Senator from Alabama [Mr. SPARKMAN], who is necessarily absent, is paired with the Senator from Vermont [Mr. FLANDERS]. If present and voting, the Senator from Alabama would vote "nay," and the Senator from Vermont would vote "yea."

The result was announced—yeas, 41, nays 48, as follows:

YEAS—41

Aiken	Ferguson	Potter
Barrett	Fulbright	Purtell
Beall	Goldwater	Reynolds
Bennett	Hendrickson	Saltonstall
Bowring	Hickenlooper	Schoeppel
Bricker	Ives	Smith, Maine
Bush	Jenner	Smith, N. J.
Butler	Knowland	Thye
Byrd	Kuchel	Upton
Carlson	Martin	Watkins
Case	McCarthy	Welker
Cordon	Millikin	Wiley
Crippa	Mundt	Williams
Dirksen	Payne	

NAYS—48

Anderson	Hennings	Magnuson
Burke	Hill	Malone
Chavez	Holland	Mansfield
Clements	Humphrey	McCarran
Cooper	Jackson	McClellan
Daniel	Johnson, Colo.	Monroney
Douglas	Johnson, Tex.	Morse
Dworshak	Johnston, S. C.	Murray
Ellender	Kefauver	Neely
Ervin	Kennedy	Pastore
Frear	Kerr	Robertson
George	Kilgore	Russell
Gillette	Langer	Smathers
Gore	Lehman	Stennis
Green	Lennon	Symington
Hayden	Long	Young

NOT VOTING—7

Bridges	Eastland	Sparkman
Capehart	Flanders	
Duff	Maybank	

So the conference report was rejected.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate insist upon its amendments, request a further conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. HICKENLOOPER, Mr. KNOWLAND, Mr. BRICKER, Mr. JOHNSON of Colorado, and Mr. ANDERSON conferees on the part of the Senate.

SOCIAL SECURITY AMENDMENTS OF 1954

The PRESIDING OFFICER (Mr. PURTELL in the chair). The Chair lays before the Senate the unfinished business, H. R. 9366.

The Senate resumed the consideration of the bill (H. R. 9366) to amend the Social Security Act and the Internal Revenue Code, so as to extend coverage under the old-age and survivors' insurance program, increase the benefits payable thereunder, preserve the insurance rights of disabled individuals, and increase the amount of earnings permitted without loss of benefits, and for other purposes.

EMERGENCY MARCH OF DIMES OF THE NATIONAL FOUNDATION FOR INFANTILE PARALYSIS

Mr. FREAR. Mr. President, I have learned with deep concern of an emergency that has created the need for the Emergency March of Dimes of the National Foundation for Infantile Paralysis.

For many years I have had a vital interest in the battle against polio. Like millions of other Americans, I felt a tremendous encouragement upon reading that trial vaccine had been developed by Dr. Jonas E. Salk, a grantee of the National Foundation at the University of Pittsburgh. Here was concrete hope that something might be forthcoming which would prevent the crippling caused by this disease.

Although hundreds of thousands of children received injections of the potential vaccine last spring, polio incidence across the Nation today is mounting. This has created a grave emergency. Because so much of the funds contributed to the March of Dimes by the American people have gone into the vaccine trials, and into the purchase of gamma globulin, a temporary preventive, funds are exhausted for care of thousands of patients who need help.

I am certain all of us, realizing the situation, will wish to support the emergency march of dimes scheduled for August 16 to 31 to obtain an additional $20 million for programs of polio prevention and patient aid. Both efforts are the result of strong public support in the past. Now, in this year of crisis, neither program must be allowed to falter.

Mr. President, I am sure I express the warmest hope and conviction of the

United States Senate for the success of the emergency march of dimes together with our heartfelt prayers that the urgently needed funds will be raised.

Through this midsummer appeal we may bring much closer the day when the Nation's children no longer need fear the crippling after effects of polio.

THE PROPOSED DEPORTATION OF MRS. MATRONA G. KARPUK

Mr. BEALL. Mr. President, I am introducing a bill today for the relief of Mrs. Matrona G. Karpuk, realizing that it is very unlikely the bill can be acted on during this Congress.

However, Mrs. Karpuk has appealed an order of deportation to the Board of Immigration Appeals and the Board probably will not hear the case until in the fall, and I plan to notify the Attorney General and the Commissioner of the Immigration and Naturalization Service that the bill will be reintroduced at the next session of Congress in the event that is necessary.

My interest in this case was aroused as a result of articles in the Baltimore Sun reporting that this 61-year-old grandmother was ordered deported after 42 years in the United States.

The Baltimore Sun commented editorially by saying:

> That her son fought in World War II as a major and that she is loyal to her adopted country are facts ruled out as irrelevant by the immigration examiner.
>
> We suggest that further proceedings in the case of the United States versus Grandma Karpuk amount to persecution so far as grandma is concerned, and are a waste of time so far as the United States of America is concerned, and that the President ought to step in and tell the Attorney General to tell these vigilant bureaucrats to stop persecuting grandma and bait their hooks for bigger fish.

Following these newspaper stories I invited Mrs. Karpuk, her husband, son, and daughter to visit me, and I then wrote to the Attorney General requesting that he review the entire case.

The matter is now before a board of review, but, unfortunately, it will not be disposed of until after Congress adjourns. Therefore, I am introducing this bill at this time and will reintroduce it next January if necessary.

I sincerely hope that prior to January the Department of Justice will have given a favorable decision in this case and introduction of the bill will not be needed.

AFTER GENEVA: AMERICAN POLICY—GERMANY AND JAPAN

Mr. MANSFIELD. Mr. President, throughout the spring and summer the problem of Indochina has come periodically to the attention of the Senate. It has been perhaps the most important question of foreign policy to arise during the 83d Congress. From time to time I have had occasion to make observations on the subject here on the floor of the Senate. More often I have listened to others and enriched my understanding of the issues involved.

The conflict in Indochina has been stilled by the armistice recently negotiated in Geneva. This conflict is not likely to erupt again in the next few months; nor is there much likelihood that diplomatic activity now in progress looking to the defense of southeast Asia will lead to fruitful results in the immediate future.

The tide of international affairs is flowing on in the aftermath of Geneva to new crests elsewhere on the globe. I should like, therefore, to address myself to the situation in two other areas—areas which in the next few months may become keys of decision in the struggle to turn back the drive of totalitarian communism. These areas are Germany and Japan.

Before doing so, however, if the Senate will bear with me for a few moments, there are some matters of conscience which I should like to set forth. In the heat of debate on the Indochina issue some of us may have slipped momentarily into partisanship. For the most part, however, these discussions of Indochina have represented a searching for an honest understanding of the problems which beset us in southeast Asia and their relationship to our policies throughout the world. They have been an attempt to find answers—the best answers for the United States—not as Republicans or Democrats but as Americans.

That, in my opinion, is as it should be. While there is no constitutional obligation to compel the majority and minority to cooperate on foreign policy, I think the preservation of the Nation urgently requires us to work together with respect to these vital matters.

I do not mean that we should agree simply for the sake of agreement, even when conscience compels us to disagree. I do say, however, that we should refrain from seeking partisan advantage out of the misfortunes which the entire Nation sustains when our foreign policy misfires.

Some sought precisely that type of advantage, perhaps unwittingly, in the fall of China to the Communists several years ago. They may have gained, temporarily, from this course, but the Nation as a whole is still paying for their thoughtless political profit. I hope that others will not follow this example, and seek similar gain out of the collapse of policy in Indochina. The temptation to take an eye for an eye in this situation is great, but it should be resisted.

Both this administration and its predecessor have made important mistakes in foreign policy. There is no perfection in the conduct of foreign affairs any more than in any other human activity. Nor has either party a monopoly on the sincere devotion to the welfare of the country and the wisdom which alone can guarantee that the policies we pursue as a Nation will be the best possible policies. It is one of the functions of debate in the Senate to bring to light mistakes which may be made, and, as far as possible, to point the way to their correction. At the same time, however, it is in the interests of the Nation to recognize that both administrations—one Democratic, one Republican—have done their best to grapple with the present threat to us all from abroad, the threat of international communism.

It is against this threat that we must direct our common effort if we are to survive and prosper as a free nation. If we dissipate our strength in petty internal dissent and fruitless name-calling we shall have little left for deployment against the real enemy.

One of the basic aims of the Soviet Union is to divide us among ourselves. Without realizing it, many of our own people have in effect supported this aim. They have spoken and acted in a manner which tends to bring about an irreparable cleavage between the two great political parties over issues of foreign policy. Such statements and actions, if continued, can only lead to the weakening and the ultimate ruin of the Nation.

The way to avoid this catastrophe has been shown by the bipartisan manner in which the able, distinguished, and courageous Senator from Wisconsin [Mr. WILEY] has served as chairman of the Foreign Relations Committee and the cooperation he has received in this respect from the able and distinguished Senator from Georgia [Mr. GEORGE]. It has also been illuminated by the remarks of the distinguished majority leader [Mr. KNOWLAND] and the distinguished minority leader [Mr. JOHNSON of Texas]. The majority leader, several weeks ago, stated:

> Neither of our great political parties has a monopoly on patriotism. * * * Let us, here and now, Republicans and Democrats alike, recognize that there is only one group that can properly be charged with being "the party of treason" and that is the Communist Party and the underground conspirators.

The minority leader, answering for those on this side of the aisle, replied by saying:

> We are ready to meet the President and the administration half way. As responsible men, we are ready at any time to cooperate in the preservation of our country.

These two statements contain principles of responsible leadership which set the Nation's interest above the transitory interests of either party. If they prevail, the Nation will be safe regardless of the perils which may beset us abroad. I trust that the integrity of these principles will be maintained in the political campaign of 1954, which they were not, unfortunately, in the political campaign of 1952.

It would be helpful if these principles were also reflected in congressional attitudes toward the Secretary of State. Secretaries of State, traditionally, are not expected to be popular, except in historical perspective. Nor have they, I regret to say, as a rule, violated this tradition.

It is time to recognize, however, that they have made significant contributions to the welfare and security of the Nation. It is time to stop making a whipping boy out of the incumbent of this office, whoever he may be, and to recognize that his job is and will always be difficult at best. It is time to recognize that the men who have occupied the office in recent years, whether Republican or Democrat, without exception have striven with deep devotion to their duties to

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safeguard this Nation, within the limits of their capacity and their support.

There is a legitimate scope for criticism of the Secretary of State. There is nothing sacrosanct in that office any more than in any other office in the Government. But if the criticism of the Secretary stems from the search for a scapegoat, if it stems from destructive partisan purpose, then it would be better for the Nation if it remained unexpressed. Growing out of motivations such as these, criticism can serve only to reduce the Secretary to impotency in the conduct of his office. It will tie his hands at a time when all his skills must be mobilized if he is to deal effectively with the treachery, the force, and the trickery of the Communist enemy.

With these thoughts—these bipartisan thoughts—in mind, I should like to proceed now to a consideration of certain aspects of the international situation which are beginning to rise to the surface in the wake of the Geneva Conference. For the first time in many years, the guns are silent on every major front in the world. This unusual quiet does not signify genuine peace. While it lasts, what we may have is a period of shaky and uncertain coexistence.

Some may dislike the term "coexistence." Some may prefer the word "truce," or the phrase "war without guns." Whatever the preference in idiom, however, the fact is that we are either engaged in war in which Americans and others in considerable numbers are being killed and maimed, or we are in a phase of nonwar or cold war or so-called coexistence.

The danger in using the word "coexistence" to describe the present state of world affairs is that the coexistence may be illusory. It may be simply the lull before the storm which gives a false sense of security to some and a sense of oppressive uneasiness to others.

Coexistence in a world stalked by totalitarian communism is indeed illusory unless it is based on the utmost vigilance on our part, unless it is supported by a level of strength among the free nations that discourages aggression and the threat of aggression.

The strength to which I refer is not to be measured solely in terms of atomic and conventional military hardware on hand and ready for use. This is an important element, but strength is also compounded of many other factors. It includes the moral fiber of a people, or to put it another way, their staying power; it includes the diplomatic capacity to win and maintain the willing and active cooperation of other nations and the neutrality of still others; it includes strategic considerations; it includes economic health and vitality.

Strength in an international sense is also a relative term. It is, today, the total strength—moral, diplomatic, military, strategic, and economic—of the nations linked together freely in the cause of freedom as against that of the Communist bloc, marshaled under the command of Moscow. A relative gain in any of these factors on our part means a relative weakening of the total strength of international communism. Any relative gain on their part, in any category, similarly means a weakening of our position.

For some time, it seems to me, the relative strength of the Communist bloc has been increasing in several of the categories to which I have referred. In military preparedness, we have been cutting back and reducing our Army, Navy, and Marine Corps; the Communists have been increasing theirs. According to a recent newspaper column, the Communist camp now contains approximately 430 infantry divisions. On our side, I understand that in addition to our 17 Army and 3 Marine Corps divisions, there are approximately 100 allied divisions extending from Norway through Turkey. Perhaps another 40 or 50 divisions are available in the Far East. The Communists already possess formidable air power, and it is increasing; they are pushing a vast naval building program. Their arsenal of atomic and hydrogen weapons is expanding rapidly as is their research in scientific developments along these lines.

To a great extent, this growth in Communist military power is based on the rapid development of industrialization, not only in Russia but in the satellites of the Soviet bloc. So great has been this development that the Communists are now beginning to move into international markets in considerable force. Newspaper reports indicate that envoys from Moscow and Peking have made their appearances in capitals as far apart as Buenos Aires and Singapore, Oslo and Canberra, seeking wool, chemicals, steel, rubber, machinery, and consumer goods. Similarly, many trade missions are visiting the Communist capitals.

The greatest potential for a growth in the relative strength of the Communists, however, seems to me to be found in the diplomatic field. In practically every major area of the world, they are on the diplomatic offensive. This is especially true in Europe and Asia. Molotov is again pressing for a consideration of a security pact in Europe, and now, after Geneva, his proposal may receive a different reception than similar proposals have obtained in the past.

On the other end of the Moscow-Peking axis, Chou En-lai is attempting to charm the countries of Asia into similar so-called security arrangements aimed at the United States. In view of India's progressive estrangement from this country in recent months, the activities of the Chinese Communist foreign minister contain implications of the most serious nature.

There are great stakes involved in the diplomatic struggle that is now in progress. Here it is not a matter of a few resources, a few strategic positions, and a reluctant people being seized by the Communists and dragged into their camp. In this diplomatic struggle, the willing allegiance or the benevolent neutrality of entire nations is involved.

The Communists are striving, by a combination of diplomacy and economic enticements, to drive the free nations further and further apart and to draw as many of them as possible into their orbit or into an intermediate stage of neutralism. The greater their success in this drive, the more inadequate our relative strength becomes, and the more illusory the shaky coexistence that rests upon it.

If this drive goes unchecked by the counterforces of freedom, then it seems to me that 1 of 2 possible results may be expected. A third World War will take place at some time in the not too distant future when the illusion of coexistence dissolves; or the world will witness the gradual surrender without struggle of most of the free nations to totalitarianism.

It is a grim prospect which confronts us, and because it is so grim, I want to call to the attention of the Senate the situation in two areas in which I believe a decisive test of the Soviet diplomatic drive will come. I refer to the countries of Germany and Japan.

These two nations possess powerful sinews of strength of the kind I have previously described. Vast, literate, and capable populations give them an enormous military potential. Advanced industrial establishments supply them with great economic and scientific power. Situated, as they are, on the western and eastern fringes of the sprawling Communist empire, they have incalculable strategic importance.

Western Germany and Japan are presently linked to the free nations by ties which evolved out of the military occupations following World War II. In the case of Germany, these are still ties of inequality; in the case of Japan, they are ties between sovereign equals. In both cases, however, situations have developed which could bring about a severance of the ties and thrust Germany and Japan into neutral positions, or even into close relationships with the Communist powers.

These developments have not come about suddenly, although they appear now to be approaching a climax with great rapidity—especially in Germany. As long ago as 1949, however, they were beginning to become evident. I visited Germany in that year and reported to the House Foreign Affairs Committee on my return as follows:

> West Germany, in spite of the difficulties it has faced in the postwar years, is on the way up. * * * Although Germany is at the present time in a very weak position with two separate governments, it is potentially the strongest nation in western Europe, Germany is, in my opinion, the big prize which the U. S. S. R. now wants and, if necessary, she can and perhaps will offer the Germans some of the lands which have been taken away from them and are now occupied by Czechoslovakia and Poland. This, plus the creation of a Russian-dominated East German army, plus the Russian championship of a united Germany—on Russian terms—poses a difficult problem for the West.

That was the situation 5 years ago. The same situation, intensified, exists today. It is intensified, I believe, primarily because of a possible change in Soviet tactics with respect to Germany. The Russians may now be on the verge of offering important concessions, economic and political, to the Germans. They may be prepared to do so on the basis of 1 or 2 principal conditions: First, that the Germans abandon their plans for participating in the integration of

the defense of Western Europe; and, second, that the military forces of East Germany, Russian-trained and equipped, be incorporated into the defense structure of a united Reich. In connection with this latter condition, the role of former Field Marshal Friedrich von Paulus will bear watching. He is the general who surrendered at Stalingrad and subsequently was director of the schools established in Russia to reindoctrinate German war prisoners.

If the Russians intend to act along these lines, then the appeal of national unity may well prove irresistible to the German people; it may lead them, in present circumstances, away from the West.

Under Chancellor Konrad Adenauer, Western Germany has accepted the course of western European integration first and national unity later. The Germans have accepted this course in preference to one of national unity, Soviet style, and absorption into the Communist bloc at the same time. There are signs, however, that Germany may be faltering. Recent local elections suggest a growing strength on the part of those political parties which favor immediate unification, parties which believe they can maintain a kind of German neutralism by restoring relations with Moscow and by returning to the prewar Locarno treaty system. Two prewar German chancellors, Dr. Heinrich Bruening and Dr. Hans Luther, have now openly alined themselves against Adenauer's policies and in favor of this misleading alternative. The recent defection of Dr. Otto John, the security chief of Western Germany, may also be indicative of deep and disturbing political currents. Significant concessions from the Soviet Union at this juncture may be enough to swing the Germans away from the West.

There are dangerous trends in Germany today. In my view, they have developed because of the interminable delays in restoring full sovereignty to Western Germany and in establishing the European Defense Community. EDC promised, at one time, to cap the movement towards western European unity which began in the early postwar years. EDC offered both assurances against the return of German militarism and security for Germany against the expanding Communist empire. It also promised to provide an avenue for German participation, as an equal in the defense of the west, so that our share in that defense might be reduced.

Months and years have elapsed since French genius produced EDC. But EDC still waits on French acceptance. In the meantime, the hope for integration slips away. Germany remains in a position of frustrating political inequality. The burden of its defense continues to fall on the occupation forces of the United States, Britain, and France.

The Germans are not likely to acquiesce for much longer in their present uncertain and inferior status. They have made a fantastic recovery from the war and now have the most powerful and dynamic economy on the mainland of Western Europe. They are in a position to listen to and to bargain with the East.

After returning from Europe in 1951, I reported to the Foreign Affairs Committee of the House of Representatives that:

> In any defense plan for Western Europe, West Germany must be an integral and substantial part. We must meet the West Germans at the council table and decide what part they will accept as their share in men, money, and equipment in the defense of Western Europe. * * * (The Germans) should be allowed to rearm in their own defense and we should recognize West Germany as an equal.

That was, in my view, the need three and a half years ago. It is an even more urgent need now. Senate Resolution 295, which passed by a vote of 88 to 0 just a few days ago, indicates the sentiment of this body with respect to restoring equality to Germany and securing their participation in the joint defense of the free nations of the West. I believe the administration should act quickly, in every practicable way, to give meaning to this resolution. It should act by the end of this month if EDC is not ratified by France. If EDC is ratified by the French Parliament by the end of this month—and if Italy joins in—then German sovereignty will be restored and German rearmament can begin.

Mr. President, there is very little time left. The next few months may well reveal whether the Germans are to remain linked with the free nations or go their separate way, a way which, in all probability, will lead sooner or later into the totalitarian camp.

On the other side of the globe, in Japan, a second dangerous crest is developing in the international situation. The causes are not identical with those in Germany but they are just as serious.

Unlike Germany, Japan has national unity. Full political sovereignty has been restored to the Japanese. They have been permitted to rearm in their own defense and are now in the process of doing so.

These factors in the situation, however, are dwarfed by the towering economic problems which confront Japan. To put these problems bluntly: if freedom is to survive in Japan and if there is to be peace in eastern Asia, the Japanese must know with reasonable assurance where the next meal is coming from. At the present time, they do not know.

To live as a free, peaceful neighbor in the Pacific, Japan must literally fish and trade. The Japanese have been able to do neither, adequately, since the end of World War II. The resultant deficit in their economy has been compensated for by the United States. We provided heavy doles under the occupation. More recently, we have made up the deficit largely by expenditures in Japan incident to the Korean conflict and our strategic interests in the western Pacific.

The Japanese must turn somewhere if they are not to continue to depend for existence on an uncertain charity or temporary palliatives like military procurements which, in any event, are beginning to shrink. Trade outlets in northern Asia and on the Chinese mainland, however, are blocked by Communist control of these areas as well as by the policies of this country and the United Nations. These are the traditional avenues of Japanese trade. Efforts to develop substitutes for them elsewhere have not yet met with notable success.

A government of a free nation cannot expect to remain long in power, if it can hold out no hope to its people other than slow starvation or unending dependence on alien handouts. The Yoshida government in Japan has been on the whole cooperative with the United States. It is, however, a Japanese government. It will either have to pursue policies which correspond with the needs of the Japanese people or it will be replaced.

Japan is now alined with the free nations but the alinement will grow more uncertain and tenuous under the pressures of economic realties. Unless concerted steps are taken to meet these realities, where are the Japanese to turn for survival? There is no reason to assume that, as a sovereign independent nation, they will not turn away from the present alinement. There is no reason to assume that they will not veer toward Communist China, toward the Soviet Union, or both.

If international communism seeks to sever the ties which presently hold Japan on the side of freedom, it is not without resources to obtain this objective. Vast trading inducements can be offered, particularly with respect to the Soviet maritime provinces, Manchuria and North China. There are fishing and other concessions which could be made available in and around Sakhalin and the Kuriles. Rice, coal, and other resources, desperately needed by Japan, can come now from northern Vietnam.

It is entirely possible that the Communists would be inclined to act with a relatively lavish and open hand if they might expect in return a growing Japanese neutralism and ultimate incorporation of Japan into their system.

There are measures which can be taken in concert with others which may forestall the loss of Japan to totalitarianism. In this connection, the administration has recently announced that it is exploring the possibilities of closer relationships being developed between Japan, Korea, and Formosa. Other possibilities may exist for increasing Japan's trade with non-Communist nations particularly in southeast Asia and in Japanese participation in technical assistance programs in the underdevelopment areas.

Japan can be held in the camp of freedom, provided that this country and other free nations do not ignore the serious predicament in which the Japanese find themselves; provided we act together and in time to deal with it.

The weeks and months that lie ahead, weeks and months in which the Senate will stand in recess or adjournment, will be dangerous and difficult ones. We are entering into a period in which the President and the Secretary of State may be called upon to make major decisions, not only with respect to Germany and Japan but also in connection with other areas of the world.

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I think that the President and the Secretary should know that the Senate is cognizant of the burden they bear in conducting our foreign policy and that members of both parties will support them as far as conscience permits.

After the setback at Geneva, a sense of renewed unity on foreign policy may be reasserting itself in this country. For a period, at the time of the truce, we were threatened by a wave of partisanship. But the Nation may now be drawing closer together in the face of adversity.

There is already a framework of agreement shared by Democrats and Republicans alike on which bipartisan policies can be maintained and developed. There is, for example, little party disagreement on these current courses of action:

First. No intervention by American Armed Forces in Indochina.

Second. No recognition of Communist China by the United States and no admittance of Communist China to the United Nations.

Third. No Locarno pact with the Communists for southeast Asia.

Fourth. The continued need for a European Defense Community.

Fifth. The granting of sovereignty to West Germany together with its right to participate in the defense of Western Europe.

Within this framework, we can pursue policies which will build greater strength in the non-Communist world—not solely military but moral, diplomatic and economic strength as well. We can act to maintain the level of the total strength of freedom in the world, at all times, far in excess of that of international totalitarianism. We have the means to do so, if we have the will.

Mr. President, if we are successful we can have more than an illusory coexistence which means running away in fear from every threat of a fight, an illusion which can and will be shattered at the whim of the Communist totalitarian bloc. We can have more than the futility of a third world war precipitated by the hotheads among us who by some twisted reasoning believe that the way to stop a war is to act the part of the bully and start one. We can have, if we work consistently and without fanfare to build genuine strength, the peace we seek, a peace without fear, a peace of stability and of faith in the ultimate triumph of human freedom.

Mr. President, I yield the floor.

Mr. JENNER. Mr. President——

The PRESIDING OFFICER (Mr. WELKER in the chair). The Senator from Indiana.

Mr. JENNER. Mr. President, life is merciless to men and nations, who, in times that try men's souls, flee from the contest with harsh reality and seek refuge in the warm security of the past, like an infant nestling at his mother's breast.

The American people have for generations lived out their lives in freedom, hope, generosity, and confidence in the future. Our ancestors, who fought the War of Independence and devised the Constitution, built up a great political capital fund, on which we have been drawing, generation after generation, to enjoy a freedom and happiness we had not earned. We have lived over a century on the unearned increment of this political capital which other men had broken their hearts to win for us.

It may be that Americans now living will never again see that happy world of freedom, of trust in human decency, and of confidence that, if one did his best, he would be allowed to enjoy the fruits of his labor, and his children would begin life higher up the ladder of success than he had begun it.

It may be that the course of American history has been turned for a long period ahead, from the happy valleys and the sunlit streams sheltered by the constitutional wall, which used to keep out evildoers. It may be that for years to come we shall have to find our way over a rocky unmarked course, climbing higher and higher, amid encircling gloom toward cold and barren summits which we cannot even see. It may be that, like the Hebrew children, we shall have to march as a nation through desert and swamp and enemy attack, with the promised land only a gleam of hope on the far horizon.

It may be that is the only road the American people can take if they are to be true to their great inheritance and their great destiny.

I say to you, the American people will follow any course, however dark and hard, if it will preserve, for them and the world, the great experiment in liberty under law which is their legacy from earlier generations of Americans.

There is only one thing which the American people need from their Government. There is only one thing which our people ask of us, their elected agents, in the task of keeping our Nation secure and free.

The American people ask one thing—the truth. They ask us to tell them where we are today, and what we must do, to find our way out of our present difficulties, without surrendering our most precious possession, next to our faith in God, that is, our freedom.

The American people will find their way over any obstacles, through any fog, against any foe, foreign or domestic, if they have the truth. I do not believe our people can ever find the answers to their present problems, if their officials feed them a diet of lies.

I am talking, Mr. President, about the so-called peace agreement in Indochina.

I do not believe this is the time, Mr. President, when we should minimize the defeat which has been suffered by the United States.

GENEVA IS A MAJOR DEFEAT

The Geneva agreement is not a local defeat in Indochina. It is a defeat in grand strategy, in our ability to plan and execute a defense and counterattack against the new barbarian invasions.

The Geneva agreement touches the very survival of our Nation and its civilization, on our own continent.

Writing in 1952, in Asia Aflame, Dr. Ebed Van der Vlugt said, of the Communist strategy for Indochina:

From time to time, apparently reliable reports have come of immense Red Chinese preparations for invasion, including massing and training of special troops for the purpose, and building of railways and highways to support the vast supply necessities of such an invasion. It could begin at any moment, or it could be postponed for many months. But, unless the Chinese Reds are checked by disaster elsewhere, it must surely come.

For, like a mighty glacier, communism moves, ponderously but with crushing force, toward the domination of all Asia. And not of Asia only: after Indochina lies Thailand, after Thailand, Malaya. Then the stream of conquest will divide: one arm will turn westward toward Burma and India. The other will move south and east into Indonesia. Then the defense perimeter of America off the coast of Asia will have been outflanked. And by the time it is outflanked, communism will be ready to contest with the West for the mastery of the Pacific and the shores it washes.

There is nothing surprising in the victory of the Communists in southeast Asia.

Writing in Collier's, on November 18, 1950, General Chennault said:

I am convinced that help from the Russians for conquest of southern Asia has been promised the Red leader, Mao Tse-tung, in return for Russian possession of Manchuria. The Russians have got to have Manchuria, to get warm water ports, manpower, iron and coal—all needed, as the Soviet Union sees it, in order to protect its back door against the United States and Japan. I am informed the Soviets have been given, or have simply taken over, control of railroads and industry in Manchuria. Now it remains only for the Russians to fulfill their end of the bargain by helping Mao and his Chinese Communists to take southeast Asia.

Let me continue with General Chennault's warning in late 1950, when the Chinese Reds were already at war with us:

Mao must have southern Asia, especially if he is to lose Manchuria. Southern China alone is a deficit area economically, which in the past always received its principal foodstuff—rice—from Burma, Siam, and Indochina. In the rich Asian areas south of China lie rubber, oil, tin, iron, and gold, as well as enormous export crops which the Communists in China desperately need for barter with the enemy world. If he is to establish any kind of working economic mechanism in China, Mao simply cannot pass up these assets. Possession of southeast Asia will give him food, industrial materials, and a source of dollar exchange through exports.

The United States has been outthought, outtraded, and outgeneraled, while it helplessly watched the Communists take over the two things they need most, food to quiet the rebellious Chinese, and exports to seduce our allies into the spider web of East-West trade.

The damage goes deeper than that. Under Secretary Bedell Smith says we have agreed not to upset the Geneva agreement by force. What does that mean? It means, Mr. President, that we have agreed to give no military help to the rest of Indochina. The Red Chinese have told Laos and Cambodia that they may have French military advisers or British military advisers. But American military advisers? "Oh, no," says Chou En-lai. And we say nothing.

Under U. N., we can give no military help to Thailand which might upset the Geneva agreement.

We are bound, hand and foot, to put no military aid into the states on the Communist frontier in southeast Asia, Mr. President. We cannot lift a finger

to give military help to the little countries the Communists plan to devour next.

Let us be honest with ourselves. That means the United States is guaranteeing Communist conquests, whatever double-talk we may hear. That means Locarno, Mr. President, however carefully the spokesmen at Geneva avoid the name for cynical recognition of conquests past. We are already committed to guaranty of the status quo, with the status quo fixed wherever the Communists decide to put it.

The United States will be permitted to keep its vast military machine, so long as it does not attempt to do anything really serious with it. If you were Asian, would you think we look like a paper tiger, Mr. President, all roar but no claws? Do you think the Communists may have planned to make us look that way?

It does no good to say we did not physically sign the Geneva agreement. That is the old excuse of Pontius Pilate, who washed his hands to keep his conscience clear.

There is no competent person in Asia, in Europe, in the Americas, no one within the Soviet orbit, who does not know that the United States was the self-appointed leader of the plan to give the free nations of Asia the means to defend themselves, and that the United States has suffered overwhelming defeat.

OUR THIRD DEFEAT IN ASIA

The people of the United States today do not want rose-colored statements about our third defeat in Asia. The people of the United States are deeply worried about the advances made by the Soviet powers in these three successive waves of conquest. They know Indochina is a steppingstone on the island bridge which curves about the Pacific to Australia, and the first foothold on that island bridge is a threat to the military security of the American people in their own homeland.

Where have we failed, Mr. President?

Why have the Soviet master planners won three victories in Asia in 10 years? Just 10 years ago in the midst of World War II Stalin gave orders to turn against Chiang Kai-shek. He was obeying Lenin's axiom that the Communists must, at the first opportunity, turn imperialist war into world civil war. From that small beginning, just 10 years ago, the Communists swept on, until they had possession of mainland China, of 500 million people, a third of the earth and nation after nation.

In June 1950 the Communists struck again. Armed hordes of North Koreans swept across the 38th parallel to attack the peaceful people of Korea. A year later, when defeat seemed inevitable, the Communists turned to guile and won for themselves another long-drawn-out peace conference ending in a settlement on their own terms.

The conquest of Indochina has been underway since Moscow sent Communist-trained Ho Chih Minh to China in 1925, to work with Borodin. It has been a predictable certainty since the Communists reached south China. A few months ago the Reds decided the time had come for the all-out offensive to win the nation they had thoroughly softened up. They induced the western allies to hold a Big Powers conference in Berlin, so the whole wide world could watch the kill.

What was the United States doing while the Soviet Union and its captive satellites were swallowing Asia?

After World War II, our promised help to Free China was neutralized by the power of a small clique within the American Government and in the press, which engaged us in a series of futile negotiations to establish peaceful coexistence between the Nationalist Government and the Red armies in China. We are hearing the same claptrap again today, peaceful coexistence.

During the Korean war, the military strength of the United States was neutralized because the same small clique, within the State Department and the press, bogged us down in futile negotiations over terms for peaceful coexistence between Free Korea and Red China.

Mr. MALONE. Mr. President, will the Senator yield?

Mr. JENNER. I would rather not. My remarks are quite lengthy, and I should like to complete them.

In January 1953, a new administration took over, pledged to put an end to the rule of this small clique which had so successfully neutralized the military power of the United States in Asia as in Europe, and had twice thrown away costly victories won by our fighting men. President Eisenhower approved the signing of an armistice in Korea, with the pledge that there would be no more concessions to Communist brutality.

That promise could be kept only if we had a strategic plan for defense of Free Asia and organized all military means needed to put the plan into effect.

What did we do, militarily, after we signed the cease-fire agreement in Korea, to protect the unconquered part of the world, of which Korea, China, and Indochina were the blazing frontiers?

President Eisenhower took two most important steps to protect American military security. He rescinded the infamous order, drafted by this pro-Communist clique, ordering the United States Navy to protect the Red China coast, at the very moment the Reds were killing our young men. That order had effectively stopped Chiang Kai-shek's blockade and cost us untold lives.

President Eisenhower also assisted the retirement of the Joint Chiefs of Staff who had served in this time of betrayal, and appointed a new and very able Joint Chiefs of Staff, under the chairmanship of Admiral Radford.

What else was needed?

AMERICA'S RESPONSIBILITY AFTER THE KOREAN PEACE

No one in the world assumed for a moment that the Korean ceasefire meant peace with the Communist war machine. The Communist war machine was invented, and has been operated since its establishment, as a machine for conquest of the non-Communist world. This program of conquest goes on without interruption day in and day out, regardless of whether the Communists momentarily desire a shooting war or prefer the intervals of cold war to which they give the name of peace.

What was the responsibility of the American Government?

As I have said many times, the war in Korea never was a Korean war. The war which began in July 1950 was a struggle for all Asia on the battleground of Korea. That war can never be considered except as a local campaign in one long war for the conquest of Asia by the Communists or, as we hope, its redemption by those who love freedom enough to die for it.

The cease-fire in Korea presented then the opportunity to use a lull in the shooting to strengthen the military and strategic position of the non-Communist nations of Asia in preparation for the next assault. The armed might of Red China operated, in the west Pacific, from Manchuria to Vietnam. The only possible answer for the unconquered nations was to dispose their force in one unified strategy, from the borders of Korea to the farthest ends of southeast Asia and Australia. That would be the clear warning that freemen in Asia could and would meet any attack by the Red Chinese at any point at any time.

A grand strategy for the Pacific meant recruiting and training the largest possible number of fighting men in the Republic of Korea, in Nationalist China, and in the nations of southeast Asia which wanted to remain free. It meant also equipping the fighting forces of these little nations exposed to Red attack, on the frontier of the world struggle between freedom and slavery. They needed and deserved the best guns, tanks, ships, submarines, airplanes, and other war material which could be made.

I have said again and again that only Asians can win freedom for Asia. Asia does not want or need our manpower. I have also said again and again that it fits our self-interest, as it fits our moral code, to make sure that the armies of free Asia shall fight with the very best equipment which the free world can provide.

I have said, and I say again, that the measure of our help to the free nations of Asia is the amount of war equipment and supplies which the Soviet Union gives to its puppet armies attempting to conquer the rest of Asia.

I have said, and I say again, that the United States, as the greatest industrial power in the world, can do no less for freedom than the Soviet Union does for slavery. We must do more, to give military strength to the Asians who are fighting for independence.

If that analysis is correct—and I do not see any other choice—the United States should have been engaged with the greatest possible energy since January 21, 1953, in training and equipping the fighting men of Free Korea, Free China, and Free Indochina, with the finest training, equipment, and supplies which our industries could supply to them.

This is what General Van Fleet has referred to as packages of 10 divisions or so of fully trained and fully equipped fighting forces in all the small but valiant nations on the borders of Red

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China. If this policy had been followed, Communist China would have been confronted with the threat of active, well-trained, Asian forces from the borders of Siberia to the rice fields of Indochina, working in close cooperation with the courageous independent nations of south Asia, the Near East, and Europe.

This simple commonsense preparation would have meant that the moment the Red Chinese dared to move equipment or men across their borders to attack the peaceful people of Vietnam, they would face instant counterattack by the armed forces of Free Korea, Free China, Indochina, and perhaps the Philippines and Japan. Probably the Reds would not have started a new invasion. If they did, the battleground would have been on their territory, not in the free countries.

I am certain, with no mental reservations whatever, that President Eisenhower, Secretary of Defense Wilson, Admiral Radford, and the other Joint Chiefs, had every intention of supporting the Korean cease-fire agreement with every means within their power to help protect the entire line of small nations which was threatened with the armed power of Red China the minute the armistice was accepted in Korea. They knew it would be militarily and morally indefensible to release the battle-hardened veterans of the Korean campaign to attack another small nation, unless an alternative plan for its survival could be put into effect.

HOW OUR MILITARY POLICY WAS HAMSTRUNG

I have been searching unceasingly to find the invisible bars which blocked this obvious policy. Why did we not have a firm wall of Asian manpower on the long frontier where Free Asia faced the armed and ruthless hordes of Red China and her master, the Soviet Union?

Why were the Red Chinese confident that the armies of Free Korea would not march to the attack, when the free people of Vietnam were faced with the Chinese Communist onslaught? Why were they so sure? Why were the Red Chinese so confident that the Free Chinese would not bomb the roads and railroads over which supplies and men were moving for the destruction of a small and harmless nation? Why does Free China still lack the full equipment of ships and planes, submarines, and bombs which would enable it to protect its nationals on the mainland who are fighting the Communists, and to come to the help of other Asian nations whose borders had been unjustly breached? Why could not General Clark, during the Korean war, accept three divisions, fully trained, from the Formosan National Chinese?

I believe, Mr. President, I have found the way by which American defense officials were prevented from helping the free people of Asia from threat of a counterattack if Red China used the Korean agreement to destroy another small neighbor.

Recently the Senate passed the bill authorizing funds for the Foreign Operations Administration, and the conference report on it was agreed to last evening without debate. I understand the $3 billion appropriation bill for the FOA will come to the Senate for quick action, with the request that it must be rushed. But in the authorization bill I believe I have found the light, delicate, but oh so powerful silken threads which prevented our military leaders and Defense officials from carrying out the obvious strategy to keep Red China from new conquests after the Korean agreement was signed.

It is the internationalist collectivist lawyers who have neutralized American military power, and made our promises ridiculous before the world. It is difficult for us to believe that that vast aggregation of tangible power, called the American Military Establishment—and we give it billions of dollars every year—may be led by the ablest men, may be equipped with vast funds, may have huge numbers of trained fighters, may be fully committed to holding back the Communist threat, and yet be reduced to importance by the thin silken meshes of the law.

THE HIDDEN HAND OF U. N.

The mutual-defense bill, which passed with practically no debate, authorizes the sum of $3.1 billion for military and economic aid designed to strengthen the unconquered nations against a threat of Soviet conquest. These 3 billions of dollars added to the 10 billions still unspent by this agency from past appropriations, constitute the sum of 13 billion available currently to block the advance of communism. The silken thread which has made that fund unavailable for the needs of the free nations of Asia is the little clause which appears in the act stating that the Congress reaffirms the policy of the United States to achieve international peace and security through the United Nations so that armed force shall not be used except in the common defense.

What is the common defense of the United Nations? Obviously, nothing. If there had been any meaning to the idea of common defense or collective security, the United Nations would have acted to restrain Red China when she first attacked Indochina. Is not that correct? Red China would now stand before the bar of U. N. as a criminal, instead of flaunting her cruel triumph at Geneva.

How could there be a common defense in the U. N.? The United Nations includes the Soviet Union, with a seat on the Security Council and the power to veto any move made by other nations. There is not the slightest possibility that the United Nations can or will permit the Koreans, the Free Chinese, or the people of Vietnam to engage in defense of their own lands against the military power of Red China. Furthermore, Mr. President—and this is what concerns the Members of this body—there is not the slightest possibility that a single dollar appropriated under the Mutual Defense Act can be used by our Defense officials adequately to help any small nation defend itself against a Communist power.

The money is appropriated by the American Congress. It comes from the American taxpayers. It is to a large extent spent by American Defense officials, but it has been so completely boobytrapped by the legal experts of the Acheson regime that the money is of no value whatsoever to protect anyone against the Red death.

What is the United Nations policy for what they call peace in Asia? We know the answer, Mr. President. The United Nations policy during the Korean war—we all remember this—was to prevent American military leaders and American fighting men from winning a victory over the Communist forces. Senators remember the details. Our commanders were not permitted the right of hot pursuit against attacking Red planes. They were not permitted to bomb attacking forces in Red China, before they could kill our men. They were not permitted to bomb Rashin, until it was too late.

Gen. Mark Clark was before our committee only 2 days ago, and he took the oath and told the story of treachery all over again.

Most fantastic of all, the American forces were not permitted to carry the war to the soil of their enemy but were compelled to limit all fighting to devastation of the territory of their ally. That is the U. N. plan in Asia, Mr. President.

Imagine General Eisenhower being compelled to limit the war against the Nazis to the territory of France, but, under no circumstances, to permit even a pursuit plane to cross over into German territory. What do Senators think of that?

I need not remind the Senate that, when everything else failed, the commander of the American forces, who was also our highest official in all Asia, was summarily removed from command and called home.

When President Truman accused General MacArthur of interfering with the plans for a cease fire in Korea, General MacArthur pointed out that he was following the accepted military tradition in his negotiations with the Red Chinese, and that President Truman could not have objected unless—and I ask Senators to note this very carefully—"unless an agreement was in the making on the enemy's own terms."

What kind of peace did the United Nations stand for in Korea? The United Nations carried on peace negotiations with the Communists for many long and weary months under the most humiliating conditions for American military men. In the fall of 1952, Admiral Joy signed a cease-fire agreement in which he won his two principal points, that no prisoners of war who objected to returning would be forced to return; and that the United States would consent to no political conference in which the Soviet Union could build up the prestige of Red China, and achieve her entry into the United Nations and its Security Council.

This agreement in the field was much too advantageous to the United States, so in December 1952, after a debate led by Mr. Krishna Menon, the United Nations took over the responsibility of the field commanders and voted that prisoners of war unwilling to return home were not to be freed but were to be turned over to a neutral nations commission which would interrogate them once more. I do not know precisely what were the

connections between Mr. Krishna Menon's proposal and Dean Acheson, but I cannot miss the fact that everything Krishna Menon asked for was designed perfectly to fit Mr. Acheson's policies. Furthermore, by a curious coincidence, Mr. Krishna Menon, from faraway India, in December 1952, hit upon those very modifications of the agreement made by our military men which would most completely handicap and confuse the incoming administration of General Eisenhower. If this was not a booby-trap to neutralize American military strength, I cannot recognize one.

The Soviet Union did not win its insistent demand for a political conference on Asian problems at the 1952 U. N. meeting, but the Soviet Union won all it had demanded, in 1954, in the Berlin conference, to which it brought the representatives of Red China, and in the Geneva conference, to which the Red Chinese leaders were formally invited, while our fighting allies, the Koreans, were mere bystanders.

Our military victory in the Korean phase of war for Asia was compromised by U. N. to the great disadvantage of the United States. The political phase of the Korean struggle also was settled in Berlin to the great disadvantage of the United States. Though the U. N. was not ostensibly involved, we all know that the inner circle which makes U. N. policy made the policies in Berlin and Geneva.

The attack on Indochina was settled to our great disadvantage at Geneva when the American policy of strengthening the free nations of Asia was replaced by an agreement to divide Vietnam and turn over, to Communist masters, without their consent, another 12 million tragic victims of political chicanery, and to give to the Red Chinese most of the industries, mines, and forests of Vietnam, and a beachhead deeper into the last outpost of Asia facing toward the west.

The American people are asking us for the truth. The truth is this, as I see it: The doctrine of "collective security" through U. N. limits the United States to military and political policies which have the approval of Soviet Russia and its satellites in the Security Council. The mutual defense assistance bill, the conference report on which was agreed to in a hurry last night, and the appropriation for which will be passed tomorrow in a hurry, ties every dollar of the funds appropriated by Congress for the strengthening of freedom to limitations imposed by U. N. under threat of Soviet veto. The United States is militarily bound hand and foot, like Gulliver in Lilliput, by the legal spiderwebs which lock our military effort into the U. N. Security Council. Here is a matter we must examine very carefully before revision of the U. N. Charter in 1955.

ACHESON'S LEGAL COBWEBS

One more point is necessary, Mr. President, to make this whole story clear. Who devised the policies and regulations which hobble our defense officials in their efforts to oppose communism? These silken meshes are the work of a little inner circle of able, unscrupulous men in the State Department, in a few other posts in our Government, and in the agencies of public opinion. These men, under the tutelage of Dean Acheson, Alger Hiss, Harry White, Philip Jessup, and the rest, developed within our vast bureaucracy an inner steering group which, behind a curtain of secrecy, makes its own laws. It is free of any control of Congress, the President, and the courts. It has dominated American foreign and military policy through its skill in manipulating laws, directives, committees, conferences, reports, and briefing sessions.

The group is still in power. It has no slightest intention of retiring merely because our people voted against it. It will remain in power regardless of any changes in the votes of the American people until we face the necessity of dismantling what our own folly built.

This inner group, in cooperation with a leftwing collectivist group in England, France, and other countries, dominates the policy of U. N. and makes certain that U. N. decisions will not be uncomfortable for the Soviet Union. It is not possible to understand the strange workings of U. N., unless we realize that it does not represent the French or the British or any other nation in any historical sense. The U. N. represents a working alliance among the leftwing collectivist elites who wield the actual political power in those nations today.

Much was heard of this group during the war in Korea and the campaign, in hearings of the Russell Committee on MacArthur, and the McCarran investigation of IPR, but there is one thing which is still not wholly clear.

The work of this group is disastrous for American foreign policy, but—far more serious—it is disastrous for our military policy. The senior Senator from Pennsylvania [Mr. MARTIN], who has had great experience in the military field, understands that.

WE HAVE NO STRATEGY FOR DEFENSE OF AMERICA

For the last 15 years, we have had no military program for defense of the United States. We do not have one now, and we will not have one until we here in Congress cut the cords which bind our military to the Acheson foreign policy, the Acheson clique in the press, and the Acheson clique which keeps U. N. in a state of permanent confusion and appeasement.

I will ask Senators to go back with me to examine the principles on which American military policy has always rested. In the United States our officers serve the Nation, not the Government. They take an oath to uphold the Constitution, not the men in office.

In the United States we have firmly established the principle of civilian control. Properly understood, that principle is another way of stating that our Armed Forces serve the ends of the Nation, not of the military or of the men in office. This principle is the result of the long struggle between the British people and their kings. The people won the victory in England because they anchored the armed forces securely to the nation and not to the king, through parliamentary control of the purse. Congress has that control today, if it would only use it for the protection of our country. This is the cornerstone of government under law.

Civilian control means that the nation, and not the military experts, decides whether we shall resort to war. The nation, and not the military experts, decides when we shall return to peace.

This principle has never been questioned by American military men. They are as eager as any civilian Americans to preserve our Constitution and our unwritten law.

It is time, however, that we stated the complementary principle. Experts do not decide whether their advice shall be followed, but they are entitled to full responsibility in making their recommendations. No lawyer would permit a layman to decide how he should handle a plea whether to file a plea in abatement, a demurrer, or a cross-complaint. It just is not done. No doctor would permit a layman to decide how he should arrive at a diagnosis.

The people of the United States want their Defense Department and their Military Establishment to give them the best professional advice on how to make our country secure. We do not want carefully doctored advice. We do not want advice strained through the channels of any other government departments, to serve the hidden purposes of their ruling cliques.

Our country needs the best professional military advice, as we have never needed it in our history. We are not getting it.

TRANSFORMATION OF OUR MILITARY ESTABLISHMENT

Beginning about 1940, the American Military Establishment suffered a momentous transformation. It was quietly changed from serving the Nation to serving the Government.

The new ruling clique told our professional military thinkers that whatever they said was civilian, was to be civilian, and the military must accept it without question. "Theirs not to reason why, theirs but to do or die."

This was in no sense the historic policy of civilian control. It is simple political usurpation. The elite did not want anyone, including the military, to challenge their assumption of power to reduce American sovereignty, to create a world state, to impose collectivism, or to act as a fifth column. The military could not challenge civilian officials, unless they were prepared to be charged with militarism.

Let us look carefully at the meaning of this change. The military, whose oath binds them only to support the Constitution—and the Senator from Pennsylvania [Mr. MARTIN], who is present, took that oath—can be inveigled into a position where they obey the policies of men who ignore the Constitution. But political sovereignty has passed from the people, and their elected officials, when the military has no choice but to do what a small group of appointed officials say must be done. The sound principle of civilian control has been perverted into an instrument of political revolution.

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The architect of this new kind of government was Harry Hopkins. In May 1940, when President Roosevelt announced the beginning of the defense program, Harry Hopkins became our chief military planner. He designed lend-lease as a bigger and better WPA, on a global scale. Americans thought they were getting a law to permit the loan or gift of military equipment to Britain. But the experts had in fact drafted a law under which everything was a defense instrument, and any country might be included, whenever the President—that is, Harry Hopkins—wished. All the products of every farm and factory in the United States, all the designs and inventions and blueprints, were one stream which Harry Hopkins could tap at any point he wished, and divert in any direction he pleased.

Then Hopkins had himself made head of the Combined Munitions Assignment Board, an international body, because he wanted to be above the Congress and above the law. He was above all the military officials, because he controlled their equipment. If Hopkins said goods were to go to the U. S. S. R., they went to the U. S. S. R. No military man could object or stop it. Maj. Racey Jordan has told us how shocked were American flyers, when they learned, at Great Falls, Mont., that Soviet flyers had a priority over flyers in the American Armed Forces. Soviet flyers came first, because Harry Hopkins had won the power to say so, when he combined the resources of lend-lease with the above-the-law status of an international board.

PERVERTED CIVILIAN CONTROL

Here was complete perversion of the doctrine of civilian control. Hopkins made whatever decisions he liked, and called them civilian. The military no longer made the top professional decisions on what would or would not be militarily best for the United States. They were reduced to the status of technicians, helping all-powerful civilian officials to implement their decisions with military power to back them.

Harry White and Harold Glasser in the Treasury adopted the same technique in rewriting the directives for military government in Germany. America's best professional military men struggled in a straitjacket of innocent sounding directives which were meant to make Germany into a desert, so the U. S. S. R. would not fear German strength on her borders. Only by the most courageous use of the right of the Armed Forces to prevent sickness and uprising in occupied areas, were General Eisenhower and General Clay able to prevent disaster before these policies could be modified by Congress.

American pro-Communists in the civilian branches tried to impose a collectivist, pro-Communist civil government in Japan. They issued directives for labor policies designed to destroy Japanese production, while the United States paid relief costs. That production was a military threat to the U. S. S. R., not to us. They broke up the big firms as a "civilian" measure, but the real purpose again was the military security, not of the United States but of the U. S. S. R. General MacArthur had more trouble with pro-Communist American civilians after the surrender than he had with the entire Japanese Nation.

I am opposed to militarism, as much as is anyone in this body. I am completely opposed to taking a single step that will militarize any area of American life. But the danger of militarism does not come from our professional military men, who love the Constitution, who are committed to our form of government, and who live by a code of duty. The danger of militarism comes from a few civilians, from power-mad, egocentric, ruthless, unscrupulous civilians, who are intoxicated by the taste of military power and have no professional code of ethics to restrain them.

The civilian Government officials who wanted to control military policy were not our elected officials, not the Cabinet members known to and responsible to the President, not the old-fashioned American public servants. They were appointed officials, who in fact were responsible to no one.

LEFTWING COLLECTIVISTS DOMINATE OUR MILITARY POLICY

It was the leftwing collectivist elite in our Government which learned how to manipulate the levers of Government in the thirties, which grew to global dimensions in the war, and which consolidated its power in a legal spider web of treaties, executive agreements, conferences, and directives, in preparation for permanent control of our postwar policies.

Dean Acheson completed the legal maze. With the help of Alger Hiss, Philip Jessup, and others, he coordinated all the powers his predecessors had discovered. In addition he devised a perfect maze of boards and commissions high up in the governmental stratosphere, above the Cabinet, where decisions on military and political policy could be made by his men without interference by Congress.

Acheson also devised a maze of treaties and charters and conferences in which American sovereignty was diluted, and American military might was hamstrung.

He and his collaborators put the restrictions into the U. N. Charter, its pacts, NATO, the German peace contract, and the Mutual Security Act.

The evil that he did lives after his day is ended.

We are still bound by the commitments these men made in the U. N. Charter. We have put the Pan American Union, defense of the Atlantic, the Japanese peace treaty, and every dollar we gave our military, to strengthen our allies, into the vise of the U. N. formula—that no nation can get weapons to defend itself if the U. N., including the Soviet Union, says its desire for independence is not peace.

This false interpretation of the sound principle of civilian policymaking is still with us. The same civilians are pressing for control of education of our fighting men in all nonmilitary subjects, which means they can insert leftwing and collectivist ideas in economics, politics and Government, and literature courses.

POLITICAL COMMISSARS

Carried far enough, Mr. President, this is the concept of political commissar, who is placed above the military in every Soviet fighting unit, to make sure that all political matters are slanted to suit the political oligarchy, and not the body of fighting men and their officers, who think very much as the nation does.

Another angle of this problem is the widening influence of lawyers on the defense arm. The channeling of military aid through nonmilitary agencies like Foreign Operations Administration or foreign or international bodies, multiplies the paper work, the contracts, the conferences, the need for a growing body of lawyers, within the Defense Establishment itself. It looks as if we were training more legal accountants than we were military strategists.

I share the pride of all lawyers in their proper work of protecting the life and property of good citizens. But I do not think lawyers should make our military policies as generals should not tell the courts how to try cases.

We cannot let lawyers determine the striking power of our Armed Forces, when our fighting power must meet the maximum onslaught of a hostile power.

In the voluminous pages of the hearings on mutual aid, we can see the pitiful story of what was done with the hundreds of millions Congress voted for military strengthening of Southeast Asia. While the Red Chinese were building new roads and railroads to link the Siberian railroad to Vietnam, our bureaucrats were gearing shipments to the ability of French bookkeepers to make the kind of accounting reports FOA required. When the French bookkeepers had been laboriously taught their paperwork, more time was lost teaching paperwork to the clerks of Vietnam.

Is that the way to fight Communists?

Is that the way General Eisenhower and General MacArthur and the admirals won World War II? Or does this paperwork hide the spiderweb of sabotage, by whose meshes the military plans for aid to Vietnam were kept too little and too late?

THE COMMUNIST INFLUENCE IN MILITARY AFFAIRS

Many other curious things have been happening in our military affairs, while the searchlights of Congress were playing on the State Department.

Senators will recall most of the episodes.

We have not yet found out who took over the vast surpluses of war materiel in 1945, worth many billions of dollars, and smashed them, or threw them into the sea, so they could not be given to Free China, or any country the Communists were planning to attack.

We have not yet traced the forces which broke up our great military establishment in Europe and the Pacific in 1945, though we knew the Communist maritime unions, and the hidden Communists in the Armed Forces, played a part in it.

There are other things I do not like, such as the enormous appropriations which give us a fat distended defense system, where we need a lean and mus-

cular one. Nor do I like the curious swings in defense appropriations. I do not like the way Secretary of Defense Forrestal was harassed into an early grave, because he knew how to stop communism. I do not like the way Secretary Johnson was forced out of office during the worst of the Korean war by a newspaper cabal acting to suit Secretary of State Acheson. I do not like the "mom stuff" which weakened our toughness, the loss of unit identity, changes in military justice, the belittling of officers and rank, the status of forces treaties—here is something to be proud of—the subtle weakening of morale, which has reduced our reenlistments and greatly increased the cost of our defense. Hanson Baldwin recently listed some of the poorest of our postwar military policies, everyone of which I thought could be traced to sabotage of our military policy by hidden Soviet sympathizers.

Most important of all, I do not like the precedent set by President Truman's accepting appointment as U. N. military representative for the war in Korea. Did that act take the American President out from under the Constitution? Did it mean that, as a U. N. military official, he could give what orders he wished to the U. N. forces, free of the restrictions in the United States Constitution? Could Americans in the U. N. forces be ordered to do what American forces cannot do under the Constitution—take military action in a domestic crisis? Are our fighting men deprived of any constitutional rights when the new authority takes over? We do not know. But Congress does not want to find out, in some later crisis, that the American President has acquired a precedent for absolute power the Constitution was designed to forbid.

In short I see disturbing indications that our Armed Forces have been subjected to a carefully planned Communist campaign, working through many channels, to weaken our military strength so far as it could be done without detection, and to separate it as far as possible from Congress.

We have learned what hidden Communists did to our foreign policy agencies. That has been documented. We have not spelled out what they did to our military agencies.

No Senator would want to sit down at a chess game with the Soviet chess team, if he thought his American partner was a secret Communist, planning how to throw the game to the Soviet players without being detected. Mr. President, you and I do not want to draft American youth, to engage in any military contest with the Soviet forces, if somewhere, high up on our side, someone is secretly planning how to throw the contest to the Soviet side, without doing anything tangible enough to be found out.

WE MUST PUT DEFENSE OF AMERICA FIRST

I want something very simple. I want to cut the silken threads which tie our Defense Establishment to any policy or agency except defense. I want our military to work at one problem only—how can we best protect the United States, today?

I do not want our military to be limited to explaining how to defend the United States within the framework of alliances and global commitments made by Hopkins, Acheson, White, and Hiss. I want the President, the Secretary of Defense, and our military experts, to prepare the best possible plans for defense of our country, without reference to existing foreign policy commitments, and to report the results to Congress and the people.

We shall be told that defense plans must be hush-hush. That is ridiculous. Timing, weapons, tactics, must be kept secret, but strategy cannot be kept secret.

Furthermore, I believe that unless the people of the United States are given new faith in a basic strategy to defend our country, we shall drift in hopeless confusion, while the world is taken over.

So far as our present Government is concerned, we have a golden opportunity. General Eisenhower was trained in the tradition that military men were proud to swear loyalty to the Constitution, and to obey the civil power on political issues because it, too, obeyed the Constitution. He knows the waste and loss and confusion of the years when civilians eager for power took over the making of professional military decisions in Europe and Asia, and pushed aside military advisers who thought solely of the security of our country.

We could not ask for a better team than President Eisenhower, Defense Secretary Wilson, Admiral Radford, and the other Joint Chiefs.

We ask only that they put first questions first: What is the true military situation in which we find ourselves? What is the best military judgment of American military men? What is the true American solution for the dangers we face?

Having found the clear precise pattern of our military situation, standing alone, we can then decide when and how we shall cooperate with other nations to prevent Soviet world dominion. The only requirement is that our friends must pass our military test: Will they stand up under Communist pressure?

Let Senators ask themselves that question today about France and Italy, to whom we are sending $3 billion, and who have already had $10 billion.

We want no more elaborate "defense plans" which tie our strength to nations which will collapse at the first thrust.

We do not want airbases on the soil of nations whose maritime unions are under control of Moscow. We do not want our troops quartered with nations which have nonaggression pacts with Moscow, or are eagerly nibbling at the steel hook of peaceful coexistence, all covered with the pretty feathers of East-West trade.

We do not want to station men at bases abroad where they will be interned the day war starts. We do not want to assemble any more war materiel at points convenient for the Communists to seize it.

We want every step in American security policy to be clear and open, with a direct chain of command from our fighting men to the American President. We want all of our defense program to be managed by defense officials operating with clear-cut authority. We do not want any crisscross organization where internationalist lawyers can spin the silken threads which bind our military strength on the instructions of men we cannot see.

We do not want any chess players on our side who are secretly working for a Soviet victory by moves so quiet, so neatly contrived, that they will not be recognized.

INDEPENDENCE FOR ASIA

We can then announce a clear and simple policy to the world. We shall permit nothing to interfere with defense of our country. We shall help others if they want independence for themselves.

As a small nation we fought a war with a great power to win our own independence. We have a natural sympathy with other small nations who love independence.

The Communist slogan is "Asia for the Asians." But the pitiful Chinese laborers in the uranium mines of Czechoslovakia know that an Asian slave driver is still a slave driver.

Our slogan should be "Independence for the Asians." Our policy should be arms, equipment, and training for the nations which will fight to remain free.

I do not want war for my country. I do not want the youth of Asia to go to war if they can avoid it. But I know they will prefer to fight if they must choose between a soldier's pack and a prisoner's chains. The same principle applies to Europe. If the West Germans know they wish to be free, but the French and British cannot make up their minds, then we must support the full rearmament of Germany, without tying her to reluctant allies through the EDC.

This is in fact the only hope of preventing war. The tensions inside the Communist slave states are so great that they would burst asunder, except for new Communist conquests, which provide booty to quiet the starving and the embittered. It is not the Soviet Union but its fifth columns which make these conquests possible. When the Communist empire must face armies of freemen, poised on her borders, when it can get no secret help from fifth columns in the western nations, the end of the Communist nightmare will be at hand.

The giving of training and equipment to preserve the independence of Asian small nations involves no conflict with the U. N., as it ostensibly operates. The U. N. has raised no objection to Red China's supplying arms and training, and even trained fighting men to the Viet Minh. The U. N. raised no objection to the Soviet Union sending arms, equipment, and training to Red China, when she was fighting our forces. If the U. N. permits the Communist states to supply arms for conquest, it cannot morally or legally object to our supplying arms to nations which ask only to remain free. Let us say so openly.

There is furthermore no good reason why American officials should not present a truly American viewpoint in U. N. We do not have to ask others what we think. We cannot look to U. N. for judgment

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better than our own. Insofar as we cooperate with U. N., it is still our duty to find the best solution of our military and political problems. We can hold fast to our own beliefs, in all meetings and political conferences, until some other nation publicly presents a better plan.

Let us remember—U. N. is not made up of supermen. It is made up predominantly of members of the leftwing cabals which have the dominant power in so many countries today. They ask us to accept U. N. decisions without using our intelligence, as if they were superjudgments. But the collectivist inner circle wants us to accept without question policies which lead to one-world supergovernment under their complete control.

TIME FOR NEW BEGINNINGS

It is time, Mr. President, for a total reexamination of our security as a nation. The New Look in defense must be not a slight rearrangement of the Hopkins-Acheson-Hiss-White military policy but a wholly American military policy, made from the beginning by President Eisenhower, Secretary Wilson, Admiral Radford, and his colleagues, for one purpose only—the military security of our country.

As a first step, we should have tabled the mutual defense authorization bill for this session. Of course, that would not have been done. There is plenty of time to prepare a new bill in accordance with our new defense policy, early in the next session. We have plenty of time. There is plenty of money available. More than $10 billion is available. There is enough money for the next 3 years, without appropriating another nickel.

The Foreign Operations Administration has $10 billion still unspent. If we vote for this bill, we vote to keep the FOA program in its present form for 3 full years. If Senators want to do that, they can vote for it.

French newspapers reported months ago that FOA plans to give most of the money saved from military aid in southeast Asia for an enlarged plan for economic and social aid and point 4, in foreign countries. That suggestion which was first made in the French newspapers is now appearing in our press. We shall be told that military help is futile in fighting the Communist legions, and that economic and social aid will somehow do better.

This plan was first formally proposed several years ago, and approved by President Truman. It resembles closely the long-term Soviet objective—to get American resources divided up among the rest of the world, so that our standard of living will fall, while we pour capital goods into the countries they plan to take over.

Congress should know much more about this substitute for military aid before it votes more funds to FOA.

For nearly 20 years, a few of our Government servants have been secretly trying to become our masters. First they scattered welfare largesse far and wide, then they learned to enjoy the thrill of vast war operations, and finally to construct a system of legal bars and booby-traps so delicate it could hardly be seen, so powerful that sovereignty could never be recaptured by the people.

Geneva is their monument. We must sink slowly down to the defeat they planned for us, or rise up and walk.

Geneva was a disaster. We have an opportunity to make it a Dunkerque.

Our country is fortunate in having the leadership which can guide us out of the wilderness the collectivists have made. Our people are ready and eager. I know all Members of this Congress, including all true Democrats and true Republicans, will give of their best.

Let us make the blackness of Geneva the dark before the dawn. Let us say to the sorrowful people of Vietnam and all the other people now in the shadow of the Communist assault, that never again will the American Government consent to see an innocent people subdued to slavery.

We must free ourselves first.

We must never again let our strength be bound, like Gulliver, by bonds fastened on us by the little people who love power. If we free ourselves, I am confident the Communist barbarian invasion will stop and then recede, to be scattered, like the legions of Attila or Genghis Khan, to the four winds, as the free people of the world see ahead the light of hope.

ORDER FOR RECESS UNTIL 10 O'CLOCK A. M. TOMORROW

Mr. KNOWLAND. Mr. President, after consulting with the minority leader, I ask unanimous consent that when the Senate concludes its business this evening it take a recess until 10 o'clock tomorrow morning.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

CONVEYANCE OF LAND TO STATE OF CALIFORNIA FOR AN INSPECTION STATION

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 3239) to authorize conveyance of land to the State of California for an inspection station, which was, on page 2, lines 6 and 7, strike out ", as shown on the accompanying map of the above-mentioned highway."

Mr. KNOWLAND. Mr. President, may we have an explanation of the amendment?

Mr. KUCHEL. Mr. President, I may say, first of all, that I have discussed this matter with the minority leader and with the majority leader, and it is satisfactory to them that this matter should come up at this time.

The bill, which was unanimously passed by the Senate, affects, as the title suggests, the conveyance of a piece of property from the Federal Government to the State of California. The House has added an amendment which eliminates a phrase contained in the bill as it passed the Senate. It is irrelevant to the bill and should not be included in it. The language eliminated is: "as shown on the accompanying map of the above-mentioned highway."

I move that the Senate concur in the House amendment.

The PRESIDING OFFICER. The question is on the motion of the junior Senator from California [Mr. KUCHEL].

The motion was agreed to.

INCREASE OF PUBLIC DEBT LIMIT

Mr. KNOWLAND. Mr. President, pursuant to discussions which I have had with the minority leadership, I ask unanimous consent that the unfinished business, Calendar No. 2004, H. R. 9366, the social-security bill, be temporarily laid aside, and the Senate proceed to the consideration of Calendar No. 2254, H. R. 6672, which is the public debt limit bill.

The PRESIDING OFFICER (Mr. REYNOLDS in the chair). The Secretary will state the bill by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 6672) to increase the public debt limit.

The PRESIDING OFFICER. Is there objection to the request of the Senator from California?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Finance with an amendment to strike out all after the enacting clause, and insert:

That during the period beginning on the date of enactment of this act and ending on June 30, 1955, the public debt limit set forth in the first sentence of section 21 of the Second Liberty Bond Act, as amended, shall be temporarily increased by $6 billion.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the call of the roll be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MILLIKIN. Mr. President, with reluctance, I have introduced, on behalf of the Senate Finance Committee, a bill to raise the debt limit of the United States by $6 billion for a temporary period terminating next June 30.

The necessity for this action is demonstrated by simple arithmetic. It is required to enable the Treasury to pay the bills of the various departments of the Government in accordance with the appropriations voted by the Congress in this and preceding sessions. Without this action the Treasury would not be in a position to pay the bills between now and next June 30.

As all Senators know, the aggressions of communism in Korea and elsewhere compelled our country to undertake a great arms program. It was the only way of safeguarding our country and other free nations from the deliberate plan of communism to dominate the whole world.

Our huge defense program made necessary large appropriations. When the present administration took office there were about $80 billion of accumulated authorizations for expenditures, largely

in connection with this program, in addition to requirements for current appropriations.

The Congress and the Executive, working together, have pared this program and other Government programs down to bare essentials. A deficit of $9½ billion in fiscal 1952–53 was reduced in the past year to $3 billion, despite the fact that taxes were reduced. Authorizations for new spending have been subjected to the closest scrutiny, and are being reduced each year by the Congress and the Executive.

Last week, when the Secretary of the Treasury came before the Finance Committee, he pledged that the administration would exert every effort to reduce expenditures further, consistent with our national defense. The Appropriations Committees and other committees of the Congress have given evidence of their earnest efforts in the same direction. In spite of these efforts, we continue to have, for the time being, deficits which must be financed.

Our problem is complicated by the fact that taxes are not collected evenly during the year. There is a wide variation in the collection of corporate income taxes under the Mills plan. For example, the Treasury collected $16 billion of corporate taxes in the first 6 months of 1954. In the second 6 months it will collect only $4 billion. To meet this disparity, the Treasury must borrow money between now and December 31, much of which it can repay next March and next June when corporate tax receipts are heavy. The borrowing for this purpose will increase the national debt above the present limit.

The total debt on August 2, 1954, was $274.1 billion and the cash on hand was $5.9 billion. The best estimate of the Treasury is that expenditures between now and January 15, 1955, will exceed receipts by nearly $9 billion. Without any change in the debt limit we would, by January 15, have no cash balance and would still have more than $2 billion of bills unpaid. This is based on the best estimates; and the facts may prove the estimates to be wrong to the extent of two or three billion dollars for the better or worse. Therefore, Mr. President, the simple arithmetic of this situation means that we must increase the debt limitation.

The next question is, How should we do what is necessary to be done? A year ago the administration requested an increase of $15 billion in the debt limit. The Secretary of the Treasury indicated to the Finance Committee last week that he can get along with a smaller increase than that. This is because the Congress and the Executive, working together, were able to bring about a substantial cut in Government expenditures. The Secretary of the Treasury suggested, in response to our inquiry, a $5 billion continuing increase in the debt limit and, in addition, a temporary $5 billion increase to take care of the seasonal swing in budgetary receipts which I have described.

A majority of the Finance Committee, after full discussion, recommends to the Senate a temporary increase of $6 billion, which will expire next June 30. The committee believes that this action will carry us through the present fiscal year.

In proposing this temporary and limited increase, the committee gives evidence of its great concern over the continuance of deficit financing, and its desire to bring spending under control.

In presenting to the Senate the recommendation of the committee, I conclude by again emphasizing that the entire question of the control of spending and national policy with respect to the ceiling on the debt will require our continuing interest and further review at the next session of the Congress.

Mr. BYRD. Mr. President, the pending bill will not increase the permanent Federal debt ceiling. It would authorize the Secretary of the Treasury, as the chairman of the Committee on Finance has just said, temporarily to borrow up to $6 billion in excess of the permanent $275 billion limit. This temporary authority expires June 30, 1955, under terms of the bill as recommended by the Senate Finance Committee. It was adopted by the Senate Finance Committee 9 to 6 as a substitution for a higher debt ceiling.

Maladjustment in tax collections as between periods within the fiscal year is one reason why temporarily it is necessary to exceed the present statutory limit at certain periods. Under recent tax laws collections have been running high in the first 6 months of the calendar year, which is the last half of the fiscal year, and they have been running low between June and January. For example, 45 percent of the 1954 payments from corporations were paid in March and 45 percent in June and only 5 percent in September and December.

Therefore, peaks and valleys in revenue collections result largely from the practice of collecting practically all of the corporation income tax in the first half of the calendar year.

Restoration of the quarterly system of corporation tax payments is provided in the new tax code just enacted by Congress, and the problem of unevenly distributed collections will be eliminated gradually.

The Federal tax revenue for the current fiscal year is estimated at $61.5 billion. If this were collected by the Treasury in equal monthly amounts, there would be no necessity for increasing its borrowing authority for any period in the year.

If this total were spread equally over the 12 months in the current fiscal year, the Treasury, despite a $4 billion deficit, could meet its monthly expenditure requirements within the $275 billion permanent debt limit, with never less than $6 billion in combined borrowing authority and cash balance.

This is clearly demonstrated in a table I have prepared showing what the monthly fiscal situation would be this year if the revenue collections were equally spread over the 12 months.

Mr. President, I ask unanimous consent to have the table printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Month	Revenue	Expenditures	Deficit or surplus	Leeway under statutory debt limit, plus cash balance
June 30, 1954				$10.4
July	$5.1	$5.3	−$0.2	10.2
August	5.1	7.0	−1.9	8.3
September	5.1	4.5	+.6	8.9
October	5.1	5.3	−.2	8.7
November	5.1	5.0	+.1	8.8
December	5.1	6.4	−1.3	7.5
January	5.1	5.0	+.1	7.6
February	5.1	4.6	+.5	8.1
March	5.1	5.5	−.4	7.7
April	5.1	5.2	−.1	7.6
May	5.1	5.1		7.6
June	5.1	6.7	−1.6	6.0
Total	61.2	65.6	−4.4	

Mr. BYRD. Mr. President, unfortunately, correction of these maladjustments in revenue collections cannot be made effective in the current year. As a result leeway under the debt limit will be exhausted and the cash balance will be drained in the July to December period, leaving neither borrowing authority nor cash balance to supplement collections in the January to March quarter.

Figures submitted by the Secretary of the Treasury indicate a shortage of funds from November 1954 to March 1955. As of July 30, 1954, the combined borrowing capacity and cash on hand aggregated $10.4 billion, and by next June 30, without additional borrowing authority, it would be back to $6 billion.

Figures submitted by the Secretary of the Treasury show a shortage of funds in the period from November to March.

As of June 30, 1954, the combined borrowing capacity and cash on hand aggregated $10,400,000,000. That total was available at the start of this fiscal year.

The temporary authority to exceed the statutory debt limit by $6 billion between now and next June, as proposed in the pending bill, would provide the Treasury with a minimum working balance of approximately $4 billion at all times. At this point I shall indicate when the shortages will occur.

On December 15, under the existing maladjustment of income, the Treasury would have exhausted its borrowing capacity, there would be no cash on hand, and the cash position would be minus $700 million. To that extent the Treasury will lack funds with which to pay its bills.

The January 15 borrowing capacity would be exhausted, and the cash position would be minus $2,100,000,000.

On January 31 the cash position would be minus $900 million.

On February 15 the cash position would be minus $100 million.

On February 28 the borrowing capacity would be exhausted, and there would be no balance on hand.

On March 15 the cash position would be minus $1,300,000,000.

From that date on the balance would accumulate, without any increase in the debt ceiling, so that on June 30 of next

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year the Treasury would have borrowing authority of $1,400,000,000 under the $275 million debt limit, and $4,500,000,000 in the operating cash balance, making a total of approximately $6 billion.

The temporary authorization of a $6 billion increase in the debt limit would at all times provide for the shortages, and would give the Treasury a working balance of not less than $4 billion. It seems to me that that should be sufficient.

Mr. President, I ask unanimous consent to have printed at this point in my remarks a table showing the Treasury's monthly position under the $275 billion debt limit presented to the Committee on Finance by the Secretary of the Treasury. This table clearly shows the fiscal strain resulting from peak and valley collections.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Public debt outstanding and Treasury cash, semimonthly, fiscal year 1955

[Estimated in billions of dollars]

	Debt outstanding subject to limit	Leeway under limit	Operating cash balance
1954:			
June 30 (actual)	270.8	4.2	6.2
July 15 (actual)	[1] 270.4	[1] 4.6	[1] 4.5
July 31	[1] 270.4	[1] 4.6	[1] 3.7
Aug. 15	274.4	.6	5.2
Aug 31	274.6	.4	4.9
Sept. 15	274.2	.8	3.9
Sept. 30	274.3	.7	4.8
Oct. 15	275.0		3.7
Oct. 31	275.0		2.6
Nov. 15	275.0		2.1
Nov. 30	275.0		1.6
Dec. 15	275.0		−.7
Dec. 31	275.0		−.9
1955:			
Jan. 15	275.0		−2.1
Jan. 31	275.0		−.9
Feb. 15	275.0		−.1
Feb. 28	275.0		
Mar. 15	275.0		−1.3
Mar. 31	275.0		3.7
Apr. 15	275.0		2.4
Apr. 30	275.0		3.1
May 15	275.0		3.1
May 31	275.0		2.5
June 15	275.0		.9
June 30	273.6	.4	4.5

[1] Revised from figures used in July 8, 1954, table to reflect experience during 1st half of July.

Source: Office of the Secretary of the Treasury, July 20, 1954.

Mr. BYRD. The Eisenhower administration is pledged to a balanced budget. Last year it reduced expenditures by more than $6 billion as compared with fiscal year 1953. The expiration of this new temporary borrowing authority as of next June 30 anticipates, and gives the opportunity for, still further efforts to balance the budget in the year beginning next July 1.

I am pleased to note that the President has issued instructions to all departments and agencies of the Government to reduce their expenditures even more in the preparation of their budget estimates for next year. This can be done without impairment of any essential Federal function to the extent that there will be no necessity next year to renew the temporary borrowing authority provided in this bill.

It was a year ago that the President requested Congress to increase the debt limit from $275 billion to $290 billion. A bill making this increase was passed by the House of Representatives and sent to the Senate. The Senate Finance Committee heard the testimony of administration spokesmen who said unless the debt limit were raised by $15 billion at that time the Government would be unable to pay its bills and a panic would result.

After full deliberation, the Finance Committee, 11 to 4, refused to report the $290 billion debt limit bill. What happened? The heavens did not fall; panic did not occur. The administration reduced its spending and stayed within the statutory debt limit.

In my opinion the action by the Finance Committee last year was the greatest single factor in the expenditure reduction. But there was still a deficit of more than $3 billion which has reduced both borrowing authority and the cash balance. Without a huge balance the low revenue months cannot be bridged.

The debt limit is no mere gadget without real purpose. Congress, for many years, has fixed a Federal debt limit beyond which Government officials cannot borrow. Today this $275 billion limit is of real significance to our future solvency. It is true that nearly every State has a constitutional provision against deficit spending and also every city and county.

Prior to World War I Federal debt was a minor problem. On July 1, 1914, the interest-bearing debt was less than $1 billion. At that time Federal debt could be created only by act of Congress which specified the purpose. I wish to emphasize that, Mr. President. On July 1, 1914, and before that date, during the entire history of this Government, there could be no debt authorized by the Government except by act of Congress which specified the purpose for which the debt was created.

This procedure was revised to meet the needs of World War I. It was in that period that the Secretary of the Treasury was given authority to borrow, subject to an overall limit fixed by Congress.

This statutory limit was first fixed at $11.5 billion, and then raised to $20 billion, to $28 billion, to $37 billion, and then to $37.5 billion in 1921.

The limit was kept at $37.5 billion for 10 years. In 1931 it was raised to $45.5 billion, and then to $48 billion in 1934. In 1935 it was reduced to $45 billion.

In 1940 it was raised again to $49 billion, then to $65 billion in 1941. With the beginning of World War II, it was raised to $125 billion in 1942, to $210 billion in 1943, to $260 billion in 1944, and it is now $275 billion.

The $275 billion Federal debt which we now owe is equivalent to the full value of all the land, all the buildings, all the mines, all the machinery, all the livestock—everything of tangible value—in the United States. We are mortgaged to the hilt.

It should be the considered judgment of every one of us that the Federal debt should not be increased except for extreme national emergency, and the size of the Federal debt is the greatest national emergency confronting us at the moment.

We, of our generation, should pause to realize that we are the trustees of our freedom. It is our obligation to preserve sound government for future generations.

This Nation has been through many wars, and after each of them, except World War II, we have discharged at least part of the debt incurred for our defense. After World War II we continued to add to our national debt, and 10 years after its conclusion we still are borrowing.

For all practical purposes, there has been no reduction in the Federal debt since the end of World War II. The only reduction was made with unused proceeds from a huge bond issue just before the end of the war. When the war contracts were canceled, the unused money was used to reduce the debt. Otherwise the debt has been increased steadily by deficits in 21 of the last 24 years.

Mr. President, let me repeat that. In 21 of the last 24 years, we operated at a deficit, and we had a balanced budget in only 3 of those years.

Young men and women, born in 1930, have lived under a Government operating in the red virtually all of their lives. Today the interest on the Federal debt takes more than 10 percent of our total Federal revenue. Without the tremendous cost of this debt, our annual tax bill could be cut 10 percent, across the board.

As it is, we are borrowing money at this very time to pay interest on money we have borrowed before. That means the interest is compounded.

In a Government grown callous to deficit financing, to increase the permanent debt limit would be regarded by every bureaucrat as license to increase his demands for higher expenditures. The lid would be off.

It is my firm conviction that if we had increased the debt limit to $290 billion a year ago, we now would be approaching that limit and preparing ourselves for another request to raise it again to $300 billion.

Actually, we should be reducing the debt at this time, not increasing it. If we cannot balance the Federal budget and reduce the debt in peace and better-than-normal prosperity, when can it be done?

This request to raise the debt limit behooves us to take a close look at our fiscal situation.

Our existing debt is $275 billion; and this is not all.

We have contingent liabilities totaling $200 billion in obligations the Federal Government has guaranteed, insured, and otherwise assumed on a contingent basis. Within this total there is probably some $40 billion outstanding in contingent Federal housing program liabilities. And from recent disclosures, largely confined to only one of FHA's 14 programs, it is evident that a large percentage of these contingent liabilities eventually will become a real draft on the Treasury. And this is not all.

In addition to the $275 billion in direct debt, and the $200 billion in contingent liabilities, we have on our hands a social-security system which is no

longer actuarially sound. The ultimate cost to the Federal Treasury of this system is still unestimated. But the fact remains that when the premiums imposed upon those covered into the system are no longer sufficient to pay the benefits, regular tax revenue collected by the Treasury from those in and out of the system will be used to finance the deficiency.

In opposing the requested increase in the permanent statutory debt limit, it is not my purpose to embarrass the administration. To the contrary, the effort to hold the lid on the debt is to strengthen the administration's hand for economy leading to the balanced budget which the President of the United States sacredly pledged in his 1952 campaign.

We should never be misled by academic star gazers who contend that public debt is unimportant when we owe it to ourselves.

Public debt is not like private debt. If private debt is not paid off, it can be ended by liquidation. But if public debt is not paid off with taxes, liquidation takes the form of disastrous inflation or national repudiation. Either would destroy our form of government.

Few will deny that we have reached our solvent limit. As to inflation from deficit financing, I have two tables developed from official sources, and they have been checked and rechecked. One shows deficit spending by years since 1940. The other shows the fall in the purchasing power of the dollar over the same period.

Beginning with 100-cent dollars in 1939, the purchasing power dropped 5 cents in 1940 and 1941 when the combined deficits were more than $8 billion. Despite wartime controls, it dropped 17 cents under the pressure of war deficits. And under postwar deficits it has dropped another 26 cents. As we all know, the purchasing power of the dollar is now estimated at 52 cents as compared with the purchasing power of the dollar at 100 cents in 1939.

Mr. President, I have a table showing year by year how, under deficit spending, the value of the dollar has declined. I ask unanimous consent to have the table printed in the RECORD at this point as a part of my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Year	Purchasing power of the dollar as measured by index 1935–39=100	Fiscal year deficits (−) or surpluses (+) in billions
1940	99.8	−$3.6
1941	95.1	−5.1
1942	85.8	−19.6
1943	80.8	−55.8
1944	79.6	−49.6
1945	77.8	−53.9
1946	71.7	−22.0
1947	62.7	+.7
1948	58.2	+8.4
1949	58.8	−1.8
1950	58.2	−3.1
1951	53.9	+3.5
1952	52.7	−4.0
1953 (September)	51.9	−9.4
1954 (June)	52.0	−3.0

Mr. BYRD. Mr. President, I shall cite a few of those years. These are official figures prepared by the Library of Congress. In 1941 the purchasing power of the dollar had declined 5 cents from 1939. In 1942 it declined 10 cents in 1 year, and the purchasing power of the dollar was 85 cents. In 1941 it was 95 cents. With all the financial disaster suffered by some of the European nations, not many of them had lost 10 percent of the value of their money in 1 year. In 1942 the value of the dollar went down 5 more cents, because in the 2 years I have given, when it went down 15 cents, we had deficits of $74 billion.

In 1944, when we had a deficit of $49 billion, it went down 2 cents more.

In 1946, when we had a deficit of $22 billion, it went down 6 cents more.

In 1947 it went down 9 cents; and so forth.

I do not contend that deficit spending is the sole cause of inflation. Of course there are other causes of inflation. But I respectfully submit that this table indicates—and I think most economists will agree—that deficit spending is perhaps the greatest single factor in the cheapening of the value of the money of any country.

We may regard these facts and figures lightly, if we choose, but the loss of half the purchasing power of its money in 13 years should be a serious warning to any nation. As I have said, other factors may be involved, but there is no doubt that deficit financing cheapens money. Cheapening money is inflation. Inflation is a dangerous game. It robs creditors. It steals from pensions, wages, and fixed incomes. Once started, it is exceedingly difficult to control.

Mr. President, I wish to compare for a moment the debt of the United States with the debts of other nations in Europe to which we have been making very large contributions.

Austria, for example, from the latest information, has a debt of $500 million.

Belgium has a debt of $5 billion.

Denmark has a debt of $1.2 billion.

France has a debt of $13 billion. I think the records will show that we have given to France more than $13 billion under the different plans of distributing our money abroad.

Greece has a debt of $510 million.

The Netherlands has a debt of $6 billion.

Norway has a debt of $1 billion.

Portugal has a debt of $434 million.

Turkey has a debt of $1 billion.

The United Kingdom has a debt of $71 billion.

The total for the debt of those countries is $113 billion. In other words, the debt of the United States is two and one-half times as great as the combined debts of 12 European nations, all of which have been the recipients of our bounty. We are still contributing in a large measure to those countries, which have a smaller debt on a per capita basis and otherwise than the United States of America has.

We still have practically the highest taxes we have ever known, yet a balanced budget is not in sight. Unless Federal spending is still further reduced, deficit spending and inflation will continue to the bitter end, which is insolvency. Increasing our borrowing is merely a panacea. The only real remedy is to reduce spending.

We cannot defend ourselves militarily in insolvency. We cannot preserve our freedom in insolvency. The only real answer is to reduce spending. Our currency would be worthless in insolvency.

Those who willfully or otherwise would destroy American solvency would destroy freedom for people everywhere.

Today we are at peace. That is to say, while we must maintain a massive military organization, we are not at war. This period of international crisis may continue for many years. We must live with it and adapt our financial affairs to it. Great perils are lurking in this troublesome world. To be prepared for eventualities, we should strengthen our domestic economy and not weaken it.

The temporary increase which is proposed to be granted under this bill should not be renewed. The administration should reduce its expenditures within the fiscal year beginning July 1, 1955, so that it will not be necessary to renew the temporary increase.

The administration can prepare the next budget so that renewal of this provision will not be necessary. This is what should and must be done.

Let me say in conclusion that it is with great reluctance that I, as one who has fought to the utmost of my capacity against increasing the debt limit, made the motion in the Senate Committee on Finance temporarily to increase the debt limit, for the reasons which I have mentioned. I did so because I realized that for a period of 4 months the Treasury of the United States would be in an embarrassing position if we did not do so.

I know we must pay our bills. I know that when we create a debt, when we buy implements of war, or whatever our obligations may be, we must meet our obligations, and meet them on time. It has never been my desire or purpose, in the efforts I and my colleagues have been making to keep the debt within a reasonable limitation, to create a situation which would be financially embarrassing to those who must pay the bills from the appropriations which are made by Congress.

Mr. President, I submit that the time has come when we must cease increasing the debt. I further submit that the Congress has lost control over the budget. Why? Because there are unexpended balances today aggregating $60 billion.

We shall have appropriated, when we adjourn, another $55 billion or so, which authorizes the administration to make expenditures of $115 billion. That is to say, should it be physically possible to expend that sum and should the money be available either from taxes or from borrowing, at any time in this fiscal year the Government could spend the entire amount of unexpended appropriations and new appropriations which we have provided this year.

As the Senate well knows, when we pass an appropriation bill there is no way in the world to tell how much of the money will be spent in the next fiscal year or in some other fiscal year. There is no way in the world to tell what the

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administration will be called upon to spend from the $60 billion unexpended balances it has on hand.

I conclude with the thought that the time has come to set our financial house in order. The time has come to put this country on a sound fiscal basis. If we do not do so, sooner or later we shall suffer disaster.

I ask unanimous consent that following my remarks tables 2, 3, and 4, which are the latest estimates of expenditures and revenues, as prepared by the Treasury Department as of July 20, 1954, be printed in the RECORD.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

TABLE 2.—*Budget receipts and expenditures, fiscal years 1954–55*

[In billions of dollars]

	Budget receipts		Budget expenditures		Budget deficit (−) or surplus (+)	
	1954 actual	1955 estimated [1]	1954 actual	1955 estimated [2]	1954 actual	1955 estimated
July	3.4	3.0	4.8	5.3	−1.4	−2.3
August	4.4	4.0	6.3	7.0	−1.9	−3.0
September	5.9	4.9	6.0	4.5	−.1	+.4
October	3.0	2.4	5.8	5.3	−2.8	−2.9
November	4.6	4.1	5.2	5.0	−.6	−.9
December	4.6	4.1	6.4	6.4	−1.8	−2.3
January	5.0	4.9	5.2	5.0	−.2	−.1
February	5.4	5.4	4.7	4.6	+.7	+.8
March	11.4	9.1	5.6	5.5	+5.8	+3.6
April	2.8	4.4	5.3	5.2	−2.5	−.8
May	3.6	4.7	5.2	5.1	−1.6	−.4
June	10.5	10.5	7.1	6.7	+3.4	+3.8
Total	64.6	61.5	67.6	65.6	−3.0	−4.1

[1] Estimates are based on the January 1954 budget document except that they allow for reduced receipts of about $1.2 billion because of the Excise Tax Reduction Act of 1954.

[2] Estimates are based on the January 1954 budget document; monthly distribution assumes payoff of about $1½ billion Commodity Credit Corporation certificates of interest maturing Aug. 2, 1954, and issuance of $1 billion new certificates in September.

Source: Office of the Secretary of the Treasury, July 20, 1954.

TABLE 3.—*Projected budget expenditures,[1] fiscal year 1955 (estimated)*

[In billions of dollars]

	Department (military)	Mutual military assistance	Commodity Credit Corporation	Interest on public debt	Veterans' Administration	All other	Total
1954—July	3.2	0.4	0.1	0.2	0.3	1.1	5.3
August	3.2	.4	2.0	.2	.3	.9	7.0
September	3.0	.4	−1.0	.7	.4	1.0	4.5
October	3.1	.4	.....	.4	.4	1.0	5.3
November	3.1	.3	.....	.4	.3	.9	5.0
December	3.4	.4	.....	1.2	.4	1.0	6.4
1955—January	3.2	.4	.....	.2	.3	.9	5.0
February	2.9	.3	−.3	.4	.3	1.0	4.6
March	3.1	.4	.....	.6	.4	1.0	5.5
April	3.2	.3	.....	.4	.4	.9	5.2
May	2.9	.3	.4	.3	.3	.9	5.1
June	3.3	.3	.....	1.8	.4	.9	6.7
Total	37.6	4.3	1.2	6.8	4.2	11.5	65.6
1954 actual	39.9	3.5	1.5	6.4	4.2	12.1	67.6

[1] Estimates are based on the January 1954 budget document; monthly distribution assumes payoff of about $1½ billion Commodity Credit Corporation certificates of interest maturing Aug. 2, 1954, and issuance of $1 billion new certificates in September.

Source: Office of the Secretary of the Treasury, July 20, 1954.

TABLE 4.—*Projected budget receipts,[1] fiscal year 1955 (estimated)*

[In billions of dollars]

	Individual income tax	Corporation income and excess-profits taxes	Excise taxes	All other (net)	Net budget receipts
1954—July	1.3	0.7	0.8	0.2	3.0
August	2.8	.3	.7	.2	4.0
September	2.7	1.2	.8	.2	4.9
October	1.0	.4	.7	.3	2.4
November	2.7	.4	.7	.3	4.1
December	1.7	1.3	.8	.3	4.1
1955—January	3.1	.6	.7	.5	4.9
February	3.8	.5	.8	.3	5.4
March	1.7	7.1	.8	−.5	9.1
April	3.4	.7	.8	−.5	4.4
May	3.4	.4	.8	.1	4.7
June	2.7	6.7	.8	.3	10.5
Total	30.3	20.3	9.2	1.7	61.5
1954 actual	32.4	21.5	10.0	.7	64.6

[1] Estimates are based on the January 1954 budget document except that they allow for reduced receipts of about $1.2 billion because of the Excise Tax Reduction Act of 1954; monthly distribution gives effect to proposed Apr. 15 filing date for individuals.

Source: Office of the Secretary of the Treasury, July 20, 1954.

Mr. LANGER. Mr. President, will the Senator yield for a question?

Mr. BYRD. I yield.

Mr. LANGER. What does the Senator mean by temporarily increasing the debt? Either we increase the debt or we do not increase it.

Mr. BYRD. It means that by June 30, 1955, the administration will have to pay it back, which it can do with the revenues it will have coming in. That will restore the debt limit.

Mr. LANGER. What is the difference between increasing it this time and raising it the last time? We did not make a temporary increase the last time.

Mr. BYRD. Of course, we have had a deficit of $3 billion since the last time we increased it. The Government is $3 billion worse off than it was a year ago.

Furthermore, 4 years ago we adopted a plan whereby we gradually collected the revenues from corporations in the first 6 months of the year, instead of having them collected in regular quarterly payments. Now we are collecting $17 billion more in the first 6 months than we are collecting in the last 6 months. The expenditures are nearly on an equal monthly basis. That situation will create a dip for about 4 months, which I explained, in the month beginning December 15, and ending March 15, whereby there would not be sufficient funds in the Treasury to pay the bills due in that period of time. When the funds come in later, we shall end this fiscal year with a balance of $6 billion, without any increase whatever in the public debt.

Mr. LANGER. On July 1, would the debt limit be $275 billion?

Mr. BYRD. Yes; unless Congress should take further action it would be $275 billion. The Treasury does not question the fact that it will have sufficient funds on hand at that time to pay the additional $6 billion, because, according to its own statement, it will have $6 billion on hand without any increase whatsoever in the debt.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. BUSH. Mr. President, I have heard the distinguished Senator from Virginia many times in the past 25 years in connection with this and related matters, and during those years I have read his statements on these very important subjects. I do not believe I have ever heard him make such an incisive, conclusive argument on the subject of Federal fiscal affairs as he has made to the Senate this afternoon. I wish it could be printed in every newspaper in the United States and be placed in every school in some form. Certainly it should be made available so that the American people could read the fundamentals which he has so clearly and forcefully outlined for the benefit of the Senate and for the benefit of the country. In his argument he has come to grips with one of the most important and difficult subjects that can arrest the attention of the Congress of the United States. He has done it in such a manner as literally to outdo himself. I wish to congratulate the Senator from Virginia heartily upon his remarkable, clear, and incisive analysis of the situation.

Also, Mr. President, I am one Senator, among many I am sure, who is grateful to the distinguished and able chairman of the Finance Committee, and to the Finance Committee itself, for bringing before the Senate a solution to the problem which we can accept with perhaps some grace. It is a very, very difficult problem.

I am completely in accord with the Senator from Virginia in hoping that when we get to this point next year, we will have so recaptured control of our spending that we will not have to deal with a similar situation then or at anytime while I am in the Senate of the United States.

I also agree with what he said about the Secretary of the Treasury, the Honorable George Humphrey. As I have said heretofore in the Senate, I believe that probably no other man in the United States is better qualified to deal with these problems than is the Honorable George Humphrey. He has been confronted with a most difficult situation. He does not like to recommend an increase in the debt limit. He has had to do so because of the actions of the Congress of the United States.

Again I congratulate the able Senator from Virginia. I think he made a remarkably fine presentation, and I am very glad I was in the Chamber to hear it.

Mr. DANIEL. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. DANIEL. I wish also to congratulate the Senator from Virginia. I have followed him throughout the years. In offering myself as a candidate for the office of Senator, one pledge I made was that, short of total war, I would not vote to increase the total national debt nor would I vote to raise the debt ceiling. I do not believe I can vote for even this temporary increase, but the Senator

from Virginia is certainly entitled to the praise and congratulations of the Senate for having worked out this plan for a temporary increase. Otherwise, I fear that we would be faced on the floor this afternoon with a sizable permanent increase in our national debt limit. I appreciate the work the Senator has done. I join with him in his remarks and his hope that we will start trimming our spending or at least fitting it to our income, as so many other countries of the world are doing.

I heard the figures of the national debt of the other nations stated by the Senator. I believe the last figures I saw of the national debts of all the other nations of the world show that we owe more money than all the other nations of the world combined. Is that correct?

My BYRD. That may be true. I have the figures for the 12 nations of Europe, and we owe more than 2½ times as much as those 12 nations of Europe.

Mr. LENNON. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. LENNON. I am sure the people of America were grateful to the distinguished senior Senator from Virginia [Mr. BYRD] and to the full Finance Committee when last summer they successfully resisted the pressure of the Secretary of the Treasury and the Director of the Budget in their efforts to increase the national debt limit from $275 billion to $290 billion. I believe every Member of the Senate today, as well as the people of America generally, share the view expressed by the distinguished senior Senator from Virginia to the effect that if we had raised the national debt limit to $290 billion last summer, very likely we would now be called upon to raise it again.

Like so many of my colleagues, I subscribe to the position that the departments, agencies, and bureaus of the Government will have come before the Congress next January with a longer and keener sight if they have any idea that Congress will increase their appropriations.

I want the Senate and the people of America to know that I am disappointed that it is necessary for the Committee on Finance to come to this necessary conclusion.

In the light of the fact that the Secretary of the Treasury and the Director of the Budget represented to the committee last summer that it was absolutely essential that the debt limit be raised from $275 billion to $290 billion, and that failure to do so would make it impossible for the Government to meet its current obligations, I wonder if now we are not faced with the same situation. I ask the distinguished Senator from Virginia this question: If the representation was made last summer that if the national debt limit were not increased by $15 billion we could not meet our current obligations, is it not likely that again a representation is being made to us to the effect that we shall not be able to meet our current obligations unless we raise the national-debt limit on a temporary basis by $6 billion?

Mr. BYRD. The situation is different in at least three respects. In the first place, we are $3 billion worse off than we were a year ago, because we have a $3 billion deficit in the year that ended last June 30. Therefore, our balance is $3 billion less than it was last year.

Secondly, under the so-called Mills plan corporate taxes in the July–December half of the year will be less again this year. And in the third place tax rates have been reduced.

Mr. LENNON. I am satisfied with the explanation of the distinguished Senator from Virginia. Considering his great knowledge of the fiscal affairs of the Nation, which I think exceeds that of many persons connected with Government today, if he is satisfied that we cannot escape raising the national-debt limit even on a temporary basis, I feel compelled to go along and vote with the senior Senator from Virginia.

Mr. BYRD. I think it is a close question. It is possible that Government agencies could effect further economies, thereby making the proposed increase in the debt limit unnecessary. Last August, in his appearance before our committee, as members of the Finance Committee know, Mr. Humphrey said that if he could not pay his bills there would be a panic. The result was that we did not increase the debt, and expenses were reduced by $6 billion, as compared with the previous year.

Now it is estimated that on January 15 the borrowing authority and the cash balance will be exhausted with a deficiency of $2 billion still remaining. Under these circumstances I felt we could not take such a risk. It would be a very unfortunate thing if at any time this country could not pay its current bills.

This is the first time in the history of the country that the statutory debt limit has been raised temporarily and it is with the understanding that economies must be achieved in the next year. Next year, under the new tax bill, the so-called Mills plan will be reversed. Corporations will be compelled to estimate their earnings in advance and beginning in September 1955 they will begin paying taxes on the estimate. Gradually the inequality of corporate tax collections will be wiped out. Senators can see from this statement I have presented where the inequality exists, assuming the statement is correct. There is a $2 billion deficiency on January 15. Yet on June 30 there is $6 billion in borrowing authority and cash on hand. This shows the inequality with which the revenue comes into the Treasury. Revenue comes in at an unequal monthly rate, but expenditures are on practically an equal monthly rate basis.

It is for that reason that the Senator from Virginia very reluctantly reached the conclusion that to be safe we had better grant this temporary increase, with the understanding that we expect the Treasury, the administration, and all the departments to reduce expenses sufficiently to make it unnecessary to renew this temporary increase in the debt limit.

Expenses were reduced $6 billion in fiscal 1954 as compared with fiscal 1953. I am speaking of actual expenditures. In my comparisons I have gotten away from talking about estimates because they do not mean anything. The administration reduced actual expenditures in 1954, compared with 1953, by $6 billion, and I compliment them for so doing. They can reduce expenditures another $6 billion in the coming year if they have to, but they cannot do it all at once.

I think this action should cause the administration to understand that Congress expects it not to ask for a renewal of this $6 billion. If it should be requested, I think the request ought to be very carefully scrutinized and not granted unless we are compelled to do so.

Mr. LENNON. I thank the senior Senator from Virginia, and I express the hope that the resolution which was introduced by the Senator from Virginia and the senior Senator from New Hampshire, which sets a balanced budget as a goal, will claim the attention of the Senate next year.

Mr. MARTIN. Mr. President, will the Senator yield?

Mr. BYRD. I yield to the Senator from Pennsylvania.

Mr. MARTIN. Mr. President, I think the Senate is most appreciative of the very clear statements made by the distinguished chairman of the Finance Committee [Mr. MILLIKIN], and the very distinguished senior Senator from Virginia [Mr. BYRD].

I am most reluctant to vote to raise the debt ceiling, but I think the plan which has been evolved is a sound one, and should be adopted by the Senate. However, I should like to impress upon the Members of the Senate the fact that unless we cut appropriations for the next fiscal year, or increase taxes, it will be necessary at this time next year to increase the debt ceiling. I think it is a responsibility of the American Congress. We should see that the budget is balanced, and there is no way to do that except by cutting expenditures or increasing taxes.

I have no questions to ask of the distinguished Senator, for I think the two statements which have been made are very clear. I desire to conclude by expressing the view that the people of the United States are most fortunate to have on the Senate Finance Committee men of the ability and the courage of the junior Senator from Colorado [Mr. MILLIKIN], the senior Senator from Georgia [Mr. GEORGE], and the senior Senator from Virginia [Mr. BYRD].

Mr. GEORGE. Mr. President, I, too, hope that this is only a temporary increase in the debt limit, but I do not think we can be too optimistic about it. The Secretary of the Treasury, I believe, stated as the basic recommendation to the committee that he could get along with an increase in the limit of $5 billion and an additional $5 billion on a temporary basis. That is $5 billion as a permanent increase, making the debt limit $280 billion, with a temporary increase of $5 billion to be liquidated at the end of this fiscal year, or at the beginning of another fiscal year.

We must not forget, Mr. President, that even if the Congress cuts down appropriations, the capacity to spend is

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still present and the ability to spend is still present if, through taxation or borrowing, the money can be obtained to spend. That is true because of the enormous carryover of unexpended balances.

The unexpended balances are now $60 billion. I thought they were a little above $60 billion, and the distinguished Senator from Virginia has stated they are about $60 billion. That is an enormous carryover, and, even if Congress did not appropriate any money next year for any purpose, and we could reapportion the $60 billion already authorized, and already appropriated but not actually in hand, we would spend our total income in that year. That is because our income is not going to be so great as it was in the last fiscal year. That is something I wanted to emphasize at this time. The Government's income is already down. As a matter of fact, some of the large and powerful corporations of the country have shown enormous profits, but corporations as a whole are showing some $2 billion less profits up to this time, taxwise. That is a minus $2 billion when they are grouped altogether.

I have great respect for the Secretary of the Treasury and I have great confidence in his judgment. The Secretary of the Treasury was of the opinion that by the end of this fiscal year, the down trend in corporate earnings would not indicate so great a Treasury loss, but would probably be increased by $1 billion, or perhaps $1½ billion. However, at the present time total corporate earnings show a loss as compared with earnings on which corporations paid taxes last year.

Another thing must be borne in mind. Under the changes recently made by Congress in our tax laws the corporate rate will drop next April 1 from 52 percent to 47 percent. That of itself represents a considerable loss to the Treasury. From my own experience in handling tax matters, I would say that it is going to be very difficult to avoid further reductions in many of the excise taxes during the next year. The problem will be to avoid by tax reductions a further loss of revenue and likewise to continue the high corporate rate of 52 percent beyond next April. Unless that rate is continued, or some additional taxes are levied to make up for the Treasury loss of about $2 billion, we will have a very much reduced chance of retiring or reducing this temporary increase in the debt limit by paying off the $6 billion, or so much of it as may be borrowed, at the end of the current fiscal year.

I merely point out those two facts. Regardless of how deeply we cut appropriations, the unexpended balances afford a ready opportunity for the expenditure of money, and it is necessary to look to what the Government is taking in and what it is spending. If the spending is not cut further, we will be called on, I am sure, at the end of this fiscal year, to increase the debt limit again.

I do not think, however, we can blink at the fact that we must maintain the credit of the United States. While we most regretfully must increase the debt limit, at the same time we have only two options. One option is to do so, and the other is to levy new taxes which will bring in new revenue, and this is not a very good time to levy new taxes on the American people.

With all the reductions which have been made, tax rates are still very high. I think the Secretary of the Treasury was correct when he said that, in his judgment, over a long period of time the American people could not continue to pay the present high Federal taxes, plus all the other taxes which they must pay, without hurting business. But we must reduce expenditures as much as we possibly can. We would be very sensible and very well advised to cut appropriations more deeply than we have cut them even during the past 18 months. If those things are not done, and if the revenue which comes in from taxes is not maintained at its present level, and next April reductions are not made as contemplated in existing law, or, if made, and new taxes are not found to take up that loss, we shall unquestionably be faced with a request for an increase in the debt limit again next year.

We must maintain the credit of the United States. I do not feel that the Secretary's recommendation of a $5 billion permanent increase with a $5 billion temporary increase on the basis of 5 and 1, as is now recommended, would have been too far out of line. But I have a strong feeling that the Treasury will be able to get through this year in a fairly comfortable position throughout the year. Therefore, I think there is nothing we can do except to vote for this increase.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. If there be no further amendment, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act to provide for a temporary increase in the public debt limit."

SOCIAL SECURITY AMENDMENTS OF 1954

The Senate resumed the consideration of the bill (H. R. 9366) to amend the Social Security Act and the Internal Revenue Code, so as to extend coverage under the old age and survivors insurance program, increase the benefits payable thereunder, preserve the insurance rights of disabled individuals, and increase the amount of earnings permitted without loss of benefits, and for other purposes.

Mr. MILLIKIN obtained the floor.

Mr. MARTIN. Mr. President, will the Senator from Colorado yield for a unanimous-consent request?

Mr. MILLIKIN. I yield.

RECLASSIFICATION OF DICTOPHONES IN THE TARIFF ACT OF 1930—MOTION FOR RECONSIDERATION

Mr. MARTIN. Mr. President, I ask unanimous consent to return to Calendar No. 2001, House bill 8932, to reclassify dictophones in the Tariff Act of 1930. This bill was passed on the call of the calendar a day or two ago.

Mr. HUMPHREY. Mr. President, reserving the right to object, as I understand the request of the Senator from Pennsylvania, it is with reference to my motion to call back from the House H. R. 8932; is that correct?

Mr. MARTIN. That is correct.

Mr. HUMPHREY. As of last night I requested that the Senate seek the return of the bill which had been before the Senate. I have no objection to the request of the Senator from Pennsylvania. We have discussed the matter, and I would appreciate it if the Senator would explain what we have agreed to and what seems to be a clarification of the purpose of the bill.

Mr. MARTIN. Mr. President, this proposed legislation was intended originally and is now intended to cover only the granite imported for the Iwo Jima statue paid for by contributions from Marine veterans.

The only reason the language did not specifically mention the Iwo Jima monument was the objection from Government Departments to specific legislation for particular projects or industries. They said it was a bad precedent and difficult to administer and it was at their suggestion that we drafted the bill in a general manner to cover this particular thing.

By putting the specific deadline of January 1, 1955, we have definitely limited the operation of the bill to this monument alone, because the bill states that the project using the granite must be the result of a Federal law for specific monuments on Federal property only. There is no other law on the books or pending before Congress for the erection of any other monument on Federal property, and so January 1 is a very safe date and is much easier for the Treasury Department to administer because it comes at the end of a calendar and statistical year.

The bill cannot apply to any but the Iwo Jima monument and does not need any changes to accomplish that purpose.

Mr. HUMPHREY. Mr. President, will the Senator from Pennsylvania yield?

Mr. MARTIN. I yield.

Mr. HUMPHREY. With that legislative history, there is now no difficulty as to the removal of the duty on the granite which will be imported. The removal of the tariff duty is for this one particular monument which has been described by the Senator from Pennsylvania. It will not permit the general movement of granite into the country up until January 1 for other purposes; is that correct?

Mr. MARTIN. The Senator is absolutely correct. The monument must be erected on Federal property.

Mr. HUMPHREY. In this instance, it is for the Iwo Jima monument specifically.

Mr. MARTIN. That is correct. The Senator will recall that it is a monument representing a group of marines raising the flag on the island of Iwo Jima.

Mr. HUMPHREY. I think it is a most worthy enterprise. As I said to the Senator from Pennsylvania, there had been a request from my State because we are very proud of our black granite in Minnesota, and we make note of the fact that it was used in the Jefferson Memorial. Of course, we are always happy to have our granite used in any memorial which may be constructed in this country.

The PRESIDING OFFICER. Does the Chair correctly understand that either of the Senators is asking unanimous consent to withdraw the motion which was made last night?

Mr. HUMPHREY. I ask unanimous consent to withdraw the motion.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. HUMPHREY. Mr. President, we are all appreciative of the many marines who have contributed to make this monument possible.

Mr. MARTIN. Mr. President, I thank the Senator from Minnesota for his cooperation.

Mr. HUMPHREY. It is always a pleasure to work with the Senator from Pennsylvania.

COMPENSATION OF HOLDERS OF CONTRACTS FOR PERFORMANCE OF MAIL-MESSENGER SERVICE

The PRESIDING OFFICER (Mr. REYNOLDS in the chair) laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H. R. 2263) to authorize the Postmaster General to readjust the compensation of holders of contracts for the performance of mail-messenger service, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. CARLSON. Mr. President, I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. CARLSON, Mr. DUFF, and Mr. JOHNSTON of South Carolina conferees on the part of the Senate.

OBSERVANCE OF PHILIPPINE-AMERICAN DAY

Mr. LEHMAN. Mr. President, today marks 55 years of close association between the United States and our great friend and ally, the Philippine Republic. I have prepared a statement with regard to this very important, historic day which we are now observing. I ask unanimous consent that it be printed at this point in the body of the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR LEHMAN

Today throughout the length and breadth of the Philippine Republic Philippine-American Day is being observed. The President of the Philippines, Mr. Ramon Magsaysay, is leading his 20 million countrymen in tribute to the 55 years of association which witnessed the United States come to the Philippines as a conqueror, remain as an educator, and leave as a liberator.

In 1898 and 1899 American forces landed in Manila, having reduced the Spanish garrison there. At that time the Filipino people, who had been fighting for their independence against Spain, turned against us when it was ascertained that we came at that time not as liberators but as occupiers.

The American forces pacified the Filipino insurgents—the rebels of that day. That is to say, we overcame them by force. That was the day when President William McKinley decided that it was the "manifest destiny" of the United States to become a colonial power and to bear our share of what Rudyard Kipling described as the "white man's burden."

That semi-imperialist concept did not reflect the spirit of the American people. Only a decade thereafter, with the election of Woodrow Wilson as President of the United States, a pledge of eventual independence was given to the Filipino people. That pledge was redeemed under the next Democratic President of the United States, Franklin D. Roosevelt, with the passage of the Tydings-McDuffie Act in 1934. That pledge was fulfilled on July 4, 1946, when the American flag—the flag of American sovereignty—was hauled down and the red, white, blue, and yellow flag of the Philippine Republic was raised in its place.

But from the very beginning of the occupation of the Philippines the American spirit was reflected in a policy which first startled and then won the hearts of the Filipino people.

Within weeks after the American flag had been raised in the Philippines an American ship arrived in Manila Harbor loaded, not with troops or supplies but with schoolteachers, sent to man, not barricades but schools which were newly established in every part and section of the Philippine Islands; and William Howard Taft, who as Governor General called the Filipinos "our little brown brothers," laid the groundwork for an intimate relationship between the American and Filipino people which was to grow warmer and closer with the passage of the years. Although the policy of that period was imperialistic, it was warm, benevolent, and enlightened.

For many years August 13 was observed in the Philippines as Occupation Day. It celebrated the arrival of the American forces. This year it was proclaimed by President Magsaysay as Philippine-American Day. A free and sovereign country does not observe or celebrate the anniversary of its occupation by a foreign power, however benign and beneficent. But we Americans may take real pride in the fact that this date has not been forgotten by the Filipino people or by their leaders. Instead, it has been converted into a day for the celebration of Philippine-American amity, for the observance of the common traditions and common values which both the Filipino and the American people hold and cherish.

I trust, on our part, in taking note of this day we in the Senate and in the country at large will resolve never to forget the special relationship we have with the Filipino people and with the Philippine Republic, a relationship as close as that which we have with any other nation of the world. We must never forget Bataan and Corregidor and the battles which the Filipino people fought for our cause, for the restoration of American sovereignty, even after the American flag had been hauled down in defeat.

I hope I may be speaking for the entire Senate in extending to President Magsaysay, of the Philippine Republic, and to the Filipino people the heartfelt regards and affectionate good wishes of the Senate of the United States.

SOCIAL SECURITY AMENDMENTS OF 1954

The Senate resumed the consideration of the bill (H. R. 9366) to amend the Social Security Act and the Internal Revenue Code, so as to extend coverage under the old-age and survivors insurance program, increase the benefits payable thereunder, preserve the insurance rights of disabled individuals, and increase the amount of earnings permitted without loss of benefits, and for other purposes.

Mr. WILLIAMS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. WILLIAMS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MILLIKIN. Mr. President, H. R. 9366, as amended by the Committee on Finance, is designed to improve the old-age and survivors insurance system—the system which President Eisenhower has called "the cornerstone of the Government's programs to promote the economic security of the individual."

In his message to Congress of January 14, 1954, the President recommended the expansion and improvement of old-age and survivors insurance and the preservation of the basic principles of the system. He cited two principles as the most important. These are:

First. The contributory aspect of the system under which the worker and his employer make payments during the years of active work, and

Second. The benefits received are related in part to the individual's earnings.

The provisions of the pending bill follow the President's recommendations.

Contributory social insurance continues to be basic in our governmental system for affording protection against the economic hazards resulting from old age and premature death. In my opinion, it is in the public interest for us to expand and improve the existing program which has been in operation since 1937.

Currently about 6½ million individuals—more than 5 million of whom are past 65 years of age—are on the benefit rolls. Studies conducted by the Bureau of Old-Age and Survivors Insurance indicate that a vast majority of the beneficiaries depend upon their monthly old-age and survivors insurance benefits to meet their day-by-day living expenses. If it were not for the contributory social insurance system, many of these beneficiaries would have to turn to public assistance for at least part of their bread and butter, shelter, and health needs.

In 1950 when I supported the 1950 Social Security Act amendments, I said:

History shows that as a nation becomes predominantly industrial, less and less security for more and more people is to be found in the cellar. The close ties of most people in less complicated agrarian economies with

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the protection and sustaining power of the land are severed and security must be found in the pay envelope, in the ability of the worker to buy his security from that which is in his pay envelope, and which by the nature of his employment in industrial areas cannot be found in the cellar.

Perfectionist theories for preserving individual security are shattered as to millions of people away from the land, due to the preventable and unpreventable disasters to payrolls caused by cyclical swings and numerous types of maladjustment in the economy, and often due to plain human frailty or catastrophic personal tragedies—all beyond the cure of lectures and stern admonitions by our Spartanists. The wide-scale junking of workers in mass-production industries even before middle age has been reached may prove too much even for the most rugged of the rugged individualists.

There are several principal reasons which justify our support of the contributory social insurance system. The reasons include:

Benefits are provided as a matter of right without a means test—a test which I have always disliked.

The cost is met by the production of the worker and his employer through the payroll tax or, if he is self-employed, the self-employment tax, and thus assuring a continuing interest in the program on the part of management, labor, and the general public.

The enactment of H. R. 9366 would improve old-age and survivors insurance so that in most respects the system would afford the protection recommended by the Advisory Council on Social Security to the Committee on Finance, appointed in 1947 pursuant to a Senate resolution adopted by the 80th Congress. This resolution was sponsored jointly by the senior Senator from Georgia and by the junior Senator from Colorado, and it directed the Senate Finance Committee "to make a full and complete investigation of old-age and survivors insurance and all other aspects of the existing social-security system particularly in respect to coverage, benefits, and taxes relative thereof."

The Council consisted of 17 men and women of high standing, broad experience, and especially qualified to protect the interests of the worker, employer, and the public. The late Edward R. Stettinius, Jr., then rector of the University of Virginia and formerly Secretary of State, was the chairman, and Dr. Sumner H. Slichter, Lamont University professor, was the cochairman.

The findings and recommendations of the Advisory Council were very helpful to your committee in formulating the 1950 Social Security Act amendments. Again this year, in determining policy decisions before the committee, in connection with the pending bill, the findings of the Council were taken into consideration. I am happy to state that the pending bill, along with the 1950 social security amendments, would carry out nearly all the recommendations made by the Council regarding old-age and survivors insurance. The major omission in the bill, when measured against the old-age insurance program recommended by the Council, relates to coverage.

Farm operators and the self-employed members of the professions excluded under present law would not be covered by H. R. 9366. In considering the extension of coverage to additional groups, your committee was guided by both the administrative feasibility of coverage and the wishes of the members of these groups as expressed by their spokesmen in testimony before the committee. Your committee found that there was a division of opinion among farm operators and the professional self-employed.

In the interest of securing as broad coverage as possible under the program, consideration was given to the possibility of allowing individuals working in such occupations to elect coverage on a voluntary basis. In this way the problem of diverse opinion on entrance into the program could have been resolved. Your committee concluded, however, that extension of coverage on an individual voluntary basis involved grave dangers with respect to the financing of the system, as well as discrimination against the great majority of workers covered under the program on a compulsory basis. Therefore when the committee found that substantial agreement did not exist among representatives of farmers and self-employed professionals as to whether they desired to be covered, the committee concluded that it would be wiser to continue the exclusion of these groups rather than allow the election of coverage as to individuals.

The old-age and survivors insurance system contains benefit provisions which allow for the payment of benefits in individual cases that are considerably in excess of the value of the contributions paid. Thus workers retiring in the early years after their coverage under the program started are permitted to draw full-rate benefits on the basis of a short period of work and contributions. Also, the survivors' insurance protection to individuals with large families is especially valuable. These provisions are necessary to the effective fulfillment of the purposes of the system in preventing dependency. They would, however, make the program vulnerable to adverse selection if coverage were to be made available on the basis of individual choice. Those who would elect coverage under a voluntary option are primarily those who could expect the largest return for a relatively small contribution. The deficit in their contributions would have to be made up by increasing the contribution rate for the covered groups as a whole. The result would be that those who are compulsorily covered along with their employers would have to bear a large part of the cost of the difference between what the select group pays and what it receives.

Your committee is convinced that the compulsory character of the system must be preserved, and that in the absence of overriding considerations of a special character, as is present in the case of members of the clergy, any extension of coverage must be on a mandatory basis with respect to individuals.

There are many provisions in the pending bill which I should like to discuss in detail and emphasize their importance for the economic security of American families. However, in order to conserve time, and as each Member of the Senate has not only been furnished the committee report—No. 1987—which consists of 183 pages, but also a document entitled "Major Differences in the Present Social Security Law and H. R. 9366 as Reported by the Committee on Finance," I shall summarize the principal provisions in the bill.

The provisions relating to old-age and survivors insurance would broaden coverage, bring benefits more in line with present-day price and wage levels, prevent reduction in benefits for workers who because of total disability cannot continue to work, and liberalize the existing retirement test so as to allow beneficiaries greater freedom to accept part-time or seasonal employment.

In summary the principal old-age and survivors' insurance provisions are:

First. Extension of coverage: Old-age and survivors' insurance coverage would be afforded to approximately 7 million persons who work during the course of a year in jobs now excluded from the program. The groups brought into the program under the bill are as follows:

(a) Employees of State and local governments who are covered by State and local retirement systems, other than policemen and firemen, under voluntary agreements between the State and the Federal Government, if a majority of the members of the system vote in a referendum in favor of coverage. There are about 3.5 million of those persons.

(b) Farmworkers who are paid at least $50 in cash wages by one employer in a calendar quarter. There are about 2.6 million of those persons.

(c) Domestic workers in private homes (and others who perform work not in the course of the employer's trade or business) who are paid $50 in cash wages by an employer in a calendar quarter, regardless of the 24-day test required in the present law. There are about 250,000 persons in that category.

(d) Ministers and members of religious orders, whether self-employed or employees, if they elect individually for coverage as self-employed persons. There are about 260,000 of those persons.

That is the group to which I referred a while ago, who labor under special circumstances, which caused the committee to feel that they should be considered a justified exception.

(e) American citizens employed outside the United States by foreign subsidiaries of American companies. Under voluntary agreements between the Federal Government and the parent American concern there are about 100,000 citizens affected by this provision.

(f) Homeworkers who are now excluded from coverage as employees—whether or not they are now covered as self-employed persons—because their services are not subject to State licensing laws. There are about 100,000 of those persons.

(g) Employees engaged in fishing and related activities, on vessels of 10 net tons or less or on shore. There are about 50,000 persons affected by this provision.

(h) American citizens employed by American employers on vessels and aircraft of foreign registry. There is a very small number of those.

Second. Computation of average monthly wage: Up to 5 years in which earnings were lowest or nonexistent could be dropped from the computation of the average monthly wage.

Third. Earnings base: The total annual earnings on which benefits would be computed and contributions paid would be raised from $3,600 to $4,200.

Fourth. Increase in benefits: (a) More than 6.5 million persons now on the benefit rolls would have their benefits increased. The average increase for retired workers would be about $6 a month with proportionate increases for dependents and survivors. The range in primary insurance amounts for those now on the rolls would be $30 to $98.50 as compared to $25 to $85 under present law.

(b) Persons who retire or die in the future would, in general, have their benefits computed by the following new formula: 55 percent of the first $110 of average monthly wage, rather than $100 as in the present law, plus 20 percent of the next $240, rather than 15 percent of the next $200. Under this formula, the maximum monthly benefit for a retired worker would be $108.50 and $54.25 for his aged wife, or a total of $162.75.

(c) The maximum monthly family benefit of $168.75 would be increased to $200.

(d) The minimum monthly benefit amount for a retired worker would be $30, and the minimum amount payable where only one survivor is entitled to benefits on the deceased insured person's earnings, would be $30.

Fifth. Limitation on earnings of beneficiaries: The earnings limitation would be removed at age 72. For beneficiaries under age 72 the earnings limitation would be made the same for wage earners and self-employed persons. A beneficiary could earn as much as $1,200 in a year from covered work without loss of benefits. He would lose 1 month's benefit for each unit of $80, or fraction thereof, of covered earnings in excess of $1,200, but in no case would he lose benefits for months in which he neither earned more than $80 in wages nor rendered substantial services in self-employment.

Mr. MORSE. Mr. President, will the Senator yield for a question at that point?

Mr. MILLIKIN. I yield.

Mr. MORSE. What does that represent by way of a change from the previous provisions?

Mr. MILLIKIN. At the present time, the age limit is 75. This brings the age limit down to 72.

Mr. MORSE. What is the change as to the amount?

Mr. MILLIKIN. As to the amount it is $75 a month, which is the key amount.

A beneficiary could earn as much as $1,200 a year from covered work without loss of benefits. He would lose 1 month's benefit for each unit of $80 or fraction thereof of covered earnings in excess of $1,200. In other words, he could earn up to $1,200.

Mr. MORSE. That is the new provision?

Mr. MILLIKIN. Yes.

Mr. MORSE. In contrast to the old provision.

Mr. MILLIKIN. $75 is the present law. Thank you, sir.

Mr. MORSE. Thank you.

Mr. MILLIKIN. Beneficiaries engaged in noncovered work outside the United States would have their benefits withheld for any month in which they worked on 7 or more days.

Sixth. Eligibility for benefits: (a) As an alternative to the present requirements for fully insured status, an individual would be fully insured if all the quarters elapsing after 1954 and up to the quarter of his death or attainment of age 65 were quarters of coverage, provided he had at least 6 quarters of coverage after 1954.

Seventh. Preservation of benfit rights for disabled: The period during which an individual was under an extended total disability would be excluded in determining his insured status and the amount of benefits payable to him upon retirement or to his survivors in the event of his death. Only disabilities lasting more than 6 months would be taken into account. Determinations of disabilities generally would be made by State vocational rehabilitation agencies or other appropriate State agencies pursuant to agreements with the Secretary of Health, Education, and Welfare.

Eighth. Recomputation of benefits for work after entitlement: An individual may have his benefit recomputed to take into account additional earnings after entitlement if he has covered earnings of more than $1,200 in a calendar year after 1953 and after the year in which his benefit was last computed.

Ninth. Contribution rates: Employers and employees will continue to share equally, with the rates on each being as follows:

Calendar years:	*Rate (percent)*
1954–59	2
1960–64	2½
1965–69	3
1970–74	3½
1975 and after	4

The self-employed would pay 1½ times the above rates.

Although the pending bill relates primarily to the old-age and survivors program your committee has not been unmindful of the needs of the recipients of the State-Federal public assistance programs.

The bill extends through September 30, 1956, the provisions of the 1952 amendments—presently scheduled to expire on September 30, 1954—with respect to Federal payments to States for public-assistance programs.

That relates, in a word, to what we call the McFarland amendment.

Until that date, the Federal share in old-age assistance, aid to the blind, and aid to the permanently and totally disabled will continue to be four-fifths of the first $25 of a State's average monthly payment per recipient, plus one-half of the remainder, within individual maximums of $55. For aid to dependent children the Federal share will be four-fifths of the first $15 of a State's average monthly payment per recipient, plus one-half of the remainder within individual maximums of $30 for the adult, $30 for the first child, and $21 for each additional child in a family.

In making this recommendation for the State-Federal public assistance programs your committee was of the opinion that by September 30, 1956, sufficient time would elapse to enable the Congress to give consideration to basic amendments in the Federal matching formulas.

The cost of continuing the increased Federal payments is about $400 million for the 24-month period.

By having the Federal Government continue to provide the extra Federal matching initiated in 1952, the States should be able to meet adequately the needs of State-Federal public assistance recipients. I should like to remind my colleagues that the liberalizations contained in the provisions in the bill relating to the old-age and survivors insurance will decrease the number of individuals who will require public assistance payments.

I urge the adoption of the measure before us.

Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc, and that the bill as amended be considered as the original text, for the purpose of further amendment.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request?

The Chair hears none, and it is so ordered.

The amendments agreed to en bloc are as follows:

On page 3, line 7, after the word "calendar" to strike out "year" and insert "quarter"; at the beginning of line 9, to strike out "year" and insert "quarter"; in line 10, after the word "than" to strike out "$200" and insert "$50"; after line 12, to insert:

"(1) (A) Service performed in connection with the production or harvesting of any commodity defined as an agricultural commodity in section 15 (g) of the Agricultural Marketing Act, as amended;"

At the beginning of line 17, to strike out "(1)" and insert "(B)"; on page 4, after line 17, to strike out:

"CERTAIN FEDERAL EMPLOYEES

"(c) (1) Subparagraph (B) of the paragraph of section 210 (a) of the Social Security Act herein redesignated as paragraph (6) is amended—

"(A) by inserting 'by an individual' after 'Service performed', and by inserting 'and if such service is covered by a retirement system established by such instrumentality;' after 'December 31, 1950,';

"(B) by inserting 'a Federal Home Loan Bank,' after 'a Federal Reserve Bank,' in clause (ii); and

"(C) by striking out 'or' at the end of clause (iii), by adding 'or' at the end of clause (iv), and by adding at the end of the subparagraph the following new clause:

"'(v) service performed by a civilian employee, not compensated from funds appropriated by the Congress, in the Coast Guard Exchanges or other activities, conducted by an instrumentality of the United States subject to the jurisdiction of the Secretary of the Treasury, at installations of the Coast Guard for the comfort, pleasure, contentment, and mental and physical improvement of personnel of the Coast Guard;'.

"(2) Subparagraph (C) of such paragraph is amended to read as follows:

"'(C) Service performed in the employ of the United States or in the employ of any

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instrumentality of the United States, if such service is performed—

"'(i) as the President or Vice President of the United States or as a Member, Delegate, or Resident Commissioner of or to the Congress;

"'(ii) in the legislative branch;

"'(iii) in a penal institution of the United States by an inmate thereof;

"'(iv) by any individual as an employee included under section 2 of the Act of August 4, 1947 (relating to certain interns, student nurses, and other student employees of hospitals of the Federal Government; 5 U. S. C., sec. 1052);

"'(v) by any individual as an employee serving on a temporary basis in case of fire, storm, earthquake, flood, or other similar emergency; or

"'(vi) by any individual to whom the Civil Service Retirement Act of 1930 does not apply because such individual is subject to another retirement system (other than the retirement system of the Tennessee Valley Authority);'.

"(3) Section 205 (p) (3) of such Act is amended by adding at the end thereof the following new sentence: 'The provisions of pargraphs (1) and (2) shall be applicable also in the case of service performed by a civilian employee, not compensated from funds appropriated by the Congress, in the Coast Guard Exchanges or other activities, conducted by an instrumentality of the United States subject to the jurisdiction of the Secretary of the Treasury, at installations of the Coast Guard for the comfort, pleasure, contentment, and mental and physical improvement of personnel of the Coast Guard; and for purposes of paragraphs (1) and (2) the Secretary of the Treasury shall be deemed to be the head of such instrumentality.'

"MINISTERS

"(d) (1) The paragraph of section 210 (a) of the Social Security Act herein redesignated as paragraph (8) is amended to read as follows:

"'(8) (A) Service performed in the employ of a religious, charitable, educational, or other organization exempt from income tax under section 101 (6) of the Internal Revenue Code, other than service performed by a duly ordained, commissioned, or licensed minister of a church in the exercise of his ministry or by a member of a religious order in the exercise of duties required by such order; but this subparagraph shall not apply to service performed during the period for which a certificate, filed pursuant to section 1426 (l) (1) of the Internal Revenue Code, is in effect, if such service is performed by an employee (i) whose signature appears on the list filed by such organization under such section, or (ii) who became an employee of such organization after the certificate was filed and after such period began;

"'(B) Service performed in the employ of a religious, charitable, educational, or other organization exempt from income tax under section 101 (6) of the Internal Revenue Code, by a duly ordained, commissioned, or licensed minister of a church in the exercise of his ministry or by a member of a religious order in the exercise of duties required by such order; but this subparagraph shall not apply to service performed by a duly ordained, commissioned, or licensed minister of a church or a member of a religious order, other than a member of a religious order who has taken a vow of poverty as a member of such order, during the period for which a certificate, filed pursuant to section 1426 (l) (2) of the Internal Revenue Code, is in effect, if such service is performed by an employee (i) whose signature appears on the list filed by such organization under such section, or (ii) who became an employee of such organization after the certificate was filed and after such period began;'.

"(2) Section 211 (c) of such Act is amended by striking out paragraph (4).

"(3) Nothing in subsection (a) of section 210 of the Social Security Act, as amended by this Act, or in subsections (b) and (l) of section 1426 of the Internal Revenue Code, as so amended, shall be construed to mean that any minister is an employee of an organization for any purpose other than the purposes of such sections."

At the top of page 9, to insert:

"MINISTERS

"(c) (1) Paragraph (2) of subsection (c) of section 211 of the Social Security Act is amended by inserting 'and other than service described in paragraph (4) of this subsection' after 'eighteen'.

"(2) Such subsection is further amended by adding at the end thereof the following new sentence: 'The provisions of paragraph (4) shall not apply to service (other than service performed by a member of a religious order who has taken a vow of poverty as a member of such order) performed by an individual during the period for which a certificate filed by such individual under section 1402 (e) of the Internal Revenue Code of 1954 is in effect.'"

At the beginning of line 15, to strike out "(e)" and insert "(d)"; at the beginning of line 21, to strike out "(f)" and insert "(e)"; at the top of page 10, to strike out:

"FARMERS AND PROFESSIONAL SELF-EMPLOYED

"(g) (1) Subsection (a) of section 211 of the Social Security Act is amended by striking out paragraph (2) and redesignating paragraphs (3), (4), (5), (6), and (7), and any references thereto contained in such Act, as paragraphs (2), (3), (4), (5), and (6), respectively, and by adding at the end of such subsection the following new sentence: 'In the case of any trade or business which is carried on by an individual who reports his income on a cash receipts and disbursements basis, and in which, if it were carried on exclusively by employees, the major portion of the services would constitute agricultural labor as defined in section 210 (f), (i) if the gross income derived from such trade or business by such individual is not more than $1,800, the net earnings from self-employment derived by him therefrom may, at his option, be deemed to be 50 per centum of such gross income in lieu of his net earnings from self-employment from such trade or business computed as provided under the preceding provisions of this subsection, or (ii) if the gross income derived from such trade or business by such individual is more than $1,800 and the net earnings from self-employment derived by him therefrom, as computed under the preceding provisions of this subsection, are less than $900, such net earnings may instead, at the option of such individual, be deemed to be $900. For the purpose of the preceding sentence, gross income derived from such trade or business shall mean the gross receipts from such trade or business reduced by the cost or other basis of property which was purchased and sold in carrying on such trade or business, adjusted (after such reduction) in accordance with the preceding provisions of this subsection.'

"(2) Paragraph (1) of such section 211 (a) is amended to read as follows:

"'(1) There shall be excluded rentals from real estate and from personal property leased with the real estate (including such rentals paid in crop shares), together with the deductions attributable thereto, unless such rentals are received in the course of a trade or business as a real estate dealer;'.

"(3) The paragraph of such section 211 (a) herein redesignated as paragraph (3) is amended by striking out 'cutting or disposal of timber' and inserting in lieu thereof 'cutting of timber, or the disposal of timber or coal,'.

"(4) Section 211 (c) of such Act is amended by striking out paragraph (5), by inserting 'or' at the end of paragraph (3), and by adding after paragraph (3) the following new paragraph:

"'(4) The performance of service by an individual in the exercise of his profession as a physician, or the performance of such service by a partnership.'"

At the top of page 12, to insert:

"COAL ROYALTIES

"(f) Paragraph (4) of section 211 (a) of the Social Security Act is amended by striking out 'cutting or disposal of timber' and inserting in lieu thereof 'cutting of timber, or the disposal of timber or coal,'."

At the beginning of line 8, to strike out "(h)" and insert "(g)"; in line 9, after the word "Exclusion" to strike out "Of" and insert "of"; in line 10, after the word "by" to strike out "striking out 'on the date such agreement is made applicable to such coverage group' and inserting in lieu thereof 'either (A) on the date such agreement is made applicable to such coverage group, or (B) on the date of the enactment of the succeeding paragraph of this subsection (except in the case of positions which are, by reason of action by such State or political subdivision thereof, as may be appropriate, taken prior to the date of the enactment of such succeeding paragraph, no longer covered by a retirement system on the date referred to in clause (A), and except in the case of positions excluded by paragraph (5) (A)).'" and insert "adding at the end thereof the following sentence:"; in line 22, after the amendment just above stated, to strike out "The" and insert "'The"; on page 13, line 5, to strike out "'system'." and insert 'system.'"; after line 5, to insert:

"(B) Such section 218 (d) is amended by striking out 'on the date such agreement is made applicable to such coverage group' and inserting in lieu thereof 'either (A) on the date such agreement is made applicable to such coverage group, or (B) on the date of enactment of the succeeding paragraph of this subsection (except in the case of positions which are, by reason of action by such State or political subdivision thereof, as may be appropriate, taken prior to the date of enactment of such succeeding paragraph, no longer covered by a retirement system on the date referred to in clause (A), and except in the case of positions excluded by paragraph (5) (A))'."

On page 14, line 19, after "(C)" to strike out "Ninety" and insert "Not less than ninety"; in line 23, after the word "him" to insert "and"; on page 15, at the beginning of line 1, to strike out "such referendum" and insert "favor of including service in such positions under an agreement under this section"; in line 2, after the amendment just above stated, to strike out the semicolon and "and"; after line 2, to strike out:

"'(F) Two-thirds or more of the employees who voted in such referendum voted in favor of including service in such positions under an agreement under this section.'"

In line 24, after the word "after" to strike out "any prior" and insert "the last previous"; on page 17, line 19, after the word "to" to strike out "each political subdivision" and insert "any one or more of the political subdivisions"; in line 23, after the word "State" to insert "or with respect to the State and any one or more of the political subdivisions concerned. If a retirement system covers positions of employees of one or more institutions of higher learning, then, for purposes of such preceding paragraphs, there shall be deemed to be a separate retirement system for the employees of each such institution of higher learning. For the purposes of this paragraph, the term 'institutions of higher learning' includes junior colleges and teachers' colleges.'" on page 21, line 19, after the

word "subsection", to insert "other than paragraph (1) (B)"; in the subhead beginning in line 21, after the word "Units" to insert "And Certain State Inspectors"; in line 23 to change the subsection letter from "(i)" to "(h)"; on page 22, after line 8, to insert:

"(2) Effective January 1, 1955, such paragraph is further amended by adding after the sentence added by paragraph (1) of this subsection the following new sentence: 'For purposes of this section, individuals employed pursuant to an agreement, entered into pursuant to section 205 of the Agricultural Marketing Act of 1946 (7 U. S. C. 1624) or section 14 of the Perishable Agricultural Commodities Act, 1930 (7 U. S. C. 499n), between a State and the United States Department of Agriculture to perform services as inspectors of agricultural products may be deemed, at the option of the State, to be employees of the State and (notwithstanding the preceding provisions of this paragraph) shall be deemed to be a separate coverage group.'"

In line 22, to change the subsection number from "(2)" to "(3)"; on page 23, after line 5, to insert:

"CERTAIN EMPLOYEES OF THE STATE OF UTAH

"(i) Effective as of January 1, 1951, section 218 of the Social Security Act is amended by adding after subsection (n) (added by subsection (g) (8) of this section) the following new subsection:

"'*Certain Employees of the State of Utah*

"'(o) Notwithstanding the provisions of subsection (d), the agreement with the State of Utah entered into pursuant to this section may be modified pursuant to subsection (c) (4) so as to apply to services performed for any of the following, the employees performing services for each of which shall constitute a separate coverage group: Weber Junior College, Carbon Junior College, Dixie Junior College, Central Utah Vocational School, Salt Lake Area Vocational School, Center for the Adult Blind, Union High School (Roosevelt, Utah), Utah High School Activities Association, State Industrial School, State Tra ning School, State Board of Education, and Utah School Employees Retirement Board. Any modification agreed to prior to January 1, 1955, may be made effective with respect to services performed by employees as members of any of such coverage groups after an effective date specified therein, except that in no case may any such date be earlier than December 31, 1950.'"

On page 24, at the beginning of line 20, to strike out "shall be deemed to have been imposed, but only for purposes of determining whether, on the basis of an application filed after the month in which this Act is enacted and prior to January 1, 1956, any person is entitled to a recomputation, under section 215 (f) of the Social Security Act, of the primary insurance amount of the individual who performed such services. For purposes of any such recomputation the individual who performed such services shall be deemed to have filed an application for recomputation in the month for which the last of the deductions is deemed to have been made under this paragraph, or in the first month thereafter (and prior to the month in which this Act is enacted) in which his benefits under section 202 (a) of the Social Security Act were no longer subject to deductions under paragraph (1) or (2) of section 203 (b) of such Act, whichever results in a higher primary insurance amount for such individual. Any such recomputation shall be made as provided in the Social Security Act prior to the enactment of this Act, and shall be effective for and after the month in which the application referred to in the first sentence of this paragraph is filed. This paragraph shall not be applicable in the case of any such individual if his primary insurance amount has been recomputed under section 215 (f) (2) of the Social Security Act prior to the month in which this Act is enacted. and insert "shall be deemed to have been imposed, but only for purposes of section 215 (f) (2) (A) or section 215 (f) (4) (A) of such Act as in effect prior to the enactment of this Act. An individual with respect to whose services the preceding sentence is applicable, or in the case of his death, his survivors entitled to monthly benefits under section 202 of the Social Security Act on the basis of his wages and self-employment income, shall be entitled to a recomputation of his primary insurance amount under such section 215 (f) (2) (A) or section 215 (f) (4) (A), as the case may be, if the conditions specified therein are met and if, with respect to a recomputation under such section 215 (f) (2) (A), such individual files the application referred to in such section after August 1954 and prior to January 1956 or, with respect to a recomputation under such section 215 (f) (4) (A), such individual died prior to January 1956 and any of such survivors entitled to monthly benefits files an application, in addition to the application filed for such monthly benefits, for a recomputation under such section 215 (f) (4) (A).

"(2) For purposes of a recomputation made by reason of paragraph (1) of this subsection, the primary insurance amount of the individual who performed the services referred to in such paragraph shall be computed under subsection (a) (2) of section 215 of the Social Security Act, as amended by this Act (but, for such purposes, without application of subsection (d) (4) of such section, as in effect prior to the enactment of this Act or as amended by this Act) and as though he became entitled to old-age insurance benefits in whichever of the following months yields the highest primary insurance amount:

"(A) the month following the last month for which deductions are deemed, pursuant to paragraph (1) of this subsection, to have been made; or

"(B) the first month after the month determined under subparagraph (A) (and prior to September 1954) in which his benefits under section 202 (a) of the Social Security Act were no longer subject to deductions under section 203 (b) of such Act; or

"(C) the first month after the last month (and prior to September 1954) in which his benefits under section 202 (a) of the Social Security Act were subject to deductions under section 203 (b) of such Act; or

"(D) the month in which such individual filed his application for recomputation referred to in paragraph (1) of this subsection or, if he died without filing such application and prior to January 1, 1956, the month in which he died, and in any such case (but, if the individual is deceased, only if death occurred after August 1954) the amendments made by subsections (b) (1), (e) (1) and (e) (3) (B) of section 102 of this Act shall be applicable.

"Such recomputation shall be effective for and after the month in which the application required by paragraph (1) of this subsection is filed. The provisions of this subsection shall not be applicable in the case of any individual if his primary insurance amount has been recomputed under section 215 (f) (2) of the Social Security Act on the basis of an application filed prior to September 1954."

On page 28, line 4, to change the subsection number from "(2)" to "(3)"; in line 23, after the word "section" to strike out "1426 (m)" and insert "3121 (1)"; in line 24, after the word "Code" to insert "of 1954"; on page 29, line 1, after the word "section", to strike out "3797 (a)" and insert "7701"; in the same line, after the word "Code" to insert "of 1954"; in line 3, after the word "section" to strike out "1426 (m)" and insert "3121 (1)"; in line 4, after the word "Code" to insert "of 1954"; in line 7, after the word "by" to strike out "paragraph (3) of"; in line 8, after the word "subsection" to strike out "(g)" and insert "(f)"; at the beginning of line 10, to strike out "paragraphs (1), (2), and (4) of such subsection and by paragraph (2) of"; in line 11, after the word "subsection" to strike out "(d)" and insert "(c)"; in line 20, after the numerals "1954." to strike out "The amendment made by paragraph (3) of subsection (c) shall become effective January 1, 1955."; in line 23, after the word "subsections" to insert "(g)"; on page 30, line 1, after the word "by" to strike out "paragraphs (1), (2), and (4) of subsection (g) and by paragraph (2) of subsection (d)" and insert "subsection (c) of this section"; in line 4, after the word "to" to insert "net earnings from"; in the same line, after "self-employment" to strike out "income"; in line 5, after the word "of" to insert "net earnings from"; in line 6, after "self-employment", to strike out "income"; in line 11, after the word "subsection" to insert "net earnings from"; in line 12, after "self-employment" to strike out "income"; in line 20, after the word "after" to strike out "the last date of the month following the month in which the Social Security Amendments of 1954 are enacted," and insert "August 1954"; in line 23, after the word "such" to strike out "day" and insert "month"; on page 32, line 5, after the word "computed" to insert "(including a computation after the application of paragraph (4))"; in line 12, after the word "higher" to strike out "average monthly wage" and insert "primary insurance amount"; in line 15, after the word "higher" to strike out "average monthly wage" and insert "primary insurance amount:"; on page 33, line 4, after the word "higher" to strike out "average monthly wage" and insert "primary insurance amount"; after line 7, to strike out:

"(2) Subsection (b) of such section is further amended by striking out paragraph (4) and inserting in lieu thereof the following new paragraph:"

And insert:

"(2) Paragraph (4) of such subsection (b) is amended to read as follows:"

In line 14, after the word "after" to strike out "the year in which occurs"; on page 34, line 3, after the word "who" to strike out "had" and insert "has" in line 4, after the word "coverage" to strike out "in the period ending with the calendar quarter preceding his closing date"; on page 36, line 13, after the word "and" to strike out "(ii)" and insert "(iii)"; on page 40, line 4, after "(3)" to strike out "(C)." " and insert "(C); and"."; in line 5, after "(2)" to strike out "(A)"; at the beginning of line 14, to strike out "not less than $1,000" and insert "more than $1,200"; in line 15, after the numerals "1953" to insert "not taking into account any year prior to the calendar year in which the last previous recomputation, if any, of his primary insurance amount was effective)"; in line 22, after "(5)" to insert "(B)"; on page 41, after line 10, to strike out:

"'(B) Except as provided in subparagraph (C) a recomputation pursuant to subparagraph (A) shall be made only as provided in subsection (a) (1) (other than subparagraph (B) thereof) of this section, taking into account only such wages and self-employment income which would be taken into account under subsection (b) if the month in which he filed the application under subparagraph (A) were deemed to be the month in which he became entitled to old age insurance benefits, except that, of the provisions of paragraph (3) of such subsection, only the provisions of subparagraph (A) shall be applicable.'"

And insert:

"'(B) A recomputation pursuant to subparagraph (A) shall be made as provided in subsection (a) of this section and as though

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the individual first became entitled to old-age insurance benefits in the month in which he filed the application for such recomputation, but only if the provisions of subsection (b) (4) were not applicable to the last previous computation of his primary insurance amount. If the provisions of subsection (b) (4) were applicable to such previous computation, the recomputation under subparagraph (A) of this paragraph shall be made only as provided in subsection (a) (1) (other than subparagraph (B) thereof) and for such purposes his average monthly wage shall be determined as though he became entitled to old-age insurance benefits in the month in which he filed the application for recomputation under subparagraph (A), except that, of the provisions of paragraph (3) of subsection (b), only the provisions of subparagraph (A) thereof shall be applicable.'"

On page 42, after line 13, to strike out:

"'(C) If such recomputation is the first recomputation under subparagraph (A), such recomputation shall be made as though the individual first became entitled to old-age insurance benefits on the day he filed application for such recomputation. For purposes of this subparagraph a recomputation under section 102 (e) (5) (B) or 102 (f) (2) (B) of the Social Security Amendments of 1954 shall be deemed to be a recomputation under subparagraph (A) of this paragraph.'"

In line 25, at the beginning of the line, to insert "(3)"; on page 43, line 3, after the word "after" to strike out "the effective date" and insert "August, 1954"; in line 9, after the word "recomputed" to strike out "for the first time under" and insert "as provided in the first sentence of"; in line 10, after "(2)" to insert "(B)"; in line 11, after the word "after" to strike out "the effective date" and insert "August 1954"; on page 44, line 10, after the word "filed", to strike out "As used in this subparagraph and subparagraph (B), the term 'effective date' means the last day of the month following the month in which the Social Security Amendments of 1954 are enacted."; after line 13, to strike out:

"'(B) Upon application by a person entitled to monthly benefits or a lump sum death payment on the basis of the wages and self-employment income of an individual who died after the effective date and who, if he was entitled to an old-age insurance benefit before he died, would, upon the filing of an application in the month of his death, have been entitled to a recomputation of his primary insurance amount under subparagraph (A) of this paragraph, the Secretary shall recompute such individual's primary insurance amount. Such recomputation shall be made in the manner provided in the preceding subsections of this section for computation of such amount, except that his closing date for purposes of subsection (b) shall be the first day of the year following the year in which he died or in which he filed his application for the last previous computation of his primary insurance amount under any provision of law referred to in clause (i), (ii), or (iii) of the first sentence of subparagraph (A), whichever first occurred.'"

And insert "In the case of an individual who dies after August 1954—

"'(i) who, at the time of death, was not entitled to old-age insurance benefits under section 202 (a), or who became entitled to old-age insurance benefits under section 202 (a) after August 1954, or whose primary insurance amount was recomputed under paragraph (2) or (4) of this subsection, or section 102 (e) (5) or section 102 (f) (2) (B) of the Social Security Amendments of 1954, on the basis of an application filed after August 1954; and

"'(ii) with respect to whom the last previous computation or recomputation of his primary insurance amount was based upon a closing date determined under subparagraph (A) or (B) of subsection (b) (3) of this section,

the Secretary shall recompute his primary insurance amount upon the filing of an application by a person entitled to monthly benefits or a lump-sum death payment on the basis of his wages and self-employment income. Such recomputation shall be made in the manner provided in the preceding subsections of this section for computation of such amount, except that his closing date for purposes of subsection (b) shall be the day following the year of death in case he died without becoming entitled to old-age insurance benefits, or, in case he was entitled to old-age insurance benefits, the day following the year in which was filed the application for the last previous computation of his primary insurance amount or in which the individual died, whichever first occurred.'"

On page 48, line 15, after the word "therefor" to strike out "on or"; in the same line, after the word "before" to strike out "the effective date" and insert "September 1954"; on page 49, at the beginning of line 11, to insert "or if the individual died without filing the application for recomputation, the month in which he died"; in line 13, after the word "which" to strike out "the individual" and insert "he"; in line 14, after the word "benefits.", to strike out "Such" and insert "In the case of monthly benefits, such"; in line 17, after the word "filed" to insert "or, if the individual has died without filing the application, for and after the month in which the person filing the application for monthly survivor benefits becomes entitled to such benefits."

On page 50, at the beginning of line 2, to strike out "the effective date" and insert "August 1954, or who died after such"; at the beginning of line 3, to strike out "and with respect to whom either less than six of the quarters elapsing after 1950 and prior to the day following the effective date are quarters of coverage or the twelfth month referred to in such subparagraph (A) occurred after the effective date, and

"(ii) any individual who is entitled to a recomputation under section 215 (f) (2) (B) of the Social Security Act on the basis of an application filed after the effective date and with respect to whom less than six of the quarters elapsing after 1950 and prior to the day following the effective date are quarters of coverage or who did not attain the age of seventy-five prior to the date following the effective date" and insert "month leaving any survivors entitled to a recomputation under section 215 (f) (4) of the Social Security Act as in effect prior to the enactment of this Act on the basis of his wages and self-employment income, and whose sixth quarter of coverage after 1950 was acquired after August 1954 or with respect to whom the twelfth month referred to in such subparagraph (A) occurred after such month, and

"(ii) any individual who is entitled to a recomputation under section 215 (f) (2) (B) of the Social Security Act as in effect prior to the enactment of this Act on the basis of an application filed after August 1954, or who died after August 1954 leaving any survivors entitled to a recomputation under section 215 (f) (4) of the Social Security Act as in effect prior to the enactment of this Act on the basis of his wages and self-employment income, and whose sixth quarter of coverage after 1950 was acquired after August 1954 or who did not attain the age of seventy-five prior to September 1954," on page 51, line 18, after the word "recomputation" to insert "or, if he has died, in the month in which he dies"; in the same line, after the amendment just above stated, to strike out "Such" and insert "In the case of monthly benefits, such"; in line 21, after the word "filed" to insert "or, if the individual has died without filing the application, for and after the month in which the person filing the application for monthly survivors benefits becomes entitled to such benefits," in line 24, after the amendment just above stated, to strike out "As used in this subparagraph and the succeeding subsections of this section, the 'effective date' is the last day of the month following the month in which this Act is enacted.

"(C) No individual shall be entitled to a recomputation under section 215 (f) (2) of the Social Security Act as in effect prior to the date of the enactment of this Act unless" and insert "An individual or, in case of his death, his survivors entitled to a lump-sum death payment or to monthly benefits under section 202 of the Social Security Act on the basis of his wages and self-employment income shall be entitled to a recomputation of his primary insurance amount under section 215 (f) (2) or section 215 (f) (4) of the Social Security Act as in effect prior to the date of enactment of this Act only if"; on page 53, line 5, after the word "his", to strike out "closing date shall be July 1, 1956, instead of the day specified in section 215 (b) (3) of such Act" and insert "primary insurance amount shall be computed by this Act, with a starting date of December 31, 1954, and a closing date of July 1, 1956"; on page 55, line 2, after the word "to" to strike out "the day following the effective date" and insert "September 1954"; in line 14, after the word "after" to strike out "the effective date" and insert "August 1954"; in line 16, after the word "benefits" to insert "for months after August 1954,"; at the beginning of line 18 to insert "in the case of death after August 1954"; in line 21, after the word "after" to strike out "the effective date" and insert "August 1954"; in line 22, after the word "after" to strike out "such effective date" and insert "August 1954"; on page 56, line 5, after the word "who" to strike out "files, after the effective date," and insert "files"; in line 8, after the word "after" to strike out "the effective date" and insert "August 1954"; in line 10, after "(f)" to strike out "(7)" and insert "(6)"; in line 21, after the word "for" to strike out "the month in which the effective date occurs" and insert "August 1954"; on page 57, line 4, after the word "after" to strike out "the effective date" and insert "August 1954"; in line 19, after the word "effective" to strike out "for and after the month in which the application therefor was filed by such individual or" and insert "(i) if the application is filed by such individual, for and after the twelfth month before the month in which the application therefor was filed by such individual but in no case before the first month of the quarter which is such individual's sixth quarter of coverage acquired after June 30, 1953, or (ii)"; on page 58, line 17, after the word "after" to strike out "the effective date" and insert "August 1954"; in line 18, after the word "after" to strike out "the effective date" and insert "August 1954"; in line 20, after the word "after" to strike out "the effective date" and insert "August 1954"; on page 59, line 9, after the word "after" to strike out "the effective date" and insert "August 1954"; in line 11, after the word "subsection" to strike out "(i)" and insert "(e)"; in line 12, after "(2)" to insert "of this subsection"; in line 15, after the word "Effective" to strike out "with the beginning of the second month following the month in which this Act is enacted" and insert "September 1, 1954"; in line 22, to strike out "the month following the month in which the Social Security Amendments of 1954 are enacted" and insert "August 1954"; on page 60, line 4, after the word "for" to strike out "the month in which the effective date occurs" and insert "August 1954"; on page 61, at the beginning of line 2, to strike out "the month in which the effective date occurs" and insert "August 1954"; in line 11, after the word "for" to strike out "the month in which the effective date occurs" and insert "August 1954"; in line 22, after the word "for" to

strike out "the month in which the effective date occurs" and insert "August 1954"; on page 62, line 17, after "(i)" to strike out "(1)"; on page 63, after line 3, to strike out:

"(2) The first sentence of subsection (i) of such section 202 is amended by inserting ', or an amount equal to $255, whichever is the smaller' after 'primary insurance amount.'"

On page 63, at the beginning of line 13, to strike out "seventy-five" and insert "seventy-two"; at the beginning of line 20, to strike out "seventy-five" and insert "seventy-two"; on page 64, line 3, after the word "of" to strike out "seventy-five" and insert "seventy-two"; in line 11, after the word "of" to strike out "seventy-five" and insert "seventy-two"; in line 24, after the word "than", to strike out "$1,000" and insert "$1,200"; on page 65, line 2, after the word "of" to strike out "one-twelfth of $1,000" and insert "$100"; in line 7, after the word "of" where it occurs the second time, to strike out "$1,000" and insert "$1,200"; in line 8, after the word "of" where it occurs the second time, to strike out "$1,000" and insert "$1,200"; in line 17, after the word "of" to strike out "one-twelfth of $1,000" and insert "$100"; on page 66, line 8, after the word "subsection" to strike out "(b), or in subsection (m)," and insert "(b)"; in line 9, after the word "age" to strike out "seventy-five" and insert "seventy-two"; on page 67, line 18, after the word "individual's" to strike out "net earnings from self-employment and his"; in line 22, after the word "section" to strike out "211, other than paragraphs (1) and (4) of subsection (c)," and insert "211"; in line 24, after the word "any" to strike out "excess of income over deductions resulting from such a computation shall be his net earnings from self-employment and any"; on page 68, line 1, after the word "income" to strike out "so"; in line 2, after the word "resulting", to insert "from such a computation"; in line 6, after the word "in" to strike out "subsections (a), (g) (2), (g) (3), (h) (2), and (j) of section 209; and in making such computation services which do not constitute employment as defined in section 210, performed within the United States by the individual as an employee, shall be deemed to be employment as so defined if the remuneration for such services is not includible in computing his net earnings or net loss from self employment" and insert "section 209 (a)"; on page 69, line 7, after the word "subsection" to strike out "(b), (c), or (m)" and insert "(b) or (c)"; in line 15, after the word "subsection" to strike out "(b), (c), or (m)," and insert "(b) or (c)"; on page 70, line 2, after the word "of" where it occurs the second time, to strike out "one-twelfth of $1,000" and insert "$100"; after line 6, to insert:

"(3) The third sentence of paragraph (1) of such section 203 (g) is amended by striking out 'seventy-five' and inserting in lieu thereof 'seventy-two'."

In line 10, to change the subsection number from "(3)" to "(4)"; on page 71, line 20, to change the subsection number from "(4)" to "(5)"; on page 72, after line 14, to insert:

"(6) The heading of section 203 (j) of such Act is amended by striking out 'seventy-five' and inserting in lieu thereof 'seventy-two' and such section is amended by striking out 'seventy-five' and inserting in lieu thereof 'seventy-two'."

On page 73, line 15, after the word "section" to strike out "23" and insert "162"; in line 16, after the word "Code" to insert "of 1954"; on page 74, after line 3, to strike out:

"(i) (1) Section 203 of such Act is further amended by adding after subsection (i) (added by subsection (h) of this section) the following new subsection:

"*'Deductions From Benefits of Dependents' and Survivors' Residing Abroad*

"'(m) (1) Deductions shall be made from any benefits to which a dependent or survivor is entitled under subsection (b), (c), (d), (e), (f), (g), or (h) of section 202 on the basis of the wages and self-employment income of an insured individual until the total of such deductions equals such dependent's or survivor's benefit or benefits under such subsection for any month during no part of which he is a resident of the United States unless—

"'(A) such dependent or survivor resided in the United States for three years during the five years immediately preceding the first month for which he was eligible for such benefits or any other monthly benefits under such section 202 based on the wages and self-employment income of such insured individual; or

"'(B) such insured individual would be a currently insured individual at the time he became eligible for or entitled to old age insurance benefits or primary insurance benefits or, if he died without becoming so eligible or entitled, at the time of his death, even if no wages were counted for such purpose except his wages (if any) for service referred to in clause (B) of so much of section 210 (a) as precedes paragraph (1) and his wages (if any) deemed paid pursuant to subsection (a) or (c) of section 217; or

"'(C) in the case of a child entitled to child's insurance benefits, such child first became eligible for such benefit (on the basis of the wages and self-employment income of such insured individual) prior to the month in which he attained the age of three and such child was born in the United States.

"'(2) For purposes of paragraph (1)—

"'(A) an individual shall be deemed eligible for benefits under any subsection of section 202 for any month if he was, or would have been upon filing application therefor in such month, entitled to such benefits for such month;

"'(B) a dependent is a wife, husband, or child of an individual entitled to old age insurance benefits; and

"'(C) a survivor is a widow, widower, child, former wife divorced, or parent (of a deceased individual) entitled to monthly benefits under subsection (d), (e), (f), (g), or (h) of section 202.'"

"(2) The first sentence of section 203 (d) of such Act is amended by striking out '(b) and (c)' and inserting in lieu thereof '(b), (c), and (m).'

"(3) Section 214 (b) of such Act is amended by striking out 'or' before clause (3) and by inserting immediately before the period at the end thereof: ', or (4) for purposes of section 203 (m) only, the first quarter in which he was, or would have been upon filing application therefor in such quarter, entitled to old age insurance benefits or primary insurance benefits'.

"(4) Subsections (a) (1) and (e) (1) of section 217 of such Act are each amended by adding at the end thereof the following new sentence: 'The provisions of clause (B) shall also not apply for purposes of section 203 (m) (1) (B).'

"(5) The amendments made by this subsection shall be applicable in the case of any individual who (A) is entitled to benefits under any subsection of section 202 of the Social Security Act (other than subsection (a) thereof), on the basis of the wages and self-employment income of an insured individual, after the month in which this Act is enacted, and (B) was not, and would not have been upon filing application therefor in such month, entitled (without the application of subsection (j) (1) of such section 202) to benefits under the same or any other subsection of such section 202 on the basis of such insured individual's wages and self-employment income for the month in which this Act is enacted or any prior month."

On page 77, line 4, to change the subsection letter from "(j)" to "(i)"; on page 78, after line 18, to insert:

"(3) Subsections (b) (1), (b) (2), (c), (e), and (j) of section 203 of the Social Security Act as in effect prior to the enactment of this Act, to the extent they are in effect with respect to months after 1954, are each amended by striking out 'seventy-five' and inserting in lieu thereof 'seventy-two', but only with respect to such months after 1954."

on page 81, line 5, after "212" to strike out "and" and insert a period; at the beginning of line 13, to strike out "the month following the month in which this Act is enacted" and insert "August 1954"; in line 16, after the word "to", to strike out "the fifth month before the month in which this Act is enacted" and insert "February 1954"; on page 83, line 12, after the word "after" to strike out "quarter" and insert "quarters"; on page 88, line 2, after the word "by" to strike out "inserting ', or for purposes of section 216 (i) (3)' immediately before the period at the end of the last sentence thereof (added by section 103 (i) (4) of this Act." "adding at the end thereof the following new sentence: 'The provisions of clause (B) shall also not apply for purposes of section 216 (i) (3).'"; on page 92, after line 9, to strike out:

"DELETION OF EARNINGS DURING UNLAWFUL RESIDENCE IN THE UNITED STATES

"SEC. 107. (a) Section 205 of the Social Security Act is amended by redesignating subsection (n) as subsection (m) and inserting after such subsection the following new subsection:

"*'Earnings During Unlawful Residence Deleted From Record*

"'(n) (1) Notwithstanding the provisions of subsection (c), wages for service performed by an individual during any period that he is unlawfully in the United States, and self-employment income derived by him during such period, shall be deleted from the Secretary's records for such individual and shall not be counted for purposes of determining entitlement to or the amount of any benefits or lump sum death payments under section 202.

"'(2) Upon application for benefits or a lump sum death payment on the basis of the wages and self-employment income of any individual the Secretary shall make a decision without regard to paragraph (1) unless he has been notified by the Attorney General that such individual was unlawfully in the United States during any period of time. If the Attorney General has made or makes a determination that there was such a period, he shall notify the Secretary thereof, and the Secretary shall certify no further benefits for payment or shall recompute the amount of any further benefits payable on the basis of such individual's wages and self-employment income, as may be required by paragraph (1). Any payment certified by the Secretary on the basis of the wages and self-employment income of such individual prior to receipt of such notice shall not be deemed by reason of this subsection to be an erroneous payment.'

"(b) The amendment made by subsection (a) shall be applicable in the case of monthly benefits under title II of the Social Security Act for months after, and in the case of lump-sum death payments with respect to deaths occurring after, the month following the month in which this Act is enacted.

"TERMINATION OF BENEFITS UPON DEPORTATION

"SEC. 108. (a) Section 202 of the Social Security Act is amended by adding at the end thereof the following new subsection:

"*'Termination of Benefits Upon Deportation of Primary Beneficiary*

"'(m) (1) Notwithstanding any other provision of this title, no monthly benefits under this section shall be paid on the basis of the wages and self-employment income of any individual for any month after such individual has been deported under paragraph (1), (2), (4), (5), (6), (7), (10), (11), (12), (14), (15), (16), (17), or (18) of section 241 (a) of the Immigration and Nationality

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Act, and no lump sum death payment shall be made on the basis of such wages and self-employment income in case of death in or after such month.

"'(2) Upon application for benefits or a lump-sum death payment on the basis of the wages and self-employment income of any individual, the Secretary shall make a decision without regard to paragraph (1) unless he has been notified by the Attorney General that such individual has been deported under one of the paragraphs of section 241 (a) of the Immigration and Nationality Act enumerated in paragraph (1) of this subsection. If such individual has been or is deported under any such paragraph, the Attorney General shall so notify the Secretary, and the Secretary shall certify no further benefits for payment on the basis of such individual's wages and self-employment income. Any payment certified by the Secretary on the basis of the wages and self-employment income of such individual, prior to receipt of such notice, shall not be deemed by reason of this subsection to be an erroneous payment.'

"(b) The amendment made by subsection (a) shall be applicable in the case of monthly benefits under title II of the Social Security Act for months after, and in the case of lump-sum death payments with respect to deaths occurring after, the month following the month in which this Act is enacted."

On page 95, line 12, after "Sec." to strike out "109" and insert "107"; in the same line, after the amendment just above stated, to strike out "(a)"; in line 23, after the word "coverage" to insert "but only if there are not fewer than six of such quarters so elapsing"; after line 24, to strike out:

"(b) Subparagraph (B) of section 213 (a) (2) of such Act is amended by inserting '(except wages for agricultural labor)' after '$50 or more in wages' in that part of such subparagraph which precedes clause (i), and by striking out clause (iv) and inserting in lieu thereof the following:

"'(iv) if an individual is paid wages for agricultural labor in a calendar year, then, subject to clause (i), (a) the last two quarters of such year which can be but are not otherwise quarters of coverage shall be quarters of coverage if such wages are less than $300; (b) the last three quarters of such year which can be but are not otherwise quarters of coverage shall be quarters of coverage if such wages equal or exceed $300 but are less than $400; and (c) each quarter of such year which is not otherwise a quarter of coverage shall be a quarter of coverage if such wages are $400 or more; and

"'(v) no quarter shall be counted as a quarter of coverage prior to the beginning of such quarter.

If, in the case of any individual who has attained retirement age or died and who has been paid wages for agricultural labor in a calendar year, the requirements for insured status in subsection (a) or (b) of section 214, the requirements for entitlement to a computation or recomputation of his primary insurance amount, or the requirements of paragraph (3) of section 216 (i) are not met after assignment of quarters of coverage to quarters in such year as provided in clause (iv) of the preceding sentence, but would be met if such quarters of coverage were assigned to different quarters in such year, then such quarters of coverage shall instead be assigned, for purposes only of determining compliance with such requirements, to such different quarters.'"

On page 97, line 9, to change the section number from "110" to "108"; in line 20, after the word "such" to strike out "Act, except that, for" and insert "Act."; in the same line, after the amendment just above stated, to insert "For"; in line 21, after the word "of" where it occurs the second time, to strike out "paragraph (d) of subsection (d) of such section (in lieu of the provisions of paragraph (3) of such subsection)" and insert "section 215 (d) (3) of such Act shall apply if such individual died a currently insured individual (under title II of such Act) and any other person was entitled on the basis of his wages to monthly benefits or a lump-sum death payment under section 202 of such Act; in all other cases the provisions of section 215 (d) (4)"; on page 98, line 5, after the word "applicable" to strike out "and"; in the same line, after the word "that" to strike out "his" and insert "such individual's"; in line 10, after the word "filed" to strike out "within two years after the first month following the month in which this Act is enacted" and insert "before September 1956"; in line 14, after the word "after" to strike out "the first month following the month in which this Act is enacted" and insert "August 1954"; at the beginning of line 17, to strike out "in which this Act is enacted"; in line 20, to change the section number from "111" to "109"; on page 99, line 22, to change the section number from "112" to "110"; on page 100, line 2, after the word "which" to strike out "derived," and insert "derived"; in line 6, to change the section number from "113" to "111"; in line 8, after the word "after" to strike out "the month in which this Act is enacted" and insert "August 1954"; in line 9, after the word "effective" to strike out "with the beginning of the month following the month in which this Act is enacted" and insert "September 1, 1954"; in line 16, after the word "after" to strike out "the month in which this Act is enacted" and insert "August 1954"; in line 18, after the word "effective" to strike out "with the beginning of the month following the month in which this Act is enacted" and insert "September 1, 1954"; on page 101, line 3, to change the section number from "114" to "112"; on page 102, line 22, after the word "this" to strike out "Act" and insert "section"; on page 103, line 8, after the word "Act" to insert "(as in effect before or after the enactment of this Act)"; in line 13, after the word "after" to strike out "the first month following the month in which this Act is enacted" and insert "August 1954"; in line 18, to change the section number from "115" to "113"; after line 20 to insert:

"COVERED EMPLOYMENT NOT COUNTED UNDER OTHER FEDERAL RETIREMENT SYSTEMS

"SEC. 114. Notwithstanding any other provision of law, in determining eligibility for or the amount of any benefit (other than a benefit under title II of the Social Security Act or the Railroad Retirement Act of 1937, as amended) under any retirement system established by the United States or any instrumentality thereof, there shall not be taken into account any service which constitutes employment (as defined in section 210 (a) of the Social Security Act) and is performed after 1954 by individuals as officers or employees of the United States or any instrumentality thereof."

On page 104, line 9, in the heading, after the word "Revenue", to strike out "Code" and insert "Codes of 1939 and 1954"; in line 11, after "Sec. 201. (a)", to strike out "(1) Paragraph (1) of section 481 (a) of the Internal Revenue Code is amended to read as follows:

"'(1) There shall be excluded rentals from real estate and from personal property leased with the real estate (including such rentals paid in crop shares) together with the deductions attributable thereto, unless such rentals are received in the course of a trade or business as a real estate dealer;'.

"(2) Subsection (a) of section 481 of the Internal Revenue Code is amended by striking out paragraph (2) and redesignating paragraphs (3), (4), (5), (6), and (7), and any references thereto contained in such code, as paragraphs (2), (3), (4), (5), and (6), respectively, and by adding at the end of such subsection the following new sentence: 'In the case of any trade or business which is carried on by an individual who reports his income on a cash receipts and disbursements basis, and in which, if it were carried on exclusively by employees, the major portion of the services would constitute agricultural labor as defined in section 1426 (h), (i) if the gross income derived from such trade or business by such individual is not more than $1,800, the net earnings from self-employment derived by him therefrom may, at his option, be deemed to be 50 per centum of such gross income in lieu of his net earnings from self-employment from such trade or business computed as provided under the preceding provisions of this subsection, or (ii) if the gross income derived from such trade or business by such individual is more than $1,800 and the net earnings from self-employment derived by him therefrom, as computed under the preceding provisions of this subsection, are less than $900, such net earnings may instead, at the option of such individual, be deemed to be $900. For the purpose of the preceding sentence, gross income derived from such trade or business shall mean the gross receipts from such trade or business reduced by the cost or other basis of property which was purchased and sold in carrying on such trade or business, adjusted (after such reduction) in accordance with the preceding provisions of this subsection.'"

On page 106, at the beginning of line 1, to strike out "(b) (1)"; in the same line, after the word "section" to strike out "481" and insert "1402"; in line 2, after the word "code" to insert "of 1954"; in line 4, after "(1)" to strike out "That" and insert "that"; in line 6, after "(A)" to strike out "For" and insert "for"; in line 10, after "(B)" to strike out "For" and insert "for"; in line 14, at the beginning of the line, to strike out "(2)" and insert "(b)"; in the same line, after the word "Section" to strike out "481" and insert "1402"; in line 15, after the word "Code" to insert "of 1954"; in line 17, after the word "section" to strike out "1426 (m)" and insert "3121 (l)"; after line 19, strike out:

"(c) Section 481 (c) of the Internal Revenue Code is amended by striking out paragraphs (4) and (5), by inserting 'or' at the end of paragraph (3), and by adding after paragraph (3) the following new paragraph:

"'(4) The performance of service by an individual in the exercise of his profession as a physician, or the performance of such service by a partnership.'"

On page 107, after line 2, to insert:

"(c) (1) Section 1402 (c) (2) of the Internal Revenue Code of 1954 is amended by inserting after '18' the following: 'and other than service described in paragraph (4) of this subsection'.

"(2) Section 1402 (c) of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new sentence: 'The provisions of paragraph (4) shall not apply to service (other than service performed by a member of a religious order who has taken a vow of poverty as a member of such order) performed by an individual during the period for which a certificate filed by such individual under subsection (e) is in effect.'

"(3) Section 1402 of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new subsection:

"'(e) MINISTERS AND MEMBERS OF RELIGIOUS ORDERS.—

"'(1) WAIVER CERTIFICATE.—Any individual who is a duly ordained, commissioned, or licensed minister of a church or a member of a religious order (other than a member of a religious order who has taken a vow of poverty as a member of such order) may file a certificate (in such form and manner, and with such official, as may be prescribed by regulations made under this chapter) certifying that he elects to have the insurance system established by title II of the Social

Security Act extended to service, described in subsection (c) (4), performed by him.

"'(2) TIME FOR FILING CERTIFICATE.—Any individual who desires to file a certificate pursuant to paragraph (1) must file such certificate on or before the due date of the return (including any extension thereof) for his second taxable year ending after 1954 for which he has net earnings from self-employment (computed without regard to paragraph (4) of subsection (c)) of $400 or more, any part of which was derived from his performance of service described in such paragraph (4).

"'(3) EFFECTIVE DATE OF CERTIFICATE.—A certificate filed pursuant to this subsection shall be effective for the first taxable year with respect to which it is filed (but in no case shall the certificate be effective for a taxable year with respect to which the period for filing a return has expired, or for a taxable year ending prior to 1955) and all succeeding taxable years. An election made pursuant to this subsection shall be irrevocable.'"

On page 109, line 4, after the word "section" to strike out "1401 (d) (3)" and insert "6414 (c) (1)"; in line 11, after the word "entitled" to insert "(subject to the provisions of section 31 (b))"; in line 13, after the numerals "1400" to insert "of the Internal Revenue Code of 1939"; in line 21, after the word "entitled", to insert "(subject to the provisions of section 31 (b))"; at the beginning of line 22, to insert "credit or"; in line 23, after the word "section" to strike out "1400" and insert "3101"; on page 110, line 4, after the word "Code" to insert "of 1939"; in line 6, after the word "modification" to insert "thereof"; in line 9, after the word "within" to strike out "a period of"; in line 10, after the word "after" to strike out "the end of"; in line 13, after the word "section" to strike out "1401 (d) (4)" and insert "6413 (c) (2)"; in line 14, after the word "Code" to insert "of 1954"; in line 15, after the word "follows" to strike out "Special Rules in the" and insert "Applicability in"; in line 18, after the word "Section" to strike out "1401 (d) (4) (A)" and insert "6413 (c) (2) (A)"; in line 19, after the word "Code" to insert "of 1954"; in line 23, after the word "Section" to strike out "1401 (d) (4)" and insert "6413 (c) (2)"; in line 24, after the word "Code" to insert "of 1954"; on page 111, line 2, after the word "For" to strike out "the"; in the same line, after the word "paragraph" to strike out "(3)" and insert "(1)"; in line 3, after the word "subsection" to strike out "in the case of remuneration received during any calendar year after the calendar year 1954,"; in line 7, after the word "section" to strike out "1426 (m) of this subchapter" and insert "3121 (1)"; in line 11, after the word "section" to strike out "1426 (m)" and insert "3121 (1)"; in line 12, after the word "section" to strike out "1400" and insert "3101"; in line 14, after the word "section" to strike out "1426 (m)" and insert "3121 (1)"; in line 16, after the word "section" to strike out "1400" and insert "3101"; in line 18, after the word "section" to strike out "1426" and insert "3121"; at the beginning of line 19, to strike out "(3)" and insert "(1)"; in line 22, after the word "section" to strike out "1426 (m)" and insert "3121 (1)"; in line 24, after the word "section" to strike out "1420 (c)" and insert "3122"; in line 25, after the word "Code" to insert "of 1954"; in the same line, after the word "by" to strike out "inserting 'in the case of the calendar year 1951, 1952, 1953, or 1954, or the $4,200 limitation in such section in the case of any calendar year after 1954' after 'the $3,600 limitation in section 1426 (a) (1)'", and insert "striking out '$3,600' and inserting in lieu thereof '$4,200'"; on page 112, line 8, after the numerals "1954" to insert "The amendment made by subsection (a) (2) shall be effective as if it had been enacted as a part of section 203 (c) of the Social Security Act Amendments of 1950 which added section 1401 (d) (3) to the Internal Revenue Code of 1939."

After line 12, to strike out:

"COLLECTION AND PAYMENT OF TAXES WITH RESPECT TO COAST GUARD EXCHANGES

"SEC. 203. (a) Section 1420 (c) of the Internal Revenue Code is amended by adding at the end thereof the following new sentence: 'The provisions of this subsection shall be applicable also in the case of service performed by a civilian employee, not compensated from funds appropriated by the Congress, in the Coast Guard Exchanges or other activities, conducted by an instrumentality of the United States subject to the jurisdiction of the Secretary, at installations of the Coast Guard for the comfort, pleasure, contentment, and mental and physical improvement of personnel of the Coast Guard; and for purposes of this subsection the Secretary shall be deemed to be the head of such instrumentality.'

"(b) The amendment made by subsection (a) shall become effective January 1, 1955."

On page 113, line 6, to change the section number from "024" to "203"; in the same line, after the word "section" to strike out "1426" and insert "3121"; in line 7, after the word "Code" to insert "of 1954"; in line 10, after the word "section" to strike out "1426" and insert "3121"; in line 11, after the word "Code" to insert "of 1954"; in line 13, after "(B)" to strike out "Cash" and insert "cash"; in line 20, after the word "subsection" to strike out "(h)" and insert "(g)"; in line 21, after the word "Section" to strike out "1426" and insert "3121"; in line 22, after the word "Code" to insert "of 1954"; in line 24, after "(C)" to strike out "Cash" and insert "cash"; on page 114, line 5, after the word "this" to strike out "subparagraph" and insert "subparagraph,"; in line 9, after the word "subsection" to strike out "(h)" and insert "(g)"; in line 10, after the word "Section" to strike out "1426" and insert "3121"; in line 11, after the word "Code" to insert "of 1954"; in line 14, after "(B)" to strike out "Cash" and insert "cash"; in line 15, after the word "calendar" to strike out "year" and insert "quarter"; in line 16, after the word "such" to strike out "year" and insert "quarter"; in line 18, after the word "than" to strike out "$200" and insert "$50"; in line 23, to change the section number from "205" to "304"; in the same line, after the word "Section" to strike out "1426" and insert "3121"; in line 24, after the word "Code" to insert "of 1954"; at the top of page 115, to strike out:

"'(1) Service performed by foreign agricultural workers under contracts entered into in accordance with title V of the Agricultural Act of 1949, as amended;'."

And insert in lieu thereof:

"'(1) (A) service performed in connection with the production or harvesting of any commodity defined as an agricultural commodity in section 15 (g) of the Agricultural Marketing Act, as amended (46 Stat. 1550 § 3; 12 U. S. C. (1141j));

"'(B) service performed by foreign agricultural workers under contracts entered into in accordance with title V of the Agricultural Act of 1949, as amended (65 Stat. 119; 7 U. S. C. 1461–1468);'."

In line 13, after the word "Section" to strike out "1426" and insert "3121"; in line 14, after the word "Code" to insert "of 1954"; in line 20, after the word "section" to strike out "1426" and insert "3121"; in line 21, after the word "Code" to insert "of 1954"; on page 116, after line 4, to strike out:

"(d) (1) Subparagraph (B) of the paragraph of section 1426 (b) of the Internal Revenue Code herein redesignated as paragraph (6) is amended—

"(A) by inserting 'by an individual' after 'Service performed,' and by inserting 'and if such service is covered by a retirement system established by such instrumentality;' after 'December 31, 1950,';

"(B) by inserting 'a Federal Home Loan Bank,' after 'a Federal Reserve Bank,' in clause (ii); and

"(C) by striking out 'or' at the end of clause (iii), by adding 'or' at the end of clause (iv), and by adding at the end of the subparagraph the following new clause:

"'(v) service performed by a civilian employee, not compensated from funds appropriated by the Congress, in the Coast Guard Exchanges or other activities, conducted by an instrumentality of the United States subject to the jurisdiction of the Secretary of the Treasury, at installations of the Coast Guard for the comfort, pleasure, contentment, and mental and physical improvement of personnel of the Coast Guard;'.

"(2) Subparagraph (C) of such paragraph is amended to read as follows:

"'(C) Service performed in the employ of the United States or in the employ of any instrumentality of the United States, if such service is performed—

"'(i) as the President or Vice President of the United States or as a Member, Delegate, or Resident Commissioner of or to the Congress;

"'(ii) in the legislative branch;

"'(iii) in a penal institution of the United States by an inmate thereof;

"'(iv) by any individual as an employee included under section 2 of the Act of August 4, 1947 (relating to certain interns, student nurses, and other student employees of hospitals of the Federal Government; 5 U. S. C., sec. 1052);

"'(v) by any individual as an employee serving on a temporary basis in case of fire, storm, earthquake, flood, or other similar emergency; or

"'(vi) by any individual to whom the Civil Service Retirement Act of 1930 does not apply because such individual is subject to another retirement system (other than the retirement system of the Tennessee Valley Authority);'.

"(e) The paragraph of section 1426 (b) of the Internal Revenue Code herein redesignated as paragraph (8) is amended to read as follows:

"'(8) (A) Service performed in the employ of a religious, charitable, educational, or other organization exempt from income tax under section 101 (6), other than service performed by a duly ordained, commissioned, or licensed minister of a church in the exercise of his ministry or by a member of a religious order in the exercise of duties required by such order; but this subparagraph shall not apply to service performed during the period for which a certificate, filed pursuant to subsection (l) (1), is in effect, if such service is performed by an employee (i) whose signature appears on the list filed by such organization under such subsection, or (ii) who became an employee of such organization after the certificate was filed and after such period began;

"'(B) Service performed in the employ of a religious, charitable, educational, or other organization exempt from income tax under section 101 (6), by a duly ordained, commissioned, or licensed minister of a church in the exercise of his ministry or by a member of a religious order in the exercise of duties required by such order; but this subparagraph shall not apply to service performed by a duly ordained, commissioned, or licensed minister of a church or a member of a religious order, other than a member of a religious order who has taken a vow of poverty as a member of such order, during the period for which a certificate, filed pursuant to subsection (l) (2), is in effect, if such service is performed by an employee (i) whose signature appears on the list filed by such organization under such subsection, or (ii) who became an employee of such organization after the certificate was filed and after such period began;'."

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On page 119, at the beginning of line 9, to strike out "(f)" and insert "(d)"; in the same line, after the word "Section" to strike out "1426" and insert "3121"; in line 10, after the word "Code" to insert "of 1954"; at the beginning of line 14, to strike out "(g)" and insert "(e)"; in the same line, after the word "subsections" to strike out "(c), (d), (e), and (f)" and insert "(c) and (d)"; after line 20, to insert:

"AMENDMENT RELATING TO COLLECTION OF EMPLOYEE TAX

"SEC. 205. Section 3102 (a) of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new sentence: 'An employer who in any calendar quarter pays to an employee cash remuneration to which paragraph (7) (B) or (C), (8) (B), or (10) of section 3121 (a) is applicable may deduct an amount equivalent to such tax from any such payment of remuneration, even though at the time of payment the total amount of such remuneration paid to the employee by the employer in the calendar quarter is less than $50'."

On page 120, line 9, after the word "section" to strike out "1426" and insert "3121"; in line 10, after the word "Code" to insert "of 1954"; after line 16, to strike out:

"WAIVER OF TAX EXEMPTION BY NONPROFIT ORGANIZATIONS WITH RESPECT TO MINISTERS IN THEIR EMPLOY

"SEC. 207. (a) Paragraph (1) of section 1426 (1) of the Internal Revenue Code is amended by inserting '(other than service performed by a duly ordained, commissioned, or licensed minister of a church in the exercise of his ministry or by a member of a religious order in the exercise of duties required by such order)' after 'service' in the first sentence, by striking out 'two-thirds of its employees' and inserting in lieu thereof 'two-thirds of its employees performing service to which this paragraph is applicable' in such sentence, and by deleting so much of such paragraphs as follows the first sentence.

"(b) Such section 1426 (1) is amended by redesignating paragraphs (2) and (3) as paragraphs (6) and (7), respectively, and by adding after paragraph (1) the following new paragraphs:

"'(2) WAIVER OF EXEMPTIONS IN THE CASE OF MINISTERS. An organization exempt from income tax under section 101 (6) may file a certificate (in such form and manner, and with such official, as may be prescribed by regulations made under this subchapter) certifying that it desires to have the insurance system established by title II of the Social Security Act extended to service performed by its employees who are duly ordained, commissioned, or licensed ministers of a church or churches and perform such service in the exercise of their ministry or who are members of a religious order or orders (other than a member of a religious order who has taken a vow of poverty as a member of such order) and perform such service in the exercise of duties required by such order or orders, and that at least two-thirds of such employees concur in the filing of the certificate. Notwithstanding the preceding sentence of this paragraph, a certificate may not be filed by an organization pursuant to such sentence unless (A) such organization does not have any employees with respect to whom a certificate may be filed pursuant to paragraph (1), or (B) such organization has filed a certificate pursuant to paragraph (1) with respect to such employees.

"'(3) LIST TO ACCOMPANY CERTIFICATE. A certificate may be filed pursuant to paragraph (1) or paragraph (2) only if it is accompanied by a list containing the signature, address, and social security account number (if any) of each employee who concurs in the filing of the certificate. Such list may be amended at any time by filing with the prescribed official a supplemental list or lists containing the signature, address, and social security account number (if any) of each additional employee who concurs in the filing of the certificate. The list and any supplemental list shall be filed in such form and manner as may be prescribed by regulations made under this subchapter.

"'(4) EFFECTIVE PERIOD OF WAIVER. A certificate filed pursuant to paragraph (1) or paragraph (2) shall be in effect (for the purposes of subsection (b) (8) of this section and for the purposes of section 210 (a) (8) of the Social Security Act)—

"'(A) in the case of a certificate filed pursuant to paragraph (1), for the period beginning with the first day of the calendar quarter in which such certificate is filed or the first day of the succeeding calendar quarter, as may be specified in the certificate; or

"'(B) in the case of a certificate filed pursuant to paragraph (2), for the period beginning with the first day of whichever of the following calendar quarters may be specified in the certificate; (i) the quarter in which such certificate is filed, or (ii) the succeeding quarter, or (iii) if the certificate is filed during the calendar year 1955, any quarter in such year prior to the quarter in which it is filed;

except that, in the case of service performed by an individual whose name appears on a supplemental list filed after the first month following the first calendar quarter for which the certificate is in effect (as determined under subparagraph (A) or (B), whichever is applicable) or following the calendar quarter in which the certificate was filed, whichever is later, and to whom subparagraph (A) or (B) of subsection (b) (8) of this section would otherwise apply, the certificate shall be in effect, for purposes of such subsection (b) (8) and for purposes of section 210 (a) (8) of the Social Security Act, only with respect to service performed by such individual after the calendar quarter in which such supplemental list is filed.

"'(5) TERMINATION OF WAIVER PERIOD BY ORGANIZATION. The period for which a certificate filed pursuant to paragraph (1) of this subsection is effective may be terminated by the organization, effective at the end of a calendar quarter, upon giving two years' advance notice in writing, but only if, at the time of the receipt of such notice, the certificate has been in effect for a period of not less than eight years and only if such notice applies also to the period for which the certificate, if any, filed by such organization pursuant to paragraph (2) is effective. The period for which a certificate filed pursuant to paragraph (2) is effective may also be terminated by the organization, effective at the end of a calendar quarter, upon giving two years' advance notice in writing, but only if, at the time of the receipt of such notice, the certificate has been in effect for a period of not less than eight years. The notice of termination may be revoked by the organization by giving, prior to the close of the calendar quarter specified in the notice of termination, a written notice of such revocation. Notice of termination or revocation thereof shall be filed in such form and manner, and with such official, as may be prescribed by regulations made under this subchapter.'

"(c) The paragraph of such section 1426 (1) herein redesignated as paragraph (6) is amended by adding at the end thereof the following new sentence: 'If the period covered by a certificate filed pursuant to paragraph (1) of this subsection is terminated under this paragraph, the period covered by the certificate, if any, filed by the same organization pursuant to paragraph (2) shall also be terminated at the same time.'

"(d) The paragraph of such section 1426 (1) herein redesignated as paragraph (7) is amended to read as follows:

"'(7) NO RENEWAL OF WAIVER. In the event the period covered by a certificate filed pursuant to paragraph (1) or (2) of this subsection is terminated by the organization, no certificate may again be filed by such organization pursuant to such paragraph.'

"(e) The amendments made by this section shall become effective January 1, 1955. Nothing in this section shall be construed as affecting the validity of any certificate filed prior to January 1, 1955, under section 1426 (1) of the Internal Revenue Code. If a certificate filed during the calendar year 1955 pursuant to section 1426 (1) (2) of the Internal Revenue Code is in effect for any calendar quarter in 1955 which precedes the quarter during which the certificate was filed, the return and payment of the taxes for any such preceding calendar quarter with respect to service which constitutes employment by reason of the filing of such certificate shall be deemed to be timely made if made on or before the last day of the first month following the calendar quarter in which the certificate is filed."

On page 126, line 10, to change the section number from "208" to "207"; in the same line, after the word "Section" to strike out "480" and insert "1401"; in line 11, after the word "Code" to insert "of 1954"; at the beginning of line 12, to strike out "(5)" and insert "(4)"; at the beginning of line 13, to strike out "(5) In" and insert "(4) in"; in line 15, after "5¼" to strike out "per centum" and insert "percent"; in line 17, after the word "taxable" to strike out "year." and insert "year;"; at the beginning of line 18, to strike out "(6) In" and insert "(5) in"; in line 20, after the numeral "6" to strike out "per centum" and insert "percent"; in line 22, after the word "Section" to strike out "1400" and insert "3101"; at the beginning of line 23, to insert "of 1954"; in the same line, after the word "paragraph" to strike out "(6)" and insert "(4)"; at the beginning of line 25 to strike out "(6) With" and insert "(4) with"; on page 27, line 2, after "3½" to strike out "per centum" and insert "percent"; at the beginning of line 3, to strike out "(7) With" and insert "(5) with"; in line 4, after the numeral "4" to strike out "per centum" and insert "percent"; in line 6, after the word "Section" to strike out "1410" and insert "3111"; at the beginning of line 7 to insert "of 1954"; in the same line, after the word "paragraph" to strike out "(6)" and insert "(4)"; at the beginning of line 9, to strike out "(6) With" and insert "(4) with"; in line 11, after "3½" to strike out "per centum" and insert "percent"; at the beginning of line 12, to strike out "(7) With" and insert "(5) with"; in line 13, after the numeral "4" to strike out "per centum" and insert "percent"; in line 15, after the word "of" to strike out "American Employer" and insert "Domestic Corporation"; in line 17, to change the section number from "209" to "208"; in the same line, after the word "Section" to strike out "1426" and insert "3121"; in line 18, after the word "Code" to insert "of 1954", at the beginning of line 20, to strike out "(m)" and insert "(1)"; on page 128, line 7, after the word "paragraph" to strike out "(7)" and insert "(8)"; in line 12, after the word "the" to strike out "terms" and insert "term"; at the beginning of line 13, strike out "respectively,"; in line 14, after the words "in the" to strike out "employ c' the domestic corporation" and insert "United States"; in line 17, after the word "conditions" to strike out "in the case of" and insert "with respect to"; in line 21, after the word "who" to insert "onor"; in the same line, after the word "agreement" to strike out "become" and insert "are"; in line 25, after "(A)" to strike out "That" and insert "that"; on page 129, line 2, after the word "Secretary" to insert "or his delegate"; in line 4, after the word "sections" to strike out "1400 and 1410, including interest and penalties, if the services of employees covered by the agreement had constituted employment as defined in section 1426" and insert "3101 and 3111 (including amounts equiva-

lent to the interest, additions to the taxes, additional amounts, and penalties which would be applicable) with respect to the remuneration which would be wages if the services covered by the agreement constituted employment as defined in this section"; in line 14, after "(B)" to strike out "That" and insert "that"; in line 16, after the word "Secretary" to insert "or his delegate"; in line 17, after the word "this" to strike out "subsection." "; and insert "subsection."; on page 131, line 1, after the word "foreign" to strike out "subsidiary" and insert "corporation"; in line 3, after the word "the?" to strike out "domestic" and insert "foreign"; in line 4, after the word "quarter" to strike out "owns 50 per centum or less of the voting stock of such subsidiary" and insert "ceases to be a foreign subsidiary as defined in paragraph "(8)"; on page 132, line 1, after the word "entirety" to insert "(A) by a notice of termination filed by the domestic corporation pursuant to paragraph (3), or (B) by a notice of termination given by the Secretary or his delegate pursuant to paragraph (4),."; in line 6, after the word "to" to strike out "such paragraph" and insert "paragraph (1)"; in line 8, after the word "any" to insert "foreign"; in line 11, after the word "Fund", to strike out "All amounts received by the Secretary pursuant to an agreement entered into under paragraph (1) of this subsection shall be regarded for purposes of section 201 of the Social Security Act as taxes collected pursuant to this subchapter."; and insert "For purposes of section 201 of the Social Security Act, relating to appropriations to the Federal Old-Age and Survivors Insurance Trust Fund, such remuneration—

"'(A) paid for services covered by an agreement entered into pursuant to paragraph (1) as would be wages if the services constituted employment, and

"'(B) as is reported to the Secretary or his delegate pursuant to the provisions of such agreement or of the regulations issued under this subsection, shall be considered wages subject to the taxes imposed by this chapter.'"

On page 133, line 12, after the word "Secretary" to insert "or his delegate"; in line 24, after "(A)" to strike out "A" and insert "a"; on page 134, at the beginning of line 1, to strike out "per centum" and insert "percent"; in line 3, after "(B)" to strike out "A" and insert "a"; in line 6, after the word "paragraph" to strike out "(A)." " and insert "(A)"; after line 6, to insert:

"'(9) DOMESTIC CORPORATION AS SEPARATE ENTITY.—Each domestic corporation which enters into an agreement pursuant to paragraph (1) of this subsection shall, for purposes of this subsection and section 6413 (c) (2) (C), relating to special refunds in the case of employees of certain foreign corporations, be considered an employer in its capacity as a party to such agreement separate and distinct from its identity as a person employing individuals on its own account.'"

At the beginning of line 16, to strike out "(9)" and insert "(10)"; in line 17, after the word "Secretary" to insert "or his delegate"; in line 22, after the word "employers" to strike out "pursuant to subchapter A or E of chapter 9 of this title" and insert "pursuant to this title with respect to the taxes imposed by this chapter"; on page 135, after line 3, to strike out:

"SEC. 210. Section 23 of the Internal Revenue Code (relating to deductions from gross income) is amended by inserting at the end thereof the following new subsection:

"'(gg) PAYMENTS WITH RESPECT TO EMPLOYEES OF CERTAIN FOREIGN CORPORATIONS. In the case of a domestic corporation, amounts (to the extent not compensated for) paid or incurred pursuant to an agreement entered into under section 1426 (m) with respect to services performed by United States citizens employed by foreign subsidiary corporations. Any reimbursement of any amount previously allowed as a deduction for income tax purposes under this subsection shall be included in gross income for the taxable year in which received.'"

On page 135, after line 16, to insert:

"SEC. 209. (a) The Internal Revenue Code of 1954 is amended by inserting after section 175 thereof the following new section:

"'SEC. 176. PAYMENTS WITH RESPECT TO EMPLOYEES OF CERTAIN FOREIGN CORPORATIONS.

"'In the case of a domestic corporation, there shall be allowed as a deduction amounts (to the extent not compensated for) paid or incurred pursuant to an agreement entered into under section 3121 (l) with respect to services performed by United States citizens employed by foreign subsidiary corporations. Any reimbursement of any amount previously allowed as a deduction under this section shall be included in gross income for the taxable year in which received.'

"(b) The table of sections to part VI of subchapter B of chapter 1 of subtitle A of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following:

"'*Sec. 176. Payments with respect to employees of certain foreign corporations.*'"

On page 136, line 15, after "September 30" to strike out "1955" and insert "1956"; on page 137, line 5, after "(a)" to strike out "and (2)" and insert "(2) by striking out 'such clause' in paragraph (1) and inserting 'such subsection' in lieu thereof, and (3)"; on page 138, line 1, after the word "after" to strike out "the month following the month in which this Act is enacted" and insert "August 1954"; in line 4, after the word "to" to strike out "fifth month before the month in which this Act is enacted" and insert "February 1954"; in line 12, after the word "of" to strike out "seventy-five" and insert "seventy-two"; on page 139, line 4, after the word "Code" to insert "of 1939, the Internal Revenue Code of 1954", and in line 8, after the word "this" to strike out "Act, and references in the Social Security Act, the Railroad Retirement Act of 1937, as amended, or any other law of the United States to any section or subdivision of a section of the Internal Revenue Code redesignated by this Act,", and insert "Act".

Mr. THYE. Mr. President, I should like to ask the junior Senator from Colorado a question about offshore seasonal workers, such as might be brought in from the islands, who would be engaged in the harvesting of vegetables and fruit, and canning crops of various kinds. I did not note any particular reference to them. I noted that the Mexican worker was excluded.

Mr. MILLIKIN. He is excluded because we operate under an agreement with Mexico. Questions have been raised whether we should have similar arrangements with other countries.

Mr. THYE. That is correct. The question has also been raised with me. But, assuming that an offshore worker worked 5 months one season, then worked 4 months another year, and then did not return to the United States, how would such an account be handled and at what time would the records be closed on such an account? It poses a very serious problem from the standpoint of administrative function, and also for the employer of such seasonal workers.

Mr. MILLIKIN. Fiscally, the money received from that source would go into a trust fund. The Senator understands that any excess of collections over what is paid out goes into a so-called trust fund.

Mr. THYE. Yes.

Mr. MILLIKIN. I do not like to call it a trust fund, but that is the only name I can think of.

Mr. THYE. The question, however, is this: Suppose I were the employer, and I brought someone in and employed him for a period of 5 months in the calendar year 1954, then I employed the same person for 4 months in 1955, and then I did not employ him for some time. In the event that person made application and was of sufficient age and was qualified to receive retirement pay, how would such an account be handled?

Mr. MILLIKIN. Is the Senator discussing the present law?

Mr. THYE. I am discussing the provisions in this new bill, H. R. 9766.

Mr. MILLIKIN. Under the circumstances which the Senator has described, the worker would not be qualified for benefits.

Mr. THYE. He would not be?

Mr. MILLIKIN. No.

Mr. THYE. Why?

Mr. MILLIKIN. Because he had not worked long enough to get on the rolls.

Mr. THYE. However, if a person worked 3 months in a quarter, that would be 1 quarter's coverage, and he would then be eligible, would he not?

Mr. MILLIKIN. He would not be eligible. He would be on the roll, but it would depend upon the future history of that worker whether he would finally become eligible for benefits.

Mr. THYE. That is what I am trying to establish. The question does not pertain to me. I used myself as an example. I am trying to establish a record that would guide the person who was bringing in offshore workers who work in the harvesting of apples, and who work in the harvesting of vegetables all along the eastern coast and also in Minnesota and on the west coast. I am trying to bring out some information that will make it crystal clear to a company which is engaged in the canning of peas or sweet corn or any other type of vegetable, how the account is to be handled if the company employs a person for 4 or 5 months a year over a period of years. If the worker is employed more than 60 days in a quarter, the tax payment has to be made. Is that not correct?

Mr. MILLIKIN. Yes; but I think the problem the Senator is posing is a bookkeeping problem. The employer has to keep track of the employees, he has to keep track of what he pays his employees, and he has certain accountability to make to the Government. If the Senator wants me to draw a graph with columns in the ledger, and so forth, I do not feel qualified to do it.

Mr. THYE. No.

Mr. MILLIKIN. I think once we give the direction of what the obligations are, the employer will set up the necessary bookkeeping system.

Mr. THYE. The Senator from Minnesota does not want the able and distinguished chairman to draw any graphs. He has enough problems without getting down to that detail. The question I

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want to have made clear is, in the first place, what responsibility the Government has to the type of workers who come into the United States seasonally from an island which may be under British control, who are British subjects, not American citizens, and who do seasonal work in the United States for a period of 10 years, working 4 or 5 months of each year. Are social-security benefits provided for that kind of worker 10 years later?

Mr. MILLIKIN. The Senator has mentioned 10 years. Assuming the period is 10 years and assuming the other things he has mentioned, the worker would be qualified to receive benefits under the social-security system.

Mr. THYE. If he was a British subject who came into the United States and was employed by American employers, even though he did not become a citizen of the United States but still remained a British subject, could he live on a British-controlled island and draw old-age and survivor's insurance or retirement from the United States Treasury?

Mr. MILLIKIN. That is the way it is. There has been considerable complaint about it. I think before it can be changed, there will have to be some conferences with the foreign countries which are affected.

Mr. BUSH. The protection will have been paid for.

Mr. MILLIKIN. Yes, he has paid for his protection.

Mr. THYE. However, I bring this thought up: The employer will have made a certain payment and the employee will have made a certain payment to the Federal Government.

Mr. MILLIKIN. They have both paid, so that, in a sense, balances the accounts, but not completely. I think an additional element should be considered. This system provides certain benefits which the Government intends, as a matter of policy, to accrue to the beneficiaries under the system. Whether those extras were intended to benefit citizens of other countries is another question, and it is a large question. It is something we have handled in the case of workers from Mexico. We may have to handle it in the case of workers from other countries. It ought not to be done in a scattershot method on the Senate floor.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. SMATHERS. The senior Senator from Florida [Mr. HOLLAND] and I have an amendment proposed to be offered by us to the bill, which will eliminate coverage of workers from Jamaica, Bahamas, and the British West Indies who are brought into our State every year on a temporary basis for a period of 3 to 4 months to perform agricultural labor. In these instances, the Department of Labor certifies that there is a shortage of domestic labor in Florida for that purpose, and employers in Florida get them to come into the State and send them back when they have finished their work. It was our feeling that they should not be covered by the Social Security Act. We have therefore prepared an amendment to be offered at the proper time, the purpose of which is to eliminate from such coverage this class of agricultural workers who come into Florida from Jamaica, Bahamas, and the British West Indies.

Mr. MILLIKIN. Is the amendment limited to the British West Indies?

Mr. SMATHERS. It is.

Mr. MILLIKIN. I hope the Senator will offer the amendment. Personally, I should be willing to take it to conference. I think we should be very careful tonight not to shoot with buckshot, because many nations may be involved, and we do not know what our arrangements are with them. We have had no hearings on the proposal. I recognize the problem which the Senator raises.

Mr. THYE. The reason I was endeavoring to get this question clarified by the colloquy or discussion is primarily that the question has been raised with me that an American citizen employing Mexicans is exempt from paying the tax on the wages of the Mexican worker, while the citizen who brings in workers from the West Indies immediately has to pay a tax. If a man employing Mexican workers has the advantage of not paying a tax, he would naturally discriminate against American citizens who are seeking employment, on whose wages he would have to pay a tax.

These are questions which I think we should try to have made clear.

Mr. MILLIKIN. I understand the Senator's suggestions and thoughts. There is a great deal to what he says. As I understand, the amendments, which the Senator from Florida is about to propose, are limited in area. I have received some information from the staff. I cannot say exactly, but so far as the British are concerned I understand, there would be no objection. That is something that ought to be looked into by the State Department before we finalize that kind of legislation and make it universal.

Mr. KNOWLAND. Mr. President, will the Senator from Colorado yield, so that I may suggest the absence of a quorum, primarily for the purpose of proposing a unanimous-consent request?

Mr. MILLIKIN. Will the Senator withhold his request for a moment?

Mr. KNOWLAND. Certainly.

Mr. MILLIKIN. Why does not the Senator from Florida offer his amendments, while the going is good, so to speak?

Mr. SMATHERS. Mr. President, on behalf my distinguished senior colleague [Mr. HOLLAND] and myself, I offer two amendments to the pending bill.

The PRESIDING OFFICER (Mr. REYNOLDS in the chair). The Secretary will state the amendments.

The LEGISLATIVE CLERK. On page 3, in line 18, beginning with the word "workers", it is proposed to strike out all down to and including line 20, and insert in lieu thereof the following:

(i) workers under contracts entered into in accordance with title V of the Agricultural Act of 1949, as amended, or (ii) lawfully admitted to the United States from the Bahamas, Jamaica, and the British West Indies on a temporary basis to perform agricultural labor.

On page 115, line 10, beginning with the word "workers", strike out all down to and including line 12 and insert in lieu thereof the following:

(i) workers under contracts entered into in accordance with title V of the Agricultural Act of 1949, as amended (65 Stat. 119; 7 U. S. C. 1461–1468), or (ii) lawfully admitted to the United States from the Bahamas, Jamaica, and the British West Indies on a temporary basis to perform agricultural labor.

The PRESIDING OFFICER. The question is on agreeing to the amendments offered by the Senator from Florida.

Mr. THYE. Mr. President, I should like to direct a question to the able chairman of the committee before action is taken on the amendments. Why could we not apply amendments of that kind to all offshore workers?

Mr. MILLIKIN. It may be that it could be done, but I believe the subject should be reviewed in committee, and it should be reviewed by the State Department, so that we may avoid setting up what might well be an irritation in our relation with other countries.

Mr. THYE. Assuming the amendments are agreed to and that they apply only to the West Indies, employers who get offshore workers from other areas will say to those who represent them, "Why did you not do for us what the Senators from Florida did with respect to workers who come from the West Indies?"

We who represent other States would be faced with that kind of question. That is what would be asked if we were to permit something to happen with respect to offshore workers that is beneficial to one State but not to other States.

Therefore, I may well be faced with that kind of question. It does not seem fair or just to the employer in one area not to be able to bring in workers from some offshore islands while employers in other States get the benefit of employing workers from the West Indies. That poses a problem.

Mr. MILLIKIN. I do not represent that what I am about to say is 100 percent accurate, but I have received some information to the effect that the British have no objection to such agreements. The Senator's problem is to find out—and I hope to find out for him, although I cannot do it tonight—whether or not the people of the particular offshore countries from which his constituents get their labor will be resentful if the same procedure is applied with respect to their people.

Mr. THYE. Mr. President, will the Senator yield further?

Mr. MILLIKIN. I yield.

Mr. THYE. I should like to press that thought a little further. Has the Senator from Colorado any knowledge that any of the countries now involved would object if we were to deny them this coverage?

Mr. MILLIKIN. I do not; but I do not believe we should proceed at this time.

Mr. THYE. I thought perhaps the chairman and his committee had studied the subject sufficiently so that he would have information relative to other is-

lands, to the same extent that he has information with reference to Mexico and the West Indies.

Mr. MILLIKIN. This question arises for the first time on the floor. The chairman, after discussing the matter with the staff of the committee, has learned about the British situation. I can well understand how this situation would put some Senators somewhat on a spot, but I do not think we can avoid all spots that might involve Senators. In that connection, I should like to quote from an authority whom I seldom quote. President Truman used to say, "If you can't stand the heat, stay out of the kitchen."

Mr. THYE. To which I should like to add that if a person cannot stand the heat in the kitchen, he should either change the method of heating, or put in a different heating system. I propose to examine both possibilities. If it is possible to exempt the West Indies, I shall try to bring in an amendment that will take off the heat with respect to some other areas as well.

Mr. MILLIKIN. I promise the Senator that at the next session of Congress, next year, we will gladly hear from the Senator.

Mr. THYE. I will endeavor to draft an amendment and have it on the Senator's desk tomorrow morning.

Mr. MILLIKIN. That is the Senator's privilege. I hope tomorrow will be too late.

Mr. SMATHERS. I may not know my geography very well, but are there other areas than the British West Indies, Jamaica, the Bahamas, and Mexico from which offshore laborers come to this country?

Mr. THYE. I will endeavor to acquaint myself with that situation.

Mr. SMATHERS. I believe that by working out contracts which have already been worked out with Mexico and by adopting a provision with reference to persons lawfully admitted to the United States from Jamaica, Bahamas, and the British West Indies on a temporary basis to perform agricultural labor, we will have included practically all the labor with which the Senator from Minnesota is concerned.

I may say to the Senator that the problem with which we are concerned in our State is met by employers first obtaining a certificate from the Department of Labor certifying that there is a shortage of domestic labor in the area and asking that they be permitted to bring in x number of workers from Jamaica, Bahamas, and the British West Indies. When such labor is brought in they cannot remain in the country for more than 3 or 4 months, under the law, and can work only on the particular job for which they were brought into the country. They do not become transient workers and do not compete with other workers in our State. After they have completed the job for which they were brought into this country, they must return to their own country.

Mr. THYE. Some of the workers who come from offshore come up along the Atlantic coast and they wind up picking apples in Virginia.

Mr. SMATHERS. Those are not the ones which would come under the proposed amendment because the amendment is applicable only to those cases where a certification has been obtained from the Department of Labor stating that there is no available supply of domestic labor. In that way we stop them from competing with domestic labor or from becoming transients.

Mr. THYE. Mr. President, I thank the distinguished Senator.

Mr. MILLIKIN. I am very appreciative.

Mr. THYE. I am now going to proceed to see whether it is necessary for me to make requisition for a ventilating system.

Mr. MILLIKIN. If so, you will find very willing workers, if you find the answer in time.

Mr. KNOWLAND. Will the Senator now yield for the purpose of a quorum call and the propounding of a unanimous-consent agreement?

Mr. MILLIKIN. I yield to the Senator.

Mr. KNOWLAND. I ask unanimous consent that the Senator from Colorado [Mr. MILLIKIN] may yield for that purpose without losing the privilege of the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KNOWLAND. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KNOWLAND. Mr. President, I send to the desk a proposed unanimous-consent agreement, which is presented on behalf of the majority leader and the minority leader.

The PRESIDING OFFICER. The Secretary will read the proposed unanimous-consent agreement.

The LEGISLATIVE CLERK. The proposed unanimous-consent agreement reads as follows:

Ordered, That during the further consideration of H. R. 9366, to amend the Social Security Act and the Internal Revenue Code, debate on any amendment or motion (including appeals) shall be limited to not exceeding 30 minutes, to be equally divided and controlled, respectively, by the mover of any such amendment or motion and the Senator from Colorado [Mr. MILLIKIN] in the event he is opposed to any such amendment or motion; otherwise, by the mover and the minority leader: *Provided*, That no amendment that is not germane to the subject matter of the said bill shall be received: *And provided further*, That debate upon the bill itself shall be limited to not exceeding 2 hours, to be equally divided and controlled, respectively, by the Senator from Colorado [Mr. MILLIKIN] and the Senator from Texas [Mr. JOHNSON].

The PRESIDING OFFICER. Is there objection to the unanimous-consent agreement? The Chair hears none, and it is so ordered.

Mr. IVES. Mr. President, have the amendments offered by the Senator from Florida been agreed to?

The PRESIDING OFFICER. They have not yet been agreed to.

Mr. IVES. I should like to offer an amendment if they have been agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendments offered by the Senator from Florida.

The amendments were agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. IVES. Mr. President, I call up my amendment 7-31-54-A, which I send to the desk.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. At the end of the bill it is proposed to add a new section, as follows:

SERVICE FOR CERTAIN EXEMPTION ORGANIZATIONS PRIOR TO ENACTMENT OF THIS ACT

SEC. 403. In any case in which—

(a) an individual has been employed, at any time subsequent to 1950 and prior to the enactment of this act, by an organization which is exempt from income tax under section 101 (6) of the Internal Revenue Code of 1939 but which has failed to file prior to the enactment of this act a waiver certificate under section 1426 (1) (1) of the Internal Revenue Code of 1939;

(b) the service performed by such individual as an employee of such organization during the period subsequent to 1950 and prior to 1955 would have constituted employment (as defined in section 210 of the Social Security Act and section 1426 (b) of the Internal Revenue Code of 1939) if such organization had filed prior to the performance of such service such a certificate accompanied by a list of the signatures of employees who concurred in the filing of such certificate and such individual's signature had appeared on such list;

(c) the taxes imposed by sections 1400 and 1410 of the Internal Revenue Code of 1939 have been paid with respect to any part of the remuneration paid to such individual by such organization for such service;

(d) part of such taxes have been paid prior to the enactment of this act;

(e) so much of such taxes as have been paid prior to the enactment of this act have been paid by such organization in good faith and upon the assumption that a waiver certificate had been filed by it under section 1426 (1) (1) of the Internal Revenue Code of 1939; and

(f) no refund of such taxes has been obtained,

the amount of such remuneration with respect to which such taxes have been paid shall, upon the request of such individual (filed in such form and manner, and with such official, as may be prescribed by regulations made under subchapter A of Chapter 9 of the Internal Revenue Code of 1939), be deemed to constitute remuneration for employment as defined in section 210 of the Social Security Act and section 1426 (b) of the Internal Revenue Code of 1939.

Mr. MILLIKIN. Mr. President, will the Senator from New York yield?

Mr. IVES. I yield to the Senator from Colorado.

Mr. MILLIKIN. I understand this is the precise amendment submitted to our staff?

Mr. IVES. This is the identical amendment.

Mr. MILLIKIN. So far as I am concerned—and I think the distinguished senior Senator from Georgia agrees with the amendment in principle—I am willing to take the amendment to conference.

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The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. IVES. Mr. President, I ask unanimous consent to have inserted in the RECORD a statement concerning the amendment.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR IVES

This proposed amendment is designed to alleviate the serious problem confronting certain charitable institutions such as a nonprofit corporation, the North Shore Hospital, in my own State of New York. This amendment would provide that such an organization could file, retroactively to the year 1951, certain certificates required by the Bureau of Internal Revenue as evidence of their waiver of immunity from the social-security taxes imposed under the Federal Insurance Contributions Act, if the failure to file such certificates was merely a ministerial or clerical omission on the part of the organization and if part of the taxes imposed by the Internal Revenue Code have been paid in good faith prior to the enactment of the bill and no refund of such taxes has been obtained.

I am advised that the problem which this proposed amendment is designed to resolve has arisen with respect to several other similar institutions. In the North Shore Hospital case, the board of directors of the hospital directed that the necessary steps be taken for the corporation to waive its immunity to the taxes imposed by the Federal Insurance Contributions Act and to secure for all corporation employees coverage under the old-age and survivors insurance program, established under title II of the Social Security Act, as amended in January 1951. Moreover, the employees of the hospital at that time understood that the corporation had waived its immunity from the aforesaid tax and they concurred in their being covered by the insurance program. However, this concurrence was not reduced to writing on Internal Revenue Form SS–15 (a) solely by reason of the failure on the part of the then administrative officials of the hospital to secure their signatures on said form.

During the period from January 1, 1951, to October 1953, the officers, directors, and employees of the corporation assumed that the necessary documents had been filed and that the taxes deducted under the Federal Insurance Contributions Act were paid in accordance with that act.

When the hospital first learned that there was a question concerning the coverage of its employees in the fall of 1953, it continued to withhold the employees' tax, as well as the employers' tax, and deposited the amount so withheld in a special trust account. The hospital has made every effort to resolve this serious problem administratively, but has been unable to do so.

If this proposed amendment is not favorably considered, many employees of the hospital will lose wage credits over a period of about 3½ years and the hospital will have the enormous burden and expensive obligation of locating and making refunds to each individual with respect to whom the social-security tax had been paid over the period beginning on January 1, 1951, and ending on June 20, 1954. Moreover, I am advised that this loss of wage credits would mean for some employees the difference between their qualifying or not qualifying for benefits under the social-security program.

Therefore, I urge the adoption of this proposed amendment to H. R. 9366 to resolve the serious problem confronting the North Shore Hospital and other like institutions which may be similarly affected.

Mr. MORSE. Mr. President, I offer a series of amendments which are somewhat of the same nature as that offered by the distinguished senior Senator from New York [Mr. IVES]. Probably the principle is somewhat in reverse, but they also involve an injustice which should be corrected. I understand that the chairman of the committee is willing to take the amendments to conference. I ask that the amendments be read.

The PRESIDING OFFICER. The clerk will state the amendments.

The CHIEF CLERK. On page 7, line 13, it is proposed to strike out "or."

On page 7, it is proposed to strike out all on line 15 and insert in lieu thereof the following: "began, or (iii) any part of whose remuneration for such service is deemed under section 1426 (l) (8) of the Internal Revenue Code to constitute remuneration for employment for the purposes of this subsection;".

On page 8, line 7, it is proposed to strike out "or."

On page 8, it is proposed to strike out all on line 9 and insert in lieu thereof the following: "such period began, or (iii) any part of whose remuneration for such service is deemed under section 1426 (l) (8) of the Internal Revenue Code to constitute remuneration for employment for the purposes of this subsection."

On page 104, line 15, it is proposed to strike out "or."

On page 104, line 17, it is proposed to strike out "began;" and insert in lieu thereof the following: "began, or (iii) any part of whose remuneration for such service is deemed under section 1426 (l) (8) to constitute remuneration for employment for the purposes of this subsection."

On page 105, line 8, it is proposed to strike out "or."

On page 105, line 10, it is proposed to strike out "began;" and insert in lieu thereof the following: "began, or (iii) any part of whose remuneration for such service is deemed under section 1426 (l) (8) to constitute remuneration for employment for the purposes of this subsection."

On page 111, line 3, it is proposed to insert "(1)" after "(d)."

On page 111, between lines 10 and 11, it is proposed to insert the following:

(2) Section 1426 (l) is further amended by adding at the end thereof the following new paragraph:

"(8) Individuals who failed to sign list: Notwithstanding the foregoing provisions of this subsection, in any case in which—

"(A) an individual has been employed by an organization which has filed a certificate under this subsection waiving its exemption from income tax under section 101 (6);

"(B) the service performed by such individual during the time he was so employed would have constituted employment (as defined in sec. 210 of the Social Security Act and sec. 1426 (b)) if such individual's signature had appeared on the list of signatures of employees who concurred in the filing of such certificate;

"(C) the taxes imposed by sections 1400 and 1410 have been paid with respect to any part of the remuneration paid to such individual by such organization for such service; and

"(D) no refund of such taxes has been obtained,

the amount of such remuneration with respect to which such taxes have been paid shall, upon the request of such individual (filed in such form and manner, and with such official, as may be prescribed by regulations made under this subchapter) be deemed to constitute remuneration for employment as defined in section 210 of the Social Security Act and section 1426 (b)."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered the junior Senator from Oregon. Without objection, the amendments will be considered en bloc.

Mr. MILLIKIN. Mr. President, in view of the fact that the amendment offered by the Senator from Oregon would remedy the situation where employees through mistake or misunderstanding failed to sign the employer's waiver certificate required for coverage of employees of nonprofit organizations, I am willing to take the amendment to conference.

I am informed that the distinguished senior Senator from Georgia [Mr. GEORGE], who is also familiar with the matter, is of the same opinion.

Unfortunately, existing law does not authorize any official of the Government to correct honest mistakes which work to the detriment of individuals who believed they had been brought in under the system and for whom taxes have been withheld and paid by the employer. It may be necessary in conference to modify the express language in the amendment offered by the Senator from Oregon, but we shall endeavor to fulfill the objective of his amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendments offered by the junior Senator from Oregon.

The amendments were agreed to.

Mr. MORSE. Mr. President, as an assistance to the committee of conference, I ask to have my statement in support of the amendments printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MORSE

This amendment is designed to furnish relief to a number of our elder citizens who have been deprived of benefits and exposed to economic hardship because of misunderstandings about the present law.

Prior to the Social Security Act amendments of 1950, services rendered for a nonprofit organization were not in covered employment. Under the provisions of the 1950 amendments nonprofit organizations were given an opportunity to qualify their employees for social-security coverage under the amended act. Section 210 (a) of the act reads in part, as follows:

"The term 'employment' means any services performed * * * by an employee for the person employing him * * * except that, in the case of services performed after 1950 such terms shall not include—

* * * * *

"(9) * * * (B) Service performed in the employ of a religious, charitable, educational, or other organization exempt from income tax under section 101 (6) of the Internal Revenue Code, but this subparagraph shall not apply to service performed during the period for which a certificate, filed pursuant to section 1426 (1) of the Internal Revenue Code, is in effect if such service is performed by an employee (i) whose signature appears on the list filed by such organization after the calendar quarter in which the certificate was filed."

Pursuant to the above section, and with the intention of qualifying its employees for social-security coverage, the Emanuel Hospital of Portland, Oreg., a nonprofit organization, circulated a list to be signed by its employees in 1950.

At that time there were among the employees at Emanuel Hospital a Mrs. Hildur Peterson and a Hilda Peterson. When the hospital staff circulated the list of concurring employees required by section 210 (a) above, Hilda Peterson signed the list. A confusion of names resulted in the list not being submitted to Hildur Peterson for signature. Assuming, however, that Hildur Peterson had signed the list, deductions for old-age insurance were thereafter made from Mrs. Peterson's wages, and Mrs. Peterson in turn assumed that she was receiving social-security coverage.

Mrs. Peterson, who had been employed at Emanuel Hospital since 1945, terminated her employment in October 1952. In December of that year she applied for her social-security benefits. She was then informed that no wage credits would be given her for employment at the hospital because of her failure to sign the list, and that she would receive minimum benefits under the Social Security Act based on employment outside the hospital from 1937 to 1945.

Mrs. Peterson is now 72 years of age. She has been a widow for many years. She has supported and reared a fine family, but she was unable to set aside savings for her old age. Her son is now an overseas missionary, and she is being taken care of by her daughter, a person of very limited financial resources.

I am informed that there are probably 200 or more persons who have been denied social-security benefits in cases similar to that of Mrs. Peterson. The Treasury Department has advised me that representatives of that Department and the Department of Health, Education, and Welfare have been aware of many hardship cases and have discussed the problem at various times. Apparently no affirmative action has been taken to correct it.

The Treasury Department recently informed me of the case of an aged employee of an exempt organization who was confined in a hospital at the time the organization was circulating its list. When she returned to her employment she was informed that the signatures of the necessary two-thirds concurring employees had been obtained. She assumed that her signature was not required to qualify her individually for social-security coverage. Although in poor health, she continued to work for the organization for some time in the expectation of being able to build up enough wage credits to entitle her to benefits on retirement. When she terminated her employment and applied for benefits she was informed that she was not entitled to wage credits for her employment with the exempt organization because she had not signed the required list.

The distinguished Senator from Wyoming [Mr. BARRETT] has advised me that there has been referred to his office another case of hardship resulting from similar circumstances, and he is very much interested in the adoption of my amendment.

The purpose of my amendment is to give to the agency concerned the authority which it claims it lacks to authorize additions to or deletions from concurring lists in cases of excusable error, where taxes have been collected from a person who thereupon assumes that he or she is receiving social-security coverage.

On June 30, I submitted to the Committee on Finance a proposed amendment which the committee did not see fit to adopt. I have been advised that the reason that the committee did not favor my proposed amendment was that the amendment as submitted would have given the agency continuing authority to authorize additions to or deletions from lists, and apparently the committee did not wish to "open up" the present law to that extent.

The amendment which I have submitted today authorizes the addition to or deletion from lists only in the cases occurring subsequent to 1950 and prior to enactment of this act. This would take care of persons who have been subjected to hardship by misunderstandings in the past, but it does not "open up" the law for continuing authorization for the agency to make changes in lists in the future.

Most of the persons who would be helped by adoption of this amendment are in great need of financial assistance, and I feel that it is urgent that they receive as soon as possible the social security benefits to which I am sure all of the Members of the Senate will agree they are entitled.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senator from Colorado [Mr. MILLIKIN] may yield briefly to the Senator from Rhode Island [Mr. GREEN] without losing his right to the floor.

Mr. MILLIKIN. I so request.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

FREEDOM AND THE CONSTITUTION

Mr. GREEN. Mr. President, my attention has recently been drawn to a pamphlet entitled "American Security and Freedom," by Maurice J. Goldbloom, a former employee of the Mutual Security Administration. It deals with this broad subject under a variety of heads—all of which are treated interestingly. I would like to give as a sample of the subject matter and its treatment an extract from Freedom in the Constitution, and hope it may stimulate a reading of the whole book. I have been interested in it, both because it deals with a fundamental problem which challenges our solution and because the sponsor, the American Jewish Committee, is worthy of respectful consideration.

This committee is probably well known to most of my colleagues. The distinguished senior Senator from New York [Mr. LEHMAN] is an honorary vice president of it. Another distinguished citizen of the State of New York and former justice of the appellate division there, Joseph M. Proskauer, is an honorary president of it.

Founded in 1906, the American Jewish Committee has chapters in 44 principal American cities and has members in more than 550 American communities. It is a pioneer American organization in protecting civil and religious rights of Jews and in combating bigotry and in advancing the cause of human rights. Its members form a cross section of American civic life. One of its vice presidents is the Honorable Fred Lazarus, of Cincinnati, a member of the President's Committee on Contract Compliance. Another is Jesse H. Steinhart, of San Francisco. Milton W. King, Esq., of Washington, D. C., is also a vice president, as is Mr. James H. Becker, of Chicago.

In the list of distinguished Americans who have been active in the work of the American Jewish Committee are such names as Oscar S. Straus, who was Secretary of Commerce and Labor in President Theodore Roosevelt's Cabinet; Jacob H. Schiff, the famous banker and philanthropist; Abram I. Elkus, a former Ambassador to Turkey; the famous American lawyer of 30 years ago, James Marshall. I may add the eminent theologian, Dr. Cyrus Adler, who was president of Dropsie College and also of the Jewish Theological Seminary of America. He was also a member of President Franklin D. Roosevelt's Committee for the Relief of Refugees From Nazi Persecution in Europe, which committee included leaders of the three major religious faiths in our country.

History has its own way of periodically completing its round. In 1906 the American Jewish Committee was founded as a result of the unspeakable massacres of Jews in the Russian city of Kishinev. These pogroms prompted a group of American citizens of the Jewish faith to organize the committee to enlist this Government's interest in the cause of human rights the world over. As a result of representations made to it by the founders, the United States Government made strenuous representations to the Russian Government and succeeded in large measure in ameliorating the plight of Jews who lived in Russia.

Now, only a few weeks ago an American Jewish Committee delegation, headed by its other honorary president, Mr. Jacob Blaustein, of Baltimore, met with the Honorable Robert Murphy, Deputy Under Secretary of State, to protest the secret trials of leaders of the Jewish community in Rumania which were conducted by the Communists. Mr. Murphy issued a strong statement condemning these persecutions, continuing the long and honorable American tradition of mobilizing opinion against violations of human rights by the barbaric and medieval forces which still flourish in the Communist regimes in Russia and in its satellite countries.

Then too, paralleling its interest in human rights on the international scene, the American Jewish Committee has long been interested in problems of American security and individual freedom. It felt that recent events indicate the desirability of placing before the public a serious examination of facts which bear on them, and as a result it sponsored this publication entitled "American Security and Freedom."

The study comprises an 84-page report based on a 2 year evaluation of security problems in the United States. It assesses various proposals dealing with wiretapping, use of the fifth amendment, congressional investigations, teachers and communism, and loyalty and security in government and private employment.

The study very clearly asserts the grave threat of communism to the free world and its special internal danger to the United States and warns that "espionage is an essential function of all Communist movements at all times." It points out that the Communist Party in America is more than a political party—it is "a conspiracy to commit illegal acts in the interest of Soviet Russia."

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The study makes a variety of recommendations, which it offers for consideration by all Americans. The President of the American Jewish Committee, Mr. Irving M. Engel, of New York City, points out in a foreword that the report deals with many questions on which the organization itself has taken no official position. Nevertheless because of the "very real danger that dissent today may be confused with treason—a situation not only unfavorable to dissent, but favorable to treason," as Mr. Engel states it, the American Jewish Committee decided to sponsor the study as a contribution to laying the basis for a sound program suited to the needs of the situation in which our Nation finds itself today.

I am sorry that the study is too lengthy to permit inclusion in its entirety in the RECORD, and I will conclude my remarks by including the short opening chapter entitled "Freedom in the Constitution."

Mr. President, I ask unanimous consent to have the chapter entitled "Freedom in the Constitution" printed at this point in the body of the RECORD.

There being no objection, the chapter was ordered to be printed in the RECORD, as follows:

FREEDOM IN THE CONSTITUTION

The United States today faces a world totalitarian movement, committed to the destruction of liberty everywhere. To meet the threat of this movement and its adherents in our own country, without at the same time sacrificing the basic principles on which our Nation rests, is not easy. Error in one direction might lay this country open to destruction or enslavement; error in the other could result in undermining the very freedom we seek to defend. But the problem can and must be solved if the free world is to survive.

To its own people and to the world the United States has from its inception embodied the idea of freedom. Like all ideals, this one has never been fully realized in practice, and at times it has suffered serious abridgments. But because it has always remained a vital and dynamic force, living not only in phrases and institutions but in the spirit of a people, it has triumphed over temporary setbacks and gone on to achieve new meaning and new dimensions.

Those who came to America did so for many reasons—religious, political, and economic. But the great majority came in search of a freedom greater than any they had previously known. It was not their intention to permit the reconstitution on this continent of the tyrannies from which they had fled. In the Constitution as originally adopted, and in the first 10 amendments which constitute the Bill of Rights, they hedged the power of the Federal Government around with safeguards against the recurrence in this country of forms of oppression which had developed in others. The various State constitutions imposed similar limitations on the powers of the States. And the 14th amendment made many of the constitutional provisions, by which the citizen was already protected against arbitrary acts of the Federal authorities, applicable to State action as well.

THE CONSTITUTIONAL GUARANTIES

Although we tend to think of our constitutional guaranties of freedom as being embodied in the Bill of Rights, the Constitution as it was first adopted contained many protections against the perversion of judicial process, or its replacement by acts of executive or legislative tyranny. To prevent the executive from holding men in prison without trial, it forbade the suspension of the writ of habeas corpus except in time of rebellion or invasion. It barred Congress from substituting legislative punishment for judicial trial, as the British Parliament had sometimes done in political cases through bills of attainder and impeachment. The first of these, a legislative imposition of punishment without trial, it outlawed completely. The second, a quasijudicial procedure in which the legislature itself sits as a court, was retained, but the penalties which could be inflicted by means of it were limited to removal from public office and ineligibility to hold such office in the future.

To make the judiciary independent of the other branches of government, the Constitution provided that judges were to hold office during good behavior—that is, for life unless removed by impeachment for cause—and that their salaries were not to be reduced during their terms of office. Thus a judge's decision could not be influenced by a threat that his pay would be cut or that he would be ousted from office. At the same time, the Constitution guarded against judicial tyranny by guaranteeing the right of trial by jury in all criminal cases. To prevent the Government from dragging defendants to distant parts of the country, it provided that trials must take place where the crimes had been committed.

Because the charge of treason had been a favorite method for disposing of political opponents in England and elsewhere, the Constitution provided: "Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort"; further, it provided that no person might be convicted of treason except on the testimony of two witnesses to the same overt act or on confession in open court.

Some of these provisions have been modified in practice by other provisions of the Constitution or by judicial interpretation of it. Thus Jefferson removed the Federalist "midnight judges," appointed by Adams just before leaving office, by putting through Congress a law abolishing the courts in which they served. Since the courts have held that the Constitution does not necessarily follow the flag, the Federal judges in territories outside the continental United States are appointed for fixed terms rather than during "good behavior"—a fact which in one recent case made possible a move to penalize a judge in Hawaii for reducing the bail of some Communist defendants. The 14th amendment included an ex post facto provision banning from office those persons who, having taken an oath of office to uphold the Constitution, had participated in rebellion. And there is a twilight zone of unclear meaning; thus Lincoln suspended the writ of habeas corpus during the Civil War but the Supreme Court disputed his right to do so. There is still no certainty as to where the power to suspend the writ legally rests.

The first 10 amendments and the 13th and 14th amendments added many more guaranties to the Constitution. Some of these are quite sweeping in language and have never been given their fullest possible meaning; some are so general in their terminology that their full implications are still being explored. The courts have had to extend them by analogy to situations which did not exist at the time the Constitution was written.

Even the great guaranties of the first amendment were never applied in their full and literal meaning. The guaranty of freedom of religion did not protect the practice of polygamy by those whose religion required it; indeed, Utah was not admitted to the Union until the Mormon Church abandoned that tenet. The guaranties of freedom of speech and press, while they have been held to prevent prior restraint of libel through precensorship or injunction, have never been regarded as preventing its punishment.

Beyond this, however, there has always been a great deal of uncertainty. The Sedition Act of 1798, for instance, was passed by a Congress many of whose Members had been among those who voted for the first 10 amendments. That they voted for the Sedition Act would seem to indicate that they considered it constitutional, but this was sharply disputed by Jefferson and Madison. The issue was never finally decided; the act was limited to a term of 2 years, and most of the cases initiated under it were still before the courts when Jefferson became President and stopped all prosecutions for its violation.

Under the Espionage Act, passed during the First World War, severe restrictions were imposed on freedom of speech and of the press. For uttering and publishing statements which purportedly discouraged recruiting, Eugene Debs and other leading Socialists were sent to prison. The Supreme Court upheld their convictions on the "clear and present danger" rationale formulated by Justice Oliver Wendell Holmes, who declared that free speech does not protect the right to shout "fire!" in a crowded theater. It is interesting that this doctrine, now regarded by many as restricting the Government too closely in dealing with subversive activities, was first enunciated in opinions upholding convictions in cases where, in retrospect, it hardly seems that any genuine danger existed.

The procedural guaranties of the Bill of Rights would seem to be easier to apply literally than the general prohibitions of the first amendment. But even here there were difficulties, especially as some of these procedural guaranties were stated in very vague language indeed. Thus the provision that "excessive bail shall not be required, nor excessive fines imposed" has meant as much—or as little—as the courts have desired.

The provision that "no person shall be compelled in any criminal case to be a witness against himself" has been extended to permit a person to refuse to give evidence before a congressional committee on the ground that it might tend to incriminate him. And, finally, there is the broad question of the extent to which the Bill of Rights is binding on the States. Not until well over a century after the Bill of Rights was added to the Constitution did the Supreme Court squarely decide that some amendments apply to State action as well as to acts of the Federal Government. That decision was predicated upon a fresh interpretation of the meaning of the 14th amendment. But even today not all of the first 10 amendments are deemed thus effective.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. GREEN. I yield.

Mr. LEHMAN. I commend the distinguished Senator from Rhode Island for placing in the RECORD excerpts from the very fine report on the subject of security and liberty, published by an organization of which I am very proud to be an honorary officer.

Mr. GREEN. I am very happy to be able to do so.

SOCIAL SECURITY AMENDMENTS OF 1954

The Senate resumed the consideration of the bill (H. R. 9366) to amend the Social Security Act and the Internal Revenue Code, so as to extend coverage under the old-age and survivors insurance pro-

gram, increase the benefits payable thereunder, preserve the insurance rights of disabled individuals, and increase the amount of earnings permitted without loss of benefits, and for other purposes.

Mr. HILL. Mr. President, I wish to call the attention of the Senator from Colorado to a letter dated August 12, 1954, which I have received from the Department of Health, Education, and Welfare, signed by Hon. Oveta Culp Hobby, Secretary, in which she states her opinion with reference to the rehabilitation provision of H. R. 9366, as follows:

At the time the administration's bill on social security was introduced, I publicly stated that in order to qualify for the "disability freeze" provisions of the bill a person would not be required to accept rehabilitation services. I have reiterated this statement on several occasions.

However, in view of the question raised in your letter I have had the General Counsel of this Department again review section 106 and he informs me that there is no provision in the bill that would grant authority to the Secretary to deny the "disability freeze" to persons who refused rehabilitation servvices.

The purport of the remainder of the letter conforms with the two statements I have just read.

I desire to ask the chairman of the committee, the distinguished Senator from Colorado [Mr. MILLIKIN], if his views are in accord with the views stated by Secretary Hobby in the letter to which I have just referred.

Mr. MILLIKIN. I am glad to say that I am in compete accord with what Secretary Hobby has written to the distinguished Senator from Alabama in the letter from which he has read.

Mr. HILL. I thank the Senator from Colorado.

Mr. President, I ask unanimous consent to have the entire letter printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF
HEALTH, EDUCATION, AND WELFARE,
Washington, August 12, 1954.

Hon. LISTER HILL,
United States Senate.

DEAR SENATOR HILL: This is in reply to your letter of August 5, 1954, requesting a statement on the Department's position with respect to whether the Secretary could require an individual to accept rehabilitation services under the authority of section 106 of H. R. 9366 providing for the preservation of insurance rights of disabled individuals.

At the time the administration's bill on social security was introduced, I publicly stated that in order to qualify for the "disability freeze" provisions of the bill a person would not be required to accept rehabilitation services. I have reiterated this statement on several occasions.

However, in view of the question raised in your letter I have had the General Counsel of this Department again review section 106 and he informs me that there is no provision in the bill that would grant authority to the Secretary to deny the "disability freeze" to persons who refused rehabilitation services. The only specific provision in the bill dealing with rehabilitation is the proposed new section 222 of the Social Security Act, entitled "Referral for Rehabilitation Services," which declares it to be the policy of the Congress that disabled individuals applying for a determination of disability shall be promptly referred to rehabilitation agencies for necessary rehabilitation services to the end that the maximum number may be restored to productive activity. This provision is intended to afford individuals the opportunity to be considered for services under the Vocational Rehabilitation Act; the failure to accept such a referral, would not of itself authorize this Department to find that the individual was not under a disability.

Aside from this specific provision, there is a general provision in the bill (the proposed new section 216 (i) of the Social Security Act) which provides that "An individual shall not be considered to be under a disability unless he furnishes such proof of the existence thereof as may be required." The General Counsel has also considered whether this provision could be interpreted to require an individual to accept rehabilitation services. He assures me that this provision would not have the effect of making an individual's acceptance of rehabilitation services a condition to a finding that he is under a disability.

With regard to the general problem of rehabilitation in disability determinations, the Committee on Finance in its report to accompany H. R. 9366 (S. Rept. No. 1987) has stated:

"There are two aspects of disability evaluation: (1) There must be a medically determinable impairment of serious proportions which is expected to be of a long-continued and indefinite duration or to result in death, and (2) there must be a present inability to engage in substantial gainful work by reason of such impairment (recognizing, of course, that efforts toward rehabilitation will not be considered to interrupt a period of disability until the restoration of the individual to gainful activity is an accomplished fact * * *" (p. 21).

Under the bill, therefore, whether an individual is under a disability as defined in the bill would be a question of fact. If he were suffering from an impairment of such severity as to be totally disabling for any substantially gainful work, the mere possibility that he may be offered rehabilitation services and that the successful conclusion of a course of such services might restore him to gainful activity would not preclude a present finding of disability. Therefore, if he meets the other conditions of eligibility specified in the disability provisions in section 106, his rights under title II of the act would be preserved.

Sincerely yours,

OVETA CULP HOBBY.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. LEHMAN. Mr. President, I call up my amendment 8-3-54-A. I waive the reading of the amendment.

The VICE PRESIDENT. Without objection the amendment in the nature of a substitute offered by the Senator from New York will be printed in the RECORD.

The amendment in the nature of a substitute offered by Mr. LEHMAN was to strike out all after the enacting clause and insert the following:

That this act may be cited as the "Social Security Amendments of 1954."

STATEMENT OF PURPOSE

SEC. 2. The Congress hereby finds and declares that, to promote the general welfare of the people of the United States, measures are needed to expand and improve the national social insurance program so that it will—

(1) permit all gainfully occupied individuals to maintain their self-reliance and self-respect and build up their future security through benefits based on their own contributions and those of their employers;

(2) provide benefit amounts reasonably related to the wage or self-employment income that had determined an individual's standard of living, and to the current wage levels prevailing throughout the Nation;

(3) acknowledge individual effort, skill, and responsibility by the payment of variable benefit amounts related to past earnings, years of contributions, and the number of persons dependent on the individual's earnings;

(4) spread the risk of income loss arising from sickness and disability, as well as from old age and death, that the occurrence of these events may not impose an overwhelming burden on the families affected; and

(5) reduce the number of cases in which individuals or their families must resort to public assistance.

TITLE I—AMENDMENTS TO TITLE II OF THE SOCIAL SECURITY ACT

EXTENSION OF COVERAGE

DOMESTIC SERVICE, SERVICE NOT IN COURSE OF EMPLOYER'S BUSINESS, AND AGRICULTURAL LABOR

SEC. 101. (a) (1) Paragraph (2) of section 209 (g) of the Social Security Act is amended to read as follows:

"(2) Cash remuneration paid by an employer in any calendar quarter to an employee for domestic service in a private home of the employer, if the cash remuneration paid in such quarter by the employer to the employee for such service is less than $50. As used in this paragraph, the term 'domestic service in a private home of the employer' does not include service described in section 210 (f) (5)."

(2) Section 209 (g) of such act is amended by adding at the end thereof the following new paragraph:

"(3) Cash remuneration paid by an employer in any calendar quarter to an employee for service not in the course of the employer's trade or business, if the cash remuneration paid in such quarter by the employer to the employee for such service is less than $50. As used in this paragraph, the term 'service not in the course of the employer's trade or business' does not include domestic service in a private home of the employer and does not include service described in section 210 (f) (5)."

(3) Section 209 (h) of such act is amended by inserting "(1)" after "(h)" and by adding at the end thereof the following new paragraph:

"(2) Cash remuneration paid by an employer is any calendar quarter to an employee for agricultural labor, if the cash remuneration paid in such quarter by the employer to the employee for such labor is less than $50."

(4) Section 210 (a) (1) of such act is amended to read as follows:

"(1) (A) Service performed in connection with the production or harvesting of any commodity defined as an agricultural commodity in section 15 (g) of the Agricultural Marketing Act, as amended;

"(B) Service performed by foreign agricultural workers under contracts entered into in accordance with title V of the Agricultural Act of 1949, as amended;"

(5) Section 210 (a) of such act is amended by striking out paragraph (3) and redesignating paragraphs (4), (5), (6), (7), (8), (9), (10), (11), (12), (13), and (14), and any references thereto contained in such act, as paragraphs (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), and (13), respectively.

(6) The second sentence of section 218 (c) (5) of such act is amended by inserting before the period at the end thereof "and service the remuneration for which is excluded from wages by paragraph (2) of section 209 (h)."

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AMERICAN CITIZENS EMPLOYED BY AMERICAN EMPLOYERS ON FOREIGN-FLAG VESSELS

(b) The paragraph of section 210 (a) of the Social Security Act herein redesignated as paragraph (4) is amended by striking out "if the individual is employed on and in connection with such vessel or aircraft when outside the United States" and inserting in lieu thereof: "if (A) the individual is employed on and in connection with such vessel or aircraft when outside the United States and (B) (i) such individual is not a citizen of the United States or (ii) the employer is not an American employer."

CERTAIN FEDERAL EMPLOYEES

(c) (1) Subparagraph (B) of the paragraph of section 210 (a) of the Social Security Act herein redesignated as paragraph (6) is amended—

(A) by inserting "by an individual" after "Service performed", and by inserting "and if such service is covered by a retirement system established by such instrumentality;" after "December 31, 1950,";

(B) by inserting "a Federal Home Loan Bank," after "a Federal Reserve Bank," in clause (ii); and

(C) by striking out "or" at the end of clause (iii), by adding "or" at the end of clause (iv), and by adding at the end of the subparagraph the following new clause:

"(v) service performed by a civilian employee, not compensated from funds appropriated by the Congress, in the Coast Guard exchanges or other activities, conducted by an instrumentality of the United States subject to the jurisdiction of the Secretary of the Treasury, at installations of the Coast Guard for the comfort, pleasure, contentment, and mental and physical improvement of personnel of the Coast Guard."

(2) Subparagraph (C) of such paragraph is amended to read as follows:

"(C) Service performed in the employ of the United States or in the employ of any instrumentality of the United States, if such service is performed—

"(i) as the President or Vice President of the United States or as a Member, Delegate, or Resident Commissioner of or to the Congress;

"(ii) in the legislative branch;

"(iii) in a penal institution of the United States by an inmate thereof;

"(iv) by any individual as an employee included under section 2 of the act of August 4, 1947 (relating to certain interns, student nurses, and other student employees of hospitals of the Federal Government; 5 U. S. C., sec. 1052);

"(v) by any individual as an employee serving on a temporary basis in case of fire, storm, earthquake, flood, or other similar emergency; or

"(vi) by any individual to whom the Civil Service Retirement Act of 1930 does not apply because such individual is subject to another retirement system (other than the retirement system of the Tennessee Valley Authority)."

(3) Section 205 (p) (3) of such act is amended by adding at the end thereof the following new sentence: "The provisions of paragraphs (1) and (2) shall be applicable also in the case of service performed by a civilian employee, not compensated from funds appropriated by the Congress, in the Coast Guard exchanges or other activities, conducted by an instrumentality of the United States subject to the jurisdiction of the Secretary of the Treasury, at installations of the Coast Guard for the comfort, pleasure, contentment, and mental and physical improvement of personnel of the Coast Guard; and for purposes of paragraphs (1) and (2) the Secretary of the Treasury shall be deemed to be the head of such instrumentality."

MINISTERS

(d) (1) The paragraph of section 210 (a) of the Social Security Act herein redesignated as paragraph (8) is amended to read as follows:

"(8) (A) Service performed in the employ of a religious, charitable, educational, or other organization exempt from income tax under section 101 (6) of the Internal Revenue Code, other than service performed by a duly ordained, commissioned, or licensed minister of a church in the exercise of his ministry or by a member of a religious order in the exercise of duties required by such order; but this subparagraph shall not apply to service performed during the period for which a certificate, filed pursuant to section 1426 (1) (1) of the Internal Revenue Code, is in effect, if such service is performed by an employee (i) whose signature appears on the list filed by such organization under such section, or (ii) who became an employee of such organization after the certificate was filed and after such period began;

"(B) Service performed in the employ of a religious, charitable, education, or other organization exempt from income tax under section 101 (6) of the Internal Revenue Code, by a duly ordained, commissioned, or licensed minister of a church in the exercise of his ministry or by a member of a religious order in the exercise of duties required by such order; but this subparagraph shall not apply to service performed by a duly ordained, commissioned, or licensed minister of a church or a member of a religious order, other than a member of a religious order who has taken a vow of poverty as a member of such order, during the period for which a certificate, filed pursuant to section 1426 (1) (2) of the Internal Revenue Code, is in effect, if such service is performed by an employee (i) whose signature appears on the list filed by such organization under such section, or (ii) who became an employee of such organization after the certificate was filed and after such period began."

(2) Section 211 (c) of such act is amended by striking out paragraph (4).

(3) Nothing in subsection (a) of section 210 of the Social Security Act, as amended by this act, or in subsections (b) and (1) of section 1426 of the Internal Revenue Code, as so amended, shall be construed to mean that any minister is an employee of an organization for any purpose other than the purposes of such sections.

FISHING AND RELATED SERVICE

(e) Section 210 (a) of the Social Security Act is further amended by striking out paragraph (15) and redesignating paragraphs (16) and (17), and any references thereto contained in such act, as paragraphs (14) and (15), respectively.

HOMEWORKERS

(f) Subparagraph (C) of section 210 (k) (3) of the Social Security Act is amended by striking out ", if the performance of such services is subject to licensing requirements under the laws of the State in which such services are performed."

FARMERS AND PROFESSIONAL SELF-EMPLOYED

(g) (1) Subsection (a) of section 211 of the Social Security Act is amended by striking out paragraph (2) and redesignating paragraphs (3), (4), (5), (6), and (7), and any references thereto contained in such act, as paragraphs (2), (3), (4), (5), and (6), respectively, and by adding at the end of such subsection the following new sentence: "In the case of any trade or business which is carried on by an individual who reports his income on a cash receipts and disbursements basis, and in which, if it were carried on exclusively by employees, the major portion of the services would constitute agricultural labor as defined in section 210 (f), (i) if the gross income derived from such trade or business by such individual is not more than $1,800, the net earnings from self-employment derived by him therefrom may, at his option, be deemed to be 50 percent of such gross income in lieu of his net earnings from self-employment from such trade or business computed as provided under the preceding provisions of this subsection, or (ii) if the gross income derived from such trade or business by such individual is more than $1,800 and the net earnings from self-employment derived by him therefrom, as computed under the preceding provisions of this subsection, are less than $900, such net earnings may instead, at the option of such individual, be deemed to be $900. For the purpose of the preceding sentence, gross income derived from such trade or business shall mean the gross receipts from such trade or business reduced by the cost or other basis of property which was purchased and sold in carrying on such trade or business, adjusted (after such reduction) in accordance with the preceding provisions of this subsection."

(2) Paragraph (1) of such section 211 (a) is amended to read as follows:

"(1) There shall be excluded rentals from real estate and from personal property leased with the real estate (including such rentals paid in crop shares), together with the deductions attributable thereto, unless such rentals are received in the course of a trade or business as a real estate dealer."

(3) The paragraph of such section 211 (a) herein redesignated as paragraph (3) is amended by striking out "cutting or disposal of timber" and inserting in lieu thereof "cutting of timber or the disposal of timber or coal."

(4) Section 211 (c) of such act is amended by striking out paragraph (5), by inserting "or" at the end of paragraph (3), and by adding after paragraph (3) the following new paragraph:

"(4) The performance of service by an individual in the exercise of his profession as a physician, or the performance of such service by a partnership."

COAL ROYALTIES

(h) Paragraph (4) of section 211 (a) of the Social Security Act is amended by striking out "cutting or disposal of timber" and inserting in lieu thereof "cutting of timber, or the disposal of timber or coal."

EMPLOYEES COVERED BY STATE OR LOCAL RETIREMENT SYSTEMS

(i) (1) (A) Section 218 (d) of such act is amended by striking out "Exclusion of" in heading, by inserting "(1)" after "(d)", and by adding at the end thereof the following sentence: "The preceding sentence shall not be applicable to any service performed by an employee as a member of any coverage group in a position (other than a position excluded by paragraph (5) (A)) covered by a retirement system on the date an agreement is made applicable to such coverage group if, on such date (or, if later, the date on which such individual first occupies such position), such individual is ineligible to be a member of such system."

(B) Such section 218 (d) is amended by striking out "on the date such agreement is made applicable to such coverage group" and inserting in lieu thereof "either (A) on the date such agreement is made applicable to such coverage group, or (B) on the date of enactment of the succeeding paragraph of this subsection (except in the case of positions which are, by reason of action by such State or political subdivision thereof, as may be appropriate, taken prior to the date of enactment of such succeeding paragraph, no longer covered by a retirement system on the date referred to in clause (A), and except in the case of positions excluded by paragraph (5) (A))."

(2) Such section 218 (d) is further amended by adding at the end thereof the following new paragraphs:

"(2) It is hereby declared to be the policy of the Congress in enacting the succeeding paragraphs of this subsection that the protection afforded employees in positions cov-

ered by a retirement system on the date an agreement under this section is made applicable to service performed in such positions, or receiving periodic benefits under such retirement system at such time, will not be impaired as a result of making the agreement so applicable or as a result of legislative enactment in anticipation thereof.

"(3) Notwithstanding paragraph (1), an agreement with a State may be made applicable (either in the original agreement or by any modification thereof) to service performed by employees in positions covered by a retirement system (including positions specified in paragraph (4) but not including positions excluded by or pursuant to paragraph (5)) if the governor of the State certifies to the Secretary of Health, Education, and Welfare that the following conditions have been met:

"(A) A referendum by secret written ballot was held on the question of whether service in positions covered by such retirement system should be excluded from or included under an agreement under this section;

"(B) An opportunity to vote in such referendum was given (and was limited) to eligible employees;

"(C) Not less than ninety days' notice of such referendum was given to all such employees;

"(D) Such referendum was conducted under the supervision of the governor or an agency or individual designated by him; and

"(E) A majority of the eligible employees voted in such referendum; and

"(F) Two-thirds or more of the employees who voted in such referendum voted in favor of including service in such positions under an agreement under this section.

An employee shall be deemed an 'eligible employee' for purposes of any referendum with respect to any retirement system if, at the time such referendum was held, he was in a position covered by such retirement system and was a member of such system, and if he was in such a position at the time notice of such referendum was given as required by clause (C) of the preceding sentence; except that he shall not be deemed an 'eligible employee' if, at the time the referendum was held, he was in a position to which the State agreement already applied, or if he was in a position excluded by or pursuant to paragraph (5). No referendum with respect to a retirement system shall be valid for purposes of this paragraph unless held within the 2-year period which ends on the date of execution of the agreement or modification which extends the insurance system established by this title to such retirement system, nor shall any referendum with respect to a retirement system be valid for purposes of this paragraph if held less than 1 year after the last previous referendum held with respect to such retirement system.

"(4) For the purposes of subsection (c) of this section, the following employees shall be deemed to be a separate coverage group—

"(A) all employees in positions which were covered by the same retirement system on the date the agreement was made applicable to such system (other than employees to whose services the agreements already applied on such date);

"(B) all employees in positions which became covered by such system at any time after such date; and

"(C) all employees in positions which were covered by such system at any time before such date and to whose services the insurance system established by this title has not been extended before such date because the positions were covered by such retirement system (including employees to whose services the agreement was not applicable on such date because such services were excluded pursuant to subsection (c) (3) (C)).

"(5) (A) Nothing in paragraph (3) of this subsection shall authorize the extension of the insurance system established by this title to service in any policeman's or fireman's position.

"(B) At the request of the State, any class or classes of positions covered by a retirement system which may be excluded from the agreement pursuant to paragraph (3) or (5) of subsection (c), and to which the agreement does not already apply, may be excluded from the agreement at the time it is made applicable to such retirement system; except that, notwithstanding the provisions of paragraph (3) (C) of such subsection, such exclusion may not include any services to which such paragraph (3) (C) is applicable. In the case of any such exclusion, each such class so excluded shall, for purposes of this subsection, constitute a separate retirement system in case of any modification of the agreement thereafter agreed to.

"(6) If a retirement system covers positions of employees of the State and positions of employees of one or more political subdivisions of the State, or covers positions of employees of two or more political subdivisions of the State, then, for purposes of the preceding paragraphs of this subsection, there shall, if the State so desires, be deemed to be a separate retirement system with respect to any one or more of the political subdivisions concerned and, where the retirement system covers positions of employees of the State, a separate retirement system with respect to the State or with respect to the State and any one or more of the political subdivisions concerned. If a retirement system covers positions of employees of one or more institutions of higher learning, then, for purposes of such preceding paragraphs, there shall, if the State so desires, be deemed to be a separate retirement system for the employees of each such institution of higher learning. For the purposes of this paragraph, the term "institutions of higher learning' includes junior colleges and teachers' colleges."

(3) Paragraph (3) of section 218 (c) is amended to read as follows:

"(3) Such agreement shall, if the State requests it, exclude (in the case of any coverage group) any one or more of the following:

"(A) Any service of an emergency nature;

"(B) All services in any class or classes of (i) elective positions, (ii) part-time positions, or (iii) positions the compensation for which is on a fee basis;

"(C) All services performed by individuals as members of a coverage group in positions covered by a retirement system on the date such agreement is made applicable to such coverage group, but only in the case of individuals who, on such date (or, if later, the date on which they first occupy such positions), are not eligible to become members of such system and whose services in such positions have not already been included under such agreement pursuant to subsection (d) (3)."

(4) Paragraph (4) of such section 218 (c) is amended by adding at the end thereof the following new sentence: "A modification of an agreement pursuant to clause (B) of the preceding sentence may apply to individuals to whom paragraph (3) (C) is applicable (whether or not the previous exclusion of the service of such individuals was pursuant to such paragraph), but only if such individuals are, on the effective date specified in such modification, ineligible to be members of any retirement system or if the modification with respect to such individuals is pursuant to subsection (d) (3)."

(5) Such section 218 (c) is further amended by adding at the end thereof the following new paragraph:

"(7) No agreement may be made applicable (either in the original agreement or by any modification thereof) to service performed by any individual to whom paragraph (3) (C) is applicable unless such agreement provides (in the case of each coverage group involved) either that the service of any individual to whom such paragraph is applicable and who is a member of such coverage group shall continue to be covered by such agreement in case he thereafter becomes eligible to be a member of a retirement system, or that such service shall cease to be so covered when he becomes eligible to be a member of such a system (but only if the agreement is not already applicable to such system pursuant to subsection (d) (3)), whichever may be desired by the State."

(6) Section 218 (f) of such act is amended to read as follows:

"(f) Any agreement or modification of an agreement under this section shall be effective with respect to services performed after an effective date specified in such agreement or modification; except that—

"(1) in the case of an agreement or modification agreed to prior to 1954, such date may not be earlier than December 31, 1950;

"(2) in the case of an agreement or modification agreed to after 1954 but prior to 1958, such date may not be earlier than December 31, 1954; and

"(3) in the case of an agreement or modification agreed to during 1954 or after 1957, such date may not be earlier than the last day of the calendar year preceding the year in which such agreement or modification, as the case may be, is agreed to by the Secretary of Health, Education, and Welfare and the State."

(7) Section 218 (m) (1) of such act is amended by striking out "subsection (d)" and inserting in lieu thereof "paragraph (1) of subsection (d)."

(8) Section 218 of such act is further amended by adding at the end thereof the following new subsection:

"CERTAIN POSITIONS NO LONGER COVERED BY RETIREMENT SYSTEMS

"(n) Notwithstanding subsection (d), an agreement with any State entered into under this section prior to the date of the enactment of this subsection may, prior to January 1, 1958, be modified pursuant to subsection (c) (4) so as to apply to services performed by employees, as members of any coverage group to which such agreement already applies (and to which such agreement applied on such date of enactment), in positions (1) to which such agreement does not already apply, (2) which were covered by a retirement system on the date such agreement was made applicable to such coverage group, and (3) which, by reason of action by such State or political subdivision thereof as may be appropriate, taken prior to the date of the enactment of this subsection, are no longer covered by a retirement system on the date such agreement is made applicable to such services."

(9) The amendments made by this subsection, other than paragraph (1) (B), shall take effect January 1, 1955.

CIVILIAN EMPLOYEES OF STATE NATIONAL GUARD UNITS AND CERTAIN STATE INSPECTORS

(j) (1) Effective as of January 1, 1951, paragraph (5) of section 218 (b) of the Social Security Act is amended by adding at the end thereof the following new sentence: "Civilian employees of National Guard units of a State who are employed pursuant to section 90 of the National Defense Act of June 3, 1916 (32 U. S. C., sec. 42), and paid from funds allotted to such units by the Department of Defense, shall for purposes of this section be deemed to be employees of the State and (notwithstanding the preceding provisions of this paragraph) shall be deemed to be a separate coverage group."

(2) Effective January 1, 1955, such paragraph is further amended by adding after the sentence added by paragraph (1) of this subsection the following new sentence: "For purposes of this section, individuals employed pursuant to an agreement, entered

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into pursuant to section 205 of the Agricultural Marketing Act of 1946 (7 U. S. C. 1624) or section 14 of the Perishable Agricultural Commodities Act, 1930 (7 U. S. C. 499n), between a State and the United States Department of Agriculture to perform services as inspectors of agricultural products may be deemed, at the option of the State, to be employees of the State and (not withstanding the preceding provisions of this paragraph) shall be deemed to be a separate coverage group."

(3) In the case of any coverage group to which the amendment made by paragraph (1) is applicable, any agreement or modification of an agreement agreed to prior to January 1, 1956, may, notwithstanding section 218 (f) of the Social Security Act, be made effective with respect to services performed by employees as members of such coverage group after any effective date specified therein, but in no case may such effective date be earlier than December 31, 1950.

Certain employees of the State of Utah

(k) Effective as of January 1, 1951, section 218 of the Social Security Act is amended by adding after subsection (n) (added by subsection (g) (8) of this section) the following new subsection:

"Certain Employees of the State of Utah

"(o) Notwithstanding the provisions of subsection (d), the agreement with the State of Utah entered into pursuant to this section may be modified pursuant to subsection (c) (4) so as to apply to services performed for any of the following, the employees performing services for each of which shall constitute a separate coverage group: Weber Junior College, Carbon Junior College, Dixie Junior College, Central Utah Vocational School, Salt Lake Area Vocational School, Center for the Adult Blind, Union High School (Roosevelt, Utah), Utah High School Activities Association, State Industrial School, State Training School, State Board of Education, and Utah School Employees Retirement Board. Any modification agreed to prior to January 1, 1955, may be made effective with respect to services performed by employees as members of any of such coverage groups after an effective date specified therein, except that in no case may any such date be earlier than December 31, 1950."

PRESUMED WORK DEDUCTIONS IN CASE OF CERTAIN RETROACTIVE STATE AGREEMENTS

(l) (1) In the case of any services performed prior to 1955 to which an agreement under section 218 of the Social Security Act was made applicable, deductions which—

(A) were not imposed under section 203 of such act with respect to such services performed prior to the date the agreement was agreed to or, if the original agreement was not applicable to such services, performed prior to the date the modification making such agreement applicable to such services was agreed to, and

(B) would have been imposed under such section 203 had such agreement, or modification, as the case may be, been agreed to on the date it became effective, shall be deemed to have been imposed, but only for purposes of section 215 (f) (2) (A) or section 215 (f) (4) (A) of such act as in effect prior to the enactment of this act. An individual with respect to whose services the preceding sentence is applicable, or in the case of his death, his survivors entitled to monthly benefits under section 202 of the Social Security Act on the basis of his wages and self-employment income, shall be entitled to a recomputation of his primary insurance amount under such section 215 (f) (2) (A) or section 215 (f) (4) (A), as the case may be, if the conditions specified therein are met and if, with respect to a recomputation under such section 215 (f) (2) (A), such individual files the application referred to in such section after August 1954 and prior to January 1956 or, with respect to a recomputation under such section 215 (f) (4) (A), such individual died prior to January 1956 and any of such survivors entitled to monthly benefits files an application, in addition to the application filed for such monthly benefits, for a recomputation under such section 215 (f) (4) (A).

(2) For purposes of a recomputation made by reason of paragraph (1) of this subsection, the primary insurance amount of the individual who performed the services referred to in such paragraph shall be computed under subsection (a) (2) of section 215 of the Social Security Act, as amended by this act (but, for such purposes, without application of subsection (d) (4) of such section, as in effect prior to the enactment of this act or as amended by this act) and as though he became entitled to old-age insurance benefits in whichever of the following months yields the highest primary insurance amount:

(A) the month following the last month for which deductions are deemed, pursuant to paragraph (1) of this subsection, to have been made; or

(B) the first month after the month determined under subparagraph (A) (and prior to September 1954) in which his benefits under section 202 (a) of the Social Security Act were no longer subject to deductions under section 203 (b) of such act; or

(C) the first month after the last month (and prior to September 1954) in which his benefits under section 202 (a) of the Social Security Act were subject to deductions under section 203 (b) of such act; or

(D) the month in which such individual filed his application for recomputation referred to in paragraph (1) of this subsection or, if he died without filing such application and prior to January 1, 1956, the month in which he died, and in any such case (but, if the individual is deceased, only if death occurred after August 1954) the amendments made by subsections (b) (1), (e) (1) and (e) (3) (B) of section 102 of this act shall be applicable.

Such recomputation shall be effective for and after the month in which the application required by paragraph (1) of this subsection is filed. The provisions of this subsection shall not be applicable in the case of any individual if his primary insurance amount has been recomputed under section 215 (f) (2) of the Social Security Act on the basis of an application filed prior to September 1954.

(3) If any recomputation under section 215 (f) of the Social Security Act is made by reason of deductions deemed pursuant to paragraph (1) of this subsection to have been imposed with respect to benefits based on the wages and self-employment income of any individual, the total of the benefits based on such wages and self-employment income for months for which such deductions are so deemed to have been imposed shall be recovered by making, in addition to any other deductions under section 203 of such act, deductions from any increase in benefits, based on such wages and self-employment income, resulting from such recomputation.

SERVICE BY AMERICAN CITIZENS FOR FOREIGN SUBSIDIARY OF DOMESTIC CORPORATION

(m) Clause (B) of so much of section 210 (a) of the Social Security Act as precedes paragraph (1) thereof is amended to read as follows: "(B) outside the United States by a citizen of the United States as an employee (i) of an American employer (as defined in subsection (e)), or (ii) of a foreign subsidiary (as defined in section 3121 (l) of the Internal Revenue Code of 1954) of a domestic corporation (as determined in accordance with section 7701 of the Internal Revenue Code of 1954) during any period for which there is in effect an agreement, entered into pursuant to section 3121 (e) of the Internal Revenue Code of 1954, with respect to such subsidiary;".

SERVICE IN THE UNIFORMED SERVICES

(n) The term "employment" shall, notwithstanding the provisions of subsection (a) of this section, include service performed by an individual as an employee of the United States, if such service is performed by him after 1954 as a member of any of the uniformed services of the United States on active duty or active duty for training; but such term shall not include any such service which is (1) performed pursuant to a call or order to active duty, or active duty for training, which specified a period of less than 30 days, or (2) performed by a commissioned officer of the Public Health Service during a period during which he is both on detail pursuant to subsection (b) of section 214 of the Public Health Service Act (42 U. S. C. 215) and on leave without pay pursuant to subsection (d) of such section, or (3) performed by a commissioned officer in the Reserve Corps of the Public Health Service and is covered by the Civil Service Retirement Act of 1930.

MEMBER OF UNIFORMED SERVICES

(o) The term "member" in the phrase "member of any of the uniformed services" and the term "uniformed services" shall have the meanings assigned to such terms by section 102 of the Career Compensation Act of 1949 (37 U. S. C. 231).

AMENDMENTS TO PROVISIONS RELATING TO CREDIT FOR WORLD WAR II AND LATER SERVICE

(p) (1) Clause (B) of section 217 (e) (1) of such act is amended by striking out "(other than a benefit payable in a lump sum unless it is a commutation of, or a substitute for, periodic payments)" and inserting in lieu thereof "(other than a benefit payable in a lump sum unless it is a commutation of, or a substitute for, periodic payments and other than a benefit payable in a lump sum unless it is a Readjustment Assistance Act of 1952)."

(2) Clause (B) of subsection (a) (1) of section 217 of such act and clause (B) of subsection (e) (1) of such section are each amended by striking out "(other than the Veterans' Administration)" and inserting in lieu thereof "(other than the Veterans' Administration and, in the case of an individual who performs service in employment as defined in subsection (m) of section 210, other than any of the uniformed services)."

(3) So much of subsection (a) (1) of section 217 of such act as follows clause (B) thereof and so much of subsection (e) (1) of such section as follows clause (B) thereof are each amended by striking out "$0.50" and inserting in lieu thereof "$1.00."

(4) The amendments made by paragraphs (1) and (3) of this subsection shall be applicable only in the case of applications for lump-sum death payments and for monthly benefits under section 202 of the Social Security Act filed after December 1953.

SPECIAL INSURED STATUS FOR SERVICEMEN WITHOUT PRIOR INSURED COVERAGE

(q) Section 214 of the Social Security Act is amended by adding after subsection (b) the following new subsection:

"SPECIAL INSURED STATUS FOR SERVICEMEN

"(c) (1) Any individual who dies after December 1953 while on active duty or active duty for training as a member of a uniformed service (except an individual whose services are excluded from the term 'employment' by section 210 (m)) shall be deemed to have died a fully and currently insured individual.

"(2) There are hereby authorized to be appropriated to the trust fund from time to time, as benefits under this title become payable by reason of paragraph (1) such sums as the Secretary estimates to be necessary to meet the additional costs, resulting from paragraph (1), of such benefits (including lump-sum death payments). Such estimates shall be arrived at through the use of

appropriate accounting, statistical, sampling, or other methods."

EFFECTIVE DATES

(r) The amendment made by subsection (h) shall be applicable only with respect to taxable years beginning after 1950. The amendments made by (c) shall, except for purposes of section 203 of the Social Security Act, be applicable only with respect to taxable years ending after 1954. The amendments made by paragraphs (1), (2), and (3) of subsection (a) shall be applicable only with respect to remuneration paid after 1954. The amendments made by paragraphs (4), (5), and (6) of subsection (a) shall be applicable only with respect to services (whether performed after 1954 or prior to 1955) for which the remuneration is paid after 1954. The other amendments made by this section (other than the amendments made by subsections (i), (j), (k), and (m)) shall be applicable only with respect to services performed after 1954. For purposes of section 203 of the Social Security Act, the amendments made by paragraphs (1), (2), and (4) of subsection (g) and by paragraph (2) of subsection (d) shall be effective with respect to net earnings from self-employment derived after 1954. The amount of net earnings from self-employment derived during any taxable year ending in, and not with the close of, 1955 shall be credited equally to the calendar quarter in which such taxable year ends and to each of the three or fewer preceding quarters any part of which is in such taxable year; and, for purposes of the preceding sentence of this subsection, net earnings from self-employment so credited to calendar quarters in 1955 shall be deemed to have been derived after 1954.

INCREASE IN BENEFIT AMOUNTS

SEC. 102. (a) Subsection (a) of section 215 of the Social Security Act is amended to read as follows:

"PRIMARY INSURANCE AMOUNT

"(a) (1) The primary insurance amount of any individual (i) who does not become eligible for benefits under section 202 (a) until after August 1954, or who dies after such month and without becoming eligible for benefits under such section 202 (a), and (ii) with respect to whom not less than six of the quarters elapsing after 1950 are quarters of coverage, and the primary insurance amount of any individual with respect to whom not less than six of the quarters elapsing after June 30, 1953, are quarters of coverage, shall be whichever of the following amounts is the larger:

"(A) (i) Fifty-five percent of the first $110 of his average monthly wage, plus 20 percent of the next $390, plus (ii) one-half of 1 percent of the amount computed under clause (i) multiplied by the number of his years of coverage after his starting date (determined under subsection (b) (2)) and prior to the year in which he filed his application with respect to which the computation is being made, or, if he has died, the year in which he died; or

"(B) The amount determined under subsection (c).

An individual shall, for purposes of this paragraph, be deemed eligible for benefits under section 202 (a) for any month if he was or would have been, upon filing application therefor in such month, entitled to such benefits for such month.

"(2) The primary insurance amount of any other individual shall be the amount determined under subsection (c)."

(b) (1) Paragraphs (1), (2), and (3) of subsection (b) of such section are amended to read as follows:

"(b) (1) An individual's 'average monthly wage' shall be the product obtained by multiplying his average earnings by his regularity-of-service factor. An individual's 'average earnings' means—

"(A) in the case of an individual who has more than 14 years of coverage after his starting date (determined under paragraph (2)) and prior to his closing date (determined under paragraph (3)), the quotient obtained by dividing (i) the total of his wages and self-employment income in the 10 consecutive years of coverage, occurring between such dates, during which such total was the largest, by (ii) 120, not counting in determining an individual's consecutive years of coverage, any year which was not a year of coverage;

"(B) in the case of an individual who has less than 15 years of coverage after his starting date and prior to his closing date, the quotient obtained by dividing (i) the total of his wages and his self-employment income after his starting date and prior to his closing date, by (ii) 120 or, if smaller, the number of months elapsing after his starting date and prior to his closing date (excluding from such elapsed months any month in any year prior to the year in which he attained the age of 22 if less than 2 quarters of such prior year were quarters of coverage), except that when the number of such elapsed months thus computed (including a computation after the application of paragraph (4)) is less than 18, it shall be increased to 18.

An individual's regularity-of-service factor is the quotient obtained by dividing—

"(C) ten, or the number of his years of coverage after his starting date and prior to his closing date, whichever is larger, by

"(D) the number of years elapsing after his starting date and prior to his closing date, excluding the years 1951 to 1954, both inclusive, except that, if the quotient thereby obtained is greater than 1, it shall be reduced to 1, and except that, if an individual's closing date occurred prior to the year in which he attained (or would, but for his death prior thereto, have attained) the age of 23, such quotient shall be 1.

'A year of coverage' means a calendar year in which the sum of the wages paid to an individual and his self-employment income credited to such year is not less than $200.

"(2) An individual's 'starting date' shall be—

"(A) December 31, 1950, or

"(B) if later, the last day of the year in which he attains the age of 21,

whichever results in the higher primary insurance amount.

"(3) An individual's 'closing date' shall be whichever of the following results in the higher primary insurance amount:

"(A) the first day of the year in which he died or became entitled to old-age insurance benefits, whichever first occurred; or

"(B) the first day of the first year in which he both was fully insured and had attained retirement age;

except that if the Secretary determines, on the basis of the evidence available to him at the time of the computation of the individual's primary insurance amount with respect to which such closing date is applicable, that it would result in a higher primary insurance amount for such individual, his closing date shall be the first day of the year following the year referred to in subparagraph (A)."

(2) Paragraph (4) of such subsection (b) is amended to read as follows:

"(4) In the case of any individual, the Secretary shall determine the four or fewer full calendar years after his starting date and prior to his closing date which, if the months of such years and his wages and self-employment income for such years were excluded in computing his average monthly wage, would produce the highest primary insurance amount. Such months and such wages and self-employment income shall be excluded for purposes of computing such individual's average earnings under paragraph (1) (B). The maximum number of calendar years determined under the first sentence of this paragraph shall be 5 instead of 4 in the case of any individual who has not less than 20 quarters of coverage."

(c) Subsection (c) of such section is amended to read as follows:

"DETERMINATIONS MADE BY USE OF THE CONVERSION TABLE

"(c) (1) Except as provided in paragraph (2) of this subsection, the amount referred to in paragraphs (1) (B) and (2) of subsection (a) for an individual shall be either the amount appearing in column III of the following table on the line on which in column I appears his primary insurance benefit (as determined under subsection (d)), or the amount appearing in column III of the following table on the line on which in column II appears his primary insurance amount (determined as provided in subsection (d)), whichever produces the higher amount; and his average monthly wage shall, for purposes of section 203 (a), be the amount appearing in column IV on the line on which, in column III, appears such higher amount.

"I "If the primary insurance benefit (as determined under subsection (d)) is—	II Or the primary insurance amount (as determined under subsection (d)) is—	III The amount referred to in paragraphs (1) (B) and (2) of subsection (a) shall be—	IV And the average monthly wage for purposes of computing maximum benefits shall be—
$10	$25.00	$35.00	$55.00
$11	27.00	36.00	58.00
$12	29.00	37.00	62.00
$13	31.00	38.00	65.00
$14	33.00	39.00	69.00
$15	35.00	40.00	73.00
$16	36.70	41.70	76.00
$17	38.20	43.20	79.00
$18	39.50	44.50	81.00
$19	40.70	45.70	83.00
$20	42.00	47.00	85.00
$21	43.50	48.50	88.00
$22	45.30	50.30	91.00
$23	47.50	52.50	95.00
$24	50.10	55.10	100.00
$25	52.40	57.40	104.00
$26	54.40	59.40	108.00
$27	56.30	61.30	114.00
$28	58.00	63.00	123.00
$29	59.40	64.60	130.00
$30	60.80	66.30	139.00
$31	62.00	68.20	147.00
$32	63.30	70.00	155.00
$33	64.40	71.70	163.00
$34	65.50	73.30	170.00
$35	66.60	74.90	177.00
$36	67.80	76.50	185.00
$37	68.90	78.10	193.00
$38	70.00	79.70	200.00
$39	71.00	81.30	207.00
$40	72.00	82.70	213.00
$41	73.10	84.20	221.00
$42	74.10	85.60	227.00
$43	75.10	87.10	234.00
$44	76.10	88.50	241.00
$45	77.10	89.80	250.00
$46	77.10	89.80	250.00
	77.20	89.80	250.00
	77.30	89.80	250.00
	77.40	89.90	250.00
	77.50	89.90	250.00
	78.00	91.10	253.00
	79.00	92.40	260.00
	80.10	93.70	267.00
	81.00	94.90	273.00
	82.00	96.00	280.00
	83.10	97.10	287.00
	84.00	98.00	293.00
	85.00	99.00	300.00

"(2) (A) In case the primary insurance benefit (determined as provided in subsection (d)) of an individual falls between the amounts on any two consecutive lines in column I of the table, the amount referred to in paragraphs (1) (B) and (2) of subsection (a) for such individual shall be the amount determined (i) by applying the formula in subsection (a) (1) to the average monthly wage which would be determined for such individual under paragraph (4) of this subsection as in effect prior to the enactment of the Social Security Amendments of 1954, (ii) by increasing the amount

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determined under clause (i), if it is not a multiple of $0.10, to the next higher multiple of $0.10, and (iii) by further increasing such amount to the extent, if any, it is less than $8 greater than the primary insurance amount which would be determined for him by use of his primary insurance benefit under paragraph (2) of this subsection as in effect prior to the enactment of the Social Security Amendments of 1954.

"(B) In case the primary insurance amount (determined under subsection (d)) of an individual falls between the amounts on any two consecutive lines in column II of the table, the amount referred to in paragraphs (1) (B) and (2) of subsection (a) for such individual shall be the amount determined under subparagraph (A) of this paragraph for an individual whose primary insurance benefit would (under paragraph (2) of this subsection as in effect prior to the enactment of the Social Security Amendments of 1954) produce such primary insurance amount; except that, if there is no primary insurance benefit which would (under such paragraph (2)) produce such primary insurance amount or if such primary insurance amount is higher than $77.10, the amount referred to in paragraphs (1) (B) and (2) of subsection (a) for such individual shall be the amount determined (i) by applying the formula in subsection (a) (1) to the average monthly wage from which such primary insurance amount was determined, (ii) by increasing the amount determined under clause (i), if it is not a multiple of $0.10, to the next higher multiple of $0.10, and (iii) by further increasing such amount to the extent, if any, it is less than $8 greater than such primary insurance amount.

"(C) If the provisions of subparagraphs (A) and (B) of this paragraph are both applicable to an individual, the amount referred to in paragraphs (1) (B) and (2) of subsection (a) for such individual shall be the larger of the amounts determined under such subparagraphs.

"(3) For the purpose of facilitating the use of the conversion table in computing any insurance benefit under section 202, the Secretary is authorized to assume that the primary insurance benefit from which such benefit under section 202 is determined is 1 cent or 2 cents more or less than its actual amount.

"(4) For purposes of section 203 (a), the average monthly wage of an individual whose primary insurance amount is determined under paragraph (2) of this subsection shall be a sum equal to the average monthly wage which would result in such primary insurance amount upon the application of the provisions of subsection (a) (1) (A) of this section and without the application of subsection (e) (2) or (g) of this section; except that, if such sum is not a multiple of $1, it shall be rounded to the nearest multiple of $1 (or to the next higher multiple of $1 if it is a multiple of $0.50)."

(d) (1) The heading of subsection (d) of such section is amended to read "Primary Insurance Benefit and Primary Insurance Amount for Purposes of Conversion Table."

(2) So much of such subsection (d) as precedes paragraph (1) thereof is amended by inserting "and the primary insurance amounts" after "primary insurance benefits."

(3) So much of paragraph (4) of such subsection (d) as precedes subparagraph (A) is amended by inserting "(except an individual who attained age 22 after 1950 and with respect to whom not less than six of the quarters elapsing after 1950 are quarters of coverage)" after "individual."

(4) Such subsection (d) is amended by adding after paragraph (5), added by section 106 of this act, the following new paragraph:

"(6) The primary insurance amount of any individual shall be computed as provided in this section as in effect prior to the enactment of this paragraph, except that the amendments made by sections 102 (b) (other than paragraph (2) thereof), 104, and 106 of the social security amendments of 1954 (relating, respectively, to increase in benefit amounts, increase in earnings counted, and periods of disability), shall, to the extent provided by such sections, be applicable to such computation."

(e) (1) Section 215 (e) of such act is amended by striking out "and" at the end of paragraph (1), by changing the period at the end of paragraph (2) to a semicolon, and by adding after such paragraph (2) the following new paragraph:

"(3) if an individual's closing date is determined under paragraph (3) (A) of subsection (b) and he has self-employment income in a taxable year which begins prior to such closing date and ends after the last day of the month preceding the month in which he becomes entitled to old-age insurance benefits, there shall not be counted, in determining his average monthly wage, his self-employment income in such taxable year, except as provided in section 215 (f) (3) (C); and."

(2) Section 215 (f) (2) of such act is amended to read as follows:

"(2) (A) Upon application filed after 1954 by an individual entitled to old-age insurance benefits, the Secretary shall recompute his primary insurance amount if—

"(i) he has not less than six quarters of coverage in the period after 1950 and prior to the quarter in which such application is filed,

"(ii) he has wages and self-employment income of more than $1,200 in a calendar year which occurs after 1953 (not taking into account any year prior to the calendar year in which the last previous recomputation, if any, of his primary insurance amount was effective) and after the year in which he became (without the application of section 202 (j) (1) entitled to old-age insurance benefits or filed an application for recomputation (to which he is entitled) under section 102 (e) (5) (B) or 102 (f) (2) (B) of the social security amendments of 1954, whichever of such events is the latest, and

"(iii) he filed such application no earlier than 6 months after such calendar year referred to in clause (ii) in which he had such wages and self-employment income.

Such recomputation shall be effective for and after the 12th month before the month in which he filed such application for recomputation but in no event earlier than the month following such calendar year referred to in clause (ii). For the purposes of this subparagraph an individual's self-employment income shall be allocated to calendar quarters in accordance with section 212.

"(B) A recomputation pursuant to subparagraph (A) shall be made as provided in subsection (a) of this section and as though the individual first became entitled to old-age insurance benefits in the month in which he filed the application for such recomputation, but only if the provisions of subsection (b) (4) were not applicable to the last previous computation of his primary insurance amount. If the provisions of subsection (b) (4) were applicable to such previous computation, the recomputation under subparagraph (A) of this paragraph shall be made only as provided in subsection (a) (1) (other than subparagraph (B) thereof) and for such purposes his average monthly wage shall be determined as though he became entitled to old-age insurance benefits in the month in which he filed the application for recomputation under subparagraph (A), except that, of the provisions of paragraph (3) of subsection (b), only the provisions of subparagraph (A) thereof shall be applicable."

(3) (A) Section 215 (f) (3) of such act is amended to read as follows:

"(3) (A) Upon application by an individual—

"(i) who became (without the application of section 202 (j) (1)) entitled to old-age insurance benefits under section 202 (a) after August 1954, or

"(ii) whose primary insurance amount was recomputed under section 102 (e) (5) or 102 (f) (2) (B) of the social security amendments of 1954, or

"(iii) whose primary insurance amount was recomputed as provided in the first sentence of paragraph (2) (B) of this subsection on the basis of an application filed after August 1954,

the Secretary shall recompute his primary insurance amount if such application is filed after the year in which he became entitled to old-age insurance benefits or in which he filed his application for the last recomputation (to which he was entitled) of his primary insurance amount under any provision of law referred to in clause (ii) or (iii) of this sentence, whichever is the later. Such recomptuation under this subparagraph shall be made in the manner provided in the preceding subsections of this section for computation of his primary insurance amount, except that his closing date for purposes of subsection (b) shall be the first day of the year following the year in which he became entitled to old-age insurance benefits or in which he filed his application for the last recomputation (to which he was entitled) of his primary insurance amount under any provision of law referred to in clause (ii) or (iii) of the preceding sentence, whichever is the later. Such recomputation under this subparagraph shall be effective for and after the first month for which his last previous computation of his primary insurance amount was effective, but in no event for any month prior to the 24th month before the month in which the application for such recomputation is filed. In the case of an individual who dies after August 1954—

"(i) who, at the time of death, was not entitled to old-age insurance benefits under section 202 (a), or who became entitled to old-age insurance benefits under section 202 (a) after August 1954, or whose primary insurance amount was recomputed under paragraph (2) or (4) of this subsection, or section 102 (e) (5) or section 102 (f) (2) (B) of the Social Security Amendments of 1954, on the basis of an application filed after August 1954; and

"(ii) with respect to whom the last previous computation or recomputation of his primary insurance amount was based upon a closing date determined under subparagraph (A) or (B) of subsection (b) (3) of this section,

the Secretary shall recompute his primary insurance amount upon the filing of an application by a person entitled to monthly benefits or a lump-sum death payment on the basis of his wages and self-employment income. Such recomputation shall be made in the manner provided in the preceding subsections of this section for computation of such amount, except that his closing date for purposes of subsection (b) shall be the day following the year of death in case he died without becoming entitled to old-age insurance benefits, or, in case he was entitled to old-age insurance benefits, the day following the year in which was filed the application for the last previous computation of his primary insurance amount or in which the individual died, whichever first occurred. In the case of monthly benefits, such recomputation shall be effective for and after the month in which the person entitled to such monthly benefits became so entitled, but in no event for any month prior to the 24th month before the month in which the application for such recomputation is filed."

(B) Such section 215 (f) (3) is further amended by adding after subparagraph (B) (added by subparagraph (A) of this paragraph) the following new subparagraph:

"(C) If an individual's closing date is determined under paragraph (3) (A) of subsection (b) of this section and he has

self-employment income in a taxable year which begins prior to such closing date and ends after the last day of the month preceding the month in which he became entitled to old-age insurance benefits, the Secretary shall recompute his primary insurance amount after the close of such taxable year, taking into account only such self-employment income in such taxable year as is, pursuant to section 212, allocated to calendar quarters prior to such closing date. Such recomputation shall be effective for and after the first month in which he became entitled to old-age insurance benefits."

(4) Section 215 (f) (4) of such act is amended to read as follows:

"(4) Upon the death after 1954 of an individual entitled to old-age insurance benefits, if any person is entitled to monthly benefits, or to a lump-sum death payment, on the basis of the wages and self-employment income of such individual, the Secretary shall recompute the decedent's primary insurance amount, but only if—

"(A) the decedent would have been entitled to a recomputation under paragraph (2) (A) (without the application of clause (iii) thereof) if he had filed application therefor in the month in which he died; or

"(B) the decedent during his lifetime was paid compensation which was treated under section 205 (o) as remuneration for employment.

If the recomputation is permitted by subparagraph (A) the recomputation shall be made (if at all) as though he had filed application for a recomputation under paragraph (2) (A) in the month in which he died, except that such recomputation shall include any compensation (described in sec. 205 (o)) paid to him prior to the closing date which would have been applicable under such paragraph. If recomputation is permitted by subparagraph (B) the recomputation shall take into account only the wages and self-employment income which were taken into account in the last previous computation of his primary insurance amount and the compensation (described in sec. 205 (o)) paid to him prior to the closing date applicable to such computation. If both of the preceding sentences are applicable to an individual, only the recomputation which results in the larger primary insurance amount shall be made."

(5) (A) In the case of any individual who, upon filing application therefor before September 1954, would (but for the provisions of sec. 215 (f) (6) of the Social Security Act) have been entitled to a recomputation under subparagraph (A) or (B) of section 215 (f) (2) of such act as in effect prior to the enactment of this act, the Secretary shall recompute such individual's primary insurance amount, but only if he files an application therefor or, in case he died before filing such application, an application for monthly benefits or a lump-sum death payment on the basis of his wages and self-employment income is filed. Such recomputation shall be made only as provided in subsection (a) (2) of section 215 of the Social Security Act, as amended by this act, through the use of a primary insurance amount determined under subsection (d) (6) of such section in the same manner as for an individual to whom subsection (a) (1) of such section, as in effect prior to the enactment of this act, is applicable; and such recomputation shall take into account only such wages and self-employment income as would be taken into account under section 215 (b) of the Social Security Act if the month in which the application for recomputation is filed, or if the individual died without filing the application for recomputation, the month in which he died, were deemed to be the month in which he became entitled to old-age insurance benefits. In the case of monthly benefits, such recomputation shall be effective for and after the month in which such application for recomputation is filed or, if the individual has died without filing the application, for and after the month in which the person filing the application for monthly survivor benefits becomes entitled to such benefits.

(B) In the case of—

(i) any individual who is entitled to a recomputation under subparagraph (A) of section 215 (f) (2) of the Social Security Act as in effect prior to the enactment of this act on the basis of an application filed after August 1954, or who died after such month leaving any survivors entitled to a recomputation under section 215 (f) (4) of the Social Security Act as in effect prior to the enactment of this act on the basis of his wages and self-employment income, and whose sixth quarter of coverage after 1950 was acquired after August 1954 or with respect to whom the twelfth month referred to in such subparagraph (A) occurred after such month, and

(ii) any individual who is entitled to a recomputation under section 215 (f) (2) (B) of the Social Security Act as in effect prior to the enactment of this act on the basis of an application filed after August 1954, or who died after August 1954 leaving any survivors entitled to a recomputation under section 215 (f) (4) of the Social Security Act as in effect prior to the enactment of this act on the basis of his wages and self-employment income, and whose sixth quarter of coverage after 1950 was acquired after August 1954 or who did not attain the age of 75 prior to September 1954,

the recomputation of his primary insurance amount shall be made in the manner provided in section 215 of the Social Security Act, as amended by this act, for computation of such amount, except that his closing date, for purposes of subsection (b) of such section 215, shall be determined as though he became entitled to old-age insurance benefits in the month in which he filed such application for recomputation or, if he has died, in the month in which he died. In the case of monthly benefits, such recomputation shall be effective for and after the month in which such application for recomputation is filed or, if the individual has died without filing the application, for and after the month in which the person filing the application for monthly survivors benefits becomes entitled to such benefits. An individual or, in case of his death, his survivors entitled to a lump-sum death payment or to monthly benefits under section 202 of the Social Security Act on the basis of his wages and self-employment income shall be entitled to a recomputation of his primary insurance amount under section 215 (f) (2) or section 215 (f) (4) of the Social Security Act as in effect prior to the date of enactment of this act only if (i) he had not less than six quarters of coverage in the period after 1950 and prior to January 1, 1955, and (ii) either the twelfth month referred to in subparagraph (A) of such section 215 (f) (2) occurred prior to January 1, 1955, or he attained the age of 75 prior to 1955, and (iii) he meets the other conditions of entitlement to such a recomputation. No individual shall be entitled to a recomputation under subparagraph (A) or (B) of this paragraph if his primary insurance amount has previously been recomputed under either of such subparagraphs.

(6) In the case of an individual who died or became (without the application of section 202 (j) (1) of the Social Security Act) entitled to old-age insurance benefits in 1956 and with respect to whom not less than six of the quarters elapsing after 1954 and prior to the quarter following the quarter in which he died or became entitled to old-age insurance benefits, whichever first occurred, are quarters of coverage, his primary insurance amount shall be computed under section 215 (a) (1) (A) of such act, as amended by this act, with a starting date of December 31, 1954, and a closing date of July 1, 1956, but only if it would result in a higher primary insurance amount. For the purposes of section 215 (f) (3) (C) of such act, the determination of an individual's closing date under the preceding sentence shall be considered as a determination of the individual's closing date under section 215 (b) (3) (A) of such act, and the recomputation provided for by such section 215 (f) (3) (C) shall be made using July 1, 1956, as the closing date, but only if it would result in a higher primary insurance amount. In any such computation on the basis of a July 1, 1956, closing date, the total of his wages and self-employment income after December 31, 1955, shall, if it is in excess of $2,100, be reduced to such amount.

(7) Section 203 (a) of such act is amended to read as follows:

"(a) Whenever the total of monthly benefits to which individuals are entitled under section 202 for a month on the basis of the wages and self-employment income of an insured individual is more than $50 and exceeds (1) 80 percent of his average monthly wage, or (2) one and one-half times his primary insurance amount, whichever is the greater, such total of benefits shall, after any deductions under this section, be reduced to 80 percent of his average monthly wage or to one and one-half times his primary insurance amount, whichever is the greater, but in no case to less than $50; except that when any of such individuals so entitled would (but for the provisions of section 202 (k) (2) (A)) be entitled to child's insurance benefits on the basis of the wages and self-employment income of one or more other insured individuals, such total of benefits, after any deductions under this section, shall not be reduced to less than 80 percent of the sum of the average monthly wages of all such insured individuals. In any case in which the total of the benefits referred to in the preceding sentence, after reduction (if any) thereunder, is more than $200, such total shall, notwithstanding the provisions of such sentence, be reduced to $200. Whenever a reduction is made under this subsection, each benefit, except the old-age insurance benefit, shall be proportionately decreased."

(8) In the case of an individual who became (without the application of section 202 (j) (1)) entitled to old-age insurance benefits or died prior to September 1954, the provisions of section 215 (f) (3) as in effect prior to the enactment of this act shall be applicable as though this act had not been enacted.

(f) (1) The amendments made by the preceding subsections, other than subsection (b) and paragraphs (1), (2), (3), and (4) of subsection (e), shall (subject to the provisions of paragraph (2) and notwithstanding the provisions of section 215 (f) (1) of the Social Security Act) apply in the case of lump-sum death payments under section 202 of such act with respect to deaths occurring after, and in the case of monthly benefits under such section for months after August 1954.

(2) (A) The amendment made by subsection (b) (2) shall be applicable only in the case of monthly benefits for months after August 1954, and the lump-sum death payment in the case of death after August 1954, based on the wages and self-employment income of an individual (i) who does not become eligible for benefits under section 202 (a) of the Social Security Act until after August 1954, or (ii) who dies after August 1954 and without becoming eligible for benefits under such section 202 (a), or (iii) who is or has been entitled to have his primary insurance amount recomputed under section 215 (f) (2) of the Social Security Act, as amended by subsection (e) (2) of this section, or under subsection (e) (5) (B) of this section, or (iv) with respect to whom not less than six of the quarters elapsing after June 1953 are quarters of coverage (as defined in such act), or (v) who

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files an application for a disability determination which is accepted as an application for purposes of section 216 (i) of such act, or (vi) who dies after August 1954 and whose survivors are (or would, but for the provisions of section 215 (f) (6) of such act, be) entitled to a recomputation of his primary insurance amount under section 215 (f) (4) (A) of such act, as amended by this act. For purposes of the preceding sentence an individual shall be deemed eligible for benefits under section 202 (a) of the Social Security Act for any month if he was, or would upon filing application therefor in such month have been, entitled to such benefits for such month.

(B) In the case of any individual entitled to old-age insurance benefits under section 202 (a) of the Social Security Act who was or, upon filing application therefor, would have been entitled to such benefits for August 1954, to whom subparagraph (A) is inapplicable, and with respect to whom not less than six of the quarters elapsing after June 30, 1953, are quarters of coverage, the Secretary of Health, Education, and Welfare shall, notwithstanding the provisions of section 215 (f) (1) of the Social Security Act, recompute the primary insurance amount of such individual but only upon the filing of an application, after August 1954, by him, or if he dies without filing such an application, by any person entitled to monthly survivors benefits under section 202 of such act on the basis of such individual's wages and self-employment income. Such recomputation shall be made in the manner provided in section 215 of the Social Security Act for computation of such individual's primary insurance amount, except that the provisions of subsection (f) of such section (other than paragraph (3) (C) thereof) shall not be applicable for purposes of such computation, and except that his closing date, for purposes of subsection (b) of such section, shall be determined as though he became entitled to old-age insurance benefits in the month in which he filed such application for recomputation or, if he died without filing such application, the month in which he died. Such recomputation shall be effective (i) if the application is filed by such individual, for and after the 12th month before the month in which the application therefor was filed by such individual but in no case before the first month of the quarter which is such individual's 6th quarter of coverage acquired after June 30, 1953, or (ii) if such application was filed by a person entitled to monthly survivors benefits under section 202 of the Social Security Act on the basis of such individual's wages and self-employment income, for and after the first month for which such person was entitled to such survivors benefits. No such recomputation of an individual's primary insurance amount shall be effective unless it results in a higher primary insurance amount for him; nor shall any such recomputation of an individual's primary insurance amount be effective if such amount has previously been recomputed under this subsection.

(3) The amendments made by subsections (b) (1), (e) (1), and (e) (3) (B) shall be applicable only in the case of monthly benefits based on the wages and self-employment income of an individual who does not become entitled to old-age insurance benefits under section 202 (a) of the Social Security Act until after August 1954, or who dies after August 1954 without becoming entitled to such benefits, or who files an application after August 1954 and is entitled to a recomputation under paragraph (2) or (4) of section 215 (f) of the Social Security Act, as amended by this act, or who is entitled to a recomputation under paragraph (2) (B) of this subsection, or who is entitled to a recomputation under paragraph (5) of subsection (e).

(4) The amendments made by subsection (e) (2) shall be applicable only in the case of applications for recomputation filed after 1954. The amendment made by subsection (e) (4) shall be applicable only in the case of deaths after 1954.

(5) The amendments made by subparagraph (A) of subsection (e) (3) shall be applicable only in the case of applications for recomputation filed, or deaths occurring, after August 1954.

(6) No increase in any benefit by reason of the amendments made by this section (other than subsection (e)) or by reason of subparagraph (B) of paragraph (2) of this subsection shall be regarded as a recomputation for purposes of section 215 (f) of the Social Security Act.

(g) Effective September 1, 1954, section 2 (c) (2) (B) of the Social Security Act amendments of 1952 is amended to read as follows:

"(B) The provisions of subparagraph (A) shall cease to apply to the benefit of any individual under title II of the Social Security Act for any month after August 1954."

(h) (1) Where—

(A) an individual was entitled (without the application of section 202 (j) (1) of the Social Security Act) to an old-age insurance benefit under title II of such act for August 1954;

(B) one or more other persons were entitled (without the application of such section 202 (j) (1)) to monthly benefits under such title for such month on the basis of the wages and self-employment income of such individual; and

(C) the total of the benefits to which all persons are entitled under such title on the basis of such individual's wages and self-employment income for any subsequent month for which he is entitled to an old-age insurance benefit under such title, would (but for the provisions of this paragraph) be reduced by reason of the application of section 203 (a) of the Social Security Act, as amended by this act,

then the total of benefits referred to in clause (C) for such subsequent month shall be reduced to whichever of the following is the larger—

(D) the amount determined pursuant to section 203 (a) of the Social Security Act, as amended by this act; or

(E) the amount determined pursuant to such section, as in effect prior to the enactment of this act, for August 1954 plus the excess of (i) the amount of his old-age insurance benefit for such month computed as if the amendments made by the preceding subsections of this section had been applicable in the case of such benefit for such month over (ii) the amount of his old-age insurance benefit for such month, or

(F) the amount determined pursuant to section 2 (d) (1) of the Social Security Act amendments of 1952 for August 1954 plus the excess of (i) the amount of his old-age insurance benefit for such month computed as if the amendments made by the preceding subsections of this section had been applicable in the case of such benefit for such month over (ii) the amount of his old-age insurance benefit for such month. (2) Where—

(A) two or more persons were entitled (without the application of section 202 (j) (1) of the Social Security Act) to monthly benefits under title II of such act for August 1954 on the basis of the wages and self-employment income of a deceased individual; and

(B) the total of the benefits to which all such persons are entitled on the basis of such deceased individual's wages and self-employment income for any subsequent month would (but for the provisions of this paragraph) be reduced by reason of the application of the first sentence of section 203 (a) of the Social Security Act, as amended by this act,

then, notwithstanding any other provision in title II of the Social Security Act, such deceased individual's average monthly wage shall, for purposes of such section 203 (a), be whichever of the following is the larger:

(C) his average monthly wage determined pursuant to section 215 of such act, as amended by this act; or

(D) his average monthly wage determined under such section 215, as in effect prior to the enactment of this act, plus $10.

(i) Section 202 of such act is amended by inserting after subsection (l) the following new subsection:

"MINIMUM SURVIVOR'S OR DEPENDENT'S BENEFIT

"(m) In any case in which the benefit of any individual for any month under this section (other than subsec. (a)), is, prior to reduction under subsection (k) (3), less than $35 and no other individual is (without the application of sec. 202 (j) (1)) entitled to a benefit under this section for such month on the basis of the same wages and self-employment income, such benefit for such month shall, prior to reduction under such subsection (k) (3), be increased to $35."

AMENDMENTS RELATING TO RETIREMENT TEST

SEC. 103. (a) (1) Section 203 (b) of the Social Security Act is amended by striking out paragraphs (1) and (2) and inserting in lieu thereof the following new paragraph:

"(1) in which such individual is under the age of 72 and for which month he is charged with any earnings under the provisions of subsection (e) of this section; or."

(2) Such section 203 (b) is amended by inserting after paragraph (1) (inserted by par. (1) of this subsection) the following new paragraph:

"(2) in which such individual is under the age of 72 and on 7 or more different calendar days of which he engaged in noncovered remunerative activity outside the United States; or."

(b) (1) Section 203 (c) of such act is amended by striking out paragraphs (1) and (2) and inserting in lieu thereof the following new paragraph:

"(1) in which the individual, on the basis of whose wages and self-employment income such benefit was payable, is under the age of 72 and for which month he is charged with any earnings under the provisions of subsection (e) of this section; or."

(2) Such section 203 (c) is amended by inserting after paragraph (1) (inserted by par. (1) of this subsection) the following new paragraph:

"(2) in which the individual referred to in paragraph (1) is under the age of 72 and on 7 or more different calendar days of which he engaged in noncovered remunerative activity outside the United States."

(c) The second sentence of section 203 (d) of such act is amended to read as follows: "The charging of earnings to any month shall be treated as an event occurring in such month."

(d) (1) The heading of section 203 (e) of such act is amended to read "Months to Which Earnings Are Charged."

(2) Paragraphs (1) and (2) of such section 203 (e) are amended to read as follows:

"(1) If an individual's earnings for a taxable year of 12 months are not more than $1,200, no month in such year shall be charged with any earnings. If an individual's earnings for a taxable year of less than 12 months are not more than the product of $100 times the number of months in such year, no month in such year shall be charged with any earnings.

"(2) If an individual's earnings for a taxable year of 12 months are in excess of $1,200, the amount of his earnings in excess of $1,200 shall be charged to months as follows: The first $80 of such excess shall be charged to the last month of such taxable year, and the

balance, if any, of such excess shall be charged at the rate of $80 per month to each preceding month in such year to which such charging is not prohibited by the last sentence of this paragraph, until all of such balance has been applied. If an individual's earnings for a taxable year of less than 12 months are more than the product of $100 times the number of months in such year, the amount of such earnings in excess of such product shall be charged to months as follows: The first $80 of such excess shall be charged to the last month of such taxable year, and the balance, if any, shall be charged at the rate of $80 per month to each preceding month in such year to which such charging is not prohibited by the last sentence of this paragraph, until all of such balance has been applied. Notwithstanding the preceding provisions of this paragraph, no part of the excess referred to in such provisions shall be charged to any month (A) for which the individual whose earnings are involved was not entitled to a benefit under this title, (B) in which an event described in paragraph (2), (3), (4), or (5) of subsection (b) occurred, (C) in which such individual was age 72 or over, or (D) in which such individual did not engage in self-employment and did not render services for wages (determined as provided in paragraph (4) of this subsection) of more than $80."

(3) Paragraph (3) (B) of such section 203 (e) is amended to read as follows:

"(B) For purposes of clause (D) of paragraph (2)—

"(i) An individual will be presumed, with respect to any month, to have been engaged in self-employment in such month until it is shown to the satisfaction of the Secretary that such individual rendered no substantial services in such month with respect to any trade or business the net income or loss of which is includible in computing (as provided in paragraph (4) of this subsection) his net earnings or net loss from self-employment for any taxable year. The Secretary shall by regulations prescribe the methods and criteria for determining whether or not an individual has rendered substantial services with respect to any trade or business.

"(ii) An individual will be presumed, with respect to any month, to have rendered services for wages (determined as provided in paragraph (4) of this subsection) of more than $80 until it is shown to the satisfaction of the Secretary that such individual did not render such services in such month for more than such amount."

(4) Such section 203 (e) is further amended by adding at the end thereof the following new paragraphs:

"(4) (A) An individual's earnings for a taxable year shall be (i) the sum of his wages for services rendered in such year and his net earnings from self-employment for such year, minus (ii) any net loss from self-employment for such year.

"(B) In determining an individual's net loss from self-employment for purposes of subparagraph (A) of this paragraph and subparagraph (B) of paragraph (3), the provisions of section 211 shall be applicable; and any excess of deductions over income so resulting from such a computation shall be his net loss from self-employment.

"(C) For purposes of this subsection, an individual's wages shall be computed without regard to the limitations as to amounts of remuneration specified in section 209 (a).

"(5) For purposes of this subsection, wages (determined as provided in paragraph (4) (C)) which, according to reports received by the Secretary are paid to an individual during a taxable year shall be presumed to have been paid to him for services performed in such year until it is shown to the satisfaction of the Secretary that they were paid for services performed in another taxable year. If such reports with respect to an individual show his wages for a calendar year, such individual's taxable year shall be presumed to be a calendar year for purposes of this subsection until it is shown to the satisfaction of the Secretary that his taxable year is not a calendar year."

(e) Section 203 (f) of such act is amended to read as follows:

"PENALTY FOR FAILURE TO REPORT CERTAIN EVENTS

"(f) Any individual in receipt of benefits subject to deduction under subsection (b) or (c) (or who is in receipt of such benefits on behalf of another individual), because of the occurrence of an event specified therein (other than an event specified in subsection (b) (1) or (c) (1)), who fails to report such occurrence to the Secretary prior to the receipt and acceptance of an insurance benefit for the second month following the month in which such event occurred, shall suffer an additional deduction equal to that imposed under subsection (b) or (c), except that the first additional deduction imposed by this subsection in the case of any individual shall not exceed an amount equal to 1 month's benefit even though the failure to report is with respect to more than 1 month."

(f) (1) The heading of section 203 (g) of such act is amended to read "Report of Earnings to Secretary."

(2) The first sentence of paragraph (1) of section 203 (g) of such act is amended to read as follows: "If an individual is entitled to any monthly insurance benefit under section 202 during any taxable year in which he has earnings or wages, as computed pursuant to paragraph (4) of subsection (e), in excess of the product of $100 times the number of months in such year, such individual (or the individual who is in receipt of such benefit on his behalf) shall make a report to the Secretary of his earnings (or wages) for such taxable year."

(3) The third sentence of paragraph (1) of such section 203 (g) is amended by striking out "seventy-five" and inserting in lieu thereof "seventy-two."

(4) Paragraph (2) of such section 203 (g) is amended to read as follows:

"(2) If an individual fails to make a report required under paragraph (1), within the time prescribed therein, for any taxable year and any deduction is imposed under subsection (b) (1) by reason of his earnings for such year, he shall suffer additional deductions as follows:

"(A) if such failure is the first one with respect to which an additional deduction is imposed under this paragraph, such additional deduction shall be equal to his benefit or benefits for the last month of such year for which he was entitled to a benefit under section 202;

"(B) if such failure is the second one for which an additional deduction is imposed under this paragraph, such additional deduction shall be equal to two times his benefit or benefits for the last month of such year for which he was entitled to a benefit under section 202;

"(C) if such failure is the third or a subsequent one for which an additional deduction is imposed under this paragraph, such additional deduction shall be equal to three times his benefit or benefits for the last month of such year for which he was entitled to a benefit under section 202:

except that the number of the additional deductions required by this paragraph with respect to a failure to report earnings for a taxable year shall not exceed the number of months in such year for which such individual received and accepted insurance benefits under section 202 and for which deductions are imposed under subsection (b) (1) by reason of his earnings. In determining whether a failure to report earnings is the first or a subsequent failure for any individual, all taxable years ending prior to the imposition of the first additional deduction under this paragraph, other than the latest one of such years, shall be disregarded."

(5) Paragraph (3) of such section 203 (g) is amended by striking out "subsection (b) (2)" each time it appears and inserting in lieu thereof "subsection (b) (1)"; by striking out "net earnings from self-employment" each time it appears and inserting in lieu thereof "earnings"; by striking out "such net earnings" and inserting in lieu thereof "such earnings"; and by adding at the end of such paragraph the following new sentence: "If, after the close of a taxable year of an individual entitled to benefits under section 202 for such year, the Secretary requests such individual to furnish a report of his earnings (as computed pursuant to paragraph (4) of subsection (e)) for such taxable year or any other information with respect to such earnings which the Secretary may specify, and the individual fails to comply with such request, such failure shall in itself constitute justification for a determination that such individual's benefits are subject to deductions under subsection (b) (1) for each month in such taxable year (or only for such months thereof as the Secretary may specify) by reason of his earnings for such year."

(6) The heading of section 203 (j) of such act is amended by striking out "Seventy-five" and inserting in lieu thereof "Seventy-two" and such section is amended by striking out "seventy-five" and inserting in lieu thereof "seventy-two."

(g) Section 203 of such act is amended by adding at the end thereof the following new subsection:

"NONCOVERED REMUNERATIVE ACTIVITY OUTSIDE THE UNITED STATES

"(k) An individual shall be considered to be engaged in noncovered remunerative activity outside the United States if he performs services outside the United States as an employee and such services do not constitute employment as defined in section 210, or if he carries on a trade or business outside the United States (other than the performance of service as an employee) the net income or loss of which (1) is not includible in computing his net earnings from self-employment for a taxable year and (2) would not be excluded from net earnings from self-employment, if carried on in the United States, by any of the numbered paragraphs of section 211 (a). When used in the preceding sentence with respect to a trade or business (other than the performance of service as an employee), the term 'United States' does not include Puerto Rico or the Virgin Islands in the case of an alien who is not a resident of the United States (including Puerto Rico and the Virgin Islands); and the term 'trade or business' shall have the same meaning as when used in section 162 of the Internal Revenue Code of 1954."

(h) Section 203 of such act is further amended by adding after subsection (k) (added by subsection (g) of this section) the following new subsection:

"GOOD CAUSE FOR FAILURE TO MAKE REPORTS REQUIRED

"(l) The failure of an individual to make any report required by subsection (f) or (g) within the time prescribed therein shall not be regarded as such a failure if it is shown to the satisfaction of the Secretary that he had good cause for failing to make such report within such time. The determination of what constitutes good cause for purposes of this subsection shall be made in accordance with regulations of the Secretary."

EXTRA CREDIT FOR POSTPONED RETIREMENT

(i) Section 202 (a) of the Social Security Act is amended to read as follows:

"OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE BENEFIT PAYMENTS

"OLD-AGE INSURANCE BENEFITS

"SEC. 202. (a) (1) Every individual who—

"(A) is a fully insured individual (as defined in section 214 (a)),

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"(B) has attained retirement age (as defined in section 216 (a)), and

"(C) has filed application for old-age insurance benefits, or was entitled to rehabilitation insurance or permanent and total disability insurance benefits for the month preceding the month in which he attained retirement age,

shall be entitled to an old-age insurance benefit for each month, beginning with the first month after August 1950 in which such individual becomes so entitled to such insurance benefits and ending with the month preceding the month in which he dies.

"(2) Such individual's old-age insurance benefit for any month after 1954 shall be equal to his primary insurance amount for such month plus one-sixth of 1 percent of such primary insurance amount for each month (a) which occurs (i) after 1954, (ii) after the day before the first month in which he is eligible for old-age insurance benefits, and (iii) prior to the month in which he files application for old-age insurance benefits, and (b) during which either he is not entitled to any monthly benefit under section 202 or an event specified in clause (1) or (2) of section 203 (b) occurs. For purposes of this paragraph an individual shall be deemed eligible for old-age insurance benefits in the first month in which he is both fully insured and has attained retirement age."

(j) (1) The amendments made by subsection (f) and by paragraph (1) of subsection (a) of this section shall be applicable in the case of monthly benefits under title II of the Social Security Act for months in any taxable year (of the individual entitled to such benefits) beginning after December 1954. The amendments made by paragraph (1) of subsection (b) of this section shall be applicable in the case of monthly benefits under such title II for months in any taxable year (of the individual on the basis of whose wages and self-employment income such benefits are payable) beginning after December 1954. The amendments made by subsections (e) and (g), and by paragraph (2) of subsection (a) and paragraph (2) of subsection (b), shall be applicable in the case of monthly benefits under such title II for months after December 1954. The remaining amendments made by this section (other than subsection (h)) shall be applicable, insofar as they are related to the monthly benefits of an individual which are based on his wages and self-employment income, in the case of monthly benefits under such title II for months in any taxable year (of such individual) beginning after December 1954 and, insofar as they are related to the monthly benefits of an individual which are based on the wages and self-employment income of someone else, in the case of monthly benefits under such title II for months in any taxable year (of the individual on whose wages and self-employment income such benefits are based) beginning after December 1954.

(2) No deduction shall be imposed on or after the date of the enactment of this act under subsection (f) or (g) of section 203 of the Social Security Act, as in effect prior to such date, on account of failure to file a report of an event described in subsection (b) (1), (b) (2), or (c) (1) of such section (as in effect prior to such date); and no such deduction imposed prior to such date shall be collected after such date. In determining whether, under section 203 (g) (2) of the Social Security Act, as amended by this act, a failure to file a report is a first or subsequent failure, any failure with respect to a taxable year which began prior to January 1955 shall be disregarded.

(3) Subsections (b) (1), (b) (2), (c), (e), and (j) of section 203 of the Social Security Act as in effect prior to the enactment of this act, to the extent they are in effect with respect to months after 1954, are each amended by striking out "75" and inserting in lieu thereof "72," but only with respect to such months after 1954.

INCREASE IN EARNINGS COUNTED

SEC. 104. (a) Subsection (a) of section 209 of the Social Security Act is amended to read as follows:

"(a) (1) That part of remuneration which, after remuneration (other than remuneration referred to in the succeeding subsections of this section) equal to $3,600 with respect to employment has been paid to an individual during any calendar year prior to 1955, is paid to such individual during such calendar year;

"(2) That part of remuneration which, after remuneration (other than remuneration referred to in the succeeding subsections of this section) equal to $6,000 with respect to employment has been paid to an individual during any calendar year after 1954, is paid to such individual during such calendar year."

(b) Paragraph (1) of subsection (b) of section 211 of such act is amended to read as follows:

"(1) That part of the net earnings from self-employment which is in excess of—

"(A) For any taxable year ending prior to 1955, (i) $3,600, minus (ii) the amount of the wages paid to such individual during the taxable year; and

"(B) For any taxable year ending after 1954, (i) $6,000, minus (ii) the amount of the wages paid to such individual during the taxable year; or".

(c) Clauses (ii) and (iii) of section 213 (a) (2) (B) of such act are amended to read as follows—

"(ii) if the wages paid to any individual in any calendar year equal $3,600 in the case of a calendar year after 1950 and before 1955, of $6,000 in the case of a calendar year after 1954, each quarter of such year shall (subject to clause (i)) be a quarter of coverage.

"(iii) if an individual has self-employment income for a taxable year, and if the sum of such income and the wages paid to him during such year equals $3,600 in the case of a taxable year beginning after 1950 and ending before 1955, or $6,000 in the case of a taxable year ending after 1954, each quarter any part of which falls in such year shall (subject to clause (i)) be a quarter of coverage;".

(d) Paragraph (1) of section 215 (e) of such act is amended to read as follows:

"(1) in computing an individual's average monthly wage there shall not be counted the excess over $3,600 in the case of any calendar year after 1950 and before 1955, and the excess over $6,000 in the case of any calendar year after 1954, of (A) the wages paid to him in such year, plus (B) the self-employment income credited to such year (as determined under section 212);

RETROACTIVE APPLICATIONS FOR BENEFITS

SEC. 105. (a) Section 202 (j) (1) of the Social Security Act is amended by striking out "sixth" and inserting in lieu thereof "twelfth."

(b) The amendment made by subsection (a) shall be applicable only in the case of applications for monthly benefits under section 202 of the Social Security Act filed after August 1954; except that no individual shall, by reason of such amendment, be entitled to any benefit for any month prior to February 1954.

REHABILITATION SERVICES AND DISABILITY BENEFITS

SEC. 106. There are hereby added to the Social Security Act, as amended, the following new sections designated as sections 220, 221, and 222, to follow section 219.

"REHABILITATION SERVICES, REHABILITATION INSURANCE BENEFITS, AND PERMANENT AND TOTAL DISABILITY INSURANCE BENEFITS

"REHABILITATION SERVICES

"SEC. 220. (a) (1) Every disabled individual who—

"(A) (i) is under a long-term total disability (as defined in subsection (e) (2));

"(ii) has not attained retirement age at the time he is accepted for rehabilitation services under this subsection;

"(iii) has filed application for rehabilitation insurance benefits or permanent and total disability insurance benefits; and

"(iv) is insured under the provisions of subsection (f); or

"(B) is entitled to benefits under section 202 (d) (1) (B), may be given rehabilitation services, provided the State rehabilitation agency (as defined in subsection (e) (6)) through which the services are given certifies that such individual appears to be rehabilitable into substantially gainful activity, and that the services undertaken or planned are necessary therefor. For the purposes of this paragraph, rehabilitation services may include the types of services provided under the Vocational Rehabilitation Act (29 U. S. C., ch. 4), including determination of the feasibility of the individual's rehabilitation and the costs of any books and other training material, but excluding any payments for his maintenance. Continuation of such services to an individual shall be contingent upon periodic certification (at least every 6 months) by the State rehabilitation agency through which the services are provided that such individual appears to be rehabilitable into substantially gainful activity, and that the services undertaken or planned are necessary therefor.

"(2) Such services shall be provided through utilization of the services and facilities of State rehabilitation agencies. In providing or securing rehabilitation services, State rehabilitation agencies shall follow such policies and standards as may be issued by the Secretary after consultation with the Advisory Council on Rehabilitation Services and Disability Insurance (as provided in subsection (i)). State rehabilitation agencies providing or securing such rehabilitation services shall be paid for the cost thereof, including necessary administrative costs, either in advance or by way of reimbursement, as may be mutually agreed upon and prior to action thereon by the General Accounting Office.

"(3) There is hereby authorized to be appropriated from the trust fund such amount as may be necessary to provide such rehabilitation services.

"REHABILITATION INSURANCE BENEFITS

"(b) Every disabled individual who—

"(1) is under a long-term total disability;

"(2) has not attained retirement age;

"(3) has been under a long-term total disability throughout his waiting period (as defined in subsection (e) (1));

"(4) is insured under the provisions of subsection (f);

"(5) is certified by a State rehabilitation agency as being an individual who appears to be rehabilitable into substantially gainful activity, or is awaiting evaluation by such agency;

"(6) has not, without good cause, failed to accept rehabilitation evaluation and training; and

"(7) has filed application for rehabilitation insurance benefits,

shall be entitled to a rehabilitation insurance benefit for each month, beginning with July 1954, or with the first month after his waiting period, whichever is later, in which he becomes so entitled to rehabilitation insurance benefits and ending with the month preceding the first month in which any of the following occurs: He ceases to be under a long-term total disability; he fails, without good cause, to accept rehabilitation evaluation and training; he becomes entitled to a permanent and total disability insurance benefit; he dies; or he attains retirement age. Such individual's rehabilitation insurance benefit for any month shall be equal to his primary insur-

ance amount (as defined in section 215) for such month.

"PERMANENT AND TOTAL DISABILITY INSURANCE BENEFITS

"(c) Every individual who—

"(1) is under a permanent and total disability (as defined in subsection (e) (3));

"(2) has not attained retirement age;

"(3) has served a waiting period in connection with his current disability throughout which he has been under a long-term total or permanent and total disability;

"(4) is insured under the provisions of subsection (f);

"(5) has been certified by a State rehabilitation agency as being an individual for whom rehabilitation into substantially gainful activity is unlikely;

"(6) has not, without good cause, failed to accept rehabilitation evaluation and training; and

"(7) has filed application for permanent and total disability insurance or rehabilitation insurance benefits, shall be entitled to a permanent and total disability insurance benefit for each month beginning with July 1954, or with the first month following the month in which conditions in paragraph (1) through (7) of this subsection are met, whichever is later, and ending with the month preceding the first month in which any of the following occurs: He ceases to be under a permanent and total disability, dies, or attains retirement age. Such individual's permanent and total disability insurance benefit for any month shall be equal to his primary insurance amount (as defined in sec. 215) for such month.

"OTHER CONDITIONS OF ENTITLEMENT

"(d) (1) An individual who would have been entitled to rehabilitation insurance or permanent and total disability insurance benefits for any month had he filed application therefor prior to the end of such month shall be entitled to such benefits for such month if he files application therefor prior to the end of the sixth month succeeding such month.

"(2) No application for rehabilitation insurance or permanent and total disability insurance benefits filed prior to 7 months before the first month for which the applicant becomes entitled to receive such benefits shall be accepted as an application for purposes of this section and no such application which is filed prior to April 1954 shall be accepted.

"DEFINITION OF 'WAITING PERIOD,' 'LONG-TERM TOTAL DISABILITY,' 'PERMANENT AND TOTAL DISABILITY,' 'BLINDNESS,' 'PERIOD OF DISABILITY,' AND 'STATE REHABILITATION AGENCY'

"(e) For the purpose of this title—

"(1) The term 'waiting period' means the period beginning with the first calendar month of the individual's period of disability (as defined in paragraph (5) of this subsection), and ending at the expiration of the fifth calendar month following such month.

"(2) The term 'long-term total disability' means (A) inability to engage in any substantially gainful activity by reason of any medically determinable physical or mental impairment which appears likely to be of long-continued and indefinite duration, or (B) blindness.

"(3) The term 'permanent and total disability' means (A) inability to engage in any substantially gainful activity by reason of any medically determinable physical or mental impairment which is expected to be permanent, or (B) blindness.

"(4) The term 'blindness' means central visual acuity of 5/200 or less in the better eye with correcting lens. An eye in which the visual field is reduced to 5 degrees or less concentric contraction shall be considered for the purposes of this subsection as having a central visual acuity of 5/200 or less.

"(5) (A) As used in this title, the term 'period of disability' means a continuous period of not less than six full calendar months (beginning and ending as hereinafter provided in this paragraph) during which an individual was under a long-term total or permanent and total disability. No such period with respect to any such disability or disabilities shall begin as to any individual unless such individual while under such long-term total or permanent and total disability filed an application for benefits under subsections (b) or (c). Except as provided in subparagraph (B), a period of disability shall begin with the month in which the long-term total or permanent and total disability began or with the 1st day of the 13th month prior to the month in which individual files such application, whichever first occurs, but only if such individual is insured under the provisions of subsection (f) in such month; if such individual was not insured under the provisions of subsection (f) in such month, the period of disability shall begin on the first day of the first quarter thereafter in which he is so insured. A period of disability shall end with the close of the last day of the month in which (i) the individual ceases to be entitled to a rehabilitation insurance or permanent and total disability insurance benefit, (ii) he dies, or (iii) he attains retirement age, whichever first occurs.

"(B) If an individual files an application for benefits under subsection (b) or (c) after March 1954 and before January 1956, with respect to a long-term total or permanent and total disability which began before April 1954 and continued without interruption until such application was filed, then the period of disability shall begin with the month in which such long-term total or permanent and total disability began, but only if he was insured under subsection (f) in such month; if such individual was not insured under the provisions of subsection (f) in such month, the period of disability shall begin on the first day of the first quarter thereafter in which he was so insured.

"(6) The term 'State rehabilitation agency' means the agency administering a rehabilitation plan approved under the Vocational Rehabilitation Act, and in the Virgin Islands, the agency charged with providing rehabilitation services pursuant to an agreement between the Administrator and the Governor of the Virgin Islands; in any State, Territory, or possession where more than one such agency operates, the term means the one such agency designated by the Secretary.

"DISABILITY INSURED STATUS

"(f) An individual is insured for purposes of subsections (a), (b), (c), and (e) with respect to any quarter only if he has not less than—

"(1) six quarters of coverage (as defined in section 213 (e) (2)) during the 13-quarter period which ends with such quarter; and

"(2) twenty quarters of coverage during the 40-quarter period which ends with such quarter,

not counting as part of the 13-quarter period specified in paragraph (1), or the 40-quarter period specified in paragraph (2), any quarter any part of which was included in a prior period of disability unless such quarter was a quarter of coverage.

"REDUCTION OF BENEFIT

"(g) (1) Where a rehabilitation insurance benefit or a permanent and total disability insurance benefit is payable to any individual under this section and a workmen's compensation benefit or benefits have been or are paid to such individual on account of the same disability for the same month, such individual's rehabilitation insurance benefit or permanent and total disability insurance benefit under this section for such month shall, prior to any deductions under section 221, be reduced by one-half, or by an amount equal to one-half of such workmen's compensation benefit or benefits, whichever is the smaller.

"(2) In case the rehabilitation insurance benefit or the permanent and total disability insurance benefit of any individual under this section is not reduced as provided in paragraph (1) because such benefit is paid prior to the payment of the workmen's compensation benefit, the reduction shall be made by deductions, at such time or times and in such amounts as the Secretary may determine, from any payments under this title payable on the basis of the wages and self-employment income of such individual.

"(3) If the workmen's compensation benefit is payable on other than a monthly basis (excluding a benefit payable in a lump sum unless it is a commutation of, or a substitute for, periodic payments), reduction of the rehabilitation insurance benefits or the permanent and total disability insurance benefits under this subsection shall be made in such amounts as the Secretary finds will approximate, as nearly as practicable, the reduction prescribed in paragraph (1).

"(4) In order to assure that the purposes of this subsection will be carried out, the Secretary may, as a condition to certification for payment of any rehabilitation insurance benefit or permanent and total disability insurance benefit payable to an individual under this section (if it appears to him that there is a likelihood that such individual may be eligible for a workmen's compensation benefit which would make necessary a reduction under this subsection), require adequate assurance of reimbursement to the trust fund in case a workmen's compensation benefit, with respect to which such a reduction should be made, becomes payable to such individual and such reduction is not made.

"(5) For purposes of this subsection, the term 'workmen's compensation benefit' means a cash benefit, allowance, or compensation payable under any workmen's compensation law or plan of the United States or of any State.

"COOPERATION WITH AGENCIES AND GROUPS

"(h) The Secretary is authorized to secure the cooperation of appropriate agencies of the United States, of States, or of the political subdivisions of States and the cooperation of private medical, dental, hospital, nursing, health, educational, and social welfare groups or organizations, and where necessary to enter into voluntary working agreements with any of such public of private agencies, organizations, or groups in order that their advice and services may be utilized in the efficient administration of this section.

"ADVISORY COUNCIL ON REHABILITATION SERVICES AND DISABILITY INSURANCE

"(i) (1) There is hereby established an Advisory Council on Rehabilitation Services and Disability Insurance (hereinafter called the 'Council') for the purpose of consulting with the Secretaries on policies and standards governing the furnishing of rehabilitation services and determinations of disability, and policies to further the employment of disabled beneficiaries. The Council shall consist of the Commissioner of Social Security who shall serve as Chairman, the Surgeon General of the Public Health Service, the Director of the Office of Vocational Rehabilitation, the Director of the Bureau of Old-Age and Survivors Insurance, the Director of the Bureau of Employment Security, and 12 persons appointed by the Secretary without regard to the civil-service laws. Such appointed members shall represent employers, employees, the disabled, the medical profession, the rehabilitation profession, and the public. The annual report of the Secretary shall include a record of consultations with the Council.

"(2) Each appointed member shall hold office for a term of 3 years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for

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which his predecessor was appointed shall be appointed for the remainder of that term, and except that, of the members first appointed, 4 shall hold office for a term of 1 year, 4 shall hold office for a term of 3 years, as designated by the Secretary at the time of appointment. Appointed members of the Council, while serving on business of the Council (inclusive of travel time), may receive $50 per diem as well as actual and necessary traveling expenses in lieu of subsistence while so serving away from their places of residence. The Council shall be provided by the Secretary with such staff assistance and secretarial and other personnel as may be required for carrying out its functions. The Council shall meet as frequently as the Secretary deems necessary, but not less than twice a year. The Council also shall meet whenever six of its appointed members request a meeting.

"TERMINATION OF PERIOD OF DISABILITY BY SECRETARY

"(j) In any case in which an individual has failed to submit himself for examination or reexamination in accordance with regulations of the Secretary, the Secretary may find, solely because of such failure, that such individual is not under a disability or that his disability (previously determined to exist) has ceased. The Secretary may find that an individual is not under a disability or that his disability (previously determined to exist) has ceased if the Secretary finds that such individual cannot be located after reasonable efforts to communicate with him have been made or if such individual is outside the United States and the Secretary finds that adequate arrangements have not been made for determining or redetermining such individual's disability.

"DISABILITY PROVISIONS INAPPLICABLE IF BENEFIT RIGHTS IMPAIRED

"(k) The provisions of this title relating to periods of disability shall not apply in any case in which their application would result in the denial of monthly benefits or a lump-sum death payment which would otherwise be payable under section 202 of this title, or in the case of any monthly benefit or lump-sum death payment under such section 202 if such benefit or payment would be greater without their application; except that the provisions of this section shall not render erroneous the payment of any benefit under section 220.

"SAFEGUARDING DOCTOR-PATIENT RELATIONSHIP

"(l) No individual without his consent shal be required by the Secretary to undergo a physical examination to establish the facts as to his disability, but an individual shall not be considered to be under a disability unless he furnishes such proof of the existence thereof as may be required. Nothing in this title shall be construed as authorizing the Secretary or any other officer or employee of the United States to interfere in any way with the practice of medicine or with relationships between practitioners of medicine and their patients, or to exercise any supervision or control over the administration or operation of any hospital.

"DEDUCTIONS FROM REHABILITATION INSURANCE AND PERMANENT AND TOTAL DISABILITY INSURANCE BENEFITS

"EVENTS FOR WHICH DEDUCTIONS ARE MADE

"SEC. 221. (a) Deductions, in such amounts and at such time or times as the Secretary shall determine, shall be made from any payment or payments under section 220 to which an individual is entitled, until the total of such deductions equals such individual's benefit under section 220 for any month—

"(1) in which such individual rendered services as an employee (whether or not such services constitute employment as defined in sec. 210) for remuneration of more than $100; or

"(2) for which such individual is charged, pursuant to the provisions of subsection (c) of this section, with net earnings from self-employment (as determined pursuant to subsec. (d)) of more than $100; or

"(3) in which such individual fails to submit himself for examination in accordance with regulations of the Secretary; or

"(4) in which such individual without good cause fails to accept rehabilitation evaluation and training; or

"(5) in which such individual is outside the United States if the Secretary finds that adequate arrangements have not been made for determining or redetermining the existence of such individual's disability;

except that the provisions of paragraphs (1) and (2) of this subsection shall not apply in the case of an individual entitled to rehabilitation insurance benefits for the first 3 months in which such individual either rendered services as an employee for remuneration of more than $100 or for which such individual is charged with net earnings from self-employment of more than $100.

"OCCURRENCE OF MORE THAN ONE EVENT

"(b) If more than one event occurs in any one month which would occasion deductions equal to a benefit for such month, only an amount equal to such benefit shall be deducted. The charging of net earnings from self-employment to any month shall be treated as an event occurring in the month to which such net earnings are charged.

"MONTHS TO WHICH NET EARNINGS FROM SELF-EMPLOYMENT ARE CHARGED

"(c) For the purposes of subsection (a) (2) of this section—

"(1) if an individual's net earnings from self-employment for his taxable year are not more than the product of $100 times the number of months in such year, no month in such year shall be charged with more than $100 of net earnings from self-employment;

"(2) if an individual's net earnings from self-employment for his taxable year are more than the product of $100 times the number of months in such year, each month of such year shall be charged with $100 of net earnings from self-employment, and the amount of such net earnings in excess of such product shall be further charged to months as follows: The first $100 of such excess shall be charged to the last month of such taxable year, and the balance, if any, of such excess shall be charged at the rate of $100 per month to each preceding month in such year until all of such balance has been applied, except that no part of such excess shall be charged to any month (A) for which such individual was not entitled to a benefit under section 220, (B) in which an event described in paragraph (1), (3), (4), or (5) of subsection (a) occurred, or (C) in which such individual did not engage in self-employment;

"(3) (A) as used in paragraph (2), the term 'last month of such taxable year' means the latest month in such year to which the charging of the excess described in such paragraph is not prohibited by the application of clause (A) or (B) thereof.

"(B) for the purposes of clause (C) of paragraph (2), an individual will be presumed, with respect to any month, to have been engaged in self-employment in such month until it is shown to the satisfaction of the Secretary that such individual rendered no substantial services in such month with respect to any trade or business the net income or loss of which is includible in computing his net earnings from self-employment for any taxable year. The Secretary shall by regulations prescribe the methods and criteria for determining whether or not an individual has rendered substantial services with respect to any trade or business.

"SPECIAL RULE FOR COMPUTATION OF NET EARNINGS FROM SELF-EMPLOYMENT

"(d) For the purposes of this section, an individual's net earnings from self-employment for any taxable year shall be computed as provided in section 211 with the following adjustments:

"(1) Such computation shall be made without regard to the provisions of paragraphs (1), (4), and (5) of subsection (c) of section 211; and

"(2) Such computation shall be made without regard to the provisions of sections 116, 212, 213, 251, and 252 of the Internal Revenue Code.

"PENALTY FOR FAILURE TO REPORT CERTAIN EVENTS

"(e) Any individual in receipt (on behalf of himself or another individual) of benefits subject to deduction under subsection (a) because of the occurrence of an event specified therein (other than an event described in paragraph (2) thereof) shall report such occurrence to the Secretary prior to the receipt and acceptance of such benefits for the second month following the month in which such event occurred. If such individual knowingly fails to report any such occurrence, an additional deduction equal to that imposed under such subsection shall be imposed, except that the first additional deduction imposed by this subsection in the case of any individual shall not exceed an amount equal to 1 month's benefit even though the failure to report is with respect to more than 1 month.

"REPORT TO SECRETARY OF NET EARNINGS FROM SELF-EMPLOYMENT

"(f) If an individual is entitled to any disability insurance benefit during any taxable year in which he has net earnings from self-employment in excess of $100 times the number of months in such year, such individual (or the individual in receipt of such benefit on his behalf) shall make a report to the Secretary of his net earnings from self-employment for such taxable year. Such report shall be made on or before the 15th day of the 3d month following the close of such year, and shall contain such information and be made in such manner as the Secretary may by regulations prescribe. If the individual fails within the time prescribed above to make such report of his net earnings from self-employment for any taxable year and any deduction is imposed under subsection (a) (2) of this section by reason of such net earnings—

"(A) such individual shall suffer one additional deduction in an amount equal to his benefit for the last month in such taxable year for which he was entitled to a disability insurance benefit; and

"(B) if the failure to make such report continues after the close of such taxable year, such individual shall suffer an additional deduction in the same amount for each month during all or any part of which such failure continues after such fourth month; except that the number of the additional deductions required by this paragraph shall not exceed the number of months in such taxable year for which such individual received and accepted disability-insurance benefits and for which deductions are imposed under subsection (a) (2) by reason of such net earnings from self-employment. If more than one additional deduction would be imposed under this paragraph with respect to a failure by an individual to file a report required by this paragraph and such failure is the first for which any additional deduction is imposed under this paragraph, only one additional deduction shall be imposed with respect to such first failure.

"(2) If the Secretary determines, on the basis of information obtained by or submitted to him, that it may reasonably be expected that an individual entitled to disability-insurance benefits for any taxable year will suffer deductions imposed under subsection (a) (2) of this section by reason of his net earnings from self-employment for such year, the Secretary may, before the close of such taxable year, suspend the

payment for each month in such year (or for only such months as the Secretary may specify) of such benefits payable to him; and such suspension shall remain in effect with respect to the benefits for any month until the Secretary has determined whether or not any deduction is imposed for such month under subsection (a). The Secretary is authorized, before the close of the taxable year of any individual entitled to benefits during such year, to request of such individual that he make at such time or times as the Secretary may specify, a declaration of his estimated net earnings from self-employment for the taxable year and that he furnish to the Secretary such other information with respect to such net earnings as the Secretary may specify. A failure by such individual to comply with any such request shall in itself constitute justification for a determination under this paragraph that it may reasonably be expected that the individual will suffer deductions imposed under subsection (a) (2) of this section by reason of his net earnings from self-employment for such year.

"DEDUCTIONS FROM BENEFITS TO DEPENDENTS OF A DISABLED INDIVIDUAL

"(g) Deductions shall be made from any wife's or husband's, child's or disabled child's insurance benefit to which a wife, husband, child, or disabled child is entitled under section 202, with respect to the wages or self-employment income of a disabled individual entitled to benefits under section 220, until the total of such deductions equals such wife's, husband's, child's, or disabled child's insurance benefit or benefits for any month in which such disabled individual suffers a deduction under this section."

BENEFITS FOR CERTAIN DISABLED ADULT CHILDREN

SEC. 107. (a) The heading of subsection 202 (d) of such act is amended to read "Child's and Disabled Child's Insurance Benefits."

(b) Paragraph (1) of such subsection is amended to read as follows:

"(d) (1) Every child (as defined in section 216 (e)) of an individual entitled to old-age insurance, rehabilitation insurance, or permanent and total disability insurance benefits, or of an individual who died a fully or currently insured individual after 1939, if such child—

(A) (i) has filed application of child's insurance benefits;

(ii) at the time such application was filed was unmarried and had not attained the age of 18; and

(iii) was dependent upon such individual at the time such application was filed, or, if such individual has died, was dependent upon such individual at the time of such individual's death,

shall be entitled to a child's insurance benefit for each month, beginning with the first month after August 1950 in which such child becomes so entitled to such insurance benefits and ending with the month preceding the first month in which any of the following occurs: such child dies, marries, is adopted (except for adoption by a stepparent, grandparent, aunt, or uncle subsequent to the death of such fully or currently insured individual), attains the age of 18, or the individual with respect to whose wages or self-employment income such child's insurance benefits are paid ceases to be entitled to a rehabilitation insurance or a permanent and total disability insurance benefit for any reason other than attainment of retirement age; or

(B) (i) after November 1953, was entitled, or could have become entitled upon filing application therefor, to child's insurance benefits under subparagraph (A) for the month prior to the month in which such child attained the age of 18;

(ii) was under a permanent and total disability (as defined in section 220 (e) (3)) in such month prior to attainment of age 18, which disability has continued since such month and for a period of not less than 6 consecutive calendar months after December 1953;

(iii) has filed proof of being under a permanent and total disability in such month within 1 year after the end of such month;

(iv) has filed application for disabled child's insurance benefits; and

(v) at the time such application was filed was unmarried and had attained the age of 18,

shall be entitled to a disabled child's insurance benefit for such month, beginning with the first month after June 1954, in which such child becomes so entitled to such insurance benefits and ending with the month preceding the first month in which any of the following occurs: such child dies, marries, is adopted (except for adoption by a stepparent, grandparent, aunt, or uncle) subsequent to the death of such fully or currently insured individual, or ceases to be under a permanent and total disability, or the individual with respect to whose wages or self-employment income such disabled child's insurance benefits are paid ceases to be entitled to a rehabilitation insurance or a permanent and total disability insurance benefit for any reason other than attainment of retirement age.

(c) Paragraph (2) of such subsection is amended by inserting "or disabled child's" after "child's" wherever it occurs, and "or disabled child" after "child" wherever it occurs.

(d) Paragraphs (1) and (2) of subsection (k) of section 202 of such act are amended by inserting "or disabled child" after "child" wherever it occurs, and "or disabled child's" after "child's" wherever it occurs.

CASH SICKNESS BENEFITS

SEC. 108. Title II of such act is amended by adding after section 221 (added by section 106 of this act) the following:

"CASH SICKNESS BENEFITS

"CONDITIONS OF ENTITLEMENT TO CASH SICKNESS BENEFITS

"SEC. 222. (a) (1) Every individual who—

"(A) is insured under the provisions of subsection (c);

"(B) is not entitled to old-age insurance benefits under section 202 (a), or rehabilitation insurance benefits under section 220 (b), or permanent and total disability insurance benefits under section 220 (c);

"(C) is under a temporary disability (as defined in subsection (e));

"(D) has had a waiting week in his benefit year and after June 30, 1954; and

"(E) has filed an application for cash sickness benefits in accordance with regulations of the Secretary, shall be entitled to a cash sickness benefit for each full week of temporary disability following such waiting week, provided that he has performed no services of any kind for remuneration by an employer during such waiting week or week of temporary disability; except, that if an uninterrupted spell of temporary disability for an individual in a benefit year continues into his next benefit year, the requirement of clause (D) of this paragraph shall not apply with respect to temporary disability occurring within such spell in such new benefit year.

"(2) Any such individual who continues to be under temporary disability for a part of a week in an uninterrupted spell of temporary disability and who meets the requirements of paragraph (1) shall be paid an amount equal to one-seventh of his cash sickness benefit for each day of temporary disability in such part week.

"(3) For purposes of this subsection—

"(A) the term 'week' means a period of 7 consecutive days as defined in regulations of the Secretary;

"(B) the term 'waiting week' means the first period of 7 consecutive days on each of which an individual is under temporary disability in a benefit year; and

"(C) the term 'uninterrupted spell of temporary disability' includes any temporary disability occurring within 21 days following a waiting week or within 21 days following a day with respect to which an individual is entitled to benefits under this subsection.

"AMOUNT OF CASH SICKNESS BENEFITS

"(b) (1) An individual's 'cash sickness benefit' shall, subject to the provisions of subsection (c), be the amount appearing in column B, C, D, or E of the following table as determined by the number of his dependents, on the line on which there appears, in column A, the wage interval which includes the amount of his wages paid in that quarter of his base period in which the total of his wages was highest. For purposes of this paragraph the number of dependents of an individual shall be determined for a benefit year as of the first day of such benefit year:

"Table

"A Highest quarterly wages	B Benefit amount without dependents	C Benefit amount with 1 dependent	D Benefit amount with 2 dependents	E Benefit amount with 3 or more dependents	F Qualifying wages
$130 to $149.99	$8	$9	$9	$9	$260
$150 to $166.99	8	10	10	10	280
$167 to $183.99	8	10	11	11	290
$184 to $207.99	8	10	11	12	260
$208 to $233.99	9	11	12	13	351
$234 to $259.99	10	12	13	14	390
$260 to $285.99	11	14	15	16	429
$286 to $311.99	12	15	16	17	468
$312 to $337.99	13	16	17	19	507
$338 to $363.99	14	17	19	20	546
$364 to $389.99	15	18	20	21	585
$390 to $415.99	16	20	21	23	624
$416 to $441.99	17	21	23	24	663
$442 to $467.99	18	22	24	26	702
$468 to $493.99	19	23	25	27	741
$494 to $519.99	20	24	26	28	780
$520 to $545.99	21	26	28	30	819
$546 to $571.99	22	27	29	31	858
$572 to $597.99	23	28	30	33	897
$598 to $623.99	24	29	32	34	936
$624 to $650.99	25	30	33	35	976
$651 to $678.99	26	32	34	37	1,018
$679 to $707.99	27	33	36	38	1,062
$708 to $737.99	28	34	37	40	1,107
$738 to $768.99	29	35	38	41	1,153
$769 to $800.99	30	36	39	42	1,201
$801 to $833.99	30	38	41	44	1,251
$834 and more	30	39	42	45	1,302

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"(2) For purposes of this subsection, the term 'dependent' means, with respect to an individual, an unmarried child (including a stepchild or adopted child) who is under the age of 18 and is living in the same household with such individual or receiving regular contributions toward his support from such individual; and a wife who is living in the same household with such individual and who is not regularly engaged in rendering services for remuneration or in any occupation for profit.

"(3) The maximum of the cash sickness benefits to which an individual shall be entitled in any benefit year shall be an amount equal to 26 times his cash sickness benefit. In the case of any individual who—

"(A) prior to the termination of a continuous spell of disability during part of which he was entitled to cash sickness benefits, reaches the maximum of his cash sickness benefits; or reaches the end of his benefit year and is not an insured individual under subsection (e) for purposes of a new benefit year;

"(B) is not entitled to old-age insurance benefits under section 202 (a); and

"(C) at the beginning of such continuous spell of disability, was insured under the provisions of section 220 (f), he shall, notwithstanding the first sentence of this paragraph, be entitled to cash sickness benefits until such spell ends or has lasted for 6 consecutive calendar months, whichever first occurs.

"DETERMINATION OF INSURED STATUS FOR CASH SICKNESS BENEFITS

"(c) (1) An individual shall be deemed to be insured for purposes of cash sickness benefits under this section if he had been paid wages during his base period totaling not less than the amount in column F of the table in subsection (c) on the line on which, in column A, there appears the wage interval which includes the amount of his wages paid in that quarter of his base period in which the total of his wages was highest; except that if any individual has not been paid such an amount during his base period he shall be deemed insured for purposes of such benefits if he has been paid not less than $260 in his base period, but his cash sickness benefit shall be the amount appearing in column B, C, D, or E, as is appropriate, on the lowest line of which there appears, in column F, the total of his wages in his base period or, if such total falls between two amounts in such column F, on the line of which there appears the smaller of such two amounts in such column. Notwithstanding the foregoing provisions of this paragraph, an individual shall not be deemed to be insured for purposes of such cash sickness benefits unless he has been paid remuneration for employment in at least two quarters of his base period and has been paid wages totaling not less than $130 in the quarter during his base period in which the total of his wages was highest.

"(2) An individual's 'base period' means the four completed calendar quarters immediately preceding the fourth calendar month prior to the month in which his benefit year begins.

"(3) An individual's 'benefit year' means the 1-year period beginning with the day as of which he first filed application under subsection (a) on the basis of which he can become entitled to benefits or receive credit for a waiting week under such subsection, and thereafter the 1-year period beginning with the day as of which he next files such an application for benefits under such subsection after the end of his last preceding benefit year.

"SIMULTANEOUS ENTITLEMENT TO BENEFITS

"(d) (1) In the case of an individual who is entitled for 1 or more weeks in a month to benefits under subsection (a) and is also entitled for such month to any other benefits under this title, he shall be paid for such month only an amount equal to such benefits under subsection (a) or an amount equal to such other benefits, whichever is the higher.

"(2) No payment shall be made to an individual for any week under subsection (a) if he has received or receives any workmen's compensation benefit on account of the same temporary disability for such week or for a month which includes such week.

"(3) In order to assure that the purposes of paragraph (3) will be carried out, the Secretary may, as a condition to certification for payment of benefits under subsection (a) if it appears to him that there is a likelihood that an individual entitled to benefits under such subsection may be eligible, as the result of temporary disability, for workmen's compensation benefit which would give rise to a denial of payment under such paragraph (2), require (A) adequate proof that such individual has taken or will take all steps necessary to secure workmen's compensation benefits with respect to such temporary disability, and (B) adequate assurance of reimbursement to the trust fund in case workmen's compensation benefits, with respect to which such denial of payment should be made, are paid to such individual and payment is not denied under paragraph (2). All amounts paid to the Secretary under this paragraph shall be deposited in the trust fund.

"(4) For purposes of this subsection, the term 'workmen's compensation benefit' means a cash benefit, allowance, or compensation payable under any workmen's compensation law or plan of the United States or of any State.

"DEFINITION OF TEMPORARY DISABILITY

"(e) For the purpose of this section, the term 'temporary disability' means inability of an individual to perform his most recent, customary, or reasonably similar work (as determined in accordance with regulations of the Secretary) by reason of any medically determinable illness, injury, or other impairment.

"EXCLUSIONS FROM COVERAGE FOR CASH SICKNESS BENEFITS

"(f) For the purposes of subsections (b) and (c) of this section, services performed in the employ of the United States Government, or of an instrumentality of the United States which (1) is wholly owned by the United States, or (2) was exempt on December 31, 1950, from the tax imposed by section 1410 of the Internal Revenue Code by virtue of any other provision of law shall not constitute employment."

TECHNICAL PROVISIONS

SEC. 109. (a) (1) The heading of title II of the Social Security Act is amended to read "Title II—Federal Old-Age, Survivors and Disability Insurance Benefits."

(2) The heading of section 201 of such act is amended to read "Federal Old-Age, Survivors and Disability Insurance Trust Fund." Section 201 is further amended by striking out "Federal Old-Age and Survivors Insurance Trust Fund," wherever it appears, and substituting therefor "Federal Old-Age, Survivors and Disability Insurance Trust Fund."

(3) The heading of section 202 of such act is amended to read "Old-Age, Survivors and Disability Insurance Benefit Payments."

(b) Section 202 (b) (1) of such act is amended by inserting after "old-age insurance" wherever it appears: ", rehabilitation insurance or permanent and total disability insurance"; and by inserting after "her husband dies" the words "or ceases to be entitled to a rehabilitation insurance or a permanent and total disability insurance benefit for any reason other than attainment of retirement age,".

(c) Section 202 (c) (1) of such act is amended by inserting after "old-age insurance" wherever it appears: ", rehabilitation insurance or permanent and total disability insurance"; and by inserting after "his wife dies" the words "or ceases to be entitled to a rehabilitation insurance or a permanent and total disability insurance benefit for any reason other than attainment of retirement age,".

(d) Section 214 (a) (2) of such act is amended by striking out "or (B) forty quarters of coverage." and inserting in lieu thereof:

"(B) twenty quarters of coverage within the forty-quarter period ending with the quarter in which he attained retirement age or with any subsequent calendar quarter or ending with the quarter in which he died; or

"(C) forty quarters of coverage;

not counting as an elapsed quarter for the purposes of subparagraph (A), and not counting as part of the 40-quarter period referred to in subparagraph (B) any quarter any part of which is included in a period of disability (as defined in sec. 220 (e) (5)) unless such quarter is a quarter of coverage."

(e) Section 214 (a) of such act is further amended by adding at the end thereof the following new paragraph:

"(4) If an individual upon attainment of retirement age is not, under paragraph (2), a fully insured individual but (were it not for his attainment of retirement age) would have been entitled to a rehabilitation insurance or a permanent and total disability insurance benefit for the month in which he attained retirement age or for any subsequent month, he shall be a fully insured individual beginning with the first month for which he would have been so entitled to disability insurance benefits."

(f) Section 214 (b) of such act is amended by striking out the period at the end thereof and inserting: ", excluding from such 13-quarter period any quarter any part of which is included in a period of disability unless such quarter is a quarter of coverage."

(g) Subsection (c) of section 203 of such act is further amended by inserting "or disabled child's" after "child's" wherever it occurs, and "or disabled child" after "child."

(h) Section 215 (f) of the Social Security Act is amended by renumbering paragraph (6) as paragraph (8), and by inserting after paragraph (5) the following new paragraphs:

"(6) In the case of any individual who became entitled to old-age insurance, rehabilitation insurance or permanent and total disability insurance benefits in 1955 or in a taxable year which began in 1955 (and without the application of sec. 202 (j) (1)), or who died in 1955 or in a taxable year which began in 1955, but did not become entitled to such benefits prior to 1955, and who had self-employment income for a taxable year which ended within or with 1955 or which began in 1955, then upon application filed after the close of such taxable year by such individual or (if he died without filing such application) by a person entitled to monthly benefits on the basis of such individual's wages and self-employment income, the Secretary shall recompute such individual's primary insurance amount. Such recomputation shall be made in the manner provided in the preceding subsections of this sections (other than subsec. (b) (4) (A)) for computation of such amount, except that (A) the self-employment income closing date shall be the day following the quarter with or within which such taxable year ended, and (B) the self-employment income for any subsequent taxable year shall not be taken into account. Such recomputation shall be effective (A) in the case of an application filed by such individual, for and after the first month in which he became entitled to old-age insurance, rehabilitation insurance or permanent and total disability insurance benefits, and (B) in the case of an application filed by any other person, for and after the month in which such person who filed such applica-

tion for recomputation became entitled to such monthly benefits.

"(7) An individual who—

"(A) became entitled to an old-age insurance benefit for a month prior to July 1954;

"(B) has filed application after March 1954 and prior to January 1956 for a disability recomputation;

"(C) had been under a long-term total disability or a permanent and total disability (as defined in sec. 220 (e)) prior to his attainment of retirement age, which disability has continued uninterruptedly until the time of filing such application; and

"(D) could, but for having reached retirement age, have had a period of disability (as defined in sec. 220 (e) (5));

shall be deemed to have had such a period of disability, and the Secretary shall recompute such individual's primary insurance amount effective July 1954. Recomputation under this paragraph shall be made as provided in section 215 (a) and shall take into account only such wages and self-employment income as would be taken into account under section 215 (b) or under section 215 (d) whichever is applicable had the individual attained retirement age in the first month of such period of disability and filed application for old-age insurance benefits in July 1954."

(i) The amendments made by the preceding subsection of this section shall take effect on April 1, 1954.

(j) In the case of an individual who died or became (without the application of sec. 202 (j) (1) of the Social Security Act) entitled to old-age insurance, rehabilitation insurance, or permanent and total disability insurance benefits in 1955 and with respect to whom not less than 6 of the quarters elapsing after 1950 and prior to the quarter following the quarter in which he died or became entitled to such insurance benefits, whichever first occurred, are quarters of coverage, his wage-closing date shall be the first day of such quarter of death or entitlement instead of the day specified in section 215 (b) (3) of such act, but only if it would result in a higher primary insurance amount for such individual. The terms used in this subsection shall have the same meaning as when used in title II of the Social Security Act.

(k) In the case of an individual who had filed an application for recomputation under section 215 (f) (2) of the Social Security Act in 1955 or in a taxable year which began in 1955 or who died in such year or taxable year before filing such application but who, prior to the end of the month in which he died, met all other conditions specified in such section for a recomputation, and who had self-employment income for a taxable year which ended within or with 1955 or which began in 1955, then upon application filed after the close of such taxable year by such individual or, if he has died, by a person entitled to monthly benefits on the basis of such individual's wages and self-employment income, the Secretary shall further recompute such individual's primary insurance amount. Such further recomputation shall be made in the manner provided in section 215 of such act (other than subsection (b) (4) of such section) for computation of such amount, except that (A) the self-employment income closing date shall be the day following the quarter with or within which such taxable year ended, and (B) the self-employment income for any subsequent taxable year shall not be taken into account. Such further recomputation shall be effective for and after the month (in 1955 or in a taxable year which began in 1955) in which such individual filed application for recomputation under section 215 (f) (2) or if he has died, for and after the month in which such other person entitled on the basis of such individual's record of wages and self-employment income became entitled to such benefits. No recomputation under this paragraph pursuant to an application filed after such individual's death shall affect the amount of the lump-sum death payment under section 202 (i) of the Social Security Act, and no such recomputation shall render erroneous any such payment certified by the Secretary prior to the effective date of such further recomputation. No recomputation shall be made under this paragraph unless such recomputation results in a higher primary insurance amount. The terms used in this paragraph shall have the same meaning as when used in title II of the Social Security Act.

(l) In the case of an individual—

(1) who filed an application for a recomputation under section 215 (f) (2) of the Social Security Act in 1952 after complying with the other conditions specified therein for such a recomputation; or

(2) who died in such year before filing such an application but who, prior to the end of the month in which he died, met all other conditions specified in such section for a recomputation, his primary insurance amount shall be recomputed as provided in such section, except that his wage closing date shall, for purposes of section 215 (b) (3) of such act, be the first day of the quarter in which he filed such application or died, instead of the date specified in such section 215 (b) (3), but only if it would result in a higher primary insurance amount for him. The terms used in this paragraph shall have the same meaning as when used in title II of the Social Security Act.

INSURED STATUS

SEC. 109. Section 214 (a) of the Social Security Act is amended by redesignating paragraph (3) as paragraph (4) and inserting after paragraph (2) the following new paragraph:

"(3) In the case of any individual who did not die prior to January 1, 1955, the term 'fully insured individual' means any individual who meets the requirements of paragraph (2) and, in addition, any individual with respect to whom all of the quarters elapsing after 1954 and prior to (i) July 1, 1956, or (ii) if later, the quarter in which he attained retirement age or died, whichever first occurred, are quarters of coverage, but only if there are not fewer than six of such quarters so elapsing."

BENEFITS IN CERTAIN CASES OF DEATHS BEFORE SEPTEMBER 1950

SEC. 110 (a) In the case of any individual—

(1) who died prior to September 1, 1950, and was not a fully insured individual (under title II of the Social Security Act), when he died, and

(2) who had not less than six quarters of coverage (as defined in such title),

such individual shall, except for purposes of determining entitlement of a former wife divorced to benefits under section 202 (g) of the Social Security Act, be deemed to have died a fully insured individual. Such individual's primary insurance amount shall be computed under subsection (a) (2) of section 215 of such act. For the purpose of such computation, the provisions of section 215 (d) (3) of such act shall apply if such individual died a currently insured individual (under title II of such act) and any other person was entitled on the basis of his wages to monthly benefits or a lump-sum death payment under section 202 of such act; in all other cases the provisions of section 215 (d) (4) shall be applicable, except that such individual's closing date shall be the first day of the quarter in which he died. In the case of any such individual, the requirement in subsection (h) of section 202 of such act that proof of support be filed within 2 years of the date of his death shall not apply if such proof is filed before September 1956.

(b) The provisions of subsection (a) shall be applicable only in the case of monthly benefits under section 202 of the Social Security Act for months after August 1954, on the basis of applications filed after such month.

ELIMINATION OF REQUIREMENT OF FILING APPLICATION IN CERTAIN CASES

SEC. 111. (a) Section 202 (e) (1) (C) of the Social Security Act is amended to read as follows:

"(C) (i) has filed application for widow's insurance benefits or was entitled, after attainment of retirement age, to wife's insurance benefits, on the basis of the wages and self-employment income of such individual, for the month preceding the month in which he died, or

"(ii) was entitled, on the basis of such wages and self-employment income, to mother's insurance benefits for the month preceding the month in which she attained retirement age."

(b) Section 202 (g) (1) (D) of such act is amended to read as follows:

"(D) has filed application for mother's insurance benefits, or was entitled to wife's insurance benefits on the basis of the wages and self-employment income of such individual for the month preceding the month in which he died."

(c) The third sentence of section 202 (i) of such act is amended by inserting immediately before the period at the end thereof the following: ", or unless such person was entitled to wife's or husband's insurance benefits, on the basis of the wages and self-employment income of such insured individual, for the month preceding the month in which such individual died."

TECHNICAL AMENDMENTS

SEC. 112. (a) The second sentence of section 204 (a) of the Social Security Act is amended by inserting "and self-employment income" after "wages."

(b) Section 208 of the Social Security Act is amended by inserting ", or as to the amount of net earnings from self-employment derived or the period during which derived" after "as to the amount of any wages paid or received or the period during which earned or paid."

REPEAL OF REQUIREMENT OF CERTAIN DEDUCTIONS

SEC. 113. (a) No deductions shall be made pursuant to subsection (i) of section 203 of the Social Security Act from any benefits for any month after August 1954; and, effective September 1, 1954, such subsection is repealed.

(b) No deductions shall be made pursuant to section 907 of the Social Security Act Amendments of 1939 (53 Stat. 1360, 1402), with respect to wages for services performed in 1939, from any benefits for any month after August 1954; and, effective September 1, 1954, such section is amended by striking out "1 percent of any wages paid him for services performed in 1939, and subsequent to his attaining age 65, and."

PROOF OF SUPPORT BY HUSBAND OR WIDOWER IN CERTAIN CASES

SEC. 114. (a) For the purpose of determining the entitlement of any individual to husband's insurance benefits under subsection (c) of section 202 of the Social Security Act on the basis of his wife's wages and self-employment income, the requirements of paragraph (1) (D) of such subsection shall be deemed to be met if—

(1) such individual was receiving at least one-half of his support, as determined in accordance with regulations prescribed by the Secretary of Health, Education, and Welfare, from his wife on the first day of the first month (A) for which she was entitled to a monthly benefit under subsection (a) of such section 202, and (B) in which an event described in paragraph (1) or (2) of

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section 203 (b) of such act (as in effect before or after the enactment of this act) did not occur.

(2) such individual has filed proof of such support within 2 years after such first month, and

(3) such wife was, without the application of subsection (j) (1) of such section 202, entitled to a primary insurance benefit under such act for August 1950.

(b) For the purpose of determining the entitlement of any individual to widower's insurance benefits under subsection (f) of section 202 of the Social Security Act on the basis of his deceased wife's wages and self-employment income, the requirements of paragraph (1) (E) (ii) of such subsection shall be deemed to be met if—

(1) such individual was receiving at least one-half of his support, as determined in accordance with regulations prescribed by the Secretary of Health, Education, and Welfare, from his wife, and she was a currently insured individual, on the first day of the first month (A) for which she was entitled to a monthly benefit under subsection (a) of such section 202, and (B) in which an event described in paragraph (1) or (2) of section 203 (b) of such act (as in effect before or after the enactment of this act) did not occur,

(2) such individual has filed proof of such support within 2 years after such first month, and

(3) such wife was, without the application of subsection (j) (1) of such section 202, entitled to a primary insurance benefit under such act for August 1950.

(c) For purposes of subsection (b) (1) of this section, and for purposes of section 202 (c) (1) of the Social Security Act in cases to which subsection (a) of this section is applicable, the wife of an individual shall be deemed a currently insured individual if she had not less than 6 quarters of coverage (as determined under section 213 of the Social Security Act) during the 13-quarter period ending with the calendar quarter in which occurs the first month (1) for which such wife was entitled to a monthly benefit under section 202 (a) of such act, and (2) in which an event described in paragraph (1) or (2) of section 203 (b) of such act (as in effect before or after the enactment of this act) did not occur.

(d) This section shall apply only with respect to husband's insurance benefits under section 202 (c) of the Social Security Act, and widower's insurance benefits under section 202 (f) of such act, for months after August 1954, and only with respect to benefits based on applications filed after such month.

DEFINITION

SEC. 115. As used in the provisions of the Social Security Act amended by this title, the term "Secretary" means the Secretary of Health, Education, and Welfare.

TITLE II—AMENDMENTS TO INTERNAL REVENUE CODES OF 1939 AND 1954

AMENDMENTS TO DEFINITIONS OF SELF-EMPLOYMENT INCOME AND RELATED DEFINITIONS

SEC. 201. (a) (1) Paragraph (1) of section 481 (a) of the Internal Revenue Code is amended to read as follows:

"(1) There shall be excluded rentals from real estate and from personal property leased with the real estate (including such rentals paid in crop shares), together with the deductions attributable thereto, unless such rentals are received in the course of a trade or business as a real-estate dealer;".

(2) Subsection (a) of section 481 of the Internal Revenue Code is amended by striking out paragraph (2) and redesignating paragraphs (3), (4), (5), (6), and (7), and any references thereto contained in such code, as paragraphs (2), (3), (4), (5), and (6), respectively, and by adding at the end of such subsection the following new sentence: "In the case of any trade or business which is carried on by an individual who reports his income on a cash receipts and disbursements basis, and in which, if it were carried on exclusively by employees, the major portion of the services would constitute agricultural labor as defined in section 1426 (h), (i) if the gross income derived from such trade or business by such individual is not more than $1,800, the net earnings from self-employment derived by him therefrom may, at his option, be deemed to be 50 percent of such gross income in lieu of his net earnings from self-employment from such trade or business computed as provided under the preceding provisions of this subsection, or (ii) if the gross income derived from such trade or business by such individual is more than $1,800 and the net earnings from self-employment derived by him therefrom, as computed under the preceding provisions of this subsection, are less than $900, such net earnings may instead, at the option of such individual, be deemed to be $900. For the purpose of the preceding sentence, gross income derived from such trade or business shall mean the gross receipts from such trade or business reduced by the cost or other basis of property which was purchased and sold in carrying on such trade or business, adjusted (after such reduction) in accordance with the preceding provisions of this subsection."

(b) (1) Paragraph (1) of section 1402 (b) of the Internal Revenue Code of 1954 is amended to read as follows:

"(1) that part of the net earnings from self-employment which is in excess of—

"(A) for any taxable year ending prior to 1955, (i) $3,600, minus (ii) the amount of the wages paid to such individual during the taxable year; and

"(B) for any taxable year ending after 1954, (i) $6,000, minus (ii) the amount of the wages paid to such individual during the taxable year; or."

(2) (b) Section 1402 (b) of the Internal Revenue Code of 1954 is amended by inserting after "employees)" the following: ", or under an agreement entered into pursuant to the provisions of section 3121 (l) (relating to coverage of citizens of the United States who are employees of foreign subsidiaries of domestic corporations),".

(c) Section 481 (c) of the Internal Revenue Code is amended by striking out paragraphs (4) and (5), by inserting "or" at the end of paragraph (3), and by adding after paragraph (3) the following new paragraph:

"(4) The performance of service by an individual in the exercise of his profession as a physician, or the performance of such service by a partnership."

(d) (1) Section 1402 (c) (2) of the Internal Revenue Code of 1954 is amended by inserting after "18" the following: "and other than service described in paragraph (4) of this subsection."

(2) Section 1402 (c) of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new sentence: "The provisions of paragraph (4) shall not apply to service (other than service performed by a member of a religious order who has taken a vow of poverty as a member of such order) performed by an individual during the period for which a certificate filed by such individual under subsection (e) is in effect."

(3) Section 1402 of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new subsection:

"(e) Ministers and members of religious orders:

"(1) Waiver certificate: Any individual who is a duly ordained, commissioned, or licensed minister of a church or a member of a religious order (other than a member of a religious order who has taken a vow of poverty as a member of such order) may file a certificate (in such form and manner, and with such official, as may be prescribed by regulations made under this chapter) certifying that he elects to have the insurance system established by title II of the Social Security Act extended to service, described in subsection (c) (4), performed by him.

"(2) Time for filing certificate: Any individual who desires to file a certificate pursuant to paragraph (1) must file such certificate on or before the due date of the return (including any extension thereof) for his second taxable year ending after 1954 for which he has net earnings from self-employment (computed without regard to paragraph (4) of subsection (c)) of $400 or more, any part of which was derived from his performance of service described in such paragraph (4).

"(3) Effective date of certificate: A certificate filed pursuant to this subsection shall be effective for the first taxable year with respect to which it is filed (but in no case shall the certificate be effective for a taxable year with respect to which the period for filing a return has expired, or for a taxable year ending prior to 1955) and all succeeding taxable years. An election made pursuant to this subsection shall be irrevocable."

(d) The amendments made by subsections (a), (b), and (c) of this section shall be applicable only with respect to taxable years ending after 1954.

REFUND OF CERTAIN TAXES DEDUCTED FROM WAGES

SEC. 202. (a) (1) The first sentence of section 6413 (c) (1) of the Internal Revenue Code of 1954 is amended to read as follows: "If by reason of an employee receiving wages from more than one employer during a calendar year after the calendar year 1950 and prior to the calendar year 1955, the wages received by him during such year exceed $3,600, the employee shall be entitled (subject to the provisions of section 31 (b)) to a credit or refund of any amount of tax, with respect to such wages, imposed by section 1400 of the Internal Revenue Code of 1939 and deducted from the employee's wages (whether or not paid to the Secretary or his delegate), which exceeds the tax with respect to the first $3,600 of such wages received; or if by reason of an employee receiving wages from more than one employer during any calendar year after the calendar year 1954, the wages received by him during such year exceed $6,000, the employee shall be entitled (subject to the provisions of section 31 (b)) to a credit or refund of any amount of tax, with respect to such wages, imposed by section 3101 and deducted from the employee's wages (whether or not paid to the Secretary or his delegate), which exceeds the tax with respect to the first $4,200 of such wages received."

(2) Section 1401 (d) (3) of the Internal Revenue Code of 1939 is amended by striking out the period at the end of the second sentence and inserting in lieu thereof "or, in the case of any agreement (or modification thereof) pursuant to section 218 of the Social Security Act which is effective as of a date more than 2 years prior to the date such agreement (or modification) was agreed to, within 2 years after the calendar year in which such agreement (or modification) was agreed to by the State and the Secretary of Health, Education, and Welfare."

(b) (1) The heading of section 6413 (c) (2) of the Internal Revenue Code of 1954 is amended to read as follows: "Applicability in case of Federal and State employees and employees of certain foreign corporations.—"

(2) Section 6413 (c) (2) (A) of the Internal Revenue Code of 1954 is amended by striking out "$3,600," and inserting in lieu thereof "$3,600 for the calendar year 1951, 1952, 1953, or 1954, or $6,000 for any calendar year after 1954,".

(3) Section 6413 (c) (2) of the Internal Revenue Code of 1954 is amended by adding

at the end thereof the following new subparagraph:

"(C) Employees of certain foreign corporations: For purposes of paragraph (1) of this subsection, the term 'wages' includes such remuneration for services covered by an agreement made pursuant to section 3121 (l) as would be wages if such services constituted employment; the term 'employer' includes any domestic corporation which has entered into an agreement pursuant to section 3121 (l); the term 'tax' or 'tax imposed by section 3101' includes, in the case of services covered by an agreement entered into pursuant to section 3121 (l), an amount equivalent to the tax which would be imposed by section 3101, if such services constituted employment as defined in section 3121; and the provisions of paragraph (1) of this subsection shall apply whether or not any amount deducted from the employee's remuneration as a result of the agreement entered into pursuant to section 3121 (l) has been paid to the Secretary or his delegate."

(c) The second sentence of section 3122 of the Internal Revenue Code of 1954 is amended by striking out "$3,600" and inserting in lieu thereof "$6,000."

(d) The amendments made by subsections (a) (1), (b), and (c) shall be applicable only with respect to remuneration paid after 1954. The amendment made by subsection (a) (2) shall be effective as if it had been enacted as a part of section 203 (c) of the Social Security Act Amendments of 1950 which added section 1401 (d) (3) to the Internal Revenue Code of 1939.

COLLECTION AND PAYMENT OF TAXES WITH RESPECT TO COAST GUARD EXCHANGES

SEC. 203. (a) Section 1420 (e) of the Internal Revenue Code is amended by adding at the end thereof the following new sentence: "The provisions of this subsection shall be applicable also in the case of service performed by a civilian employee, not compensated from funds appropriated by the Congress, in the Coast Guard exchanges or other activities, conducted by an instrumentality of the United States subject to the jurisdiction of the Secretary, at installations of the Coast Guard for the comfort, pleasure, contentment, and mental and physical improvement of personnel of the Coast Guard; and for purposes of this subsection the Secretary shall be deemed to be the head of such instrumentality."

(b) The amendment made by subsection (a) shall become effective January 1, 1955.

AMENDMENTS TO DEFINITION OF WAGES

SEC. 204 (a) Paragraph (1) of section 3121 (a) of the Internal Revenue Code of 1954 is amended by striking out "$3,600" wherever it appears therein and inserting in lieu thereof "$6,000."

(b) (1) Subparagraph (B) of section 3121 (a) (7) of the Internal Revenue Code of 1954 is amended to read as follows:

"(B) cash remuneration paid by an employer in any calendar quarter to an employee for domestic service in a private home of the employer, if the cash remuneration paid in such quarter by the employer to the employee for such service is less than $50. As used in this subparagraph, the term 'domestic service in a private home of the employer' does not include service described in subsection (g) (5);".

(2) Section 3121 (a) (7) of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new subparagraph:

"(C) cash remuneration paid by an employer in any calendar quarter to an employee for service not in the course of the employer's trade or business, if the cash remuneration paid in such quarter by the employer to the employee for such service is less than $50. As used in this subparagraph, the term 'service not in the course of the employer's trade or business' does not include domestic service in a private home of the employer and does not include service described in subsection (g) (5)."

(3) Section 3121 (a) (8) of the Internal Revenue Code of 1954 is amended by inserting "(A)" after "(8)" and by adding at the end thereof the following new subparagraph:

"(B) cash remuneration paid by an employer in any calendar quarter to an employee for agricultural labor, if the cash remuneration paid in such quarter by the employer to the employee for such labor is less than $50."

(c) The amendments made by subsections (a) and (b) shall be applicable only with respect to remuneration paid after 1954.

AMENDMENTS TO DEFINITION OF EMPLOYMENT

SEC. 205. (a) Section 3121 (b) (1) of the Internal Revenue Code of 1954 is amended to read as follows:

"(1) (A) service performed in connection with the production or harvesting of any commodity defined as an agricultural commodity in section 15 (g) of the Agricultural Marketing Act, as amended (46 Stat. 1550 § 3; 12 U. S. C. 1141j);

"(B) service performed by foreign agricultural workers under contracts entered into in accordance with title V of the Agricultural Act of 1949, as amended (65 Stat. 119; 7 U. S. C. 1461–1468)."

(b) Section 3121 (b) of the Internal Revenue Code of 1954 is amended by striking out paragraph (3) and redesignating paragraphs (4), (5), (6), (7), (8), (9), (10), (11), (12), (13), and (14), and any references thereto contained in such code, as paragraphs (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), and (13), respectively.

(c) The paragraph of section 3121 (b) of the Internal Revenue Code of 1954 herein redesignated as paragraph (4) is amended by striking out "if the individual is employed on and in connection with such vessel or aircraft when outside the United States" and inserting in lieu thereof: "if (A) the individual is employed on and in connection with such vessel or aircraft when outside the United States and (B) (i) such individual is not a citizen of the United States or (ii) the employer is not an American employer."

(d) (1) Subparagraph (B) of the paragraph of section 1426 (b) of the Internal Revenue Code herein redesignated as paragraph (6) is amended—

(A) by inserting "by an individual" after "Service performed," and by inserting "and if such service is covered by a retirement system established by such instrumentality;" after "December 31, 1950,";

(B) by inserting "a Federal home loan bank," after "a Federal Reserve bank," in clause (ii); and

(C) by striking out "or" at the end of clause (iii), by adding "or" at the end of clause (iv), and by adding at the end of the subparagraph the following new clause:

"(v) service performed by a civilian employee, not compensated from funds appropriated by the Congress, in the Coast Guard exchanges or other activities, conducted by an instrumentality of the United States subject to the jurisdiction of the Secretary of the Treasury, at installations of the Coast Guard for the comfort, pleasure, contentment, and mental and physical improvement of personnel of the Coast Guard;"

(2) Subparagraph (C) of such paragraph is amended to read as follows:

"(C) Service performed in the employ of the United States or in the employ of any instrumentality of the United States, if such service is performed—

"(i) as the President or Vice President of the United States or as a Member, Delegate, or Resident Commissioner of or to the Congress;

"(ii) in the legislative branch;

"(iii) in a penal institution of the United States by an inmate thereof;

"(iv) by any individual as an employee included under section 2 of the act of August 4, 1947 (relating to certain interns, student nurses, and other student employees of hospitals of the Federal Government; (5) U. S. C., sec. 1052);

"(v) by any individual as an employee serving on a temporary basis in case of fire, storm, earthquake, flood, or other similar emergency; or

"(vi) by any individual to whom the Civil Service Retirement Act of 1930 does not apply because such individual is subject to another retirement system (other than the retirement system of the Tennessee Valley Authority)."

(e) The paragraph of section 1426 (b) of the Internal Revenue Code herein redesignated as paragraph (8) is amended to read as follows:

"(8) (A) Service performed in the employ of a religious, charitable, educational, or other organization exempt from income tax under section 101 (6), other than service performed by a duly ordained, commissioned, or licensed minister of a church in the exercise of his ministry or by a member of a religious order in the exercise of duties required by such order; but this subparagraph shall not apply to service performed during the period for which a certificate, filed pursuant to subsection (l) (1), is in effect, if such service is performed by an employee (i) whose signature appears on the list filed by such organization under such subsection or (ii) who became an employee of such organization after the certificate was filed and after such period began;

"(B) Service performed in the employ of a religious, charitable, educational, or other organization exempt from income tax under section 101 (6), by a duly ordained, commissioned, or licensed minister of a church in the exercise of his ministry or by a member of a religious order in the exercise of duties required by such order; but this subparagraph shall not apply to service performed by a duly ordained, commissoned, or licensed minister of a church or a member of a religious order, other than a member of a religious order who has taken a vow of poverty as a member of such order, during the period for which a certificate, filed pursuant to subsection (l) (2), is in effect, if such service is performed by an employee (i) whose signature appears on the list filed by such organization under such subsection, or (ii) who became an employee of such organization after the certificate was filed and after such period began."

(e) Section 3121 (b) of the Internal Revenue Code of 1954 is further amended by striking out paragraph (15) and redesignating paragraphs (16) and (17), and any references thereto contained in such code, as paragraphs (14) and (15), respectively.

(f) The amendments made by subsections (c) and (e) shall be applicable only with respect to services performed after 1954. The amendments made by subsections (a) and (b) shall be applicable only with respect to services (whether performed after 1954 or prior to 1955) for which the remuneration is paid after 1954.

AMENDMENT RELATING TO COLLECTION OF EMPLOYEE TAX

SEC. 206. Section 3102 (a) of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new sentence: "An employer who in any calendar quarter pays to an employee cash remuneration to which paragraph (7) (B) or (C), (8) (B), or (10) of section 3121 (a) is applicable may deduct an amount equivalent to such tax from any such payment of remuneration, even though at the time of payment the total amount of such remuneration paid to the employee by the employer in the calendar quarter is less than $50."

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AMENDMENT TO DEFINITION OF EMPLOYEE

SEC. 207. (a) Subparagraph (C) of section 3121 (d) (3) of the Internal Revenue Code of 1954 is amended by striking out ", if the performance of such services is subject to licensing requirements under the laws of the State in which such services are performed."

(b) The amendment made by subsection (a) shall be applicable only with respect to services performed after 1954.

WAIVER OF TAX EXEMPTION BY NONPROFIT ORGANIZATIONS WITH RESPECT TO MINISTERS IN THEIR EMPLOY

SEC. 208. (a) Paragraph (1) of section 1426 (1) of the Internal Revenue Code is amended by inserting "(other than service performed by a duly ordained, commissioned, or licensed minister of a church in the exercise of his ministry or by a member of a religious order in the exercise of duties required by such order)" after "service" in the first sentence, by striking out "two-thirds of its employees" and inserting in lieu thereof "two-thirds of its employees performing service to which this paragraph is applicable" in such sentence, and by deleting so much of such paragraph as follows the first sentence.

(b) Such section 1426 (1) is amended by redesignating paragraphs (2) and (3) as paragraphs (6) and (7), respectively, and by adding after paragraph (1) the following new paragraphs:

"(2) Waiver of exemption in the case of ministers: An organization exempt from income tax under section 101 (6) may file a certificate (in such form and manner, and with such official, as may be prescribed by regulations made under this subchapter) certifying that it desires to have the insurance system established by title II of the Social Security Act extended to service performed by its employees who are duly ordained, commissioned, or licensed ministers of a church or churches and perform such service in the exercise of their ministry or who are members of a religious order or orders (other than a member of a religious order who has taken a vow of poverty as a member of such order) and perform such service in the exercise of duties required by such order or orders, and that at least two-thirds of such employees concur in the filing of the certificate. Notwithstanding the preceding sentence of this paragraph, a certificate may not be filed by an organization pursuant to such sentence unless (A) such organization does not have any employees with respect to whom a certificate may be filed pursuant to paragraph (1), or (B) such organization has filed a certificate pursuant to paragraph (1) with respect to such employees.

"(3) List to accompany certificate: A certificate may be filed pursuant to paragraph (1) or paragraph (2) only if it is accompanied by a list containing the signature, address, and social security account number (if any) of each employee who concurs in the filing of the certificate. Such list may be amended at any time by filing with the prescribed official a supplemental list or lists containing the signature, address, and social security account number (if any) of each additional employee who concurs in the filing of the certificate. The list and any supplemental list shall be filed in such form and manner as may be prescribed by regulations made under this subchapter.

"(4) Effective period of waiver: A certificate filed pursuant to paragraph (1) or paragraph (2) shall be in effect (for the purposes of subsection (b) (8) of this section and for the purposes of section 210 (a) (8) of the Social Security Act)—

"(A) in the case of a certificate filed pursuant to paragraph (1), for the period beginning with the first day of the calendar quarter in which such certificate is filed or the first day of the succeeding calendar quarter, as may be specified in the certificate; or

"(B) in the case of a certificate filed pursuant to paragraph (2), for the period beginning with the first day of whichever of the following calendar quarters may be specified in the certificate; (i) the quarter in which such certificate is filed, or (ii) the succeeding quarter, or (iii) if the certificate is filed during the calendar year 1955, any quarter in such year prior to the quarter in which it is filed;

except that, in the case of service performed by an individual whose name appears on a supplemental list filed after the first month following the first calendar quarter for which the certificate is in effect (as determined under subparagraph (A) or (B), whichever is applicable) or following the calendar quarter in which the certificate was filed, whichever is later, and to whom subparagraph (A) or (B) of subsection (b) (8) of this section would otherwise apply, the certificate shall be in effect, for purposes of such subsection (b) (8) and for purposes of section 210 (a) (8) of the Social Security Act, only with respect to service performed by such individual after the calendar quarter in which such supplemental list is filed.

"(5) Termination of waiver period by organization: The period for which a certificate filed pursuant to paragraph (1) of this subsection is effective may be terminated by the organization, effective at the end of a calendar quarter, upon giving 2 years' advance notice in writing, but only if, at the time of the receipt of such notice, the certificate has been in effect for a period of not less than 8 years and only if such notice applies also to the period for which the certificate, if any, filed by such organization pursuant to paragraph (2) is effective. The period for which a certificate filed pursuant to paragraph (2) is effective may also be terminated by the organization, effective at the end of a calendar quarter, upon giving 2 years' advance notice in writing, but only if, at the time of the receipt of such notice, the certificate has been in effect for a period of not less than 8 years. The notice of termination may be revoked by the organization by giving, prior to the close of the calendar quarter specified in the notice of termination, a written notice of such revocation. Notice of termination or revocation thereof shall be filed in such form and manner, and with such official, as may be prescribed by regulations made under this subchapter."

(c) The paragraph of such section 1426 (1) herein redesignated as paragraph (6) is amended by adding at the end thereof the following new sentence: "If the period covered by a certificate filed pursuant to paragraph (1) of this subsection is terminated under this paragraph, the period covered by the certificate, if any, filed by the same organization pursuant to paragraph (2) shall also be terminated at the same time."

(d) The paragraph of such section 1426 (1) herein redesignated as paragraph (7) is amended to read as follows:

"(7) No renewal of waiver: In the event the period covered by a certificate filed pursuant to paragraph (1) or (2) of this subsection is terminated by the organization, no certificate may again be filed by such organization pursuant to such paragraph."

(e) The amendments made by this section shall become effective January 1, 1955. Nothing in this section shall be construed as affecting the validity of any certificate filed prior to January 1, 1955, under section 1426 (1) of the Internal Revenue Code. If a certificate filed during the calendar year 1955 pursuant to section 1426 (1) (2) of the Internal Revenue Code is in effect for any calendar quarter in 1955 which precedes the quarter during which the certificate was filed, the return and payment of the taxes for any such preceding calendar quarter with respect to service which constitutes employment by reason of the filing of such certificate shall be deemed to be timely made if made on or before the last day of the first month following the calendar quarter in which the certificate is filed.

CHANGES IN TAX SCHEDULES

RATE OF TAX FOR EMPLOYEES

SEC. 209 (a) Section 3101 of the Internal Revenue Code of 1954 is amended to read as follows:

"(a) Non-Federal employment: In addition to other taxes, there shall be levied, collected, and paid upon the income of every individual a tax equal to the following percentages of the wages received by him after December 31, 1936, with respect to employment after such date, except that such tax shall not apply to the income of an individual for service performed in the employ of the United States or of an instrumentality which (i) is wholly owned by the United States, or (ii) was exempt on December 31, 1950, from the tax imposed by section 1410 of the Internal Revenue Code of 1939 by virtue of any other provision of law:

"(1) With respect to wages received during the calendar years 1939 to 1949, both inclusive, the rate shall be 1 percent.

"(2) With respect to wages received during the calendar years 1950 to 1953, both inclusive, the rate shall be 1½ percent.

"(3) With respect to wages received during the calendar year 1954, the rate shall be 2 percent.

"(4) With respect to wages received during the calendar years 1955 and 1956, the rate shall be 2½ percent.

"(5) With respect to wages received during the calendar years 1957 and 1958, the rate shall be 3 percent.

"(6) With respect to wages received during the calendar years 1959 and 1960, the rate shall be 3½ percent.

"(7) With respect to wages received after December 31, 1960, the rate shall be 4 percent.

"(b) Federal employment: In addition to other taxes, there shall be levied, collected, and paid upon the income of every individual a tax equal to the following percentages of the wages received by him after December 31, 1950, with respect to employment after such date to which the tax imposed by subsection (a) of this section does not apply:

"(1) With respect to wages received during the calendar years 1951 to 1954, both inclusive, the rate shall be 1½ percent.

"(2) With respect to wages received during the calendar years 1955 and 1956, the rate shall be 2 percent.

"(3) With respect to wages received during the calendar years 1957 and 1958, the rate shall be 2½ percent.

"(4) With respect to wages received during the calendar years 1959 and 1960, the rate shall be 3 percent.

"(5) With respect to wages received after December 31, 1960, the rate shall be 3½ percent."

WHEN COLLECTION OF TAXES FROM MEMBERS OF UNIFORMED SERVICES IS NOT REQUIRED

(b) Subsections (a) and (b) of section 3102 of the Internal Revenue Code of 1954 are amended to read as follows:

"(a) Requirement:

"(1) General provision: Except as provided in paragraph (2), the tax imposed by section 3101 shall be collected by the employer of the taxpayer, by deducting the amount of the tax from the wages as and when paid.

"(2) Special exception for uniformed services: Whenever the President determines that, by reason of the large number of individuals who are being or have been drafted for service in the uniformed services of the United States or who are being or have been called to active duty in such services, the collection of the taxes imposed by section 3101 with respect to some or all of such serv-

ice or duty would not be in the best interests of the United States, he shall by Executive order direct the Secretary of Defense, the Secretary of Health, Education, and Welfare, the Secretary of the Treasury, and the Secretary of Commerce not to deduct the taxes imposed by section 3101 with respect to service as a member of any of the uniformed services of the United States (which may be made applicable with respect to any one or more of such uniformed services), or with respect to so much of such service as is performed in one or more designated areas or by individuals in designated pay grades, or both, as the President may find appropriate. Such Executive order shall be revoked whenever the President determines that it is no longer necessary in the interests of the United States.

"(b) Indemnification of employer: Every employer required so to deduct the tax or directed pursuant to paragraph (2) of subsection (a) not to deduct the tax shall be liable for the payment of such tax, and shall be indemnified against the claims and demands of any person for the amount of any such payment by such employer."

RATE OF TAX FOR EMPLOYERS

(c) Section 3111 of the Internal Revenue Code of 1954 is amended to read as follows:

"(a) Nonfederal employment: In addition to other taxes, every employer shall pay an excise tax, with respect to having individuals in his employ, equal to the following percentages of the wages paid by him after December 31, 1936, with respect to employment after such date, except that such tax shall not apply to the wages paid an individual with respect to service performed in the employ of the United States, or of an instrumentality of the United States which (i) is wholly owned by the United States, or (ii) was exempt on December 31, 1950, from the tax imposed by this section by virtue of any other provision of law.

"(1) With respect to wages paid during the calendar years 1939 to 1949, both inclusive, the rate shall be 1 percent.

"(2) With respect to wages paid during the calendar years 1950 to 1953, both inclusive, the rate shall be 1½ percent.

"(3) With respect to wages paid during the calendar year 1954, the rate shall be 2 percent.

"(4) With respect to wages paid during the calendar years 1955 and 1956, the rate shall be 2½ percent.

"(5) With respect to wages paid during the calendar years 1957 and 1958, the rate shall be 3 percent.

"(6) With respect to wages paid during the calendar years 1959 and 1960, the rate shall be 3½ percent.

"(7) With respect to wages paid after December 31, 1960, the rate shall be 4 percent.

"(b) Federal employment: In addition to other taxes, every employer shall pay an excise tax, with respect to having individuals in his employ, equal to the following percentages of the wages paid by him after December 31, 1950, with respect to employment after such date, to which the tax imposed by subsection (a) of this section does not apply:

"(1) With respect to wages paid during the calendar years 1951 to 1954, both inclusive, the rate shall be 1½ percent.

"(2) With respect to wages paid during the calendar years 1955 and 1956, the rate shall be 2 percent.

"(3) With respect to wages paid during the calendar years 1957 and 1958, the rate shall be 2½ percent.

"(4) With respect to wages paid during the calendar years 1959 and 1960, the rate shall be 3 percent.

"(5) With respect to wages paid after December 31, 1960, the rate shall be 3½ percent."

RATE OF TAX FOR SELF-EMPLOYED PERSONS

(d) Clauses (1) through (5) of section 1401 of the Internal Revenue Code of 1954 are amended to read as follows:

"(1) In the case of any taxable year beginning after December 31, 1950, and before January 1, 1955, the tax shall be equal to 2½ percent of the amount of the self-employment income for such taxable year.

"(2) In the case of any taxable year beginning after December 31, 1954, and before January 1, 1957, the tax shall be equal to 3 percent of the amount of the self-employment income for such taxable year.

"(3) In the case of any taxable year beginning after December 31, 1956, and before January 1, 1959, the tax shall be equal to 3¾ percent of the amount of the self-employment income for such taxable year.

"(4) In the case of any taxable year beginning after December 31, 1958, and before January 1, 1961, the tax shall be equal to 4½ percent of the amount of the self-employment income for such taxable year.

"(5) In the case of any taxable year beginning after December 31, 1960, the tax shall be equal to 5¼ percent of the amount of the self-employment income for such taxable year."

FOREIGN SUBSIDIARIES OF DOMESTIC CORPORATION

SEC. 210. Section 3121 of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new subsection:

"(l) Agreements entered into by domestic corporations with respect to foreign subsidiaries:

"(1) Agreement with respect to certain employees of foreign subsidiaries: The Secretary or his delegate shall, at the request of any domestic corporation, enter into an agreement (in such form and manner as may be prescribed by the Secretary or his delegate) with any such corporation which desires to have the insurance system established by title II of the Social Security Act extended to service performed outside the United States in the employ of any one or more of its foreign subsidiaries (as defined in paragraph (8)) by all employees who are citizens of the United States, except that the agreement shall not be applicable to any service performed by, or remuneration paid to, an employee if such service or remuneration would be excluded from the term 'employment' or 'wages', as defined in this section, had the service been performed in the United States. Such agreement may be amended at any time so as to be made applicable, in the same manner and under the same conditions, with respect to any other foreign subsidiary of such domestic corporation. Such agreement shall be applicable with respect to citizens of the United States who, on or after the effective date of the agreement, are employees of and perform services outside the United States for any foreign subsidiary specified in the agreement. Such agreement shall provide—

"(A) that the domestic corporation shall pay to the Secretary or his delegate, at such time or times as the Secretary or his delegate may by regulations prescribe, amounts equivalent to the sum of the taxes which would be imposed by sections 3101 and 3111 (including amounts equivalent to the interest, additions to the taxes, additional amounts, and penalties which would be applicable) with respect to the remuneration which would be wages if the services covered by the agreement constituted employment as defined in this section; and

"(B) that the domestic corporation will comply with such regulations relating to payments and reports as the Secretary or his delegate may prescribe to carry out the purposes of this subsection.

"(2) Effective period of agreement: An agreement entered into pursuant to paragraph (1) shall be in effect for the period beginning with the first day of the calendar quarter in which such agreement is entered into or the first day of the succeeding calendar quarter, as may be specified in the agreement, but in no case prior to January 1, 1955; except that in case such agreement is amended to include the services performed for any other subsidiary and such amendment is executed after the first month following the first calendar quarter for which the agreement is in effect, the agreement shall be in effect with respect to service performed for such other subsidiary only after the calendar quarter in which such amendment is executed.

"(3) Termination of period by a domestic corporation: The period for which an agreement entered into pursuant to paragraph (1) of this subsection is effective may be terminated with respect to any one or more of its foreign subsidiaries by the domestic corporation, effective at the end of a calendar quarter, upon giving 2 years' advance notice in writing, but only if, at the time of the receipt of such notice, the agreement has been in effect for a period of not less than 8 years. The notice of termination may be revoked by the domestic corporation by giving, prior to the close of the calendar quarter specified in the notice of termination, a written notice of such revocation. Notice of termination or revocation thereof shall be filed in such form and manner as may be prescribed by regulations. Notwithstanding any other provision of this subsection, the period for which any such agreement is effective with respect to any foreign corporation shall terminate at the end of any calendar quarter in which the foreign corporation, at any time in such quarter, ceases to be a foreign subsidiary as defined in paragraph (8).

"(4) Termination of period by Secretary: If the Secretary or his delegate finds that any domestic corporation which entered into an agreement pursuant to this subsection has failed to comply substantially with the terms of such agreement, the Secretary or his delegate shall give such domestic corporation not less than 60 days' advance notice in writing that the period covered by such agreement will terminate at the end of the calendar quarter specified in such notice. Such notice of termination may be revoked by the Secretary or his delegate by giving, prior to the close of the calendar quarter specified in the notice of termination, written notice of such revocation to the domestic corporation. No notice of termination or of revocation thereof shall be given under this paragraph to a domestic corporation without the prior concurrence of the Secretary of Health, Education, and Welfare.

"(5) No renewal of agreement: If any agreement entered into pursuant to paragraph (1) of this subsection is terminated in its entirety (A) by a notice of termination filed by the domestic corporation pursuant to paragraph (3), or (B) by a notice of termination given by the Secretary or his delegate pursuant to paragraph (4), the domestic corporation may not again enter into an agreement pursuant to paragraph (1). If any such agreement is terminated with respect to any foreign subsidiary, such agreement may not thereafter be amended so as again to make it applicable with respect to such subsidiary.

"(6) Deposits in trust fund: For purposes of section 201 of the Social Security Act, relating to appropriations to the Federal Old-Age and Survivors Insurance Trust Fund, such remuneration—

"(A) paid for services covered by an agreement entered into pursuant to paragraph (1) as would be wages if the services constituted employment, and

"(B) as is reported to the Secretary or his delegate pursuant to the provisions of such

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agreement or of the regulations issued under this subsection,

shall be considered wages subject to the taxes imposed by this chapter.

"(7) Overpayments and underpayments:

"(A) If more or less than the correct amount due under an agreement entered into pursuant to this subsection is paid with respect to any payment of remuneration, proper adjustments with respect to the amounts due under such agreement shall be made, without interest, in such manner and at such times as may be required by regulations prescribed by the Secretary or his delegate.

"(B) If any overpayment cannot be adjusted under subparagraph (A), the amount thereof shall be paid by the Secretary or his delegate, through the Fiscal Service of the Treasury Department, but only if a claim for such overpayment is filed with the Secretary or his delegate within 2 years from the time such overpayment was made.

"(8) Definition of foreign subsidiary: For purposes of this subsection and section 210 (a) of the Social Security Act, a foreign subsidiary of a domestic corporation is—

"(A) a foreign corporation more than 50 percent of the voting stock of which is owned by such domestic corporation; or

"(B) a foreign corporation more than 50 percent of the voting stock of which is owned by the foreign corporation described in subparagraph (A).

"(9) Domestic corporation as separate entity: Each domestic corporation which enters into an agreement pursuant to paragraph (1) of this subsection shall, for purposes of this subsection and section 6413 (c) (2) (C), relating to special refunds in the case of employees of certain foreign corporations, be considered an employer in its capacity as a party to such agreement separate and distinct from its identity as a person employing individuals on its own account.

"(10) Regulations: Regulations of the Secretary or his delegate to carry out the purposes of this subsection shall be designed to make the requirements imposed on domestic corporations with respect to services covered by an agreement entered into pursuant to this subsection the same, so far as practicable, as those imposed upon employers pursuant to this title with respect to the taxes imposed by this chapter."

DEDUCTIONS FROM GROSS INCOME FOR PAYMENTS WITH RESPECT TO EMPLOYEES OF CERTAIN FOREIGN CORPORATIONS

SEC. 211. (a) The Internal Revenue Code of 1954 is amended by inserting after section 175 thereof the following new section:

"SEC. 176. Payments with respect to employees of certain foreign corporations

"In the case of a domestic corporation, there shall be allowed as a deduction amounts (to the extent not compensated for) paid or incurred pursuant to an agreement entered into under section 3121 (l) with respect to services performed by United States citizens employed by foreign subsidiary corporations. Any reimbursement of any amount previously allowed as a deduction under this section shall be included in gross income for the taxable year in which received."

(b) The table of sections to part VI of subchapter B of chapter 1 of subtitle A of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following:

"SEC. 176. Payments with respect to employees of certain foreign corporations."

TITLE III—PROVISIONS RELATING TO PUBLIC ASSISTANCE

TEMPORARY EXTENSION OF 1952 MATCHING FORMULA

SEC. 301. Section 8 (e) of the Social Security Act Amendments of 1952 (Public Law 590, 82d Cong.) is amended by striking out "September 30, 1954" and inserting in lieu thereof "September 30, 1956."

TEMPORARY EXTENSION OF SPECIAL PROVISION RELATING TO STATE PLANS FOR AID TO THE BLIND

SEC. 302. Section 344 (b) of the Social Security Act Amendments of 1950 (Public Law 734, 81st Cong.) is amended by striking out "June 30, 1955" and inserting in lieu thereof "June 30, 1957."

TECHNICAL AMENDMENTS

SEC. 303. (a) Sections 3 (b) (1), 403 (b) (1), and 1003 (b) (1) of the Social Security Act are each amended by striking out "one-half" and inserting in lieu thereof "the State's proportionate share."

(b) Section 3 (b) of such act is amended (1) by striking out "clause (1) of subsection (a)" wherever it appears and inserting in lieu thereof "subsection (a)", (2) by striking out "such clause" in paragraph (1) and inserting "such subsection" in lieu thereof, and (3) by striking out "increased by 5 percent" immediately before the period at the end of paragraph (3).

TITLE IV—MISCELLANEOUS PROVISIONS

AMENDMENTS PRESERVING RELATIONSHIP BETWEEN RAILROAD RETIREMENT AND OLD-AGE AND SURVIVORS INSURANCE

SEC. 401. (a) Section 1 (q) of the Railroad Retirement Act of 1937, as amended, is amended by striking out "1952" and inserting in lieu thereof "1954."

(b) Section 2 (c) of the Railroad Retirement Act of 1937, as amended, is amended by striking out "six" and inserting in lieu thereof "twelve"; and subsection (5) (j) of such act, as amended, is amended by striking out "sixth" and inserting in lieu thereof "twelfth." The amendments made by this subsection shall be applicable only in the case of applications for annuities under the Railroad Retirement Act filed after August 1954; except that no individual shall, by reason of such amendment, be entitled to any annuity for any month prior to February 1954.

(c) Section 5 (l) (9) of the Railroad Retirement Act of 1937, as amended, is amended by striking out "$3,600" the second time it appears and inserting in lieu thereof "$6,000."

(d) Section 5 (l) (1) (ii) of the Railroad Retirement Act of 1937, as amended, is amended to read as follows:

"(ii) will have been under the age of 72 and for which month he is charged with any earnings under section 203 (e) of the Social Security Act or in which month he engaged on 7 or more different calendar days in noncovered remunerative activity outside the United States (as defined in sec. 203 (k) of the Social Security Act); and for purposes of this subdivision the Board shall have the authority to make such determinations and such suspensions of payment of benefits in the manner and to the extent that the Secretary of Health, Education, and Welfare would be authorized to do so under section 203 (g) (3) of the Social Security Act if the individuals to whom this subdivision applies were entitled to benefits under section 202 of such act;".

CROSS REFERENCES TO REDESIGNATED PROVISIONS

SEC. 402. References in the Internal Revenue Code of 1939, the Internal Revenue Code of 1954, the Railroad Retirement Act of 1937, as amended, or any other law of the United States to any section or subdivision of a section of the Social Security Act redesignated by this act shall be deemed to refer to such section or subdivision of a section as so redesignated.

Mr. LEHMAN. Mr. President, the social-security bill now before the Senate comes to us as a result of recommendations made by the Department of Health, Education, and Welfare on behalf of the administration. Of all the President's recommendations, this is the one which I would characterize as being most in the public interest and as coming closest to campaign promises made.

I should like to give myself the pleasure of complimenting the distinguished chairman of the Committee on Finance, the Senator from Colorado [Mr. MILLIKIN], the ranking minority member of the committee, the Senator from Georgia [Mr. GEORGE], and the other members of the committee, for having done a devoted and, on the whole, a very successful piece of work.

Mr. MILLIKIN. Mr. President, I deeply appreciate the compliment of the Senator from New York.

Mr. HILL. Mr. President, if the Senator will yield, I should like to join in the tribute which the Senator from New York has paid to the distinguished Senator from Colorado and the distinguished Senator from Georgia.

Mr. MILLIKIN. I thank the Senator from Alabama very much.

Mr. LEHMAN. But, Mr. President, while the administration may take the credit for recommending these improvements in the social-security program, I should like to point out that the credit for originally suggesting these improvements may properly be claimed by this side of the aisle.

A glance at the CONGRESSIONAL RECORD, volume 99, part 6, page 7750, of July 1, 1953, will show that on that date I introduced a bill, S. 2260, on behalf of myself and 10 other Senators, which contained almost all the provisions now contained in the bill being considered by the Senate. An identical bill was at that time introduced into the House by a number of Democratic Members of that body, including Representatives DINGELL, of Michigan, and CELLER and ROOSEVELT, of New York.

In order to let these provisions be brought to the attention of the Senate, I have revised my bill in a few minor respects and reintroduced it as an amendment in the nature of a substitute to H. R. 9366. As such I wish to discuss it and compare its provisions with those of the administration bill.

The pending bill, H. R. 9366, may be described as having four major parts. These parts are:

I. Extension of coverage.

II. Increased benefits.

III. Amendments to the retirement test.

IV. Maintenance of the benefit levels of the disabled.

I. EXTENSION OF COVERAGE

Essentially, with respect to the extension of OASI coverage to persons not heretofore covered, my amendment and the administration bill are similar, with a few exceptions. However, the bill which I introduced more than a year ago, and which is now on the desk as a substitute, provides coverage for about 7 million people not covered by the administration bill. For example, my bill would extend coverage to self-employed farm operators. This particular extension of coverage was at one time recommended by the administration, but is not now included in H. R. 9366.

Mr. MORSE. Mr. President, will the Senator yield at that point?

Mr. LEHMAN. I yield to the Senator from Oregon.

Mr. MORSE. Is it not true that the mail of the Senator from New York, like my mail, shows that there is a great demand for coverage of this group of fellow Americans who are really being discriminated against by the administration bill?

Mr. LEHMAN. The Senator is absolutely correct. My mail is very voluminous on that subject. Of course, as I shall develop a little later in my remarks, I intend to press that measure at the next session of Congress.

Mr. MORSE. As in this session of Congress I was happy to join with the Senator from New York in this matter, so in the next session of Congress he can count on me for support on this issue, because I think those citizens ought to be brought under the social-security law. I think there is rank discrimination against them in the administration bill because it does not cover them.

Mr. LEHMAN. I concur in what the Senator from Oregon has said.

I wish to address my remarks particularly to the bringing of farm operators under the coverage of old-age and survivors insurance, because I consider it to be one of the most desirable improvements we could make in our present social-security system.

One of the basic justifications for the old-age and survivors insurance program is to provide old-age protection for the American people as a matter of right, without an individual test of needs, without requiring a so-called means test or a pauper's oath. In urban areas, where most of the working population has been covered by old-age and survivors insurance for the last 17 or 18 years, the insurance program is the central feature of the whole social-security system. In farm areas, however, the insurance program is not doing its full share. The reason for this, of course, is that farm operators and most farm workers are excluded from the insurance program.

The effect of this exclusion is shown clearly when we compare the percentage of old people in farm areas receiving insurance and assistance payments with the percentage in the nonfarm areas. In the farm counties—those in which more than 50 percent of the people live on farms—we find that 31 percent of the aged are getting old-age public assistance payments—public charity, in other words—and only 13 percent are getting social-insurance benefits, to which they themselves contributed. In the nonfarm counties the situation is reversed. Seventeen percent of the aged in nonfarm counties are getting public assistance or charity payments, and 36 percent are receiving insurance benefits. Unless we bring farm operators under the insurance program, we cannot hope to reduce the burden of public assistance in rural areas.

Extending OASI coverage to farmers is one of the most important improvements I proposed in my original bill, S. 2260, introduced last year, and provided in my substitute bill now on the desk. Bringing farmers into the old-age and survivors insurance program will place them on an equal basis with other self-employed persons. It would remove the discrimination against our farm population that now exists. It would mean that farm groups, as well as people who work in business and industry, could now for the first time contribute systematically toward protection against poverty in old age and against hardship for their families if the breadwinner dies. It would strengthen the old-age and survivors insurance program by making it more universal.

My amendment would extend coverage to all the professional groups, except doctors. H. R. 9366 now before us does not include these groups. The other major group to which my bill would extend coverage would be members of the active military and naval services. Thus, when a man enters military service there would be no break or gap in his record under old-age and survivors insurance. The present protection provided for persons in the Armed Forces is temporary in nature and expires June 30, 1955.

Thus, in these categories alone—farm operators, the professional groups, and the Armed Forces—roughly about 7 million more persons would be covered under my bill than under the administration proposal.

The administration bill provides coverage for State and local government employees who are now covered by local retirement systems. Under present law, these employees are excluded, and many have complained that their retirement systems are inadequate. They have sought OASI coverage, and in some instances have been successful. Their OASI coverage, however, has been gained only after dissolving their existing systems.

The pending bill, H. R. 9366, improves this situation by authorizing the extension of coverage to State and local employees—except for policemen and firemen—as a result of a referendum by secret written ballot held among the members of the local retirement system. Inasmuch as I favor the widest possible OASI coverage among State and local government employees, with the exception of police and firemen, who object to and do not need such coverage. I have amended my original bill so that my substitute amendment is in line with the provisions of the administration bill.

At this point, I should like to state briefly that it is my opinion, and I think that of the administration, that the social-security program will become more effective as it is extended to more and more people. As Secretary Hobby, of the Department of Health, Education, and Welfare, stated before the House Committee on Ways and Means:

> We firmly believe that if all these groups are brought into OASI so as to make it essentially a universal system, great advantages will accrue both to the individuals involved and to the Nation as a whole.

The chief difficulty to date with respect to extending coverage to new groups has been administrative. The only other objections have come from employers who do not wish to pay their portion of the social-security tax and from one particular professional association—the American Medical Association—which has claimed that the social-security program is socialistic. Gradually, both the administrative difficulties and other objections are being overcome, making extension of coverage to new groups more feasible.

Mr. President, the second subject I wish to discuss is increased benefits.

When Secretary Hobby testified on social-security legislation before the House Ways and Means Committee, she listed six recommendations. Three of these recommendations were:

(a) Drop 4 years of lowest earnings in computing benefits—in some cases 5.

(b) Raise earning base to $4,200.

(c) Increase benefits.

These three items may be considered separately, but the net effect of them is to increase benefits. They are designed to, and will, accomplish that objective. I should like briefly to refer to these recommendations and compare them with recommendations on the same points in my bill, S. 2260, introduced more than a year ago, and in my substitute now on the desk of the Senate.

At the present time when OASI benefits are computed, the law requires that the individual's entire working lifetime be considered. Obviously, in some of the years during his lifetime he has earned less than in other years. If he is permitted to compute his benefits excluding his 5 years of lowest income, his benefit level will be higher than it would have been if he were forced to take every year into account.

To the extent that this provision of the administration bill—to drop out the 5 years of lowest earnings—increases benefit levels, it is advantageous to the worker. However, as is true of many other provisions in this bill, it does not go far enough. In the Lehman substitute, it is provided that the worker may base his benefit upon his 10 best years. As the Senate knows, a worker is fully insured when he has worked and paid the tax for 40 quarters, or 10 years. If the worker were permitted to use that same 10-year figure in computing his benefits, he could eliminate all but the 10 highest income years, and thereby receive a considerably higher benefit.

WAGE BASE

The second of the three items I mentioned above refers to raising the earning or taxable base to $4,200. At this point I would like to say that on June 20, 1950, the distinguished senior Senator from Georgia [Mr. GEORGE] offered an amendment to the bill then before the Senate, H. R. 6000, to increase the wage base from $3,000 to $3,600. Subsequently, former Senator Myers of Pennsylvania offered an amendment to the amendment of the Senator from Georgia to increase the wage base to $4,200, the same figure which the administration now proposes. I am proud to say that on that date I was cosponsor of the amendment offered by Senator Myers, and I urged the Senate to adopt it. Unfortunately, the Myers amendment did not carry. It was rejected by a vote of 36 yeas to 45 nays. It will be most interesting to compare the vote of

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June 20, 1950, with the vote on the pending bill.

At that time, the $4,200 wage base would have been almost, but not quite, equivalent in terms of purchasing power to the $3,000 base in 1939. Today, the $4,200 wage base is no more appropriate than was the wage base of $3,600 in 1950. All of us know that the cost of living and the scale of prevailing wages has increased since 1950. Even as early as June of 1953, I took cognizance of the increased wages and cost of living by proposing in S. 2260 to increase the wage base to $6,000, which I think is much more in keeping with the increases in wages and cost of living which have occurred since 1950.

Let me make this one point clear. If we increase the wage base to $4,200 or $4,800 or $6,000, as the case may be, it does not mean that the individual who earns $3,600 will pay any more than he does today in the form of social-security taxes. However, the individual who earns more will be subject to social-security taxes on the income in excess of $3,600 and up to $4,200 if that figure is adopted. This, of course, will mean that his benefits will be higher upon retirement.

BENEFIT FORMULA

In referring to the third item, "increased benefits," Secretary Hobby described the benefit formula which, as the Senate knows, provides that the worker's primary benefit will be equal to 55 percent of the first $100 of the worker's average monthly wage, and 15 percent of the remainder up to $300. The formula presented in the administration bill would be 55 percent of the first $110 of the worker's average monthly wage, and 20 percent of the remainder up to $350.

The VICE PRESIDENT. The time of the Senator from New York has expired.

Mr. JOHNSON of Texas. Mr. President, I yield the distinguished Senator from New York [Mr. LEHMAN] 15 minutes on the bill.

Mr. LEHMAN. Mr. President, my original benefit formula began with 55 percent of the first $100. In my pending substitute I have included the administration's 55 percent of $110 figure in my basic benefit formula, but have made the remaining 20 percent benefit applicable to a maximum of $500 rather than to $350 as in the administration bill.

DELAYED RETIREMENT CREDIT

So far, Mr. President, I have compared provisions which appear in both the administration bill and in the Lehman bill aimed at the same general effect—namely, increasing benefits. There are, however, benefit-increasing provisions in my bill which are not included in the administration bill. One of these I call the Delayed Retirement Credit. With present OASI benefit levels so low, we know that many persons who reach retirement age actually do not leave their employment because they are aware that their social security benefits would not be adequate to meet even their minimum needs. These persons, therefore, delay their retirement and continue to work for 1, 2, or 3 additional years in order to maintain their income. When this occurs, the social security fund gets the benefit. Not only does the fund continue to receive the taxes paid by this individual, but it saves to the extent that the individual in question does not collect his benefits.

Recognizing that the individual who delays his retirement contributes to the solvency of the fund and to the productivity of the Nation, my bill provides this individual with an additional credit at the rate of 2 percent a year for each year of work and contributions beyond the date at which he is first eligible for old-age insurance benefits. This accumulation of credit could continue until the individual reaches the age of 75—or 72 under the administration bill—at which age he would be entitled to social security benefits, regardless of the amount of his income from any source.

INCREMENT

A second feature of my bill, which is not contained in the administration bill, is a coverage increment. It will be recalled that prior to the 1950 amendments, the Social Security Act provided for an added benefit known as an increment to be added to the worker's primary benefit for each year of covered employment. In this way it was possible to provide higher benefits for those persons who had worked a greater number of years and, therefore, had contributed more to the fund. As the Senate knows, one of the basic general premises of the Social Security Act is that within certain bounds, the individual who contributes the most is entitled to the highest benefit.

It is true that in some cases the benefit formula is so weighted as to give additional credits to low-income workers. But prior to 1950, workers would receive still higher benefits if they were in covered employment for longer periods of time. In 1950, the increment provision was discontinued. One provision of my bill, S. 2260, and also of my substitute amendment, proposes to reinstitute the increment by providing the worker's primary benefit be increased by one-half of 1 percent for each year of coverage.

I should now like to discuss the minimum benefit.

The present law recognizes that there may be instances where the application of the benefit formula would result in an extremely low benefit by reason of the individual's work record. In these cases, the law establishes a minimum primary insurance amount of $25. It is obviously impossible for anyone to keep body and soul together on a total income of $25 per month. Consequently, this income must be supplemented in some way. What generally happens is that these beneficiaries seek public assistance. In order to obtain public assistance, they must divest themselves of whatever small assets they might possess, thereby making their situation even more precarious economically.

The bill H. R. 9366 would increase the minimum benefit to $30 per month. Under my bill, the minimum benefit would be increased to $35. I must admit that neither the $30 figure nor the $35 figure is really adequate. I merely point out that my bill represents some improvement as far as the minimum insurance benefit is concerned.

RETIREMENT TESTS

One problem which constantly recurs and which is always a source of complaint from social-security beneficiaries is the retirement test. I am sure all Senators know the 1939 law provided that OASI benefits would not be available to those persons who earn over $14.99 per month in covered employment. By subsequent amendments, the act now provides that a beneficiary may earn up to $75 per month without loss of benefits. If, however, he earns over $75 in any 1 month, he loses his entire benefit for that month.

Because of the numerous complaints I have had on this one provision alone, I am glad to say that I think that the changes in the retirement test in the bill reported out by the Finance Committee are a great improvement, and I congratulate the committee.

The administration bill now proposes to place the retirement test on an annual basis and to permit the beneficiary to earn $1,200 per annum and thereafter requires him to forfeit 1 month's benefit for each unit of $80 or fraction thereof earned within any month. This new formula is modified by a provision of the act which states that no month's benefit would be lost in a month in which the beneficiary did not perform substantial services.

This is a formula both more liberal and more flexible than what we have had to date, and for this reason I support it. I have included in my substitute, language identical to that contained in the bill as reported by the Senate with respect to the retirement test.

DISABILITY BENEFITS

Mr. President, our present social-security laws, while meeting to a great extent the needs of aged persons for some degree of financial stability and freedom from economic want, have to date left a gaping hole in the protective cover which the Congress has tried to erect over our aged citizens. With the exception of payments made on behalf of dependent children, and the lump-sum death benefit, all of the payments from the OASI fund have been made to persons who have reached the retirement age of 65 years.

I am sure every Member of the Senate has at one time or another been asked to assist a constituent who has been forcibly retired, by some physical disability. With respect to these cases, our present law says that the covered worker who is disabled at age 40, 50, or 60 is on his own until he reaches the statutory retirement age. The law takes no cognizance of the fact that through no fault of his own, he cannot continue to work in covered employment and pay the required social-security tax. In fact, the law, by taking into account the period which elapses after disability and before retirement, actually works to reduce the OASI benefit which the worker has earned up to the date of his disability. It is even possible for the intervening time completely to wipe out any rights he might have to a retirement benefit.

I am pleased to see that the present administration has recognized the existence of this gap in our social-security protection. However, H. R. 9366, after recognizing this serious fault in our present law, takes a completely negative approach. H. R. 9366 makes the frank admission that the disabled worker, who is no longer able to continue in covered employment, labors under an extreme disadvantage. But H. R. 9366 proposes to correct this disadvantage by merely providing that when an individual is injured and forced to give up working, he will suffer no diminution of the OASI benefits he will receive on reaching the age of 65. In other words, the level of his expectable benefits will be maintained as of the date of his disability so that the time intervening between the date of disability and the date of retirement will not work to reduce his eventual benefits, at the age of 65.

Thus, the pending bill, while recognizing an inequity under the present law, simply expresses sympathy for the disabled worker and specifies that when he reaches age 65, if he does, he will be entitled to benefits at the level earned as of the date of disability.

In every interview I have ever had with disabled persons who formerly worked in covered employment, I have always heard these questions: "What am I to do until I reach retirement age? Since I am disabled I have no income at all. Does the Government expect me to wait until I reach age 65 before it pays me the benefits I have earned to date?"

Under the present law, that is exactly what the Government expects this person to do and under the bill, H. R. 9366, that is exactly what the Government requires this person to do. "But why," says the individual, "since I have paid the tax, cannot I at least withdraw from the fund the money I have paid in?" Obviously, if such withdrawals were permitted, the amounts would be small. But not even this small benefit is provided by the present law or H. R. 9366.

I have, therefore, included in my bill a provision to make benefits payable to disabled workers prior to attainment of retirement age. It should be borne in mind that I do not propose to make benefits payable to every disabled worker, but only to those who have a recent attachment to the social-security system. In other words, the individual must have had six quarters of coverage during the 13-quarter period preceding disability, and 20 quarters of coverage during the 40-quarter period preceding disability. Twenty quarters of coverage, Mr. President, equals 5 full years of coverage. Of those 20 quarters, 6 of the last 13, or a year and a half out of the last 3¼ years, must be covered.

The disabled worker, therefore, must demonstrate by his work record that he is more than a casual worker in covered employment and that during a good portion of his working lifetime he has contributed to the social-security fund.

When these same citizens, after contributing for years, are suddenly disabled, do they not have some claim? Should we ignore their plight and in effect tell them that they will get their benefits—not when they need them most—but when they are 65 years of age?

Mr. President, on June 20, 1950, an amendment, similar to the disability provisions of my amendment, was proposed by former Senator Myers, of Pennsylvania. At that time the Senate was in the midst of its deliberations on H. R. 6000, the 1950 amendments to the Social Security Act. In all, there were 10 sponsors of the Myers amendment, and I am proud to say that I was 1 of the 10. At that time, Senator Myers pointed out that the disability-insurance amendment, as it was called, was recommended by the House Ways and Means Committee and adopted by the House. Unfortunately, the Senate Finance Committee did not recommend the amendment to the Senate.

Senator Myers pointed out that the Advisory Council on Social Security, appointed by the Finance Committee, in the 80th Congress, recommended that the social-security program be broadened to insure against income loss resulting from permanent and total disability prior to retirement age at 65.

As Members of this body will recall, in 1950 the House passed H. R. 6000, which contained disability provisions similar to those in my bill. At that time, it was testified by representatives of the administration that after 5 years of operation, the disability provisions of that bill would be 0.2 percent of payroll; after 10 years, 0.4 percent of payroll; and after 15 years 0.6 percent of payroll; and that on a level premium basis, the cost would be 0.5 percent of payroll. There may be some change in these estimates because of new benefit levels or because of new payroll levels, but essentially these estimates are still true and apply with equal force to the disability provisions of my bill—Source: page 35 of House Report No. 1300 on H. R. 6000, table 9.

Based on coverage provided by the administration bill as introduced in the House the payroll in 1960 should be about $170 billion. Therefore, if the cost of the disability benefits provisions of my amendment is 0.2 percent of the payroll in 1960, this amendment will cost in the neighborhood of $340 to $350 million after 5 years of operation. Assuming again that the cost of disability payments is $350 million and that the total cost of the program in 1960 is $7,266,000,000 we find that the cost of disability benefits is less than 5 percent of the other costs of the program as estimated by the House committee.

The VICE PRESIDENT. The time of the Senator has expired.

Mr. HUMPHREY. Mr. President, I yield 3 additional minutes on the time of the bill to the Senator from New York.

Mr. LEHMAN. Mr. President, I hasten to say that the $350 million which might be spent on disability benefits should not be regarded simply as an expense or a payment. As the Senate knows, we make considerable appropriations every year for public assistance grants to States. Total costs of public assistance in 1953 were over $2½ billion, including Federal, State, and local payments. It is estimated that public assistance payments per year to an individual average about $750. Of the total cost, the Federal Government contributes $1.3 billion, or about 52 percent. If this $1.3 billion expense could be reduced by $350 million, we would have reduced our public assistance expenditures by over 25 percent. I do not mean to imply that every dollar paid as a benefit payment to a disabled person under the social security bill would mean a savings of 1 dollar under public assistance, but it could bring about significant savings, both to the Federal and State Governments.

Secretary Hobby said in testimony before the House Ways and Means Committee:

> The relationship between disability and public dependency is a significant one. At present the Federal-State public assistance programs support about 1 million persons who themselves are disabled or, in the case of the aid-to-dependent-children program, whose father or mother or other caretaker is disabled.

Later, speaking of disabled persons who could expect no help from private organizations, Mr. Nelson P. Rockefeller, said that "a substantial number of this group will go on relief at some time and get public assistance and will average about 9 years on public assistance."

We all know that the public assistance program is generally regarded as supplementary to the OASI program. Public assistance payments are made generally to those persons who do not qualify for OASI benefits because they have never been covered or because their coverage is not sufficient. And in general, persons who get OASI benefits do not get public assistance benefits. Our whole effort in these two fields has been to increase social-security coverage and reduce the amounts of Federal appropriations paid to the States for public assistance. Eventually it is hoped public assistance payments can be almost, if not entirely, eliminated. If this provision were adopted, some persons would be covered immediately and each year an increasing number of persons would be entitled to disability payments under the OASI program. There would be, I am sure, considerable reduction in the substantial number of disabled persons who, as Mr. Rockefeller pointed out, will go on relief and get public assistance for an average of about 9 years.

Mr. President, I shall not press to have my amendment voted on today because I do not wish to delay action on H. R. 9366. Millions of social-security beneficiaries are anxiously awaiting their increased benefits. It is now nearly 3 weeks since the Finance Committee reported out the bill. I proposed to reintroduce my bill at the beginning of next year and shall continue to press for its adoption. Meanwhile, I shall support the individual amendments to improve the bill offered by my colleagues.

Mr. DOUGLAS. Mr. President, the Senator from Massachusetts [Mr. KENNEDY] and I have an amendment which seeks to amend the social security bill so as to include protection against total disability for the Nation's workers. It

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would permit workers who became totally and permanently disabled to retire on full annuities, on the same basis as those who retire at the age of 65. I shall not call it up at this time since the bill of the Senator from New York includes such a provision and I support his bill.

What happens when a family breadwinner gets sick or injured so that he can no longer support his family? The answer is one of tragic simplicity. He must rely on relatives and even charity, for few persons can afford the costs of private disability insurance.

Meager though it is, social security provides some help for persons who must retire after age 65. So far as it goes it is a fine program. Nevertheless, workers who become totally disabled often have even greater needs than the aged since they are younger and generally have more family responsibilities.

For many years, now, those of us who have sought to provide disability insurance as a part of social security protection have been balked by those who refuse to recognize its vital necessity. For example, we tried to get this program through during the debates on the social security revisions of 1950. At that time, we were blocked by a coalition of conservatives who apparently felt that welfare should be confined to the wealthy in the form of subsidies, high tariffs and special tax allowances. Yet the disability protection we urged would have paid for itself by means of low social security taxes.

The lack of protection against the personal disaster of becoming unable to earn a living stands today as a major gap in providing our Nation's workers with adequate security. If we do not pass such protection now, we should make it the number one item on our agenda for next year.

PERSONAL STATEMENT IN EXPLANATION OF VOTE ON THE IVES AMENDMENT TO THE SUBVERSIVE ACTIVITIES CONTROL ACT OF 1950

Mr. McCARRAN. Mr. President, will the Senator from Colorado yield me 6 minutes, to speak on another subject?

Mr. MILLIKIN. I gladly yield 6 minutes to the Senator from Nevada.

Mr. McCARRAN. Mr. President, since I cast the only "nay" vote, yesterday, on the amendment offered by the Senator from New York [Mr. IVES] to the bill S. 3706, I have been asked several times, by friends, to explain why I cast my vote as I did. In each case, when I have answered, my friends have urged that I make a public statement on this point. It happened again this morning. This time it was a colleague who asked me why I had voted "nay" on the Ives amendment. When I told him, he expressed surprise, and said he had not understood the situation before. He indicated that he might have changed his own vote if he had understood my reasons for voting as I did; and he urged me to make a statement for the RECORD, which might be given consideration by the conferees on this bill, in the event the House acts and the bill does go to conference.

In response to all these various urgings, I have decided to comply with the suggestion that I state the basis for my "nay" vote on the Ives amendment.

I voted "nay" for several reasons, the most important reason being that in my opinion the amendment violates one of the basic concepts of our constitutional law. Under our Constitution, a man or an organization is always presumed innocent until proven guilty. But the Ives amendment specifically provides that a certain class or group of labor organizations shall be presumed innocent; and necessarily, therefore, by implication at least, the amendment says that all other organizations subject to the act are not to be presumed innocent, therefore, that they are to be presumed guilty.

If all persons who might be charged under the act, and all organizations which might be charged under the act are to be presumed innocent until proven guilty, in line with the established tenets of our constitutional law, then there is certainly no need for a provision that a certain few specified organizations are to be so presumed innocent. And when we go further, as I am convinced the Ives amendment does go, and by necessary implication declare that all organizations except those within a specified and identified class are to be presumed guilty until proven innocent, I think we violate one of the most important concepts of our freedom under the Constitution.

I dislike the Ives amendment also for its uncertainty, for the confusion which surrounded its adoption, as clearly evidenced by the record of the proceedings on this floor in that regard. Moreover, I fear the possibility that the amendment, if it becomes law, may be used as a shield by some of the very Communist-dominated organizations which the bill S. 3706 seeks to reach. Whether it will prove to be an effective shield, is open to question; but I believe there is danger that it will be so used, and that it will be the basis for litigation, possibly for prolonged litigation.

But I do not know whether I would have voted against the amendment for these reasons alone. I would have voted against it, even without these other reasons, solely because of the fact that it clearly violates my conception of the constitutional principle that innocence always is to be presumed until guilt has been established; not, as was said on the floor yesterday, by a preponderance of the evidence, but in accordance with the accepted standard of American criminal justice—that is, established beyond a reasonable doubt.

When I know that in my country a man or an organization must be proven guilty beyond a reasonable doubt before a penalty can be inflicted, I could not bring myself to vote for an amendment which said that a certain specified class of organizations, less than the whole, are to be presumed prima facie to be innocent. Especially, I could not do so after the legislative history made by the debate on the floor had made it quite clear that it was the intent of the Senate, as well as the implication of the language itself, that all organizations outside that specified class were not to be presumed innocent.

Let me say, Mr. President, I have not made this explanation of my vote on the Ives amendment with any thought of justifying my own action. I do not feel my vote requires justification, and I do not feel that I owe anybody an explanation for having voted as I did. But I have stated my reasons for my vote because friends, including colleagues, have asked me to do so, in order that the considerations which prompted me might be given thought by others who may yet be required to vote upon this question.

SOCIAL SECURITY AMENDMENTS OF 1954

The Senate resumed the consideration of the bill (H. R. 9366) to amend the Social Security Act and the Internal Revenue Code, so as to extend coverage under the old-age and survivors insurance program, increase the benefits payable thereunder, preserve the insurance rights of disabled individuals, and increase the amount of earnings permitted without loss of benefits, and for other purposes.

Mr. MORSE. Mr. President, will the Senator from Colorado yield me not more than 5 minutes to comment on the speech by the Senator from New York [Mr. LEHMAN]?

Mr. MILLIKIN. I yield to the Senator.

Mr. MORSE. Mr. President, I commend very highly the speech which has just been made by the Senator from New York in support of his originally proposed substitute social security bill. I am a little disappointed that we are not to have the opportunity to vote on it as a substitute amendment for the bill now pending before the Senate, but he has announced that it is his decision to reintroduce the bill next January, and I shall be very happy to joint with him in January as one of the sponsors of the bill.

I think it is very interesting that this great statesman from New York, with his background—I do not intend any personal embarrassment to a man whom we all know as one of the wealthy bankers of America—has, in spite of his riches, always understood that, after all, one of the primary obligations of a democratic form of government is to see to it that a legislative program is adopted which will promote the general welfare. The Senator from New York has a substitute bill which, in my judgment, goes much further in promoting the general welfare in the field of social security than does the administration's bill, on which we are to vote tonight.

I wish briefly to comment on 2 of the most important provisions of the bill of the Senator from New York, one of which seeks to cover farmers on a voluntary basis. We have somehow developed the false notion that if a person is a farmer, even a tenant farmer, the population of the country as a whole should not show an interest in what happens to that individual when he or she approaches old age. The fact is that there

are large numbers of occupants of the land in America who are in as great need of social security benefits when they approach old age as are factory workers and city dwellers.

The provision of the Senator's bill which seeks to extend the coverage of social security in our social security system is long overdue. I deeply regret that the administration bill does not provide such extended coverage, so that we might vote on the question tonight.

The next item in the Senator's bill on which I wish briefly to comment is the provision which seeks to do justice to the disabled.

Mr. President, I do not know what we are thinking of; I do not know how we can be so shortsighted—yes, Mr. President, when it comes to living up to what I believe is the real obligation of social conscience I do not see how we can be so cruel as to take the position that if someone 30, 35, 40, or 45 years of age becomes totally disabled, that person must wait until the retirement age under social security, when the Government will give him really no benefits under social security. It is plain cruelty, Mr. President. We should recognize that one of the great social and humanitarian objectives of the social security program is to be of assistance to fellow citizens who suffer misfortune. This country cannot afford to be so parsimonious in regard to the disabled. The disabled should not be compelled to follow the course which the Senator from New York has pointed out, namely, to get rid of their few assets in order to collect even charitable benefits in their respective States and localities. That is no way to treat totally disabled fellow citizens.

Even before we vote tonight, we should accept at least that section of the Lehman bill as an amendment to the administration's bill. I have more faith in the economic strength of America than to believe that we can justify the perpetuation of the kind of injustice which now exists in the social security law with respect to the disabled.

I close by saying that I hope the Senator from New York will offer tonight at least the section with reference to assistance to the disabled. I highly commend him for the statesmanship represented by his social security bill.

Mr. HUMPHREY. Mr. President, I offer a series of amendments which I send to the desk and ask to have stated. They relate to funeral directors or morticians.

The VICE PRESIDENT. The clerk will state the amendments offered by the Senator from Minnesota.

The LEGISLATIVE CLERK. On page 29, between lines 5 and 6, it is proposed to insert the following new subsection:

FUNERAL DIRECTORS

(1) Paragraph (5) of section 211 (c) of the Social Security Act is amended by striking out "funeral director."

On page 29, line 7, it is proposed to strike out "(l)" and insert in lieu thereof "(m)."

On page 29, line 11, it is proposed to strike out "subsection (c)" and insert in lieu thereof "subsections (c) and (l)."

On page 30, line 3, it is proposed to strike out "subsection (c)" and insert in lieu thereof "subsections (c) and (l)."

On page 108, between lines 24 and 25, it is proposed to insert the following new subsection:

(d) Paragraph (5) of section 1402 (c) of the Internal Revenue Code of 1954 is amended by striking out "funeral director."

On page 108, line 25, it is proposed to strike out "(d)" and insert in lieu thereof "(e)."

On page 109, line 1, it is proposed to strike out "and (c)" and insert in lieu thereof "(c), and (d)."

The VICE PRESIDENT. Without objection, the amendments will be considered en bloc.

Mr. MILLIKIN. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. MILLIKIN. Do these amendments deal entirely with funeral directors?

Mr. HUMPHREY. They are especially directed toward that particular category. As I have said to the Senator, I have in my hand a telegram from the president of the Funeral Directors' Association of America, who happens to reside in my State, and who has asked that funeral directors be included, after a vote which was authorized in their 1953 convention.

Mr. MILLIKIN. Mr. President, I do not believe there is a great deal of doubt as to whether or not funeral directors desire to come under this system. If there is strong opposition on the part of persons to coming under the system, we do not wish to bring them in, but so far as funeral directors are concerned, we agree that they wish to come under the system; and I am willing to take the amendments to conference.

Mr. HUMPHREY. I thank the Senator from Colorado.

Mr. GEORGE. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. GEORGE. Mr. President, when this question first arose I looked into the situation so far as funeral directors or morticians were concerned, and found that at that time they were divided on the question of coming under social security. There was then a divided judgment. When the House had this bill under consideration this year funeral directors were included; and again they called on me, through their representatives, having called on me in 1950 and 1951, and stated without exception—these officers who were representative of a large group of funeral directors all over the country—that they were not objecting to being placed under the Social Security Act. They said that the House having put them under the provisions of the bill, they were willing to remain.

Mr. HUMPHREY. I thank the Senator from Georgia.

The VICE PRESIDENT. The question is on agreeing en bloc to the amendments offered by the Senator from Minnesota.

The amendments were agreed to.

Mr. HUMPHREY. Mr. President, I call up my amendments 8–10–54–H, relating to dentists.

The VICE PRESIDENT. The clerk will state the amendments offered by the Senator from Minnesota.

The LEGISLATIVE CLERK. On page 29, between lines 5 and 6, it is proposed to insert the following new subsection:

DENTISTS

(l) Paragraph (5) of section 211 (c) of the Social Security Act is amended by striking out "dentist."

On page 29, line 7, it is proposed to strike out "(l)" and insert in lieu thereof "(m)."

On page 29, line 11, it is proposed to strike out "subsection (c)" and insert in lieu thereof "subsections (c) and (l)."

On page 30, line 3, it is proposed to strike out "subsection (c)" and insert in lieu thereof "subsections (c) and (l)."

On page 108, between lines 24 and 25, it is proposed to insert the following new subsection:

(d) Paragraph (5) of section 1402 (c) of the Internal Revenue Code of 1954 is amended by striking out "dentist."

On page 108, line 25, it is proposed to strike out "(d)" and insert in lieu thereof "(e)."

On page 109, line 1, it is proposed to strike out "and (c)" and insert in lieu thereof "(c), and (d)."

The VICE PRESIDENT. Without objection, the amendments will be considered en bloc.

Mr. HUMPHREY. Mr. President, I have in my possession information, letters, and communications from representatives of the dentistry profession. One of the gentleman who appeared and testified before the Committee on Finance was Dr. Earl H. McGonagle, of Royalton, Minn., who is the president of the Midwest section of the American Dental Association. He spoke very forcefully in behalf of the inclusion of dentists under the terms of this bill. I shall not take too much time on this matter, but Dr. McGonagle, who is a member of very fine reputation and professional competence, makes this general comment in the letter which he has sent to the chairman of the committee:

Members of the American Dental Association house of delegates are usually selected among those who can afford to travel to distant points at their own expense. They are rarely instructed by the State association house of delegates, and when they vote at the ADA meeting there is no record made of the vote of the individuals. The members of the State association whom the delegates are representing have no way of learning how each delegate voted.

Mr. McGonagle points out, for example, since the Senator from Massachusetts is here, that they took a poll in Massachusetts of the dentists in that State and they found that 1,164 were for coverage and 51 were against it. In Minnesota they found out by actual poll of the Minnesota Dental Association that 927 were for coverage and 325 were against. In Oregon, 397 were for coverage and 140 were against.

Mr. HENNINGS. Mr. President, will the Senator yield?

Mr. HUMPHREY. I should like to complete my statement. The house of delegates turned down the old-age and survivors insurance for dentists by a vote

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of 312 to 64. I yield to the Senator from Missouri.

Mr. HENNINGS. The distinguished Senator is presenting some very interesting figures from the poll. Does the Senator have a poll, may I ask, of all States of the Union?

Mr. HUMPHREY. I do not, I regret to say.

Mr. HENNINGS. If the Senator had such a poll, it would be most helpful if he would ask unanimous consent to have it inserted in the RECORD.

Mr. HUMPHREY. I am going to ask at the appropriate time to have an article on this subject inserted in the RECORD.

Mr. HENNINGS. It would be interesting to see how the States line up on this very important question.

Mr. HUMPHREY. I have just been informed by my legislative aid that only four States took polls on the basis of their State organizations, and I have mentioned Massachusetts, Minnesota, and Oregon. I gave those States because Dr. McGonagle, who is the editor of one of the leading publications and contributor to Oral Hygiene, which is a professional publication, has written an editorial entitled "If You Want Social Security, Tell Your Congressman."

I now yield to the Senator from Colorado, the chairman of the committee.

Mr. MILLIKIN. Mr. President, we have been impressed by the statement made by the Senator from Minnesota, and by other similar statements. I should like to say again that the committee is perfectly willing to bring in any professional group if there is a clearly demonstrable proof that they want to come in. I think I am voicing the unanimous opinion, or almost unanimous opinion, of the committee when I state that we should not bring in any group unless that group strongly wants in.

We were also impressed with the strong statement opposing coverage of dentists, which was presented on behalf of the American Dental Association during the hearings before the Finance Commitee on this bill. Dr. J. Claude Earnest, vice president of the Association's Council on Legislation, and a member of its house of delegates, indicated this opposition in the following words:

> In 1949, the American Dental Association, through its house of delegates, adopted a policy which opposed the inclusion of self-employed dentists in old-age and survivors insurance. On three later occasions the question of changing that policy has been on the agenda of the meeting and each time it has been voted down, most recently in 1953 by a vote of 312 to 64.

How representative of the opinion of all American dentists was this position? How did the association arrive at this decision? Again allow me to quote from the statement of Dr. Earnest:

> The house of delegates functions in a manner similar to Congress. Matters can come before it by recommendation of the association's councils, by resolutions adopted by State societies, or by resolutions introduced by individual members of the House. Any matter before the house of delegates is referred to a reference committee which operates like a committee of Congress. On the subject of OASI well-publicized public hearings were held in 3 separate years. In 1951 the association distributed to dental societies throughout the country complete information kits telling both sides of the OASI story. After all these years of study and discussion the association continues to maintain its position that dentists should be excluded.

Mr. President, I am convinced that we should continue to exclude self-employed dentists in view of the fact that the association's delegates voted against compulsory coverage, not by a simple majority, but by nearly 5 to 1.

I do not say that there are not some spots in some States wherein the picture is different, but we had to take the information from the place we could get it.

I am also convinced that this decision was reached in a democratic manner after extensive efforts had been made to determine the wishes of the majority of the members of the profession.

In view of the wishes of the dental profession as expressed by Dr. Earnest, I urge that the amendment be rejected. I should like to urge that it be withdrawn. I can say to the Senator from Minnesota that whenever it becomes clear that the dentists want to be included in the system, I do not believe I am going too far in saying that I feel quite sure the Senate Finance Committee members will bring them in, or will favor bringing them in. There is no purpose in excluding them, we want to bring people under this system, but we do not want to bring them under it if they do not want to come under it, and if we have to compel them to come in.

Mr. HUMPHREY. I thank the Senator from Colorado.

Mr. GEORGE. Mr. President, will the Senator yield?

Mr. HUMPHREY. I gladly yield to the Senator from Georgia.

Mr. GEORGE. I want to add that the committee is anxious for all of the professional groups to come in when they manifest a clear desire to do so. That is the attitude of the committee. At one time we went so far as to put them in under a voluntary system, but there are objections to the voluntary system in a system of compulsory insurance so far as the workers are concerned. Therefore, we abandoned the idea and rescinded a vote that had been taken to put them in on a voluntary system, but with the full understanding that in the case of any profession, be it lawyers, doctors, dentists, or what not, when we have a reasonable showing that there is a clear desire of the majority to come in, we will bring them in. That is the attitude of the committee.

But here is what I arose to say: We all recall the late Senator Hunt, who was himself a dentist and had been president, I believe, of the American Dental Association. In the last days of his life the Senator had a bill prepared to bring the dentists in on a voluntary basis, expressly providing in the bill that whenever the dentists elected to treat their services as a trade or business they might come in. In other words, it was a voluntary system.

Mr. HUMPHREY. Could we take that method?

Mr. GEORGE. Let me explain. Following the death of Senator Hunt, at the request of his assistant, I introduced the bill, and the bill has been here since June 24. I have received, of course, a great many responses to the bill, and all the dentists who wrote me indicated, "We do not wish to be forced in, but we would be willing to come in on a voluntary basis."

At that time, as I say, we were hopeful that we might induce the agency to try out a voluntary system so far as the professions and farm operators were concerned. However, they convinced the committee that the voluntary system would not work. It was too hazardous to undertake to try it. As a longtime advocate of that system, I felt that it might work under certain conditions, but there was one notable example of its failure to work, and that was in the case of Canada. Under a social-security plan much like ours they tried the voluntary system, and it did not prove successful.

I merely call attention to the bill to which I have referred. I do not intend to offer it as an amendment because we abandoned the voluntary basis of coverage so far as the professions were concerned. I call attention to the fact that the late Senator from Wyoming, Mr. Hunt, who was himself a dentist, and had kept in very close touch with his profession, had drawn the bill and I merely introduced it following his death.

Mr. HUMPHREY. Would it not be possible to experiment at least with one area of the professional class, such as dentists? I do not wish to prolong this discussion.

Mr. GEORGE. I am a strong advocate of permitting any group which so desires to enter under the plan, but we were convinced that it would not work. We are experimenting with the idea of having preachers and ministers come under the plan.

Mr. HUMPHREY. Yes; I know that.

Mr. GEORGE. But there are special reasons why we have decided to select them.

The THYE. Mr. President, I wish to comment briefly on what the able Senator from Georgia made reference to, the question of the coverage of farmers. I have received a great number of letters on the subject. I took the question up with the chairman of the committee, the Senator from Colorado [Mr. MILLIKIN], and the committee staff, in an attempt to explore the possibility of having coverage for farmers. After all, farmers are paying a great deal into the social-security fund in the prices which they must pay for the articles which they purchase in their daily or annual farm operations. The chairman made it quite clear to me that some of the farm organizations objected to farmers being covered because they themselves had not solved all their problems. I think I am stating the situation correctly, am I not?

Mr. MILLIKIN. The difficulty has been that organizations sometimes have stated that they were in favor of such coverage, but we have not been able to reach the grassroots and obtain an au-

thentic poll showing that farmers desire to be covered. Once there is evidence that farmers show a strong interest in being covered, they will get coverage. We do not wish to pull them in by the ears, when there is not sufficient strength behind the requests which have come to us to indicate that farmers in overwhelming numbers desire to be covered by social security.

Mr. THYE. A few farmers have written to me. I share the feeling of my colleague. Mention was made of dentists. Quite a number of my personal friends in the dental profession have consulted me. I appreciate the problems with which they are faced. I am glad this discussion has taken place, because it gives us some understanding of the problems involved.

Mr. MILLIKIN. As being of further possible interest regarding the farmer aspects of the problem, members of the committee held a sort of impromptu poll regarding the mail they had received. We received much mail from organizations, but it was very seldom that a letter came from an individual farmer saying, "I want to come in," or "I do not want to come in." Whenever the farmers show in demonstrably clear fashion that they wish to be covered under social security, it is my opinion that they will be covered.

YURI A. RASTVOROV GRANTED ASYLUM

Mr. KNOWLAND. Mr. President, would the Senator be willing to yield to me not to exceed 10 minutes, so that I may speak relative to a note which was transmitted to the Russian Ambassador this morning by the State Department?

Mr. MILLIKIN. I am happy to yield to the majority leader.

Mr. KNOWLAND. Mr. President, I should like to read a Department of State press release No. 441, which was released at 8 p. m.:

The Department of State today transmitted to the Soviet Embassy a note, the text of which is set forth below, concerning the case of Yuri A. Rastvorov, former official of the Soviet mission in Japan:

"The Secretary of State presents his compliments to His Excellency the Ambassador of the Union of Soviet Socialist Republics and, with reference to the Embassy's inquiries regarding the whereabouts of Mr. Y. A. Rastvorov, has the honor to inform him that Mr. Rastvorov has requested the appropriate American authorities that he be granted political asylum.

"Mr. Rastvorov's request has been granted and he is now residing in the United States. If the Ambassador wishes to talk with Mr. Rastvorov, he is available for an interview immediately."

The Department of Justice has issued the following statement with regard to the authorization granted to Mr. Rastvorov in connection with his entry into the United States:

"Attorney General Herbert Brownell, Jr., announced today that Yuri A. Rastvorov, the Soviet official who sought the protection and assistance of American authorities, has been granted temporary entry into the United States under the auspices of the Department of State, and is now in this country. The Japanese Government has been kept appropriately advised.

"His entry was authorized under the discretionary powers vested in the Attorney General by the Immigration and Nationality Act.

"Yuri A. Rastvorov has been in consultation with American officials since his arrival in the United States. He has also been interviewed in the United States by Japanese officials."

Attached hereto are copies of the following pertinent documents concerning this matter:

1. Mr. Rastvorov's request for asylum;
2. Biographic information concerning Mr. Rastvorov.

"REQUEST FOR ASYLUM

"I, Yuri Alexandrovich Rastvorov, motivated solely by my own wishes, and for political reasons, hereby request the United States Government for political asylum.

"YURI ALEXANDROVICH RASTVOROV.

"JANUARY 24, 1954."

Mr. President, I ask unanimous consent that there be printed in the RECORD at this point as a part of my remarks the biographical sketch which immediately follows.

There being no objection, the biographical sketch was ordered to be printed in the RECORD, as follows:

BIOGRAPHICAL SKETCH

Yuri A. Rastvorov was born July 11, 1921, in Dmitrovsk, in Central Russia. His parents had one other child, a son who died in infancy.

Rastvorov's mother, who was a physician, died in 1946. His father, an army officer, retired in 1947 with the rank of colonel and was last reported living in Moscow.

Rastvorov attended middle school in Moscow and studied at the Geodesy Institute there.

He was drafted into the army in November 1939 and was assigned to the Institute of Oriental Languages in Moscow the following year. The institute was maintained by the military intelligence division of the Soviet Army for language and other special training for intelligence work in the Far East. Rastvorov was commissioned a second lieutenant in the military intelligence service in 1941.

In February 1943 he was transferred from military intelligence to the secret political police (NKGB) and assigned to the NKGB Intelligence Directorate in Moscow.

He was sent to Japan in January 1946, ostensibly as a Ministry of Foreign Affairs employee but in reality as an espionage agent of the Ministry of State Security (MGB) later in the Ministry of Internal Affairs (MVD). He returned to Moscow in late 1946 and was reassigned to Japan in June 1950. Although performing the same duties as before Rastvorov was now listed as a second secretary of the Soviet mission.

He had the rank of lieutenant colonel in the MVD when he sought sanctuary in the United States early this year.

Rastvorov married Galina Andreyevna Godova in January 1945 in Moscow. They have one child, Tatiyana, born in October 1945.

Mr. KNOWLAND. Mr. President, I now read the translation:

AUGUST 13, 1954.

TRANSLATION OF STATEMENT OF YURI A. RASTVOROV

I wanted to live like a decent human being. I wanted to be treated decently and I wanted to be able to treat other people decently.

It is impossible to live like this under communism. People do not dare treat each other decently or trust each other or speak freely to each other.

In all my life until I came to America I had only one friend with whom I could speak fairly freely without fear. He was killed in the war. I could not even speak freely with members of my own family.

When I was a baby my mother had me baptized. But she was so afraid of what the Communists would do to her for this that she had me baptized secretly. She did not even tell my father.

When I was a child, my grandfather—my father's father—owned a small farm near Orel. He had two horses and a cow. Since he had no one to help him work the farm, he once hired a man to help him get the crops in during the harvest. For this the Communists called him a kulak—a rich peasant—and took away everything he had and made it impossible for him to earn a living any other way.

My mother sent my grandfather bread secretly from time to time without letting even my father find out about it. But my father did not dare do anything to help. He stopped seeing his father. He was afraid that if he did the Communists would punish him. My grandfather starved to death in 1930.

My father had a brother who was an army doctor. He was taken prisoner by the Germans in the Second World War. When he was freed, the Communists sent him—like thousands of others—to a "quarantine" camp to check on his reliability. He was kept there for 3 years. When he was released, I was afraid to see him or have anything to do with him, in spite of the fact that I was extremely fond of him. I was afraid I would be punished if I did, maybe dismissed from government service, because he was under suspicion and always would be for having been in contact—as a prisoner—with the outside world.

This is what life is like under communism. These are the sorts of things communism does to people.

I tried hard all my life to believe in this system but I could not. From the time I began to understand life a little, the things I saw made me feel more and more doubt and bitterness and hatred.

Finally all this—especially after I saw with my own eyes how people live their own lives and how they get along with each other in free countries—made me decide to leave forever a fatherland which the Communists had turned into a concentration camp.

Now I hope I can make a new life in this country, a normal life like the lives of other people. I hope I can become an American like other Americans.

Mr. JENNER. Mr. President——

The PRESIDING OFFICER (Mr. BARRETT in the chair). Does the Senator from Colorado yield to the Senator from Indiana?

Mr. MILLIKIN. I yield.

Mr. JENNER. I wish to state that the Internal Security Committee has been interested in this situation for some time. Since this announcement has been made, as of 8 o'clock this evening, I have been in contact with the authorities of the executive branch of the Government and have requested that our committee be permitted to have Mr. Rastvorov appear to testify in executive sessions and possibly open sessions later. We wish to go into the whole matter of his defection, his reasons therefor, and so forth. I have contacted the authorities and have been assured that that will be allowed.

SOCIAL SECURITY AMENDMENTS OF 1954

The Senate resumed the consideration of the bill (H. R. 9366) to amend the Social Security Act and the Internal

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Revenue Code so as to extend coverage under the old-age and survivors insurance program, increase the benefits payable thereunder, preserve the insurance rights of disabled individuals, and increase the amount of earnings permitted without loss of benefits, and for other purposes.

Mr. HUMPHREY. Mr. President, I should like to complete my statement on the pending amendment. I understand my time has run out, so I will ask the chairman of the committee to yield me sufficient time to enable me to complete my statement.

Mr. MILLIKIN. I will yield. Let us start with 5 minutes.

Mr. HUMPHREY. I wish to ask the Senator this question: Is it not true that the professional groups are included in the House bill?

Mr. MILLIKIN. Yes, on a mandatory basis except for self-employed physicians.

Mr. HUMPHREY. Is it possible this bill may go to conference?

Mr. MILLIKIN. There may be a conference on it.

Mr. HUMPHREY. If it does go to conference, will the Senator keep at least an open mind on the question of including in it the professional group, the dentists, to which I have just referred?

Mr. MILLIKIN. Not on a voluntary basis. We have discussed that question in the committee thoroughly. It was the committee's opinion that to include such a provision would reverse the original attitude the committee took, because, based on later information and more mature thought, it was realized that our particular security system cannot be operated on a pick-and-choose voluntary basis.

Mr. HUMPHREY. Mr. President, I should like to ask unanimous consent to have printed in the RECORD an editorial entitled "If You Want Social Security, Tell Your Congressman," written by Dr. Earl H. McGonagle.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

IF YOU WANT SOCIAL SECURITY TELL YOUR CONGRESSMAN

(By Earl H. McGonagle, D. D. S.)

The Congress may mistakenly regard the house of delegates as an accurate barometer of all dentists' sentiments.

There seems to be a discrepancy between the action on social security by the house of delegates of the American Dental Association and the sentiment of the members that it represents. The house of delegates turned down old-age and survivors insurance for dentists by a vote of 312 to 64.

To my knowledge three State associations have conducted reply postal card polls of their entire membership on the subject of old-age and survivors insurance (OASI) for dentists, with the following large majorities favoring it:

	Yes	No
Massachusetts	1,164	51
Minnesota	927	325
Oregon	397	140

The totals of these figures are 2,488 yes and 510 no, or approximately 80 percent favoring OASI. It will require a psychologist to explain the action of the delegates, considering this evidence of the true sentiment of their constituents. Perhaps if it had been a secret ballot, instead of a standing vote, the count would have been different. If complete polls were to be conducted in other States it is probable that the results would be similar to those of the three States listed here.

At the meeting of the reference committee on insurance held in the Statler Hotel in Cleveland it was evident that the members of our profession know little about the cost and benefits of OASI. One question directed to the chairman was, "If dentists were covered and one would die leaving a widow and children ages 1 and 3 years, what would the family receive in benefits?" The committee chairman, acting as moderator, referred the question to the attorney, who read a few figures and percentages, but the question was not answered. Anyone who knows anything about it could have given the answer in a minute. The answer is, "From the date of the father's death to the date the youngest child becomes age 18; the widow and children would receive approximately $33,000. In addition, if she does not marry, the widow would receive a lifetime annuity of $63.80 per month at age 65."

AIDS YOUNG MEN

If dentists were covered in OASI, it would ease the anxiety of the young man with a family, who is unable to carry sufficient life insurance for proper protection such as his neighbors enjoy with the additional protection of social security. It would ease the load of older dentists who see their ability to appeal to potential patients slipping. In large industrial areas where the effects of such protection are better understood, you will find that the dentists are most favorable to OASI. Will Rogers once said: "We are most down on that which we are the least up on."

Regardless of what we may think of the social-security program, it is with us to stay. All pension funds are largely financed by passing the cost on to the consumer. Your utility company places a designated amount in its retirement fund and pays its share of the social-security tax, all of which is figured as expense and, along with other expenses, is used as a gage in determining the retail price of its services. When deductions cause the worker's pay check to shrink, he demands a raise to offset the loss, and that, also, is passed on to the consumer. If dentists were included, the social-security tax, the premium on OASI, would become an expense that all dentists must pay, and it would be added to the cost of services produced by every dentist. No one dentist would have an advantage over the other, and each would have to determine his fees with this cost included. Although a minute amount, nevertheless, that is the way it works out. The question is, Can we remain outside the program without being hurt and placing our families in an uncomfortable position? We are paying for OASI indirectly but receive no benefits.

The resolution passed at the 1953 session of the house of delegates simply states that there has been no change in the attitude of the American Dental Association with reference to old-age and survivors insurance and that the organization will explain its position when details of the proposed new law are known. Its position, unchanged, is embodied in the resolution passed by the house of delegates at San Francisco in 1949, which states, "The policy expressed by the 1948 house of delegates is hereby rescinded, and the council on legislation is directed to seek amendments eliminating dentists from any proposals to extend old-age and survivors insurance to the self-employed."

There are already several thousand dentists under OASI through being employed or being self-employed in a side line, and you do not hear objections from them. The remainder may be brought into it without asking for it, as requested by President Eisenhower, but with the house of delegates' overwhelming vote of 312 to 64 against OASI, our Congressmen may hesitate. It is important that Congressmen should be informed of the wishes of the individual dentists, and letters should be written to them without delay.

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD a letter I have received from the Department of Health, Education, and Welfare in answer to a communication I had received earlier from Dr. C. D. Mitchell, Crookston, Minn., pertaining to coverage of dentists under the old-age insurance program.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
SOCIAL SECURITY ADMINISTRATION,
Washington, D. C., July 27, 1954.

Hon. HUBERT H. HUMPHREY,
United States Senate,
Washington, D. C.

DEAR SENATOR HUMPHREY: This is in reply to your communication of June 28 with which you forwarded a letter from Dr. C. D. Mitchell, Crookston, Minn., Dr. Mitchell questions the advisability of covering self-employed dentists under the Federal old-age and survivors insurance program.

As you know, H. R. 9366, the bill introduced to carry out the President's recommendations on the old-age and survivors insurance program, was passed by the House of Representatives on June 1, and is now being considered by the Committee on Finance of the Senate. H. R. 9366 as passed by the House would extend old-age and survivors insurance coverage to self-employed dentists and to all of the other self-employed professional groups now excluded except physicians. While the Senate Committee on Finance has not yet issued a report on H. R. 9366, we understand that the committee has voted to continue the present exclusion from coverage of self-employed professional groups.

As Dr. Mitchell points out in his letter, the American Dental Association opposes the compulsory coverage of self-employed dentists under the old-age and survivors insurance program. Opposition to compulsory coverage also has been expressed by several State and local dental societies. On the other hand, many self-employed dentists and several societies have expressed a desire to participate in the program. The results of several polls taken by State dental associations and district societies in 1953 and 1954 were reported at the recent hearings on H. R. 9366 held by the Senate Committee on Finance. The members of the societies which were polled have indicated that they favor old-age and survivors insurance coverage as follows: Massachusetts (95.8 percent), Minnesota (74 percent), Oregon (73.9 percent), New York District No. 1 (88.9 percent), and the Chicago Dental Society (82.6 percent).

Dr. Mitchell may be interested in what President Eisenhower said about the old-age and survivors insurance program in his special message to the Congress on January 14, in which he again urged that the coverage of the system be extended to millions of current workers now excluded and made other recommendations to improve the program. Enclosed is the text of the President's message.

The President's recommendation to include self-employed dentists under the old-age and survivors insurance program was made only after very careful consideration. Moreover, the question of covering this group was given thorough study by a group of consultants to the Secretary of Health, Education, and Welfare. These consultants, who were recognized experts in social security with backgrounds in business, labor,

agriculture, and private pension plans, also came to the same conclusion.

There is no doubt but that many Americans may be able to make provisions which, barring personal catastrophes, will provide adequate family security when they die or become too old to work. Yet they, as part of the American society, cannot escape the ill effects which poverty among many other families would have on our whole economy and on our way of life. Old age and death are such universal threats to family security, and therefore to our society as a whole, that the responsibility for protecting society against these common hazards should be universal. Without universal coverage, many persons will have no opportunity to participate in the old-age and survivors insurance program and to provide economic security for themselves and their families; other people may participate for too short a period of time to qualify for benefits. People who are unable to acquire protection under the program against the loss of income due to retirement or death would have to rely in case of need upon public assistance, and the individuals under old-age and survivors insurance would have to bear a large part of the financial burden of the costs of assistance.

In his letter, Dr. Mitchell mentions the amount of life insurance which a person could buy with an amount of money equivalent to his old-age and survivors' insurance contributions. The differences between the kind of protection offered by private insurance and that provided under old-age and survivors insurance are sufficiently marked to make comparisons difficult. Private insurance and social security are basically not competitive, but are complementary to each other. Old-age and survivors insurance, with benefits related to past earnings, is intended to provide a base on which an individual can build his own security through the addition of income from all forms of private savings, home ownership, and private insurance. You may wish to send Dr. Mitchell the enclosed pamphlet on old-age and survivors insurance, as it contains information about the benefits payable under this program.

I trust this information will assist you in replying to Dr. Mitchell. I am returning his letter.

Sincerely yours,

JOHN W. TRAMBURG,
Commissioner.

Mr. HUMPHREY. Mr. President, I also ask unanimous consent to have printed in the RECORD a copy of a letter from Dr. McGonagle, addressed to the chairman of the Committee on Finance [Mr. MILLIKIN].

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JULY 10, 1954.

Senator EUGENE D. MILLIKIN,
Chairman, Senate Committee on Finance, Washington, D. C.

DEAR SENATOR MILLIKIN: I wish to add the following statement to my restricted testimony presented before the Senate Committee on Finance on July 6, 1954.

First, I wish to call your attention to testimony submitted by Dr. J. Claude Earnest on April 9 and July 6, 1954. In these statements he emphasized the fact that retirement income for dentists was unimportant as most dentists do not retire. Either through insufficient knowledge of details of the OASI program or through willful omission the more important features of protection for the families of young men and the widows of older men were omitted. As you know, if a young man dies leaving a wife and 2 children ages 1 and 3, that the family would receive approximately $38,000 up to the day the youngest child becomes age 18, and then when the wife reaches age 65 she would be entitled to a monthly income of $81.40 for life.

While many dentists do not retire there are many who should, and would if they could afford it. The wife, due to being younger on the average and enjoying a greater life expectancy, usually outlives the husband by about 10 years. At age 65 she would be entitled to a monthly income of $81.40 for life.

According to investigations by two of the leading diagnostic clinics in our country, the most common disease of dentists is "anxiety state." If the young men and the elderly men could enjoy the security referred to above much of this condition should disappear. If dentists are not included in OASI it will probably become more prevalent as the condition called "anxiety state" is caused largely through tension brought on due to a feeling of insecurity.

Members of the American Dental Association house of delegates are usually selected from among those who can afford to travel to distant points at their own expense. They are rarely instructed by the State association house of delegates and when they vote at the ADA meetings there is no record made of the vote of the individual. The members of the State association, whom the delegates are representing, have no way of learning how each delegate voted.

At the last session of the house of delegates in Cleveland when the vote on old-age and survivors insurance for dentists was taken a request for a secret ballot was denied those who requested it. In the standing vote then taken I observed the members of one State delegation voting against it although a complete statewide poll taken by the State association that they represented had approved OASI. I have been informed that other State delegations voted in a similar manner. There seems to be so much pride within the individual delegate that he has not the courage to stand up and acknowledge that he is in favor of OASI even though it is the sentiment of his constituents back home. If the vote in the house of delegates had been done on the voting machine it is very probable that the result would have been quite different.

The statements made by Dr. Earnest that OASI would encourage a dentist to retire at age 65 is absolutely silly. If an elderly dentist cannot earn much more than the retirement benefit of OASI it is time to retire, but if he is still able, and can command enough patients to earn considerably more than the OASI benefits, he would not be encouraged to discontinue his practice. Rather, he would be in a better mental state to continue as he would enjoy the feeling of security due to the protection he and his wife would enjoy under OASI in case it is needed.

Even though there are claims that most dentists oppose coverage under OASI it is not substantiated by complete secret polls that have been taken, as listed in my testimony before your committee.

Your committee likes to please the majority when consistent with the general welfare. If you recommend coverage of dentists in OASI you will please those who openly request coverage, and for those whose pride restricts them from requesting it, you will satisfy most.

At present thousands of dentists are covered through working for other dentists, hospitals, and associations. When a physician or dentist who has been employed by an association like the Mayo Clinic leaves its employ he is no longer covered. Many dentists are covered through operating a business on the side which they can sell or lease at age 65 and receive full benefits of OASI and continue practicing his profession at will. OASI should cover every worker, both employed and self-employed, so that positions can be changed without altering the status under pension setups.

Dentists and their wives were made happy when the House of Representatives included them in OASI. Most of them think they are in, definitely, so you will not hear from many favoring OASI. The American Dental Association, with its facilities, will see that you receive many requests that they be eliminated. Please judge these letters and telegrams with that in mind.

Thank you for consideration of my statement.

Sincerely,

EARL H. MCGONAGLE, D. D. S.

NOTE.—All figures pertaining to OASI benefits are according to the new proposed schedule, and assumes that the average annual income would exceed $4,200.

Mr. HUMPHREY. Mr. President, I also ask unanimous consent to have printed in the RECORD some excerpts from the testimony before the Senate Finance Committee on the subject matter of including dentists under the provisions of the bill.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

STATEMENT OF EARL H. MCGONAGLE BEFORE THE SENATE COMMITTEE ON FINANCE PRESENTED JULY 6, 1954

Mr. Chairman, I am Earl H. McGonagle, of Royalton, Minn. I am a self-employed practicing dentist who has been a member of the American Dental Association, the Minnesota State Dental Association, and the West-Central District Dental Society since 1916. It is my privilege to presently serve as president of the MTW Tri-County Dental Society and am a past president of the West-Central Minnesota District Dental Society. I am also associate editor of North-West Dentistry, the official publication of the Minnesota, North Dakota and South Dakota dental associations. And, incidentally, I am one of the thousands of dentists who are presently covered under the old-age and survivors' insurance program holding social security number 474–34–4887.

This lengthy introduction is given you because I am representing no official body of dentists and want you to understand my background. I wish to plead the case of all dentists who do not agree with the action of the American Dental Association house of delegates in regard to the inclusion of dentists in old-age and survivors' insurance.

I will first present to you evidence that indicates that the majority of dentists do want to be included in the old-age and survivors insurance program. Second, that the vote of the house of delegates and the result of the response to the questionnaires mailed to members of the American Dental Association in 1951 are not conclusive, and third, to explain why dentists are not like physicians economically and should not be eliminated from coverage in OASI just because the physicians have been eliminated by the action of the House of Representatives.

Any polls taken other than in secret and in full coverage are of little value so I will refer only to polls that have been taken in that manner. I can refer you to others that are favorable to OASI but they are not a true and accurate poll of full coverage as I have indicated, and are not of great value.

Three State dental associations have sponsored reply postal card polls of their entire memberships with the following results:

The figures are as follows:

Massachusetts, 1,164 yes, 51 no (95.8 percent yes); Minnesota, 927 yes, 325 no (74 percent); Oregon, 397 yes, 140 no (73.9 percent).

In addition, two large district societies have conducted similar polls.

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New York district No. 1, 2,141 yes, 267 no (88.9 percent); Chicago Dental Society, 1,295 yes, 271 no (82.6 percent).

The results of these reply postal card polls are impressive and if other State and district dental associations would conduct similar polls it is probable that results of such polls would be similar to those I have listed. Any reference to States or sections that some claim do not agree with this sentiment of favoring old age and survivors insurance have no such evidence produced by any such polls and statements are made without sustaining evidence.

The questionnaire conducted by the American Dental Association in the year 1951 was mailed to 1 member in each 7 on its mailing list. Replies received on the question of old age and survivors insurance represented only 2,240, less than 3.5 percent of the entire membership. The result was 48.3 percent favoring and 51.7 percent opposing old age and survivors insurance for dentists. It is not known how the other 96.5 percent felt about it. However, this is the only direct contact with its members that the American Dental Association has to guide its action and even it shows a bare majority.

I feel that there is no doubt that a large majority of dentists favor inclusion in this program. In the workings of the American Dental Association house of delegates there is a psychological factor that makes it appear to an outsider that dentists are opposed to it. The delegates rarely go to the national meetings instructed and are influenced by personalities and situations at hand.

The work required of dentists and their incomes are not similar to that of physicians who were excluded from the OASI program by action of the House of Representatives. A physician can practice his profession as long as he maintains a sound mind. However, a dentist must maintain almost perfect health to carry on his office work, and it cannot be done on a part-time basis, as overhead is high and full time and full speed are necessary in order to continue practice. Many disabilities, such as skin diseases, arthritis, trembling or injured hands, impaired eyes, and a host of other conditions, will render a dentist useless in his office.

To make the old-age and survivors insurance program sound it should include every worker, both employed and self-employed. There are thousands of dentists covered through being employed by other dentists and associations and many through conducting a covered business in addition to his dental practice. I doubt that your committee has received many objections from those covered individuals.

As long as some groups are excluded from this program there will be technicalities that will make it unfair to some, and the innocent families will suffer.

In the interest of the dentists and their families, I pray that your committee will recommend their inclusion in the old-age and survivors insurance program as has been done by act of the House of Representatives.

Mr. HUMPHREY. Mr. President, I shall withdraw the amendment, so that there will not be involved the problem of going to conference with an amendment which may not be accepted.

The PRESIDING OFFICER. The Senator withdraws his amendment.

The bill is open to further amendment.

Mr. HUMPHREY. Mr. President, I should like to call up my amendment 8–10–54–I.

The PRESIDING OFFICER. The clerk will state the amendment.

Mr. HUMPHREY. I ask unanimous consent that the amendment be printed at this point in the RECORD.

There being no objection, Mr. HUMPHREY'S amendment was ordered to be printed in the RECORD, as follows:

On page 25, between lines 5 and 6, insert the following new subsection:

"ACCOUNTANTS

"(1) Paragraph (5) of section 211 (c) of the Social Security Act is amended by striking out 'certified public accountant, accountant registered or licensed as an accountant under State, or municipal law, full-time practicing public accountant'."

On page 29, line 7, strike out "(1)" and insert in lieu thereof "(m)."

On page 29, line 11, strike out "subsection (c)" and insert in lieu thereof "subsections (c) and (l)."

On page 30, line 3, strike out "subsection (c)" and insert in lieu thereof "subsections (c) and (l)."

On page 108, between lines 24 and 25, insert the following new subsection:

"(d) Paragraph (5) of section 1402 (c) of the Internal Revenue Code of 1954 is amended by striking out 'certified public accountant, accountant registered or licensed as an accountant under State or municipal law, full-time practicing public accountant'."

On page 108, line 25, strike out "(d)" and insert in lieu thereof "(e)."

On page 109, line 1, strike out "and (c)" and insert in lieu thereof "(c), and (d)."

Mr. HUMPHREY. Mr. President, this amendment pertains to the inclusion of accountants under the terms of the old-age insurance program and the social-security program. I have been consulted by the National Society of Public Accountants. I have been informed that on the basis of a poll of their membership the vote was 4 to 1 in favor of being included. Here, again, is an actual membership which strongly desires inclusion.

I realize the difficult problem the Committee on Finance has with regard to including such professional groups, when there are differences of opinion within a group and within the profession. However, many times in Congress we do not follow the advice of associations on legislative matters. We have not always taken the advice of the American Federation of Labor or the National Association of Manufacturers, or any trade association. Usually we try to make our own decisions.

In this instance, I feel that as we move along toward the consideration of broader coverage of old-age insurance and other benefits under social security we cannot always rely upon the so-called house of delegates of any group or their delegate assemblies.

Considerable evidence has been brought to my attention that the majority numbers in many of these groups are desirous of coverage.

I ask the chairman of the committee what his view is. I should like to have his advice.

Mr. MILLIKIN. Mr. President, it is true that a recent poll of the members of the National Society of Public Accountants shows that they favor coverage under the social-security provisions, but, according to the society's executive director, James E. Keys, a substantial number of the members qualified their ballots by indicating that they favored coverage only if all professions were to be covered. This position was based on the fact that the self-employed accountant seldom retires abruptly at age 65, and normally continues to work as long as he is able to do so.

Therefore, when the committee reached its decision to continue the exclusions in existing law of certain professional groups, we were moved by the considerations stated to make no exception in the case of accountants. We also took into consideration the fact that no member of the profession appeared before the Committee on Finance to request coverage.

I must necessarily urge upon the Senate, in order to coincide with the opinion of the committee and other views expressed here, that this amendment be defeated, if pressed. I hope the Senator from Minnesota will not press it. I hope he will convey to those who have communicated with him the feeling, so far as I can determine it, of the Senate Committee on Finance, that the accountants can come in whenever we receive evidence that they want to come in. I refer to evidence which is not the subject of controversy or dispute.

Mr. HUMPHREY. I respect the judgment of the chairman of the committee. These are most difficult decisions to make.

While I know the position the Senate committee has taken, I am also aware of the position the House committee has taken. If the bill goes to conference there will have to be a little give and take. I hope the Senator may give a little and not merely take. If the Senator will give in a little and take in the accountants and dentists, the junior Senator from Minnesota will be very happy.

In the meantime, in order to make the Senator happy, I shall withdraw my amendment.

Mr. MILLIKIN. I thank the Senator very much.

LABELING OF IMPORTED TROUT—MOTION TO RECONSIDER

Mr. McCARRAN. Mr. President, will the Senator yield so that I may make a unanimous-consent request which must be made today?

Mr. MILLIKIN. I yield.

Mr. McCARRAN. Mr. President, I desire to enter a motion to reconsider the vote by which the Senate yesterday agreed to the amendments of the House to Senate bill 2033, a bill relating to the labeling of packages containing foreign-produced trout sold in the United States, and requiring certain information to appear on the menus of public eating places serving such trout.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. FERGUSON. What bill is S. 2033?

Mr. McCARRAN. The bill has to do with the sale and disposition of imported trout.

Mr. FERGUSON. The trout bill?

Mr. McCARRAN. Yes, sir.

The PRESIDING OFFICER. The motion to reconsider will be entered.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. FERGUSON. The Senator from Idaho [Mr. DWORSHAK] is interested in

the trout bill. Will the Senator from Nevada state the question again for the benefit of the Senator from Idaho?

Mr. McCARRAN. I desire to enter a motion to reconsider the vote by which the Senate yesterday agreed to the amendments of the House to Senate bill 2033.

Mr. DWORSHAK. Reserving the right to object, Mr. President, I should like to have some explanation. What is the reason for this request?

Mr. McCARRAN. I wish to have the Senate consider the amendments which were added by the House, so that they may be modified. The amendments of the House were concurred in when I was not on the floor of the Senate. I wished to make a modification, because the Senator from Nevada and the people from the State of Nevada are very much concerned as to this industry. A slight modification, I think, will do no harm to the bill.

Mr. DWORSHAK. Mr. President, will the Senator yield?

Mr. McCARRAN. Yes.

Mr. DWORSHAK. There was a consensus of opinion among those in the industry directly affected by the proposed legislation that at this late hour it would be advisable to concur in the House amendments, and not jeopardize final passage of the bill by reconsidering the amendments of the House and forcing a conference.

Mr. McCARRAN. That is the reason I am making the request today, so that we may work expeditiously. In my judgment it will not affect the industry.

Mr. DWORSHAK. I am in somewhat of a dilemma, because I have been advised that the industry directly affected is willing to accept the House amendments. Does the Senator from Nevada have contrary information?

Mr. McCARRAN. Yes; I have.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry

The PRESIDING OFFICER. The Senator will state it.

Mr. KNOWLAND. I understood that the Senator from Nevada made a unanimous-consent request.

Mr. McCARRAN. That is correct.

Mr. DWORSHAK. Reserving the right to object, will the Senator from Nevada tell us what his proposed modifications are? Is he reflecting the sentiment within the trout industry? The Senator from Idaho was advised that the industry——

Mr. McCARRAN. I am reflecting the sentiments of the industry as it exists in my State. Otherwise I would not make this suggestion. If I thought my request would put the bill out of business, I would not make even this suggestion.

Mr. DWORSHAK. Does the Senator realize that he may be jeopardizing the proposed legislation? Does he prefer to take that chance rather than to concur in the House amendments?

Mr. McCARRAN. I would not take the chance if I thought it would jeopardize the final passage of the bill.

Mr. KNOWLAND. Mr. President, I believe I can give assurances to the Senator from Idaho [Mr. DWORSHAK] and the Senator from Nevada [Mr. McCARRAN]. I understand the amendments proposed to be offered by the Senator from Nevada are not likely to require prolonged discussion, and we shall schedule the bill so that it will not be jeopardized.

SOCIAL SECURITY AMENDMENTS OF 1954

The Senate resumed the consideration of the bill (H. R. 9366) to amend the Social Security Act and the Internal Revenue Code, so as to extend coverage under the old age and survivors insurance programs, increase the benefits payable thereunder, preserve the insurance rights of disabled individuals, and increase the amount of earnings permitted without loss of benefits, and for other purposes.

The PRESIDING OFFICER. The Chair announces that the amendment by the Senator from Minnesota has been withdrawn. The bill is open to further amendment.

Mr. KENNEDY. Mr. President, I call up an amendment which is at the desk, "8–11–54–C," which I have modified, and ask that it be read.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 63, between lines 3 and 4, it is proposed to insert the following new subsection:

EXTRA CREDIT FOR POSTPONED RETIREMENT

(j) Section 202 (a) of such act is amended by striking out the second sentence of such section and inserting in lieu thereof the following: "Such individual's old-age insurance benefit for any month after 1954 shall be equal to his primary insurance amount for such month plus one-twelfth of 1 percent of such primary insurance amount for each month (A) which occurs (i) after 1954, (ii) after the day before the first month in which he is eligible for old-age insurance benefits, and (iii) prior to the month in which he files application for old-age insurance benefits, and (B) during which either he is not entitled to any monthly benefit under section 202 or an event specified in section 203 (b) (1) or (2) occurs. For the purposes of the preceding sentence an individual shall be deemed eligible for old-age insurance benefits in the first month in which he is both fully insured and has attained retirement age."

Mr. KENNEDY. Mr. President, this amendment has been modified to change one-sixth to one-twelfth, which has the effect of changing the credit given to a worker who delays his retirement past 65 from 2 percent to 1 percent a year. As the committee knows, we face a problem of equity concerning men and women who reach the age of 65 and who continue to work. They continue to make contributions to the program but receive no benefits, though they would be eligible to receive them.

In addition, many of these men and women when they reach the age of 65 find that their earnings drop. According to the Social Security Administration, the average age of retirement for men is 69 years of age and the average age of retirement for women is 68.

The purpose of this amendment is to give workers who reach the age of 65 an additional incentive to continue to work. The incentive is very moderate. I have changed it to 1 percent of their benefit. It seems to me that would encourage such men and women not to retire at age 65. They have, under the mortality table, 14 years, as an average, ahead of them. This amendment would encourage them to continue to work for a portion of that period, thus aiding their self-sufficiency and our productive economy. It would give them a very moderate incentive and would not be very costly to the program.

I wonder if the Senator from Colorado would be inclined to accept this amendment.

Mr. MILLIKIN. Mr. President, I think the distinguished Senator from Massachusetts is working on a very laudable undertaking. The committee is very much interested in how to keep elderly people working, if they want to work, at employment for which they are fitted.

Mr. KENNEDY. The committee has made a great contribution to this effort.

Mr. MILLIKIN. We are making a study at this time. We have considered many times the problem of the aging continuing to work. We are deeply interested in what the Senator is endeavoring to do. It is a large subject, and it is one that we cannot resolve on the Senate floor.

Also, as the Senator has now modified his amendment, it would add a cost of $250 million a year, and certainly before that occurs it should be carefully studied by the committee. I wish the Senator would not press his amendment. I can assure him of the continued interest of the committee in this subject. We shall be glad to have the Senator come before us when we begin consideration of another social security bill, which is a continuing subject, also.

Mr. KENNEDY. The Senator is correct in his statement as to how much this provision would cost, but as Mr. Myers, the actuary, pointed out before the Senate Finance Committee, it is preferable not to deal in amounts but in percentages. The cost is 0.14 of 1 percent. I have looked at the figures, the high and the low, which the actuaries for the Senate Finance Committee have projected for the next 60 or 70 years. It seems to me that 0.14 percent of 1 percent would not be an excessive drain on the retirement fund. If we take the optimum conditions about which Mr. Myers talked, we find that by the year 2020 there will be $345 billion in the fund. That, I agree, is the optimum. Nevertheless, it indicates that the percentage of drain which I have discussed should not break the fund, and these people could be receiving money for their years of employment from age 65 to age 70 when they continue to work and pay in.

I should like to see them get some compensation, particularly when we are not in a period of massive unemployment, as we were in the thirties, when we were attempting to get people out of the labor market.

Mr. MILLIKIN. I am very sympathetic toward what the Senator is endeavoring to do. The best information I have confirms the cost of $250 million.

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That is a large sum of money. Considering all the other benefits in this bill, I believe it is a very beneficial bill and involves considerable additional cost.

I suggest that the Senator not press his amendment. Let us make this matter the subject of continuing consideration by ourselves and by the committee. I am sure the Senator will find no lack of interest there.

Mr. KENNEDY. Mr. President, at the suggestion of the Senator from Colorado [Mr. MILLIKIN], I withdraw the amendment.

Mr. MILLIKIN. I thank the Senator very much.

The PRESIDING OFFICER. The Senator withdraws the amendment.

Mr. KENNEDY. Mr. President, I have one more amendment at the desk which I should like to call up, "8–10–54–C," sponsored by the Senator from Rhode Island [Mr. PASTORE], the Senator from Minnesota [Mr. HUMPHREY], and myself. The debate on the amendment will be very brief.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 35, it is proposed to strike out the first 3 figures in column I of the table appearing on such page and insert in lieu thereof "$10 to $12.48."

On page 35, it is proposed to strike out the first 3 figures in column II of the table appearing on such page and insert in lieu thereof "$25 to $30."

On page 35, it is proposed to strike out the first 3 figures in column III of the table appearing on such page and insert in lieu thereof "$35."

On page 35, it is proposed to strike out the first 3 figures in column IV of the table appearing on such page and insert in lieu thereof "$64."

On page 62, line 23, it is proposed to strike out "$30" and insert in lieu thereof "$35."

On page 63, line 3, it is proposed to strike out "$30" and insert in lieu thereof "$35."

Mr. KENNEDY. This is a comparatively simple amendment. The committee raised the minimum from $25 to $30. I am anxious to raise it from $30 to $35. I do not feel it would be an excessive drain upon the fund. I believe it would be of material assistance to those beneficiaries of the old-age and survivors insurance who will receive the minimum of $30 a month. As the Senator from Colorado knows, the average public assistance payment in April 1954 was $51.34. Those who are beneficiaries of the Railroad Retirement Fund, with respect to which the tax is substantially higher, receive $97.75. Civil service retirement beneficiaries in March 1954, average $120, including disability.

The Senator knows that even $35 would not go very far toward maintaining a retired man, particularly with the disabilities which a man over the age of 65 is likely to have.

Therefore, I do not believe that even taking this minimum up to $35 would be a solution to the problem. Nevertheless, even though I appreciate the fact that the committee raised the figure to $30, I believe we should raise it from $30 to $35. Even though that would not be of tremendous assistance to the beneficiary, I think it would lessen the burden on public assistance. Obviously a man cannot live on $30 a month, but must look to other systems, State or Federal, or to other sources of income.

Mr. MILLIKIN. As I see it, we are faced with a very practical problem, which we must consider with respect to anything we do on this subject. The House thought it was making a big improvement in the system when it increased the amount by $5. I do not believe that the House would accept an additional increase. That is the practical problem. It may well be that we may weight this bill down so heavily with amendments that we may find ourselves ultimately with no bill at all, because the House may very well refuse to accept such amendments. As I am informed, the amendment would cost approximately $80 million, which is not a very big figure, comparatively speaking, or as some people would regard it, but neither is it a very small amount.

I suggest that we wait for the development of some experience with the present rates, which I consider to be a little improvement over what they have been in the past. I suggest that we take a little time for observation, to find out how the program will work.

Mr. KENNEDY. According to Mr. Myers, when he testified before the committee, the best basis of figuring costs is as a percentage of payroll, rather than considering the progress of the trust fund. In those terms, the cost of this amendment would be one-twentieth of 1 percent; and if we consider the sound condition of the trust fund and the condition it will be in for the next 70 years, if we take the halfway mark between the low-cost figure and the high-cost assumptions of Mr. Myers, this would not be an excessive drain. Let us instead consider how little $35 must be for the average man to live on, an amount which we realize obviously must be supplemented.

Mr. MILLIKIN. The last thing I would want to do would be to open up for discussion at this time of night the subject of the trust fund. There is a great difference of opinion as to what the trust fund may be used for; not only as to what it may be used for, but also what the proper policy for its use should be. I believe we would encounter tremendous objection in the House in that respect. I know the House feels it went as far as it could go when it took its action in this field, which action the Senate committee adopted.

I have considerable appreciation, of course, for the arguments made by the Senator from Massachusetts. However, I do not want to become involved in doing something tonight which might stymie the whole program.

Mr. HUMPHREY. Is it not true that under the old-age assistance program, considered separately from the old-age insurance program, the Federal Government pays $25 of the first $30?

Mr. MILLIKIN. That is my recollection.

Mr. HUMPHREY. In many States there is an aggregate of old-age insurance payments and old-age assistance payments.

Mr. MILLIKIN. That is correct.

Mr. HUMPHREY. Therefore, actually by raising the old-age insurance payment we would not be spending any more money. Is not that correct?

Mr. MILLIKIN. But each of the two systems rests on a different basis.

Mr. HUMPHREY. That is correct.

Mr. MILLIKIN. If we are to have old-age assistance for as long as we are to have it, we are bound to put it to the needs test, which is obnoxious to me, and perhaps to others also. I do not know of anyone who likes that test.

The point is that in old-age assistance we must meet the need. We do not follow all kinds of philosophies. We find out whether people are in need. Every dollar a person gets in the form of interest on a Government bond, every dollar he gets from the Social Security System, and every dollar he gets from small rental property, or from anything else, has the same value, when we figure the need. When we start to fool with anything else, we destroy the whole philosophy of the system.

Mr. HUMPHREY. I do not believe the Senator and I are in disagreement. I should like to point out that the Federal Government appropriates a rather substantial sum of money every year for the old-age assistance program. I believe it is something like $400 million.

Mr. MILLIKIN. Something like that.

Mr. KENNEDY. One of every eight old-age assistance beneficiaries also receives public assistance.

Mr. HUMPHREY. If we raised the old-age insurance minimum benefits, at least with respect to persons who are the recipients of old-age assistance along with old-age insurance benefits, we would not actually have spent any more money. We would merely have taken money from one fund, to be sure, in larger amounts than was originally contemplated, but the sum total of public moneys that would go to an individual would not be changed.

I also wish to make note of the fact that the old-age insurance fund has been established for the benefit of the people who are covered by that fund. It is not a fund that is to be used for the Department of Agriculture or for the Department of Commerce. It is an old-age insurance fund established for the benefit of the people who are covered under that insurance plan. From all I have been able to gather, the fund, at least in accounting theory, if not in fact—and I think it is so in fact also—is in very good shape. I do not believe that the extra cost of the amendment would be a heavy burden upon the fund, and it may very well relieve the burden upon localities, States, and counties.

Mr. MILLIKIN. That comes back to what I thought we might be getting into when we started to discuss this point. The fund has been collected from people who expect certain things from it. We would be adding additional burdens for which those people did not think they would have to pay.

Mr. HUMPHREY. The benefit under the amendment proposed by the Senator from Massachusetts would go only to the

people who are covered by the old-age insurance program. Every person who is covered by old-age insurance hopes that the Government will increase the benefits.

Mr. MILLIKIN. That depends entirely on who gets it and by how much we increase it, and when it becomes available.

Mr. KENNEDY. We are already treating unfairly the people under the fund who are in the higher income brackets, because the fund is weighted in favor of the people in the lower income brackets. We are treating many groups unfairly as compared with other groups.

Mr. MILLIKIN. I have some opinions on that subject which I cannot express publicly.

The purpose of the fund is one of test; that is, whether anything will happen to the bonds which are in the fund, and which are the security of the obligation, because the American taxpayer must buy those bonds. The person who contributed money for social insurance, the social insuree, will also, as an American citizen, have to meet the appropriations with which to buy those bonds.

Mr. HUMPHREY. Mr. President, any time the Senator does not think those bonds are very good, since he seems to be able to look at the social-security system with more insight than the Senator from Minnesota has, I wish he would serve up some of those bonds on a platter.

Mr. MILLIKIN. The point I was making is that those who thought they were buying insurance will find that they will have paid double. They will have paid at the time, and when they get ready to redeem the bonds—and I hope they will be redeemed—they will have to pay their share of the bonds. All of that, of course, argues for the soundness of the bonds.

Mr. KENNEDY. If we take the depressing view the Senator from Colorado takes of the value of the bonds, the fund is already in bad shape. If we take the more optimistic view, it is in very good shape. The very best actuaries of our country can disagree on a prognosis by about $200 billion to zero as to what their prophecy would be as to the shape of the fund 50 or 60 years from now. Inasmuch as the cost of this amendment is one-twentieth of 1 percent, the cost would not seem to me to be excessive, particularly when we consider its beneficial effects in reducing old-age-assistance rolls and expanding the economy.

Mr. MILLIKIN. All I know about the subject is that our own staff says it would cost, as an estimate at the present time, $80 million a year, which is a great deal of money. I hope the Senator will not press his amendment, because I am sure the House would not accept it.

Mr. KENNEDY. I thought we might have a vote on the amendment, because of the general support it has.

Mrs. SMITH of Maine. Mr. President, will Senators speak a little more loudly? I cannot hear what is being said.

The PRESIDING OFFICER. The Senator from Maine requests that the Senators speak more loudly.

Mrs. SMITH of Maine. Will they not take us a little more into their confidence?

Mr. KENNEDY. Mr. President, I agree that the conversation is becoming increasingly intimate, but we have finished our discussion. I will inform the Senator from Maine, because I would appreciate her support, that my amendment would increase the amount of the minimum benefit from $30 to $35, and the cost of it would be only one-twentieth of 1 percent of the public payroll.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified, offered by the Senatory from Massachusetts [Mr. KENNEDY] for himself and other Senators.

The amendment was rejected.

CORRESPONDENCE RELATING TO CONFERENCE REPORT ON ATOMIC ENERGY BILL

Mr. HENNINGS. Mr. President, it is apparent that the issue of public against private atomic power has not faded since the conclusion of the prolonged debate on the floor of the Senate a few weeks ago. That full-dress and enlightening discussion was, I am sure, largely responsible for the series of Senate amendments in the public interest, which went to conference. Lest, however, the enthusiastic support, which this august body demonstrated for those amendments which have been emasculated by the conferees, has since that time waned appreciably, I ask unanimous consent to have printed a few of the telegrams and messages I have received in recent days criticizing the conference report and insisting on another full debate on the issue at stake.

There being no objection, the telegrams and messages were ordered to be printed in the RECORD, as follows:

JEFFERSON CITY, MO., *August 8, 1954.*
Senator THOMAS C. HENNINGS, Jr.,
Senate Office Building,
Washington, D. C.:

We strongly oppose conference report on atomic energy bill. Hope you will do everything possible to help send bill back to conference with specific instructions that original Senate amendments be adopted.

JULIUS HELM,
Executive Manager, Missouri State REA.

TIPTON, MO., *August 9, 1954.*
Hon. THOMAS C. HENNINGS, Jr.,
United States Senator from Missouri,
Senate Office Building:

Hope you will support sending report on atomic energy bill back to Congress with instructions to adopt original Senate amendments. We greatly appreciate your past support.

JACK H. NEEDY,
Manager, Missouri Electric Cooperative, Inc.

CHILLICOTHE, MO., *August 9, 1954.*
Senator THOMAS C. HENNINGS, Jr.,
Senate Office Building:

The $12 million public investment in the atomic energy program justifies more protection than is provided under the conference agreement. Urge your support to further efforts to secure approval of amendments formerly approved by Senate.

ERNEST C. WOOD,
Manager, Farmers Electric Cooperative.

BUTLER, MO., *August 9, 1954.*
Hon. THOMAS C. HENNINGS, Jr.,
Senate Office Building,
Washington, D. C.:

Important that Senate amendments be left in atomic energy bill. Your support to such an adoption by the conferees is requested.

OSAGE VALLEY ELECTRIC CO-OP ASSOCIATION,
J. F. LAUDERBACK, *Manager.*

COLUMBIA, MO., *August 10, 1954.*
Hon. THOMAS C. HENNINGS, Jr.,
Senate Office Building,
Washington, D. C.:

The Missouri Farmers Association, in convention yesterday, adopted the following resolution on atomic energy:

"Only through an abundant source of low-cost electric power can the people continue to expand our economy and maintain and raise our standard of living. Only the Federal Government can finance the full and effective development of our hydroelectric resources, which resources are the property of all the people. Atomic energy, developed at a cost to the Federal Government of $12 billion, is another great resource for development of electric power. We deplore the efforts to turn our hydroelectric power projects and our atomic energy developments over to a handful of private power monopolists for exploitation, and call upon Congress to resist these efforts.

Keep up the good fight.

FRED V. HEINKEL,
President, Missouri Farmers Association.

WASHINGTON, D. C., *August 6, 1954.*
Senator THOMAS C. HENNINGS, Jr.,
Senate Office Building,
Washington, D. C.:

Believe compromises made in atomic energy bill in conference defeat all major gains you fought so hard for in Senate debate. McMahon Act should not be superseded by bad legislation. Sincerely and strongly urge you oppose conference report.

WALLACE J. CAMPBELL,
Cooperative League of U. S. A.

SCOTT-NEW MADRID-MISSISSIPPI ELECTRIC COOPERATIVE,
Sikeston, Mo., August 2, 1954.
Hon. THOMAS C. HENNINGS, Jr.,
Senate Office Building,
Washington, D. C.

DEAR SIR: The Senate amendments to the atomic-energy bill seemed to be more favorable to the rural-electrification bill than the original draft.

After the conference committee passes the bill back to be voted upon for final passage, we believe all the Senate amendments helpful to the REA program should be left in the final draft of the bill.

Please use your influence along with continued support as you have in the past in our behalf.

Yours truly,

ELON PROFFER,
President.

CAMERON, MO., *August 9, 1954.*
Hon. THOMAS C. HENNINGS, Jr.,
United States Senator:

Would appreciate your support in returning atomic energy bill to conference asking for adoption of original amendment.

JOHN E. BUCK,
President, Northwest Electric Power Co-op.

POPLAR BLUFF, MO., *August 9, 1954.*
Hon. THOMAS C. HENNINGS, Jr.,
Senate Office Building:

Respectfully request your support in sending atomic energy bill back to conference

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with instructions to adopt original Senate amendment.

M. AND A. ELECTRIC POWER CO-OP,
JAMES W. OWNES, JR., *Manager.*

WASHINGTON, D. C., *August 10, 1954.*
Hon. THOMAS C. HENNINGS, JR.,
Senate Office Building,
Washington, D. C.:

Urge you vote to recommit atomic energy bill with instructions to conferees to insist on Senate amendments in regard to compulsory licensing of patents and adequate safeguards on preference rights of rural electric cooperatives.

JAMES G. PATTON,
President, National Farmers Union.

SOCIAL SECURITY AMENDMENTS OF 1954

The Senate resumed the consideration of the bill (H. R. 9366) to amend the Social Security Act and the Internal Revenue Code, so as to extend coverage under the old-age and survivors insurance program, increase the benefits payable thereunder, preserve the insurance rights of disabled individuals, and increase the amount of earnings permitted without loss of benefits, and for other purposes.

Mr. HENNINGS. Mr. President, I call up my amendment 8–6–54–D, and ask that it be stated.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Missouri.

The CHIEF CLERK. On page 136 it is proposed to strike out lines 16 through 21, and insert in lieu thereof the following provision:

EXTENSION OF PROVISION RELATING TO STATE PLANS FOR AID TO THE BLIND

SEC. 302. Section 344 (b) of the Social Security Act Amendments of 1950 (Public Law 734, 81st Cong.) is amended to read as follows:

"(b) The provisions of subsection (a) shall be effective on and after October 1, 1950."

Mr. HENNINGS. Mr. President, I am glad to have joined with me as cosponsors of this amendment my colleague, the junior Senator from Missouri [Mr. SYMINGTON], the distinguished senior Senator from Pennsylvania [Mr. MARTIN], and the distinguished junior Senator from Pennsylvania [Mr. DUFF].

Mr. President, this amendment relates to the blind. It would charge section 344 (b) of the Social Security Act Amendments of 1950 so as to make the provisions of section 344 (a) of that act applicable without limitation as to time. At present the time limit on section 344 (a) is June 30, 1955, approximately a year from this time. The bill passed by the House of Representatives and reported by the Senate Finance Committee would retain a time limitation but would extend it for 2 additional years, until June 30, 1957.

The Social Security Act now permits maximum earnings of $50 a month to be disregarded by the State agencies for the blind in determining whether blind individuals are entitled to assistance under the Federal-State program. My own State of Missouri, and the State of Pennsylvania as well, have long had laws which permit blind recipients of aid to have approximately $1,100 a year in other income and still be eligible for assistance.

Before the enactment of section 344 (a) of the Social Security Act Amendments in 1950, it had been held that Missouri and Pennsylvania could not receive Federal money even for those recipients who had no other income because the States also wished to grant assistance, out of their own funds, to some blind people while permitting them to have income in excess of the amount allowed under the Federal law. The question of States' rights is involved, as well as what we consider fair treatment for the blind people of the States of Pennsylvania and Missouri.

Earnings up to $1,100 do not seem to me, nor do they seem to the people of my State, as exemplified by our State law, to be unduly high. From what I have learned in conversations with the distinguished Senators from Pennsylvania, it does not seem to the people of Pennsylvania that $1,100 is unduly high.

In my opinion, it is only fair and proper that we should be permitted to retain this standard permanently, provided that only State funds are used for payments to individuals who do not qualify under the more restrictive conditions required for Federal assistance.

The Federal law provides $600. We believe that $1,100 is not excessive for the blind to receive as income in order to come under the State provisions. In our State we are very happy to make this additional contribution to our blind people. We do not believe that the blind people who fall within the $600 limitation should be excluded, because all the blind in our State do not come under that $600 limitation. We feel that our State is advanced and is perhaps considerably more enlightened on this question than are some other States.

The enactment of section 344 (a) made these States eligible for Federal assistance for aid payments to blind individuals who meet the income limitations imposed under the Federal program. At the present time, the Federal Government shares in payments of assistance to almost two-thirds of those receiving aid in Pennsylvania and slightly more than three-fourths of the number of blind recipients in Missouri.

The States bear the entire cost of assisting those who are not eligible under the Federal program. Of the total expenditures for aid to the blind in these States in 1953, Pennsylvania bore 63.7 percent of the cost and Missouri bore 53.2 percent. In neither State was one Federal dollar used to pay aid to any individual who did not meet the stringent eligibility requirements of the Federal law. The effect of the time limitation in the present law, and also in the amendment proposed by the House and the Finance Committee, is that States which have entirely State-supported programs more beneficial to the blind than those in which the Federal Government participates, will be penalized after a specified period of time by the withdrawal of Federal funds.

Mr. THYE. Mr. President, will the Senator from Missouri yield?

Mr. HENNINGS. I shall be glad to yield in a moment. I am speaking under a limitation of time.

I believe, Mr. President, that the present situation is unjust both to the States and to the blind individuals in need of assistance.

Mr. THYE. The question which occurs to me is whether the situation in Missouri and Pennsylvania is different from that in any other State of the Union? What is the situation in those two States?

Mr. HENNINGS. I have undertaken to state the difference.

Mr. THYE. I realize that, but what is the difference?

Mr. HENNINGS. In Missouri, State assistance to the blind who get over $1,100 a year from State funds.

Mr. THYE. But the question is, What is the situation in other States? Is it entirely different, or is the situation in Missouri and Pennsylvania percentagewise greatly different from the situation in other States? I was trying to get clear in my mind what might be the situation in Massachusetts, for example.

Mr. HENNINGS. I do not know what the situation is in Massachusetts. Perhaps the distinguished chairman of the committee could help me by answering that question.

I am concerned with the problem in the States of Pennsylvania and Missouri. I know that in those States a more liberal view of the matter is taken. We are willing to do more for our blind in those States, but we are not asking for any more Federal money.

Mr. THYE. But this is an amendment to a Federal law. I wanted to be certain how the amendment would affect other States in the Union.

Mr. HENNINGS. It would have no effect whatsoever on any of the other States.

Mr. THYE. Other than Pennsylvania and Missouri?

Mr. HENNINGS. I now think I see the point which my good friend from Minnesota was undertaking to make. I am sorry for not having been more responsive to his question. I should like to be corrected by the distinguished chairman of the committee if I am in error.

I can see no way in which this amendment would affect other States of the Union.

Mr. MILLIKIN. I think it offers some special treatment which is not available to other States in the Union.

Mr. HENNINGS. Prior to 1950, Missouri was required to meet the Federal standard of not giving State aid, upon the pain of not getting Federal contributions, where the amount earned per year was in excess of the Federal criterion. Am I not correct?

Mr. MILLIKIN. The Senator is asking for Federal aid in the case of the States of Missouri and Pennsylvania, which do not comply with the requirements imposed upon other States. With the thought in mind of enabling the States to get the matter straightened out, we have given time, or have been willing to investigate and give more time. I understand the Senator desires the same thing, but he wants it permanently.

Mr. HENNINGS. That is exactly right. I hope to answer the Senator's point later, as I go into a discussion of the amendment which has been offered, and which we believe is sound from the standpoint of administration and the standpoint of simple justice. We believe it is fair to the States of Missouri and Pennsylvania, and that it is fair to the Federal Government. It provides for these States nothing more than equal treatment with other States. But it removes the sword of Damocles which now hangs over them. I strongly feel that the amendment should be agreed to, so that these States may proceed upon a long-range basis.

Aid to the blind is more generous and liberal in Missouri and Pennsylvania than that which has been permitted under the Federal law. We believe that broad and worthwhile State programs of assistance to the blind ought to be encouraged and helped by the Federal Government, rather than having their development discouraged and hampered.

In asking for the complete elimination of the time limitation on the 1950 amendment, Missouri and Pennsylvania are not asking for special treatment permitting them to use Federal funds for purposes not authorized in other States. They are merely asking for equal treatment in claiming a right to receive Federal contributions to blind people admitted by everybody to qualify under authorized Federal-State programs.

Since Congress itself, in the 1950 Amendments Act, established the principle that blind persons receiving aid ought to be allowed to earn up to $600 a year, it is very hard for us to understand why the Federal Government should deny funds to Missouri and Pennsylvania because, at their own expenses, those two States have extended this principle to include blind persons in distress, or who earn up to $1,100 a year.

Missouri and Pennsylvania have, through their State-financed programs, kept alive hope and opportunity of better lives and the achievement of self-support for all their blind people. Assisting blind individuals to rehabilitate themselves and make their contribution to society by enlarging their economic opportunities through reasonable exemptions of income and accumulations of property is an objective which ought to be at the foundation of all aid programs for the blind. Programs of assistance should not help only blind persons in distress, but should help them to get out of distress.

In answer to the suggestion made by the chairman of the committee, that we have been given some time to straighten ourselves out, as he put it, we have not viewed the situation in that way, but have interpreted it as an indication that this is unduly restrictive discretionary action by Federal administrators; and the promise by Congress, as we interpret it, is a promise of action before 1955 to clarify the rights of the States to be free from interference with State programs where no Federal funds are involved, as in this case.

We believe it is very important that action be taken now, because the principle remains the same, whether it is adopted now or in the future. The sooner this question is decided, the better it will be for everyone concerned.

The important issue is whether Federal funds are to be used as grants-in-aid to assist States to raise their standards, or are to be used to coerce States into lowering their standards as affecting blind persons within their boundaries.

Mr. MARTIN. Mr. President, will the Senator yield?

Mr. HENNINGS. I yield.

Mr. MARTIN. I appreciate very much the fine manner in which the distinguished Senator from Missouri has presented the case. We of Pennsylvania are fully in accord with what he has said.

Mr. HENNINGS. I thank the distinguished Senator from Pennsylvania.

Mr. MARTIN. I am certain the case could not have been better presented. We believe that this is an important issue, and that our States are entitled to relief.

Mr. HENNINGS. This proposal will not cost the Federal Treasury 1 cent. We believe that our program for the blind is an enlightened one, and that we should not have to pay a penalty because we are ahead of other States. We believe we should be entitled to have $1,100 a year for our blind. We are not relinquishing the position we have taken on behalf of our unfortunate citizens.

Mr. MILLIKIN. Mr. President, the committee gave careful consideration to the proposal contained in the amendment offered by the Senator from Missouri, under which Federal grants to certain States having aid-to-the-blind programs which do not meet the needs test provision of Federal law would be made permanent. It was the decision of the committee to provide another 2-year extension rather than a permanent extension, so that the present practices in administering aid to the blind in Pennsylvania and Missouri could be continued and in turn ample time would be allowed for further study on which to base a final determination.

That has already been decided upon and is in the bill. Missouri and Pennsylvania are not under any present need. They have 2 years in which to adjust their plans in accordance with those of the Federal Government.

By extending the expiration date from June 30, 1955, to June 30, 1957, as is provided in H. R. 9366, the States of Pennsylvania and Missouri would be enabled to carry out what is in effect two aid-to-the-blind programs—one under which payments to recipients would be matched by Federal funds because the need-test requirement of Federal law would be met and the other would be financed without Federal funds because the Federal requirement relating to need was not met.

To make the provision permanent at this time, as proposed by the Senator from Missouri, would be to say that the States of Pennsylvania and Missouri should continue for all time to receive special treatment that is not available to other States. In opposing this amendment, it is my thought that before June 1957, the Congress would have an opportunity to determine whether the practices in Missouri and Pennsylvania are sound and should be extended to the rest of the States. On the other hand, if the practices are found not to be sound, then Pennsylvania and Missouri should be required to meet the same conditions as are met by the other States.

I do not purport to judge what the final decision should be. I urge that the defeat of the amendment to H. R. 9366 would give ample protection to the two States now administering aid to the blind programs without a needs test. By June 30, 1957, we shall be in a better position to determine whether or not this special provision should be made applicable to all States or whether it should be deleted from the Federal law governing aid to the blind programs in which the Federal Government participates.

Mr. HENNINGS. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield to the Senator from Missouri.

Mr. HENNINGS. Do I correctly understand the distinguished Chairman of the Finance Committee to suggest that it is possible that the Federal Government may conclude that the Pennsylvania and Missouri plans are superior to those of the other States which are now under the plan?

Mr. MILLIKIN. They might conclude that after study; and if so I have made the suggestion then that this privilege should be open to all the States, and it should be the privilege of all of the States. At the present time we are preserving the position of Missouri and Pennsylvania by keeping it open so they can follow what they are doing for another 2 years at least and give them time to make adjustment if they want to make adjustment, and at the same time give the Federal Government a chance to determine whether it wants to give the same sanction to all States.

Mr. HENNINGS. May I ask the distinguished chairman another question in that connection? If Missouri starts to make its adjustment downward, to go from $1,100 to $600 in order to meet the requirements of the act, and if after this study which the distinguished chairman of the committee suggests be made the Federal Government decides to go up to $1,100, if Missouri is working down and the Federal Government is going up, we are adjusting to something which it has been suggested may work out entirely different, so that while we are going down the Federal Government is going up.

Mr. MILLIKIN. That simply emphasizes the difficulty, one runs into when one carves out 2 States from the 48, and puts them into a special position.

Mr. HENNINGS. Is this program costing the Federal Government any money?

Mr. MILLIKIN. I am not complaining about that situation on a temporary basis. During such a period we should be liberal, and we are liberal because we have advanced the time for 2 more years, but all the effects that the Senator is talking about result from that separate, peculiar situation in 2 States of the Union, which may be sound.

Mr. HENNINGS. That is true, because our States are more liberal.

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Mr. MILLIKIN. If it is sound it should be available to all of the States.

Mr. HENNINGS. I ask the chairman this question for my own enlightement: It is true, is it not, that under this system the blind who do not come within the category required under the Federal provisions do not get any money or the benefit of any participation in Federal funds?

Mr. MILLIKIN. I take it the Senator's State does have a State system.

Mr. HENNINGS. We do have a State system. I am speaking of the Federal contribution.

Mr. MILLIKIN. If the State does not comply with the Federal requirement, the State does not receive Federal funds, and if the State feels that it is able to do so—and I assume it does—the State has another system in which the State manages its own rules and regulations. My sole point is that if the system in the Senator's State is a good one, let us extend it to the 48 States rather than carve out 2 exceptions for 2 of the States, and accommodate the peculiar situation which those 2 States find themselves in.

We do not say, "Off with your necks," but we have twice extended the period so that the State could change if it wanted to and so that the Federal Government could change if it wanted to.

Mr. HENNINGS. Of course, it is most desirable from our standpoint to change if we must change, and to know what we must do, but I am always greatly encouraged by the Senator from Colorado to know that the Federal Government has been studying this problem for 4 years.

Mr. MILLIKIN. I probably made a misstatement. We have extended it for 2 years, which indicates it was before us for the first extension of 2 years, and it was before us this year, and I have no doubt that so long as those two States are as ably represented as they are at the present time we will hear from those States again next year and the following year, and I hope we do.

Mr. HENNINGS. I suggest that we will not give up hope. At least we have the mental hospitality of the distinguished chairman of the committee. I feel that he will entertain our suggestions, as will the other members of the committee when the time comes.

Mr. MILLIKIN. The Senator has my mental hospitality; and I am deeply grateful for the Senator's remarks.

Mr. HENNINGS. I appreciate very much the spirit of cooperation which the distinguished chairman of the committee has given to all of us in that connection. This is not an easy problem. It is a very difficult one. I wish to make it clear that our State is not seeking anything more from the Federal Government. We are simply contributing more out of our own State funds to our own State program, and want to be included insofar as the other States are included and with relation to the same criteria as apply to the other States insofar as concerns the contributions to those who are below the criteria.

Mr. MILLIKIN. I thank the Senator very much.

Mr. HENNINGS. I thank the distinguished chairman.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Missouri [Mr. HENNINGS].

The amendment was rejected.

Mr. JOHNSTON of South Carolina. Mr. President, I call up my amendment 8–12–54–C and ask that it be stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 104, between lines 7 and 8, insert a new section as follows:

SEC. 115. (a) Section 216 (a) of the Social Security Act is amended by striking out "sixty-five" and inserting in lieu thereof "sixty."

(b) The amendment made by this section shall be effective in the case of monthly benefits under title II of the Social Security Act for months after August 1954, and in the case of lump-sum death payments with respect to deaths occurring after August 1954.

Mr. JOHNSTON of South Carolina. Mr. President, the purpose of this amendment is to reduce the eligibility age from 65 to 60, so that our citizens who have reached the age of 60 and who can qualify will be eligible to receive monthly benefits under title II of the Social Security Act. The same principle would also apply in the case of lump-sum death payments. During the past several months thousands have been laid off, especially in the textile plants, and these people have been unable to secure employment.

As Senators are aware, it is very difficult for one to secure suitable employment after a person reaches the age of 60. From my knowledge of existing conditions, I feel that this amendment is very much needed.

To call attention to what is taking place in the cotton mills of South Carolina, I might say we have approximately 160,000 people employed in the industries of my State. Having worked in the cotton mills, I know exactly what they have to do, and what they have to contend with. Let a man or a woman reach age 60, and thereafter it will be found that he or she cannot maintain the production that a younger person can. To illustrate my point, I will state what they must do.

In the weave room, the weaver will probably operate some 26 or 30 looms or more. They must walk up and down continuously all day long, and they do not have any place to sit. They must continue walking. One can imagine how long a person who reaches 60 is going to last doing that. Therefore, at the first opportunity the operators of the mill find something wrong, and these people are laid off. They cannot come in under the social-security system until they are eligible by reason of age. The situation is causing a great many people to be out of employment. Many of these people did not go to work when they were 20 years of age, but rather when they were 11, 12, or 13 years of age. I know from my own knowledge because I went to work in the cotton mills when I was 11 years of age. There are others who went to work at ages even younger than that in those days.

To give an idea as to how many people it would cover, according to the Statistical Abstracts of the United States, 1953, there are the folowing age groups in the United States 60 years of age and over:

In the age group of 60 through 64, up to age 65, there are 6,059,475 people. We know, of course, that even in the age group up to 65 a great many people will continue to work. That does not mean there will be 6 million people on the rolls, although of course, that many people would be eligible. If there were that many people added to the rolls, it would represent a cost of more than a billion dollars, but that situation would not occur. In certain industries workers lose out more than in other industries, however.

We know that in some industries elderly people can continue to work, but in other industries it is almost impossible for them to do so.

In the age group of from 65 to 69 there are 5,002,936 people. At the present time more than 3 million people are working at that age. That statement does not mean that they all come under social security. Only a small percentage of those people have been covered in the past.

We find, also, that as the age groups go up the figure as to workers employed goes down.

According to these statistics we have 18,329,012 people who are above the age of 60. Of course, all the citizens I have mentioned will not qualify, but something must be done to take care of this situation, because those people are not going under old-age assistance when they are out of employment. Probably each person has a daughter or somebody else in the family working, which disqualifies him for drawing benefits under old-age assistance.

I know at this time the bill under consideration covers other matters. It is possible the chairman of the committee will not think it is advisable to attempt to include this matter. However, I desired to call it to the Senator's attention, and in the future I hope the Senate will provide something along this line.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. MILLIKIN. The purpose of the amendment is most laudable. As long as I have been around the Capitol and have been on the Senate Finance Committee, we have hoped that we could reduce the age requirements. However, the cold fact of the matter is that the way the system is set up and the way we can picture the system as being set up in the reasonably near future, at least, to provide such coverage would cost too much to be practicable

Mr. JOHNSTON of South Carolina. Mr. President, may we have order, please. I cannot hear the Senator.

The PRESIDING OFFICER. The Senate will be in order.

Mr. MILLIKIN. Let me repeat. I think the Senator's solicitude for the people of that age group is very commendable, and is shared by the members of the Senate Committee on Finance. However, as long as I have been on the committee we have always considered

the question of age whenever we have considered a social security bill What is the correct retirement age? How much can we pay? When shall the payments begin?

This suggestion, I most respectfully say, involves a very exorbitant cost. On a level premium basis, the cost would be 2¼ percent of the payroll. The actuarial estimates disclose that if the age requirement were dropped to 60 years the expenditures in the first year would be increased by $1.5 billion or $2 billion.

The adoption of this amendment would mean that the ultimate combined tax rate would have to be about 10½ percent of the payroll, instead of the present estimate of 8 percent.

Therefore, I say to the Senator that even recognizing how laudable his purpose is, no one has been able to figure out a system which will be able to carry that cost at the present time.

Mr. JOHNSTON of South Carolina. Is there any method which can be worked out to cover the situation of a person who cannot secure employment, after reaching the age of 60? Assume the person is disabled for work. Would there be any way to include one in that category?

Mr. MILLIKIN. I believe that would open up a vast field. I do not say it could not be figured out, but I think we would have to consider much larger questions, which would divide the Senate very severely. That matter may be well worth going into, but we cannot do it here.

I hope the Senator will not press his amendment, because I know it would not be accepted by the House, and I do not believe it is practicable as of this time.

Mr. GEORGE. Mr. President, will the Senator yield for a suggestion?

Mr. JOHNSTON of South Carolina. I yield.

Mr. GEORGE. It is very easy to think of a $19 billion fund, which is constantly increasing in amount, as being no burden on the Treasury. That is true in a sense, because this trust fund is collected for the benefit of the beneficiaries or those who may become beneficiaries of it.

However, I call the attention of the Senator to the fact that now, in view of the present condition of the Treasury, if we made a change in the social security law which would cost about $1½ billion or $2 billion, we would have to obtain the money some place. The Government's bond is in the fund. The Government will have to pay its bond.

The total revenue which is now available to the Government would be reduced if such a change were made in the law. When we begin to reduce it by such a sizable amount as $2 billion—and that is about what this would cost; from $1½ billion to $2 billion—with the Treasury in its present condition, that action would detrimentally affect our financial stability.

It may be that we ought to take such action. Maybe we should not have the trust fund; but we have it. The fund is not composed of money. The money would have to come from some other source for the time being.

I invite the Senator's attention to that fact. I have long worked toward reducing the retirement age in the case of women to 60 years. I thought men might very well work somewhat longer, but I felt women should be allowed to retire at the age of 60. I still believe we ought to work toward that end. At this time, however, when the Government is availing itself of all the funds at its command, and has merely IOU's out for those funds, if we are going to make a change in the system which will cost $1½ billion or $2 billion, it seems to me we had better be slow about it and that we should wait until we improve the condition of the Treasury.

Mr. JOHNSTON of South Carolina. I realized the cost when I offered the amendment, but I thought, when we were sending billions and billions of dollars overseas for other people, we certainly ought to be looking out for our own people here at home who are in need. That is my opinion. That is the only reason I have advocated anything like this. If we could not cut off the billions of dollars for aid for people who are not even giving us anything in the United States, it seems to me we could provide something for our own people here at home.

SEVERAL SENATORS. Vote! Vote! Vote!

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from South Carolina [Mr. JOHNSTON].

The amendment was rejected.

Mr. STENNIS. Mr. President, I call up my amendments designated "8–11–54–D."

The PRESIDING OFFICER. The clerk will state the amendments.

Mr. STENNIS. Mr. President, I ask unanimous consent that the reading of the amendments be dispensed with and that the amendments be included at this point in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments offered by Mr. STENNIS are as follows:

On page 3, beginning with line 3, strike out all through line 20.

On page 3, line 21, strike out "(5)" and insert in lieu thereof "(3)."

On page 4, beginning with line 3, strike out all through line 6.

On page 29, line 14, strike out "(1), (2), and (3)" and insert in lieu thereof "(1) and (2)."

On page 29, line 16, strike out "paragraphs" and insert in lieu thereof "paragraph."

On page 29, line 17, strike out "(4), (5), and (6)" and insert in lieu thereof "(3)."

On page 114, beginning with line 10, strike out all through line 18.

On page 114, beginning with line 23, strike out all through page 115, line 13, and insert in lieu thereof "SEC. 204. (a) Section 3121 (b) of the Internal Revenue."

On page 115, line 20, strike out "(c)" and insert in lieu thereof "(b)."

On page 119, line 9, strike out "(d)" and insert in lieu thereof "(c)."

On page 119, line 14, strike out "(e)" and insert in lieu thereof "(d)."

On page 119, line 15, strike out "(c) and (d)" and insert in lieu thereof "(b) and (c)."

On page 119, line 17, strike out "subsections (a) and (b)" and insert in lieu thereof "subsection (a)."

On page 120, line 2, strike out "(8) (B)."

The PRESIDING OFFICER. Without objection, the amendments offered by the Senator from Mississippi [Mr. STENNIS] will be considered en bloc.

Mr. STENNIS. Mr. President, I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from Mississippi is recognized for 10 minutes.

Mr. STENNIS. Mr. President, these amendments together propose to restore the present law with reference to farm workers. The House bill contained certain provisions with reference to farm workers which added approximately 1,300,000 persons. The Senate bill has another provision for farmers which adds approximately 2,500,000 persons.

I oppose the trend of adding people to the social security system, not by the thousands or hundreds of thousands, but by the millions. Certainly with reference to some of these groups, we are adding to a roll which will become a pension roll, and the Federal Government will have to finance a great percentage of it.

Here in one breath we are adding 2½ million people to these rolls who in time will become eligible for at least partial pensions. The basic concept of the social security system is that it is primarily for industrial workers, and I do not believe it is supposed to include great groups of people who are situated as this group is situated.

I find that there is some difference of opinion, in the first place, as to whether or not a tenant farmer, a man who leases the land, is covered by the Senate bill. I should like to ask the chairman of the committee for his opinion whether or not the provisions of the Senate bill cover a leaseholder, that is, a man who rents 50 acres or 100 acres of land. He leases the land for a year.

Mr. MILLIKIN. He is not covered, sir.

Mr. STENNIS. Under the definition of the Senate bill, is he covered?

Mr. MILLIKIN. Does he rent the land?

Mr. STENNIS. He rents it for a year. To that extent he is a leaseholder.

Mr. MILLIKIN. He is not covered if he is a renter.

Mr. STENNIS. I am glad to hear the Senator make that statement. I understood there was some difference of opinion as to whether or not the Senate bill covers a man who is renting the land, whether he is called a leaseholder, a sharecropper, or whatever he may be called in the common terminology.

I understand that one of the attorneys for the Social Security Board was of the opinion that farm tenants were included in the coverage.

I raise that point to show that there has been some uncertainty about it.

Mr. President, as I said, workers are being added to the rolls by the hundreds of thousands and even by the millions. To qualify, an individual has only to earn as much as $50 within one quarter. Under the present law he has to be regularly

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employed for one quarter, and when that quarter is up he becomes eligible for the first time to be on the rolls. In the second quarter he has to earn as much as $50 and has to work, I believe it is provided, as much as 60 days during that quarter.

According to the report, about the only real reason assigned for changing the law is the difficulty of keeping the records. The Senate committee report contains this sentence:

> In general, after a farm worker has worked for one employer continuously for an entire calendar quarter, he is regularly employed in succeeding quarters if he works for that employer on a full-time basis on at least 60 days during the quarter.

In other words, the present law does not take in all the migrants who ramble around over the country and work a little here and there, here today and gone tomorrow.

Reading further, the report says:

> Records must be kept over a substantial period before it is clear whether or not an individual is covered.

The Federal law makes it rather severe on the employer and holds the employer responsible for knowing whether or not the man was employed during the preceding quarter, and when he meets the requirements. But this onus is certainly not sufficient reason to add 2½ million more to the rolls, merely to avoid bookkeeping.

Mr. DANIEL. Mr. President, will the Senator yield?

Mr. STENNIS. In a moment.

The report further says:

> The bill—
>
> Meaning the Senate bill—
>
> would substitute a simple coverage test for the present test—

Meaning that under this law the bill would give a simple coverage test, and that is about the only real justification.

I am now glad to yield to the Senator from Texas.

Mr. DANIEL. Does the Senator mean to say that under the bill which is now before the Senate, anyone is eligible for coverage who earns as much as $50 during a quarter?

Mr. STENNIS. The Senator is correct. I read from the report:

> A farmworker would be covered with respect to his work for an employer if he is paid at least $50 in cash wages by that employer in a calendar quarter.

It is a fact, Mr. President, that the only thing a person has to do to qualify and to be covered under this law is to earn the relatively small sum of $50 during a 90-day period. He then comes under social security coverage. That kind of worker is not going to pay any of the cost. The entire burden will fall on the employer. He will be the only one who will be responsible.

I submit in all seriousness that for such a small charge, such a small contribution, such a little showing on his part—and actually he will not pay anything—it is not fair to those who are already in the social security system, who have paid into this fund, and who have a vested interest in it, to put the name of such a person on the list so in the future he will have in many respects the same vested rights as those who are regularly employed and are making regular payments.

I submit to the Senate that this is a matter of keeping faith with those who are already on the rolls, who are making contributions, and who are making this fund work. I believe it is such additions as this which will eventually trip up this program and cause it to become unsound financially. When that happens, it is automatically converted into a pension system.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. STENNIS. I am glad to yield.

Mr. JOHNSTON of South Carolina. If it be true that the worker must earn $50 in a quarter, or 90 days, how much would he receive each 90 days after he was 70 years of age?

Mr. STENNIS. The Senator from Mississippi does not have that figure at hand.

Mr. JOHNSTON of South Carolina. The Senator will find he would draw at least $30 per month, $90 each quarter. I think that is true.

Mr. STENNIS. That is a very good point, indeed. By the comparison between those figures, the Senator from South Carolina has brought out in very vivid form, in actual dollars and cents, just what the situation would be.

By this amendment I do not attempt to change the present law. The amendment would strike out the additions under this bill and revert to the present law. I assume that those who are already covered by the law have a vested right. It is contractual to an extent, and I would not try to disturb it. When we restore the present law we go back to the formula, reading from the report:

> Under the present law, in order to be covered, a farmworker must be "regularly employed" by one employer and receive cash wages of $50 or more in a calendar quarter from that employer.
>
> The definition of "regularly employed" is complicated and difficult to apply. In general, after a farmworker has worked for one employer continuously for an entire calendar quarter, he is "regularly employed" in succeeding quarters if he works for that employer on a full-time basis on at least 60 days during the quarter.

In other words, if he stays on a job for 90 days and has the stamina and permanence and is a fixture and an economic unit, when he goes into the second quarter, he is eligible under this system and he is a rather stable and substantial regular worker. That is under the present law.

Under the bill, we are to bring in all the groups of migrant and reckless and irresponsible workers, who will pay virtually nothing, and the entire burden will fall on the employer, and those workers will get a vested right in the fund, to which they will contribute very little. In justice to those who are covered and have been paying into the fund, this amendment ought to be adopted.

Mr. MILLIKIN. Mr. President, the amendment offered by the Senator from Mississippi would exclude a group of workers who are most in need of the protection provided by the old-age and survivors insurance system. They have less opportunity to build up resources for their old age than do most other members of the working force. They are not covered by any other retirement plan. And because they must often move from place to place to perform their work, they are often unable to meet the residence requirements of public assistance programs.

I feel called upon, therefore, to make a special plea on the behalf of the coverage for agricultural workers provided in the bill as reported by the committee. Four years ago when the 1950 social security amendments were before the Senate I said, in discussing the need for making the system more effective in agricultural areas, that we must deal with the question of coverage of farm workers more thoroughly than we had so far. I also said at that time:

> We are covering only a small proportion of the farm workers. The administrative difficulties of trying to keep track of migrant workers, of getting and keeping them covered * * * seem at times to be almost insurmountable. Yet I am hopeful that further study will result in clarifications.

Mr. President, I am satisfied that these administrative problems have been solved, and that the provision of the present bill—to cover agricultural workers who earn at least $50 in a calendar quarter from one employer will present no burdensome administrative problems on the farmers of the Nation. The $50 cash test, for example, makes it unnecessary for the farm employer to report on workers hired for only 2 or 3 days and would also avoid nuisance reporting of small amounts of wages. At the same time the $50 test sets a level which will cover some migrant agricultural workers who must move from one job to another in order to harvest our crops.

The committee was influenced by the fact that this method for covering agricultural workers was recommended by the President in his message of January 14, 1954, after a study had been conducted as to the feasibility of extending coverage of the system. A distinguished group of consultants—including representatives of the National Grange, the American Farm Bureau, the life insurance industry, labor, and the Departments of the Treasury, Agriculture, and Health, Education and Welfare—participated in this study. This group concluded that the regularly employed test in existing law should be eliminated. Under this regularly employed test after a farmworker has worked for one employer continuously for an entire calendar quarter, he is covered if in succeeding quarters he works for that employer on a full-time basis on at least 60 days during the quarter. It was the opinion of the study group that this test is an unnecessary complication. The test in existing law limits coverage of agricultural workers to only about 700,000 individuals. By employing the $50 cash test provided in H. R. 9366, an additional 2.6 million farmworkers would be afforded the protection of the system. These people need protection against want in their old age. Their families

need protection when the breadwinner dies.

Finally, I wish to point out that lack of coverage of farm workers has an important effect on public assistance costs. In the farm counties of this country, 31 percent of the aged people are receiving old-age assistance while only 13 percent are getting old-age and survivors insurance benefits. In nonfarm counties the situation is almost reversed since around 36 percent of aged persons get old-age insurance benefits while only 17 percent receive old-age assistance payments.

A situation which finds nearly 1 out of ever 3 aged persons in farming areas on public relief is not good for human dignity, and morale, and not desirable from the standpoint of the taxpayers either. Coverage of additional farm workers will thus be an important step in decreasing the number of people who are forced to ask for old-age assistance in their declining years, and thus help to decrease the cost of the assistance programs which are financed from general revenues.

Around 2.6 million farm workers would lose the right to social security benefits if this amendment is accepted.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. STENNIS. The amendment would not affect anyone who is already on the rolls. That is correct, is it not?

Mr. MILLIKIN. That is correct.

Mr. STENNIS. I understood the Senator to say that 2,600,000 persons would lose the benefit of the act. They do not have the benefit now, and therefore the amendment would not deny the benefit to them.

Mr. MILLIKIN. I am not saying that they already have coverage. However, 2,600,000 people who do not have protection at the present time would get it if the bill passes unamended in the particular which the Senator has described.

Mr. STENNIS. The Senator from Colorado is correct.

Mr. MILLIKIN. I urge the Senate to reject the amendment, so that these workers who are most in need of such protection may be covered by the social-security system.

Mr. STENNIS. Mr. President, I yield myself 2 minutes. This is certainly not a relief measure. It is certainly not a pension plan. If it were, of course the people to whom the Senator from Colorado has referred would be entitled to be placed on the rolls. That is not the purpose of the bill. If we maintain the system as a sound social-security program, it must be maintained on a sound financial basis. That is one of the main reasons for my objection to those people being included. I come from a State which has many farm workers.

Mr. THYE. Mr. President, will the Senator yield for a question?

Mr. STENNIS. I yield.

Mr. THYE. Is is not true that when the program was first put into effect, the people who are covered under it had to meet certain qualifications for old-age insurance? In other words, they had to qualify in the first quarter during which they contributed. We are always confronted with that situation. We are confronted with it now. Unless we broaden the system and permit these people to come under it, we will have many people walking up and down the streets asking for handouts, trying to find some support through gifts or other generosity of the public. I believe those people must be taken care of. We must take care of the people who reach the age of 65, and who are reaching the age of 65 within this calendar year, even though they have been working and making a contribution for only a period of 3 months. At any rate, if a person has already reached the age of 65, I am sure the Senator would not deny him the right of coming into this program and receiving the benefits of it.

The PRESIDING OFFICER. The time of the Senator from Mississippi has expired.

Mr. STENNIS. Mr. President, will the Senator yield me 2 minutes?

Mr. MILLIKIN. Certainly. I should like to have the Senator yield to the Senator from Minnesota.

Mr. THYE. I will say to the Senator from Mississippi that the chairman has some time available. I fully appreciate the fact that I have trespassed on the time of the Senator from Mississippi. I have completed my statement, and I am happy that the chairman has surrendered some time to the Senator from Mississippi.

Mr. MILLIKIN. I am glad to yield some time to the Senator. How much time does the Senator from Mississippi desire?

Mr. STENNIS. I would appreciate it if the chairman would yield me 2 minutes.

Mr. President, my point is that as to persons 60, 62, 64, or 65 years of age, it is not good practice to try to exclude them from the program. I am talking about the long-range program. If we want to give them special relief, that can be provided by another bill. I am talking about the choking-down effect in afteryears. I have before me figures from the report. The Senator from South Carolina is correct in his statement. The minimum monthly benefit amount for a retired worker would be $30. I shall not go into further detail.

Mr. THYE. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. They could get up to $30 a month on reaching the age which I have mentioned.

I yield to the Senator from Minnesota.

Mr. THYE. A man must work a minimum of a year and half before he is eligible. There is no way of reaching this question, because we shall always have men or women reaching that age, no matter what we do. Therefore, if they work a year and a half before they can become qualified, that is a safeguard in itself.

Mr. President, I believe the Senator's amendment should be defeated. He is trying to give aid to those who otherwise would be on direct welfare if they did not come under such a bill as that which is before us.

Mr. HOLLAND. Mr. President, will the Senator from Minnesota yield?

Mr. THYE. I shall be glad to yield if I have a right to yield.

Mr. HOLLAND. Is there anything peculiar about the old-age program with reference to the point of qualification? Is it not true that under commercial life insurance, disability insurance, or accident insurance policies, if only a few payments are made and an accident or disability occurs, the benefits accrue? Is it not true that in connection with every other type of commercial insurance the decision is based on the average, and not on individual cases?

Mr. THYE. The Senator is entirely correct. There must be a beginning, and it is determined actuarily, based upon life expectancy. I think the committee should be commended for having gone into this subject, and for extending and expanding the law so as to enable people to live in dignity when they approach old age.

Mr. HOLLAND. With reference to living in dignity, I am sure the Senator means that instead of having to live, in the event of old age, on a dole granted by a friendly government, the beneficiary lives upon something that has been earned, whether by few payments or many payments. He has the benefit of something as a matter of right. That would lend dignity to one who claims under this kind of an act, rather than by receiving a dole.

Mr. THYE. That is the thought and the philosophy which brought about the Old-Age Insurance and Survivors Act.

Mr. CASE. Mr. President, will the Senator yield?

Mr. MILLIKIN. I am glad to yield some time to the Senator from South Dakota.

Mr. CASE. In my own operations I have discovered that someone who worked for me in the haying season was not covered. Under the law I withheld regular contributions for my regular workers. The man did not work enough in the succeeding quarter to earn his qualification. It seems to me that if we are to treat them all alike, we should permit them to work for a short period in other types of employment. A person who works for 3 or 4 months can qualify, but if a man works through the entire summer season, unless he works for more than a limited number of days, he is not setting aside anything for his entitlement. It seems to me it is desirable to treat all laborers alike, and not to discriminate against farm laborers.

Mr. MILLIKIN. Mr. President, I wish to add one reminder. We are talking about a measure of social security and protection for 2½ million persons who have, perhaps, the greatest need of assistance of any group of our people. I hope we shall take an enlightened, progressive attitude toward this problem and bring under the coverage of this system those people who so badly need assistance.

SEVERAL SENATORS. Vote! Vote!

The PRESIDING OFFICER. The question is on agreeing en bloc to the amendments of the Senator from Mississippi [Mr. STENNIS].

The amendments were rejected.

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The PRESIDING OFFICER. The bill is open to further amendment.

Mr. HAYDEN. Mr. President, I call up my amendment 8-11-54-B offered on behalf of myself and my colleague, Mr. GOLDWATER, who is now occupying the chair, and ask to have it stated.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Arizona.

The LEGISLATIVE CLERK. On page 24, between lines 4 and 5, it is proposed to insert the following:

ARIZONA TEACHERS' RETIREMENT SYSTEM

(j) If, prior to January 1, 1956, the agreement with the State of Arizona entered into pursuant to section 218 of the Social Security Act is modified pursuant to subsection (d) (3) of such section so as to apply to service performed by employees in positions covered by the Arizona Teachers' Retirement System the modification may, notwithstanding section 218 (f) of the Social Security Act, be made effective with respect to service performed in such positions after an effective date specified in the modification, but in no case may such effective date be earlier than December 31, 1950. For the purposes of any such modification, all employees in positions covered by the Arizona Teachers' Retirement System shall be deemed, notwithstanding the provisions of section 218 (d) (6) of such act, to constitute a separate coverage group.

On page 24, line 7, it is proposed to strike out "(j)" and insert in lieu thereof "(k)."

On page 28, line 18, it is proposed to strike out "(k)" and insert in lieu thereof "(l)."

On page 29, line 7, it is proposed to strike out "(l)" and insert in lieu thereof "(m)."

On page 29, line 23, it is proposed to strike out "and (k)" and insert in lieu thereof "(j), and (l)."

Mr. HAYDEN. Mr. President, I yield myself 3 minutes.

The Arizona teachers' retirement system had to be abolished in order to bring the teachers under the Federal social-security system. The State thought that had been done, but it was decided that the system was not actually abolished. What we are trying to do by this amendment is to take proper action to make the benefits of the system retroactive to the time when the State thought it had abolished the system.

That is about all there is to the amendment.

Mr. MILLIKIN. Mr. President, I am familiar with the amendment offered by the distinguished Senator from Arizona. I believe his amendment does correct an error. I believe the error should be rectified, and I shall be very happy to take the amendment to conference. The distinguished senior Senator from Georgia [Mr. GEORGE] agrees with me.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Arizona [Mr. HAYDEN] for himself and his colleague [Mr. GOLDWATER].

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. KERR. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Oklahoma.

The LEGISLATIVE CLERK. On page 18, line 3, after the word "shall", it is proposed to insert a comma and the following: "if the State so desires."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oklahoma.

Mr. KERR. Mr. President, I yield myself 2 minutes.

On page 17 of the bill, beginning at line 24, and continuing on page 25, the following language occurs:

If a retirement system covers positions of employees of one or more institutions of higher learning, then, for purposes of such preceding paragraphs, there shall—

At this point my amendment would insert—

if the State so desires—

Then the text of the bill would be resumed, as follows:

be deemed to be a separate retirement system for the employees of each such institution of higher learning.

The sole purpose of the amendment is to make the provision contained in the bill effective in the event the affected State so desires. I believe the amendment is agreeable to the distinguished chairman of the committee.

Mr. MILLIKIN. Mr. President, I think the omission of the words "if the State so desires" probably was an inadvertence. In any event, I am certain the committee would agree that the words should be inserted; therefore, I am glad to accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oklahoma [Mr. KERR].

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. KERR. Mr. President, I offer another amendment, which I ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 9, line 1, after "ministers", it is proposed to insert "and Christian Science practitioners."

On page 9, line 13, it is proposed to strike out "effect.'" and insert in lieu thereof the following: "effect. The provisions of paragraph (5) shall not apply to service performed by an individual in the exercise of his profession as a Christian Science practitioner during the period for which a certificate filed by him under section 1402 (e) of the Internal Revenue Code of 1954 is in effect.'"

On page 107, line 15, it is proposed to strike out "effect.'" and insert in lieu thereof the following: "effect. The provisions of paragraph (5) shall not apply to service performed by an individual in the exercise of his profession as a Christian Science practitioner during the period for which a certificate filed by him under subsection (e) is in effect.'"

On page 107, beginning with line 19, it is proposed to strike out all through line 20 and insert in lieu thereof the following:

(e) Ministers, members of religious orders, and Christian Science practitioners.

On page 107, line 22, after "is", it is proposed to insert "(A)."

On page 108, line 1, after "order)", it is proposed to insert "or (B) a Christian Science practitioner."

On page 108, beginning with line 6, it is proposed to strike out all through line 7, and insert in lieu thereof the following: "Security Act extended to service, described in subsection (c) (4) or (5), as the case may be, performed by him."

On page 108, line 14, beginning with the word "regard", it is proposed to strike out all through line 16, and insert in lieu thereof the following: "regard, in the case of an individual referred to in paragraph (1) (A), to paragraph (4) of subsection (c), and in the case of an individual referred to in paragraph (1) (B), without regard to paragraph (5) of such subsection) of $400 or more, any part of which was derived from his performance of service described in such paragraph (4) or (5), as the case may be."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oklahoma.

Mr. KERR. Mr. President, I yield myself 3 minutes.

This amendment would merely provide voluntary coverage for Christian Science practitioners in the same manner as coverage is afforded to ministers in the bill which has been reported to the Senate by the Committee on Finance.

The amendment is being offered at this time because after the Committee on Finance had concluded its work on the bill, it became clear that the vast majority of Christian Science practitioners desired to be covered on a voluntary basis, together with ministers, under the self-employed provisions, rather than to be excluded.

I am certain that the amendment is agreeable to the distinguished chairman of the committee, because it is in accordance with other provisions which the committee adopted. I hope the amendment will be acceptable.

Mr. MILLIKIN. Mr. President, while the committee did not consider the specific amendment offered by the Senator from Oklahoma, it gave much thought to the question of how Christian Science practitioners should be classified and followed what we believe was their desire.

Later they evidenced to us—or at least those who communicated with the chairman of the committee did—that the treatment which has been suggested in the amendment of the Senator from Oklahoma would be entirely acceptable and desirable.

I am very glad to say that I shall be glad to accept the amendment. I believe the distinguished Senator from Georgia [Mr. GEORGE] feels as I do.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oklahoma [Mr. KERR].

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. KERR. Mr. President, I offer a final amendment, and ask that it be stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 9, after line 13, it is proposed to insert the following:

(3) Section 211 (a) of the Social Security Act is amended—

(A) by striking out the period at the end of paragraph (7) and inserting in lieu thereof a semicolon, and

(B) by inserting after paragraph (7) thereof a new paragraph, as follows:

"(8) An individual who is—

"(A) a duly ordained, commissioned, or licensed minister of a church or a member of a religious order; and

"(B) a citizen of the United States performing service described in subsection (c) (4) as an employee of an American employer (as defined in section 210 (e)).

shall compute his net earnings from self-employment derived from the performance of service described in subsection (c) (4) without regard to section 911 (relating to earned income from sources without the United States) and section 931 (relating to income from sources within possessions of the United States) of the Internal Revenue Code of 1954."

On page 108, after line 24, it is proposed to insert the following:

(4) Section 1402 (a) of the Internal Revenue Code of 1954 is amended—

(A) by striking out the period at the end of paragraph (8) and inserting in lieu thereof a semicolon, and

(B) by inserting after paragraph (8) thereof a new paragraph as follows:

"(9) an individual who is—

"(A) a duly ordained, commissioned, or licensed minister of a church or a member of a religious order; and

"(B) a citizen of the United States performing service described in subsection (c) (4) as an employee of an American employer (as defined in sec. 3121 (h)).

shall compute his net earnings from self-employment derived from the performance of service described in subsection (c) (4) without regard to section 911 (relating to earned income from sources without the United States) and section 931 (relating to income from sources within possessions of the United States)."

Mr. KERR. Mr. President, I yield myself 3 minutes.

The bill as reported by the committee provides for a voluntary coverage of ministers and members of religious orders on the basis of self-employment. Due, I believe, entirely to an oversight, ministers who are engaged as missionaries beyond the boundaries of the United States do not come under the definition and language of the bill.

The object of the amendment which I have offered is to make available to those within this classification who are engaged as missionaries outside the United States the same coverage as is made available to ministers of the same classification who are pastors or who are otherwise engaged in the continental United States.

I am happy to say that this amendment also is acceptable to the distinguished chairman of the committee, and I hope that it will be accepted by the Senate.

Mr. MILLIKIN. I think the amendment of the Senator from Oklahoma should be taken to conference.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oklahoma [Mr. KERR].

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. LONG. Mr. President, I call up my amendment 7–13–54–C, and ask that it be read.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 120, between lines 18 and 19, it is proposed to insert the following new section:

AMOUNTS DISREGARDED IN DETERMINING NEED

SEC. 304. (a) Section 2 (a) (7) of the Social Security Act is amended to read as follows:

"(7) provide that the State agency shall, in determining need, take into consideration any other income and resources of an individual claiming old-age assistance; except that in making such determination the State agency shall disregard, in the case of an individual entitled to insurance benefits under title II, the amount by which the benefit amount of such individual under such title, as increased by reason of the amendments contained in section 102 of the Social Security Amendments of 1954, exceeds the benefit amount to which such individual would have been entitled but for the enactment of such amendments."

(b) Section 1002 (a) (8) of such act is amended to read as follows:

"(8) provide that the State agency shall, in determining need, take into consideration any other income and resources of the individual claiming aid to the blind; except that in making such determination the State agency (A) shall disregard the first $50 per month of earned income, and (B) shall disregard, in the case of any individual entitled to insurance benefits under title II, the amount by which the benefit amount of such individual under such title, as increased by reason of the amendments contained in section 102 of the Social Security Amendments of 1954, exceeds the benefit amount to which such individual would have been entitled but for the enactment of such amendments."

(c) Section 1402 (a) (8) of such act is amended to read as follows:

"(8) provide that the State agency shall, in determining need, take into consideration any other income and resources of an individual claiming aid to the permanently and totally disabled; except that in making such determination the State agency shall disregard, in the case of any individual entitled to insurance benefits under title II, the amount by which the benefit amount of such individual under such title, as increased by reason of the amendments contained in section 102 of the Social Security Amendments of 1954, exceeds the benefit amount to which such individual would have been entitled but for the enactment of such amendments."

(d) The amendments made by the preceding subsections shall be effective, in the case of any State not prohibited by State statute from disregarding the amounts referred to in such amendments, on and after October 1, 1954, and, in the case of any State which is prohibited by State statute from disregarding such amounts, on and after the first complete calendar quarter following the date on which the legislature of such State first convenes after the date of enactment of this act.

Mr. LONG. Mr. President, I yield myself 10 minutes. The amendment I am offering is to take care of what I have always thought was a blind spot in the social security old age asistance program. Many persons draw social security benefits, but in such meager amounts that they are compelled to seek State public welfare assistance. For example, in the United States today, my best information is that there are 442,000 individuals whose social security benefits are so meager that they are compelled to go to the State welfare boards and ask for public welfare assistance.

A strange thing has happened as we have increased social security benefits. Every time social-security benefits have increased for the particular class I have mentioned, persons in that class have found that their State welfare assistance payments have been reduced by the same amount. Let me give an example. Prior to 1950 the minimum monthly benefit for old-age payments was $10. In the State of Louisiana, of which I have the honor to represent in part, more than one-third of the persons who were receiving benefits from social security payments were drawing $10 a month. Those persons found that their needs were so great and that $10 was so meager a payment that they had to apply for State public welfare assistance. Many of them did so. They merely succeeded in getting $10 less from State welfare public assistance than they would have received if they had been receiving no social-security benefits at all. If the State was able to pay $50 a month, a person who was drawing $10 in social security payments would get from his State only $40 instead of $50, and he would be no better off than if he received no social security benefits at all.

In 1950 the social-security minimum payments were increased from $10 to $20. The State welfare agency of Louisiana, as well as that of every other State, was required by Federal law to reduce payments to persons receiving State welfare assistance payments by the same amount as the social-security payments were increased.

Since that time there have been further increases in social-security payments, and the same thing has occurred each time. Every time needy persons have had their social-security payments increased, they have had their State public welfare assistance payments decreased by the same amount as the social-security benefits were increased.

The bill before us would benefit 6 million persons. They would receive anywhere from $5 to $13 a month more than they are receiving now. Yet while we proceed to benefit 6 million persons who are retired and drawing social-security benefits, 442,000 persons who are drawing such meager amounts in social-security benefits that they require State public welfare and assistance would not be benefited at all, unless my amendment were agreed to. The Federal law, without my amendment, would require public assistance payments to be reduced by the same amount that social-security benefits were increased.

If we can afford to pass a bill which would provide increases of from $5 to $13

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a month for every retired person receiving social-security benefits, whether he needs it or not—and the theory of the social-security law is that retired persons should benefit whether they need it or not—certainly it would seem to be wise to permit those who have paid into the social-security fund to receive a net benefit of the minimum $5 a month increase.

Without my amendment, if the bill were enacted into law it would mean that when social-security benefits are increased for the 442,000 persons on public welfare assistance rolls, the public welfare agencies would be required to reduce assistance payments to such persons by the amount of social-security increases.

I have been joined in sponsoring the amendment by the Senator from California [Mr. KUCHEL], the Senator from Florida [Mr. SMATHERS], and the Senator from Nevada [Mr. MALONE].

It seems to me that my amendment would serve a very necessary purpose. When there is an overlap between State public-assistance payments and social-security benefits, it seems to me it would be fair and reasonable to make sure that the persons receiving both benefits would be benefited by the net increase made in social-security payments.

I realize, Mr. President, that logical arguments can be made against the amendment. I fully recognize that fact. However, I also recognize that the facts are that, without the adoption of my amendment, the enactment of the bill into law would mean that those who need assistance most would receive none of the benefits provided in the bill. I hope the Senate will agree to the amendment. I also hope that the distinguished chairman of the committee will take the amendment to conference.

I point out that the amendment would not result in increasing the cost of the bill 5 cents. My amendment would merely provide that when social-security payments are increased, State welfare benefits would not be decreased by a like amount. My amendment would prevent what has been required to be done by law, which is to cut out any net benefit of increases in social-security payments to the 442,000 persons who have required extra help from State public assistance agencies.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. LONG. I yield to the Senator from Minnesota.

Mr. HUMPHREY. I have an amendment on this subject, which is identified as 8–12–54–A. The amendment was directed to somewhat the same situation, except that it would cover all persons receiving old-age assistance. As I understand the amendment of the Senator from Louisiana, it would apply to the limited number of persons who are receiving old-age assistance and old-age insurance benefits. That is a limited category out of the total of 4 million or more persons affected. That is about one-tenth of that number.

Mr. LONG. Seventeen percent of those who are drawing old-age assistance are also drawing old-age and survivor's insurance under social security. It is those 442,000 needy individuals that my amendment is designed to assist.

Mr. HUMPHREY. It has been my feeling, to be very candid about it, that some base figures of earned income or any other kind of income ought to be permitted before we start to apply old-age assistance, and we should build from that point on. I felt that somewhere across the board at least $20 or $25 ought to be allowed to any person, and be disregarded in the basis for determining need for old-age assistance or other forms of public assistance. I point out that the Senator's amendment at least corrects what is obviously an inequity in the law as it now stands. If this amendment is not adopted as proposed by the Senator from Louisiana, we shall find ourselves in a situation in which we say that we have legislated benefit increases only to find that in many instances such increases were not increases in fact, but only in theory. Is that not correct?

Mr. LONG. That is correct. I yield to the Senator from Illinois.

Mr. DOUGLAS. I commend the Senator from Louisiana for putting his finger on one of the striking weaknesses in our care of the aged. In those cases, nearly half a million in number, where the aged person receives both old-age security and old-age assistance, as the Senator from Louisiana has pointed out, an increase in social security has not meant an increase in protection to the aged. It has meant assistance to the States.

The States have thereby diminished the amounts which they otherwise would contribute, and it has meant that the Federal Government has assumed the portion of the burden which the States should properly have taken. The same thing, I may say, was true when we increased the Federal contribution to old-age assistance itself. In most cases the States did not increase the amounts to the individual. What they did was to diminish the amounts which the States paid, and therefore the more the Federal Government has given in such cases, the less the State has given, and the result has been aid to the State and not aid to the needy aged. The Senator from Louisiana has directly struck at one of the weak spots in the whole system, and I hope very much that his amendment may be adopted.

Mr. MILLIKIN. Mr. President, the difficulty with the amendment is that it upsets the whole needs test, which I think is offensive to most of us, but which is a part of our social-security system in the public-assistance portion. So far as the needs test is concerned, we have it, and it must continue to mean something or the whole public-assistance side of our program will fail.

It does not make a bit of difference whether the dollar which the public assistance recipient receives is from the insurance side of the Government, from interest on a bond of the Government, from rents, or from any other source of income. It diminishes need, and it diminishes just as much its part of the insurance system if the income is obtained from other sources. So when we commence making exceptions, we are commencing to cut down the needs system; and when we cut down the needs system, we are raising the expenses of every State in the country, as well as the Federal Government.

Mr. LEHMAN. Will the Senator yield?

Mr. MILLIKIN. I yield to the Senator from New York.

Mr. LEHMAN. It seems to me that the argument advanced by the distinguished Senator from Louisiana and reinforced by my colleague from Illinois is unanswerable—that the money which the Federal Government claims to be giving to the people for old age assistance is really assistance to the States. It does not increase the amount of money that is made available to the person who needs it, but it certainly reduces the responsibility of the States and the cities.

Mr. MILLIKIN. It is true that the more we increase the cost of our public assistance program the more we increase the cost to the Federal Government and to the States. The more we decrease our standards of need the more we impose expense on the States or the Federal Government. What we wind up with is a decrease, and we take whatever one gets out of social security off the means quota under public assistance; and, therefore, the State, if it has true regard for the means of its people—and we assume that that is taken out of the picture, as though it had disappeared—must put up more money to satisfy public assistance and take care of the people who are under the system.

Mr. LEHMAN. As I understand the proposal made by the Senator from Louisiana, it would not increase the cost to the Federal Government at all. The cost would remain constant. Under the proposal, there would not be an increase or decrease in the total amount of assistance the beneficiary receives. All this proposal would do would be to relieve the States of part of their share of the assistance, which is given through public assistance.

Mr. MILLIKIN. Whatever the needs may be—and let us assume they are X—to meet the amount of X need in public assistance there must be either a contribution from the State or from the Federal Government, or both. If the needs test is reduced $5—if that represents the amount of increase to which the Senator is speaking—and we take the position we will not count that, someone must make good that amount. That is made good by a sharing between the Federal Government and the States.

Mr. LEHMAN. Mr. President, will the Senator yield for one more question?

Mr. MILLIKIN. I yield.

Mr. LEHMAN. I should like to have a little more information with regard to this question.

As I understand, we claim in this bill to be increasing Federal grants to those who are entitled to benefits from old-age and survivors insurance. We are emphasizing the claim that we are doing something that is very worthy. However, as a matter of fact, it seems to me the beneficiary does not gain anything. The situation remains constant. The benficiary does not receive any part of the additional amount which is paid by

the Federal Government, so far as his total subsistence grants are concerned. There is a deduction of an equal amount by the State, as I understand.

Mr. MILLIKIN. That is entirely true. That is what I have been talking about. The individual takes in $5 more on his insurance program. The State refers to that $5, and says, "This is revenue you have to meet your need. We are not going to raise the needs test $5. This is $5 more money to meet your needs, whatever they are."

It would be the same as if the individual received that $5 from interest on Government bonds or if he received it from stocks, or if he received it from rents. The situation would be the same.

The point of the old-age assistance part of the program is that first we set up a test of the man's needs, and then the State and Federal Government contribute toward that program. If we increase the need, we make it necessary for the Federal Government or the State, or both, to contribute more.

Mr. LEHMAN. Mr. President, will the Senator yield for one more question?

Mr. MILLIKIN. Certainly.

Mr. LEHMAN. I fail to see that we are carrying out the purposes of the bill, so far as these particular beneficiaries are concerned, because the purpose of this provision, as I have understood it, is to make the lot of 442,000 people a little bit easier, to the extent of $5 or $13. We have failed to do that. I have never understood that the social-security law was drafted or administered for the benefit of States, relieving the States and cities of their public-assistance charges.

Mr. MILLIKIN. I do not understand the Senator's point. I say that most respectfully.

Two things are involved. One is public assistance, and the other is insurance. Under what is proposed, the man is going to get $5 more, let us say, paid on his insurance. He also receives public-assistance money. Therefore, the agency will say to him, "Your need is X dollars a month. You are getting $5 a month additional revenue from your insurance. We are going to count that against your revenue."

The Senator from Louisiana says, "Do not count that particular $5."

If we followed that theory, we could exclude everything else the man receives. It is revenue, as I have said 3 or 4 times. It is the same kind of revenue as if he received a payment for Government bonds or a payment for stocks or a payment for rental. It is money which is added to the money he has, to be applied against his need.

The Senator from Louisiana is saying simply, "Deduct that money from the needs test." That certainly is not our purpose; and we are not taking into consideration the Public Assistance Act, either.

SEVERAL SENATORS. Vote! Vote! Vote!

Mr. LONG. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator has 5 minutes remaining.

Mr. LONG. I do not believe I shall require more than about 2 minutes. I yield myself 3 minutes.

I point out, Mr. President, that under this bill we are providing a gratuity of anywhere from $5 to $13 a month for 6 million people.

Let us consider the typical case of a man making $200 a month. Under the present law, if he retired he would receive $70 a month. If he is at present retired, we propose to increase his check from $70 to $78.50. On what basis? It is an outright gratuity. That is the basis for it. We would like to raise the benefits. It is an outright gift. We propose to make a gift of anywhere from $5 to $13 to 6 million people.

There is only one group of the 6 million people who are not going to be benefited. They are the 442,000 people who are classified as being needy.

In other words, we are going to take care of 6 million, but those who are classified as being needy, those who have been compelled to go to the welfare agencies and apply for welfare assistance, those who have no reserves, those who have no resources, the most needy of them all, receive no benefit. Why? Because without my amendment, Federal law requires welfare departments to go down the list and find every one of these 442,000 people, and every time they get a $5 increase in income cut their welfare check by $5.

The junior Senator from Louisiana says that if we can make a gift of $5 to $13 to 6 million people who are not needy, we let the needy have $5. I do not understand the point.

A good, logical argument has been made by the distinguished chairman of the committee. It can be said that social security does not depend upon a needs test, and that public welfare does depend upon a needs test. The only point I make is, where there is an overlap, if it is really believed that we can afford to give an extra $5 to 6 million people, Federal law should not require that payments to the needy be reduced by $5, so everybody except the needy would get a gratuity of $5 a month from the Federal Government based on this bill. In spite of all the logical arguments which can be made to the contrary, the needy should be told, "When you get your $5 you can keep it, just as all those who are not needy can keep their $5."

Mr. MILLIKIN. Mr. President, I shall not labor the argument for very long. I think the distinguished Senator is misconceiving what we are trying to do tonight. We are changing the rates, and the benefits in various instances, of a social insurance system. We are not opening a big barrel and throwing out $5 to one, $10 to another, $2.50 to another. The basis of the Senator's argument is that if we are giving something to people in one category, we should give everybody else something. I think that is the basic fallacy of his argument.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. MILLIKIN. Certainly.

Mr. LONG. Can the Senator tell me upon what basis we increase the benefits to a man who had been making $200 a month from $70 to $78 without his paying an extra 5 cents for it?

Mr. MILLIKIN. We are increasing the benefits and doing all kinds of good things because the revenues of the system, into which the employer and the employee pays will carry the cost of the system. That is what we are told. The Senator heard the testimony. I heard the testimony. We are not opening a barrel to give things to people.

Mr. LONG. The Senator certainly agrees that all the retired individuals who will receive these increases are not making any additional contribution to the fund in order to pay for the increased benefits.

Mr. MILLIKIN. Let us say that is true. The fund includes many objectives which are not limited to a chess-playing operation, based upon how much a man puts on one side of the scale and on the other side of the scale. We are trying to increase the security of the people of the United States.

I am not one to say that every man gets exactly what he puts in. We are doing better than that for several classes. We are doing it consciously, not as a barrel-opening operation. This is not a gift procedure. If I were not opposed to the amendment anyway, I would be compelled to do so because the committee opposed it.

Mr. GEORGE. Let me say to the Senator from Colorado that the people who may be interested in benefits under the social security system did not deal at arm's length with the Government. The Government said, "You are in the system. You are going to be taxed. We are going to pay you such-and-such a sum each month when you qualify for such payments and have reached the retirement age." They had not a thing to say about how much they should be paid, except that Congress may have listened to their importunities. So what they were doing was contributing to a system which we now discover is able to increase the benefits to which they are entitled. The same benefits should go to those who have been retired as well as those who remain in the system and must pay the rates of taxes we impose on them. They do not indicate the amount they are to receive, as in the case of an ordinary insurance policy. They must rely upon the Congress alone to deal fairly and equitably with them when the system justifies an increase in their benefit payments.

The confusion arises between a system to which the workers have made contributions, and a voluntary system of benefits conferred by Government upon people who make no contribution whatever directly to the Government or to any fund.

It seems to me that the amendment should be rejected.

SEVERAL SENATORS. Vote! Vote!

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Louisiana [Mr. LONG].

The amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. MARTIN. Mr. President, I call up the amendment of the junior Senator from Louisiana [Mr. LONG] and myself, 7-19-54-D, and ask unanimous consent

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that the reading of the amendment be dispensed with and that the amendment be included at this point in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment offered by Mr. MARTIN and Mr. LONG is as follows:

At the end of the bill, add the following new section:

"ADJUSTMENTS IN RATES OF TAXES TO FINANCE OLD-AGE AND SURVIVORS INSURANCE

"SEC. 403. The Congress shall, on or before the 1st day of April 1955, and of each succeeding odd-numbered year, determine the amount of the benefit payments and other sums which it estimates will be paid from the old-age and survivors insurance trust fund during the 2-year period beginning with the first day of the year in which the determination is being made and shall make such adjustments, if any, in the rates of tax provided for by sections 480, 1400, and 1410 of the Internal Revenue Code as may be necessary to assure that the amount of taxes collected under such sections for such 2-year period, together with any other sums covered into such fund for such period, is not less than the amount of the benefit payments and other sums which it estimates will be paid from such fund during such 2-year period."

Mr. MARTIN. Mr. President, this is the pay-as-you-go amendment. The amendment suggests that on or before April 1, 1955, and each odd-numbered year thereafter, the Congress fix the rate required to put the system as nearly as possible on a pay-as-you-go basis.

For several years I have been greatly worried that the social security system of the United States would crash under its own weight.

I have prepared an argument which I believe will sustain my position, but we do not have time to debate it properly tonight, because the hour is growing late. I ask unanimous consent that my remarks may be incorporated in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MARTIN

In the so-called pay-as-you-go amendment to H. R. 9366, the social security bill, I am happy to be associated as cosponsor with the distinguished junior Senator from Louisiana [Mr. LONG]. I cannot praise too highly the great interest he has taken in the work of the Finance Committee. He is the youngest member of our committee. I mention this because the future stability of our country means more to men of his age than any other group.

The purpose of this amendment is to provide a biennial review of the financing of the social-security program, in order to establish a rate of payroll taxation sufficient to meet the estimated benefits to be paid out under the old-age and survivors insurance system in the 2-year period.

The amendment provides that the Congress shall make an estimate on or before April 1, 1955, and each odd-numbered year thereafter, of the rate required to put the system, as nearly as possible, on a pay-as-you-go basis.

The method of financing social security has been carefully studied by some of the best economists of our country.

Some of these experts have proposed making social-security coverage universal, without using the contributory plan. Such a plan calls for the payment of social-security benefits from general tax revenue.

Another group wants to make the plan actuarially sound. This would require a contribution from the employed, employer, and the self-insured large enough to build up a fund that would take care of the future requirements of the system.

The method proposed in this amendment would take care of the payments to the beneficiaries from currently collected funds.

Those who believe in the fine ideals of social security and have always suggested that it be considered a form of insurance or savings have the desire to maintain the high morale of our people. Without a plan requiring a contribution by the beneficiary, the system would quickly degrade into a form of dole. We do not want a dole in the United States, because that would weaken the morale of our people. The great majority of Americans are self-reliant. They want to make their own security. They have done so throughout our history, and that plan has contributed greatly to the strength and growth of our country.

The people of America have always been very considerate of their unfortunate. The ideal plan would eventually make it possible for all in their old age, or if misfortune befalls them, to depend upon income earned by their own work and thrift. Government can never make security for us.

If the contributory system is abandoned and we pay for the benefits from general taxes, coverage must be all inclusive, extending to all our people.

In the consideration of social security, we must never forget the economy of the Nation. How far can we go without damaging the productive power of the country? How much can we have without damaging the national economy?

One of the strongest factors in the greatness of the United States is that we produce more per man-hour than any other country in the world.

This comes about because of our better equipment and the better know-how of our skilled craftsmen. It is because we have the savings to expand production. Also because there is a profit left for the workers and the stockholders after expenses are paid. Profit is the great incentive. It takes an investment of from $7,000 to $25,000 in plant, tools and equipment to create the job of each worker. Our workers are better educated than those of any other country of the world.

We must always remember that whatever is taken from the people in any form of taxation, whether general taxation or contributions for social security, takes that much out of their hands to spend as they see fit and to further expand our economy. The money that the people spend for schools, hospitals, churches and a better living standard makes a greater market for our industrial and agricultural production.

The American people must be informed that there is no pot of gold at the end of the social-security rainbow. They must be made aware that adequate benefits can be provided only by contributions in the form of direct or payroll taxation. It all comes out of their pockets.

The fact must always be made clear that higher benefits are impossible without a higher rate of contribution or increased taxation, and that both come from the pockets of those who work and those who invest their savings.

We are continuing to meet pressures for additional coverage and higher benefits and this will always continue. It is good politics to offer higher benefits and broader coverage. Ours is a political country and both parties play this political game. Unfortunately, all that we give to the people comes from the people themselves.

Since starting the social-security system in 1937, we have built up a trust fund of about $19 billion. This accumulation has been made possible because income has exceeded expenditures. For example, in 1953 we collected from employers, employees, and self-employed, and from trust fund earnings $4,359,000,000. We expended from this, including administration, $3,094,000,000, or a profit to the fund of $1,265,000,000. This profit has been used by the Government.

For the year 1954, we estimate that we will collect $5,567,000,000, and our expenditures will be $3,655,000,000, or a gain of $1,912,000,000.

As you know, the present rate is 2 percent each from the employee and the employer, and 3 percent from the self-employed. We contemplate increasing this in 1960 to 2½ percent each for the employee and the employer, and 3¾ percent for the self-employed. It is contemplated that we will have a further increase in 1965 and again in 1970.

From estimates based on minimum costs the fund will amount to $23,500,000,000 in 1955, $30,500,000,000 in 1960, and almost $52 billion in 1970.

All of this accumulated trust fund exists only in the form of a promise to pay from the United States Government. There are actually no funds available as in the case of insurance companies and retirement funds established by subdivisions of government. Insurance company funds are invested in productive enterprise and benefit from the earnings of American industry. On the other hand there is no investment for the social security trust fund other than Federal Government bonds, on which the interest is paid from general taxation.

Mr. President, there is no way of getting away from the fact that the working force in the United States must shoulder the burden of paying for the benefits to the retired and to the aged. The problem is how to make it clear to the American public that they pay all the bills.

Mr. President, it is our proposal that we begin to do something about it—to take a first step at least in the direction of putting the expenditures on a balance with estimated income. We are always going to be faced with the possibility of reduced income due to fluctuating economic conditions—and we are always going to be faced with the possibility and probability of an increased number of persons living far beyond the retirement age. But we can estimate on an annual or a biennial basis and thus keep a check upon the conditions we face.

Mr. President, I contend that the pay-as-you-go principle should be put into effect for the following reasons:

1. It is practically impossible to put social security on a sound actuarial basis.

2. The special trust fund has no significance because it is an unsecured Federal promise to pay.

3. As it now stands, the Government is collecting considerably more than it pays out in benefits. This is a tax on individuals and upon earnings.

4. A biennial estimate of what is required would give the people an opportunity to study proposed increases and expansions as suggested from time to time.

5. There is no economic danger from a plan that pays its way each year.

6. Individual security is spiritual as well as material. Reckless Government spending will not insure security because Government has nothing except that which it takes or borrows from the people. A pay-as-you-go plan gives the people an opportunity to study different proposals and to consider whether or not they can afford them.

Mr. President, I strongly urge the adoption of this amendment.

Mr. LONG. Mr. President, will the Senator yield?

Mr. MARTIN. It is a great pleasure, indeed.

Mr. LONG. Mr. President, I am glad to join as a cosponsor of this amendment with the Senator from Pennsylvania. It seems to me that sooner or later we shall arrive at the conclusion that the only way in which any program, a social-security program or any other type, can be financed is out of the productivity of the American people. If we do not produce the wherewithal for the sustenance of life, we shall not be able to take care of our people, no matter how many million dollars we claim to have in the trust fund.

It seems to the junior Senator from Louisiana that year by year we are extracting more than a billion dollars from the blood stream of circulation by having the social security fund take in much greater collections than the fund pays out. So long as the fund is taking in as much money as it needs year by year, it seems to me that is adequate to assure that the fund will continue. After all, we have a reserve of more than $19 billion, which is enough to guarantee that the fund will be solvent and that the Government will continue to make social security payments year by year. That I regard as a sufficient reserve to keep on hand.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. MARTIN. I yield.

Mr. FERGUSON. Do I correctly understand that the Senator from Pennsylvania does not intend to call up his amendment?

Mr. MARTIN. I have already offered the amendment and asked that it, and also the remarks which I had intended to make in support of the amendment, be incorporated in the body of the RECORD. But the hour is growing late, and I do not intend to press it at this time. I hope that Members of this body will read this statement and other statements on the subject of social security. We now have a fund of $19 billion, but there is not really anything in the fund.

Of course the Government owes the social security system that amount of money. We must remember that we do not have any money in this fund, or in any other fund, which the Government does not either take from the people in taxes or borrow from the people.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. MARTIN. I yield.

Mr. FERGUSON. I am sympathetic to what the Senator has in mind, and I feel the same way, namely, that the $19 billion in the fund are really in the form of I O U's from the United States Government, which has, in effect, those I O U's from the taxpayers of America.

Mr. MARTIN. That is correct.

Mr. FERGUSON. Sooner or later we will have to get on a pay-as-you-go basis, with a sufficient surplus to carry it. I think that is the proper way to operate this insurance program.

Mr. MARTIN. I thank the Senator.

Mr. MONRONEY. Mr. President, will the Senator from Pennsylvania yield?

Mr. MARTIN. I yield.

Mr. MONRONEY. Will the distinguished senior Senator from Pennsylvania tell the junior Senator from Oklahoma why the Government securities which are issued to the social security fund, and bear no higher rate of interest than the bonds which are held by the New York Life Insurance Co. or the Massachusetts Mutual Co., or any other insurance company, should not be considered a debt against the Government. In other words, if those bonds do not represent legitimate value in the social security fund, why do the major insurance companies of the country keep 50 percent of their funds with which to pay off their beneficiaries in Government securities?

Mr. MARTIN. I do not say that the bonds of the United States are not good. The bonds of the United States at the present time are the best investment in the world. I wish to keep the bonds in that position. We had before us this afternoon the question of raising the national debt ceiling. The junior Senator from Colorado and the senior Senator from Virginia and the senior Senator from Georgia expressed the situation very well, and I shall not try to repeat what they said.

However, when we set the limit on the national debt at a new figure, which will expire next July, we told the American people that it was our plan to keep the bonds of the United States on a sound basis. We want America to remain on a sound basis, and to keep our social-security system on a sound basis. Therefore, I believe that sooner or later we must put the system on a pay-as-you-go basis.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. MARTIN. I yield.

Mr. BUSH. If the Senator will permit me, I suggest that the answer to the question of the Senator from Oklahoma is that the difference between insurance companies and the Government is that the Government has the taxing power. The Government has the taxing power, whereas the insurance companies do not have that power.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. MARTIN. I yield.

Mr. MONRONEY. Is it not the same liability so far as the Government is concerned? Is not the same pledge carried on the obligations that are held by the insurance companies as is carried on the obligation contained in the social-security system? What are we going to do with the $19 billion worth of interest-bearing bonds which are invested in the sinking fund, if we do not allow the social-security system to hold them, and if the New York Life Insurance Co. and the Massachusetts Mutual Co. and other private insurance companies must hold the same bonds, and we must float more bonds with the public, because we are abolishing the reserves behind the social-security system?

Mr. MARTIN. If I had had my way at the beginning of the social-security system in the United States, it would have been put on a pay-as-you-go basis at that time.

The Senate has been in session for a long time, and I was trying to save some time. I would very much have liked to deliver the speech, because I put a great deal of time into its preparation. If any Senators who are interested would read my speech, I would be very much complimented. I appreciate very much what the junior Senator from Oklahoma is stating. I do not want to be misunderstood. Of course, I feel that the bonds of the United States are the best investment that any insurance company or anyone else could possess. I do not want to be misunderstood.

Mr. MONRONEY. Would the Senator from Pennsylvania tell the junior Senator from Oklahoma whether the bonds or securities held within the social-security system are worth any less than the securities which are held by the insurance companies?

Mr. MARTIN. Not in the least.

Mr. MONRONEY. That is the point I am making.

Mr. MARTIN. No; of course they are not.

Mr. MONRONEY. I have often heard it said, if the distinguished Senator from Pennsylvania will yield further, that there are nothing but I O U's of the Government behind the social-security system. It has been said that there is something vastly different between the securities held by the social-security system and the same type of securities held by every major insurance company in the country. Of course, they bear the same interest, and it is the same security, and the Government is pledged to redeem those securities.

A great hoax has been attempted to be perpetrated, when it has been claimed that there is something phony going on in the social-security system, when the social-security system holds the same securities of the Government that the private insurance companies hold.

Mr. MARTIN. I wish to make that point clear. I apologize for taking this time. I could have read my speech in the same time and probably we would not have had this controversy. I wish to be clearly understood that I have the greatest faith in the bonds of the United States.

Unfortunately, this trust fund of $19 billion, which by 1970 will be increased to $50 billion, is encouraging the American people to believe that there is a rainbow at the end of the social-security system, and that we can add to the benefits it provides, as has been suggested, $5 here and $5 there. On the other hand, if we put it on a pay-as-you-go basis, the people of the country will realize that they are paying the bills. That is why I am suggesting the pay-as-you-go plan.

The PRESIDING OFFICER. Has the Senator from Pennsylvania withdrawn his amendment?

Mr. BUSH. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Connecticut will state it.

Mr. BUSH. What is the pending question?

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Pennsylvania [Mr. MARTIN]. Does the Senator from Pennsylvania withdraw his amendment?

Mr. MARTIN. Yes; I withdraw the amendment.

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The PRESIDING OFFICER. The bill is open to further amendment.

Mr. MILLIKIN. Mr. President, I yield 3 minutes on the bill to the Senator from Oregon.

Mr. MORSE. Mr. President, although the Senator from Pennsylvania has withdrawn his amendment, nevertheless he has made a partial record on it. I do not intend to take any great time in discussing his amendment, although come January, when we introduce the Lehman social security bill, which was discussed earlier tonight, I shall discuss it at length.

What I wish to do this evening is reject the major premise laid down by the Senator from Pennsylvania. I have heard for a long time a great deal of talk about the pay-as-you-go plan with respect to social security.

I wish to say that it represents a great underlying fallacy, because behind the social-security system are two considerations; first, the security and wealth of the United States, and, second, the moral obligation of the people of the United States to make sure that when people reach an age where they can no longer be productive, those who have the ability to pay taxes will see to it that those people live out their old age in decency.

That is the great social objective of the social-security system. We will completely fail in our moral obligation to the people of the United States if we ever accept the notion that before we do right by them we must adopt a pay-as-you-go program. I would have Senators keep in mind that millions of people in this country never can pay as they go for the type of old-age decency to which they are entitled. Those are the people who have an annual gross income of less than $3,500 a year. I have said before, as I repeat tonight, that the whole economic system of our country would collapse if it were not for the productivity of the people who gross less than $3,500 a year.

Mr. President, as to those people, it is perfectly fallacious to argue that we cannot adopt a social-security system which will give them an old-age decency unless we first adopt a pay-as-you-go system.

I close, Mr. President, by repeating that what is behind the social-security system is the wealth of the Nation and the recognition of the moral obligation of 160 million people to see to it that we maintain a system which gives to people in their old age a life of decency. I am a little weary of the argument that we must build up some kind of a banking account that puts the social-security system on a ground analagous to commercial insurance. We are dealing with a social-security obligation of the people who can produce in relation to those who have reached the point where they cannot produce.

Mr. LONG. Mr. President, I offer the amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Louisiana.

The CHIEF CLERK. It is proposed to insert:

STUDY OF FEASIBILITY OF PROVIDING INCREASED MINIMUM BENEFITS UNDER TITLE II

SEC. 404. (a) The Secretary shall conduct a full and complete study with a view to determining the feasibility of increasing the minimum old-age insurance benefits under title II of the Social Security Act to (1) $55 per month, (2) $60 per month, and (3) to $75 per month.

(b) Such study shall include (1) a detailed analysis of the estimated increase in cost, if any, involved in increasing such minimum benefit to each of the above referred to amounts, (2) estimates of the financial impact such increase would have upon the old-age and survivors insurance on this fund, and (3) an estimate of the amount, if any, by which Federal grants to the States for public assistance would be reduced by the raising of such increase in minimum old-age insurance benefits.

(c) The Secretary shall report to the Congress at the earliest practicable date the results of the study provided for by this section.

Mr. LONG. Mr. President, I have discussed this amendment with the distinguished chairman of the committee and with the senior Democratic member of the Finance Committee, and it is my understanding that they both feel that the amendment can well be taken to conference. One of the particular items the cost of which we should try to find is the extent to which the public welfare burden of the Federal Government will be reduced by such a program.

Mr. MILLIKIN. Mr. President, I have no objection to taking the amendment to the conference, and the distinguished Senator from Georgia also has no objection.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Louisiana [Mr. LONG].

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. HUMPHREY. Mr. President, I call up my amendment 8–3–54–C, and I wish to modify it by striking out all in the amendment up to line 6, on page 2.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Minnesota.

The CHIEF CLERK. On page 103, between lines 16 and 17, it is proposed to insert the following:

(d) Section 202 (e) and (f) of such act is amended by striking out "three-fourths of" wherever appearing therein.

On page 103, line 18, strike out "113" and insert in lieu thereof "114."

On page 103, line 23, strike out "114" and insert in lieu thereof "115."

Mr. HUMPHREY. Mr. President, the present social security law provides that a widow or widower is entitled to three-fourths of the benefit of the original recipient. If Mr. Jones is receiving $60 a month, and he dies, Mrs. Jones will receive $45. Or if she is the breadwinner and receives $60 a month, and dies, Mr. Jones will receive $45. It is like saying that when a man who has a life insurance policy of $2,000 dies, his widow should receive $1,500. The widow is as much entitled to the benefit as her husband would have been. The member of the family who is left after the breadwinner has passed away is entitled to the same benefit. I modified my amendment, but I will say very candidly that if any member of the committee can explain to me why when a man dies his wife should not receive all the benefits to which he would be entitled under the insurance system, I want to hear it. I have no more to say, Mr. President. I await a reasonable explanation.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Minnesota [Mr. HUMPHREY], as modified.

The amendment, as modified, was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. HUMPHREY. Mr. President, I call up my amendment 8–12–54–B. I ask unanimous consent that the reading of it be dispensed with, and that it be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HUMPHREY'S amendment is as follows:

On page 136, beginning with line 11, strike out all through line 15, and insert in lieu thereof the following:

"INCREASE IN BENEFITS

"SEC. 301. (a) Section 3 (a) of the Social Security Act is amended to read as follows:

"'SEC. 3. (a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for old-age assistance, for each quarter, beginning with the quarter commencing October 1, 1954, (1) in the case of any State other than Puerto Rico and the Virgin Islands, an amount, which shall be used exclusively as old-age assistance, equal to the sum of the following proportions of the total amounts expended during such quarter as old-age assistance under the State plan, not counting so much of such expenditure with respect to any individual for any month as exceeds $60—

"'(A) five-sixths of such expenditures, not counting so much of any expenditure with respect to any month as exceeds the product of $30 multiplied by the total number of such individuals who received old-age assistance for such month; plus

"'(B) one-half of the amount by which such expenditures exceed the maximum which may be counted under clause (A);

and (2) in the case of Puerto Rico and the Virgin Islands, an amount, which shall be used exclusively as old-age assistance, equal to one-half of the total of the sums expended during such quarter as old-age assistance under the State plan, not counting so much of such expenditure with respect to any individual for any month as exceeds $30, and (3) in the case of any State, an amount equal to one-half of the total of the sums expended during such quarter as found necessary by the Administrator for the proper and efficient administration of the State plan, which amount shall be used for paying the costs of administering the State plan or for old-age assistance, or both, and for no other purpose.'

"(b) Section 403 (a) of such Act is amended to read as follows:

"'SEC. 403. (a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for aid to dependent children, for each quarter, beginning with the quarter commencing October 1, 1954, (1) in the case of any State other than Puerto Rico and the Virgin Islands, an amount, which shall be used exclusively as aid to dependent children,

equal to the sum of the following proportions of the total amounts expended during such quarter as aid to dependent children under the State plan, not counting so much of such expenditure with respect to any dependent child for any month as exceeds $33, or if there is more than one dependent child in the same home, as exceeds $33 with respect to one such dependent child and $24 with respect to each of the other dependent children, and not counting so much of such expenditure for any month with respect to a relative with whom any dependent child is living as exceeds $33—

"'(A) five-sixth of such expenditures, not counting so much of the expenditures with respect to any month as exceeds the product of $18 multiplied by the total number of dependent children and other individuals with respect to whom aid to dependent children is paid for such month, plus

"'(B) one-half of the amount by which such expenditures exceed the maximum which may be counted under clause (A);

and (2) in the case of Puerto Rico and the Virgin Islands, an amount, which shall be used exclusively as aid to dependent children, equal to one-half of the total of the sums expended during such quarter as aid to dependent children under the State plan, not counting so much of such expenditure with respect to any dependent child for any month as exceeds $18, or if there is more than one dependent child in the same home, as exceeds $18 with respect to one such dependent child and $12 with respect to each of the other dependent children; and (3) in the case of any State, an amount equal to one-half of the total of the sums expended during such quarter as found necessary by the Administrator for the proper and efficient administration of the State plan, which amount shall be used for paying the costs of administering the State plan or for aid to dependent children, or both, and for no other purpose.'

"(c) Section 1003 (a) of such act is amended to read as follows:

"'SEC. 1003. (a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for aid to the blind, for each quarter, beginning with the quarter commencing October 1, 1954, (1) in the case of any State other than Puerto Rico and the Virgin Islands, an amount, which shall be used exclusively as aid to the blind, equal to the sum of the following proportions of the total amounts expended during such quarter as aid to the blind under the State plan, not counting so much of any such expenditure with respect to any individual for any month as exceeds $60—

"'(A) five-sixths of such expenditures, not counting so much of any expenditure with respect to any month as exceeds the product of $30 multiplied by the total number of such individuals who received aid to the blind for such month, plus

"'(B) one-half of the amount which such expenditures exceed the maximum which may be counted under clause (A);

and (2) in the case of Puerto Rico and the Virgin Islands, an amount, which shall be used exclusively as aid to the blind, equal to one-half of the total of the sums expended during such quarter as aid to the blind under the State plan, not counting so much of such expenditure with respect to any individual for any month as exceeds $30; and (3) in the case of any State, an amount equal to one-half of the total of the sums expended during such quarter as found necessary by the Administrator for the proper and efficient administration of the State plan, which amount shall be used for paying the costs of administering the State plan or for aid to the blind, or both, and for no other purpose.'"

(d) Section 1403 (a) of such act is amended to read as follows:

"SEC. 1403. (a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for aid to the permanently and totally disabled, for each quarter, beginning with the quarter commencing October 1, 1954, (1) in the case of any State other than Puerto Rico and the Virgin Islands, an amount, which shall be used exclusively as aid to the permanently and totally disabled, equal to the sum of the following proportions of the total amounts expended during such quarter as aid to the permanently and totally disabled under the State plan, not counting so much of such expenditure with respect to any individual for any month as exceeds $60—

"'(A) five-sixths of such expenditures, not counting so much of any expenditure with respect to any month as exceeds the product of $30 multiplied by the total number of such individuals who received aid to the permanently and totally disabled for such month, plus

"'(B) one-half of the amount by which such expenditures exceed the maximum which may be counted under clause (A); and (2) in the case of Puerto Rico and the Virgin Islands, an amount, which shall be used exclusively as aid to the permanently and totally disabled, equal to one-half of the total of the sums expended during such quarter as aid to the permanently and totally disabled under the State plan, not counting so much of such expenditure with respect to any individual for any month as exceeds $30; and (3) in the case of any State, an amount equal to one-half of the total of the sums expended during such quarter as found necessary by the Administrator for the proper and efficient administration of the State plan, which amount shall be used for paying the costs of administering the State plan or for aid to the permanently and totally disabled, or both, and for no other purpose.'

"(e) The amendments made by the preceding sections of this act shall be effective on and after October 1, 1954.

"(f) (1) If—

"(A) during the 1-year period beginning October 1, 1954, or the 1-year period beginning October 1, 1955, the total State expenditures (as defined in par. (2)) for any State under a State plan approved under title I, IV, or XIV of the Social Security Act are less than the total State expenditures for such State under such plan during the base period (as defined in par. (2)), and

"(B) the State expenditure per recipient under such plan for such year is less than the State expenditure per recipient under such plan during the base period, then the amount payable to such State under such title for such year shall be reduced by whichever of the following is the least:

"(C) the amount by which the total State expenditures during the base period under such plan exceeds the total State expenditures during such year under such plan:

"(D) the amount by which the State expenditure per recipient during the base period under such plan multiplied by the monthly average of the number of individuals who received aid or assistance under such plan during such period exceeds the State expenditure per recipient under such plan for such year multiplied by the monthly average of the number of individuals who received aid or assistance under such plan during such year; or

"(E) the amount by which the sum which would be payable to such State for such year under such title but for the provisions of this section exceeds the sum which would be payable to such State for such year under such title if this section had not been enacted.

"(2) For purposes of this subsection, the term 'total State expenditures' means, in the case of a State plan approved under title I, IV, X, or XIV of the Social Security Act, the difference between (A) the total expenditures (other than expenditures to meet the cost of administering the State plan) with respect to which amounts are payable to the State under sections 3, 403, 1003, and 1403, respectively, and (B) the amount so payable to the State; the term 'State expenditure per recipient' with respect to any year or with respect to the base period, as the case may be, means, in the case of a State plan approved under title I, IV, X, or XIV of the Social Security Act, the total State expenditures during such year or period under such plan divided by the monthly average of the number of individuals who received aid or assistance under such plan during such year or period; the term "base period" means the 1-year period ending September 30, 1954; and the term 'State' includes Alaska, Hawaii, and the District of Columbia.

"(g) Section 1108 of such act relating to limitation on payments to Puerto Rico and the Virgin Islands is hereby repealed."

Mr. HUMPHREY. I should appreciate an explanation of the very peculiar situation to which I was referring a moment ago. If any Senator can explain to me that when a husband dies his wife should not receive the benefits which he would have received if he had lived, I would like to hear a logical explanation. I know the law does not permit it, but I think the law is a little "nuts" on that proposition, and I think it should be corrected. [Laughter.]

My amendment would offer an opportunity to do something for the folks at home.

A day or two ago the Senator from Louisiana [Mr. LONG] proposed an amendment to reduce the authorization for foreign appropriations by $1 billion. Then he offered an amendment to cut it $500 million, and it was agreed to. But when the bill came from the conference committee he lost $500 million, and he did not even know what happened. It was because there are some people in Italy, in France, and in Formosa—the Senator from Louisiana has met those Formosans; they are good constituents of the Senator from Louisiana [Laughter]—who had to have that money.

But, Mr. President, if we suggest an extra $5 on old-age insurance we are met with, "Oh, no, we cannot do that." Insurance company executives get to thinking that the money of the company is theirs, but it belongs to the policyholders. Congress is thinking that this money belongs to us. It does not. It belongs to the policyholders. We have a right to raise the benefits. The taxpayers of this country can provide the money to furnish a decent income for the senior citizens of this country. There are two classes of people that deserve consideration. They are not Senators, not Representatives; they are children and old people.

Persons between the ages of 18 and 65, if they have an education, should be able to take care of themselves pretty well. They do not need any pump priming or very much extra help. But folks who are 65 and over and are in need, are receiving $51.34 a month, which is the average payment of old age assistance in the United States. It is $51.34 a month in the richest Nation on the face of the earth, a country which has spent $5 billion to smoke cigarettes, $7 billion to

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make people think they feel better than they really are by the use of spirits, $700 million to paint themselves up with cosmetics to look a little better than they are, but when we suggest that grandma and grandpa get something, we are told that the old budget is going to break. There is something wrong with the Treasury.

I always remember what my dad said. My father was a wonderful man. He never once told his son what time to go to bed. But I am here to say that he was an expert on getting him up. He knew what time to get his son up. If the son came in at 5 in the morning, his father got him up at 6. If he came in at 4, his father got him up at 6:30. The later the son got in, the earlier he got up.

This Senator does not believe in telling the people of America how to live. Some persons may want to waste their lives away; some may want to drink their lives away; some may want to go to the horseraces every day. I suppose if they want to do it, they have a right to do it. But if they are going to "horse" around like that, then they are going to pay for grandpa, too. They are going to provide for old-age assistance. If they are going to day for the Devil, they are going to help keep the churches open, too.

The PRESIDING OFFICER. Will the Senator from Minnesota state the amount of time he yields to himself?

Mr. HUMPHREY. The whole works—15 minutes. This is my last amendment. I have not had much good fortune tonight. I was able to get the undertakers—the funeral directors—into the bill, but no others.

I am proposing that the old-age assistance payments be increased $5 a month to help the needy, the aged, the poor, the helpless, the sick; $5 a month for the blind and disabled; $3 a month for dependent children. Do not let me hear anyone say that we cannot afford it. We cannot afford it? It will not cost half as much as it costs every time we try out an atom bomb on the French Flats in Nevada to see if it will work. I do not know whether we have proved anything particularly, but we have found that they do work.

We have made an appropriation for Indochina, and we do not even know to whom we have given it. That is a fact. We appropriated $1,300,000,000, if I am not mistaken; I do not have the exact figures. We were not certain which side was going to get it, where it was going to go, or who was going to get it.

I heard the arguments on the floor that that money was needed. Not only that, it was said that since we did not know where it was going to go, we should give it to the President; that he would determine where it would go. Let Senators examine the RECORD. They will see exactly what we did. We said we were not sure, but we might need it. After all, things are tough all over; we might need it. So we gave $1,300,000,000 to the White House. We gave it to the President. We trust the President. Yes, I trust the President. I voted to give the money to him. I thought he might need it. I thought there might be a time and a place for its use.

Now I appeal to the Senate to do something for the senior citizens of this country, the persons who live in shacks, those who are sick, those who are old, those who are weary; the persons who have spent their lives; who have given their sons and daughters to the service of their country; persons who have worked their hearts out.

In 1946 we increased the old-age assistance payments by $5. In 1948 we increased them another $5. In 1952 we increased them another $5. We have helped older people to the tune of $15 in 9 years.

Mr. LONG. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. LONG. I am delighted to support the Senator's amendment. Unfortunately, the bill is going to help all retired persons except the needy. I believe the Senator's amendment would improve the bill, so that those who receive old-age pensions will receive additional assistance.

Mr. HUMPHREY. That is what should be done. I know that my amendment will increase the cost by a great amount. I assume it will cost $200 million for all those receiving old-age assistance, the blind, the disabled, and the dependent children. I might as well say what it will cost, because someone will certainly remind us later of what it will cost. But it will be the best $200 million that Congress will have spent. It represents Christian compassion. It represents what we should be doing unto the least of our brethren. It represents help to the helpless, help to the weary, help to the heavily laden.

Some days ago I voted for a tax bill that did not help the weary, that did not help the heavy laden. That bill helped the strong, the well born, and the rich.

I have read reports recently which indicated that the corporations in the United States have had the biggest corporate profit returns they have had in years, despite fewer sales and less gross income. But they have received more net income. Congress fixed it that way for them. Let us not "kid" ourselves. We fixed it.

Now we are at the point where we are going to help grandma and grandpa, who need some assistance. Let Senators try to get along on an average pension payment of $51 a month in the United States of America, in the year of our Lord 1954. No human being can do it in decency. I ask the Congress of the United States to help by another $5.

If the Long amendment had been adopted, then the States would not have been able to put $5 in their pockets and to say that they were saving the money to the State treasury. I am not interested in helping State auditors to prove that they have better financial reports. I am interested in the recipients of aid to the blind, to dependent children, and the aged.

Mr. President, I ask that the Senate give the amendment favorable consideration. I think that by so doing we shall end this session of Congress with kindliness, decency, humanitarianism, and compassion, which the country is looking for, and that its worthy citizens deserve.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Minnesota [Mr. HUMPHREY].

Mr. MORSE. I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. MORSE. I ask for a division.

On a division, the amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment of the amendments, and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

Mr. HUMPHREY. Mr. President, before its passage I desire to speak on the bill.

Mr. President, the progress this Nation has made in the field of social security has been slow but sure. I am glad that it has been sure but it is a matter in which we cannot afford to be slow. The needs of America's aged, widowed, orphaned, and disabled are not matters to which we can, in conscience, give leisurely attention. As I said more than 9 months ago:

> We can study social security to death, and it will not feed any hungry people. It is time for action, not more talk. Both political parties have promised such action.

Every man and certainly every political party has the right to change its mind on the important issues of the day. A change for the better is always a good thing. How gratifying it is to read today the recommendations of the Republican administration for a better social-security program when only 4 years ago the Republican Party in the Senate and the House of Representatives was registering overwhelming votes against many of these same recommendations as they came from the desk of a Democratic President. Mr. President, I welcome the newcomers to our ranks with a greeting to remind them that I remain where I always have stood. I do not believe in playing politics with poverty. My views on the welfare and the security of the American people have not shifted with the change in administration.

In 1950 I was proud to participate in the revision of the Social Security Act and at the same time fight for additional liberalizing amendments. During that debate I made a statement of the principles which guide my activities in social-security legislation. It is with these principles in mind that I view the current legislation and I would, therefore, like to repeat my statement of 4 years ago. At that time I said:

> I believe that a sound social-security program should embody the following fundamental principles:
>
> 1. Universal coverage for all persons who work for a living.
>
> 2. Protection under the insurance system of all aged persons, irrespective of length of time that they have contributed to the insurance system or whether they have retired prior to contributing to the insurance system.

3. A substantial increase in the amount of benefit so that individuals may retire with security, dignity, and reasonable comfort.

4. Payment of insurance benefits to individuals during periods of disability so that individuals who are sick or disabled may also have security as well as some income, which will make it possible for them to avoid asking for charity and enable them to pay their doctor's and hospital bills from their insurance benefits.

5. Federal grants to the States for public assistance to needy persons for whom the insurance program cannot meet all needs.

We have made a good start in overhauling our social-security system. But we cannot be content with what we have done so far. We must not wait for another 11 years to make the changes which will bring our social-security system up to date.

I believe we must go forward in making bold and progressive changes in our social-security system if we are to meet the needs of our people in a dynamic and changing economy.

In 1949, my first year in Congress; in 1950; in 1952; and in the present 83d Congress these principles have prompted me to introduce amendments to the Social Security Act which would bring its provisions more in line with modern needs. It is with these principles in mind that I view the pending legislation. Let me say that the bill now under consideration makes several necessary and important contributions to our social-security program. However, I do believe there are two vital areas with which this bill does not adequately deal. Therefore, I would call your attention to two amendments which I have introduced to remedy these defects.

My first amendment would raise the minimum benefits from $30 to $40 a month. Mr. President, I do not intend to deliver a long and emotional harangue on this subject. I will merely cite one small statistic. My proposed increase in the minimum benefit from $30 to $40 would currently bring increases to about 1½ million people. What a tale of hardship, penury, and despair among American citizens these figures tell. I say that a $10 increase in minimum benefits is the very least we can allow.

Under my second amendment, wives' benefits would be increased to 75 percent and widows' benefits to 100 percent. The adoption of this proposal would mean that about 1 million wives and 500,000 widows would receive increases. All this tries to do is write a little more equity into our social-security laws. Is it not absurd to have written into the law of our land the concept that a widow can subsist on less food, clothing, and shelter than her deceased husband? Nor is it less absurd to suggest that an aged couple can live on only half as much as a single retired person. This proposal is no more startling than simple justice.

I am grateful that many of the proposals I have made have been incorporated into the law of our land. Other amendments which have once failed of approval I have reintroduced in hopes of their ultimate adoption.

In this Congress I introduced 6 measures which I believe fill significant gaps in our present social-security program. I would like to briefly outline these measures and mention the action that has been taken on each of them:

First. A bill to extend social security credits for periods of military service. This proposal was enacted in 1953 as Public Law 269.

Second. A bill to increase the allowable monthly earnings from $75 a month to $1,200 a year without loss of earnings. This provision is in the pending social security bill (H. R. 9366) as approved by the Senate Finance Committee.

Third. A bill to increase old-age and survivors benefits to wives, widows, and dependent children. Although the pending bill does not offer increases as adequate as the ones I suggested, it does propose to raise the minimum benefits from $25 to $30.

Fourth. Also included in the pending bill is my proposal to provide an opportunity for ministers to be covered. I originally introduced this bill in response to many ministers who wanted to be included in the program.

Fifth. Also included in the pending bill is my proposal to make employees of institutions of higher learning eligible for coverage under the program.

Sixth. Finally the pending bill also includes my proposal to extend for 2 years the $5 increase provided to the States in 1952 for payment to old-age assistance, aid to the blind, and aid to dependent children.

Naturally, when I first introduced a series of my bills on May 18, 1953, I did not think they were by any means all-inclusive. However, I did and still do feel that their passage would fill immediate needs. To be frank, I thought the worth of these measures so obvious that they might be acceptable to Congress without years of procrastination and study. I will be the first to admit that these proposals are only a starter. The sum total of these bills defines only the very minimum goals for social security in the United States. I, therefore, also joined with several of my distinguished colleagues in sponsoring an omnibus or general social-security-revision bill.

The omnibus social-security bill is a carefully prepared and up-to-date document. It represents many of my basic convictions as to the needs of our aged, our handicapped, our disabled. I hope that many of its provisions will be enacted into law this year; and if this happens I will feel we have dealt justly with the social-security program. I think the provisions of this bill speak for themselves, and I ask unanimous consent, therefore, that a statement setting forth some of these provisions as compared to those of the pending legislation be included at this point in my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

COMPARISON OF SOME PROVISIONS IN THE PENDING BILL (H. R. 9366) AND THE OMNIBUS BILL (S. 2260)

COVERAGE

The omnibus bill would have extended coverage to 13 million additional people rather than to only 7 million as the present bill provides. This would have meant the addition of some Federal employees, members of the Armed Forces, farmers, and professionals.

MINIMUM AND MAXIMUM BENEFITS

The pending bill has adopted the proposal in the omnibus measure to raise the minimum benefits from $25 to $30. Identical increases in family maximum benefits have also been adopted—from $168.75 to $200. However, the omnibus measure would have raised the individual maximum from $85 to $135 instead of only to $108.50 as the present bill provides.

WAGE BASE BENEFITS

Under the omnibus bill, the wage base benefits would have been raised from $3,600 to $6,000 a year instead of to $4,200. This would have been of particular help to middle-income groups.

BENEFITS BASIS

The pending bill makes a real step forward by eliminating the 5 lowest years of earnings in computing average earnings on which benefits are based. The omnibus measure went a step further by using the 10 highest consecutive years of covered earnings.

REVISION OF BENEFIT FORMULA

Both measures provide higher percentage replacement of earnings in middle income brackets. However, only the omnibus measure provides an incentive through an increment of one-half of 1 percent for additional years of employment and contributions and a 2 percent increase in benefits for each year retirement is delayed past the age of 65.

RETIREMENT TEST

Provisions of both measures are similar in that they raise the amount of permissible earnings to a figure equivalent to $1,200 a year. The pending measure has also reduced the age from 75 to 72 at which benefits are payable irrespective of retirement.

BENEFITS FOR DISABLED PERSONS

The provisions of the two bills in this category are quite different. Under the pending bill, the insured status and the benefit rights of persons totally disabled over 6 months are frozen, to prevent reduction of benefits from years of no earnings. No benefits are, however, payable until the age of 65. The omnibus measure goes further by declaring that benefits are immediately available to persons totally and permanently disabled, regardless of age. In addition, retirement benefits payable at the age of 65 will not be based on years of no earnings. This category and the next are extremely important in view of the fact that while over 2 percent of our working force suffers from long-term disability only 1 in 20 of these are eligible for workmen's compensation.

REHABILITATION

While the pending bill provides for the expansion of rehabilitation services, the omnibus measure goes further in this respect and provides monthly benefits while rehabilitation continues.

TEMPORARY DISABILITY OR ILLNESS

The pending measure makes no provision for temporary disability or illness, while the omnibus measure provides cash benefits up to 26 weeks a year.

FINANCING

Under the pending measure the final contribution rate is to be increased to 4 percent of the taxable payroll in 1975, instead of 3¼ percent, and the tax on self-employed is to be increased to 6 percent instead of to 4⅞ percent. Under the omnibus measure there would be an increase in both the frequency and amount or raises in the contribution rate to a peak of 4 percent of taxable payroll in 1961, and 5¼ percent for self-employed in the same year.

Mr. HUMPHREY. Mr. President, I am glad to say that several of the excellent provisions in the omnibus bill

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have been included in H. R. 9366, the pending legislation. They include:

First. The increase of maximum monthly benefits to $200;

Second. Preservation of the insurance rights of persons permanently disabled;

Third. Certain increases in benefits although they are not as liberal as those in our omnibus bill;

Fourth. Liberalization of the retirement test;

Fifth. Extension of coverage; and

Sixth. An increase in the wage base.

Mr. President, in 1950 and in 1952 Congress passed major revisions in the social-security program. I supported these liberalizing provisions—some of the changes, in fact, came about through the adoption of amendments which I sponsored or cosponsored. Perhaps it is of some significance that the even-numbered years seem to favor progress in this field. Well, then, this is 1954 and much remains to be done. Let us continue the advance. Let us make sure that all the American people are free from the blight of poverty and the fear of insecurity.

At this point I would like to make a few remarks on the steps forward we did make in 1950 and 1952.

In 1950, the benefits of the social-security system were extended to some 10 million more people. Both in 1950 and 1952 payments under the system were substantially liberalized. Through a new formula the average benefit for those already on the rolls went up a total of $25; allowable monthly earnings rose from $14.99 to $50 and finally to $75; benefits were increased for widows and orphans and it was provided that lump-sum payments be made in the event of all deaths. In addition, veterans were granted a $160 monthly wage credit toward social-security benefits for each month of active service, July 25, 1947, to December 31, 1953.

It was also in 1950 that Congress added the new concept of Federal grants-in-aid to the States for the permanently and totally disabled. Under this program, improved public assistance was made available to the blind, the aged, and dependent children. Grants were also increased for maternal and child health, crippled children, and child-welfare services.

Though we did not achieve our ultimate goals, these 2 years, 1950 and 1952, were memorable ones in the development of our social-security program. I was pleased and proud that several of my proposals, particularly that increasing old-age and survivors benefits by $5, met with approval. I also feel that the amendments I introduced which did not meet with approval made a real contribution. For, as has happened in the past, I am sure that they will prove to be the seed which will bear fruit this year, I hope, and if not, in the future.

Among the amendments I have supported and sponsored in 1950 were those to extend coverage to an increasing number of Americans. I also introduced amendments to increase benefits to those who retire under the program as well as to the aged and the blind. Another amendment would have provided Federal grants for medical care to the needy aged, and blind, and dependent children. It was in 1950 that I first supported the amendment to provide insurance benefits of the old-age and survivors insurance program to individuals who are permanently unable to work because of physical or mental illness.

I would like to call particular attention to a bill I sponsored together with Senator DOUGLAS to expand our provisions for the treatment and rehabilitation of disabled persons. The bill, which included the program of vending stands for the blind, provided for Federal payments to cooperating State agencies, Federal payments for the establishment of workshops and rehabilitation centers, and provided for a program of Federal research on rehabilitation techniques. It also provided for loans to the States to carry out programs under the act, and provided a revolving fund to assist workshop cooperatives of severely disabled people.

Among the measures I introduced in 1952 for the liberalization of the social-security program were several that I had already introduced in 1950 or have currently reintroduced. However, I would like to note one, as yet unmentioned, measure which would have provided that any person eligible for old-age and survivors insurance would be entitled to hospital benefits equal to 60 days a year. This proposal has not yet been approved, but it still represents one of the most pressing needs of America's senior citizens.

None of us can for long deny the appeal to our conscience which asks that the strong share part of the burden of the weak.

This has been my record during the last 6 years on social security. America is the richest Nation in the world. Indeed, it is my belief that we can no longer afford to allow destitution and despair rot like a canker in our midst. Now is the time to show the world that our American way of life can bring prosperity and security to all the people. I, for one, will join with my colleagues to carry on this fight until the inevitable day when men shall dimly remember, but never again experience, the fears of economic insecurity. It has been this faith and dedication in the future and in our fellow Americans that has made our country the greatest in the world.

The PRESIDING OFFICER. The bill having been read three times, the question is, Shall it pass?

The bill (H. R. 9366) was passed.

Mr. MILLIKIN. Mr. President, I send to the desk an order, which I ask to have read and to be agreed to.

The PRESIDING OFFICER. The clerk will state the order.

The legislative clerk read as follows:

Ordered, (1) That the bill (H. R. 9366) be printed with the Senate amendments numbered.

(2) That in the engrossment of the amendments of the Senate to the bill, the Secretary of the Senate is authorized to make all necessary technical and clerical changes, including changes in section, subsection, paragraph, etc., numbers and letters, and cross-references thereto.

The PRESIDING OFFICER. Without objection, the order is agreed to.

Mr. MILLIKIN. Mr. President, I move that the Senate insist upon its amendments, request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer (Mr. GOLDWATER in the chair) appointed Mr. MILLIKIN, Mr. MARTIN, Mr. WILLIAMS, Mr. GEORGE, and Mr. BYRD conferees on the part of the Senate.

APPROPRIATIONS FOR MUTUAL SECURITY

Mr. KNOWLAND. Mr. President, I now desire to have the mutual security appropriation bill made the unfinished business of the Senate. It will not be taken up for debate or voting tonight, but will be the order of business when the Senate reconvenes at 10 o'clock tomorrow morning.

I move that the Senate proceed to the consideration of Calendar No. 2343, H. R. 10051, the foreign-aid appropriation bill.

The PRESIDING OFFICER. The clerk will state the bill by title.

The LEGISLATIVE CLERK. A bill (H. R. 10051) making appropriations for mutual security for the fiscal year ending June 30, 1955, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 10051) making appropriations for mutual security for the fiscal year ending June 30, 1955, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

LEGISLATIVE PROGRAM

Mr. KNOWLAND. Mr. President, I desire to make a brief announcement to the Senate. There will be a meeting of the policy committee either tomorrow or Monday, after which I expect to consult with the minority leader, and also to inform the Senate of additional proposed legislation to be considered.

A number of bills have, from time to time in the past, been mentioned for consideration. I remind the Senate that the bills I am about to state will not be inclusive of the list which will be considered, but they are among those which heretofore have been mentioned. As a matter of fact, it does not include even all of those. The bills are as follows: Calendar No. 1834, Senate bill 3428, the defense facilities bill; Calendar No. 1833, H. R. 9580, the espionage bill; Calendar No. 1827, Senate Resolution 280; Calendar No. 1828, Senate Resolution 282; and Calendar No. 1829, Senate Resolution 281, the contempt citations previously mentioned, which I expect to call up for consideration some time on Monday; Calendar No. 644, H. R. 6287, to amend the Renegotiation Act of 1951; Calendar No. 1808, H. R. 9709, the unemployment compensation bill; Calendar No. 1931, a bill (S. 2559) to amend title 17, United States Code, entitled "Copyrights," which is the same as Calendar No. 2235, House bill 6616, dealing with copyrights, which is the proposed legislation to go

along with the treaty which has already been ratified by the Senate; Calendar No. 2365, a bill (S. 3067) to require that international agreements other than treaties hereafter entered into by the United States, be transmitted to the Senate within 30 days after the execution thereof; Calendar No. 2367, a bill (S. 2975) to amend title 28, United States Code, relating to the Customs Court.

At the next policy committee meeting there will be a number of other bills, about which I shall immediately inform the minority leader, and also bring to the attention of the Senate.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield to the distinguished minority leader.

Mr. JOHNSON of Texas. I did not hear the majority leader mention House bill 7840, the railroad retirement unemployment insurance bill. As I understand, the policy committee has not yet had an opportunity to consider that bill.

Mr. KNOWLAND. That is correct. There is a considerable number of bills in which Senators on both sides of the aisle have expressed interest, and those bills will be considered in order to determine which ones can be concluded in the general legislative program prior to adjournment, or prior to recess by the Senate and adjournment by the House.

Mr. JOHNSON of Texas. The minority leader has talked both to the chairman of the policy committee and to the distinguished majority leader about the bill I just mentioned. In view of the fact that the bill passed the House by a vote of 360 to 0, and the fact that it was reported by the Senate committee by a vote of 11 to 1, I hope the Senate will have a chance to pass upon the bill before Congress adjourns. I again wish to urge the distinguished majority leader, who has always been considerate of our requests, to please ask the policy committee to clear that bill before Congress adjourns.

Mr. KNOWLAND. I say to the distinguished majority leader that that will be one of a number of bills that will be considered by the policy committee when it meets.

TRIBUTE TO SENATOR MILLIKIN

Mr. JOHNSON of Texas. Mr. President, I wish to congratulate one of the ablest, most distinguished, and beloved Members of this body for the success that the Senate has had today, namely, the Senator from Colorado [Mr. MILLIKIN]. We ought to take off our hats to anyone who can succeed in having the debt limit raised $6 billion, have the social security bill passed, and nevertheless permit Senators to get home before 12 o'clock midnight. [Applause.]

Mr. KNOWLAND. I fully agree with the statement of the distinguished minority leader.

THE SOCIAL-SECURITY BILL

Mr. MORSE. Mr. President, I have three very brief items on which I should like to comment. First, I wish to make a very brief statement on the social-security bill for the RECORD, so that my constituents will know my position and will know why certain amendments were not offered by me tonight. After a series of conferences and a count of noses, it became perfectly clear to me that in the rush hours of this closing session it would be impossible really to revise the Eisenhower social-security bill along the lines of the Lehman substitute bill which I have been supporting.

In a policy conference that a group of us had, we simply recognized the realities of the situation and decided that all we could do would be to try to support a few amendments, which I did, and then, come January, seek to put into law a revised social-security system that would do justice to the aged and to other groups not now covered by the social-security law who should be covered and are not included in the bill which the Senate just passed.

Of course, the parliamentary strategy that existed on the floor of the Senate tonight bore out very clearly the statement I made. We could not get a yea-and-nay vote. We could not get Senators to go on record in connection with adding even $5 to the social-security benefits of the aged and the dependent children.

So I say to my constituents that they need have no concern as to what their Senator is going to do come January. I am going to continue to fight for a social-security law that will keep faith with the principles I enunciated a few minutes ago on the floor of the Senate in a short speech, when I said the people of the Nation have a clear moral obligation to many thousands of persons—yes, a good many millions—in the country whose gross income is $3,500 a year or less.

We were confronted with a situation in which the best we could get out of this session of the Congress in its closing hours was the administration bill, with a few minor amendments which we were able to add in the bill today.

I now wish to proceed to the second item.

IDA KLAUS RESIGNS

The PRESIDING OFFICER. The Senator from Oregon has the floor.

Mr. MORSE. Mr. President, I should like to make a brief comment upon the resignation of a great public servant, Miss Ida Klaus, who for some 21 years has been in the Federal service. She has been the Solicitor of the National Labor Relations Board for some years. When I was on the War Labor Board during the war our Board was helped many, many times by Miss Ida Klaus, who is one of the most brilliant lawyers in this country in the field of labor relations.

I have in my hand the official statement of the National Labor Relations Board, dated August 13, 1954, announcing her resignation. The statement takes the form of Miss Klaus' letter of resignation to the Chairman of the Board, Mr. Guy Farmer, and the reply of Mr. Farmer to Miss Klaus.

I ask unanimous consent that the release of the National Labor Relations Board be printed at this point in the RECORD as a part of my remarks.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

IDA KLAUS RESIGNS

Miss Ida Klaus, the Board's Solicitor, resigns to join the New York City government. She terminates 21 years of Federal service to become counsel to the newly formed New York City department of labor.

Following is the exchange of letters between Miss Klaus and Chairman Farmer:

DEAR GUY: It is with a feeling of sincere regret that I tender my resignation as an employee of the Board, to become effective September 1.

It is naturally difficult to bring to a close a career of nearly 21 years with the Federal Government, 17 of them with the Board, culminating in my service as Solicitor during the past 6 years. Another branch of the family of government, the city of New York, has asked me to serve as counsel to its newly formed department of labor, and I feel that I must accept. Aside from the personal reasons which impel me to return to New York after so long an absence, I feel that I can take back to my native city, which reared and educated me for the work I have performed, the very substantial benefits of 21 years of training in the workshop of the Federal Government.

I shall always be grateful to the Board members, past and present, and to the staff for their trust and their confidence, in return for which I sought at all times to give the best of my ability.

Sincerely,

IDA KLAUS.

DEAR IDA: I learn of your resignation with regret, which I know is shared by my colleagues, by the General Counsel, and by every member of the staff. You have served the Board and the Government faithfully and brilliantly throughout your long career in Washington, and your departure will be a loss to this agency and the career service. It will also be a personal loss to those of us, and there are many, who have known you for these many years.

You have served this Board well in various important legal posts, and have lived with it through vicissitudes and trials. I know that you have always given your best to your job, and that you have fearlessly and honestly given the Board the benefit of your opinion as a lawyer on the many difficult questions of statutory interpretation with which it has been faced. While you and I have at times disagreed, which is understandable among lawyers, I have never underrated the value of your advice, nor have I ever had occasion to question the sincerity of your opinions. I am merely stating a recognized fact when I say that your grasp of the law which we administer and your ability as a lawyer are unexcelled.

I cannot close without saying that I think that I understand something of your emotions on this occasion. It is not easy to leave a post which has been so large a part of one's life for so many years. But you can take with you a large measure of pride in your past accomplishments, as well as the comfort of knowing that there go with you the best wishes of all of us. I know that you will be eminently successful in your new career, or perhaps I should say in the continuation of your career in another field.

Sincerely yours,

GUY FARMER,
Chairman.

Mr. MORSE. Mr. President, I close my comments on that item by saying that the country has been well served by Miss Klaus. She has resigned in order to accept a position of solicitor of the Labor Relations Board of New York City. I want to wish her well and

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congratulate her in the honor represented by her new appointment.

I now wish to proceed to the third item.

The PRESIDING OFFICER. The Senator from Oregon has the floor.

INCREASING THE DEBT LIMIT

Mr. MORSE. Mr. President, the last item I wish to mention for the RECORD and for the attention of my constituents, because I have had a great deal of correspondence with them during the year on this point, is in connection with the increase in national debt limit today. I did not think much of the argument for increasing the national debt limit. I thought it most unconvincing. Yet again we were confronted with the reality of accomplishment. I am glad it was presented to us, and that those who proposed it insisted—they not only insisted, but they assured us—it was on a temporary basis only, and that unless it was accepted by the House on a temporary basis, there would be no increase at all.

However, there is one point in this whole debate that I think needs to be answered, and it was very effectively answered in a column recently written by Andrew Tully, under the heading "The Administration Is Indebted to a Gimmick," which was published in the Washington Daily News of Monday, August 9, 1954. Mr. Tully pointed out that the Eisenhower debt is really greater than it was reported to be by the Eisenhower administration because of a bookkeeping "gimmick" that the Eisenhower administration has adopted that was not a bookkeeping practice under the Roosevelt and the Truman administrations. To buttress the observation I have just made, I should now like to read the article:

In all this "hassle" about increasing the debt limit, don't try to get any consolation out of Government figures which appear to show the public debt as being less than it was under Presidents Roosevelt and Truman.

Actually, figured on the same basis as in previous administrations, the public debt is the highest in the Nation's history.

The reason is a bookkeeping "gimmick"—perfectly logical and legitimate—adopted by the Eisenhower administration to show the amount owed by the Government to people that have savings bonds.

The Eisenhower boys enter on the books only the current value of these savings bonds, whereas in the past the debt was figured on the basis of the bonds' maturity value. In other words, nowadays, if you've just bought a $100 war bond for $75, the Government figures it owes you only $75 instead of $100, since it would have to pay you only $75 if you cashed it today.

In previous administrations, the moment you bought a $75 bond, the Government acknowledged it owed you $100.

Thus, the so-called peak debt year of 1946 wasn't the peak at all. The debt then was $279 billion, which is $5 billion higher than the present debt of $274 billion. But the 1946 figure included approximately $10 billion in interest which the Government figured it owed—or would owe—on savings bonds. Figured on the basis the Eisenhower administration uses, the public debt in 1946 was only $269 billion, or $5 billion less than the current debt.

Or, if you figured the Eisenhower public debt as they figured it in previous administrations, it would amount to $286 billion because the interest to be due on savings bonds has increased to $12 billion.

The public debt, incidentally, has increased $18 billion since Harry Truman left the White House. It was $266 billion then, but again you have to lop off $10 billion in savings bond interest in order to compare it fairly with the current debt. Lowest postwar debt was in 1949, when the debt was $252 billion or $242 billion if figured according to the Eisenhower system.

All these figures come from Edwin L. Kirby, Commission of the Public Debt. Mr. Kirby sighs wistfully when he reminds you that there has only been 1 year in which the United States had no public debt.

That was in 1836 and the reason was a combination of a prosperity wave and a President named Andrew Jackson, who slashed Government expenditures with a meat cleaver, That was the year, incidentally, when the United States paid off the last installment of its $40 million Revolutionary War debt.

Although Americans are accustomed to thinking of themselves as creditors to the rest of the world, part of our public debt is owed to foreigners. The total is $6 billion, mostly held by banks and public institutions in Europe. Germany heads the list of creditors with $675 million in United States I O U's.

That bears out an observation I have made many times during the last few months on the floor of the Senate, Mr. President. I close my remarks with that tonight. It is a far cry from Mr. Eisenhower's campaign pledges as to what he was going to do about balancing the budget and what he was going to do about the national debt.

I say in all fairness and with frankness that in my judgment there were a great many savings the President could have brought about that he has not brought about, and the fact is we are deeper in the red today under President Eisenhower than we were when Harry Truman left the White House.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. KNOWLAND. Of course, I cannot let the statement of the Senator from Oregon pass. The record will speak for itself. At a later date the facts will be presented.

The fact of the matter is that there have been substantial reductions in the budget items under this administration, compared with those of prior administrations, but I do not believe that 11:15 at night is the time to begin a protracted argument in this regard.

I yield to the Senator from Louisiana.

LEGISLATIVE PROGRAM

Mr. ELLENDER. Mr. President, a few minutes ago the distinguished majority leader stated a list of bills he proposed to call up before the Senate adjourns. I am wondering if the majority leader will tell us about Calendar No. 2026 (H. R. 9859) authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes.

Mr. KNOWLAND. I will say to the distinguished Senator from Louisiana that the bill he mentions is one of a number of bills as to which there has been a considerable amount of interest expressed. The Senator from Texas [Mr. JOHNSON] mentioned one bill, and other Senators have mentioned other bills, both publicly on the floor and privately. The bill the Senator from Louisiana refers to is one which will be considered by the policy committee tomorrow.

There are a number of bills which have not yet been cleared for floor action, but which have been mentioned by individual Senators. Again, I do not mean the list to be all-inclusive, but there are to be considered Calendar No. 2297, H. R. 8898, to amend the Civil Aeronautics Act; Calendar No. 2000, Senate bill 1555, the Colorado River bill; Calendar No. 1315, Senate bill 2910, a bill providing for the creation of certain United States judgeships; Calendar No. 1794, Senate bill 880, dealing with the District of Columbia taxi situation; Calendar No. 1830, H. R. 3300, dealing with the control of the lake level of Lake Michigan; Calendar No. 2357, House Joint Resolution 565, dealing with the Pan American Institute of Geography and History; Calendar No. 2499, H. R. 9756, relative to the borrowing power of the Commodity Credit Corporation; and Calendar No. 2030, H. R. 6573, the Reserve officers bill.

That list merely delineates some of the problems faced by the policy committee. Again I say that is not the entire list of bills about which either the majority leader, the minority leader, or Members on both sides of the aisle have been importuned with regard to enactment. There is, I am sure all Senators will agree, a limit to what can be done in the period of time remaining.

Mr. ELLENDER. I presume the majority leader would recommend that this bill, H. R. 9859, be taken up this session?

Mr. KNOWLAND. Yes; I believe the public works bill is entitled to high priority consideration.

Mr. ELLENDER. I thank the Senator from California.

IRAN AND OIL IMPORTS—NEED FOR A PROPER BALANCE BETWEEN IMPORTS AND DOMESTIC PRODUCTION

Mr. DANIEL. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield to the Senator from Texas.

Mr. DANIEL. Mr. President, Americans rejoiced a few days ago to learn that the bitter British-Iranian oil dispute had been settled and that this valuable natural resource will be available to the Western World rather than to Soviet Russia.

The community of free nations stands to gain from this settlement. The western nations will have access to the oil, and revival of the industry will add greatly to the stability of the whole Middle East.

All of this will be true, Mr. President, only if Iranian and other Middle East oil producers use discretion, judgment, and statesmanship in determining the amount of oil which they will export to western oil-producing nations.

Even now oil imports to the United States are too high. They have reached

the point of supplanting rather than supplementing domestic production.

A better balance between the two must be established if we are to prevent great losses and eventual destruction of our domestic petroleum industry.

Let me make it clear, Mr. President—I realize that we must keep Middle East oil from going to Russia. We must receive some imports to supplement domestic production. However, it is equally important that we preserve and protect our domestic oil industry. It will serve no useful end for America to save the economy and oil industry of the Middle East if it is done in a manner that would destroy the economy and national defense potentialities of the United States.

Other Middle East countries must reduce their total output of oil proportionately so as to absorb the Iranian production when it is resumed. The total imports from the Middle East must be kept within present figures, or reduced, if we are to prevent destruction of the domestic oil-producing industry.

DANGERS OF EXCESSIVE IMPORTS

Mr. President, we have reduced domestic production to the breaking point. In Texas our conservation commission—the Texas Railroad Commission—has found it necessary to cut production of Texas wells to 15 days per month. This situation is not confined to Texas. While we have made the largest reductions in output, other States and producers have been similarly affected.

Excessive imports constitute a threat to the economic health and security of the entire Nation. Accessible oil at home is vital to our defense. Foreign supplies are not reliable if war should come.

Some have argued that we should use the Middle East oil now and save our own for the future. That would be excellent if we knew where all the oil in this country is located and if our domestic industry and its millions of employees could go without their livelihood for several years on end. Neither of these conditions is possible. All of the oil in this country has not been discovered. The search for new reserves must continue, and it can and will continue only if there is a healthy and profitable industry. The search for new oilfields is being retarded even now by necessary reduction of production.

INDEPENDENTS SUFFER MOST

A man will not risk a million dollars wildcatting for new oilfields if he cannot expect to produce at a rate necessary to return the cost of his investment. Giant corporations may be able to wait but not the independent producers, who are the lifeblood of a healthy oil industry.

Five major American oil companies will share in the new eight-company monopoly established by the settlement with Iran. These companies have other holdings in the Middle East. They can survive the blight of excessive imports, but not so with the independent producers whose income is confined to domestic production. Their problem was recently explained in an editorial in the August 6, 1954, edition of the Abilene Reporter-News, of Abilene, Tex. I ask unanimous consent that the editorial be inserted at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

OIL IMPORT PROBLEM

The bothersome and dangerous Iranian oil situation was near to settlement Thursday as representatives of 8 big western oil companies and the Iranian Government announced an agreement to start up that country's paralyzed oil industry within 2 months, after the long shutdown resulting from the dispute between British oil interests and the Iranian Government.

The great Abadan refinery and the surrounding oilfields will be operated by a consortium of the eight companies. The contract runs for 25 years, with the privilege of 3 5-year renewals.

Four of the eight operating companies are American—Standard of New Jersey, Standard of California, the Texas Company, and Socony Vacuum.

While this is good news to the Western World because it removes the threat of Communist conquest of Iran and its great oil riches, it carries implications of trouble for our own oil producers. It means Iranian oil will once more flow into world commerce, and as it finds markets here and there it will tend to flood the United States with oil imports, particularly from South America.

Heavy imports to this country have already pinched our independent producers, forcing cutbacks of production, particularly in Texas. The blow falls heaviest on the independents because the majors are both producers and importers.

Although the independents have steered away from handling the problem by higher tariffs, in the interest of world trade as a definite part of building dikes against communism, the Independent Petroleum Association of America, headquarters in Tulsa, recently proposed a reciprocal trade policy for United States oil imports.

Basically, this plan would apply to each country exporting oil to the United States a volume of oil related to the amount of United States goods it imports. Since this preserves the very spirit of reciprocal-trade agreements, it offers a persuasive and sensible solution to a problem that, unless remedied, may work untold financial injury and perhaps ruin upon the independent oil producers of Texas and other States.

Mr. DANIEL. Due credit should be given to the American oil companies operating in the Middle East for the extent to which they have reduced imports by practicing industrial statesmanship. I referred to this in a speech in the Senate on June 24—CONGRESSIONAL RECORD, pages 8852 to 8854. However, they must do more. Only additional voluntary reductions by importers of foreign oil will solve this problem without legislation. I hope that we can avoid legislation, but, as stated in the speech referred to, I shall advocate action by the Congress if this problem is not solved by the industry itself.

Gen. Ernest O. Thompson, chairman of the Texas Railroad Commission, is recognized as one of the world's leading authorities, if not the leading authority, on oil conservation and production. On August 4, 1954, General Thompson released a statement concerning the Iranian oil settlement and the danger of increased imports. I ask unanimous consent that General Thompson's statement be inserted at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY GEN. ERNEST O. THOMPSON, CHAIRMAN, TEXAS RAILROAD COMMISSION

We are glad Iran has been saved for service with the free world and not lost to Russian domination. Iran was in a critical position.

It is to be hoped that as Iran oil production is resumed that those other oil-producing countries around the Persian Gulf will reduce their output proportionally so as to avoid further flooding of the world markets with oil and causing wasteful storage.

In 1950, when Iran closed down production of 650,000 barrels daily, these neighboring Persian Gulf countries upped their production. Kuwait was producing 350,000 barrels daily in 1950, now produces 930,000 barrels daily. Iraq was producing 136,000 barrels daily in 1950, now 600,000 barrels daily. Saudi Arabia has increased to 955,000 barrels daily now, which is 60 percent greater than in 1950.

It would seem only fair that as Iranian oil moves back into the picture those companies operating around the Persian Gulf should reduce in the proportion that they moved into the void in 1950 and later years.

These wells in the Persian Gulf area average 6,000 barrels of oil each per day.

They are no deeper on the average than Texas oil wells.

Texas oil wells average 19 barrels per well per day.

Imported oil and products are supplanting our domestic oil here and abroad. Our oil imports increase constantly, while our oil exports dwindle.

Due to oversupply, Texas oil wells are allowed to operate only 15 days this month of August 1954.

There are 150,000 producing oil wells in Texas today.

It would not seem fair to our own people to permit more oil imports.

Mr. DANIEL. On the day before the above statement was issued, General Thompson wrote me a letter replying to certain questions posed on behalf of myself and my colleague from Texas [Mr. JOHNSON] concerning the crude-oil import situation. I ask unanimous consent that General Thompson's letter and three enclosures be inserted at this point in the RECORD.

There being no objection, the letter and enclosures were ordered to be printed in the RECORD, as follows:

RAILROAD COMMISSION OF TEXAS,
Austin, August 3, 1954.

Senator PRICE DANIEL,
United States Senator from Texas,
Senate Office Building, Washington, D. C.

DEAR PRICE: In reply to your questions about the crude oil import situation, I am happy to give such answer as I can.

Attached hereto is a page from the Oil Daily of July 30, which shows oil imports for the past year (exhibit A). You will notice that the total per day for the week ending July 23 was 1,157,300 barrels of oil coming into this country. A year ago it was 939,000 barrels. You can see that for the past year it has been running around 1 million or more barrels per day.

Also on the same page you will note that total oil exports for the first 5 months of 1954 are down 19 percent from the same period in 1953 (exhibit B).

Texas has 150,000 oil wells producing at this time. In the month of July, Texas reduced her production 190,000 barrels per day; and on August 1, Texas had to reduce

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an addition 120,000 barrels per day, which makes a total cut of 310,000 barrels in Texas daily production in the last 2 months. This is really very, very hard on the independent producers.

The reason we had to reduce our production was because too much oil was in storage and too much products are on hand.

I am attaching the latest storage figures to this letter so you can see the condition of stocks on hand above ground (exhibit C). Excessive stocks above ground are wasteful, and it is our duty to limit production to the market demand; namely, the amount that can be sold.

I am of the firm conviction that imported crude and products of petroleum have now reached the point where they are supplanting domestic crude rather than supplementing our supply. I think this is an understatement, in view of the fact that Texas oil wells are being permitted under order to produce only 15 days during the month of August, and required to be shut down 16 days.

It seems obvious that when the greatest oil-producing State in our Nation is compelled to shut down more than one-half the time during the midst of the big gasoline-consuming season, certainly imports are supplanting domestic production to the detriment of our State's economy and vitally adversely affecting the revenues of our State.

You know, 56 percent of our Texas State government revenues come from oil.

This sort of situation must not be allowed to continue, because it will mean the discouragement of drilling in this country and will endanger our supply of oil for defense of our country. We cannot depend upon foreign oil for national security, because, come war, foreign oil would be denied us through sinking of tankers.

It is all right to have a reasonable amount of imports of crude into our country, but it should not be at a point that adversely affects our peacetime economy or our national security.

Sincerely yours,

ERNEST O. THOMPSON.

EXHIBIT A.—*Crude and product imports*

[Figures are in barrels per day]

	East of California						California crude oil	United States total imports
	Crude oil	Residual fuel oil	Distillate fuel oil	Asphalt	Others	Total		
1954								
Week ended—								
July 23	681,600	314,300	25,800	15,300	39,400	1,076,400	80,900	1,157,300
July 16	565,700	261,200	13,900	25,000	5,300	871,100	107,700	978,800
July 9	637,500	327,600	9,700	12,300	9,900	997,000	62,700	1,059,700
July 2	630,200	230,400	25,900	12,900		899,400	48,700	948,100
June 25	539,100	350,600	18,800		25,000	933,500		933,500
June 18	624,200	253,200	31,600	25,100	9,500	943,600	30,400	974,000
June 11	450,500	267,200	24,400		25,500	767,600	31,600	799,200
June 5	675,900	369,000	12,400	15,400	19,000	1,091,700	53,600	1,145,300
May 29	771,000	250,400	5,000		18,700	1,045,100	111,400	1,156,500
May 22	708,800	336,700	16,800	4,000	12,600	1,078,900	23,200	1,102,100
May 15	510,200	219,600	15,700	21,100	22,200	788,800	40,900	829,700
May 8	654,300	327,900	17,500		15,700	1,015,400	55,000	1,070,400
May 1	494,300	262,400	5,000	7,400	9,500	778,600		778,600
Apr. 24	661,200	285,300	15,400	15,800	25,200	1,002,900	19,100	1,022,000
Apr. 17	336,100	344,400	36,800	1,200	9,800	728,300	16,600	744,900
Apr. 10	591,200	337,900	5,000		24,500	958,600	92,000	1,050,600
Apr. 3	483,800	282,800	5,000	7,300	19,000	797,900	28,900	826,800
Mar. 27	655,100	357,700	5,000		43,000	1,060,800		1,060,800
Mar. 20	676,600	436,200	5,000	12,700	9,800	1,140,300	71,900	1,212,200
Mar. 13	512,700	289,100	27,000	4,300	28,200	861,300	61,700	923,000
Mar. 6	551,200	520,000	10,000	11,000	15,600	1,107,800	5,700	1,113,500
Feb. 27	596,500	432,000	20,100	9,900	25,300	1,083,800	30,300	1,114,100
Feb. 20	641,100	528,300	10,000	7,300	18,700	1,205,400	83,300	1,288,700
Feb. 13	501,800	398,300	5,000		41,500	946,600	135,700	1,082,300
Feb. 6	501,700	536,300	5,000	9,800	400	1,053,200	84,700	1,137,900
Jan. 30	768,400	462,300	5,000		17,500	1,253,200		1,253,200
Jan. 23	472,100	529,900	5,000	9,800	47,700	1,064,500	24,000	1,088,500
Jan. 16	682,400	436,900	24,000		5,200	1,148,500	24,000	1,172,500
Jan. 9	493,100	353,700	5,000	7,400	8,800	868,000	114,300	982,300
Jan. 2	598,800	452,200	7,500	6,400	400	1,065,300	39,100	1,104,400
1953								
Week ended—								
Dec. 26	340,400	457,000	17,700	10,600	25,600	851,300	116,600	967,900
Dec. 19	688,900	366,700	10,800		19,200	1,085,600		1,085,600
Dec. 12	529,600	520,200	8,400	9,700	9,000	1,076,900	19,100	1,096,000
Dec. 5	486,300	321,300	5,000	7,900	25,900	846,400	67,100	913,500
Nov. 28	580,500	532,900	5,000		18,700	1,137,100	29,600	1,166,700
Nov. 21	468,500	315,900	7,400	17,200		809,000	86,700	895,700
Nov. 14	631,600	484,600	5,000		25,400	1,146,600	143,000	1,289,600
Nov. 7	496,600	344,300	5,000	7,300	8,800	862,000	74,400	936,400
Oct. 31	606,500	381,600	11,400		9,200	1,008,700	68,200	1,076,900
Oct. 24	530,400	266,500	5,000	3,300	9,000	814,200	37,000	851,200
Oct. 17	599,900	298,800	5,000	4,000	27,100	934,800	48,900	983,700
Oct. 10	650,400	209,700	5,000	18,000		883,100	137,100	1,020,200
Oct. 3	720,100	369,900	17,200	3,400	24,400	1,135,000	126,600	1,261,600
Sept. 26	489,800	293,600	11,400		8,900	803,700	59,300	863,000
Sept. 19	619,700	347,500	5,000	23,000	14,000	1,009,200	79,000	1,088,200
Sept. 12	487,600	342,700	5,000			835,300	110,600	945,900
Sept. 5	616,900	240,400	5,000	7,100		869,400	151,600	1,021,000
Aug. 29	733,300	229,700	1,400	17,900	14,300	1,006,600	55,400	1,062,000
Aug. 22	440,200	206,800	21,700	10,700	10,300	689,700	137,000	826,700
Aug. 15	570,600	246,600	5,000	14,200	9,900	846,300	60,300	908,600
Aug. 8	557,400	202,700	5,000			765,100	115,100	880,200
Aug. 1	547,600	270,800	5,000	14,600		838,000	91,900	929,900
July 25	555,500	318,400	12,000		10,400	896,300	42,700	939,000

EXHIBIT B

[From the Oil Daily of July 30, 1954]

TOTAL OIL EXPORTS FOR 5 MONTHS DOWN 19.2 PERCENT FROM 1953

Exports of crude and refined oil for the January–May period of 1954 held 19.2 percent below the like 5-month period a year ago.

Exports for May 1954 alone held 3.2 percent below May 1953, according to the latest report of the Bureau of Mines.

Total exports in the 5-month period amounted to 52,893,000 barrels, off 12,601,000 from 65,494,000 a year earlier. For May, total exports at 11,577,000 barrels dipped 376,000 from 11,953,000 for May a year ago.

Crude oil exported in the January–May period totaled 5,932,000 barrels, off 44.3 percent from 10,837,000 in the like year earlier period. For the latest reported month, crude exports totaled 1,258,000 barrels, off 21.9 percent from 1,611,000 for May 1953.

Refined petroleum exported from the United States in the first 5 months of 1954 at 46,691,000 barrels dipped 14.1 percent from 54,657,000 exported in the like 1953 period. May refined product exports totaled 10,319,000 barrels, off 0.2 percent from 10,342,000 exported in May 1953.

EXHIBIT C.—*Latest petroleum stock figures*

[In barrels]

[Products, July 23; crude, July 24; with changes from year earlier]

Crude oil	279,885,000	−225,000	(−0.1%)
Gasoline	158,844,000	+17,136,000	(+12.1%)
Distillate	98,412,000	+582,000	(+0.6%)
Kerosene	31,069,000	+1,196,000	(+4.0%)
Residual	53,585,000	+4,699,000	(+9.6%)
Total	621,795,000	+23,388,000	(+3.9%)

Mr. DANIEL. I shall take the liberty of sending these letters and exhibits to the President of the United States along with my remarks. I hope that President Eisenhower and the appropriate agencies of his administration will study this problem in order that recommendations may be made to Congress in January.

It seems to me that this is an appropriate subject for study by the President's newly appointed Cabinet Committee on Energy Supplies and Resources.

I know that President Eisenhower is conscious of the need to preserve and protect our domestic industry while we are helping to promote the welfare of other nations. On May 28, 1953, the President approved a statement by Secretary of the Interior Douglas McKay to the National Petroleum Council, a part of which reads as follows:

> I am hopeful that those companies importing crude oil or products will show industrial statesmanship in this important matter and that each company, acting individually and wholly on its own individual judgment, will exercise that restraint in respect of imports necessary to the health and security of the Nation.
>
> I have discussed this matter with President Eisenhower and the National Security Council. I can say to you that President Eisenhower concurs in these views.

Later, in his state of the Union message, January 4, 1954, President Eisenhower said that recommendations would be made, from time to time, in various fields. He said one of these would lead to the adoption of a sound program for safeguarding the domestic production of critical and strategic metals and minerals. It is my hope that the President will include the oil-import problem in his recommendations to the Congress next year.

I thank the Senator.

ADDITIONAL BILL INTRODUCED

Mr. KNOWLAND, by unanimous consent, introduced a bill (S. 3868) authorizing the payment of salary to any individual given a recess appointment as Comptroller General of the United States before the beginning of the 84th Congress, which was read twice by its title, and ordered to lie on the table.

EXTENSION OF RENEGOTIATION ACT OF 1951—AMENDMENT

Mr. MARTIN submitted an amendment intended to be proposed by him to

the bill (H. R. 6287) to extend and amend the Renegotiation Act of 1951, which was ordered to lie on the table and to be printed.

SOCIAL SECURITY ACT OF 1954—AMENDMENTS

Mr. HUMPHREY submitted amendments intended to be proposed by him to the bill (H. R. 9366) to amend the Social Security Act and the Internal Revenue Code so as to extend coverage under the old-age and survivors insurance program, increase the benefits payable thereunder, preserve the insurance rights of disabled individuals, and increase the amount of earnings permitted without loss of benefits, and for other purposes, which were ordered to lie on the table and to be printed.

INCREASE OF BORROWING POWER OF COMMODITY CREDIT CORPORATION—AMENDMENT

Mr. HOLLAND submitted an amendment intended to be proposed by him to the bill (H. R. 9756) to increase the borrowing power of Commodity Credit Corporation, which was ordered to lie on the table and to be printed.

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. CARLSON, from the Committee on Post Office and Civil Service:

One hundred and two postmasters.

RECESS TO 10 O'CLOCK A. M. TOMORROW

Mr. KNOWLAND. Mr. President, in accordance with the order previously entered, I move that the Senate stand in recess until 10 o'clock a. m. tomorrow.

The motion was agreed to; and (at 11 o'clock and 17 minutes p. m.) the Senate took a recess, the recess being, under the order previously entered, until tomorrow, Saturday, August 14, 1954, at 10 o'clock a. m.

SENATE

SATURDAY, AUGUST 14, 1954

(Legislative day of Thursday, August 5, 1954)

The Senate met at 10 o'clock a. m., on the expiration of the recess.

Rev. F. Norman Van Brunt, associate pastor, Foundry Methodist Church, Washington, D. C., offered the following prayer:

Be to us, O God, the guiding light of this day that, with wisdom and insight, we may be able to competently match its responsibilities. May our faith look up to Thee, our hearts put their trust in Thee, and our souls be flooded with the power of Thy presence.

Give unto us, we beseech Thee, the motive of the day: a complete willingness to serve Thee as we seek the best ends for our fellow men. Let us be radiant diffusers of confidence by every act and service we perform that, in these days of insecurity, men may see our faith in Him who does not change. Amen.

THE JOURNAL

On request of Mr. KNOWLAND, and by unanimous consent, the reading of the Journal of the proceedings of Friday, August 13, 1954, was dispensed with.

LEAVE OF ABSENCE

Mr. WILEY. Mr. President, I have been designated as one of the representatives of this Government to attend the meetings of the Interparliamentary Union which are to take place in Vienna from the 27th of August to the 2d of September. I have been requested by the Secretary of State to look into several matters which he desires investigated in Europe before the meeting. I ask unanimous consent that after Monday next I may be excused from attendance at the sessions of the Senate for the remainder of the session.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

PROPOSED AWARD OF CONCESSION PERMIT, ISLE ROYALE NATIONAL PARK, MICH.

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed award of a concession permit to operate the Windigo Inn at Washington Harbor, Isle Royale National Park, Mich. (with accompanying papers); to the Committee on Interior and Insular Affairs.

LAW ENACTED BY MUNICIPAL COUNCIL OF ST. THOMAS AND ST. JOHN, V. I.

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a copy of a law enacted by the Municipal Council of St. Thomas and St. John, V. I., to fix the regular expenses for the municipality of St. Thomas and St. John for the fiscal year ending June 30, 1955, and for other purposes (with an accompanying paper); to the Committee on Interior and Insular Affairs.

TEMPORARY ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

GRANTING OF APPLICATIONS FOR PERMANENT RESIDENCE FILED BY CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting the applications for permanent residence filed by certain aliens, together with a statement of the facts and pertinent provisions of law as to each alien, and the reasons for granting such applications (with accompanying papers); to the Committee on the Judiciary.

ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

FINANCIAL REPORT OF MILITARY CHAPLAINS ASSOCIATION

A letter from the secretary-treasurer, the Military Chaplains Association of the United States of America, Washington, D. C., transmitting, pursuant to law, the financial report of that association for the period January 1, 1953, to December 31, 1953 (with an accompanying report); to the Committee on the Judiciary.

AUDIT REPORT ON ALASKA ROAD COMMISSION, DEPARTMENT OF THE INTERIOR

A letter from the Acting Comptroller General, transmitting, pursuant to law, an audit report on the Alaska Road Commission, Department of the Interior, for the fiscal year ended June 30, 1953 (with an accompanying report); to the Committee on Government Operations.

AUDIT REPORT ON PUERTO RICO RECONSTRUCTION ADMINISTRATION, DEPARTMENT OF INTERIOR

A letter from the Acting Comptroller General, transmitting, pursuant to law, an audit report on the Puerto Rico Reconstruction Administration, Department of the Interior, for the fiscal year ended June 30, 1953 (with an accompanying report); to the Committee on Government Operations.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. KNOWLAND. Mr. President, I ask unanimous consent that immediately following the quorum call there may be the customary morning hour for the transaction of routine business, under the usual 2-minute limitation on speeches.

The PRESIDENT pro tempore. Without objection, it is so ordered.

REPORT OF SELECT COMMITTEE ON SMALL BUSINESS ENTITLED "PARTICIPATION OF SMALL BUSINESS IN MILITARY PROCUREMENT" (S. REPT. NO. 2487)

Mr. FERGUSON. Mr. President, from the Select Committee on Small Business, I submit a report entitled "Participation of Small Business in Military Procurement," and ask that it be printed, with illustrations.

The PRESIDENT pro tempore. The report will be received, and without objection, will be printed as requested by the Senator from Michigan.

Mr. FERGUSON. Mr. President, as chairman of the Military Procurement Subcommittee of the Senate Select Committee on Small Business, I have submitted a report entitled "Participation of Small Business in Military Procurement" of the activities of the subcommittee, and ask that it be printed with illustrations.

The report outlines the activities of the subcommittee, and is based on a series of open hearings conducted during April and May of this year. I believe it is a constructive report, which will be helpful to small-business men and to Federal agencies in the development of an effective small-business program.

Mr. President, I ask unanimous consent that a committee release summarizing the report be printed in the RECORD, at the end of my remarks.

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The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

(See exhibit 1.)

Mr. FERGUSON. Mr. President, the importance and value of small-business enterprises in our Nation can hardly be overestimated. There are more than 4 million small-business establishments in the United States and this is 96 percent of all the business in the Nation. There are well over 100,000 small-business establishments in Michigan alone.

The United States Senate recognized the importance of small businesses in our national economy with the establishment of the Small Business Committee in 1950. I am proud to have voted to establish a strong, continuing committee at that time.

The Senate Select Committee on Small Business has made many constructive contributions through its reports, such as the one I have filed in the Senate today, its hearings and recommendations.

During my 2 years on the committee, I have served as chairman of the Military Procurement Subcommittee, and I believe we have made significant progress in assuring small-business concerns an equitable share of Government contracts.

I have also been privileged to serve as a member of the Monopoly Subcommittee of the Small Business Committee. Last year, before the American Bar Association, I outlined my concept of the role of American antitrust laws in this way:

> Small- and medium-size businessmen of our country are the backbone of our economy. They must always be protected against the predatory practices of those larger competitors who may seek to take unfair advantage of their greater wealth. Most small-business men do not ask, and do not expect, crutches for their economic support or protection against competition, which is not unfair. But they are entitled to expect the protection of the laws that insure their right to engage in a fair competitive contest for the patronage of the consumer, that insure their right to grow and to prosper, and that insure their right to expand by their industry and hard work in an economy free of unreasonable restraints. These are the basic purposes of our antitrust laws.

Our Monopoly Subcommittee has been in agreement that bigness in itself is no crime, but that unfair or predatory competitive practices are bad and must be prosecuted wherever found. In the fields of distribution and retailing where the business units are usually very small and less able to protect themselves against unfair business practices, our subcommittee has been particularly active. Service in this area has been particularly rewarding for me.

GOVERNMENT COMPETITION

Over the past 20 years or so, the Federal Government has stepped into more and more business-type activities from which it can be dislodged only with great difficulty. Naturally, there are fields in which the Government must be active and even fields in which it might have to be preeminent. Nonetheless, our Government today is doing many things in direct competition with private businesses which are ready, willing, and able to perform those tasks and perform them at a lower cost, as well. A case in point is the processing of metal scrap by the armed services. Last year the Small Business Committee highlighted the problem of the aluminum-sweating industry where the Navy and the Air Force had gotten a foothold through pilot or experimental operations, and appeared to be expanding into full-scale scrap processing, even though adequate civilian facilities were available. The committee recommended that expansions in this field cease. The Military Appropriations Subcommittee, of which I am chairman, took appropriate action; the Senate approved; and there is now in the Defense Department Appropriations Act a proviso which definitely limits the authority of the armed services to enter into private business.

Government competition with private business covers a tremendous range of activities, and for many years I have been concerned about this growing problem. My work in this field led me to sponsor the legislation which last year resulted in the creation of a new Hoover Commission on Organization of the Federal Government.

This Commission, of which I am a member, is now engaged in a broad study of the activities of the Federal Government, and it has the specific power to recommend that the Government cease doing things which compete with private enterprise.

The Hoover Commission will make its report and recommendations early next year, and I am confident that it will point the way to great savings in the cost of government and a great reduction in the number of activities of the Government which compete with business.

TAXES AND GOVERNMENT SPENDING

As individuals, all of us are keenly aware of the taxes collected on every dollar we earn. Businessmen are even more conscious of that tax take, since every business decision is directly influenced by the large percentage of earnings which must be paid to the tax collector, rather than ploughed back into the business for new capacity or more efficient equipment.

I have always favored two approaches to minimizing the impact of Federal taxes on the individual and the small business enterprise: first, by reducing Government spending, and thus reducing taxes; second, by reducing the impact of taxes, by means of more equitable tax laws.

As a member of the Senate Appropriations Committee for the past 12 years, I have consistently worked to eliminate all but the most essential Government spending. This has been a constant and difficult battle for many years, but the effort bore real fruit in the last 2 years. Last year, Congress and the administration reduced spending by $11 billion under the level planned by the previous national administration. Still further reductions are being achieved this year.

These reductions in spending made possible, in turn, this year's tax cuts, which are the largest in history. More than $4,700,000,000 has been eliminated from the tax bill of individual Americans. This is two-thirds of the total tax cut achieved this year. The remainder of the reduction has gone to remove tax inequities, to permit greater expansion of business enterprises, and to create new jobs and business opportunity.

Many of the tax reductions, such as the cut in income taxes and the lowered excise tax, have already stimulated business to a great degree.

Another major accomplishment of this year is the general tax revision bill, the monumental overhaul of the entire tax structure of the Nation for the first time in 75 years. The bill eliminates many loopholes and inequities in our tax laws. It will be a real boon to small business firms, and I was proud to support its passage.

The tax revision bill is of specific benefit to small-business firms in connection with depreciation, accumulation of surpluses, research and experimental expenditures, loss carryover, treatment of partnerships, changes and capital structure, and other features.

Knowing at firsthand of the important results achieved by the Small Business Committee, I joined the other members of the committee in introducing Senate Resolution 213, which would create a permanent, standing Senate Committee on Small Business. Furthermore, in order to assure that the present Senate Small Business Committee has a continuity of membership, the Senate majority policy committee, of which I am chairman, approved a resolution calling attention to the value of the committee and urging that members of the committee be selected on the basis of experience on the committee and interest in its work.

Despite the effective work of the committee, many of us felt that the interests of small business also required the creation of a special agency of Government devoted to the interests of small business. The Small Defense Plants Administration, established in 1951, was a step in the right direction. However, it did not completely fill the bill.

Congress last year recognized the importance of the matter, and for the first time voted to establish a separate, independent agency to assist small business in a truly constructive way. I am proud of my vote to set up this agency. President Eisenhower signed the measure into law the very day it was passed by Congress.

The Small Business Administration is the first comprehensive, peacetime, independent, governmental agency in history created for the sole purpose of advising, counseling, and assisting small business enterprises.

Each of the agency's three main programs—loans and financial counseling assistance, aid in getting Government contracts, and technical and managerial help of many kinds—is designed to offer important services to help all small firms.

In all three fields the results so far are notable, and they offer even greater promise for future development.

Summing up the year's accomplishments in the three major fields of activity, here is the Small Business Administration's record for the State of Michigan and the Nation; and I refer to the results of the program in Mich-

igan as an example of what it can do and does do for the other States.

FINANCIAL ASSISTANCE

Authority for the Small Business Administration to make loans did not begin until September 29, 1953. Since then, 19 small business loans, totaling $1,295,000, have been approved to assist firms in Michigan. Nationally, more than 530 loans have been approved, with a value exceeding $31 million.

Approximately 75 loan applications have been received from small firms in Michigan; and 14 of these, totaling $840,000, are pending final action by the Small Business Administration.

The Small Business Administration is working with the private banks, to help provide term credit to small firms. On a nationwide basis, two-thirds of the loans made by the Small Business Administration to help small firms are made in cooperation with private banks. In Michigan, about half of the loans so far made are bank-participation loans, and the remainder are direct loans. The Small Business Administration makes every effort to arrange a private or a participation loan, before approving a direct loan in which the Government advances all of the funds. The bank-participation loans are administered by the private banks, and the banks put up part of the money. This record indicates the desire of the banking community to assist business enterprise.

It is the objective of the Small Business Administration to help the proprietor of a small firm establish a banking relationship with a private bank in his own community. Thus, the Small Business Administration is providing a service of lasting value, helping to strengthen the customer-bank relationships in the local community.

PROCUREMENT ASSISTANCE

The law creating the Small Business Administration gives it the responsibility for seeing to it that a fair share of the goods and services purchased by the Government—and we should remember that the United States Government is the biggest customer in the world—are obtained from small firms.

The Small Business Administration has so far assisted 26 small firms in Michigan obtain $2,074,774 in Government contracts.

These figures represent actual contract awards under the Small Business Administration's joint determination program, but they tell only a small part of the accomplishments of the Small Business Administration in helping Michigan firms get Government contracts.

The Small Business Administration concentrates its contract procurement assistance activity in the area where—except for the vigilance of the Small Business Administration and small-business specialists in other Government agencies—the contracts might go to larger firms. Through its joint determination program, it is constantly working to increase the small-business share of Government orders.

In addition, through cooperative programs, larger private firms are constantly being encouraged to place more of their orders with smaller concerns in their own areas.

The Detroit office of the Small Business Administration, at 231 West Lafayette Boulevard, regularly receives notices of procurement opportunities. It also keeps a register of many hundreds of Michigan firms that are desirous of obtaining a Government contract.

Every day, procurement specialists in the Small Business Administration's offices in Detroit and Cleveland check the list of products the Government wants to buy, and refers them to Michigan firms that are capable of producing the specific products.

Last year the Detroit office of the Small Business Administration made more than 8,000 specific referrals of prime contract opportunities to firms in Michigan. Although it is impossible to keep a close check on the results of each referral, it is known that they resulted in a good volume of Government contracts going to small firms in Michigan.

The activities of the Small Business Administration help create jobs and payrolls in Michigan. Government purchases in the area cover a wide range of products from clothing and food to wrenches and machine tools.

In addition to helping small firms get direct Government contracts, the Small Business Administration also works with firms holding large prime Government contracts and helps them locate smaller firms who can take a subcontract. This activity is, of course, a two-way street.

The Small Business Administration not only helps the smaller firms by aiding them in getting more business, but also helps the larger producer develop reliable suppliers. The net result is to stimulate all business activity.

In the three-State region composed of Michigan, Ohio, and Kentucky, the Small Business Administration has made more than 2,500 referrals to help small firms obtain subcontracts from larger firms—and a large share of these referrals were made in Michigan.

MANAGEMENT AND TECHNICAL ASSISTANCE

Under this important program the Small Business Administration, through its field offices, offers a wide range of service to help small firms.

The Small Business Administration publishes two series of practical and helpful leaflets called Management and Technical Aids for Small Business. These leaflets cover a wide range of management and production problems, and are in great demand.

They are designed particularly to aid the proprietor of a small firm who may have an outstanding aptitude in certain lines, but lacks the rounded management experience which big companies hire for their top management team.

The Small Business Administration has recently developed a program of helping small firms with products-development problems—finding new uses and new applications for items produced by small firms.

There are hundreds of small firms in the State of Michigan whose proprietors have ideas for improved or new products and processes, or perhaps they own a product patent, but they may lack the technical know-how or means of putting the article or new idea to practical use.

The Small Business Administration is giving help to these firms. Sometimes its experts can direct the proprietor to a competent research institution or laboratory, or refer an inventor to a firm which may utilize his invention or idea.

All of the programs of the Small Business Administration are aimed at this one basic objective: to assist in the growth and survival of small-business firms, to help them meet the continuing challenge of our expanding economy.

These are some of the things the Administration and the Congress are doing to help small firms find solutions to their problems, and to help maintain a healthy economy.

As chairman of the majority policy committee in the Senate, a responsibility for development of this broad program has fallen on my shoulders and I have worked closely with the House and Senate leaders and the Administration in the creation and passage of a program that means real progress for the Nation. I believe our accomplishments to date have been noteworthy. They hold real promise for the future.

Mr. THYE. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield to the Senator from Minnesota, who is chairman of the Select Committee on Small Business.

Mr. THYE. I rise to commend the Senator from Michigan for his able address outlining what has been attempted and what has been accomplished. The Senator from Michigan has been an able chairman of a subcommittee which has done a great deal of work in aiding business and in seeking to maintain the healthy, progressive growth of the small businesses of America.

Mr. FERGUSON. I thank the chairman of the select committee, who has been of great assistance, and who performs his duties as chairman with great ability and effect because he believes in small business. The business activities in his State and mine, and, in fact, in all the States, are predominantly carried on by small-business concerns. Some may think of Michigan as being a State where only big business is found, but when one figures that there are 100,000 small businesses there, compared to 5, 6, or 10 big businesses, as in the Senator's State, we appreciate the importance of small business.

Mr. THYE. Our main streets are lined with the concerns operated by small-business men.

Mr. FERGUSON. That is correct.

Mr. THYE. They are the backbone of the Nation. The others are incidental.

Mr. FERGUSON. The Senator is correct.

EXHIBIT 1

SENATE SMALL BUSINESS COMMITTEE SUMMARY

"Progress is being made" in assuring the Nation's small-business men an adequate share of Government procurement orders, the Senate Small Business Committee said today in a report submitted to the Senate by Senator HOMER FERGUSON, Republican, of Michigan, chairman of the group's Military Procurement Subcommittee. Senator EDWARD J. THYE, Republican, of Minnesota, is chairman of the full committee.

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The committee report also: Recognized the efforts being made by the armed services in working out an effective subcontracting program through their large prime contractors. Called for a more exerted effort to bring the small-business firms into the area of research and development. Showed that small-business programs worked out by the civilian agencies are proving helpful to small business.

The report resulted from a series of public hearings conducted by the committee during March and April. "The hearings reviewed the progress and problems of the various Government agencies in carrying out the small-business policies established by Congress," Senators THYE and FERGUSON said.

Small-business men, representatives of the Army, Navy, Air Force, General Accounting Office, Veterans' Administration, Foreign Operations Administration, and the Atomic Energy Commission, testified before the Ferguson subcommittee.

The report reflected the committee's findings that effective progress has been made in the small-business programs of the Army, Navy, and Air Force. Small-business firms received 40.7 percent of the total dollar volume of prime contracts awarded by the Army in the first 6 months of fiscal 1954. Navy awards of prime contracts to small business for the same period amounted to 19.5 percent. The Air Force percentage was 7.1.

Within the area of what the military services consider to be suitable for award to small business, the Army awarded 69 percent of its prime contracts to small firms; the Navy, 85.2 percent; and the Air Force, 78 percent. These figures represent an increase in contracts awarded to small business over previous years, according to the report.

The report recommended that the military services discontinue the use of the terms "suitability" and "suitable" in calculating statistics to show the percentage of prime contracts going to small-business firms. The committee stated that the use of such terms could cause confusion and could be construed to mean that the military agencies were attempting to decide what small firms could produce and what they could not produce. The report points out that small business can bid on any article and that the term is used for compiling statistics only. The committee suggested the use of the term "potential" in future statistical calculations.

The report was critical of delays in contract administration, abuse of authority to negotiate contracts, and the practice of accelerated year-end buying.

The committee found that administrative delays constituted a real problem for the small concern. The committee cited as an example a 3-month delay by the Corps of Engineers in submitting a report to the Comptroller General in a procurement of tractors and scrapers. By the time the Comptroller General received the report and made a decision that the award was "illegal," 90 percent of the equipment had been delivered. In its report, the committee stated: "It is this type of delay which makes doing business with the Government difficult and, in many cases, unrewarding, to say the least."

The committee pointed to testimony from General Accounting Office officials that at least 90 percent of military contracts are negotiated and expressed the view that emergency powers to negotiate contracts are being abused. The report points out that Congress by law has stated that formal advertising should be the basic method of procurement and that negotiation is to be used only under certain specific exceptions spelled out in the law.

The report indicates committee concern about the practice of military agencies to make heavy purchases at the end of a fiscal year in an effort to commit funds. This practice drew sharp criticism from the General Accounting Office. Poor procurement and a waste of public funds are given by the Senate Committee as two results of this practice.

CONSIDERATION OF NOMINATIONS BY COMMITTEE ON THE JUDICIARY—PERSONAL STATEMENT

Mr. LANGER. Mr. President, I rise to speak on a matter of personal privilege.

On August 5 a newspaper in North Dakota known as the Fargo Forum carried on the front page an article under a headline "Ike Names Robert Vogel, Tenborg to Federal Jobs."

I call attention to the fact that the article apparently did not come from the Associated Press, the United Press, the International News Service, or any newspaper organization. The story goes over to page 2, column 3, and it states the following:

Earlier Wednesday William P. Rogers, Deputy Attorney General, told a reporter there is no truth to reports that Senator LANGER has been "sandbagging" the administration by holding up action on other nominations in an attempt to force approval of his choices for Federal posts in North Dakota.

LANGER also denied, in a separate interview, that he had held up action on nominations for other areas.

Rogers declared: "Senator LANGER has never held up nominations in his committee for other than necessary reasons and has not done so in order to use pressure on the administration. I would know if he had done so.

"Actually, the committee has had to pass upon the largest number of nominations in any similar period of time. And not one has had a later adverse vote in the Senate."

That is the end of the quotation. The article then continues:

Despite these statements, however, it is known some Senators feel LANGER has unnecessarily sidetracked, temporarily at least, nominations affecting their States.

Mr. President, when I was a candidate 2 years ago, practically every daily newspaper in the State opposed me. They began to make statements which were so false that I finally offered a prize of $50 in an essay contest to determine which of these newspapers was the biggest liar in the State of North Dakota. The prize went to the Bismarck Tribune. The Fargo Forum, which published the statement on August 5 to which I have called attention, was a close second. I thought the Bismarck Tribune was entitled to first place because when a national magazine had a vote of reporters as to which was the worst Senator in the United States Senate and listed the first 6, and in that list the late Senator Taft was fifth, and the senior Senator from North Dakota was sixth, the Bismarck Tribune, in an editorial left out Senator Taft's name intentionally, because they knew of the very fine standing the late Senator had among the people of North Dakota. By eliminating Taft's name, they endeavored to tear down the character of the Senator from North Dakota. It was apparent this newspaper intentionally and deliberately eliminated the name of the late Senator Taft, and therefore they secured the prize as the newspaper which lied the most in the State.

However, today I wish to show how contemptuous this newspaper, the Fargo Forum, is and how deliberately it lies in an attempt to deceive the people of the State of North Dakota.

I read from the article:

Despite these statements, however, it is known some Senators feel LANGER has unnecessarily sidetracked, temporarily at least, nominations affecting their States.

I brand that as a lie, made out of whole cloth, and I charge that this newspaper continues in its attempt to tear down my character and reputation. Therefore I shall now give the record.

Every Senator knows that when a nomination involving a judicial office, namely, Federal judge, or United States attorney, or United States marshal, comes to the Senate from the President, the nomination goes to the Committee on the Judiciary, of which I am the chairman. Under the rules of the committee, a subcommittee is appointed and 7 days' notice of hearing must be given. Our committee meets on Mondays. Consequently, if a nomination is received on Tuesday, obviously, when 7-day notice is given, it means that at least 13 days must pass before the committee can take up the nomination. Not only that, but if there is no quorum present, as sometimes happens, another week goes by without action.

Our committee consists of 15 members, 8 Republicans and 7 Democrats, and sometimes Senators are away or ill, and sometimes they are engaged in other committee work. An examination of the record will show that on various occasions it is impossible to get a quorum.

However, I have in my hand the record of every State on every nomination that has come the Judiciary Committee during the time I have been its chairman.

I first take up Alabama. I will ask the two Senators from Alabama to listen closely.

There was referred to the Judiciary Committee by the President on the 18th day of April 1953 the nomination of Hartwell Davis to be United States Attorney. A hearing was held on the 30th of April. The full committee took action on the 4th of June. Some slight investigation was needed. However, certainly no one can claim—and I am sure the two Senators from Alabama will not claim—that there was any unnecessary delay.

The President sent us the nomination of James L. May to be United States marshal, and it came to the committee on June 24, 1953. A hearing was held on the 7th of July 1953, and the full committee took action on the 13th day of July 1953, within approximately 3 weeks. Certainly there was no unnecessary delay there.

The nomination of Pervie Lee Dodd to be United States marshal came to the Judiciary Committee on the 21st of July. A hearing was held on the 30th of July, and the full committee acted on the same day, the 30th of July. Certainly there was no delay there.

The nomination of Harlan H. Grooms to be the United States district judge came to the committee on the 23d of July 1953. A hearing was held on the nomination on the 30th of July 1953, and the committee took action on the nomina-

tion on the same day, the 30th of July. Certainly there was no delay there.

The nomination of Frank M. Johnson, Jr., to be United States attorney was referred to the committee on the 28th of July 1953. A hearing was held promptly. He had appeared before the full committee before. The committee took action on his nomination just 2 days later, on July 30, 1953.

The nomination of Charles S. Prescott to be United States marshal came to the committee on the 19th day of July 1954. A hearing was held on the 30th day of July 1954. The committee took action on the 5th day of August 1954. I call upon the Senators from Alabama to state if that action was not prompt, and whether there was any delay of any kind, and whether in all their experience nominations had been acted on more promptly.

I come now to the State of Arizona. The nomination of Edward W. Scruggs to be United States attorney was referred to the committee on March 11, 1953. The hearing was held on March 25, 1953. The committee took action on April 13, 1953. Certainly there was no delay there. I call upon the Senators from Arizona to state whether there was any delay, not only on this nomination, but on the other three I shall name.

The nomination of Jack D. H. Hays to be United States attorney was referred to the committee on January 11, 1954. A hearing was held on February 17, 1954, and the full committee took action on February 24, 1954. Certainly there was no delay there.

The nomination of Archie M. Meyer came to the committee on the 24th day of February 1954. A hearing was held on March 12, 1954, and the full committee took action on March 29, 1954. Certainly there was no delay there.

The nomination of Richard H. Chambers to be United States circuit judge came to the committee on April 6, 1954. A hearing was held on April 22, 1954. The committee took action on April 26, 1954. Certainly there was no delay there.

We come next to the State of Arkansas. The nomination of Charles W. Atkinson to be United States attorney came to the committee on June 24, 1953. A hearing was held on July 7, 1953, and the full committee took action on July 13, 1953. Action on that nomination was taken 1 week after the hearing on it.

The nomination of Osro Cobb by the President came to the committee on the 11th of January. A complaint had been filed in the matter, and a hearing was held on the 16th of February. The full committee took action on the nomination on the 24th of February 1954.

The nomination of Cooper Hudsteth to be United States marshal came to the committee on January 11, 1954. A hearing was held on the nomination on February 17, 1954, and the full committee took action on February 24, 1954.

The nomination of Richard B. Kidd to be United States marshal came to the committee on July 11, 1953. A hearing was held on July 21, 1953. The full committee took action on July 27, 1953.

We come now to the State of California. The nomination of Warren Olney III to be Assistant Attorney General came to the committee on January 22, 1953. A hearing was held on January 28. By unanimous vote of the committee he was recommended for confirmation on the 28th day of January 1953. Certainly there was no delay there.

The nomination of Robert W. Ware to be United States marshal came to the committee on March 11, 1954. A hearing was held on the 25th of March. The committee took action on the 13th of April.

The nomination of Lloyd H. Burke to be United States attorney came to the committee on March 23, 1953. A hearing was held on April 2, 1953. The committee took action on the 13th day of April 1953.

The nomination of Stanley N. Barnes to be Assistant Attorney General was referred to the committee on the 1st of April 1953. A hearing was promptly held, and he was confirmed on April 13, 1953.

The nomination of Laughlin E. Waters to be United States attorney came to the committee on June 8, 1953. Hearing was held on July 2, 1953, and he was confirmed on the same day.

The nomination of Frank D. Bell to be United States marshal was referred to the committee on June 24, 1953. Hearing was held on July 7, 1953, and committee action was taken on July 13, 1953.

The nomination of James A. Johnston to be a member of the Parole Board was referred to the committee on July 23, 1953. Hearing was held on July 30, 1953, and he was confirmed on July 30, 1953, the same day.

The nomination of Oliber D. Hamlin, Jr., to be United States district judge was referred to the committee on July 23, 1953. Hearing was held on July 30, 1953, and he was confirmed on that same day.

The nomination of Earl Warren to be Chief Justice of the United States was referred to the committee on January 11, 1954. Hearings were held from February 2d to the 19th, 1954, and he was confirmed on February 24, 1954.

If either of the Senators from California has any objection, or has any statement to make to the effect that there was any delay in connection with the action taken by the Senator from North Dakota or that he made any effort to tie up any of these nominations, I should like to have him stand and so state.

There were some other nominations from California. The nomination of Dal M. Lemmon to be United States circuit judge was referred to the committee on April 6, 1954. Hearing was held on April 22, 1954, and the nomination was reported on April 26, 1954.

The nomination of Joseph M. Swing to be Commissioner of Immigration and Naturalization was referred to the committee on April 28, 1954. Hearing was held on May 12, 1954, and the committee action was taken on May 17, 1954.

I come now to the State of Colorado. At any time any Senator wants to interrupt me to state that any of these nominations were held up for any ulterior or any other purpose by the Senator from North Dakota, let him say so.

From Colorado there were only three nominations. The nomination of Donald E. Kelley to be United States attorney was referred to the committee on January 11, 1954. Hearing was held on February 16, 1954, and the committee acted on March 29, 1954. In that case objections were filed by some citizens. I have had the active cooperation of every member of the committee. It has been the responsibility of the committee to see that when a man is nominated to be a Federal judge, which is a job for life, that a thorough investigation is made. That is the attitude of every member of the committee, Democrat or Republican. It has been the job of our committee to see to it that a thorough investigation is made, and any objection that is filed is heard, because there is no member of the committee who wants a man appointed for life who will not be a good judge.

We use equally good care in the matter of United States attorneys and United States marshals. The record shows, Mr. President, that so far, at least, in this administration, no one who has been confirmed has been charged by the Department of Justice with any action which involves the character or the honesty of the nominee. I have been a member of the Judiciary Committee for a long time, and I remember that 2 years ago, in spite of all the care we took, there was one United States marshal and there was one United States attorney removed for malfeasance or misdemeanors in office. That is less than 2 percent. That was in spite of the utmost care we took, particularly in the case of a United States marshal in California. The committee went most carefully into his qualifications.

There are two other nominations from Colorado. The nomination of Tom Kimball to be United States marshal was referred to the committee on January 27, 1954. Hearing was held on February 18, 1954, and the committee acted on February 24, 1954.

The nomination of J. S. Breitenstein to be United States district judge was referred to the committee on April 6, 1954. Hearing was held on April 15, 1954, and action was taken on April 22, 1954. Certainly there was no delay in that case. If there is any Senator from Colorado, now or at any future time before we adjourn, who will say that we held up any of those nominations, I shall be glad to have him stand up on the floor and say so.

Mr. President, I now come to Connecticut. The nomination of Simon S. Cohen to be United States attorney was referred to the committee on July 11, 1953. Hearing was held on July 21, 1953, and the nomination was reported on the same day.

The nomination of Andrew T. McGuire to be United States district judge was referred to the committee on August 3, 1953. Congress adjourned on that day, so that the committee could not take action.

The nomination of John A. Danaher to be a member of the United States Court

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of Appeals for the District of Columbia was referred to the committee on January 11, 1954. Hearing was had on February 3, 1954, and committee action was taken on March 29, 1954. In that case there was an investigation which did not involve Mr. Danaher personally. He was confirmed on the 29th of March. Certainly there was no delay there, as Mr. Danaher himself will gladly testify in case he is asked, because he is thoroughly familiar with what occurred in that investigation.

The nomination of Carroll C. Hincks to be United States court of appeals judge for the second circuit came before the committee on January 11, 1954. Hearing was had on February 4, 1954, and action was taken on February 8, 1954.

The nomination of Robert P. Anderson to be district judge was referred to the committee on April 6, 1954. Hearing was had on April 15, 1954, and he was confirmed 1 week later, on April 22, 1954.

The nomination of Donald A. Fraser to be United States marshal was referred to the committee on January 11, 1954. Hearing was had on February 17, 1954, and the nomination was reported on February 24, 1954.

I come now to the State of Delaware, and I issue the same invitation to the Senators from that State.

Mr. KEFAUVER. Mr. President, will the Senator from North Dakota yield?

The PRESIDING OFFICER (Mr. CARLSON in the chair). Does the Senator from North Dakota yield to the Senator from Tennessee?

Mr. LANGER. I prefer not to yield. After I have concluded I shall be glad to yield to the Senator from Tennessee, because I am coming to the State of Tennessee in reading this record.

The nomination of Leonard H. Hagner to be United States attorney came to the committee on May 13, 1953. Hearing was held on May 20, 1953, and committee action was taken on June 4, 1953.

The nomination of Clarence H. Spence to be United States marshal came to the committee on May 28, 1953. Hearing was held on June 11, 1953, and committee action was taken on June 15, 1953.

I come now to the State of Florida. The nomination of George H. Carswell to be United States attorney came to the committee on May 28, 1953. Hearing was held on June 11, 1953, and the committee acted on June 29, 1953.

The nomination of James L. Guilmartin to be United States attorney was referred to the committee on May 28, 1953. Hearings were held on June 18 and 19, 1953, and the committee acted on July 30, 1953. Witnesses came from Florida, and the committee considered the matter time and time again and discussed it. The nomination was reported on the 30th day of July.

I think anyone who reads the volume of testimony taken in that case will say that the committee took exceedingly excellent precautions to make certain that the nomination was considered thoroughly in view of the large number of protests which were filed.

The nomination of Emerson F. Ridgeway to be United States marshal came to the committee on June 18, 1953. The hearing was held on July 7, 1953, and the committee reported the nomination on July 27, 1953.

The nomination of Emett C. Choate, to be United States district judge, was referred to the committee on June 22, 1954. The hearing was held on July 9, 1954, and the committee reported the nomination on July 19, 1954.

I issue the same invitation to the two Senators from Florida I have extended to other Senators. Let them come before the committee at any time, if they can show that there was any delay on the part of the senior Senator from North Dakota, or that he used any pressure at any time for ulterior purposes or any motives of his own. I shall be glad to have the Senators from Florida come upon the floor either today or before the Senate adjourns and so state.

I come now to the State of Georgia. The first nomination was of James W. Dorsey to be United States attorney. The nomination was referred to the committee on April 18, 1953. A hearing was held on April 30, 1953, and the nomination was reported on June 4, 1953.

The nomination of Frank O. Evans to be United States attorney was referred to the committee on May 15, 1953. A hearing was held on May 28, 1953, and the nomination was reported by the committee on June 4, 1953.

The nomination of William C. Calhoun to be United States attorney was referred to the committee on June 8, 1953. A hearing was held on July 2, 1953, and the committee reported the nomination on July 13, 1953.

The nomination of Billy Elza Carlisle to be United States marshal was referred to the committee on February 8, 1954. Hearing was held on February 19, 1954, and the nomination was reported on February 24, 1954.

The nomination of William A. Bootle to be United States district judge was referred to the committee on May 3, 1954. The committee hearing was held on May 12, 1954, and the nomination was reported on May 17, 1954.

The nomination of Elbert P. Tuttle to be a judge of the United States Court of Appeals was referred to the committee on July 7, 1954. A hearing was held on July 16, 1954, and the committee reported the nomination on August 3, 1954.

The nomination of William C. Littlefield came before the committee on August 6, 1953. As the distinguished Senators from Georgia will recall, the Senate adjourned before action could be taken on that nomination.

I issue the same invitation to the Senators from Georgia. If there was any delay on my part, as chairman of the committee, I certainly shall be glad to have the Senators from Georgia rise on the floor and say so. If they were not treated with every courtesy and were not allowed to come before the committee to state their objections, if they had any, or to state their endorsements, if they had any, I shall be happy to have them so state.

Mr. GEORGE. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. GEORGE. If the Senator from North Dakota will permit an interruption, I am pleased to say that all nominations of persons from the State of Georgia, for any office, which were referred to the Committee on the Judiciary were handled with very great promptness, to the satisfaction of all parties at interest.

Mr. LANGER. I thank the Senator.

I come now to the State of Idaho. The first nomination was that of Sherman F. Furey to be United States attorney. The nomination was referred to the committee on April 18, 1953. A hearing was held on April 30, 1953, and the nomination was reported by the committee on May 4, 1953.

The nomination of Saul Hale Clark to be United States marshal was referred to the committee on May 1, 1953. A hearing was held on May 14, 1953, and the committee reported the nomination on May 18, 1953.

The nomination of Fred M. Taylor to be United States district judge was referred to the committee on July 9, 1954. The committee held a hearing on July 16, 1954, and the nomination was reported on July 19, 1954.

I issue the same invitation to the Senators from Idaho I have extended to other Senators.

I come now to Illinois. The nomination of John B. Stoddart, Jr., to be United States attorney was referred to the committee on March 11, 1953. A hearing was held on March 25, 1953, and the committee reported the nomination on April 27, 1953.

The nomination of William J. Littell to be United States marshal was referred to the committee on March 11, 1953. The committee held a hearing on March 25, 1953, and the committee reported the nomination on April 13, 1953.

The nomination of Clifford M. Raemer to be United States attorney was referred to the committee on March 30, 1953. The committee held a hearing on April 9, 1953, and the nomination was reported by the committee on April 13, 1953.

The nomination of Julius J. Hoffman to be United States district judge was referred to the committee on April 27, 1953. A hearing was held on May 6, 1953, and the committee reported the nomination April 11, 1953.

The nomination of Win G. Knoch to be United States district judge was referred to the committee on April 27, 1953. A hearing was held on May 6, 1953, and the nomination was reported on May 11, 1953.

The nomination of William W. Kipp, Sr., to be United States marshal was referred to the committee on June 18, 1953. A hearing was held on July 7, 1953, and the nomination was reported on July 13, 1953.

The nomination of Elmer Schnackenberg to be United States circuit judge was referred to the committee on January 11, 1954. The committee held a hearing on February 4, 1954, and the nomination was reported on February 8, 1954. In the case of this nomination, a complaint had been filed against the nominee. A subcommittee heard the complainant and his witnesses on the 4th day of February, and the nomination was reported on February 8, 1954.

The nomination of Vernon Woock to be United States marshal was referred to the committee on January 2, 1954. The committee held a hearing on February 18, 1954, and the nomination was reported on February 24, 1954.

The nomination of Robert Tieken to be United States attorney was referred to the committee on February 24, 1954. A hearing was held on March 12, 1954, and the nomination was reported on March 15, 1954.

I issue the same invitation heretofore extended to other Senators to the two Senators from Illinois. If there was any delay or if there was inaction on the part of the senior Senator from North Dakota, the chairman of the committee, for the reasons alleged by the Fargo Forum on August 5 in its false charges, let them speak either now or at any time before the Senate adjourns, because I am giving the dates when action was taken on the nominations.

I come now to Indiana. The first nomination by the President was that of Joseph H. Lesh to be United States attorney. His nomination was referred to the committee on May 1, 1953. A hearing was held on May 14, 1953, and the nomination was reported on May 18, 1953.

The nomination by the President of Jack Chapler Brown to be United States attorney was referred to the committee on July 11, 1953. A hearing was held on July 21, 1953, and the nomination was reported on July 27, 1953.

The nomination of Roy M. Amis to be United States marshal was referred to the committee on July 11, 1953. A hearing was held on July 24, 1953, and the nomination was reported on July 27, 1953, 3 days later.

The nomination of Dove N. Laramore to be a judge of the United States Court of Claims was referred to the committee on February 15, 1954. A hearing was held on March 12, 1954, and the nomination was reported on March 15, 1954.

The nomination of W. Lynn Parkinson to be United States district judge was referred to the committee on August 2, 1954. The Senate had already adjourned when the committee reported the nomination 3 days later, on August 5, 1954.

The same is true of the nomination of Hale J. Holder to be United States district judge. His nomination was referred to the committee on August 2, 1954, with the full endorsement of the Senators from Indiana. The nomination was reported by the committee on August 5, 1954.

I extend the invitation heretofore given to the two Senators from Indiana. I shall be glad to have them rise in the Senate at any time before adjournment and state if there was any ulterior motive or any delay on the part of the senior Senator from North Dakota in connection with the nominations from Indiana.

I come now to the State of Kansas. The nomination of George Templar to be United States attorney was referred to the committee on July 28, 1953. The Senators from Kansas had already brought Mr. Templar to the office of the committee, where we interrogated him. We had already had an FBI report on him. Only 2 days later, July 30, the committee reported his nomination to the Senate.

The nomination of Eugene Kemper to be United States marshal was referred to the committee on January 11, 1954. On February 16, 1954, Mr. Kemper was heard by a subcommittee, and on February 24, 1954, just 8 days later, his nomination was reported by the full committee.

I issue the same invitation to the two Senators from Kansas. There was no delay in the action taken on nominations from Kansas or any other State.

I come now to Kentucky. The nomination of Edwin R. Denney to be United States attorney was referred to the committee on June 8, 1953. A hearing was held on July 2, 1953, and the nomination was reported on July 13, 1953, 11 days later.

The nomination of J. Leonard Walker to be United States attorney was first reported to the committee on August 1, 1953. Apparently the committee could not take action because the Senate had adjourned. So the nomination was referred again to the committee on January 11, 1954. A hearing was held on February 17, 1954, and the nomination was reported on February 24, 7 days later.

The next is a nomination to the War Claims Commission. That nomination was withdrawn.

We come next to the State of Louisiana. George R. Blue was nominated to be United States attorney. The nomination was reported to our committee on the 22d of June 1953. The subcommittee heard him on the 7th of July, and it was reported on the 27th of July.

Benjamin C. Dawkins, Jr., was nominated to be United States district judge. It was reported to the committee on the 21st of July 1953, the hearing was held on July 30, 1953, and on the same day that the subcommittee heard him, it reported the nomination.

Edwin F. Hunter, Jr., was nominated to be United States district judge. The nomination was received by the committee on the 11th of January 1954. As everyone knows, there was a delay, because of the necessity of organizing the Senate, for 2 or 3 weeks in both cases. The committee could not take that nomination up until February 4, 1954, and it was reported out on February 8, 1954.

The nomination of Edward J. Petitbon to be United States marshal was referred to the committee on January 22, 1954. The subcommittee heard him on February 19, 1954, and reported the nomination 5 days later, on February 24, 1954.

The nomination of T. Fitzhugh Wilson to be United States attorney was reported to the committee on July 11, 1953, the subcommittee heard him on the 21st of July 1953, and reported the nomination 6 days later, on July 27, 1953.

I issue the same invitations heretofore mentioned by me, to the two Senators from Louisiana. If they can find any delay, I should like to have them point it out to me.

I next come to the State of Maine. The nomination of Peter Milis to be United States attorney was referred to the committee on July 28, 1953. Both that nomination and the nomination of Harry W. Pinkham to be United States attorney came to the committee on the same day, July 28, 1953. The subcommittee had already talked to the nominees, and both nominations were reported 2 days later, on July 30, 1953.

I now come to the State of Maryland. The nomination of William P. Rogers to be Deputy Attorney General was referred to the committee on January 22, 1953. We had a hearing on January 26, 1953, before the subcommittee, and the nomination was reported on the same day, January 26, 1953.

The nomination of Robert C. Watson to be Commissioner of Patents came to the committee on January 22, 1953. The subcommittee, headed by the distinguished Senator from Wisconsin [Mr. WILEY], had a hearing on the nomination on February 9, 1953. The subcommittee reported the nomination on the same day, February 9, 1953.

We come now to the nomination of Joseph R. Kincaid to be United States marshal, whose nomination came to the committee on March 30, 1953. The subcommittee heard him on April 9, 1953. Four days later, on April 13, 1953, the nomination was reported.

The nomination of Arthur W. Crocker to be Assistant Commissioner of Patents was referred to the committee on June 3, 1953. A hearing was held on July 2, 1953, and the nomination was reported 11 days later, on July 13, 1953.

The nomination of Byron H. Carpenter to be Examiner in Chief of the Patent Office was referred to the committee on June 8, 1953. A hearing was held on July 2, 1953, and the nomination was reported on July 13, 1953. Both of those hearings were held by a subcommittee headed by the distinguished Senator from Wisconsin [Mr. WILEY], who at that time was busy on other matters, and, as I understand it took 2 weeks or so before hearings could be held on the nominations.

The nomination of George C. Doub to be United States attorney was referred to the committee on July 21, 1953. The subcommittee heard him on July 30, 1953, and reported the nomination on the same day, July 30, 1953.

The nomination of Simon E. Sobeloff to be Solicitor General of the United States was referred to the committee on January 2, 1953. The subcommittee heard him on February 4, 1954. Four days later the nomination was reported by the subcommittee.

The nomination of Roszel C. Thomsen to be United States district judge was referred to the committee on March 15, 1954. There were hearings held on March 31, 1954, and on April 7, 1954, and the full committee reported the nomination on May 10, 1954.

I now come to the State of Massachusetts. The nomination of H. Brian Holland to be Assistant Attorney General was referred to the committee on January 22, 1953. The subcommittee heard him on January 28, 1953, and reported the nomination on the same day.

The nomination of Anthony Julian to be United States attorney was referred to the committee on February 27, 1953.

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The hearing was held on March 10, 1953. Six days later, on March 16, 1953, the nomination was reported by the full committee.

The nomination of R. H. Beaudreau to be United States marshal was referred to the committee on February 27, 1953. The subcommittee heard him on March 10, 1953. Six days later, on March 16, 1953, the nomination was reported by the committee.

The nomination of Bailey Aldrich to be United States district judge was referred to the committee on April 1, 1954. A hearing was held on April 15, 1954. Seven days later, on April 22, 1954, the full committee reported the nomination to the Senate floor.

I issue the same invitation to the Senators from Massachusetts that was extended to the Senators of all the other States.

We now come to Michigan. The nomination of Frederick W. Kaess to be United States attorney was referred to the committee on May 1, 1953. The subcommittee heard him on May 14, 1953. Full committee action took place 4 days later, on May 18, 1953.

The nomination of Wendell A. Wiles to be United States attorney was referred to the committee on May 13, 1953. The subcommittee heard him on May 20, 1953, and on June 4 it was reported by the full committee.

The nomination of Harry Jennings to be United States marshal was referred to the committee on July 11, 1953. The subcommittee heard him on July 21, 1953. Six days later on July 27, 1953, the nomination was reported by the full committee.

The nomination of William A. Nowicki to be United States marshal was referred to the committee on May 3, 1954. The subcommittee heard him on May 14, 1954. Three days later, on May 17, 1954, the nomination was reported.

The nomination of Ralph M. Freeman to be United States judge was referred to the committee on May 10, 1954. The subcommittee heard him on May 25, 1954. On June 7, 1954, his nomination was reported.

I issue the same invitation to the Senators from Michigan that I have extended to the Senators of all the other States.

It is not often that there is a deliberate falsehood published in a newspaper, done deliberately to wreck a United States Senator, as was done by the Fargo Forum on August 5, 1954. It is not so often that one can produce proof to show that a newspaper has deliberately falsified, as can be shown by this record, and by calling upon every Senator on this floor who, if he felt for a single moment that any of the nominations were held up, could rise on the floor and say so. The charge made by this newspaper is a charge against all Members of the United States Senate.

We come now to the State of Minnesota. The nomination of Warren E. Burger to be Assistant Attorney General was referred to the committee on January 22, 1953. There was a hearing by the full committee on January 26, 1953, and the nomination was reported on the same day.

The nomination of George E. Mackinnon to be United States attorney was referred to the committee on February 27, 1953. Some charges were filed, particularly by a newspaper editor in Minnesota. We investigated those charges. Three weeks later, on March 17, 1953, the subcommittee reported to the full committee, and 2 days later, on March 19, 1953, the full committee reported the nomination.

Evard Erickson, United States marshal: The nomination came to the Senate on the 27th of February 1953. The subcommittee heard him on the 10th of March 1953. Six days later the nomination was reported by the full committee.

George J. Reed to be a member of the Parole Board: The nomination came to us on the 23d of July 1953. A week later the hearing was held, on the 30th of July 1953. On that same day the full committee reported the nomination.

I issue the same invitation to the two Senators from Minnesota.

Let us come now to the State of Mississippi. The nomination of Robert E. Hauberg came in on the 11th of January 1954. A hearing was held on the 16th day of February 1954. A week later, on the 24th of February 1954, it was reported to the Senate.

The nomination of Thomas Ethridge for United States attorney came in on the 2d of March 1954. The subcommittee heard him on the 12th of March 1954. Three days later, on the 15th day of March 1954, the nomination was reported.

I issue the same invitation to the Senators from Mississippi.

Let us come now to the State of Missouri.

The nomination of Edward L. Scheufler to be United States attorney came in on the 30th of March 1953. The subcommittee heard him on the 9th of April 1953. Four days later the full committee reported the nomination.

The nomination of Omar L. Schnatmeier for United States marshal came in on the 30th of March 1953. The subcommittee heard that matter on the 9th of April 1953, and the full committee reported the nomination on the 13th of April 1953, 4 days later.

The nomination of Harry Richards to be United States attorney came in on the 24th of June 1953. The subcommittee heard him on the 7th of July 1953. Six days later, on the 13th of July 1953, the nomination was reported by the full committee.

The nomination of Scovel Richardson to be a member of the Parole Board came to us on the 23d of July 1953. The full committee heard him on the 30th of July 1953. The nomination was reported by a unanimous vote on the same day.

The nomination of Charles E. Whittaker to be United States district judge came to us on the 11th of May 1954. The subcommittee heard him on the 25th of May 1954. On the 6th of July 1954, the nomination was reported.

The nomination of John Burke Dennis to be United States marshal came in on the 11th of May 1954. A hearing was held on the 25th of May 1954. On the 7th day of June 1954 the full committee reported the nomination.

I issue the same invitation to the two Senators from Missouri as was issued before.

I see the distinguished Senators from Montana on the floor. Let me refer to the record for Montana.

The nomination of Krest Cyr to be United States attorney came to us from the President on the 11th of July 1953. A hearing was held on the 21st of July 1953. The nomination was reported by the full committee on the 27th day of July 1953.

The nomination of Louis C. Aleksich to be United States marshal came to us on the 11th of January 1954. A hearing was held. There was objection filed. The distinguished Senator himself appeared at the time of that hearing before the subcommittee.

However, on the 18th of February 1954, the nomination was reported favorably. In 6 days the full committee reported the nomination. I issued the same invitation to the Senators from Montana as was issued to other Senators.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. MANSFIELD. I wish to say on behalf of my colleague the senior Senator from Montana [Mr. MURRAY] and myself that the nominations of the Republican appointees to the positions referred to by the chairman of the Committee on the Judiciary were given prompt and speedy action and approval. We wish to commend the chairman for the speed and diligence which he showed at least so far as these particular appointments in the State of Montana were concerned. As usual, the chairman was on the job and doing his very best.

Mr. LANGER. I thank the distinguished Senator.

Mr. MURRAY rose.

Mr. LANGER. I yield to the senior Senator from Montana.

Mr. MURRAY. I am glad my colleague has made that observation because we all know how diligent the Senator from North Dakota has always been, not only with regard to matters of this character, but with regard to all problems which come before his committee.

Mr. LANGER. I thank the distinguished Senator.

May I refer now to the State of Nebraska? The nomination of J. Lee Rankin to be Assistant Attorney General came to us on the 22d day of January 1953. The subcommittee heard him 4 days later, on the 26th of January. The full committee reported the nomination January 26, 1953, Mr. President. The full committee heard him and reported the nomination on the same day—4 days after the nomination had come in.

We come now to the nomination of Perry W. Morton to be Assistant Attorney General. The nomination came in on the 13th day of July 1953. The full committee heard him and reported the nomination on the 27th day of July 1953.

The nomination of Donald R. Ross to be United States attorney came in on the 30th of July 1953. The adjournment took place. Mr. Ross' nomination came back on the 11th of January 1954.

The subcommittee heard him on the 17th of February 1954. One week later, on the 24th of February 1954, they reported the nomination.

The nomination of William Raab to be United States marshal came to us on the 25th of February 1954. The subcommittee heard him on the 12th day of March 1954. The nomination was reported on the 29th day of March 1954.

I issue the same invitation to the two Senators from that State.

Let us come now to the State of Nevada. Madison B. Groves was nominated to be United States attorney by the President on the 11th of January 1954. The hearing was held on the 26th of February 1954. The nomination was reported on the 8th of March 1954.

The nomination of John R. Ross to be United States district judge came to us on the 3d of May 1954. The hearing was held on the 10th of May 1954. The nomination was reported to the full committee on the 10th of May 1954, the same day.

Cedric E. Stewart was nominated to be United States marshal on the 19th of January 1954. The nomination was held up at the request of some people, so that an investigation could be made. A hearing was held on the 8th of March 1954, and the next day after the hearing the nomination was reported.

I issue the same invitation to those Senators.

We come now to New Hampshire. George A. Colbath was nominated to be United States marshal on the 11th of July 1953. The subcommittee heard him on the 21st of July 1953. The nomination was reported on the 27th of July 1953, 6 days later.

Maurice Paul Bois was nominated to be United States attorney on the 22d of January 1954. All Senators are familiar with the situation at that time, when the Senate was organizing. However, the subcommittee heard him on the 19th of February 1954. Five days later the nomination was reported by the full committee, on the 24th of February 1954.

I issue the same invitation to the Senators from New Hampshire which I previously issued to the other Senators.

Let us come now to the State of New Jersey.

Dallas S. Townsend was nominated to be Assistant Attorney General. His nomination came in the first day of May, 1953. A hearing was held on the 19th day of May 1953. The full committee reported the nomination on the 4th of June 1953.

The nomination of William F. Tompkins to be United States attorney came in on the 8th of June 1953. We heard him before the full committee and reported the nomination on the 23d of June, 1953.

The nomination of Joseph F. Job to be United States marshal came in on the 10th of May, 1954. The subcommittee heard him on the 25th of May 1954. The full committee reported the nomination on the 7th of June 1954.

The nomination of Raymond Del Tufo to be United States attorney came in on the 13th of May 1954. We heard him on the 25th of May 1954, and the full committee reported the nomination on the 6th day of July 1954.

The nomination of William F. Tompkins to be Assistant Attorney General came in on the 13th of May 1954. A hearing was held on the 25th of May 1954. The full committee reported the nomination on the 6th day of July 1954.

Those two nominations were held up, because these men were to be placed in charge of a special division to deal with subversives created by the Attorney General. There was a request from some of the Senators who have charge of the Internal Security Subcommittee of the Committee on the Judiciary for a thorough investigation. That investigation, as I remember, was conducted by the distinguished Senator from Indiana [Mr. JENNER] and the distinguished Senator from Nevada [Mr. MCCARRAN], using the care they should have taken and the precaution they should have taken in considering nominations for these very, very important positions. They took some 3 or 4 weeks to make a thorough investigation, and I commend them for it. Certainly no one can say there was any unnecessary delay in this matter in taking 4 or 5 weeks while the qualifications and background of Mr. Tompkins for this particular position were thoroughly investigated.

I might add that the distinguished Senator from New Jersey [Mr. HENDRICKSON], as one of the members of the full committee, offered no objection while that investigation was taking place.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. LANGER. I yield to the Senator from Oregon.

Mr. MORSE. I am trying to inform myself as to the background of the Senator's speech and his complaint.

Mr. LANGER. It is based on a paragraph in the Fargo Forum. I shall be glad to read it again for the distinguished Senator from Oregon.

Mr. Rogers, the Deputy Attorney General, issued a statement saying that no nominations have been held up. Then this newspaper, the Fargo Forum—mind you, they do not quote from the United Press or the Associated Press, but they themselves assert:

Despite these statements—

Referring to Mr. Rogers' statements that there was no delay of any kind and that the Senator from North Dakota had never for any ulterior purposes held up any nominations, which is the charge made—this newspaper said:

Despite these statements, however, it is known some Senators feel LANGER has unnecessarily sidetracked, temporarily at least, nominations affecting their States.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. LANGER. I yield to the Senator.

Mr. MORSE. I wish only to testify in regard to my experience with the Senator from North Dakota in connection with Oregon nominations. Of course, I am sure the Senator from North Dakota knows that the representative of the Independent Party does not have anything to say about appointments in the State of Oregon, and I think that is the way it should be. I do not quarrel about the procedure which is followed by this administration in making patronage appointments in the State of Oregon. I think the party in control should make the appointments, and I am very happy not to be a member of the party which is in control. I would not want to have on my shoulders the mistakes of this administration in any way whatsoever.

Be that as it may, as a Senator from Oregon, I am requested by the Judiciary Committee to give so-called clearance on Oregon appointments. I want to testify as to my experience with the Senator from North Dakota as chairman of the Judiciary Committee, and the Senator from Nevada [Mr. MCCARRAN] when he was chairman of the Judiciary Committee under a previous administration.

I do not see how two men could have acted more promptly and more courteously and with greater consideration on appointments involving the State of Oregon than the Senator from North Dakota [Mr. LANGER] and the Senator from Nevada [Mr. MCCARRAN]. My experience with both Senators, and my experience with the Senator from North Dakota under this administration, has been a most pleasant one. I have received prompt notice of any appointments in Oregon, and those appointments in turn have received fair and prompt consideration from the Senator from North Dakota, as they did previously from the Senator from Nevada.

Mr. LANGER. May I say to the distinguished Senator from Oregon that the Judiciary Committee is one committee in which, so far as I know, there is absolutely no politics. Every member of that committee serves on a subcommittee and, in my opinion, has done a good job on these nominations. Whenever the nominations are referred to a subcommittee, FBI reports have been provided promptly, and they have been gone into thoroughly. Some of us do not like the way the FBI reports go, but that is a matter which under a present resolution will be taken up next year when we meet again.

I wish to assure every Senator that whenever nominations come to the Judiciary Committee every single member of the committee, so far as I know, who serves on a subcommittee, has met at the time when the subcommittee was supposed to meet, or if he could not be there, he telephoned and said, "You two men of the subcommittee act in my absence and tell me about it afterwards." We have acted promptly. There has not been any ulterior motive on the part of any member of the committee, so far as I know, and most certainly I can testify that is true of the senior Senator from North Dakota, its chairman.

Continuing with New Jersey, the nomination of Mrs. R. W. Leeds to be Assistant Commissioner of Patents came in on the 17th day of July, and it was promptly considered.

After Mrs. Leeds' nomination had been withdrawn the first time, it came back the second time on the 29th of July, and she was confirmed the next day because

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we had already held hearings when her name came down on the 17th of July.

The nomination of Paul Wilbur Tappan as member, Parole Board, came in on the 23d of July, and the subcommittee heard him on the 30th of July. On the same day the nomination was reported to the full committee.

I issue the same invitation to the Senator from New Jersey.

Now we come to New Mexico:

The name of George W. Beach to be United States marshal was sent to the Senate by the President on the 18th of April. The subcommittee met on the 30th of April. The full committee reported the nomination on the 4th of May.

The President sent the nomination of Paul F. Larrazola to be United States attorney on the 11th of July; the subcommittee heard testimony on the 21st of July, and the full committee acted on the 27th of July, 6 days later.

Waldo H. Rogers to be United States judge: The President sent the nomination to the Senate on the 3d of May. The hearing was on the 12th of May, and on the same day the nomination was reported to the Senate.

I issue the same invitation to the Senator from New Mexico.

Now we come to the State of New York. I am delighted to see the distinguished Senator from New York [Mr. LEHMAN] on the floor, and I ask him to take particular note, if he will be so kind as to do so.

Attorney General Brownell's nomination was sent to the Senate on the 19th day of January, and it came before the full committee on the same day. He was interrogated by the full committee. No objection was offered. On the same day, the 19th day of January, his nomination was reported to the Senate.

The nomination of J. Edward Lumbard to be United States attorney came to the Senate on the 27th day of February; the subcommittee heard him on the 10th of March; and on the 23d day of March his nomination was reported by the full committee to the Senate.

The nomination of Walter Bruchhausen to be United States judge was sent to the Senate by the President on the 18th day of April. The subcommittee heard him on the 30th of April, and on the 4th of May his nomination was reported to the Senate.

The nomination of William E. Smith to be United States marshal was sent to the Senate by the President on the 1st of May. The full committee heard him on the 14th of May, and 4 days later, on the 18th of May, his nomination was reported to the Senate.

The nomination of Leonard P. Moore to be United States attorney was sent to the Senate by the President on the 13th of May. The hearing was held on the 20th of May, after due notice had been given. Notice is always given to the Senators so they can appear and listen to the testimony. Likewise, in this case, notice was given. As I have said, the President sent the nomination to the Senate on the 13th of May; the hearing was on the 20th of May, and on June 4 the nomination was reported to the Senate.

The nomination of Thomas J. Lunney to be United States marshal was sent to the Senate by the President on the 24th of June. The hearing was set for the 7th of July, and 6 days later, on the 13th of July, his nomination was reported to the Senate.

The nomination of Theodore S. Bowes to be United States attorney came to the committee on the 11th of January in 1954. We all know the fact that the Senate was organizing at that time. The hearing on the nomination was held on February 17, 1954, and his nomination was reported to the Senate on February 24, 1954, 1 week later.

The nomination of J. Bradbury German for United States marshal came to the committee on January 11, 1954. A hearing was held on February 16, 1954, and his nomination was reported to the Senate on February 24, 1954.

George M. Glasser, United States marshal: His nomination came to the committee on January 12, 1954. There was a little delay, due to the fact that Congress was organizing. The hearing was held on February 18, 1954. The full committee took action on February 24, 1954.

The nomination of John Marshall Harlan, United States circuit judge, reached the committee on January 13, 1954. A hearing was held on the nomination on February 4, 1954. His nomination was reported to the Senate on February 8, 1954.

The nomination of Alexander Bicks for United States district judge was received by the committee on April 6, 1954. A hearing was held on April 15, 1954. His nomination was reported to the Senate on May 10, 1954.

Archie Dawson, nominated for United States district judge: His nomination came to the committee on April 6, 1954. A hearing was held on the nomination on April 15, 1954, and his nomination was reported to the Senate on April 22, 1954.

Edmund L. Palmieri, nominated for United States district judge: His nomination reached the committee on April 6, 1954. A hearing was held on April 15, 1954. The full committee took action on May 10, 1954.

The nomination of Lawrence Edward Walsh to be United States district judge reached the committee on April 6, 1954, a hearing on it was held on April 15, 1954, and the nomination was reported to the Senate on April 26, 1954.

The nomination of Henry J. Clay to be Foreign Claims Settlement Commissioner reached the committee on July 23, 1954. A hearing was held on August 5, 1954, and the full committee took action on the same day.

The nomination of Raymond T. Armbruster for the War Claims Commission was referred to the committee on February 15, 1954. A hearing on the nomination was held on April 6, 1954. We received word from the White House that the nomination probably would be withdrawn. It was withdrawn on the same day.

John A. Henderson, United States attorney. His nomination came to the committee on April 30, 1953. A hearing was held on May 4, 1953. The committee took action on May 4, 1953.

I issue the same invitation to the Senators from New York I have extended to other Senators.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. LANGER. I yield to the Senator from New York.

Mr. LEHMAN. The junior Senator from New York is very glad indeed to testify to the fact that he has never even heard a suggestion by anyone that there was any unnecessary delay in the consideration of the nominations submitted by the administration for action by the Judiciary Committee. I have never heard the slightest suggestion that there was any unnecessary or unreasonable delay in the consideration of such nominations.

I wish to add one more word. I greatly appreciate the constant and unfailing courtesy that has been shown to me by the committee. I have been invited in advance when nominations came up for consideration, and I have been given every opportunity to appear in support or in opposition to any of the nominations. I had the same experience when the committee was under the chairmanship of the distinguished Senator from Nevada [Mr. MCCARRAN] Every courtesy and every opportunity was shown to me, and I am grateful to the Senator from North Dakota, as I am to the other members of the committee.

Mr. LANGER. I thank the distinguished Senator from New York. I feel proud of the record, and I am grateful to the Senator from New York for what he has said, in the light of the fact, particularly, that he was governor of his State for four terms. He knows that no matter how hard we try, sometimes very slight delays do take place. We are very proud of the committee's record. It is the record of the committee, not the record of the chairman.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. SALTONSTALL. I should like to say to the chairman of the Judiciary Committee, without taking too much of the time of the Senate, that I want to voice the same thought the Senator from New York has expressed. In the one instance, of a nomination from Massachusetts, for a judgeship, the chairman of the committee heard the matter himself, and the judge's nomination was promptly reported.

Mr. LANGER. I thank the Senator.

North Carolina: William B. Somers, United States marshal. His nomination came before the committee on the first day of May 1953. A hearing was held on May 14, 1953. Four days later, on the 18th of May 1953, his nomination was reported to the Senate.

Mr. MCCARRAN. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. MCCARRAN. Has the Senator passed over the one outstanding State in the Union, Nevada?

Mr. LANGER. No. I mentioned that State some time ago.

Mr. MCCARRAN. I wish to say in that respect that the Senator from North Dakota has been prompt and the committee has been prompt in acting upon

every nomination. Only one thing has caused me to complain somewhat, and that is with respect to the political affiliation of the appointees. I would rather have had them of a different political affiliation, to be very frank with the Senator.

Mr. LANGER. I am sorry that the Senator from North Dakota could not help out the Senator from Nevada in that respect. Unfortunately the Senator from North Dakota does not have much influence with the President and does not pretend to have much influence, at the White House. If the Senator from Nevada has any further nominations coming up from his State, if he will see me, I will be very glad to talk to the President about them.

Mr. McCARRAN. I thank the Senator very much. I assure him I am grateful to him.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. LANGER. I yield. If I can be of any help to the distinguished Senator from Oregon in getting a good nomination from the Senator from Nevada, perhaps between the two of us we might have some good luck.

Mr. MORSE. I am sure I cannot be very helpful in that respect. Certainly my desire would be to be helpful, if the administration would follow my advice.

However, what I rose to say was that I think that all the record really needs is the statement just made by the Senator from Nevada, with reference to the consideration that his State received. Certainly there has been no delay. The Senator from Nevada spoke as a Senator who has probably had more experience with the Judiciary Committee than any other Senator. When the former chairman of the committee rose to state that there has been no delay, that, in my opinion, was a complete and devastating rebuttal to the article in the North Dakota newspaper.

Mr. LANGER. I thank the Senator very much. I certainly appreciate the statement of the Senator from Nevada, because he has had many years of experience, as the Senator from Oregon has said, and he knows the difficulties under which the committee labors.

I come now to the State of North Carolina, William B. Somers, United State marshal. His nomination was referred to the committee on May 1, 1953. A hearing was held on May 14, 1953. Four days later, on May 18, 1953, his nomination was reported to the Senate.

James Major Daley, United States attorney: The President sent his nomination to the Senate on May 13, 1953. A hearing was held on May 20, 1953. The full committee took action on June 4, 1953.

Roy A. Harmon, United States marshal: His nomination came to the committee on June 24, 1953. Hearing was held on July 7, 1953. Six days later, on July 13, 1953, his nomination was reported to the Senate.

United States Attorney B. Ray Cohoon: His nomination reached the committee on March 15, 1954. Hearing on the nomination was held on March 31, 1954. His nomination was reported to the Senate on April 5, 1954.

The nomination of Julian T. Gaskill for United States attorney was referred to the committee on January 1, 1954. A hearing was held on February 16, 1954. The committee took action on February 24, 1954, 8 days later.

The nomination of Edwin M. Stanley, United States attorney, was referred to the committee on March 16, 1954. A hearing on the nomination was held on April 5, 1954. On the same day the committee took action on it.

We come now to the State of North Dakota. My distinguished colleague is not on the floor. Three nominations for positions in the State of North Dakota came to the committee. The nomination of Robert Vogel for United States attorney reached the committee on August 4, 1954. Five days later his nomination was reported to the Senate. My colleague and I had already discussed the matter. Both of us knew the gentleman. The same thing is true of Harry R. Tenborg, nominated for United States marshal, and Herbert G. Homme, Jr., nominated for United States attorney. Their nominations came to the committee on August 4, 1954, and the committee acted on them on August 9, 1954, 4 days later.

I issue the same invitation to my colleague from the State of North Dakota, or to any other Senator.

I come now, Mr. President, to the State of Ohio.

The nomination of Howard C. Botts to be United States marshal was referred to the committee on March 23, 1953. Hearing was held on April 2, 1953, and committee action was taken on April 27, 1953.

The nomination of Lester L. Cecil to be United States district judge was referred to the committee on April 1, 1953. Nineteen days later the nomination was reported. There was an objection filed in that case.

The nomination of Thomas J. Herbert to be a member of the Subversive Activities Control Board was referred to the committee on April 10, 1953. Hearing was held on April 21, 1953, and action was taken on April 27, 1953.

The nomination of Hugh K. Martin to be United States attorney was referred to the committee on June 22, 1953. Hearing was held on July 7, 1953, and action was taken on July 13, 1953.

The nomination of Xavier North to be United States marshal was referred to the committee on January 11, 1954. Hearings were held on February 16 to 20, 1954, and action was taken on February 24, 1954.

The nomination of Sumner Canary to be United States attorney was referred to the committee on January 13, 1954, and because of organizing the committee, a hearing was not held until February 17, 1954. On February 24, 1954, action was taken by the committee.

The nomination of Thomas J. Herbert to be a member of the Subversive Activities Control Board was referred to the committee on March 18, 1954, and action was taken by the committee on April 5, 1954.

The nomination of Potter Stewart to be United States circuit judge was referred to the committee on April 6, 1954. Hearing was held on April 15, 1954, and action was taken on April 22, 1954.

Talk about service, Mr. President; talk about paying attention to business—who could do a better job?

The nomination of James C. Connell to be United States district judge was referred to the committee on June 25, 1954. Hearing was held on August 9, 1954, and the nomination was reported on the same day.

I issue the same invitation to any Senator to find any single one, out of the scores of nominations, that was held up.

I come now to the State of Oklahoma.

The nomination of Frank D. McSherry to be United States attorney was referred to the committee on May 15, 1953. Hearing was held on May 28, 1953, and action was taken on June 4, 1953.

The nomination of Paul Johnson to be United States marshal was referred to the committee on July 21, 1953. Hearing was had on July 30, 1953, and action was taken on the same day.

The nomination of James Y. Victor to be United States marshal was referred to the committee on July 21, 1953. Hearing was had on July 30, 1953, and action was taken on the same day.

The nomination of B. Hayden Crawford to be United States attorney was referred to the committee on May 10, 1954. Hearing was had on May 25, 1954, and action was taken on July 6, 1954.

The nomination of K. W. Greer to be United States marshal was referred to the committee on May 12, 1954. Hearing was had on May 25, 1954, and on June 7, 1954, action by the committee was taken.

The nomination of Paul W. Cress to be United States attorney was referred to the committee on July 10, 1954. On July 22, 1954, hearing was had, and action was taken on July 2, 1954.

I issue the same invitation to the Senators from Oklahoma, or other Senators, to state that there was any delay in those cases.

I come now to the State of Oregon. I notice the distinguished Senator from that State [Mr. MORSE] is present.

The nomination of Harold Sexton to be United States marshal was referred to the Judiciary Committee on June 24, 1953. Hearing was had on July 7, 1953, and action was taken on July 13, 1953.

The nomination of Dorothy M. Lee to be a member of the parole board was referred to the committee on July 23, 1953. Hearing was held on July 30, 1953, and action was taken on the same day.

The nomination of Clarence E. Luckey to be United States attorney was referred to the committee on January 29, 1954. Hearing was held on February 19, 1954, and action was taken on February 24, 1954.

The nomination of James A. Fee to be United States circuit judge was referred to the committee on April 6, 1954. On April 15, 1954, hearing was held, and on April 22, 1954, action was taken.

I say to my distinguished friend from Oregon that those cases, in my opinion, are typical. That is the way we have handled nominations coming from all the other States. There has never been any politics involved.

Mr. MORSE. Mr. President, will the Senator from North Dakota yield?

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The PRESIDING OFFICER (Mr. CASE in the chair). Does the Senator from North Dakota yield to the Senator from Oregon?

Mr. LANGER. I yield.

Mr. MORSE. Mr. President, I wish to testify that as to each one of those nominations I received notice from the committee advising me, first, of the nomination; second, as to when the hearing would be held, and an invitation to appear before the committee to present my views on any one of those nominations, if I cared to do so. That is the treatment which I have always received from the committee. Again I wish to say that, in my judgment, there is no basis whatsoever for any charge that the chairman of the Judiciary Committee has been holding up nominations sent to that committee, by way of any device of delay.

Mr. LANGER. I thank the Senator from Oregon.

I now come to the State of Pennsylvania. I am delighted to see the senior Senator from Pennsylvania present in the Chamber. I invite him to say whether the Senator from North Dakota has held up any nomination from that State, and I ask him whether time after time he has not appeared before the full committee and whether every member of the committee has been courteous to him.

The nomination of J. P. Willson to be United States district judge was referred to the committee on June 8, 1953. Hearing was held on July 2, 1953, and on July 13, 1953, action was taken.

The nomination of J. Julius Levy to be United States attorney was referred to the committee on June 8, 1953. Hearing was held on July 2, 1953, and action was taken on July 27, 1953.

The nomination of John W. McIlvaine to be United States attorney was referred to the committee on June 8, 1953. On July 2, 1953, hearing was held, and on July 13, 1953, action was taken.

The nomination of W. Wilson White to be United States attorney was referred to the committee on January 11, 1954. Hearing was held on February 26, 1954, and on March 29, 1954, action was taken.

The nomination of John W. Lord, Jr., to be United States district judge was referred to the committee on March 29, 1954. Hearing was held on May 12, 1954, and on May 17, 1954, action was taken.

The nomination of William A. O'Brien to be United States marshal was referred to the committee on June 29, 1954. Hearing was held on July 9, 1954, and action was taken on July 13, 1954.

The nomination of John L. Miller, to be United States district judge, was referred to the committee on March 29, 1954. Hearing was held on May 12, 1954, and action was taken on May 17, 1954.

I ask the Senator from Pennsylvania if he knows of any delay in connection with any nomination in his State?

Mr. MARTIN. Mr. President, I wish to say that the distinguished Senator from North Dakota, the chairman of the Judiciary Committee, has been very courteous to me as a Senator from Pennsylvania. I have appeared before his committee, and he has been very considerate of what I had to say. I have no criticism of him whatsoever.

He has held up one nomination, at my request, hoping that certain problems might be worked out. But that was the only one which was held up, and that was done at my request and the request of my colleague, the junior Senator from Pennsylvania [Mr. DUFF].

Mr. LANGER. I am very grateful for the generous statement made by the senior Senator from Pennsylvania.

I come now to Rhode Island.

The nomination of Jacob S. Temkin to be United States attorney was referred to the committee on May 28, 1953. A hearing was held on June 11, 1953. On June 15, 1953, 4 days later, the nomination was reported to the Senate.

The nomination of Howard S. Proctor to be United States marshal was referred to the committee on June 24, 1953. The committee held a hearing on July 7, 1953. Six days later, on July 13, 1953, the nomination was reported to the Senate.

The nomination of Edward William Day to be United States district judge was referred to the committee on January 11, 1954. The committee held a hearing on February 4, 1954, and the nomination was reported to the Senate on February 8, 1954.

I issue the same invitation to the Senators from Rhode Island. They can rise on the floor of the Senate at any time they wish to between now and the time the Senate adjourns if they have any objection to the way nominations from Rhode Island were handled by the Committee on the Judiciary.

I come now to South Carolina. The nomination of U. Welch Morrisette to be United States attorney was referred to the committee on January 11, 1954. Some objections were filed to the nomination. Hearings were held on four occasions, but on March 29, 1954, the nomination was reported to the Senate.

The nomination of Joseph E. Hines to be United States attorney was referred to the committee on March 8, 1954. An objection was filed at the hearing. A thorough investigation was made by the chairman of the subcommittee, and witnesses were subpenaed before the subcommittee. One witness refused to appear, and did not appear. Finally, with the full consent of the Senators from South Carolina, the nomination was reported to the Senate on July 17, 1954.

I come now to the State of South Dakota.

The nomination of Bernard A. Boos to be United States marshal was referred to the committee on March 23, 1953. A hearing was held on April 2, 1953. Eleven days later the nomination was reported to the Senate.

The nomination of Clinton G. Richards to be United States attorney was referred to the committee on May 15, 1953. A hearing was held on May 28, 1953, and the nomination was reported to the Senate on June 4, 1953, 7 days later.

The nomination of George T. Mickelson to be United States district judge was referred to the committee on January 11, 1954. The committee was late in organizing at the beginning of this year and a hearing was not held until February 4, 1954. The nomination was reported to the Senate on February 8, 1954, 4 days after the hearing.

I shall be glad at any time to have either of the Senators from South Dakota rise on the floor to state if there was any ulterior motive for the purpose of exerting any pressure or incurring any delay in connection with nominations from South Dakota.

I come now to Tennessee. I regret that the distinguished senior Senator from Tennessee, who interrupted me earlier, is not present on the floor. Here is the record for Tennessee.

The nomination of John C. Crawford to be United States attorney was referred to the committee on June 24, 1953. A hearing was held on July 7, 1953. The committee reported the nomination on July 13, 1953, 6 days later.

The nomination of Millsaps Fitzhugh was referred to the committee on June 24, 1953. A hearing was held on July 7, 1953, and the nomination was reported to the Senate on July 13, 1953, 6 days later.

The nomination of Fred Elledge, Jr., to be United States attorney was referred to the committee on August 3, 1953. There was no opportunity to hold a hearing on the nomination before the Senate adjourned, so the nomination was not reported at that time. The nomination was again referred to the committee on January 11, 1954. A hearing was held on February 19, 1954, and the nomination was reported to the Senate on March 8, 1954, approximately 20 days later.

The nomination of Frank Quarles to be United States marshal was referred to the committee on January 11, 1954. A hearing was held on February 19, 1954, and the nomination was reported to the Senate on February 24, 1954. The delay in action between January 11, 1954, and February 19, 1954, was because the committee did not organize until late.

The nomination of John O. Anderson to be United States marshal was referred to the committee on January 11, 1954. The committee held a hearing on February 19, 1954, and the nomination was reported to the Senate on February 24, 1954.

The nomination of William E. Smith to be United States marshal was referred to the committee on April 6, 1954. A hearing was held on May 14, 1954, and on May 24, 1954, the nomination was reported to the Senate.

I invite the two Senators from Tennessee to state at any time before the Senate adjourns if they have any objection.

I come now to Texas.

The nomination of Albert W. Saegert to be United States marshal was referred to the committee on May 1, 1953. A hearing was held on May 14, 1953, and the nomination was reported to the Senate on May 18, 1953, 4 days later.

The nomination of William M. Steger to be United States attorney was referred to the committee on June 22, 1953. The committee held a hearing on July 7, 1953, and the nomination was reported to the Senate on July 13, 1953, 6 days later.

The nomination of Heard L. Floore to be United States attorney was referred to the committee on July 30, 1953. The Senate adjourned on August 3, and no hearing was held. The nomination was again referred to the committee on January 11, 1954. A hearing was held on February 17, 1954, and the nomination was reported on February 24, 1954.

The nomination of Emmett M. Smith to be United States marshal was referred to the committee on January 11, 1954. The committee held a hearing on February 26, 1954, and the nomination was reported on March 29, 1954.

The nomination of Malcolm R. Wilkey to be United States attorney was referred to the committee on January 27, 1954. The committee held a hearing on February 18, 1954, and the nomination was reported on February 24, 1954.

The nomination of Joe M. Ingraham to be United States district judge was referred to the committee on May 10, 1954. A hearing was held on May 25, 1954, and the nomination was reported on August 5, 1954. The reason for the delay in action on the nomination was that a great many objections were filed, and the committee conducted a careful investigation of the nomination.

The nomination of Charles P. McKnight to be United States marshal was referred to the committee on February 26, 1954. The hearing was held on March 29, 1954, and the nomination was reported on March 30, 1954, 1 day later.

The nomination of Hobart K. McDowell to be United States marshal was referred to the committee on February 26, 1954. A hearing was held on March 29, 1954, and 1 day later, March 30, 1954, the nomination was reported to the Senate.

I come now to Utah.

The nomination of A. Pratt Kesler to be United States attorney was referred to the committee on April 18, 1953. A hearing was held on April 30, 1953, and on May 4, 1953, the nomination was reported.

The nomination of Howard Call to be United States marshal was referred to the committee on May 1, 1953. A hearing was held on May 14, 1953, and the nomination was reported on May 18, 1953, 4 days later.

The nomination of A. S. Christenson to be United States district judge was referred to the committee on May 12, 1954. A hearing was held on May 24, 1954, and the nomination was reported on May 25, 1954, 1 day later.

The nomination of David J. Wilson to be a judge of the Customs Court was referred to the committee on July 7, 1954. A hearing was held on July 16, 1954, and the nomination was reported on July 24, 1954, 8 days later.

I issue the same invitation to the two Senators from Utah as I have issued to other Senators.

I come now to Vermont.

The nomination of Louis G. Whitcomb to be United States attorney was referred to the committee on January 11, 1954. On February 16, 1954, the committee held a hearing, and on February 24, 1954, 8 days later, the nomination was reported.

The nomination of Dewey H. Perry to be United States marshal was referred to the committee on January 22, 1954. On February 19, 1954, a hearing was held by the committee, and on February 24, 1954, the nomination was reported to the Senate.

I issue the same invitation to the Senators from Vermont as I issued to other Senators.

I come now to Virginia.

The nomination of Lester Shields Parsons to be United States attorney was referred to the committee on February 15, 1953. A hearing was held on May 28, 1953, and the nomination was reported to the Senate on June 4, 1953, 6 days later.

The nomination of John Strickler to be United States attorney was referred to the committee on June 8, 1953. A hearing was held on July 2, 1953, and the nomination was reported to the Senate on July 13, 1953, 11 days later.

The nomination of Richard S. Simpson to be United States marshal was referred to the committee on June 25, 1953. A hearing was held on July 7, 1953, and the nomination was reported on July 13, 1953.

The nomination of George G. Killenger to be a member of the Parole Board was referred to the committee on July 23, 1953. A hearing was held on July 30, 1953, and on the same day the nomination was reported to the Senate.

The nomination of Peter A. Richmond to be United States marshal was referred to the committee on July 30, 1953. The Senate adjourned within a few days, so the nomination was again referred to the committee on January 11, 1954. A hearing was held on February 16, 1954, and the nomination was reported to the Senate on February 24, 1954, 8 days later.

The nomination of Walter E. Hoffman was referred to the committee on June 29, 1954. A hearing was held on July 9, 1954, and the nomination was reported on July 13, 1954, 4 days later.

I extend to the Senators from Virginia the same invitation I have extended to other Senators.

I come now to the State of Washington. The nomination of Harry P. Cain to be a member of the Subversive Activities Control Board was sent to the committee on April 10, 1953. The subcommittee heard the matter on April 21, 1953. Six days later the nomination was reported to the Senate.

The nomination of Darrell P. Holmes, to be United States marshal, was referred to the committee on May 1, 1953. The subcommittee heard the matter on May 14, 1953. Four days later, on May 18, 1953, the nomination was reported to the floor.

The nomination of William B. Parsons to be United States marshal was referred to the committee on May 1, 1953. The committee heard the matter of May 14, 1953. Four days later, on May 18, 1953, the nomination was reported to the Senate.

The nomination of Nogi A. Asp to be chief examiner, Patent Office, was referred to the committee on June 8, 1953. The hearing was held on July 2, 1953. Eleven days later, on July 13, 1953, the nomination was reported to the Senate.

The nomination of George H. Boldt to be United States district judge was referred to the committee on June 10, 1953. On July 2, 1953, the matter was heard by the subcommittee. Eleven days later, on July 13, 1953, the nomination was reported to the Senate.

The nomination of Harry P. Cain to be a member of the Subversive Activities Control Board was referred to the committee on June 18, 1953. No hearing was necessary, since his record had been gone over. His term expired on June 18, 1953. On July 30, 1953, his nomination was reported to the Senate.

The nomination of William B. Bantz to be United States attorney was referred to the committee on July 21, 1953. Hearings were held, and on the same day, July 30, 1953, the nomination was reported to the Senate.

The nomination of Charles P. Moriarty to be United States attorney was referred to the committee on July 28, 1953. The full committee heard the matter at the request of the subcommittee. Two days later, on July 30, 1953, the nomination was reported to the Senate.

I issue the same invitation to the two Senators from Washington that I did to the Senators from the other States.

I now come to the State of West Virginia.

The nomination of Duncan W. Daugherty to be United States attorney was referred to the committee on January 11, 1954. Objections were filed, and hearings were held on February 26, 1954, and March 19, 1954. Ten days later, on March 29, 1954, the nomination was reported to the Senate.

The nomination of Herbert S. Boreman to be United States district judge came to the committee on June 22, 1954. Hearings were held on July 9, 1954. Ten days later the nomination was reported to the Senate.

I issue the same invitations to the Senators from West Virginia that I extended to Senators from other States.

I now come to the State of Wisconsin.

The nomination of George E. Rapp to be United States attorney came to the committee on January 11, 1954. Hearings were held on February 16 and February 20, 1954. On February 24, 1954, the nomination was reported to the Senate.

The nomination of Ray H. Schoonover to be United States marshal was referred to the committee on March 4, 1954. Hearings were held on March 31, 1954, and on April 5, 1954, the nomination was reported to the Senate.

I issue the same invitation to the Senators from Wisconsin that I issue to the Senators from all the other States.

I come now to the State of Wyoming.

The nomination of John F. Raper, Jr., to be United States attorney reached the committee on March 23, 1953. A hearing was held by the subcommittee on April 2, 1953. Eleven days later, on April 13, 1953, the nomination was reported to the Senate.

The nomination of Noah W. Riley to be United States marshal was received by the committee on May 1, 1953. Hearings were held by the subcommittee on

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May 14, 1953. Four days later, on May 18, 1953, the nomination was reported to the Senate.

I issue the same invitation to the Senators from Wyoming that I issue to the Senators from other States.

I now come to the Territory of Alaska.

The nomination of Theodore E. Munson to be United States attorney was received from the President by the committee on July 29, 1954. The nomination was reported to the Senate on August 9, 1954.

The President sent the nomination of James L. McCarrey, Jr., to be United States district attorney to the committee on January 11, 1954. Hearings were held on February 4, 1954. Objections were filed and heard. On March 29, 1954, the nomination was reported to the Senate.

The President sent to the committee the nomination of William T. Plummer to be United States attorney on January 11, 1954. Objections were filed. Hearings were held on February 17, 1954. On April 26, 1954, the nomination was reported to the floor of the Senate.

The President sent to the committee on January 11, 1954, the nomination of Claire A. Wilder to be United States marshal. Hearings were held on February 17, 1954. Seven days later, on February 24, 1954, the nomination was reported to the Senate.

The President sent to the committee on January 11, 1954, the nomination of Fred S. Williamson to be United States marshal. Hearings were held on February 17, 1954, and 7 days later, on February 24, 1954, his nomination was reported to the Senate.

The President sent to the committee on January 11, 1954, the nomination of Albert F. Dorsh to be United States marshal. The subcommittee held hearings on February 17, 1954. Seven days later, on February 24, 1954, the nomination was reported to the Senate.

The President sent to the committee on February 2, 1954, the nomination of Walter H. Hodge to be United States district judge. Hearings were held on February 19, 1954. On February 24, 1954, the nomination was reported to the Senate.

The President sent to the committee on February 25, 1954, the nomination of Theodore F. Stevens to be United States attorney. Hearings were held on March 12, 1954. On March 29, 1954, the nomination was reported to the Senate.

I issue to the Delegate from Alaska, Mr. BARTLETT, the same invitation I have extended to Senators. If he has not had prompt action, as rapidly as the subcommittee and the full Committee on the Judiciary could act, I wish he would say so.

I come now to the District of Columbia.

The President sent to the committee on March 17, 1953, the nomination of Leo A. Rover to be United States attorney. Hearings were held on March 25, 1953. Objections were filed and objections were heard, and within 16 days, on April 13, 1953, the nomination was reported to the Senate floor.

The President sent to the committee on July 23, 1953, the nomination of Richard A. Chappell to be a member of the Parole Board. Hearings were held on July 30, 1953, before the full committee, and on the same day the nomination was reported to the Senate.

The President sent to the committee on April 5, 1954, the nomination of Melvin H. Friedman to be Chief Examiner, Patent Office. Hearings were held on May 14, 1954. Three days later, on May 17, 1954, the nomination was reported to the Senate.

I issued the same invitation to those interested from the District of Columbia as I have extended to other Senators from States.

I come now to the Territory of Hawaii. The nomination of Albert M. Felix, to be United States circuit judge, was received by the committee on July 28, 1953. Objections were filed. The subcommittee has been holding hearings ever since, and is still hearing witnesses.

The President sent to the committee on January 1, 1954, the nomination of Harry R. Hewitt, to be United States circuit judge. The subcommittee heard him on February 5, 1954. Some complaints were filed. The committee reported the nomination on February 5, 1954.

The President sent to the committee on January 11, 1954, the nomination of Calvin C. McGregor, to be United States circuit judge. Hearings were held on February 5, 1954. Three days later, on February 8, 1954, his nomination was reported to the Senate.

The President sent to the commitee on January 13, 1954, the nomination of Frank McKinley, to be United States district judge. Hearings were held on February 5, 1954. A thorough investigation was made. Some complaints had been filed. They were found to be without foundation. The nomination was reported to the Senate on April 26, 1954.

The President sent to the committee on April 14, 1954, the nomination of Thomas R. Clark to be United States marshal. Hearings were held on May 14, 1954. Three days later, on May 17, 1954, the nomination was reported to the Senate.

The President sent to the committee on July 28, 1954, the nomination of Louis B. Blissard to be United States attorney. The full committee had a hearing on August 5, 1954, and on the same day the nomination was reported by the full committee.

I have taken the time of the Senate to go into the matter thoroughly. I believe it was worth taking the hour and a half or so that it took, because when stories of that kind are printed in newspapers they are a reflection upon every member of the committee.

I wish to say that it is a great pleasure for the chairman of the committee to say that he has had the active cooperation of the members of the committee. There has been no horse trading or politics. It is just a matter of realizing, as was true 2 years ago, when the distinguished Senator from Nevada [Mr. MCCARRAN] was chairman of the committee, that 54 percent of all the bills introduced in the Senate are referred to the Committee on the Judiciary and checked by it. The former able chairman of the committee, the Senator from Nevada, himself told me many, many times that he spent many extra hours going over FBI reports.

I wish to tell the Senate that it is a terrific job for the chairman of the Judiciary Committee to have to analyze FBI reports on United States marshals, district judges, and United States attorneys. The chairman of the committee has to spend many nights going over the FBI reports and examining them in detail. Under the rule, only the chairman of the committee can see the FBI reports. He has to be ready to answer any questions which may be asked by any members of the subcommittee of the Judiciary Committee or by any member of the full committee. I well remember that when the senior Senator from Nevada was chairman of the committee, he had to go to the hospital at one time, because of overwork as chairman.

Mr. President, I have tried to be a good chairman of the committee, and I have tried to follow in the footsteps of the able chairmen who have preceded me. Ever since taking my oath of office as a Senator, I have done my best to do my duty in all ways; and ever since I have had responsibility of chairman on the Judiciary Committee, I have followed out my firm determination never to "blackjack" any nomination.

Of course, Mr. President, it is easy for articles of that sort to be published by newspapers such as the Fargo Forum, whose policy for years has been to lie and lie and keep on lying about me in the hope that ultimately some of the people of North Dakota would believe some of the lies. That was the policy of that newspaper when I was governor of North Dakota, and it has continued to be its policy ever since I have been in the United States Senate. But such articles reflect upon the Judiciary Committee and, in fact, upon the entire Senate, for they imply that the Senate would tolerate a condition of the sort referred to in the article, in case such a condition actually did exist. As far as I am personally concerned I doubt whether many North Dakotans would believe them anyhow.

Mr. President, I believe it has been well worth while for me to use the hour and one-half I have taken at this time to place in the RECORD ample and complete proof of the actual conduct of the committee. It shows that the newspaper did not tell the truth. I do not have the least doubt that some of my colleagues have experienced similar attacks when they have been candidates for office, or after they have been elected, even though they have been trying to do their duty and to live up to their oath of office.

I wish to say that so long as I am a Member of the Senate—whether I serve as chairman of a committee or as a Member of the Senate without a committee chairmanship—I shall owe no allegiance to any newspaper in North Dakota or to any political boss in North Dakota. Everything I do will be done in the interest of the rank and file of the people of North Dakota and, likewise, in the interest of the entire Nation. If the time ever comes when I

cannot do that, Mr. President, I will hand in my resignation, and will walk out of this Chamber with my head up and my chest out, knowing that I have never violated my oath of office and never have made a deal or done anything else which would in any way reflect upon the honor and integrity either of myself or of any other Member of the United States Senate.

Mr. President, I apologize to the Senate for having taken this much time, during the closing hours of the session; but I believe that such a dirty, filthy, despicable attack upon a Member of the United States Senate and upon the Senate Committee on the Judiciary and upon the Senate itself should not go unchallenged or unanswered.

Mr. GILLETTE. Mr. President, I am sure every Member of the Senate commends the eminent senior Senator from North Dakota for the remarks he has made on a question of personal privilege, and for presenting in so detailed a way the most devastating defense and refutation of unfounded and biased charges that it has ever been my privilege to hear. I desire to thank the Senator from North Dakota for doing it.

COAL AND ITS IMPORTANCE TO THE NATION

Mr. MARTIN. Mr. President, modern progress and our expanding economy have resulted in many profound changes affecting our natural resources. Among these is coal. The great coalfields of Pennsylvania, West Virginia, and Ohio are having serious economic difficulties. Coal has been heavily replaced by gas and oil. Regardless of this, coal is still a most vital element in the American economy.

We do not want a governmental subsidy for coal, but everything possible should be done to aid this industry during these heavy declines in the use of coal.

The Government can help at the local, State, and Federal levels by more favorable tax laws.

The present importation of oil in great quantities should be given the most careful scrutiny by our Government.

There should also be governmental studies toward reducing the objection to the use of coal as a household fuel because of smoke and ashes.

If the time should come when we are cut off from other parts of the world, it will be necessary for us to depend upon coal. The Pittsburgh Sun-Telegraph recently published a very fine editorial on the subject of coal. The editorial is entitled "Old King Coal," and I ask unanimous consent that it be printed in the RECORD as part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

OLD KING COAL

The great Pennsylvania coalfields, once a beehive of wealth, are in serious economic difficulties.

There have been heavy declines in production, both in the bituminous areas of western Pennsylvania and in the anthracite district in the northeast.

The markets for coal have been narrowing.

The competing fuels—gas and oil, smokeless and ash free—have taken over most of the domestic heating market.

The railroads have scrapped their steam locomotives and gone to diesel power.

There must be something tragic to the men of the mines, both in management and labor, in the daily spectacle of trains of coal moving to the market behind diesel engines.

But that is the stern verdict of competition.

Coal, still one of the Nation's richest sources of energy and wealth, must step aside until more efficient means are found to unlock its potential power.

Coal remains a foundation stone of the Nation's economy. It was the principal source of power in two world wars. Until the atom is developed as a practical source of industrial energy, or until some new power source is found, coal will remain the Nation's fuel reserve.

But what happens in the meantime? If coal production is restricted to a point where numerous pits are closed, towns abandoned and miners move into other activities, King Coal will not be roused so easily from his slumbers.

If a new national emergency should arise that would block the ocean lanes to the heavily-laden tankers that now move unmolested upon the face of the seven seas, then the cry would echo for King Coal among the abandoned caverns of his realm.

The job of clearing those dripping slate-clogged entries quickly with partially untrained men would not be easy.

It is easy to blame this condition on someone—on the mine workers for forcing their wage scale to a point where they priced themselves out of the market, on management for failure to do a better planning and selling job, or on Government for lacking wisdom in its directives.

But the basic fact is that the coal industry is one of the great defense bastions of the Nation and must be preserved in good operating condition.

To do less is to trifle with disaster.

The Government subsidy method has been suggested but not too much faith is to be placed in it. Not after the mess it has made in agriculture.

The future for coal is much more likely to be determined by cooperative efforts to find new and more efficient uses for the product—in the world of chemistry.

Coal can be transformed through the miracles of science into almost any one of the combinations of carbon with the other elements.

It can be transformed into a liquid or a gas.

The gasification of coal in the Pittsburgh district has been studied.

It is time that the scientific advances in this field are applied by the business world if King Coal is to waken again to the blasts of the works whistle.

REGULATION ON TRADING IN COFFEE

Mr. GILLETTE. Mr. President, I rise to point to the refusal of the House of Representatives to take any action on either of two bills which have been unanimously passed by the Senate. Both these bills have an identical purpose. That purpose is as simple as the English language can state it: To place trading in coffee under the regulations of the Commodity Exchange Authority.

It is a rare occurrence, Mr. President, that the Senate of the United States has to pass two separate bills in order to achieve the same purpose, but it is an even rarer occurrence for the other House to fail to take any action on either of them.

I believe it is completely unprecedented for the Senate to pass a House bill, after adding an amendment of its own, only to have the bill return to the House and lie on the Speakers' table, waiting to die at the end of the session. Yet this is what has happened.

In a nutshell these are the facts: In 1949 and 1950, a Senate subcommittee of which I was chairman, and which was established to investigate price spreads in foods and fibers, made an exhaustive study of coffee prices and the speculative rise of those prices to our consuming public in late 1949. It was evident to our subcommittee that manipulators dealing in futures on the coffee exchange were mulcting the American consumers out of hundreds of millions of dollars. We made our report to the Senate in August 1950, with recommendations for legislative and administrative remedies.

One of our recommendations was that the Commodity Exchange Act be amended so as to include coffee among the list of commodities subject to regulation under that act. I introduced proposed legislation to that effect, but it was not acted on.

Early last year I again introduced proposed legislation, S. 1386, having this purpose. Early this year the Senate unanimously passed that bill. It was messaged to the House and was referred to the House Agriculture Committee; but there it has rested until this day.

After waiting what seemed an adequate time for action by the House, I addressed to the chairman of the House Agriculture Committee, Hon. CLIFFORD HOPE, a letter urging that action be taken because of the reported prospect of still another gouge of the American consumer on top of those to which he had already been subjected. Chairman HOPE replied that his committee was very much involved with general farm legislation and did not know when it would reach Senate bill 1386. The House later passed the general farm bill; and weeks passed, but without action on Senate bill 1386.

Then the House passed another bill, H. R. 6435, designed to bring onions under the provisions of the Commodity Exchange Act. When that bill was reported to the Senate by our Agriculture Committee, I offered to it an amendment to add the word "coffee," thus bringing both onions and coffee within the provisions of the act. This amendment was unanimously approved by the Senate. The bill was returned to the House, and there it has reposed since that time.

If there had ever been any doubt in anyone's mind that trading in coffee futures needed to be made subject to regulatory supervision by the Federal Government, such doubt must have been wholly dispelled by the report published on July 30, 1954, by the Federal Trade Commission.

I have before me a copy of that report, entitled "Federal Trade Commission, Economic Report of the Investigation of Coffee Prices, Summary and Conclusions, July 30, 1954."

In passing, Mr. President, let me note that on January 23, 1954, in a letter to

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the Honorable James M. Mead, Commissioner of the Federal Trade Commission, I urged that the Commission investigate the operation of the instrumentalities engaged in the importation and distribution of coffee in the United States and bring its valuable machinery into action for the purposes of aiding and protecting the American people from any unreasonable or unjustified burdens in connection with the great increases in coffee prices.

The report from the FTC shows that on January 26, 1954, the Commission adopted a resolution directing that a comprehensive investigation be undertaken with respect to the coffee industry.

The summary and conclusions of the report on this investigation are now before us. I call particular attention to that section of the report beginning on page 19, entitled "The New York Coffee and Sugar Exchange and the Coffee Price Spiral," and to the section beginning on page 28, "Exchange Operations." I defy anyone reading these sections to reach any other conclusion than that certain practices now permitted in this exchange must, without further delay, be corrected, and that the trading in coffee futures must, at this session of Congress, be placed under regulation by the Commodity Exchange Authority.

For example, on page 28 we find the following paragraph:

> An examination of trading on the New York Coffee and Sugar Exchange reveals many respects in which the behavior of the exchange fails to satisfy the standards required for a freely competitive and broadly based futures market. The total volume of trading in the market has been quite small, for the domestic and international coffee trade makes relatively little use of the market in carrying on their trade operations. Indeed, it may be said that the most consistent use of the market is by Brazilians, and that, except for the upward price movement whose pattern has just been described, the typical pattern of behavior by Brazilian accounts has been to take a long position in a distant future and transfer to a more distant future when that contract becomes a near future in order to profit by the rise in price as the distant futures approach maturity.

Further quoting, from page 29:

> The New York Coffee and Sugar Exchange has permitted certain practices which are not conducive to a competitive, orderly, and serviceable futures market. Officials of the New York Coffee and Sugar Exchange have opposed in hearings before the Congress attempts to place it under governmental regulation, asserting that the exchange's mechanism for self-regulation is adequate and renders Government regulation unnecessary. However, the Federal Trade Commission's investigation disclosed that the rules and regulations in some instances are loosely drawn, susceptible to abuses, and improperly policed.

I shall not read more of the report to the Senate. It is available to any Member. Suffice it to say that this investigation in 1954 confirms in every respect the investigation made by our Senate subcommittee 4½ years ago, and also furnishes additional up-to-date information to which of course we did not have access in 1949 or 1950.

But what has happened in the interim between the publication of our Senate Agriculture Committee report in August 1950 and the publication of the Federal Trade Commission report in July 1954? The American consuming public has been gouged, and gouged repeatedly, by a small, powerful group of gamblers, speculators, and manipulators, both here and abroad, in amounts so enormous as to stagger the imagination of even those of us who have grown accustomed to astronomical figures in our budgets or appropriations bills.

If American farmers, or indeed any other segment of American life, had received subsidies in the past 4 years comparable to the sums which have been extracted from the American consumer by the coffee racket, the newspapers would have treated it as a national scandal far overshadowing any of those that have received so much attention in recent years.

It is reliably estimated that consumption of coffee in the United States runs close to 3 billion pounds a year. When we figure what the rise of 1 cent per pound costs the American people, we have some appreciation of what manipulations bringing about price rises of 50 cents per pound or more have cost us.

Enough is enough, Mr. President. The Congress of the United States will stand charged with dereliction in its solemn duties if we allow this session to end without having taken at least the very minimum step necessary to prevent continued raids on our consumers to go unchecked.

No one is so foolish as to pretend that placing coffee trading under the Commodity Exchange Act is going to recoup the enormous losses caused by the coffee gamblers in the past 4 years or more. Nor does anyone claim that such action is sufficient to prevent repeated recurrence of these unconscionable raids. We cannot legislate here to control what happens abroad. But we can legislate here for what happens at home. That we have not done. That we must do. The Senate has acted, not once, but twice, in the present session. What are the American people going to ask Members of the House if that body refuses to take even this first step in the protection of their pocketbooks?

First. Mr. President, I wish to repeat certain recommendations: When the tax bill was before the Finance Committee of the Senate, I introduced an amendment to place a 30-percent tax on the capital gains of nonresident alien traders on our commodity exchanges, because I believed the Congress should not permit a continuation of the practice that has developed of allowing foreign speculators to use our exchanges for their own benefit without paying any tax to the United States Government on their gains. Unfortunately, the Finance Committee did not see fit to include this amendment in the bill. That step will apparently have to wait until a later time.

Second. But, Mr. President, the immediate step to take is final adoption of the bill placing coffee under the Commodity Exchange Act.

Third. In addition, I strongly urge that the Federal Trade Commission report to the Department of Justice for prosecution any violations of existing law which they may have discovered during their investigation. We cannot recover the vast sums already taken from us by these gamblers, but we can see to it that those among them who have violated the law are tried, convicted, and punished to the full extent of the law.

Our 1950 report made a number of recommendations which, had they been acted upon, would in my opinion have made it impossible for the coffee gamblers to carry out the immensely profitable manpulation of coffee prices which they accomplished last December and January—and from which, I add, they are still profiting. Whether by traders or roasters or those who have any other function in the coffee business, enormous profits have been made from this latest raid, profits which are in addition to the earlier sums taken in the great speculative raid of 1949–50.

We have had enough, Mr. President. The American people have had enough. I earnestly hope that the leadership of the House will see fit to follow the lead taken by the Senate in this matter. Only a few days are left in the present session, but they are enough to afford the House ample time to pass one or the other of the two bills now pending there for putting coffee under Government regulation. Are they waiting for another round in the seemingly endless game of gouging the American consumer?

Mr. SALTONSTALL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER (Mr. PAYNE in the chair). The Senator will state it.

Mr. SALTONSTALL. Is it not correct that we are now proceeding in the morning hour with speeches limited to 2 minutes?

The PRESIDING OFFICER. The Senator from California, the majority leader, had made a prior statement to the effect that following a quorum call, the morning business would be in order. The quorum call has not been had.

Mr. SALTONSTALL. Mr. President, I suggest the absence of a quorum.

Mr. JENNER. Mr. President——

The PRESIDING OFFICER. Will the Senator withhold his request for the quorum call and yield to the Senator from Indiana?

Mr. SALTONSTALL. I will withhold my request for the time being, and yield to the Senator from Indiana.

GREETINGS TO GERMAN LANDSMANNSCHAFT

Mr. JENNER. I ask unanimous consent, Mr. President, to have printed in the RECORD, a statement of congratulations to the Sudeten German Landsmannschaft on the occasion of its annual gathering at Munich.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR JENNER ON OCCASION OF ANNUAL MEETING, SUDETEN GERMAN LANDSMANNSCHAFT, MUNICH, MAY 1954

It gives me great pleasure to send greetings to the Sudeten German Landsmannschaft on the occasion of their annual gathering.

In this world struggle between Communist materialism and the spiritual powers of men, you stand on the frontier. You have felt the full fury of Communist brutality. Your whole people were roused in the middle of the night and driven from their homes and their beloved homeland, with not much more than the clothes on their backs, and the few possessions they could carry in their hands.

Why did the Soviet leaders know that you must be driven from your homes, if the Soviet design for the postwar world was to prevail? The Soviet leaders knew that you belonged among those who opposed communism completely and clearly, with the full energies of your minds and your hearts, because you were dedicated to a spiritual ideal—a firm belief that men were not combinations of potassium, and sodium, and oxygen, to be weighed only by material tests. You knew the one thing needful—that human beings possess that little spark of spiritual energy which we call the soul.

The Communists are not afraid of people with lukewarm ideas about goodness, or freedom, or welfare. People with lukewarm ideas are putty in their hands. The Communists have learned to exploit every device of present-day psychological knowledge to manipulate men's minds. The only people the Communists fear are those with a firm belief in the innate dignity and spiritual value of man and in a universe guided by a Power greater than any human being.

How clever the Communists are to encourage and make use of the softheaded, while they fight incessantly to destroy those who hold an unbreakable conviction of devotion to what is right.

The Soviet leaders set up their schemes for the postwar world long before the war in Europe was ended. They needed a Europe that was either Communist or weak. They needed to push the Soviet borders as far westward as possible, to add to the vast distances which had destroyed the armies of Napoleon and of Hitler. They needed to set up weak, or docile, or confused governments in a wide area about their own borders—a political no man's land like the desolate stretches just behind their barbed-wire borders. They needed to move as close as possible to the Atlantic nations, so that every planned step in the war of nerves would strike directly against the western nations, who used to be cushioned against Communist pressures by the broad zone of Central Europe.

The Communists also needed non-Russian allies whose pro-Communist nationals could be sent to Western Europe and the United States, to infiltrate our anti-Communist agencies here and abroad and reduce American psychological warfare to impotence.

One precept guided all their tactics—kill or drive out the hard core of anti-Communists in Central Europe and we shall have no trouble taking over the rest.

The brutal determination with which after the war the Communist leaders insisted refugees from the Soviet Union must be sent back as deserters was cut from the same cloth as the expulsion of the Sudeten Germans. They knew if they could kill or drive out the men of firm principle, the softheaded and the ambitious would do their work for them.

You were driven from your homes, but your spirit was not quenched. Even in exile you formed your own fighting organization. You made yourselves a force for anticommunism even when you had no homeland. And you helped all Europe and the United States by your brave refusal to permit Communist agents and their hirelings to get a foothold among the refugees.

It would be hazardous to make any concrete prophecies about what is ahead of us. But principles are timeless. The struggle between materialism and the world of spiritual values must go on until it is settled one way or the other. Men cannot live half spiritual beings and half cringing slaves, ready, like Pavlov's dogs, to obey every conditioned reflex their masters have taught them.

I wish for you continuing success in your chosen task of reaffirming the ideals by which men must live, and in keeping your actions as a group dedicated to that higher moral purpose. I hope we shall all soon see the day when the people of Europe, of Russia, of Asia, of Africa, and of the Americas, can live happily in their own homelands, unafraid because they are one in their faith in things of the spirit.

THE FIFTH COLUMN MUST GO—ADDRESS BY SENATOR JENNER

Mr. JENNER. I ask unanimous consent, Mr. President, to have printed in the RECORD a speech made by me in Springfield, Ohio, on April 29, 1954.

This speech points out that the Communist organization can be understood only if we recognize the three types of which it is composed: First, the trained professional Communists; second, the dupes of Communist brainwashing propaganda; and third, the "collaborators," so-called Americans who do not believe in the Communist ideology but are willing to make deals with it for the sake of power, publicity, or financial gain.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

THE FIFTH COLUMN MUST GO

It is a pleasure and a privilege for me to come here tonight to a neighbor State of my own State of Indiana, part of the happy valley where so much of American history has been made.

My work in Congress has brought me into close contact with the fine men whom the State of Ohio sends to Washington, to speak for its people on matters which concern the national interest.

One of Ohio's most distinguished sons, Robert Alonzo Taft, was a foremost spokesman in Congress in a time of doubt for the American ideals of devotion to liberty, to justice, and to the spirit of the law. He had a scholar's knowledge of the long and bitter struggles which brave men had waged against would-be tyrants, before these ideals could be made the keystone of a new form of government—American constitutional liberty. Senator Taft fought with all his intellect and courage against those who were trying to undermine that great achievement, even in the very Capital of our Nation.

Another Senator from your State, JOHN BRICKER, has carried on a valiant fight to preserve our heritage of liberty under law from erosion by endless waves of treaties and agreements, made in the secret recesses of the new bureaucracy, which operates free from the checks set up in our Constitution. Sixty Members of the United States Senate voted for Senator GEORGE's adaptation of the Bricker amendments to put treaty-made law back under the Constitution.

Your Representative from this district, CLARENCE BROWN, has had a career of great distinction in the House of Representatives. Much of his work has been in the Rules Committee, and there is no more powerful committee in the House of Representatives. There he has been concerned not so much with particular legislative battles but with the programing of the work of the House throughout the year. His chief contribution is not made in the public view, but in the daily grind of committee meetings. It is important, in enabling the House of Representatives to pick the best out of the mass of legislative proposals which is dropped into the hopper every year.

Passing laws is, however, only a small part of our task. Tonight I want to speak about the investigating powers of Congress. Before we can pass laws, we must seek out whatever information we can find. It is also our duty to report that information to you, so that you will know what problems the country faces, and how we can best meet them. That thorough investigation of national problems is what congressional committees are set up to do.

Even in ordinary times the information gathered by congressional committees is of great importance. In times of crises the power of your representatives in Congress fully to explore any threat to our security may make the difference between survival and destruction.

The United States is engaged today in a world conflict unlike any struggle in past history. This conflict is in itself a series of wars. The fight is not over land hunger or rival dynasties or conflicting creeds. This conflict is to decide what kind of creatures human beings are to become. We believe human life has a meaning above the animal, that man has a spark we call the soul. From this spiritual quality comes the individual rights which we call liberty. Today, we face a foe who believes that man is a combination of chemicals to be cut or pounded like wood or stone, or "conditioned" like Pavlov's dogs to any bestial existence his master wishes to impose on him.

This cruel scourge, which we call communism for short, is not hemmed in behind fixed borders. It is pressing day and night to make sure that the people of our country, of this happy valley, shall live like Pavlov's dogs, trembling under the lash of Soviet animal trainers. Our enemy knows, what we hesitate to face, that the human race cannot exist half spiritual beings with their eyes lifted up in hope, and half whipped curs, with their eyes bent on the ground in despair.

The bloody borders of this world conflict are in Korea and Indochina and Germany. But the decisive battleground of that struggle lies right here in the heartland of North America.

I can make you this solemn promise—if the people of the United States see clearly the nature of the conflict that envelopes us, if we understand the strange new weapons of our foe, if we use our great strength in harmony with true American ideals, this conflict can be ended in a short while, with certain victory for those who believe in the higher nature of man.

Our only real danger is that true Americans may be drugged to sleep, by hypnotic words, while a strange breed of false Americans misuses our strength, for purposes helpful to our enemy.

Against this danger, your congressional committees are seeking to give you the vital information you need for any war. The investigating committees of Congress are your G–2 for the war on communism on our soil. Only with clear and full information can true Americans unite in a common determination that the fifth column must go. No Soviet agent, no Soviet dupe, and no false American low enough to collaborate with the Communists for gain, can have any office of trust in any public or private area of American life.

For 20 years House and Senate investigating committees have dug deep down into the records to bring out for the American people the full story of how the Communist world government sent its trained agents to the United States, and recruited embittered or foolish or power-mad Americans to serve the Soviet Government and help it destroy our country from within.

I will mention first the work of the Senate Internal Security Subcommittee, because I have served on it since it was established.

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Under Senator PAT MCCARRAN, of Nevada, this subcommittee made a dragnet investigation of the influence being brought to bear in shaping our fantastic State Department policy. We centered our investigation about the Institute of Pacific Relations, a private research agency. We had learned from the hearings on General MacArthur's dismissal that many of the men on the staff of the institute had been exceedingly active in recommending personnel and policies to our State Department during the period when it was turning pro-Soviet in a quiet, subtle, but strangely effective way.

The Internal Security investigation of the IPR brought out testimony under oath that Owen Lattimore and the IPR served from the mid-thirties on as a "cover shop" for Soviet military intelligence. Thus the Communist government could continue to collect information in China, although Chiang Kai-shek had banned it. Imagine Americans working for the Soviet MKVD or Soviet Military Intelligence, while the Soviet Union was purging its own founders in grim mockery of justice.

In 1953 and 1954, as chairman of the subcommittee, I continued the study of this strange interlocking subversion into many Government departments.

We also began an investigation of Communist penetration into our schools and colleges. We found in education the same pattern of interlocking subversion. Bright young men with Communist loyalties moved from the colleges to Government. Then when congressional investigations came too close, they were moved to jobs in the colleges, with all the prestige of well-paid Government service. Meanwhile, competent loyal American teachers watched the Communist apparatus move its darlings from low-paid teaching jobs to high-paid Government jobs and then back to the highest ranks of the teaching profession. Here the trained propaganda agents of the U. S. S. R. could write books and articles proving how right were our Government's pro-Communist policies.

The same sinister pattern of interlocking subversion appeared in our investigation of procommunism among the Americans on the U. N. staff. We found most of them were graduates of the interlocking subversion in our Government, hastily moved to an agency outside the scrutiny of Congress, when our investigating committees came too close.

Our subcommittee found another Communist pattern for our grade schools. When the Communist leaders were indicated, the party prepared to go underground. They devised a system of 3-man cells, but each of which was constantly starting new 3-man cells, in the schools. No one knew more than five people in the secret apparatus, but all of them were part of a vast secret Communist army moving with perfect discipline wherever the Communist leaders ordered them to go.

Some of you still hope that communism is a leftwing organization that appeals to radicals living near Union Square. That is a beautiful delusion. This secret apparatus of three-man cells was not devised to convert leftwingers. It was planned to spread like a cancer to every State and city and school in the United States.

We learned about this Communist underground in the schools, only by chance. Soviet agents in Hungary made a mistake and told the Cominform that John Lautner, a member of the Soviet Control Commission in the United States, was a traitor. Communist goon squads ordered Lautner to the basement of a house right in your city of Cleveland—in a neighborhood called Kingsbury Run. There, plug-uglies beat him up with guns and butcher knives. They told him to come back the next morning at 11 o'clock for another beating. He came. Such is Soviet discipline. John Lautner appeared, but the goon squads did not. While he was waiting for his beating up, Lautner began to wonder why he stayed in the Communist conspiracy. He decided to break. That is the only reason we know about this secret triangular underground in the schools. Otherwise it would be there but we would not know about it. Don't make any mistake. It would not be far away but right here trying to get into your school system.

Our subcommittee heard Bella Dodd tell how the Communists trained the college generation of students to become keen ingenious leaders in the war for a Soviet America, but they did something quite different with the grade schools. They believed that by the time those younger students were graduated we would be a Sovietized America. Therefore, they tried to give the little children the soft puttylike education they would need as helots in a communized American province of the world Soviet Union.

I have bearly touched the edges of the vast river of information about the Communist fifth column, including the superb work done in the House of Representatives under both Democrats and Republicans.

Do you see why Congress works so hard through its committees to be your G–2 in this secret war? Do you see why the Communists and their dupes want congressional committees to fight with powder puffs and investigate with tooth picks?

I want tonight to give you the true proportions of this thing. You remember the curious decisions made by Secretary Acheson and General Marshall while China was in a death struggle with Communists armed by Red Russia.

Do not imagine that was something far off that concerns only the Chinese. Let me repeat. That is not something far away which concerns only the Chinese. If our own Government had not adopted a China policy beneficial to Soviet Russia and disastrous for us, where would we be today? The United States would today have a chain of airbases facing Siberia, a few miles from the Soviet border, from Vladivostok on the Pacific to Novosibirsk in mid-Siberia, and perhaps even to Magnitogorsk in the Urals. Korea would not be ruins. Americans would not lie beneath heaps of Korean dust, or in nameless graves in Manchuria. Submarine bases on the China coast would be in the hands of our friends. And tens of billions of taxes would not have been collected from our overburdened people, leaving our mountainous debt higher than ever before.

We cannot comprehend what is uncovered by these congressional investigations unless we see the whole problem.

I want tonight to lay down a few propositions which it is essential to consider in any attempt to wrestle with the Communist attack on our country.

First of all, we must understand that we are not dealing with individual Communists or their dupes. We are dealing with the fifth column, and the fifth column is an army. Every man or woman in this country who follows Soviet orders is an officer in a secret Soviet army, operating on American soil, to one supreme purpose—to conquer inch by inch, or mile by mile, or agency by agency, every sector of American national life and make it subordinate to Soviet rule. Every official, every politician, every writer, every teacher, every scientist, every union leader, and every businessman, who works under Communist guidance, whether he has a party card or not, is an officer in a Soviet army secretly invading our country to bring about our destruction.

This characterization applies to Communist agents, whether party members or not. It applies to all Communist collaborators who have made a deal with the Soviet apparatus in return for money or votes, or office, or prestige. The dupes who unwittingly carry the deadly germs of Communist propaganda serve the Soviet Union as truly as army cooks who would put poison in the company's soup because someone told them it was a strange new flavor.

The Communists are at war against us. Their war plans include the use of collaborators and of dupes. In wartime we cannot tolerate innocents who carry messages for the enemy, or who plant deadly mines, because someone told them the little boxes would grow hyacinth bulbs. The gravediggers of America are not the card-carrying leftwing Communists or their dupes, but the collaborators—the politicians, the businessmen, the lawyers, the Government officials, the writers, who made the deals the Communists needed to build up power.

An army is more than individuals. We are not fighting individuals in this war on communism. If American soldiers shot down a German sniper in France or a Japanese sniper in New Guinea, they would not think they had defeated the enemy. They would know that, in an army, when an individual falls, another individual takes his place. Individual Communists may fall out but their place is never vacant. The army never rests or sleeps.

Let us never forget. The Soviet fifth column is a secret army engaged in continuous advance along every avenue leading to every sector of American life. It was moving into our Government on a small scale in the early thirties, on a larger scale after 1936, in a mass movement in war and postwar policymaking. The fifth column is moving into the press, radio, movies, television, the schools, the colleges, the publishers, the women's clubs, the foundations, the unions, business and the banks, and businessmen's organizations. There is only one answer to the question: Where is the Soviet fifth column operating? The answer is "everywhere."

The Soviet fifth column is not only advancing along every road, but all parts of the advancing armies are coordinated. When the Communists placed an agent in a government department, they immediately worked to get a Communist or a collaborator at every point from which anti-Communists might get him out.

When they placed pro-Communists in key government departments dealing with foreign policy, they were busy placing pro-Communists in key places in newspapers, on the radio, and in our great magazines. They were directing a flow of articles out to all parts of the country saying the Chinese Reds were agrarian reformers, that is, good American populists, much like William Jennings Bryan, who had no use for Stalin. The fifth column put its agents or dupes in the publishers' offices to see that a rash of cheap trivial books on China was constantly coming off the presses with the same story, while distinguished China scholars could not get their works published. The Communists moved their people into the foundations, so they could direct American money to their kind of writers. They moved into the book review journals, so they could give their stooges friendly reviews, and damn with faint praise the old-fashioned Americans who would not kow-tow to the intellectual bandits.

I have not even touched on Germany but the China story can be duplicated step by step from the records of our German policy.

If all the facts gathered by all of the congressional investigations could all be laid before you, they would give you only a glimpse of the area covered by the fifth column in the United States. That is the most important fact of all.

All our investigations together have caught only a few stragglers, a few men who slipped, like Hiss or Marzani. But for one Lattimore whose story we uncovered, there are many other Lattimores, whom we have not uncovered. For one Harry D. White whom we know, there are a thousand whom we cannot

even name. We know Alger Hiss, only because he happened to be known to a man who left the Communist conspiracy, but remember we have had no new Whittaker Chambers in 15 years. There are 10,000 Alger Hisses who are known to men who dare not leave.

To say that there were only 8 Communists in a big government department, because we can find only 8, is as if the Indian scouts in the West came back with reports there were only 2 Sioux or 2 Apaches in a valley, because they caught only 2 stragglers.

We do not need to know the names of the Communists in government or in the press or in high finance, to fight them. Our Army did not need to know the names of the Indian braves, if they could see the smoke of their camp fires, or felt the arrow in their back.

It is incredible stupidity to assume there are no Communists in government today because Harry White died several years ago and Harold Glasser was allowed peacefully to resign his high-paid job. Do you believe the Soviet fifth column quit in 1948, because White and Glasser had been uncovered? Does an army quit because two men are lost? No, the Communist high command merely redoubled its intimidation of pro-Communists who might be ready to break. All we can say with truth is that we have had almost no recruits from the inner circle of communism in the last few years. That means it is our intelligence from ex-Communist sources which declines about 1948—not the Communist attack itself.

The FBI has continued its magnificent work, but its information is for the President and the Attorney General. Furthermore, the FBI deals with crimes, like espionage and sabotage. But most of the gravediggers of America have committed no crime. How can Congress prevent the Communist fifth column from softening or weakening or slanting or confusing our military and foreign policies except by exposure? How otherwise can we stop the interlocking subversion of Communists in our Government with the fifth column in foreign countries, which gave us Teheran and Yalta and Potsdam?

Communists in the Government of France weakened and blurred and confused French military and foreign policy, just before France was invaded by their allies, the Nazis. Do you think the Communists who softened up France before 1939 have stopped all efforts to soften up and disorganize France today? How much influence do they wield at Geneva at this moment?

Spruille Braden, Assistant Secretary of State in the previous administration, says the same influences are at work in our State Department today as in Hiss's day. The Communists penetrated the American State Department at least 20 years ago. They have been using the techniques of collaboration with the venal, intimidation of the patriotic, and brainwashing of the innocent, through all that time, with full freedom of opportunity. What would you expect after 20 years?

The Communist fifth column has been at work everywhere in this country in high gear for over 20 years. It has had collaborators reaching to the very top positions in public and private life. It has consistently advanced the proleftists, forced good Americans who opposed it into professional exile. With its great psychological insight, and influence over all branches of communication, it has kept up a brainwashing operation on the innocents who occupy what they call the middle of the road.

It is time in this country for a John Paul Jones, who will rise up and say, "We haven't begun to fight yet."

It is time for good Americans to put aside all softness, all dishonest liberalism, and take their places in this war for survival. Let us say with one voice, the fifth column must go.

The fifth column in the United States is the same kind of men, working by the same methods, under the same high command, as the men who tortured our fighting men in Korea. They are working to the same end—the destruction of the United States.

How can we talk of driving the Communists out of Indochina if we cannot drive them out of all levels of our government and our public opinion agencies?

There is no place anywhere in American life for agents of the Soviet Union. There is no place anywhere in American life for anyone who has ever collaborated with the Soviet fifth column for gain—whether it was Soviet gold, Communist votes, political office, fat business contracts, or moving-picture credits. There is no place even for innocents who scattered the Soviet word mines because the Soviet agents say they aren't loaded.

Let us start now to clean house. Let us, each of us, who has had no truck with communism, enlist himself as a one-man or one-woman army, to force every Communist and collaborator from every office or position of trust in public or private life in the United States.

If they are foreigners, let us send them home. If they are American citizens, let us deprive them of the rights they despise. Let them earn their living as dishwashers or ditch diggers, but not in places where they can poison our minds.

Let us cut off all contact with the fountainhead of pollution, the Soviet Union Government, and with the countries under its iron heel. Let us head the Communist governments off, where they can damage only themselves. Let us close the iron ring around them, keep our people and our goods outside, help their own mistreated people to escape, and wait for this parasite state to fall apart.

In all the world there is only one major source for the trouble and danger and worry that afflicts us all. All the fear spread by the hydrogen bomb will disappear the day the Soviet Government falls. Their evil army can work only behind its smokescreen of secrecy, lies, smears, confusion, and double-talk. If Americans are not confused by their lies, the Communists cannot win.

Let us face the one essential fact. The fifth column—the Soviet Union's secret army—is the only weapon the Soviet Union can successfully use against us. Does any true American bid us delay?

Let us use our strength, as we have used it in the past, to help other nations, but let us set up one condition—if they drive the fifth column from their own soil. Deprived of its chance to suck nourishment from the free world, through the tentacles of its fifth columns, the Soviet Union will wither and shrink, until its captive people can rise up as one man, destroy their oppressors, and end the nightmare that afflicts the world.

LINCOLN DAY ADDRESS BY SENATOR JENNER

Mr. JENNER. I ask unanimous consent, Mr. President, to have printed in the RECORD, a speech made by me in St. Paul, Minn., on February 8, 1954, before the Lincoln Republican Club.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

Once a year, near the birth date of Abraham Lincoln, we Republicans forget the daily grind of politics and lift our eyes like Lincoln to the vision of what our country has done and what we hope it will do.

Every year we are refreshed and inspired by this renewal of our faith, but 1954 is a year for special pride and hope.

It is just 100 years since a few Americans, living in the Middle West, decided they could not accept the verdict of both older parties, that they would tinker with trivialities, while the survival of our Federal Union was in doubt.

Who would have dreamed that the little group of men and women who assembled at Jackson, Mich., on July 6, 1854, would exercise a predominant influence over the next century, and, we hope, over generations to come? Those unknown, unimportant people, meeting to act on their convictions, had only one asset. In the midst of confusion and bitterness and double talk, they could recognize the most important issue of their time. They could recognize it clearly because they had the courage to face whatever they might see. There can be no clear thinking where there is no courage.

The Lincoln Day celebrations of 1954 are memorable for another reason. Today we Republicans face a political situation as hazardous as that of 1854. The confusion and the bitterness are as marked, and as portentous of danger. But, if we have courage, like the Republicans of 1854, we can lead a new American Revolution, as memorable as that of 1854, or of 1776. We too can make a clean break with the unhappy past, and venture into a future stranger than anything even the pioneers had to face.

Our country is on the threshold of great changes, and great changes mean great opportunities, for good or evil.

The Republican Party has been entrusted, by the people of both parties, with the work of guiding the ship of state on a new and happier voyage. It has a mandate to lead our country out of the despair and illusion, the false hope and bloody awakening, which have been our portion for 20 years.

Today we do honor to Lincoln and our other great Republican pioneers, but in 1954 we must do more than honor them. We must imitate them.

For 20 years our beloved country has been governed by an invading army of alien intellectuals. Their ideas were foreign to every principle that has moved our people since the days, four centuries ago, when Englishmen clustered in their villages and talked of the tyranny of kings, when they decided that the harsh fate of exiles was better far than the bitter taste of submission.

For 20 years this Government of alien-minded planners has plundered our country of its resources. It has debilitated our people with promises of canned welfare, fed to them on an assembly line.

This alien government has wasted the good will our forefathers earned abroad in a century and a half of just and courteous treatment of other nations. It has even tampered with the security of the United States and permitted traitors to bring us close to military defeat.

That long nightmare is now over. Fellow Republicans, in 1952 we liberated our country from the enemy as truly as ever a rescuing army liberated its homeland from enemy troops.

From July 1950, when Fair Deal lies and double dealing reached their inevitable climax in the Korean war, we kept up an unceasing struggle against our betrayers, until the victory of November 1952 removed them from the high places in our Government.

I tell you now, my friends, that it was impossible for a political party, with only voluntary gifts and volunteer workers, to unseat the Fair Dealers who had the power to tax us to the quick. They used our money to send an army of propagandists and fixers into every State in the Union, to bribe our people or intimidate them, to vote as the officeholders wished.

I said it was impossible to unseat the Fair Dealers, and I meant it was impossible. How

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then did the Republican Party, 20 years out of public office, achieve this victory? We defeated this Fair Deal because of a political miracle. Our country owes a great political debt to the young men who left their homes and went half way round the world in the uniform of our country. They fought as bravely as Americans ever fought, but the gains won by their sacrifices were tossed away by the Achesons and their friends. The United States of America, with the greatest moral strength, the greatest industrial strength, and the most powerful armed force of any nation, deferred to Red China, a bandit government. We obligingly fought the war on the soil of our friends, leaving the railroads, the airports, and the harbors of the enemy safe from harm.

The United States of America, with the greatest moral strength, the greatest industrial strength, and the most powerful armed force of any nation, asked for an armistice at the moment of victory, because Acheson planned it that way. And whom did we ask for an armistice? We asked a desolated province of Korea, a former colony of Japan. We asked the bandit government of Red China. Our officers had to sit down at the conference table with Red bandits, and quibble over an armistice, while Americans were being killed by Reds who had friends high in our Government.

Our fighting men could not speak for themselves, my friends. But their sacrifice was more than honest men could endure. It will long be the greatest pride of the Republican Party that we spoke for them.

The noble voice of Herbert Hoover was lifted in their behalf. The powerful voice of General MacArthur warned the people that American fighting men must not be subject to civilian leaders who were trading with the enemy, not for the little profits of commerce, but for political power.

In the Senate, our well-loved colleague, Robert A. Taft, worked day and night to learn the hidden facts and tell the story to our people. Republicans like Senator McCARTHY, Senator BRIDGES, Senator KNOWLAND, Senator BRICKER, and others, would take no rest until every last American learned that new Benedict Arnolds were betraying our military security under cover of State Department gobbledegook. Your own Congressman WALTER JUDD won a national reputation for his unceasing efforts to prevent the betrayal of China and Korea and the sacrifice of American blood in vain.

The Republicans did not unseat the Fair Deal unaided. It is credit enough that we began the fight, and that, hopeless though it seemed, we never let go, until Americans of both parties rallied to the cause, and decided the struggle.

I want to pay tribute to Democrats like Senator RUSSELL, of Georgia, who with judicial impartiality brought out all the facts relating to MacArthur's dismissal, without once asking whether his party's interests might suffer. I want to pay tribute to Senator MCCARRAN, of Nevada, who, with the highest standards of judicial impartiality, dug deep into the record of the Institute of Pacific Relations, and documented the shameful story of interlocking subversion from our State Department, the White House Secretariat, and the United Nations, through the IPR, to the Soviet military intelligence and the dreaded Soviet secret police.

We owe much to the fighting press, to individual writers, to loyal men and women, who gave their time and strength to bring out the evil story the Fair Dealers were trying desperately to hide.

No generation ever fought harder to unseat false leaders than we did. We fought so hard that, when victory came, we were too weary to know how much we had won. The struggle was followed by a kind of shell-shock. We could hardly think or feel. We needed time for healing.

That healing, President Eisenhower's calm, quiet, efficient administration is now giving us. After a long interval, our Federal Government is distinguished by good manners, official dignity, and mutual respect among true Americans, regardless of differences of opinion. I rate that return to dignity and quiet a very important step in the new Republican administration. Violence, name-calling, denunciation of opponents, and manufactured crises, are the instruments of dictators, or would-be dictators. They were used to keep our people diverted, confused, and unaware, while the inner circle decided what our Government should do in the name of America.

I have no patience with people who say the Republican Party has accomplished little or nothing in its first year in office. We expect Fair Deal columnists to make such statements but Republicans know better.

Never has a political party inherited such a mess. In the campaign, we spoke bravely of cleaning up the mess in Washington. We compared it with a housekeeper sweeping out an untidy room. Today we know better but how much we had to learn.

Everywhere we looked, where the American Government used to have orderly procedures, strict accounting, obedience to law, we found waste, corruption, confusion, and chaos. We also found dark places where the masters of chaos sat and directed the performance.

We talked in the campaign of balancing the budget. But how much we had to learn. We knew the Fair Deal had spent billions of dollars they did not have. Soon we learned we had to meet current payments on a hundred billion dollar charge account that had not even been billed.

We knew the New Deal-Fair Deal left us a bureaucracy of two and a half million men and women, directed by an inner clique with strangely un-American ideas. But how much we still had to learn. We did not know that, when the new Republican administration ordered reductions in force, unscrupulous officials would lay off the few Republicans in Government. We did not know the most ardent Fair Dealers would disguise themselves as nonpolitical experts, and make places for themselves in a civil-service system whose standards they never intended to observe.

Now, when we talk about the New Deal-Fair Deal bureaucracy, we know what that really means. It means that we have in our Government, still in important positions, a self-directed bureaucracy, answerable to neither the voters, their elected officials, nor the Republican or Democratic Parties.

The most vital achievement of President Eisenhower's first year is the complete redirection of our military policy. We knew that vast sums had been spent by the military. We knew our potential enemies were quite undisturbed, while the anxiety of our people was increasing daily. But how much we had to learn.

Today we know for certain what we long suspected, that the Fair Dealers never had a clear-cut strategic plan for our military safety. They had what I call an accordion defense, with spending now up, now down, with wars now hot, now cold.

This Fair Deal defense plan was perfectly calculated to drain vast resources, while giving no military security in return. Just think for a minute what it means to tank factories and airplane factories, which must tool their plants for operation months and years ahead, to have a jiggly, up-and-down schedule for production of their biggest and most complex products.

Perhaps you will wonder, as I do, just where this double-edged plan really originated. Are there other Harry D. Whites still hidden from our view? Certainly nothing could have served better the plans of Soviet Russia than putting a heavy strain on our economy, to get only confusion in return.

Quietly, without name calling or boasting, President Eisenhower has removed the Joint Chiefs of Staff who let central Asia fall to the Communists, and lost air bases a few miles from Siberia's industrial cities. He has replaced them with some of the ablest strategists in the world today.

Quietly, without name calling or boasting, he has freed the military from the role of lackey to the foreign-policy planners, which Harry Hopkins and Dean Acheson had forced upon them. Today the military are free to make plans that are best for the Nation's security. They do not have to make military plans to suit the ideology of Acheson's State Department.

We talked of communism in 1952, but how much we had to learn. Several years ago, the House Committee on Un-American Activities opened up the stories told by Elizabeth Bentley and Whittaker Chambers, of the men in our Government who fed them material when they were couriers for Soviet espionage. We learned of Alger Hiss and Harry D. White. We learned of FBI reports which were started on their way to the White House and the Cabinet officials. But we could not prove whether they had arrived or whether pro-Communist assistants had sidetracked them.

Now we know where the bodies are buried. We know that the FBI in 1946 sent complete reports on Harry D. White to the President and his Cabinet officials giving in detail White's many connections with Soviet espionage and conspiracy. We know much, much more. We know from Gen. Harry Vaughn that the reports were received at the White House, and sent directly to President Truman. We know they reached Secretary of State Byrnes. We know they reached Secretary of the Treasury Vinson, and we know they reached Attorney General Tom Clark, because the Assistant Attorney General, Lamar Caudle, thought the reports so shocking he sent word about them to Tom Clark, though Clark was in the hospital.

We know further that Secretary Byrnes and Secretary Vinson and Assistant Attorney General Caudle were deeply disturbed. Vinson said Mr. Truman was deeply disturbed.

Only one thing we do not know—who was the man so powerful that he could reach President Truman quickly, and persuade him that the promotion of Harry D. White, collaborator with a Soviet espionage ring, should go through? We do not know.

What is this mysterious individual doing today? We do not know.

Is he still trying to promote Communist planners and espionage agents? Is he trying to prevent the President and Congress from uprooting other subversives? Is he blocking us when we try to undo the policies these Soviet sympathizers grafted onto our wartime Government? We do not know.

How many Communists are still in our Government, or in that governing circle which includes the great "experts" who give advice to government? How many trained officers of the Soviet political army are still engaged in sabotage more deadly than any dynamite or TNT could ever cause?

Today our people have the assurance that President Eisenhower has appointed an Attorney General who intends to enforce the laws against communism. We can rest secure knowing that Attorney General Brownell will give full support, not constant interference, to J. Edgar Hoover.

The Communist conspiracy is not yet uncovered. Harry D. White is dead, but is his story dead? Is it "warmed over spy" or today's headlines? Harry D. White helped put Eastern Germany under Soviet control. Leaders of the three Western Powers have been sitting meekly in Berlin, begging for kind words about East Germany from Molotov. Harry Hopkins is dead, but today the designs and atomic materials he sent to the Soviet Union have grown into, we don't know how many, atomic weapons stockpiled in

Manchuria, to be hurled at any moment on Korea or Indochina or even our own country.

Are these stories "warmed over spy" or are they today's headlines, or perhaps tomorrow's casualty lists? We in Congress intend to find out.

Never has a political party, newly come to power, found such heaps of evidence of the stupidity, the corruption, even the treason, of its predecessors.

But for once a political party is not going to use this evidence to win a party victory. It is a sad and solemn thing, my friends, to sit in the Internal Security Subcommittee, and hear witnesses tell the details of the betrayal of our country.

We in Congress will go forward with all our investigations into communism and corruption and extravagance. We shall complete the story of how the Communists in our Government threw away the victory of 1945, how they got us into an unnecessary war half way around the earth, how they made us lose that war after our fighting men had won it. We will show how they made a blueprint for our destruction, and carried it out according to their timetable, almost—but not quite—to the bitter end. We shall bring out this whole story judicially, impartially, as carefully as if we were in a court of law.

We shall not charge the Democratic Party with this betrayal, my friends. Real Democrats have no party. Their party was stolen from them right under their noses, by the clever insiders who wanted to stay permanently in power. By 1944 there was nothing left of the national Democratic Party at all. The New Dealers, the Fair Dealers, the PAC'ers, the Communists, had taken over, and were running a race to see who could drive the country to perdition first.

We do not have to blame the Democrats, my friends. As the story unfolds they will blame themselves more than we can ever blame them.

This is not a story of party failure. It is a story of treason, and real Democrats are as patriotic as we are.

We shall put the blame where it belongs, on the Fair Deal cabal which took over the Democratic Party, lock, stock, and barrel, in 1948.

We shall say only one thing of the Fair Dealers: "They opened the gates of the citadel to the Communists."

Communists were clinging to the outer fringes of our Government in 1933. But they would never have entered the inner temple without help from the Benedict Arnolds who opened the gates to them. We shall leave the refugees from the real Democratic Party to choose—do they want to follow the New Dealers, who let the Communists into the citadel, or do they want to come with us until the Democratic Party is reborn?

Someday I hope there will be a real Democratic Party, because I believe in the two-party system. I hope the Democrats will cut every vestige of the New Deal and Fair Deal out of their party. But the New Deal-Fair Deal dug its talons deep into the Democratic Party. It will take years before the injured body of that party is strong again.

We Republicans will go forward to our real task. We start, as the Republicans started a hundred years ago, with one sure touchstone. We shall solve a thousand practical problems with one clear purpose—to restore in its full strength, the American system of liberty under God, resting in law on the American Constitution.

I do not say the Republican Party will save our country. I say they have the opportunity to do so. We may succeed or we may fail, but the responsibility falls on us.

Last year, I said, was the year of healing, of recovery from too great a strain. This year can be the year of new beginnings, for our party and through us for our country.

Today I hope and trust that the Republican Party is going to give back to the American people the right to be let alone, the right to make a living, to keep their own earnings, and to pursue their own happiness in their own way, except when their country is in danger.

Your party in Congress and in the executive branch, having freed the people from heavy taxation and bureaucratic regimentation, can then turn its attention to the first duty of your Government. We shall eradicate from our foreign relations every last vestige of the people and the policies left by Dean Acheson, Harry Hopkins, Alger Hiss, and Harry D. White. We shall turn again to the great and enduring principles of policy that distinguished our foreign affairs from George Washington to John Hay. We shall make our own country strong and great. We shall be good neighbors to all other nations which truly love liberty.

We shall look to the past but we shall not turn back—Americans never turn back. We shall follow the pole star of the Declaration of Independence and the Constitution. We know our pole star will lead our ship of state safely on our way forward.

This is the Republican revolution, my friends. The opportunity is there. I pray God we may, like Lincoln, be worthy of it.

CALL OF THE ROLL

Mr. SALTONSTALL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Anderson	Green	Martin
Barrett	Hayden	Maybank
Beall	Hendrickson	McCarran
Bennett	Hennings	McCarthy
Bridges	Hickenlooper	McClellan
Bush	Hill	Millikin
Butler	Holland	Monroney
Carlson	Humphrey	Morse
Case	Ives	Mundt
Chavez	Jackson	Murray
Clements	Jenner	Payne
Cooper	Johnson, Colo.	Potter
Crippa	Johnson, Tex.	Purtell
Daniel	Johnston, S. C.	Robertson
Dirksen	Kefauver	Russell
Douglas	Kennedy	Saltonstall
Duff	Kerr	Schoeppel
Dworshak	Kilgore	Smathers
Ellender	Knowland	Smith, Maine
Ervin	Kuchel	Smith, N. J.
Ferguson	Langer	Stennis
Frear	Lehman	Symington
Fulbright	Lennon	Thye
George	Long	Watkins
Gillette	Magnuson	Wiley
Goldwater	Malone	Williams
Gore	Mansfield	Young

Mr. SALTONSTALL. I announce that the Senator from Ohio [Mr. BRICKER] is absent by leave of the Senate.

The Senator from Indiana [Mr. CAPEHART] and the Senator from Idaho [Mr. WELKER] are absent on official business.

The senior Senator from Nebraska [Mrs. BOWRING], the Senator from Oregon [Mr. CORDON], the junior Senator from Nebraska [Mr. REYNOLDS], the Senator from New Hampshire [Mr. UPTON], and the Senator from Vermont [Mr. FLANDERS] are necessarily absent.

Mr. CLEMENTS. I announce that the Senator from Ohio [Mr. BURKE], the Senator from Virginia [Mr. BYRD], the Senator from Mississippi [Mr. EASTLAND], and the Senator from West Virginia [Mr. NEELY] are absent on official business.

The Senator from Alabama [Mr. SPARKMAN] is necessarily absent.

The PRESIDING OFFICER. A quorum is present.

Mr. KNOWLAND. Mr. President, I understand that under the prior order of the Senate we shall now have a morning hour under the usual 2-minute limitation, before the unfinished business is laid before the Senate.

The PRESIDING OFFICER. That is correct.

PROCEDURE OF CONGRESSIONAL INVESTIGATING COMMITTEES—RESOLUTION OF THE AMERICAN LEGION, DEPARTMENT OF MICHIGAN, GRAND RAPIDS, MICH.

Mr. JENNER. Mr. President, I present for appropriate reference, and ask unanimous consent to have printed in the RECORD, a resolution adopted by the American Legion, Department of Michigan, Grand Rapids, Mich., on July 25, 1954, relating to the work of congressional investigating committees regarding the ferreting out of Red spies and saboteurs.

There being no objection, the resolution was referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Whereas the American public has recently been alerted to the Red danger throughout our land; and

Whereas many patriotic employees of congressional committees have been attacked by subversive elements and misguided officials who have fallen victims to the communstic line of attack: Now, therefore, be it

Resolved, That the American Legion, Department of Michigan, in convention assembled in Grand Rapids, Mich., this 25th day of July 1954, move a vote of thanks to those members of the Federal Bureau of Investigation and other employees of the three congressional investigating committees for the services rendered their country in the ferreting out of Red spies and saboteurs in our industries and Government units that have affected the security of the national defense of our country; and be it further

Resolved, That we commend patriotic American officials who have fought to rid the country of those seeking its change or overthrow; and be it further

Resolved, That a copy of this resolution be sent to chairman of the Committees on Un-American Activities and request that it be spread upon the journals of both the Senate and House of Representatives at Washington, D. C.; and be it further

Resolved, That we urge our Federal officials to carry out the objectives of this resolution; and be it further

Resolved, That we move a vote of thanks to the active working members of the three congressional investigating committees, the Federal Bureau of Investigation, and other employees of the three congressional investigating committees for the services rendered their country in the ferreting out of Red spies and subversives from our industries and governmental units, all in the interest of our national security, and that the work of the three committees be continued.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. HICKENLOOPER, from the Joint Committee on Atomic Energy, with an amendment:

S. 3851. A bill to provide rewards for information concerning the illegal introduction into the United States, or the illegal

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manufacture or acquisition in the United States, of special nuclear material and atomic weapons (Rept. No. 2488).

BILLS INTRODUCED

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. DWORSHAK:

S. 3869. A bill for the relief of Kiji Tominaga; to the Committee on the Judiciary.

By Mr. RUSSELL:

S. 3870. A bill for the relief of Isabel Tree; to the Committee on the Judiciary.

OFFICIAL SEAL OF PRESIDENT PRO TEMPORE

Mr. KNOWLAND. Mr. President, on behalf of the minority leader, the Senator from Texas [Mr. JOHNSON] and myself, I submit a resolution, and ask unanimous consent for its present consideration.

The PRESIDING OFFICER. The resolution will be read for the information of the Senate.

The legislative clerk read the resolution (S. Res. 314), as follows:

Resolved, That the President pro tempore of the Senate is authorized to adopt and use an official seal of his office.

SEC. 2. Expenses incident to the designing and procurement of such seal shall be paid from the contingent fund of the Senate upon vouchers signed by the President pro tempore of the Senate.

SEC. 3. A description and illustration of the seal adopted pursuant to this resolution shall be transmitted to the General Services Administration for publication in the Federal Register.

Mr. JOHNSON of Texas. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield.

Mr. JOHNSON of Texas. My understanding is that the original resolution provided for a seal for both the Speaker of the House and the President pro tempore.

Mr. KNOWLAND. That is correct.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the resolution (S. Res. 314) was considered and agreed to.

SPECIAL COMMITTEE TO INVESTIGATE SENATE KITCHENS AND RESTAURANTS

Mrs. SMITH of Maine submitted the following resolution (S. Res. 315), which was referred to the Committee on Rules and Administration:

Resolved, That a special committee composed of five Senators of whom not more than three shall be from the same political party, to be appointed by the President of the Senate, is authorized and directed to make a full and complete investigation of the operation of the Senate kitchens and restaurants in the Capitol and Senate Office Building for the purpose of ascertaining whether such kitchens and restaurants are being operated in a manner which best serves the needs of the Senate and its employees, and particularly (1) whether the quality of the food and service are commensurate with prices charged, (2) whether proper standards of cleanliness and sanitation are observed, and (3) whether the costs to the Senate of such operation or the profits accruing to the operation of such kitchens and restaurants as a result of such operation are excessive, (4) whether the facilities for such operation are adequate, and (5) what changes should be made in methods or manner of operation for the purpose of improving efficiency, service, the quality of food served, and facilities for such operation. The committee shall report to the Senate on or before February 15, 1955, the results of its investigation, together with such recommendations as it may deem desirable. Upon the filing of its report, the committee shall cease to exist.

SEC. 2. (a) The committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times during the sessions, recesses, and adjourned periods of the Senate, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures as it deems advisable.

(b) The committee is empowered to appoint and fix the compensation of such experts, consultants, and clerical and stenographic assistants as it deems necessary.

(c) The expenses of the committee, which shall not exceed $15,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. BRIDGES:

Statement by him, together with text of Senate Joint Resolution 174, and editorial comment, all in regard to the need for termination of deficit financing.

BUTLER-TOLLEFSON CARGO-PREFERENCE BILL

Mr. BUTLER. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a release by the American Merchant Marine Institute, Inc., under date of August 12, 1954.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

AUGUST 12, 1954.—Walter E. Maloney, president of the American Merchant Marine Institute, today applauded the action of the House of Representatives in passing S. 3233, the Butler-Tollefson cargo-preference bill, frequently called the permanent 50–50 bill. The House action today was by unanimous consent following the unanimous recommendation of the House Merchant Marine and Fisheries Committee. This bill had previously been unanimously passed by the Senate on June 15, 1954. Today's version is substantially identical with the bill as it passed the Senate and prompt Senate approval is expected.

Mr. Maloney said: "The American Nation and the American-flag merchant marine which is its fourth arm of defense and first arm of international commerce pay tribute to the foresight and constructive leadership displayed by Senator BUTLER, of Maryland, Congressman TOLLEFSON, of Washington, and the congressional leadership of both parties in the Congress in thus giving practical application to the long-standing shipping policy of our Nation that a substantial portion of our foreign commerce should be carried in American-flag vessels, built in America, manned by American citizens and owned and operated by Americans."

He added: "This legislation represents no more than a practical recognition by the Congress that previous temporary statutes for the same and similar purposes should be made a permanent and integral part of the statutory framework of our Nation, designed to assure that American-flag shipping will continue to be ready in the future as it has in the past, to serve our Nation in both peace and war."

PRESS COMMENTS ON TESTIMONY OF GEN. MARK CLARK

Mr. McCARRAN. Mr. President, earlier this week Gen. Mark Clark appeared before the Senate Internal Security Subcommittee, and gave some very pertinent and revealing and worthwhile testimony. Subsequently, what General Clark said was rather severely twisted in certain press reports, and thereafter it was made to appear that some very prominent people had an erroneous idea of what General Clark had said.

In the Washington Star of Friday, Mr. David Lawrence, in his column, makes some comments on this situation which are so cogent that I ask unanimous consent that this particular portion of Mr. Lawrence's column may be printed in the RECORD at this point as a part of my remarks.

There being no objection, the comments were ordered to be printed in the RECORD, as follows:

Presidential press conferences are getting no better—in fact, they are doing increased harm not only to the President and the Republican Party but also to the influence abroad of the foreign policies of the United States.

Unfortunately much of the damage is done because sometimes the President isn't told the full story behind the questions fired at him.

Thus this week General Eisenhower was asked about recurrent suggestions that the United States sever diplomatic relations with Soviet Russia, and he was told that the most recent one came from Gen. Mark Clark. The fact was that the general was a witness before the Senate Rules Committee on other subjects, and Senator JENNER, of Indiana, chairman, read to him a resolution, introduced by himself and Senator MCCARRAN, of Nevada, which would simply express the sense of the Senate that it would be desirable for the United States to sever diplomatic relations with Soviet Russia and the satellite governments. General Clark was asked what he thought about it, and he replied briefly, that if he were a Member of the Senate, he would vote for it.

Now, General Eisenhower at his press conference was not told that fact nor was he told that a committee of nine Members of the House of Representatives, both Republicans and Democrats, had just filed a report unanimously recommending that the President convene an international conference to seek agreement with our allies on the severance of all diplomatic relations and the termination of all trade with the Communist countries. This committee has been taking testimony in Europe and elsewhere for several months from persons of prominence who have escaped from the Communist regime and who are in a position to tell Americans how influential such a policy would be in encouraging the peoples behind the Iron Curtain.

But General Eisenhower, without going into the merits of this very difficult and

complicated question, rejected offhand any consideration of it. He said that if anyone would sit down and study the conflicting considerations objectively and not merely shoot from the hip on such questions, they would arrive at a similar conclusion.

But how do the nine members of the House committee who have spent many months on this problem feel? Have they been shooting from the hip, or has the President himself been doing that very thing because he has not been properly briefed on how the manifestation by him of a closed mind on this subject can bring discouragement to the enslaved peoples? Why did he have to discuss the question at all?

MISSOURI DROUGHT SITUATION

Mr. SYMINGTON. Mr. President, I ask unanimous consent to speak for not more than 2 minutes concerning the drought program in the State of Missouri.

The PRESIDING OFFICER. The Senator has 2 minutes under the rule.

Mr. SYMINGTON. A letter dated August 10, addressed to the Missouri State Drought Committee, signed by the president of the Washington County Farm Bureau and 21 farmers from all areas of Washington County, Mo., presents most emphatically the need for the inclusion of Washington County among those in that area of Missouri designated for emergency drought assistance.

The statement made in the second paragraph of the letter, that the hay crop is only 88 percent of that of last year, pastures only 83 percent of last year, water supply 64 percent of last year, and corn crop only 10 percent of last year, again emphasizes the seriousness of conditions there.

From firsthand observation I know the extent of the drought in Washington County last year. Pastures then were so far gone that farmers in the area had chopped down the trees in the fields so that their starving cattle could eat the leaves for roughage.

I ask unanimous consent, Mr. President, that the letter to which I have referred, together with the names of the signers, be printed in the RECORD at this point as a part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

WASHINGTON COUNTY FARM BUREAU,
Potosi, Mo., August 10, 1954.

MISSOURI STATE DROUGHT COMMITTEE,
Jefferson City, Mo.

GENTLEMEN: On this 10th day of August in a meeting assembled by the invitation of the Washington County Farm Bureau, representative farmers from all areas of the county met to discuss whys and wherefores that Washington County was left out of the drought disaster area.

A poll of those present showed hay 88 percent of last year, pasture 83 percent of last year, water 64 percent of last year, and corn 10 percent of last year.

Therefore be it respectfully resolved of the State drought committee take all immediate action necessary to have Washington County included in the drought disaster area.

Sincerely,

C. E. Newcomer, President; W. F. York, Liberty Township, Potosi, Mo.; A. M. Rieffer, Bellevue Township, Caledonia, Mo.; Norman A. Cole, Brenton, Township, Bonne Terre, Mo.; John Hovine, Richwood Township, Richwood, Mo.; Chas. E. Drew, Bellevue Township, Caledonia, Mo.; Arthur E. Smith, Concord Township, Irondale, Mo.; Harry Riehl, Barton Township, Potosi, Mo.; Frank Wright, Bellevue Township, Caledonia, Mo.; Lloyd Crandall, Belgrade Township, Belgrade, Mo.; Bruce Miles, Kingston Township, Blackwell, Mo.; G. W. Stricker, Walton Township, Shirley, Mo.; A. H. Long, Union Township, Coder, Mo.; B. P. Bequetto, Union Township, Cadet, Mo.; Jack Garrett, Union Township, Cadet, Mo.; T. L. Dace, Johnson Township, Anthonies Mill, Mo.; W. S. Nicholson, Britton Township, Potosi, Mo.; Carl Miller, Concord Township, Potosi, Mo.; Carl Bouse, Johnson Township, Anthonies Mill, Mo.; John Pilice, Belgrade Township, Belgrade, Mo.; L. L. Newcomer, Britton Township, Mineral Point, Mo.; Leroy J. Paul, Union Township, Cadet, Mo.

THE IDEA OF COMMUNISM—ARTICLE FROM THE COMMONWEAL

Mr. MORSE. Mr. President, one of the keenest analyses of the Communist problem which I have seen in print for a long time appears in the August 6, 1954, issue of The Commonweal. I ask unanimous consent to have the article, which is entitled "The Idea of Communism," printed in the RECORD at this point as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE IDEA OF COMMUNISM

Communism is a three-way danger. It is, first of all, an idea that has won the allegiance of millions throughout the world. As an idea communism presents a more or less coherent philosophy of life and of man rooted in dialectic and historical materialism. Secondly, communism is a political conspiracy; as such it is an internal threat wherever it has followers to carry out party orders. Thirdly, communism is a worldwide military force embarked on a program of expansion and aggression.

The three aspects of communism go hand in hand. The idea comes first; the party is able to enlist from convinced ideologs followers ready to carry out subversion or, when the climate is right, to change social disorder and discontent into the coin of mass political action. This latter activity is hopeless in the United States at the present time, but such was not the case during the bleak depression years and in countries like Italy and France the unhappy social scene is still a fruitful vineyard for Communist apostles. In both these countries communism is able to command a large number of votes. The votes come not from convinced Communist ideologs but from dissatisfied people who take that way to express discontent with their lot.

The problem of fighting communism is to keep each of these three avenues of Communist approach closely guarded. It would not do, for instance, to concentrate so exclusively on counteracting communism as an idea that the avenue of internal subversion was ignored. It would not do to concentrate so completely on the problem of subversion as to ignore the military aspects. In this place or that, one or the other danger may be greater than the others, but the 3-way attack must be met by an alert 3-way defense.

Communism as an idea has probably been the most neglected of all three, both here and abroad. Both leftwing and rightwing opinion in the United States has been guilty of obscuring the real nature of communism as an idea. For years, with notable exceptions, many patriotic liberal Americans neglected to take a good hard look at just what communism means in terms of ideas. The rude awakening that came after the war was really unnecessary. In the glow of the wartime alliance with Russia even stalwart generals were saying that the difference between communism and democracy was just about as crucial as the difference between American Democrats and Republicans. If the philosophy of communism had been seriously examined, we might have avoided many well-meant but disastrous moves. Too many Americans felt that communism was undoubtedly foreign and perhaps even on the screwball side, but were not yet sufficiently oriented to the ideological age to believe that the future of the world might actually be dependent on the abstruse dialectics found in dull, barely readable Marxist tomes. By and large, we were pushovers for the sentimentality that colored so many of our attitudes toward Russia when we fought a common enemy. That sentimentally afflicted all strata of society. It is as easy to find it in back issues of Life magazine as in the glowingly liberal opinion weeklies. (Long-time Commonweal readers will recall that in July 1945, this magazine and the Catholic World were attacked by Pravda as the two worst examples of "the warmongering Catholic press"; so do not read the above as an apologia.) A more general knowledge of the idea behind communism would have saved Americans from many of the illusions that drugged the Nation at the time.

On the other hand, there is a segment of American society which still stands in as much need of education about the idea of communism as those who thought about the subject so hazily in those days. This is a group which is ready to bracket every idea which does not conform to its own hardy rightwing convictions as communistic.

There is no more affinity between communism and the kind of liberalism espoused, say, by the ADA or the American Veterans' Committee than there is between the native fascism of Gerald L. K. Smith and the stanch republicanism of the late Senator Taft. But, for political and propaganda purposes, this group is forever ready to attribute every idea left of Dwight Eisenhower's fictitious dead center to Karl Marx. These "terribles simplificateurs" have created all kinds of mischief by consistently tarring patriotic and idealistic people with the Communist brush. "If supporting public housing is communistic," many have felt through the years, "then I don't mind being communistic." A good example of this sort of thing was found recently when a supposed authority on communism before a congressional committee identified the writings of two Popes as communistic. As long as good people and good ideas are arbitrarily associated with communism, for partisan gain, the essential wickedness of communism as an idea will be obscured.

There are proposals now for a more general education in communism, notably a widely publicized plan offered by the American Bar Association. We heartily approve such a program, provided it truly means education about communism and is not used as a mean for partisan propogandists and lobbyists to include as communistic the teachings and beliefs of just about everyone who disagrees with them, from the Popes who wrote the social encyclicals to the liberals of Americans for Democratic Action.

The so-called rightwing cannot alone defeat communism in America. The attack of the Communists is directed against Americans of both parties and from every shade of the political spectrum. We need to fire our volleys against communism from both left and right. The sooner this simple fact is generally understood the better all-round. No group of Americans is the special target of communism, and none has a monopoly on

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anticommunism. With wider understanding of the Communist idea, it might become clear to all that however we Americans may disagree among ourselves we face in communism a common emeny and will either have to hang together or hang separately.

FARM POLICY

Mr. HUMPHREY. Mr. President, I ask unanimous consent that correspondence between Mr. George E. Hulstrand, of Willmar, Minn., and Mr. Raymond C. Mitten, editor of the legislative department of the United States Chamber of Commerce, with regard to farm policy may be printed in the body of the RECORD.

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

JULY 13, 1954.

LEGISLATIVE DEPARTMENT, CHAMBER OF COMMERCE OF THE UNITED STATES,
Washington, D. C.

GENTLEMEN: As a member of the Willmar Chamber of Commerce, and as chairman of its National Affairs Committee, I wish to let you know very definitely that I do not agree and our chamber does not agree with your position with respect to the farm bill.

We don't mind so much that you take the position that you do but we certainly protest the misrepresentation that comes out in your legislative outlook.

It would seem to me that the Chamber of Commerce of the United States could make a contribution to the country and to its local chambers in this part of the country if it would center its efforts on policies designed to remedy the problems of distribution rather than to try to set farmer against consumer.

Yours very truly,

GEORGE E. HULSTRAND.

CHAMBER OF COMMERCE OF THE UNITED STATES,
Washington, D. C., July 21, 1954.

Mr. GEORGE E. HULSTRAND,
Hendrickson, Hulstrand, & Langsjoen, Willmar, Minn.

DEAR MR. HULSTRAND: As editor of the Legislative Outlook, I have been asked to reply to your letter of July 15 regarding our recent article on the farm bill in that publication.

I am mainly concerned about your complaint that the article misrepresented the situation regarding the farm bill. I would very much appreciate receiving from you your reasons for believing that the Legislative Outlook has misrepresented the agriculture surplus situation and that matter of farm prices in general. I assure you that we attempt to be fair in our presentations in the Legislative Outlook and in all of our other publications.

I agree with you that better distribution is one answer to the farm-surplus problem and I believe that the dairy industry, for example, is to be congratulated for the work it is doing to improve distribution. I also doubt, however, that such efforts can provide a complete alternative to a changeover from rigid to flexible price supports.

I appreciate your interest in giving us your views on this highly important matter and sincerely hope that I will hear further from you regarding your complaint about misrepresentation in the Legislative Outlook.

Yours very truly,

RAYMOND C. MITTEN.

HENDRICKSON, HULSTRAND & LANGSJOEN,
Willmar, Minn., August 5, 1954.

Mr. RAYMOND C. MITTEN,
Editor, Legislative Outlook, Chamber of Commerce of the United States, Washington, D. C.

DEAR MR. MITTEN: In response to your letter of July 21, I wish to point out several instances in which you in your Legislative Outlook misrepresent the farm-price-support legislation problem to the reader who has not taken the time or had the opportunity to study the issues with all the facts before him.

In the first place, in the issue of May 10, you state, among other things, that "the size and cost of surpluses have become alarming." If it is true that the size and cost of surpluses have become alarming, it is so only because those who are opposed to a genuine farm program have sought by means of propaganda and misrepresentation of facts to play up in the minds of the people that we cannot afford the cost of a workable farm program. This is simply not true. Upon examination, facts will show that while we have spent some money as taxpayers supporting a farm program that has not been extended as far as it should, this is a small cost compared to what we have paid to support other segments of our economy. For example, the loss in handling second-class mail, magazines and newspapers, in the Post Office Department during the last 8 years has been about $3,800,000,000. The loss of the Government in the 23-year period during which the farm-price-support legislation has been in effect has been $1,100,000,000. Of this $1,100,000,000, $20 million was for support of the basic crops, and the balance, $1,080,000,000, was in support of nonbasics; and then when one compares this with the tremendous aid given to industry as a whole for means of subsidies of one form or the other since the war, I feel that the price paid for the farm-price-support program is small, indeed. We must also consider the fact that since 1933 the farm income has gone from $7 billion to $35 billion, and it requires no great deal of imagination to realize that the farmers in paying their income taxes have more than paid back to the Government what it has cost the Government to give them a farm-price-support program. I consider it a misrepresentation of fact when you show the cost of the farm-price-support legislation without also showing and pointing out and comparing that program with the subsidies which the Government has been granting, and is granting, other segments of the economy.

On the second page of your May 10 issue, you set out the quantity of products under the loan and ownership categories of the CCC. The implication is that there is a tremendous surplus which it will require from here to eternity to consume. Those figures are not indicative of anything unless they be compared with the consumption for annual periods, the total production for annual periods, and the projection into the future of what will be required in the way of those products in the future. One of the most sinister forms of misrepresentation is to cite figures without supplying all the data which would give them relevance to the problem as a whole.

On the second page of your May 10 issue, under the heading "Fexible supports," you state: "There is no assurance that there would not be any surpluses with flexible supports but it seems reasonable to assume that, with wider play of market forces permitted, there would be more encouragement of consumption and less encouragement of excessive production—production for sale to the Government." The facts are, and the figures of the Department of Agriculture will show, that when prices go down on farm products, the result is that farmers attempt to raise more products and put more acreage into production. It is only reasonable to assume that they will do this, for the reason that an increase in production is the only way in which they can meet the problem, and a very serious problem it is, which faces them when their income is cut by a reduced price.

Then you go into a devious and complex line of argument which goes like this: "Many farm State Congressmen contend extension of rigid support at 90 percent of parity is necessary to maintain farm income. But it should be remembered that parity is related to prices, not to overall income (partly because geographical areas specialize in certain crops). And, except for the boost from Korean war buying in 1951, farm prices have been declining for 6 years despite rigid price supports. Besides, the law's production controls tend to become income controls by trying to curtain amounts available for sale." This seems to be a complicated way of saying that if prices are going to go down then the price supports must also follow in order that the price supports might reflect the downward trend of prices. If you argue thus, you misread the purpose of the law, which is to give the farmer a guaranty not of income, but of an assurance of a fair price after he has by his own labor, his ingenuity, his management, and all that the free competitive system offers, produced the crop.

I have failed to see in any of your publications a clear statement of the fact that the parity program is not a guaranty of income to the farmer whether he works his land efficiently or not. It would seem to me that you should take pains to point out to those who read your publication that all that the farm price-support legislation does is to remove an economic hazard out of the many that face the American farmer today. It seems to me to be good sense to expend money in order that we might protect the farmer against the hazard of fluctuating prices and to help him keep his business and his productive plant in good shape and in good order so that it might be utilized to the full when the demands of the consuming public increase through drought, war, or the natural increase of population.

In your June 21 issue, you become not only devious but it seems to me downright deceitful in your report on who receives farm price-support payments. That particular statement concerns itself only with basic crops and you entirely ignore the nonbasic crops which are also supported under the farm price program. It is outright misrepresentation of the facts to set out only a part of the facts in a situation such as this in order to imply that after all only a small part of the Nation's farmers are being supported by the farm price-support legislation.

In that same issue you also imply that the American taxpayers are paying $30,000 an hour for storage of farm surpluses. This comes to $720,000 a day for a total of $262,800,000 a year. You also seem to deplore the fact that we have about $6,500,000,000 invested in the farm price-support-loan program. For my part I think that is a good investment and one that should not be a cause for moaning and groaning but rather a cause for rejoicing. We don't hear any complaints about stockpiling atomic materials, about building up our military might, about stockpiling and accumulating strategic materials. I think if you would examine and present the facts on the stockpiling and accumulating of those types of materials, you would find that it would exceed by many many times the cost of the farm products now stored under the farm price-support-loan program. And I don't think that you are ready to say that the agricultural products under storage do not represent an important asset in the event of a national emergency.

Strangely enough, you make no mention of the program for wool and it seems to me that your conclusions and your statements in the July 5 issue under the heading "Butter to Burn," missed the point entirely. For one thing, I would like to have you explain to me how you expect the dairy farmers to produce butter at 75 percent of parity. You state that "They (many Members of Congress) haven't indicated what he (Benson) should do with the surplus butter." If you have done any reading on the subject at

all, you are bound to have noticed that there has been proposed what I consider a sound, workable program, such as has now been applied to wool, by which the farmer would be guaranteed a price at which he could produce the butter and given that guaranty in the form of compensatory payments and the butter then left to find its market price in the markets.

Then further on in the same article you make the same basic misrepresentation again, that since the butter program is bad and has bad features the basic crop-support program is worse because it is fixed at 90 percent of parity, ignoring the fact that under the rigid price-support program we have paid less than we have under those programs which have been on the nonfixed basis.

One of the real problems in the farm price support field has been that the enemies of the farmer and the enemies of any legislation to give the farmer a fair price for what he raises have always had just enough success to prevent the institution of a thorough, workable farm program. These same enemies of the farmer and of farm price-support legislation have also been insistent that Congress do nothing about investigating into the margin of profit that goes to people other than the producing farmers, who stand between the farmer and the consumer.

Yours very truly,

GEORGE E. HULSTRAND.

MIDYEAR ECONOMIC REPORT

Mr. HUMPHREY. Mr. President, I ask unanimous consent that I may speak for not to exceed 5 minutes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Minnesota that he be permitted to speak for 5 minutes? The Chair hears none, and the Senator may proceed.

Mr. HUMPHREY. Mr. President, during this week President Eisenhower released a report on the state of our economy at midyear. All of us are glad to note what has been evident for some months, namely, that the economy is out of the trough of the recession of the past year.

As the President has pointed out, the performance of the economy during the past few months has indeed been remarkable. The economy has shown great resiliency and great ability to bounce back. This seems to be an opportune moment for some analysis of the bounce in the economy. And this, it seems to me, is the disappointing feature of the President's report. The report of three pages is all we are to have in the way of a midyear economic report. It gives us performance figures, but no analysis. At a generally happy, but still critical moment for the economy, we have no real analysis of the state of the economy; and we therefore have no basis for prediction of the shape of things to come.

I shall not undertake to provide a detailed analysis of the state of the economy, but I wish to point out a fact which is now generally accepted, namely, that the economic comeback, or bounce, of the past few months has been based, to a large extent, on an increase in consumer spending and retail sales. This increase began in March of this year, and there is every reason to believe that it was stimulated, in part, by tax relief in the form of excise-tax reduction in March. Also, I think we should make note of the fact that much of the so-called bounce back or improvement in the economy was due to a change in the administration's credit and fiscal policies.

A little more than a year ago, I took sharp exception to what was known as the hard-money, tight-credit policy. As the record will bear out, in the spring months of 1954 that policy was abruptly changed. Today there is what might truly be called a soft-money, loose-credit fiscal policy. The Federal Reserve Board has made available an additional $9 billion worth of credit by lowering the reserve requirements.

It is my considered judgment that when the facts are fully reviewed, and an analysis is made, it will be found that much of the so-called return from the recession, or improvement in economic conditions, has been due to two factors, namely, an increase in consumer spending and retail sales. This increase began in March of this year, and there is every reason to believe it was stimulated by excise-tax reductions and other revisions, together with the more basic and important change in the fiscal policy.

Fortune magazine for August, at pages 23 and 24, in its monthly evaluation of the economy, has this to say:

> Spending increased at the expense of personal savings, which dipped from 8.6 percent of disposable income in the first quarter nearly to the normal rate of 7 percent in the second. Thus it was the consumer, not business or government, who led the recovery—to the quiet consternation of the remaining apostles of pure Keynsianism.

The pure Keynsian view, of course, is that business investment leads to the economy. A group of us in Congress have been arguing for the past year and a half that stimulating consumption through increasing purchasing power would be the key to economic revival. We set this view forth at some length in the recent debate on revision of our income-tax laws, and the figures now available on the economic recovery of the past few months seem to be a convincing vindication of our position.

In other words, it looks very much as if the "saucering out" of the economy—to use an administrative term—is not due to the original program of the administration. It is due to a revival of consumer spending based on tax reductions beyond those recommended by the administration, on a reversal by the administration of its tight credit policies.

The second comment I want to make on this midyear economic report concerns the nature of the report itself. Three scant pages of analysis is not much of a report for a period when the economy seems to be at a turning point. Last year, at a point of downturn in the economy, we had no midyear report at all. This is a striking contrast with the last administration, when midyear economic reports were issued in considerable detail.

The fact is that there has been a tendency in this administration to provide the American people with much less economic data and analysis than did the last administration. There seems to have been a tendency, in fact, to be critical of the Council of Economic Advisers and even of the purposes the Council is intended to serve under the Employment Act of 1946.

Under December of last year we did not even have a full Council of Economic Advisers, and between March and August of last year the Council, as such, was not in operation at all.

The declaration of policy in the Employment Act of 1946 reads, in part:

> It is the continuing policy and responsibility of the Federal Government * * * to promote maximum employment, production, and purchasing power.

One of the ways in which the Government can fulfill this responsibility is to provide as many facts as possible on the state of the economy.

The present midyear economic report does not do this. Instead, it is a rather political document, comparing the state of the economy in different administrations. This may be good politics, but it is not very good economics.

The President notes that some people have been critical of the course of the economy lately. One reason for this, he suggests, is "that the thinking of many people is geared to the concept of uninterrupted progress."

Mr. President, I confess to being one of those people. I am in favor of uninterrupted economic progress. I realize it is not easy to achieve, but I believe that patient and extensive analysis of the economic facts can help us achieve progress. That is why I think we are entitled to a better midyear economic report. That is why I think we ought to get going with a census of business and manufacturing. I hope we will get an appropriation for it this year, and I think a grave error was made in not appropriating for it last year.

The truth is that the economy has not really made progress over the past year—instead it has lost ground.

From the point of view of economic progress and economic growth, our gross national product in the second quarter of 1954 was about $27 billion below the level required for full employment and full production. Gross national product for the second quarter was about a billion below that for the first quarter.

The fact is that the well-being of our economy depends on economic progress. The objectives of the Employment Act of 1946—maximum employment, production, and purchasing power—depends on it. And the less interrupted that progress is, the better. I think this midyear economic report is in some ways an alarming document—not because it brings bad news—but simply because it does not bring enough news. And what news it does contain is sugar coated.

I hope that in the future the administration will see fit to provide us with more facts and analysis. It seems to me that this information is due the business community and the public, and I am sure that the business community and the public can use this information for the progress and the good of the entire economy.

Finally, within the past week I have noted that the President of the United States, at long last, has filled the two vacancies on the Board of Governors of the Federal Reserve System. I have

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been noting for 18 months that the vacancies have existed. I have just received information that the President had this matter brought to his attention, and within the past 10 days or 2 weeks has taken action to fill the vacancies.

This is very important, because the Federal Reserve Board really determines the fiscal policy, the monetary policy, of the Government, in conjunction with the Department of the Treasury.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the text of President Eisenhower's report on the national economy.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

TEXT OF PRESIDENT EISENHOWER'S REPORT ON THE NATIONAL ECONOMY

1

The paramount fact about the economy at midyear is that the recent decline in economic activity has come to a halt. For the last 6 months the Federal Reserve index of industrial production has moved within an extremely narrow range. At the beginning of the year the index stood at 125 (average, 1947–49, 100). In March and April the index registered 123, in May and June 124.

2

In view of this narrow range of fluctuation in total industrial production during the past 6 months, we may justly take an average of the past 6 months as indicative of the recent level of economic activity. It then becomes of interest to compare this level with that attained by the economy during the first half of 1953, when our Nation was enjoying the greatest prosperity we have yet known.

3

Making that comparison, we find that industrial production has been running 8.1 percent lower in 1954 than in 1953. But in forming a judgment about the state of the economy we must bear in mind that the widely used Federal Reserve index of production covers only manufacturing and mining; that it omits construction, agriculture, transportation, and the great range of personal services; and that the omitted parts are much more important sources of employment than the included parts. It is desirable, therefore, to look at more comprehensive measures or indicators of economic activity.

4

The most significant of these measures are the following:

(A) Gross national product, which expresses the dollar value of the Nation's total output of commodities and services.

(B) Nonagricultural employment (as estimated by the Bureau of Labor Statistics), which expresses the number of wage and salary workers in business establishments outside of agriculture.

(C) Personal income, which is simply the sum of all individual and family incomes.

(D) Disposable personal income, which is simply the sum of all individual and family incomes minus personal income tax payments.

(E) Bank debits outside New York City, which express debits to individual and business bank accounts, and thus measure the flow of money payments in industrial, commercial, and, to some degree, financial transactions. (New York City debits are omitted because they are dominated by financial transactions.)

5

When we now compare the first half of 1954 with the first half of 1953, we obtain the following results:

Percent change from first half of 1953 to first half of 1954

	Down
Gross national production	2.7
Nonagricultural employment	2.6
	Up
Personal income	0.2
Disposable personal income	1.4
Bank debits outside New York City	0.9

It is fair to conclude from these facts that the recent economic decline, on an overall basis, has been very small. This conclusion will not be changed if we take account of the increase in population. Thus, while the total disposable personal income increased 1.40 percent, the disposable personal income per capita declined merely 0.3 percent between the first half of 1953 and the first half of 1954.

6

In judging the performance of the American economy during 1954 we have taken the first half of 1953 as the standard. It may help us to see the current state of the economy in better perspective if we go 1 year further back. The first half of 1952 was not characterized by the same intensity of activity, but it was the best year we had experienced prior to 1953. Therefore, while 1952 does not provide us with as high a standard as 1953, it still constitutes a very high standard.

7

If we now compare the first half of 1954 with the first half of 1952, the showing of the rather broad indicators to which we have already referred is as follows:

Percent change from first half 1953 to first half 1954

	Up
Industrial production	3.3
Gross national product	4.4
Nonagricultural employment	1.1
Personal income	7.2
Disposable personal income	8.8
Per capita disposable income	5.3
Bank debits outside New York City	10.2

Every one of these indicators shows a rise, and some of the increases are not small.

Since 1952 was the best year before this administration took office, it follows that economic activity of late has been higher than at any time before this administration assumed responsibility. And since 1953 was a still better year than 1954 is turning out to be, it follows that the over-all performance of the American economy thus far during this administration has been better than during any earlier time.

8

Some of the economic indicators used above are expressed in a physical unit, others in a monetary unit. It is well, therefore, to say a word about the price level.

When we compare the first half of 1954 with the first half of 1953 we find that the index of wholesale prices is up 0.8 percent and that the index of consumer prices is up 1.1 percent. Not only are these increases tiny but our measures of price movements fail to take account of discounts, concessions, bargain sales, etc., that have been a significant feature of recent markets. If we allow for these developments, we can surely say, without the slightest fear of contradiction, that the value of the people's money has remained entirely intact.

This conclusion also holds if we carry comparisons 1 year farther back—that is, if we compare the first half of 1954 with the first half of 1952. On this basis, the index of wholesale prices is down 1.3 percent and the index of consumer prices is up 1.9 percent.

Let us take note of another fact, namely, that while recent economic activity has been at a high level and the value of the dollar has been stable, the increases in wages, which is one of the principal expressions of the progressiveness of the American economy, has continued.

Average hourly earnings have moved as follows:

	1st half of 1952 to 1st half of 1954	1st half of 1953 to 1st half of 1954
Manufacturing, total	+9.1	+2.9
Durable	+9.2	+2.2
Nondurable	+7.8	+3.8
Building construction	+13.3	+4.3
Retail trade	+10.8	+4.3

10

The above statistics suggest a high—or even an improving—state of economic welfare. An economic historian of an earlier generation, if confronted with facts such as these, would have felt no hesitation in describing recent times as a period of great prosperity. And if our imaginary historian had stopped to take account of the difficulties of shifting from a war to a more nearly peace economy, with Government expenditure on national security dropping nearly one-fifth in a year, he might well have described the last year or two as a time when economic miracles were being wrought.

11

Not all of our contemporaries, however, are describing the performance of the American economy in these lyrical terms. The reason is partly that a decline occurred after July 1953 in economic activity, particularly in employment, and that the thinking of many people is geared to the concept of uninterrupted progress. The reason is partly that this rather minor decline has been better advertised than many major declines of our past. The reason is also that, while the decline has been small on an overall basis, it has affected seriously some industries, communities, and groups in our society. Factory employment, particularly in the durable-goods industries, has suffered, while agricultural prices and incomes have shown the adverse effects of shrinking export markets and unbalanced production.

12

Unemployment is now greater than during the time of the Korean war, as the following figures indicate:

Unemployment as percent of civilian labor force

	1949	1950	1951	1952	1953	1954
January–March	5.0	7.2	3.8	3.2	2.8	5.5
April–June	5.4	5.2	2.8	2.7	2.3	5.2
July	6.4	5.0	2.9	3.0	2.4	5.1

It is clear, however, that unemployment in recent months has not been larger than during comparable months in 1949 and 1950.

13

Moreover, the rate of unemployment has shown some tendency to diminish of late. This is one of numerous signs of economic improvement. Retail sales have recently been rising again. Business expenditures on capital expansion and improvement are continuing at a high rate. New construction contracts are running well above the level of a year ago. Inventories have been reduced and are now in better adjustment to current sales. The financial markets have been displaying great strength. The level of business and consumer confidence in the economic future is high and improving.

14

The standards that our generation applies to the performance of an economic system are very different from those that our fathers applied and even different from those that we ourselves applied only a few years ago. It is a good thing that our standards are higher. Great economic and social achievements will not be made unless we are sensitive to the need for making them.

The economic program being enacted by the present Congress marks a milestone in constructive legislation. It will help to reduce unemployment and to stimulate enterprise and development in all directions. In the months and years ahead we must continue to bring knowledge, cool judgment, and a concern for people to the consideration of economic problems. In the measure that we do this, we may look forward with great confidence to the future.

POST OFFICE AND CIVIL SERVICE "PACKAGE BILL"

Mr. JOHNSTON of South Carolina. Mr. President, I ask unanimous consent that I may be permitted to speak for 5 minutes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from South Carolina that he may speak for 5 minutes? The Chair hears none, and the Senator from South Carolina may proceed.

Mr. JOHNSTON of South Carolina. Mr. President, it has come to my attention through a front-page press story, that the Republican leadership of the House of Representatives on Monday will attempt a surprise "coup" by trying to force through the House, under a suspension of the rules, a "package bill," which would include the Postmaster General's reclassification plan, increased postal rates on first-class mail matter, and increased pay for Federal employees.

This may be nothing more than another Summerfield-planted rumor. However, so all may be aware of how postal employees feel about this method of legislation by marriage, I wish to read a press release by 8 major postal organizations, representing 450,000 of the Nation's postal workers, as follows:

AN URGENT, FRANK STATEMENT OF POSTAL EMPLOYEE ORGANIZATIONS ON THE POSTAL PAY ISSUE

To all Members of Congress:

Eight major postal organizations, representing 450,000 of the Nation's postal workers, have sought in the 83d Congress a long overdue and justifiable increase in postal salaries.

We appreciate the stand and efforts of our many friends in the Congress who have conscientiously supported fair legislation to grant this increase. We appreciate and applaud the action of the House on Monday, August 9, in passing the Corbett bill, H. R. 9245, which provided a fair compromise increase in pay and which, just as fairly, provides for a joint committee of the Congress to study postal field service reclassification and report back to the 84th Congress for action as then deemed proper and appropriate.

The controversy is before the House because of two great stumbling blocks:

1. The demand of the Postmaster General that Congress strip itself of authority to establish the classification of postal positions and set the salary schedules for those positions.

2. The insistent demand that Congress provide the revenue to pay for any salary increase through an increase of postal rates.

We have been, are currently, and will remain adamantly opposed to removing our classifications and salary schedules away from the control of Congress. We have consistently enjoyed fair treatment at the hands of Congress. We know without question that in the final analysis the Congress of the United States is the only place we can appeal errors and wrongs which might conceivably, and most probably would, creep in under discretionary authority in the executive branch to determine classifications and salary schedules. Despite statements to the contrary, this appeal has not been protected under the Rees proposal.

We do not oppose increased postal rates, but we cannot support the fact that the salary schedules within the Post Office Department are now, or ever should be, determined by the revenue produced by the Department. We deem it gross injustice to predicate the level of postal salaries on whether or not there is a postal deficit. This is totally inconsistent with the policy and operational procedure applicable to any other agency or department of Government. Further, it is grossly misleading unless first the area of business and service within that Department is determined.

We desire to make our stand eminently clear in this pressing issue currently before you.

We urgently appeal for a fair salary increase, not secured through marriage to controversial issues before you, but dependent upon the merits of whether or not we—the postal employees of this Nation—deserve such an increase.

Being frank, we desire you to know that beyond a shadow of a doubt, the postal employees of this Nation will not place blame on congressional Members who in good conscience do not permit themselves to vote for a postal pay raise if such raise is coupled to issues on proposals to which the Member is opposed.

Representing 450,000 postal employees, we request you to vote against the proposed package-pay plan to be presented to the House on Monday. This attempt represents a complete usurpation of the power of the legislative body by the administrative branch of government. The classification proposal for the postal service in this bill has been turned down by committees in both Houses. Bills have been passed in both Houses carrying provisions entirely contrary to the Rees proposal. The attempt to jam this provision through the Congress in the final minutes of the session represents unprecedented administrative capriciousness.

We ask you to stand by the Corbett reclassification plan approved by the House on August 9 by a vote of 352 to 29, and vote down the combination program now suggested. Such a vote will make certain that the wishes of Congress shall not be thwarted, and that the unfair classification proposal of the Postmaster General will not be forced on postal employees.

We are deeply grateful to you for any favorable consideration that you can grant to our request.

Respectfully yours,

National Association of Letter Carriers, William C. Doherty, President; National Association of Post Office and General Services Maintenance Employees, Ross Messer, Legislative Representative; National Association of Post Office and Postal Transportation Service Mail Handlers, Watchmen, and Messengers, Harold McAvoy, President; National Federation of Post Office Clerks, Leo E. George, President; National Federation of Post Office Motor Vehicle Employees, Paul M. Castiglioni, Legislative Representative; National Postal Transport Association, W. M. Thomas, President; National Rural Letter Carriers' Association, Paul Benson, President; United National Association of Post Office Clerks, Samuel E. Klein, President.

APPROPRIATIONS FOR MUTUAL SECURITY

The PRESIDING OFFICER. If there is no further morning business, the Chair lays before the Senate the unfinished business, which is the bill (H. R. 10051) making appropriations for mutual security for the fiscal year ending June 30, 1955, and for other purposes.

CONSIDERATION OF HOUSE AMENDMENTS TO CERTAIN SENATE BILLS

Mr. McCARRAN. Mr. President, there are at the desk a number of messages from the House of Representatives on bills which were reported by the Committee on the Judiciary. I have talked with the leader of the majority. It is my understanding that I may take them up one by one and try to get through with them. I am sorry to have to take them up at a time when there are so few Senators present on the floor, but, as we go along, if there is any objection to any one of them, I shall withhold that particular one.

EXTENSION OF DETENTION BENEFITS UNDER WAR CLAIMS ACT TO EMPLOYEES OF CONTRACTORS

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 541) to extend detention benefits under the War Claims Act of 1948 to employees of contractors with the United States, which were, to strike out all after the enacting clause and insert:

That this act may be cited as the "War Claims Act Amendments of 1954."

TITLE I

SEC. 101. (a) Clause (2) of subsection (a) of section 5 of the War Claims Act of 1948, as amended (50 App. U. S. C., sec. 2004), is hereby amended by striking out "(A) a person within the purview of the act entitled 'An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes', approved September 7, 1916, as amended, and as extended; or (B) a person within the purview of the act entitled 'An act to provide benefits for the injury, disability, death, or enemy detention of employees of contractors with the United States, and for other purposes', approved December 2, 1942, as amended; or (C) a person within the purview of the Missing Persons Act of March 7, 1942 (56 Stat. 143), as amended; or (D)."

(b) Paragraph (3) of subsection (f) of such section is hereby amended to read as follows:

"(3) The following provisions of such act of December 2, 1942, as amended, shall not apply in the case of such civilian American citizens: The last sentence of section 101 (a), section 101 (b), section 101 (d), section 104, and section 105."

(c) Such subsection (f) is hereby further amended by adding at the end thereof the following new paragraphs:

"(10) No benefits provided by this subsection for injury, disability, or death shall accrue to any person who, without regard to this subsection, is entitled to or has received benefits for the same injury, disability, or death under such act of December 2, 1942, as amended.

"(11) No benefits provided by this subsection shall accrue to any person to whom benefits have been paid, or are payable, under

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the Federal Employees' Compensation Act, or any extension thereof, by reason of disability or death of an employee of the United States suffered after capture, detention, or other restraint by an enemy of the United States, when such disability or death is deemed, in the administration of the Federal Employees' Compensation Act, to have resulted from injury occurring while in the performance of duty, under subsection (b) of section 5 of the act entitled 'An act to amend the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," as amended,' approved July 28, 1945, as amended."

(d) The second proviso of subsection (b) of section 5 of the act entitled "An act to amend the act entitled 'An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes,' as amended," approved July 28, 1945, is hereby amended by inserting immediately after "gratuity from the United States" the following: "(other than detention benefits under section 5 of the War Claims Act of 1948)."

(e) (1) Individuals entitled to benefits under subsections (b), (c), or (d) of section 5 of the War Claims Act of 1948, as amended, solely by reason of the amendments made by this act, must file claim therefor within 1 year after the date of enactment of this act.

(2) The time limitations applicable to the filing of claims for benefits extended and made applicable to any individual by subsection (f) of such section 5 shall not begin to run until the date of enactment of this act with respect to any individual who is entitled to such benefits solely by reason of the amendments made by this act. This paragraph shall not be construed to affect the right of any individual to receive such benefits with respect to any period prior to the date of enactment of this act.

SEC. 102. (a) (1) Subsection (d) of section 5 of the War Claims Act of 1948, as amended; subsection (c) of section 6 of such act; and paragraph (4) of subsection (d) of such section 6, are each hereby amended by striking out "dependent" each time it occurs.

(2) Subsection (d) of section 5 of the War Claims Act of 1948, as amended, is amended by striking out "and" at the end of clause (2), striking out the period at the end of clause (3) and inserting in lieu thereof: "; and", and by adding at the end thereof the following new clause:

"(4) Parents (in equal shares) if there is no husband, or child."

(b) The amendments made by this section shall not apply with respect to benefits paid prior to the date of enactment of this act.

(c) Individuals entitled to benefits solely by reason of the amendments made by this section must file claim therefor within 1 year after the date of enactment of this act.

SEC. 103. The War Claims Act of 1948, as amended, is hereby further amended by adding at the end thereof the following:

"SEC. 15. (a) The Commission is authorized to receive and to determine, according to law, the amount and validity, and provide for the payment of any claim for compensation filed by or on behalf of any individual who, being then an American citizen, served in the military or naval forces of any government allied with the United States during World War II who was held as a prisoner of war for any period of time subsequent to December 7, 1941, by any government of any nation with which such Allied government has been at war subsequent to such date. Compensation shall be payable under this section in accordance with the standards established by, and at the rates prescribed in, subsection (b) of section 6 of this act, and paragraphs (2) and (3) of subsection (d) of such section 6.

"(b) The amount payable under this section shall be reduced by such sum as the individual entitled to compensation under this section has received or is entitled to receive from any government by reason of the same detention.

"(c) In the event of death of the individual entitled to compensation under this section, payment may be made to the persons specified in paragraph (4) of subsection (d) of section 6 of this act.

"(d) Claims for benefits under this section must be filed within 1 year after the date of enactment of this section.

"(e) Any claim allowed under the provisions of this section shall be certified to the Secretary of the Treasury for payment out of the war claims fund established by section 13 of this act.

"SEC. 16. (a) As used in this section, the term 'merchant seaman' means any individual who was employed as a seaman or crew member on any vessel registered under the laws of the United States, or under the laws of any government friendly to the United States during World War II, and who was a citizen of the United States on and after December 7, 1941, to the date of his death or the date of filing claim under this section; except any such individual who is entitled to, or who has received, benefits under section 5 of this act as a 'civilian American citizen.'

"(b) The Commission is authorized to receive and determine, according to law, the amount and validity, and provide for the payment of any claim for detention benefits filed by or on behalf of any merchant seaman who, being then a merchant seaman, was captured or interned or held by the Government of Germany or the Imperial Japanese Government, its agents or instrumentalities in World War II for any period of time subsequent to December 7, 1941, during which he was held by either such government as a prisoner, internee, hostage, or in any other capacity. Detention benefits shall be paid under this section at the rates prescribed and in the manner provided in subsections (c) and (d) of section 5 of this act.

"(c) Payment of any claim filed under this section shall not be made to any merchant seaman, or to any survivor or survivors thereof, who, voluntarily, knowingly, and without duress, gave aid to or collaborated with or in any manner served any government hostile to the United States during World War II.

"(d) Claims for benefits under this section must be filed within 1 year after the date of enactment of this section.

"(e) Any claim allowed under the provisions of this section shall be certified to the Secretary of the Treasury for payment out of the war claims fund established by section 13 of this act.

"SEC. 17. (a) (1) The Commission is authorized to receive and to determine, according to law, the amount and validity, and provide for the payment of any claim filed by—

"(A) any individual who—

"(i) on or after December 7, 1941, was a member of the military or naval forces of the United States;

"(ii) is the survivor of any deceased individual described in subparagraph (1);

"(iii) was a national of the United States on December 7, 1941, and is a national of the United States on the date of enactment of this section; or

"(iv) is the survivor of any deceased individual who was a national of the United States on December 7, 1941, and would be a national of the United States on the date of enactment of this section if living; or

"(B) any partnership, firm, corporation, or other legal entity, in which more than 50 percent of the ownership was vested, directly or indirectly, both on December 7, 1941, and on the date of enactment of this section, in individuals referred to in subparagraph (A) of this paragraph;

for losses arising as a result of the sequestration of accounts, deposits, or other credits of such individual or legal entity in the Philippines by the Imperial Japanese Government.

"(2) The Commission is authorized to receive and to determine, according to law, the amount and validity, and provide for the payment of any claim filed by any bank or other financial institution doing business in the Philippines which reestablished sequestered accounts, deposits, or other credits of—

"(A) any individual referred to in subparagraph (A) of paragraph (1) of this subsection; or

"(B) any partnership, firm, corporation, or other legal entity, in which more than 50 percent of the ownership was vested, directly or indirectly, both on December 7, 1941, and on the date of reestablishment of such sequestered credits, in individuals referred to in such subparagraph (A);

for reimbursement of the amounts of such sequestered credits paid by such bank or financial institution.

"(b) Claims must be filed under this section within 1 year after the date of enactment of this section.

"(c) Where any individual entitled to payment under this section is under any legal disability, payment may be made in accordance with the provisions of subsection (e) of section 5 of this act. In the case of the death of any individual entitled to payment of any claim under this section, payment of such claim shall be made to the individuals specified, and in the order provided, in subsection (d) of section 6 of this act; except that no payment shall be made under this section to any individual who voluntarily, knowingly, and without duress, gave aid to or collaborated with or in any manner served any government hostile to the United States during World War II.

"(d) Each claim allowed under this section shall be certified to the Secretary of the Treasury for payment out of the war claims fund established under section 13 of this act. The Secretary of the Treasury shall pay such claims as follows:

"(1) In the case of each claim allowed in an amount equal to or less than $500, such claim shall be paid in full; and

"(2) In the case of each claim allowed in an amount greater than $500, such claim shall be paid in two installments. The first installment shall be paid in an amount equal to $500 plus 66⅔ per centum of the amount of such claim allowed in excess of $500. The last installment shall be computed as of September 1, 1956, under the next sentence of this paragraph, and, as so computed, shall be paid from the sums remaining in the War Claims Fund on that date. If the sums remaining in the war claims fund on September 1, 1956, are sufficient to satisfy all claims allowed under this section and not paid in full, the unpaid portion of each such claim shall be paid in full; if the sums remaining in the war claims fund on September 1, 1956, are not sufficient to satisfy all claims allowed under this section and not paid in full, the last installment payable on each such claim shall be reduced ratably, and, as so reduced, shall be paid from the War Claims Fund."

SEC. 104. (a) Section 13 of the War Claims Act of 1948, as amended (50 App. U. S. C., sec. 2012), is hereby amended by striking out subsections (b) and (c) thereof, and by inserting immediately after subsection (a) thereof the following:

"(b) Before August 1, 1956, the Secretary of Labor shall estimate and report to the President the total amount which will be required to pay all benefits payable by reason of section 5 (f) of this act. If the Presi-

dent approves the amount so estimated as reasonably accurate, the total amount so estimated and approved shall be certified to the Secretary of the Treasury; if the President does not so approve he shall determine such amount, and the amount so determined shall be certified to the Secretary of the Treasury. Such certification shall be made on or before September 1, 1956. The Secretary of the Treasury shall then transfer from the War Claims Fund to the general fund of the Treasury a sum equal to the total amount certified to him under this subsection.

"(c) Before August 1, 1956, the Secretary of Labor shall estimate and report to the President the total amount which will be required to pay all additionad benefits payable as a result of the enactment of section 4 (c) of this act. If the President approves the amount so estimated as reasonably accurate, the total amount so estimated and approved shall be certified to the Secretary of the Treasury; if the President does not so approve, he shall determine such amount, and the amount so determined shall be certified to the Secretary of the Treasury. Such certification shall be made on or before September 1, 1956. The Secretary of the Treasury shall then transfer from the War Claims Fund to the general fund of the Treasury a sum equal to the total amount certified to him under this subsection."

(b) Subsection (d) of such section 13 is hereby amended by striking out "The Secretary of State" and inserting in lieu thereof the following: "On or before August 1, 1956, the Secretary of State."

SEC. 105. Within 2 years after the date of enactment of this act, the Foreign Claims Settlement Commission of the United States shall wind up its affairs in connection with the settlement of all claims for benefits authorized by the amendments made by this act.

TITLE II

SEC. 201. As used in this title—

(a) The term "prisoner of war" has the meaning assigned to it by section 6 of the War Claims Act of 1948, as amended; and

(b) The term "civilian American citizen" has the meaning assigned to it by subsection (a) of section 5 of such act.

SEC. 202. The Secretary of Health, Education, and Welfare, in cooperation with, and with the assistance of, the Administrator of Veterans' Affairs, the Secretary of Labor, and the Secretary of Defense, shall conduct a study of—

(1) the mortality rates among prisoners of war and civilian American citizens, with a view to determining whether their abnormally high mortality rate is directly attributable to the malnutrition and other hardships suffered by them while held as prisoners of war, hostages, internees, or in any other capacity;

(2) the mental and physical consequences of the malnutrition and other hardships suffered by prisoners of war and civilian American citizens while so held; and

(3) the procedures and standards which should be applied in the diagnosis of the mental and physical condition of prisoners of war and civilian American citizens.

SEC. 203. Not later than 1 year after the date of enactment of this title, the Secretary of Health, Education, and Welfare shall report the results of such study to the President for transmittal to the Congress.

And to amend the title so as to read: "An act to extend benefits under the War Claims Act of 1948 to certain classes of persons, and for other purposes."

Mr. McCARRAN. Mr. President, I urge the Senate to accept the House amendments to S. 541. If my colleagues will bear with me, I shall explain briefly why I take this position.

The purpose of S. 541, which I introduced and which passed the Senate on July 18, 1953, was to correct an inequity which exists under the present provisions of the War Claims Act of 1948. The bill authorizes detention benefits to be granted to certain employees of American war contractors who were engaged in the construction of airfields, fortifications, and ship facilities in the Pacific islands prior to World War II and who were interned by the Japanese in prisoner-of-war camps. Their present exclusion from the benefits of the War Claims Act is manifestly unjust.

The amendments to S. 541, proposed by the House committee, and which the House adopted, would correct certain other equally glaring injustices under the present coverage of the War Claims Act.

Detention benefits would be granted to a few other small groups of prisoners of war and civilian internees who are as deserving as the groups already covered by the act. Also American nationals, including survivors of Bataan and Corregidor, whose bank accounts and other credits were confiscated by the Japanese, and whose claims against Japan were waived in the Japanese Peace Treaty, would be compensated. This amendment accomplishes exactly the same purpose as the bill (S. 3305), which I also introduced, and which was favorably reported by the Judiciary Committee on July 19, 1954.

The enactment of Senate bill 541, with the amendments proposed by the House, will substantially wind up the war claims program instituted through the War Claims Act of 1948.

Question has been asked whether there is enough money in the War Claims Fund to take care of the provisions of this bill. The answer to that question is that after the payment of all claims presently authorized by the War Claims Act, including the revised awards in favor of religious organizations, the Budget Bureau has stated that at least $13 billion will remain in the War Claims Fund. This amount should cover all or nearly all of the claims authorized by Senate bill 541, and the House amendments thereto.

Let me recapitulate, Mr. President: Basically, the House version of this bill consists of two bills, both of which have been reported favorably to the Senate from the Committee on the Judiciary, and one of which has passed the Senate. These are (1) the original Senate bill 541, which has already passed the Senate, and which would grant detention benefits under the War Claims Act to employees of American war contractors who were captured and interned by the Japanese in prisoner-of-war camps; and (2) Senate bill 3305, reported favorably by the Judiciary Committee on July 19, which would compensate American nationals, including survivors of Bataan and Corregidor, whose banks accounts and other deposits in the Philippines were confiscated by the Japanese. The claims of these people against the Japanese Government were waived by Secretary Dulles in the Japanese Peace Treaty.

The House amendments correct certain other injustices under the present War Claims Act by extending the detention benefits provided by the act to a few small groups presently excluded, such as about 1,250 Federal employees in the same situation as the war contractors' employees, and approximately 250 merchant seamen. The House amendments also provide that a study should be made of the effects of malnutrition and other hardships suffered by prisoners of war and civilian internees.

With respect to the major provision of the House amendment compensating American nationals whose bank accounts and other deposits in the Philippines were confiscated by the Japanese, the equity of this compensation is clearly seen when it is realized that in the Japanese Peace Treaty, the United States took from these citizens the right to claim compensation from the Japanese for the property that had been taken from them. This proposed legislation as it comes from the House—and in that respect, the effect is the same as in the bill (S. 3305) reported favorably from the Judiciary Committee, and now on the Senate Calendar—would merely carry out the legal obligation of the United States to compensate its own nationals for the rights thus taken away from them by the treaty.

Mr. President, I have indicated that the bill, as it comes from the House, is in line with the recommendations of the President. I cannot say it follows the recommendations of the President because, in fact, the bill was introduced more than a year before the President made his recommendations. But the bill is in line with recommendations made by the President; and in order to establish that fact, I shall ask to have printed in the RECORD the text of a letter addressed by the Executive Office of the President of the United States to the President of the Senate, under date of June 28, 1954, together with a report transmitted with the letter. The report concerns the recommended provisions contained in Senate bill 541, as it passed the House.

Mr. President, it will be noted that in his letter to the Vice President, the Director of the Bureau of the Budget said that because of the hardships suffered by many United States nationals as a result of the actions of certain foreign governments, for which this bill would afford some relief, he would strongly urge that this proposed legislation be enacted to the extent provided, before the close of the present session of Congress.

Mr. President, let me join my own views to those of the President's spokesman, and urge the Senate to concur in the House amendments to the bill.

I now move that the Senate concur in the amendments of the House of Representatives.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Nevada.

Mr. DIRKSEN. Mr. President, certainly the leadership has not acquainted me with any arrangement which may have been made with respect to Senate bill 541. I am generally familiar with the matter, but I believe it should be deferred until such time as the majority

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leader, with whom probably the Senator from Nevada has talked, has an opportunity to examine further into the matter.

Until that time, Mr. President, and since the matter comes up as a privileged question, I must make the point of the absence of a quorum, until the majority leader can return to the Chamber.

Mr. McCARRAN. I hope the Senator from Illinois will withhold suggesting the absence of a quorum. I have had a talk with the majority leader. I would prefer to have him here. I would gladly defer requesting the consideration of this matter until the majority leader is present.

The PRESIDING OFFICER. Does the Senator from Nevada withdraw his motion?

Mr. McCARRAN. I do, Mr. President, for the present.

The PRESIDING OFFICER. The motion of the Senator from Nevada is withdrawn.

Mr. DIRKSEN. Let me ask the Senator from Nevada whether he intends to submit other matters of the same sort.

Mr. McCARRAN. I do. There are a number of similar matters, which I believe will take only a minute or so to dispose of.

Mr. DIRKSEN. Cannot we also leave them in a deferred status until such time as they can be cleared with the leadership?

Mr. McCARRAN. Yes. Is it preferred that I take them up one by one at this time? All of them relate to House messages which are at the desk, and involve amendments by the House of Representatives, in which the concurrence of the Senate is requested.

Mr. DIRKSEN. They could be presented now, although we have been waiting patiently for approximately 3 hours in order to proceed with consideration of the mutual-security appropriation bill. Of course, if the matters to which the Senator from Nevada has referred will take only a few moments to dispose of, I myself would not wish to interpose objection.

Mr. McCARRAN. Of course, if after presenting the matters at this time, the situation would be such that I would have to go over them again, later on, at a time when the majority leader is here, I would prefer not to proceed now, for it would be a waste of time.

On the other hand, the majority leader has told me that I could proceed with them, and of course I took advantage of whatever time was available.

Mr. DIRKSEN. Yes.

Mr. McCARRAN. But I would prefer not to present them at this time, if the result would be merely to have to present them again, later on.

Mr. DIRKSEN. Mr. President, the present occupant of the majority leader's chair has had no instruction regarding these measures or these messages from the House of Representatives. So, Mr. President, if the Senator from Nevada will defer them until the majority leader returns——

Mr. McCARRAN. Let me say to the able Senator from Iliinois that in all these matters, I am substituting for the chairman of the Judiciary Committee, who is absent because of certain misfortune which has come to his family. Therefore, he asked me to take over this work. It is not because of any wish on my part, that I undertake this burden.

Mr. DIRKSEN. I understand. But, Mr. President, if the Senator from Nevada will withhold, momentarily, his motion——

Mr. McCARRAN. Very well.

Mr. DIRKSEN. Then, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum has been suggested, and the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPROPRIATIONS FOR MUTUAL SECURITY

The Senate resumed the consideration of the bill (H. R. 10051) making appropriations for mutual security for the fiscal year ending June 30, 1955, and for other purposes.

Mr. BRIDGES. Mr. President, the Senate has now proceeded to the consideration of H. R. 10051, the mutual security appropriation bill for fiscal year 1955. As chairman of the Senate committee charged with handling this bill, I wish to make a few brief remarks concerning some of the general considerations which helped shape the nature of our recommendations.

Mr. President, it is now 9 years since the last shot was fired in World War II, but the first month in which no local war threatens to engulf the world in a new global conflict. Yet, as we look about us, we cannot find the solace that comes with the end of the mass slaughter which is war. An uneasy calm has descended momentarily upon the world, but anxiety has not diminished. Although the shooting has stopped, the world is no closer to a just and enduring peace. The dangers are just as great today. The free world continues to live in the evil shadow of the malevolent Red imperialism. Now, more than ever, we must retain our sense of proportion and hold firmly to our faith in the justice of our cause.

We are faced today by an enemy hostile to human freedom, holding in tight control more than 800 million people and enormous material resources, possessed of a huge war machine, armed with the most modern weapons of mass destruction. No one nation alone can face with confidence this vast assembly of power. Only by collective defense can the nations of the free world hope to meet this fearful threat to their survival without the alternative, over the long pull, of economic collapse. It is within this concept of a free world-defense community that our own military strategy and programs have been developed—each nation contributing to the whole those forces and resources which it can most effectively provide.

The principal purpose of the bill now before the Senate is to assist our free world partners to raise and support the forces required for collective defense. Whereas, in the early years of the foreign-aid program, emphasis was placed principally on economic aid, today only $184,500,000 of the funds provided in this bill are for that type of aid, under the caption of "Development Assistance." Since 1948, when economic aid totaled $4.4 billion, the economic strength of most of our allies, particularly in Europe, has shown remarkable improvement so that now the emphasis may be shifted safely to defense aid. Of the roughly $185 million in development assistance provided in H. R. 10051, virtually all is for India and the Near East.

A total of $2,618,798,195 in new appropriations is provided for mutual-defense assistance—$1,392,700,000 for military assistance; $795 million for southeast Asia and the western Pacific, and for direct-forces support; and $431,098,195 for defense support. These new appropriations plus the continued availability of unobligated funds recommended by the committee will make available in fiscal year 1955 a total of $5,176,737,863 in mutual-defense assistance—$3,932,092,283 for military assistance; $795 million for southeast Asia, and so forth; and $449,645,580 for defense support.

The bill also provides $121,457,621 in new appropriations for technical cooperation and $66,069,000 for other programs, including administrative expenses other than for military assistance. Since the committee recommended the continued availability of unobligated balances for other programs in the amount of $23,574,060, a total of $89,643,060 will be available for those programs in fiscal year 1955.

A total of $2,990,824,816 in new appropriations is provided in this bill, which, together with $2,581,513,728 in unobligated balances recommended by the committee to be continued available, will provide a grand total of $5,572,338,544 in fiscal year 1955.

Every field of human endeavor—politics, economics, education, science, religion—are exploited by the Communists in their efforts to subvert and weaken the nations of the free world. Patience, perseverance, and understanding will be required in ever-increasing measure if free-world unity is to survive in the long term the stresses and strains of Communist efforts to break it apart.

Upon the United States has fallen perhaps the greatest responsibility to preserve this unity. History has thrust upon us the role of leadership in this world struggle against Communist aggression. It is a role which we neither sought nor desired. But the American people have always been ready and willing to fully meet their international obligations, and in my judgment the people of this country will continue to carry this burden of our international responsibilities willingly so long as they are convinced that the interests of the Nation demand it of them. For this assurance they rightfully look to the executive branch of the Government and to the Congress. That is why the sev-

eral committees of the Congress concerned with foreign aid have conducted such extensive and thorough hearings on the fiscal year 1955 program. The recommendations of the Senate Committee on Appropriations are based not only on the detailed and voluminous data and testimony presented during the course of its own hearings, but also on the hearings and reports of the Senate Foreign Relations Committee and the Foreign Affairs Committee of the House. The measure now awaiting Senate approval incorporates the recommendations of the Committee on Appropriations. I submit the bill, and bespeak for it for the earnest consideration of the Senate.

In addition to what I have said, I should like to point out that it is my personal opinion, and I think it is the opinion of the majority of the Committee on Appropriations, that in the coming year, more than ever before, we must emphasize the word "mutual" in connection with this program. In other words, the feeling of the members of the committee, as I interpret it by their statements, by their questions, and by their votes, is to the effect that they want emphasis placed on American aid being channeled to the countries that are willing to help themselves and wish to be willing partners in this great program of mutual aid, of which we are a part. Furthermore, the members of the committee desire and—we emphasize this to the administrators of this program and to the countries who are our partners—that more than ever the word "mutual" shall be considered in the administration of the act.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. MANSFIELD. I wish to compliment the Senator from New Hampshire for the remark he has just made. I am sure that what he says is also the feeling of Congress and the administration, which he so ably represents.

If the chairman will permit me to do so, I should like to ask several short questions of him.

Mr. BRIDGES. I yield.

Mr. MANSFIELD. Is it the understanding of the chairman that the Foreign Operations Administration is to be abolished and go out of existence on June 30, 1955?

Mr. BRIDGES. That is correct.

Mr. DIRKSEN. Mr. President, I should like to supplement the answer of the chairman by saying that, as a matter of fact, a study has already been conducted with the view of distributing the functions of the Foreign Operations Administration, which must necessarily be distributed when the agency is abolished.

Mr. MANSFIELD. On June 30, 1955, or before?

Mr. DIRKSEN. That is correct.

Mr. MANSFIELD. Is it the understanding of the chairman of the Committee on Appropriations that title III, the point 4 program, under the authorization adopted by the Foreign Relations Committee and agreed to by the House, will become, not later than June 30 of next year, a part of the State Department?

Mr. BRIDGES. That is correct.

Mr. MANSFIELD. Is it the distinguished chairman's further understanding that so far as title II is concerned, the title which deals with economic aid, that title will expire on June 30, 1955, with only a 1 year's liquidation period, taking it to June 30, 1956.

Mr. BRIDGES. That is correct.

Mr. MANSFIELD. Is it the chairman's understanding that there is no termination date so far as military assistance is concerned?

Mr. BRIDGES. That is correct.

Mr. MANSFIELD. And that it is to be administered by the Defense Department, so that the program may be continued as it needs to be continued, under the aegis of the Secretary of Defense and his assistants?

Mr. BRIDGES. The Senator is correct.

Mr. MANSFIELD. In other words, we can be absolutely certain that the Foreign Operations Administration will be abolished as of June 30, 1955?

Mr. BRIDGES. Let me say to the distinguished Senator from Montana, who has served so ably in both Houses of Congress, that I have been around Congress for some time, and I know that sometimes we may have in mind a certain plan with the hope it may be carried out; and in that connection I can certainly speak only for myself, and cannot give any blanket guaranty for anyone else. I mean that is my understanding, and that is certainly my belief. I am not equivocating in any way, but at the same time I must leave a little loophole to the extent that I cannot speak for anyone else.

Mr. MANSFIELD. I should like to close that one little loophole, because what the chairman has said is, in effect, the intent of Congress, and was the intent of Congress a year ago.

The distinguished Senator from Illinois has pointed out that under the chairmanship of the distinguished Senator from New Hampshire at the present time negotiations are going on by means of which the President, under authority given to him by the Mutual Security Act, is arranging for the transfer of various units of the Foreign Operations Administration into the proper permanent agencies.

Mr. BRIDGES. That is correct.

Mr. MANSFIELD. I do not want to have established so-called temporary permanent agencies. I am afraid that if Congress does not adhere firmly to its present determination and does not see to it that this organization is out of existence not later than June 30, 1955, we will find an attempt being made to continue this temporary agency on a permanent basis, which would be contrary to the expressed will of Congress.

Mr. BRIDGES. I should like to answer that by saying I believe the Senator is absolutely correct. I can definitely make that statement not only for myself, but for the administration as well. I left the little loophole I referred to because next year, if I am still chairman of the Committee on Appropriations, and have the responsibility of presenting a bill in response to a foreign-aid request, I do not want to have someone say, "I interpreted the Senator's statement to mean that this was out the window," and that nothing can be done about it. I agree that FOA should not be continued as a temporary agency. I agree that that is the intent of Congress. I agree that it should be the will and intent of this administration to abolish it. Certainly anything that is continued should be shifted to a permanent agency. I do not want to equivocate on that. However, I did not want to be interpreted as having overspoken, perhaps, if some part of this program should be continued next year.

Mr. MANSFIELD. I should like to make it very plain that I believe Governor Stassen has done an exceedingly good job in bringing about greater efficiency and lower expenditures, and also in the reduction of personnel. There is nothing personal about my attitude, because I was one of those who advocated that ECA, the so-called Marshall plan, end before June 30, 1952, as originally contemplated. With me, it is a matter of principle. I do not think we can speak on foreign policy with multiple voices.

So far as we can do it, our foreign policy should be handled by the State Department, a permanent and continuing organization. Even if it is a little difficult for it to take over some economic aspects of the program, I still believe that the State Department should meet that responsibility and take it over. I thank the Senator from New Hampshire, the distinguished chairman of the Committee on Appropriations, for his concise and straightforward answers.

Mr. BRIDGES. I believe the distinguished Senator from Montana has clarified the situation. He was wise to bring it up. I appreciate his doing so.

I should like to say further that not only do I agree, but I want it distinctly understood that it is my own feeling, as well as the feeling, as I interpret it, of many members of the committee of which I have the privilege to serve as chairman—and I am referring to Republicans and Democrats alike, because there is no partisanship exhibited in the committee—that we are giving of our substance and we are putting a terrific drain on the American taxpayer and upon the economy of this country, and therefore we must make sure, and increasingly so, that our aid is channeled to the places where it will do the most effective good for the mutual defense of the United States and the free world. We must emphasize that fact, as well as the fact that we look with some question on some of the programs of the past. Therefore we must make it plain that so far as the committee is concerned, unless that is done it will be increasingly difficult to get the support of the committee and of the Congress and of the American people to a continuation of the program.

Mr. MANSFIELD. I could not agree more thoroughly with the distinguished chairman. I am delighted to have his answers, and the answers of the distinguished chairman of the Committee on

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Foreign Relations to similar questions raised earlier in the week. I am satisfied that on June 30, 1955, if not sooner, FOA will be on its way out.

Mr. BRIDGES. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc, that the bill, as proposed to be amended, be considered as an original text for the purpose of amendment, and that no points of order be waived.

The PRESIDING OFFICER. Is there objection?

Mr. DIRKSEN. Reserving the right to object, may I say to the distinguished chairman of the committee it is my understanding that alternative language will be offered as an amendment with respect to section 108. To that there is no objection on my part. I wish to be sure that the Senator from Nevada [Mr. MCCARRAN] is not foreclosed in his opportunity to offer such language.

The PRESIDING OFFICER. The Chair will advise that after the adoption of the committee amendments the right of the Senator from Nevada to offer amendments, as well as the right of every other Senator, will be fully protected.

Is there objection to the unanimous-consent request of the Senator from New Hampshire [Mr. BRIDGES]? The Chair hears none. Without objection, the committee amendments are agreed to en bloc.

The amendments agreed to en bloc are as follows:

On page 1, after line 9, to strike out:

"Military assistance: For military assistance as authorized by title I, chapter 1, $1,341,300,000 plus unobligated balances, as follows: For general military assistance authorized by section 103, $1,265,300,000 plus not to exceed $2,234,912,729 (including not to exceed $27,825,000 for development of weapons of advanced design as authorized by section 105) of unobligated balances; for infrastructure authorized by section 104 (a), $76 million, plus not to exceed $39 million of unobligated balances: *Provided*, That such unobligated balances shall be derived from balances of appropriations heretofore made for military assistance (Europe; Near East and Africa; Asia and the Pacific; American Republics; and mutual special weapons planning): *Provided further*, That not to exceed $22,500,000 of such funds shall be available for administrative expenses to carry out the purposes of title I, chapter 1, until June 30, 1955."

And in lieu thereof to insert:

"Military assistance: For military assistance as authorized by title I, chapter 1, $1,392,700,000 together with unexpended balances of appropriations heretofore made for military assistance: *Provided*, That not to exceed $3,932,092,283 may be obligated under this heading during fiscal year 1955, including not to exceed $3,770,392,283 for general military assistance as authorized by section 103, and not to exceed $161,700,000 for infrastructure as authorized by section 104 (a), and not to exceed $24 million for administrative expenses to carry out the purposes of title I, chapter 1: *Provided further*, That the military supplies and equipment (or the equivalent value thereof as the Secretary of Defense shall determine but not to exceed $200 million in inventory value) which have been procured and processed for delivery to foreign areas and which subsequently are returned to the custody of the United States because of a change in the international situation, shall remain available for military assistance authorized by law, and such amounts shall be in addition to the amounts herein otherwise provided for: *Provided further*, That this limitation on military supplies and equipment shall not apply to capital ships for which title has passed but which have been reclaimed by the Navy Department."

On page 3, line 14, after "section 121", to strike out "$712,000,000" and insert "$700,000,000."

On page 3, after line 14, to insert:

"Production for forces support: For assistance authorized by section 122, $35,000,000."

On page 3, line 18, after "section 123", to strike out "$64,000,000" and insert "$60,000,000."

On page 3, at the beginning of line 22, to insert "as authorized by section 403."

On page 4, line 2 after "section 131 (b) (3)", to strike out "$86,000,000" and insert "$80,098,195."

On page 4, line 5, after "(c)", to strike out "$200,000,000" and insert "$205,000,000 and in addition, unexpended balances of funds heretofore appropriated under the head 'Relief and Rehabilitation in Korea,' in the Supplemental Appropriation Act, 1954, and unobligated balances of the appropriation under the head 'Civilian Relief in Korea' in the Department of Defense Appropriation Act, 1954, are continued available for the purposes of section 132 (a) through June 30, 1955, and are hereby consolidated with this appropriation."

On page 4, line 16, after the figures $3,000,000", to strike out the comma and "and in addition, not to exceed $15,000,000 of the unobligated balances of funds heretofore made available under this head."

On page 5, line 3, after the word "section", to strike out "303" and insert "304", and in the same line, after the amendment just above stated, to strike out "$100,000,000" and insert "$110,000,000."

On page 5, after line 4, to insert:

"Contributions to the United Nations expanded program of technical assistance: For contributions to cover the amount pledged by the United States for conducting the program during the calendar year 1954, $9,957,621."

On page 5, at the beginning of line 11, to strike out "305 (b)" and insert "306 (b)."

On page 5, line 14, after "405 (a)", to strike out "$10,000,000" and insert "$10,600,000"; in the same line after the amendment just above stated, to strike out "and in addition, not to exceed $500,000 of the unobligated balance heretofore appropriated for 'Movement of migrants'"; and in the same line, after the amendment just above stated, to insert a colon and *"Provided*, That no funds appropriated in this act or any other act shall be used to assist directly or indirectly in the migration of any person to any nation in the Western Hemisphere who shall not first have been thoroughly screened for security in accordance with standards identical with those standards contained in the United States Immigration and Nationality Act."

On page 5, after line 22, to insert:

"Contributions to the United Nations refugee emergency fund: For contributions authorized by section 405 (c), $400,000."

On page 6, line 2, after "section 406", to strike out "$12,000,000" and insert "$13,500,000."

On page 6, line 6, after the word "Agency", to strike out "Not to exceed $23,063,250 of the unobligated" and insert "The unexpended."

On page 6, line 12, after "section 408", to strike out "$3,169,000" and insert "$1,169,000."

On page 6, line 18, after "section 410", to strike out "$1,075,000" and insert "$1,300,000."

On page 6, line 20, after "section 411", to strike out "$30,000,000" and insert "$34,700,000."

On page 6, after line 20, to insert:

"UNEXPENDED BALANCES

"The unexpended balances appropriated under each paragraph of the Mutual Security Appropriation Act, 1954 (except appropriations under the heads of military assistance and mutual special weapons planning) shall be consolidated with the appropriate appropriation made under this act, and shall be available for the same general purpose and for the same period of time as the appropriate appropriation made under this act."

On page 11, beginning with line 21, after the word "Act", to strike out "and notwithstanding the provisions of section 502 of the Mutual Security Act of 1954, all expenditures of foreign currencies or credits for the purposes of such act shall be subject to the provisions of section 1415 of the Supplemental Appropriation Act of 1953."

On page 11, line 11, after the numerals "1953", as proposed to be stricken out, to insert a colon and *"Provided*, That the proviso in section 502 (b) of the Mutual Security Act of 1954 is amended as follows: (1) Strike out 'Committee on House Administration of the House of Representatives' and insert 'Committee on Appropriations of the House of Representatives', and (2) strike out 'Committee on Rules and Administration of the Senate' and insert 'Committee on Appropriations of the Senate.'"

On page 13, after line 9, to strike out:

"SEC. 107. Funds made available pursuant to this act may not be used for the procurement of equipment or materials outside the United States unless the President determines that such procurement will not result in one or more of the following conditions:

"(1) Adverse effects upon the economy of the United States, with special reference to any areas of labor surplus, or upon the industrial mobilization base, which outweigh the strategic and logistic advantages to the United States of procurement abroad;

"(2) Production of such equipment or materials outside the United States under inadequate safeguards against sabotage or the lease to potential enemies of information detrimental to the security of the United States;

"(3) Unjustifiable cost in comparison with procurement in the United States; and

"(4) Delays in delivery incompatible with United States defense objectives."

On page 14, line 5, to change the section number from "108" to "107"; and in the same line, after the word "than", to strike out "02" and insert "25."

On page 14, after line 7, to insert:

"SEC. 108. Of the $700 million in surplus agricultural commodities authorized to be disposed of under provisions of the Agricultural Trade Development and Assistance Act of 1954, not less than $55 million shall be provided to Spain during the current fiscal year: *Provided*, That 95 percent of the foreign credits generated hereunder shall be used to strengthen and improve the civilian economy of Spain: *Provided further*, That the Commodity Credit Corporation shall be reimbursed for the assistance furnished under this section from unexpended balances available under the Mutual Security Act of 1954."

On page 14, after line 18, to insert:

"SEC. 109. Funds heretofore or hereafter allocated to the Department of Defense from any appropriation for military assistance (except funds obligated directly against any such appropriation for offshore procurement or other purposes) shall be accounted for by geographic area and by country solely on the basis of the value of materials delivered and services performed (such value to be determined in accordance with the applicable provisions of law governing the administration of military assistance). Within the limits of funds so allocated, the Department of Defense is authorized to incur, in applicable appropriations, obligations in anticipa-

tion of reimbursement from such allocation, and no funds so allocated shall be withdrawn by administrative action until the Secretary of Defense shall certify that they are not required for liquidation of obligations so incurred, or unless the President in writing shall direct such action. Reimbursement from such allocation shall be made in accordance with the applicable provisions of law."

On page 15, after line 11, to insert:

"SEC. 110. The appropriations, authorizations, and authority with respect thereto in this act shall be available from July 1, 1954, for the purposes provided in such appropriations, authorizations, and authority. All obligations incurred during the period between June 30, 1954, and the date of enactment of this act in anticipation of such appropriations, authorizations, and authority are hereby ratified and confirmed if in accordance with the terms hereof and the terms of Public Law 475, 83d Congress."

On page 15, after line 20, to insert:

"SEC. 111. None of the funds appropriated in this act shall be used to carry out the purposes of section 416 of the Mutual Security Act of 1954."

On page 15, after line 23, to insert:

"SEC. 112. Shipping on United States vessels: Such steps as may be necessary shall be taken to assure, as far as practicable, that at least 50 percent of the gross tonnage of commodities, materials, and equipment procured out of funds made available under sections 103, 123, 131, 132 (a), 201, 304, and 403 of this act and transported to or from the United States on ocean vessels, computed separately for dry bulk carriers, dry cargo liner and tanker services and computed separately for section 103, and for sections 123, 131, 132 (a), 201, 304, and 403 (taken together) is so transported on United States-flag commercial vessels to the extent such vessels are available at market rates for United States-flag commercial vessels provided such rates are fair and reasonable; and, in the administration of this provision, steps shall be taken, insofar as practicable and consistent with the purpose of this act, to secure a fair and reasonable participation by United States-flag commercial vessels in cargoes by geographic area."

On page 16, line 17, to change the section number from "109" to "113."

Mr. HILL. Mr. President, is the Senator from New Hampshire about to yield the floor?

Mr. BRIDGES. Yes. I wish to make it possible for other Senators to have the opportunity to speak in the regular order. I should like to proceed with the amendments.

Mr. HILL. I have an amendment to offer, with which I think the distinguished chairman of the committee and the other members of the committee will be in full agreement.

The amendment I desire to propose would appear on page 12, section 105. This is the section intended to prevent use of counterpart funds of all sources for payment of debts of recipient nations, or for any purpose so long as the recipient permits a dependency to violate United States treaties.

The language in the bill now prohibits the use of these funds for payment of debts of recipient nations, whether it be funds carried in the pending bill or in previous acts. The bill now takes care of funds in this proposed act, so far as any recipient permitting a dependency to violate a United States treaty is concerned, but it does not take care of the matter of carryover funds.

The amendment which I am suggesting would be to add the words "or any other act" on line 24, page 12, after the word "act." The language then would read, "under this act or any other act."

Mr. BRIDGES. On what page of the bill would that be?

Mr. HILL. Page 12, line 24. The language now in the bill prohibits the use of counterpart funds. The proposed amendment would take care of any carryover counterpart funds, exactly as we take care of the carryover counterpart funds in the first part of the section, which deals with the use of counterpart funds for payment of debts of recipient nations.

Mr. DIRKSEN. Mr. President, will the Senator from New Hampshire yield?

Mr. BRIDGES. I yield.

Mr. DIRKSEN. I think we should have a little time to examine into this amendment.

Mr. HILL. That will be satisfactory.

Mr. DIRKSEN. Then, if the amendment is presented in the regular course, if there is no objection certainly the committee will go along with it.

Mr. BRIDGES. I might say that I have received a letter from the Secretary of State, which I have been trying to put my hand on, objecting to the general thought proposed. There are various other administrative officers who object to what the Senator is proposing. This action would affect them. I should like to have an opportunity to look at that letter and to study the amendment.

Mr. HILL. I shall be glad to submit the amendment to the Senator from New Hampshire [Mr. BRIDGES] and to the Senator from Illinois [Mr. DIRKSEN]. However, the bill now carries the provision with reference to counterpart funds. All this amendment would do would be to take care of any carryover counterpart funds.

Mr. McCARRAN. Mr. President, I call up my amendment for additional aid for Spain, which I submitted yesterday, and which was ordered to be printed and lie on the table.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 14, line 8, it is proposed to strike out section 108 and insert the following:

SEC. 108. Fifty-five million dollars of the unobligated balances continued available under this act shall be available only for the procurement and sale, in accordance with provisions of section 402 of the Mutual Security Act of 1954, of surplus agricultural commodities as assistance to Spain during the current fiscal year: *Provided*, That the limitations on obligation of military assistance funds during fiscal year 1955 shall not apply to such assistance: *Provided further*, That 95 percent of the foreign currencies generated hereunder shall be used to strengthen and improve the civilian economy of Spain, the balance to be available for use of the United States.

Mr. McCARRAN. Mr. President, this amendment differs from the original committee amendment only in that it provides that the surplus commodities will be made available under the provisions of section 402 of the Mutual Security Act of 1954, rather than under the provisions of the Agricultural Trade Development Act of 1954. In my opinion, this is a better and more orderly way of providing this additional aid, since all of the authority is contained in one law, which obviates the necessity of utilizing the provisions of the Agricultural Trade Development Act of 1954. My amendment carries the same amount of aid as the committee amendment. My amendment provides, as does the committee amendment, that this additional aid shall be in the form of surplus commodities and that foreign credits generated shall be used to bolster the civilian economy of Spain. This last provision is strictly within the authority contained in section 402 of the Mutual Security Act of 1954. In addition, my amendment provides that this will not reduce the amount that could otherwise be obligated for military assistance to friendly countries.

Mr. President, section 402 of the Mutual Security Act of 1954 provides in part as follows:

Foreign currency proceeds accruing from such sales shall be used for the purposes of this act and with particular emphasis on the purposes of section 104 of the Agricultural Trade Development and Assistance Act of 1954 which are in harmony with the purposes of this act.

Section 104 of the Agricultural Trade Development and Assistance Act of 1954 has for one of its purposes paragraph (E), which reads as follows:

For promoting balanced economic development and trade among nations;

Therefore, Mr. President, what my amendment seeks to do in the last proviso is completely in harmony with both the Mutual Security Act of 1954 and the Agricultural Trade Development and Assistance Act of 1954.

I have every reason to believe that this substitute amendment will not be objectionable to the Foreign Operations Administration. I have been very reliably informed that officials of the Foreign Operations Administration would have no objection to additional aid for Spain and recognize that under present conditions the $30 million provided in the estimate will not be sufficient. Apropos of this, Mr. FitzGerald of Foreign Operations Administration testified on page 689 of the hearings before the House Foreign Affairs Committee as follows:

In addition to the unfavorable weather of last year, Spain early this spring, was very adversely affected by heavy frosts which did very substantial damage to the citrus crop. Citrus is one of the largest foreign exchange earners in Spain, and current estimates are that this sharp fall in the citrus crop will, during the next 12 months reduce Spanish foreign exchange by another $40 to $50 million a year.

Our recommendations in respect to economic aid, defense support for Spain for fiscal 1955 of $30 million were developed prior to their frost.

Mr. President, the political situation in Spain is peculiar at this time due to the fact that the Spanish people are very much upset by the propaganda that is being spread by the enemies of the free world that the recently concluded agreements with the United States will simply result in Spain becoming a target for a Russian A-bomb. This propaganda is

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becoming increasingly effective and was stepped up when word reached Spain through the press that American economic aid was to be reduced from $85 million in 1954 to $30 million in 1955. It is, therefore, imperative that the proposed 1955 amount be increased and that the increase go to strengthening the Spanish civilian economy. It is particularly important that any counterpart generated by this additional amount also be utilized for the same purposes. Only in this way can the Spanish people be given reassurance that the United States is truly interested in something more than using Spain as a base to launch air attacks on our enemies.

Mr. President, so as to not unduly take up the time of the Senate, I should like to summarize very briefly a few points which are pertinent to the consideration of my amendment. These points are as follows:

First. American bases in Spain will be permanent and in case of an attack on Europe will be among those which are defended until the last. This point has been insisted upon by members of the Appropriations Committee and by the chairman. Therefore it is vital that we should concentrate on Spain in all respects—of which the civilian economy is just one.

Second. FOA as of June 30, 1954 had $2.6 billion in unobligated and unexpended balances. In addition, FOA has $7.1 billion in unexpended balances—much of which can also become unobligated under the provisions of section 1111 in the 1955 supplemental bill. Therefore utilization of $55 million of these balances for Spain will not interfere with the FOA program.

Third. Spain is a latecomer into the mutual security picture and therefore her civilian economy needs more emphasis than those countries which have participated in the economic aid program from the beginning. The bill provides funds to promote economic development and to assist in maintaining the economy of countries in the Near East and Africa; south Asia; and Latin America. The compelling reason for including economic aid funds for these countries is that they too must be helped economically if they are to perform their role in helping to retain the free world. This compelling reason for including these countries applies eminently to Spain in all respects.

Fourth. Spain by virtue of the agreements with the United States, which she freely entered into, does not enjoy the favorable treatment afforded other nations in the utilization of economic aid counterpart funds to bolster the civilian economy. We have poured billions in economic aid into France and Italy and both are unknown quantities today as to whether they will go Communist or not. In Spain we have a known quantity—we know that not only will she not go Communist, but that she will stand by our side to the end in the case of an attack by the Communist world.

Fifth. It is vital that the Spanish civilian economy be bolstered by some direct economic aid so that the Spanish people will see that the United States is interested in something more than making Spain a target for an atomic bomb. Spain now has one of the lowest standards of living and per capita income of any country of Europe.

Mr. President, my amendment would not require the appropriation of additional funds, but would result in the utilization of existing balances, and the aid would be in the form of surplus commodities. The counterpart generated would be used to bolster the civilian economy of Spain. With the civilian economy improved, with a strengthening of the Spanish military forces and with United States bases, Spain will stand as a bastion against any onslaught on Europe by the Communists.

Mr. President, this amendment, although small in amount, is vital to the eventual defense of the United States. I hope, therefore, that the Senate will approve the amendment.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. DIRKSEN. Has the Senator from Nevada completed his argument on this amendment?

Mr. McCARRAN. I have.

Mr. DIRKSEN. Mr. President, I may say, with respect to this amendment, that it does not increase the amount which would be available for Spain. The amendment would be limited in its provisions entirely to surplus commodities. However, this action would cause the amount to be taken from the unobligated balances in the pending bill, rather than having it charged to the $700 million fund under the agricultural trade development and assistance program. I believe this is a better legislative technique. I think I can say on behalf of the chairman that we would be glad to accept this language, with the understanding that if it does require some additional modification, that could be done in conference.

Mr. McCARRAN. I might say the original amendment was adopted by the committee.

Mr. DIRKSEN. That is correct.

Mr. McCARRAN. This is only a perfecting amendment.

Mr. DIRKSEN. That is correct. It is in the nature of a perfecting amendment.

Mr. THYE. Mr. President, will the Senator yield briefly?

Mr. McCARRAN. I yield.

Mr. THYE. This matter was discussed previously in committee hearings and in committee study. I believe it is a very sound approach not only for the purpose of aiding and strengthening the Spanish economy, but also for effecting a saving for our own United States Treasury. For that reason, I hope the committee will most certainly accept this amendment as a part of the bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Nevada [Mr. McCARRAN].

The amendment was agreed to.

Mr. SMITH of New Jersey. I should like to ask the chairman of the committee a question with regard to the provision appearing on page 5, lines 5 through 8, which reads as follows:

> Contributions to the United Nations expanded program of technical assistance: For contributions to cover the amount pledged by the United States for conducting the program during the calendar year 1954, $9,957,621.

Since I shall be serving as a member of the United States delegation to the General Assembly of the United Nations this fall, I am very much interested in the recommendation of the Committee on Appropriations on the administration's request for the United Nations technical-assistance program. I note that the committee has allowed $9,957,621 of the $17,958,000 authorized for the program for fiscal year 1955. I understand this is to cover the amount pledged last year by representatives of the United States to the United Nations for the calendar year 1954, for carrying out the multilateral program. No funds are provided for the calendar year 1955.

I should appreciate having the distinguished chairman of the committee clear up certain language in one paragraph in the committee report, which I do not fully understand. The language is as follows:

> This appropriation is made with the understanding that no further pledge shall be made to the United Nations for the expanded technical-assistance program by any representative of the United States Government without prior authorization by the Congress of the United States.

I am entirely in accord with that statement, but I desire to be certain as to its meaning, so that those who are planning to attend the General Assembly this year can be governed by the interpretation made by the chairman of the committee.

Am I correct in assuming that at the conference which is to be held at the United Nations this fall during the General Assembly, the United States representative may tentatively commit the $8 million already authorized in the mutual security bill for the first half of the calendar year 1955, subject to the appropriation of funds?

Mr. BRIDGES. As the distinguished Senator from New Jersey knows, the House did not include 1 cent for this item; it completely outlawed the item. Feelings in many parts of the country are strong on this matter, judging by the protests which have come to our committee and to the House committee as well. So the Senate committee included $9,957,621 to cover the amount pledged by representatives of the United States to the United Nations during the remainder of the calendar year 1954.

Beyond that, we have indicated our intention during the interim to study the situation and the various elements which enter into it, so that as of the first of the year we shall be prepared to pass more intelligently and accurately on the necessity for the rest of the authorized amount.

The matter about which the committee and a great many other persons in Congress are concerned is that it is not desired to have representatives of the executive department, or their successors or predecessors, who will attend the United Nations meeting, pledge something which will commit Congress and the country to expenditures, until the respective committees of Congress, and Congress itself, shall have had an opportunity to pass upon them. I am cer-

tain that the distinguished Senator from New Jersey, able and skilled as he is, who will soon represent our country in the United Nations meeting, will understand that.

We realize that the representatives of the United States must examine the situation and must explore the possibilities, and reach perhaps a tentative formula or arrangement for the coming months or the coming year. But the committee desires to have leeway left, so that it will not be faced with an accomplished fact. We want to have plenty of latitude in which to explore requests for appropriations when they are submitted to us. We do not desire to have representatives of the executive department come before the committee and say, "We have pledged this sum," and then say nothing more.

Mr. SMITH of New Jersey. I thank the Senator from New Hampshire.

Mr. DIRKSEN. The difficulty arises from the fact that the United Nations operates on a calendar-year basis, not on a fiscal-year basis. When the United Nations budget is prepared, it is well in advance of the time when Congress begins its work on appropriation bills. The United States member of the Budget Committee of the United Nations then makes his commitment. I have always contended that if his commitment were considered to be good, Congress would actually be surrendering its power over the purse. That was the reason for including such a provision in the bill, with the understanding that the pledge which has been made for 1954 will be fulfilled. We can continue with the pledge for fiscal 1955. Then in January the whole matter can be considered in more detail by Congress.

Mr. SMITH of New Jersey. Then, so that the situation can be made perfectly clear to the United Nations, it might be considered that the authorization is already in existence, under the act passed this year, for the first half of 1955. That authorization must be acted on by the Committee on Appropriations.

I thank the chairman of the committee and the Senator from Illinois for their exposition of the matter. I think it is important to have it in the RECORD, so that when we are in attendance at the General Assembly, we can explain the limitations on our power to commit the United States.

THE SO-CALLED MUTUAL SECURITY—FOA—A TRAVESTY ON THE AMERICAN TAXPAYER

Mr. MALONE. Mr. President, I think it is time that the United Nations and the nations of Europe understood that Congress is responsible for the appropriations—not Mr. Stassen and not Mr. Dulles; and it is time that Members of Congress understood that they are responsible to the taxpayers of the Nation for the appropriations they make.

Congress should stop all gifts and grants to foreign nations, and stop persons who have no responsibility, who are not elected, and who are not responsible to Congress, to commit the taxpayers and the Congress to foreign nations throughout the world without a return of any kind, not even loyalty or friendship.

I intend to vote and work against this bill.

Mr. MAYBANK. Mr. President, I wish to announce that I shall suggest the absence of a quorum and ask for the yeas and nays when my amendment is reached.

APPRAISAL OF THE NATION'S AIRPOWER PROGRAM

Mr. SYMINGTON. Mr. President, last Saturday afternoon the senior Senator from Massachusetts, who is chairman of the Armed Services Committee, talked on the floor. He spoke on an appraisal of the Nation's airpower program.

I was in Tennessee at the time, but have now gone over this appraisal, one which concerns perhaps the most vital of all the grave problems facing this Nation today.

In fact, it would now appear that the very survival of the free world depends largely upon the strength and adequacy of its airpower—Air Force airpower and naval airpower.

Recent events in Indochina have confirmed a now familiar and unhappy fact: we are not going to try to contain communism.

Certainly we are not going to try to contain this evil on the ground.

How, then, do we propose to contain it?

Unless we have airpower superior beyond question, what other means is at our disposal for halting the advance of Communist forces when they decide to march again?

The senior Senator from Massachusetts stated his was a "calm and objective appraisal" of the airpower program.

It was calm—so calm, in fact, I was reminded of the rosy optimism which prevailed in 1950, just prior to the outbreak of the Korean war.

In the talk last Saturday there were many reassuring words to the effect we now have the best of all possible air forces, in the best of all possible worlds.

There was scarcely any mention of the ominous and growing Red air force, or the rising worldwide Communist threat against the security of the free world.

Mr. MORSE. Mr. President, will the Senator yield for a question?

Mr. SYMINGTON. I yield to my distinguished colleague from Oregon.

Mr. MORSE. Based upon the knowledge of the distinguished junior Senator from Missouri concerning Air Force problems—and I doubt if there is any person in the country, let alone any Member of the Senate, who knows more about them than does the Senator from Missouri—could he state his estimate of the number of Russian planes which could come through and deliver their bomb loads on American cities and targets if a Russian air Pearl Harbor should start tomorrow?

Mr. SYMINGTON. I thank the distinguished Senator from Oregon, not only for his gracious remarks, but also for allowing me an opportunity to answer his wise question. I do not believe there is anybody who thinks that less than 90 percent of the planes which would attack this country today would get through our present defenses.

Mr. MORSE. I want to thank the Senator from Missouri for that answer, because when I was a member of the Committee on Armed Services, I never heard a top American Air Force official ever fix the number at less than 60 percent. In my judgment, the speech of the senior Senator from Massachusetts last Saturday, and the newspaper stories that were based on that speech, had the very detrimental effect of giving the American people a false sense of security. The point that the Senator from Missouri has just made is that the American people need to know how false that sense of security is. As long as our air experts continue to deceive the people into believing that only from 60 to 75 percent of those planes would get through our defenses, I cannot be counted among the Eisenhower supporters in connection with the Eisenhower air program, because, in my judgment, this administration should have moved forward at a much more rapid rate than it has done in order to protect the security of this country.

Mr. SYMINGTON. Mr. President, nor was there any mention whatever of the increasing Soviet stockpile of atomic and hydrogen bombs. Nor was there mention of Soviet progress in long-range guided missiles; missiles which, in a few years, will be able to reach this country directly.

On reading this appraisal of airpower by the Senator from Massachusetts, for whom I have great respect, one would think that the only threats against the security of the United States were long ago and far away.

Again, I agree the appraisal was calm—so calm as to appear to be concerned with events in another planet; so calm, in fact, as to appear almost self-complacent.

I cannot agree, however, that the Senator from Massachusetts' appraisal was either objective or nonpartisan. Most of it apparently was designed to criticize the program of the previous administration, which called for a rapid buildup, and to praise the present administration's program of a slow and leisurely buildup.

Much of the talk listed all the advantages which can be gained by slow and leisurely procedures which have, and will, postpone by several years the attainment of that airpower everybody now considers necessary for the defense of the United States.

It is true, of course, that the program of the previous administration was an emergency program. The emergency came as a result of this country finding itself at war on the mainland of Asia against Communist Korea and Communist China, supported by Communist Russia.

It was a program begun when a mere handful of modern F–86's possessed by our Air Force was heroically standing off hundreds of Russian-built MIG–15's.

At that time a great sense of urgency inspired the leaders and the people of this Nation to do a big job and do it fast.

Of course, there was a certain amount of waste involved. There were slippages,

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and modifications, and other difficulties which inevitably result from handling any production problem with extraordinary speed.

But, Mr. President, once a new program is well established such difficulties subside; and this was already the case when the present administration came in about a year and a half ago.

As General Vandenberg stated many times in early 1953, by that time aircraft production had ceased to be the major problem facing the Air Force. The major problem was personnel.

The Senator from Massachusetts stated last week that the Air Force program was out of balance in 1953. That is true. The debate on the budget a year ago showed it to be true.

The Air Force was doing fairly well in the production of aircraft, but was having trouble getting its bases built on time, and was having trouble obtaining and holding sufficiently trained skilled personnel.

One of the principal reasons why the program was out of balance, as the debate of a year ago brought out only too well, was the fact this administration had held up or canceled many base construction projects.

The principal difficulty in personnel arose because the new administration imposed an arbitrary manpower ceiling which prevented the recruiting of thousands of new men a month at a time when these very men were seeking to join the Air Force, and as a result of that ill-considered action the Air Force is critically short of personnel today.

Mr. MORSE. Mr. President, will the Senator yield for a question?

Mr. SYMINGTON. I am glad to yield to the distinguished Senator from Oregon.

Mr. MORSE. Does the Senator recall when the administration, more than a year ago, made a $5-billion cut in the air budget?

Mr. SYMINGTON. I do.

Mr. MORSE. Does the Senator recall that as a result of that cut, a large number of men, including a large number of pilots, were let out of the Air Force, and they were told by the Air Force that the reason they were being let out was because of the cut in the budget?

Mr. SYMINGTON. I do.

Mr. MORSE. Does the Senator recall that a great number of those men were not reservists, but were men who wanted to make a lifetime career out of their Air Force service, and that by letting them out the result was bound to be that when they were replaced later on they would have to be replaced, at least in part, by reservists who had already served their stint?

Mr. SYMINGTON. The Senator is correct.

Mr. MORSE. I had a great many conferences at that time with many of those men, because when I was on the Committee on Armed Services, I served on a subcommittee that dealt with military personnel, and I continually fought to better the condition of the military personnel. I fought to develop a program within the Military Establishment that would encourage men to come into the service for a career, and relieve the reservists of this country from being brought into military service after having served their stint.

I think one of the most unfortunate things that happened as a result of that cut in the Air Force, from the standpoint of the personnel problem, was that it resulted in letting out of the Air Force a great many needed pilots, and a great many men serving in personnel capacities, who should have been kept in on a career basis. I am glad the Senator from Missouri is pointing out the personnel problem in this particular speech.

At that time I conferred with Air Force officials in the Pentagon building. They said, "Senator, you are completely right about this as a matter of principle and policy, but there is nothing we can do, and we are not going to come out publicly and make an issue out of this, because, as good soldiers, we have to go along; but we wish you were still on that committee, fighting for the personnel problem as you did when you were on that committee."

Mr. SYMINGTON. I thank the Senator for his remarks. I join with the many who believe that the Senator from Oregon would have made a great contribution if he had been allowed to stay on the Armed Services Committee. Yes, the program was out of balance and the actions taken by this administration forced it still further out of balance.

In one respect at least we are holding our own with the Communists. We can pat ourselves on the back about as effectively as they can.

We can cut our Air Force budget by $5 billion, cut its personnel program by a quarter of a million people, cancel more than $2 billion in airplane contracts, and still boast that these actions are increasing rather than decreasing our total air strength.

The Russians may boast they invented the adding machine, but surely they can do no better than claim subtraction is really addition; and that we have added to the strength of our Air Force by cutting away from the previous program money, bases, planes, and people.

It was one thing to say, and I quote from the talk, "the most important development in national defense at this time is air power," and another to reduce steadily appropriations for air power, to cut down the procurement of aircraft, and to hold the Air Force below an artificially imposed ceiling on manpower.

The talk of last Saturday even went so far as to claim that everything possible is being done, and that funds are not the limiting factor.

To me, this is a strange argument, indeed. It is the responsibility of the Congress to provide funds for the national defense. To say we have provided all the funds which could be used profitably is an incredible statement.

We are not matching some of the progress of the Communists, either in quantity or quality, of airpower, despite the fact the Russians do not have a productive base that in any way is comparable to our own.

As example, there is no question that the Communists are catching up with us in the development and production of long-range jet aircraft. Yet, according to this recent talk, there is nothing more this great Nation can do to hold its lead.

Everyone knows that if we become involved in a war tomorrow, even in another relatively minor war, such as Korea, we would be forced to make far more effort than we are making now and would begin by appropriating more funds.

That would be first. It is the first thing we would do today to speed up progress in the building of our airpower.

Mr. MAYBANK. Mr. President, will the Senator from Missouri yield to me?

Mr. SYMINGTON. I am glad to yield to the distinguished Senator from South Carolina.

Mr. MAYBANK. I hope the Senator from Missouri will not refer to the Korean war as a minor war, in view of the very great number of casualties our troops suffered there, and also in view of the great sums of money we spent in connection with that war. Of course, subsequently, in Indochina, the United States paid half the French expenses.

So I trust that the Senator from Missouri will not refer to the Korean war as a minor one.

Mr. SYMINGTON. I referred to it as a "relatively minor war." I thank the distinguished senior Senator from South Carolina for his comment. He is entirely correct in that it was a very serious war. I used the term "relatively minor" only because I was differentiating it from a global world war.

Mr. MAYBANK. Let me say that I have the utmost respect for the distinguished junior Senator from Missouri, the former Secretary for Air. I have called his attention to that point only because I thought the Korean war was a major war, and, furthermore, because I think the blunders made in connection with it will lead to future troubles of a most serious sort.

Mr. SYMINGTON. I thank the distinguished Senator from South Carolina for his contribution. I believe the Korean war was a major war, and I am glad to have his observation and help on that subject.

The Senator from Massachusetts contends that the proposed buildup to 137 wings is big enough, and will be completed quickly enough, to keep us safe and secure; and he supports this contention by citing the position of the Joint Chiefs of Staff.

But I find that the present Chief of Staff of our Air Force recognized from the very outset that this 137-wing program was somewhat optimistic.

Many months ago General Twining gave early warning that if the Communists continued their efforts to overtake us, we would have to revise our air-power plans.

Since that time, new and more powerful Soviet aircraft have been unveiled, and I have heard no one assert that there is any evidence the Communists have slowed their efforts toward air supremacy.

Without going into detail on the appraisal of air power presented by my distinguished colleague, I in turn present several points in his address which would

appear to be misleading—points which I believe can produce an unjustified and dangerous sense of security if allowed to pass unquestioned.

The Senator from Massachusetts calls attention to the fact that "the number of combat wings is the same, but the composition of the force has been significantly altered. The number of air defense wings has been substantially increased."

But he fails to mention that the number of offensive wings has been decreased by an equal amount.

This is truly significant. The significance is that the increase in Russian air striking power has already forced us to somewhat shift our own emphasis from offense to defense.

Such a trend can be fatal in warfare. It was fatal to the Nazi Air Force in World War II.

When the Nazis cut down their bomber production in order to concentrate on defensive fighters, as General Spaatz has often said, he and his staff knew the Nazi fate was sealed; because you do not score while you are on the defensive. All you can do on the defensive is postpone defeat.

Mr. MORSE. Mr. President, will the Senator from Missouri yield to me for a question?

The PRESIDING OFFICER (Mr. BUSH in the chair). Does the Senator from Missouri yield to the Senator from Oregon?

Mr. SYMINGTON. I yield.

Mr. MORSE. I am glad the Senator from Missouri has mentioned General Spaatz, for whose knowledge I have a very, very high regard, not only in respect to his knowledge of American airpower problems, but also in respect to his knowledge of airpower throughout the world. I read with a great deal of interest his articles, which are printed periodically in the newspapers and magazines.

Am I correct when I say that General Spaatz has, through his pen and also through his lips, continuously warned the American people that the decline in aircraft construction in the United States does not augur well for either the defense of the United States in case of attack or for a successful offense in case of war?

Mr. SYMINGTON. The Senator from Oregon is entirely correct. Since the death of our late great air general, H. H. "Hap" Arnold, our highest ranking living air general in World War II is General Spaatz. All I can say is that if some of the policies of this administration with respect to airpower are correct, then General Spaatz does not know what he is talking about and General Spaatz is considered a genius on airpower.

Mr. President, we have added wings to our defense by subtracting wings from our offense. But everybody knows it is offensive power that turns the balance. Surely no one should take comfort in this development.

The Senator from Massachusetts quotes the Chairman of the Joint Chiefs as saying that United States national airpower is superior to that of any other nation. While this statement is supportable in some respects, it is dangerously unsupportable in others; because the important fact, not mentioned by the distinguished senior Senator from Massachusetts [Mr. SALTONSTALL], is that the Reds have more than half again as many planes assigned to active combat units as the United States Air Force, Army, Navy, and Marines, combined.

This fact has been well known for some time. Recently efforts have been made to obscure it by counting all the trainers, liaison craft, and sometimes even the civil-reserve transport fleet, as a part of the United States aircraft inventory.

Mr. MORSE. Mr. President, will the Senator from Missouri yield to me for another question?

Mr. SYMINGTON. I am glad to yield to the Senator from Oregon.

Mr. MORSE. Am I correct in my understanding that when we listen to statements such as that made by the Chairman of the Joint Chiefs of Staff, in which it is said that our national airpower is superior to that of any other nation, that general observation fails to take into account the points of weakness of our airpower in case of an all-out war; and it is those points of weakness which really endanger the success of the United States in case of a war?

Mr. SYMINGTON. The Senator from Oregon is entirely correct.

Mr. MORSE. In other words, am I correct in my understanding that if we were to get into world war III tomorrow there would be little hope that we could provide Europe with the air defense which Europe would need in the first few days and weeks of that war—with the result that great strategic points in Europe, such as England, Germany, and, for that matter, France, undoubtedly would be subjected to such devastating attack that it is doubtful that they would be of much use to us within a few weeks after the beginning of the war?

Mr. SYMINGTON. I prefer not to answer categorically that question of high strategy; but I would say to the distinguished Senator from Oregon that, especially after the trip the distinguished Senator from New Hampshire [Mr. BRIDGES] and I took over Europe, last March, I believe what the Senator has said is correct, based on the air strength now available on the European Continent. England is in a somewhat better position.

Mr. MCRSE. I agree with the Senator from Missouri, and I have no intention of eliciting from him, or disclosing, as a result of my own knowledge, certain facts; but in my judgment in this case we are dealing with the lives of Americans and with the security of our Nation, and I think the American people need to be awakened to the importance of our giving the support that is needed to build up a true air superiority.

I direct the Senator's attention to that last phrase. Do we not have to face the fact that true air superiority for the United States requires true air superiority in Europe as well as in the continental United States?

Mr. SYMINGTON. There is no question about that. The more airpower the free world has, the greater the strength of the free world.

Mr. MORSE. The last question I wish to raise, then, is this: When we are talking about American air strength, is it not necessary that our airpower program be correlated and coordinated with the airpower of England and the rest of our allies so that we can protect the security of Europe from successful attack from the Russians as well as protect the United States?

Mr. SYMINGTON. I believe the farther away the launching point of any attack by any possible enemy, the greater the security of the United States.

Mr. MORSE. One more question: Does it not obviously follow that if Russia is allowed to develop superiority in striking power so she can quickly subdue Europe, the security of the United States will be greatly endangered if we then have to stand against Russia alone in any air war?

Mr. SYMINGTON. I believe the Senator from Oregon is correct. Although I am not criticizing in any way the mutual security program which will shortly be further discussed by my distinguished colleague from Illinois [Mr. DIRKSEN], I should like to point out what is in effect a paradox; namely, at the same time we are contributing billions more to other countries, we are now carrying out our program of cutting our own air strength many billions of dollars and hundreds of thousands of men.

Mr. GOLDWATER. Mr. President, will the Senator yield for a question?

Mr. SYMINGTON. I am glad to yield to my distinguished colleague from Arizona, especially because I know of his great experience and authoritative knowledge on matters of airpower.

Mr. GOLDWATER. The remarks of the Senator from Oregon prompt this question: At any time during his long experience with the Air Force has the Senator from Missouri known of any plans that conceived the mission of the United States Air Force as not including the defense of Europe?

Mr. SYMINGTON. The mission of the free world, as developed by the President, the National Security Council, the Joint Chiefs of Staff of the United States, and the leaders of other countries, has to the best of my knowledge, always embraced a joint effort involving the protection and security of the United States, Europe, the British Isles, the North African littoral, and other free-world countries, especially since in most of those countries we now have our own airplanes and troops.

Mr. GOLDWATER. Is it not true that the program was begun under the management of the distinguished Senator from Missouri, that is, that we cooperate with the countries of Europe in their continental defense and that we coordinate our aircraft production with theirs? For instance, the defense of England requires interceptors; the defense of the continental United States does not require the same type plane. We have not overlapped in production. I believe that coordination was started under your program. Is that not true?

Mr. SYMINGTON. I thank the Senator from Arizona. I am not sure I could give a categorical yes or no answer to his question; but I shall get the facts

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and present them to the Senator, even if I cannot do it this afternoon in sufficient detail or accurately enough.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. SYMINGTON. I am glad to yield.

Mr. MORSE. If I understand correctly the question of the Senator from Arizona [Mr. GOLDWATER], I am perfectly willing to make this comment, and I think it can be done within the proprieties. I have inspected, I believe, a majority of American air bases abroad, in Europe, and the Arctic, and I have inspected a great many of the airbases of our allies. I thought it was generally understood that under NATO the program is to have a joint coordinated air offense and air-defense program in case of a war with the Soviet Union. One cannot conduct the inspections and the investigations that I participated in as a member of the Armed Services Committee and not be aware of the fact that we cannot approach our air defense in this country without taking into account the air program of our allies, because in case of war it becomes a unified program.

I think it is very true that when we come to decide what the appropriations in this country shall be for our airpower, we must take into account the allied air program. Unless the allied air program is kept strong, we are just cutting off our own defense nose. Of course, if the impression ever gets abroad, in England, France, Germany, or in any other of our allies that we are going to take a singular nationalistic approach to airpower, then I think we are playing right into the hands of the Russians, because we will create great doubts in the minds of our allies as to whether or not they can count upon us to execute the coordinated program which has been the program—at least I have assumed it has been—up to this time.

Mr. GOLDWATER. Mr. President, will the Senator yield for a question on that point?

Mr. SYMINGTON. I am glad to yield for a question to my distinguished colleague from Arizona.

Mr. GOLDWATER. Mr. President, would the Senator from Missouri say there is anything nationalistic about the mission of the Strategic Air Command?

Mr. SYMINGTON. The mission of the Strategic Air Command cannot be described as nationalistic or internationalistic.

Mr. GOLDWATER. Would it tend to be more internationalistic than nationalistic in its original concept?

Mr. SYMINGTON. If we were attacked, the citizens of my State of Missouri would believe the retaliatory effort of SAC was nationalistic; and, as the planes of SAC proceeded to avenge an attack upon us, the citizens of, say, a free European country would consider it internationalistic.

Mr. GOLDWATER. I thank the Senator for that comment. I gathered from the remarks of the Senator from Oregon that he might have felt that airpower or air superiority was being interpreted a little differently by the Eisenhower administration, whereas, in effect, it is merely a continuation of what has been the interpretation of airpower since World War II.

Mr. MORSE. Mr. President, will the Senator yield for a brief comment?

Mr. SYMINGTON. I am glad to yield.

Mr. MORSE. It has always been my understanding, as I think the RECORD will show I said in my previous remarks, that we recognize the importance of an air program coordinated and correlated both offensively and defensively, with that of our allies. I had sought to bring out earlier in my remarks that it happens to be my judgment that the cut in the budget for airpower under the Eisenhower administration, to which the Senator from Missouri is now directing his remarks, was a great mistake, because it weakened our own defense here at home and, in my judgment, it weakened our position abroad and the position of our allies as well, as far as airpower against the Russians is concerned.

Mr. SYMINGTON. I agree entirely with the Senator.

Mr. GOLDWATER. Mr. President, will the Senator yield for one more question, and then I shall let him continue his very interesting discussion.

Is it not true that this very day we are better equipped to take care of our international air problems than we were a year ago or 2 or 3 or 4 or 5 or 6 years ago?

Mr. SYMINGTON. That is a question which I hesitate to answer in detail, because I am taking too much time. However, I am glad the Senator asked it. We were down to 42 groups just prior to the Korean war, and at that point—which, incidentally, was the point at which I left the Air Force—this country was in a serious state of unpreparedness. I have always said that, and I am glad to restate it. Nevertheless, the fact we are steadily increasing our air strength, and have been ever since the early summer of 1950, is not the important point.

The important point is the relative increase of our strength as against the relative increase of strength of the airpower of the evil rulers of the Kremlin. It is true that today we are stronger in the air than we have ever been in peacetime; and I believe it is also true that we are stronger on the ground. On the other hand, that is not the important point. The important point is the relative strength of our air, sea, and ground forces as against the only known enemy to the free world, the Communists.

Mr. GOLDWATER. What I wanted to bring out was that the basic strength of the United States Air Force today is in the Strategic Air Command. I do not believe that anyone can argue that the Strategic Air Command has not done a commendable job all through the buildup over the period of years, around the globe, so that we can accomplish the stated mission of our Air Force.

The relative strength of the Air Force of the Soviet Union and of the Air Force of the United States can be tested only in one place, and the Senator from Missouri knows as well as I do that that is the ultimate battlefield of the air.

The figures which the Senator from Missouri discusses and the figures which I discuss—and I think they are approximately the same—could be used to argue either way.

I thank the Senator for allowing me to interrogate him.

Mr. SYMINGTON. I thank the distinguished Senator from Arizona for his contribution. He has had great experience in the field of airpower, and he himself was a well known and famous member of the Air Force during the war.

The strength that would count today at the beginning of any possible war is combat strength—strength in being—ready strength.

Efforts to obscure the disparity in combat strength between this country and Russia by including other types of aircraft are misleading and dangerous.

The senior Senator from Massachusetts states that if the original 143-wing program had been continued "a sudden and drastic reduction in aircraft production would have followed to the point of practically closing down the industry."

To me, as one who has had experience in manufacturing, this statement hardly makes sense.

The aircraft production required to sustain 143 wings would be the same regardless of the time when the 143 wings were attained.

Then the Senator from Massachusetts states that the percentage of wings in the highest category of combat readiness has improved by 70 percent over March 1953.

This is an interesting figure. It implies that the Air Force has improved its readiness to a startling degree.

Now let us look at the facts.

Since the rate of wing growth in the Air Force has been slowed down, but the delivery of airplanes has continued, of course there has been some improvement in the readiness of existing units.

But lest the American people be misled, let me introduce another statistic: In the two lower categories of readiness there are just as many Air Force wings as there were in March 1953.

Let us not becloud this grave issue further by offering up tricky statistics.

Mr. KENNEDY. Mr. President, will the Senator yield for a question?

Mr. SYMINGTON. I am glad to yield to the distinguished junior Senator from Massachusetts who has been so consistently interested in our problems of national defense.

Mr. KENNEDY. I should like to compliment the Senator from Missouri, because for the past 18 months he has been the strongest voice in the United States Senate in favor of building up our air strength and in opposition to the idea of a stretchout.

In the speech made last Saturday by my distinguished colleague, the senior Senator from Massachusetts, mention was made of the relatively low level of obligations for aircraft and related procurement during the first 10 months of the past fiscal year. The fact is that in fiscal 1953 the Defense Department total of obligations incurred for aircraft production and procurement was $11.7 billion. But for fiscal 1954, this fell to an estimated $1.4 billion. Can we expect this tremendous drop in obligations incurred of an estimated 90 percent, dur-

ing fiscal year 1954 in comparison with the 3 previous years, to result in anything but a drop in 1955 and 1956 and 1957 in the rate of aircraft production and deliveries in the United States?

Is it not a fact that this lag in new obligations is going to have a tremendous effect upon the number of aircraft available in 1956 and 1957?

Mr. SYMINGTON. There is no question about it, and I thank the Senator for his gracious remarks.

Mr. KENNEDY. Is it not a fact that under the Truman-Lovett budget, it was estimated that we would get about 800 aircraft a month through 1954 and 1955, and that then it would drop to 300 a month; but that under the proposed schedule it has been stated that we are now getting about 500 a month, next year it will drop to 400 a month, and at the end of 1957 it will be 200 a month? Is not anyone who says we are going to be in better shape in 1957, than we would have been under the Truman-Lovett budget, just ignoring the plain, harsh facts of our aircraft production?

Mr. SYMINGTON. I honestly do not know about those figures. I have never seen them, as they are now being presented by the distinguished junior Senator from Massachusetts. However, I will say that these figures follow the overall pattern of a concerted reduction in our airpower and in the strength which comes from the production of modern airplanes.

Mr. KENNEDY. I would say to the Senator that I think it is inevitable, even though these figures may be changed in coming years—and there has been a recent upturn—and that this tremendous drop of an estimated 90 percent from fiscal 1953 to 1954 in the new obligations incurred for aircraft will have a debilitating effect on our airpower and its readiness in the next 2 years, years which will be very vital years to our security.

Mr. SYMINGTON. That is correct.

Mr. KENNEDY. I thank the Senator again for bringing out these facts.

Mr. SYMINGTON. I thank the Senator for his contribution.

The truth is that the Air Force is making progress, but both its progress and its growth have been slowed down.

Has the progress and growth of the Red Air Force been slowed down?

Therein lies the great and growing danger.

The senior Senator from Massachusetts asserted that production of such new plane models as the F–100 supersonic fighter, the B–52 long-range bomber, and the B–66 short-range bomber are proceeding satisfactorily.

Well, he is easily satisfied, because now it is common knowledge that Soviet Communist production of comparable new types of aircraft is improving faster than ours.

As example, we have far fewer F–100's than the Communists have MIG–17's; and thousands fewer B–57's and B–66's than the Reds have IL–28's.

Now as to our modern longe-range bomber, the B–52, should we boast about its production in this fashion, when we have produced exactly 3, including 2 prototypes. Prototypes are not generally considered production aircraft, and they should not be. They are generally "hogged out" on engine lathes in the toolroom and by special temporary dies.

How many B–52's would this recent talk make you believe were now in the hands of the Air Force?

The fact is only one.

Inasmuch as there has been a great deal said about the production of B–66's, let us ask how many B–66's this talk would make us believe are now off any productive line and in the hands of the Air Force?

The fact is none.

Does this record justify any such statement that the production of our modern fighters and bombers is proceeding satisfactorily?

While we coast along on the impetus given our program in 1951 and 1952, the Reds are driving relentlessly and are coming up fast.

If these figures are true—and I challenge anyone to dispute them—where is the satisfaction?

Now as to perhaps the most important question of all for the future—long-range missiles.

The chairman of the Armed Services Committee says that in this category also everything possible is being done. Although I have great respect for my distinguished colleague from Massachusetts, I cannot agree, and I am certain that even a casual investigation would prove that we are not even close to an all-out effort on intercontinental missiles.

In view of the evidence that the Communists, with all their difficulties and deficiencies, and with all the defects of their system, are nevertheless at least even with us in the development of guided missiles, how can anyone say that we are doing everything possible?

To say that is, in effect, to admit defeat.

No, I cannot accept as accurate this recent estimate of American airpower.

That estimate would seem to find nothing but satisfaction in slowdowns, stretchouts, arbitrary manpower ceilings, and reductions and cancellations of contracts.

That estimate leaves out of account the steady growth of Russian airpower, against which, always, our own strength must be measured.

Anyone following current world events knows that we need adequate airpower today, and may need it even more tomorrow.

Mr. MORSE. Mr. President, will the Senator from Missouri yield?

Mr. SYMINGTON. I shall be glad to yield to the distinguished Senator from Oregon.

Mr. MORSE. Mr. President, I wish to say to the Senator from Missouri that as one citizen of the United States I am deeply grateful for the warning he has presented to the American people in his brief speech today. What he is saying to the American people is, "Do not be deluded by the wishful thinkers, and do not be deluded by false promises; do not be deluded by those who, just before an election, are trying to give you the impression that everything is going well."

The fact of the matter is—and I do not think there can be any successful disputing of it—that if we get into an air war with Russia tomorrow we can be badly hurt, for the reason that we are not in a strong defensive position. When we talk about the Strategic Air Command and the long-range bomber command we need also, it seems to me, to warn the American people that they are not secure unless we have a superiority by way of a defensive program as well as an offensive program.

I wish to congratulate the Senator from Missouri for warning the American people today that it is in our interest to spend what we need to spend in order to get ourselves into a striking position.

I have said during the past 3 years, or longer, that I am perfectly willing to waste—and I repeat it—to waste millions of dollars, if necessary, in building up an air power that may be obsolescent in 5 or 6 years or sooner. I am perfectly villing to waste it, because I think it is the kind of waste that can be justified, for the reason that if we should have another Pearl Harbor tomorrow we shall be mighty glad we were willing to engage in that kind of waste, because the question is, Do we have the planes now to answer the testimony given to us in regard to what would happen to us if Russian bombers came over, as we know they would come through, for the most part, and deliver their loads? That is why I have been proud of the record I have made as a member of the Armed Services Committee in calling for a faster buildup of our airpower than we had under the Truman administration. I do not think we have gone fast enough in building up the striking and defensive power of our American Air Force.

Mr. SYMINGTON. I thank the distinguished Senator from Oregon, who has always been, as the RECORD clearly shows, a true champion of air power for the United States and the free world.

I had not intended to give another address during this session regarding our airpower defense. I am sure the senior Senator from Massachusetts, did not intend to mislead the American people in his address last Saturday, but I felt that his talk might cause the American people to think we have a stronger Air Force today than we actually have.

The important question also is, When can we have an adequate Air Force? If we had it tomorrow, in my opinion, it would not be too soon.

Mr. President, those in authority have the duty to give the people all the facts about our relative military position as against that of the advancing Communists.

Mr. MONRONEY. Mr. President, will the Senator from Missouri yield?

Mr. SYMINGTON. I am glad to yield to my distinguished colleague from Oklahoma, always a champion of adequate air power.

Mr. MONRONEY. I should like to thank the distinguished Senator from Missouri for calling the attention of the

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country to the dangers we face in failing to recognize the superiority of the buildup in Communist air strength. I should like to ask the Senator if it is not a fact that the much vaunted savings by the so-called great economizers in the Cabinet have come mainly out of our national security expenditures?

Mr. SYMINGTON. That is my belief.

I should like to add to my distinguished colleague that I would not have been interested in making this presentation today except for the fact that approximately 19 months after this administration took office, and approximately 17 months after the decisions were first made, some people are still attempting to justify the tragic cut in our air power around a year ago last March. In the words of the great bard, "Methinks they do protest too much."

Mr. MONRONEY. It is claimed that we have a great deal stronger Air Force having cut $5 billion out of it, which would tend to lead the people to believe we were wasting at least $5 billion scheduled for expenditure. That, of course, would not be justified in the light of the facts. We have that much less air power because of that precious 1 year which has been lost in the buildup of our air strength, and it will perhaps take us 1 or 2 or even 3 years to recover from the loss of this production, the loss of testing prototype aircraft, and, above all, the loss of personnel in the mechanical and flight fields of our air forces.

Mr. SYMINGTON. Above all, if I may add, in the development and operation of the Air Force which we all know and everyone agrees is necessary for the security of the United States—that Air Force has now been postponed for at least 2 years.

Mr. KENNEDY. Mr. President, will the Senator from Missouri yield?

Mr. SYMINGTON. I am glad to yield.

Mr. KENNEDY. As the Senator has just said, the fact is that by 1957 we shall not have as good an Air Force as we would have had in 1955.

The only question, therefore, is whether in 1954, 1955, 1956, and 1957 world events will move in such a peaceful direction that we can afford to postpone a maximum buildup of our air strength. It seems to me, considering the events in Indochina and the increasing tempo of the Communist advance, that it would be to the vital interest of our national security to build up our maximum air strength as soon as possible. We have no real defense against an aggressor's air attack. The only defense is to build an air power second to none which will serve as a counter to any possible Communist attack.

Mr. SYMINGTON. The Senator is entirely correct. I note in this afternoon's newspaper a report that there are 100,000 Chinese Communists opposite Formosa. I do not know what the policy of this Government will be tomorrow if Formosa is attacked by the Chinese Communists. But I wish our Air Force could be built up by tomorrow, instead of by 1957, to that size Air Force the previous administration planned to have in 1955, and the present administration plans to have in 1957.

Mr. GOLDWATER. Mr. President, will the Senator from Missouri yield?

Mr. SYMINGTON. I yield.

Mr. GOLDWATER. If the Senator has concluded his remarks, I wish to say that I was glad to hear the Senator from Massachusetts make the remark which I think the American people should realize, that there is no absolute defense against an air attack. We saw that in the battle of Britain. I think it is wrong to tell the American people that by building tens of thousands or hundreds of thousands of planes we can guarantee the American people against attack by Russian planes. The emphasis has been shifting from tactical airpower to strategic airpower. I do not think the Senator can deny that the strength of the Strategic Air Command today is superior in its carrying capacity and striking power to what was planned for 1954, under the plans we had in 1950 or 1951.

Mr. SYMINGTON. I agree with the Senator, but I point out that of the 6 groups cut out when this administration went from 143 to 137 wings, some offensive groups were cut out in order to provide additional defensive groups. The figure cannot be disclosed because of security, but there were groups taken out of the Strategic Air Force.

I completely agree with the Senator that this reduction in that category was a mistake.

Mr. GOLDWATER. The Strategic Air Command is our common defense in terms of the offensive type of warfare today. In the case of airpower, just as it was in the old days of the cavalry, the best defense is the strongest offense; the one "who gets there fustest with the mostest" in the way of bombs and fast-bombing equipment will win the next war.

Mr. SYMINGTON. I know the Senator from Arizona has given a great deal of thought to this problem, and I should like to discuss it with him at some future time—because we are both intensely interested in the subject.

However, I have a problem, in that I am only speaking now, prior to the speech of the distinguished Senator from Illinois [Mr. DIRKSEN], because of his typical gracious courtesy in stating I could talk at this time. Inasmuch as there has been considerable participation in this discussion, which I did not know would be the case, I have taken a great deal more time than the Senator from Illinois was kind enough to allow me.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MORSE. Mr. President, will the Senator yield for one more question?

Mr. SYMINGTON. I only hope there will come a time when the Senator from Illinois will have an engagement he must meet, and I shall be in a position to allow him to precede me. It will be done with great pleasure.

Mr. MORSE. Mr. President, will the Senator yield for one more question?

Mr. SYMINGTON. I will yield to the Senator from Oregon for one more question and to the Senator from Montana for one more question. Then, because of the time already taken I should like to yield the floor to my distinguished colleague from Illinois [Mr. DIRKSEN].

Mr. MORSE. Does the Senator from Missouri agree with me that although to a degree we cannot prevent enemy planes from attacking, nevertheless when it is still reported that a minimum of 60 percent of such planes would come through in case of an air Pearl Harbor tomorrow, we can develop a better defense than we now have, so as to reduce that number? Every plane we stop means the saving of American lives; is that not true?

Mr. SYMINGTON. There is no question about that.

Mr. MANSFIELD. Mr. President, since the Senator has kindly yielded to me, I just wish to compliment the Senator from Missouri upon his giving us the benefit of his well-thought-out observations on the present air situation and air strategy as it affects our country and the free world. I believe we in the Senate are extremely fortunate to have in the junior Senator from Missouri a man who has served as Secretary of the Air Force, a man who knows what he is talking about. I think the Senate and the country as a whole have been well benefited by his remarks made here this afternoon, and I wish to express my personal thanks to the junior Senator from Missouri.

Mr. SYMINGTON. I thank the Senator from Montana for his typical courtesy. There is no one more concerned about our airpower.

Mr. President, inasmuch as I have discussed the talk of my friend, the distinguished senior Senator from Massachusetts [Mr. SALTONSTALL], I present to my colleagues the fact the Senator from Massachusetts this morning knew I planned to discuss his address of last Saturday this afternoon. I only regret that because of the Senator's other heavy duties in the closing days, as chairman of our committee, and a member of the Appropriations Committee, he was not able to be here for all my presentation.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. SYMINGTON. I should be very glad to yield.

Mr. SALTONSTALL. The Senator from Missouri did call me this morning and I did get a copy of the speech, which I read. I had to attend the meeting of the policy committee, and therefore I could not listen to the entire speech.

I am glad to have the thoughts of the Senator from Missouri, even though some of the comments may have been just a little bit cynical regarding some of the things I said.

Mr. SYMINGTON. I appreciate the typical graciousness with which the Senator from Massachusetts presents his criticism.

Mr. McCARRAN. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I yield for a question.

Mr. McCARRAN. Does the Senator in charge of the bill desire to take up an amendment on page 5, line 16?

Mr. DIRKSEN. Mr. President, I would rather not yield until a later time for that, because I thought it might be rather novel to have a few observations on the bill which is before the Senate. I wished to talk to the Senate about that.

Mr. McCARRAN. I thought the chairman made all the novel observations that were to be made.

Mr. DIRKSEN. Mr. President, since this is the vesper hour, and since it is Saturday afternoon and the spirit is willing but the flesh is a little weak, I shall try not to detain the Senate too long. However, I wish to allude to the fact that this foreign-aid program, which began in 1948 with the address of Secretary Marshall at Harvard, was intended, of course, as a 4-year program, and early emphasis was upon economic aid and economic relief. I believe the RECORD will show that in 1948 the amount of economic relief which was provided under the so-called foreign aid bill was $4.4 billion.

In the instant bill, Mr. President, there is only $184.5 million for economic relief. Therefore, calculationwise, really only 4 percent of the amount we made available for economic aid in 1948 is carried in this bill for fiscal year 1955.

There is a reason for that very sharp drop in amount, and it is because production in the European countries and elsewhere, according to the figures which have been submitted to the committee, is about 1½ times prewar production. So in consequence there has been new vitality and new production in the countries which we esteem as a part of the orbit of the free world and in our corner in respect of this whole pattern of security.

This program began as a military program and as an economic program. Subsequently, the so-called technical assistance program was added.

Mr. MAYBANK. Mr. President, will the Senator yield for a question?

Mr. DIRKSEN. I yield for a question.

Mr. MAYBANK. The Senator from Illinois has participated in all of the hearings, and has done an excellent job. I desired to ask the Senator if, when he finished his remarks, it would be agreeable to the other side of the aisle for me to call up my amendment.

Mr. DIRKSEN. I am afraid the Senator from Illinois has no control over that matter. The Senator from Nevada [Mr. McCARRAN] a moment ago, when he desired to offer his amendment, yielded until at least some general observations on the bill could be made.

Mr. MAYBANK. Of course I would wait until my distinguished friend from Nevada [Mr. McCARRAN] had finished.

Mr. DIRKSEN. Yes.

Mr. MAYBANK. Since I am a member of the committee, and there are a number of amendments to be offered, and, since some other Members have asked me if I intended to offer them, I wonder whether I could be recognized.

Mr. DIRKSEN. I may say that at the end of my remarks I had intended to offer four amendments, which were clarifying or administrative in character, and to which I am sure there is no objection.

Mr. MAYBANK. Of course, I should certainly be in favor of the amendments offered by the Senator from Illinois, as a member of the committee. I wondered if there were other amendments to be offered.

Mr. DIRKSEN. Beyond that, may I say to my very distinguished and cultured friend from South Carolina that the Senator from Nevada [Mr. McCARRAN] is also a member of the committee.

Mr. MAYBANK. He certainly is.

Mr. DIRKSEN. The Senator from South Carolina is also a member of the committee. The Senator from Nevada also desires to offer an amendment. That is a matter to be decided by the very distinguished Presiding Officer, I may say.

Mr. MAYBANK. I thank the Senator from Illinois. I have talked to my good friend, the distinguished member of the committee from Nevada, and I am certain it will not take him very long. I hope it will not.

Mr. McCARRAN. So do I.

Mr. DIRKSEN. So, Mr. President, this program began as an economic program and as a military program. To it was subsequently added the so-called technical-assistance program, which is designed to teach people in other countries of the world something about our advances in the fields of agriculture, health and sanitation, mining and industry, and other fields, so that other peoples of the world will have a full-functioning economy of their own.

As this program was launched, obviously as hope springs eternal in the human breast, there was a hope that at long last aggression might cease; that those whose sinister shadow falls upon the world today might become more amicable in their relations with other countries. But that hope seems to have gone by the by, since hostilities ended 9 years ago this month. So we find now that it becomes necessary to put the emphasis on the military aspects of what is known as the foreign-aid program, so I wish to suggest, Mr. President, that the right term for this program is the mutual-security program.

Like other Members of the Senate, I receive a good many letters decrying the fact that this is a giveaway; that we do not want to make sacrifices on the part of our own people for the benefit of people abroad. I am inclined to the conviction that many people are forgetting that the whole emphasis in this program today is virtually on its military aspect.

This is the 7th year of this program. We can follow 1 of 2 courses. We can either build up entirely at home and build a wall around our own country, or we can follow the theory that perhaps we can keep other countries integrated in a military pattern which has an approximate and direct effect upon the security of the United States of America.

While I know that there is a good deal of hostility to this program in some quarters, I view it sheerly from the so-called security pinnacle. For that reason, after hearing all the testimony—Mr. President, I do not believe I missed a word of testimony, on or off the record, in connection with this bill—I certainly am in full accord with the bill which has been reported to the Senate for final approval.

Now, I think I ought to point out what the estimates first fashioned were in comparison with other years.

In 1953 the estimates were at $6,012,000,000.

In 1954, they dropped to $4,337,000,000.

In 1955, the estimates for new funds were $3,438,000,000.

In the bill itself, after the committee got through, we finally recommended new funds aggregating a little less than $3 billion.

So it can be said that we have reduced the amount from the 1953 estimate by roughly 49 percent. That is not only a very substantial reduction, but I think it gives some hint to the country and to the Congress itself that no pains are being spared, and every effort is being made, insofar as it can be done consonant with the military security of the United States, to diminish gradually what is known as the foreign-aid program.

In respect to the estimates that came, which were submitted, I believe it should not be forgotten that the man in the White House is a very distinguished soldier. He was the commander in chief of our forces in Africa long ago. He was the commander of the invasion forces in 1944. He was the Chief of Staff for General MacArthur in the Philippines many, many years ago. He is the Commander in Chief, under the Constitution, of the Armed Forces of the United States. The Constitution places in his hands the sword, while it places in the hands of the Congress the purse of the Nation. So it is fair to assume that a very distinguished soldier, who has had such a storied military record, would go to the military intelligence agencies, to the Joint Chiefs of Staff, and to every competent and authoritative agency in Government, for the purpose of getting the best information he could obtain on which to predicate estimates that deal with a program like this, in the interest of our national security.

His attitude and his viewpoint have been implemented pretty well by a galaxy of witnesses who appeared before the committee, and who, beyond all doubt, can testify with authority. First came the Secretary of State, who is charged with the direction of the foreign policy of this country. Then came Admiral Radford, a very distinguished military man, who presently serves as Chairman of the Joint Chiefs of Staff. I was insistent that General Van Fleet, who has spent several weeks in the Pacific, Korea, the Philippines, Okinawa, Formosa, Japan, and elsewhere, should come, and, if it conduced to his equanimity and piece of mind, to testify entirely off the record.

There was something very persuasive and convincing about the testimony of the man who was the commander of the Eighth Army in Korea, to whom credit must be given for having whipped into shape the Army of the Republic of Korea, and to whom great testimony was paid by the President of the Republic of Korea when he addressed a joint session of the Congress not so long ago.

What we bring before the Senate today are the estimates of responsible agencies of Government, and those which

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were testified to by witnesses who are competent to speak in this field.

I may point out, for the purposes of the RECORD, that when the conference committee on the authorization bill completed its labors, it set a ceiling of roughly $3¼ billion on the items for foreign aid. When the Senate Appropriations Committee had finished its labors, the amount was cut to $2,990,824,816. That is a little less than $3 billion. The House provided an amount of $2,895,944,000. So the bill as reported to the Senate is only $95 million in excess of the amount contained in the House bill.

That is quite a difference from the action taken by the respective Appropriations Committees of the House and Senate last year, when there was a disparity of $1,015,000,000 when the bill went to conference.

I may say that the amount contained in the Senate version of the Senate bill is $448 million below the estimates, and $1,541,000,000 below the amount provided in the bill for 1954.

This job would not be complete unless at least we spell out some of the items in the bill. When this measure was in the markup stage in the committee, I started at the bottom and proceeded to the top. I did that for a reason. First, action on the conference report on the authorization bill had not been completed. Secondly, I find it is always easier if first we clear away what might be called the undergrowth, so that one can get his teeth into the larger military items in the bill. The undergrowth, if it can be called that, although that is not too happy and felicitous a term, would start with chapter 4, the first item of which deals with money for the migrant and refugee problem in Europe.

In 1954 the so-called Intergovernmental Committee for European Migration handled about 118,000 migrants. In 1955 the program calls for handling 155,000 migrants, who will be taken from a number of countries in Europe, and then, under this program, funneled out to other countries, some of which are in the Western Hemisphere.

I thought the amount we allowed for that purpose, on the basis of the testimony, was adequate, and at the same time not too much in order to take on this additional workload and get the job done.

There is one item of $500,000 in the bill for what is known as emergency migration problems or refugee problems, which are handled by the United Nations. While the amount is modest, it deals with 37,000 destitute cases. I suppose they have surveyed the field and found that number of cases of families in utter destitution. It would not be seemly for the charitable and throbbing heart of America to look unkindly upon a modest request if it is going to bring relief to people who are in very abject circumstances.

Then there is an item under the miscellaneous heading which has always had great appeal to me. It is one that deals with child welfare. We would contribute roughly 68 percent of the amount of that item, which is a United Nations undertaking. Thus far some seventy-odd countries have had the benefit of that program. What they are doing mainly, of course, is setting up certain centers that purvey medical care for children who suffer from malnutrition. The program is now reaching approximately 60 million children. It is the kind of thing that regenerates hope about the future.

I was happy to read the other day that former President Hoover stated that the thing that kept him young was his interest in children.

When I was in Germany some years ago I saw evidences of the esteem in which the school children there hold former President Hoover. They called the program Hooverspeisung. That is a good mouth-filling word, I know. I noticed pictures the children drew and verses they wrote in eloquent tribute and testimony to a former great President of the United States, who observed his 80th birthday at West Branch, Iowa, this week, and who became an honorary citizen of the Commonwealth of Iowa by action of the Iowa Legislature. What a marvelous thing. Certainly his interest in the program of child welfare everywhere in the world should not be displaced.

After he came back from a tour of the world, I went to dinner with him. I found that his hearing had become bad in one ear. I said, "Chief, you have been flying too much at high altitude," and he had. He had gone abroad in connection with the program at a time when the weather was so severe—there was no fuel—that he had to wrap himself in blankets so he could go about the business of looking after the children's program in Europe in the darkest days of the winter. So that great citizen carried on.

What we shall do will be in a way testimony to a great throbbing and charitable heart who laid the foundation for that child-welfare program. As I said, the program will reach about 60 million children. While the centers which have been set up—there are some 53 of them—by our standards certainly would not be very much, in certain countries there are no health centers at all, and those established under this program come as a great boon and blessing to humble people.

One item in this bill deals with those who are referred to as Palestine refugees. It is a bit of a misnomer because in the main these refugees are Arab refugees. It is estimated there are approximately 850,000 of them—475,000 in the little country of Transjordan alone—a much impoverished country which, obviously, could not carry the entire impact without some aid from the outside. The testimony showed that approximately 200,000 of these refugees are in Egypt, and approximately 100,000 in the little country of Lebanon, on the Mediterranean, and approximately 80,000 in Syria. God willing, the Jordan River development will be underway within the next few years because water is like life to the land in the Jordan Valley; and for miles and miles, not only in Palestine but also in Transjordan and elsewhere, there will be, as a result of the Jordan River development, a place where these people can subsist because the land is fruitful, indeed, if water can be brought to it.

So this provision of the bill is really in relation to Arab refugees who today are dispersed in that section of the world.

One item is for $3,169,000 for the North Atlantic Treaty Organization. That includes roughly one-half of their expenditures, and the other half is our contribution to a new NATO headquarters building in Paris. It appears that the headquarters there are occupying temporary quarters, and that under the Paris building code the buildings must be razed some day soon. But they have been there quite a while, and perhaps they can languish there a little longer. So, in the interest of economy—slight though it may be—the committee finally decided to delete the $2 million for the new NATO building in Paris, which is our contribution out of a total of $5 million.

There is $4,400,000 for ocean freight. That is not for governmental shipments particularly. It is, rather, for shipments by either voluntary groups or by groups under Government supervision, who send packages both at Christmas time and at other times in the year, so as to renew the faith of people in all parts of the world, and to let them know there is really a Christmas spirit all the year around, rather than just in connection with a "binge" at certain times of the year. This money is also to be used in connection with packages sent by such groups as Hadassah and other groups which send relief to the Middle East and other areas.

Mr. President, at this time I must refer to one matter which seems to have elicited considerable criticism. Four typical American couples were sent abroad, to see how this package shipment program was working out. Administrator Stassen was roundly criticized for it. The fact is that those persons were not remunerated; they received only a per diem allowance and their traveling expenses.

But when I considered the desirability of surveillance of the results of this program, I could not think of a better way to proceed than to have some typical American families, from good, solid homes in America, make a factual survey, on the basis of being told, "Go there, take a good look, and come back and report to your neighbors." That was done and the expenditure involved is set forth.

As a result, we have obtained firsthand information regarding the program for which we hope to receive credit in the form of good will on the part of the peoples of those countries. Under that program, parcels are sent to those lands in colored bags bearing the inscription of the Foreign Operations Administration. I think that program causes people everywhere in the world to testify to the fact that America is indeed a country with a great, charitable heart, that does not look with a steely eye upon the needs of peoples elsewhere.

Mr. THYE. Mr. President, will the Senator from Illinois yield to me?

Mr. DIRKSEN. I yield.

Mr. THYE. The Senator from Illinois has touched on the question of certain citizens of the United States who

went abroad to check on the Christmas-package program, and to investigate the distribution of the packages, and to acquaint the public in foreign lands with what the American Government was endeavoring to do for the destitute and the underprivileged and the needy children of the world.

Last December, when I was returning from Korea and Indochina, I passed through the city of Rome, Italy. Because of the tight schedule I had, it was necessary for me to have breakfast before 7 o'clock, one morning; and, by chance, at that time I met some of the Americans who were making the check-up to which the Senator from Illinois has just referred. I did not know they were to be there. But in the course of conversation with them, they gave me a report of what they were doing and what they had learned and what they had found to be the attitude and reaction of the families, including the children, both in Rome and in other parts of Italy, to the Christmas packages the United States Government had made available to the destitute, the underpriviliged, and the needy children of that country.

I wish to commend the Senator from Illinois for his able explanation, not only of this phase of the program, but of the entire program.

Of course, this is Saturday afternoon, at the end of a full week. However, it is most worth while for us to devote time this afternoon, even though it be late in the week, to receive the report the able and distinguished Senator from Illinois is giving us.

Mr. DIRKSEN. I am deeply grateful to the distinguished Senator from Minnesota, Mr. President, for his generous observations.

Mr. WILEY. Mr. President, will the Senator from Illinois yield to me, to permit me to make an observation?

Mr. DIRKSEN. I yield for an observation, if it is in the nature of a question.

Mr. WILEY. I wish to say that I, too, have been very much uplifted by the remarks of the distinguished Senator from Illinois. I am happy to know that the presentation he is making, with his wonderful ability at description, of the mutual security bill, will be available to all who read the CONGRESSIONAL RECORD. Certainly it will be a complete antidote to the "rathole" philosophy to which reference has been made.

He and I know that $1 billion spent in Turkey for military defense will provide 20 times what it will provide in the United States. We also know that the package shipments to which the Senator from Illinois has referred are begetting appreciation, understanding, and a feeling of warmth toward America—an attitude which, in itself, is mutual security.

So I wish to thank the Senator from Illinois for the splendid presentation he is making; and if copies of his speech are printed and are made available for distribution, I should like to purchase about 10,000 of them, to send to certain parts of my own State, where the people have been told that this is a "rat-hole" operation.

Mr. DIRKSEN. I thank the distinguished Senator from Wisconsin. Perhaps the best justification for thus trespassing on the grace of the Senate on a Saturday afternoon is that I, too, have encountered some criticisms of the program. So I thought the true story should be told.

Mr. President, the bill also carries funds for the administrative expenses of the Foreign Operations Administrations. I wish to state briefly the situation regarding the present personnel. When Governor Stassen took over, I think the personnel were in the neighborhood of 11,000 or 12,000. According to the latest report, United States funds are now being used for 3,109 administrative personnel and for 3,282 other personnel, whose principal function is in connection with technical assistance, and also in connection with the administration of what is known as Battle Act aid—in other words, aid in connection with the control of shipments of critical and strategic materials to certain friendly nations. So the total personnel paid out of United States funds are 6,391. That number is made up of 4,212 United States nationals and 2,179 nationals of other countries. In addition, 2,372 are carried on the rolls in connection with the funds obtained from foreign countries, the so-called counterpart funds; and their services are necessary in connection with the administration of so far-flung a program as this one.

Mr. President, that, in the main, covers the items in title IV of the bill.

Now moving from the bottom to the top, we come to title III, which deals with technical assistance. The official title is "Technical Cooperation Administration." The bill carries an item of $110 million for this purpose, of which $28,500,000 for Latin America. I may say that today we have sent abroad just a few less than 3,000 technicians, who are carrying on the business of teaching other people the know-how, so that their own economies and their own cultures can function better.

It should be pointed out, Mr. President, that these are participating programs. We do not initiate them. Foreign countries must initiate them, and then they participate, and we participate with money, supplies, and technicians. They cover, for instance, agricultural projects, health and sanitation, education, transportation, industry, mining, public administration, and in some cases, community development.

The largest amount of this $110 million fund made available to any country is the $19½ million which goes to India. That country, with about 370 million people, is carrying on a program of community development. Having coursed and toured through India a good many years ago, I know how necessary that kind of program is, if the living standards and the health standards of that country are ever to be improved, and an amicable and sweet relationship developed between India and our own country.

The smallest country in this category which receives technical cooperation assistance is Guatemala, which receives only $190,000.

So between $19,500,000 at the top, and $190,000 at the bottom, there are approximately 40 nations which share in this program. Since it is mutual, since they participate along with us, I think I can see already from the testimony that a great deal of benefit and good have resulted. This is one of the programs which is on rather substantial grounds.

Mr. THYE. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield to the Senator from Minnesota.

Mr. THYE. It was my good fortune to visit India last fall. I went to India primarily in order to acquaint myself with this technical assistance program in the field. I visited several outlying areas of India, flying into the area in order to save time. I found American county agents—men from Iowa, Minnesota, and other States of the Union—who had brought the youth, the young men, into central educational centers, some erected in the countryside and others in connection with some of the educational institutions of India. They were teaching the youth to become leaders, to go forth into the communities of India and bring about an improvement in health measures, sanitation in the villages, water sanitation, and also to develop some of the American know-how in the field of agriculture and livestock husbandry.

I left that country with the positive feeling that we were doing much to secure for our country the good will of India, developing good relationships and understanding, aiding India to develop its food production, and to develop sanitation to guard its children and its population in general against the many diseases that ravage the country.

Mr. President, if ever I had the satisfaction of feeling that we were actually accomplishing something by the dollars spent, I felt it then. I felt we were doing it in India, as well as in Pakistan and the other countries.

The Senator from Illinois is ably presenting here this afternoon what we have accomplished with the dollars appropriated for the technical-assistance program, and I am, indeed, very pleased and happy that he is devoting the time to make this known to us, as well as to make it known to the citizens of the United States, who are taxed in order that funds may be made available for the technical-assistance program.

We are making progress, and we are doing good. I believe we are achieving far more than we could possibly achieve by putting the same amount of money into our national defense in the form of weapons of destruction.

Mr. DIRKSEN. Mr. President, I can testify to the devotion and application of the distinguished Senator from Minnesota, who is a member of the Appropriations Committee, and who has always taken an interest in this matter, and given it very sustained attention.

Under title III, there are 2 other items. One is a modest item. For the organization of American States the bill carries $1½ million to do an equivalent kind of work.

The other item requires some amplification, I think, because Members of the Senate have been pretty well belabored with letters and telegrams in connection with the so-called multilateral technical cooperation which is carried on by the United Nations. There was a request for seventeen-million-and-some - thousand dollars to carry that on. That request represented the pledge of this country to the United Nations for this work in 1954, and an equal amount to carry on their program in 1955.

The committee wrote in amendatory language, and allowed actually only half of the amount, on the theory that we were willing to pay the pledge for the curernt calendar year, but would require that they come back to the committee with some data with respect to their program for the next calendar year. Early in January, when the new Congress convenes, I am confident their program will receive careful attention.

Mr. President, the difficulty arises from the fact that the United Nations is on a calendar-year basis, and we are on a fiscal-year basis. When their budget committee meets, we have present a representative who, at least in theory, commits this country. Then the following January or February or March representatives appear before the Appropriations Committee, and we are confronted with a commitment.

Over and over I have declaimed the fact that this procedure amounts, in effect, to a surrender by the Congress of the power of the purse, and I will not recognize it as a legal, legislative, or moral commitment. I think the committee has now made that abundantly clear.

So under this program we will pay the pledge for 1954, and tell them to come back for the funds which they may require after they have done their planning for calendar year 1955.

One question has been raised because of the fact that this might be duplication of our own program, which is bilateral in nature, between 2 countries, instead of multilateral with the United Nations in the picture. I believe there is one reason which can be assigned why perhaps this ought to continue, namely, that there are, after all, countries which, in the feverish world of today, are a little timid, a little fearful about accepting gratuities or help from this country, on the theory that ultimately it might involve them in difficulties. I can understand that.

The distinguished Senator from Minnesota [Mr. THYE] was in Burma a year or more ago. Burma was one of the countries that did not want to accept this aid. The people there are living in a very fluid orbit, and I think one can understand the timidity that springs from the dangers which beset a small and somewhat defenseless country. They can accept it from the United Nations, whereas accepting it from this country might cause them some embarrassment. So I am quite content to go along with this program, and I think we have dealt realistically with it and have done our full duty thereby.

Mr. President, I wish to emphasize the next item, because it bears the rather euphonious title of "Development Assistance." That is a good, mouth-filling term, and it might fool people.

It reminds me of the story, Mr. President, about a young man who made an application for an insurance policy. In the application was a question which asked, "How old was your father when he died, and of what did he die?" Unfortunately, his father had been convicted of a heinous offense and he was hanged. The young man did not want to say that in the application for the policy, so after puzzling over it he finally wrote, "My father died at age 65. He came to his end while participating in a public function, when the platform gave way."

So we call this development assistance. This is the part which is so commonly referred to, Mr. President, as economic aid. This is the handout part of the program, if anybody wants to call it that.

In 1948 this item was $4,000,000,000. Anyone who examines the bill will discover that we have reduced the amount to $184,500,000. That is 4 percent of what the economic aid, or handout, was only a few years ago. Of what does it consist? There is $9 million for Bolivia. We do not find much testimony in the record, because so much of it was off the record. But the fact is that when tin prices fell so sharply one of our sister republics of South America was feeling the strivings and heavings of economic instability, and conditions looked very dangerous—and sometimes even that kind of fever in our own hemisphere can give us trouble—that there was included, in the bill $9 million for development assistance to Bolivia.

In addition, there is included for Iran and Egypt and Israel and the Arab States, under Near East and Africa, $115 million. I point out to Members of the Senate that nearly one-half of it will be liquidated in the form of surplus agricultural commodities. In that way we kill 2 birds with 1 stone. We make provision for people who have the need, and at the same time we relieve the pressure that we have been encountering as a result of the towering stockpile of farm surpluses which only within the last few days has challenged and taxed the mental agility of the Senate in its efforts to deal with it.

Finally, in this item there is economic or development assistance for South Asia. That includes only one country, and that is India, for which the bill carries $60,500,000. We should remember that India is a country of about 370 million people. We have provided her with no military assistance. Of the $60½ million, roughly $40 million will be in the form of agricultural surpluses.

My understanding is that with her own resources India is at the present time undertaking a 5-year program that aggregates roughly $4¾ billion. I earnestly hope it will be consummated, because, as one looks on the Ganges River and the Indus River, or any other river, one realizes that, if the power of those rivers can be harnessed for the production of electrical energy, or impounded into reservoirs and fed to the soil, that great resource can bring beneficence to an ancient country such as she has never experienced before.

This is a mere modicum of help.

Of course, I am not insensible to the fact that the Indian delegate to the United Nations has on a number of occasions registered a vote that I did not like and which was not particularly to the liking of the United States of America. However, here is a huge country in the Orient, rather mystic in a way and rather esoteric in its approaches, and there is some necessity for patience in dealing with her, because she can be a great power for good in the days that lie ahead, especially so when the horizons of Asia are already fitful with threats and warnings as to exactly what may happen.

That disposes of Title IV—Miscellaneous Provisions; Title III—The Technical Cooperation Program; and Title II—The Development Assistance Program. That brings us to title I. I suppose I ought to start at the bottom if I am to remain in character, and instead of starting with chapter 1, I shall take up chapter 3 of title I, because that deals with defense support

The definitions in connection with this bill were always rather nebulous in my mind, and throughout the hearings I stressed to the witnesses the necessity of giving us a better definition of what the terms "direct force support" and "defense support" mean.

Defense support refers to common use items which feed into the general economy of the country and do some general good, and are necessary to the support of troops but not directly so. They shore up the economy of a country, and in so doing give vitality to its military effort.

There is involved $45 million for Europe, of which $30 million is for Spain, some of it for Yugoslavia, and a certain amount for the joint control area of Berlin.

The Senator from Nevada [Mr. MCCARRAN], I believe, has offered his amendment with respect to this particular item, which I believe would increase the amount for Spain. That is quite agreeable to the committee.

Under the same item of defense support for the Near East, there is a total of $73 million. That includes nearly all the supplies and agricultural products—meat, wheat, sugar, and so forth—for Greece and Turkey and Pakistan.

I merely wish to say one thing about Turkey. She is integrated into the NATO program with Greece and Yugoslavia. Only recently a mutual defense pact has been developed among those three countries. It is much to our advantage that Turkey is at the end of the long, looping arc that starts at the northern end of Norway and goes all the way through Europe and down around the Golden Horn to the tip of Turkey and up to the Black Sea. That constitutes the NATO defense perimeter in Europe. Turkey, of course, will be important in the scheme of things.

She gave a splendid account of herself, as did her troops in Korea. I believe we are fortunate that there has been such robustness and vitality in the thinking and in the faith of Turkey that she has stood up so sturdily, although

she is in a very delicate area, which involves the Dardanelles and the access from the Black Sea to the Mediterranean.

Some money is carried for the Far East, which includes Formosa, the Philippines, and Indochina.

The other item under this broad heading of chapter 3, title I, deals with the Korean program. The authorization which was completed this week when the conference report was approved, places a ceiling of $205 million on this program. The budget estimate was for $230 million. The committee allowed the entire amount authorized, namely, $205 million.

This then is the United States effort in the field of reconstruction and rehabilitation in Korea, as distinguished from UNCURK, which is the United Nations effort. I was in Korea only a little while ago, and I say this is the least that we can do for some 22 million people who live in the concentrated area in the southern part of the country.

I have seen the slums of Pusan and the hundreds of thousands of children. I know those children will have a chance in the world only with the constructive hand of a great and wealthy country like the United States. Otherwise, I would despair of the future of Korea.

What we propose to do with this money is to divide it almost evently between capital expenditures and expenditures for food and supplies. In the field of capital expenditures there will be irrigation equipment and fishing boats. If that seems strange to anyone, I can only repeat my statement to Syngman Rhee on the portico of his summer home at Seoul last year, when I said, "You have got to get to the salt water for the protein to give your people energy. To go to the salt water means that you must have fishing vessels in order to supplement your protein diet."

Likewise, Mr. President, they need generating equipment to catch the waters which come down from the high crevasses to produce electric power.

Then, of course, they need fertilizer so they can not only improve but augment their rice and barley crops, upon which they must subsist, and possibly become an exporting nation in the future.

Of course, something must be done for housing.

Let me add one other thing, Mr. President. There is tungsten in Korea, and a fine deposit of anthracite which can be sold to other countries of the Orient for steelmaking purposes.

The United Nations Reconstruction Administration has a participating function, to which we contribute 65 percent of the total amount. They have asked for only a small amount of new money and for a reappropriation of the unobligated balance, amounting to $18½ million.

So we are participating in the reconstruction of Korea, first, by a bilateral program in which we can take pride because it is under good leadership and in sound hands.

Mr. CHAVEZ. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I yield.

Mr. CHAVEZ. I arrived in the Senate when the Senator was discussing the Latin American item in the bill, and I heard him talk about $9 million for Bolivia. As I recall, there is an amendment sponsored by the Senator from Florida [Mr. SMATHERS]. Can the Senator tell us what happened to that?

Mr. DIRKSEN. It is a rather painful story. The Senate had approved the inclusion of $10 million for Latin America. The Senate responds to our sister Republics to the south. But when the conferees took the authorization bill and, for reasons unknown to the humble Senator from Illinois, suddenly set a ceiling of $5 million in the authorization, that is as far as the committee could go, and that $5 million is included in the instant bill.

Mr. CHAVEZ. If the Senator will indulge me briefly, let me say that I do not believe the national administration as a whole understands the situation. I believe that the Congress of the United States does understand the situation of Latin America in the present emergency. I hope that the standing committees will in the future, outside of giving a little lip service to our so-called good will and our so-called friendship for Latin America, realize that our future is based on our standing in the development of Latin America. There is no particular reason why we should provide $20 million for Egypt in order to build public works in the way of irrigation systems, and at the same time not help to the extent we should to develop the countries to the south of us, which, if they could ever get dollars, would spend them in the United States.

Mr. DIRKSEN. I did not mean to leave the impression that there is only $5 million for Latin America, because the whole amount is $28.5 million. I had particular reference to the action of the conferees with respect to the authorization of the amount which was contemplated by the very distinguished Senator from Florida [Mr. SMATHERS].

Mr. President, I now go to chapter II, and pretty soon I shall get to the top of the page, and so we shall end this lesson.

Chapter II of title I deals with southeast Asia. There was an authorization of $700 million, and an appropriation of $700 million in new funds in the fiscal year 1954. There is $745 million carried in the bill, and it is estimated at $800 million for fiscal 1955. So we carry $100 million below the estimate. I think our total aid to Indochina in 1955, of which this appropriation, of course, is a part, is estimated at $1,133,000,000.

We now come to something which somehow intrigues Members of the Senate, and I can understand how easy it is to get into the frame of mind that here is a good place to cut, that here is a good place to sink the economic ax deeply. I would warn my brethren in the Senate about this, because I speak from the testimony of Admiral Radford, who knows the situation thoroughly, the testimony of General Van Fleet, the testimony of the Secretary of State, the testimony of General Stuart and others, and also, Mr. President, on the basis of my own observations in the Orient, ranging all the way from Korea into China, and farther, a little over a year ago.

The truce has been signed. The terms are rather vague and nebulous. There is a mystic line marking the limits. We have military stores and equipment in warehouses and depots. With hostilities at an end, no planes in the air, no howitzers and 75-millimeter guns belching death, how easy it is to say, "Let us pull out a few hundred million dollars."

My distinguished friend from South Carolina, I understand, proposes to offer an amendment to that end. I trust the Senate will resist it, for the very good reason that this money, under the flexible provisions of the authorization act, is available for all the purposes of the Pacific and southeast Asia. One need only to scan the front pages this noon to learn that 100,000 troops are alleged to be on the other side of the Formosa Straits, and they are allegedly equipped with jet planes. War has been going on there, Mr. President. It is not something that is going to linger and simmer for a while and then suddenly come upon the world, engendering apprehensions and fears on our part.

When I was there, the nearest island to the Chinese mainland had been shelled at a range of 2,500 meters. There are six divisions of hardened Chinese troops there. They are hardened, and they are fine soldiers. They are eking out an existence and getting along with rare fortitude, under the command of a general with a long, lean jaw, who said to me, "You should have been here yesterday." I arrived on Sunday. I said, "What happened?" He said, "We were shelled with 155-millimeter howitzers."

That is an explosive situation in the Pacific, Mr. President. Troops are all up and down the Chinese coast. We do not see it on the front pages of the newspapers, but it is an explosive situation, and it is very easy, in the tranquillity of this Chamber, suddenly to give vent to a certain spirit and say, "This is a good time to save $200 million."

Let us not do that. We have a great American leader in the White House. We have a great leader in General Van Fleet. I am not at liberty to disclose for the RECORD the testimony, but I know what I have seen with my own eyes and have heard with my own ears. I know from my conversation with our leaders in the Orient; I know from the testimony which is very fresh and new, indeed, that this is a dangerous situation, and that pressure points can develop, not only in Vietnam, the southern part of Indochina, but in Laos, Cambodia, Burma, Thailand, Indochina, Formosa, and Japan.

So there must be latitude, and there must be funds for the purpose; because, who knows what the morrow will bring, when the sun comes up in the east?

I have made the point over and over again that, first, we must give our leaders flexibility. I have insisted on that. Secondly, we must provide them with adequate funds with which to do the job. I cannot imagine that men who with honor have worn the uniform of their country are simply throwing money to the birds; that they are spending it, as the proverbial expression goes, like so many sailors on a lark. Certainly not. But they must have adequate funds with which to deal with what is at this time,

perhaps, a most volatile situation all over the world.

I ask Senators to look at the map which has been placed at the desk. They will get a pretty good idea of what I am talking about. There is shown a line which somehow divides the non-Communist world from the Communist world.

First, let us look at the population total for males between the ages of 15 and 49. In the non-Communist part of the Pacific area, in the age group from 15 to 49, there is a population of 298,392,000, of whom 75,200,000 are males in the age bracket from 15 to 49. Of that number, how many are physically fit? Forty-five million two hundred and thirty thousand.

Next, look at the red figure, including China and her associated countries. What do we see? A Communist population of 530,260,000. The total number of males between the ages of 15 to 49 is 140 million. The number who are physically fit in that area is 74 million.

In the free world there are 45 million who are physically fit. In the Red world, the number of physically fit males available for military service is 74 million. The difference is 30 million.

There is a population deficiency with which the free world is confronted today. I could think of no more persuasive answer than to show that map to some who are beset with doubts, as Thomas was generations ago.

So how shall we fill the gap? The people of the Orient have obtained their know-how and techniques from us. They are just as adept in an airplane or sitting on the seat of an antiaircraft gun, probably, as anyone we could provide. I never in my life saw more skillful pilots than the pilots who were trained in the good old days of Chiang Kai-shek in Formosa. I will ride with them any time. They were the backbone of Chennault's air force. They are the boys who ran the air transport from Taiwan to Hong Kong to the Haiphong Delta, in Indochina.

I had one of them bring me through the tail end of a typhoon when I was saying my prayers and thinking, "This is the end of the junior Senator from Illinois. Never will his feeble voice again be lifted in the Senate of the United States." I frankly did not expect to come back. But there sat a skilled Chinese major. As I saw him maneuver that airplane through the tail end of a typhoon, I saluted him; and when he brought us safely to land, I said, "My friend, you can serve in my air force any old day."

So they have the know-how in the Orient.

There, I say to the Senate, is the picture of the population difference. I will not restrict or tie the hands of our leaders and the very distinguished Commander in Chief of our forces at a time when reprograming may be necessary, and a shift of emphasis may be necessary, in this direction or in that direction; because the situation is highly volatile. I could labor the whole situation in that area, but I see no point in doing so.

I wish to make one point, however, and that is in connection with any reductions in amounts. It is so easy to say that the conflict in Indochina has ended; there are some things we have not used yet; other items are in the warehouses, probably packed in the original grease.

There are two besetting questions. One is that we have not removed the material yet. We have had our troubles in Korea. We may be able to evacuate a very substantial amount of supplies. If we are successful, there will be a good many places to put them, because there are small countries such as Laos and Cambodia, where the Red cells are already beginning, or a country like Thailand, where we see the penetrating, infiltrating efforts of the Reds. The material will have to be shifted. We do not know how much we shall be able to get out. So it becomes a conjectural, speculative figure.

I honestly hope the amount provided in the bill will not be reduced, and that we will not jeopardize and embarrass our military leaders; because if the money is not spent, it can be returned to the Treasury.

Let us not forget the recent visit of the President of the Republic of Korea. He was insisting that a greater effort should be made in this ancient country, in order that full independence and freedom might be achieved. Perhaps there must be emphasis in terms of weapons, money, and supplies for the defense effort, and to protect the forces which are there, over and above what may be calendared in the bill.

So as we look at the long Asian front, which extends from the northernmost province of Japan, which is Hokkaido, where the United States has had a division for a long time, and go down the Pacific perimeter, and then go across the nebulous truce line which has resulted from the recent agreement in Europe, we get a better picture of the great area involved. If Senators have no idea about it, they ought to sit in an airplane sometime and fly all the way from Hokkaido along the Pacific coast. They would get a pretty fair idea, then, of the long line we are maintaining, and what it really takes to maintain it.

There is in the bill an item for production for forces support. That also is a part of the military title in chapter III. I seem to get my figures twisted, with respect to where I am in the bill, but I assure the Senate that I am still working from the bottom toward the top and I hope I shall not take too long. However, there has been some discussion about this particular item, because it relates to making surplus commodities available to Great Britain, so that she can have an offset amount of counterpart funds with which to produce front-line airplanes.

I like to be very cautious about the things I say and the amounts and estimates I use, in case they are wholly classified, but I think I can say that two programs are in operation. One is by agreement between the United States Air Force and the Royal Air Force. That is one program in itself.

But the program to which I am referring calls only for surplus commodities. It will make $35 million available out of the counterpart funds of Great Britain for the purpose of producing front-line fighters, as a part of the entire North Atlantic Treaty Military Organization.

A point was raised that this might make it possible for Great Britain to divert funds from her own budget, so that this amount, in a sense, would become a subsidy for commercial aviation in Great Britain. I think that argument can be made, but, in my opinion, it is so remote that I do not believe it should be too persuasive. I am more interested in getting fighter planes to the points where they may be needed. God willing, I hope they will not be needed; but, at least, as a part of the whole NATO structure, under the able generalship of General Gruenther, they will be available if they are needed.

Originally, this figure was set in the authorization bill at $70 million. In this appropriation bill it has been reduced to $35 million. So the only amount which can be carried in this bill for agricultural surpluses to be made available to Great Britain, in turn to be used for the construction of aircraft such as Canberra light bombers, Swift day fighters, and Hawker-Hunters, is $35 million; and I think it is a worth-while expenditure at a time like this.

We come finally, Mr. President, to a few items in the second chapter. They are common-use items. I shall not labor them. They are for Formosa and Turkey.

I have already indicated my interest in Formosa, Mr. President, and I am confident that interest is shared at a high level, and that with anxious hearts and careful eyes the explosive situation in that area is being most carefully watched.

When we go to chapter 1 of title I, that involves, of course, the whole NATO picture in Europe. There are a few things I wish to say about that. This involves most of the military funds in this bill.

I said there is a line which starts away up in the northern part of Norway and swings around and goes to the eastern extremity of Turkey. That is the line which the North Atlantic Treaty Organization seeks to maintain. How is a line maintained, Mr. President? First of all, we have to have airfields. We have to have fuel lines. We have to have telecommunications of one kind and another. All of this costs a great deal of money. So all those items are carried under a very interesting word, and are called "infrastructure."

That is a good mouth-filling word which ought to frighten even a Senator. But, to break it down, "infra" means "under," so the infrastructure means the understructure. In the case of an automobile, it would be the undercarriage; so this is the undercarriage for the military-assistance program in Europe.

What does it embrace? Airfields. First, in the primary line; and, secondly, further back, for a second periphery, if that becomes necessary. That means fuel. That means equipment. That means installations and all the other things which are necessary for an effective and quickly functioning military structure.

So in the bill for that, Mr. President, there is carried a total of $122.1 million.

I have little to say about the first item, the general authorization. General Gruenther spent the better part of a day with the committee, and in his informal and effective way he set forth what our responsibility was, what the limitations of his command were, and so on. Mr. President, we got a pretty fair idea of what we are trying to do and how skillfully and effectively we have done it.

Why have we done it? It is not to give things to people in European countries, but to keep a security line well beyond the shores of this country. It was done before. No alien bomb has so much as rubbed out a foot of concrete on an American highway. No alien or enemy bomb has destroyed a single dwelling in the continental United States. God willing, it will always be that way.

So I think, Mr. President, speaking for myself, I should be willing indeed to draw a containment line nearly 4,000 miles from home and say, "Call on us. We will help to hold them back behind that line and preserve all the vestiges of freedom in Western Europe." I hope that it can be pushed even further eastward so that the old idea and old principle enunciated even by Woodrow Wilson long ago, of self-determination for a humble people, may still become a reality in all sections of the world.

Let me say a word now about surplus commodities, Mr. President, to make the story complete. The Foreign Operations Administration was as good as its word, and for 1954 it actually made available and delivered $245 million worth of surplus commodities. Their estimate for fiscal year 1955 is $350 million; and if anyone is curious as to how it will be distributed, as to countries and types of commodities, he can find the breakdown on page 294 of the record.

I wish to say one thing about offshore procurement. I remember when some folks came to me and said, "They are going to buy this or that abroad; and it ought to be stopped." Maybe it should be. But the offshore procurement program is not nearly so big in dollars or in variety as some folks think it is.

Secondly, Mr. President, it has a very fundamental purpose; mainly the development of a sort of self-functioning munitions industry in some of the small countries which could not even manufacture the ammunition for their own guns. If we are going to establish an industry on a modest basis we have to keep it running. So we buy some ammunition. We buy this, that, and the other thing. But it is in good hands and it is getting results. So at long last there will be established industries in some countries, so that they can make provision for themselves in the way of small arms, ammunition, howitzers, mortar shells. Those are the things the people of most any country can make if they have some tools, if they have some equipment, and if they have the know-how.

Up to June 30, 1953, we had $2¼ billion in this offshore procurement program. There was some subsidy in it. There was what is sometimes referred to as the Lisbon subsidy. It amounted to about $395 million. I know it was a subsidy. I do not condone it. But we got this thing on pretty good ground. So the offshore procurement program has been very substantially reduced.

For 1954 the total new money for this program was $456 million, of which $366 million was for expenditure in Europe. There was a carryover, I think, of $320 million. For fiscal year 1955 it is expected to obligate only about $300 million.

There are a few general things to which I must allude, and then I shall call up the amendments I have at the desk.

Mr. President, there is a very dry and uninteresting aspect of this matter which deserves some attention, and that is the question of unobligated and unexpended balances.

I know there are occasions when, with a rather venal glint in my eye, I said, "Look. There is so much unobligated and so much unexpended. Now we can put our hands on it and put the ax in deep."

But I wish to remind the Senate, first of all, that while there is a very substantial amount of unexpended balance, roughly about two and a quarter billion of unobligated balances, the difficulty these agencies encounter today under the procedures involved in this bill should not be overlooked. Years ago, when I was serving on the House Appropriations Committee, I felt it was much better and more expeditious simply to authorize. Then, of course, the agency had authority to commit, and in due course the appropriations could be made simply to cover the authorization. We work now on an appropriative basis, so that we run into the whole question of unexpended and unobligated balances. But let us look at the whole story for a moment. Suppose we are going to ask a country that is on the long NATO sweep, a country such as Turkey, to set into motion forces to provide a few additional armored divisions, let us say. An armored division does not, like Phoenix, spring full-blown overnight, because, after all, those countries have laws similar to some we have; and an armored division, first of all, consists of young men. So it is necessary to begin with a Draft Act or with conscription, if the country has provided for conscription, or to begin with volunteers; and then there is all the necessary administrative and preliminary work before a single raw recruit arrives at camp, let alone is in uniform or is taught close-order drill or deployed drill, or before he knows a single thing about a weapon such as a military rifle. Months and months pass before he is even in camp; and when he arrives at camp, he is still very much unprepared. Then the training begins, and during that time he must be provided with food and clothing. Finally a rifle must be placed in his hand, and there must be a rifle range and there must be ammunition. Day after day and week after week and month after month that performance must be gone through. Then if a complicated unit, such as an armored division is involved, it will require vehicles and tanks; or if an air division is involved, think of all the work in that field that is necessary. But that is not the whole story, because when the unit is finally in readiness, so it can be placed on the line, spare parts must be available, because tanks and airplanes have a way of breaking down.

So we can set a force in motion on January 1, 1954; but it may be 2 or 2½ years before we see the fruit at the other end of the line. That is what we call the lead time. Our officials cannot go to the officials of other governments and say to them, "We wish you would do this in the interest of the NATO defense line or in the interest of defense in the Pacific. We wish you would get up a couple of divisions." They would reply, "What reason have we to believe that your Congress and your country will stand by, in case we do?"

Our officials have to have in their hands authority for it, long before the negotiations begin, because they cannot negotiate with officials of other countries unless our officials are in a position to say, "We have the authority to negotiate and to come in." Furthermore, of course such negotiations and commitments are predicated upon plans, which have to have the close scrutiny of the Joint Chiefs of Staff and of our other military authorities.

So, Mr. President, when we deal with a question of unexpended and unobligated balances, certainly billions of dollars must be appropriated and made available in that way, because a plane or a tank is not built overnight. So there must be large amounts of unexpended and unobligated balances, in order that the programs may remain fluid, as they must.

After all, Mr. President, it is impossible to make a definite plan and to say that exact plan will be carried out, and that no changes will ever be made in it. That is impossible, because the situation upon which the plan is based is very likely to change. For instance, a plan may be developed in connection with an area in the Pacific; and a program may be launched, in connection with that plan. Then, suddenly, a new pressure point may develop. That will call for a change in, or a realinement of, the plan or the program. When such a change in the program is required, those in charge are not able to say, "We will send an S O S to Congress, and will ask Congress to hold a special session, so that we may be able to present our troubles." Indeed not, Mr. President. We endeavor to appropriate sufficient money and to give them sufficient funds, to enable them to carry on in flexible fashion.

In that connection, we must be sure that, by our acts, we do not disrupt the entire arrangement, because the unexpended funds and the unobligated funds are funds which those in charge of the work have programed, and the programs are complicated, and do not come into being overnight. I would be the last to disturb them, knowing how much time, effort, patience, hard work, and real interpretation have gone into them.

Mr. President, this marks the end of the story, in modest detail.

At this point I wish to pay tribute and testimony to gentlemen like Stanley Sommer, Tom Scott, and others who are members of the staff of the Appropriations Committee. Frankly, Mr. President, I do not know what we who serve on the Appropriations Committee would do if we did not have one of the finest and most competent staffs ever to be found anywhere. They come early, and remain late. They are at their work at all hours of the day and night, working hard. They steep themselves in the abstruse appropriations language. They live with these bills, and they get the answers. They know the relationships between Congress and the executive branch. So I salute every one of them. If I saw here at this time Everard Smith, the very able chief of the Appropriations Committee staff, I would salute him, also, for the marvelous job and devoted service he has rendered this country. I used to be a Member of the House of Representatives, and used to work with the House Appropriations Committee. We used to have on the House side a chap by the name of Marcellus Sheild. If we wished to know an answer to any question regarding appropriations, it used to be common to say, "Go talk to Marc Sheild."

On the Senate side, it would be, "Go talk to Everard Smith."

Mr. President, these excellent staff members have all the answers; and when I say that, I do not use a mere figure of speech; it is the gospel truth. So I salute every one of them.

Mr. MAYBANK. Mr. President, will the Senator from Illinois yield to me?

The PRESIDING OFFICER (Mr. PAYNE in the chair). Does the Senator from Illinois yield to the Senator from South Carolina?

Mr. DIRKSEN. I yield.

Mr. MAYBANK. I concur in everything the Senator from Illinois has said about the committee staff, although I disagree with the speech he has made. The staff of the committee is most outstanding and excellent.

Mr. DIRKSEN. Mr. President, there are a number of amendments which I am sure are noncontroversial. I wish to call them up at this time. I now send them to the desk.

The PRESIDING OFFICER. The amendments submitted by the Senator from Illinois will be stated.

The LEGISLATIVE CLERK. On page 2, in line 18, before the colon, it is proposed to insert "which shall be consolidated with this appropriation."

Mr. DIRKSEN. Mr. President, this amendment is only for the purpose of making sure that no complications in bookkeeping arise, and that the appropriations and holdovers can be carried in a consolidated account.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Illinois.

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment submitted by the Senator from Illinois will be stated.

The LEGISLATIVE CLERK. On page 7, in line 12, before the semicolon, it is proposed to insert the following: "including (notwithstanding the provision of section 9 of the act of March 4, 1909 (31 U. S. C. 673)), expenses in connection with meetings of persons whose employment is authorized by section 530 of the Mutual Security Act of 1954."

Mr. DIRKSEN. Mr. President, some question arose as to whether the experts, consultants, and other persons employed without compensation, but who would receive, perhaps, on occasion, per diem amounts and their expenses, would be covered by language justifying the payment of those amounts. In order to make absolutely clear that when they go to meetings in a consultative capacity, there will be authority to pay their expenses, this language is suggested for incorporation in the bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Illinois, on page 7, in line 12.

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment submitted by the Senator from Illinois will be stated.

The LEGISLATIVE CLERK. On page 10, in line 4, before the colon, it is proposed to insert the following: "and except that this prohibition shall not apply to employees receiving salaries in excess of $12,000 as result of general pay-raise legislation enacted during the fiscal year 1955."

Mr. DIRKSEN. Mr. President, there are on the payroll of the Foreign Operations Administration some persons in grade 15, with salaries of $11,800. If, for any reason, Congress this year or next year provides a pay raise, the salary of those persons would be increased to an amount in excess of $12,000, with the result that, under the prohibition, such persons would be precluded from receiving the pay raise, whereas those in the lower brackets would receive it. Obviously that would not be fair, merely because an interdiction was carried in the language of the previous bill. Obviously those persons are entitled to share in whatever pay raise the Congress grants other Federal employees, and they are entitled to share in that pay raise no less than the Federal employees in the city of Washington. Therefore, this amendment would make it possible for employees of the Administration, whose salaries happen, because of that development, to be carried above $12,000 to receive the benefit of that increase.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Illinois.

The amendment was agreed to.

The next amendment of the Senator from Illinois will be stated.

The LEGISLATIVE CLERK. On page 13, in lines 1 through 9, it is proposed to strike out section 106.

Mr. DIRKSEN. Mr. President, in two different places the bill carries language requiring that at least 50 percent of the gross tonnage of the commodities procured within the United States out of the funds made available under this act and transported abroad on ocean vessels, be transported on United States flag vessels, to the extent that such vessels are available at market rates. Obviously it is not necessary to have that provision made at two places in the bill. This amendment is simply for the purpose of striking out the provision in one of the two places, because to have the language appear twice would be redundant.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Illinois.

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment of the Senator from Illinois will be stated.

The LEGISLATIVE CLERK. On page 15, in line 2, it is proposed to insert:

Such funds shall be considered obligated in accordance with the provisions of section 1311 of the Supplemental Appropriation Act of 1955 on written orders issued by the Secretary of Defense to the military departments for the procurement or delivery of supplies and services, when receipt of such orders has been acknowledged in writing.

Mr. DIRKSEN. Mr. President, a real auditing and bookkeeping problem always arises when these agencies deal with one another—as, for instance, in connection with dealings between FOA and the Department of Defense, or between FOA and the Navy Department. Question arises as to how to make the accounting if, for instance, certain articles are marked for delivery to another service; and the question is whether the funds are considered obligated when the goods reach the point of delivery, or whether that determination is to be made on the basis of the country or the geographical area.

This, then, is language which has been suggested to simplify and also expedite their accounting and bookkeeping. As I recall, this has the support of the Bureau of the Budget, the General Accounting Office, and others.

The chairman of the Appropriations Committee was particularly interested in this and wanted to offer the amendment himself. I understand he is attending a meeting of the policy committee, and for the moment cannot be on hand.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Illinois.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. BUTLER. Mr. President, in connection with the foreign-aid program, I request unanimous consent to have included in the body of the RECORD a statement which I have prepared relating to section 103 (c) of the Mutual Security Act of 1954 (H. R. 9678).

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BUTLER

Section 103 (c) of the Mutual Security Act of 1954 (H. R. 9678) authorizes the use of military-assistance funds for the offshore procurement of equipment or materials. Fortunately, certain safeguards which are intended for the protection of American industry have been included.

For the purpose of emphasis and reference, section 103 (c) is quoted below:

"Funds made available pursuant to subsection (a) of this section may be used for the procurement of equipment or materials outside the United States unless the President determines that such procurement will

result in one or more of the following conditions:

"(1) Adverse effects upon the economy of the United States, with special reference to any areas of labor surplus, or upon the industrial mobilization base, which outweigh the strategic and logistic advantages to the United States of procurement abroad;

"(2) Production of such equipment or materials outside the United States under inadequate safeguards against sabotage or the release to potential enemies of information detrimental to the security of the United States;

"(3) Unjustifiable cost in comparison with procurement in the United States, taking into account transportation costs for delivery overseas; and

"(4) Delays in delivery incompatible with United States defense objectives."

My interest in these provisions stems from my activities as chairman of the Senate Water Transportation Subcommittee of the Senate Committee on Interstate and Foreign Commerce. The depressed conditions in American shipyards, to which the subcommittee gave much attention, cannot be permitted to prevail even for a limited period of time. Unquestionably, the offshore procurement of ships has contributed to the present plight of our shipyards. While some improvement will naturally accrue from maritime legislation now in various stages of passage in the Congress, the predicament of this vital industry is not a capricious notion. The relationship of the American shipbuilding industry to our national economy and to our national defense potential cannot be challenged.

Convinced that these depressed conditions in American shipyards merited for them preferential consideration over foregn shipyards for which contracts had been allotted under the Navy's off-shore ship procurement program, I felt it incumbent upon me as chairman of the Senate Water Transportation Subcommittee to urge that these contracts be placed in this country. As a result, several months ago, I was advised by Admiral Leggett, Chief of the Navy's Bureau of Ships, for whom I have the highest regard, that contracts totaling $27,500,000 for minesweepers for the North Atlantic Treaty countries, would be diverted back from European shipyards to yards in this country.

For fiscal year 1955, it is my understanding that the offshore-procurement program has been reduced in comparison to previous years, but it still contemplates an expenditure in foreign areas of $28 million for ships.

The report of the Senate Committee on Appropriations dealing with the mutual security appropriation bill (1955) contains a very encouraging observation which I feel is worthy of repetition:

"The committee was impressed with evidence presented from several sources protesting against procurement of certain types of civilian supplies and equipment through the offshore program. While the committee feels that the objectives sought by the administration in attempting to shore up the economy of our allies is commendable, there is strong feeling that this should not be done at the expense of those United States industries which are experiencing economic difficulties. Accordingly, the committee directs that the administration evaluate carefully all contracts made under the offshore-procurement program and admonishes the administration to weigh carefully such factors in the letting of all contracts. It is further directed that quarterly reports be submitted to the committee listing, on an item-by-item basis including unit costs, all items procured through the offshore-procurement program."

The comments of the Committee on Appropriations of the House of Representatives are likewise deserving of consideration:

"The total programed to date for offshore procurement is approximately $2.2 billion. The amount planned for this activity in 1955 is $300 million. The purposes of this program are well understood by the committee and the program should be continued in the interest of mutual defense, both from the standpoint of pricing and development of defense capabilities of our allies. However, it is the feeling of the committee that in the past some phases of this program were embarked upon without full consideration having been given to the maintenance of a desired mobilization base in this country. It will be advantageous to continue to procure many items outside the United States, particularly certain ammunition. However, the program, both current and proposed, should be closely reviewed with the view of a more strict application of conditions governing such procurement, as stated in section 103 (c) of the authorizing legislation."

Thus, the congressional intent would seem to be clear and precise. Distortions to our domestic economy are not the intended by-product of offshore-procurement programs, and I would certainly characterize the present posture of the American shipbuilding industry as distorted.

Having devoted much attention to the entire offshore-procurement program, and being firmly convinced that our shipbuilding capacity and potential must be preserved and strengthened, I shall continue to view with much disdain any offshore procurement of ships.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. McCARRAN. Mr. President, I have an amendment on page 5, line 16. To that amendment, I admit that a point of order should be sustained, but I have another amendment to offer, and I send it forward to the desk.

The PRESIDING OFFICER. The Chair is advised that the amendment which has been sent to the desk by the Senator from Nevada in effect makes a change in an amendment which has been agreed to.

Mr. McCARRAN. That is correct.

The PRESIDING OFFICER. The committee amendment has been agreed to, and it has not been stricken out on a point of order.

Mr. McCARRAN. I move to strike the committee amendment, Mr. President.

The PRESIDING OFFICER. If the Chair understands correctly, the Senator from Nevada moves to strike out the language of the committee amendment and insert the language contained in the amendment sent to the desk.

Mr. McCARRAN. That is correct.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 5, line 16, it is proposed to strike out the proviso and insert in lieu thereof the following: *"Provided,* That no funds appropriated in this act shall be used to assist directly in the migration to any nation in the Western Hemisphere of any person not having a security clearance based on standards comparable to those standards contained in the United States Immigration and Nationality Act."

Mr. McCARRAN. Mr. President, since the first amendment was subject to a point of order, I have sent to the desk another amendment on the same subject, which has been read by the clerk. This amendment is a limitation on an appropriation bill, and I have been so informed by the Parliamentarian.

Mr. President, this amendment would provide that none of our contributions to the Intergovernmental Committee for European Migration shall be used to assist any person to migrate to the Western Hemisphere who does not have a security clearance based on standards comparable to those in the United States Immigration and Nationality Act.

Mr. President, this amendment follows the principle of the great Monroe Doctrine. Under it there could not come into the Western Hemisphere those who would not comply with our standards of internal security.

Mr. SMITH of New Jersey. Mr. President, will the Senator yield for a question?

Mr. McCARRAN. I certainly will.

Mr. SMITH of New Jersey. It was my intention to raise a point of order with regard to the proviso which the Senator has just proposed be stricken, and for which he has offered a new amendment. After talking with the distinguished Senator from Nevada, I am convinced that he is endeavoring to accomplish something in which we are all deeply interested and desire to support.

In order to clarify the matter in my own mind and in the minds of those who may read the RECORD, I should like to ask the Senator 2 or 3 questions which I think will clarify any possible issue which might arise.

In the first place, is there a conflict here? This may possibly be offensive to the Latin American countries, if we seem to be indicating what should be their standards for admission of outsiders. I should say that I am opposed to the United States unilaterally trying to impose on international organizations or sovereign nations its own attitudes and laws. We should reach these objectives collectively and cooperatively.

Is it the purpose of this amendment to require that the ICEM or any receiving country adopt the screening requirements of the United States, or are we simply aiming to provide security clearance for individuals who may be going to these countries?

Mr. McCARRAN. The latter part of the Senator's statement expresses the intendment of the amendment; in other words, it is to secure clearance for individuals who may come to countries in this hemisphere, and to guide our own officials in effecting, so far as possible, the standards prescribed by the Immigration and Nationality Act.

Mr. SMITH of New Jersey. A further question which occurs to me in this connection is this: I assume from the use of the words "assist directly" the Senator from Nevada does not intend to make the ICEM keep separate accounts of administrative funds, but he intends only that the United States funds shall not be used to move a migrant to the Western Hemisphere after it has been discovered that he would not meet United States standards. Am I correct in that?

Mr. McCARRAN. The question is to be answered in the affirmative.

Mr. SMITH of New Jersey. We can go ahead and make our appropriation to the ICEM in Geneva so it may be used for administrative purposes, regardless of whether it is kept in separate accounts. If Mr. "X" has been selected to go to Brazil, let us say, we are merely interested in seeing that Mr. "X" meets the security requirements of our rules.

Mr. McCARRAN. That is correct.

Mr. SMITH of New Jersey. A further question. It is my understanding that the appropriation for this item in this bill is for the United States contribution for calendar year 1955, thus giving ICEM until January 1955 to adjust to this provision. It is clear to me that if we were to put this into effect immediately, there would possibly be some machinery needed in Geneva whereby the security clearances could be provided for. ICEM has adequate appropriations already to take care of their program until next January, and the Senator's amendment would give the organization until that time to arrange for these clearances. Is that correct?

Mr. McCARRAN. That is the intention of the amendment.

Mr. SMITH of New Jersey. Naturally, we assume the organization will act along these lines more quickly, if possible, but I am glad to have the Senator's reassurance that that is the intention.

Finally, I ask this question: I notice the word "identical" appears in the original draft, and that it has been changed to "comparable." I would interpret the word "comparable" as applied to security standards to go to the substance of the protections afforded by the Immigration and Nationality Act, and not necessarily to the details, technicalities, and so on. What we are endeavoring to do is protect ourselves against subversives infiltrating into South America.

Mr. McCARRAN. We are trying to protect the United States of America from those who might be brought into countries in the Western Hemisphere, who are inimical to our internal security or our external security. We also intend to protect the entire Western Hemisphere from infiltration by Communists from abroad.

Mr. SMITH of New Jersey. I am very glad indeed with this explanation, to ally myself with the Senator in this amendment. As he has said, we recognize today that the Monroe Doctrine of 1823 was announced, in consideration of something at the time which was totally different from the danger we face today. We have seen evidence in the Guatemala situation, for example, of penetration which is definitely in violation of the spirit of the Monroe Doctrine.

Mr. McCARRAN. That is correct.

Mr. SMITH of New Jersey. The distinguished Senator is trying to put into words a guiding sign that the infiltration by Communist subversives is one of the dangers which we guard against today in our interpretation of the Monroe Doctrine. Is that correct?

Mr. McCARRAN. The Senator has expressed my views exactly.

Mr. SMITH of New Jersey. I thank the Senator.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Nevada [Mr. McCARRAN].

The amendment was agreed to.

Mr. MAYBANK. Mr. President, I understand that the Senator from Michigan has a short statement to make. I intend to suggest the absence of a quorum before I speak on my amendment.

Mr. FERGUSON. Mr. President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The Secretary will state the amendment.

The CHIEF CLERK. On page 3, line 14, before the semicolon, it is proposed to insert the following: *"Provided,* That none of the funds appropriated in this paragraph may be used for assistance to any nation which in the opinion of the President is not cooperating in common defense efforts against further Communist penetration and aggression."

Mr. FERGUSON. Mr. President, the amount involved in this particular section of the bill, on which the amendment would be a limitation, is $700 million. It was the purpose in the appropriation bill, as well as in the authorization, to allow the President of the United States this sum of money and to allow him flexibility, so that he could use it to the best advantage possible to the United States.

However, we feel that Congress should speak out and say what it thinks should be the guide line. The Senator from Nevada and the Senator from New Jersey have said that one of the forms of aggression is Communist penetration or infiltration. I think the time has come when we must prepare not only for an aggressive war, but when those of us who are opposed to communism and feel it is an evil must see to it that Communist penetration is stopped, whether it be inside a country or across a border.

Therefore, we feel that this amendment would set up a guide line and give the President discretion because he is familiar with the facts.

It is not a limitation upon him in the sense that he cannot do as he believes the facts warrant. The amendment provides:

Provided, That none of the funds appropriated in this paragraph may be used for assistance to any nation which in the opinion of the President is not cooperating in common defense efforts against further Communist penetration and aggression.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. KNOWLAND. I wish to say to the Senator from Michigan that the amendment is a sound and necessary amendment. The original amount involved was for the defense of Indochina. No one knows exactly what the future may hold in that area of the world. Certainly as a result of the Communist advances into the Tokin Delta and as a result of their taking over an area in northern Vietnam, populated by about 10 million people, there is created a very great threat to Burma, Thailand, Laos, Cambodia, southern Vietnam, the Malay States, the Philippines, and Indonesia, and perhaps even Australia and New Zealand.

In this section of the bill, dealing with the fund which is designed for defense in that area of the world, it seems to me that the very least that should be expected of any of the nations which would participate in the use of these funds is that such nations should be willing to cooperate in common defense efforts against further Communist penetration or aggression.

This is, as I have always understood, a mutual security undertaking.

Mr. FERGUSON. That is correct.

Mr. KNOWLAND. For the common defense, for mutual defense against the one great danger in the world—in Europe as well as in Asia and in the Americas—the international Communist conspiracy. It is the conspiracy which has its fountainhead in the Kremlin and which has been moving into every vacuum that has been created in the world.

It was for that purpose that the North Atlantic Treaty Alliance was set up. It was for that purpose that economic aid was given. Its purpose was to insure that free nations might not be weakened and fall prey to ruthless communism.

In this area of the world communism has been on the march. It was temporarily stopped in a stalemate war in Korea. Having been stopped there, communism has been feeling out every other section of the world. For the moment that part of the world happens to be southern Asia. There communism has won a substantial victory, and has endangered other areas in southeastern Asia.

If we believe in collective security, if we believe in a mutual-defense system, and if this is a mutual-security bill, then it seems to me that the nations which are participating in such collective and mutual security should at least be prepared to cooperate in a common effort to prevent further Communist aggression and penetration. If they are not prepared to do it, it seems to me the American people and the American Government and Congress, and the other free peoples of the world, should be so informed.

Mr. FERGUSON. I am glad the Senator from California has spoken in behalf of the amendment. I agree with what he has said.

Mr. KENNEDY. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. KENNEDY. If the amendment of the Senator from Michigan should be adopted, the Senator does not believe, does he, that the terms of the truce in Indochina, which places a limitation upon the freedom of the Vietnamese kingdom to associate itself with us in a defense activity, would prevent the United States from assisting the Vietnamese militarily?

Mr. FERGUSON. The President would, in his discretion, be able to assist them in their desire to defend themselves because under the terms of the truce they would be able to defend themselves.

Mr. KNOWLAND. I completely concur in that statement, because certainly, whether the terms of the Geneva conference and some of the protocols of the

conference may prevent the wholehearted participation which the Vietnamese and Cambodians and Laotians may wish to have in joining a pact, and although there may be some prohibition against doing it under the terms of the Geneva conference, certainly there would be no prohibition against their common effort to prevent further Communist penetration and aggression from taking place, and that would be of benefit to the nations of the free world.

Mr. KENNEDY. I should like to address a question to the Senator from Michigan. Is it the Senator's hope that most of the equipment which the United States has given to the French Union forces which are now in south Vietnam and the equipment which is being evacuated from the north will be given to the local Vietnamese forces, to permit them to defend themselves?

Mr. FERGUSON. They and the other free nations in that area of the world certainly should share those weapons in defending themselves.

Mr. KENNEDY. That is the hope of the Senator from Michigan?

Mr. FERGUSON. That is correct.

Mr. SMITH of New Jersey. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. SMITH of New Jersey. If I correctly understand the breakdown of the figures in this appropriation, the fund to which the Senator from Michigan is referring is $700 million.

Mr. FERGUSON. That is correct.

Mr. SMITH of New Jersey. It does not apply to the other funds for the Far East?

Mr. FERGUSON. It applies to this particular fund.

Mr. SMITH of New Jersey. For Burma, Indonesia, and the other countries?

Mr. FERGUSON. It applies to this very fund, $700 million.

Mr. President, I ask for a vote on my amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Michigan [Mr. FERGUSON].

The amendment was agreed to.

ORDER FOR RECESS UNTIL MONDAY

Mr. KNOWLAND. Mr. President, I ask unanimous consent that when the Senate completes its labors this evening it stand in recess until 10 o'clock next Monday morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPROPRIATIONS FOR MUTUAL SECURITY

The Senate resumed the consideration of the bill (H. R. 10051) making appropriations for mutual security for the fiscal year ending June 30, 1955, and for other purposes.

Mr. MAYBANK. Mr. President, I desire to call up my amendment, 8–10–54–E.

The PRESIDING OFFICER. The Clerk will state the amendment offered by the Senator from South Carolina.

The CHIEF CLERK. On page 2, line 16, it is proposed to strike out "$1,392,700,000" and insert "$1,192,700,000."

Mr. MAYBANK. Mr. President, I do not intend to delay the Senate, which has done so much work in the past 2 months, but I believe this amendment is worth bringing to the attention of the Senate, because, certainly, as a member of the Appropriations Committee, when the bill was shown to me, I was deceived, so to speak.

I suggest the absence of a quorum, and I shall speak for only 5 minutes.

The PRESIDING OFFICER. The Clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MAYBANK. Mr. President, I ask that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MAYBANK. Now, Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from South Carolina [Mr. MAYBANK].

Mr. MAYBANK. Mr. President, I know that no member of the Appropriations Committee will differ with me in the statement that there was an amendment in the appropriation bill—and I read from page 3 of the side-slip—as follows:

> The executive branch recommends that the following revision be incorporated in the pending bill on page 2, line 20: *"Provided further,* That the military supplies and equipment (or the equivalent value thereof as the Secretary of Defense shall determine) which have been procured and processed for delivery to foreign areas and which subsequently are returned to the custody of the United States because of a change in the international situation shall remain available for military assistance authorized by law, and such amounts shall be in addition to the amounts herein otherwise provided for.

I wish to be frank, Mr. President. I have apparently been tricked, but when I saw this item in the Appropriations Committee I brought it up, and the honorable and distinguished chairman of the Armed Services Committee [Mr. SALTONSTALL] told me that we should at least know what we are doing in the Appropriations Committee. We adopted an amendment to limit the authorization to $200 million.

That is all that my amendment would do. It would not eliminate any foreign aid. It only asks that the Defense Department use $200 million worth of goods which was on its way to Indochina and is still aboard ship. Either it has not been delivered or it is still on the docks. The amendment would require only the use of that material before taking $200 million out of the cashbook of the American taxpayers. That is all it would do. I am not proposing to cut out any foreign aid.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. MAYBANK. I yield.

Mr. CHAVEZ. I want the Senator from South Carolina to orient me on the purpose of his amendment. Do I correctly understand the Senator to say that his amendment would take away $200 million?

Mr. MAYBANK. In cash.

Mr. CHAVEZ. In cash money?

Mr. MAYBANK. That is right.

Mr. CHAVEZ. And that would be supplanted by war material and equipment which we now have on hand, which has already been paid for?

Mr. MAYBANK. By shipments of material which the distinguished Joint Chiefs of Staff stopped from going to Indochina. I shall not go into the details. The Senator from New Mexico was at the meeting with General Stewart. Millions of dollars worth of material was on its way, which never was delivered. We can use that instead of using new tax money.

Mr. CHAVEZ. As I understand, it is as simple as taking away $200 million of new money?

Mr. MAYBANK. That is correct.

Mr. CHAVEZ. But it is not intended to deprive this country of the materials which it has bought.

Mr. MAYBANK. No; those materials would be available.

Mr. CHAVEZ. They would be made available through material already in existence, for which the American taxpayers have already paid.

Mr. MAYBANK. One of our great military leaders has testified that the material is in existence. But I shall not go into that. The Senator from New Mexico was at the meeting.

All I ask is that we use what we have; that the taxpayers be paid back, rather than that we should spend $200 million more. That is all.

Mr. DIRKSEN. Mr. President, I hope the Senate will be quite clear about what is intended by the amendment. It is offered on page 2 of the bill and relates to military assistance. It is clearly an effort to reduce the amount of military assistance provided in the bill, all up and down the line, by $200 million.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. MAYBANK. The Senator is aware that no one knows, according to page 3 of the side slips, how much military equipment we have. The Senator knows that it was presumed to be around $700 million, but no one could tell us how much was available. There was some testimony that $60 million worth of equipment was already in ships which have not been unloaded. The Senator knows that.

Mr. DIRKSEN. The Senator knows more than that.

Mr. MAYBANK. I know more than that, too.

Mr. DIRKSEN. Mr. President, when the bill was first presented, the request for new funds for military assistance was $1,580,000,000. The language of the bill as reported by the committee—I think by a unanimous vote, with one or two reservations—provides for $1,392,000,000.

The item for military assistance was reduced very substantially. But the Senator from South Carolina wants to cut it by $200 million more.

This item does not apply alone to Europe; it applies to the whole military assistance amount. It is for any military items that may be in the bill, whether they be for Africa, southeast Asia, or Europe.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. DIRKSEN. Please let me continue for a moment.

Mr. MAYBANK. I am always glad to listen to the eloquent voice of the distinguished junior Senator from Illinois.

Mr. DIRKSEN. I tried to make clear this afternoon how completely fretful and feverish the entire military picture is. There are troops in large numbers stationed in China, immediately across from Formosa. They are no idle threat. I could see them through field glasses. They were shelling the island with howitzers the day before I arrived. There had been an actual invasion some months before that time. There is serious business over there. So we had better be careful about cutting military items.

There was written into the authorization bill a degree of flexibility which was designed to give the Commander in Chief, to whom the appropriations are made—they are made to the President in every case—an opportunity to assess the situation as he goes along, relying upon the intelligence he receives from his Joint Chiefs of Staff.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. MAYBANK. The bill provides for $500 million more than the authorization bill which the Senate passed. Anyone with commonsense knows that.

Mr. DIRKSEN. The language speaks for itself. The amount is $445 million below the estimate.

Mr. MAYBANK. Oh, but——

Mr. DIRKSEN. Will the Senator let me continue?

The PRESIDING OFFICER. The Chair will have to ask that the regular order be followed. Unless the Senator from Illinois, who has the floor, intends to yield and does yield, he will continue with his remarks.

Mr. DIRKSEN. My friend from South Carolina has confidence in the men who have been doing the real spade work in the Appropriations Committee. We have fine staff members, who are very competent indeed. They verify and reverify, time and again, each item as it comes before them. One needs only to read the report.

The bill as reported to the Senate, for fiscal 1955, is $447 million less than the estimates, and is $1,540,000,000 less than the amount appropriated for the previous year, fiscal 1954. Either I can read figures, or I cannot. That is what the report shows. The committee staff would not dare present to the Senate figures which were at variance, because the Senate will have to go to conference with these figures.

The figures which are contained in the bill will have to meet the test of the Budget Bureau; but, more than that, they will have to meet the test of the General Accounting Office, when the accounts are set up.

There are the figures: A billion and a half dollars less than was appropriated for 1954; a mere half billion dollars under the estimates for 1955.

The question came up on the theory that there would be much recoverable equipment in Indochina; therefore, we should make a slash. I have gone into that. There was a great deal of testimony about it, most of it off the record. I had to ascertain as best I could what the real facts were.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. DIRKSEN. I wish my good friend from South Carolina would let me answer him.

The PRESIDING OFFICER. The Senator from Illinois declines to yield.

Mr. DIRKSEN. This is authentic information which I received from the department:

> The dollar value of equipment in Indochina that can be recovered and used elsewhere in the program cannot be determined at the present time, since we are now in the process of making arrangements with the French Government and three Associated States as to the disposal of the military equipment on hand. It is anticipated, however, that most of this equipment will be required by forces of southern Vietnam, Laos, and Cambodia, and by those forces of the French Union which continue to be stationed in the area.

We shall try to develop the program where the equipment is located. There are small neighboring countries which need some of it. Some of the equipment may have to go elsewhere, but we cannot do any more than conjecture what amount will be recovered and what will be available for distribution elsewhere.

Are we, in the quiet of this Chamber on a Saturday afternoon, about to tie the hands of the Commander in Chief of an operation which is 12,000 miles from the Nation's Capital? That would be most shortsighted, and I would not want to be in that situation.

I have confidence in Admiral Radford, in General Van Fleet, and in General Eisenhower. If we cannot take their word, whose word can we take? I would rather err on the larger side and see extra money provided than to reduce the amount still further at the time when it might be needed, particularly in the case of military items. I assure the Senate that the cut which is proposed on page 2 is in the military-assistance program.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. MAYBANK. My friend from Illinois has spoken about Admiral Radford. I wish the administration had had enough sense to listen to Admiral Radford last February.

No one holds Admiral Carney, who is one of the great men the Nation has produced, in higher regard than I do.

No one holds General Ridgway, who is a member of the Joint Chiefs of Staff, in higher esteem than I do. I am certain that he is disappointed that two divisions were eliminated.

No one holds General Twining in higher regard than I do.

But the Senator from Illinois well knows that none of the members of the Joint Chiefs of Staff knows how much they have. That is the truth. We heard the secret testimony. They have equipment, equipment, and equipment. I understand there is equipment to the value of $62 million now in ships, and quite a number of the ships are in port.

Why tax the American people again, as the Senator from New Mexico [Mr. CHAVEZ] so well stated—he was present at the secret sessions—in order to provide more money for more equipment, when we already have sufficient equipment which is unused?

Mr. DIRKSEN. Mr. President, I am so glad my friend brought up Admiral Radford.

Mr. MAYBANK. He is a great man——

Mr. DIRKSEN. Now, let me proceed for just a moment.

Mr. MAYBANK. The Senator was in the secret meetings when we talked with him.

Mr. DIRKSEN. That is correct.

Mr. MAYBANK. I am not allowed to disclose what he said.

Mr. DIRKSEN. I share the admiration of the Senator from South Carolina for Admiral Radford. He is one of the great military men—quiet, restrained, and well demeaned.

What did he say? He said there in the hearing room, "Gentlemen, I entreat you earnestly not to cut these items or to destroy the flexibility in the bill."

Since the Senator from South Carolina and I both share an almost religious devotion to Admiral Radford, let us join with him, and either withdraw the amendment or reject it by a resounding vote.

Mr. MAYBANK. The distinguished Senator from Illinois knows well enough that what I am referring to is what Admiral Radford said in confidence.

Mr. DIRKSEN. Yes.

Mr. MAYBANK. And I will not repeat it.

Mr. DIRKSEN. What I stated was what he said in an open hearing.

Mr. MAYBANK. That is not what I was referring to.

Mr. DIRKSEN. The Senator from South Carolina is proposing to cut out $200 million for military purposes.

Mr. MAYBANK. I am not proposing to cut out anything. I am merely proposing to take over the material which was to be shipped to Indochina, which is worth $92 million, according to the ticker tape, so it must be correct; and I am proposing that that material be used, instead of putting out more of the taxpayers' money.

Mr. DIRKSEN. This is serious business. We are fooling with the destiny of this country. The amendment of the Senator from South Carolina proposes on page 2, line 6, to strike out, $1,392,700,000" and insert in lieu thereof "$1,192,700,000." That is a $200 million cut in the military item in the bill. On the basis of the testimony of Gruenther, Radford, and Van Fleet, I would be the last man in this Senate to go along with that kind of proposal, when these feverish forces are on the horizon in the Pacific area. That is the amendment of the amendment of the Senator from South Carolina.

Mr. MAYBANK. Of course, that is the amendment——

Mr. DIRKSEN. Exactly.

Mr. SALTONSTALL rose.

Mr. MAYBANK. But the amendment is based on the proposal that the Secretary of Defense shall turn over to FOA not to exceed $200 million. I see that the Senator from Massachusetts [Mr. SALTONSTALL] is on his feet. He himself limited the amount to $200 million. He and I together did it in the committee. That does not count the ships. That does not count everything we have given them at the expense of the American people. That amendment is based only on the assumption that the Senator from Massachusetts and myself——

Mr. SALTONSTALL. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Has the Senator from Illinois yielded the floor?

Mr. DIRKSEN. Not yet.

Mr. MAYBANK. I thought he had.

Mr. DIRKSEN. I desire to yield to the Senator from Massachusetts.

Mr. MAYBANK. I know the Senator from Illinois would not wish to shut me off.

Mr. DIRKSEN. Oh, indeed not.

Mr. MAYBANK. I merely wish to complete my statement, Mr. President. I appreciate that my distinguished friend, the Senator from Illinois has yielded to me. I say to the distinguished Senator from Massachusetts [Mr. SALTONSTALL], for whom I have great affection, that he limited the amount to $200 million in the committee. I do not know how much is involved, but all I am asking is a limitation of $200 million, so that available material can be used in lieu of cash. Let me say further, because the Senator from Massachusetts comes from a seaport town, as I do, that ships were not affected. Is that correct?

Mr. SALTONSTALL. That is correct.

Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. I merely wish to add that there is material in various ships, on various docks, and in various places, but the material must be reinventoried, assembled, and then directed to the places where it can best be used. What the Senator from South Carolina is proposing is that we say to our forces and to our friends in Europe, "There may be 100,000 rifles or a few tanks on a ship somewhere in the middle of the Pacific. You take that instead of the cash you may need for the equipment that will be useful in Europe at the present time."

The value of the material is in excess of $200 million. There is no question about that. But, when $200 million in cash is taken out of the bill, and in its place we say that there is available $200 million of guns and tanks which may be in some ship, or in a certain state of repair, or on some land in Indochina, that is not providing the aid that is intended to be provided by the bill.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. MAYBANK. I wish to express my great admiration for the distinguished chairman of the Armed Services Committee. We both voted for the nominations of Twining, Radford, and Carney, and those officers have enough sense to know that if the cargo in those ships is needed, it will be sent quickly to the proper place.

Mr. SALTONSTALL. The expert who testified before the committee—I do not recall his name at the moment—said that the material had to be reinventoried, examined, and redirected. There is material which may be available. However, that is not what we are trying to do. We are trying to give Europe what she needs most at the present time. We are trying to direct the most efficient aid possible to Indochina and other countries in the Far East. If that material is to be of assistance, let us make it available; but let us not say that we will make available the material in place of cash.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield to the Senator from New Mexico.

Mr. CHAVEZ. I wish to understand what the chairman of the Armed Services Committee has said. He has stated that there is material available somewhere, but it is not inventoried. We do not know how much it may be worth. It may be worth $1,500,000,000 or $1 billion. But, instead of making that material available, it is being proposed that $200 million of the taxpayers' money shall be given away, and that the donees, foreign countries, may spend it wherever they please and not buy materials manufactured in this country.

Mr. SALTONSTALL. No. We are providing that $200 million will be used for material which will be manufactured in this country and shipped to the people to whom it will be most useful, provided Admiral Radford and the other members of the Joint Chiefs of Staff say it is the right material for the right spot at the right time. If some of the material that is in the swamps of Indochina can be made available and it is found to be useful, of course, that can be arranged. However, those arrangements must be worked out.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. DIRKSEN. Mr. President, I have the floor.

Mr. MAYBANK. I beg the pardon of the Senator from Illinois.

Mr. DIRKSEN. I yield to the Senator from South Carolina.

Mr. MAYBANK. I appreciate the courtesy of the distinguished Senator from Illinois. I merely wish to say, while we are talking about Indochina, that General Van Fleet came to the committee for a secret meeting. I shall not talk about what he said with reference to Indochina. I only hope and pray—and I say that most respectfully—that we recapture that material. I am talking about material that has never been delivered. I am talking about what is in the holds of ships. I am talking about what is on the docks. Of course, there is material worth $1 billion in Indochina. I am not going into that.

Mr. THYE. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. THYE. If we knew exactly where the material was, and we could inventory it, assemble it, and ship it to where we wanted it to go, then I would support the amendment of the Senator from South Carolina. However, that is not the case, and the facts will not be known for several months. We are not certain where that material is at this time, and for that reason I do not think we should deny these funds. Therefore, I must vote against the amendment.

In the course of time I hope the material will be inventoried, assembled, and shipped to the places where it is needed. In that event the cash will be in reserve next year. That is the assurance we have received. We have received the assurance that if the material can be inventoried, assembled, and shipped to the places where it is needed, the money will not be spent. However, if the material is not found and inventoried in the amounts and in the manner we anticipate or hope it will be, then there will be a need for the money. I shall not be a party to jeopardizing our national security while we are hunting for an inventory of material.

Mr. CASE. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield to the Senator from South Dakota.

Mr. CASE. What relationship is there between the $200 million and the proviso which appears at the bottom of page 2, and running over to page 3, which refers to $200 million in inventory value?

Mr. DIRKSEN. That language was suggested, and it was modified by the Appropriations Committee so that we could make an exception up to $200 million, so far as cash inventory was concerned, but excluding capital ships. I have not looked at it recently.

Mr. CASE. Does that overlap on this $200 million?

Mr. MAYBANK. Certainly. That is additional money.

Mr. DIRKSEN. The cut, of course, applies to all the military items here; and when we lump all these together—and I want my friend, the Senator from South Carolina to listen——

Mr. MAYBANK. I always listen to the Senator from Illinois.

Mr. DIRKSEN. There are a number of imponderables here we do not know.

Mr. MAYBANK. I might say——

Mr. DIRKSEN. We do not know how much is in ships at the moment. We do not know how many supplies will be recovered. We do not know at the moment, under the rather vague terms of the so-called Geneva Peace Treaty, how much we can redeploy out of storage in Vietnam; and also Laos, next door; and Cambodia, next door; nor do we know what the needs may be in Burma or in Thailand. We have to allow some latitude to those in authority.

Mr. MAYBANK. Mr. President, will the Senator yield? I want him to yield because he mentioned my name.

Mr. DIRKSEN. I do not know how else we could do it. We might save a million dollars or we might save a couple of million dollars. I assume if the material is not needed in the Far East and

if the situation is such that the challenge can be met without the extra money, obviously it will come back and it will show up as an unexpended balance.

Mr. MAYBANK. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The Senator from Illinois has yielded to the Senator from South Dakota.

Mr. MAYBANK. The Senator mentioned me.

Mr. DIRKSEN. Mr. President, I can only hear with one ear at a time.

Mr. CASE. Let me say——

Mr. MAYBANK. The Senator from Illinois often listens to the left.

Mr. DIRKSEN. I will yield to my friend from South Carolina.

The PRESIDING OFFICER. Will the Senator from Illinois suspend, please, until we have order. It is possible to yield to only one Senator. The official reporter, who is trying to follow this debate, can follow the voice of only one person. So if Senators follow the regular order, the Chair is sure all Senators will get along much better.

To whom does the Senator from Illinois yield?

Mr. DIRKSEN. I yield to my friend from South Carolina.

Mr. MAYBANK. I appreciate the remarks of the distinguished Presiding Officer. I only wish to say that I have seen the Senate Official Reporters take down, with accuracy, as many as 4 or 5 voices at one time.

In answer to the Senator from Illinois, of course nobody knows what may happen. The Senator from Illinois knows as well as I do that we have sent a billion dollars worth of equipment to the area to which we are referring. That was in the newspapers. How much we will get back is not known.

However, I am not talking about that. I am talking about $200 million worth of material which has never been sent. It is aboard ship or is tied up at the docks.

I hope and pray that under the able leadership of our Chief of Staff we shall get all back.

Mr. DIRKSEN. Mr. President, I surrender the floor, and ask for a vote.

Mr. LONG. Mr. President, in considering this amendment I believe it would be well to point out that this is a part of the European program which has been going on for some time. Since we undertook this program we have given Europe $17 billion in arms and defense support—which has been, in many cases, a process of letting them manufacture the arms for themselves, rather than giving our men the work and the business in American factories.

That amount is on hand, Mr. President. That is not $17 billion which had to be consumed in a war. Thank the merciful Lord the Communists have not captured that $17 billion worth of supplies and equipment. It is all waiting there—the $17 billion.

In addition to that, we have on hand for Europe approximately $5.8 billion more. That is on its way. That is enough to carry the European program for some time—$5.8 billion.

What the Senator from South Carolina is proposing to say is, "Give Europe everything we ever talked about giving Europe, but we have a windfall of about $1.4 billion in Indochina."

Why do I call it a windfall? Because the French lost the war. We had $1.4 billion worth of material we were going to send there. Much of it has not been delivered. It is still on the way.

Mr. MAYBANK. Will the Senator yield?

Mr. LONG. Will the Senator permit me to take a moment or two more? Someone did say, "Why do we not give the money to Thailand?" We already have an adequate program for Thailand.

In this overall program there will be $13 billion on hand when this bill passes. Out of the $13 billion we have on hand, how much could we effectively spend in Thailand? We came up with a figure, if I recall correctly, of around $22.7 million.

Someone said, "Give it to Burma." We cannot give it to Burma. Burma will not take it.

Someone said, "Give it to India." We cannot give it to India. India will not take it. India will not agree with us on any sort of a mutual defense arrangement.

Someone said "Give it to Indonesia." Indonesia turned it down. Indonesia will not take it. That is why we will not be able to give it to Indonesia, just as we cannot give it to Ibn Saud in Saudi Arabia. The newspapers today carried the story that we had sent a 30-man delegation to Saudi Arabia with $1.7 million, and he threw them out on their ears. He would rather have the $200 million from the American oil companies than that little $1.7 million with strings attached to it in the point 4 program.

We have this thing loaded down with more money than we can spend in 2½ years.

We had another $1.4 billion involved in the war, in Indochina. France lost that war.

What does the Senator from South Carolina say? The Senator says, "Take some of that $1.4 billion we saved over there"—it is not that we saved it, but we shall not be able to spend it, because the Communists won that war—"take $200 million of that and deliver it instead of appropriating more money."

Mr. President, the Senate expressed its judgment a short time ago, and authorized an appropriation of $2,710,000,000. Doing so, the Senate made it possible for the Committee on Foreign Relations to agree to almost exactly the committee bill. The Committee on Foreign Relations simply met with the committee on the other side and said, "We will take the figure of the difference between the Senate and the House figures and divide it by two. Then we will finally arrive at the same figure the Senate Committee on Foreign Relations agreed to in the first place." So much of the $500 million of saving was wiped out. While our committee was in the process of conferring, the Senate Appropriations Committee was at least theoretically bound by the judgment of the Senate, because the conference had not yet reported back. At a time when they were bound by the judgment of the Senate, knowing what the judgment of the Senate was, the committee reported this bill to give $2,990,000,000.

Mr. MAYBANK. Plus more for the Defense Department.

Mr. LONG. Plus $200 million extra for the Defense Department.

Mr. President, that brings us a bill which is $400 million more than in the judgment of the Senate on the authorization bill only a week ago should be appropriated. The Senator from South Carolina is not proposing to cut back anything on the program. He wants them to have just as much as they ever have had, but he would like to see a little bit of wisdom exercised, with a little bit of careful spending on this program.

Mr. President, if we pass this bill as it stands I say this will be the most loose spending Congress there has been since World War II.

Why do I make that statement? Because here is a bill that has $1.7 billion in it related to the Indochina war. The war ended while the bill was before the Senate. In fact, the war ended while the bill was before the House of Representatives.

Mr. MAYBANK. Will the Senator yield?

Mr. LONG. What did we do with the $1.4 billion? We said we might have some need for it somewhere else at some time, notwithstanding the fact that we have already allowed them to build up, on hand, $13 billion worth. Think of that—$13 billion on hand.

Notwithstanding all of that they say, "Well, it would be well not to cut back on this item. Someone may need it sometime. It might be regarded as a fire bell, warning that we are backing off on foreign aid." So they say "Go ahead and appropriate the whole amount, even though the war is ended in Indochina."

Then, Mr. President, we discovered a short time ago that we thought we were passing a carefully scrutinized defense bill, but the very able chairman of the Armed Services Committee analyzed that budget and found out that there was $2 billion for the Army which was "fat." The Army said the only reason they did not reduce their request by $2 billion was that they thought it should be included for psychological purposes; that not to appropriate it might somehow affect someone and be regarded in a poor light, from a psychological standpoint.

So, Mr. President, if we take the Army figure and add this $1.4 billion which we do not presently need to the $2 billion excess in the Army budget we have a total of around $3.4 billion of unjustified appropriations that this Congress is nevertheless proceeding to appropriate.

There may have been some time when we appropriated money more loosely, but I should like to find out when it was, if it ever occurred.

I submit that the Senator from South Carolina has presented a very carefully considered amendment. It reflects the judgment of the Senate a week ago, and I hope it will be agreed to.

Mr. MAYBANK. I should like to ask the distinguished Senator from Louisiana. if he is aware that there is some $600 million or $700 million in this bill

to pay the cost of the Indochina war, on a 50–50 basis with France.

Mr. LONG. I am aware of that.

Mr. MAYBANK. In other words, the American people are paying half of the cost of the war in Indochina. That is in this bill, in addition to what I have talked about.

I cannot understand how the Secretary of Defense could suggest an amendment designed to give him the right to transfer a billion dollars to Indochina, and to transfer all of the material on the ships that have not been even unloaded.

I hope no one is suggesting that the men like Admiral Carney and General Ridgway and General Twining do not have enough sense to know what to do with those materials. If I believed that I would resign from the Senate. I have great trust in them.

Mr. DIRKSEN. Mr. President, let us see what the figures are. In the first place, when the conference report was completed and came back, the authorizations in the conference report totaled $3,252,000,000. That is, in round figures, $3¼ billion. That is the conference figure.

It was said that $228 million would not be requested, so the amount was reduced to $3,024,000,000, which was available. The amount of the bill before us is $2,990,000,000.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. DIRKSEN. Let me continue for a moment.

We are $34 million below the conference authority, in addition to the $228 million of conference authority which was never requested.

Secondly, let us say with respect to Indochina, that this is not the story that the Senate has heard. There was $800 million in the bill. How was the matter handled? We had an Executive arrangement with the Associated States and with France under which we absorbed a portion of the cost in Indochina. We sent Gen. "Iron Mike" O'Daniel out to Indochina. We sent out screening teams of auditors, and as these things went into combat we assumed our proportion, and it was taken out of the $800 million fund.

There will be a good many charges against that fund, Mr. President, before this thing is all over, because so many of these items have not yet been audited and screened. I have no idea what the charges will be. Not even the brightest man in the military knows what they will be. It will probably be some months before they come up with the answer.

That is the whole story with respect to the conference limitation, the amount which is carried in the bill, the fund in Indochina, and how it may still have to be deployed, plus the fact that material which has been shipped may yet be used in Indochina. We are going to try to train many native troops there, and we shall need equipment.

Do not forget that there is a truce line at the narrow waist of Indochina, and below that are the old Vietnamese Province, Cochin China, and the capital city of Saigon. All of those are in South Vietnam. We are hoping we can establish ourselves there, that there will be equipment which can be used, and that we can put equipment in Laos and Cambodia or wherever the pressure points develop.

So this seems to be a very arbitrary cut, particularly when we consider the fact that, after all, this is a deficiency bill. The estimates were much larger than what we finally acted on in the Senate Appropriations Committee.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. DIRKSEN. I trust the amendment will be rejected.

I yield.

Mr. LONG. I refer the Senator to page 6, line 22, where this language is found:

> The unexpended balances appropriated under each paragraph of the Mutual Security Appropriation Act, 1954—

I shall eliminate the parentheses—

> shall be consolidated with the appropriate appropriation made under this act, and shall be available for the same general purpose and for the same period of time as the appropriate appropriation made under this act.

Is that not an appropriation of $9,500,000,000.

Mr. DIRKSEN. No. The money has been appropriated before, and that is nothing more than a consolidation for bookkeeping purposes. There is a bewildering number of accounts. If they were not consolidated, there would be various sets of books running in different directions, and we would have to pile up a huge payroll in order to look after all those accounts.

Mr. LONG. Is it not necessary to reappropriate this $9,500,000,000 that is left on hand from previous appropriation years?

Mr. DIRKSEN. We add all the unobligated balances available, which amount to approximately $2¼ billion, and also the unexpended balances. The important thing about it is the lead time. I discussed that at length this afternoon, and was so concerned that I desired General Stewart, Admiral Radford, Governor Stassen, the Secretary of State, and others who came before the committee to make that abundantly clear. I think the confusion arises from the fact that in other years we always did this on an authorization basis. In this program it was done upon an appropriating basis. It is the only way they can work now if they are going to carry on successful negotiations with so many countries in so many parts of the world, in order to bring them within the security orbit.

Mr. LONG. Mr. President, I should like to say one word about the lead-time argument, because I have heard it used here before.

Senators will recall that in the debate on the Air Force budget, the argument was made for economies in the Air Force budget that Secretary of Defense Wilson had been able to reduce the lead time for the complicated weapons of air warfare—the jet aircraft, those on the drawing board today as well as those to be produced later, and also for complicated electronics instruments. The point was made that the Secretary of Defense had found that, rather than requiring as much as 7 years of lead time, no more than 4 years of lead time was required for the most complicated jet aircraft.

We are delivering very few jet aircraft, and those we are delivering are not of the latest design and require only a short lead time. Most of the articles we are delivering under this program are the least-expensive type, the type used in World War II. Many of those we already have on hand in large surpluses in this country.

That type of weapon does not require long lead time, and in view of the fact that there is already on hand enough money to carry the program for 3 years, if all the lead time needed for the latest jet aircraft is 3 years, certainly when a rifle has been produced for 10 years, with the dies all set up and ready to go, 2 years' lead time is far more than is really needed.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Carolina [Mr. MAYBANK]. On this question the yeas and nays have been ordered.

Mr. MANSFIELD. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. CASE. Mr. President——

The PRESIDING OFFICER. Will the Senator from Montana withhold the request for a quorum so the Senator from South Dakota may be recognized?

Mr. MANSFIELD. Yes, indeed.

Mr. CASE. I should like to ask a few direct questions, and I should like direct answers.

From an examination of page 19 of the committee report, it is evident that the Senate committee proposes to appropriate $317 million more than the House figure. Fifty-one million dollars of that is apparently new cash, and $266 million is in the form of unobligated balances.

Does that $317 million of additional amounts for military assistance include the $200 million which is to be recovered or which it is hoped may be recovered from inventory values?

Mr. BRIDGES. The answer is "No."

Mr. CASE. In other words, the Senate bill actually proposes approximately $517 million more if the inventory values are recovered?

Mr. BRIDGES. Of course, nobody knows now whether 5 cents worth or $500 million worth will be recovered. The amendment to which the Senator refers is a contingent amendment which operates on the basis of a recovery. If $100 million worth is recovered, that can be added by the FOA for general relief use wherever they may desire to apply it, or if they recover $300 million worth they can use $100 million additional for the Armed Services—the Navy, the Army, the Air Force—which can be used for the general defense of the country. If it were to be used by FOA, then it would be necessary that they pay for it out of the appropriations for the given area or the given country.

Mr. CASE. Does the Senator mean that if they should recover $200 million

of these inventory values, and should distribute it under the authorizations permitted by the direct cash appropriations, part of that cash would be used to liquidate that amount, so to speak?

Mr. BRIDGES. No.

Mr. DIRKSEN. It would apply to 1951, 1952, 1953, and 1954 obligations which have not yet been fulfilled.

Mr. CASE. Mr. President, what is the reason for the addition of $300 million over and above the House figure? Particularly why should we make available $266 million of unobligated balances over and above the House figure? That is a quarter of a billion dollars.

Mr. BRIDGES. I will say to the Senator from South Dakota that it is a matter of opinion, but the committee, after hearing all the evidence—a good deal of it in executive session—relative to the international situation in various sections of the world, felt that we could well do it. That was not the unanimous opinion of the committee, but it was the majority opinion of the committee. The Senator from New Hampshire, as chairman of the committee, is reporting the majority view of the committee.

Mr. CASE. Did the committee determine that there was an unobligated balance of more than $2½ billion?

Mr. BRIDGES. Some funds were committed, but not obligated. I think the $316 million is included in the $2½ billion.

Mr. CASE. Does the unobligated balance come entirely out of moneys heretofore appropriated for the purpose of foreign military assistance?

Mr. BRIDGES. That is correct.

Mr. DIRKSEN. One of the difficulties in the whole field of unobligated balances is that the House cut back $269 million, I believe, in obligated balances. We made available all the unobligated balances on the ground that they represent programs which have been processed, and in connection with which there may be considerable lead time.

Mr. CASE. The Senator is saying that the figure in the first group, on page 19 of the report, the $2,500,392,283, is the total of the unobligated balances, and the Senate committee proposes to make all of it available.

Mr. DIRKSEN. Yes; that is correct. That is for military assistance.

Mr. CASE. Is that because that was the total amount that was found to be in existence?

Mr. DIRKSEN. Whatever the amount was. It is a shifting amount. I believe one figure that was given us was $2,200,000,000. It was probably in May when we received that figure. Perhaps the actual figure would be about $2,250,000,000.

Mr. CASE. How did the House determine that the figure of $2,207,000,000, instead of the Senate figure of $2,500,000,000, was the correct figure?

Mr. DIRKSEN. I do not know, as a matter of fact.

Mr. CASE. The point is, Was the House figure of $2,207,000,000 of unobligated balances based on need, or was it arrived at because that was found to be the unobligated balance?

Mr. DIRKSEN. Frankly, I do not want to be telling tales out of school, but I remember that on occasions when I was a member of the Committee on Appropriations of the House, after all the testimony was in, we used to say, "Suppose we take a 5-percent or 10-percent cut in it, and then come up with a certain figure." Of course, I do not want to reflect on what the House does.

Mr. CASE. I recognize that that may happen. However, at the same time, $300 million is a very sizable amount. It ought to have been possible to determine whether the unobligated balance was $2,207,000,000 or $2,500,000,000. Apparently the Senate committee decided that the unobligated balances amounted to the larger figure of $2,500,000,000. If it did, and if the need was determined as the amount shown in the total, why was not the $300 million applied against the total need?

Mr. DIRKSEN. I doubt if it would be material whether the amount was $2,200,000,000 or $2,500,000,000, because the unobligated balances represent the programs that have been laid out and for which that money is to be used. As these programs move into force the amount of the unobligated balance begins to go down. Therefore, we have here a shifting unobligated balance from time to time and $51 million of new money to account for the $316 million on page 19 of the report.

Mr. CASE. The whole essence of the new look in the military field has been reprograming, and it occurs to me that if, in the domestic military field, unobligated balances have been reallocated in the reprograming and applied to a different concept of objects that need funds, the same principle is applicable in the field of foreign military assistance. If the Senate Committee on Appropriations was able to find nearly $300 million more in unobligated balances than were apparent when the bill went through the House, the balances could have been properly applied to the new program abroad. The program abroad has been looked at again, too, and it has been reappraised.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. CASE. I yield.

Mr. KNOWLAND. The Senator is a very able member of the Subcommittee on Appropriations for Civil Functions. I am sure he is familiar with the fact—I know he has made observations regarding it, as have other members of that subcommittee—that there is a difference between the date when the House acts on an appropriations bill and when the Senate acts on it. When the Senate acts on the bill more current information and later facts and figures are available.

That happens in connection with civil functions appropriations. At first a certain amount of money may be left over on a large project. Later it may be found that a different figure is the true figure. However, as the Senator from New Hampshire and the Senator from Illinois have pointed out, the fact is that these are programs in being. Whether the figure is $100 million or $200 million, more or less, it is a fact that the programs are moving ahead.

It was the unanimous testimony before the committee from those charged with the responsibility for our defense and the working out of a program, that they would be seriously handicapped if the figures as they stood in the House bill were permitted to stand, with the restrictions provided.

Mr. CASE. The Senator from South Dakota has worked on the civil functions bill, and has observed the difference between a committed fund and an obligated fund, and he also served for a number of years as a member of the Committee on Appropriations of the House of Representatives. It has always been my experience that as time went on the unobligated balance decreased. Here the unobligated balance has gone up by $300 million.

If the Senate committee found that there was $300 million more of unobligated funds than existed at the time the House passed the bill, the normal thing to have done would have been to apply the $300 million to the total estimate of the needs and to have reduced the new cash by that amount.

Mr. KNOWLAND. I drew a comparison with the civil functions bill. After all, those appropriations go along under normal, static, peacetime conditions. Here we are dealing with a condition of flux and changeability. Wars have gone on. Cold wars have gone on. There has been increasing Communist pressure. Governments have fallen, and various changes have taken place.

It is entirely possible that it may be necessary to cancel a contract, for example, for project A, because a higher priority exists for project B. Project A would still be programed, but the money might not actually have been contracted. There are varying circumstances. The fact remains that the military and defense authorities have testified they urgently need these moneys, considering the world situation as it is.

Mr. CASE. I recognize the force of the argument that contracts may have to be canceled, but that would be the only way in which the true unobligated balance could increase as time went on, by recovering the freedom of the money that had been obligated.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. CASE. I yield.

Mr. DIRKSEN. First of all we must start with the budget figure. The budget figure on unobligated funds was $2,539,000,000. Whether the House found more or less, I do not know. In the language that is stricken on page 2 the House simply stated that not to exceed $2,234,000,000 of unobligated balances may be used.

When we restored all the unobligated balances we accounted for the difference of $265 million, which is seen in the last column on page 19. The House said, "You cannot spend more than that." We sought to place a limit on the unobligated balance. It shows up in the arithmetic in the last column. When we add the new money there is the $316 million which the Senator discussed in the first instance.

SEVERAL SENATORS. Vote! Vote!

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the call of the roll be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

The question is on agreeing to the amendment offered by the Senator from South Carolina [Mr. MAYBANK].

Mr. KENNEDY. Mr. President, I should like to ask the Senator from Illinois [Mr. DIRKSEN] a question or two.

Can the Senator tell me how much the sum was reduced?

Mr. DIRKSEN. Is the Senator speaking about the overall amount?

Mr. KENNEDY. I am speaking about the $800 million.

Mr. DIRKSEN. It is lumped, of course, in one item. There is a $700 million ceiling. I do not have the total figure in mind.

Mr. KENNEDY. Was it reduced at the end of the Indochinese war?

Mr. DIRKSEN. We did not handle it in that way. It is on the basis of titles and chapters. I do not have the figure in mind as to the Indochinese standing amount.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Carolina [Mr. MAYBANK]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

Mr. THYE. Mr. President, I have a plane reservation for 6:15 o'clock, and I ask unanimous consent that immediately following the yea and nay vote about to be taken, I be excused from attendance on the session of the Senate for the remainder of today.

The PRESIDING OFFICER. Without objection, the leave is granted.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DIRKSEN. The vote now is to be on the item of $200 million; is that correct?

The PRESIDING OFFICER. The Senator is correct.

The clerk will call the roll.

The Chief Clerk called the roll.

Mr. SALTONSTALL. I announce that the Senator from Nebraska [Mrs. BOWRING], the Senator from Oregon [Mr. CORDON], the Senator from Pennsylvania [Mr. DUFF], the Senator from Vermont [Mr. FLANDERS], the Senator from Nevada [Mr. MALONE], the Senator from Nebraska [Mr. REYNOLDS], and the Senator from New Hampshire [Mr. UPTON] are necessarily absent.

The Senator from Indiana [Mr. CAPEHART] and the Senator from Idaho [Mr. WELKER] are absent on official business.

The Senator from Ohio [Mr. BRICKER] is absent by leave of the Senate.

On this vote the Senator from Pennsylvania [Mr. DUFF] has a pair with the Senator from Nevada [Mr. MALONE]. If present and voting, the Senator from Pennsylvania [Mr. DUFF] would vote "nay," and the Senator from Nevada [Mr. MALONE] would vote "yea."

The Senator from Idaho [Mr. WELKER] has a pair with the Senator from Illinois [Mr. DOUGLAS]. If present and voting, the Senator from Idaho [Mr. WELKER] would vote "yea," and the Senator from Illinois [Mr. DOUGLAS] would vote "nay."

The Senator from Vermont [Mr. FLANDERS] has a pair with the Senator from Delaware [Mr. FREAR]. If present and voting, the Senator from Vermont [Mr. FLANDERS] would vote "nay," and the Senator from Delaware [Mr. FREAR] would vote "yea."

Mr. CLEMENTS. I announce that the Senator from Ohio [Mr. BURKE], the Senator from Virginia [Mr. BYRD], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Delaware [Mr. FREAR], the Senator from Iowa [Mr. GILLETTE], the Senator from Tennessee [Mr. KEFAUVER], the Senators from West Virginia [Mr. KILGORE and Mr. NEELY], and the Senator from Rhode Island [Mr. PASTORE] are absent on official business.

The Senator from Alabama [Mr. SPARKMAN] is necessarily absent.

I announce further that on this vote the Senator from Illinois [Mr. DOUGLAS] is paired with the Senator from Idaho [Mr. WELKER]. If present and voting, the Senator from Illinois would vote "nay," and the Senator from Idaho would vote "yea."

I announce also that on this vote the Senator from Delaware [Mr. FREAR] is paired with the Senator from Vermont [Mr. FLANDERS]. If present and voting, the Senator from Delaware would vote "yea," and the Senator from Vermont would vote "nay."

I announce that if present and voting, the Senator from Virginia [Mr. BYRD], and the Senator from West Virginia [Mr. NEELY] would vote "yea."

The result was announced—yeas 41, nays 34, as follows:

YEAS—41

Anderson	Holland	McClellan
Barrett	Jackson	Monroney
Case	Jenner	Mundt
Chavez	Johnson, Colo.	Murray
Clements	Johnson, Tex.	Potter
Daniel	Johnston, S. C.	Russell
Dworshak	Kennedy	Schoeppel
Ellender	Kerr	Smathers
Ervin	Langer	Stennis
George	Lennon	Symington
Goldwater	Long	Watkins
Gore	Magnuson	Williams
Green	Mansfield	Young
Hill	Maybank	

NAYS—34

Aiken	Hayden	Millikin
Beall	Hendrickson	Morse
Bennett	Hennings	Payne
Bridges	Hickenlooper	Purtell
Bush	Humphrey	Robertson
Butler	Ives	Saltonstall
Carlson	Knowland	Smith, Maine
Cooper	Kuchel	Smith, N. J.
Crippa	Lehman	Thye
Dirksen	Martin	Wiley
Ferguson	McCarran	
Fulbright	McCarthy	

NOT VOTING—21

Bowring	Duff	Malone
Bricker	Eastland	Neely
Burke	Flanders	Pastore
Byrd	Frear	Reynolds
Capehart	Gillette	Sparkman
Cordon	Kefauver	Upton
Douglas	Kilgore	Welker

So Mr. MAYBANK's amendment was agreed to.

Mr. MAYBANK. Mr. President, I move that the vote by which my amendment was agreed to be reconsidered.

Mr. JOHNSON of Texas. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas to lay on the table the motion of the Senator from South Carolina.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. DWORSHAK. Mr. President, I offer an amendment which I ask to have read.

The PRESIDING OFFICER. The Clerk will state the amendment.

The CHIEF CLERK. On page 3 it is proposed to strike out all of lines 15 and 16.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Idaho.

Mr. DWORSHAK. Mr. President, I shall endeavor to make my explanation of the amendment very brief. The Senate committee had already adopted an amendment as follows:

Production for forces support: For assistance authorized by section 122, $35 million.

I call attention to the fact that during the fiscal year 1954, according to a report prepared and submitted by the staff of the Committee on Appropriations, the amended British aircraft program for fiscal 1954, including commodity support attributed to the overall defense effort in general and the aircraft program in particular is as follows:

Commodity aid under section 541 of the Mutual Security Act, $55 million.

Military air program allocations under section 552 of Mutual Security Act, $14 million.

Special aircraft program, $85 million.

Offshore procurement, $103 million.

Total, $257 million.

In the item for general military assistance there is earmarked $162 million, less the pro rata cut on the amendment which has just been adopted, which I presume will bring the amount to about $150 million. This is earmarked for the United Kingdom, for general military assistance. Undoubtedly it includes money for the development of aircraft, along with other material and equipment.

On a number of occasions I have called attention to one of the serious results of our foreign-aid programs. I refer to the questionable economic practice of financing foreign competition with our own industry.

One of the glaring examples of the results of this practice is our own mining industry. We have seen how cheap-labor imports of materials from countries whose mines we modernized and expanded through our grants-in-aid have forced our own mines to curtail operations or to shut down completely. I have pointed out time and again that

our national security is being endangered when we are being forced to rely on uncertain foreign sources of supply for our imported minerals.

During the past week a story published in the Washington Post and Times Herald points up the results of our failure to control more rigidly the appropriations and the manner in which our foreign-assistance programs are handled. This dispatch reports that Capital Air Lines has bought 37 more British-made turbo-prop passenger planes. With the three planes this airline had previously ordered, the total is raised to 40.

This is another case in which we have financed the construction of an economic guillotine for ourselves. It simply does not make sense to use our foreign aid to build up subsidized and nationalized industries in other countries to the detriment of strategic industries in the United States; and there is no more strategic industry in the United States at this time than our aircraft industry.

American commercial aircraft have been the best in the world for years—and they still are. They are used not only by our own operators, but also by most of the airlines of the world.

The British have sought this market, and I have no quarrel with that. But I think it is outrageous to finance this competition, even indirectly.

An investigation has been made by staff members of the Senate Committee on Appropriations into appropriations for the support of the Royal Air Force. A summary of the report shows the following:

First. The effect of the support which we are now giving the Royal Air Force is to enable the British Government to subsidize the development of commercial jet transports, both passenger and cargo, to compete with our own aircraft industry and international airlines. The sale of the 40 British turbo-prop planes to Capital Airlines makes it apparent that competition is already being felt by American plane and engine builders.

Second. During the calendar year 1953, the British Parliament reduced the national income-tax rate. In our fiscal year 1954 the British Government added to the subsidization of commercial jet aviation, but at the same time solicited and received from the United States in grant aid almost $300 million to assist in financing certain British aircraft contributions to the NATO air command and the procurement of aircraft for the British Royal Air Force.

Third. Several of the British planes which we are financing under the Royal Air Force modernization plan are unproved and still in the experimental state. It is a matter of common knowledge throughout the aircraft industry that all the fighters included in the plan are incapable of transonic or supersonic speed at level flight, and such has been the delay in their development and production that there seems to be no doubt that they will be obsolescent by the time they are all delivered to frontline squadrons.

Fourth. The appropriation we are being asked to vote is not true military aid. In reality it is additional economic assistance to the United Kingdom in the form of budget support. All the evidence indicates that the financial gap in the Royal Air Force modernization program which the United States is being asked to meet is essentially a fiscal matter. It represents the alleged overall shortfall in necessary British funds, and in its inception did not identify specific planes for specific purposes. The record also shows very clearly that in the appropriations for the United Kingdom in fiscal year 1954 it was the intent of the Congress to limit economic assistance to the United Kingdom to a maximum of $20 million. Do we propose to increase this by more than 10 times in fiscal year 1955?

Fifth. If the British can afford massive subsidies for the development of new civil jet transports, they do not need this additional economic aid to carry through their plan for the modernization of the Royal Air Force and compliance with their responsibilities to NATO.

Sixth. If it is determined as a matter of high policy that we should furnish fighter aircraft to the Royal Air Force, there is a better way of doing it with greater benefit to the United States, and to our aircraft industry, than by financing the production of untried British planes that in any event will so soon be second-rate.

Mr. President, that completes the summarization of the staff report.

I should now like to call attention briefly to an article which appeared in the August 16, 1954, issue of Time magazine, at page 90:

> Britain last week rolled out its first truly supersonic jet. * * * At the news, most of Britain's newspapers went all out, claimed speeds of 1,000 miles per hour or better. Streamered the Daily Mail: "Fastest Yet—and British." But some, remembering how few of Britain's shiny prototypes ever see squadron service, were less enthusiastic. Said the Manchester Guardian: "The (Hawker) Hunter and the (Supermarine) Swift, according to Government statements 2 years ago, were going to be 'the finest day fighters in the world.' * * * But by midsummer of 1954, only a few Hunters had reached squadrons, and the Swifts were all grounded because of technical troubles. By the time (the P–1) comes into general service, if it ever does, it, too, may be behind the best * * * the RAF would do better to concentrate on fewer machines and get them into service faster.

It is my contention that if the British can afford massive subsidies for the development of new civil jet transports, they do not need this additional economic aid to carry through their plan for the modernization of the Royal Air Force. As a matter of fact, if we eliminate this appropriation, the Royal Air Force will not abandon its program. It will recognize self-interest, and go right ahead with it. This is one of the places where we can lift some of the burden from the backs of the American taxpayers.

Mr. President, when this program was called to the attention of Governor Stassen, head of FOA, during the hearings, he said he knew nothing about the program, and had not read the report of the committee and its staff. It is almost incredible that the Director of FOA would confess that he had no knowledge concerning the indirect appropriation, and the allotment of almost $200 million in the past fiscal year, to enable Britain to develop her commercial aircraft industry.

I believe in cooperation with Britain, and I sincerely hope the United Kingdom will be successful in developing both her commercial and her military aircraft. But, at the same time, I think we should realize to what extent we are spending these billions of dollars abroad to help countries which have a very small national debt as compared with ours—countries which are willing to cooperate primarily because they receive these financial handouts.

I think with respect to this item, which was not included in the House appropriation bill, we should recognize that there will be probably $152 million made available for the military defense program of the United Kingdom in other categories; and there are several of those covered within the pages of this bill.

I appeal for support of my amendment, which would eliminate the item of $35 million allocated for the production for forces support.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. DWORSHAK. I yield to the Senator from South Carolina.

Mr. MAYBANK. As a member of the committee on this side of the aisle, I wish to say that the Senator from Idaho is eminently correct.

Mr. DWORSHAK. I thank the Senator from South Carolina, who was present during the hearings. When we asked several representatives of FOA about this item, there was a complete lack of authentic and accurate information justifying this particular program.

Mr. MAYBANK. The Senator from Idaho is eminently correct.

Mr. DIRKSEN. Mr. President, I must correct my good friend, the Senator from Idaho. Governor Stassen testified at considerable length on this program, and showed a very great familiarity with every aspect of it.

This is not an involved matter at all. There have been two programs in progress in order to build up the Royal Air Force, and at the same time get some benefits for the NATO line of defense. There is involved in the program an arrangement between our Air Force and the Royal Air Force, which has nothing to do with the pending bill. There is in this bill, however, an item of $35 million for the building of airplanes in Great Britain to be used as frontline fighters in Europe. General Gruenther testified at great length on the point, and he is extremely anxious about it.

When the estimate first came before the committee, it was for $77 million. Later it was reduced to $70 million. When the conferees finished the authorization bill, they provided a ceiling of not to exceed $35 million.

The $35 million the Senator from Idaho proposes to strike out is made up entirely in the form of surplus commodities. It is proposed to send those commodities to the United Kingdom. The British will then use their own currency. They will use sterling for the

purpose of raising their air force budget over and above what they planned in the first instance, and they will be doing it specifically at the request of the American military authorities. The Canberras, the Swifts, the Hawker-Hunters, and other planes may have had some defects in them several years ago, but it was testified that those planes were now proven. Certainly General Gruenther testified he wants these planes as front-line fighters. We are expected to spend $35 million in surplus commodities, and in return the British budget will be increased by that amount for the building and the acquisition of airplanes for use on the NATO line in Europe.

What is the alternative? We can build those airplanes here and send them, along with our own pilots, to Britain. As between the two alternatives, I would prefer that the airplanes be built over there, using agricultural commodities as sort of counterfunds, and let them supply their own pilots. It will ease the burden upon this country that much.

If it is going to be argued that this is a subsidy to the British aircraft industry, I suppose that general line could be spelled out on nearly every item one may encounter in the bill, on the theory that if that amount of money should be made available to the British budget, they would be able to release funds and use them for British aircraft.

The fact of the matter is that our military authorities want these planes, and they see an opportunity both to put them on the NATO frontline and at the same time get rid of $35 million worth of our surplus commodities.

Mr. President, the amendment ought to be rejected.

LEGISLATIVE PROGRAM

Mr. KNOWLAND. Mr. President, before some of the Senators leave, I should like to make a statement. I have had a number of requests as to the program for the rest of the day and for Monday. As soon as action on the final passage of the bill has been completed, I do not plan to ask for a night session tonight. The Senate then, under its prior order, will stand in recess until 10 o'clock Monday morning. The Senate will remain in session in order that Senators may request matters to be printed in the RECORD.

Awaiting action are a number of House amendments to Senate bills, and the concurrence of the Senate in those amendments is requested. Immediately following final action on the pending appropriation bill, we plan to call up those measures for vote. Other than that, there will be no other voting tonight.

On Monday—and again I call this to the attention of the Senator from North Dakota, although I have discussed it with him privately—we shall have the three contempt citations: Calendar No. 1827, Senate Resolution 280; Calendar No. 1828, Senate Resolution 282; and Calendar No. 1829, Senate Resolution 281; they will be ready for action on Monday.

But at 10 o'clock on Monday, when the Senate convenes, we shall have a call of the calendar, beginning at the end of the last calendar call. However, following that, we shall have a call of the bills at the beginning of the calendar, and shall go through them. That will be the first order of business on Monday. Then we shall be able to see which measures are passed during the call of the calendar, and which ones remain to be acted on.

Thereafter, on Monday, we shall consider the contempt-citation resolutions.

Then we shall have two more of the anti-Communist bills: Calendar No. 1834, Senate bill 3428, the defense facilities bill; and Calendar No. 1833, House bill 9580, the espionage bill.

Then we shall take up Calendar 2261, Senate bill 2631, to prohibit the payment of governmental retirement benefits to persons convicted of certain offenses—including the Alger Hiss matter.

That will be followed by Calendar 2223, House bill 7130, the citizenship bill. I think those bills will fairly well fill our program on Monday.

On Tuesday, I hope we shall have the conference report on the supplemental appropriations bill, the conference report on the farm bill, and the conference report on the atomic energy bill.

If we are fortunate in each instance—which I cannot guarantee, of course, although I have hopes that we shall be, and that at least 2 out of 3 of those conference reports will be ready for action on Tuesday——

Mr. JOHNSON of Texas. Mr. President, will the Senator from California yield to me?

Mr. KNOWLAND. I yield.

Mr. JOHNSON of Texas. If the distinguished majority leader gets through early on Monday with his program for that day, and if he then is looking for another bill to have the Senate take up, I wonder whether it will be possible to have the Senate consider at that time the railroad retirement bill.

Mr. KNOWLAND. There is some indication that possibly that measure might pass during the call of the calendar, or that perhaps over the weekend an area of agreement might be found for some amendments which might be offered during the call of the calendar, and that the amendments might be accepted by both sides, and thus we might solve the problem. But that I do not know.

Mr. JOHNSON of Texas. Assuming that does not happen, then, after the call of the calendar is completed, if it did not appear that consideration of the railroad retirement bill would involve too much opposition, could not the bill be taken up at that time?

Mr. KNOWLAND. It is one of the bills we have under consideration. There are, of course, others, including the unemployment reserves bill.

Let me assure the distinguished minority leader that there is no attempt on my part to avoid taking up the railroad retirement bill, but we have a great many other important bills to deal with.

Mr. JOHNSON of Texas. I understand that, and I am not trying to press the Senator from California about it. But since he has listed the bills that he might wish to have the Senate take up on Monday, I was hoping he would include in the list to be taken up on Monday, the railroad retirement bill—if it is not passed during the calendar call—so that all Senators would be on notice.

Mr. KNOWLAND. Let me say to the distinguished Senator from Texas that, as I am sure he knows, when the majority leader reaches this point in the session, different persons have different ideas regarding which bills should receive high priority. If the Senator from Texas will bear with me, we shall try to meet this problem, and meet it as early in the week as possible.

If we can complete the calendar call on Monday, I think we may have some pleasant surprises.

Mr. CHAVEZ. Mr. President, will the Senator from California yield to me?

Mr. KNOWLAND. I yield.

Mr. CHAVEZ. The distinguished senior Senator from Pennsylvania [Mr. MARTIN], the chairman of the Committee on Public Works, several weeks ago reported the omnibus flood-control bill. Congress has not acted on a bill of that type for approximately 4 years. Can the majority leader inform us whether it will be possible to have that bill brought up next week? I am sorry I do not recall the calendar number of the bill.

Mr. KNOWLAND. I think it is on the list before me; it is Calendar No. 2026, House bill 9859, the public works bill. But again I was merely indicating the Monday program, because obviously the measures we can handle on Monday will depend to some extent on the facility and speed with which we are able to handle some of the bills I have already listed.

Last evening, in connection with the social-security bill with the cooperation of the distinguished minority leader—and his cooperation was particularly valuable—and with the cooperation of other Senators, including the distinguished Senator from Oregon [Mr. MORSE], we were able to enter into a unanimous-consent agreement which seemed to work very well; the time was divided, with half an hour being available on each amendment, and with the time on the bill itself divided equally.

So perhaps next week, by means of similar cooperation on the part of Senators on both sides of the aisle, we may be able to achieve excellent progress in the case of many of the other bills, and may be able to move along expeditiously and reach the public-works bill and a number of the other bills which have been mentioned. That will certainly be my objective, and I shall seek to achieve it. I know I shall receive from Senators on the other side of the aisle the cooperation we have been able to have to date.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator from California yield to me?

Mr. KNOWLAND. I yield.

Mr. JOHNSTON of South Carolina. What is the plan in regard to action on Calendar No. 2010, House bill 7774, the so-called Government employees' pay bill?

Mr. KNOWLAND. That is another bill which will be included in the calendar call. It is entirely possible that during the calendar call, amendments

which might change the situation regarding that measure might be proposed. Again, that is one of the bills in which a considerable amount of interest has been expressed by Senators on both sides of the aisle, and also on the outside, as the distinguished Senator from South Carolina knows.

Mr. JOHNSTON of South Carolina. I ask the question because the last time the question arose, the Senator from California said he would take up the bill with the majority policy committee, and that he would let me know.

Mr. KNOWLAND. That bill and a good many others were mentioned during the discussions today. With the exception of the Monday schedule, we have not finally cleared the other bills, because we thought there would be an opportunity, in the case of a good many of them—and in that connection I may refer to the bill relating to Reserve officers, as well as bills dealing with other subjects—to have some arrangements made over the weekend, and that perhaps certain amendments which would appear to both sides to be reasonable might be suggested, and thus it would be possible for certain of those bills to be passed during the calendar call.

As soon as the calendar call is over, on Monday, another meeting of the majority policy committee has been scheduled; and at that time we can consider the program thereafter.

Mr. JOHNSTON of South Carolina. That bill was called during the last calendar call, and was passed at that time, but subsequently was reconsidered, and was returned to the calendar.

Mr. KNOWLAND. That is correct. But at the time of that calendar call, no amendments to the bill were available or ready.

Mr. SMITH of New Jersey. Mr. President, will the Senator from California yield to me?

Mr. KNOWLAND. I yield.

Mr. SMITH of New Jersey. Let me inquire about the school-construction bill.

Mr. KNOWLAND. It is on the list of possibilities. But, again, that will depend on the progress we are able to make on the bills that come ahead of it.

We have a great many bills of great importance. I almost hesitate to name some, for fear that would seem to indicate that they would have priority over others. In this connection, I might refer to the Colorado River bill, the bill dealing with the Missouri Basin, and bills dealing with compacts between States in connection with such matters. There are many other bills that are important to particular regions, particular areas, or particular Senators. We are trying to do the best we can with the problems which confront us.

Mr. JOHNSON of Texas. Mr. President, will the Senator from California yield again to me?

Mr. KNOWLAND. I yield.

Mr. JOHNSON of Texas. I should like to make a suggestion to the majority leader. I believe it would be helpful if he and the majority policy committee would prepare a list of the bills which they are anxious to have acted on before the time of adjournment arrives, and then would give me an opportunity to review those bills with the Members on this side of the aisle—in the hope that perhaps we could reach agreement on a time limit on debate on all the so-called must bills.

Mr. KNOWLAND. I do not like to use the word "must" as applied to bills, but rather "priority legislation."

Mr. JOHNSON of Texas. I am using the word "must" bills. If the majority leader feels they must be taken up and we must be subjected to voting on them, it is a "must," so far as I am concerned. If the Senator can give us a list of the bills which he plans to bring up, I think we can reach some agreement as to time. There may be some bills as to which Members on this side would not make an agreement, but on many of them I am sure we could do as we did on the social security bill and save time, enabling us to recess at the earliest possible date.

APPROPRIATIONS FOR MUTUAL SECURITY

The Senate resumed the consideration of the bill (H. R. 10051) making appropriations for mutual security for the fiscal year ending June 30, 1955, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the——

Mr. DWORSHAK. Mr. President, I do not want to let go unchallenged the statement of the Senator from Illinois that the purpose of this amendment, the deletion of these funds, is to force the production of NATO military planes in this country instead of in Britain. The purpose of the Senator from Idaho is to seek the continued cooperation of the United Kingdom in making available some of the military planes, but to do so at the expense of that country instead of our being expected to furnish the funds for construction of military planes so that Britain may divert other funds to subsidize its commercial aircraft industry. I want the record to show that, because I have no desire whatsoever to force the discontinuance of the construction of military planes for NATO by the United Kingdom.

Mr. HAYDEN. Mr. President, I should like to be heard in opposition to the amendment offered by the Senator from Idaho. My remarks are addressed particularly to Senators who are interested in the disposal of surplus agricultural commodities.

I read from the testimony of Mr. Stassen, page 122 of the hearings:

> We are doing another interesting thing. You are correct as to our emphasis on the RAF. In other words, we feel that the RAF is a force of proven elite fighters. They are the third best air force in the world from the standpoint of power. With all of our bases around there, we want a powerful RAF for United States security reasons. We are helping to build the RAF and we are doing it in an interesting way.
>
> We are using United States agricultural products. In other words, in this program we are asking for another $75 million to back the RAF, and we propose to do it not with dollars, but by shipping them $75 million more of agricultural products which they, having taken off rationing, consulted their own people, picked up their own pound sterling for the food, put the money behind the RAF.
>
> I really feel it is a method of working out a strengthened defense program with the United States asset.

Senator THYE. May I have information of what type of agricultural commodities will be made available?

Mr. STASSEN. It will be meat and butter and cottonseed oil and cotton and wheat, maybe some corn.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Idaho [Mr. DWORSHAK]. [Putting the question.]

Mr. MCCARTHY. Mr. President——

Mr. DWORSHAK. Mr. President, I request a division.

Mr. MCCARTHY. Mr. President, I was asking for recognition.

Mr. MAYBANK. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Wisconsin has sought recognition, and the Chair recognizes him.

Mr. MAYBANK. Mr. President, will the Senator from Wisconsin yield?

Mr. MCCARTHY. I am glad to yield.

Mr. MAYBANK. I understood the Senator from Idaho [Mr. DWORSHAK] to ask for a division, and I am wondering if the division will come after the Senator from Wisconsin speaks.

Mr. MCCARTHY. I shall be glad to yield the floor to enable the Senate to vote. However, I have been yielding to Senators for 2 hours. I am a half hour overdue on work which I must do.

Mr. MAYBANK. I can understand, and I appreciate the Senator's yielding to me.

The PRESIDING OFFICER. Is the Chair to understand that the Senator from Wisconsin is willing to yield for the purpose of having a vote on the amendment offered by the Senator from Idaho, with the understanding that he will not lose the floor?

Mr. MCCARTHY. I shall be glad to do that. Mr. President, several other Senators have asked me to refrain from the short 5-minute speech I intend to make until they bring up their amendments. I thought I could do that. However, I find that 5 minutes on an amendment generally runs to half an hour, so after yielding for the division, I wish to make a very brief comment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment offered by the Senator from Idaho [Mr. DWORSHAK]. A division has been requested.

On a division, the amendment was rejected.

Mr. MCCARTHY. Mr. President, I know the Senator from Louisiana [Mr. LONG] has a very important amendment to bring up, and ordinarily I would wait until that amendment had been disposed of before making my remarks. However, I have a few very brief remarks to make before the Senator's amendment comes up. I shall try to keep within 5 minutes.

Mr. President, we are voting money tonight for the prosecution of a war which started 106 years ago. That war was declared in 1848. For the first 69 years of that war very little progress was made by the enemy. The declaration was made by Karl Marx. Not until 1917,

when the Kaiser sent seven Communists, headed by Nikolai Lenin, into Russia, did they make much progress. However, in 100 days those 7 Communists headed by Lenin took over a nation of 180 million people.

Very little progress was made until 1945. From 1917 to 1945 the figure remained at 180 million. From 1945 until the first of 1953 the figure increased to 800 million people.

We should keep in mind that the entire world population, according to the latest estimate, is about 2,300,000,000. So 800 million is approaching one-half of the world's population. Nearly one-half the world's population is in chains.

From the first of 1953 until a few weeks ago, again very little progress was made, insofar as numbers of people in chains were concerned, but a few weeks ago we saw an additional 12 million people and a fairly sizable area of the earth's surface in Indochina go behind the Iron Curtain.

The question is, Why are we losing this war? We are paying for it tonight. We are about to vote money for it. Why are we losing it? It is perhaps because the money is improperly used.

In that connection I invite the attention of the Senate to one of the most unusual orders I have ever heard of during my service in the Senate. When I was campaigning against my Democrat friends, I condemned them for secrecy. If my Republican friends engage in the same type of secrecy, I have no choice but to discuss that, also.

Here is an order dated March 26, 1954. This order is 3 pages long, and I should like to have it inserted in toto in the RECORD at this point.

Mr. MORSE. Mr. President, reserving the right to object, will the Senator from Wisconsin explain to us where the order comes from, and who the author of the order is, and summarize for us its contents?

Mr. McCARTHY. I shall be glad to do so.

The order comes from Mr. Harold Stassen, the head of the organization for which we are voting money tonight. The date is March 26. It provides that when the Presidential secrecy order—the order of Truman, and the order of Mr. Eisenhower—failed to cover a certain situation—in other words, when security matters are not involved—nevertheless the agency can classify something "For official use only," and that will keep the information from the Congress, and from the American people.

Let me read paragraph 6 of this order. It would be unbelievable, almost, except that it is a matter of cold record.

Paragraph 6. Here is the information that Congress cannot get even though we are voting approximately $3 billion for this organization.

> 6. Information pertaining to administrative, organization, personnel, fiscal or operating policies, procedures and plans where temporary protection prior to firm establishment is in the public interest.

In other words, they say, "We will not give Congress information about personnel, organization, administration, operating policies, procedures, and plans." There is added the clause, as protection, "where it is in the public interest."

The order covers about everything that can be covered.

I hand the order to the Senator from Oregon. He has been a very active critic of secrecy in government, so I think he might be interested in this because of the huge amount of money we are voting for this organization.

Mr. MORSE. Of course, as the Senator knows, as a matter of courtesy I would not object to have any Senator offering at any time what in his judgment ought to be put into the RECORD. I hope the Senator understands that.

Mr. McCARTHY. I understand that.

Mr. MORSE. I should like, however, to ask a question or two about this document.

Am I to understand that it is the position of the Senator from Wisconsin that Mr. Stassen, under the heading of "Procedures for the Protection of Certain Non-defense Information, a Foreign Operations Administration Manual," is seeking to keep from the Congress, and I assume from the press——

Mr. McCARTHY. Correct——

Mr. MORSE. Information about the operation of this public agency of Government which is not classified information?

Mr. McCARTHY. Let me put it this way: I take the position we have been losing this war over the past number of years even though we have been voting whatever has been asked. The question is, why? I feel it is because the money is improperly spent. Now we suddenly find a new order telling us we can have no knowledge of how it is spent.

I feel we should not vote money for an organization which has been failing so miserably and which now says "Congress cannot know anything about our organization. We will take the money. We will keep everything secret."

I think that is ten times important, in view of the constant reports we get on incompetence, overstaffing, and the type of debris which there is in some of the FOA offices. I may say, in fairness to some of the individuals in FOA, I think there are some outstanding people who are even more disturbed than I am about this secrecy, incompetence, and debris piling up in the FOA.

Mr. MORSE. May I ask one more question as a matter of reservation, and then I shall not object.

Am I to understand what the Senator from Wisconsin alleges with respect to the document is that it is an example of Government by secrecy in FOA, operated by Mr. Stassen?

Mr. McCARTHY. Correct. And this is just the beginning, I am afraid. We are heading more and more toward complete secrecy in government.

For a while we had secrecy under the guise that it involved security. Here we have the head of an organization with no Presidential authority—I am sure Mr. Eisenhower does not know about this—but by fiat, issuing an order.

Mr. MORSE. I have no objection.

The PRESIDING OFFICER (Mr. CASE in the chair). Is there objection?

Mr. FULBRIGHT. Reserving the right to object—and I shall not object—I wish to make one observation.

I believe this matter was brought up in a conversation with Mr. Stassen before the committee. It is my understanding that this order related only to that period when the reorganization was being considered, and that Mr. Stassen did not intend it to apply permanently, after they had decided on various matters that were in process. I believe I recall his telling me and other members of the committee that the manual was not intended to do anything other than to stop the leaks out of his organization, pending a final decision on matters which he was considering in the reorganization of his agency.

I do not wish to get into a big argument defending Mr. Stassen and the FOA, although I think he has done a good job in cutting down personnel. He certainly has done so with regard to the personnel abroad, and that matter is covered in the hearings before our committee.

By and large, I would say Mr. Stassen has done a very good job in reorganizing his agency. I never was conscious of being deprived of any information with respect to the operations of the agency.

Mr. McCARTHY. May I point out to the Senator from Arkansas that he is completely, 100 percent in error? He has, I am sure, inadvertently misstated the facts. If he would care to have the written record, at which time Mr. Stassen was asked about it, I have it. He may have it.

I think the Senator from Arkansas should go over this record and inform the Senate that he was in error. As I say, I feel sure that the Senator was inadvertently in error. I am sure he would not even remotely misstate the subject.

Mr. DIRKSEN. Mr. President, reserving the right to object——

The PRESIDING OFFICER. The Senator from Illinois reserves the right to object.

Mr. McCARTHY. Does the Senator want the record?

Mr. DIRKSEN. I have the record. All I know is what I read in the record. On page 45, when the colloquy was going on, I was presiding in the committee, and Mr. Stassen had this to say:

> It is not a classified document. It is a general manual that was distributed worldwide in all executive branch agencies.

Then, when Mr. Stassen referred to the distinguished Senator from Wisconsin, he said, "He can get a thousand of them if he wishes them," meaning copies of the manual.

There is one other thing. The record of personnel is in the hearings. Anybody who wants to read it will find it there.

Mr. Stassen, I must say, was responsive to every question that was asked. I thought he was an excellent witness. I saw no inhibitions. I saw no withholding of data. So I am a little distressed to be forced to disagree with my friend from Wisconsin; but I know what the record is, Mr. President.

Mr. McCARTHY. Will the Senator yield to me?

Mr. DIRKSEN. I yield.

Mr. McCARTHY. May I say to the Senator from Illinois, despite the deep respect I have for his ability, I am afraid he is in error. The senior Senator from

New Hampshire ordered Mr. Stassen to give the committee a list of the materials which our allies were shipping to Communist bloc nations, but which we would not allow American citizens to ship to those nations. In other words, the Senator from New Hampshire requested a list of things we considered strategic but which other countries did not bar from shipment to Communist bloc nations.

Mr. Stassen promised that he would have that information—I believe the record will show—the following morning, or thereabouts. That is quite a few mornings ago.

The only letter he wrote on the subject was dated July 22, in which he talks about tractors and industrial diamonds. I had pointed out to Mr. Stassen that the United Kingdom was shipping to Russia enough industrial diamonds to enable Russia to have a stockpile which would last for 20 years, and that if Russia did not have those industrial diamonds she could not wage war, because her machine-tool industry would die overnight. Not only did Mr. Stassen fail to give us the list of materials, but he made this statement:

> Industrial diamonds are on the international embargo list as well as the Battle Act embargo list. They are, of course, one of the terms on which the most active smuggling attempts are made.

He does not say so in so many words, but the inference is that diamonds, which are necessary to the Communist nations' war efforts, were smuggled into Russia. He is not telling the truth. He knows he is not telling the truth. He knows that the United Kingdom, Great Britain, allowed and sponsored the shipment of industrial diamonds to Russia over the past number of years, so that Russia now has a stockpile which will enable her to wage war.

Mr. HAYDEN. Mr. President, reserving the right to object——

Mr. McCARTHY. I am not through. I have not yielded.

I mention this to the Senator from Illinois [Mr. DIRKSEN] in view of his statement that he thought Mr. Stassen was a truthful, forthright witness. No. 1, he said, "I will give you tomorrow morning"—he may not have said "tomorrow morning," he may have said "or thereabouts"; but I believe he said "tomorrow morning"—"a list of materials that our allies"—the ones we are giving money to tonight—"are shipping to the Communist-bloc nations." He said he could give us that information. Up until this morning he has not done so.

I may say, with reference to industrial diamonds, that the record is clear that it is not a case of smuggling any more than the rubber going into Communist-bloc nations is smuggled.

The Senator from Illinois talked about the forthrightness of Mr. Stassen. He was asked about the shipment of materials to Indochina. I cannot find the quotation at the moment, but the Senator will recall that he said, in effect, that not much additional was being shipped. I do not have the date, but, anyway, a few days later, after he was before our committee, he did not say in so many words that we were increasing the allowance to our friends so that they could ship more materials to Communist-bloc nations, but, a short time after he testified we have a story emanating from his department, as follows:

> In Greece, what we have agreed to is that as from August 16—

And he testified after August 16, I believe—

> the present embargo list will be reduced one-third, from about 250 to 170 items, and the quantitative control list very drastically cut from 90 to 20.

I invite the Senator's attention to the fact that none of this information was given to the Appropriations Committee. Mr. Stassen had it at the time. He knew we were looking for the information. So I say to the very able Senator from Illinois that when he says Stassen was an honorable man and was telling us all the facts, Mr. Stassen apparently had an extremely bad memory, one of the worst of which I have ever heard.

The PRESIDING OFFICER. Is there objection?

Mr. DIRKSEN. Reserving the right to object, Mr. President, I may say to my friend from Wisconsin, and I do not mean to be unkind, that I was in attendance at the hearing every day, every hour, every minute when there was any testimony going on, and on the basis of dealing with all the witnesses over that period of time I must reaffirm my statement that Governor Stassen was a forthright and a complete witness. I would do him a disservice if I said otherwise.

I think he said in the hearing that it would be necessary to confer with the Department of Commerce. I am sure there is money in this bill for personnel with reference to the whole control procedure relating to the shipment of strategic and critical materials going behind the Iron Curtain.

Finally, there is a letter of July 22 in which he sets forth in some detail the quantities for a period of 2 years. That information was adequate, I think for the members of the committee, and, being a member of the committee, I was sure when we had Governor Stassen before us some time ago when there was testimony on East-West trade and trade between the free world and the Soviet nation and the Soviet satellites, that he was very cooperative.

Mr. McCARTHY. Mr. President, the statement which Mr. Stassen made appears on page 50.

Mr. HAYDEN. Mr. President, reserving the right to object, I should like to point out some testimony appearing at page 50 of the hearings, which I read:

> Senator McCARTHY. Let me ask you this, Governor. Is there any reason why this committee, which is being asked to appropriate billions of dollars, should not know what our allies are shipping to the enemy?
>
> Mr. STASSEN. The committee can have any information they wish in our entire organization. That has always been our rule.
>
> Senator McCARTHY. If the Chair orders or requests it, will you give that list?
>
> Mr. STASSEN. Certainly.
>
> Senator McCARTHY. In other words, we can now get the list. Mr. Reporter, will you make sure we have this accurate? We now can get from your department a list of the materials which we carry as strategic war materials, but which the allies, who are being financed by us, are still shipping to Communist bloc nations?
>
> Mr. STASSEN. Senator, you shifted the question in your usual manner. There are no such items.

Mr. President, there is one other item which I think should be brought to the attention of the Senate in connection with the document which the Senator from Oregon [Mr. MORSE] has in his hand. I read from page 44 of the hearings:

> One of the things designated "For official use only," information pertaining to administrative, organization, personnel, fiscal or operating policies, procedures, and plans where temporary protection prior to firm establishment is in the public interest.

In other words, there is a prohibition against giving the committee information during the course of negotiations——

Mr. McCARTHY. Mr. President, the Senator said I misstated the RECORD. Does the Senator claim I incorrectly read it?

Mr. HAYDEN. Yes.

Mr. McCARTHY. Mr. President, in fairness to me I think we should have the Official Reporter read back exactly what I quoted. In fairness to the Senate, and in view of the fact that the Senator said I misstated that paragraph, I think the Official Reporter should read exactly what I said.

The PRESIDING OFFICER. Is there objection to the Official Reporter reading what was said?

Mr. HAYDEN. Reserving the right to object—I withdraw my objection.

The PRESIDING OFFICER. Is there objection to the Official Reporter reading what the Senator from Wisconsin said?

Mr. McCARTHY. Mr. President, the Senator from Arizona made a rather serious intimation.

The PRESIDING OFFICER. While the Official Reporter who took the notes is being sent for, the Chair will inquire if there is any objection to the request of the Senator from Wisconsin that certain documents be placed in the RECORD.

Mr. MORSE. I am reserving the right to object. I have 2 or 3 questions.

Mr. McCARTHY. I ask unanimous consent that we proceed.

The PRESIDING OFFICER. Is there objection to proceeding by recognizing the Senator from Oregon for the purpose of asking the Senator from Wisconsin some questions?

Mr. LONG. Mr. President, would this not be a good time to bring up my amendment? [Laughter.]

The PRESIDING OFFICER. The Chair cannot permit that at this time.

Mr. MORSE. Mr. President, I am saying this for the benefit of the Senator from Illinois [Mr. DIRKSEN], because I think that in his reply to the Senator from Wisconsin he made the argument that this document is not a classified document and was not offered by Mr. Stassen as a classified document. It is not my understanding that the Senator from Wisconsin contends it is a classified document.

Mr. McCARTHY. No.

Mr. MORSE. I think the Senator from Illinois merely misunderstood the Senator from Wisconsin. I understand

that what the Senator is criticizing is that, in his opinion, Mr. Stassen issued a set of instructions to be binding upon his staff relative to procedures for the protection of certain defense information which he labels information for official use only, and by laying down these rules or regulations he, in effect, sets up a pattern of government by secrecy.

Mr. McCARTHY. That is 100-percent correct, and I am disturbed by it, because it may prove to be a pattern. If Mr. Stassen can do that when he is administering some $3 billion, another department can do the same.

Mr. MORSE. The Senator from Arkansas [Mr. FULBRIGHT] stated that in his testimony Mr. Stassen assured the committee that this document was to be applicable only for a period of the organization of FOA. I do not know what the facts are. I have only read the document. But does the Senator from Wisconsin agree with me that there is nothing in the document which says it is to be applicable for only the period of the organization of the FOA?

Mr. McCARTHY. Not only is the Senator from Oregon correct, but the Senator from Arkansas is completely in error. What he stated is completely contrary to the fact.

I have offered to hand him the testimony of Mr. Stassen, so that he could tell me where Mr. Stassen made the statement. The Senator from Arkansas sits in his seat, reading a newspaper. He hears everything I am saying. He knows that if what he has said is true, then he can take the official transcript of the hearings and read to us wherein Mr. Stassen made the statement.

The PRESIDING OFFICER. Is there objection to the request of the junior Senator from Wisconsin that a certain document be printed in the RECORD? The Chair hears none, and it is so ordered.

The document is as follows:

FOREIGN OPERATIONS ADMINISTRATION MANUAL

Subject: Procedures for the protection of certain nondefense information.
Transmittal letter No. General–37.
Effective date, March 26, 1954.

I. POLICY

In accordance with agency policy, it is the responsibility of all employees to protect certain types of nondefense information which are not properly classifiable under Executive Order 10501 and existing security regulations. To accomplish this, such material shall be labeled "Official use only" in accordance with the provisions of this order. However, care shall be exercised whenever the designation "Official use only" is utilized to avoid improper and unnecessary use of this protective device.

II. CHANGE OF DESIGNATION

A. As the occasion demands, all material now designated as Restricted will either be designated as Confidential or higher, if it meets the provisions of Executive Order 10501; be completely declassified; or, if it meets the criteria outlined in III. A., below, designated "Official use only."

III. DEFINITION

A. The designation "Official use only" shall be used on documents which do not require safeguarding in the interest of national defense (Executive Order 10501) but which require protection such as those containing information falling within the following categories:

1. Information obtained from business concerns which FOA is required by law to protect; for example, confidential information on profits and losses and trade secrets (see 18 U. S. C. 1905).

2. Information pertaining to pending suits by or against the United States Government.

3. Information, the disclosure of which might adversely affect negotiations by FOA with nongovernmental institutions, international agencies, private companies, or foreign Governments by affecting prospective contracts, supply, prices, transportation, cost of storage facilities, or the like.

4. Information about pending investigations of allegations concerning employees or companies.

5. Information about an employee or applicant, the indiscriminate distribution of which might result in unwarranted injury to the individual.

6. Information pertaining to administrative, organization, personnel, fiscal, or operating policies, procedures and plans where temporary protection prior to firm establishment is in the public interest.

IV. PREPARATION

A. Persons designated by existing security regulations to classify material are authorized to determine the protection of material under this instruction.

B. Documents designated official use only will be so stamped at the top and bottom of each page of the document. If the document is permanently fastened or bound, the designation will also be stamped or printed on the cover.

C. Rubber stamps bearing the caption "Official Use Only" may be requisitioned through the Supply Section, Administrative Services.

V. STORAGE

A. Information designated "Official use only," except for cablegrams, when not in use shall be stored in a steel cabinet provided with a pushbutton type of locking device, a steel desk provided with a lock or a container of comparable security.

B. Cablegrams designated "Official use only" when not in use shall be stored in a steel lock-bar cabinet or a three-way combination safe.

C. Cablegrams previously designated "Restricted" when not in use shall be stored in the same manner as "Official use only" cablegrams.

VI. TRANSMISSION

A. Information designated "Official use only" may be transmitted in a single envelope through the regular messenger system of FOA or other Government departments, and in a single envelope through the regular United States mail within the continental limits of the United States.

B. Information designated "official use only" being transmitted to overseas missions or posts shall be enclosed in a single envelope which will bear the caption "Official Use Only." This information will be forwarded by Department of State pouch.

C. Occasionally it will be necessary in the interest of speed to send official use only information by cable. Where this method is used, the cable cannot be handled by foreign service local employees. (This rule exists for reasons of code security.) Transmission of official use only material by cable should be avoided and airgrams used in place of cables whenever possible.

VII. RELEASE TO PERSONS OUTSIDE THE EXECUTIVE BRANCH

A. Official use only information may be released upon authorization of an office director, or higher authority, when in his opinion the conditions which justified the original designation, as outlined in III. A. above, no longer prevail.

B. Consideration should be given in determining whether information should be released to the applicability of 18 U. S. C. 1905 (see par. III.A.1. above) and to the possibility that other divisions within FOA or other Federal agencies may be affected by the release. In such cases clearance should be obtained from the other divisions or agencies.

VIII. RULE OF REFERENCE

A. A cablegram making reference to another cablegram designated "Official use only" must be designated "Official use only" unless in the interest of national defense, as specified in Executive Order 10501, the content justifies a greater degree of protection. Note: Reference in this instance is defined as the act of referring by number, symbol, date, or in any way which will reveal the subject matter of a cablegram previously designated as "Official use only."

B. In addition to the designation "Official use only" the United States Department of State will use the designation "limited official use."

C. An FOA cablegram making reference to a Department of State cablegram designated "Limited official use" will be designated "Official use only" unless in the interest of national defense the content justifies a greater degree of protection.

D. With the exception of cablegrams, each document, when required, shall be assigned the designation "Official use only" on the basis of its own content and not according to its relationship to another document.

E. An FOA cablegram making reference to a cablegram previously designated "Restricted" will be designated "Official use only" unless in the interest of national defense the content justifies a greater degree of protection.

IX. DESTRUCTION

A. Nonrecord official use only material will be destroyed in the same manner provided for in section 10 of the security regulations for the destruction of classified material. A record of the destruction of such material is not required.

X. ACCESS BY FOREIGN SERVICE LOCAL EMPLOYEES

A. Foreign Service local employees may have access to official use only documents, except cables, when in the judgment of the principal officers such access is required in the performance of their duty and would not endanger the orderly operation of the agency.

The PRESIDING OFFICER. A request by the junior Senator from Wisconsin is pending, which was set aside by unanimous consent until the Official Reporter might return to the Chamber. Is it the desire of the Senator from Wisconsin to proceed?

Mr. McCARTHY. I will proceed until the Official Reporter returns and reads the paragraph to which the Senator from Arizona [Mr. HAYDEN] referred.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

Mr. LONG. Mr. President, has the Senator from Wisconsin completed his speech?

Mr. McCARTHY. I shall have finished in a few minutes. When I began, I said I would speak for 5 minutes; but that was about 20 minutes ago. I shall finish in about 5 minutes.

Mr. President, when we vote for this aid; when we read that other strategic materials, including rubber and industrial diamonds are being reduced in number from 250 to 170 for other nations, but not for the United States merchants—and we should remember that our businessmen cannot ship those materials to the Communist bloc nations, although our allies can—we should recall that an Army communique of September 10, of last year, said there were more than 900 young men who were, as of that date, prisoners of war, or rather who were known to have been living and were

prisoners of war, unaccounted for, as to whom our Army rightfully asked for an accounting. There was the usual nose thumbing insult on the part of the enemy. Two days later, I believe it was, as Senators may recall, on September 12, Red China announced that she had 32 airmen who were shot down over Manchuria, and that she would treat them as prisoners of war.

The figure of 900 has been revised downward, but not the figure of 32.

So as of tonight, August 14, 1954, when we are voting billions of dollars to our allies, who in turn are shipping materials to the Communist bloc of nations and to Red China—tonight, at 5 minutes of 7, on the 14th of August, 1954, we know there are in Communist blood-stained dungeons, being brain-washed, American young men, not missing-in-action cases, but young men who are known to have been living prisoners of the enemy. At the same time, the Senate, with no restrictions being placed upon our so-called allies, will vote untold millions of dollars for foreign aid. Unless our allies will work with us, this will be a great waste of money.

I know that what I am arguing tonight is a lost cause. I know the Senate will vote the funds. I know that our allies will get the money. I know they will continue to ship the sinews of economic and military strength to our enemy.

But I felt I had to take a few minutes of the time of the Senate tonight to make the record clear.

Before I resume my seat, may I ask the very able chairman of the Committee on Appropriations whether I am correct in my statement that Mr. Stassen, the head of the Foreign Operations Administration, promised the committee that he would supply the committee with a list of the items which the merchants of the United States cannot ship to the enemy, but which our friends can ship to the enemy? Mr. Stassen, as I recall, promised that he would furnish such a list. Is it correct that as of this time no information has been received, except the letter of July 22, which deals with diamonds and tractors, a letter which I should like to have placed in the RECORD? Is that substantially correct?

Mr. BRIDGES. The Senator from Wisconsin is correct in that as of today the Committee on Appropriations has not received from Administrator Stassen the list of strategic materials which was requested, and which he was directed to furnish to the committee.

Mr. McCARTHY. I thank the Senator from New Hampshire.

Mr. President, there is much more I should have liked to say about the matter, but this is Saturday night, and the hour is growing late. Many Senators have important engagements, and important amendments are pending. Unfortunately, I shall have to leave the Senate floor. But I desire to be recorded in favor of any amendment which will reduce the funds for Mr. Stassen's organization. I want to be recorded as being against the entire bill when the time arrives for a final vote, because I believe the Senate simply cannot, in good conscience, vote money for allies who, in turn, are helping the enemy. I feel that we cannot, in good conscience, ever send an American boy in uniform to war in a foreign land, if we allow our uniformed men as of tonight to be brain washed and tortured in enemy dungeons.

The time will come when we shall have to regain our national honor. The time will come when we shall have to say to every uniformed American young man, "You pack the entire power and honor of this Nation on your shoulders; and if a 'brutalitarian' steps in and puts his hobnail boots upon your neck, this entire Nation of 160 million will make that 'brutalitarian' regret his action for all time to come."

I have heard some of my colleagues in the Senate speak about the loss of morale in the Army because an effort was made to get a general to tell the truth.

May I ask those Senators—some of them are absent tonight—should they not save their tears for the uniformed men who, as of tonight, are in the Communist prisons? How can we hope for morale in the military forces if we abandon our uniformed men, as we are doing; when we are not only abandoning them tonight in Chinese Communist dungeons, but at the same time are voting billions of dollars for allies who are supplying the enemy with the sinews of war?

Mr. HAYDEN. Mr. President, with respect to the statement I made with reference to paragraph No. 6, I understood the Senator from Wisconsin, when he read it, to have omitted the words "temporary protection prior to firm establishment in the public interest." I have been informed that the Official Reporter has the quotation in his notes in its proper form. Under the circumstances, I was mistaken.

The PRESIDING OFFICER. Without objection, the request of the Senator from Wisconsin that certain minutes of the reporter be read will be vacated.

The bill is open to further amendment.

Mr. LONG. Mr. President, I call up my amendment, which is at the desk, and ask that it be stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 3 line 14, in lieu of "$700,000,000" it is proposed to insert "$500,000,000."

Mr. LONG. Mr. President, my amendment proposes to reduce by $200,000,000 the amount of money originally planned to be spent in Indochina. The administration has wisely decided that the money will not be spent in Indochina. The defeat of the French forces means that there will be an election there. There is very poor prospect that the democratic side will win the election. In fact, there is all indication that they will go Communist. I hold in my hand an Associated Press dispatch from Paris, which I now read:

Despite the Indochinese armistice agreements, all of Vietnam seems to be slipping into control of the Communists.

The Vietnamese Army, organized by the French during the past 2 or 3 years, is slowly melting away into the rice paddies. Communist-led Viet Minh civic committees are active in the south as well as the north, propagandizing the Red cause.

This type of information has come to Paris through diplomatic channels and through letters from correspondents on the spot which seem to escape censorship. News cables, both from Hanoi in the north and Saigon in the south, are either stopped or so badly censored that correspondents find it almost useless to file stories.

Within 24 hours of the cease-fire in the delta, Communist-controlled committees took over the government in the major part of the 7,000 villages and towns.

Dispatches to the Paris newspapers, France-Soir and Le Monde, received by mail, told the same story in many respects.

"We are the new government," said the committees as they moved into control in the section north of the 17th parallel, which was ceded at Geneva to the Communist-trained Viet Minh.

They came speaking of themselves as officials of the Vietnam people's republic, the pattern name for Communist regimes.

The correspondents of Le Monde and France-Soir told in grim dispatches of the rapid breakdown of a government in north Indochina which the French had tried to build securely for three-quarters of a century.

Local officials in large numbers simply fled their posts on the day of the cease-fire and caught the first planes south to the relative security of Saigon, or simply disappeared.

Mr. President, there is no longer a war going on in Indochina. It is well to point out that the administration was spending enormous amounts of money on that war. Referring to page 167 of the report, Mr. Stassen was asked how much money would be available for expenditure in Indochina this year. He answered, as shown on page 271, that the amount was $1,177,900,000. Think of that, Mr. President—$1,177,900,000. That is the amount of money that was to be programed and made available for the Indochina war. The Indochina war has now come to a close. Any efficient administrator would reconsider his program and ascertain where that enormous amount could be made available in other places.

My amendment proposes that the amount made available be reduced by $200 million.

The bill originally provided $308 million for weapons for Indochina. The only reason the amount was not larger was that there was so much in Indochina already. The bill contains the same amount as originally proposed for other countries in that general area.

Mr. President, I should like to point out that even if the amount were reduced by $200 million there would still be available enough, just in this year's appropriation, to increase every other item for Thailand, Burma, Indonesia, Formosa, or Japan. There would still be enough in the bill to increase those items 50 percent, as far as new money is concerned. A reprograming would make it possible to increase the amount threefold or fourfold. Therefore, I see no need to grant enormous amounts of money that would be carried on hand, and which could be spent in one place or another.

Congress has a responsibility under the Constitution. The Congress must appropriate money for the program. It

is the responsibility of the Congress to know for what purposes the money is being appropriated. I say we would not be wisely discharging our responsibility by appropriating untold hundreds of millions of dollars when we are not told how it will be spent. Persons in charge of the program were unable to testify as to how the money was to be spent.

If ever there was a program which should be studied, this is it. If there should arise an emergency or a need for appropriating more money in the future, Congress will be back in session in a few months. The President, after he has studied the question, can make a specific request in a message. Certainly the money will not be spent by that time.

I hope the amendment will be agreed to, and that we will reduce the item. By doing so, we would be bringing the amount down to the same figure originally approved when the appropriation bill was passed. I know some Senators who did not vote to reduce the item in the appropriation bill will now vote for it.

I recall that the very able and distinguished Senator from Georgia, whom I admire above all Members of this body, stated at that time he hoped that the Appropriations Committee would reduce the amount recommended by the Foreign Relations Committee by about $500 million.

If there is ever an item in a bill that could stand reduction, this is it. It is loose money. It is not meant to be spent in the manner intended in the appropriation.

I am told that there may be more than $400 million worth of equipment on dockside at Indochina. That is available to be shipped to Europe or elsewhere. In addition to that, there was about $600 million in the pipelines that was programed for Indochina, as well as $800 million which was requested for this year in Indochina. In addition to that, $700 million was asked for the use of troops abroad, with this Nation paying the expenses and French troops being used.

Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were not ordered.

Mr. LONG. Mr. President. I suggest the absence of a quorum.

Mr. KNOWLAND. Mr. President, will the Senator withhold that request for a moment?

Mr. LONG. I withhold it.

Mr. KNOWLAND. Mr. President, I rise to oppose the amendment of the Senator from Louisiana. I hope the Senate will bear with me. I have a little cold, and my voice may or may not hold up under the circumstances; but, unless the Senate and the House of Representatives are prepared to take a completely defeatist attitude, I know of no message that could go out to the people of Asia, and particularly to those of southeast Asia, who are "under the gun," to the people of the Philippines, to the people of free China on Formosa, to the free people of Korea, and to the free people of Japan, which the Communists are making a mighty effort to bring into their orbit, which would be more disappointing to them than action on the part of the Senate of the United States to make the proposed cut in this particular item.

After all, the free world has suffered a great defeat in southeast Asia. There is no question about it. Ten million persons who once were outside the Communist orbit are now going to be behind the Communist Iron Curtain. Other nations are waiting in balance to know whether or not the free world is to be prepared to resist any further Communist aggression.

To admit now, as the Senator from Louisiana would have us do, that the elections in Vietnam are lost, as well as the chances of saving the rest of Vietnam, perhaps Laos and Cambodia, and, by inference, Thailand and Malaya—I know of nothing that would cut the heart out of and the ground from under the free nations of the world more than the statement of the Senator from Louisiana and the adoption of his proposal.

I do not know that the statement I am making, when the temper of the Senate today is considered, will influence one single vote; but I have been in that area, not once, but four times, and I say that we could not cut the heart out of those people any more if we went in there with a knife and cut it out than we could by agreeing to the amendment. These people are living, not knowing from day to day when the Communist hordes are going to come.

Tonight, as we are meeting here, there are reports that over 100,000 Chinese Communists are mobilizing on the Fukien coast, in China. We understand that they include paratroops and others, who may be there merely as part of a cold-war threat, or they may be there to make an assault on the outlying islands of Kingmen and nearby islands, and then on the Pescadores and the Island of Formosa.

We do not know how long the Communists will honor the truce. It is my judgment that it will not be very long. As soon as they have digested this meal, they will move in, in my judgment, before too long. They are already increasing the cold-war pressure. They are talking about invading Formosa. They have already taken a puppet former premier of Thailand and sent radio messages there, indicating that eventually they are prepared to try an internal coup d'etat in Thailand.

So, Mr. President, I make a plea to the Senate. I am sorry that the entire membership of the Senate is not here, but I would feel remiss in the performance of my duty and my responsibility if I did not make this plea. I plead with the Senate at least to respect the judgments of Admiral Radford, General Van Fleet, and every other responsibile official of our Joint Chiefs of Staff, and also to respect the judgment of the Secretary of State and the judgment of the President of the United States. President Eisenhower has been in the White House only 18 months. Senators who, year after year, without question, voted in favor of what the former President of the United States requested, when he thought the security of the Nation and of the free world was at stake, should not abandon and desert the President of the United States now.

During the administration of the preceding President of the United States, I sat on this side of the aisle and supported the recommendations of the then President, in the Greek-Turkish aid program, in the North Atlantic Pact, and in other matters. When he felt it was necessary for the freedom of the world to resist the first overt act of aggression in Korea, I stood on the floor of the Senate—I was one of the first Senators to do so—and pledged my support to the then President of the United States for taking action, without which not only all of Korea, but perhaps Japan and all of Asia, would today be in the Communist orbit.

Senators can vote to eliminate this appropriation if they wish. Senators may send to the Far East that message, if they wish. But they will not do it with my vote. Mr. President, I say to the Senate, with all the sincerity I possess, that at this desperate hour in the history of the Far East, I plead with Senators not to make this additional cut, which will be interpreted by the people of Asia as action by America in "writing them off." That we must not do.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the junior Senator from Louisiana [Mr. LONG].

Mr. SMITH of New Jersey. Mr. President, I should like to add a word to what the distinguished majority leader has said.

For 10 years now, I have served on the Foreign Relations Committee. We have tried to develop there a policy of knowing what we were doing. I, myself, have been three times to the Far East. I echo everything the distinguished majority leader has just said.

It is most desperate even to consider cutting this appropriation any further.

With all the vehemence at my command, I urge my colleagues to stand by the President of the United States in this crisis.

Mr. HUMPHREY. Mr. President, I wish to say that I have tried to stand by the President in his recommendations in regard to the foreign-aid bill. I have listened to the pleas of the Members on the majority side. I think the majority leader just made a very appropriate statement, when he said we have to rely on, and have trust in, some persons in key positions of leadership.

I do not believe this is a partisan matter at all. I think there are Members of the Senate who have honest differences of opinion as to how much money should be appropriated, and also as to what the authorizations should be.

When the RECORD is read, I think it will be found that the junior Senator from Minnesota has consistently supported the recommendations of our Foreign Relations Committee and, most of the time, those of our Appropriations Committee, for purposes of mutual security, defense, and foreign aid. I have done so because I feel that they have greater insight, in the main, than do the rest of us, individually.

But again I say that when a particular Member of the Senate may disagree, that does not mean he does not have faith and trust in the President or the Secretary of State or the Secretary of Defense.

I want the record tonight to be perfectly clear. If there is any doubt as to whether this budget or this appropriation is large enough or too little, I want that doubt to be resolved on the basis of having adequate funds appropriated. I want the record perfectly clear insofar as I am concerned. I want the record to show that I trust the President's use of these funds. I do not believe the President will squander them. I do not believe that any officer of our Government would knowingly squander them. Congress has control of the purse strings, and Congress can make the appropriations which it deems wise and prudent.

But I honestly believe that when it comes to a matter of the security of our country, we have to place reliance upon our Commander in Chief. We have to place reliance upon him unless we feel that he has economized too much.

I have but one criticism to make of the administration, in the matter of defense and security, and that is a personal matter; it is one which I think all Members of the Senate know I subscribe to, for it has been announced again and again by the Senator from Missouri [Mr. SYMINGTON], namely, that there is greater regard for the bookkeeping entries of the budget than there is, at times, for the real facts in relation to our security. That is a personal view, Mr. President.

I do not say I am right, nor do I say that those who take the other view are wrong. But I say that if I am going to take any chances, I am going to take chances on the side of being extravagant; and I am going to take chances on the side of having too much, rather than too little; and I am going to take chances on the side of being there too soon, rather than too late. That has been my position, and it is nothing new. On many occasions I have said this to my constituency in Minnesota. I have said very frankly to them, "If you want in the Senate someone who is going to be a pennypincher in regard to defense, get rid of me, because I am not going to do that. If you want to have representing you in the Senate someone who is going to try to cut $100 million, or $200 million, or $400 million from the mutual aid bill, the bill for security and assistance in our own interest, and if you want me to be that kind of a Senator, then get rid of me, because I will not vote for it."

I wish to say to the majority leader that while we have had our differences of opinion, yet I realize that his plea is a sincere and an honorable one. I will vote to maintain the appropriation in the amount recommended by the Appropriations Committee.

By the way, Mr. President, later I shall suggest that all of us honor the statement made a moment ago by the majority leader—and I took it down. He said: "We must not desert the President. We must rely upon his recommendations."

Mr. President, when I get a chance to do so, I am going to offer an amendment which will fulfill the President's recommendations for the United Nations technical assistance. The President requested $17,900,000. Not only did he request it, but his Secretary of State also requested it.

His Foreign Operations Administrator also requested it. His Director of the Bureau of the Budget also requested it. The Department of Defense also requested it. I am going to be right back of the President, in asking the Senate to vote for it; and when I make that request, I want all my colleagues who wish to honor the President in connection with these matters to rise up as one and join with HUMPHREY in voting for the appropriation of $17,900,000. Mr. President, let us be consistent by doing that.

Mr. LEHMAN. Mr. President, as all my colleagues know, I have consistently fought against the cuts which have been made in our defense items. I have opposed the very serious cut in our appropriations for the Air Force. I have opposed the serious cut—I regard it as a serious one—which has been made in the appropriations for the Army.

This afternoon I opposed the cut which was proposed by the distinguished senior Senator from South Carolina [Mr. MAYBANK]. So I am very firmly and definitely on record as feeling that, if anything, we have done too little to build up our defenses.

I believe that what the distinguished majority leader has said this evening is absolutely correct. I cannot conceive of anything we could do which would do more to discourage the people of Asia, whom we want to be our friends, whom we must have standing next to us, and who must have confidence, trust, and hope in us. If we cut this appropriation now, we shall be making a monumental mistake. I shall certainly vote against such a cut, and I shall vote in support of the position taken by the majority leader.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the junior Senator from Louisiana.

Mr. LONG. Mr. President, at least I wish to say, in behalf of my position, that I have been consistent in these matters. I can recall that at one time some of our great Republican friends were leading the charge for a 10 percent reduction in foreign aid. I supported them; it seemed to me that we could make those economies.

I heard some of the great stalwarts stand here and say, "Oh, do not cut this; it will wreck the entire program and perhaps the whole Nation if that is done."

Mr. President, so far as I am concerned, I am willing to give the President and the Army and the Navy and the Air Force every cent that they can use effectively for our protection and that is all I am willing to give them.

The junior Senator from Louisiana has worked on these items year in and year out. I had the honor one time of serving on the Armed Services Committee, which at that time had jurisdiction of this bill. There was a time when we used to assign the foreign-aid authorization bill first to the Foreign Relations Committee and then to the Armed Services Committee. I have had occasion to study some of these items firsthand.

The junior Senator from Louisiana was one of those working on these authorizations who said: "Show us what you want the money for. If you are just going to waste it and fritter it away, I am not going to vote for it; but if you can show us where you have a worthwhile program which will accomplish something, I shall be delighted to vote for it."

Let us look at some of the money we have appropriated. In this foreign giveaway program since World War II we have given more than a billion dollars to Communist countries behind the Iron Curtain. I am sure an eloquent plea was made for it, although I did not have the honor to serve in the Senate at that time.

According to an analysis made for use by Government agencies, the Congress has given away $45 billion to foreign nations since World War II. In this military-aid program the Nation has given away $19 billion. They will have on hand $13 billion more for the same purpose if this bill passes.

Mr. President, the junior Senator from Louisiana points out one item. Here is the item where Mr. Stassen says he will have on hand $1,177,000,000 for Indochina. Mr. Stassen says we should not spend that money. The generals who testify for it say they should not spend that $1,177,000,000. Every report we get from the press tells us that we should not spend that $1,177,000,000, because the equipment is falling into the hands of the Communists. The Senate has just agreed to an amendment offered by the Senator from South Carolina to transfer $200 million of that $1,177,000,000 to different areas, in view of the fact that we should be trying to save this equipment from the Communists instead of sending more in.

The junior Senator from Louisiana heard the argument about psychology—that someone's psychology was going to be affected adversely if we cut this item. Mr. President, where was their psychology when those people decided to surrender? We were trying to buy our way into the war every way we could, picking up almost the whole cost. We were paying 65 percent of the salaries of the French who were fighting the war, and still they gave up. We were paying for all the equipment and we were financing France at the same time and giving her economic support and sending our money to France to build equipment in France that our own factories and our own workers were capable of producing, at a time when we had 3½ million men unemployed in this country.

This Nation tried to buy into that war. We tried to take over and supervise it. The French would not let us take a controlling hand in that war. They decided they would go ahead and ask for truce terms anyway.

They asked for a truce, which was nothing more or less than a face-saving device, one which everyone knows is a defeat for our side. We will be lucky

if any of Indochina is left on our side when the matter is finally cleaned up.

It is time that we recognize that the American taxpayers, unless they want to send their sons to fight in Indochina, do not have enough money in America to buy victory in that war. It has been lost, and we might as well face it.

I do not like to say that is the case, but that is what has happened.

If we do not know how the money should be spent, let us wait and see, and try to get our money's worth for it.

Let us look at the rest of the program included in that. If my amendment carries, we will find that that item was projected to be $583 million, with $380 million of it as new money for Indochina. That is in addition to $600 million they had left over for Indochina.

The Foreign Operations Administration will still be in position to reprogram another $180 million into other programs all through that area.

Mr. President, instead of adhering to the idea that we can make everything come out our way by lavish, reckless spending of the taxpayers' money, we should try to see what we are getting for our money, we should try to see that the taxpayers' money is being spent wisely.

I am frank to tell you, I have serious doubts that the $45 billion we gave away since World II has been entirely wisely spent. I am afraid that a lot of it did not accomplish much.

I am willing to vote for more foreign aid. I am willing to support this program. But I would like to see a carefully studied program, one where we know what we are getting and where we believe that the money which we are paying will bring dividends which will justify the expenditure.

That is all this amendment amounts to.

Mr. President, some say it will be bad psychology to vote for this amendment, but if the Senate does so, it will be doing the same thing it did 1 week ago when the Senate adopted my amendment to reduce the authorization to $2,710,000,000. After the Senate passed that judgment, the Senate Appropriations Committee reported out a bill which attempted to appropriate $3,190,000,000, which was $400 million more than the Senate had expressed itself to its committee as favoring for this program.

The Senate has now agreed to reduce that amount by $200 million. I would recommend that the Senate stick by its original judgment.

I did not see the whole free world fall apart when the Senate voted for the Long amendment last time. Some of the things we fear the most never happen. It seems to me we have a chance here to effect a worthwhile economy; that we have a chance to insist that we will look at these programs and know what the money is to be spent for. That is the reason the junior Senator from Louisiana has consistently tried to see to it that this money would be economically spent.

SEVERAL SENATORS. Vote! Vote!

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Louisiana [Mr. LONG].

The amendment was rejected.

Mr. HUMPHREY. Mr. President, I send to the desk an amendment, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 5, line 8, it is proposed to strike out "$9,757,621" and insert "$17,900,000."

Mr. HUMPHREY. Mr. President, my amendment is the figure for the appropriation as contributions to the United Nations program of technical assistance, in the amount recommended by the President of the United States, $17,900,000 to be used through June 1955 for technical assistance through the United Nations.

I want my colleagues on the other side of the aisle to note what I said, in view of what has been stated here within the last hour. The recommendation of the junior Senator from Minnesota is the recommendation of the President of the United States. It is the recommendation of the State Department. It is the recommendation of the authorities of this country who have responsibility for our relationships in the United Nations and our diplomacy overseas.

I particularly want those who feel that we should follow these recommendations of the administration to listen to my plea.

The amount was approved in the bill adopted by the Senate last Thursday night, August 12, and a similar bill was adopted by the House.

We are now faced with an appropriation measure which would cut out entirely that section of the appropriation for United Nations technical assistance to be carried on from January 1 through to the end of our own United States fiscal year. This is a strange way to change our long-standing policy on appropriations, and is mistakenly designed to allow time for a study of supposed overlapping in the technical assistance programs carried on by the United States and the United Nations.

First, let us take a look at the effect of the appropriation before us. To appropriate a half a loaf for United Nations technical assistance to me is a grave mistake. If we approve the appropriation of only $9.9 million of the $17.9 million requested, it seems to me we are telling the world that we are putting our faith—our whole faith—in atomic bombs and massive retaliation. I am not sure we can sell this bill of goods to what is left of the free world.

Let me explain the position in which this puts our United Nations representatives. This $9.9 million will be just enough to fulfill the United States commitments through December 31 of this year. The U. N. pledging conference will be held in November. It will be difficult, if not impossible, for our delegates to make any pledge for 1955 if no funds are appropriated. I am sure you realize how impossible it would be for a new Congress to provide needed funds in January.

Thus, if we permit this cut to go through, it will provide the Soviet empire a real opportunity to pick up the ball and open a propaganda campaign which is likely to endanger our prestige throughout the world. I do not believe we can afford at this point to be penny-wise and pound foolish. We cannot afford to abandon our leadership in these programs which have been so beneficial to underprivileged countries. Let me say, Mr. President, that right there is where communism grows.

There is no doubt in my mind that the free world feels a great indebtedness to this country for such outstanding programs as the Marshall plan, economic aid, contributions to children's emergency relief and other U. N. agencies, and support for such voluntary organizations as CARE, CROP, church relief bodies and other private groups. To augment these, of course, we have had one of our Government's finest expressions in point 4, or the technical assistance program. Generally, people do not like relief, but they welcome assistance in showing them how to meet their own needs better.

However, technical assistance must be provided not only through our own bilateral program. We must cooperate with other countries in a joint effort to stamp out poverty, illiteracy, and disease. We cannot expect our own program to get the kind of results possible through united action.

Here are one or two examples of the achievements of this multilateral program:

With an investment of $40,000 the United Nations Food and Agriculture Organization added $24 million to the value of Europe's 1952 corn crop. It did so by developing a hybrid maize seed.

In Pakistan a U. N. expert located a new subterranean water reserve just outside Karachi. This saved the government $1.5 million it would have had to spend to relieve a water shortage.

A small tools expert in Afghanistan showed farmers there how to increase their output by 250 to 300 percent, merely by introducing tools such as the hoe, scythe, fork, and hay rake. When farmers are shown how to grow better and bigger crops, they and their countrymen do not listen to the blandishments of communism.

There is only one country on the face of the earth today which seems to be concerned about an abundance of food and fiber, and that is the United States of America. All other countries are highly anxious to improve their crop production. When they are shown how to build irrigation systems, get the fertilizer they need, and break free from the moneylender's stranglehold, then a vital blow has been struck against communism.

Nearly 4,500 experts are at work in the United Nations point 4 program. The total budget is approximately $25 million and is contributed by 72 countries. Ironically, 25 other countries have increased their contributions for 1954 over 1953, and few, if any, except the United States, have indicated they might decrease their contribution.

You will remember that this body recently approved a resolution introduced

by the junior Senator from Montana authorizing a study of the technical-assistance program. This should be very beneficial to us in deciding both policy and appropriations for the years to come. It would be impossible for us, however, to receive the recommendations of this committee and act on an appropriation measure at the next session of the Congress without leaving the specialized agencies of the United Nations without funds to carry forward their programs, and even worse, without any assurance that they could make plans for technical-assistance work even running as many as a few months ahead.

Involved in this appropriation are the technical assistance programs of the U. N. Food and Agriculture Organization, World Health Organization, International Labor Organization, U. N. Educational Scientific and Cultural Organization, International Civil Aviation Organization, and others. Involved in this work is some of the most constructive work of American foreign policy.

Mr. President, I believe my colleagues will be interested in the very fine statement made by Representative JOHN VORYS, of Ohio, on the floor of the House of Representatives July 27 on behalf of restoring the full appropriation for $17.9 million for technical assistance through the United Nations. Let me quote to you Mr. VORYS' statement:

> This amendment restores the amount requested by the Eisenhower administration for the United Nations technical assistance program, all of which was stricken out by the Appropriations Committee. It consists of $9.9 million to complete the United States' pledge for calendar year 1954 and $8 million to fulfill our pledge for the first half of 1955.
>
> What do we mean by "pledge"? It simply means that James W. Wadsworth, Jr., son of our beloved late Member, in a United Nations meeting when they were getting up the budget for this organization, pledged that we would pay $13.8 million. Nine and nine-tenths million dollars of this was to be subject to congressional approval, because no one can pledge future action by the Congress. He also made the further proposal that from now on we pay 57 percent instead of 60 percent of the total amount to be raised. So that the amount in my amendment is 57 percent of the amounts contributed, not including the amounts to be furnished by the receiving countries. If the amounts contributed by the receiving countries are included, this amendment is about 22 percent of the whole amount.
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> There are two questions. One is a big one and the other is a little one. The big question is, Are we going to move out of this United Nations Organization at the time the Communists move in? They did not participate until last year, when they found they were losing out propagandawise because of the enormous popularity of this technical-assistance program. So last year the Communists and their satellites came in and put in about 8 million rubles, which, I think, is about $1,125,000 in American money. Is that the time we want to bow out entirely through the back door from this United Nations Organization, by means of not paying our dues? I want to say that in my judgment we get more for our money, in proportion, in good will out of our contributions to the United Nations technical-assistance programs than we do from our own technical-assistance programs, where the expenses are more than five times greater, than the amount that is suggested here by the administration for the United Nations program.
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> It is said there is duplication. We found some in our hearings, but the duplication is at least intended to be in geographical areas and not in functions. That is, the U. N. will carry on a hospital program in a country where the United States is carrying on a bilateral educational one. There are 13 countries where the U. N. programs are the only technical programs.
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> This amendment will permit the restoration of the $4,300,000 for FOA.
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> The little question involved is whether an activity important to our foreign policy should be cut off entirely because the agency disobeys admonitions in a committee report or a conference report. I admit the great power and authority and value of a report from the Appropriations Committee, but, after all, their word is not law. To admit this would give this committee, which is, after all, a minority in Congress, independent lawmaking power. In any case, the punishment for failure to comply with a committee report should not be to wipe out an important program which is part of the administration's foreign policy.
>
> We should continue our participation in this United Nations program. This amendment, although not the best way to insure this, will help.

In conclusion, Mr. President, let me say that what I am asking for is a sensible realization of the budget necessities of the United Nations agencies on technical assistance.

Mr. SMITH of New Jersey. Mr. President, will the Senator yield?

Mr. HUMPHREY. In a moment I shall be glad to yield. We have been discussing other items that run into hundreds of millions of dollars. I am talking about a very little item. Our technical program in the United Nations will expire on December 31, 1954, insofar as our participation is concerned, if we appropriate only the amount carried in the bill. I understand fully that the House committee did not appropriate anything for this item, and I appreciate the fact that the Senate Committee on Appropriations has at least provided $9 million plus, up to December 31, 1954. I do think that we ought to go into 1955 with some money, because Congress will not be back before January 1 to take up a matter such as this.

We ought to have at least some money with which to carry forward into the year 1955, so that the plans of the United Nations can be fully realized, and that our delegates to the U. N. can go there as delegates, not as observers. I yield to the Senator from New Jersey.

Mr. SMITH of New Jersey. I shall ask the Senator whether he heard the earlier colloquy on this subject between the Senator from New Jersey and the chairman of the Committee on Appropriations.

Mr. HUMPHREY. I did not.

Mr. SMITH of New Jersey. The committee felt that it should make an appropriation for the remainder of this calendar year, because the U. N. operates on the basis of the calendar year, while we operate on the basis of the fiscal year. The Committee on Appropriations plans to consider the subject before the next time we have to meet on this question, to determine what we will give to the U. N. for the first half of next year.

Mr. HUMPHREY. I may say to the Senator from New Jersey—and he knows I am telling the truth when I say this—that if the funds are appropriated only up through December 31, 1954, that that will be the end of the use of that money, and we will go into January of next year before Congress can act on the subject.

It will be January or February before we can get a supplemental appropriation bill through Congress which will meet the needs in the calendar year 1955. The U. N. is on a calendar year basis, whereas the United States is on a fiscal year basis. I believe the least we should do is to sort of split the difference, and extend the appropriations until at least April or March of 1955. That could be done by adding $4 million to the amount that is proposed to be appropriated. I would be more than willing to modify my amendment to that extent, so that Ambassadors Lodge and Wadsworth will not be embarrassed.

Mr. SMITH of New Jersey. I will be there, too.

Mr. HUMPHREY. Yes; and the Senator from New Jersey will be there. I do not want him to be embarrassed.

Mr. SMITH of New Jersey. And the Senator from Arkansas [Mr. FULBRIGHT].

Mr. HUMPHREY. Yes; the Senator from Arkansas also. We want our distinguished colleagues to go there in good standing. This is the first year we have ever done anything like this. I heard an impassioned plea made a few minutes ago that we follow the leadership of our President. I am trying to follow the leadership of our President. I say that the administration has asked for this sum of money. It has not only asked for it, but it has pleaded for it. As every Member of this body knows, the groups that are interested in these activities have asked that we make the appropriation large enough so that it will extend over into the next year.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. DIRKSEN. Let me point out that there is $110 million provided in the bill for multilateral technical cooperation between this country and all other countries of the world.

Mr. HUMPHREY. I understand.

Mr. DIRKSEN. I think we are in perfect accord with the President on this point. First of all, we pick up the pledge of this country to the U. N. multilateral programs for the 1954 calendar year.

Mr. HUMPHREY. That is right.

Mr. DIRKSEN. We are in the unhappy position of having representatives there who literally commit this country to an expenditure and virtually assume the power of the purse. Later on they come before the Appropriations Committee and make the argument that there is a moral obligation to go through with their commitment.

We have tried to make it clear to them on a number of occasions that we will not do business on that basis. Therefore, I think they are more than satisfied to have us give them $9 million plus, for the pledge, so they may go ahead with the plans for 1955, and then come back to us again. It is not too likely that they will run out of money entirely in the programs under the pro-

visions of this bill, and nobody will be hurt.

Mr. HUMPHREY. I appreciate that.

Mr. DIRKSEN. We shall carry out every obligation we have, and shall do so in conformity with the intent of the President. I hope the amendment will be defeated.

Mr. HUMPHREY. Mr. President, so that the record will be clear, the appropriation in the bill is not in conformity with the recommendation of the President; it is not in conformity with the recommendation of the Bureau of the Budget; it is not in conformity with the President's message to the Congress on this matter.

I listened a few moments ago to the rather sharp comment concerning the amendment of the Senator from Louisiana. The Senator from Louisiana was right. He has taken a consistent position.

The interesting thing is that consistency on this matter comes only when it is desired. The interesting thing, it seems to me, is that when the President's recommendation is desired then we must have it, but when it is not desired, then we must justify it.

I happen to believe we have never before, insofar as I know, used this kind of a budget for U. N. activities, and we ought not to do it at this particular time. At least I think if we would provide enough to cover the period into March, if we would get over the hump of the year into March, we would be doing the right thing.

Mr. BRIDGES. Mr. President, may I explain one thing.

The PRESIDING OFFICER (Mr. WATKINS in the chair). Does the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. BRIDGES. The distinguished Senator from Minnesota apparently is in error, or has made an incorrect statement. The Senator says that we are appropriating for the last 6 months of the year, and we cannot afford to have occur an interim period between the end of the use of that money and the time when the Congress can appropriate once more.

May I point out to the distinguished Senator that in the fall of 1953 our representatives to the United Nations pledged, subject to the approval of Congress, the sum of $13,861,809. Up to now expenditures have been $3,904,188. They have not had enough money to carry them this far. Therefore, the money we are appropriating now is not only for the remainder of the year but for the purpose of paying some 2 or 3 months of a back amount due.

Therefore, if they have survived that one lapse they certainly can survive another one shortly after the first of the year.

I point out to the Senator, also, that I think it is very important that the United Nations representatives, whether they be the distinguished Senator from New Jersey or the distinguished Senator from Arkansas or anyone else, should make it clear that when they agree to the United States contribution to this program it is a tentative approval subject to the will of Congress, so that there will be no misunderstanding about it.

The Senator from Minnesota also knows that the art of legislating successfully is to find a common ground on which people can agree. The House appropriated no money for this purpose. The Senate was asked, as the Senator from Minnesota says, for $17 million plus—the whole amount.

The Committee on Appropriations of the Senate felt that we should provide this amount to complete the program for the calendar year this year, which is the United Nations year. Then, instead of saying "No" to the rest of it and "No" to the whole amount, we held out the hope and belief that the committee could make a study of it. Then when Congress returns, and we have our first supplemental bill up for consideration, after the first of next year, if the facts justify it, as a result of our examination, we certainly have indicated we would appropriate more money.

I will say that the Senator from Minnesota is well intentioned.

Mr. HUMPHREY. I thank the Senator.

Mr. BRIDGES. The Senator means to do right. However, inasmuch as the committee has done what I have stated, I do not think we would suffer any harm if we allowed perhaps a lapse of a few days or even a month, because we certainly know that situation occurred this year.

The Senator has made his case very clear, as to what he is in favor of. I assure the Senator that the committee will give every possible study to the matter, and we will be willing and ready to act promptly on the first supplemental bill which comes before us the first of the year.

Mr. HUMPHREY. I thank the Senator.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. SALTONSTALL. Let me say to the Senator from Minnesota, as one who favors this program, that we are doing this year exactly what was done last year.

I call attention to two sentences on page 9 of the committee report:

> This appropriation is made with the understanding that no further pledge shall be made to the United Nations for the expanded technical assistance program by any representative of the United States Government without prior authorization by the Congress of the United States. This does not preclude the United States representatives from making recommendations to the committees.

That is what was done last year, and that is what we are doing again this year.

SEVERAL SENATORS. Vote! Vote! Vote!

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Minnesota [Mr. HUMPHREY]. [Putting the question.]

The "noes" appear to have it.

Mr. HUMPHREY. Mr. President, I request a division.

On a division, the amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

If there is no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H. R. 10051) was passed.

Mr. BRIDGES. Mr. President, I move that the Senate insist upon its amendments, request a conference thereon with the House of Representatives, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. BRIDGES, Mr. FERGUSON, Mr. CORDON, Mr. SALTONSTALL, Mr. DIRKSEN, Mr. HAYDEN, Mr. RUSSELL, Mr. MCCARRAN, and Mr. CHAVEZ conferees on the part of the Senate.

ADDRESS BY SENATOR MANSFIELD ON AMERICAN FOREIGN POLICY

Mr. JOHNSON of Texas. Mr. President, yesterday upon this floor the junior Senator from Montana [Mr. MANSFIELD] delivered a foreign policy address which is worthy of the attention of every American.

I should like to call it to the attention of all my colleagues. It was made following a very important vote and following several hours of continuous session. As a result, some Senators had left the Chamber and unfortunately were not present.

This address, Mr. President, was pitched on the very highest plane of Senate debate. It was characterized by originality, by nonpartisanship, and by an earnest striving to seek the right course that will best solve our difficulties.

I have no intention of retracing the steps taken by the junior Senator from Montana. I merely want to say that I share his deep desire to eliminate partisanship from the issues of national survival, and that I am proud, as I am sure all Senators are proud, to be associated with a man who so ably approaches the vital problems of our time.

ORDER OF BUSINESS

Mr. KNOWLAND. Mr. President, contrary to the earlier discussion because of the lateness of the hour, I do not intend to have called up any House amendments to which the concurrence of the Senate is requested. I think they can go over until Monday without any damage to anyone.

I shall be prepared to yield for insertions in the RECORD or brief statements, but I think the staff and the Senate have had a long week and a heavy day. I wish to recess as soon as we conveniently can.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield to the Senator from Oregon.

TRIBUTE TO IDA KLAUS

Mr. MORSE. Mr. President, last night I made a brief comment by way of tribute to Ida Klaus, the recent Solicitor of the National Labor Relations Board, who has resigned to take a similar position with the labor department of New York City.

I ask unanimous consent to have inserted in the RECORD as a part of my remarks an article with regard to Miss Klaus taken from the Washington Daily News of August 10, 1954, written by John Herling, entitled "Ida Klaus Is New York's Gain and Our Loss."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

IDA KLAUS IS NEW YORK'S GAIN AND OUR LOSS

(By John Herling)

Uncle Sam, fancier of Government girls, is giving up his top legal career gal to Father Knickerbocker. The Federal Government's loss is New York City's gain.

Ida Klaus, who holds the highest legal post occupied by a woman in Federal Government, next week leaves as Solicitor of the National Labor Relations Board. She becomes counsel to the newly organized department of labor, now being set up by Mayor Robert F. Wagner, of New York City.

Miss Klaus came here as one of 10 legal geniuses in 1933—the only lady among this exclusive group chosen by the late Herman Oliphant, professor of law at Columbia and Johns Hopkins. Mr. Oliphant was officially general counsel of the Treasury Department, but he was considered the great Olympian of jurisprudence whose word was often law.

Mr. Oliphant chose the top brains from each of the Nation's 10 leading law schools. Miss Klaus was selected from Columbia.

After 21 years Miss Klaus' departure furnishes the latest dramatic example of the drift from Government. In the early thirties, as FDR had begun to strengthen Government, the problem of qualified personnel was the basic headache of the New Deal. So there took place a scouring, scanning, and a screening.

When Miss Klaus came here she found a woman lawyer had a tough time even in so-called enlightened circles. But—as men like to say—Ida had a man's brain. Her ability was appreciated, but slowly recognized.

She chose the tough path. No Children's Bureau or the Women's Bureau for her. Having moved from the Agriculture Department over to NLRB she landed in the midst of the grapple and hand-to-hand encounter known as collective bargaining. Her job as a lawyer was to help give meaning and substance to the Wagner law, fathered by the Senator whose son is now New York's mayor.

Then came recognition for Ida. When the Taft-Hartley law was passed Miss Klaus, as Solicitor—top law officer for the five members of the NLRB—had the job to advise the Board on Supreme Court litigation, on testimony before the congressional committees, and in general to advise on legal policy as it affected NLRB administration.

Her objectivity used to startle union and management representatives and Board colleagues who too often believed that vehemence might pass as a substitute for argument. But Ida apparently neither takes guff nor hands it out.

Now she has been chosen by Mayor Wagner, he says, because he wants to build a pattern of municipal handling of labor relations, useful to Gotham as to other United States cities. That's why Ida Klaus is given a key nonpolitical post to help guide the establishment of New York's new labor department.

There's a moral here somewhere. In losing Ida Klaus, as many another key Federal employee, the National Government, probably without planning it that way, has embarked on a giveaway program involving human, rather than merely natural resources.

THE ATOMIC ENERGY BILL

Mr. MORSE. Also as a part of my remarks I should like to have inserted in the RECORD, Mr. President, an editorial from the Gazette and Daily, York, Pa., for August 9, 1954, entitled "The $42 Trillion Giveaway of Atomic Power."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE $42 TRILLION GIVEAWAY OF ATOMIC POWER

NEW YORK.—Although the 13-day filibuster in the Senate against the giveaway of the American people's atomic power resources to private exploitation was front-page news throughout the country, the press played up the length of the speeches and the filibuster itself rather than what was said during the marathon performance.

In the course of the discussion (it could hardly be called a debate since the supporters of the Eisenhower giveaway either slept through the speeches or rested in the cloakrooms while a small band of public power supporters held the floor), the entire history of the 50-year battle of the American people versus the electric utilities trust was reviewed and the significance of the latest battle was fully explored. Yet remarkably few of the facts brought out by the public power Senators were allowed to get into the newspapers.

Senator WAYNE MORSE, Independent, of Oregon, who carried a major load of the filibuster against the atomic-energy bill which he said sells "the American people into a monopolistic economic bondage," commented on the press: "It makes one sad to note that the journalistic profession failed in its responsibility of reporting the truth and failed in its responsibility of performing its function as the greatest educational institution in America."

ABILITY TO DRAMATIZE

MORSE's ability to dramatize complex situations was responsible for one of the few facts in the debate that was fairly widely reported in the press. That was his estimate of the financial cost to the American people of handing over of atomic-energy resources to the private-power trust without regulation.

"The giveaway to private monopoly contemplated by this bill is equivalent to 16 times the assured reserves and 6 times the ultimately possible reserves of all the coal, oil, shale, and natural-gas reserves of the country put together," MORSE said. "If we take the price of coal at $7 per ton, this giveaway would ultimately stack up to some astronomical figure like $42 trillion, or in ordinary language, $42 million million."

This vast wealth belongs to the American people who spent $12 billion in tax money to develop atomic energy. It was their "risk capital," MORSE said, that "has brought the technology of the atomic age to the point where commercially feasible electric power is to all intents and purposes no further away than the time required to construct a few big generating stations. Here in the Senate we have a great responsibility to make sure that, when this new form of electric power takes its place in the country's magnificent energy economy, the profits on the people's equity in the business shall flow to them in electric rates much lower than private monopoly is willing to charge."

PEOPLE ARE MISLED

MORSE charged that the people are being deliberately misled into thinking electric power obtained from atomic energy is still some 10 or 15 years off. Actually, he said, "it would be possible to start constructing a giant atomic powerplant tomorrow, which would be commercially feasible in parts of the country where power supply costs are presently high."

The Oregon Senator also exposed the fallacy of arguments that only private business is equipped to enter the atomic energy power field. He quoted Chairman Gordon Dean, of the Atomic Energy Commission, as admitting: "Few, if any, private concerns are in a position to place risk capital into large reactors costing $60 million to $120 million or more without pilot plant experience behind them; and few, if any, would be prepared today to put risk money over into pilot plants costing on the order of $10 million."

SENATORS FROM SOUTH

Thus Dean makes it clear, MORSE said, "that the main objective behind the present bill is not to release the dynamic forces of competitive private enterprise, but to get the Government out of the power field while continuing to subsidize with the people's money the developmental work from which riskless capital will profit."

Like MORSE, the bulk of the Senators who took the floor to argue unsuccessfully against the atomic giveaway were either from the Northwest or the South, the two major areas where the full benefits of public power are enjoyed. Construction of the Tennessee Valley Authority in the South and Bonneville and other dams in the Northwest have brought those areas the lowest electricity rates in the country. The northeastern part of the United States, where there are no public power developments, has the highest electricity rates.

One of the northwestern Senators, WARREN MAGNUSON (Washington, Democrat), compared the present campaign against TVA and public power with the tremendous campaign against Government regulation of its activities waged by the private utilities in the 1920's. The private Power Trust in that period spent an estimated $25 million to $30 million annually in its fight against regulation and passed the bill on to consumers in the form of higher electricity rates.

"Only a little more than 20 years ago," MAGNUSON pointed out, "the Power Trust was resorting to every technical and legal device their fruitful imaginations could conceive of to render regulation ineffectual in order to maintain the excessively high-rate structure which in turn would sustain heavy water capitalization."

The Power Trust, with its colossal war chest, proceeded "to rewrite public-school textbooks, place teachers on company payrolls, inundate newspapers with lush advertising revenue, to influence editorial opinion," and owned Governors of States outright.

PREVIEW OF FUTURE

"Midwest Utilities Electric Bond & Share with its subholding companies, Niagara Hudson Power Corp.; Associated Gas & Electric; Columbia Gas & Electric; Standard Gas & Electric; Southeastern Power & Light—these remain as symbols of the utility holding-company age, which served the public by taking thousands of small investors on a buggy ride, to line the pockets of financiers who made a specialty of building fortunes out of other people's money," MAGNUSON said.

The activities of the private utilities in the 1920's are a preview of what can happen under the Atomic Energy Act, which sets up no regulatory safeguards. By the beginning of the 1930's MAGNUSON said there was more than $2 billion of water in the Power Trust financial pyramid.

"This faked investment, which had showered largesse upon the inside manipulators, could be properly handled in only two ways—either at the expense of ratepayers by impo-

sition of excessive rate structures, or at the expense of small investors through the loss of their invested savings," MAGNUSON said.

"Actually, both danced to the power trust piper, and both paid through the nose. In the 1929 crash and the holding-company collapse which followed, thousands of small investors lost their savings."

NOT ANCIENT HISTORY

MAGNUSON reminded his colleagues that this was not just ancient history. "Yet," he said pointedly, "the high-rate, low-sales policy, which this financial slight-of-hand induced in management, even now has been partially shaken off only in areas where Federal-power policy has provided real support for federally generated power at low cost, and real support for public competition."

As a result of a propaganda campaign comparable in scope to that of the 1920's, MAGNUSON pointed out, this Nation's public-power program is being sabotaged and dismantled. In the Northwest, where the power shortage is so acute that in recent years it has been rationed and so-called "brownouts" imposed, there have been no new starts on public-power construction since the Eisenhower administration took over.

"The people," MAGNUSON said, "by means of the Tennessee Valley Authority (TVA), the Bonneville Power Administration, and, more recently, the Southwest and Southeast Power Administrations, have been demonstrating a practical way by which low-cost abundant power can be wholesaled and transmitted to the people, at low electric rates, even though the private utilities continued to control the State regulatory bodies.

"This yardstick of low-cost power, together with the exposure of inflated writeups by the Federal Power Commission (a Government agency), have forced down electric rates all over the country, even private rates. With the Federal and public-power yardstick, inflated capital accounts could not be resorted to, so long as the Federal power program remained a vital alternative."

FINANCIAL POWER GREATER

"The Power Trust knows this. Against the competition of cheap Federal power, against a Federal geographic power grid, against priority of public groups obtaining access to Federal power, the Power Trust is carrying out a deadly and implacable campaign. It will never rest until it is successful, either in destroying the Federal power program or until it is itself decently defeated.

"With the administration now in power, the new campaign is far more dangerous than that of the 1920's—because it is armed with a myriad of new devices for reaching and capturing the public mind. In addition, the financial power of the combine far exceeds that of 30 years ago."

The charges made by MORSE, MAGNUSON, and others in the Senate debate have been underscored by Robert G. Lewis, a Washington representative of the National Farmers Union, in an article which has been widely circulated in the labor movement. Describing the threat as "corporate socialism," Lewis warns that a "totalitarian revolutionary movement"—comparable to that of Hitler fascism—"is being developed in the United States."

He points out that the electric utilities coined the slogan "creeping socialism" as a means of forcing drastic changes in the American way of life and to smoke screen monopoly's attack on such fundamental institutions as public power.

The breadth of monopoly's target was clearly outlined in a speech to the American Petroleum Institute in 1952 by Adm. Ben Moreell, chairman of the board of Jones & Laughlin Steel Corp. Moreell also happens to be the man selected by the Eisenhower administration to head the Hoover Commission task force which is planning the reorganization of Government activities in the fields of electric power and natural resources.

SUBSIDIES ARE ASSAILED

Moreell traced such public institutions as free schools, public roads, income, and inheritance taxes, Government regulation of railroads and other utilities, Government licensing of certain businesses and public power projects to the insidious influence of Karl Marx.

"Since Marx enunciated his doctrine slightly more than 100 years ago," Moreell said, "we Americans have adopted in varying degrees—practically his entire program."

Moreell charged that acquisition of land "for public purposes" is "in strict accord with Marxist doctrine," asserting that "the public purpose may be an irrigation or flood-control district, a Tennessee Valley Authority, a Bonneville power project, forest land, and oil reserve or any one of a number of others."

Moreell assailed the entire scheme of subsidies to farmers as communistic and denounced the income and inheritance tax for transferring money from the wealthy to political adventurers.

It was a logical conclusion to such statements that Moreell should end by expressing great mistrust of majority rule and dislike for democratic procedures. "Will any thinking person say that a law is 'right' because a majority has voted for it?" he demanded.

The views expressed by Moreell are in effect the views of the United States Chamber of Commerce, the National Association of Manufacturers, the power trust and the men who control the Eisenhower administration, the Farmers Union spokesman warned. The atomic energy giveaway, vast as it is, is only the beginning for this crowd.

CITATION OF ALBERT SHADOWITZ FOR CONTEMPT OF THE SENATE

Mr. KNOWLAND. Mr. President, in order that there may be some business before the Senate, I move that the Senate proceed to the consideration of Calendar No. 1827, Senate Resolution 280, the first of three contempt citation resolutions, which we shall merely leave as the unfinished business.

The PRESIDING OFFICER. The clerk will state the resolution by title.

The LEGISLATIVE CLERK. A resolution (S. Res. 280) to cite Albert Shadowitz for contempt of the Senate.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California.

The motion was agreed to, and the Senate proceeded to consider the resolution (S. Res. 280) to cite Albert Shadowitz for contempt of the Senate.

HOUSE AMENDMENTS TO SENATE BILLS

Mr. McCARRAN. Has the majority leader concluded we shall not bring up the matter of concurring in the House amendments to certain Senate bills?

Mr. KNOWLAND. Yes; after consulting with the minority leader and other Senators, it has been decided not to do so tonight. The session ran much later than I had anticipated. I hope that is agreeable to the Senator.

Mr. McCARRAN. Yes.

OUTLAWING OF THE COMMUNIST PARTY

Mr. HUMPHREY. Mr. President, the Senate on Thursday adopted a proposal which I submitted to outlaw the Communist Party as an international conspiracy designed to overthrow the Government of the United States by force and violence. This action of the Senate was a tremendous stride forward in the fight against totalitarian communism.

It is, therefore, quite understandable that the Communist leaders in this country have been attacking me and my proposal with a recklessness and determination which convinces me that the Humphrey amendment is in fact an effective threat to communism. Within the last few hours news reports appearing on the news tickers have been brought to my attention, which I believe ought to be brought to the attention of the Senate. I, therefore, ask unanimous consent to have the brief texts of these Communist attacks printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

NEW YORK.—The Communist Party labeled the Senate-approved bill to outlaw the Communist Party as the "illegitimate child of McCarthyism" and "legislative Hitler."

The statement was issued by Communist Party headquarters and was signed by William Z. Foster, chairman, and Elizabeth Gurley Flynn and Pettis Perry, national committee members.

The statement said that defeat of the Senate bill was essential "if the Constitution is not to be McCarthyized."

"Thursday's Senate vote to outlaw the Communist Party and outlaw trade unions is the illegitimate child of McCarthyism and cynical election-year politics," the statement said. "World opinion, fearful of the McCarthyite preventive war clique in our midst, will correctly view this bill as legislative Hitlerism.

" * * * The Communist Party will not permit itself—and the Bill of Rights—to be destroyed by this unconstitutional, un-American, pro-Fascist legislation."

NEW YORK.—Congressional legislation to outlaw the Communist Party was denounced in a party statement today as a "legislative Hitlerism."

The statement called the bill, approved 85–0 by the Senate yesterday, the "illegitimate child of McCarthyism and cynical election-year politicians."

It said the measure was "not even rational, much less constitutional," and added:

"The bill attempts to smuggle through a labor union wrecking device under the Hitlerese device of fighting communism."

Labor unions and others were urged to "flood Congress and the press with opposition to this giant step toward fascism."

The party statement was issued by Simon Gerson, the party's New York legislative representative, and bore the names of national chairman William Z. Foster and national committee members Elizabeth Gurley Flynn and Pettis Perry.

Mr. HUMPHREY. Mr. President, I merely wish to note the fact that the Communist Party, meeting in New York City, described the amendment as "legislative Hitlerism" and as the "illegitimate child of McCarthyism and cynical election year politics."

These Communist attacks are, of course, not new to me. Members of the Senate are aware that the leaders of communism here and abroad have been

attacking me and my activities ever since I have been in public life.

It is most reassuring to me that in the last 2 days I have received many expressions of support and encouragement from all over the country. Responsible leaders of our communities, leaders of business, labor, and agriculture have offered their commendation. Liberals and conservatives alike have expressed their agreement with the premise underlying my amendment—namely, that no international conspiracy against the United States with a higher allegiance to a foreign power has a right merely by calling itself a political party to cloak itself with the constitutional democratic protections and immunity that our society provides for legitimate political parties. The American Communist movement is not a legitimate American political party. It is this finding in section 2 of the Humphrey amendment which provides democratic and constitutional basis for the action of the Senate.

The Senate has demonstrated that a democracy can protect itself effectively and constitutionally against its totalitarian enemies from within as well as from without.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. JOHNSON of Texas. I assume that the Senator is aware of the fact that the Communist Party is not the only force at work in attempting to destroy the effectiveness of the legislation sponsored in the Senate, which was approved by a vote of 85 to 0.

Mr. HUMPHREY. The Senator from Texas is eminently correct. I do not wish to equate the forces which are condemning some of this action, because they are motivated by different instincts and different desires.

But there are some rumors which seem to be prevalent in the corridors of the Capitol, and I noticed an item on the press ticker to the effect that an attempt would be made in the House of Representatives to water down, to modify, or, as some have said, even to nullify the action which was taken by the Senate. I have in my hand, for example, a statement from one of the press services—I believe it is from the Associated Press—which reads as follows:

> House Republican leaders today sought to draft a compromise bill which would outlaw the Communist Party without scuttling other subversive-control laws now on the books.
>
> They plan to offer the proposal to the House Monday as a substitute for a far more stringent bill whipped through the Senate, 85 to 0, in a surprise, Democratic-led maneuver Thursday. The Senate bill would outlaw the party and deny bargaining rights to Red-infiltrated unions.
>
> Although White House sources passed the words that President Eisenhower opposes the Senate measure, administration congressional leaders fear the Democrats will make election campaign hay if the GOP majority tries to bottle it up in the House.
>
> "The Senate voted 85 to 0 to outlaw the party," one House Republican leader said. "We can't let the Democrats claim that they tried to outlaw the party, and the administration blocked it."

I deplore the effort which is being made to put a partisan label upon the honest attempt which was made in the Senate to pass a satisfactory bill. Very frankly, bills have been introduced throughout the years to do what has now been done. The distinguished senior Senator from Maine [Mrs. SMITH] has introduced such a bill in the Senate; and similar bills have been introduced in the House of Representatives.

Many Senators had asked for action. Finally the Senate took action. It appears that after action has been taken, reaction is setting in, the reaction being to see whether something cannot be done to undo what has been done.

I simply want the leaders—and apparently they are the leaders, because they are the ones who are quoted—to know that the Senate voted 85 to 0 for the bill. We knew what we were doing. I want to have it made quite clear that the action which was taken was designed to strengthen the laws of this country against subversion and against conspiratorial activities and conspiratorial parties in the United States.

I was pleased to note that at the top we had the help of the majority leader and of the minority leader, and also help on both sides of the aisle.

I want to make it quite clear now that if anyone feels that the action which was taken was wrong, all he has to do is to get up and announce it. If there is anyone who will try to scuttle what has been done, we shall have another yea and nay vote when the conference report returns to the Senate.

Mr. KNOWLAND. Mr. President, I do not wish to have the remarks of the junior Senator from Minnesota to pass without a very brief comment.

I think the legislative intent of the Senate is very clear in first wanting, as a matter of public policy, to make it certain that the Communist Party is not a political party in any sense of the word, but rather is an international conspiracy, devoted to the destruction of our constitutional government by force and violence. I think it was made clear by the original author of the bill which first was before the Senate, the distinguished senior Senator from Maryland [Mr. BUTLER]; by the distinguished junior senator from Minnesota [Mr. HUMPHREY], who offered an amendment in the nature of a substitute; and by the distinguished junior Senator from Texas [Mr. DANIEL], who in turn added the Butler bill, in effect, to the Humphrey substitute, that there was no desire on the part of any of the authors or of any of the Members of the Senate, in any sense, to undercut or to weaken either the Smith Act or the Internal Security Act, or any of the other legislation upon the statute books, by which the Department of Justice or the Federal Bureau of Investigation is able to proceed against conspirators against the Government and the people of the United States.

I think it was made clear by every Senator on the floor that in the event there were technical defects, they could be ironed out in conference by men of good will, working together. That is normal legislative procedure.

I may say, speaking in my capacities both as a Senator from California and also as majority leader of the Senate, that I should be very disappointed if the proposed legislation should be returned to the Senate which did not contain material outlawing the Communist Party and carrying out the general intent, which I think was not partisan in any sense of the word, because the bill was passed by a unanimous vote of the Senate.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. KNOWLAND. I will yield in a moment, when I have furnished my thought.

I think that throughout the country there is a widespread, and an understandable desire on the part of the people of the United States, to outlaw this organization, which is a conspiracy against everything which our constitutional system means to us, which is a subversive, revolutionary group devoted to the purpose of destroying us internally, and, which, in my judgment, at least, in the event we should be subjected to a severe attack at any time in the future would be a potential fifth column.

So I think Congress will expect, and, speaking as one Senator, I think the Senate will expect, that the legislation which is finally passed in the normal, constitutional, legislative processes will very clearly indicate that the American people have spoken, through their representatives in Congress, a desire to outlaw the Communist Party.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. JOHNSON of Texas. First, I wish to commend the distinguished majority leader for his very frank, forthright, and able statement, in which I heartily concur. It is the kind of statement which we have learned to expect from the majority leader, who serves his country first, always.

I am not concerned about the Senator's statement, which appears on the press ticker, that none of us would willingly do anything to weaken the anti-Communist laws, because I heartily embrace that statement.

But the Senator is quoted as saying that he is certain that the Senate and House conferees can iron out the differences, if there are any to be worked out. We know there are always differences, and they must be worked out. We are in the process of working out differences on many bills. I hope that those who are at this moment reported to be making efforts to water down and nullify the actions of the Senate—and the news on the ticker tape indicates that there are some who are already saying that there are serious objections to the bill passed by the Senate—will take due note, not only of the majority leader's statement, but of the statement of the distinguished Senator from Minnesota, namely, that before this Congress adjourns we are going to carefully review what has been done in this field and that we are not going to nullify it.

Mr. KNOWLAND. Mr. President, I can say to the Senator from Texas that,

insofar as my voice will carry any weight, I expect to attend the meeting of the legislative leaders at the White House at 8:30 on Monday morning next. The statement I shall make at that time will be no different than the one I have made on the floor of the Senate.

Mr. JOHNSON of Texas. The Senator from Texas has dealt with the Senator from California long enough to know that no assurance is needed on that point. He knows the Senator from California will do what he says he will do. However, I understood that all the sources mentioned in the ticker tapes point to the fact that administration lieutenants have passed word down the line that there is serious objection to the action the Senate has taken. They also comment on the statements of so-called leaders, or certain leaders, to the effect that they feel "this thing must be taken care of," so to speak. I hope they will note the very strong statement of the Senator from California this evening to the effect that none of us want to weaken any law, but to strengthen it, and we want to do it in a spirit of bipartisanship.

Mr. KNOWLAND. Whether in the field of foreign affairs or at home, in endeavoring to meet the Communist menace, we should have the support of all Americans, recognizing that the only party of treason is the Communist Party, and that the sooner we can close ranks and face that menace, the better off we will be.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield to the Senator from Minnesota.

Mr. HUMPHREY. I want the record to be clear that without the help of the majority leader on the day we passed the bill dealing with the subject, it would have been much more difficult to accomplish what was achieved, and the clarification as to our purposes would never have been made so definite and so precise as they were made. The Senate conferees can go to conference knowing there was no intention to weaken the Smith Act, but that there was an intention to strengthen it. There was likewise no intention to weaken the McCarran Act. There may have been some weakening as regards registration. My answer is that Communists have not registered, anyway. There was no effort on the part of the majority leader or Senators on this side of the aisle to try to pin the responsibility or blame on anybody else.

I join hands with the majority leader and the minority leader in standing firm for the best legislation we can get. There may be some minor differences, but we know what we want. We know we want the Communist Party organization branded as illegal. We want to make it clear that there is no room for it in our midst. If we do that, there will be no politics involved, and, as the majority leader has said, we will have put the country first. After that we will take care of politics.

I commend the majority leader, and I thank the minority leader for his fine assistance.

RECESS UNTIL 10 O'CLOCK A. M., MONDAY

Mr. KNOWLAND. Mr. President, pursuant to the order previously entered, I now move that the Senate take a recess until Monday next.

The motion was agreed to; and (at 8 o'clock and 4 minutes p. m.) the Senate took a recess, the recess being, under the order previously entered, until Monday, August 16, 1954, at 10 o'clock a. m.

EXTENSIONS OF REMARKS

Need for Termination of Deficit Financing

EXTENSION OF REMARKS
OF

HON. STYLES BRIDGES

OF NEW HAMPSHIRE

IN THE SENATE OF THE UNITED STATES

Saturday, August 14, 1954

Mr. BRIDGES. Mr. President, I ask unanimous consent to have inserted in the RECORD a statement and various editorials relative to a resolution introduced by the senior Senator from Virginia [Mr. BYRD] and myself.

There being no objection, the statement and editorials were ordered to be printed in the RECORD, as follows:

NEED FOR TERMINATION OF DEFICIT FINANCING

(Statement by Senator BRIDGES)

A month ago the distinguished senior Senator from Virginia [Mr. BYRD] joined with me in introducing Senate Joint Resolution 174, proposing that the Constitution be amended to assure the American people of balanced budgets in the future by putting an end to deficit Government financing.

The response to this proposal by the voters of our country has been overwhelming. The man on the street has been quick to see its wisdom and its necessity. Over 100 newspapers, large and small, have carried editorials praising its purpose and advocating its enactment. Furthermore, Senator BYRD and I have received mail in such volume as to tax the limit of our already busy office staffs.

Pay-as-you-go government is long overdue. Each day that we fail to recognize and respond to growing inflation, the danger of further damaging our national stability and prestige increases. The people who must pay our Nation's tax bill, the same people who have sent us here to the Senate to represent them are aware of this danger. And well they might be for it is simple arithmetic that we cannot continue to spend more money than we take in and, at the same time, remain domestically sound and internationally strong. As one Illinois editor put it: "The main objective * * * is sound as sanity."

I am more convinced than ever of the need for quick action by the Congress on this resolution so that the way will be paved for early ratifying action by the 48 States. When you read, as the senior Senator from Virginia and I have, so many letters from every corner of this Nation, written by people in all walks of life, supporting our proposal, you will quickly see that now is the time to put our financial house in order; now is the time to restore common sense to Government.

In order to point up my contentions even more strongly, I append hereto a copy of Senate Joint Resolution 174, together with several editorials which have appeared in several newspapers throughout the Nation endorsing its purpose. They are a sample of the editorial comment in support of the proposed amendment and echo accurately the sentiments of the American taxpayer.

Senate Joint Resolution 174

Joint resolution proposing an amendment to the Constitution of the United States to provide for the imposition of Federal taxes to provide revenues at least equal to appropriations, except in time of war declared by the Congress or when the United States is engaged in open hostility against an external enemy

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, and shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"ARTICLE —

"SECTION 1. On or before the 15th day after the beginning of each regular session of the Congress, the President shall transmit to the Congress a budget which shall set forth his estimates of the receipts of the Government during the ensuing fiscal year under the laws existing on such date and his recommendations with respect to appropriations to be made for such fiscal year. Except in time of war declared by the Congress or when the United States is engaged in open hostility against an external enemy, the total appropriations recommended by the President for any fiscal year shall not exceed the total of his estimates of the receipts of the Government during such fiscal year.

"SEC. 2. In the event the Congress, except in time of war declared by the Congress or when the United States is engaged in open hostilities against an external enemy, makes appropriations for the ensuing fiscal year in excess of the total of the President's estimates of the receipts of the Government during such fiscal year reduced by any amount by which the appropriations made for all previous fiscal years beginning subsequent to the effective date of this article of amendment (except fiscal years during which the United States has been engaged in a war declared by the Congress or open hostility against an external enemy) have exceeded the actual receipts of the Government during all such fiscal years, it shall enact measures to raise during such ensuing fiscal year an amount of additional revenue at least equal to the amount of such excess.

"SEC. 3. As used in sections 1 and 2 of this article, the term 'appropriations' includes grants of authority to make actual expenditures of funds but does not include appropriations to reimburse the Government agency making such actual expenditures.

"SEC. 4. No motion in either House of Congress to adjourn for more than 3 days shall be in order during any period of time when

the Congress has failed to perform its duty under section 2 of this article.

"SEC. 5. This article shall be effective on and after the first day of the calendar year which begins after the date this article is ratified.

"SEC. 6. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within 7 years from the date of its submission to the States by the Congress."

[From the Exeter (N. H.) Newsletter of June 15, 1954]

Senators STYLES BRIDGES and HARRY BYRD have proposed an amendment to the Constitution that would require the Federal Government to maintain a balanced budget except in the event of war.

Senator BYRD has long been a powerful influence in opposition to efforts to increase the public debt now set at $275 billion. He was successful last year in balking administration proposals to raise the limit to which the Federal Government may borrow, and it would appear that his opposition now will prevent an increase to the $290 billion limit that the administration requests. Senator BRIDGES, as chairman of the Senate Appropriations Committee, must be considered as a strong voice in the opposition. He cites that a continuance of present United States fiscal policy for the next 40 years, or the estimated period that the Nation faces in maintaining a costly defense program would reduce the American dollar in 1994 to a value of about 12½ cents.

The amendment as proposed by BRIDGES and BYRD would mean that Congress at the close of each session, except in time of war, must balance appropriations with income. If appropriations exceeded Government receipts they would have to be met by the levying of new taxes.

The voices of economy are not entirely lost in the midst of the heavy spending of the past two decades. They grow louder now to slow down if possible the policy of inflation to which the Government has long committed itself.

[From the Manchester (N. H.) Union Leader of July 16, 1954]

Senators STYLES BRIDGES and HARRY BYRD are following sound business judgment in their proposal of a constitutional amendment to put the Government on a pay-as-you-go basis, except in time of war.

BRIDGES sizes the situation up correctly when he says that the Nation will continue for many years to carry a costly defense load. This, therefore, ceases to be an emergency and has become the normal permanent status. It must be recognized as such, which means that appropriations must be made to cover such spending, instead of permitting the national debt to grow indefinitely.

The national debt is now almost $275 billion—a gigantic sum. To keep adding to that debt as is being done today is suicidal. It is a grave injustice to coming generations, who must carry that load as well as the problem of their own day.

Of late the National Government has been an agency for spending without any real regard for solvency. The taxpayer's money is poured out recklessly, and then if political demands exceed receipts, more funds are borrowed. It surely is time there was a jacking up. The only form that can take is to demand a balanced budget.

No one can deny, as Senator BRIDGES asserts, that emergencies of great magnitude that strike the Nation unexpectedly must be dealt with by heroic means, whatever the financial cost may be. But we should not go on indefinitely pasting an emergency label on the whole course of time. We must not forget also that Government borrowing and the piling up of a costly debt have helped to cut the value of the dollar. Today it has about half of the value of 20 years ago. This process must not be allowed to go on indefinitely, and to accelerate its shrinkage as the national debt climbs.

BRIDGES was right when he declared that "to insure monetary stability we must put an end to the practice of financing Federal operations through an interest-bearing charge account that is never paid and upon which our Government has come to depend." President Eisenhower promised in the election campaign to do something about it, but his administration has not got very far. Now let's have a showdown and settle the matter by ruling that the Government must pay its way in peacetime and no fooling about it.

[From the South Bend (Ind.) Tribune of July 18, 1954]

FOR REAL REFORM

The enforced Federal budget balancing proposed by United States Senators STYLES BRIDGES, New Hampshire Republican, and HARRY F. BYRD, Virginia Democrat, deserves serious congressional attention. They have introduced a resolution for amendment of the Constitution for that purpose. Senator BRIDGES is chairman of the Appropriations Committee and Senator BYRD heads the Joint Congressional Committee on Reduction of Nonessential Expenditures. Those official positions enhance the appearance of authoritative judgment of the Federal fiscal situation. The fact that the resolution has bipartisan sponsorship makes it even more practically impressive.

If the Constitution were amended on the pattern proposed by those two Senators, Federal revenues would be estimated in advance by the executive department as at present. If Congress voted for appropriations in excess of the estimated revenues, congressional adjournment would be forbidden until taxes to keep the budget balanced also were voted. Only when the United States was involved in war, with or without a formal declaration by Congress, would the constitutional compulsion for budget balancing be suspended. In wartime, of course, the taxes to match expenditures could be literally crushing. This has been taken into account by Senators BYRD and BRIDGES.

The unbalanced Federal budget has become a dangerous way of life in the United States in the last two decades. Senator BYRD remarks that the Federal or national debt is equal to all of the accessible physical assets of the Nation. This year Congress was asked, he added, to appropriate $56 billion, although unexpended balances of previous appropriations total $85,900,000,000. In other words, the Government might spend $143,200,000,000 if Congress acceded to the current appropriations request.

Remarking that the value of the dollar and the Nation's security are threatened by this condition, Senator BRIDGES states that crisis borrowing and emergency borrowing, except in wartime, must be stopped. "The bottomless purse in the hands of a Socialist-minded bureaucracy," he says, "is the ideal weapon with which to break down the virtues of thrift and industry and destroy the self-sufficiency and personal initiative of the people." This "fantastic charge account" which has been a major factor in Federal Government spending and the debt increase in the last 20 years is "a form of invisible taxation—a secret capital levy—upon all of the people."

It is reasonably plain that voluntary abstention by the Government cannot be anticipated. Enforced budget balancing, involving either economy on taxes that would make all citizens more sensitive to the full meaning of Government spending projects, is the only remedy. As a promoter of economy, the Bridges-Byrd resolution is exceptionally promising. Full-scale debate on it in Congress should have great educational effect. Passage of the resolution to the States and reasonably prompt action on it by the legislatures would decisively resolve this vitally important issue.

[From the Chicago (Ill.) Daily Calumet of July 26, 1954]

A GOOD IDEA DOOMED FOR AX

Another noble idea is headed for the ash-can or the ax, as you like it. Reference is had to a proposed amendment to the Constitution of the United States forbidding the Federal Government to operate by deficit spending in peacetime. The first noble experiment was the proposed celebrated Bricker amendment, making it illegal to sign treaties with other nations if the provisions of such documents violate existing law.

Take your own case. Say you earn $375 per month. How long can you go on spending $376 a month and get by? Yet the Government is doing just that. What a strange state of affairs it is, we must pass laws making us stay within all bounds of sanity regarding money matters.

Thanks to HARRY FLOOD BYRD, of Virginia, and W. STYLES BRIDGES, of New Hampshire, two United States Senators, who propose a commonsense limitation on spending. Every taxpayer in America ought to send BYRD and BRIDGES a bouquet. What these two ordinary, hard-headed lawmakers want is a constitutional amendment prohibiting the President's budget proposing the spending of more than the estimated receipts for the next fiscal year.

The idea has plenty of merit, but the spenders will knock it in the head. The deficit for the fiscal year just ended June 30, was $3 billion. It is said it will be much greater when we look at the books on June 30, 1955. We'll bet a dollar to a nickel it will.

The national debt now is crowding the legal limit of $275 billion. There are strong notions underway in Washington to boost that figure still more. They ought to run such goofs out of office. All that's needed to inflate the $275 billion mark is a bill approved by Congress. It will encounter vigorous opposition, but observers of the Washington scene predict its passage.

Already opponents have taken one healthy swing with the ax on the Byrd-Bridges idea. It is said that in peacetime it frequently becomes necessary to spend for defense and the possibility of war. Under such circumstances the administration—Republican or Democrat—might be pinched considerably on spending for security. That's a lot of balderdash. The amendment can be so put together as to preclude the element of danger in a time of crisis.

The main objective sought by Senators BYRD and BRIDGES is as sound as sanity. Not only is it wise to put the clamps on a soaring debt, but it is absolutely necessary unless we are willing to see the Federal debt puncture the sky and so precipitate financial disaster upon the Nation.

The present debt of $275 billion is appalling. It will take this generation and a good many more to put the Federal Government back on the black side of the ledger. It will take God only knows how many years to balance our books, if indeed this Nation ever does without resorting to repudiation of governmental obligations. That would be ruin, also.

Lend Senators BYRD and BRIDGES your very best punch. Hope, fervently, they may put their proposal through the Congress. It will be a tough fight. There still are a number of New Deal Demos around, augmented by Republican big spenders, whose main interest seems to be in spreading the power of the Federal Government over ever-widening areas. Enough of that.—H. F. W.

[From the Durham (N. C.) Sun of July 19, 1954]

POWERFUL ARGUMENT

The proposal of Senator BRIDGES, of New Hampshire, chairman of the Senate Appropriations Committee, that the Constitution be amended to provide for a balanced budget may not be a pleasant thought for some Members of Congress or for some executive leaders but it has much to recommend it. It is an application of the pay-as-you-go principle.

Senator BRIDGES' amendment would require that revenues must be provided by any Congress to match any appropriations it may make. It would eliminate deficit spending; would provide that the Government spend only so much money as it may expect to have to spend.

Latitude in times of national crisis, however, is provided. The restriction would not apply in any time of war or in any period of open hostilities against an external enemy. What would happen in the event of the need of any sudden buildup toward war? There would have to be, presumably, a sudden buildup in revenues to pay for the expenditures.

There will be some strenuous opposition among the Members of Senate and House; no doubt of that. There are Representatives and Senators who are impatient of any check on their pet spending schemes and many are apostles of the system of spending today and letting tomorrow take care of the bills. They may not be here tomorrow and, in any event, "tomorrow is another day."

Senator BRIDGES' resolution grows out of the failure of even a conservative Republican Congress to move toward a balanced budget and the pressure being exerted for another lifting of the national debt limit. The deficit for the year ending June 30 was about $3 billion. This year, Senator HARRY BYRD, of Virginia, says, the deficit will be greater instead of smaller because taxes have been reduced faster than expenditures. Moreover, although Senator BYRD said nothing of that, taxes have been reduced for those more able to pay rather than for the great body of Americans.

Senator BYRD, in an address in the Senate last week, stoutly supported the Bridges amendment and advanced at least one powerful argument in its favor. The ban on deficit spending, said Senator BYRD, "would be an affective deterrent on nonessential spending."

It would, indeed. He has a strong point there. Congress is persuaded into excessive spending by pressure groups; and succumbs because it is aware that the beneficiaries will be pleased and because the rest of the country will not complain too much. It will not complain too much because, under deficit spending the day of reckoning is postponed and because it will not think the thing through. Besides other pressure groups conclude that they may want some "gravy" of their own some day.

If, however, the Congress is required to find the money for the additional expenditures and forced to levy additional taxes for the spending which goes beyond available revenues, it will be impelled to pause; for the citizen does not utter louder cries of anguish than when another tax is being added.

[From the Bridgeton (N. J.) News of July 17, 1954]

WOULD CURB SPENDING

Senator STYLES BRIDGES, Republican, of New Hampshire, and Senator HARRY BYRD, Democrat, of Virginia, are collaborating on an amendment to the Constitution, the purpose of which is to put an effective curb on Government spending.

This amendment, which if passed by Congress and ratified by the required number of States, would put an end to all headaches over balancing the budget for under the amendment it would balance itself.

The purpose of this amendment is to forbid any administration to spend more in any one year than the estimated receipts for that year. The budget and receipts would have to balance. In short, the Federal Government would have to be conducted on a pay-as-you-go basis. This is good common sense and there is no reason why the Government should not be conducted on that basis.

These two men are not dreamers, but men who have been close students of our financial situation and have been earnest advocates of bringing our financial situation into balance. Senator BYRD, who is a successful businessman, has long since won the reputation of being an expert in Government financial affairs and of having such facts and figures at his fingertips.

In discussing the proposed amendment, Senator BRIDGES said something must be done to set our financial house in order or else our national stability will be endangered and our national prestige shaken.

This statement by Senator BRIDGES is not overdrawn by any means and coincides with the views of these wise financiers of the Nation, and is the reason both of these men oppose any increase in the debt limit.

We were promised that the Republicans would balance the budget if placed in power. At the end of the first year of the Eisenhower administration the budget remained unbalanced, the excuse being that it was impossible owing to commitments of the Truman reign. The second year of the Eisenhower administration finds the budget $3 billion out of balance, and it is predicted the next year will find the situation even worse. So it is apparent that some such drastic step as the proposed amendment must be taken to insure the country financially.

No action on this proposed amendment will be taken until the next session of Congress and it may find the going hard, as the spenders will oppose any effort to put a curb on them, but once the amendment comes before Congress the people should rally so overwhelmingly in its support that Congress will not dare to fail to approve it. Once through Congress there is no question of its approval by the necessary number of States, for the people are tired of their Government being continually billions of dollars in the red and of the mounting of debt under which they are laboring.—W. E. M.

[From the Omaha (Nebr.) Evening World-Herald of July 20, 1954]

IN TIME OF PEACE, PAY CASH—THAT'S BYRD-BRIDGES PLAN

Democratic Senator BYRD, of Virginia, and Republican Chairman STYLES BRIDGES, of the Senate Finance Committee, are joint sponsors of a proposed constitutional amendment which, in the interests of America, should be submitted and adopted in jig time.

In brief, this amendment would prohibit deficit spending. It would require Congress to levy taxes to cover the entire amount of its appropriations every year.

As Senator BYRD explains it, the amendment would not be applicable "during periods when the United States is engaged in war declared by Congress or in open hostilities against an external enemy."

But in times of peace—no deficits.

Is there anything wrong with that? Is there any reason why this wondrously rich country should keep running farther and farther into debt, even in years of great prosperity? We think most Americans would agree that there is none. We think the Byrd-Bridges amendment, if submitted, would be adopted virtually by acclamation.

The proposed amendment is only part of Senator BYRD's personal program of things that must be done "if we are to preserve our solvency." He recommends these four moves:

1. Balance the budget by reducing spending.

2. Hold the existing debt ceiling at $275 billion. "This is more than enough for us to owe."

3. Reduce taxes after reducing expenditures; "it does not make sense to borrow money to reduce taxes."

4. Short of a national emergency, there can and should be a moratorium in all new spending programs until the Federal Government is showing a budget surplus.

Here again we think there would be very little difference of opinion among those Americans who honor simple arithmetic above socialistic theories. The wonder is that so few men, once they are elected to Congress and move to Washington, actually vote the way any rational and patriotic American ought to vote.

[From the Nashville (Tenn.) Banner of July 20, 1954]

BYRD-BRIDGES FORMULA: IF DEFICITS WERE ILLEGAL, BUDGET WOULD BALANCE

It isn't as easy—and not always as spectacular—to get out of debt as to get in. The New Deal and its offspring the Fair Deal made a big splash with their red ink, operating on the theory that prosperity came that way and that the Federal debt didn't matter because "after all, we owe it to ourselves."

With only four exceptions, Senator HARRY BYRD points out, the Government of the United States has operated in the red for 25 years, and a balanced budget is not yet in sight. The deficit for the fiscal year ended June 30 was approximately $3 billion; and he warns that this year's deficit will be higher because taxes have been reduced faster than expenditures.

The Eisenhower administration made a substantial dent in the deficit of last year. By the budget recommended by Harry S. Truman (his last one) the amount of red ink for fiscal 1954 would have been $9 billion. But the Government still is spending in excess of income because Congress has deleted some revenues without a corresponding deletion on the spending end of the ledger. So the debt mounts.

Specifically the bipartisan economy—or budget balancing—plank introduced by Senators BYRD, of Virginia, and BRIDGES, of New Hampshire (chairman of the Senate Appropriations Committee), provides:

Under section 1 the President, at the opening of each session of Congress, would submit a budget setting forth both appropriation recommendations and revenue estimates, but the recommended appropriations shall not exceed estimated revenue under tax laws existing at the time.

If, in any session, Congress enacts appropriations which, in combination with any deficit carried over from the previous year, exceed the revenue estimates, section 2 requires legislation raising additional revenue to cover the deficit.

Under section 4 neither the House nor the Senate may adjourn until estimated revenue and enacted appropriations, plus any previous year deficit, are in balance.

The amendment, of course, is careful to provide that it is not applicable during periods when the United States is engaged in war declared by Congress, or in open hostilities against an external enemy.

In simple language, this amendment would prohibit deficit spending; if appropriations exceed revenue, taxes must be raised to cover the deficit. This would be an effective deterrent to nonessential spending, which actually comprises a big part of every deficit.

Practically everything else has been tried to curb excessive spending, of the type born with the New Deal policy of tax, spend, and elect. Maybe a law government wide, prohibiting expenditures beyond income, can do it.

SENATE

MONDAY, AUGUST 16, 1954

(Legislative day of Thursday, August 5, 1954)

The Senate met at 10 o'clock a. m., on the expiration of the recess.

Rev. F. Norman Van Brunt, associate pastor, Foundry Methodist Church, Washington, D. C., offered the following prayer:

Almighty God, Thou indwelling spirit, who art ever attempting to guide the spirit of man to the realization of abundant life, give us a greater sense of expectancy. Deliver us, we pray, from fears that paralyze the will and doubts that breed despair. Let us see Thee, the unchanging, secure foundation upon which we continue to build a glorious heritage of freedom and fidelity. We need the insight of Thy spirit and the all-pervading power of Thy love. To this end grant unto us the divine initiative that, as imitators of the infinite, we may be bearers of light and abundant life to our age. Help us to look upon our purpose and place in the sun with the same sense of mission of the one who staggered the world with the daring of His faith, the Man of Galilee. Amen.

THE JOURNAL

On request of Mr. KNOWLAND, and by unanimous consent, the reading of the Journal of the proceedings of Saturday, August 14, 1954, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE—ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the Speaker had affixed his signature to the following bills and joint resolutions, and they were signed by the Vice President:

S. 16. An act to permit the compelling of testimony under certain conditions and to grant immunity from prosecution in connection therewith;

S. 22. An act to validate certain payments for accrued leave made to members of the Armed Forces who accepted discharges for the purpose of immediate reenlistment for an indefinite period;

S. 154. An act for the relief of George Pantelas;

S. 232. An act for the relief of Hugo Kern;

S. 546. An act to authorize payment for losses sustained by owners of wells in the vicinity of Cold Brook Dam by reason of the lowering of the level of water in such wells as a result of the construction of Cold Brook Dam;

S. 1184. An act to authorize relief of authorized certifying officers from exceptions taken to payments pertaining to terminated war agencies in liquidation by the Department of State;

S. 1225. An act for the relief of Brunhilde Walburga Golomb Hartsworm;

S. 1308. An act for the relief of Leonard Hungerford;

S. 1706. An act to provide for taxation by the State of Wyoming of certain property located within the confines of Grand Teton National Park, and for other purposes;

S. 1748. An act to incorporate the National Fund for Medical Education;

S. 1845. An act for the relief of Dr. Ian Yung-cheng Hu;

S. 1904. An act for the relief of Ottilie Theresa Workmann;

S. 1959. An act for the relief of Mrs. Annemarie Namias;

S. 2420. An act to amend section 32 of the Trading With the Enemy Act;

S. 2456. An act for the relief of Martin Genuth;

S. 2461. An act for the relief of Berta Hellmich;

S. 2744. An act to provide for the termination of Federal supervision over the property of the Alabama and Coushatta Tribes of Indians of Texas, and the individual members thereof; and for other purposes;

S. 2958. An act for the relief of Ida Reissmuller and Johnny Damon Eugene Reissmuller;

S. 3028. An act to require the Postmaster General to reimburse postmasters of discontinued post offices for equipment owned by the postmaster;

S. 3085. An act for the relief of Mrs. Helen Stryk;

S. 3233. An act to amend the Merchant Marine Act, 1936, to provide permanent legislation for the transportation of a substantial portion of waterborne cargoes in United States-flag vessels;

S. 3239. An act to authorize conveyance of land to the State of California for an inspection station;

S. 3302. An act granting to the Las Vegas Valley Water District, a public corporation organized under the laws of the State of Nevada, certain public lands of the United States in the State of Nevada;

S. 3303. An act granting to Basic Management, Inc., a private corporation organized under the laws of the State of Nevada, certain public lands of the United States in the State of Nevada;

S. 3379. An act to amend section 4 of the Flammable Fabrics Act, with respect to the standards of flammability in the case of certain textiles;

S. 3393. An act authorizing the Administrator of Veterans' Affairs to convey certain property to Milwaukee County, Wis.;

S. 3487. An act to authorize the Central Bank for Cooperatives and the regional banks for cooperatives to issue consolidated debentures, and for other purposes;

S. 3532. An act to provide for the partition and distribution of the assets of the Ute Indian Tribe of Uintah and Ouray Reservation in Utah between the mixedblood and fullblood members thereof; and for the termination of Federal supervision over the property of the mixedblood members of said tribe; to provide a development program for the fullblood members of said tribe; and for other purposes;

S. 3546. An act to provide an immediate program for the modernization and improvement of such merchant-type vessels in the reserve fleet as are necessary for national defense;

S. 3769. An act to amend section 709 of title 18, United States Code, so as to protect the name of the Federal Bureau of Investigation from commercial exploitation;

S. 3816. An act to authorize the replacement of certain Government-owned utility facilities at Glacier National Park, Mont., and Grand Canyon National Park, Ariz.;

H. R. 669. An act for the relief of George D. Kyminas;

H. R. 787. An act for the relief of Israel Ratsprecher and Maryse Ratsprecher;

H. R. 803. An act for the relief of Christakis Modinos;

H. R. 804. An act for the relief of Enrichetta F. C. Meda-Novara;

H. R. 818. An act for the relief of Mrs. Emma Martha Staack;

H. R. 868. An act for the relief of Ciriaco Catino;

H. R. 905. An act for the relief of Franciszek Wolczek;

H. R. 950. An act for the relief of Panoula Panagopoulos;

H. R. 970. An act for the relief of George Economos;

H. R. 977. An act for the relief of Mrs. Aimee Dutour Rovzar;

H. R. 1171. An act for the relief of Mrs. Wai-Jan Low Fong;

H. R. 1324. An act for the relief of Georgina Chinn;

H. R. 1463. An act for the relief of Ilona Elizabeth Carrier;

H. R. 1646. An act for the relief of Arthur Neustadt and Mrs. Emma Neustadt;

H. R. 1697. An act for the relief of Mrs. Katharina Batke;

H. R. 1843. An act to increase the retired pay of certain members of the former Lighthouse Service;

H. R. 1897. An act for the relief of Mrs. Betty E. Le May;

H. R. 1974. An act to amend the third paragraph of section 4, chapter 1, title I, of the act entitled "An act making further provision for a civil government for Alaska, and for other purposes," approved June 6, 1900 (31 Stat. 322; 48 U. S. C., sec. 101), as amended;

H. R. 1975. An act to amend section 2201 of title 28, United States Code, to extend the Federal Declaratory Judgments Act to the Territory of Alaska;

H. R. 1976. An act to amend title 28, United States Code, to permit the registration of judgments in or from the District Court for the Territory of Alaska;

H. R. 2051. An act for the relief of Ivo Markulin;

H. R. 2224. An act to amend the Army-Navy Medical Services Corps Act of 1947 (61 Stat. 734), as amended, so as to authorize the appointment of a Chief of the Medical Service Corps of the Navy, and for other purposes;

H. R. 2358. An act for the relief of Dr. Vahram Uluhogian;

H. R. 2359. An act for the relief of Joseph Veich, also known as Giuseppe Veic;

H. R. 2635. An act for the relief of Olga Abitia;

H. R. 2654. An act for the relief of Sister Linda Salerno, Luigiana C. Cairo, Antonietta Impieri, Anna Impieri, Rosina Scarlato, Iolanda Gaglianone, Maria Assunta Scaramuzzo, Francescaina Conterucci, and Filomena Lupinacci;

H. R. 2793. An act for the relief of Miyoko Nagare;

H. R. 2843. An act to authorize the Secretary of the Interior to investigate and report to the Congress on the conservation, development, and utilization of the irrigation and reclamation resources of the Waimanalo, Oahu; Waimea, Island of Hawaii; and Molokai projects, Territory of Hawaii;

H. R. 2874. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of Mary K. Reynolds, as successor in interest to the Colonial Realty Co.;

H. R. 2879. An act to stay deportation proceedings on Juan Onativia;

H. R. 2901. An act for the relief of Tokuko Kobayashi, and her minor son;

H. R. 3116. An act for the relief of Dimitra Makhavitzki;

H. R. 3125. An act for the relief of Alexander Hahn and Suzanne Hahn;

H. R. 3144. An act for the relief of Elias Y. Richa;

H. R. 3238. An act for the relief of Danica Maria Vavrova;

H. R. 3344. An act for the relief of Carmen Salvador and her daughter, Ruby Salvador;

H. R. 3419. An act to authorize a $50 per capita payment to members of the Red Lake Bank of Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation;

H. R. 3444. An act for the relief of Toki Yaeko;

H. R. 3616. An act for the relief of Nicoletta Di Donato;

H. R. 3677. An act for the relief of Sister Paolina (Angela Di Franco);

H. R. 3759. An act for the relief of Babette Mueller Esposito;

H. R. 3855. An act for the relief of Sister Agrippina (Agrippina Palermo), Sister Battistina (Franceschina Serpa), Sister Romana (Angela Iolanda Morelli), Sister Franceschina (Maria Caruso), and Sister Bruna (Giuseppina De Caro);

H. R. 4092. An act for the relief of Mira Tellini Napoleone;

H. R. 4213. An act to authorize works for development and furnishing of water supplies for waterfowl management, Central Valley project, California, and for other purposes;

H. R. 4330. An act for the relief of Dr. Orlando Artuso and family;

H. R. 4371. An act for the relief of June Ann Sakurai;

H. R. 4620. An act for the relief of Natale Joseph John Ratti;

H. R. 4690. An act to provide for the erection of appropriate markers in national cemeteries to honor the memory of members of the Armed Forces missing in action;

H. R. 4721. An act to provide that the excess-land provisions of the Federal reclamation laws shall not apply to lands in the Owl Creek unit of the Missouri Basin project;

H. R. 4740. An act for the relief of Kaoru Yoshioka;

H. R. 4881. An act to amend the Canal Zone Code in reference to the survival of things in action;

H. R. 4959. An act for the relief of Muhittin Schuer;

H. R. 4998. An act for the relief of Paul Frkovich;

H. R. 5072. An act for the relief of Carmen D'Ottavio, also known as Cameron D'Ottavio;

H. R. 5077. An act for the relief of Sophia Nassopoulos;

H. R. 5314. An act to extend the coverage of the Servicemen's Indemnity Act to members of the Reserve Officer Training Corps when ordered to active training duty for periods in excess of 14 days;

H. R. 5340. An act for the relief of Tibor, Szuzsa (Susanne) and Judith Sauer;

H. R. 5354. An act for the relief of Liborio Guido Rutildo;

H. R. 5443. An act for the relief of Eva Lowinger;

H. R. 5639. An act for the relief of Edeltraud Kamberg Douglass;

H. R. 5816. An act for the relief of Mrs. Caridad Rosa Avila Leyva de Ernest;

H. R. 5822. An act for the relief of Evanthia Demetrios Makrozonari;

H. R. 5832. An act to authorize the Commissioner of Public Lands of the Territory of Hawaii to sell public lands to certain lessees, permittees, and others;

H. R. 5944. An act for the relief of Alberto Ugo Landry;

H. R. 5997. An act to enable the Legislature of the Territory of Hawaii to authorize the issuance of general obligation bonds, the proceeds thereof to be used for veterans mortgages;

H. R. 6026. An act for the relief of Gertrud O. Heinz;

H. R. 6113. An act to amend title 28 of the United States Code, so as to increase the penalties applicable to the smuggling of goods into the United States;

H. R. 6127. An act to amend the act entitled "An act to create a Board for the Condemnation of Insanitary Buildings in the District of Columbia, and for other purposes," approved May 1, 1906;

H. R. 6223. An act to amend section 87 of the National Defense Act of June 3, 1916, as amended (32 U. S. C. 47), to relieve the States from accountability and pecuniary liability for property lost, damaged or destroyed except in cases where it shall appear that the loss, damage, or destruction of the property was due to carelessness or negligence or could have been avoided by the exercise of reasonable care;

H. R. 6253. An act to amend Public Law 410, 78th Congress, with regard to compensation for overtime, Sunday, and holiday work of employees of the United States Public Health Service, Foreign Quarantine Division;

H. R. 6280. An act to extend temporarily the rights of priority of nationals of Japan and certain nationals of Germany, with respect to applications for patents;

H. R. 6367. An act for the relief of Nobu Nogawa Nitta;

H. R. 6393. An act granting the consent and approval of Congress to an interstate forest fire protection compact;

H. R. 6414. An act for the relief of Barbara Pator Allen;

H. R. 6553. An act for the relief of Esterina Pella Bellucci;

H. R. 6658. An act to provide for the conveyance of certain lands by the United States to the county of Cumberland, State of North Carolina, without remuneration;

H. R. 6855. An act for the relief of Mrs. Elisabeth Metzing Rink;

H. R. 6885. An act to amend section 1 of Joint Resolution 12 enacted by the 25th Legislature of the Territory of Hawaii, in the regular session of 1949 and approved by the 81st Congress of the United States of America at the second session (Public Law 746, ch. 833);

H. R. 6886. An act to ratify and confirm sections 5 and 6 of Act 254 and Act 280 of the Session Laws of Hawaii, 1953, and to authorize the issuance of certain public improvement bonds by the Territory of Hawaii;

H. R. 6892. An act for the relief of Maria Elizabeth Sanchez Y Moreno;

H. R. 6955. An act for the relief of Margers Nulle-Siecenieks;

H. R. 6987. An act for the relief of Gene C. Szutu and Florence C. Szutu;

H. R. 7041. An act for the relief of Waltruade Elsa Solleder;

H. R. 7051. An act for the relief of Mary George Solomon;

H. R. 7088. An act for the relief of Antonio Cazzato;

H. R. 7131. An act to repeal a limitation on pay of certain officers of the Navy;

H. R. 7138. An act for the relief of Rosa Marie Adelheid Herok;

H. R. 7140. An act for the relief of Robert A. Duval;

H. R. 7145. An act for the relief of Anneliese Catalino;

H. R. 7150. An act for the relief of Thora June Grumbles;

H. R. 7152. An act for the relief of Jozef Van den broeck;

H. R. 7221. An act for the relief of Anders Taranger;

H. R. 7251. An act to authorize the Secretary of the Interior to transfer to Vernon F. Parry, the right, title, and interest of the United States, in foreign countries, in and to a certain invention;

H. R. 7334. An act to authorize certain property transactions in Cocoli, C. Z., and for other purposes;

H. R. 7398. An act to repeal the requirement of section 3921 of the Revised Statutes that postmasters report to the Postmaster General failure to cancel postage stamps;

H. R. 7399. An act to authorize the sale of postage-due stamps for philatelic purposes;

H. R. 7411. An act for the relief of Mrs. Esterlee Hutzler Weinhoppel;

H. R. 7451. An act for the relief of Erika Jette Lavery;

H. R. 7460. An act to pay Warren P. Hoover for services rendered the Army of the United States;

H. R. 7486. An act to amend section 1071 of title 18, United States Code, relating to the concealing of persons from arrest, so as to increase the penalties therein provided;

H. R. 7494. An act for the relief of Elizabeth Forster Austin;

H. R. 7508. An act for the relief of James Dore, Jr.;

H. R. 7517. An act to enable the Legislature of the Territory of Hawaii to authorize the city and county of Honolulu, a municipal corporation, to issue public improvement bonds;

H. R. 7518. An act to enable the Legislature of the Territory of Hawaii to authorize the city and county of Honolulu, a municipal corporation, to issue public-improvement bonds;

H. R. 7568. An act to authorize and direct the Farm Loan Board of Hawaii to convey certain land and to ratify and confirm certain acts of said Farm Loan Board;

H. R. 7569. An act to authorize the removal of a restrictive covenant on land patent No. 9628, issued to the board of the Hawaiian Evangelical Association on January 18, 1929, and covering lots 5 and 6 of Waimea townlots, situated in the county of Kauai, T. H.;

H. R. 7584. An act for the relief of Angele Marie Boyer (nee Pieniazcek);

H. R. 7593. An act for the relief of Theresia Probst Uhl;

H. R. 7606. An act for the relief of Michael Henry LaFleur;

H. R. 7612. An act for the relief of Enrico Intravaia;

H. R. 7628. An act for the relief of Mrs. Adriana M. Truyers Aretz;

H. R. 7629. An act for the relief of Mrs. Ruth Gruschka Krug;

H. R. 7635. An act for the relief of Martti Ilmari Timonen, Maj-Lis Timonen, and Marja Timonen;

H. R. 7761. An act for the relief of John Lewis Pyles, Jr.;

H. R. 7807. An act for the relief of Heinz Gerhard Rolappe;

H. R. 7924. An act for the relief of Giuseppi Clementi;

H. R. 7925. An act for the relief of Mrs. Dina Mianulli (nee Kratzer);

H. R. 7945. An act for the relief of Bart Blaak (formerly Johannes J. M. Gijsbers);

H. R. 7987. An act for the relief of Roger Feghali;

H. R. 8006. An act to authorize the Secretary of the Interior to issue patents for certain lands in Wisconsin bordering upon inland lakes or rivers;

H. R. 8034. An act for the incorporation of the Sons of Union Veterans of the Civil War;

H. R. 8038. An act to authorize the conveyance to the Hot Springs School District and to Garland County, Ark., for school and for other public purposes, of certain land originally donated to the United States and situated in Hot Springs National Park, Ark., and for other purposes;

H. R. 8041. An act to provide benefits under the laws administered by the Veterans' Administration based upon service in the Women's Army Auxiliary Corps under certain conditions;

H. R. 8066. An act for the relief of Mrs. Gertrud Eckerl Strickland;

H. R. 8115. An act for the relief of Tannous Estephan;

H. R. 8146. An act for the relief of Palmina Smarrelli (nee Lattanzio);

H. R. 8155. An act to continue until the close of June 30, 1955, the suspension of

duties and import taxes on metal scrap, and for other purposes;

H. R. 8180. An act to increase the amount of Federal aid to State or Territorial homes for the support of disabled soldiers, sailors, and airmen of the United States;

H. R. 8239. An act for the relief of Fung Ping Wah and others;

H. R. 8334. An act for the relief of Helmut Cermak and Hana Cermak;

H. R. 8365. An act to confirm the authority of the Secretary of the Interior to issue patents in fee to allotments of lands of the Mission Indians in the State of California prior to the expiration of the trust period specified in the act of January 12, 1891, as amended;

H. R. 8384. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Talent division of the Rogue River Basin reclamation project, Oregon;

H. R. 8385. An act to amend section 2382 of the Revised Statutes, in order to make the size of townlots conform in size to local standards;

H. R. 8501. An act to provide for the conveyance of certain land in Sumter County, Ga., to the Americus and Sumter County Chamber of Commerce;

H. R. 8520. An act to provide for the inclusion of the Ainsworth, Lavaca Flats, Mirage Flats Extension, and O'Neill irrigation developments in the Missouri River Basin project;

H. R. 8570. An act to authorize the Secretary of the Navy to dispose of certain uncompleted naval vessels, and for other purposes;

H. R. 8634. An act to amend section 22 of the Organic Act of Guam;

H. R. 8658. An act to amend title 18, United States Code, to provide for the punishment of persons who jump bail;

H. R. 8736. An act to authorize the issuance of a land patent to certain public lands, situate in the county of Kauai, Territory of Hawaii, for school purposes;

H. R. 8821. An act to authorize the exchange of lands acquired by the United States for the Catoctin recreational demonstration area, Frederick County, Md., for the purpose of consolidating Federal holdings therein;

H. R. 8897. An act to authorize and direct the Secretary of the Interior to transfer 40 acres of land in the Northern Cheyenne Indian Reservation, Mont., to School District No. 6, Rosebud County, Mont.;

H. R. 8921. An act to establish the rate of compensation for the position of the General Counsel of the Department of Commerce;

H. R. 9000. An act to integrate the Judge Advocate's promotion list with that of the Army, to restore lost seniority and grade, and for other purposes;

H. R. 9020. An act to provide increases in the monthly rates of compensation payable to certain veterans and their dependents;

H. R. 9194. An act to provide for the conveyance of certain land owned by the Federal Government near Vicksburg, Miss., to Vicksburg, Miss.;

H. R. 9236. An act to amend the Federal Credit Union Act, as amended;

H. R. 9302. An act to permit retired members of the uniformed services to revoke elections made under the Uniformed Services Contingency Option Act of 1953 in certain cases where the elections were made because of mathematical errors or misinformation;

H. R. 9336. An act for the relief of Marianne Geymeier;

H. R. 9390. An act to extend certain civilian-internee and prisoner-of-war benefits under the War Claims Act of 1948, as amended, to civilian internees and American prisoners of war captured and held during the hostilities in Korea;

H. R. 9406. An act to provide for the conveyance of certain real property to the town of Beaufort, N. C.;

H. R. 9582. An act to provide for the disposition of surplus personal property to the Territorial government of Alaska;

H. R. 9584. An act to protect the rights of vessels of the United States on the high seas and in territorial waters of foreign countries;

H. R. 9630. An act to authorize the Secretary of the Interior to execute an amendatory contract with the Black Canyon Irrigation District, Idaho, and for other purposes;

H. R. 9671. An act for the relief of Dr. Liang Nun Wang and his wife and child, Fa-chi Ling Wang and Eileen Wang;

H. R. 9678. An act to promote the security and foreign policy of the United States by furnishing assistance to friendly nations, and for other purposes;

H. R. 9814. An act for the relief of Alfio Capizzi;

H. R. 9821. An act to amend titles 18 and 28 of the United States Code;

H. R. 9882. An act to incorporate the Foundation of the Federal Bar Association;

H. R. 9888. An act to amend the laws granting education and training benefits to certain veterans to extend the period during which such benefits may be offered;

H. R. 9889. An act to authorize the Secretary of the Interior to execute an amendatory contract with American Falls Reservoir District No. 2, Idaho, and for other purposes;

H. R. 9996. An act for the relief of Susan Ellen Heiney;

S. J. Res. 140. Joint resolution to establish a commission for the celebration of the 200th anniversary of the birth of Alexander Hamilton;

S. J. Res. 183. Joint resolution to extend greetings to the Gold Coast and Nigeria;

H. J. Res. 257. Joint resolution authorizing the President to invite the States of the Union and foreign countries to participate in the First International Instrument Congress and Exposition to be held in Philadelphia, Pa., from September 13 to 25, 1954;

H. J. Res. 356. Joint resolution authorizing the erection of a memorial gift from the people of the Netherlands;

H. J. Res. 359. Joint resolution designating the period from October 11 to October 16, inclusive, 1954, as National Nurse Week;

H. J. Res. 560. Joint resolution to authorize the Commissioner of the District of Columbia to promulgate special regulations for the period of the American Legion National Convention of 1954, to authorize the granting of certain permits to the American Legion 1954 Convention Corporation on the occasion of such convention, and for other purposes; and

H. J. Res. 561. Joint resolution to authorize the quartering in public buildings in the District of Columbia of troops participating in activities related to the American Legion national convention of 1954.

LEAVE OF ABSENCE

Mr. SMITH of New Jersey. Mr. President, I rise to a matter of personal privilege. With the approval of the majority leader, I ask permission to be absent from the Senate beginning on Wednesday next, for the reason that I have been invited by the Secretary of State, Mr. Dulles, to accompany him on September 1 to the Far East, to sit in on the conference relating to the Southeast Asian Pact. Immediately on returning I shall attend the session of the General Assembly of the United Nations, to which I am a delegate, which session will last from the middle of September until December. I feel that if I am to take on this heavy schedule I must ask the permission of the Senate to get away to Colorado for a brief period. If I am needed here, of course, I shall return. But I ask unanimous consent to be absent from the sessions of the Senate beginning next Wednesday.

The VICE PRESIDENT. Without objection, it is so ordered.

CALL OF THE ROLL

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Butler	Hayden	Martin
Carlson	Hendrickson	McCarran
Clements	Ives	Morse
Cooper	Johnson, Tex.	Reynolds
Crippa	Kerr	Smathers
George	Knowland	Smith, N. J.
Gillette	Lehman	
Gore	Mansfield	

Mr. SALTONSTALL. I announce that the senior Senator from Indiana [Mr. CAPEHART] and the Senator from Idaho [Mr. WELKER] are absent on official business. The Senator from Vermont [Mr. FLANDERS], the junior Senator from Indiana [Mr. JENNER], the Senator from Minnesota [Mr. THYE], and the Senator from New Hampshire [Mr. UPTON] are necessarily absent.

Mr. CLEMENTS. I announce that the Senator from Virginia [Mr. BYRD] and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

The Senator from Illinois [Mr. DOUGLAS], the Senators from Mississippi [Mr. EASTLAND and Mr. STENNIS], the Senator from North Carolina [Mr. ERVIN], the Senator from South Carolina [Mr. MAYBANK], and the Senator from Rhode Island [Mr. PASTORE] are absent on official business.

The VICE PRESIDENT. A quorum is not present.

Mr. BUTLER. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Maryland.

The motion was agreed to.

The VICE PRESIDENT. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. AIKEN, Mr. ANDERSON, Mr. BARRETT, Mr. BEALL, Mr. BENNETT, Mrs. BOWRING, Mr. BRICKER, Mr. BRIDGES, Mr. BURKE, Mr. BUSH, Mr. CASE, Mr. CHAVEZ, Mr. CORDON, Mr. DANIEL, Mr. DIRKSEN, Mr. DUFF, Mr. DWORSHAK, Mr. ELLENDER, Mr. FERGUSON, Mr. FREAR, Mr. FULBRIGHT, Mr. GOLDWATER, Mr. GREEN, Mr. HENNINGS, Mr. HICKENLOOPER, Mr. HILL, Mr. HOLLAND, Mr. HUMPHREY, Mr. JACKSON, Mr. JOHNSON of Colorado, Mr. JOHNSTON of South Carolina, Mr. KEFAUVER, Mr. KENNEDY, Mr. KILGORE, Mr. KUCHEL, Mr. LANGER, Mr. LENNON, Mr. LONG, Mr. MAGNUSON, Mr. MALONE, Mr. MCCARTHY, Mr. MCCLELLAN, Mr. MILLIKIN, Mr. MONRONEY, Mr. MUNDT, Mr. MURRAY, Mr. NEELY, Mr. PAYNE, Mr. POTTER, Mr. PURTELL, Mr. ROBERTSON, Mr. RUSSELL, Mr. SALTONSTALL, Mr. SCHOEPPEL, Mrs. SMITH of Maine, Mr. SYMINGTON, Mr. WATKINS, Mr. WILEY, Mr. WIL-

LIAMS, and Mr. YOUNG entered the Chamber and answered to their names.

The VICE PRESIDENT. A quorum is present.

TRANSACTION OF ROUTINE BUSINESS

Mr. KNOWLAND. Mr. President, I ask unanimous consent that Senators may be permitted to make speeches and insertions in the RECORD, under the usual 2-minute morning hour limitation.

The VICE PRESIDENT. Without objection, it is so ordered.

THE McCARRAN-WALTER IMMIGRATION ACT

Mr. McCARRAN. Mr. President, I ask unanimous consent to have inserted in the body of the RECORD as a part of my remarks a resolution adopted by the department convention of the American Legion of Florida respecting the McCarran-Walter Immigration Act.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas Public Law 414, known as the McCarran-Walter Immigration Act, is and will continue to be, subjected to serious attacks designed to repeal, amend, emasculate and destroy the protective safeguards embodied in the act; and

Whereas a horde of bills have been introduced in the Congress which would destroy the national-origins quota system and weaken the internal security features in the act by substantially increasing the numbers and categories of immigrants and lessen the security screening provisions thereof; and

Whereas resolution 303 (Nevada), 1953 convention of the American Legion, mandates the American Legion to support and uphold these and other basic and vital provisions of Public Law 414: Therefore be it

Resolved, That this department convention of the American Legion assembled in St. Petersburg, Fla., May 21–23, 1954, hereby reaffirms resolution 303 (Nevada) and deplores all efforts toward destruction of emasculation of Public Law 414; and be it further

Resolved, That this resolution be implemented within this department and that copies hereof be sent to all Senators and Congressmen from this State.

BILLS INTRODUCED

Bills were introduced, read the first time, and by unanimous consent, the second time, and referred as follows:

By Mr. DIRKSEN (by request):

S. 3871. A bill for the relief of Anna Marie McKenzie (nee Wieler); to the Committee on the Judiciary.

By Mr. SALTONSTALL:

S. 3872. A bill to allow certain members of the Armed Forces to designate the Eastern Orthodox faith as a religious preference on their identification tags; to the Committee on Armed Services.

By Mr. CLEMENTS:

S. 3873. A bill to provide survivor benefits for widows of the Chief Justice and the Associate Justices of the Supreme Court of the United States; to the Committee on the Judiciary.

By Mr. LEHMAN:

S. 3874. A bill for the relief of Frank Novacek and Zore Novacek; to the Committee on the Judiciary.

By Mr. JOHNSON of Texas (for himself and Mr. DANIEL):

S. 3875. A bill to direct the Secretary of the Army to convey certain property located in Austin, Travis County, Tex., to the State of Texas; to the Committee on Armed Services.

(See the remarks of Mr. JOHNSON of Texas when he introduced the above bill, which appear under a separate heading.)

By Mr. JOHNSON of Colorado:

S. 3876. A bill to authorize the Atomic Energy Commission to consider, settle, and pay claims for compensation for the uranium content of ores supplied to the United States, or its agencies, after 1938 and prior to April 10, 1948; to the Joint Committee on Atomic Energy.

CONVEYANCE OF CERTAIN LAND IN AUSTIN, TEX., TO STATE OF TEXAS

Mr. JOHNSON of Texas. Mr. President, on behalf of myself and my colleague the junior Senator from Texas [Mr. DANIEL], I introduce for appropriate reference a bill to direct the Secretary of the Army to convey to the State of Texas certain property located in Austin, Tex.

This property consists of 189.11 acres of land included in the United States Government Camp Mabry Militia Rifle Range Tract. This tract consists of 200 acres of land originally purchased by the United States to make provision for adequate target range facilities at Camp Mabry. It has always been used for such purpose by the Texas National Guard, the Texas Rangers with headquarters at Austin, and by civilian national rifle associations and others.

The acreage is not needed by the Department of Defense, as has been indicated by the Commanding General, Fourth Army. The need of the property to the Texas National Guard is as important now as when the land was acquired in 1909. Although the land is Government owned, records indicate complete jurisdiction over the land has been with the State of Texas.

The bill provides for the customary rights to be reserved to the United States.

The PRESIDING OFFICER (Mr. PAYNE in the chair). The bill will be received and appropriately referred.

The bill (S. 3875) to direct the Secretary of the Army to convey certain property located in Austin, Travis County, Tex., to the State of Texas, introduced by Mr. JOHNSON of Texas (for himself and Mr. DANIEL), was received, read twice by its title, and referred to the Committee on Armed Services.

SETTLEMENT OF CLAIMS FOR COMPENSATION FOR URANIUM CONTENT OF ORES FURNISHED THE UNITED STATES

Mr. JOHNSON of Colorado. Mr. President, I introduce for appropriate reference, a bill to authorize the Atomic Energy Commission to consider, settle, and pay claims for compensation for the uranium content of ores supplied to the United States, or its agencies, after 1938 and prior to April 1948.

I ask unanimous consent to have the bill printed in the RECORD, together with a memorandum describing the character of the bill and the need for its enactment.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and memorandum will be printed in the RECORD.

The bill (S. 3876) to authorize the Atomic Energy Commission to consider, settle, and pay claims for compensation for the uranium content of ores supplied to the United States, or its agencies, after 1938 and prior to April 10, 1948, introduced by Mr. JOHNSON of Colorado, was received, read twice by its title, referred to the Joint Committee on Atomic Energy, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That the Atomic Energy Commission, acting on behalf of the United States, is authorized to consider, adjust, determine, settle, and pay, any claim for compensation for the uranium content of ores furnished to the United States, or any agency thereof, at any time after 1938 and prior to April 10, 1948, if such claim is presented to the Commission in writing within 1 year after the date of enactment of this act.

The memorandum presented by Mr. JOHNSON of Colorado is as follows:

MEMORANDUM

This is a memorandum designed to authorize the Congress of the United States to pay certain claims for the uranium content of uranium and vanadium bearing ores which were purchased by the Government of the United States through its agents from certain individuals, partnerships, and corporations who sold such ores to the Government during the period from the time the Manhattan District Engineer project was set up in 1939 until April 10, 1948, when the Atomic Energy Commission set up buying schedules for the uranium content of ores to be purchased by the Government pursuant to the Atomic Energy Act of 1946.

1. The authorized agents of the Government for the purchase of vanadium and uranium bearing ores were the Metals Reserve Corporation, the Union Mines Development Corporation and their successor governmental corporations and the United States Vanadium Corporation and the Vanadium Corporation of America. There is some question as to whether or not the Vanadium Corporation of America was an authorized agent to buy these ores, but the indictment which was filed in the District Court for the District of Colorado against the USV and the VCA alleges that the Vanadium Corporation of America was an authorized agent of the Government to purchase vanadium and uranium bearing ores.

2. During this period from 1939 to 1948, the Government of the United States through its agents, engaged in a buying program of vanadium and uranium. It is understood that the Government of the United States, for security reasons, precluded by the imposition of security regulations its agents from disclosing the fact that the Government was purchasing uranium and instructed its agents not to pay for the uranium content of the ore under rigid security rules and regulations. It is estimated that between three and four hundred producers and miners sold uranium and vanadium bearing ores to the Government of the United States or its agents during this period. All the settlement sheets showing the quantity and quality of the ore purchased during this period are now in the possession of the United States Government and more particularly, the Department of Justice and the records and settlement sheets are now located in the custody of the United States District Court for the District of Colorado in Denver, Colo. These records will reveal the names of the producers and the miners and the quantity and quality of ore purchased during this period of time.

3. The Government refused to pay the miners and producers for the uranium content of the ore because the Government did not wish to have it disclosed that it was engaged in a uranium buying program as the uranium was to be used in the manufacture and production of atomic bombs. There is positive and direct evidence that the producers and miners made a demand upon the Government and its agents to be paid for the uranium content of the ore but the Government, through its agents, failed and refused to make payment to the miners and producers for the uranium content of the ore and stated to them that the uranium had no value and the Government would not pay for the same. The miners and producers were paid for the vanadium content of the ore.

4. There is direct evidence that the agents of the Government, who were purchasing the ore for the Government, knew that the uranium content of the ore was valuable but there is some uncertainty as to whether or not some of the agents, namely the USV and VCA were paid merely a processing charge for processing the current tailings or whether they were paid a certain set price for the uranium in addition to the processing charge. The Atomic Energy Commission has made available to the writer certain contracts calling for the purchase of slimes and sludges containing U_3O_8, but it cannot be ascertained from these contracts the exact basis of payments because the contracts were renegotiated from time to time by the USV and the VCA with the Government and each renegotiation called for a different price.

5. No claim is being made for the old tailings piles at the VCA and USV mills prior to 1939, but claim is made for the uranium content in the tailings piles from the period of 1939 to 1948, when the ore buying schedules were set up.

6. Irrespective of whether or not the Government and/or its agents were paid a processing charge or a price for the uranium content of the ore, the miners and producers in no instance were paid for the uranium content of the ore and the Government and its agents fraudulently and knowingly failed and refused to pay for the uranium content of the ore and the Government and/or its agents were unjustly enriched to the detriment of the miners and producers. Since the Government and/or its agents knew that the uranium had value and that the Government ultimately received the value and benefit of the ore, it is felt that the Government should reimburse the miners and producers for the value of the ore sold by them to the Government and/or its agents.

7. The value of the ore can be established accurately by the results of the chemical assays records which are now in the possession of these two companies. If, for any reason, the assay results and the records containing these results cannot, then the value of the ore can be established accurately by determining the area from which the ore came, which will indicate the average uranium content of the ore in that area. Both the USV and the VCA have records which will indicate the names and addresses of the individuals, persons, partnerships, and corporations who sold the ore and these records will likewise indicate the property and the name of the claim from which the ore was produced. Likewise, the settlement sheets now in the possession of the United States Government will indicate the names and addresses of the miners and producers as well as the names of the claims and the properties from which the ore was produced.

8. It was not definitely known until 1954 the exact nature of the arrangement between the Government and its agents for the purchase and acquisition of the uranium in the uranium and vanadium bearing ores as all of these contracts and arrangements between the Government and its agents were confidential and secret and could not be revealed. Therefore, since no official information was obtainable until 1954, it has been impossible to make any claim on the Government and/or its agents for the value of the uranium in these ores, thus no statute of limitations could apply and would not start to run until 1954 when the contracts were declassified and made available.

9. When the bill is drafted authorizing the miner or producer to present a claim for the value of the ore that he sold to the Government and/or its agents, the bill should provide that the heirs or the personal representative of such person can make claim for the amount that claimant would have been entitled to had he lived.

10. It is significant to point out that certain of the claimants involved in this matter were persons who obtained leases from the Indian nations through the Interior Department and that the leases obtained from the Interior Department, Bureau of Indian Affairs, specifically called for the return of all minerals to the Indian nation which were mined and from which the Indian Nation did not receive its royalty payment. Under these conditions, the claimants mined ore from the Indian leases and were paid for the vanadium but the Government of the United States kept the uranium and did not pay for it and thus the Indian nation was deprived of its royalty on the uranium and the Indian nation is making a claim against the claimant lessees for the royalty on the uranium content of the ores mined and sold under the lease.

COMMUNICATIONS BETWEEN THE PEOPLES OF THE WORLD

Mr. WILEY. Mr. President, I ask unanimous consent that there be printed in the final edition of the RECORD a statement by me on the subject of improving the communications between the peoples of the world through every modern facility available in order to increase world understanding and make for world peace.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE 83D CONGRESS AND THE FARMERS OF WISCONSIN

Mr. WILEY. Mr. President, I ask unanimous consent that there be printed in the final edition of the RECORD a statement by me on the subject of the significance of the activities of the 83d Congress in relation to the farmers of my State and of our Nation.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE POSTAL PAY ISSUE

Mr. MORSE. Mr. President, sometime during the day the Senate will take up the so-called postal pay issue. This morning I was handed a statement which had been issued by the postal employee organizations on the postal pay issue. I should like to have the statement incorporated in the body of the RECORD as a part of these brief remarks.

In essence, it is a protest on the part of the employees against any proposal that Congress strip itself of authority to establish the classification of postal positions and to set the salary schedules for such positions.

I believe the employees are completely right. I believe we should retain our jurisdiction, and determine not only the classification of positions, but also the salary allowance for each classification.

Furthermore, the statement is a protest against hitching any postal pay increase to an increase in postal rates. The two subjects are separate and distinct from the standpoint of public policy.

I highly commend the statement issued by the postal employees with regard to this subject, which will come before the Senate today.

I believe the postal employees are entitled to an increase in pay, and that Congress should grant it to them separate and distinct from any proposal to give up our jurisdiction over the setting of classifications and the fixing of postal rates.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

AN URGENT, FRANK STATEMENT OF POSTAL EMPLOYEE ORGANIZATIONS ON THE POSTAL-PAY ISSUE

To All Members of Congress:

Eight major postal organizations, representing 450,000 of the Nation's postal workers, have sought in the 83d Congress a long overdue and justifiable increase in postal salaries.

We appreciate the stand and efforts of our many friends in the Congress who have conscientiously supported fair legislation to grant this increase. We appreciate and applaud the action of the House on Monday, August 9, in passing the Corbett bill (H. R. 9245), which provided a fair compromise increase in pay, and which, just as fairly, provides for a joint committee of the Congress to study postal field service reclassification and report back to the 84th Congress for action as then deemed proper and appropriate.

The controversy is before the House because of two great stumbling blocks:

1. The demand of the Postmaster General that Congress strip itself of authority to establish the classification of postal positions and set the salary schedules for those positions.

2. The insistent demand that Congress provide the revenue to pay for any salary increase through an increase of postal rates.

We have been, are currently, and will remain, adamantly opposed to removing our classifications and salary schedules away from the control of Congress. We have consistently enjoyed fair treatment at the hands of Congress. We know without question that in the final analysis the Congress of the United States is the only place we can appeal errors and wrongs which might conceivably, and most probably would, creep in under discretionary authority in the executive branch to determine classifications and salary schedules. Despite statements to the contrary, this appeal has not been protected under the Rees proposal.

We do not oppose increased postal rates, but we cannot support the fact that the salary schedules within the Post Office Department are now, or ever should be, determined by the revenue produced by the Department. We deem it gross injustice to predicate the level of postal salaries on whether or not there is a postal deficit. This is totally inconsistent with the policy and operational procedures applicable to any other agency or department of Government. Further, it is grossly misleading unless first the area of business and service within that department is determined.

We desire to make our stand eminently clear in this pressing issue currently before you.

We urgently appeal for a fair salary increase, not secured through "marriage" to

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controversial issues before you, but dependent upon the merits of whether or not we—the postal employees of this Nation—deserve such an increase.

Being frank we desire you to know that beyond a shadow of a doubt, the postal employees of this Nation will not place blame on congressional Members who in good conscience do not permit themselves to vote for a postal pay raise if such raise is coupled to issues or proposals to which the Member is opposed.

Representing 450,000 postal employees, we request you to vote against the proposed package pay plan to be presented to the House on Monday. This attempt represents a complete usurpation of the power of the legislative body by the administrative branch of Government. The classification proposal for the postal service in this bill has been turned down by committees in both Houses. Bills have been passed in both Houses carrying provisions entirely contrary to the Rees proposal. The attempt to jam this provision through Congress in the final minutes of the session represents unprecedented administrative capriciousness.

We ask you to stand by the Corbett reclassification plan approved by the House on August 9 by a vote of 352 to 29, and vote down the combination program now suggested. Such a vote will make certain that the wishes of Congress shall not be thwarted, and that the unfair classification proposal of the Postmaster General will not be forced on postal employees.

We are deeply grateful to you for any favorable consideration that you can grant to our request.

Respectfully yours,

National Association of Letter Carriers, William C. Doherty, President; National Association of Post Office and General Services Maintenance Employees, Ross Messer, Legislative Representative; National Association of Post Office and Postal Transportation Service Mail Handlers, Watchmen and Messengers, Harold McAvoy, President; National Federation of Post Office Clerks, Leo E. George, President; National Federation of Post Office Motor Vehicle Employees, Paul M. Castiglioni, Legislative Representative; National Postal Transport Association, W. M. Thomas, President; National Rural Letter Carriers' Association, Paul Benson, President; United National Association of Post Office Clerks, Samuel E. Klein, President.

THE UPPER COLORADO RIVER PROJECT

Mr. WATKINS. Mr. President, there is an extreme need for facts to clarify much of the confusion which has resulted from misinformation spread about the upper Colorado River project, which will come before the Senate this week.

Such a clarifying light is provided in an article written by George D. Clyde, commissioner of interstate streams for Utah, in the issue of June 18, 1954, of the Salt Lake Tribune. Mr. Clyde is an outstanding engineer and an authority on water conservation.

I hereby request unanimous consent to have this article printed in the RECORD as part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TIME TO CALL A SPADE A SPADE IN ECHO PARK DISPUTE

(By George D. Clyde, commissioner of interstate streams for Utah)

These United States did not become great by waiting for certainty—yet Raymond Moley and others of his kind writing in Newsweek and other national papers cry, "Let's wait." After more than 30 years of investigation by the Bureau of Reclamation, the most outstanding engineering organization in the world, those who know nothing about the facts of life in an arid region cry, "Let's wait for more investigations."

The opponents of the Colorado River storage project and its participating projects are using the Echo Park Dam as a front behind which is a carefully conceived plan to prevent the development of the upper Colorado River Basin in order that that great water and power resource may automatically go down to the lower basin.

It makes no difference how the project is defeated, whether it be the result of claims of invasion of a national monument, lack of water to satisfy the rights of California and provide consumptive uses in the upper basin, impairment of quality of water by upstream consumptive uses, economic infeasibility, or reduced power output at Hoover, Parker, and Davis Dams as a result of the consumptive use of water in the upper basin, the result is the same. The water and power goes downstream to the lower users.

Literally billions of dollars in economic wealth over hundreds of years are involved.

Once the water and power are put to use and an economy builded upon them, no power in the land will ever take away the right to continued use of that water and power. Continued delay in putting that water and power to use in the upper basin is tantamount to granting a right by use to the lower users.

The Colorado River compact won't be worth the paper that it is written on if the upper basin States are prevented from putting the water allocated to them by that compact to beneficial use.

The attack on the Colorado River storage project by Raymond Moley in Newsweek of May 10 and May 17, 1954, is a classic example of misrepresentation and half truths. His article is certainly in the class of the Private Schine debacle to which he refers. Every point discussed by Mr. Moley has been refuted by facts, yet he ignores these, and pleads for more delay, more investigations and now he wants the Hoover Commission to decide the issue. He knows that every day's delay means more water and power put to use in the lower basin and another nail driven in the coffin of the upper basin States.

In spite of the volumes written in opposition to the Colorado River storage project, the facts are well established relative to the basic features necessary for basin-wide development. The details of specific participating projects in the ultimate phase of construction remain to be determined. These facts simply are as follows:

1. Full utilization of the Colorado River for consumptive use and power purposes requires complete regulation by storage of water during wet years to supply the developed uses during the dry years.

2. The Colorado River compact requires the upper basin States to deliver at Lee's Ferry 75 million acre-feet of water during each consecutive 10-year period.

This commitment cannot be met without complete regulation of the river above Lee's Ferry if the upper basin States are to be allowed to use consumptively their share of the Colorado River. Mr. Moley refuses to recognize this fundamental controlling factor.

3. Because of topography, the waters of the Colorado River in the upper basin must be used by exchange. For example, no water out of Echo Park and Glen Canyon will be used for irrigation of lands in the upper basin. Water from these reservoirs, however, will be used in the lower basin in place of waters belonging to the users in the lower basin which the users in the upper basin divert for their use. Use of irrigation water by exchange is a well established practice but requires basin-wide and long-range planning for optimum use of the resource.

4. The resources involved in the Colorado River project are water, soil, power, industrial raw materials and people. Joining water and soil creates an agricultural resource. Falling water is a power resource. Water and power are basic to industrial development. All of these resources put to use create job opportunities and national wealth.

Therefore, the Colorado River storage project will not cost the taxpayer a dime. Its construction is a national investment. There is no subsidy.

Power is a resource belonging to the people and Utah has an interest in the power on the Colorado the same as New York has an interest in the land and water within its boundaries. The use of power revenues from public sources to develop other public resources is an investment in the future.

5. The generation of power is an essential feature of the Colorado River storage project. Power generation studies on the Colorado by competent engineers backed by years of experience show conclusively that power can be generated at the storage dams, if interconnected and built in the proper sequence, at a cost less than by any other means, that the same storage dams will provide the necessary storage for the regulation of the river. The revenues from the power plants will pay the cost of the power facilities with interest and well within 50 years. There certainly is no subsidy in this and no cost to the taxpayer.

6. The participating projects of the Colorado River storage project will provide water for municipal purposes. Costs of water for municipal purposes will be repaid with interest in a 50-year period. There is no subsidy or cost to the taxpayer here.

7. Participating projects of the Colorado River storage project will provide water for irrigation purposes. This is a consumptive use. Due to rough topography and long conveyance from points of origin to points of use, the cost of supply irrigation water to lands both within and without the Colorado River Basin are greater than the users of irrigation water can pay.

Historically, the United States has recognized that the development of irrigated lands is a good public investment. For this reason, Federal funds since 1902 have been provided interest-free to build reclamation projects. Furthermore, it is recognized that there are many indirect benefits that accrue to those living in the vicinity of or on an irrigation project. These indirect benefits should be paid for.

In an irrigated region, the users of power are essentially the same people as the users of water. The use of power revenues from plants which are a part of the basinwide project, therefore, provides an equitable method of collecting for the indirect benefits.

In the absence of power revenues, an ad valorem tax is often levied to accomplish the same purpose. It is proposed in the Colorado River storage project to assess the irrigation farmers according to their ability to pay and to pay the balance of the costs allocated to irrigation with power revenues and/or an ad valorem tax levied against the indirect beneficiaries. Thus, there is no irrigation subsidy and when the widespread benefits are considered, no cost to the taxpayer.

In fact, it is estimated that the entire cost of the initial phase of the Colorado River storage project and its participating projects will be paid back in 50 years and thereafter, for all time, there will be a net income after operation and maintenance and replacement costs have been paid, of from fifteen to twenty million dollars. In addition, the broadened tax base and Federal income taxes will add greatly to the public income and the creation of new wealth will

improve the economy of the entire United States.

In spite of the facts just enumerated, Raymond Moley proposes that all development in the upper Colorado River Basin be held up pending the report of the Hoover Commission on Reorganization of the Executive Departments. This is a delaying tactic pure and simple because the Colorado River storage project, or any other project, has no direct relation to the reorganization of the executive departments of the Federal Government.

Mr. Moley, like a broken record, repeats the charge that the engineering investigations are faulty and unreliable.

The record is clear on this count. Studies and investigations are valid and complete as far as they were carried and for the purposes for which they were made. They have been carried far enough to prove conclusively the validity of the initial phase of the proposal. The planned reports, preliminary to contracts for construction, will give more detail.

Mr. Moley raises the question of invasion of a national monument and cites the testimony of General Grant III. The facts relating to the Dinosaur National Monument set forth an expansion of the area of the monument from 80 acres to 209,000 acres in 1938, with a specific reservation in the Presidential proclamation providing for the development of the water and power resources within the monument. Failure to live up to this reservation would be an act of bad faith on the part of the Federal Government.

Contrary to Mr. Moley's statement, there are no alternative dam sites that could replace the Echo Park Dam. General Grant III admitted under cross-examination at the House hearings in January 1954 that his experience in the engineering field did not especially qualify him to judge the validity of Bureau of Reclamation's position relative to Echo Park, but that he secured the advice of his friends relative to the matter.

Mr. Moley's statement relative to the payout is, to say the least, confusing. The plan proposed is simple. All revenues from power go into the Public Treasury. Out of these moneys the cost of operation, maintenance, replacement, and interest on power facilities is first paid. The capital cost of power facilities is retired out of the funds and will be fully liquidated well within 50 years. The facilities for providing municipal water will be paid with interest from revenues from municipalities. These facilities will be paid for within 50 years. The costs allocated to irrigation within the ability of the irrigation water users to pay will be paid within 50 years plus a 10-year development period. The balance of the irrigation costs will be paid from power revenues and also within a period of 50 years.

This repayment plan is specific, valid, and the required power rates to meet it well within the cost of power from any other source.

This is quite a different picture from that presented by Mr. Moley of an immense deficit. Instead, after 50 years, there will be a net revenue of from $15 to $20 million.

Moley raises the question of a power market. This is prima facie evidence that he has not bothered to get the facts. At the same hearings at which General Grant III appeared, nine public utility power companies from the upper Colorado Basin States appeared and agreed to purchase all the power to be developed at the proposed power plants as fast as it became available.

The most revealing question raised by Mr. Moley, however, is the one expressing fear that if the upper basin States used the water to which they are entitled by the Colorado River compact that it might interfere with the rights established and/or claimed by California. It would appear that Mr. Moley figures that California's right is paramount even though the compact divides the water equally. Mr. Moley apparently would have California's and Mexico's rights satisfied first and if there is anything left, the upper basin States can use it.

Upper basin States are willing to abide by the Colorado River compact. They believe, however, that they should be given the same opportunity to develop and use their share of the waters of the Colorado as the lower basin was when the Hoover Dam, the Davis Dam, the Parker Dam, and the All-American Canal were built to control the river and provide the means, both power and water, necessary to develop their resources.

It's time to call a spade a spade, Mr. Moley, and quit trying to cover up the real issue with dinosaurs and fears of water shortage and salt in the lower basin when the nut of the controversy is that water runs downhill, that power and water are urgently needed in the lower basin, and that regardless of the means of defeating the Colorado River storage project, the result is the same.

Defeat of the upper Colorado River storage project by the Congress is tantamount to giving away the resources of the upper Colorado River Basin States to the States of the lower Colorado River Basin and Mexico.

THE WATERSHED IMPROVEMENT PROGRAMS

Mr. WATKINS. Mr. President, the role that can be played by the Federal Government in cooperating in watershed improvement programs under the Hope-Aiken measure, recently signed by the President, is adequately shown in an editorial which appeared in the Deseret News and Salt Lake Telegram of June 15, 1954.

The editorial points out two admirable instances of local initiative to meet problems of water-resource utilization. However, in both cases the local landowners have made the maximum contribution possible, without arriving at a complete solution of their problems to arrest erosion and restore watersheds vital to the continued existence of the communities.

Under the Hope-Aiken program, the Department of Agriculture will be able to utilize its staff of specialists to set up a complete watershed improvement program to be jointly planned and financed by Federal and local interests. This cooperative program will restore hope and contribute to the economic security of many similar communities throughout the Nation. I ask unanimous consent that the editorial referred to be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE CURE FOR SICK LAND

It was an impressive story Reed Madsen, this paper's bureau chief at Richfield, told yesterday of the effort the people of Escalante have made to revitalize their economy. Without waiting for Government handouts, they have pitched in as a community and built a $185,000 dam and reservoir on the Escalante River. It has been a stirring example of the sort of thing people of this arid country have had to do and will continue to have to do to keep our Utah economy strong.

But a word of caution is in order. One hopes the people of Escalante don't have to learn the hard way the lesson some of their southern Utah neighbors learned that way—that dams are no good without effective watershed management.

The lesson was painful down in Tropic, only 40 miles or so from Escalante. Back in the 1890's the pioneers of that little town threw up a dam across the East Fork of the Sevier and dug a transmountain diversion canal to bring water to their lands. Then in 1922 they cooperated to build a rather extensive dam and reservoir.

Today, after 32 years of erosion, silt has choked that reservoir down to a fraction of its original effectiveness. The picture reproduced here showing tracks in the broad mud delta that used to represent water storage capacity in the Tropic Reservoir tells part of the disheartening story. The rest is told in the terrible gullies that gash what used to be lovely meadows on the watershed above the reservoir. The slopes are parched, nearly useless. Only a strenuous, long-range program can restore some measure of grazing value in the hills. The effectiveness of the reservoir can never be restored.

Escalante has gone through that same tragic history. As one of its leading citizens told our Mr. Madsen. "Our forefathers developed the country and began farming it, then overstocked it thinking only of themselves and not of their children and grandchildren." The Escalante watershed is sick land, deeply eroded as a result of decades of misuse. Slopes of the beautiful Escalante Mountain country that used to support 20,000 cattle and 60,000 sheep 70 years ago when the town was established now can't support a fourth that number. With the plant cover gone, there is nothing to hold the soil against the ravages of rain and wind.

Now the people of Escalante have acted. Their courage and determination do them credit. Besides building the dam they have done a little reseeding of denuded slopes and some fencing to keep livestock off the worst erosion area. But much more is needed. Much more reseeding is needed, and more fencing. And especially, an extensive system of contour trenches must be built on the upper slopes if the reservoir below is to be saved from destruction by silt in a few decades. But to do that job adequately would cost about twice as much as the dam and reservoir for which the town has already gone into debt for the next 40 years.

A bill is now before Congress that holds hope for Escalante—and for other western communities needing similar treatment. It is the so-called small watersheds bill, which would provide Federal help in cooperation with communities in upstream flood control.

The present generation of Escalante has already demonstrated its determination to atone for the land misuse of its forefathers. Its forthright approach to its problem ought to be the best kind of persuasion to Congress to back up such genuine effort with the kind of help needed to make the cure permanent.

UNANIMOUS-CONSENT REQUEST TO ADDRESS THE SENATE

Mr. MARTIN. Mr. President, I ask unanimous consent that I may proceed for not exceeding 6 minutes immediately following the close of the morning hour.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

FREE MARKET FOR GOLD

Mr. McCARRAN. Mr. President, in the July 15 issue of the Commercial and Financial Chronicle appeared a statement entitled "Only a Free Market

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for Gold Will Save the Nation," written by Reid Taylor, of Mitchell, Hutchins & Co., Chicago, Ill.

This article is one of the most illuminating, constructive, and comprehensive statements I have seen on the subject of a free market for gold. It is written so as to be easily understood by the layman, and poignantly relates the tremendous personal stake which each citizen has in returning this country to a sounder monetary structure.

My colleagues are probably aware that in March of this year the Senate Banking and Currency Committee held hearings on various gold bills, two of which I sponsored, to permit a free market in gold and to establish procedures for devising more realistic prices for both gold and silver. You may know, Mr. President, that the Banking and Currency Committee has decided not to act on this legislation. But this complacency, Mr. President, does not mean that the question of whether we should allow gold to play a more prominent role in our monetary and financial structure is not important, or that the situation is not acute.

Not only those of us from the great mining sections of the West, but from the East and South as well, who believe that the future of the American economy will be largely determined by what this country does or does not do about gold, are unanimous in our thinking that this problem is an imminent one, and deserves a continued and most careful review at the highest levels of Government.

The people of the State of Nevada have shown continuing interest and zeal in this matter of gold. Leaders in my State are greatly concerned over the apathy in Congress on pending legislation to improve the position of gold in our economy. I want to warn my colleagues that continued indifference on this subject may well result in loss of respect for the Congress on the part of many solid American citizens, who deplore abdication of the leadership the Congress should exert in the matter of the proper fuctioning of this Nation's monetary system.

I highly recommend to my colleagues, as a most thoughtful treatise on a subject with which we are all vitally concerned, the article to which I have referred; and I ask unanimous consent that it be printed in the RECORD at this point as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ONLY A FREE MARKET FOR GOLD WILL SAVE THE NATION

(By Reid Taylor)

(After making reference to the Republican platform promise to return to a sound dollar backed by gold, Mr. Taylor points out advantages of a gold-standard currency. Holds "there will be no popular demand for a return to sound money," and the danger is that the Nation will be so anxious to prevent deflation that we will continue along present inflationary policies, leading eventually to repudiation. Says deflation is the lesser of two evils. Calls for a free gold market "for the good of all citizens and not just for the gold miner," and asserts a free gold market will stimulate world trade. Concludes gold standard is necessary for survival of our system of government.)

Are you one of the many people who say, "Gold is outmoded"?

Are you one of the many people who in this "new era" do not take seriously the lessons of the past regarding irredeemable money?

Are you one of these individuals who exclaim, "I don't even want to think about gold"?

Or are you one of the younger generation who simply say, "What good is gold?" If so, it is not surprising. Apparently there has been much inspired propaganda to instill these ideas in the minds of the American people for reasons indicated in the previous article, Who's Afraid of Gold and Why?

Yes. All the true values of life appear to be burning very dimly. All the emphasis is on the glare of today and tomorrow. We demand more pay for less work. The future of our country is of no concern as long as we think we have security ourselves. Building weapons of destruction is desirable because of the fleeting prosperity it brings. Spending is more desirable than saving. It almost appears that it doesn't pay to be honest any more. All this goes hand in hand with fiat money.

But men do always come back to the true and permanent values in life. All down through the ages gold has retained its value as a treasure eagerly sought by man but difficult to procure. "The eternal quality of its indestructibility imparts a security in perpetuity for which mankind is ever seeking. Until such time as some other form of money which cannot be debased is found, or until the pledge of both governments and individuals can be accepted as inviolate under all conditions, gold will become as it has in the past, progressively more valuable in terms of promises to pay." This is a profound statement of fact taken from a letter written by the late J. P. Bickell, of McIntyre Porcupine Mines, Ltd. It should be read and reread to grasp its full significance.

THE EISENHOWER PLATFORM PROMISE

The Eisenhower platform promised the return to a sound dollar backed by gold. Recently, we have been told by our authorities at Washington that we do not want "hard" money, which of course means money redeemable in gold to guarantee its intrinsic value. Instead, we are now promised an "honest dollar" whose purchasing power will be kept the same next year as this year. It is intimated, however, that in case of a change in business conditions and unemployment, these officials should have a free hand and not be restricted by a rigid gold standard. In other words, artificial stimulation of the economy and political expediency will become of greater importance than maintaining the dollar as a true measure of value. Reread the above quotation from Mr. Bickell and see how far away we are today from that ideal situation in which gold could be displaced.

We have a Federal Reserve to assure the smooth functioning of our banking system and to protect our banks in times of crisis. We have a Federal Deposit Insurance Corporation to insure deposits up to $10,000 as a protection to the public. By what strange logic is the guaranty of the return of the same number of dollars important if there is no guaranty of the value of the dollars to be returned? A dollar backed by gold carries with it the discipline of sound banking, and honesty to the depositor. A dollar such as we now have with no real tie to gold encourages loose banking practices and makes the protective functions of the above institutions a complete farce from the standpoint of the savings depositor. Yes, he lost about $2 billion through bank failures from 1920 to 1933, but since that time the value of the dollars deposited has depreciated many times that amount.

Paper money is simply too easy to create. The lure and magic of seemingly being able to get something for nothing is overpowering in its influence on otherwise intelligent people. We can continue to dissipate billions abroad because the individual does not seem to be too much affected. As long as business activity continues at a high rate, with such artificial stimulation, most people will have faith in their Government and the deterioration in the money will not be too readily apparent. However, as soon as recession and unemployment threaten, the antidote will always be more and more easy money. If gold is not allowed to function to disclose to the people what is happening, the declining value of the dollar will be belatedly recognized by a tragic flight into anything and everything of intrinsic worth. Then, the rude awakening will come, and the truth about gold and paper money will finally come out in the open. Hints of this sequence of events are already beginning to appear. Not since 1933 has there been such an obvious pump-priming operation as the recent open market buying of Government bonds by the Federal Reserve, to throw money out into circulation.

THE ADVANTAGE OF A GOLD STANDARD CURRENCY

In all history there is not one example of paper money having retained its value for more than a brief period. Gold has never failed to come out on top. It has never lost a battle to paper money. A glance at the 75th annual report of the great Homestake Mine will help one to visualize the reason. From the opening of the mine until the present day 81 million tons of ore have been milled. All the gold extracted from this vast quantity of ore would only fill a vault 10.6 feet high, wide and deep. Contrast the extreme effort necessary to produce gold with the ease with which paper money can be printed and multiplied by simply increasing Government debt when a nation is bent upon spending itself into oblivion. It is easy to understand why gold retains its value at all times whereas paper money, unless redeemable in gold, retains its value only so long as people have faith in their Government. And people do not have faith in governments very long unless they remain frugal and confine their activities to their proper sphere, the maintenance of law and order and justice, and the protection of their people in time of war.

We often hear it said, "What good is a gold standard if we scuttle it as soon as things get tough?" May we ask, what good is irredeemable money if it retains its value only so long as governments remain frugal? Under such logic what good is any law if those whom we elect to administer the law turn out to be the type who have no respect for laws? When gold is free to function, the demand for gold serves as a warning of impending trouble, just as a thermometer warns you of approaching sickness, or just as a radar system warns you of the approach of the enemy. Neither the thermometer nor the radar will protect you. That is your responsibility. But gold in a free market not only warns you but also protects the public. It serves as a check against the abuse of privilege on the part of those in authority who do not like to see the weakness of their financial policies paraded in the market place. Yes, we should elect public servants that we can trust, but we don't. Administrators who have the good of their country at heart are always completely in accord with a gold standard. Any other type of administrator should be held in check by gold. The gold standard is synonymous with truth and honesty in government. That we depart from it in war emergencies is only an admission that the wealth of the Nation, your savings and mine, are being confiscated through issuance of paper money. It may be questioned whether it is necessary even at such times. War is the

excuse, but only because it gives license to extravagance. To depart from gold permanently during peacetime is an admission that we are condoning a continual confiscation of the savings of our people.

What we need today is some clear thinking along these lines. There is very little attempt on the part of the public to even bother to try to understand the reason for a gold standard. The deterioration of a paper currency in its early stages is gradual and insidious in that it creates a false sense of prosperity for one group of our citizens mostly at the expense of another group, due to the rapid turnover of paper money, a phenomenon which feeds and maintains itself entirely on an open end and continuous devaluation of the dollar. They had this in Germany. They had it in France. We may consider ourselves above the end results in those countries because of our wealth and our capacity to produce. But consider also that we are traveling at a fantastic pace with absolutely no check on Government extravagance such as a free gold market would provide, and did provide in other countries, and consider that a whole new generation has been brought up without any understanding of the protecting function of gold.

UNPOPULARITY OF DEMAND FOR RETURN TO SOUND MONEY

There will be no popular demand for a return to sound money. This is unfortunate but this is so often the case with an issue which is of such vital importance to everyone. There is not even any guidance where it should be expected in banking circles. Nor has there been since the death of Joseph Stagg Lawrence of the Empire Trust Co., who is deserving of a real tribute for his honest and fearless presentation of the dangers of our present course. So, it will take an enlightened government leadership, and one with vision, to save our Nation from an eventual disastrous situation through depreciation of the currency. The danger is that we as a Nation will be so anxious to prevent deflation that we will continue along present inflationary policies which are sure to lead to eventual repudiation and fantastic prices for gold. Deflation is, after all, the lesser of the two evils because, no matter how it hurts at the time, it is a natural corrective and establishes a sound basis for recovery. From the ravages of long persistence in inflationary policies such as have been practiced for years in some foreign countries, there is no real recovery.

Those in authority at Washington have pledged a balanced budget, a reduction in expenditures, lower taxes, and a free economy. Now, if we intend to put our house in order, if we intend as a nation to live within our means, we must build a solid foundation to our structure. We must return to honesty in finance. This means allowing interest rates to seek their natural levels. It means the removal of price controls. But it means more than this. There can be no permanence to any of these accomplishments if we build on the quicksands of a dollar whose value is to be governed by political expediency. We must return to gold. The Bible says, "Know the truth and the truth shall make you free." Nowhere is this more applicable than in money matters. Allowing gold to function is revealing the truth of the awesome capital levy which has been exacted from the American people. Until those in authority at Washington open a free gold market there will be no assurance that they desire or intend to stop current inflationary policies.

A FREE GOLD MARKET FOR THE GOOD OF ALL CITIZENS AND NOT JUST THE GOLD MINER

The issue of a free gold market, even though it means a higher gold price, transcends in importance the interests of any individual groups or any individual countries which might incidentally be directly helped by it. It is for the good of all citizens, and our leadership on this issue can even lead to betterment for the peoples of other nations, by restoring order out of present chaotic world currency conditions. Don't let yourself be taken in by the parrot-like chatter that "the only people who would benefit would be the gold miners." This is, of course, a complete distortion of the facts. It has no bearing on the question at issue anyway. Don't be fooled by the superficial reasoning that Russia would be a chief beneficiary. This Russian bugaboo is always brought out when other arguments fail. Russsia's one big opportunity lies in our present paper dollar with no tie to gold because it permits dissipation of our wealth and is the one sure means of creating the chaos and disillusionment certain to undermine the capitalistic system. The issue is far broader even than its benefit to the English Commonwealth of Nations, which with their large gold production would, of course, be helped. Certainly, the price of gold should not be raised arbitrarily as long as it lies sterile at Fort Knox and the American citizen has no call on it. Obviously this would be only a repetition of the arbitrary devaluation of the 1933 to 1935 period. But a free gold market would help the English nations to settle their own trade balances and thus stand on their own feet. Can any fair-minded person contend that such aid in solving England's problem wouldn't be more practical and have more lasting effect than our present giveaway program? And, remember, this giveaway program is only possible because our dollar is being continuously depreciated without official recognition. Yes, England would benefit, but what is of more importance, the poor forgotten American citizen would be the greatest beneficiary of all. Certainly it is not of his own choice, nor does he realize that he is having his substance taken away from him by such devious and unscrupulous methods.

Possibly it might be in order to add here that the issue of a free gold market is far and away broader than the vested interests of some misguided financial groups who see a continued benefit to themselves in maintaining the present illusion of prosperity with a floating dollar as the apparent standard of value.

Allowing the American citizen to buy gold freely as a preliminary step to a return to a convertible dollar would force a return to sane government and would give protection to the widows and pensioners, to institutions, and to the little fellow who is having such difficulty meeting his monthly bills. These are the groups which some profess to be so worried about if gold is allowed to go up, or, in other words, if it is allowed to reflect what has already been taken away through depreciation of the dollar. Is it not better to face the fact that a capital levey of some $125 billion has already been made against the insurance policies, the savings accounts, and the savings bonds of the American wage earner? Or is it better to maintain the illusion of the status quo and run the grave risk of an increasing capital levy and an increasing tax against the little fellow who is even now having such a hard time to make ends meet because of the declining purchasing power of the only dollar he is permitted to have according to law?

One individual who has been prominently before the public eye as a currency authority, recently came out with the astounding admission that he has concluded that it would not be wise to return to gold coinage because it would disclose the dishonesty of our present dollar valuation, that the people would be better off not to know the truth, since it would destroy their faith in their government. This is the deplorable state of affairs which we have been led into by those who would have you believe that a paper dollar with no tie to gold can be a standard of value. The average citizen has been so successfully and completely insulated from gold for the last 20 years that he is gullible, and, judging from the great hue and cry which goes up every time a higher price for gold is mentioned, it is not intended that he shall learn the simple law of money, that gold is the only dependable standard, except through bitter experience and until it is too late. Yes, it appears that gold goes up in price but only because currencies are going down in value.

FREE GOLD MARKET WILL STIMULATE WORLD TRADE

We hear many lengthy discussions on the reasons for the world's economic ills. They always end up with the restrictive trade practices, the blocked currencies, the inability to convert one currency into another. Numerous remedies are suggested to correct such inequities but always with our paper dollar and the loan of our gold as the basis. The International Monetary Fund which was set in motion supposedly in an attempt to help nations with unfavorable trade balances to bridge the "dollar gap" has been about as successful in this goal as have our authorities in this country in fighting inflation and for the same basic reason, namely, that there is no disposition to get at the root of the problem which, of course, in both instances is the free functioning of gold. Some would have you believe that dollar reserves can take the place of gold as did sterling in years gone by. England got along with small gold reserves because of confidence in the pound built up over many generations of sound finance and free trade. We still have much to learn from England before our dollar can be in like manner considered a satisfactory liquid reserve for other nations. This is true because our restrictive trade policies have created a dollar shortage. It is true because there is not the confidence in our dollar, and never will be as long as it is not tied to gold internally as well as externally.

The world is hobbling along today doing its best to carry on three times as much trade as before the war with monetary stocks only one-third higher than before the war. Largely because the United States has discouraged the production of gold all over the world by its gold price-fixing policy, what has been produced has gone increasingly into the hands of hoarders. These moneywise people know that its ultimate value in terms of all currencies will be greatly increased by this induced scarcity. So what do we have? We have world trade stifled at every turn because currencies are held at artificial levels, levels in which there is no confidence. Nations are guided more by the necessity of protecting reserves than the desirability of facilitating trade. The dollar, of course, is blocked at an artificial level for a less admirable reason as explained above, but it is blocked nevertheless and it acts as a roadblock to foreign trade except as we give it away.

Now, with a free market in gold and the higher price which would naturally result, a normal production of gold would be resumed and gold would gradually come out of hiding to find its way into monetary channels where it is so sorely needed for currency reserves. Gold, as the great common denominator of all currencies, is the very lifeblood of foreign trade. It is the only medium of exchange in which there is universal confidence under all conditions. The American-inspired International Monetary Fund was doomed to failure from its very inception, in that it did not recognize the importance of this great common denominator to establish the truth about the status of currencies. But those who directed the International Monetary Fund apparently were not interested in the truth. And what could you expect from an organization which, after the dislocations of a great

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war, would attempt to hold the currencies of the world at fixed levels to each other irrespective of internal finances and export balances? If this organization had set out to hinder trade it would hardly have done a better job. When currencies are realistically appraised in terms of gold and gold is allowed to function freely, trade becomes multilateral and worldwide. Reciprocal trade agreements, and agreements between two nations with artificial currency valuations, in spite of subsidies of one form or another, are little better than ancient methods of barter. The evils of such a system are most glaringly apparent where export monopolies exist. A case in point is the Brazilian coffee monopoly where we pay at the official exchange rate of 5½ cents for the cruziero when the free market rate is only 2 cents.

The same near-sighted type of reasoning is used by one of our banking institutions which seems to be working hand in hand with the International Monetary Fund to justify the status quo. We are told that the principal gain from a higher price for gold would accrue to those countries which already have the large stocks of gold, and so the nations of the world would be left in the same relative position that they are today. This, of course, presupposes that we are going to continue to hobble along as at present with the handicaps of blocked paper currencies. Any action which restores confidence in a currency tends to bring gold out of hoarding in that country, and it is in the very countries where hoarding is greatest that gold is in short supply for monetary purposes.

THE INTERNATIONAL MONETARY FUND INADVERTENTLY ADMITS THE TRUTH

But even the International Monetary Fund, conceived as it was under rather questionable circumstances, and with a record of accomplishments quite evidently conforming to the designs of its chief sponsors, has finally been maneuvered into the uncomfortable position of admitting a very real truth, namely, that the troubles of the world are due fundamentally to the failure of nations to live within their means. This is interesting, coming from an agency incubated in the new era philosophy, based upon the theory that spending is more desirable than savings. It just goes to show that the truth will finally come out, no matter how we try to avoid it.

Why do nations continue along this precarious path of not living within their means, with their citizens the continual losers through depreciation of their currencies? Primarily because currencies are not internally convertible into gold for the protection of the people. Instead of leading the world out of the wilderness in this respect, we are disregarding the lessons of history and following the footsteps of other nations who are already deep in the mire. Internal convertibility of the dollar is studiously avoided in the public utterances of most of our public officials. They would have you believe that they will regulate the supply of money to maintain a dollar of constant purchasing power. The increasing extravagances of the past 20 years and our present predicament are an illuminating monument to this theory of money management.

If a few moneywise citizens can voice their disapproval of the financial practices of the Government by demanding gold, the weakness of those policies is immediately displayed in the market place, and Government extravagance must come to a stop to maintain gold reserves. This is a weapon in the hands of an intelligent minority of the people. It serves as a check on the extravagances of an unscrupulous government. It serves as a check, therefore, on the unwisdom of the majority who busy themselves with their own immediate interests with little thought or regard for the future of the Nation.

THE GOLD STANDARD IS NECESSARY FOR THE SURVIVAL OF OUR SYSTEM OF GOVERNMENT

We have come a long way in destroying the form of government which made this country a happy and secure place in which to live. The free functioning of gold and a redeemable currency are the very basis and foundation for a government such as was devised by our forefathers to make sure that the Government was controlled for the benefit and protection of the people, and that the Government did not enslave the people for its own benefit. Their miserable experiences in the old country and over here, under autocratic rule, caused them to labor long and hard to guard against the abuses which are bound to come in if a government is either too autocratic or too democratic. In this they were exceedingly farsighted, in that they realized a majority rule, which stage we appear to have reached today, can prove as disastrous to the liberties of a people as an autocratic rule, simply because the masses can be swayed at the whims of the unscrupulous. They proved themselves to be real statesmen in bringing forth as near to an ideal system of government as was ever devised—one of checks and balances.

The three departments: the executive, judicial, and legislative, were created as separate departments of government, and it was never intended that one was to encroach upon the functions of the other. The Chief Executive's tenure of office was limited to two 4-year terms by respected tradition. Supreme Court Justices were appointed for life by the President. Because of life appointment and because no one President would make many appointments during an 8-year term, the Justices were insulated from outside influence either on the part of the Executive or the electorate. The Senators of the Upper House of the Legislature were chosen in caucus which served as a check upon unwise legislation of the Lower House which was chosen by popular vote.

One after another of these checks and balances have been removed. A recent President has ruled by mandate; he broke the two-term tradition and was thereby able to pack the Supreme Court. Congress, with both Houses elected by popular vote since Theodore Roosevelt's time, has proved subservient to the unwisdom of the majority and/or the influence of an Executive, and turned over its law-making prerogatives to various bureaus. It has yielded its power to declare war to the whims of the Executive, and the whims of the masses, which can be easily swayed by those who rule.

It will be exceedingly difficult to reverse the above trends in Government, but gold can be restored to its proper function and still check our descent into the maelstrom of financial bankruptcy. It is to be hoped that those in authority at Washington will have the vision to recognize this while an orderly free market for gold can be inaugurated, rather than to postpone action until it is forced upon them.

The new era "modern money" experts may think they have pulled down the curtain on Gresham's law by cleverly burying gold, but this age-old law is just waiting to operate here, as elsewhere. Bad money still tends to drive good money out of circulation, one way or another. An initial higher price for gold upon opening a free gold market would naturally be in accordance with this law, because people would be disposing of bad money for good money until reassured that paper money would be made good. However, if we choose to ignore nature's laws, if we choose to continue along our present course and deprive the American people of the right to bid for the gold which is rightfully theirs, as sure as night follows day, foreign nations will finally force the issue by drawing down our gold in preference to our dollars.

This would appear to be underway already. It is doubtful whether our Government could have maintained a $35 price for gold in recent years had it not been for the dire situation abroad, the weakness of foreign currencies, the demand for dollars, and the inability of foreigners to establish favorable trade balances with us. But the situation abroad is changing. Foreigners are beginning to undersell us. If the present trend continues, it will not be long before our imports will exceed our exports except for our gifts abroad. It takes time for these trends to develop, but the handwriting is on the wall.

OUR DWINDLING GOLD

Foreign credit balances in this country, or money we owe to foreigners, have increased from $5 billion to $9 billion during the last four years. And remember, whereas the American citizen has no rights to the gold which is hoarded at Fort Knox, the foreign can convert his dollars into this gold at any time. This he has done to the extent of over $1 billion during the last year. The Fort Knox gold now stands at approximately $22 billion or down about $2½ billion from 4 years ago. However, deducting the $9 billion foreign credit balances we owe, the net stands at only $13 billion now as against over $19 billion 4 years ago. It should also be kept in mind that foreign holdings of stocks and bonds and other assets in this country can be sold and converted into gold, which may prove to be an additional liability one of these days, and at an inopportune time. How much lower can our net gold stock go before it is realized that we must stop flooding the world with paper dollars? How much lower can it go before we realize the urgency of encouraging gold production by raising the price, or creating a free market for gold? The welfare of our Nation is in jeopardy.

There are some natural laws, such as the law of gravity, which we obey instinctively and without question in order to survive. There are others which do not limit our activities so obviously, but which, in the end, we must respect if we are to survive. This is true of the law of supply and demand; it is true of moral law; and, incidentally, the two are more intimately connected than we are accustomed to think. Organized society can carry on and disregard these laws for a time with seeming immunity, then creeping paralysis sets in, and finally complete confusion. So a nation must in the end conform if it is to survive.

A free market for gold is the first essential of a free economy. A return to the gold standard is the second essential. The price structure or the cost of living will never be stabilized as long as there is doubt and confusion about the value of the dollar as a unit of measure. The recent hasty retreat from a feeble attempt to allow interest rates to seek their own level, and the return to artificial Government bond prices, are forerunners of a return to complete Government price control to paralyze our whole economy.

Circumstance and natural law have endowed our Nation with a gold stock which is the envy of the entire world. If we are not adept enough to realize that the efficient use of gold will rejuvenate our whole economy, there are those outside our country who do know and respect this power conferred by nature. They are just waiting for the opportunity to make use of it.

In gold there is enormous power for good. Like the sins of an individual, the sins of a nation and the problems inherited as an aftermath of those sins, will be most readily dissolved by the simple moral approach. There can be no substitute for honesty. There can be no confidence in the future until we return to honesty in Government. A free market for gold in this country will compel the Government to be honest with its people, and will prevent their eventual enslavement by those who are unprincipled. It will restore order out of the present chaotic currency situation, both here and

abroad. It will remove the greatest single obstacle to a healthy and sound foreign trade the world over, and, therefore, go a long way toward preventing a disastrous deflationary spiral.

ORDER OF BUSINESS

The PRESIDING OFFICER. Is there further morning business?

Mr. McCARRAN. Mr. President, after a discussion with the majority leader I desire at this time, with his approval, to call up the concurrence matters which are on the desk.

The PRESIDING OFFICER. Would the Senator wait until the unfinished business is laid before the Senate?

Mr. KNOWLAND. Mr. President, I think the Senator from Pennsylvania [Mr. MARTIN] had unanimous consent that when the morning business was completed he could proceed for a few minutes. After he has addressed the Senate, I shall have no objection to the Senator from Nevada calling up the motion to concur to which he has referred.

The PRESIDING OFFICER. The morning business is concluded. The Senator from Pennsylvania is recognized.

FREEDOM AND INDEPENDENCE FOR CYPRUS

Mr. MARTIN. Mr. President, I ask the brief indulgence of the Senate to direct the attention of my colleagues to the aspirations of the people of the island of Cyprus for freedom and independence.

On August 21 representatives of the Greek Government will place the Cyprus issue before the United Nations. The proposal will be that Cyprus, historically and ethnically a Greek island since 1400 B. C., be given the rights of self-determination and union with the Greek mainland.

The island of Cyprus is the third largest island in the Mediterranean. Furthermore, it is the most intensively cultivated area in the Middle East.

This island has been ruled by Great Britain since Disraeli made his agreement with the Sultan of Turkey in 1878, in order to insure British neutrality in the war between Russia and Turkey. British rule came about through a set of unusual circumstances designed to meet a then existing situation. That situation no longer exists today. In fact, Mr. President, it is as outmoded as a model T Ford.

Cyprus is Hellenic. Its entire history establishes that fact. Its population was predominantly Greek in both speech and thought when the Turks agreed to its occupation by the British in 1878, and it still is. More than 82 percent of the population of 500,000 today maintains the culture of the Greeks. They owe their religious allegiance, furthermore, to the Greek Orthodox Church.

Actually, Cyprus became a British colony in 1914. It was offered 1 year later to Greece if the Greeks would then join the Allies in World War I. Greece could not comply with the British request at that time. In 1917 the Greeks joined the Allies and fought against Turkey and other central powers. Meanwhile, however, the British offer had lapsed. The island of Cyprus, consequently, has remained under British control since that time.

I grant, Mr. President, that the British face a difficult problem in dealing with the issue relating to the island of Cyprus. But I submit that its people should not and must not be compelled, against their wishes, to continue to live under a British protectorate to the end of time.

Mr. MORSE. Mr. President, will the Senator from Pennsylvania yield?

Mr. MARTIN. I yield.

Mr. MORSE. Mr. President, I am delighted to join the Senator from Pennsylvania in this matter. In fact, some days ago I made a speech on exactly the same thesis. One of the British alibis for desiring to maintain Cyprus under the British flag is that they need it for a naval base. I ask the Senator this question: Is it not true that the people of Cyprus, and the officials of Cyprus as well as the officials of Greece, have assured Great Britain that she can enter into satisfactory arrangements for the maintenance of a British naval base, but the maintenance of a British naval base has nothing to do with the right of the people to be free from British domination?

Mr. MARTIN. The Senator from Oregon is absolutely correct.

Mr. MORSE. I commend and congratulate the Senator from Pennsylvania for the position he has taken on the floor of the Senate in furtherance of the defense of human freedom and the application of the principles of the United Nations Charter.

Mr. MARTIN. I wish to thank the Senator from Oregon. It is merely a matter of maintaining the principle of government by consent of the governed. That is the great principle which should be upheld throughout the world. If it were upheld there would not be the trouble which is confronting the world today.

Mr. WATKINS. Mr. President, will the Senator from Pennsylvania yield?

Mr. MARTIN. I am glad to yield, but I am infringing on the time of the Senate.

Mr. WATKINS. I shall make my comment very brief. I wish to say that I made a statement recently, in connection with a number of officials of the State of Utah, in support of the position which the Senator from Pennsylvania has just taken. I join with him, and should like to be associated with what he is saying about the question.

Mr. MARTIN. I thank the distinguished Senator from Utah very much.

Mr. President, in order that I may stay within my limit of 6 minutes, or less, I ask unanimous consent that the remainder of my statement be inserted in the RECORD at this point.

There being no objection, the remainder of Mr. MARTIN'S statement was ordered to be printed in the RECORD, as follows:

The people of Cyprus have been our allies and the allies of Britain in two world wars. A regiment of Cyprians was among the first units to reach France in World War II. Cyprians have fought for the cause of liberty and self-determination throughout history and have suffered in the cause of freedom, just as we Americans have. I feel, and I am sure my colleagues will agree, that they deserve and should have the right of self-determination and freedom.

In 1950 a plebiscite was held in Cyprus. Ninty-six percent of the voters favored a union of Cyprus with Greece. The remaining 4 percent, consisting of government officials, did abstain because they were not allowed by the government to vote. That vote established, Mr. President, that the essential character of the population of the island of Cyprus has not changed from historic times down to the present.

I recognize the fact that only recently the Churchill government offered to the Cyprians a new constitution making some concessions. However, it was a constitution that would deny them the right to unite with Greece. Instead, it would give them only an extremely limited form of self-rule.

The constitution would provide a legislature of which only a minority would be elected, the majority being composed of colonial officials and the governor's appointees. Unlike most constitutions, this one was drawn without consulting the inhabitants of Cyprus.

Such a constitution was rejected by the Cyprians in 1948, and it has been rejected again today.

In conclusion, I reiterate that the cause of freedom-loving people everywhere would be advanced if the people of Cyprus, with more than 2,500 years of Greek culture and civilization, were given the right to determine their own destiny.

MEETING OF INTERPARLIAMENTARY UNION

Mr. WILEY. Mr. President, on July 27, I received a letter from the Secretary of State suggesting, in view of the fact that I had been designated as one of the representatives of this government before the Interparliamentary Union, that I do some work in Europe in relation to several matters which he set forth. I had anticipated leaving on August 2. Two weeks have gone by since that time. This morning I read in the New York Times an article entitled "France at the Crossroads." We are told that in the next 2 weeks we shall know whether or not France will come in under the EDC.

Mendes-France has made a number of suggestions in the nature of amendments, and it is impossible to underestimate at this time their significance. The editorial to which I have referred brings out the fact that Europe is at the crossroads. It has been at the crossroads for some time; in fact, the whole world had been at the crossroads.

With reference to what will happen within the next few months, there are several articles in the August Reader's Digest which I hope all Senators read. One suggests how to handle the Chinese situation. Another suggests how to handle the world situation in relation to nations getting better acquainted with each other and engaging in economic trade, and so forth.

This particular editorial, entitled "France at the Crossroads," is, I think, really worthwhile reading. Therefore, I ask unanimous consent to have it printed at this point in the RECORD.

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There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FRANCE AT THE CROSSROADS

Under the leadership of her dynamic Premier, France is at last approaching a rendezvous with history the results of which will go far in determining the future shape of Europe, the strength of Western defense against Communist imperialism, and the outcome of the whole cold war. All these issues are tied up with the fate of the European Defense Community, on which Premier Mendes-France is now forcing a showdown with the French Parliament, with France's allies and with her prospective partners in the Community itself; in particular, Germany.

In this move, the most important and dramatic he has made thus far, M. Mendes-France has announced his acceptance of two fundamental propositions. One is that Germany cannot remain indefinitely without national defense, and that the question confronting France is, therefore, not whether Germany shall be permitted to rearm, but whether she shall rearm under Allied control and French surveillance, or without such control. The other is that what he called French "shilly-shallying" on this question, now going on for years, has raised doubts as to France's good faith and must not be prolonged.

On both these propositions M. Mendes-France is assured of full Allied agreement. There is no reason to doubt his own good faith. But in seeking to overcome domestic opposition to the project, led by a strange combination of Communists and de Gaullist nationalists, he proposes such sweeping reservations to the pending treaty as to cause alarm and dismay among France's partners. According to preliminary reports these reservations are all in the direction of emasculating the treaty of its supranational and federative elements, designed to promote further European unification which is the goal of American policy and is regarded as an essential condition for Europe's survival. Instead they would convert the proposed Community into something between a mere coalition of states and a loose confederation which would safeguard French sovereignty and would permit a limited enlistment of German manpower into a limited European army, the existence of which would further depend on American and British defense policies and perhaps even on the Soviet attitude toward an acceptable European settlement.

Whether the full text of the French reservations really involves such a fundamental change in the whole Defense Community project will require further study. The first test for the new plan will come at a meeting of the prospective Defense Community partners at Brussels starting Thursday—if that meeting is held at all. There is still the possibility that M. Mendès-France has advanced his reservations in a complicated domestic maneuver to persuade opponents of the treaty that such a change is impossible, and that the reservations themselves are subject to modification. But whatever the situation, there are some basic considerations which should be kept in mind.

It is impossible to underestimate the agonizing sacrifice France is asked to make in surrendering sovereignty over the larger part of her defense forces and merging herself into an international community that includes her traditonal enemy. And if the first French Premier willing to bring this question to a decision feels it necessary to ask for concession to French sensibilities, he is entitled to a sympathetic hearing. Furthermore, some kind of European Defense Community, which will in any case have to be perfected on the basis of trial and error, is better than none at all, and if Europe must go through the frustrations of confederation before reaching a more perfect union it will merely repeat the history of other federations. But in that case it would be better to define the exact nature of the confederation instead of leaving the shell of a federation and then hamstringing its operations in such a way as to doom it to failure and thereby discredit the whole idea of union. And to make the whole project merely a pawn for a deal with the Soviets, as some suggest, would be a mockery of free Europe's best aspirations.

Europe is at the crossroad and France must point the way. It is to be hoped that she will choose the right way. For the alternative to the European Defense Community is not only an essentially uncontrolled German national army but also a revival of West European rivalries which would gravely affect both the North Atlantic Alliance and Western defense. Only the Communists could profit from such a development.

TRADE—EUROPEAN COUNTRIES WITH COMMUNIST COUNTRIES, INCLUDING RUSSIA AND CHINA

Mr. MALONE. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. MALONE. I wish to ask the distinguished Senator from Wisconsin, who has a very responsible position as chairman of the Committee on Foreign Relations, if the crossroads to which he refers, on which Europe is standing, extends to Moscow and Peiping.

I have noticed that the representatives of a very strong party in England have been spending considerable time recently at the Kremlin in Moscow with Malenkov, drinking toasts to the Queen.

I have also noticed that the same representatives of this powerful force in the Government of England and the sterling-bloc countries proceeded from Moscow to Peiping, China, and are in conference with the Communist leaders of China for the same purpose—that of further trade agreements with Russia and Communist China.

From Peiping it is reported that representatives of the Chinese Red Government are going to France, England, and other nations of Europe to further trade relations.

Does the Senator from Wisconsin think that would have any effect on the European countries and the United States?

Mr. WILEY. I do not believe I understood the Senator's question. Will he state very briefly what he wanted me to answer?

Mr. MALONE. I shall make it as brief as I can. Does the distinguished Senator from Wisconsin believe that the representatives of the British Empire, spending their time in arranging trade agreements with Russia and Communist Peking, including their satellites would have an effect on this crossroads balance which the distinguished Senator from Wisconsin has described?

Mr. WILEY. I am sure the Senator's question is not exactly comprehensible at this time, at least to me, but I shall try to tell him what I had intended saying—that if the distinguished Senator will read this first article, in the August Reader's Digest.

Mr. MALONE. I have read it.

Mr. WILEY. I think he will get some light on why the British and other nations are attempting to enter into business relations in order to bring about the philosophy of coexistence. I do not know whether coexistence will work, but I do know that there is some justification for these people attempting to find a solution, which we have been attempting to find and the world has been attempting to find since the shooting in the last war stopped. I know that all of Europe is tremendously affected——

The PRESIDING OFFICER (Mr. PAYNE in the chair). The 2 minutes have expired.

Mr. WILEY. May I have another 2 minutes to try to elucidate this problem?

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WILEY. All of Europe is tremendously affected by what we call the bomb situation. We know that Britain, France, and the other countries are very close to Russia. Russia has the A-bomb and the H-bomb. If the Senator will talk to some of our ambassadors and others who have been over there, he will find that the people of Europe are really scared of what would happen to them in case war started. We cannot discount that fear. We have to recognize that we are facing a situation in the world which some of the clergy think has only one solution, and that is through prayer and through seeking to understand each other's position. I, for one, feel that what we have to do is to be so strong militarily and so strong, let us say, in trying to understand the other fellow's position that we can penetrate not what we call the Iron Curtain, but the minds of the 180 million Russians, who are fine people just like ourselves. I am not talking about the leaders of the Kremlin. I am talking about the common people of the world who need to be impacted by the right ideas so that understanding and wisdom will prevail—so we can find the right answer. I am sure closing our minds to the facts is no solution. And separating our allies from us is no answer.

I do not know whether we are wise enough to find the answer or whether we are going to bring upon ourselves another holocaust. If we do, then, of course we know what the bomb can do, and we know what damage can be done to our beloved country and to other countries.

In unity there is strength. The Senator's suggestion does not make for unity. He has no solution.

The question is can we find the way? Others are trying to find a way. We shall learn, I presume in the course of a few weeks or months, whether or not this journey into Russia and into China by representatives of Britain will produce constructive results.

The PRESIDING OFFICER. The additional 2 minutes have expired.

Mr. MALONE. Is there any Senator having time who will yield 1 minute to the junior Senator from Nevada?

Mr. JOHNSON of Texas. The Senator is entitled to 2 minutes under the morning hour. I assume the Chair will recognize him.

Mr. MALONE. Mr. President, I should like to point out that this is not a new or unusual situation.

In 1948 and 1949, when the Marshall plan, the forerunner of ECA, Mutual Security and FOA was first proposed, the 17 nations of Europe were making the same trade agreements with Russia, with the Iron Curtain countries, that they are arranging to promote and to accelerate now.

In 1949, the junior Senator from Nevada put 96 such trade treaties in the RECORD, showing that in the trade treaties these nations were guaranteeing to furnish engines, tool steel, ball bearings, electric material and everything they needed to make war on us.

As has been said by the junior Senator from Nevada on the floor many times, there is no question that the taxpayers, the fathers of the boys who went to Korea, furnished 75 percent of the material, or the money to pay for it, which killed and wounded those boys.

Then what is the real subject? They are in Moscow and Peiping arranging for additional trade agreements to furnish materials needed by the Communist countries to prepare for war with us. We, of course, cannot prevent such trade agreements being made, but we do not need to finance it.

Only Saturday, Mr. President, the Senate passed a bill for an additional $3 billion, or nearly so, added to the $9 billion already in the hands of the FOA to continue to send materials to Europe and to finance further manufacture of such materials.

How stupid can we get?

Mr. President, have we reached the point so that we dare not stop financing our potential enemies?

Mr. President, until we have an understanding with our so-called allies, that they will not furnish this material to our potential enemies, the junior Senator from Nevada thinks we are making the gravest mistake of our existence to continue such financing. An amendment that the junior Senator from Nevada offered and lost on the Senate floor, to the bill passed Saturday, would have prevented sending the material to any nation which was trading with the so-called enemy or the potential enemy.

Both England and France have individual mutual security or nonaggression pacts with Russia in good standing providing for the very things that these nations are now doing—assisting each other economically.

These mutual security pacts contain the same pledge of loyalty and cooperation as is contained in the Atlantic pact which they signed with this Nation.

CITATION OF ALBERT SHADOWITZ FOR CONTEMPT OF THE SENATE

The PRESIDING OFFICER. If there be no further morning business, the Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the resolution (S. Res. 280) to cite Albert Shadowitz for contempt of the Senate.

PROGRAM FOR TODAY—CALL OF THE CALENDER

Mr. KNOWLAND. Mr. President, if the Senator from Nevada will permit me to make a brief announcement as to the program, I wish to say that after we have taken up some matters in which the Senator from Nevada is interested, and there may also be some other matters at the desk to be considered, I shall ask unanimous consent to have a call of the calendar, beginning with Calendar No. 2395, which is where the last call of the calendar ended, and continuing so far as reports are available, but not beyond Calendar No. 2519.

When the call of the calendar has been concluded, it is proposed to take up the three resolutions citing certain persons for contempt, namely, Senate Resolution 280, Senate Resolution 282, and Senate Resolution 281. There may be also some other minor matters to be considered at that time. Then it is expected to return to the beginning of the calendar, Calendar No. 19, S. 242, and continuing through Calendar No. 2392, S. 29.

The two calendar committees, depending on the number of bills which will be passed to the foot of the calendar, may desire to have the intervening time to reorganize themselves, as they did at the time of the last call of the calendar. However, that matter can be discussed a little later. I simply desired to have the Senate advised.

ESTATE OF CARLOS M. COCHRAN

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 820) for the relief of the estate of Carlos M. Cochran, which was, on page 2, lines 3 and 4, strike out "in excess of 10 percent thereof."

Mr. McCARRAN. This is a private claim bill, involving the amount of $5,000. The House amendment simply eliminates all attorneys' fees in connection with this claim.

This is in line with the policy adopted by the Senate this year. I therefore move that the Senate concur in the House amendment to the bill S. 820.

The motion was agreed to.

EXTENSION OF DETENTION BENEFITS TO EMPLOYEES OF CERTAIN CONTRACTORS

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 541) to extend detention benefits under the War Claims Act of 1948 to employees of contractors with the United States, which were to strike out all after the enacting clause and insert:

That this act may be cited as the "War Claims Act Amendments of 1954."

TITLE I

SEC. 101. (a) Clause (2) of subsection (a) of section 5 of the War Claims Act of 1948, as amended (50 App. U. S. C., sec. 2004), is hereby amended by striking out "(A) a person within the purview of the act entitled 'An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes', approved September 7, 1916, as amended, and as extended; or (B) a person within the purview of the act entitled 'An act to provide benefits for the injury, disability, death, or enemy detention of employees of contractors with the United States, and for other purposes' approved December 2, 1942, as amended; or (C) a person within the purview of the Missing Persons Act of March 7, 1942 (56 Stat. 143), as amended; or (D)."

(b) Paragraph (3) of subsection (f) of such section is hereby amended to read as follows:

"(3) The following provisions of such act of December 2, 1942, as amended, shall not apply in the case of such civilian American citizens: The last sentence of section 101 (a), section 101 (b), section 101 (d), section 104, and section 105."

(c) Such subsection (f) is hereby further amended by adding at the end thereof the following new paragraphs:

"(10) No benefits provided by this subsection for injury, disability, or death shall accrue to any person who, without regard to this subsection, is entitled to or has received benefits for the same injury, disability, or death under such act of December 2, 1942, as amended.

"(11) No benefits provided by this subsection shall accrue to any person to whom benefits have been paid, or are payable, under the Federal Employees' Compensation Act, or any extension thereof, by reason of disability or death of an employee of the United States suffered after capture, detention, or other restraint by an enemy of the United States, when such disability or death is deemed, in the administration of the Federal Employees' Compensation Act, to have resulted from injury occurring while in the performance of duty, under subsection (b) of section 5 of the act entitled 'An act to amend the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," as amended', approved July 28, 1945, as amended."

(d) The second proviso of subsection (b) of section 5 of the act entitled "An act to amend the act entitled 'An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes', as amended", approved July 28, 1945, is hereby amended by inserting immediately after "gratuity from the United States" the following: "(other than detention benefits under section 5 of the War Claims Act of 1948)".

(e) (1) Individuals entitled to benefits under subsections (b), (c), or (d) of section 5 of the War Claims Act of 1948, as amended, solely by reason of the amendments made by this act, must file claim therefor within 1 year after the date of enactment of this act.

(2) The time limitations applicable to the filing of claims for benefits extended and made applicable to any individual by subsection (f) of such section 5 shall not begin to run until the date of enactment of this act with respect to any individual who is entitled to such benefits solely by reason of the amendments made by this act. This paragraph shall not be construed to affect the right of any individual to receive such benefits with respect to any period prior to the date of enactment of this act.

SEC. 102. (a) (1) Subsection (d) of section 5 of the War Claims Act of 1948, as amended; subsection (c) of section 6 of such act; and paragraph (4) of subsection (d) of such section 6, are each hereby amended by striking out "dependent" each time it occurs.

(2) Subsection (d) of section 5 of the War Claims Act of 1948, as amended is amended by striking out "and" at the end of clause (2), striking out the period at the end of clause (3) and inserting in lieu thereof: "; and", and by adding at the end thereof the following new clause:

"(4) Parents (in equal shares) if there is no husband, or child."

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(b) The amendments made by this section shall not apply with respect to benefits paid prior to the date of enactment of this act.

(c) Individuals entitled to benefits solely by reason of the amendments made by this section must file claim therefor within 1 year after the date of enactment of this act.

SEC. 103. The War Claims Act of 1948, as amended, is hereby further amended by adding at the end thereof the following:

"SEC. 15. (a) The Commission is authorized to receive and to determine, according to law, the amount and validity, and provide for the payment of any claim for compensation filed by or on behalf of any individual who, being then an American citizen, served in the military or naval forces of any government allied with the United States during World War II who was held as a prisoner of war for any period of time subsequent to December 7, 1941, by any government of any nation with which such allied government has been at war subsequent to such date. Compensation shall be payable under this section in accordance with the standards established by, and at the rates prescribed in, subsection (b) of section 6 of this act, and paragraphs (2) and (3) of subsection (d) of such section 6.

"(b) The amount payable under this section shall be reduced by such sum as the individual entitled to compensation under this section has received or is entitled to receive from any government by reason of the same detention.

"(c) In the event of death of the individual entitled to compensation under this section, payment may be made to the persons specified in paragraph (4) of subsection (d) of section 6 of this act.

"(d) Claims for benefits under this section must be filed within 1 year after the date of enactment of this section.

"(e) Any claim allowed under the provisions of this section shall be certified to the Secretary of the Treasury for payment out of the War Claims Fund established by section 13 of this act.

"SEC. 16. (a) As used in this section, the term 'merchant seaman' means any individual who was employed as a seaman or crew member on any vessel registered under the laws of the United States, or under the laws of any government friendly to the United States during World War II, and who was a citizen of the United States on and after December 7, 1941, to the date of his death or the date of filing claim under this section; except any such individual who is entitled to, or who has received, benefits under section 5 of this act as a 'civilian American citizen.'

"(b) The Commission is authorized to receive and determine, according to law, the amount and validity, and provide for the payment of any claim for detention benefits filed by or on behalf of any merchant seaman who, being then a merchant seaman, was captured or interned or held by the Government of Germany or the Imperial Japanese Government, its agents or instrumentalities in World War II for any period of time subsequent to December 7, 1941, during which he was held by either such government as a prisoner, internee, hostage, or in any other capacity. Detention benefits shall be paid under this section at the rates prescribed and in the manner provided in subsections (c) and (d) of section 5 of this act.

"(c) Payment of any claim filed under this section shall not be made to any merchant seaman, or to any survivor or survivors thereof, who, voluntarily, knowingly, and without duress, gave aid to or collaborated with or in any manner served any government hostile to the United States during World War II.

"(d) Claims for benefits under this section must be filed within 1 year after the date of enactment of this section.

"(e) Any claim allowed under the provisions of this section shall be certified to the Secretary of the Treasury for payment out of the War Claims Fund established by section 13 of this act.

"SEC. 17. (a) (1) The Commission is authorized to receive and to determine, according to law, the amount and validity, and provide for the payment of any claim filed by—

"(A) any individual who—

"(i) on or after December 7, 1941, was a member of the military or naval forces of the United States;

"(ii) is the survivor of any deceased individual described in subparagraph (i);

"(iii) was a national of the United States on December 7, 1941, and is a national of the United States on the date of enactment of this section; or

"(iv) is the survivor of any deceased individual who was a national of the United States on December 7, 1941, and would be a national of the United States on the date of enactment of this section if living; or

"(B) any partnership, firm, corporation, or other legal entity, in which more than 50 percent of the ownership was vested, directly or indirectly, both on December 7, 1941, and on the date of enactment of this section, in individuals referred to in subparagraph (A) of this paragraph;

for losses arising as a result of the sequestration of accounts, deposits, or other credits of such individual or legal entity in the Philippines by the Imperial Japanese Government.

"(2) The Commission is authorized to receive and to determine, according to law, the amount and validity, and provide for the payment of any claim filed by any bank or other financial institution doing business in the Philippines which reestablished sequestered accounts, deposits, or other credits of—

"(A) any individual referred to in subparagraph (A) of paragraph (1), of this subsection; or

"(B) any partnership, firm, corporation, or other legal entity, in which more than 50 percent of the ownership was vested, directly or indirectly, both on December 7, 1941, and on the date of reestablishment of such sequestered credits, in individuals referred to in such subparagraph (A);

for reimbursement of the amounts of such sequestered credits paid by such bank or financial institution.

"(b) Claims must be filed under this section within 1 year after the date of enactment of this section.

"(c) Where any individual entitled to payment under this section is under any legal disability, payment may be made in accordance with the provisions of subsection (e) of section 5 of this act. In the case of the death of any individual entitled to payment of any claim under this section, payment of such claim shall be made to the individuals specified, and in the order provided, in subsection (d) of section 6 of this act; except that no payment shall be made under this section to any individual who voluntarily, knowingly, and without duress, give aid to or collaborated with or in any manner served any government hostile to the United States during World War II.

"(d) Each claim allowed under this section shall be certified to the Secretary of the Treasury for payment out of the War Claims Fund established under section 13 of this act. The Secretary of the Treasury shall pay such claims as follows:

"(1) In the case of each claim allowed in an amount equal to or less than $500, such claim shall be paid in full; and

"(2) In the case of each claim allowed in an amount greater than $500, such claim shall be paid in two installments. The first installment shall be paid in an amount equal to $500 plus 66⅔ per centum of the amount of such claim allowed in excess of $500. The last installment shall be computed as of September 1, 1956, under the next sentence of this paragraph, and, as so computed, shall be paid from the sums remaining in the war claims fund on that date. If the sums remaining in the war claims fund on September 1, 1956, are sufficient to satisfy all claims allowed under this section and not paid in full, the unpaid portion of each such claim shall be paid in full; if the sums remaining in the war claims fund on September 1, 1956, are not sufficient to satisfy all claims allowed under this section and not paid in full, the last installment payable on each such claim shall be reduced ratably, and, as so reduced, shall be paid from the war claims fund.

SEC. 104. (a) Section 13 of the War Claims Act of 1948, as amended (50 App. U. S. C., sec. 2012), is hereby amended by striking out subsections (b) and (c) thereof, and by inserting immediately after subsection (a) thereof the following:

"(b) Before August 1, 1956, the Secretary of Labor shall estimate and report to the President the total amount which will be required to pay all benefits payable by reason of section 5 (f) of this act. If the President approves the amount so estimated as reasonably accurate, the total amount so estimated and approved shall be certified to the Secretary of the Treasury; if the President does not so approve, he shall determine such amount, and the amount so determined shall be certified to the Secretary of the Treasury. Such certification shall be made on or before September 1, 1956. The Secretary of the Treasury shall then transfer from the War Claims Fund to the general fund of the Treasury a sum equal to the total amount certified to him under this subsection.

"(c) Before August 1, 1956, the Secretary of Labor shall estimate and report to the President the total amount which will be required to pay all additional benefits payable as a result of the enactment of section 4 (c) of this act. If the President approves the amount so estimated as reasonably accurate, the total amount so estimated and approved shall be certified to the Secretary of the Treasury; if the President does not so approve, he shall determine such amount, and the amount so determined shall be certified to the Secretary of the Treasury. Such certification shall be made on or before September 1, 1956. The Secretary of the Treasury shall then transfer from the War Claims Fund to the general fund of the Treasury a sum equal to the total amount certified to him under this subsection."

(b) Subsection (d) of such section 13 is hereby amended by striking out "The Secretary of State" and inserting in lieu thereof the following: "On or before August 1, 1956, the Secretary of State."

SEC. 105. Within 2 years after the date of enactment of this act, the Foreign Claims Settlement Commission of the United States shall wind up its affairs in connection with the settlement of all claims for benefits authorized by the amendments made by this act.

TITLE II

SEC. 201. As used in this title—

(a) The term "prisoner of war" has the meaning assigned to it by section 6 of the War Claims Act of 1948, as amended; and

(b) The term "civilian American citizen" has the meaning assigned to it by subsection (a) of section 5 of such act.

SEC. 202. The Secretary of Health, Education, and Welfare, in cooperation with, and with the assistance of, the Administrator of Veterans' Affairs, the Secretary of Labor, and the Secretary of Defense, shall conduct a study of—

(1) the mortality rates among prisoners of war and civilian American citizens, with a

view to determining whether their abnormally high mortality rate is directly attributable to the malnutrition and other hardships suffered by them while held as prisoners of war, hostages, internees, or in any other capacity;

(2) the mental and physical consequences of the malnutrition and other hardships suffered by prisoners of war and civilian American citizens while so held; and

(3) the procedures and standards which should be applied in the diagnosis of the mental and physical condition of prisoners of war and civilian American citizens.

SEC. 203. Not later than 1 year after the date of enactment of this title, the Secretary of Health, Education, and Welfare shall report the results of such study to the President for transmittal to the Congress.

And to amend the title so as to read: "An act to extend benefits under the War Claims Act of 1948 to certain classes of persons, and for other purposes."

Mr. KNOWLAND. Mr. President, I ask to have this matter passed over temporarily.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCARRAN subsequently said: Mr. President, I ask unanimous consent to have read a letter from Mr. Rowland Hughes, Director of the Bureau of the Budget, addressed to Hon. RICHARD M. NIXON, Vice President of the United States and President of the Senate. The letter has to do with Senate bill 541, which is now at the desk awaiting action by the Senate.

The PRESIDING OFFICER. The clerk will read the letter.

The legislative clerk read the letter, as follows:

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C., June 28, 1954.

Hon. RICHARD M. NIXON,
President of the Senate,
Washington, D. C.

MY DEAR MR. PRESIDENT: There is submitted herewith for consideration of the Congress a draft of a proposed bill which would further amend the War Claims Act of 1948. This bill, together with a report in which the principal features of the various titles and sections are discussed, is submitted as promised by the President in his message transmitting Reorganization Plan No. 1 of 1954, which related to the establishment of a Foreign Claims Settlement Commission to handle such claims.

This proposed amendment would extend to certain United States Nationals who, during World War II were interned by the enemy or were captured while serving either in Allied Military forces or as Merchant Seamen aboard United States vessels, or vessels of friendly governments, benefits comparable to those authorized under similar circumstances by the War Claims Act of 1948, as presently amended. In addition, the bill would provide for restoration in part of funds that were on deposit with Philippine financial institutions to the credit of American Nationals, which were sequestered by the Japanese Government.

Because of hardships suffered by many United States Nationals as the result of actions of certain foreign governments for which this bill would afford some relief, I would strongly urge that this proposed legislation be acted upon, to the extent proposed, before the close of the present session of Congress.

Sincerely yours,

ROWLAND HUGHES, *Director.*

E. S. BERNEY

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 46) for the relief of E. S. Berney, which was, on page 1, line 6, strike out "$12,000" and insert "$4,750."

Mr. McCARRAN. This is a private relief bill for a rancher who suffered loss when his land was taken over by the Navy to be used as part of a bombing range. The Senate passed the bill for $12,000. The House has amended it to reduce the amount to $4,150. As the author of the bill, I do not believe the House has done full justice to his claim; but I am sufficiently realistic to appreciate the fact that unless the House amendment is accepted, it will be impossible at this late date to get any bill at all. Half a loaf is better than none, and I therefore move that the Senate concur in the House amendment to the bill S. 46.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield to the Senator from Oregon.

Mr. MORSE. Does the bill eliminate attorneys' fees?

Mr. McCARRAN. It does.

The PRESIDING OFFICER. The question is on the motion of the Senator from Nevada, that the Senate concur in the amendment of the House.

The motion was agreed to.

CHARLES W. GALLAGHER

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 555) for the relief of Charles W. Gallagher, which was, on, page 1, line 11, strike out "in excess of 10 percent thereof."

Mr. McCARRAN. This is a private claim bill, involving the amount of $430. The House amendment simply eliminates all attorneys' fees in connection with this claim.

This is in line with the policy adopted by the Senate this year. I therefore move that the Senate concur in the House amendment to the bill S. 555.

The motion was agreed to.

CPL. ROBERT D. McMILLAN

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 599) for the relief of Cpl. Robert D. McMillan, which was, on page 2, line 4, strike out "in excess of 10 percent thereof."

Mr. McCARRAN. This is a private claim bill, involving the amount of $1,806.72. The House amendment simply eliminates all attorneys' fees in connection with this claim.

This is in line with the policy adopted by the Senate this year. I therefore move that the Senate concur in the House amendment to the bill S. 599.

The motion was agreed to.

MRS. MERLE CAPPELLER WEYEL

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 45) for the relief of Mrs. Merle Cappeller Weyel, which was, on page 2, line 2, after "pay", insert "and retired pay."

Mr. McCARRAN. This is a private claim bill, which passed the Senate in the amount of $5,437.21. The House amendment does not change the amount, but simply makes more clear the basis for the award. I move that the Senate concur in the House amendment to the bill S. 45.

The motion was agreed to.

JOHN L. DE MONTIGNY

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1183) for the relief of John L. de Montigny, which was, on page 2, line 2, strike out "in excess of 10 percent thereof."

Mr. McCARRAN. This is a private claim bill, involving the amount of $384.75. The House amendment simply eliminates all attorneys' fees in connection with this claim.

This is in line with the policy adopted by the Senate this year. I therefore move that the Senate concur in the House amendment to the bill S. 1183.

The motion was agreed to.

LT. COL. ROLLINS S. EMMERICH

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1203) for the relief of Lt. Col. Rollins S. Emmerich, which was, on page 2, line 2, strike out "in excess of 10 percent."

Mr. McCARRAN. This is a private claim bill, involving the amount of $221.49. The House amendment simply eliminates all attorneys' fees in connection with this claim.

This is in line with the policy adopted by the Senate this year. I therefore move that the Senate concur in the House amendment to the bill S. 1203.

The motion was agreed to.

GIVENS CHRISTIAN

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 2070) for the relief of the estate of Givens Christian, which was, on page 2, line 2, strike out "in excess of 10 percent thereof."

Mr. McCARRAN. This is a private claim bill, involving the amount of $5,000. The House amendment simply eliminates all attorneys' fees in connection with this claim.

This is in line with the policy adopted by the Senate this year. I therefore move that the Senate concur in the House amendment to the bill S. 2070.

The motion was agreed to.

TERRENCE WALLER

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S.

2147) for the relief of Terrence Waller, which was, on page 2 line 4, strike out "in excess of 10 percent thereof."

Mr. McCARRAN. This is a private claim bill, involving the amount of $840.79. The House amendment simply eliminates all attorneys' fees in connection with this claim.

This is in line with the policy adopted by the Senate this year. I therefore move that the Senate concur in the House amendment to the bill S. 2147.

The motion was agreed to.

JOHN ENEPEKIDES ET AL.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 2156) for the relief of John Enepekides, his wife, Anna, and his son, George, which was, in line 4, strike out "waiving" and insert "modifying."

Mr. McCARRAN. This is a private immigration bill. The House amendment is entirely technical and does not change the effect of the bill in any way.

I therefore move that the Senate concur in the amendment of the House to the bill S. 2156.

The motion was agreed to.

JOSEPH V. CRIMI

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 2553) for the relief of Joseph V. Crimi, father of the minor child, Joseph Crimi, which was, on page 2, line 6, strike out "in excess of 10 percent thereof."

Mr. McCARRAN. This is a private claim bill, involving the amount of $8,500. The House amendment simply eliminates all attorneys' fees in connection with this claim.

This is in line with the policy adopted by the Senate this year. I therefore move that the Senate concur in the House amendment to the bill S. 2553.

The motion was agreed to.

WALTER P. SYLVESTER

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 2266) for the relief of Walter P. Sylvester, which were, in line 8, after "disability", insert "allegedly", and in line 10, after "1945", insert ": *Provided*, That no benefits shall accrue except hospital and medical expenses prior to the enactment of this act."

Mr. McCARRAN. This is a private relief bill, the purpose being to permit the filing of a claim under the Employees' Compensation Act.

The effect of the House amendments is to remove any implication of liability, through enactment of the bill, and to limit benefits payable under the claim to actual hospital and medical expenses incurred prior to enactment of this act.

I now move that the Senate concur in the amendments of the House to the bill S. 2266.

The motion was agreed to.

ROBERT LEE WILLIAMS

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 2693) for the relief of Robert Lee Williams, which was, on page 1, line 10, strike out "in excess of 10 percent thereof."

Mr. McCARRAN. This is a private claim bill, involving the amount of $5,000. The House amendment simply eliminates all attorneys' fees in connection with this claim.

This is in line with the policy adopted by the Senate this year. I therefore move that the Senate concur in the House amendment to the bill S. 2693.

The motion was agreed to.

ESTATE OF MARY BEATON DENNINGER, DECEASED

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 3064) for the relief of the estate of Mary Beaton Denninger, deceased, which was, on page 1, line 11, strike out all after "act" over to and including "thereof" in line 1, page 2.

Mr. McCARRAN. This is a private claim bill, involving the amount of $780.36. The House amendment simply eliminates all attorneys' fees in connection with this claim.

This is in line with the policy adopted by the Senate this year. I therefore move that the Senate concur in the House amendment to the bill S. 3064.

The motion was agreed to.

WOODROW WILSON CENTENNIAL CELEBRATION COMMISSION

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the joint resolution (S. J. Res. 147) to establish the Woodrow Wilson Centennial Celebration Commission, and for other purposes, which was, to strike out all after the resolving clause and insert:

That (a) there is hereby established a commission to be known as the "Woodrow Wilson Centennial Celebration Commission" (hereinafter referred to as the "Commission") which shall be composed of 12 members as follows:

(1) Two members who shall be Members of the Senate, to be appointed by the President of the Senate;

(2) Two members who shall be members of the House of Representatives, to be appointed by the Speaker of the House of Representatives;

(3) One member from the Department of the Interior who shall be the Director of the National Park Service, or his representative, and who shall serve as executive officer of the Commission; and

(4) Seven members to be appointed by the President after consideration of such recommendations as may be made, upon the request of the President, by the Governor of Virginia as to three of such members, by the Woodrow Wilson Birthplace Foundation, Inc., as to two of such members, and by the Woodrow Wilson Foundation as to two of such members.

(b) The President shall, at the time of appointment, designate one of the members appointed by him to serve as Chairman. The members of the Commission shall receive no salary but shall be reimbursed for their actual and necessary traveling and subsistence expenses incurred in the discharge of their duties.

SEC. 2. The functions of the Commission shall be to develop and to execute suitable plans for the celebration, in 1956, of the 100th anniversary of the birth of Woodrow Wilson in Staunton, Va. In carrying out these functions the Commission is authorized to cooperate with and to assist the Commission established by the State of Virginia to plan a centennial celebration, in 1956, of the birth of Woodrow Wilson, and to invite all the people of the United States to join therein.

SEC. 3. The Commission may employ, without regard to civil-service laws or the Classification Act of 1949, such employees as may be necessary in carrying out its functions.

SEC. 4. (a) The Commission is authorized to accept donations of money, property, or personal services; to cooperate with patriotic and historical societies and with institutions of learning; and to call upon other Federal departments or agencies for their advice and assistance in carrying out the purposes of this resolution. The Commission, to such extent as it finds to be necessary, may, without regard to the laws and procedures applicable to Federal agencies, procure supplies, services, and property and make contracts, and may exercise those powers that are necessary to enable it to carry out efficiently and in the public interest the purposes of this resolution.

(b) Expenditures of the Commission shall be paid by the executive officer of the Commission, who shall keep complete records of such expenditures and who shall account also for all funds received by the Commission. A report of the activities of the Commission, including an accounting of funds received and expended, shall be furnished by the Commission to the Congress within 1 year following the celebration as prescribed by this resolution. The Commission shall terminate upon submission of its report to the Congress.

(c) Any property acquired by the Commission remaining upon termination of the celebration may be used by the Secretary of the Interior for purposes of the National Park System or may be disposed of as surplus property. The net revenues, after payment of Commission expenses, derived from Commission activities, shall be deposited in the Treasury of the United States.

SEC. 5. There is hereby authorized to be appropriated not to exceed $10,000 for travel expenses of the members of the Commission and for other expenses that may be incurred in developing suitable plans provided for herein, and no appropriation shall be deemed to be authorized herein to carry out the purposes of this resolution in accordance with such plans unless an additional appropriation to carry out such purposes is expressly authorized by further legislation.

Mr. McCARRAN. This is a joint resolution to establish the Woodrow Wilson Centennial Celebration Commission.

The only important change involved in the House amendment is to provide that two Members of the House shall be named to the Woodrow Wilson Centennial Celebration Commission. As the resolution passed the Senate, it provided for 2 Members of the Senate and 1 Member of the House. The House has amended the resolution so as to put House membership on a par with the Senate membership on the Commission. It is not believed the Senate should disturb this change.

I therefore move, Mr. President, that the Senate concur in the House amendment to Senate Joint Resolution 147.

The motion was agreed to.

Mr. McCARRAN. Mr. President, that is all I have at this time. There may be other matters on the clerk's desk which I may ask to have considered at a later time.

MRS. CECIL NORTON BROY

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H. R. 7886) for the relief of Mrs. Cecil Norton Broy, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. McCARRAN. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. LANGER, Mr. WILEY, and Mr. McCARRAN conferees on the part of the Senate.

CALL OF THE CALENDAR

Mr. KNOWLAND. Mr. President, pursuant to my prior announcement, there will be what in effect will be two calendar calls today, one of which will begin at the point where we last left off, and then later on in the day there will be a call of bills from the beginning of the calendar.

I now ask unanimous consent that the Senate proceed to a call of the calendar of bills to which there is no objection, beginning with Calendar No. 2395, a bill (S. 239) for the relief of Mr. and Mrs. Frank Goto, and running through to the end of the calendar.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the clerk will call the first bill in order on the calendar.

MR. AND MRS. FRANK GOTO

The bill (S. 239) for the relief of Mr. and Mrs. Frank Goto was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, notwithstanding section 2 (a) of the act of July 2, 1948, as amended (50 U. S. C. App. 1982 (a)), the Attorney General is authorized and directed to determine under such act any claim presented by Mr. and Mrs. Frank Goto within 12 months after the date of enactment of this act, but nothing contained in this act shall be construed as an inference of liability on the part of the United States Government.

ERNEST B. SANDERS

The Senate proceeded to consider the bill (S. 684) for the relief of Ernest B. Sanders, which had been reported from the Committee on the Judiciary with amendments, on page 1, line 6, after the word "of", to strike out "$25,000" and insert "$15,000"; and on page 2, line 2, after the word "act", to strike out "in excess of 10 percent thereof", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ernest B. Sanders, of Miami, Fla., the sum of $15,000, in full and final settlement of all claims against the United States for personal injuries, pain and suffering, permanent disability, and loss of earnings sustained by him and resulting from an accidental and improper division of or injury to an artery while he was a patient in the United States Marine Hospital at Savannah, Ga., during March of 1933: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ESTATE OF REV. PANG WHA IL

The Senate proceeded to consider the bill (S. 1504) for the relief of the estate of Rev. Pang Wha Il, which had been reported from the Committee on the Judiciary with an amendment, on page 2, line 2, after the word "act," to strike out "in excess of 10 percent thereof", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Rev. Pang Wha Il, deceased, the sum of $10,000, in full satisfaction of all claims against the United States for compensation for the death of the said Rev. Pang Wha Il, sustained on December 10, 1952, as a result of having been severely assaulted by a second lieutenant in the Army of the United States while such second lieutenant was leading a raiding party in the village of Dong Chang Ri in Korea: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (S. 3602) for the relief of Mrs. Hannah Mae Powell was announced as next in order.

Mr. GORE. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1920) for the relief of Ashley G. Ogden was announced as next in order.

Mr. SMATHERS. Let the bill go over.

Mr. HENDRICKSON. Over.

The PRESIDING OFFICER. The bill will be passed over.

ARTHUR J. BOUCHER

The bill (H. R. 834) for the relief of Arthur J. Boucher was considered, ordered to a third reading, read the third time, and passed.

BILL PLACED AT FOOT OF CALENDAR

The bill (H. R. 1107) for the relief of J. A. Vance Company was announced as next in order.

Mr. SMATHERS. Mr. President, I ask that this bill be placed at the foot of the calendar.

The PRESIDING OFFICER. Without objection, the bill will be placed at the foot of the calendar.

KENNETH McRIGHT

The Senate proceeded to consider the bill (H. R. 1461) for the relief of Kenneth McRight, which had been reported from the Committee on the Judiciary with an amendment, on page 2, line 1, after the word "act", to strike out "in excess of 10 percent thereof."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

NICHOLAS MATOOK

The Senate proceeded to consider the bill (H. R. 2781) for the relief of Nicholas Matook, which had been reported from the Committee on the Judiciary with an amendment, on page 1, line 11, after the word "act", to strike out "in excess of 10 percent thereof."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

DR. ALFRED L. SMITH

The Senate proceeded to consider the bill (H. R. 3014) for the relief of Dr. Alfred L. Smith, which had been reported from the Committee on the Judiciary with an amendment, on page 2, line 4, after the word "act", to strike out "in excess of 10 percent thereof."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

DENNIS F. GUTHRIE

The Senate proceeded to consider the bill (H. R. 3232) for the relief of Dennis F. Guthrie, which had been reported from the Committee on the Judiciary with an amendment, on page 2, line 1 after the word "act", to strike out "in excess of 10 percent thereof."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

JOHN B. DANIEL, INC.

The bill (H. R. 3384) for the relief of John B. Daniel, Inc., was announced as next in order.

UNIVERSITY OF MICHIGAN LIBRARIES

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. HENDRICKSON. Mr. President, I submit and send to the desk two amendments for which I request consideration at the proper time.

The PRESIDING OFFICER. There are no committee amendments; so the amendments of the Senator from New Jersey are in order, and will be stated.

The LEGISLATIVE CLERK. At the end of the bill, it is proposed to add the following new section:

SEC. 2. No part of any drawback that may be allowed by reason of the enactment of this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with obtaining such drawback, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New Jersey.

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment of the Senator from New Jersey will be stated.

The LEGISLATIVE CLERK. On page 1, in line 4, after "Internal Revenue Code", it is proposed to insert "of 1939."

Mr. HENDRICKSON. Mr. President, let me say that the first amendment provides, in the usual, standard manner, for prohibition of the payment of attorney's fees. The second amendment is purely technical in nature.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New Jersey.

The amendment was agreed to.

The PRESIDING OFFICER. If there be no further amendments to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

MRS. EMILY WILHELM

The bill (H. R. 3446) for the relief of Mrs. Emily Wilhelm was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. By request, I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. HENDRICKSON. I beg the pardon of the Chair; I thought we had reached Calendar 2408, House bill 3756.

The PRESIDING OFFICER. No; Calendar No. 2407, House bill 3446, was the bill which was just passed over.

Mr. HENDRICKSON. Mr. President, I ask that the order by which the bill was passed over be rescinded.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New Jersey? The Chair hears none and the bill is before the Senate.

Is there objection to the present consideration of House bill 3446, Calendar No. 2407?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary with an amendment on page 1, line 11, after the word "act", to strike out "in excess of 10 percent thereof."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

BILLS PASSED OVER

The bill (H. R. 3756) for the relief of Allen Pope, his heirs or personal representatives, was announced as next in order.

Mr. HENDRICKSON. Mr. President, this is the bill to which I intended to object, by request. I do so at this time.

The PRESIDING OFFICER. Objection being heard, the bill will be passed over.

The bill (H. R. 4281) for the relief of Mr. and Mrs. Thomas V. Compton was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The bill will be passed over.

MRS. GEORGE A. MEFFAN

The bill (H. R. 7031) for the relief of Mrs. George A. Meffan was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 9835) to provide for the termination of Government operations which are in competition with private enterprise was announced as next in order.

Mr. GORE. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

GERTRAUT HILDEGARDE MARIE HUBINGER AND FRANZ HUBINGER

The bill (S. 2115) for the relief of Gertraut Hildegarde Marie Hubinger and Franz Hubinger was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Gertraut Hildegarde Marie Hubinger and Franz Hubinger shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

HEDWIG MARIE ZUANMULLER

The bill (S. 2692) for the relief of Hedwig Marie Zuanmuller was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Hedwig Marie Zuanmuller shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

FRANCIS BERTRAM BRENNAN

The bill (S. 2694) for the relief of Francis Bertram Brennan was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Francis Bertram Brennan, shall be held and considered to be the natural-born alien child of William F. Brennan, a citizen of the United States.

DEMETRIOS MATARAGGIOTIS AND OTHERS

The bill (H. R. 697) Demetrios Mataraggiotis and others was considered, ordered to a third reading, read the third time and passed.

HENRIETTE MATTER

The bill (H. R. 717) for the relief of Henriette Matter was considered, ordered to a third reading, read the third time, and passed.

SISTER GIUSEPPINA GIACCONE

The bill (H. R. 822) for the relief of Sister Giuseppina Giaccone was considered, ordered to a third reading, read the third time, and passed.

KATHARINE BALSAMO

The bill (H. R. 832) for the relief of Katharine Balsamo was considered, ordered to a third reading, read the third time, and passed.

SISTER MARY GERTRUDE (MARY GERTRUDE KELLY)

The bill (H. R. 839) for the relief of Sister Mary Gertrude (Mary Gertrude Kelly) was considered, ordered to a third reading, read the third time, and passed.

NASSER ESPHAHANIAN

The bill (H. R. 877) for the relief of Nasser Esphahanian was announced as next in order.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a brief statement regarding the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR JOHNSON OF TEXAS

This bill would grant the status of permanent residence in the United States to Nasser Esphahanian, a native and citizen of Iran.

The beneficiary of the bill entered the United States on September 16, 1946, as a student. He pursued a course in petroleum engineering and has had practical training in that field with oil companies in this country.

The applicant, now 25 years of age, has been shown to be a man of good character. He has no criminal record in the United States or in any other country. He was a good student in college. Many substantial citizens of the town of Mount Pleasant, Tex., where he now resides, have vouched for his good character and high standing in the community.

The bill provides for an appropriate quota deduction and for payment of the required visa fee.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 877) was considered, ordered to a third reading, read the third time, and passed.

AUGUSTIN MONDREAL

The bill (H. R. 1622) for the relief of Augustin Mondreal was considered, ordered to a third reading, read the third time, and passed.

JOHANN GROBEN

The bill (H. R. 1627) for the relief of Johann Groben was considered, ordered to a third reading, read the third time, and passed.

CHARLOTTE MARGARITA SCHMIDT

The bill (H. R. 2480) for the relief of Charlotte Margarita Schmidt was considered, ordered to a third reading, read the third time, and passed.

GIACOMO BARTOLO VANADIA

The bill (H. R. 2483) for the relief of Giacomo Bartolo Vanadia was considered, ordered to a third reading, read the third time, and passed.

STANISLAW MAJZNER (ALIAS STANLEY MAISNER)

The bill (H. R. 2500) for the relief of Stanislaw Majzner (alias Stanley Maisner) was considered, ordered to a third reading, read the third time, and passed.

MRS. CLAIRE GODREAU DAIGLE

The bill (H. R. 2794) for the relief of Mrs. Claire Godreau Daigle was considered, ordered to a third reading, read the third time, and passed.

LOUIE ELLA ATTAWAY

The bill (H. R. 3388) for the relief of Louie Ella Attaway was considered, ordered to a third reading, read the third time, and passed.

MARIA PACCIONE PICA

The bill (H. R. 3447) for the relief of Maria Paccione Pica was considered, ordered to a third reading, read the third time, and passed.

MAJ. ELIAS M. TSOUGRANIS

The bill (H. R. 3507) for the relief of Maj. Elias M. Tsougranis was considered, ordered to a third reading, read the third time, and passed.

MRS. ERNA ROSITA PONT

The bill (H. R. 3520) for the relief of Mrs. Erna Rosita Pont (formerly Erna Rosita Michel) was considered, ordered to a third reading, read the third time, and passed.

MARKO RIBIC

The bill (H. R. 3665) for the relief of Marko Ribic was considered, ordered to a third reading, read the third time, and passed.

INGE BECKMANN

The bill (H. R. 3750) for the relief of Inge Beckmann was considered, ordered to a third reading, read the third time, and passed.

ROBERTO JOHNSON

The bill (H. R. 3874) for the relief of Roberto Johnson was considered, ordered to a third reading, read the third time, and passed.

ANDREA PAULETTE QUARTREHOMME AND HER CHILD

The bill (H. R. 4426) for the relief of Andrea Paulette Quartrehomme and her child was considered, ordered to a third reading, read the third time, and passed.

LOUISE RANK

The bill (H. R. 4437) for the relief of Louise Rank was considered, ordered to a third reading, read the third time, and passed.

PETRUS VAN KEER

The bill (H. R. 4522) for the relief of Petrus Van Keer was considered, ordered to a third reading, read the third time, and passed.

ALEXANDER PETSCHE

The bill (H. R. 4815) for the relief of Alexander Petsche was considered, ordered to a third reading, read the third time, and passed.

PIETRO PETRALIA

The bill (H. R. 4908) for the relief of Pietro Petralia was considered, ordered to a third reading, read the third time, and passed.

AUGUSTA OPPACHER BIALEK

The bill (H. R. 5119) for the relief of Augusta Oppacher Bialek was considered, ordered to a third reading, read the third time, and passed.

TAKEKO ISHIKI

The bill (H. R. 5459) for the relief of Takeko Ishiki was considered, ordered to a third reading, read the third time, and passed.

DR. LU JEN-LUNG

The bill (H. R. 5553) for the relief of Dr. Lu Jen-Lung was announced as next in order.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a brief statement in regard to the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR JOHNSON OF TEXAS

This bill would grant permanent residence, under the Immigration and Nationality Act, to Dr. Lu Jen-Lung, at this time a resident of Dallas, Tex.

Dr. Lu Jen-Lung came to the United States October 1, 1951, on an exchange visitor visa as a rotating intern. He is now in a second year residency in surgery at Methodist Hospital in Dallas.

The administrator of the Methodist Hospital states that the doctor has done creditable work there, demonstrating both capability in his profession and a very willing attitude. He states it is highly desirable to Methodist Hospital that Dr. Lu Jen-Lung be allowed to continue his training and service in his present capacity.

Other doctors and leading citizens of Dallas have urged passage of this bill for the relief of Dr. Lu Jen-Lung.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 5553) was considered, ordered to a third reading, read the third time, and passed.

MARIA TERESA LUBIATO

The bill (H. R. 5749) for the relief of Maria Teresa Lubiato was considered, ordered to a third reading, read the third time, and passed.

FRANK ROBERT GAGE

The bill (H. R. 6266) for the relief of Frank Robert Gage was considered, ordered to a third reading, read the third time, and passed.

ELENA SCARPETTI SAVELLI

The bill (H. R. 6355) for the relief of Elena Scarpetti Savelli was considered, ordered to a third reading, read the third time, and passed.

TAMIKO FUJIWARA

The bill (H. R. 6442) for the relief of Tamiko Fujiwara was considered, ordered to a third reading, read the third time, and passed.

ELFRIEDE LINA AVITABLE, NEE ROSER

The bill (H. R. 6498) for the relief of Elfriede Lina Avitable, nee Roser, was considered, ordered to a third reading, read the third time, and passed.

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MRS. MARIA GIUSEPPA DE LISA QUAGLIANO

The bill (H. R. 6752) for the relief of Mrs. Maria Giuseppa De Lisa Quagliano was considered, ordered to a third reading, read the third time, and passed.

MRS. IRMGARD (CHRAPKO) BROUGHMAN

The bill (H. R. 6762) for the relief of Mrs. Irmgard (Chrapko) Broughman was considered, ordered to a third reading, read the third time, and passed.

MRS. EFTHEMIA SOFTERALIS

The bill (H. R. 6858) for the relief of Mrs. Efthemia Soteralis was considered, ordered to a third reading, read the third time, and passed.

Mrs. ANNA J. WEIGLE

The bill (H. R. 7033) for the relief of Mrs. Anna J. Weigle was considered, ordered to a third reading, read the third time, and passed.

MAZAL KOLMAN

The bill (H. R. 7151) for the relief of Mazal Kolman was considered, ordered to a third reading, read the third time, and passed.

ASTOR VERGATA

The bill (H. R. 7217) for the relief of Astor Vergata was considered, ordered to a third reading, read the third time, and passed.

GAETANO CONTI

The bill (H. R. 7581) for the relief of Gaetano Conti was considered, ordered to a third reading, read the third time, and passed.

SHIMASOI MICHIKO

The bill (H. R. 7829) for the relief of Shimasoi Michiko was considered, ordered to a third reading, read the third time, and passed.

ERIKA SCHNEIDER BUONASERA

The bill (H. R. 7834) for the relief of Erika Schneider Buonasera was considered, ordered to a third reading, read the third time, and passed.

MISS MARTHA HEUSCHELE

The bill (H. R. 7938) for the relief of Miss Martha Heuschele was considered, ordered to a third reading, read the third time, and passed.

MRS. ERIKA (HOHENLEITNER) STAPLETON

The bill (H. R. 7947) for the relief of Mrs. Erika (Hohenleitner) Stapleton was considered, ordered to a third reading, read the third time, and passed.

CARLOS FRANCISCO, MANRIQUETA MINA, AND ROBERTO MINE VER

The bill (H. R. 8065) for the relief of Carlos Francisco, Manriqueta Mina, and Roberto Mina Ver was considered, ordered to a third reading, read the third time, and passed.

ELFRIEDE IDA GEISSLER

The bill (H. R. 8183) for the relief of Elfriede Ida Geissler was considered, ordered to a third reading, read the third time, and passed.

MRS. DOROTHY NELL WOOLGAR ALLEN

The bill (H. R. 8244) for the relief of Mrs. Dorothy Nell Woolgar Allen was considered, ordered to a third reading, read the third time, and passed.

ILSE RADLER HUGHES

The bill (H. R. 8375) for the relief of Ilse Radler Hughes was considered, ordered to a third reading, read the third time, and passed.

MRS. ELSE JOHNSON

The bill (H. R. 8424) for the relief of Mrs. Else Johnson was considered, ordered to a third reading, read the third time, and passed.

MARIA M. KHOE

The bill (H. R. 8554) for the relief of Maria M. Khoe was considered, ordered to a third reading, read the third time, and passed.

EZIO BERTONI

The bill (H. R. 8557) for the relief of Ezio Bertoni was considered, ordered to a third reading, read the third time, and passed.

DANA EVANOVICH

The bill (H. R. 8936) for the relief of Dana Evanovich was considered, ordered to a third reading, read the third time, and passed.

PAUL JAMES PATRIE

The bill (H. R. 9029) for the relief of Paul James Patrie was considered, ordered to a third reading, read the third time, and passed.

ELISABETH HOEFT

The bill (H. R. 9496) for the relief of Elisabeth Hoeft was considered, ordered to a third reading, read the third time, and passed.

MRS. FRANZISKA (HAN) RIGAU

The bill (H. R. 9512) for the relief of Mrs. Franziska (Han) Rigau was considered, ordered to a third reading, read the third time, and passed.

MR. FU-HO CHAN, MRS. FU-HO CHAN, AND THEIR CHILD RICHARD CHAN

The bill (H. R. 9953) for the relief of Mr. Fu-Ho Chan, Mrs. Fu-Ho Chan, and their child, Richard Chan, was considered, ordered to a third reading, read the third time, and passed.

RELIEF OF CERTAIN PALESTINIAN ARAB REFUGEES

The Senate proceeded to consider the bill (S. 1345) for the relief of certain Palestinian Arab refugees, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Nasin Boulus, Suad Cassis, and Dr. Fuad Dirbas shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HILDEGARDE HILLER

The Senate proceeded to consider the bill (S. 1892) for the relief of Hildegarde Hiller, which had been reported from the Committee on the Judiciary with an amendment, in line 7, after the word "fee", to strike out "and head tax", so as to make the bill read:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Hildegarde Hiller shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota officer to deduct one number from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

OSKAR ASZMONEIT

The Senate proceeded to consider the bill (S. 3362) for the relief of Oskar Aszmoneit, which had been reported from the Committee on the Judiciary with an amendment, in line 7, after the word "act", to insert a colon and "*Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of section 212 (a) (9) of the Immigration and Nationality Act, Oskar

Aszmoneit may be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of such act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

IRFAN KAWAR

The Senate proceeded to consider the bill (S. 1342) for the relief of certain Palestinian Arab refugees, which had been reported from the Committee on the Judiciary with amendments, to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Irfan Kawar shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon the payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Irfan Kawar."

GEORGE HARB

The Senate proceeded to consider the bill (S. 1343) for the relief of George Harb, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, George Harb shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon the payment of the required visa fee. Upon the granting of permanent residence to such alien as provided in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of George Harb."

RELIEF OF CERTAIN PALESTINIAN ARAB REFUGEES

The Senate proceeded to consider the bill (S. 2203) for the relief of certain Palestinian Arab refugees, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Andraous Jad Suidan and Leonora Yenovkian shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Andraous Jad Suidan and Leonora Yenovkian."

PATRICIA A. PEMBROKE

The bill (H. R. 1904) for the relief of Patricia A. Pembroke was considered, ordered to a third reading, read the third time, and passed.

RALEIGH HILL

The Senate proceeded to consider the bill (H. R. 6529) for the relief of Raleigh Hill, which had been reported from the Committee on the Judiciary with an amendment, on page 2, line 4, after the word "act", to strike out "in excess of 10 percent thereof."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

ABOLITION OF COMMISSION FOR ENLARGING CAPITOL GROUNDS

The Senate proceeded to consider the bill (S. 1042) to abolish the Commission for the enlarging of the Capitol Grounds, which had been reported from the Committee on Public Works with an amendment, to strike out all after the enacting clause and insert:

That the Commission for the Enlarging of the Capitol Grounds, created by the act of April 11, 1928 (45 Stat. 420), having fully executed all the duties imposed upon it by law, accomplished the purposes for which it was created, settled all accounts, and submitted its final report to Congress, is hereby dissolved and the members of such Commission discharged from any further duties in connection with the matters heretofore committed by law to such Commission.

SEC. 2. Any revocable permits now in effect, heretofore granted by the Architect of the Capitol, under the direction of the Commission for the Enlarging of the Capitol Grounds, to owners of properties adjacent to the Capitol Grounds, for construction, maintenance and use of walkways, approaches, or driveways in the Capitol Grounds, providing access to such properties from the Capitol Grounds, subject to revocation by such Commission or by the Architect of the Capitol, shall continue in effect, subject to revocation by the Architect of the Capitol under the direction and approval of the President of the Senate and the Speaker of the House of Representatives. The Architect of the Capitol, with the approval of the President of the Senate and the Speaker of the House of Representatives, is authorized hereafter to grant similar revocable permits to the owners of any properties adjacent to the Capitol Grounds whenever such action is deemed necessary to provide proper access to such properties from the Capitol Grounds; and such permits shall be in the form of an agreement saving the United States harmless from and against any and all claims of any nature or kind that may arise from anything that may be connected with or grow out of such permits, and containing such other provisions and conditions as the Architect of the Capitol may deem necessary or proper.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 3660) to make the employment, and related practices, of any alien known by an employer to have entered the United States illegally within 3 years thereof unlawful, and for other purposes, was announced as next in order.

Mr. McCARRAN. Over.

The PRESIDING OFFICER. The bill will be passed over.

ILLEGAL TRANSPORTATION OF ALIENS ACT OF 1954—BILL PASSED OVER

The bill (S. 3661) to provide for the seizure and forfeiture of any vessel or vehicle used in transportation of any alien known by the owner thereof to have entered the United States illegally within 3 years thereof, and for other purposes, was announced as next in order.

Mr. SMATHERS. Over.

Mr. HENDRICKSON. Mr. President, will the Senator withhold his objection while the junior Senator from New Jersey sends to the desk an amendment for consideration and adoption?

The PRESIDING OFFICER. Is the Senator referring to Calendar No. 2481, Senate bill 3661?

Mr. HENDRICKSON. That is correct.

Mr. SMATHERS. I withhold my objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary with amendments.

Mr. HENDRICKSON. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from New Jersey will be stated.

The LEGISLATIVE CLERK. On page 3, line 7, beginning with "(1)" it is proposed to strike out all down to and including "owner or" in line 10, and insert in lieu thereof the following: "the owner or the master of such vessel, or the owner, engineer."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Jersey.

The amendment was agreed to.

The PRESIDING OFFICER. Is there objection to the further consideration of the bill?

Mr. SMATHERS. Mr. President, reserving the right to object, does the Senator wish to make a statement first?

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I shall request that the bill be passed over.

Mr. HENDRICKSON. Mr. President, my amendment would make the provision with respect to who must be a consenting party privy to the alleged illegal act the same with respect to all vessels or vehicles defined in the bill. It is a standard provision.

The PRESIDING OFFICER. Will the Senator from Florida withhold his objection until action can be taken on the committee amendments?

Mr. SMATHERS. Mr. President, I ask that the bill go over, by request. I do not know whether the Senator who asked me to object is in favor of the amendments or not. Therefore I must ask that the bill go over.

The PRESIDING OFFICER. The amendment offered by the Senator from New Jersey [Mr. HENDRICKSON] has been agreed to, but the committee amendments remain to be agreed to. The bill will be passed over.

The PRESIDING OFFICER subsequently said: In order to clear up the situation with reference to Calendar No. 2481, Senate bill 3661, with respect to which the junior Senator from Florida [Mr. SMATHERS] indicated that the Senator who objected to the bill was not present, and therefore he was not aware as to whether or not the objector was in agreement with the amendments, without objection, the action taken by the Senate in agreeing to the amendment offered by the Senator from New Jersey will be reconsidered, and the amendment will be placed with the bill, so that it may be stated when the next calendar call occurs.

Mr. HENDRICKSON. That is entirely satisfactory.

RELIEF OF CERTAIN ALIEN SHEEPHERDERS—BILL PLACED AT FOOT OF CALENDAR

The bill (S. 2813) for the relief of certain alien sheepherders was announced as next in order.

Mr. COOPER. Mr. President, may we have an explanation of the bill?

Mr. McCARRAN. Mr. President, the purpose of the bill is to grant the status of permanent residence in the United States to eight sheepherders. The bill provides for appropriate quota deductions and for the payment of the required visa fees.

The beneficiaries of the bill are all natives and citizens of Spain except Panagoitis Zeras, who is a native and citizen of Greece. They all entered the United States in temporary status and they are presently employed on various sheep ranches in the West.

A letter, with attached memoranda, to the chairman of the Senate Committee on the Judiciary from the Commissioner of Immigration and Naturalization approving the bill, is in the report.

I say "approving the bill." To be frank with the Senator, I have not read the communication which is attached. I understand that the Commissioner approves the bill. The communication reads as follows:

UNITED STATES
DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington 25, D. C.

Hon. WILLIAM LANGER,
Chairman, Committee on the Judiciary,
United States Senate,
Washington 25, D. C.

DEAR SENATOR: In response to your request of the Department of Justice for a report relative to the bill (S. 3813) for the relief of certain alien sheepherders, there are attached memoranda of information concerning the beneficiaries. These memoranda have been prepared from the files of the Immigration and Naturalization Service relating to the beneficiaries.

The bill would provide that the beneficiaries shall be held and considered to have been lawfully admitted to the United States for permanent residence as of date of enactment of the act, upon payment of the required visa fees, and would also provide that the required numbers be deducted from the appropriate quotas for the first year that such quotas are available.

The aliens are chargeable to the quota of Spain.

Sincerely,

———— ————,
Commissioner.

Mr. HENDRICKSON. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. HENDRICKSON. I am informed that 8 sheepherders are involved in the bill, and that, of the 8, 5 are deserters from ships. We had quite a discussion of this whole subject in connection with a recent calendar call. I think it is very dangerous to take in people who are deserters and endorse, by legislation, their desertion. However, in view of the fact that the distinguished Senator from Idaho [Mr. WELKER] is absent, I shall ask that the bill go over and be included in the next call of the calendar, if there is one.

The PRESIDING OFFICER. Does the Chair correctly understand that the Senator requests that the bill be passed over until the next call of the calendar?

Mr. HENDRICKSON. I ask unanimous consent that the bill be placed at the foot of this calendar.

The PRESIDING OFFICER. Without objection, the bill will be placed at the foot of the calendar.

REGINE DU PLANTY

The bill (H. R. 2061) for the relief of Regine du Planty was considered, ordered to a third reading, read the third time, and passed.

BROTHER EUGENE CUMERLATO

The bill (H. R. 2393) for the relief of Brother Eugene Cumerlato was considered, ordered to a third reading, read the third time, and passed.

PIMEN MAXIMOVITCH SOFRONOV

The bill (H. R. 3566) for the relief of Pimen Maximovitch Sofronov was considered, ordered to a third reading, read the third time, and passed.

GILBERT ELKANAH RICHARDS, ADELAIDE GERTRUDE RICHARDS, AND ANTHONY GILBERT RICHARDS

The bill (H. R. 3869) for the relief of Gilbert Elkanah Richards, Adelaide Gertrude Richards, and Anthony Gilbert Richards was considered, ordered to a third reading, read the third time, and passed.

JOSEF, PAULA, AND KURT FRIEDBERG

The bill (H. R. 4015) for the relief of Josef, Paula, and Kurt Friedberg was considered, ordered to a third reading, read the third time, and passed.

JORGE SOLE MASSANA AND MONTSERRAT THOMASA - SANCHEZ MASSANA

The bill (H. R. 4054) for the relief of Jorge Sole Massana and Montserrat Thomasa-Sanchez Massana was considered, ordered to a third reading, read the third time, and passed.

MRS. HELENA PIASECKA

The bill (H. R. 4427) for the relief of Mrs. Helena Piasecka was considered, ordered to a third reading, read the third time, and passed.

BASILIOS XARHOULACOS

The bill (H. R. 4969) for the relief of Basilios Xarhoulacos was considered, ordered to a third reading, read the third time, and passed.

PAULINE KATZMANN

The bill (H. R. 5194) for the relief of Pauline Katzmann was considered, ordered to a third reading, read the third time, and passed.

HENRY (ALSO KNOWN AS HEINRICH) SCHOR, SALLY (ALSO KNOWN AS SALI) SCHOR, AND GITA (ALSO KNOWN AS GITTA AVIVA) SCHOR

The bill (H. R. 5319) for the relief of Henry (also known as Heinrich) Schor, Sally (also known as Sali) Schor, and Gita (also known as Gitta Aviva) Schor was considered, ordered to a third reading, read the third time, and passed.

BOB KAN AND FOURERE KAN

The bill (H. R. 5344) for the relief of Bob Kan and Fourere Kan was considered, ordered to a third reading, read the third time, and passed.

RODOLFO NAVARRO

The bill (H. R. 6492) for the relief of Rodolfo Navarro was considered, ordered to a third reading, read the third time, and passed.

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MARIANA GEORGE LOIZOS KELLIS

The bill (H. R. 7828) for the relief of Mariana George Loizos Kellis was considered, ordered to a third reading, read the third time, and passed.

SOHAN SINGH RAI AND JOGINDAR KAUR RAI

The bill (H. R. 7885) for the relief of Sohan Singh Rai and Jogindar Kaur Rai was considered, ordered to a third reading, read the third time, and passed.

JOHANNA SCHMID

The Senate proceeded to consider the bill (S. 3238) for the relief of Johanna Schmid, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That, in the administration of the Immigration and Nationality Act, Johanna Schmid, the fiancée of Edmond J. Bolz, Jr., a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months: *Provided*, That the administrative authorities find that the said Johanna Schmid is coming to the United States with a bona fide intention of being married to the said Edmond J. Bolz, Jr., and that she is found otherwise admissible under the provisions of the Immigration and Nationality Act other than the provision of section 212 (a) (9) of that act: *Provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act. In the event that the marriage between the above-named persons does not occur within 3 months after the entry of the said Johanna Schmid, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Johanna Schmid, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Johanna Schmid as of the date of the payment by her of the required visa fee.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SERGIO EMERIC

The bill (H. R. 3024) for the relief of Sergio Emeric was considered, ordered to a third reading, read the third time, and passed.

INCREASE OF BORROWING POWER OF COMMODITY CREDIT CORPORATION—BILL PASSED OVER

The bill (H. R. 9756) to increase the borrowing power of the Commodity Credit Corporation was announced as next in order.

Mr. COOPER. May we have an explanation of the bill?

Mr. SMATHERS. Mr. President, I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

AMENDMENT OF INTERNAL REVENUE CODE PERMITTING ORAL PRESCRIPTIONS FOR CERTAIN DRUGS—BILL PASSED TO FOOT OF CALENDAR

The bill (S. 3447) to amend the Internal Revenue Code to permit the filling of oral prescriptions for certain drugs, and for other purposes, was anounced as next in order.

Mr. GORE. Mr. President, I ask that the bill go to the foot of the calendar.

The PRESIDING OFFICER. The bill will be placed at the foot of the calendar.

FEDERAL RECLAMATION LAWS

The bill (H. R. 5301) to supplement the Federal reclamation laws by providing for Federal cooperation in non-Federal projects and for participation by non-Federal agencies in Federal projects was announced as next in order.

Mr. SMATHERS. Mr. President, I ask that the bill go over.

Mr. MALONE. Mr. President, will the Senator withhold his objection?

Mr. SMATHERS. I am happy to withhold it.

Mr. MALONE. Mr. President, although the bill was reported by the Senator from Utah [Mr. WATKINS], I am a member of the committee, and I listened to the testimony on the bill.

The purpose of this bill is to allow the Federal Government, through the Bureau of Reclamation, to participate to a limited amount in projects which would be primarily privately financed. The principle involved would allow a trend toward private financing for a certain type of reclamation project.

It sets the precedent of private financing participation in the construction of such projects.

In any event each project so financed costing above a limited amount must be approved by the Congress of the United States.

I merely desired the distinguished Senator from Florida to know the thought and idea behind this bill, namely, to provide for private financing participation through organizations recognized under State laws.

Mr. WATKINS. Mr. President——

The PRESIDING OFFICER. The Senator from Utah.

Mr. WATKINS. I should like to ask the Senator from Florida who is objecting to this bill. May I have the name of the Senator?

Mr. SMATHERS. May I say to the able Senator from Utah it was the junior Senator from Florida who felt, first, that this was a fundamental change in the policy of the Federal Government, albeit possibly a good change. Nonetheless, from what information we had, this bill was acted on by the committee at a time when the minority party was not present in the committee meeting. It is not that those members would have any objection, but rather because of the nature of the bill and the importance of the bill we did not feel it should be considered on the call of the calendar.

Mr. WATKINS. Mr. President——

The PRESIDING OFFICER. The Senator from Utah.

Mr. WATKINS. I do not wish to take the time of the Senate now to discuss this measure. However, I should like to request unanimous consent that there may be printed in the RECORD at this point an explanation of this bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WATKINS

The bill recognizes a situation in the arid West which has long existed in connection with the development of small reclamation projects. The bill would enable States, agencies of States, and interstate agencies to study, plan, and design small projects in the field of reclamation activity. Upon a proper showing of financial and economic feasibility, accompanied by acceptable structural designs and specifications, the Secretary of the Interior would be authorized to submit proposals to construct such projects to the Congress on the basis of financing the undertakings jointly by the proposing agencies and the Federal Government.

The bill contains several provisions that are of direct interest to the Congress. They contain these principles:

(a) Compliance with existing laws in regard to relationships between the States where interstate streams are involved.

(b) Observance of State laws governing uses and appropriations of water.

(c) Conformity with Federal and State laws in the formation of contracting organizations that will be responsible for repayment of Federal or other loans.

(d) Require, except for very small projects, authorization by the Congress prior to consummation of a repayment contract by the Secretary of the Interior.

(e) Cooperation with Federal agencies in technical studies and basic designs.

The bill amply safeguards the interests of the Government by giving the Secretary of the Interior the power to make rules and regulations as may be necessary or proper in carrying out the small projects program. While the projects coming under the purview of the bill are limited to the maximum total cost of $5 million, this includes the cost, or value, of lands, easements, rights-of-way, water rights, or necessary properties, up to 25 percent of the total cost, and Congress is not required to loan funds for these items. The Federal Treasury is not financing as great a share of such projects as it does under existing procedures.

However, the Secretary has the further duty of passing upon the project proposals before submitting them to the Congress, but projects costing less than $200,000 need not be authorized by Congress.

The Congress has expressed its policies on furtherance of local autonomy in section 1 of the Flood Control Act of 1944. The 17 Western States strongly supported that policy. The pertinent part of the section referred to is as follows:

"In connection with the exercise of jurisdiction over the rivers of the Nation through the construction of works of improvement, for navigation or flood control, as herein authorized, it is hereby declared to be the policy of the Congress to recognize the interests and rights of the States in determining the development of the watersheds within their borders and likewise their interests and rights in water utilization and control, as herein authorized to preserve and protect to the fullest possible extent established and potential uses, for all purposes, of the waters of the Nation's rivers; to facilitate the consideration of projects on a basis of comprehensive and coordinated development; and to limit the authorization and construction of navigation works to those in which a substantial benefit to navigation will be real-

ized therefrom and which can be operated consistently with appropriate and economic use of the waters of such rivers by other users."

We now have the opportunity to put this policy to work in a specific way, under safe rules of procedure, and without limiting in any way the rights and prerogatives of Congress to examine and approve programs and projects coming under this legislation. The bill deals only with public agencies of the 17 Western States, which are under the supervision of these States. The results of the legislation recommended should prove generally beneficial to the economy of the Nation. The selection of a project would be subject to the approval of the direct beneficiaries, who would, at the outset, have a financial stake in the venture. The bill is supported by the National Reclamation Association, an organization representing all irrigation and reclamation interests throughout the West. I know of no opposition from any irrigation district, reclamation district, State organization, or from any similar irrigation organization in the West. The bill should be enacted without delay.

Mr. WATKINS. I hope the majority leader will see to it that this bill is called to the attention of the Senate and is scheduled for consideration, because it is a very important measure.

Mr. KNOWLAND. I will say to the Senator from Utah, in answer to his statement, that the reason for the calendar call today was to make it possible for us to ascertain which bills could be disposed of. I realize the importance of this proposed legislation, and I shall take it up with the policy committee, with a recommendation that it be included.

Mr. WATKINS. Mr. President, I do not know of any opposition whatever to this measure in the Committee on Interior and Insular Affairs, either Democratic or Republican.

The PRESIDING OFFICER. The bill has been objected to by the Senator from Florida. Is the objection renewed?

Mr. SMATHERS. I object.

The PRESIDING OFFICER. The bill goes over.

PATENT IN FEE TO LEONA HUNGRY

The bill (H. R. 2154) authorizing the issuance of a patent in fee to Leona Hungry was announced as next in order.

Mr. GORE. Over.

Mr. WATKINS. Mr. President, may I inquire as to who objects to consideration of H. R. 2154?

Mr. GORE. I understand that the Department of the Interior feels the bill is not needed, and feels it has authority to validate the deed to the property.

I have no objection to the bill passing, except that it seemed unnecessary, judging from the report.

Mr. WATKINS. The latest report from the Department of the Interior favored the passage of the bill. We had conflicting reports, and we requested another report, which now is in favor of passage.

This bill merely authorizes a transfer to this woman of title in fee to an allotment which she already has. She desires to dispose of the land, and cannot do so unless she has fee title.

Mr. GORE. Did not the last report indicate passage of the bill was not necessary?

Mr. CORDON. Mr. President, will the Senator yield?

Mr. WATKINS. I yield to the Senator from Oregon.

Mr. CORDON. There was a report submitted indicating that an agreement had been reached between the owner of the trust title, Leona Hungry, and the Department of the Interior, through the superintendent of the Indian Agency, and others, with respect to a method of handling the title. On the basis of that, the committee postponed any action, assuming that would be wholly satisfactory and would end the matter.

In the last few days of the meetings of the committee we were advised by the sponsor of the bill on the House side that the situation had changed, that the arrangements which were thought to be consummated had not been consummated; whereupon the chairman of the committee requested that the representatives of the Department of the Interior present at the meeting determine the situation, so that the committee would know whether to simply postpone the action permanently, or to vote to report the bill.

The information which was delivered to the committee by representatives of the Department was that there was no objection to the issuance of a patent, following direction from the Congress. So the committee reported the bill.

Mr. GORE. The point I raise is: Is it necessary in order to validate the title?

Mr. CORDON. I think it might be said that none of the bills of this character are absolutely necessary. This is not a validation of title. It is an issuance of a title in fee clear of a trust restriction. Such titles may be issued by the Department, but it has been the experience of the committee over a period of many years that they very seldom are. The only time we have found that an individual Indian will have his competency actually checked is when a bill is introduced in the Congress. Then the proceeding will be had, because there is pending legislation and it is necessary. This is one of those bills.

Mr. GORE. Does this procedure not invite a flood of bills of similar character?

Mr. CORDON. We have pursued the same procedure over a great number of years. I doubt that there are ever more than a couple of dozen such bills during a session.

Mr. GORE. Mr. President, I am perfectly satisfied to accept the judgment of the two distinguished Senators. I withdraw any objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 2154) authorizing the issuance of a patent in fee to Leona Hungry was considered, ordered to a third reading, read the third time, and passed.

FEDERAL RECLAMATION PROJECTS—BILL PASSED OVER

The bill (H. R. 9981) to provide for the construction of distribution systems on authorized Federal reclamation projects by irrigation districts and other public agencies was announced as next in order.

Mr. SMATHERS. Mr. President, I ask that the bill go over.

Mr. BARRETT. Mr. President, will the Senator withhold his objection?

Mr. SMATHERS. I shall be glad to withhold it.

Mr. BARRETT. Mr. President, this bill was unanimously reported by the Committee on Interior and Insular Affairs. So far as I know, there was no objection raised to the bill at the time of its consideration by the committee. The minority members—or at least some of them—were present at the committee meeting.

I believe this is a very meritorious bill, and it has the support of the entire West.

May I ask if the Senator from Florida would agree to placing this bill at the foot of the calendar, so that we may consult with some of the members of the committee on the other side?

Mr. SMATHERS. I may say to the Senator from Wyoming, as I said before, we have no objection to this bill on the ground that we think in substance it is a bad bill. We think possibly it is a very good bill. However, this is the type of bill which we believe sets a new precedent in some respects, and for that reason it should be debated rather fully on the floor.

So far as the junior Senator from Florida is concerned, I shall individually support the bill. However, it is not the kind of bill we think should be passed on a call of the calendar.

Mr. BARRETT. I thank the Senator from Florida.

Mr. President, I ask unanimous consent that there may be included in the RECORD at this point a statement with regard to this bill, H. R. 9981.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BARRETT

This bill provides that the Secretary of the Interior may lend funds appropriated by the Congress for the construction of reclamation projects to water-users' organizations so that they may be able to undertake the construction of distribution works. This procedure recognizes the principle that local engineers representing water-users' organizations directly may have knowledge and experience enabling them to prepare better designs and specifications to meet strictly local conditions.

There was testimony submitted during hearings before the House committee to the effect that some of those districts had estimates of costs prepared by local engineers which indicated that the cost to water users for those works would be about one-half of the cost estimated by the Bureau of Reclamation. An explanation of this difference is, of course, a reduction in overhead costs.

In some instances, according to the testimony, only rough estimates had been made by the Bureau of Reclamation, whereas detailed surveys and designs had been prepared by engineers employed by the districts, and those plans had been accepted as preferable by the districts. The bill provides safeguards for such loans as the Secretary finds to be desirable. Provisions in the bill require that repayment for distribution systems by the local districts shall be within the 40-year period which is presently required by reclamation law. A further provision is that the water-users' association undertaking such

construction shall finance privately up to 10 percent of the total cost.

The committee is of the opinion that savings would result to the water users from these procedures and that the appropriations required from Federal funds would be reduced greatly.

The bill also provides that the Secretary shall require in repayment contracts with local districts certain specific guaranties with respect to operation and maintenance of the project after completion.

The bill relates only to irrigation works distribution systems and for supplying domestic and stock water. Thus, it in no way permits municipalities or industries to secure loans under this bill.

Witnesses in support of the bill appeared from Texas, Wyoming, California; the National Reclamation Association, American Farm Bureau Federation, and the Bureau of Reclamation. Favorable reports from the Bureau of the Budget and the Department of the Interior are made a part of the report on the bill. The committee notes that the comments of the Departments suggest that local entities contribute some portion of the construction costs, and costs of properties required. However, instances may well occur where the Secretary of the Interior has begun the acquisition of properties and rights-of-way. The intent of the legislation is to achieve a better economic basis for projects meeting standards acceptable to the Secretary of the Interior.

The PRESIDING OFFICER. The bill will be passed over.

PERPETUAL EASEMENT OF RIGHT-OF-WAY FOR ELECTRIC TRANSMISSION-LINE PURPOSES

The bill (H. R. 8205) to authorize the conveyance by the Secretary of the Interior to Virginia Electric & Power Co. of a perpetual easement of right-of-way for electric transmission-line purposes across lands of the Richmond National Battlefield Park, Va., such easement to be granted in exchange for, and in consideration of, the conveyance for park purposes of approximately 6 acres of land adjoining the park, was announced as next in order.

Mr. MORSE. Mr. President, for the sake of the record, I understand that what has happened in this case is that the Government has entered into an exchange of land for this easement. For future reference, because this involves a conveyance of property rights, I understand the bill provides for an exchange of property interests, the Federal Government getting approximately 6 acres of land to be used for park purposes in exchange for the right-of-way which is granted to the company concerned. I also understand that that is believed to be very adequate compensation for the exchange of interests, and that, therefore, it does not in any way violate the Morse formula. I have no objection, if those are the facts.

Mr. CORDON. Mr. President, will my colleague yield?

Mr. MORSE. I yield.

Mr. CORDON. In this instance there was an exchange. The right-of-way in question which was used by the power company is now in use. The bill simply perpetuates the use of the right-of-way, and there is given in exchange an area in addition which goes to the United States.

Mr. MORSE. Mr. President, for the record I accept that explanation, and I shall not object to the passage of the bill, because it is my understanding, as I read the committee report, that this is a fair exchange whereby the Federal Government is receiving fair value for the property under consideration.

The PRESIDING OFFICER. Is there objection to consideration of the bill?

There being no objection, the bill (H. R. 8205) was considered, ordered to a third reading, read the third time, and passed.

CONVEYANCE OF LANDS BY SOUTHERN PACIFIC RAILROAD CO.—BILL PLACED AT FOOT OF CALENDAR

The bill (H. R. 7881) to validate a conveyance of certain lands by Southern Pacific Railroad Co., and its lessee, Southern Pacific Co., to Morgan Hopkins, Inc., was announced as next in order.

Mr. MORSE. Mr. President, this bill concerns me very much, and I reserve the right to object until I hear an explanation or a discussion of the point I now wish to make. The committee report shows, on the first page, that what happened in 1871 was that Congress granted to the Southern Pacific Railroad Co. a right-of-way in southern California. Under court decisions, this right-of-way grant was a limited fee with an implied right of reverter in the United States if and when the right-of-way ceased to be used for railroad purposes. In many instances, the railroad found that some of the grant was not required for right-of-way use and sold the unneeded portion to industries, in the belief that it had such authority. Since the land was granted for right-of-way purposes, the railway company could not give, in fact, clear title without a validating act from Congress. On several previous occasions Congress has validated conveyances by railroads, including two instances in the present Congress.

I have two questions which I should like to ask in regard to this bill. Am I correct in my understanding that none of the property was sold to industries for industrial sites along the right-of-way until after it was legally determined that the railroad company had a limited fee in the property?

Mr. CORDON. Mr. President, if I may attempt to answer that question, my understanding is that the earlier conveyances and the title were made prior to the determination that there was a legally sufficient implied condition of reverter. In many of the right-of-way grants, a reverter was explicit. A right-of-way is a right-of-way over public lands with an express reservation in case they are used for any other purpose. In this instance, as I understand from the Secretary's report, a right-of-way was granted, but it was a right-of-way and not a title in fee, and that raises a question as to the right of reverter by the Federal Government.

Mr. MORSE. Mr. President, I feel that it is only fair and just to relieve the railroad company of any liability in the case of transfers which were made prior to the Court's determination that there was an implied reverter. Principles of equity are as applicable to a railroad company or any other corporation as they are to an individual. So, as to those transfers, I have no objection. But I am in doubt as to whether the railroad company made conveyances after it knew that the Court had determined that there was an implied reverter, because if it did, then it seems to me the railroad company acted clearly with knowledge that it was making a transfer and did not have the legal power to give title. As to those conveyances, if there were any such, I think the railroad company should be held responsible for dealing with persons other than the Federal Government.

Mr. CORDON. Mr. President, will my colleague yield?

Mr. MORSE. I yield.

Mr. CORDON. I think a legal problem is involved. So far as the title to the land is concerned, the reverter provision is in favor of the Government. The Government can repossess the land, but it repossesses land to which the railroad now claims no title; land which is in the possession of another. One may well say that the other party should have had his title examined so as to know what he was buying. But, for the period during which there could be recovery in dollars, the only person who would be hurt by repossession—and that is the limit of the Government's right—would be the individual who has the title or who has acquired it within a period of time before recovery could be made. In this instance, it is my understanding from the report, that the original conveyance by the railroad company was made under a belief that it had a right to make it.

Mr. MORSE. Let me ask one further question. Is it the Senator's view that if the Federal Government refused to give this clearance of title, the purchasers of the land would be without any legal remedy against the Southern Pacific Railroad Co.?

Mr. CORDON. If the conveyance goes back of the 10 years, in my opinion, there could be no recovery.

The PRESIDING OFFICER. The time of the Senator from Oregon has expired.

Is there objection to the consideration of the bill?

Mr. MORSE. Mr. President, reserving the right to object, I wonder if my colleague would have any objection to the bill going to the foot of the calendar, so he and I can have a conference concerning it.

Mr. CORDON. I have no objection to that.

The PRESIDING OFFICER. Without objection, the bill will be placed at the foot of the calendar.

BILL PASSED OVER

The bill (H. R. 9825) to authorize the Postmaster General to prohibit or regulate the use of Government property under his custody and control for the parking or storage of vehicles was announced as next in order.

Mr. GORE. Over.

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The PRESIDING OFFICER. The bill will be passed over.

BILL PLACED AT FOOT OF CALENDAR

The bill (H. R. 7785) to amend the Civil Service Retirement Act of May 29, 1930, to make permanent the increases in regular annuities provided by the act of July 16, 1952, and to extend such increases to additional annuities purchased by voluntary contributions was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. KNOWLAND. Mr. President, I ask that the bill be placed at the foot of the calendar.

The PRESIDING OFFICER. Without objection, the bill will go to the foot of the calendar.

COLLECTION OF COMPENSATION

The bill (H. R. 5718) to limit the period of collection by the United States of compensation received by officers and employees in violation of the dual compensation laws was considered, ordered to a third reading, read the third time, and passed.

CONVEYANCE OF REAL PROPERTY IN STEVENS COUNTY, WASH.

The bill (H. R. 7229) to provide for the conveyance to T. M. Pratt and Anita C. Pratt of certain real property in Stevens County, Wash., was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MORSE. Mr. President, my understanding is that the bill relates to property which was erroneously acquired in the first place, and simply corrects an error.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

MILK RIVER PROJECT

The bill (H. R. 7813) authorizing the Secretary of the Interior to adjust or cancel certain charges on the Milk River project was announced as next in order.

Mr. GORE. Mr. President, I should like to have an explanation of the bill.

Mr. WATKINS. Mr. President, enactment of H. R. 7813 would authorize the Department of the Interior to cancel or to adjust delinquent operation and maintenance charges against 2,904 acres of land in the Glasgow division of the Milk River project, Montana, which were accumulated by lands that never received water. These charges, along with the construction charges, were stated in public notice No. 5, dated November 18, 1930. When the Glasgow Irrigation District entered into a repayment contract with the United States on December 29, 1926, the owners of these lands asked that they be excluded from the district. Of these 2,904 acres, approximately 2,000 acres have since been reincluded in the district at the request of the owners.

This acreage had been excluded from the construction charges pertaining to the lands mentioned in the bill. Now it should be excluded from the operation and maintenance charges. The purpose of the bill is to give the Secretary of the Interior the authority so to exclude it.

Mr. MURRAY. The Department of the Interior made a report stating all the facts in connection with the case, and it recommends passage of the bill.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

PALO VERDE IRRIGATION DISTRICT

The Senate proceeded to consider the bill (H. R. 8498) authorizing construction of works to reestablish for the Palo Verde Irrigation District, California, a means of diversion of its irrigation water supply from the Colorado River, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs with amendments, on page 3, line, after the words "sum of", to strike out "$675,000" and insert "$1,175,000"; on page 5, line 21, after "SEC. 7.", to strike out "The return of all" and insert "All"; in line 22, after the word "those", to insert "to be", and in line 23, after the word "District", to strike out "and those costs allocated under subsection (b) of section 4 of this act, as hereinbefore provided, shall be accounted for from the first net power revenues available from the Boulder Canyon and/or the Parker-Davis projects, after payout thereof in accordance with law" and insert "shall be nonreimbursable."

The amendments were agreed to.

Mr. MORSE. Mr. President, may we have an explanation of the bill?

Mr. KUCHEL. Mr. President, I desire to quote briefly from the report of the Senate Committee on Interior and Insular Affairs, which, I may say, unanimously reported the bill:

> The principal purpose of this bill is to authorize construction of permanent works to replace the temporary loose-rock diversion weir built by the United States in 1945 to reestablish for Palo Verde irrigation district a means of diverting its water supply from the Colorado River such as it had prior to 1942.

I might observe, parenthetically, that the Palo Verde irrigation district was organized in the 1870's, and has been utilizing water from the Colorado River in California since the time of the inception of the district.

The bill merely provides for a negotiated settlement between the Government of the United States and the Palo Verde irrigation district, by which, instead of appropriations being made annually for the repair and maintenance of the weir, a permanent structure will be provided for.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and the third reading of the bill. The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

RECOUPMENT OF CERTAIN PUBLIC SCHOOL CONSTRUCTION COSTS IN MINNESOTA

The bill (S. 3108) to modify the act of October 8, 1940 (54 Stat. 1020), and the act of July 24, 1947 (61 Stat. 418), with respect to the recoupment of certain public school construction costs in Minnesota was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

> *Be it enacted, etc.*, That, effective on July 1, 1954, the recoupment requirements of the act of October 8, 1940 (54 Stat. 1020) and the act of July 24, 1947 (61 Stat. 418), shall become inapplicable to the unrecouped balances of funds expended pursuant to such acts.

BILL PLACED AT FOOT OF CALENDAR

The bill (S. 2153) to authorize the transfer of certain property to the State of Minnesota was announced as next in order.

Mr. MORSE. May we have an explanation?

Mr. WATKINS. I had expected the Senator from Minnesota to be present to make a statement about the bill. In his absence, I ask unanimous consent that the bill be placed at the foot of the calendar.

The PRESIDING OFFICER. Without objection, the bill will be placed at the foot of the calendar.

CONVEYANCE OF REVERSIONARY LANDS TO THE CITY OF PAWNEE, OKLA.

The bill (H. R. 8859) to convey the reversionary interests of the United States in certain lands to the city of Pawnee, Okla., was announced as next in order.

Mr. MORSE. Mr. President, I request an explanation of the bill.

Mr. DWORSHAK. Mr. President, the purpose of H. R. 8859 is to clear the title of a tract of land in Pawnee County, Okla., consisting of some 88.43 acres, so that the city of Pawnee may construct permanent public improvements on it.

The land which is the subject of the bill was purchased by the then town of Pawnee, when Oklahoma was still a Territory, in accordance with the terms of the act of March 1, 1907, an act fulfilling treaty stipulations with various Indian tribes—34 Statutes 1015, 1044. The act provided:

> That the said lands are to be held and used by the said town of Pawnee for parks, educational and other public purposes: *Provided*, That the board of trustees of said town may authorize the board of education of said town to use the same for the erection and maintenance of school buildings thereon and the necessary grounds for use in connection therewith: *Provided further*, That Pawnee Indian children shall be admitted to any school thus maintained, free of charge and on terms of equality with the white pupils in such school.

Thus, a reversionary interest was established. The Pawnee Indians subsequently contended that such interest lay in the tribe. However, the Court of Claims in *Pawnee Indians Tribe of Oklahoma* v. *United States* (109 Fed. Supp. 860) determined that the tribe had been paid full value for the tract and that the reversionary interest lay in the Federal Government.

The city now desires to undertake improving the tract other than for school purposes. However, the attorney general of the State of Oklahoma has ruled that "public funds may not be used to erect a building upon land where the State government unit has not acquired the full complete and indefeasible title to such land." H. R. 8859 would vest such title in the community which, as stated, purchased the land pursuant to the act of the 59th Congress.

The favorable report of the Department of the Interior on H. R. 8859 is set forth in full below. Attention is directed to the statement that the Bureau of the Budget has no objection to the measure.

Mr. MORSE. I think it is perfectly clear that the bill is in keeping with the original purpose of the conveyance, and is a perfectly satisfactory bill.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 8859) was considered, ordered to a third reading, read the third time, and passed.

ISSUANCE OF PATENTS TO LANDS IN MONROE COUNTY, MICH.

The bill (H. R. 9790) to amend the act of June 30, 1948, so as to extend for 1 year the authority of the Secretary of the Interior to issue patents for certain public lands in Monroe County, Mich., held under color of title was announced as next in order.

Mr. MORSE. Mr. President, is a report available on this bill?

The PRESIDING OFFICER. The Chair is advised that H. R. 9790 is a companion bill to S. 3716, which is Calendar No. 2351. There is a report on S. 3716.

Mr. MORSE. May we have an explanation of the bill?

Mr. CORDON. Mr. President, are we now discussing Calendar No. 2351, which is Senate bill 3716?

The PRESIDING OFFICER. The Senate is proceeding with Calendar No. 2517, H. R. 9790, which is a companion bill to Calendar No. 2351, S. 3716.

Mr. CORDON. I observe the Senator from Michigan present. I know he will be glad to make an explanation.

Mr. FERGUSON. Mr. President, the purpose of the bill is to extend a law which was passed in 1948 to clear title to a certain piece of land in Michigan which has been in possession of persons other than the United States Government for more than 100 years. The House bill provides for an extension of 1 year, so that the persons concerned may take the action necessary within that time. The time has been extended on several occasions.

I hope the Senate will pass the House bill, instead of taking up the Senate bill, which is identical.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. SMATHERS. As I understand, the House bill provides for no additional rights or privileges, but merely extends rights and privileges already in existence.

Mr. FERGUSON. That is correct.

Mr. SMATHERS. And the extension is to be for 1 year.

Mr. FERGUSON. For 1 year.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 9790) was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 3716 is indefinitely postponed.

HOSPITALIZATION AND CARE OF MENTALLY ILL OF ALASKA—BILL PLACED AT FOOT OF CALENDAR

The bill (H. R. 8009) to provide for the hospitalization and care of the mentally ill in Alaska, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. GORE. Over.

Mr. KUCHEL. Mr. President——

The PRESIDING OFFICER. Will the Senator from Tennessee withhold his objection?

Mr. GORE. I withhold my objection.

Mr. KUCHEL. Mr. President, I wish to make a very brief statement. I was about to ask that the bill go to the foot of the calendar, because the junior Senator from Washington [Mr. JACKSON], who worked with me in the subcommittee in the preparation of the bill, is not present in the Chamber; and I thought, in fairness to him, he should have opportunity to make an objection. Since I am not completely persuaded that he would object, I wonder, under those circumstances, if I may ask the junior Senator from Tennessee if other objections may have been made.

Mr. GORE. I have no objection to the bill going to the foot of the calendar. Of course, it is at the foot of the calendar now.

Mr. KUCHEL. I should like to have the term "foot of the calendar" for these purposes defined as meaning that it will be among the bills which will be called immediately following the call of the first half of the calendar. Am I correct in that understanding?

The PRESIDING OFFICER. That is correct. Later in the day, under the order previously discussed by the majority leader, the Senate will return to the beginning of the calendar and proceed with the call, in order to take up the bills in the first part of the calendar, and also bills which have gone to the foot of the calendar on the present call.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the bill go to the foot of the calendar and be called with bills which will be called later in the day.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

NUCLEAR MATERIALS AND ATOMIC WEAPONS—BILL PASSED OVER

The bill (S. 3851) to provide rewards for information concerning the illegal introduction into United States, or the illegal manufacture or acquisition in the United States, of special nuclear materials and atomic weapons, was announced as next in order.

Mr. SMATHERS. Mr. President, we must ask that the bill go over. We do not yet have a report on the bill, and are not prepared to pass it.

The PRESIDING OFFICER. The bill will be passed over.

MR. AND MRS. THOMAS V. COMPTON—BILL PLACED AT FOOT OF CALENDAR

Mr. ROBERTSON. Mr. President, I ask unanimous consent to return to Calendar No. 2409, which is a bill (H. R. 4281) for the relief of Mr. and Mrs. Thomas V. Compton, in order that I may explain the bill, because when I do, I believe the original objector will withdraw his objection.

Mr. HENDRICKSON. Mr. President, reserving the right to object, will the distinguished Senator from Virginia agree to a unanimous-consent request that the bill go to the foot of the calendar with all other bills which have been placed at the foot of the calendar?

Mr. ROBERTSON. I did not anticipate that the bill would be objected to. I was not here when it was called, so I had no opportunity to make a statement on the bill. I think a very brief explanation would clarify the situation, and if it goes to the foot of the calendar, the junior Senator——

Mr. HENDRICKSON. The Senator may make his explanation and then add the request that it go to the foot of the calendar.

Mr. ROBERTSON. If there is no objection, the junior Senator from Virginia would like to see the bill passed.

Mr. HENDRICKSON. I shall object at this time, but if it goes to the foot of the calendar, I may not object.

Mr. ROBERTSON. Mr. President, I ask that I may have the privilege of explaining the bill.

The PRESIDING OFFICER. Is there objection? Without objection, the Senator from Virginia may proceed with the explanation.

Mr. ROBERTSON. Mr. President, the Government built a large power dam at what is called Buggs Island. It was later named the John A. Kerr Dam. When the reservoir was filled, it covered a great deal of land in that area, and it blotted out one of the main Virginia highways.

The Comptons had a small store on that highway, where they did an annual business of $25,000 or $30,000. Because the store happened to be on a little piece

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of high ground which was not covered with water, although the land on both sides were blotted out, the Government, after paying everyone else affected, including $4,000 to one man whose land was not actually taken but who was damaged, refused to pay the Comptons, who claimed damages in the sum of $18,000.

A bill was introduced on the House side to pay them $18,000, and the Department of Defense said: "We recognize that we have damaged them, and we think they should be paid, but the Government has established the precedent of not paying anyone unless his land was actually taken." They said that small store sitting up on a little hill in the midst of this reservoir still has a way to get out to the new road 2½ miles away. Of course, no customers come to the store.

The House reduced the amount from $18,000 to $6,000. It did not think our Government should go into the area and destroy the business of two old people, both over 60 years of age, who have no funds to build a new store out on the highway, and say, "We will not even give you the amount necessary to build a new store." The claim was for $18,000. The House reduced it to one-third and allowed $6,000.

Mr. GORE. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. GORE. Do I correctly understand the able junior Senator from Virginia to say that the bill would not compensate the citizen for the loss of a business, but, rather, for the isolation of a building?

Mr. ROBERTSON. That is all it does. It was estimated that Mr. and Mrs. Compton could not erect a store building at a new location for less than $6,000, and they did not have the $6,000. The House said, "We will not compensate you for the loss of your business, but since you can no longer use your building and since we have wrecked your building, we will give you enough to build a new building on the new highway."

The road in question was not built to take out a bridge, put in a bridge, or take out a curve. The whole highway for miles was flooded. The State of Virginia did not build the new road. The Federal Government had to build the new road, which was put 2½ miles away, so this man could get no customers. They wrecked his business.

This great Nation, which has just voted to give foreign nations hundreds of millions of dollars for rehabilitation, will wreck the business of 2 loyal, patriotic American citizens past 60 years of age, on the ground of the legal technicality that the Government did not actually take the land.

Mr. SMATHERS. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Florida?

Mr. ROBERTSON. I yield.

Mr. SMATHERS. I do not think this is a technicality. Instead of this one family if there had been 5 other families on this road, and their business had suffered when the highway was relocated, each to the extent of $18,000, would the Senator from Virginia feel that the Federal Government had the responsibility to pay them for what they might have lost in the way of business?

Mr. ROBERTSON. The Senator from Virginia boasts of the English common law under which we operate and will continue to operate unless and until it is changed by statute. Under our system of jurisprudence there is no wrong without a remedy. I say that if the Government had destroyed the business of 100 citizens, there should be a remedy.

Mr. SMATHERS. Would the Senator contend that when we build a super highway which takes a great deal of traffic off other highways, the Government has the responsibility to recompense for their loss of business the people who may have been on the old highway?

Mr. ROBERTSON. Of course not. That situation is not at all comparable. When there is a change in the road for the benefit of the general public, the man who is incidentally damaged has to bear that damage; but when the Government ruins a man's property by a highway, and leaves his little business sitting high and dry 2½ miles away from the only road which is traveled, it has injured him, and it should not be said that the Government can injure a man without being liable to pay him something for that injury. The Government officials admitted that they paid another man $4,000 when his property was not actually taken, but was damaged. This is the only claim that is left.

Mr. SMATHERS. The record shows that the property of the man to whom some money was paid was actually under water; whereas in this case, according to the Department of Justice report:

> There is no indication that the Compton property was physically damaged in any way by the Government project. Whatever losses were suffered by claimants in this case would appear to have resulted solely from the relocation of Highway No. 15.

Mr. ROBERTSON. That could not be correct. A part of the land is under water, but not all of it. But this man's business has been destroyed, and he should be paid for it. There was a little high spot in the road, and he had a little country store there. That man and his wife ran the store; it was their only source of livelihood. They had not accumulated anything, but they never had gone on relief.

Now the Government would put them on relief; the Government would destroy their business, which they state was worth $18,000. All that they ask is an opportunity to keep on making their own living, and that they be paid the value of the store building which the Government has destroyed. That building cost $6,000.

Mr. President, it would be astounding to me, after the Congress appropriates $6 billion, $8 billion, or $10 billion for foreign aid, to rehabilitate almost every nation in the world, if the Congress then would say to two old people in Virginia, "We will damage your property, but we will say that, because of a technicality, we will not reimburse you, because we did not actually cover your property with water, although you cannot make a living there any more. So we will not give you a red cent."

Mr. President, the House committee unanimously reported the bill, and said the Government should pay these people. The House of Representatives voted unanimously to pay them $6,000.

The Senate Judiciary Committee unanimously reported the bill and said these people should be paid.

Mr. HENDRICKSON. Mr. President, I should like to correct the statement the Senator from Virginia has made; the Senate Judiciary Committee did not report the bill unanimously.

Mr. ROBERTSON. Then I stand corrected. However, the bill was reported by a majority of the Senate committee, or it would not be on the calendar.

Mr. SMATHERS. Mr. President, the Senator from Virginia has made a wonderful speech, and it touches my heart. I, too, feel most sympathetic for the persons concerned and for what has happened to them.

But I wonder whether, during the call of the Consent Calendar, we should pass a bill which would establish, as a precedent, the principle that every time a highway is relocated or a dam is built, and every time a person's business suffers thereby—and the dear Lord knows there are thousands of such cases today—the United States will be liable to recompense that person for the loss he suffered because of that progressive move.

So far as I am concerned, I have a great deal of sympathy for the persons involved in this case, and I should like to cooperate with the Senator from Virginia. But I cannot but think this would be a very dangerous course for the Government to embark upon.

Mr. ROBERTSON. Mr. President, I appeal to the Senator from Maryland [Mr. BUTLER], who handled the bill in the committee; I ask him if it is not a fact that it was clearly demonstrated to his subcommittee, and that a majority of the full committee agreed, that the bill would not set a precedent for a person who was incidentally damaged by any kind of a change in a highway, to be reimbursed by the State or by the Federal Government which was responsible for making the change; but, to the contrary, that the subcommittee and the full committee felt that this was the necessary and probable consequence of a voluntary act on the part of the Federal Government in flooding an area, and that act naturally and inevitably resulted in the destruction of the business of this man; and that the road was not relocated for the general benefit of the community; but that the Federal Government took action to have the road moved two and one-half miles away, so it would not be under water; and that is the only reason why the new road was built.

Mr. BUTLER. That is correct.

Mr. ROBERTSON. So I appeal to my colleagues to withdraw their objection to the bill, and let these two old people be compensated at least to the extent of receiving payment for their little country-store business.

Mr. HENDRICKSON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from New Jersey will state it.

Mr. HENDRICKSON. Are we still on the calendar?

The PRESIDING OFFICER. The Senator from Virginia requested unanimous consent, which was granted, that he might explain the bill. Is there objection?

Mr. HENDRICKSON. Mr. President, I ask unanimous consent that the bill go to the foot of the calendar.

The PRESIDING OFFICER. Without objection, the bill will be placed at the foot of the calendar.

Mr. HENDRICKSON. I wish to explain to the distinguished Senator from Virginia that I have made this request because we must be consistent; we have demanded that such bills go to the foot of the calendar, rather than constantly be brought up out of turn.

ORDER OF BUSINESS

Mr. KNOWLAND. Mr. President, does this complete the first call of the calendar for today?

The PRESIDING OFFICER. This completes the first call of the calendar.

Mr. KNOWLAND. Let me say, for the information of the Senate, that later in the afternoon we expect to have another calendar call, which will begin at the very beginning of the calendar—in other words, at the beginning of the old calendar. We shall also, at the conclusion of that call, take up the measures which have been placed at the foot of the calendar during the first calendar call. So we have only one foot of the calendar completed, so to speak.

Mr. HENDRICKSON. Mr. President, will the Senator from California yield to me?

Mr. KNOWLAND. I yield.

Mr. HENDRICKSON. I thank the Senator. Will the Chair be so kind as to state, for the information of the Senate, the bills which have been placed at the foot of the calendar?

The PRESIDING OFFICER. Yes. They are as follows: Calendar No. 2401, H. R. 1107; Calendar No. 2409, H. R. 4281; Calendar No. 2482, S. 3813; Calendar No. 2500, S. 3447; Calendar No. 2505, H. R. 7881; Calendar No. 2507, H. R. 7785; Calendar No. 2515, S. 2153; and Calendar No. 2518, H. R. 8009.

Mr. HENDRICKSON. Mr. President, are those bills to be called in numerical order?

The PRESIDING OFFICER. They will be placed in numerical order.

Mr. HENDRICKSON. And will the bills be called seriatim?

The PRESIDING OFFICER. They will be called seriatim when the bills at the foot of the calendar are called.

CITATION OF ALBERT SHADOWITZ FOR CONTEMPT OF THE SENATE

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the resolution (S. Res. 280) to cite Albert Shadowitz for contempt of the Senate.

EXECUTIVE SESSION

Mr. KNOWLAND. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to consider executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. PAYNE in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

Mr. KNOWLAND. Mr. President, I ask that the Senate pass over the nomination of Madge D. Graham to be postmaster at Rothville, Mo. I wish to have that nomination held over.

The PRESIDING OFFICER. Without objection——

Mr. JOHNSON of Texas. Mr. President, reserving the right to object——

Mr. KNOWLAND. Mr. President, at this time I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the call of the roll be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

If there be no reports of committees, the clerk will proceed to state the nominations on the Executive Calendar.

THE ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The legislative clerk read the nomination of John C. Beukema to be a member of the Advisory Board of the St. Lawrence Seaway Development Corporation.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Harry C. Brockel to be a member of the Advisory Board of the St. Lawrence Seaway Development Corporation.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Edward J. Noble to be a member of the Advisory Board of the St. Lawrence Seaway Development Corporation.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Kenneth Merle Lloyd to be a member of the Advisory Board of the St. Lawrence Seaway Development Corporation.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Hugh Moore to be a member of the Advisory Board of the St. Lawrence Seaway Development Corporation.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POST OFFICE DEPARTMENT

The legislative clerk read the nomination of E. George Siedle to be an Assistant Postmaster General.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. KNOWLAND. Mr. President, with the exception of the postmaster nomination which I have heretofore mentioned, namely, that of Madge D. Graham, to be postmaster at Rothville, Mo., I ask that the postmaster nominations be confirmed en bloc.

The PRESIDING OFFICER. Without objection, all other postmaster nominations are confirmed en bloc.

Mr. KNOWLAND. Mr. President, I ask that the President be immediately notified of all nominations confirmed this day.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

Mr. JOHNSTON of South Carolina. Mr. President, I ask that the nomination of Madge D. Graham to be postmaster at Rothville, Mo., be recommitted to the Committee on Post Office and Civil Service.

The PRESIDING OFFICER. Is there objection?

Mr. KNOWLAND. Mr. President, I should like to ask the distinguished Senator from South Carolina a question with respect to this nomination. Had he discussed the nomination with the chairman of the committee before asking that it be recommitted to the committee?

Mr. JOHNSTON of South Carolina. Mr. President, does the chairman of the Committee on Post Office and Civil Service object to the recommittal of the nomination of Madge D. Graham to be postmaster at Rothville, Mo., to the Committee on Post Office and Civil Service? A violation of the Veterans' Preference Act is involved. We would like to look into the question.

Mr. CARLSON. Mr. President, it has been the understanding in our committee that if there is on the calendar a nomination involving the question referred to, it is the desire of the committee that the nomination be recommitted.

Mr. KNOWLAND. With that explanation, I have no objection to the nomination being recommitted to the Committee on Post Office and Civil Service.

The PRESIDING OFFICER. Without objection, the nomination of Madge D. Graham to be postmaster at Rothville, Mo., is recommitted to the Committee on Post Office and Civil Service.

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NOTICE OF HEARINGS ON SUNDRY NOMINATIONS BY COMMITTEE ON FOREIGN RELATIONS

Mr. WILEY. Mr. President, the Senate received today the following nominations: Robert McClintock, of California, a Foreign Service officer of class 1, to be Ambassador of the United States to the Kingdom of Cambodia; and Charles W. Yost, of New York, a Foreign Service officer of class 1, to be Minister of the United States to the Kingdom of Laos.

I give notice that these nominations will be considered by the Committee on Foreign Relations at the expiration of 6 days, in accordance with the committee rule.

LEGISLATIVE SESSION

Mr. KNOWLAND. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

CITATION OF ALBERT SHADOWITZ FOR CONTEMPT OF THE SENATE

The Senate resumed the consideration of the resolution (S. Res. 280) to cite Albert Shadowitz for contempt of the Senate.

The PRESIDING OFFICER. The resolution is open to amendment.

Mr. CASE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CASE. Is the Senate now considering Senate Resolution 280?

The PRESIDING OFFICER. The Senator is correct.

Mr. CASE. Mr. President, I should like to ask a question or two of the Senator from Wisconsin.

Mr. McCARTHY. I shall be glad to answer.

Mr. CASE. I should like to ask the Senator from Wisconsin whether or not the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations had adopted a resolution with respect to designating one member to act as a subcommittee?

Mr. McCARTHY. Yes. We have adopted a rule that one member may constitute a quorum.

Mr. CASE. Was such action taken prior to the hearing of December 16, 1953?

Mr. McCARTHY. Yes. I believe the Permanent Subcommittee on Investigations has had that rule since the Christoffel case. That was 6, 7, or 8 years ago. I do not know exactly. It has been a long time.

Mr. CASE. Mr. President, I merely desired to have that information appear in the RECORD at this point, because I remember the difficulties which occurred in that case.

Mr. McCARTHY. I thank the Senator.

Mr. CASE. What ruling, if any, did the chairman make on the question of jurisdiction, in view of the reference to the fact that espionage is not directly cited as a point of jurisdiction under the duties assigned to the Committee on Government Operations?

Mr. McCARTHY. The Committee on Government Operations under the Reorganization Act has the duty to investigate questions involving efficiency, waste, or competency in Government at all levels. If a security department were to hire a Communist or someone who refused to tell whether he was an espionage agent, that would, of course, involve the question of inefficiency.

We referred this question to the Attorney General on February 15. I do not wish to take the time of the Senate in order to read the letter. However, if the Senator cares to see the letter, I will hand it to him. The Attorney General is apparently of the opinion that this case offers a proper ground for a contempt citation.

Mr. CASE. Mr. President, I appreciate the opportunity to examine the letter to which the Senator has referred and which he has handed to me, although I do not know that it goes directly to the question of the jurisdiction of the committee.

I had assumed that what the Senator states is correct that the committee was proceeding on the theory that inefficiency existed if a Government agency at any level permitted espionage. It is true, of course, that the Committee on the Judiciary of the Senate is the committee to which matters relating to bankruptcy, mutiny, espionage, and counterfeiting are referred by specific citation in the rules of the Senate.

Mr. McCARTHY. Mr. Harvey O'Conner raised the question of whether or not the committee had jurisdiction, when we were questioning him about his membership in the Communist Party. He had done some writing for use in the Voice of America program. He has been indicted by a grand jury.

Mr. CASE. Madam President, I do not question that there is inefficiency in Government if espionage is permitted in a Government agency; but, for the sake of the history of this case, I think it is just as well to have the chairman of the Permanent Subcommittee on Investigations make the statement he has made.

I think it is desirable that such information be shown for the RECORD at this time, as a direct answer to the question raised in this case.

Mr. McCARTHY. I thank the Senator for raising the question.

Mr. LEHMAN. Madam President, will the Senator yield?

The PRESIDING OFFICER (Mrs. BOWRING in the chair). Does the Senator from Wisconsin yield to the Senator from New York?

Mr. McCARTHY. I am glad to yield.

Mr. LEHMAN. I shall ask the Senator to read the letter from the Deputy Attorney General, if he will.

Mr. McCARTHY. I shall be glad to do so.

Mr. LEHMAN. I do not know whether that letter applies to the other citations which are coming before the Senate.

Mr. McCARTHY. Yes.

Mr. LEHMAN. I wonder whether, for the benefit of all the Members of the Senate, the Senator from Wisconsin will read the letter from the Deputy Attorney General.

Mr. McCARTHY. I should be glad to do so. It is dated February 15, 1954.

FEBRUARY 15, 1954.

Hon. JOSEPH R. McCARTHY,
Chairman, Senate Committee on Government Operations,
United States Senate,
Washington, D. C.

DEAR SENATOR: Reference is made to the letter dated January 26, 1954, from Assistant Attorney General Warren Olney, III, advising you that the questions raised in your letter of January 12, 1954, addressed to the Attorney General, were being studied.

After careful review of the testimony submitted by you, in the light of appropriate court decision, I have concluded that should the United States Senate cite Corliss Lamont, Albert Shadowitz, and Abraham Unger for contempt, their testimony, under the present state of the law, would present a sound basis for prosecution under section 192 of title 2 of the United States Code. However, the question of the invocation of the first amendment as a valid ground for refusing to answer questions propounded by a congressional committee has been raised in the case of *Emspak* v. *United States* (203 F. 2d 54, certiorari granted, 346 U. S. 809). Oral argument was heard by the Supreme Court in early January 1954, and it is anticipated that the Court's decision will be handed down during the present term. This decision may well necessitate a reexamination of the issues presented by the instant cases.

The Federal Bureau of Investigation is presently conducting additional investigation to determine whether there is sufficient evidence available to support prosecution of Corliss Lamont for perjury before the Senate Permanent Subcommittee on Investigations. When this investigation has been completed and the results have been evaluated, I shall be happy to advise you of my decision.

Sincerely,

WILLIAM P. ROGERS,
Deputy Attorney General.

Mr. CASE. Madam President, will the Senator yield for another question?

Mr. McCARTHY. I am glad to yield.

Mr. CASE. The suggestion has been made that the RECORD would be perhaps in a more unassailable position if the resolution which was adopted by the committee following the Cristofel case could be inserted in the RECORD. I wonder if the Senator would allow that to appear as a part of the RECORD.

Mr. McCARTHY. I shall be glad to do so. I think that is an excellent suggestion.

I ask unanimous consent for permission to have printed in the RECORD at this point the material suggested.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

EXTRACT FROM THE MINUTES, MEETING OF COMMITTEE ON GOVERNMENT OPERATIONS, JANUARY 14, 1953

QUORUM

For the purposes of taking sworn testimony by the full committee, the committee adopted a rule that three members thereof shall constitute a quorum.

For the purpose of taking sworn testimony by a subcommittee the committee adopted a rule that one member of any subcommittee shall constitute a quorum.

Mr. LEHMAN. Madam President, will the Senator yield?

Mr. McCARTHY. I am glad to yield.

Mr. LEHMAN. Madam President, in view of the letter which has been read by the Senator from Wisconsin, quoting an opinion—it is only an opinion—from the Deputy Attorney General, in which the Deputy Attorney General points out that there is doubt as to the legal grounds for prosecution, when the question of rights under the first amendment has been presented, it seems to me that it would be wise to postpone consideration of these citations until the Supreme Court has acted on this very important question. It is a very important question.

Mr. McCARTHY. Madam President, I do not care to take the Senate's time, but I should like again to quote a statement of the Deputy Attorney General. He says:

> I have concluded that should the United States Senate cite Corliss Lamont, Albert Shadowitz, and Abraham Unger for contempt, their testimony, under present state of the law, would present a sound basis for prosecution under section 192 of title II of the United States Code.

And so forth. I believe it would be a case of a fifth amendment Communist defying the Senate. This man had worked for the Government in classified work and was in close contact with other employees doing classified work. He refused to state whether he was a member of the Communist Party at the time. I believe his employment lasted for 8 years. He refused to tell whether he discussed classified and defense work with members of the Communist Party. He refused to tell whether he took orders from the Communist Party. He refused to answer many other questions.

I can see no reason why the Senate should not cite him for contempt immediately. I can see no reason why he should be protected by the Senate.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield to the Senator from New York.

Mr. LEHMAN. Is it not a fact that this man—certainly not Corliss Lamont or Mr. Unger——

Mr. McCARTHY. Is the Senator referring to Shadowitz now?

Mr. LEHMAN. Shadowitz, I mean. Is it not a fact that these men have not pleaded the defense of the fifth amendment at all? Is it not a fact that they have pleaded the defense of the first amendment? I understood the Senator from Wisconsin to speak about the fifth amendment. That statement does not apply to these cases at all, as I understand.

Mr. McCARTHY. I believe the Senator from New York makes a good point. He refers to the fact that this is not a fifth-amendment Communist. Had he refused to answer, and invoke the fifth amendment on the ground that his answers might incriminate him, we could not cite him for contempt. The Senator makes a point there.

THE SUPREME COURT DECISION AND SENATE ACTION

Mr. MALONE. Mr. President, will the Senator yield?

Mr. McCARTHY. I am glad to yield.

Mr. MALONE. The Attorney General's letter contains a statement about an anticipated decision by the Supreme Court which may soften the blow toward witnesses who refuse to testify under the protection of various sections of the Constitution. I inquire whether the Attorney General would have any way of anticipating the Supreme Court's decision?

Mr. McCARTHY. The Attorney General did not say he anticipated an adverse decision in the Emspak case. He merely points out that in the event the Supreme Court should reverse the conviction, the Attorney General would have to reevaluate the cases we have submitted to him. He gave no indication that he felt he had reason to believe that there would be a reversal in the Emspak case. He was merely being extremely cautious, as he should be, and he has rightfully pointed out that that question had been raised by another Communist who had been convicted.

Mr. MALONE. Does the Senator from Wisconsin believe this is a sufficiently important case for the attention of the Senate at this time, regardless of the case, mentioned by the Attorney General, that is now pending in the Supreme Court?

Mr. McCARTHY. I believe so. We have already cited two others for contempt. They were cited about a week ago, I believe. Prior to that, one other person was indicted, and is awaiting trial.

If the committee is to continue its work, especially during the recess of the Senate, it is important to let these Communists know that they cannot come before the Committee and, just hit or miss, refuse to tell whether they are espionage agents and whether they have been conspiring against our Government. I think it is very important that they be cited for contempt.

Mr. MALONE. How long could the decision be delayed in the Emspak case?

Mr. McCARTHY. It is impossible to know.

Mr. MALONE. How long could it be delayed?

Mr. McCARTHY. It is set for decision in the October term. It may be decided later. I have gone over the facts in the Emspak case, and I am convinced that there will be no reversal. On the other hand, I will say to the Senator that I have been quite wrong before in guessing what the Supreme Court might do in a given case.

Mr. MALONE. Could it be delayed until the end of the year?

Mr. McCARTHY. Yes.

Mr. MALONE. Until the beginning of next year?

Mr. McCARTHY. It could be.

Mr. MALONE. Then it could delay the procedures of the Senator's committee. Is that correct?

Mr. McCARTHY. That is correct. There can be no question about that.

Mr. LEHMAN. Mr. President, will the Senator yield further?

Mr. McCARTHY. I am glad to yield.

Mr. LEHMAN. Will the Senator be good enough to give the date of the Attorney General's letter?

Mr. McCARTHY. I shall be glad to do so. It is February 15, 1954.

Mr. LEHMAN. Would the Senator be good enough to give me the date on which the alleged disrespect, disregard, or contempt of the committee by the man involved was committed?

Mr. McCARTHY. December 18, 1953.

Mr. LEHMAN. About 9 months ago?

Mr. McCARTHY. That is correct.

Mr. LEHMAN. Madam President, on the ground I have given, that in my opinion there is no clearly proved case here, and that the relevancy of the questioning and the legality of this action are subject to very definite doubt, I wish to be recorded as being opposed to the resolution.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 280) was agreed to, as follows:

> *Resolved*, That the President of the Senate certify the report of the Committee on Government Operations of the United States Senate as to the refusal of Albert Shadowitz to answer questions before the Senate Permanent Subcommittee on Investigations, said refusal to answer being pertinent to the subject matter under inquiry, together with all the facts in connection therewith, under the seal of the United States Senate to the United States Attorney for the Southern District of New York, to the end that the said Albert Shadowitz may be proceeded against in the manner and form provided by law.

CITATION OF ABRAHAM UNGER FOR CONTEMPT OF THE SENATE

Mr. SALTONSTALL. Madam President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1828, Senate Resolution 282.

The PRESIDING OFFICER. The Secretary will state the resolution by title for the information of the Senate.

The LEGISLATIVE CLERK. A resolution (S. Res. 282) citing Abraham Unger for contempt of the Senate.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Massachusetts?

There being no objection, the Senate proceeded to consider the resolution.

Mr. LEHMAN. Madam President, will the Senator from Wisconsin speak on the resolution?

Mr. McCARTHY. Not unless I am requested to do so.

Mr. LEHMAN. Madam President, I wish to point out that, of course, in matters of this kind the only guidance the Senate has is the report that comes from the Committee on Government Operations, with its recommendations. There is no other way by which Members of the Senate, except the few Members of the Senate who sit on that committee itself, can evaluate the weight of the evidence with respect to the propriety of taking action on a matter of this kind.

In the case of Abraham Unger, the testimony on which the contempt citation by the committee is based was taken on September 15, 1953. While reference is made in the report, which I have before me, to the testimony taken in executive session on September 15, there is no

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disclosure as to the nature of that testimony. There is no way by which Senators can judge the legality or illegality, or the justice or the injustice, of the position taken by any witness or by the committee itself.

I am not a lawyer, and it is very difficult for me, of course, to discuss and debate legal and constitutional questions which are involved in this resolution or in similar resolutions. I know that they are extremely serious. I can only speak of matters which appear in the committee report, or which have been brought to my notice otherwise.

I wish to point out, in the first place, that the report, apart from the fact that it omits an extremely important document, the record of testimony taken in executive session on September 15, is confused and garbled. It repeats several paragraphs of testimony given by the defendant in this case, notably on page 5, which I shall read so that the RECORD may be complete:

Mr. COHN. Answer the question, please.

Mr. UNGER. The answer is the following: This committee or the single individual present here, has no authority to inquire into the political opinions and beliefs of any person upon the ground that it is not within the scope—scope or the powers of this committee as constituted by Congress.

Now, you may differ with that, but the fact remains if you will look up—if you will look up the basic resolution which gave you the authority—which gave the authority to the Committee on Government Operations, you will find it has been given no authority to inquire into the political beliefs and opinions of any person and particularly of a member of the bar.

Secondly, this committee has no right to inquire into this question because it is not pertinent or relevant to the subject matter of the inquiry before you.

The subject matter of the inquiry before you is the concern—concerning the question of Julius Reiss, about which you have already received complete answers, and insofar as you may say, or as you have said in the course of your colloquy on this occasion and previously, you purport to make this inquiry under the so-called—under the authority conferred upon you with reference to governmental departments, the fact that——

The CHAIRMAN. Keep on; keep on.

Mr. UNGER. What did you say?

The CHAIRMAN. Proceed.

Mr. Unger proceeded.

I find on page 6 the following:

Mr. COHN. Answer the question, please.

Mr. UNGER. The answer is the following: This committee or the single individual present here has no authority to inquire into the political opinions and beliefs of any person upon the ground that it is not within the scope—scope or the powers of this committee as constituted by Congress.

Now, you may differ with that, but the fact remains if you will look up—if you will look up the basic resolution which gave you the authority—which gave the authority to the Committee on Government Operations—you will find it has been given no authority to inquire into the political beliefs and opinions of any person and particularly of a member of the bar.

Secondly, this committee has no right to inquire into this question because it is not pertinent or relevant to the subject matter of the inquiry before you.

The subject matter of the inquiry before you is the concern—concerning the question of Julius Reiss, about which you have already received complete answers and insofar as you may say, or as you have said in the course of your colloquy on this occasion and previously, you purport to make this inquiry under the so-called—under the authority conferred upon you with reference to governmental departments, the fact that——

The CHAIRMAN. Keep on; keep on.

Mr. UNGER. What did you say?

The CHAIRMAN. Proceed.

This is a repetition which shows how garbled the report is. Pertinent matter has been omitted from this report. It has certainly confused me.

Finally, Madam President, as I understand this case, Mr. Unger was called to testify on September 15 in connection with a Mr. Reiss, who was an employee of the Polish delegation to the United Nations, and was also an employee of the firm of which Mr. Unger, I understand, is a member.

The answers with regard to Mr. Reiss' employment were made by Mr. Unger on September 15 and on September 17, freely and without reservation, so far as I can tell from this report. That was when Mr. Unger was subpenaed and when he came to testify.

Later he was asked about many other matters which he felt were outside the authority, the jurisdiction, and the purview of the committee.

Madam President, I do not know Mr. Unger; I had never met him or heard of him until this case came up. I do not know whether he is a Communist——

Mr. McCARTHY. I can tell the Senator.

Mr. LEHMAN. It seems to me that in a case of this sort very great care should be taken to protect the rights and the liberties of all witnesses. I think that in the three cases before the Senate that has not been done. Therefore, I shall oppose the citation.

Mr. McCARTHY. Madam President, I am shocked to find the Senator from New York arguing on the floor of the United States Senate that a member of the Communist Party has been questioned as to a political belief. The Senator should know—he has lived longer than I have—because in the positions he has held he has come in contact with individuals of this type, that a Communist does not belong to a political party; he belongs to a conspiracy. This jargon about a political belief is something I have read often in the Daily Worker and in other Communist newspapers. Every Communist who comes before the committee uses the same argument. He says, "You are inquiring into my politics." We are not inquiring into their politics. The Senate is not concerned with the politics of anyone working for the Government. We are inquiring into their participation in a conspiracy designed to destroy this country by force and violence.

I am very much shocked and disturbed to find that Communist jargon is used on the floor of the Senate in defense of a man who is an organizer—not only a Communist, but an organizer of a professional group of Communists in New York, and who came before the committee and denied that Julius Reiss had worked for his law firm. When he knew that we were aware that Reiss had worked for him, he changed his story.

I intend to submit the matter to the Attorney General also on the grounds of perjury, although the Senate need not vote upon that. It will vote only upon the matter of contempt of the Senate.

Mr. MALONE. Madam President, will the Senator from Wisconsin yield?

Mr. McCARTHY. I yield first to the Senator from New York.

Mr. LEHMAN. Madam President, I am very sorry that I have disappointed the Senator from Wisconsin.

Mr. McCARTHY. I did not say the Senator had disappointed me.

Mr. LEHMAN. The Senator from Wisconsin has disappointed me many, many times.

Mr. McCARTHY. I said the Senator shocked me.

Mr. LEHMAN. I have lived much longer than has the Senator from Wisconsin. I have been interested in preserving what I think are the liberties of our people, the rights of our people, and in preserving the Bill of Rights of our Constitution. I agree with the Senator that the so-called Communist Party is a conspiracy, and those who belong to it, in many cases, have conspired to overturn our Government by force and violence. Because of my conviction as to the conspiratorial nature of the Communist Party, I was one of the sponsors last Friday of a bill to make it a penal offense to be a member of the Communist Party, which I described at that time, and which I described again today, as a conspiracy to overturn our Government by force and violence. But up to the present time the Communist Party has not been so established by our statutes.

I wish to say again that I have not the slightest idea whether or not this person is a Communist. If he is a Communist and remains a Communist, then certainly, under the terms of the bill which we passed on Friday, he will subject himself or will be subjected to very severe punishment. In the meantime, in spite of the criticism of the junior Senator from Wisconsin, I shall continue to seek to protect the civil liberties of the people of this country to the best of my ability.

Mr. McCARTHY. I become a bit sick, down deep inside, when I hear the Senator from New York speaking as he has been speaking, referring to the introduction of a bill to make membership in the Communist Party illegal, and then fighting each attempt to take an individual Communist by the scruff of his neck and expose him to the public. Then we find the same Senator screaming to high heaven about the method of doing it.

The Senator from New York can easily sponsor a bill to try to clean his skirts now, after the record he made in UNRRA. He knows the individuals whom he brought into that organization. He knows the protection he gave them.

It is so easy for one to wave his arms and say, "I am against communism generally," and then try to smear and crucify anyone who proceeds against an individual Communist.

The Senator from New York today is protecting a man who was voted unanimously by a 7-man subcommittee to be in contempt, and then was unanimously voted by the 13-member committee to be in contempt.

This person is not merely a rank-and-file member, as I have said; he is an organizer of the professional group of the Communist Party. If the Senator from New York was sincere when he said that he cosponsored a bill to outlaw Communists, I cannot quite understand why he is on the floor of the Senate today trying to protect this type of functionary of the Communist Party, while at the same time he tells us he knows nothing about the case. If the Senator had wanted to argue the matter intelligently, the evidence was available to him in room 101, where he could have seen it.

Before the Senator rises on the floor and says, "I know nothing about the case, but I do not think Unger should be cited," I think he owes a duty to the Senate to examine the evidence which is before the committee.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield.

Mr. LEHMAN. The only evidence before the Senate at present is the report, and there is nothing in the report which would prove that Unger is a Communist. He may be. I realize that just as well as does the Senator from Wisconsin. But certainly there is nothing in the report which would indicate or prove that.

Mr. McCARTHY. The committee does not put the country to the expense of printing all the evidence in a case when it cites a person for contempt. The committee prepares a report. The Senator from New York has been a Member of the Senate long enough to know that that has been the practice of every committee. We do not have all the evidence printed; we write a report. That is what was done in this case.

Mr. MALONE. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield.

LAST RESORT BY SENATE COMMITTEE

Mr. MALONE. What is the last resort of a Senate committee, after it has been defied by a witness, when he has refused to give the evidence which he has been called to give, or has refused to answer a question, under a section of the Constitution of the United States?

Mr. McCARTHY. The committee then has the case referred to the Department of Justice, and from there it is referred to the grand jury. In all the cases which have been submitted to the Senate, a preliminary unofficial opinion has been obtained from the Department of Justice.

Mr. MALONE. A resolution citing a person for contempt, and calling for immediate action by the United States attorney in his district to proceed against such person, is the last resort of the Senator's committee; is that correct?

Mr. McCARTHY. That is correct, and if we could not cite witnesses such as Unger for contempt, it would mean that any witness could come before the committee and refuse to answer if he saw fit.

Mr. MALONE. If a precedent should be set, if the Senate should refuse a request made not only by a majority but by a unanimous decision of the Senator's committee for action by the Senate, which is the usual practice and if the Senate should decide today not to proceed with the action requested, would it be a precedent for further witnesses to refuse to give testimony required by any Senate committee?

Mr. McCARTHY. If the Senate should refuse to cite Abraham Unger for contempt, it would be in effect notifying every Communist and every crook called before our committee that they could refuse to answer with impunity.

Mr. MALONE. I am assuming that regardless of any controversy over this particular committee or its chairman, the refusal would set a precedent for any other committee working in the same general field, such as the Jenner committee.

Mr. McCARTHY. The Senator is completely correct. If we refused to cite a man like Unger, it would be telling every witness who comes before any committee that if he does not want to answer, he need not answer any question.

Mr. MALONE. If the Senator will further yield, would it not apply to any committee, say to the Appropriations Committee, of which the distinguished Senator from New Hampshire [Mr. BRIDGES] is chairman? If he were to request information on the disposition by a department official of certain funds appropriated by the Congress of the United States, could failure of this body to cite this person for refusal to answer in this case be used as a precedent by future witnesses?

Mr. McCARTHY. Yes. I think the Senator makes an excellent point.

Mr. MALONE. All of us in the Senate are very much concerned about the protection of the civil rights of any witness. The junior Senator from Nevada is also very much concerned in carrying on the precedents set by the Senate, in dealing with witnesses before its committees.

Mr. President, the junior Senator from Nevada has been through several experiences in questioning witnesses which could well have resulted in a citation to this body of certain witnesses for contempt. I think the distinguished Senator from Wisconsin will recall that the junior Senator from Nevada cited a man by the name of Lee, formerly Ephraim Leberman, then in the Department of Commerce.

In the subsequent proceedings in ousting Lee a certain William Remington was also implicated and dismissed by the Secretary of Commerce.

Two additional highly placed officials in the Department of Commerce subsequently resigned, for reasons best known to themselves.

If it had become necessary to cite Lee, Remington, or any of the witnesses in the proceeding and the United States Senate had declined to act, would it not have become a precedent for future cases of this nature?

Mr. McCARTHY. That is true. So far I have brought merely the clearcut cases, if we might call them that, cases in which there could be no possible doubt about contempt of the Senate. I shall have some cases before the Senate which will give it more difficulty. For example, there is the case of the individual who comes before the committee and says, "I am not an espionage agent." Then when he is asked about individual alleged acts concerning espionage he invokes the fifth amendment as to those specific acts. The position I have taken is that, once he has said "I am not an espionage agent," he has waived the fifth amendment and is in contempt if he refuses to answer.

Likewise, some witnesses who come before us say, "I invoke the fifth amendment." Senators have then asked the question, "Do you think if you were to tell the truth, that might tend to incriminate you?" Some of them have refused to say whether or not they felt the truth would incriminate them.

I have taken the position that they cannot refuse to answer on the ground that perjury might incriminate them.

In the very near future the committee will have a consultation with representatives of the Department of Justice who will be named by Mr. Brownell. I hope to present a very sizable number of cases to the Senate before the end of this session. If the Department of Justice agrees with me, we can perhaps decimate the ranks of the Communist conspiracy. That consultation will be held as soon as the Department of Justice names the individuals. The Department has indicated that it will be cooperative, and furnish us the services of those in the Department who can best advise the committee.

As I said, up to this point we have had only the clearcut cases of obvious contempt. We shall have some later on in which some rather important legal questions will be raised.

Mr. MALONE. If the Senator will further yield, when he brings those cases to the Senate he will have the benefit of the advice of the Attorney General, will he not, in clearing up the basis and the foundation for these citations?

Mr. McCARTHY. That is correct.

Mr. MALONE. Naturally these are merely individuals to those of us in the Senate who have not listened to the evidence.

Mr. McCARTHY. Correct.

Mr. MALONE. We have seen their names in the newspapers, especially that of Mr. Corliss Lamont and others. So long as the question has been brought up here as to whether these men should be cited, I should like the Senator from Wisconsin to describe to us in some detail, as briefly as he can conveniently give it to the Senate, what their record is and how important they are to the Communist Party.

Mr. McCARTHY. Unger has been identified under oath as an organizer of the professional section of the Communist Party in New York. In other words, his job is to organize the lawyers and the doctors. I may say to the Senator that while it may seem on the surface unimportant that a doctor should be a member of the Communist Party, actually in the Canadian spy ring the office of a dentist, I think it was, or of a doctor,

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was the meeting place for Communists. It is very easy to go into a dentist's or a doctor's office to get treatment, and one Communist would come in one day and another the next day, and keep contact in that fashion. This man had the task of organizing that very, very important group of Communists, people who should not be Communists, but who nevertheless are.

I think beyond that, there is not much to tell the Senator about Unger.

Mr. MALONE. How about Mr. Lamont?

Mr. McCARTHY. Could we first dispose of the Unger case, and then go on to the Lamont case?

INVESTIGATIVE POWER OF THE UNITED STATES SENATE

Mr. MALONE. Yes. In closing this debate, I should like to say to the distinguished Senator from Wisconsin that the junior Senator from Nevada is fully aware of the controversy which has existed for a long time about the committee chairman, the junior Senator from Wisconsin [Mr. McCARTHY].

Regardless of any personal friendship the junior Senator from Nevada may have for the junior Senator from Wisconsin, I do not consider an individual Member of the Senate the important factor, whether it be the junior Senator from Nevada, the junior Senator from Wisconsin, or the senior Senator from New Hampshire [Mr. BRIDGES], whom I have already brought into the debate.

What I consider important is the investigative power of the United States Senate, and I do consider definitely that all of this controversy is tending to injure and retard that investigative power.

Mr. McCARTHY. I thank the Senator very much.

May we have a vote, Madam President?

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 282) was agreed to, as follows:

Resolved, That the President of the Senate certify the report of the Committee on Government Operations of the United States Senate as to the failure of Abraham Unger to answer questions before the Senate Permanent Subcommittee on Investigations, said failure to answer being pertinent to the subject matter under inquiry, together with all the facts in connection therewith, under the seal of the United States Senate to the United States Attorney for the Southern District of the State of New York, to the end that the said Abraham Unger may be proceeded against in the manner and form provided by law.

CITATION OF CORLISS LAMONT FOR CONTEMPT OF THE SENATE

Mr. SALTONSTALL. Madam President, I now move that the Senate proceed to the consideration of Senate Resolution 281.

The motion was agreed to; and the Senate proceeded to consider the resolution (S. Res. 281) to cite Corliss Lamont for contempt of the Senate.

THE OMNIBUS TAX LAW

Mr. FERGUSON. Madam President, today there occurred an event which I believe will be an historical one in the history of America. It was the signing of the bill revising the tax laws, which was the first complete revision of the tax laws in 75 years. I had the privilege of being present at the White House when the bill was signed today by the President of the United States. The President made a statement which I think should be in the RECORD, and I wish to give it to the Senate in full.

The President said:

This bill which today becomes law is the excellent result of cooperative efforts by the Congress and the Department of the Treasury to give our tax code its first complete revision in 75 years. It is a good law. It will benefit all Americans.

This law brings tax relief to large numbers of our citizens. It is, in fact, part of a comprehensive tax program which, since January 1 of this year, will have provided for tax cuts totaling $7,400,000,000—the largest dollar tax cut in any year in the Nation's history.

It is a law which will help millions of Americans by giving them fairer tax treatment than they now receive. For example:

The parents of dependent children who work can continue to claim their children as dependents, no matter how much the children earn.

Retired people and widows living on retirement income other than social security will receive a tax credit which will in effect be equal to the tax credit now given to people living on social-security income.

Taxpayers will now be able to claim as dependents people who are not related to them, so long as they provide more than one-half of such dependents' support.

Farmers active in soil and water conservation will be able to deduct from their income the cost of such conservation work, up to 25 percent of their gross income.

People with large medical expenses will now be able to deduct from their income all such expenses which exceed 3 percent (rather than 5 percent) of their incomes, and the maximum amounts deductible will be twice as large as they were in the past.

Working widows and many other mothers with child-care expenses will be able to deduct from their income up to $600 a year for the costs of taking care of their children.

People receiving sick benefits paid by employers will not have to pay any tax on such income up to $100 a week.

In addition to removing inequities in our tax system, this law will help our economy expand and thus add materially to the strength of our Nation. It will help our people produce better goods at cheaper prices—and it will help to create more jobs.

This economic growth will be fostered by such provisions as more flexible depreciation and better tax treatment of research and development costs, thus encouraging all business—large and small—to modernize and expand. And, partial reduction of the double taxation of income from dividends will stimulate the investment of savings by our private citizens and so make available the thousands of dollars that provide the plant tools and power needed for each new job in America.

Numerous other provisions will also help to expand the economy. These include the easing of the so-called penalty tax on accumulated earnings when necessary for legitimate business purposes; the extension of the carry-back of net operating losses, and the greater flexibility of the tax treatment of recapitalizations and reorganizations.

Almost balancing the revenue lost through these tax reductions is additional revenue of $1.2 billion gained by an extension of the 52 percent tax on corporation profits. The new law also closes more than 50 loopholes through which, in the past, some taxpayers may have attempted to avoid their fair share of the tax burden.

And, at long last, the American people will have—because of this law—much needed clarification of many tax provisions which previously have been subject to controversy.

I congratulate the Congress and its leaders for having enacted this monumental tax revision. Its passage is a tribute to a Congress which in this session has made so many major contributions to the prosperity and security of the people of our country.

Madam President, the two committees which reported, and the Congress which passed, the bill did a real service to the American people. The bill contained 929 pages. It went to conference with about 500 amendments. The distinguished Senator from Colorado [Mr. MILLIKIN], as chairman of the committee, and the distinguished Senator from Georgia [Mr. GEORGE], as ranking minority member, had the great task of handling the bill in the Senate and in conference.

I have been glad to refer to what the President has said, because I believe it summarizes the bill, so that the people may really understand what is back of this 929-page bill, the largest bill ever to be passed by Congress, I believe. Its passage was accomplished as a result of hard work on the part of both branches of the Congress.

Mr. MORSE. Madam President, I did not know the debate on the tax bill was to be reopened; but I am always happy to have it reopened at any time, and also to comment on the political, diversionary tactic of the President today in his so-called tax statement.

Madam President, I repeat what I said before, during the debate on the tax bill, namely, that I think no other piece of legislation passed by Congress is more opposed to the best interests of the taxpayers than the so-called Eisenhower tax bill, a bill which the professional staff of the committee pointed out, in the case of just one item—the so-called depreciation item—will cost the taxpayers of the Nation approximately $19 billion in the next 17 years. That is a clear giveaway to American big business.

Madam President, I am a little amused at the President's attempt to point out some of the so-called sugar-coated provisions of the bill. Of course, the relief given by the bill for dependent children and mothers and a few other persons should be granted; but there should also have been relief for millions of other Americans. But, Dwight Eisenhower did not support that relief in connection with this bill. The bill should have contained provision for the tax exemptions proposed by the Senator from Georgia [Mr. GEORGE]. They would have increased the purchasing power of millions of the American people, and would have provided relief for those whose gross incomes are $3,500 a year or less.

Madam President, I shall be very happy to take the President's statement of today on the tax bill into the political forums in the campaign which lies ahead, for I wish to say to the taxpayers of the United States that if they really want a tax bill which will provide for some revisions which will protect the interests of the great mass of the taxpayers, then in 1954 they should elect a Congress that

will place a check upon one Dwight Eisenhower.

Mr. GEORGE. Madam President, I thought perhaps I would have nothing further to say about taxes at this session of Congress. I certainly do not wish to take issue with the good President, at the other end of the Avenue, who thinks this is a great tax bill. But I must point out some things, in fairness to those of us who have different views.

I was a member of the conference committee on the tax bill. I signed the conference report, and I voted for it on the floor of the Senate. As anyone would expect in the case of so long a bill, it contained some things which one could not approve; but, on the whole, I believed it to be a good bill.

However, the one point at which I separated myself from the administration's philosophy was in regard to the relief given to the recipients of dividends. I went along with the provision of the bill just as it was written, which gives to the recipient of $50 of dividends an exclusion of that amount—in other words, of the first $50 of dividends—in computing the taxpayer's income-tax liability, and also gives to the recipient of dividends a 4-percent credit against his tax liability in the case of the remaining dividends received by him. I did that, Madam President, because I have always recognized that when tax rates are so high as ours are at the present time—and even before they got to be quite this high—some recognition should be given to the recipients of dividends upon which a high corporate rate had already been paid by the corporation—at the present time, a rate of 52 percent. I realized that a reasonable recognition of a dividend credit of the size of the one carried in this bill would be in the direction of equitable treatment of the recipients of dividends, and also that such a provision would tend to increase the incentive for individuals to invest in corporate capitalization. I think it is a good thing for the corporations to cease to be borrowers to the extent that they are borrowers today in our economy, for the time will ultimately come when the heavy indebtedness of corporations will destroy them, although they do not think so now. Their only avenue of escape is to provide more equity capital.

So I have always believed, and I believe now—and I believed at the time of our consideration of the conference report on the bill, and I so indicated by my vote—that the recognition of some credit to the individual recipient of corporate dividends would be a move in the direction of general equity, and also would tend to increase and strengthen the incentive of the people to invest in the equity capital of corporations, to the end that at some future date they may have cause to be happy by reducing their general indebtedness which, unless reduced, will be destructive to them.

Madam President, I am saying this for the reason that at the beginning of the present session—when, at that moment, it seemed that we were in for a considerable recession or for a recession of some consequence—I proposed an increase all the way through, from the bottom to the top, in the general personal exemptions. There is now 5 percent, plus 1 additional percentage point, of unemployment in the United States. There may be those who think that is a healthy and wholesome condition, but I do not. My own conclusion is that when unemployment goes beyond 4 percent, we are approaching a danger point. But American business is so constituted that it cannot see the danger until the train is coming around the curve.

Madam President, I shall address myself to certain other facts in connection with this tax bill. This is a large tax bill; it amounts to between 900 and 1,000 pages. But what is it? It is nothing but a codification of tax laws which have been enacted since 1913, when we first had an income tax. It is simply the gathering together of all the laws of all prior Congresses, codifying them in a new tax bill, eliminating certain things which were bad and adding certain other things which may be good. After all, it is simply a codification of existing law.

Now what do we have? I wonder. I wonder what is the basis for the various congratulatory messages and congratulatory speeches we have heard about this tax bill. What do we have?

First of all, we changed the percentage of gross income which a taxpayer could deduct as an expense for medical and hospitalization services. Where formerly the taxpayers, except those over 65 years of age, could only claim as a deduction those medical expenses in excess of 5 percent of gross income, under the new provisions he can deduct medical expenses in excess of 3 percent of gross income.

Who put that concept into the law, Madam President? I do not wish to claim anything for myself, but I put that concept into the law in the beginning. Years ago, when I had very little support from the executive branch, I proposed that medical and hospitalization expenses of the individual taxpayer in excess of 5 percent of gross income should be allowed as an expense for the benefit of the taxpayer.

In that respect all that has been done in this code is to reduce the figure from 5 percent to 3 percent. That is all right. I grant that it is a good reduction, but it is not such a marvelous thing.

The personal exemption, Madam President, had gone down to $500 a year. When the Republicans took over in the 80th Congress, I believe the Republicans themselves increased the exemption to $600, as it has been for several years. Not only that, but they gave to those who are 70 years young—or above 65 years young, I may say—a double exemption, which was most gracious and magnaminous conduct on the part of the House Ways and Means Committee. I supported those amendments on the floor of the Senate and in the Finance Committee. Yes, Madam President, I did support those amendments.

Do Senators know the effect of those two amendments? Senators may not be aware, and even if the press carries the story, some of their readers will hardly believe, that those two amendments, increasing the personal exemption by $100 and doubling the exemption for taxpayers over 65, actually removed from the tax rolls more than 7½ million taxpayers.

Yet when in this good year we proposed to raise the exemption again, a complaint from certain sources went up all over the Nation against such action. I know those sources. Anybody who has been in public life knows them. They are not essentially bad, but they take their cues from something which happens here in Washington.

When we proposed to raise the personal exemption again, the Secretary of the Treasury, George Humphrey, good a man as he is—and I honestly admire him—and the President, good a man as he is, both went on the radio networks and the television networks, and broadcast the statement, "We cannot take so many people off the rolls. We cannot relieve so many taxpayers of the payment of income taxes."

Madam President, the Republican 80th Congress relieved 7½ million people from any tax liability in the two measures I have indicated. I supported both of them. They were good proposals. They gave a double exemption to those who are 65 years of age and over, which was more or less like charity, but was not wrong. They did not take too many taxpayers off the rolls by that action.

But the marvelous thing is that when here in a Republican Congress in this good year of 1954, with the two parties about equally divided—I was about to say a Democratic Congress, and it should be. [Laughter.] At any rate, when we proposed to take more taxpayers off the rolls, the Treasury told us and the White House told us, and every newspaper in the land told us "That will never do. You must keep everybody on the rolls, and put some more people on the rolls."

Madam President, since you were not here when the other Republican Congress was in session and took 7½ million people off the rolls, let me say that the number of taxpayers on the rolls at that time was considerably less than 50 million; in fact, it was probably not as much as 40 million. However, in this good year of grace, as stated by the Under Secretary of the Treasury himself in response to an inquiry which I submitted as a member of the Finance Committee, there are more than 77 million taxpayers on the tax rolls. Yet if we took a few million off the tax rolls—3 or 4 million—we would be guilty of a great crime. We would be guilty not only of a great crime, but there would be something wrong with us, and perhaps somebody ought to go out with a net and bring us in and examine our heads.

Madam President, in the meantime the social security tax has gone up and up and up—until today every recipient under the old-age and survivors insurance, which is the heart of our system, is paying 4 percent; that is, either the recipient is paying it, or his employer is dividing the cost with him.

That is a sizable tax, and it is increasing in amount. We have just passed a new social security bill, which I supported in the committee, and which I support now, but that bill is going to raise the social security tax, and it is

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going to affect every taxpayer in America.

The whole system of taxation has changed, we find, when we compare the present-day laws with the law as it was at the time when the 80th Congress met with a Republican majority.

Madam President, I have been speaking for too long a time, and I shall hasten on. What is the virtue of the tax law the President has just signed? First, we have raised the personal deduction, or personal exemption, if we put it the other way around, for children who will still be in school or in college; and we have said that it makes no difference whether that child is earning $600 or not, such earnings will not be counted against the parent who supplies him some more money to go to school or college, as long as he is attending school. That was a very generous act. That was all right.

We said that for people under 65 years of age, $1,200 of their retirement or pension benefits under a public retirement system could be deducted. That is all right, if that is the best we can do. It is perfectly all right.

Then we said a working mother is entitled to hire a baby sitter, and pay the baby sitter as much as $600 a year, and deduct the $600 from gross income when she begins to compute her tax for tax liability purposes. That was all right. That provision was inserted in the bill on the motion of a Democratic Member of the Senate. It came from the Democratic side. That is all right. I went along with it. I did not go along with it enthusiastically, but I went along with it.

What do we have in the tax law? We have an increase in the personal exemption for people over 65. We have an increase in the personal exemption of $1,200 for all pensioners under a public retirement system, plus $600. We have an increased exemption for medical and hospital expenses of people, measured by the difference between 5 percent and 3 percent upon the gross income of those people. What else do we have? I am being fair with the American people, Madam President.

What else have we? We have an increase in the personal exemption of $50 for every dividend recipient plus a 4 percent tax credit on all dividend income above the $50 tax credit. How many people does that benefit? Between 7 million and 8 million Americans receive dividends. About 7 million of them will have the advantage of that provision.

What did we say? We said that the only way—and I repeat it—in which to build a sound economy in America and sustain it is to increase the mass purchasing power of all the people, or the per capita purchasing power.

What have we done? We have given the aged people of 65 and over—and that was already provided 3 or 4 years ago, but it is in the act now, because this is a codification of the acts—a double exemption. We have given to the sick and disabled, who have a doctor's bill to pay, a slight benefit. Heaven knows, that is all right. We have given them the benefit of an exemption, plus the standard exemption. People who are under a public retirement system receive an exemption of as much as $1,200. However, we say to the retired railroad man, "You get a certain amount under the Railroad Retirement Act, but you cannot get the benefit of the $1,200 exemption. If you are getting $1,000 under the Railroad Retirement Act, you must deduct that amount from the $1,200. So you have an increase in your personal exemption of only $200." Of course, his retirement benefit is exempt. That is all right. That is an equity.

We say to the social security beneficiaries, "If you are getting $700 under social security, you cannot deduct the $1,200." That is all right. Social security payments, under a regulation of the Bureau of Internal Revenue, are not taxable. That is, such income does not go into the computation to determine the amount upon which the tax is assessed.

That is what there is in the bill for individuals. I almost overlooked something. I do not know how I could overlook it.

I happen to be a farmer. I used to be a lawyer, but I have been doing nothing but farming since I have been in the Senate. I quit the law business. I actually gave back a mortgage for several hundred dollars in a case to one of my clients, and told him I could not represent him any more because I had too much to do in the Senate. I have remained a farmer. We farmers may now build a pond or open up a drainage ditch. We can actually deduct from our gross receipts in 1 year 25 percent of the cost of that pond or ditch.

Mr. LONG. Madam President, will the Senator yield?

Mr. GEORGE. I am glad to yield, but I ask the Senator to make his question brief.

Mr. LONG. I hope the Senator realizes that by the time the new farm act goes into effect, the farmers will not need any exemption, because they will not have any income with which to pay a tax.

Mr. GEORGE. That is probably true, but I do not wish to discuss that subject.

The provision to which I referred a moment ago is helpful to the farmers. I voted for it. I would have gone somewhat further. Is that not a marvelous provision? Just think of the marvelous tax bill we have passed. It increased the personal exemption of the beneficiaries under public retirement systems. It increased the personal exemption of all recipients of dividends.

We have done something for the farmer. I was about to forget that. We increased, in effect, the personal exemption of the poor woman who has to work for the amount of money she pays out to a babysitter while she is away from home earning the bread of the family, provided she does not pay out more than $600. We increased her exemption by only $600.

Is that not a marvelous record for a tax bill of a thousand pages? I am not talking about any of the other features of the bill, many of which I believe are good. I am not saying that the features to which I have called attention are not good. However, they are nothing to boast about.

I cannot understand why my friends on the other side of the aisle or why the good President has been misled into believing that this tax bill is a permanent contribution to the economy of this country.

I repeat what I said before, that the only way in which we can maintain a sound and advancing economy, when we are producing less than our capacity and looking for markets and purchasers for the goods, is by increasing the per capita buying power of the great masses of the American people.

Much as I appreciate the help I received in the 80th Congress by the doubling of my personal exemption, and much as I would appreciate having an increase in the exemption if I were to employ a babysitter—although unfortunately that day is long past—and much as I would appreciate having my personal exemption increased by a dividend which I had received, and the benefit of a credit against my tax liability if I had received more money in dividends, the fact is that I have no dividends. I do not have one share of stock in anything except the Government of the United States.

I never had many, but when I came to the Senate I said, "I shall get rid of those stocks." They were not nationally listed. They were not on the exchanges, but they were stocks, nevertheless, and I let them all go, some of them, in some instances, to my personal hurt; in other instances, possibly, to my advantage. The losses and gains were about equally balanced. I never figured that. So I receive no benefits except by being over 65 years young. That is all right. I have often said I wish the time would come in America when we would say to every taxpayer, when he reached a certain age, that he would not be liable for individual income taxes. But that is not the point I am discussing. I am discussing only one point. In effect, we have increased the personal exemption of the taxpayer in 3 or 4 or 5 categories, for which we claim great credit. Heaven knows, if we had increased the personal exemption for every taxpayer we would not have had to give an increased exemption to the woman who has to employ a babysitter. She would have had enough money left out of her exemption to take care of that account. We would not have had to increase other personal exemptions. We have gone at the problem in the wrong way. Fortunately, the depression has not run as deeply as many persons in the early months of this year thought it might run. But perhaps it is not over. Certainly, if it is over, it will come again under the economy we are now building up in this country, because the only answer to the economy of a great people who have vastly expanded their productive capacity and who find themselves in a position of utilizing only 70 or 75 percent of the capacity of the vast machine which has been built up, aside from vastly expanding foreign markets, which is not in the cards at the moment, is to increase the purchasing power of the individual taxpayers, not by classes, not

by benefiting only those who, unfortunately, become sick and go to the hospital, not by benefiting only the class of people who must employ babysitters, not by benefiting the limited class of people who get an increase in personal exemption by virtue of the fact that they are receiving dividends from corporations. Oh, no. We are taking care of certain minor groups, but we are not increasing the per capita purchasing power of all the people. If we did that, we would not have to resort to the babysitting argument or to many other things which we placed in the bill, because humanitarian impulses called loudly for some help for our people.

It is a perfectly ridiculous thing that in 1954, with a 50-, or 52-, or 53-percent dollar, we still say to every American taxpayer, "You can have only a $600 exemption when you compute your income taxes." We say to a farmer, if he builds a fishpond, that he may deduct a few dollars. If one is relatively young and has to employ a babysitter, he can get as much as $600. If a person is sick and goes to the hospital, he can increase the amount of his deduction.

Is that not marvelous? Is that not a marvelous record? Is that not a record of which this Congress ought to be proud? No doubt it will be proud.

Consider what we did. We helped the farmer who wanted to build a swimming pool or a fishpond. We give to the recipient of dividends—and there are approximately 7 million of them out of 77 million taxpayers—a $50 exclusion, equivalent to receiving a personal exemption of $50, and an additional credit of 4 percent of their dividends against their tax liability.

That was not wrong. I am not saying it was wrong. That was all right, provided we could give all the people a decent tax credit or a decent personal exemption. As it stands, we are giving them a personal exemption of approximately $300 plus, with the dollar worth 52 or 54 cents.

It is all right to recognize that dividends, on which the full corporate rate has been paid, are entitled to some consideration. I have never protested against it. Such treatment travels in the direction of equity, as I have previously said. It also tends to increase the incentive of the people to put more money into the equity capital of our corporations. But it should have come only when we could give every taxpayer an increase in his personal exemption.

Madam President, I dislike to make these remarks, because I voted for the bill. I should be content, perhaps, with saying that having voted for the bill, I should let well enough alone and let the President, the Secretary of the Treasury, all the agencies of Government, and all my brethren on the floor of the Senate regard the tax bill as a great accomplishment. Madam President, I cannot like that kind of thing when I know what has been accomplished and what has not been accomplished. I think the American people should know the facts. That is my only excuse for making a statement at this time.

Of course, the tax bill, to the extent that it reduced the enormous burden upon all taxpayers, is a step in the right direction. The other tax reductions which have been made this year were not made necessarily by Republicans. Good Republicans joined in making them. But in the tax bill of 1951 we provided that the excess-profits tax should expire on June 30, 1953. The President and the Secretary of the Treasury—and they are both right—said they could not spare the loss of that money, and asked to have it extended until the first of the year. That was done. This Congress carried out that provision of the tax bill passed in 1951.

It was also provided in the bill that the last increase in the rates for individual taxpayers should be removed. The distinguished Representative who is now the able Chairman of the House Committee on Ways and Means tried to accomplish this a little earlier. He wanted to move up the date and remove the increase simultaneously with the removal of the excess-profits tax. But it was already written into law. All that was necessary was to wait, and the reduction would be made.

In the same tax bill it was provided that the last billion dollars of excise taxes should be removed as of April 30 of this year. That was written into the law. A billion dollar reduction was made in the excise taxes. I must say in fairness that that amount was not taken off the precise taxes which, when the law was written, it was provided should be reduced; but it was taken off. The reduction in the excise taxes undoubtedly involved a Treasury loss of a billion dollars. There was a Treasury loss of $3 billion on the individual income taxes. There was a Treasury loss of $2 billion on the excess-profits taxes.

This year's bill, about which we are hearing so much, and which the President today approved, has taken off another $1,500,000,000 immediately. The amount will probably continue to grow; but that much is being taken off now.

Those are the tax reductions. Every one of them was made at a time when the Republican Party was not the majority in this body, except the reductions in the tax bill which the President signed today. That is all there is to it.

If it was good to take off the excess profits taxes, if it was good to reduce the rate on the individual taxpayers, and if it was good to reduce the excise taxes by $1 billion, the Democrats are entitled to a little credit for that. At least, they went along with the proposal, and went along with it again this year.

The present law, which was signed today, is the work of the Republican administration. I have said frankly that there are many good things in it. But there is not a good thing in everything that is being here extolled as a great virtue which would not have been immensely improved simply by raising the personal exemptions, and avoiding the necessity of writing into the tax laws one exception after another, which is the very bane of any sound tax system. That is all wrong. That is not the way to accomplish the purpose. That is the way to do it if it is desired to give relief only to a select few or a select group.

If it was desired to give relief, and to keep the exceptions out of the income-tax laws—exceptions which are only confusing and bad—then the way to have accomplished every good purpose in the bill, so far as the individual income taxpayer is concerned, was to have increased the personal exemption. That would have taken a number of people off the taxrolls. I have already said that 7,500,000 went off the rolls in the 80th Congress, and the heavens did not fall; they did not even crack.

I shall not discuss other features of the tax bill. I do not believe there is anything exceptionally wrong with many of the provisions contained in the bill. I have tried to make it perfectly plain that there is nothing wrong about recognizing essential equity in behalf of the recipient of a dividend which is taxed at the full corporate rate. I simply would have reversed the process; I would have given the benefit to all taxpayers, whether they received corporate dividends, or whether, in the sweat of their brow, they simply earned their income.

When the time comes when we can recognize inequity and the strangling of incentive through exorbitantly high taxes which were imposed upon corporate earnings, plus high taxes imposed upon dividends when they go to the individual, relief can then be provided.

But so long as a program is followed of singling out little groups, powerful though they may be, and as strongly as they may be able to prevent inequity to themselves, and so long as exception after exception is made in the income-tax laws, it will always be necessary to make a shift in the taxes, and it will never be possible to join issue with the fundamental and basic proposal that for an expanding economy such as we have, and which we always hope to keep, it is necessary constantly to increase the per capita purchasing power of the great masses of the people, not of little groups here and there.

I am not regretful that there are good things in the tax law. I thoroughly rejoice that they are present. But I do not believe the tax law should be blown up into a great accomplishment, when actually the philosophy back of it leads very definitely away from a constantly growing and expanding economy in the United States. I know that, or at least I think I know it; and I have been perfectly willing to take my stand upon that basis.

Mr. LONG. Mr. President, I, too, voted for the passage of the tax bill which the President signed today. I did so reluctantly. Like the Senator from Georgia [Mr. GEORGE], whom I admire very much, I felt there was a great oversight in the bill, because it provided little or nothing for the great majority of American families.

It is true that the bill has provided a measure of relief for many persons. It provided relief for those who receive corporation dividends. It has provided some relief for a working mother, if she can afford to hire a baby sitter. It has provided some relief for those having retirement incomes, such as retired firemen and policemen, and others in that

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category. Some additional relief is provided in the case of medical expenses.

But I believe it will be found that the relief provided in the new law is directed in such a manner that about 80 percent of the relief will go to less than 20 percent of the people.

It will be found further that in the new tax law more than 50 percent of the taxpaying families will receive no relief whatsoever.

The third-year cost of the law is estimated to be $3,400,000,000. If that amount of relief had been spread evenly among all taxpaying families it would have meant $80 of tax relief for every taxpaying family. As it is, the bill will not provide 5 cents worth of tax relief for a majority of the families who pay taxes today.

I was willing to vote for passage of the bill which included relief for corporations on their dividends. I was willing to vote for proposals to give corporations an additional depletion allowance. I only regret that we were unable to provide the type of relief which would make it possible for every American taxpayer to have some benefit from the bill. Such relief has not been provided, although an effort was made on the floor of the Senate to provide it.

The Senator from Georgia [Mr. GEORGE], on behalf of himself and several other Senators, including myself, offered an amendment which would have amounted to a reduction of about $20 each year in taxes for every taxpayer, about $20 reduction in taxes additionally if he were married, and about $20 additional reduction for every child in the family. For the average family that would have been about $80 of tax relief. That amendment was opposed on the Republican side of the aisle, the argument being that such relief would be too expensive to provide.

It would not be any more expensive than the bill which we had before us at the time, and yet from the Republican side of the aisle a motion was made to reduce by one-half the tax reductions proposed by the amendment of the Senator from Georgia. When that motion failed to carry, the Republican side of the aisle voted almost solidly against the proposal by the Senator from Georgia to reduce taxes on every American family. They succeeded in defeating that amendment.

Hoping that the Republicans might be willing to vote for the sort of amendment we would have had if the Republican proposal to reduce the relief by half had prevailed, I then proceeded to offer an amendment to provide $20 relief for every taxpayer and $40 relief for every married couple. A single man could have had $20 tax reduction and a family could have had $40 tax reduction.

Although it might have appeared that such a proposal would have great support from the Republican side of the aisle, only 2 Senators on the other side of the aisle voted for that amendment. The result was that the amendment was defeated, although 30 Democrats voted for it. Mr. President, those were proposals which would have provided tax relief for everybody in this country.

Let us see what has happened since January 1. On January 1, the corporation excess-profits tax expired. My best estimate is that the income from that tax was about $1,600,000,000 each year. Personal income taxes were reduced automatically, as provided by a previous Congress, involving loss of revenue of another $3 billion, let us say. On the same day the social-security tax went up by one-half of 1 percent on the employer and one-half of 1 percent on the employee, a total increase of about $1,600,000,000.

Applying that increase against the tax reduction, we had a net tax decrease of approximately $3 billion a year.

What was the effect so far as the average man in America was concerned? An industrial worker, earning his living, with an income of approximately $3,500 a year on January 1 would have had his income tax reduced by $16.50. On the same day his social-security tax would have been increased by $17.50, leaving him paying $1 a year more taxes on his income than he had been paying before.

However, if he were so fortunate as to be one of those in the upper income-tax bracket, making $50,000 a year, although his social-security tax would have been increased $17.50, his personal income tax would have been reduced by $1,850, with the result that he would then have had a net tax reduction of approximately $1,832.50 each year. That is a major reduction for a person in that income-tax bracket, compared to the $1 a year increase which the average industrial worker suffered on January 1.

Therefore, Mr. President, it would have seemed that in this subsequent tax bill we should have provided genuine tax relief for the average American family. It was not provided in this bill. Although many of us tried to provide it, we were unsuccessful.

So far as some of us are concerned, we look upon this bill as something of a watermelon-splitting party. We have cut the watermelon—the watermelon of tax relief. The half which was properly to belong to the corporations, to those in the upper income-tax brackets, to those who receive corporation dividends, to those who wish to make gifts of insurance policies to their children, was properly delivered to those individuals.

Unfortunately, the half which should have gone to the average American citizen was left out. For my part I can only explain that that is about the best tax bill one can get under a Republican Congress. We tried to make it one that would have reduced income taxes on every American citizen. Unfortunately, less than half of them will be benefited by this bill.

SURVIVOR BENEFITS FOR WIDOWS OF CHIEF JUSTICES AND ASSOCIATE JUSTICES OF SUPREME COURT

Mr. McCARRAN. Mr. President, from the Committee on the Judiciary, I report favorably, without amendment, the bill (S. 3873) to provide survivor benefits for widows of the Chief Justice and the Associate Justices of the Supreme Court of the United States, which was introduced earlier today by the Senator from Kentucky [Mr. CLEMENTS]. I ask unanimous consent for the immediate consideration of the bill.

Mr. KNOWLAND. Reserving the right to object—and I do not intend to object—is this the matter the Senator from Nevada discussed with the majority and minority leaders earlier, relative to pensions for widows of Justices of the Supreme Court and widows of former Justices of the Supreme Court?

Mr. McCARRAN. It is.

The PRESIDING OFFICER (Mr. CRIPPA in the chair). The clerk will read the bill for the information of the Senate.

The Chief Clerk read the bill, as follows:

Be it enacted, etc., That chapter 17 of title 28, of the United States Code, as amended, is amended by adding at the end thereof the following new section:

"375. Annuities to widows of the Chief Justice and Associate Justices of the Supreme Court of the United States.

"(a) The Director of the Administrative Office of the United States Courts shall pay to the surviving widow, if any, of a Justice of the United States who has died or who dies while in regular active service, or who has died or who dies after having retired or resigned under the provisions of this chapter, an annuity in the amount payable to the beneficiary under the act of January 14, 1937 (50 Stat. 923, ch. 3).

"(b) An annuity granted under the provisions of this section shall accrue monthly and shall be due and payable in monthly installments on the first business day of the month following the month for which the annuity shall have accrued. Such annuity shall commence on the first day of the month in which any such Justice dies, or on the first day of the month in which this section is enacted, whichever is later, and shall terminate upon the death or remarriage of the annuitant."

SEC. 2. The analysis of chapter 17 of title 28, of the United States Code, immediately preceding section 371, is amended by inserting at the end thereof the following:

"375. Annuities to widows of the Chief Justice and Associate Justices of the Supreme Court of the United States."

Mr. McCARRAN. Mr. President, this bill comes to the floor of the Senate by reason of a poll of the Committee on the Judiciary. All members of the Judiciary Committee, except the Senator from Wisconsin [Mr. WILEY], who was not available, and two members who were out of the city, have signed the poll. I ask unanimous consent that the bill be immediately considered.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 3873) to provide survivor benefits for widows of the Chief Justice and the Associate Justices of the Supreme Court of the United States was considered, ordered to be engrossed for a third reading, read the third time, and passed.

EMERGENCY CREDIT

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 3245) to provide emergency credit, which was, on

page 1, line 3, strike out "December 31, 1954," and insert "June 30, 1955."

Mr. AIKEN. Mr. President, this bill has been taken up with both the majority and minority leaders of the Senate, and they are agreeable to having the House amendment considered at this time.

The bill passed the Senate on May 13 and was considered by the House later. The House amendment simply provides for extending the time 6 months longer than the Senate bill did. I move that the Senate concur in the House amendment.

The motion was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 3189. An act providing for the conveyance by the United States to the Monterey County Flood Control and Water Conservation District, Monterey County, Calif., of certain lands in Camp Roberts Military Reservation, Calif., for use as a dam and reservoir site and for other purposes;

S. 3595. An act to direct the Secretary of the Army to convey certain property located in El Paso, Tex., and described as part of Fort Bliss, to the State of Texas;

S. 3712. An act to authorize the Commander, Air University, to confer appropriate degrees upon persons who meet all requirements for those degrees in the Resident College of the United States Air Force Institute of Technology;

S. 3750. An act to direct the Secretary of the Air Force or his designee to convey certain property located in proximity to San Antonio, Bexar County, Tex., to the State of Texas; and

S. 3822. An act to authorize the conveyance to the State of Texas of approximately nine acres of land in Houston, Tex., to be used for National Guard purposes.

The message also announced that the House had agreed to the amendment of the Senate to each of the following bills of the House:

H. R. 2948. An act to amend section 308 (5) of the Tariff Act of 1930, as amended; and

H. R. 9910. An act to amend section 413 (b) of the Foreign Service Act of 1946.

The message further announced that the House had severally agreed to the amendments of the Senate to the following bills of the House:

H. R. 6672. An act to increase the public debt limit;

H. R. 7734. An act to amend section 47 of the National Defense Act concerning the requirement for bond covering certain property issued by the United States for use by Reserve Officers' Training Corps units maintained at educational institutions;

H. R. 8628. An act to amend the Tariff Act of 1930 to insure that crude silicon carbide imported into the United States will continue to be exempt from duty;

H. R. 8753. An act to amend the Federal Property and Administrative Services Act of 1949, as amended, to authorize the Administrator of General Services to establish and operate motor vehicle pools and systems and to provide office furniture and furnishings when agencies are moved to new locations, to direct the Administrator to report the unauthorized use of Government motor vehicles, and to authorize the United States Civil Service Commission to regulate operators of Government-owned motor vehicles, and for other purposes; and

H. R. 10009. An act to provide for the review of customs tariff schedules, to improve procedures for the tariff classification of unenumerated articles, to repeal or amend obsolete provisions of the customs laws, and for other purposes.

The message announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 9366) to amend the Social Security Act and the Internal Revenue Code so as to extend coverage under the old-age and survivors insurance program, increase the benefits payments thereunder, preserve the insurance rights of disabled individuals, and increase the amount of earnings permitted without loss of benefits, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. REED of New York, Mr. JENKINS, Mr. SIMPSON of Pennsylvania, Mr. COOPER, and Mr. DINGELL were appointed managers on the part of the House at the conference.

The message further announced that the House further disagreed to the amendment of the Senate to the bill (H. R. 9757) to amend the Atomic Energy Act of 1946, as amended, and for other purposes; agreed to the further conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. COLE of New York, Mr. HINSHAW, Mr. VAN ZANDT, Mr. DURHAM, and Mr. PRICE were appointed managers on the part of the House at the further conference.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 9924) to provide for family quarters for personnel of the military departments of the Department of Defense and their dependents, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. JOHNSON of California, Mr. CUNNINGHAM, Mr. DEVEREUX, Mr. BROOKS of Louisiana, and Mr. MILLER of California were appointed managers on the part of the House at the conference.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 10051) making appropriations for mutual security for the fiscal year ending June 30, 1955, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. TABER, Mr. WIGGLESWORTH, Mr. H. CARL ANDERSEN, Mr. FENTON, Mr. DAVIS of Wisconsin, Mr. FORD, Mr. GARY, Mr. ROONEY, Mr. PASSMAN, and Mr. CANNON were appointed managers on the part of the House at the conference.

CITATION OF CORLISS LAMONT FOR CONTEMPT OF THE SENATE

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the call of the roll be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KNOWLAND. Mr. President, what is the pending question?

The PRESIDING OFFICER. The pending question is on agreeing to Senate Resolution 281, Calendar 1829, to cite Corliss Lamont for contempt of the Senate.

Mr. McCARTHY. Mr. President, I think the Senator from North Dakota [Mr. LANGER] wishes to be heard on this particular resolution.

Mr. McCARRAN. Mr. President——

Mr. McCARTHY. In the meantime, I am glad to yield to the Senator from Nevada.

Mr. McCARRAN. Mr. President, I seek to obtain the floor in my own right.

Mr. McCARTHY. Very well.

THE ANTI-COMMUNIST BILL

Mr. McCARRAN. Mr. President——

The PRESIDING OFFICER. The Senator from Nevada is recognized.

Mr. LEHMAN. Mr. President, has the Senator from Wisconsin finished the presentation of his case?

Mr. McCARTHY. No; Mr. President, I have yielded the floor to the Senator from Nevada.

Mr. LEHMAN. Mr. President, I object; I do not think the Senator from Wisconsin can yield the floor.

Mr. McCARTHY. I shall simply take my seat.

Mr. LEHMAN. I believe the pending question is on agreeing to the contempt citation resolution.

Mr. KNOWLAND. Mr. President, there is no rule of germaneness in the Senate; and the Senator from Nevada has been recognized.

Mr. LEHMAN. Mr. President——

Mr. McCARRAN. Mr. President, I have been recognized, and I have the floor.

Mr. LEHMAN. Mr. President, I did not understand that a Senator could yield the floor, except for a question.

The PRESIDING OFFICER. The Senator from Wisconsin took his seat, and the Chair recognized the Senator from Nevada.

Mr. McCARRAN. Mr. President, I wish to speak for a brief time about the so-called anti-Communist bill which was passed by the Senate on August 12.

The bill was passed under the number S. 3706; and there is some resemblance between the bill which was passed and Senate bill 3706. However, Senate bill 3706, as it was reported from the Committee on the Judiciary, was a good bill; whereas the bill which was passed by the Senate under the number S. 3706 is a monstrosity.

I voted for the bill, Mr. President, because for a long time I have been eager to help obtain the enactment of legislation to deal with the problem of Communist infiltration of labor unions and other organizations. So I voted for the bill in the hope that it might be possible, in conference, to write a bill which would be effective, and which would not render

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ineffective existing anti-Communist laws.

Mr. MORSE. Mr. President, will the Senator from Nevada yield for a question?

Mr. McCARRAN. I yield for a question.

Mr. MORSE. I think I understand the Senator's attitude on the bill, but does the Senator from Nevada agree with me that the action which we took the other day at least had one very-much-to-be-desired effect, in that it served clear notice on the world that in the Senate there is no division of opinion among liberals, conservatives, and those in between when it comes to our utter detestation of the Communist conspiracy and our united insistence that as a Senate we will fight the growth of the Communist conspiracy?

Mr. McCARRAN. I believe that was made manifest by the vote of the Senate, but I desire to have something concrete which will be of value.

If we are to hope to do that, Mr. President, we must recognize that the bill which the Senate passed will not be effective, if it becomes law; and that it will render ineffective anti-Communist laws which are now on the books.

Deficiencies in the bill fall into three classes. First, major deficiencies; second, minor deficiencies; and third, technical deficiencies. I shall hope today to point out and discuss briefly the major deficiencies in this bill, the reasons why it must not become law in the form in which it passed the Senate, and some of the minor deficiencies. I shall not attempt to cover all the minor deficiencies of the measure, and I shall not bother the Senate with technical deficiencies.

One major deficiency of this bill is the fact that, in the provisions purporting to outlaw the Communist Party, it is of very doubtful constitutionality. Section 3 of the bill provides a penalty for acts involving, among other things, becoming or remaining a member of any organization having for one of its purposes or objectives the establishment, control, conduct, seizure, or overthrow of the Government of the United States, or the Government of any State or political subdivision thereof, by the use of force or violence. I question whether that is a sufficiently certain designation of the organizations to be affected. It is not clear what "purposes or objectives" means. It is not clear what is meant by an organization having for one of its purposes the establishment of the Govment of the United States by the use of force or violence. It is not clear what is meant by having for one of its purposes the conduct of the Government of the United States by force or violence. I cannot say what organizations might or might not fall within that class.

I will not bore the Senate now with a highly technical legal discussion; but I have gone carefully into the question of whether the Congress may by law outlaw the Communist Party, as such, and I believe this may be done within the Constitution. But I gravely doubt that the provisions of section 3, in effect outlawing numerous other unnamed organizations, will stand the test of constitutionality.

Mr. MORSE. Mr. President, will the Senator yield for a question?

Mr. McCARRAN. I yield for a question.

Mr. MORSE. As the Senator from Nevada knows, I have exceedingly high regard for his views on constitutional questions. I wish to be sure that I understand the constitutional point the Senator is now raising.

Am I correct in understanding that the Senator from Nevada is not saying that the bill would lack constitutional soundness simply because it seems to prohibit membership in some organization; but the Senator from Nevada believes that the definitive terms in the bill are not sufficiently specific to enable the court with absolute certainty to identify the organization?

Mr. McCARRAN. The Senator from Oregon has expressed my views exactly.

Mr. MORSE. For the purposes of clarity in the RECORD, will the Senator answer another question, based upon a hypothetical situation?

The Senator from Nevada would agree with me, would he not, to use an absurd case to illustrate the point, that if we should find there was an organization which we will call Murder Incorporated and the organization was limited in membership to assassins, and we passed a law which sought to impose criminal penalties upon membership in an organization called Murder Incorporated, and defined it accurately enough so that the court would know to what organization the bill applied there would be no question about our constitutional power as a Congress to make it a criminal offense to belong to such an organization?

Mr. McCARRAN. None whatever.

Mr. MORSE. Will the Senator yield for one further question?

Mr. McCARRAN. I yield.

Mr. MORSE. It is obvious that we have a difference of opinion on this question, but assuming that we have adequately defined the Communist Party in the bill—which in my opinion is only another way of defining or naming a Murder Incorporated, because I think that is what the Communist conspiracy is—there is no question about our constitutional power to impose criminal penalties for membership in that kind of a defined Communist Party, is there?

Mr. McCARRAN. If it is properly defined.

Mr. President, another major deficiency of the bill is the fact that while it purports to outlaw the Communist Party, it probably does not accomplish anything more in this regard than statutes already on the books. A careful reading of section 3 will indicate that before any person could be convicted thereunder, it would have to be shown that he committed an overt act designed to carry into effect a purpose involving the "establishment, control, conduct, seizure, or overthrow of the Government of the United States, or the government of any State or political subdivision thereof, by the use of force or violence, after having joined or remained a member of the Communist Party or a similar organization."

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield to the Senator from Minnesota.

Mr. HUMPHREY. I have great respect for the views of the Senator from Nevada on questions of constitutional law, and I shall listen very attentively to his dissertation.

I do not believe the bill which we passed is necessarily a model of legislative craftsmanship, but I think its objective is quite clear.

The use of the words "overt act" has been mentioned in the press over the weekend, because of the amendment which was offered by the Senator from Kentucky [Mr. COOPER]; but I remind the Senate that the word "overt" was deleted from the amendment.

I also remind the Senate that under section 2 of the bill as it passed the Senate we no longer talk about the Communist Party as a party. It is not a party; it is a conspiracy. The word "party" is a misnomer. The Communist Party has no characteristics of a political party as we commonly understand political parties in the United States. Membership in the conspiracy is the "act."

It seems to me that the bill as passed does not weaken the Smith Act. Once we have been able to prove that a person is a member of the Communist Party we have proved that he is a part of a conspiracy and has committed an act which is prohibited.

I believe this point is very important in a legal discussion. Having established in section 2 that the Communist Party is not a party but is a conspiracy, which shall be subject to criminal penalties, we go to section 3, which outlines membership in the conspiracy. Such membership is the act which is the subject of criminal penalties.

Mr. HENNINGS. Mr. President, will the Senator yield for one moment?

Mr. McCARRAN. I yield to the Senator from Missouri.

Mr. HENNINGS. Does the distinguished Senator from Nevada, who is now embarking upon discussion of a bill on which the Senate acted last week, which I think has troubled many of us, both as to constitutionality and practical enforceability, as well as in many other aspects believe there can be any conspiracy whatever without some overt act?

Mr. McCARRAN. A group may conspire. However, if they never act, I am at a loss to know what they can be charged with.

Mr. HENNINGS. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. HENNINGS. As all of us have understood since our law-school days and our study of what may be called hornbook law, there may be a conspiracy by all participants either actively aiding or abetting or otherwise participating, but none of the participants can be held guilty of conspiracy until one of the conspirators or one of the potential conspirators commits an overt act. That is basic and elementary law.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. HUMPHREY. I appreciate the superior knowledge of the distinguished Senator from Missouri and of the senior Senator from Nevada. I also say that if Congress, by law, declares that an organization or its membership are engaged in a conspiracy, it is a clear, present, and continuing conspiracy, and is a knowledgeable act.

Mr. HENNINGS. To do what?

Mr. HUMPHREY. To overthrow the Government of the United States. Such an organization can be made an illegal organization, as was the Nazi Bund, which was banned. We have banned other organizations engaged in illegal activities. If members of such an organization are picked up, they can be made subject to the penalty of the law.

Mr. McCARRAN. Mr. President, the views of the able Senator from Minnesota are not exactly my views. The technicality involved is not something on which I care to hold the attention of the Senate at this time. I am trying to draw the attention of the Senate, especially the attention of the conferees, if conferees are to be appointed, to what should be written into the law in order to make it effective.

It is already an offense, Mr. President, for any person to conspire to teach or advocate the overthrow of the Government of the United States by force or violence. That is under the Smith Act. Furthermore, it is already an offense—under section 4 of the Subversive Activities Control Act—for any person to combine, conspire, or agree with any other person to perform any act which would substantially contribute to the establishment within the United States of a totalitarian dictatorship.

Various other acts are also made illegal under section 4 of the Subversive Activities Control Act. My own conclusion, after studying the bill the Senate passed last Thursday, is that it would not be any more effective than the Smith Act and section 4 of the Subversive Activities Control Act. I think that any imaginable conduct under which a man could be tried and convicted under the terms of section 3 of the bill passed by the Senate last Thursday, could also lead to trial and conviction under either the Smith Act or section 4 of the Subversive Activities Control Act. So, with regard to outlawing the Communist Party, enactment of this bill will accomplish exactly nothing.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. HUMPHREY. I respectfully invite the attention of the Senator from Nevada to the fact that the difference between what we did on Thursday last and the Smith Act is rather significant. Under the Smith Act it is not only necessary to prove that a man is a member of the Communist Party, but it is necessary to prove also that as a member of the Communist Party he actually committed an overt act which led to the advocacy or the teaching of the overthrow of the Government of the United States. That is the existing law.

We have changed that concept of the law by the bill we passed on Thursday. We provide that if we prove a man's membership in the Communist Party, ipso facto, we have proved an act of conspiracy against the Government of the United States. In other words, to be realistic, the Communist Party today is not composed of social reformers, but is composed of a hard core of actionists, a hard core of militant, disciplined persons who are engaged in sabotage, subversion, and similar activities.

What the Senate bill does, and what the junior Senator from Minnesota had in mind, at least, in offering his substitute, was that membership in the Communist Party, as declared in section 2 of the bill, in and of itself is sufficient evidence to justify punishment. That is the difference between the existing law and the bill the Senate passed on Thursday.

Mr. McCARRAN. I am quite well aware of the intention behind the amendment. I have no doubt about the Senator's good intention. I am drawing attention to the fact that, as I read the bill from the standpoint of statutory construction and future analysis in the light of the Constitution, I fear the results. I do not want the bill which had been drafted by the Committee on the Judiciary and was brought to the Senate by the Senator from Maryland [Mr. BUTLER] to fall under the ban, if the Court decides to hold it unconstitutional because of certain conditions which are attached to it.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. HUMPHREY. Did we not add a separability clause?

Mr. McCARRAN. A separability clause was added, which is a saving clause to a certain extent.

Enactment of the bill will accomplish a great deal, however, in the way of making a nullity out of anti-Communist legislation already on the statute books.

As most Senators are aware, the subversive Activities Control Act, which is title I of the Internal Security Act, requires registration of Communist organizations, and provides for determination, by proceedings initially filed with the Subversive Activities Control Board, of the identity of Communist organizations. Pursuant to this act, the Communist Party of the United States of America has been found by the Subversive Activities Control Board to be a Communist-action organization, within the terms of the Subversive Activities Control Act. Within a year or less, it is to be expected there will be a final court determination on this point. When there is such a determination, it will be unlawful for any member of the Communist Party to hold any nonelective office or employment under the Government of the United States, or to engage in any employment in any defense facility. It will be unlawful for a member of the Communist Party to receive any information of a classified nature, or to seek to obtain or receive such information, directly or indirectly, from any officer or employee of the United States. Members of the Communist Party will not be able to get passports, or to use them. Members of the Communist Party will not be permitted to send propaganda through the mail without marking it as disseminated by a Communist organization. Other important effects also will flow from this final designation of the Communist Party of the United States as a Communist-action organization under the subversive Activities Control Act; and remember, that final determination is less than a year away, after 4 years of operation under the act. We are proving, under this law, that we can take action against the world Communist conspiracy, within our borders, without throwing away any of our basic principles of due process.

But all these results under the Subversive Activities Control Act are based on the requirement that Communist organizations shall register, and may be prosecuted for not registering. This provision would not be constitutional if registration were self-incrimination; that is, if by registering as a member of the Communist Party, an individual were incriminating himself. This result is avoided, under the Subversive Activities Control Act, by section 4 (f), which provides that neither the holding of office nor membership in any Communist organization by any person shall constitute per se a violation of any criminal statute. If we repeal that section, the Subversive Activities Control Act, in requiring registration, might be held to be unconstitutional. If we pass a new law—as the Senate did last Thursday—which makes it an essential element of a criminal offense to belong to the Communist Party, then we are, in effect, exempting from the registration requirement of the Subversive Activities Control Act every person who wishes to plead his privilege against self-incrimination. By passing such a new statute, we shall be effectively, by necessary implication, repealing the first sentence of section 4 (f) of the Subversive Activities Control Act, and thus rendering important portions of that act substantially a nullity.

I do not say this result is intended, Mr. President. I am confident it was not intended. But it is the result which will flow inevitably from enactment into law of the bill S. 3706 in the form in which it passed the Senate last Thursday.

Another very important deficiency in the bill which passed the Senate last Thursday is that the provisions concerning proceedings with respect to Communist-infiltrated organizations have been made virtually impossible of accomplishment. Let me explain why that is so.

As the bill was reported from committee, it provided that in determining whether any organization is a Communist-infiltrated organization, the Subversive Activities Control Board shall take into consideration various matters. These various matters were set forth in seven numbered subparagraphs. As the bill passed the Senate, it provides that in determining whether any organization is a Communist-infiltrated organization, the Board shall be required to determine these various matters, set forth in the same seven numbered subparagraphs.

I shall not go down the list of all the numbered subparagraphs, and all the

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things which the Board must determine; but I do wish to point out that the language of the bill as it passed the Senate makes these matters all cumulative, and lays a burden upon the board to determine each of them, and all of them, before it can render a decision with respect to whether a particular organization is a Communist-infiltrated organization.

Look at just one of these seven numbered subparagraphs—subparagraph seven. What the Board would have to determine under this subparagraph is "whether such organization or any of its members or managers are, or within 3 years have been, knowingly engaged in any conduct punishable under section 4 or 15 of this act or under chapter 37, 105, or 115 of title 18 of the United States Code, or with intent to impair the military strength of the United States or its industrial capacity to furnish logistical or other support required by its Armed Forces, in any activity resulting in or contributing to any such impairment."

In other words, Mr. President, under this language of the bill the Senate passed on Thursday, before the Subversive Activities Control Board could find an organization to be Communist infiltrated, it would have to determine whether each member of that organization was guilty of any offense under a number of different laws. This would be an impossible burden.

As it came from the committee, the bill laid down the list of matters which the Board was to take into consideration. That is proper. It is setting a congressional standard. But to change it so as to require the Board to determine all those matters, is to give the Board a task which cannot be fulfilled, or, at least, cannot be fulfilled within any reasonable time.

Now let me mention quickly some of the minor deficiencies of the bill the Senate passed last Thursday. Looking at the same section we have just been discussing, relating to what the Board may consider or what the Board is required to determine in connection with deciding whether any organization is a Communist-infiltrated organization, we find that whereas the bill as it came from committee used the phrase "the extent to which," the bill as it passed the Senate uses the word "whether."

This could be extremely unfair to a defendant organization; because, under the committee language, it would be possible, and in fact, would be required, for the Board or a court to weigh the extent of engagement by the organization or its members in any particular Communist or pro-Communist activity; whereas under the standard fixed in the bill passed by the Senate, the criterion is not the extent, but "whether." That is a much more arbitrary standard. It might be, Mr. President, that a court would find that language so arbitrary as to be unreasonable, and so unreasonable as to be unconstitutional; in which case these provisions of the bill would fall. But if these standards should be upheld by the courts, the result would not be in accordance with the traditional American concept of due process.

Another change in the bill—for the worse—occurred when the provision of the committee bill prohibiting an organization which had been determined to be a Communist-infiltrated organization from petitioning, within 1 year thereafter, for a new determination, was changed, substituting a provision that such an organization might petition for a new determination immediately, "upon removing from the organization those persons determined by this section to be Communists."

Mr. President, that sounds like a plausible provision the first time one reads it. But the fact is that there are no "persons determined by this section to be Communists." There are not even any persons determined "pursuant" to this section to be Communists. There are not any persons determined under the bill to be Communists. Determinations are made with respect to organizations, not with respect to individuals; and individuals are involved only as they are members of organizations. This provision, therefore, for "removing from the organization those persons determined by this section to be Communists" simply does not make sense, would not be enforcible, and would not have any effect. The result might be that no organization found to be Communist-infiltrated could ever petition for a change in that finding; or the result might be that such an organization could renew litigation on the point by filing a new petition the day after the finding was handed down. Neither of those results would be desirable, Mr. President, and it is important that this new language, inserted in the bill as it passed the Senate, be changed to something like the provision which was in this section originally when the bill came from the committee.

Another minor defect of the bill is a matter upon which I have already commented, namely, the so-called "Ives amendment." This amendment provides "That any labor organization which is an affiliate in good standing of a national federation or other labor organization whose policies and activities have been directed to opposing Communist organizations, any Communist foreign government, or the world Communist movement, shall be presumed prima facie not to be a Communist-infiltrated organization." That proviso violates the conception of innocence until guilt is proven. Furthermore, this language is very poorly drawn. That is to be expected, in view of the fact that it was written, as were numerous other portions of the bill, in the heat of debate on the floor of the Senate. That is no way to write highly technical legislation; and, I assure my colleagues, anti-Communist legislation is highly technical legislation, because in dealing with Communists and Communist lawyers, we are dealing with sharp legal brains, trained and instructed to use every possible tactic, fair or unfair, to confuse and prolong and delay and frustrate.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. BUTLER. I am very happy to be able to tell the Senator from Nevada that the House has just passed, by an overwhelming vote, Senate bill 3706, the so-called Butler-Velde bill.

The first part of the bill proceeds upon the theory that the Communist Party is, in fact, a conspiracy which is dedicated to the overthrow of the United States Government by force and violence and that, therefore, it should not enjoy or be entitled to any of the rights, privileges or immunities attendant upon legal bodies created under the jurisdiction of the laws of the United States.

The remainder of the bill, which relates to Communist-infiltrated organizations, is as it was passed by the Senate.

Mr. McCARRAN. Can the Senator tell us whether the bill as it passed the Senate has been passed by the House with the same language?

Mr. BUTLER. No. The first part of the bill has been materially changed in the House; but the second part of the bill is substantially the bill as it passed the Senate.

Mr. McCARRAN. I say that this section is very poorly drawn, and I will illustrate that with one example. Under this proviso, in order to be presumed not to be a Communist-infiltrated organization, an organization needs to be an affiliate in good standing of a national labor organization whose policies and activities have been directed to opposing Communist organizations or any Communist foreign government or the world Communist movement. I think a Russian trade union affiliated with a national Russian trade union, and opposed to the Communist government of Yugoslavia, would meet that definition, and therefore necessarily be presumed not to be a Communist-infiltrated organization.

Another minor defect in the bill—and let me say that the defects which I am calling "minor" are not in themselves small; they are "minor" only by comparison with the major defects which I have previously outlined—another minor defect in the bill, I say, is the fact that in section 6, in the body of the proposed new paragraph 4 (a) which it is proposed to add to section 3 of the Subversive Activities Control Act, the word "knowingly" has been inserted three times, in such a way as to make it virtually impossible to bring any organization within the definition "Communist-infiltrated organization."

The effort here, I am sure, was a worthy one, namely, to make scienter an element of the offense. But what was lost sight of is the fact that the objective of this definition is to describe a particular kind of organization, not to convict any individual. When it is made necessary, in order to establish that an organization is Communist infiltrated, to establish also that the organization is substantially directed, dominated, or controlled by an individual or individuals who are or have been within 3 years knowingly giving aid or support to a Communist-action organization, a Communist foreign government, or the world Communist movement, then an element of proof has been intruded which will be almost impossible to meet.

I will give an example more closely in point. Testimony before the Internal

Security Subcommittee established beyond question that leaders of the Mine, Mill, and Smelter Workers Union were giving aid and support to the world Communist movement, and to various Communist objectives. But although this is an extremely flagrant case, I do not know whether it would be possible to prove that Maurice Travis and the others who made Mine, Mill a Communist front knew, in particular instances, that their acts were aiding the world Communist conspiracy. I have no doubt they did know it, Mr. President; do not misunderstand me about that. But consider the objective standard of proof which would have to be met in order to establish that they did know it. It would not be enough to show that what they did in fact helped the world Communist movement. It might not be enough even to show, in some particular instance, that any reasonable person would have known that the act would help the world Communist movement. The court might construe "knowingly" to mean "intentionally"; or it might construe the word to require proof of what was in a man's mind; and the only way that can be proved is by what the man himself says, which would not leave us with much reliable testimony available in the case of Maurice Travis and his fellows.

Mr. President, I could talk at greater length about this bill; but I shall not do so. The objective of the bill is worthy. I feel sure that many of those who voted for it, as I did, are now worried by the possibility that the bill may become law in the form in which the Senate approved it. I hope all Senators, and especially those who may be appointed to the committee of conference on this bill, will do everything they can to see that the bill is rewritten in conference, if that can be accomplished. If that cannot be accomplished, then it is better—and I say this soberly, and after mature consideration over the weekend—it is better that this bill should die.

Enactment of this bill in the form in which the Senate approved it will render completely inoperative important portions of the Subversive Activities Control Act. What is more, with respect to outlawing the Communist Party, this bill will not be effective in any area not already covered by either the Internal Security Act or the Smith Act; and in its provisions with respect to Communist-infiltrated organizations, this bill which the Senate passed last Thursday is absolutely unworkable. On top of all that, the bill is of very doubtful constitutionality, as it stands.

If we had a choice between effective provisions to outlaw the Communist Party, on the one hand, and on the other hand, the existing provisions of the Subversive Activities Control Act, it might be that some would prefer the bill outlawing the Communist Party. But when our choice is between the present law, which is constitutional, which is standing the test, and which will be completely effective within a year, and a proposed new law which is of very doubtful constitutionality, which cannot possibly be effective, which has unworkability built into it, then it is the old story of trading a live horse for a dead rabbit—and we cannot afford the trade.

There can be no doubt that the Communists and the Communist Party hate and fear the Internal Security Act, and the Subversive Activities Control Act. Their bitter fight against those laws, during the last 4 years, and their continuing effort to secure amendment or repeal, are ample evidence of the fact. Whatever new legislation we are to enact in our efforts to further combat the Communist menace, let us be careful that we do not tear down or destroy the bulwarks we have already erected.

Mr. MORSE. Mr. President, the views of the Senator from Nevada are entitled to much more careful analysis than time has permitted me to subject them to, because the only time I have had has been while I have been present on the floor of the Senate, listening to the comments of the Senator from Nevada. As I said in an interruption of his speech earlier, I think so highly of his views on any legal question that I know they deserve very careful analysis. Nevertheless, his speech is going out on the wires as of now, and I wish to state for the RECORD at this time that I do not share most of the fears which the Senator from Nevada has expressed in regard to the bill which was passed last Thursday.

There is not a single word in the Senator's speech about the doctrine of separability. On the floor of the Senate last Thursday we discussed the doctrine of separability. In the case of a bill involving as many sections as does this bill, with more than one objective, there is no question in my mind that, as a matter of law, the doctrine of separability will apply to that bill.

Assuming for the sake of argument that there may be some basis for the legal criticism of the bill by the Senator from Nevada, I am satisfied that most of the bill will stand because of the application of the doctrine of separability.

Let me say this afternoon as a lawyer—although a much poorer lawyer than is the Senator from Nevada—that I am sufficiently familiar with legal practice to know that sometimes great members of the bar are mistaken in certain cases. I think an amateur, in comparison with the Senator from Nevada, has a right to say that one of our great lawyers is mistaken in this instance.

Let us consider one or two of the Senator's arguments, although I stress the fact that, in my judgment, the point in regard to the doctrine of separability answers a large share of the Senator's argument this afternoon.

The Senator from Nevada seems to be very much concerned because the passage of the bill makes the evidence of membership in the Communist Party the evidence for the court to consider as proving the act of conspiracy. In my judgment, that is all that it is necessary to put in the bill. I think I can hear the court saying, "We will even go so far as to take judicial notice of the conspiracy aspects of the Communist Party." Once there is in the record satisfactory evidence of membership the act will have been proved. That is necessary in order to make the law stick, so far as criminal responsibility is concerned. In the colloquy between the Senator from Minnesota [Mr. HUMPHREY] and the Senator from Kentucky [Mr. COOPER] when the Senator from Kentucky had offered his amendment, which, in the first place, had the word "overt" in it, the Senator from Kentucky agreed to eliminate the word "overt" in order to meet some objections which were made on the floor of the Senate. That having been done, I think another of the arguments of the Senator from Nevada falls, because the act which must be shown, under the terms of the bill which passed last Thursday, will be the membership which shows a connection with the conspiracy, and it is the conspiracy we seek to check.

Let us consider another of the Senator's fears expressed this afternoon in his very able argument. He is afraid that the rather broad terms of the bill we passed last Thursday will put those persons who are members of Communist-front organizations, and who under existing subversive control legislation must register their membership, in a position where they will no longer have to register their membership, because to do so might be a violation of the constitutional protection of the fifth amendment. I do not follow that argument at all, because in one instance we are talking about membership in the Communist Party, and in the other instance we are talking about membership in a so-called front organization or a fellow-traveler organization—two quite separate and distinct things.

I may also refer to the fact that we require gamblers to report their incomes for purposes of paying income taxes. They must make a record with the Government of the sources of their income for income-tax purposes. They may not slide behind the fifth amendment and refuse to report their income because reporting it might disclose some evidence which might incriminate them. Of course, we have used the reporting of sources of income as a pretty effective legal provision to retire to at least the semiprivate confines of the penitentiaries such hoodlums as Al Capone. However, I never heard any argument made that they were entitled to the protection of the fifth amendment and the right to refuse to disclose the source of their incomes simply because they were derived from illegal sources. I have difficulty in following that argument.

If the bill is bad on constitutional grounds, as the Senator from Nevada seems to think it is, we shall not have to worry about its having any bad effect on the subversive control legislation already on the books, because if the Court declares the law to be unconstitutional and knocks it down, that will not repeal the subversive control legislation already on the books. It will continue to stand.

It is one thing to argue that the passage of a law which is more direct and, in my judgment, more effective in its fight against the Communist conspiracy may result in forcing some administrative changes in carrying out the subversive control legislation on the books; but it is another thing to argue that if the proposed legislation is enacted, assuming that it is unconstitutional, it will

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therefore have a repealing effect upon the subversive control legislation already on the books.

I repeat, Mr. President, if it is as bad as the Senator from Nevada says it is, the courts will knock it out, and the subversive control legislation will still be on the books.

I make my next-to-final argument on the Senator's speech by pointing out that what we really have done is to stop playing ducks and drakes with the Communist organization in the United States. What we did last Thursday by a vote of 85 to 0 on the floor of the Senate—and it was long overdue—was to unite in serving notice on the world that we, as United States Senators, were saying to our Subversive Activities Control Board and our Department of Justice that the time has come to proceed to single out individuals who are participants in the conspiracy to destroy the free way of life in the United States, and bring them to the bar of criminal justice. We made their activity a crime. I have no intention of going back on what we did last Thursday. If it can be shown in conference that the bill needs some modification in order to make it more effective in carrying out those objectives, I am perfectly willing to go along.

I think we need a broader and more effective law than the subversive control laws already on the books. What this bill does is to add to them. It does not repeal them.

The last point I wish to make——

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. MORSE. I yield for a question. I am almost through, if that is what the Senator desires to know.

Mr. McCARTHY. I wished to ask a question.

Will the Senator agree with me that many of the anti-Communist bills are introduced solely for the purpose of cleaning the skirts of those who have——

Mr. McCARRAN. Will the Senator kindly raise his voice a little. I cannot hear him.

Mr. McCARTHY. I wish to ask the Senator from Oregon whether it is true that in an election year, many of the so-called anti-Communist bills are sponsored by Members—and I do not know who sponsored this particular bill——

Mr. MORSE. The Senator from Minnesota [Mr. HUMPHREY], myself, and the Senator from Massachusetts [Mr. KENNEDY].

Mr. WILEY. The galloping horsemen. [Laughter.]

Mr. McCARTHY. Will the Senator from Oregon agree with me that many of the anti-Communist bills are dropped into the hopper so that the Senator or Representative concerned can go back to his home State and say, "I am against communism. Look what I did. I introduced a bill to outlaw it."

I find at the same time—and the Senator from Oregon knows that I have only the kindest feelings toward him——

Mr. MORSE. I am glad to know that. [Laughter.]

Mr. McCARTHY. I find that at the same time those who are the most active in sponsoring general laws against communism are the loudest in their screaming against those who pick up the individual Communists by the scruff of their neck—which is an unpleasant job—and expose them to public view.

I am not much impressed by some of our friends who oppose the activities and the methods, if you please, of those who dig out the individual Communists—I refer to Members who in their whole lives have never dug out a single Communist—but who wish to make an anti-Communist record by sponsoring a law outlawing the Communist Party. I wonder whether the Senator would agree with me on that point.

Mr. MORSE. I completely disagree with the Senator from Wisconsin on that point. I think there is not the slightest basis for questioning the united, patriotic motives of 85 Members of the Senate of the United States who, on last Thursday, joined, in long overdue unity in the Senate, in serving notice on the Communist segment of the world that we will not tolerate a Communist conspiracy in this country. So we were considering a piece of proposed legislation which, in my judgment, keeps faith with a system of government by law. We thereby have served notice on the United States Department of Justice and on the Subversive Activities Control Board that we expect them to do the job which, in my judgment, they have not been doing to the degree they should have been doing it. If they had been doing it, we would not have had the disunity which has been created in the Congress because of the fact that some committees of the Congress and some Members of the Congress have taken on a job which I have always said ought to have been done by the Department of Justice and by the Subversive Activities Control Board.

But let me make very clear that, to the extent the Board and the Department were not doing that job, they certainly should expect the Congress to proceed, by means of its investigative procedure, to do it.

Let me make one more comment in regard to the Senator's statement about method, rather than objective. There is no question about where I have stood concerning the objective. I have said consistently that I think the objective is a sound one. The Senator from Wisconsin [Mr. McCARTHY] and I, as he well knows, professionally—and I think we have carried on our disagreements on a highly professional plane—have not agreed on some of the investigative tactics of Senate committees, including the Senator's committee. But I have expressed my point of view in regard to specific proposals, which I have made from time to time, for modifications in the rules of the Senate governing Senate investigations. That is why we have had pending before the Senate for the past few years the so-called Morse resolution for a mandatory code of procedure, to be binding upon congressional committees in their investigations, but it has had nothing to do with the objective the Senator from Wisconsin had in mind or the Senator from Indiana [Mr. JENNER], or the objective of any other Senate committees so far as concerns the tightening of our Communist-control procedures.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. MORSE. I am glad to yield.

Mr. McCARTHY. Does not the Senator from Oregon agree with me that, no matter what laws are passed, unless there are congressional committees to make sure those laws are enforced, unless the executive enforces them, the passage of such laws is meaningless?

Mr. MORSE. Laws are not self-executing.

Mr. McCARTHY. May I finish my question?

Mr. MORSE. I am sorry, I thought you had finished it.

Mr. McCARTHY. I think of what happened when the Senator from Indiana [Mr. JENNER] and Representative VELDE took over as chairmen of their respective committees. Before they held a single hearing, before they heard a single witness, the same persons who now say, "We are against communism" were condemning the tactics and the methods of Representative VELDE and the Senator from Indiana—and also of the junior Senator from Wisconsin.

I do not know whether the Senator has ever lived on a farm. I lived on a farm for quite some time. We lived next to a woods. The farm women used to raise chickens to get eggs to pay for their groceries and provide Christmas money and what-have-you. The skunks used to come from the woods and kill the baby chicks, steal the eggs, and in general disrupt the operation of the farm.

A group of us used to have to dig out the skunks. It was a very unpleasant job. It could not be done by passing a resolution against skunks. The nice little boys could pass a resolution against the skunks, but the nice little boys did not help us dig them out. It was an unpleasant task; and sometimes after we got through, we were not too welcome sitting next to our friends in church.

I am sure the Senator from Oregon will agree with me that the answer to the problem is not a resolution against skunks; it is not a law against skunks. It is our task to find the individuals who will do the actual skunk hunting. That is what we are doing in Washington now.

I find that the nice little boys of the Senate object to our methods, but they do not have a single skunk pelt to show. They do not like to see the job done. They do not like the odor that goes with skunk hunting.

I may say that I become a little ill when I see some of my colleagues rise on the Senate floor and say in one breath "We are going to prove that we are against Communists by submitting a resolution saying we do not like them," but in the next breath they are ready to condemn anyone who does the dirty, unpleasant task—and it is a dirty and unpleasant task—of digging them out and exposing them publicly.

Mr. McCARRAN. Mr. President——

Mr. MORSE. I shall not yield at this point. I wish to answer.

Mr. McCARRAN. I want to get to a more pleasant subject. [Laughter.]

Mr. MORSE. I wish to conclude on this subject.

I say to the Senator from Wisconsin that I have always marveled at his use of non sequitur arguments by analogy. He is a master at it, as will be disclosed by an analysis of the extent to which the Senator from Wisconsin uses non sequitur arguments by analogy, including some very interesting figures of speech which have no relevancy whatsoever to the particular issue that may be before the Senate at a given time. We have had a magnificent example of such a diversionary tactic in the remarks just made by the Senator from Wisconsin.

What is the issue? I am going to hold the Senator from Wisconsin to the issue. He is not going to divert me from the issue, Mr. President. Let me say to the Senator from Wisconsin that there is nothing more sacred to every American citizen than the protection of his procedural rights. There was a time when the advocates of lynch law made the same argument the Senator from Wisconsin has just made on the floor of the Senate. "String them up by the rope if you are going to stop horse stealing. String them up by the rope if you are going to stop cattle rustling. The end justifies the means."

But it soon became apparent on the great frontier that what was happening, with false accusations and false charges, was that innocent people were being strung up by the neck time and time again, and that lynch law was a form of blackmailing innocent people. People learned the hard way that the end never justifies the means.

My objection to the procedures used by some of the Senate committees in their investigations is that in my judgment those procedures closely resemble lynch law. We cannot protect the rights and the freedoms of American people unless we apply procedures which are in keeping with the spirit and intent of the Bill of Rights.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. MORSE. I shall not yield for a moment.

We cannot protect the procedural rights, freedoms, and personal liberties of the American people unless we have procedures at all times to which they can repair, which will guarantee to them protection from trial by accusation, protection from guilt by association, protection from one-man committee investigations, protection from being bulldozed in a congressional hearing. Those are some of the fundamental procedural rights which in my judgment must be protected.

I will go along with any committee of the Congress which seeks to ferret out communism in this country and at the same time keeps faith with what I think are the procedural protections of the Bill of Rights.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. MORSE. I shall not yield at this moment.

My objection to some of the procedural methods which have been used by congressional committees is that I have not been able to reconcile them with the fair procedure to which every American citizen is entitled.

I do not think that we can justify the use of a procedure which results in the kind of abuse which it seems to me has developed in some of the congressional investigations in the Senate and the House of Representatives, on the highly fallacious argument that it is necessary sometimes to use these methods to "dig out the skunks."

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. MORSE. We are told, "You cannot be a nice boy when you are dealing with the kind of human skunk that is involved in some of these hearings."

It happens to be our constitutional duty, in keeping faith with the oath of office which we took when we walked up to the Presiding Officer's rostrum when we came to this body, to see to it that as United States Senators we insist upon the passage of laws which will guarantee the constitutional procedural rights to every American citizen. We should insist upon fair procedures binding upon all committees of the Senate for conducting investigations of alleged wrongdoing.

I do not intend to be diverted from that course of action by all the very cleverly devised name-calling techniques which put one in the position of being one of the so-called nice boys against human skunk hunting if one fights, for example, for the kind of mandatory code of procedure for which I have been fighting in the Morse bill.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. MORSE. Let me say to the Senator from Wisconsin that with the Morse bill enacted and with that kind of mandatory code of procedure, which would be binding upon his committee, if the Senator followed that kind of procedure in his committee he would be able to do a much more effective job than he is able to do when he keeps himself constantly in controversy and in conflict with the Senate over the so-called methods which he believes are justified, but about which many of us disagree with him.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. MORSE. This is not a personal attack I made on the Senator from Wisconsin. This is an honest difference of opinion between two lawyers as to the kind of procedure we ought to have.

In my judgment the bill which the Senate passed last Thursday—and I am perfectly willing to have it modified in conference to the extent that it can be modified and made a better bill—is a bill which really gives the Department of Justice and the Subversive Activities Control Board the procedure which they need, the direction they need, and the mandate which ought to be imposed upon those two bodies to get busy and go after the Communists in this country and bring them to the bar of criminal justice.

I now wish to say to the Senator from Wisconsin——

Mr. McCARTHY. Mr. President, will the Senator yield? He has made a personal reference.

Mr. MORSE. To whatever extent his insistence over the years on his methods for approaching the problem of clearing out the Communists in this country may have had some influence in bringing forth a demand for a much fairer procedure, which I think is needed on the books, to that extent I pay tribute to him. I pay tribute to him for insisting that the Congress, as well as the executive branch of Government, has a great responsibility in checking and removing the Communist conspiracy from our country. I pay tribute to him to that extent, and to that extent only. But the Senator knows very well——

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. MORSE. I will not go along with the procedure which I think has prevailed in his committee and in some of the other committees of the Congress.

But he has had the right to follow his procedure until the Senate changes it. He has had the right to do that so long as the Senate has not lived up to its clear responsibility of adopting a code which will force upon the Senator's committee and other committees of the Senate the kind of procedure which is set forth in my bill.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. MORSE. I now yield to the Senator from Wisconsin.

Mr. McCARTHY. I thank the Senator.

Mr. President, the Senator from Oregon, with his brilliant control of language and his excellent voice, has made a very fine-sounding speech. He talked about lynch law. He talked about name-calling. The clear inference was that our committee was guilty of name-calling and lynch law.

I have never seen by innuendo so much name-calling as the Senator from Oregon has engaged in. I should like to have the Senator from Oregon sometime, somewhere, in some forum when I am present, tell us what Communist we have abused. Some 623 witnesses have appeared before the committee. If we have indulged in lynch law or if we have indulged in name-calling against them, the Senator from Oregon should be willing to stand on the Senate floor and say, "On such and such a day at such and such a place and time you abused one of the witnesses."

So far neither he nor anyone else has done that.

The Senator, who was very happy to sponsor an anti-Communist bill—a resolution against skunks, if you please—says "I do not like the way you dig them out."

If we drown them out he does not like that. If we dig them out with a shovel he does not like that.

I say to the Senator from Oregon that the most dishonest thing I have ever heard is the reference to lynch law, without telling us whom we have lynched. What Communist have we lynched so far? We call them before the committee. They receive every consideration in the world. Their testimony is taken down verbatim. We are trying to dig them out. We must dig them out if this Nation is to live.

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I wonder if the Senator knows that the estimate is that there are more than 20,000 Communists in this country, an army which has sworn to dedicate itself to the destruction of this Nation.

I wonder whether the Senator knows that in April of 1917 the Kaiser sent only 7 Communists into Russia, headed by Nikolai Lenin, and that within 100 days those 7 Communists had enslaved a nation of 180 million people. The Senator may think that if someone could have stopped them, stopping them would have been the application of lynch law.

The Senator objects most strenuously to what he calls a one-man committee. I am sure the Senator knows that the reason we have adopted the rule, which has been adopted and followed during the past several years, under which we have provided for one-man hearings, was pointed out in the Christoffel case. Christoffel was from Milwaukee, Wis. He was convicted. At that time committees did not have the rule that one member might constitute a quorum. The court held that the committee had not proved that a majority of the members were present at all times when he was said to have been guilty of perjury or contempt—I forget which it was. We could not prove that a quorum had been present at all times, because when a member leaves the room to get a drink of water, or answer a phone call, or to go to his own office, a quorum may not be left in the hearing.

The Senator from Oregon knows that one thing the Communist Party is screaming about more than anything else is the rule which provides that a committee can hold an individual guilty of perjury or guilty of contempt, because we can always show that one member of the committee was present.

I am sure the Senator knows—and he should not indulge in this name calling—that in every hearing I have ever conducted, even though I sat alone as a one-man committee at times, every Senator was informed about it. At no time did I ever hold a hearing when any Senator objected.

The Senator from South Dakota [Mr. MUNDT] conducted 1-man hearings on the loss of some $200 million through the Harry Dexter White inspired use of our money plates by Russia. The Senator from Michigan [Mr. POTTER] did an excellent job in conducting 1-man hearings on atrocities, mutilations, and murder of our soldiers in Korea. The Senator from Illinois [Mr. DIRKSEN] has held 1-man hearings.

That does not mean that the Senator who holds the hearings should be condemned. Other Senators are always welcome. If the Senator from Oregon cares to attend one of our hearings, he can attend whenever he desires to do so. That will make it at least a 2-man committee. The Senator will be given the right to cross examine witnesses. He will be given the right to bring out any facts he may wish to bring out.

Therefore, instead of condemning those of us who spend days—mornings, afternoons and evenings—trying to dig out people who would destroy this Nation, if the Senator from Oregon would care to take a bit of his own time and help us with that job, I assure him that he should come right in; the water is fine.

Mr. MORSE. Mr. President, that was a very interesting speech, but it has about as much relationship to the issue raised by the statements I have made as the North Pole has to the South Pole. The Senator's comments are just about as far apart in relevancy from the issue raised by my comments as the North Pole is from the South Pole.

Let us take the last comment of the Senator from Wisconsin. He finds in my speech a criticism of one-man committee hearings. I am certainly opposed to one-man committee hearings when a committee is sitting as a quasi-judicial tribunal. That is what the Senate investigating committees are when they are considering charges of wrongdoing against a human being. At such times they are sitting as quasi-judicial tribunals. In my judgment, the precious procedural protections of the court room ought to prevail.

The Senator suggests that I come to hearings of his committee and that I ask whatever questions I want to ask, and thus at least make it a two-man committee.

Of course, if that statement went out over the wires without a statement of what the procedural fact is, the American people might get the impression that all that is necessary in order to avoid having a one-man committee hearing is to have Senators who are not members of the committee come in as auditors.

It is very nice to take a course by audition, Mr. President, but the fact is that unless a Senator has voting privileges on a committee, and unless he is an official member of a committee, his presence in the committee hearing has nothing to do with whether a person is being tried by a committee sitting with a majority quorum present.

In my judgment it is a great mistake for a committee to adopt a rule that, when sitting as a quasi-judicial tribunal, one member of the committee may constitute a quorum. In my judgment that does not give the substantive protection to the people appearing before that committee that ought to be given.

Let us not forget that Senators are a great check on each other. It is highly to be desired, when the Senate is conducting a Senate investigation, which is a quasi-judicial proceeding, that more than one member of the committee be present. I say that because if one Senator should proceed to follow a course of action that is abusive or not in the best interest of fair procedure, other Senators can be expected to speak up against it. There is not a Member of this body who has not seen that happen month after month, as we check each other as members of a committee.

Let me say to the Senator from Wisconsin that what I am insisting upon is the kind of procedural requirement which assures propriety in Government procedures, and it cannot be done by a one-man committee.

I am not at all impressed by what I think is a misuse of the Cristoffel case in this discussion. In that case the court found that a quorum was not present. However, it does not follow that if a committee is functioning properly the record cannot always be made clear that at all times a quorum is present. That is up to the chairman of the committee. When a member of the committee leaves the committee room and thus breaks the quorum, a recess ought to be taken until a quorum is restored. If a member of a committee leaves the room in such a situation, it ought to be done with the knowledge of the chairman, and the record ought to show that Senator So-and-so left the room, but that a quorum remained. It requires no more than a few seconds to make that fact clear on the record.

When we are dealing with such precious procedural rights, we should not worry about taking a few seconds on the record to show that a quorum remains present. That is what the Supreme Court said in effect in the Christoffel case. The record did not show that a quorum was present at all times.

It is not necessary to go to the extreme of having a one-man committee rule in order to provide that a quorum is always present. Any competent chairman can keep the record straight on this point and avoid the problem that developed in the Christoffel case.

The Senator from Wisconsin, when he makes that argument, is overlooking what he knows is a well-established procedural device for making clear, whenever there is a change in a committee function by reason of a member leaving the committee room, that a quorum is present.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. MORSE. I want to answer the Senator's remarks first. Let us take another argument the Senator has made. He knows, and the Senate knows, that the objections to procedures that I have raised many, many times on the floor of the Senate are not directed at him personally.

I am sure the Senator and I are not interested in each other personally. We are mutually interested, I hope, in a procedure in the Senate for conducting Senate investigations which will keep his committee and other committees and the Senate itself free from justifiable criticism on the part of professional bar groups, which deplore the procedures which prevail in too many Senate investigations. Many other groups in this country are very critical of Senate procedures and the Senate should take action to remove the justification of those criticisms.

That is the burden of my criticism. I used as an example the procedure of lynch law. The Senator from Wisconsin takes umbrage. He apparently thinks I am accusing him of being a lyncher. What I was trying to do was to point out the actual procedure developed in this country as we moved from frontier days closer to a system of government by law. As it became perfectly obvious to our pioneers that the vigilante approach to the enforcement of law, or the lynch law approach to it,

resulted in grave abuses of the administration of justice, what did they do? They abolished that approach. They made the lyncher himself a criminal. They held him criminally responsible for participating in such activities. They made the participant in lynch law subject to criminal prosecution. They made it very clear in those days, Mr. President, that we cannot have government by law unless we have a procedure which protects the substantive rights of every citizen called before a tribunal.

I shall let the record of my speech speak for itself. I apply the analogy of lynch law to the issue, Mr. President; and in my judgment, it is not a nonsequitur analogy, but is in point. I apply it to the kind of procedure which, in my judgment, has prevailed to too great an extent in too many Senate investigations.

Let me take the next argument of the Senator from Wisconsin. He wants me to name the individuals who have been subjected to wrong treatment before any of the Senate committees. Let me suggest to the Senator from Wisconsin that he keep in mind what fair procedure within the meaning of the American Bill of Rights was designed to do. It was designed to protect the guilty as well as the innocent, under fair procedure. The figure of Justice which stands in front of the United States Supreme Court Building, with the scales equally balanced, symbolizes the principle that in this country all should have the same procedural protection—the guilty as well as the innocent—and that the burden rests upon the state to proceed to establish beyond a reasonable doubt the guilt of the person accused. I think the same rules should prevail in Senate and House investigations when they function as quasi-judicial tribunals.

So I answer the Senator's question by saying that, in my judgment, every witness he has called when he has functioned as a one-man committee, and every witness he has called when he has applied many of the procedures which have prevailed in his committee, has been done an injustice. But it is not his fault as much as it is the fault of the Senate, because we have permitted such a situation to exist. We have not proceeded to adopt a procedural code which would make it impossible for any committee, the Senator's committee or any other committee, to proceed as he has been proceeding too frequently in his committee.

I understand that the Senator and I, in another forum, in the not too distant future, are to exchange some pleasantries. I have a bill of particulars on file before the committee, and stand ready and willing to sustain that bill of particulars. If called upon by the committee to do so I shall present to the committee, when I appear before it, the evidence which, in my judgment, shows that the bill of particulars can be sustained.

I close by making——

Mr. McCARTHY. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. Let me finish my argument, first, and then I shall be glad to yield.

I close, Mr. President, by saying that this should all be related to the issue before the Senate. The issue was brought before the Senate by the Senator from Nevada in certain criticisms of the bill which we passed last Thursday. I say to the Senator from Wisconsin that I think it is always a mistake when we propose to bespeak the motives of others; that when the Senator stands on the floor of the Senate and implies that at least some of the proponents of the bill which was passed last Thursday were proponents because they wanted to make a so-called official political record against communism, he seeks to speak with the insight of the Deity. He had better leave to God Almighty the task of determining the motives of others, because if he does not, I respectfully suggest to him that he will find himself usually wrong, because he never was endowed with omniscience.

I shall not stand on the floor of the Senate, and read motives into the actions of my colleagues. I leave their motives to them.

Mr. President, I was thrilled last Thursday to see 85 of us rise to what I think was a great patriotic obligation by serving notice on the Communist segment of the world that the greatest parliamentary body in the world has no intention of tolerating any Communist conspiracy in the United States. I think that is the meaning of the bill; and, in my judgment, it is a good bill. Whatever modifications can be made to better it in conference I think should be made before it goes on the statute books.

That causes me to say—and I invite the attention of the Senator from Texas [Mr. DANIEL] to this point—that one of the arguments made by the Senator from Nevada was in relation to the so-called "extent to which" clause of the original Humphrey substitute amendment, which was changed to the so-called "whether" clause by an amendment offered by the Senator from Texas, which I think was a very sound amendment. It was one which I discussed with the Senator from Texas, as he can testify, in advance of its being offered. The Senator from Texas notified me that he was basing it pretty much upon an editorial which appeared in the Wall Street Journal which he showed me, a copy of which he has given me today. I ask unanimous consent to have it inserted in the RECORD at this point.

Mr. DANIEL. Also another editorial, from the New York Times.

Mr. MORSE. The Senator from Texas has also given me a second editorial, from the New York Times of July 15, 1954, entitled "Industrial Infiltration."

I ask unanimous consent that both editorials be printed in the RECORD at this point.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal of July 14, 1954]

THE LEGAL SCATTERGUNS

Some of Attorney General Brownell's bills to control subversion and to combat communism have caught a cold eye in Congress and, in our opinion, justly so. For there was the look of a scattergun about them.

It is true that his wiretap bill, which this newspaper opposes, probably will become law in some fashion or other. But it has been whittled down in both House and Senate, and in the conference committee perhaps even more restrictions will be placed on the use of wiretapping.

Mr. Brownell's bills to control subversion in private industry—such as powerplants and those engaged in defense contracts—and to allow the Subversive Activities Control Board, after court action, to dissolve any union or private business if it were "Communist-infiltrated," are dead for this session unless the House Judiciary Committee reverses itself.

The bills were written in language that was too sweeping. One of them allowed issuance of orders to bar people from employment if there was reasonable ground to believe they might engage in sabotage, espionage, or other subversive activities. The orders could be issued not just when there was a national emergency but also in cases of "threatened disturbance of the international relationships" of this country, a state of affairs we are hardly ever not in the midst of.

Mr. Brownell's companion measure went even further into determining guilt and meting punishment not for what people have done, or even on proof that they planned to do it, but on "the extent to which" they fit into patterns which could legally classify unions and businesses as "Communist-infiltrated." But the patterns themselves are unclear, and the proposal did not attempt to set forth limits to the "extent to which" doctrine. Indeed, it would have been impossible to do so; and while this doctrine, if adopted into law, doubtless would have gathered in some subversives and Communists, many innocent people may also have been injured in the process.

We recognize that it is difficult to pinpoint a law against a hidden conspiracy and a dedicated treason. But we do think that to punish people by the "extent to which" they may be able to do some injury, or to authorize the invasion of privacy by wiretapping is to use legal scatterguns better left to the police states most Americans oppose.

[From the New York Times of July 15, 1954.]

INDUSTRIAL INFILTRATION

The House Judiciary Committee has acted with courage and wisdom in a field where both have been singularly lacking of late: How to deal with the internal threat of communism in the United States.

Last May Attorney General Brownell, with "White House approval," sent identical bills to the House and Senate which went so far as to authorize the actual "dissolution" and "liquidation" of labor unions, business firms and other organizations upon a finding by the Subversive Activities Control Board that they are "Communist infiltrated." The bill attempted to define this well-worn phrase with as little success as might have been expected—especially for those who might be charged with the administration of the law. On July 6 the Senate committee shelved the bill on the ground, among others, that even the Communist party itself has not been either liquidated or dissolved. The committee approved a less drastic measure that would require an "infiltrated" organization to register under the Subversive Activities Control Act, with a loss, if it were a labor union, of collective bargaining rights and other protections afforded by the Government.

Now the House Committee has turned down the Brownell proposal completely and approved a bill of Representative WALTER, of Pennsylvania, to set up a commission composed of 12 members, 4 each from industry and labor, and 4 representing the public, with 3 congressional advisers, to study the

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whole problem of security in industry and to make recommendations for action to Congress. The President and the officers of Congress are authorized to make appointments to the commission, which would have to submit its report before January 15 of next year.

We hope the committee will favorably report the Walter bill without delay, that the Senate will substitute a similar bill for the one now on its docket and that both houses will promptly pass it. The Brownell legislation was more like that of a police state than of a free democracy, and would have been impossible to administer even had it been either wise or necessary.

Mr. MORSE. The Senator from Texas substituted the so-called whether clause for the so-called extent to which clause, based upon observations in those editorials and also based upon a legal discussion which we had as to the effect of his amendment. I say, most respectfully, that I do not think the effect of the amendment of the Senator from Texas will be what the Senator from Nevada says it will be. To the contrary, I think the Senator's amendment will strengthen the bill and will really put the courts in a more effective position to enforce a drive against the communistic conspiracy in this country.

Mr. DANIEL. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. DANIEL. The Senator from Oregon, I think, should take note of the fact that the House followed the language in that portion of the bill which we know as the Butler bill.

Mr. MORSE. I think it is a sound amendment, and I am glad to have the Senator's contribution.

Mr. President, I now yield to the Senator from Wisconsin.

Mr. McCARTHY. Mr. President, the Senator from Oregon has talked about lynch law, and the implication was very clear that he was talking about my committee. At least, I think that is the understanding the press has of it.

Mr. MORSE. I am sure the Senator is not affected by the press.

Mr. McCARTHY. In common decency, would not the very able orator from Oregon tell us what guilty person or what innocent person was abused? It is very easy to rise on the floor of the Senate and talk about lynch law. It is a good phrase. I have read that phrase perhaps a thousand times.

Mr. MORSE. I am glad to hear that.

Mr. McCARTHY. At no time have I ever found those who talk about lynch law in the committee tell us who was lynched. I know the Senator does not mean actually lynched, but abused. There were some 623 witnesses; and this is all a matter of public record. Will the Senator state when and where one of them was abused? The Senator should be able to pick out 1 or 2 among 623. Otherwise he should not come to the floor of the Senate and make a wild statement about the use of lynch law in the committee.

Second, I wish to ask the Senator two questions, if he will make a note of them.

Mr. MORSE. Why not let us proceed with one at a time?

Mr. McCARTHY. Very well.

Mr. MORSE. I am not one of those gullible persons who fall for the Senator's diversionary tactics.

Mr. McCARTHY. It is not diversionary.

Mr. MORSE. Oh, it is quite diversionary. The Senator has taken language of mine, has placed his interpretation on it, and now wants to put that interpretation back on my lips.

I gave the Senator my interpretation. I called his attention to the fact that one of the reasons we have insisted upon the development of government by law in this country, and the kind of procedure which prevails in the courts of the country, and which ought to prevail before Senate committees, is that it is not possible to have a government by law if lynch law procedures are used.

We find in the historic precedents that it was the custom to bring before so-called kangaroo courts of justice horse thieves and cattle rustlers, but we also know that those vigilante courts did not protect fair procedure in their tribunals and actions.

I use that as a basis for my argument that if we are to have fair procedure, we must follow the guaranties of the Bill of Rights. In my judgment, those guaranties do not prevail in the kind of procedure which the junior Senator from Wisconsin uses. I do not intend, however——

Mr. McCARTHY. Will not the Senator——

Mr. MORSE. I am coming to the Senator's question. Let him be patient.

I do not intend to let the Senator from Wisconsin make his own application of my reference to lynch law, and then say that that is the application which the Senator from Oregon made, because that does not happen to be so.

The junior Senator from Wisconsin said that he felt that what I was really saying was that witnesses were being abused. I repeat that, in broad outline, every witness is abused if he is not guaranteed the kind of fair procedure for which I have been arguing.

I do not intend to engage in an argument with the Senator over specific cases that have come before his committee when the issue is pending before the special committee of the Senate. If the Senator will read my bill of particulars, he will find that I made some reference in it to what I thought was an abusive result in one of his hearings with respect to an individual. But I am not, as a lawyer, going to try that charge here on the floor of the Senate. It is before another tribunal of the Senate at this time. I do not intend to be inveigled into an argument about it by the Senator from Wisconsin, when he knows very well as a lawyer, as I do, that the place for the trial of that case is before the court, to which the Senate has given jurisdiction over the subject matter, namely a special committee.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. McCARTHY. I still wish the Senator would name 1 of the 623 witnesses who have appeared before the committee in the last year who has been abused. All the testimony has been taken down, word for word. The Senator from Oregon refers to lynch law. As I understand, that is a catch phrase. I think that must mean that I have been unfair to those witnesses. Is that correct?

Mr. MORSE. I do not think the Senator's procedure has been very fair.

Mr. McCARTHY. Can the Senator give the name of a witness who has not been treated fairly? I hope the Senator will keep in mind, when he gives his answer, that the committee gives to a witness who appears before it much more consideration than he would receive in a court of law or before a grand jury. For example, in a courtroom a lawyer may not sit beside the witness and coach him. But the committee allows the lawyer to do that. I am not sure that the committee is not going too far in allowing such a practice to prevail, because it allows a Communist lawyer to sit beside a Communist witness and coach the witness. We allow the witness to have a recess at any time he desires, so as to discuss matters with his counsel. That practice is not allowed in a court of law.

I think the junior Senator from Oregon is guilty of the most fantastic, dishonest name calling, even though I like the Senator personally, when he accuses——

Mr. MORSE. I love these flattering kisses of death.

Mr. McCARTHY. When he accuses me before newspaper men and before 160 million people of being guilty of using lynch law, and then will not tell me whom I have lynched. Of 623 witnesses, I should like to know whom I have lynched.

Second—and I do not wish to prolong the discussion unduly—the Senator from Oregon has argued that a one-man committee is an improper type of committee. The Senator from Oregon is a member of a number of committees. He knows that he must miss many sessions of those committees, as do all other Senators. That is no reflection upon the Senator from Oregon. All of us know that we cannot attend every committee session.

When the Senator misses a session of the Committee on Labor and Public Welfare—and there is a record kept of the number we have attended and have missed—I wonder——

Mr. MORSE. I have missed a good many of them in the past 2 years since being kicked off the committee by the Republicans.

Mr. McCARTHY. The Senator agrees that he has missed a great number. If we were to follow the reasoning of the Senator from Oregon, since we agree that all Senators do not appear at all committee sessions, it would mean that committees could not hold hearings. It would mean that the work of the Senate would be brought to a standstill.

I am not accusing the Senator from Oregon of improper conduct. I know that I must miss many committee hearings. We cannot attend all of them, because we are members of many committees and subcommittees.

But if we were to follow the Senator's argument, we would be giving to the Communist Party the greatest gift it has ever been given during the past 10, 15,

or 20 years. The Communist Daily Worker argues, day after day, against one-man committee hearings. They know, and the Senator from Oregon knows, that members of a committee cannot be forced to attend its hearings. When other Senators hold hearings—and other Senators of my committee have held one man hearings in the past two weeks—we have confidence in them, and we read the record later.

The Senator from Oregon knows that if a rule were adopted to provide that the chairman could not hold a hearing on graft, corruption, or communism unless more than half the members of the committee were present, the number of absentees would make it impossible ever to hold a hearing. As I have said, that would be the greatest boon which the Communist Party had received for many years.

Mr. MORSE. Mr. President, in reply, I desire to say that it is a most completely unconvincing argument to say that the Senate cannot perform its quasi-judicial functions unless it does so with one-man committees. When a matter is so important as to require a judicial hearing before a Senate committee, a majority of the members of that committee have a public trust which calls upon them to be present. In the interest of fair procedure they owe it to that trust to be present; and no hearing should be allowed to proceed without a majority of members present to perform that function.

Second, I say to the Senator from Wisconsin that I realize that in the heat of debate, he is given to making personal reflections on persons from time to time. He certainly has done so toward me this afternoon. I should have been very much surprised if he had not, because that is his technique.

Mr. McCARTHY. Will the Senator from Oregon tell me when I reflected upon him?

Mr. MORSE. I do not yield at this point. But when the Senator from Wisconsin makes the comment about my making a dishonest statement on the floor of the Senate, I am perfectly willing to let the RECORD stand and to let the people judge me with respect to the veracity of anything I have said in the RECORD.

I close by commenting on the other point which the Senator from Wisconsin has raised, for the fourth or fifth time in this very interesting colloquy I have had with him this afternoon, in which he has requested me to name the particular individuals who I think have been abused before his committee. I thought I answered him when I said that, in my judgment, the procedure he has followed has resulted in unfairness to every witness who has been called before his committee under that procedure.

I said I thought the responsibility for such action rested more on the Senate as a whole than on the junior Senator from Wisconsin as an individual, because he is the agent of the Senate. After all, he is the chairman of a committee which is responsible to the Senate. So long as his rules of procedure apply, I have said in many places that I do not think the junior Senator from Wisconsin deserves nearly as much criticism for those procedures as does the Senate as a whole for not having changed them.

I now yield to the Senator from Kentucky.

Mr. COOPER. I would rather speak on my own time.

Mr. MORSE. I beg the Senator's pardon. I thought the Senator from Kentucky had asked me to yield.

Mr. WILEY. Mr. President, will the Senator yield so that I may place some matters in the RECORD?

The PRESIDING OFFICER (Mr. BUSH in the chair). Does the Senator from Oregon yield to the Senator from Wisconsin?

Mr. MORSE. No. I shall yield the floor very shortly.

I merely wish to add that there are times in the Senate, even in debate on very important questions, when the discussion comes to the point of being reduced to an absurdity, and I think the colloquy between the Senator from Wisconsin and the Senator from Oregon has just about reached that point.

I return to the issue which I rose in the first place to discuss. I hope we shall not backtrack on the action the Senate took last Thursday when we voted 85 to 0 for a bill to outlaw the Communist Party. If in conference amendments can be offered that will improve the bill, I hope the conferees will improve the bill; but I think it is very important that we maintain the united front against communism which we so dramatically adopted in the Senate last Thursday.

Mr. McCARTHY. Mr. President, I wish to take about 30 seconds of the Senate's time. The Senator from Oregon apparently felt that I was reflecting on him personally in my talk. I had no such intention when I said I felt it was dishonest to talk about lynch law, referring to my committee, and then not give one single instance of improper conduct in that committee, or one single instance of any mistreatment of a witness. Frankly, I felt that was not honest. I do not cast any reflection upon the intent or the attempt to be honest on the part of the Senator from Oregon. I know he feels that is honest. I feel it is highly improper. If anyone talks about lynch law or about methods, I want him to stand up and give us the time, the date, and the place where improper methods were used against Communists.

Mr. COOPER. Mr. President, I should like to turn again for a moment to the discussion upon the amendment which was included in the Butler bill last Thursday and which has been referred to as a bill to outlaw the Communist Party. During the debate on last Thursday just before the debate came to its close and the bill was voted upon, I participated briefly and submitted an amendment which was agreed to. Since the passage of the bill—and during the debate—two aspects of the bill have interested me greatly. I have been interested also in the newspaper accounts and editorials regarding the effect of the bill. I do not speak in any way about the purposes of those who offered the amendment, but I do feel very strongly that the claims which have been made about the far-reaching effect of the amendment toward outlawing the Communist Party do not bear any great validity.

It seems to me that a legislative measure to outlaw the Communist Party, or one which is directed toward making the Communist Party illegal might take several forms. One form would be a measure which would declare the organization and the maintenance and operation of the party itself illegal. It would remove it directly from the field of elections, from any status or chance to participate officially in our Government. The Humphrey amendment did not seek to do this. A second form which was the means sought by the amendment, would be to inflict a punishment upon those who became or remained members of the Communist Party.

I now wish to discuss the bill which was finally passed with all amendments and to show that, in my opinion, it does not directly outlaw the Communist Party and is similar to other acts heretofore enacted against the Communist Party. It is true that the amendment, like existing acts, would have the indirect effect of preventing open membership in the Communist Party, but, in my opinion, the bill does not have the effect of outlawing directly the Communist Party.

I illustrate my contention in this way: Among the anti-Communist statutes and other anti-Communist measures, which are now law two come quickly to mind.

The first, of course, is the Smith Act, which has been on the books since 1940, and held to be constitutional by the Supreme Court. Section 2 of the Smith Act details the conduct and the courses of action of an individual for which a penalty—a criminal punishment can be inflicted. The Smith Act is very broad in its scope, covering nearly every possible course of action that an individual might take to overthrow the Government of the United States.

The Subversive Activities Control Act of 1950 is much like the amendment which was adopted last Thursday. Section 2 of that act sets out long, detailed findings of fact. Section 4 of the act sets out in great detail subversive and criminal acts which will subject an individual to a penalty.

The Humphrey amendment which the Senate enacted the other day is made up of four sections. One is the title calling the bill "an act to outlaw the Communist Party" which to my mind is about the only part of the bill which gives any weight to the claim made for the bill that it outlaws directly the Communist Party. Section 2 sets out a long finding of fact very much like that in the Subversive Activities Control Act, but more clearly finding the Communist Party to be a conspiracy against the United States. Section 3 as amended, penalizes an individual, not the party, who being a member of the Communist Party or remaining a member or of a similar organization, permits an act which is designed to carry into effect the purposes of the party.

I point out that the bill is directed against individuals, members of the party, not the party itself. I point out

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that section 3, as amended, requires as the Smith Act and the Subversive Control Act that some act or course of action by an individual is required before a penalty can be inflicted.

I would like to say that the amendment represents an advance in this particular by reason of the fact that the bill, section 2, finds the Communist Party to be a conspiracy; it would probably be unnecessary to prove in a court the existence of a conspiracy, as has been necessary in cases in which Communists have been tried. With the exception of this element of proof, I submit the bill does not differ, except in degree, from the Smith Act or the Subversive Activities Control Act, and that the claims that are made that the bill outlaws directly the Communist Party do not hold water and lack validity. I think that ought to be understood.

As I have said, it represents an advance, in that it makes it unnecessary to prove the existence of a Communist conspiracy.

A second aspect of the amendment as it was originally presented, which was very important, had little discussion during the debate, and though it is now water over the dam, attention should be called to it. In my short speech on the floor of the Senate the other day, I said that it was my belief that Congress had passed no bill except possibly for the Alien and Sedition Acts, or lately had seriously considered a bill which proceeded to impose a penalty on an individual without requiring some action on his part. Our theory of due process has required that there be a course of action on the part of an individual before he could be penalized.

The amendment I offered, and which was agreed to, placed the bill we passed last Thursday in line with the Smith Act and with the Subversive Activities Control Act. Before the amendment was adopted, the bill would have imposed a penalty upon an individual, even though he committed no act, or did not act in a conspiracy or participate in some way in a course of action directed toward carrying out the purposes of the organization. That was a very remarkable departure from anything Congress has ever undertaken heretofore. I do not say that such legislation cannot be done constitutionally. When adequate provision is made for proper procedure, I think such a bill, when properly written, can be enacted. There can be no doubt and the Supreme Court has said that the Government, of which the Congress is a part, has the power to protect and defend itself against overthrow by force or violence. The courts have said there is no question about the power of the Congress to provide the procedures, but it is the function of courts to determine if they provide for due process under the Constitution. The right and power of Congress to determine that the Communist Party is a conspiracy to overthrow the Government of the United States, is not in my mind to be questioned, and its power to provide means for preventing the overthrow of the Government by force or violence is not in question, but the means thus provided must be in accord with the Constitution, particularly the first amendment, and with due process.

I must say that I was greatly surprised by the procedure followed by the Senate and by the attempts to write such an important measure on the floor of the Senate. In fact, it seemed to me that at this time it ought to have been given committee consideration. We were not observing the best practices which should be followed if we were to develop an anti-Communist bill that would be effective, rather than an ineffective bill with a big title.

Again, Mr. President, I wish to make clear that I have no doubt that Congress has the power to declare the Communist movement to be a conspiracy, as is done in the amendment. The Congress can provide that certain acts or conduct associated with membership in the Communist Party shall be subject to penalty, as is provided after the adoption of my amendment. It may be possible that membership in the party might be held a part of the conspiracy, as was suggested in the Humphrey amendment as presented, but I suggest that to make that departure from everything heretofore adhered to by the Congress and by the other branches of the Government, including the courts, without careful consideration, and with the political implications inherent, is not, in my view, a good way for Congress to legislate.

Mr. President, what I have said is in a sense academic, because the Senate has already acted on that bill. I voted for the bill as amended. However, I have wished to stress the two points to which I have already referred which I did not think were emphasized in the debate: First, that the Humphrey amendment, as submitted, constituted a departure from the theory of due process to which Congress and the courts have heretofore subscribed. Second, that, as that measure was amended, it provides a new and additional instrument, a new act, onto the Smith Act and the Subversive Activities Control Act. It marks an advancement in denouncing the Communist Party as a conspiracy.

Furthermore, Mr. President, I wish to say that if this bill, S. 3706, in its final form, is in line with the requirements which have been laid down over a period of years by our courts—requirements followed by our Government, the constitutional due process marked out in extensive writings on this subject—then I shall vote for the bill, as I voted, the other day, for the anti-Communist bill when it was first before the Senate on last Thursday.

Mr. HUMPHREY. Mr. President, I have been very much interested in the rather protracted and extended discussion which has taken place over the weekend, through the comments of leaders in both the House and the Senate and representatives of the national administration, and now again in debate in the Senate over the bill S. 3706, which was passed by the Senate last Thursday. Mr. President, these are most amazing developments.

The first comment I read was that of a high administration official who thought the bill was a bad one because it would outlaw the Communist Party. That item was on the ticker last Friday, and it was entered by me in the CONGRESSIONAL RECORD last Saturday evening. It was even reported that the President said the bill would outlaw the Communist Party and might make martyrs out of Communists.

Then it was said that the bill would vitiate the effectiveness or the power of the Smith Act or the Internal Security Act. And now we hear it said that the bill will not outlaw the Communist Party.

Mr. President, it seems to me that a number of persons are not happy about the bill. Nevertheless, the bill passed the Senate by a vote of 85 to 0. The bill was debated in the Senate for 7 hours. Many a bill which has been passed by the Senate has been debated for less time than that.

Mr. President, at this point let me state that there is nothing secret about the Communist Party or its membership, its activities, or its purposes. If any Member of the Senate needs to be educated about the nature or purposes or objectives of the Communist Party, then we are in a hopeless situation.

I have listened to my friend the Senator from Kentucky [Mr. COOPER] speak about the drastic action the Senate took. He has stated it is a departure from any action Congress has previously taken. Mr. President, certainly it is a departure, and that is exactly what it was designed to be. It was designed to "come clean" on what we know to be one of the facts of life, rather than simply dance around the bonfire and maelstrom of communism, clipping at the fringes and edges, clipping here and there by having investigations and getting after a group that is Communist-infiltrated or Communist-dominated or Communist-controlled.

Now the Senate has voted to make the Communist Party illegal. Congress has previously required that Communist-front organizations register, and has made them subject to penalty under the law if they do not register.

Mr. President, what is it that makes a Communist-dominated union out of bounds? It is communism. Why is it that we require Communist-dominated unions to register? It is communism.

If they do not register, what is the reason for it? It is because if they are communistic, they will be subject to penalty. Communism is the central core of the crime. Under the Smith Act and under the Internal Security Act, that crime is subject to punishment by a sentence of 5 years in the penitentiary or by the imposition of a fine of $10,000.

Communism, the advocacy of communism, or the teaching of communism to overthrow this Government under the Smith Act is subject to heavy criminal penalties, involving both fines and imprisonment.

We have the Smith Act. We have the Internal Security Act. Innumerable bills have been enacted into public law, directed toward one thing—striking blows at the greatest menace of our time, the conspiratorial apparatus of communism and its work.

We passed this bill. What did the bill do? The Senator from Kentucky [Mr. COOPER] says it is a departure. I repeat, indeed it is, and a long overdue one.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. COOPER. I do not think the bill as passed is any departure at all. I think the bill the Senator from Minnesota submitted was a departure.

Mr. HUMPHREY. The bill as passed, I will say to the Senator from Kentucky, was a departure, in the light of his explanation, because the Senator thinks he added an amendment to the bill which would change the bill, but it materially did not.

What did we do under the substitute for S. 3706? We did what should have been done. We said in section 2:

> The Congress hereby finds and declares that the Communist Party of the United States, although purportedly a political party, is in fact an instrumentality of a conspiracy to overthrow the Government of the United States.

Mr. President, if an organization is a conspiracy designed for the purpose of overthrowing the Government of the United States, it is subject to penalty, for being engaged in espionage, treason, subversion, and all the other nefarious crimes such an organization would have as a part of its program.

Finally, Mr. President, we proceeded in section 2 to describe the nature of the alleged political party. I wish my colleagues would cleanse their minds of the fact that the Communist organization is a political party. It is not a political party.

I remind my colleagues that in the 1940's the Communists dropped the name "party" and called themselves an association. They dissolved the political party. They change their cloak any time it suits their purpose. It is not a political party in the terminology of representative government; and the sooner we make up our minds to that the better off we shall be.

What section 2 does is to find and declare that the Communist Party is not a party, but rather is a conspiracy; stating the nature of the conspiracy and the purpose of the conspiracy, the discipline of the organization, and the objective of the organization, or of any other organization which may take on any other name, and which has the same objective.

This action is long overdue. Some folks are really taking count and saying, "Why did we not do this sooner?" We ought not to be apologizing for taking action last Thursday. What we should be apologizing for is not taking action sooner. The mistake which the Senate has made was not that we legislated wrong on Thursday. The mistake we have made was in waiting this long to come to grips with realities and facts.

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. McCARRAN. When we were writing the Internal Security Act the phrases which the Senate inserted into the bill last Thursday were given long and continued study. Very able Members of the Senate—I remember the Senator from Michigan [Mr. FERGUSON] was one of them—concluded that we could not with security or safety put those provisions into the bill, because of the question of constitutionality

The Senator from Minnesota offered nothing new last Thursday.

Mr. HUMPHREY. I agree.

Mr. McCARRAN. The Senator from Minnesota suggested things that have been studied for years by members of the Committee on the Judiciary and members of the Internal Security Subcommittee. We were dubious, and we still are dubious about the constitutionality of such provisions. We are trying only to get on secure ground.

I doubt very much that we can say that a certain group is a conspiracy and have that group prosecuted as a venal thing. If it commits an overt act, or one of its members commits an overt act, we are in a different position.

Mr. HUMPHREY. I appreciate the comment of the Senator from Nevada. I have never said that what was proposed on Thursday was new. Other Senators have introduced similar proposals.

That is all the more reason why there should be little complaint about the action which took place. This question has been discussed in both Houses of Congress. Many an article has been written about the desirability or lack of desirability of outlawing the Communist Party.

I wish to make clear, Mr. President, that not only did we outlaw the Communist Party, but the way we outlawed the party was by making membership in the party a criminal offense. This effect may be disputed, on the ground of constitutionality. I have heard constitutional arguments with respect to every bill of any consequence that has been enacted by Congress in 175 years. Each of us has a duty to uphold the Constitution as we see it. Final determination as to the constitutionality of any legislation is a responsibility of the Supreme Court.

I realize that possibly a number of Members of the Senate and of the other body feel that they are qualified to be judges, but I am of the opinion that we are legislators, and should let the courts be the final judge as to whether or not our legislation is constitutional, after we have made up our own minds.

From what limited knowledge I have of the law, the Supreme Court has held again and again that when there is doubt as to constitutionality, when the statement of the Congress is precise, firm, and definite, that doubt is resolved in behalf of the legislative body.

Mr. President, the arguments have been presented pro and con. The only thing I can say is that, regardless of how much misinterpretation there may be, how much uneasiness there may be, or how much argument there may be, we have made progress. Why have we made progress? I hold in my hand S. 3706, passed by the House of Representatives with a vote, I believe, of 305 to 2. In that bill, as it passed the House, section 2 is identical with section 2 in the bill as passed by the Senate.

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. McCARRAN. I have hurriedly read the mimeographed copy which the Senator has. The House did one thing which I advocated on the floor this afternoon. At least the House has inserted language to prevent destruction of the Internal Security Act, which might have been the result without such language.

Mr. HUMPHREY. Let me say to my friend from Nevada that there was no design to destroy any legislation, but I am willing to face up to the facts. As yet not one Communist has been registered under the Internal Security Act; and that act has been on the books for 4 years. Not one Communist is registered. They will not register.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. HUMPHREY. I will not yield at this moment.

I will tell the Senate why they will not register. It is because another act which is on the books, and which we are talking about, has been ineffective in terms of curbing communism. The best way to curb communism is to put the matter of enforcement into the hands of the Justice Department, the courts, and the trained agents of this Government, and make membership in the Communist Party a criminal offense. Why should we make it a criminal offense? Because the Communist Party and its membership are dedicated to the destruction of this country.

Does any Member of this body doubt that? Does any Member of Congress believe that the Communist Party is dedicated to anything but the destruction of this country and every other free country? When I look up into the galleries I see people who have paid taxes until they cried. Millions and millions of dollars have been spent. Sons and daughters have been lost. Why? Communism.

I have studied many of the cases. I have studied the decision in the trial of the 11 Communists before the court of Judge Medina. It was proved that they were actively engaged in a conspiracy. Mr. President, no lawyer will ever have to prove that again before a court, because under the terms of the bill as we passed it in the Senate, if it can be proved that a man or woman is a member of the Communist Party, ipso facto it is proved that he or she is engaged in a conspiracy.

Mr. McCARRAN. Mr. President, does the Senator care to yield at some point?

Mr. HUMPHREY. I yield to the Senator from Nevada.

Mr. McCARRAN. The Senator's ardor in this matter is to be admired, but his ardor is no greater today than was the ardor of some of us for the past many years. We were determined to do what the Senator is giving great preachment to now. We did not do it because we were cautious and careful to see that when we accomplished something, it would meet the terms, standards, conditions, and impositions of the organic law of this country.

If this bill will not meet those standards, it will fall by the wayside, and I fear that it may fall by the wayside be-

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cause it was written hurriedly on the floor of the Senate, without proper study or proper consideration.

We are just as vehement, just as determined, and have been for years, as the Senator who now speaks with great vehemence on the floor of the Senate. He is not the first to advocate these things. Surely, this is an election year, and it is a very popular subject now. But I say to the Senator from Minnesota that we have gone over this ground and plowed it for many years and many times. We are as determined to accomplish something as is the Senator from Minnesota, namely, to put a stop to communism in America.

Mr. HUMPHREY. I thank the Senator from Nevada.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. HUMPHREY. I shall yield in a moment.

I have never doubted the fact that the Senator from Nevada is an expert in this area. There is no monopoly in this field. Some persons feel that it is a special field for special individuals. Some of us fought communism long before we came to the Senate, without congressional immunity, without staffs. I did not wait until I got to the Senate to start my crusade. That record is manifestly clear for friend and foe alike to know.

But there is no need to claim any special priority of authorship. This bill was passed by a vote of 85 to nothing in the Senate, and I hope none of the 85 will say he did not think it was a good bill. We have the right to vote against measures in the Senate when we believe they are not good legislation. I can only assume that it was good, and that 85 Members, in their best judgment, said, "This is the best bill we can get, and we will vote for it."

The House may change it. The bill may go to conference. We shall try to improve it. I am of the opinion that in passing this bill, as the Senator from Oregon [Mr. MORSE] said a short time ago, we have served warning upon everyone in this land and throughout the world that the Congress of the United States has taken a very definite and firm position on the issue of Communist infiltration and Communist conspiracy.

Such legislation is not new. We virtually outlawed the Nazi bund. Why? Because it was dedicated to the objectives and purposes of a foreign power.

All we are trying to do, it seems to me, is to fortify the law which we have.

The law we have today requires that before we can prosecute we must prove an overt act. The purpose of the bill of the junior Senator from Minnesota [Mr. HUMPHREY]—for which there were 23 sponsors, and for which 85 Members of the Senate voted—was to clarify and make crystal clear that the so-called overt act to which the Senator from Kentucky [Mr. COOPER] relates his argument, was the act of membership, becoming and remaining a member.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. FERGUSON. That is not the way the RECORD now shows the amendment of the Senator from Kentucky.

Mr. HUMPHREY. The word "overt" was stricken.

Mr. FERGUSON. An act is the same thing.

Mr. HUMPHREY. Is the word meaningful?

Mr. FERGUSON. The Senator from Michigan feels that he knows what they mean.

Mr. HUMPHREY. The Senator from Minnesota was the main sponsor of this measure, and I think I am accurate in saying that when we determine legislative history and an amendment is accepted, that legislative history is pretty well determined by how it is accepted by the person who was sponsoring the amendment.

Mr. FERGUSON. The Senator must realize that the decisions of the courts are clear that, unless the act is ambiguous what we say on the Senate floor, as legislative history, amounts to nothing.

Mr. HUMPHREY. I appreciate that.

Mr. FERGUSON. I think if the Senator will read it, he will find the overt act now refers——

Mr. HUMPHREY. There is no such language as overt act.

Mr. FERGUSON. It is an act, which is the same thing as an overt act. There must be an act in carrying out——

Mr. HUMPHREY. While for 2 or 3 days now the Senator from Michigan has attempted to justify certain positions which he held, the fact still is the fact. What is said in the bill is that the one act which is subject to criminal penalties is the act of membership.

Mr. FERGUSON. No. That is not what the bill says.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. BUTLER. There must be some specific act, such as advocating communism or teaching communism. The fact of membership alone in my opinion does not meet the requirements of law.

Mr. HUMPHREY. I was taught that in school, too, Mr. President. I taught courses in that subject—maybe poorly, but I taught them.

What the Senator says was legal doctrine up until Thursday of last week because until then, the Congress had never passed a law which provided that membership in an organization branded as a conspiracy was an act that came under the purview of our criminal laws. That is what we did.

Let there be no mistake about it so far as this Senator is concerned: The act of membership in the Communist Party, a party, supposedly, only in name and not by purpose, an organization which is a conspiratorial apparatus; is in itself an act subject to the penalties of law.

Mr. DANIEL. Mr. President——

Mr. HUMPHREY. I yield to the Senator from Texas.

Mr. DANIEL. I have listened to all the arguments this afternoon on this subject. I listened with interest to the distinguished Senator from Nevada [Mr. MCCARRAN] and to all the other Members who have spoken. I fear the impression will be created from this argument that we are very far apart as to what should be done in this matter.

As a matter of fact, I have compared the bill passed by the House with the bill passed by the Senate, and have listened to the arguments here. I have come to the conclusion that really we are not very far apart at all.

Mr. HUMPHREY. Indeed, we are not.

Mr. DANIEL. Only one section of the bill passed by the Senate has been changed in any substantial manner by the House. It seems to me that we should have a moment in which we emphasize the fact that we are all working together to a great extent in connection with what was passed by the Senate and what has been passed by the House. It seems to me this one point of difference can be reconciled in conference. I would not want the debate on this subject to end this afternoon without calling the attention of the Senate to the fact that the bill passed by the House is substantially the same bill that was passed by the Senate, with only the changes made in section 3.

I believe we are not too far apart. Certainly even if we come from conference with the bill passed by the House with a few changes, we shall have a bill outlawing the Communist Party in this country.

All the preambles to the bill passed by the House, in section 2, seem to be word for word what was offered by the Senator from Minnesota [Mr. HUMPHREY] and adopted by the Senate. The same thing is true as to most of the other sections. They are practically word for word what has passed the Senate.

Mr. HUMPHREY. I thank the Senator from Texas.

I think some of these arguments would not be offered if we changed parentage. What has happened is that a number of our colleagues and a number of leaders throughout the country seem to be of the opinion that someone tried to "move in" on it. I am willing to yield all claims of authorship. We can call it the Butler-Ferguson bill, or give it any other name. I point out, as the Senator from Texas has pointed out, that, by and large, page for page, line for line, the House bill is almost identical with the Senate bill. Section 3 has been changed. It is a little "soft" on communism the way it is now. I have served warning that I am not particularly happy with that section, because it seems to me it does not say much, but it takes a long time to say it. It reads as follows:

> The Communist Party of the United States, or any successors of such party regardless of the assumed name, whose object or purpose is to overthrow the Government of the United States, or the government of any State, Territory, District, or possession thereof, or the government of any political subdivision therein by force and violence, are not entitled to any of the rights, privileges, and immunities attendant upon legal bodies created under the jurisdiction of the laws of the United States or any political subdivision thereof; and whatever rights, privileges, and immunities which have heretofore been granted to said party or any subsidiary organization by reason of the laws

of the United States or any political subdivision thereof, are hereby terminated.

Section 3 of the House bill merely says that the Communist Party shall not be treated with respect, that it is no longer to have any legal rights. It is to have no rights, privileges, or immunities. That is a very mild penalty for a conspiracy which is dedicated to the overthrow of this Government by violence or force.

Basically, for the record, what the House bill does is to outlaw the Communist Party. But what we have done in the Senate was not only to outlaw the party by saying we outlawed it, but to impose severe penalties upon membership in the party. The members of it are disciplined in subversion, espionage, and sabotage. Membership in a party which has as its main objective the overthrow of this Government should be subject to criminal penalties, more so than those who have committed murder, those who are arsonists, or who are peddlers of dope and narcotics.

Mr. BUTLER. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield to the Senator from Maryland.

Mr. BUTLER. I think we are very close together. The bill effectually outlaws the Communist Party. In the opinion of the Attorney General, if we take the next step, it may seriously affect the pending cases under the Internal Security Act. We have made a good beginning. Why should we not accept the House version and go along slowly, and not do things which the Attorney General tells us are or may be unconstitutional or may interfere with enforcement of existing law. I do not think any Senator who has taken an oath to uphold the Constitution should vote for something which the Attorney General has said is unconstitutional.

Mr. HUMPHREY. I have not heard him say it is unconstitutional.

Mr. DANIEL. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. DANIEL. Does the Senator from Maryland really think we should allow the Attorney General to make that decision for us?

Mr. BUTLER. No, I do not.

Mr. DANIEL. And not vote for bills which the Attorney General says may be unconstitutional?

Mr. BUTLER. No.

Mr. DANIEL. I doubt that the Senator from Maryland would want to be literally so interpreted.

Mr. BUTLER. No, I would not want my remarks to be so interpreted, but we have sworn to uphold the Constitution of the United States, which oath we would violate if we should vote for unconstitutional legislation. My judgment would be very seriously swayed by an opinion of an astute Attorney General, which Mr. Brownell is. I think we must give weight to his opinion. I think especially is that the case when the Attorney General has also told us that to adopt the language of the Senate bill would very seriously affect or hamper the existing case brought under the Internal Security Act now in the circuit court of appeals.

Mr. HUMPHREY. Mr. President, I happen to be a Member of the United States Senate. I have a telephone in my office, and I am delighted to talk to the Attorney General on these matters. He has not consulted with the junior Senator from Minnesota. All I have heard from him is that possibly the measure I sponsored may not meet his standards for security. I want the Attorney General to prove that to me, and I do not want to hear any more talk from anyone, after this attempt to be so soft on communism, about a party of treason.

Mr. DANIEL. I agree with the Senator from Maryland that we should go along with the Attorney General to the extent that we should attempt to get together on this small section of the bill, the only one about which there seems to be any argument. We should take into account the views of the Attorney General. I believe the bill can be so written as to meet the constitutional objections, without watering it down as much as it has been watered down in the House version.

Mr. HUMPHREY. That is my desire. Has the Senator from Texas heard from the Attorney General? Did he consult with the Senator from Texas?

Mr. DANIEL. I have not heard from the Attorney General; and, in all fairness, the Senator from Minnesota will remember that I accepted the Butler bill as an amendment to the substitute offered by the Senator from Minnesota.

Mr. HUMPHREY. There were quite significant changes.

Mr. BUTLER. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. BUTLER. I have not personally heard from the Attorney General of the United States.

Mr. HUMPHREY. How does the Senator know, then, that the Attorney General is so much interested in the bill?

Mr. BUTLER. I was so much interested that I went to the House of Representatives this morning to hear the debate on the bill. I there heard Members of the House refer to the feelings of the Attorney General with reference to the bill. I am merely reciting here what I heard in debate in the House. I have no pipeline to the Attorney General. Certainly, I do not think any of us could expect the Attorney General to call us up individually. He might come before a committee and say something about how he feels with relation to proposed legislation. I do not want any Member of the Senate to think that I have been talking to the Attorney General and have information from him on the subject which they do not have. What I know on the subject was gained through listening to the debate in the House.

Mr. HUMPHREY. I thank the Senator. Someone heard that the Attorney General may have said that what we did might be unconstitutional. I am unwilling to accept that kind of evidence to control my actions in the Senate.

I have before me, from the Associated Press ticker, a statement of one of the leaders, Mr. HALLECK, to the effect that the House version would outlaw the Communist movement as a political party but not as a conspiracy.

I believe it would be unconstitutional to outlaw a political party, but to outlaw a conspiracy is not unconstitutional.

Mr. FERGUSON. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. The Senator from Minnesota believes that to outlaw a conspiracy is within the rights of the country, but to outlaw a political party might be very dubious in its constitutional implications.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. MANSFIELD. I happened to read in the U. S. News & World Report for August 20, 1954, on page 14, under the heading "Washington Whispers," the following pertinent paragraph:

> RICHARD NIXON, Vice President, has noted that, in the countries where Communist activity is under effective control, the Communist Party is outlawed, making membership and association with it a crime. Government lawyers in this country, however, argue that the direct approach to dealing with Communists is too simple.

The direct approach is the way to deal with the Communists, and the junior Senator from Minnesota has hit upon a direct, simple approach.

Mr. HUMPHREY. I am delighted to have this more recent testimony. On Saturday evening, the very able and distinguished majority leader, the Senator from California [Mr. KNOWLAND], made it quite clear that he was for the bill as it was passed by the Senate. He put his personal convictions above any partisan considerations.

Now we have the Vice President stating that he feels that the best and most effective way to outlaw the party is to make membership in it a crime.

If we can get the distinguished senior Senator from Michigan [Mr. FERGUSON], who is head of the policy committee, to be for us, then we shall have all three of the leaders of the Republican Party on our side.

Mr. MANSFIELD. The statement I read was from the current issue of U. S. News & World Report. I do not know how accurate it is; but, at least, according to this paragraph, the Vice President is supposed to have said today what I read to the Senate.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. FERGUSON. I have been in the fight against communism for a long time. I recall the days when I was fighting for the internal security bill; and the Senator from Minnesota, who now claims he is for all these things, was filibustering against the internal security bill.

Mr. HUMPHREY. So that the record will be straight, let me say that I voted for the internal security bill. After the President's veto, when I learned what the President thought were its unconstitutional provisions, in the light of the doctrine outlined on the floor, I tried to uphold the Chief Executive.

Mr. FERGUSON. Yes; and the Senator voted against the bill.

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Mr. HUMPHREY. But the record made it very clear that, with respect to that measure, we were directing our efforts at the fringe groups, the Communist-dominated groups, the Communist-front groups.

Mr. FERGUSON. The Senator would like to forget the past.

Mr. HUMPHREY. Not at all. But let us talk about what is going on now. Let us talk about the opportunity we have now. If the United States is as badly infiltrated as I have heard it is; if the Communist menace is as serious a menace as it has been painted; let us go after them.

What the bill proposes to do is to say that if a person is a member of the Communist Party, he is a member of a conspiracy which has as its purpose the overthrow of the Government; and anyone who wishes to overthrow the United States Government should be subjected to penalties.

Mr. FERGUSON. Congress passed the internal security law, which provides for the registration of Communist-front and Communist organizations, and a board was established. The Board found facts upon which it said that the Communist Party was a conspiracy.

Mr. HUMPHREY. The Communist Party?

Mr. FERGUSON. Yes. Therefore, it was subject to registration. No one was so foolish as to think the Communists would not fight, as they always have fought—and they have a right to fight in the courts. It was known that they would attempt to delay action. It was known that Marcantonio would use every legal means to delay. It was known that the case would have to go through the courts.

It has now gone through the lower court, and there has been a declaration by the Federal district court that the law passed by Congress is constitutional; that it is a legal way to attack this enemy of America.

Briefs have now been on file in the Circuit Court of Appeals for 4 months. The case is ready for decision. Does the Senator now want to have repealed all that was done in 1950 through the enactment of the internal security law? I do not think we want to do that. I want to outlaw the party. Let me read what we did the other day.

Mr. HUMPHREY. Would the Senator from Michigan permit me, in my time, since I occupy the floor, to make some comment? First of all, the action taken by the Senate does not call for a repeal of the Internal Security Act.

Mr. FERGUSON. That will be the effect of it.

Mr. HUMPHREY. Let me pay tribute to the Senator from Michigan. He has worked, he says, to hunt down Communists. But I do not want the Senator to think he is the only one to be hunting down Communists.

Mr. FERGUSON. We welcome the Senator into the fold.

Mr. HUMPHREY. I do not want to be merely in the fold. I have been in the main arena.

I shall conclude by saying that section 3 of the House bill does not provide anything definite. To say that the party is a conspiracy and that it is dedicated to the overthrow of the Government, and then to say that all that is to be done is to deny it the normal privileges and immunities is not much of a consequence.

EXTENSION OF FEDERAL DECLARATORY JUDGMENTS ACT TO TERRITORY OF ALASKA—CORRECTION AND REENROLLMENT OF BILL

Mr. McCARRAN. Mr. President, I ask unanimous consent to lay aside temporarily the unfinished business, if that be necessary, in order to take up Senate Concurrent Resolution 106 by unanimous consent. I have conferred with the acting majority leader, who informs me that it is agreeable to him to do so. The concurrent resolution is as follows:

Resolved by the Senate (the House of Representatives concurring), That the action of the Speaker of the House of Representatives in signing the enrolled bill (H. R. 1975) to amend section 2201 of title 28, United States Code, to extend the Federal Declaratory Judgments Act to the Territory of Alaska, be rescinded, and that the Clerk of the House be, and he is hereby authorized and directed, in the reenrollment of the bill, to make the following correction:

On page 1, line 6 of the engrossed House bill, strike out the word "section", and in lieu thereof insert the word "sentence."

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nevada that the unfinished business temporarily be laid aside? The Chair hears none, and it is so ordered.

Mr. HENDRICKSON. Mr. President, is it not true that the Senate, in effect, has taken this action once this afternoon?

Mr. McCARRAN. Yes, but it was found that action had been taken in the House, which necessitates the action I am here proposing.

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution?

There being no ojection, the concurrent resolution (S. Con. Res. 106) was considered and agreed to.

SENATOR LYNDON B. JOHNSON, OF TEXAS

Mr. DANIEL. Mr. President, at the polls in Texas last month the people of Texas showed their high regard and appreciation for the record and faithful work of the senior Senator from Texas, LYNDON JOHNSON.

The final returns show that my colleague was renominated by an almost 3-to-1 margin, with 883,264 votes, to 354,188 for his opponent. This was over 71 percent of the vote cast.

As we near the closing hours of the session I want to express for myself, personally, and on behalf of my fellow Texans this word of appreciation for LYNDON JOHNSON'S services as the senior Senator from Texas and as the minority leader of the Senate. He has brought great distinction to our State.

I thank him for the cooperation and assistance he has always given his junior colleague.

The people of Texas thanked him for his accomplishments when they expressed their approval by such a great majority in the Democratic primary.

Many Texas newspaper editorials have commented on Senator JOHNSON'S victory, and I ask unanimous consent that several of these be inserted at this point in the body of the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Beaumont Journal of July 28, 1954]

TALL TEXAN

Last Saturday Texans went to the polls to thank one of their most able public servants for a job well done. For LYNDON BAINES JOHNSON it was an expression of appreciation richly deserved in recognition of his outstanding work as the junior United States Senator from Texas.

The overwhelming reelection of Senator JOHNSON need not necessarily reflect adversely on the candidacy of his defeated opponent, Dudley Dougherty, scion of a multimillionaire oil and ranching family of Beeville. The attributes of Mr. Dougherty are many, but he was fighting a losing cause in seeking to displace a man with a service record such as that compiled by Senator JOHNSON.

LYNDON JOHNSON has attained one of the most outstanding records of achievement for a freshman term in the history of the United States Senate. He is the Senate minority leader and may well be the majority leader, if, and when, the Democrats regain control of the Senate.

Senator JOHNSON'S public record is an open book in which all Texas can take pride. It is one of constructive conservatism, and one of fine balance among his duties to State, party and Nation. He has attempted to steer a middle course in national politics, especially as Senate minority leader. He has shown an admirable tendency to cooperate with the Republican administration on matters vital to the best interests of the country, but has not hesitated to oppose any proposal which he felt would be deterimental to those interests.

His many Senate and party responsibilities have not lessened his close attention to Texas interests and opinions. Through his informative weekly newsletters from Washington Senator JOHNSON keeps Texans abreast of legislative happenings and expresses his own candid opinions of these events. There is no doubt as to where LYNDON JOHNSON stands on all issues.

Last Saturday Texans demonstrated that they believe LYNDON JOHNSON represents the majority will of Texas with an uncanny degree of accuracy. They like this tall Texan and the manner in which he carries out his duties.

[From the Port Arthur News]

A TRIBUTE FROM VOTERS OF TEXAS

The voters' verdict in the Democratic primary was a measure of the stature of Texas' senior United States Senator, LYNDON B. JOHNSON.

It was a recognition of his service to Texas and to the Nation, an acknowledgment of the prestige he has gained by ability and arduous work in his post of public service.

JOHNSON was a candidate for a second term. He had as his opponent a wealthy Texan of a long-established and well-known family. His opponent embraced a ticket of extreme nationalism and isolationism, whose overtones, of course, is a play to patriotism.

Approximately 3 out of 4 of all Texas voters went to the polls and recorded their approval of LYNDON JOHNSON, their confidence in his leadership in Washington, their

desire that he continue to serve Texans in the Senate.

This victory—JOHNSON received 72 percent of the votes and led his opponent by over 508,000 votes—was even more impressive in that JOHNSON did not leave his post of duty in Washington to make a political campaign. By reason of his ability and his energy, his devotion to the Democratic Party and the principles for which it stands, he had been elevated to the post of Senate Democratic leader. He is the youngest ever to hold that post. Congress has been in a session of extreme importance to the Nation and its future security, and to the future peace and security of the free world.

The Senate is evenly divided between Republican and Democratic Members. Many measures relating to foreign affairs and America's relation with the free nations and their common defense against Red aggression were to be considered. JOHNSON disregarded the possible political consequences of ignoring his opponent. He stayed on the job in Washington. That, as well as his record over the past 6 years, obviously met with overwhelming approval of his constituents.

JOHNSON will begin his second Senate term in January, strengthened and backed up by the overwhelming vote of confidence of the Texas citizenship.

Two factors exemplify his statesmanship. One points back to his home State, the other reaches into the realm of world security.

He has avoided being drawn into the deep and hurtful cleavage of the Democratic Party factionalism in Texas. His support and overwhelming majority of votes came obviously from all segments of the Texas electorate. He has been, and continues to be, the Senator of all Texas, not merely one side of an intraparty dispute.

No major legislation could get through Congress without support of Democrats. Senator JOHNSON is the recognized spokesman of the Democrats in the Senate. His attitude has been that America's future security and welfare is not a politically partisan matter. He has looked upon internal legislation as well as foreign affairs from the viewpoint of the Nation's welfare, rather than a political party's advantage.

His Texas constituents told the Nation how highly they regard LYNDON JOHNSON by their vote.

[From the El Paso Herald-Post]

AN EASY VICTORY

LYNDON JOHNSON was reelected to the United States Senate handsdown. He did no personal campaigning. His record and stature were such that the people of Texas automatically voted for him by about 2½ to 1.

In El Paso County, we are proud to say, the vote for LYNDON was better than 6 to 1.

His reelection was certain from the beginning. Anyway, we feel better about it now.

THE NATURAL GAS ACT—CHAOS AND CONFUSION UNDER COURT AND COMMISSION RULINGS

Mr. DANIEL. Mr. President, on June 7, 1954, the Supreme Court of the United States wrote an opinion which might result in making thousands of independent producers of natural gas subject to regulation by the Federal Power Commission.

In the case of *Phillips Petroleum Company* v. *Wisconsin*, et al. (347 U. S. 672), the Court, by a split of 5 to 3, held for the first time that the Natural Gas Act applies to persons engaged in the production of gas if they make sales which eventually end up in interstate commerce. This, in spite of the fact that the Natural Gas Act specifically exempts producers and gatherers from the provisions of the act.

Clearly, the Natural Gas Act (15 U. S. C. 717–717w), passed in 1938, was intended to regulate as "natural-gas companies" only those persons or organizations engaged primarily in interstate transportation or primarily in sales in interstate commerce. Until recent years, no one was so bold as to contend that the act included the thousands of independent oil operators who produced gas along with their oil or to the independent gas producers who were engaged primarily in production and whose only relation to interstate commerce or transportation was arm's-length sales to natural-gas companies. Section 717 (b) provides that the Natural Gas Act "shall not apply to any other transportation or sale of natural gas or to the local distribution of natural gas or to the facilities used for such distribution or to the production or gathering of natural gas."

Ever since the law was enacted in 1938, the Federal Power Commission has interpreted it as not applying to independent producers of oil and gas who merely sell the gas to other concerns which move it into interstate commerce. In fact, the Supreme Court's decision overruled the Federal Power Commission on this point in the Phillips case. The Commission itself said in its brief in the Phillips case, "The Commission has uniformly interpreted the act to exclude transportation and sales, such as those here involved."

Not only did the Supreme Court overrule the long-established interpretation and numerous decisions of the Federal Power Commission, but it also ignored the clear congressional intent that these independent producers are exempt from the act. Justice Tom Clark said in a sharp dissent that the majority action was "contrary to the intention of Congress, the understanding of the States, and that of the FPC itself." Justices Douglas and Burton also dissented.

In addition to the specific words of the act itself, a majority in both Houses of Congress placed the same interpretation on the act in 1950 when they passed what was known as the Kerr bill, which was vetoed by President Truman.

The court's decision in the Phillips case attempts to make "natural gas companies" out of about 4,000 independent oil and gas producers which are not now and never have been primarily engaged in the transportation or sale of natural gas in interstate commerce, and which are not even secondarily engaged in such actions except for sales to other concerns which are engaged in interstate transportation.

As said by the Senator from Michigan [Mr. FERGUSON], who apparently agrees with the court's decision:

> Prior to June 7 (the date of the decision) the Commission had considered producers and gatherers of natural gas as not within the purview of the Natural Gas Act, and the Commission had confined its regulation of the natural gas industry pretty largely to the pipeline companies. In its original budget estimate for the year ended June 30, 1955, the Commission estimated that only 120 natural gas companies were subject to its jurisdiction under the Natural Gas Act. These 120 companies were, on the whole, pipeline companies.
>
> It is now estimated that about 4,000 additional natural gas companies, as defined in the Natural Gas Act, are subject to the Commission's regulatory authority. (CONGRESSIONAL RECORD, Aug. 3, 1954, p. 13091.)

Again, the Senator from Michigan [Mr. FERGUSON] referred to these additional persons and companies attempted to be brought under the act, as "new" natural gas companies. He said:

> The new natural-gas companies may seek changes in the rates by filing appropriate notices with the Commission. (CONGRESSIONAL RECORD, p. 13092.)

The senior Senator from Michigan, arguing for an additional $300,000 appropriation for the Federal Power Commission to carry out its regulation of these new natural-gas companies, which appropriation was denied by the Senate, said that there would be great confusion and chaos in the industry if the Commission were not given the funds to carry out its newly found regulatory powers. Actually, chaos and confusion exist today among independent producers and will exist in the future among consumers, not because of any failure of Congress to appropriate money, but because of the Court's decision and the fact that the Federal Power Commission has followed that decision by issuing its orders Nos. 174 and 174A freezing the wellhead price on natural gas and requiring certificates by which these 4,000 independent producers must qualify as natural-gas companies if they are to continue to sell gas which ends up in interstate commerce.

Mr. President, I know something about this chaos and confusion. I predicted it when as attorney general of Texas I represented our State, our conservation commission, and our school land board in the Phillips case when it was before the Federal Power Commission. The Commission decided in our favor, but it was overruled by the Supreme Court. Now, the Commission has made the error of entering this new field of regulation while a motion for rehearing is pending in the Supreme Court, and before the Congress of the United States has had an opportunity to decide whether to correct the injustice or to appropriate funds to implement the decision.

This action of the Commission, taken without a public hearing, has accentuated the chaos and confusion not only among independent producers of gas, but among State officials and regulatory bodies whose jurisdictions are being ignored, and it will extend in due time to the consuming public. I say this because most of these independent producers will shut off their sales rather than qualify as natural-gas companies and subject themselves to regulation of rates by the Federal Power Commission. They are not utilities. They are not natural-gas companies. They are searchers, developers, and producers of oil and gas who cannot operate under utility-type rate fixing.

With all of the risk involved in searching for and producing oil and gas, inde-

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pendent producers cannot exist on rates fixed as though they were utility companies and based solely upon their depreciated investments. These do not take into account the losses from dry holes and other expenses of this nature. Many of these independent producers have automatic termination clauses in their sales contracts providing that the contracts shall end if the producers are ever subjected to regulation by the Federal Power Commission.

I am sure that the order of the Federal Power Commission was distasteful to some of the Commissioners who signed it. It has been suggested that one of the purposes might have been to alert all concerned with the chaos and confusion which will result if the Commission is not relieved by the Congress from this added burden and responsibility—a responsibility which the Commission had never thought was imposed upon it by the Natural Gas Act. Even so, orders 174 and 174A were unfortunate.

The present order, 174A, if enforced, would work untold hardships and injustices. Petitions are now pending before the Commission for rehearing and reconsideration. It is hoped that they will be granted and that the Commission will revoke its present order and set this entire matter down for a hearing. It should be set off until a date next year, when the Congress also will have had an opportunity to consider the entire matter and to again declare the exemption of independent producers which was set forth in the original Natural Gas Act. In the meantime, there are numerous inequities and injustices which the Commission can avoid on its own motion, even before full rehearing and reconsideration of the present order. This should include recognition of rate increases provided by contract prior to the Court's decision, many of which were to pay increased production taxes.

This matter of increased production taxes is very important in the State of Texas, where, effective September 1, 1954, the production tax will be increased from 5.72 percent to 9 percent of the market value of the gas produced. Practically all of the long-term sales contracts in our State provide that the purchaser will bear all or a very substantial part of any increase in the production tax. Unless the Commission amends its order, the producers and royalty owners will have to bear the increase in tax contrary to their sales contracts, or the purchasers will have to make the payments and thereby subject themselves to possible penalties for paying the increased price.

Mr. President, in order to avoid the chaos, confusion, inequities, and injustices implicit in this entire affair, it is hoped that the Federal Power Commission will make appropriate amendments promptly and that it will finally set aside its order until a full and complete hearing can be held and until a further expression of policy can be made by the Congress. Action by Congress is imperative if sufficient natural gas is to be made available for transmission to nonproducing States and if State conservation laws and private rights of contract are to be preserved.

CITATION OF CORLISS LAMONT FOR CONTEMPT OF THE SENATE

The Senate resumed the consideration of the resolution (S. Res. 281) to cite Corliss Lamont for contempt of the Senate.

Mr. LANGER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER (Mr. KUCHEL in the chair). The Senator will state it.

Mr. LANGER. What is the pending question?

The PRESIDING OFFICER. The question is on agreeing to Senate Resolution 281, to cite Corliss Lamont for contempt of the Senate.

Mr. HENDRICKSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from North Dakota has the floor.

Mr. HENDRICKSON. I withhold the suggestion.

Mr. LANGER. I yield to the Senator from Wisconsin [Mr. MCCARTHY].

Mr. MCCARTHY. Mr. President, I explained the case the other day. I would rather not take the time of the Senate again, unless there are questions. If there are, I shall be happy to answer questions. I think the Senator from North Dakota has questions regarding the case. Would the Senator prefer that I go over it briefly?

Mr. LANGER. I would rather the Senator would do so.

Mr. MCCARTHY. This is the case of Corliss Lamont whom we ask to have cited for contempt of the Senate. The subcommittee voted unanimously, and I think the full committee voted unanimously, to cite him for contempt. The Attorney General wrote us a letter—I read it this morning in regard to the other cases—in which he stated it appears that a contempt proceeding would be in order.

The reason why Lamont was called before the committee was that he had been doing some writing which was being used to indoctrinate members of the military forces, and because he had information about Communists who were writing for the Government. He refused to tell whether he admitted to Louis Budenz he was a Communist. Louis Budenz testified he had admitted over the phone he was one. He said he was not. He admitted he knew Clarence Hathaway, another well-known Communist. He refused to tell whether he worked for Hathaway in connection with penetration of various organizations by the Communist Party. He refused to tell whether he was ever under instructions from the Communist Party or known Communists. He refused to tell whether he exercised any activities in behalf of the Communist Party. He refused to tell us whether he knew any of the Communists who edited U. S. S. R., a Concise Handbook, which was used by the military forces; whether they were members of the Communist Party, and whether he, Lamont, had contributed to the book; and so on down the line. He refused to answer a number of questions having to do with his Communist activities and the Communist activities of others who wrote for the Communists. He did not invoke the fifth amendment. Therefore, the committee has voted to cite him for contempt.

Mr. SMITH of New Jersey. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from North Dakota ask unanimous consent that the Senator from Wisconsin may be permitted to yield to the Senator from New Jersey?

Mr. LANGER. I ask unanimous consent that I may yield for that purpose, without my losing the floor.

Mr. SMITH of New Jersey. I have before me the testimony in this case. On page 3 of the testimony Mr. Lamont makes a statement of his reasons for not answering the questions. As I read his statement, he raised a technical question as to whether the committee, of which the junior Senator from Wisconsin is chairman, had jurisdiction to ask the questions. There is no doubt of his having declined to answer. He raised the issue of the jurisdiction of the committee. The contempt citation will test that question in the court. If he is asked to answer the question, and he declines to answer, he will be guilty of a real contempt.

I wish to ask if the Senator is asking that Mr. Lamont be sent to jail or fined because he raised a jurisdictional question?

Mr. MCCARTHY. I have no interest in sending Lamont to jail. In view of the fact that he refused to answer, I believe if we do not cite him for contempt and have the matter handled in that way, it would mean that any other witness before the committee could do likewise. Harvey O'Conner came before the committee and was asked the same question. He has been indicted by the grand jury. I do not think he has been tried yet.

Mr. SMITH of New Jersey. I have known Mr. Lamont since he was a young man. I have been greatly distressed by his Communist leanings, as all his friends have. I know his parents have been. They are friends of mine. I hesitate to vote for a contempt citation which might result in a fine or sending him to jail.

When he simply raises the jurisdictional question of whether the committee has the legal right to ask the questions about the book, could that question not be settled without putting us in the position of citing a man for contempt when he may not have done anything wrong except raise the issue of jurisdiction?

Mr. MCCARTHY. Let me say to the Senator from New Jersey, so he may not have any misapprehension, I wrote the Justice Department and asked for an opinion as to whether they thought he was in contempt. I asked whether they would conduct an investigation as to whether he should be tried for perjury. The perjury matter is not before the Senate. The contempt matter is. I have no idea what a judge might do if Lamont should be found guilty of contempt, or whether the judge might feel that he had been acting in good faith, and let him go so he might purge himself of the contempt, or whether the judge might send him to jail. That is a question raised in

the case of almost every witness who refuses to answer.

Mr. SMITH of New Jersey. I agree with the Senator from Wisconsin that the question as to whether a committee of the House or the Senate has a right to ask these questions ought to be settled. This particular witness was not pleading the fifth amendment, which might imply some guilt. He had written a book, and he raised the question about the legal right of the committee to ask questions about it. I take it the Senator from Wisconsin is asking the court to decide whether or not Lamont should be compelled to answer the questions. I am making the inquiry so that the situation may be clear, if I have to go along with the contempt citation.

Mr. McCARTHY. I think the Senator has correctly stated the proposition.

Mr. SMITH of New Jersey. I thank the Senator.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. LANGER. Mr. President——

Mr. McCARTHY. Could I yield to the Senator from New York?

Mr. LANGER. I would rather proceed at this time.

Mr. McCARTHY. I thought I had the floor.

Mr. LANGER. No. I yielded to the Senator from Wisconsin.

Mr. President, as chairman of the Committee on the Judiciary, at various times complaints and petitions come to me. Under the first amendment to the Constitution, and in the Bill of Rights, there is a provision for the right of petition at any time. As a matter of fact, in the penitentiaries there is a notice in the cell blocks that any prisoner can write a letter at any time to the Attorney General directly, without the warden having a right to interfere. Following that right of petition under the first amendment, Corliss Lamont wrote a letter to every Senator. I felt I should pay some attention to it, because of the fact that I am chairman of the Committee on the Judiciary, but every Senator received this letter, which was dated March 23, 1954. It reads:

MY DEAR SENATOR: I have been informed that the Permanent Subcommittee on Investigations of the Senate Committee on Government Operations has voted to recommend that I be cited for contempt of the United States Senate. That decision taken by the subcommittee arises out of my appearance pursuant to subpena before the subcommittee in executive session. That subcommittee consisted of one person, Senator JOSEPH R. McCARTHY. I was never called before the committee in public hearing, nor before the full committee.

On the 22d day of September 1953 I was served with a subpena to appear before the Senate Subcommittee on Investigations on the 23d day of September 1953.

That is to say, the next day.

I read further:

Pursuant to that subpena I appeared before Senator JOSEPH R. McCARTHY sitting as the committee in executive session. I had been informed that the matters then under investigation involved Communist infiltration among Army personnel. Since I had no connection whatever with such activity, I had prepared for submission to the subcommittee a statement of my objections to the jurisdiction of the subcommittee. My testimony appears at pages 14337 et seq. of the stenographic transcript of the hearings, and the statement of my objections to the jurisdiction appears at pages 14341–14344.

That testimony has been reproduced in printed form for use by the Committee on Government Operations. In the printed record my statement of objections to the jurisdiction of the subcommittee appears on pages 3 and 4.

In my statement of objection to jurisdiction—

That relates to the point raised a moment ago by the distinguished Senator from New Jersey—

I said that I am not now and never have been a member of the Communist Party. At no time did I take advantage of or plead the fifth amendment in my defense.

I further stated that I am a private citizen of the United States, that I hold no office of public honor or trust, that I am not employed in any governmental department, nor am I under salary or grant from any governmental department.

My objection to the jurisdiction of the subcommittee was based upon the fact that it had no right to inquire into my political beliefs, personal and private affairs, my religious beliefs, and my associational activities as a private citizen. My objection was further based on the idea that the subcommittee of the Committee on Government Operations was invading the power of the judiciary and the power of the Executive and thus violating the tripartite separation of powers as a doctrine of American Government.

I am annexing hereto a copy of the statement of my objections to the jurisdiction of the subcommittee.

I think I shall read that statement at this point, Mr. President:

To the Senate Permanent Subcommittee on Investigations of the Senate Committee on Government Operations:

1. I, Corliss Lamont, residing at 450 Riverside Drive, in the Borough of Manhattan, city of New York, having been subpenaed before this committee by subpena dated the 21st day of September 1953, and signed by JOSEPH R. McCARTHY, as chairman, do hereby respectfully object to the power and jurisdiction of this committee to inquire into (a) my political beliefs, (b) any other personal and private affairs, (c) my religious beliefs, (d) my associational activities.

2. Let it be understood that I am a private citizen of the United States, that I hold no office of public honor or trust, and I am not employed in any governmental department, nor am I under salary or grant from any governmental department.

3. To dispose of a question causing current apprehension, I am a loyal American, and I am not now, and never have been, a member of the Communist Party.

4. The grounds of my objection are:

(a) As stated in *United States* v. *Rumely* (97 L. Ed. 494), a case involving a refusal to give testimony before a committee of the House of Representatives, the Supreme Court of the United States said, in a concurring opinion by Mr. Justice Douglas:

"The power of investigation is also limited. Inquiry into personal and private affairs is precluded."

(b) The Supreme Court of the United States has said in *Jones* v. *Securities and Exchange Commission* (298 U. S. 1), through Mr. Justice Sutherland:

"The citizen when interrogated about his private affairs has a right before answering to know why the inquiry is made; and if the purpose disclosed is not a legitimate one, he is not required to answer."

(c) Under the first amendment to the Constitution the power of investigation by Congress into matters involving freedom of speech and freedom of the press cannot be used in the absence of legislative intent or power. The Congress of the United States has no constitutional right to legislate with regard to prior restraint or utterance in either form, and that as to any books already written or statements made, no ex post facto law could be passed determining innocence or criminality, and that therefore any investigations into my writings is beyond the power of this committee.

5. Under our Constitution our Government is a Government of limited powers, tripartite in form, consisting of the legislative, the judicial, and the executive; and any inquiry into personal conduct, personal beliefs, or associational activity lies within the jurisdiction of the judicial department, and the exercise of this power by the legislature is an unconstitutional invasion of the power of the judiciary.

The Supreme Court has held that this separation of powers is fundamental to the existence of our democracy, and that not even an emergency warrants an invasion of the powers of one department by the other. (*Youngstown Sheet & Tube Co.* v. *Sawyer* (343 U. S. 579).)

That is the steel company seizure case, with which all of us are familiar.

I read further:

6. The jurisdiction of this committee is further limited by the statutes which constitute and set forth its functions and sphere of authority. Under the rules of the Senate and the statutes organizing the appointment of this standing committee, this committee has no authority to examine into the personal and private affairs of private citizens. Any action with regard to my books by officials of the Government was done without my prior knowledge or consultation with me. I took no part in any proceedings involving any governmental authority and therefore this committee is without power to examine me under the rules and statute governing it.

7. This committee is not a competent tribunal. The resignation from this committee of all members belonging to one of the major parties, i. e., the Democratic Party, has deprived this committee of its competency to act until it has been properly constituted.

Mr. Lamont continued, and this is of particular interest to me:

At the conclusion of the executive session I was ordered to attend in Washington on Monday, 1 p. m., September 28, in room 318 of the Senate Office Building, page 14377 of the stenographic minutes, page 18 of the printed record.

I particularly call this to the attention of the distinguished Senator from Wisconsin [Mr. McCARTHY]:

On Friday afternoon, September 25, I received the following wire signed by "JOE McCARTHY, chairman":

"Your appearance before this subcommittee in Washington, D. C., on Monday, September 28, 1953, has been postponed. However, you are under continuing subpena, and both you and your counsel will be notified when your appearance is required."

I, therefore, did not attend on Monday, September 28, 1953, and I was shocked to receive a telephone call from a newspaperman on Monday morning, in which he told me that the chairman of the subcommittee had called the committee to order at 10 o'clock in the morning and had there made the following statement:

"The CHAIRMAN. The committee will come to order. We had announced last week that Mr. Corliss Lamont would be before the committee today. Mr. Lamont has not been

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subpenaed. He was notified that he could come today and purge himself of the contempt of failure to answer last week. Is Mr. Lamont here?

"(There was no response.)

"The CHAIRMAN. I will ask the staff to make the executive testimony in the Lamont case part of the public record at this point, so that the reason for the citation for contempt will be very clear."

The first paragraph of that statement obviously contained two statements at variance with fact. The telegram quoted above shows that the Senator knew that I was continued under subpena and that my appearance was postponed. Nevertheless, on the basis of this misstatement of fact the testimony taken in executive session was placed upon the public record.

I thereupon wrote to Hon. JOSEPH R. MCCARTHY pointing out this inaccuracy in the record and the results that followed therefrom by letter, dated October 2, 1953——

Mr. McCARTHY. Mr. President, will the Senator from North Dakota permit an interruption at this point?

Mr. LANGER. If the Senator from Wisconsin does not mind, I prefer to continue the reading:

by letter, dated October 24, 1953, signed by Francis P. Carr, executive director, Senate Permanent Subcommittee on Investigations. I was informed that the paragraph on page 14337 which begins "we had announced last week," and so forth through "There was no response," had been deleted. Nothing further was done to correct the record and the inclusion in the permanent record of the minutes taken at an executive session, which minutes had not yet been submitted to me for correction or completion as agreed upon.

Immediately following my appearance before the subcommittee in executive session its chairman had summoned the press before him, and had in effect made public all that transpired at that executive session. Thereupon the press of the country rallied with a type of approval of my conduct which was heartening to me. Editorials appeared in leading newspapers throughout the United States.

On September 25, the New York Times wrote a lead editorial and said:

"The action of Corliss Lamont in defying the McCarthy committee on the ground that the latter is unconstitutionally violating the personal rights of private citizens raises again the interesting and important question of how far congressional committees can properly go."

The Washington Post in an editorial on September 29, said:

"Corliss Lamont has challenged the jurisdiction of Senator MCCARTHY'S Government Operations Committee on substantial and significant grounds."

This was only the first sentence of a lengthy editorial.

The St. Louis Post-Dispatch, on the same day, in an editorial said:

"The Senate will want to think twice and a third time if necessary before it votes to cite Corliss Lamont for contempt because he refused to answer questions put to him in secret at a one-man subcommittee hearing," and ended a lengthy editorial in the following language:

"Until that is done, many Americans will applaud Corliss Lamont for having, in effect, spoken up for them and their rights to be secure in their thoughts and in their personal lives."

From all over the country came editorial support: Providence Sunday Journal, November 1, 1953; Pittsfield (Mass.) Berkshire Eagle, September 25, 1953; Montgomery (Ala.) Journal, September 30, 1953: Lynchburg (Va.) News, September 29, 1953; Waterloo (Iowa) Courier, September 25, 1953.

And as far away as Dallas, the Dallas Morning News of October 1, 1953, ended its editorial saying:

"But he commands respect for his position before the committee. On the important question of membership in the Communist Party, he answered unequivocally under oath. Very few of those interrogated by Senator JOE MCCARTHY have had either the courage or the wisdom to do that."

Since then further editorial comment favorable to my position has been received.

I have no wish as an American citizen to be in contempt of the Senate of the United States. It seems to me that the objections which I took to the jurisdiction of this subcommittee afford a basis for serious consideration and are not to be lightly dismissed. It seems to me that the entire conduct of the hearing at which I was called as a witness is a matter which merits serious consideration by the Senate.

Grave legal problems arise out of the appropriate constitutional provisions and the interpretation thereof by the Supreme Court of the United States. Not every difference of opinion with regard thereto necessarily involves contempt.

I respectfully ask, therefore, that there be no endorsement of the wishes of the subcommittee, but that you, as a Senator of the United States, give this matter its due weight and protect me from an indictment for a contempt which I neither feel nor have committed.

Very respectfully submitted.

CORLISS LAMONT.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. LANGER. In a moment.

Mr. President, the Senator from Wisconsin was very kind today. I asked him for a copy of the hearings and also a copy of the letter he received from the Attorney General. I invite the attention of the Senator from Wisconsin to page 13 of the hearings. I wish to say again that I am interested in this case as a matter of fair play. I do not care whether a man is rich or poor, black or white. No matter how humble a man may be or how wealthy he may be, the Senator from North Dakota feels he is entitled to a square deal on the floor of the Senate.

Now, there was a hearing before a one-man subcommittee——

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. LANGER. In a minute.

There was a hearing before the subcommittee, and after that Mr. Lamont was told to appear on Monday. Before he could appear on the 28th, he received a telegram, signed on the 25th, informing him that he did not have to appear. He relied upon that.

Mr. McCARTHY. May we clear up that question now?

Mr. LANGER. Just one moment.

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Wisconsin?

Mr. McCARTHY. Mr. President, will the Senator yield to me for 1 minute?

Mr. LANGER. I should like to finish this thought.

Mr. McCARTHY. I am sorry.

Mr. LANGER. I wish to refer again to page 13, to show how important Mr. Lamont felt it was, and how he felt his rights were being infringed by the action which was taken by the subcommittee Monday afternoon.

Mr. McCARTHY. May I relate the story as to that matter?

Mr. LANGER. Just one minute. At the time of the hearing, the chairman asked him this question:

In other words, your answer is that as of this moment you do not ever recall having written for the Daily Worker but you are not sure; it will take further study before you can give us a specific, positive answer?

And Mr. Lamont said:

Yes; that is it.

The CHAIRMAN. The Chair will order you to make that study and furnish the answer the next time you appear before the committee.

Mr. Lamont thought he was going to appear on Monday. He was subpenaed to appear on Monday. He expected to appear on Monday.

Mr. McCARTHY. The Senator should yield, in all fairness.

Mr. LANGER. He expected to be ready to answer.

Mr. McCARTHY. The Senator should be willing to yield, in fairness. The Senator is making misstatements. I should like to correct them.

Mr. LANGER. I should be glad to have the Senator correct them.

Mr. McCARTHY. If the Senator will yield, I shall correct the Senator.

Mr. LANGER. In a moment.

The PRESIDING OFFICER. The Senator from North Dakota declines to yield.

Mr. LANGER. On page 18, the chairman [Mr. MCCARTHY] said:

Yes; I will want him back Monday—

Referring to Mr. Lamont.

Yes; I will want him back Monday.

We will want you back Monday, Mr. Lamont, in Washington, at 10 o'clock in the morning in room 318 of the Senate Office Building. You are ordered to be present at that time.

Mr. WITTENBERG. May I have one moment, Mr. Senator?

(Mr. Lamont confers with Mr. Wittenberg.)

Mr. WITTENBERG. It isn't possible, in view of the fact you are going to want some material looked up—

The real reason for my asking is that I have got a case out West I am about to leave for, and I could possibly by breaking one of my legs—I don't suppose a crutch matters—get back Sunday night, but I do hate to break a leg, if I could avoid it. If it is possible to put it later in the week, could you do it? It is purely a question of—as I say, I am leaving tonight, if they have got that plane for me. The worst about it—I understand that Tuesday——

The CHAIRMAN. I will be absent starting Tuesday for some time.

Mr. WITTENBERG. I tell you what, Senator, it would be a great convenience to me if you just said Monday afternoon instead of Monday morning. I am going to a small town, and making connections is bad.

The CHAIRMAN. Make it 1 o'clock Monday afternoon.

That is the time for which he was subpenaed for—1 o'clock Monday afternoon.

Mr. WITTENBERG. Monday afternoon, 1 o'clock. Yes, sir. Room——

The CHAIRMAN. I think it is 318.

Mr. CARR. Check.

Mr. WITTENBERG. Senate Office Building.

The CHAIRMAN. Yes. If it is not there, you can easily check.

Mr. WITTENBERG. But in the Senate Office Building.

The CHAIRMAN. Yes.

Incidentally, 1 o'clock means 1 o'clock, not 1:30, because I am going to be tied up all afternoon.

Mr. WITTENBERG. I understand.

May I ask whether it is the common practice to provide us with a copy of the minutes.

The CHAIRMAN. In executive sessions—if it is a public session, you have a perfect right to obtain a copy. In executive sessions we do not give out any copies of the record. However, we provide that if—we do provide if you want to come down or if your client comes down, you can go over the record to make any corrections in what you think are stenographic errors, or if the——

Mr. WITTENBERG. We can't order a copy at our expense for that purpose?

The CHAIRMAN. No. I tell you why you can't, because it is strictly executive——

Mr. WITTENBERG. I understand. If it is a rule——

The CHAIRMAN. The ruling is we don't hand any copies out to anybody at all.

Mr. WITTENBERG. May we have the stenographer instructed to inform us when a copy is available for our examination?

The CHAIRMAN. Frank, will you do that?

Mr. WITTENBERG. Thank you.

We have Mr. Lamont giving testimony before this committee, and he had not had an opportunity to correct the record. He had not had an opportunity to go over the stenographic report, and he had been promised that if he would come down on Monday at 1 o'clock, he would have an opportunity to go over it. He had a continuing subpena, and then received a telegram——

Mr. McCARTHY. Mr. President, will the Senator please let me give the facts? The Senator is misstating them. The Senator is grossly misstating them.

Mr. LANGER. In simple justice to all Members of the Senate, before this citation was voted, these facts should have been brought out by the chairman. I yield now to my friend the Senator from Wisconsin.

Mr. McCARTHY. I thank the Senator. I am sure he had no intention of misstating the facts. The facts have been grossly misstated.

Mr. Lamont appeared before the committee on Wednesday, the 23d. At that time he was ordered to return on the following Monday morning. He objected to that. We changed the date to the afternoon of that Monday. He was averse to that. Committee counsel was in touch with his lawyers. He had two lawyers.

Incidentally, Mr. Lamont is a very wealthy man, not in his own right, but through inheritance. Committee counsel, Mr. Cohn, suggested Thursday, in view of the fact that Lamont's lawyers had said it would be a great hardship for them to come on Monday.

Therefore, as a courtesy to Mr. Lamont, a telegram was sent to him, stating that he would not be required to appear on Monday, because he had objected to appearing on Monday.

He was then told by telephone that if he wanted to appear and purge himself of contempt, Monday would be the deadline, or he would notify us by Monday.

On that Monday, I called to see if he was in the room, knowing that he had been notified that he could purge himself of contempt on that day, if he wanted to do so, and that if he did not want to do so, his case citing him for contempt would be submitted to the Senate.

No man could have been treated more fairly than this man Lamont. We extended every courtesy and consideration to this man of great wealth, who has been one of the outstanding apologists for the Communist Party. We gave him the right to appear before the subcommittee and present certain information.

The Senate may wish to know what kind of information we desired to obtain from him. We found that he had contributed a chapter to a book entitled "U. S. S. R.—A Concise Handbook," which was being used by the military authorities of our country. Lamont wrote a chapter for that book. We wanted to find out whether the author of the book was a member of the Communist Party. Lamont refused to tell us. He refused to give us any information about the Communist conspiracy. We knew—and I am sure the Senator from North Dakota also knows—that Lamont had been the head of the National Council of American Soviet Friendship, which has been cited by the Attorney General as an arm of the Communist Party.

We were entitled to know why the Army was using the works of Communist writers in indoctrinating our troops.

We also knew that he had written a chapter for the book entitled "Peoples of the Soviet Union." He came before our committee, and refused to answer our questions. This was not the case of a man from the other side of the tracks, who did not know his legal rights, or who did not know that he had the right to engage counsel.

Mr. Lamont is a man of great wealth. He was born with a silver spoon in his mouth. He has done more to damage this Nation than perhaps any other man in the country, with the possible exception of Frederick Field. We asked him for some very simple information. We asked him whether he had told Louis Budenz, who had been the editor of the Daily Worker, and who had testified that Lamont was a member of the Communist Party, whether he had ever told Louis Budenz that he was a member of the Communist Party. As I said, Budenz had so testified.

We asked him whether he was ever under instruction from the Communist Party. He refused to answer.

He did not invoke the fifth amendment.

We asked him whether he had engaged in any activities on behalf of the Communist Party. We all knew he had. There is no question about the fact that he had engaged in such activities. He refused to answer our questions.

He was asked whether Ernest Simmons, the author of the book entitled "Peoples of the Soviet Union," was a member of the Communist Party. Lamont had contributed a chapter to that book. That book, incidentally, was being used at the time of the investigation by the United States Army. He gave no answer.

He was asked whether Ernest Simmons was a Communist. He refused to answer. He was asked whether he had consulted with any members of the Communist Party when he wrote a chapter for the book Peoples of the Soviet Union. He was asked whether Vladimir Kazekavich, who wrote a chapter in a book which was also used by the United States Army, was a member of the Communist Party.

He was asked whether he knew that Sergei Kournakoff, who produced works used by our Army, was a member of the Communist Party. He refused to answer. He was asked whether Henry Sigerist, who had written material used by the United States Army, was a member of the Communist Party. He was asked—I ask the Senator from North Dakota to listen to this—whether he had ever attended meetings where the espionage activities of members of the Communist Party were discussed. He refused to answer.

Why this man, who was born with a silver spoon in his mouth and who had been given everything this Nation could possibly give an individual, should refuse to help to protect his nation against conspiracy, I do not know.

I say to the Senator from North Dakota, that here is a test as to whether we can get information of this kind. I may say that Harvey O'Conner took the same position. He had written for the information program. O'Connor's claim has been disallowed by the grand jury which indicted him.

Mr. LANGER. I say to the Senator from Wisconsin that the Senator from North Dakota is not in the slightest degree interested in whether Mr. Lamont is a wealthy man or a very poor man. I think it comes with ill grace from the Senator from Wisconsin to make such a statement.

Only a few short months ago the Senator from North Dakota saved a colored boy, who was absolutely broke and who did not have a dollar, from being electrocuted in the city of Washington. I deem it my duty to represent anyone who I believe is not getting justice, whether he be rich or poor.

I for one resent the statement that Lamont was born with a silver spoon in his mouth. The first amendment to the Constitution states very clearly:

> Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press—

That is involved in this case—

> or the right of the people peaceably to assemble and to petition the Government for a redress of grievances.

Mr. McCARTHY. Mr. President, will the Senator yield me 30 seconds?

Mr. LANGER. Not at this time.

The PRESIDING OFFICER. (Mr. KUCHEL in the chair). The Senator declines to yield.

Mr. LANGER. Mr. Lamont received a telegram from the Senator's committee on Friday afternoon, February 25, after he had appeared on Wednesday. On Wednesday he had been told that he would have to be present on Monday at 1 o'clock in the afternoon, in room 318 of the Senate Office Building. Then he received this telegram. I leave it to any

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Senator to say what he would think if he received such a telegram:

Your appearance before this subcommittee in Washington, D. C., on Monday, September 28, 1953, has been postponed. However, you are under continuing subpena and both you and your counsel will be notified when your appearance is required.

The distinguished Senator said he telephoned some lawyers here. Apparently Mr. Lamont was not notified.

There is the further point that he was promised, when he came to the hearing on Monday, he would have an opportunity to correct the record and go over the stenographic report.

Mr. McCARTHY. He could have done that.

Mr. LANGER. That was never done. He was never given that opportunity.

Mr. McCARTHY. Oh, yes; he has had that continuing opportunity.

Mr. LANGER. Continuing opportunity, when he is in New York, and the report is in Washington? He was to be there on Monday at 1 o'clock.

Mr. McCARTHY. He has had an opportunity to examine the report.

Mr. LANGER. The hearing was postponed. The minutes show that his lawyer was to be gone until Monday. He had no opportunity to go over the stenographic report. The only thing in which the Senator from North Dakota is interested in is fair play to the witness.

Mr. McCARTHY. Mr. President, will the Senator from North Dekota yield?

Mr. LANGER. For a question.

Mr. McCARTHY. Is the Senator aware of the fact that every witness who appears in executive session is told that he can come to room 101 and correct the record if he cares to do so, that is, as regards any stenographic mistakes which may have been made? We do not take the record up to New York. We do not send the record of an executive session to a witness, because it would no longer be executive.

Mr. President, I should like to have the Senator's attention. This man has had the opportunity ever since the 23d day of September either to offer to purge himself of the contempt and answer the questions or, if he felt that the record was incorrectly made, to return and correct it.

Mr. President, I say to the Senator that nothing would be gained by having him return Monday, because we had every reason to believe that his answers would be the same. Therefore, we made the executive session a public record and gave him a chance to correct it again.

Mr. LANGER. I say to the Senator from Wisconsin that the testimony which I read to the Senate shows that it was agreeable for him to return at 1 o'clock on Monday.

Mr. McCARTHY. It was.

Mr. LANGER. His lawyer was to be away in the meantime. He said where he would be. He was to be in a small town, and he could not be present. The testimony had not been transcribed. It could not be gone over in New York. He would have to come to Washington on Monday and look over the testimony and make any necessary corrections.

There is a letter here from the Attorney General. I ask the distinguished Senator from Wisconsin one question. In his letter to the Attorney General did the Senator say he would set the hearing for Mr. Lamont for Monday at 1 o'clock and then send him that telegram? Is that in the Senator's letter to the Attorney General?

Mr. McCARTHY. The Senator apparently did not hear me. I told the Senator a few minutes ago that Mr. Lamont's lawyers objected to his coming on Monday and that, because of that objection, we postponed the hearing from the morning to the afternoon. Later, after Mr. Roy Cohn, our chief counsel, was in contact with his lawyer, he still objected to appearing on Monday. He was then sent a telegram and was told that he would not have to appear on Monday. He was told, however, that he would have the opportunity to purge himself of the contempt.

The Senator has read from the letter and from the record—may I have the Senator's attention—from which the Senator knows that this man objected to coming on Monday. As a courtesy to him, we told him he would not have to come. Ever since the 23d day of September he has had the opportunity to purge himself of the contempt. He could have come down at any time he desired. We could not run to him. We do not have the funds to do that. It is unnecessary to pay his way from New York to Washington. If he wishes to come down, he has a trust fund of some sixty or seventy or eighty thousand dollars a year. He could come down himself. I felt it was useless to subpena him and to pay his way down here, to have him repeat the same things he said in executive session.

Let me repeat: He knew that he could come down and examine the record at any time. The Monday hearing was postponed as a courtesy to him, upon his request. Up to this time he has never attempted to correct the record.

Mr. LANGER. The record does not bear out the statement of the Senator from Wisconsin. It is true that the Senator from Wisconsin gave Mr. Lamont time when he said he could not be here on Monday morning. The Senator gave him until 1 o'clock in the afternoon to be here on that Monday. Then, not at his request when he was ready to come down, ready to go over the transcript, ready to correct it, he got a telegram from the Senator from Wisconsin dated the 25th, on Friday. He was ready to come down on Monday.

Your appearance before this subcommittee in Washington on Monday, September 28, 1953, has been postponed. However, you are under continuing subpena, and both you and your counsel will be notified when your appearance is required.

What happened? He was not given Tuesday or Wednesday or any other time to come in, as the distinguished Senator now says. Oh, no. This took place on Monday, when he was not there, Monday when his appearance had been postponed:

The CHAIRMAN. The committee will come to order. We had announced last week that Mr. Corliss Lamont would be before the committee today. Mr. Lamont has not been subpenaed.

He was under continuing subpena. The statement that he had not been subpenaed was not true. He was under a continuing subpena, and the Senator knows that.

He was notified that he could come today and purge himself of the contempt of failure to answer last week. Is Mr. Lamont here?

Mr. Lamont said the only notification he received was that telegram. I, for one, will never vote to cite a man for contempt when he has not had an opportunity to be heard, or to correct the minutes. I do not believe the Senator from Wisconsin——

Mr. McCARTHY. I ask the Senator not to continue to misstate the facts.

Mr. LANGER. I do not believe a man in the position of United States Senator from the great State of Wisconsin would want to deny any witness, I do not care how educated he is or how ignorant he is, a chance to go over the record and correct it.

Mr. McCARTHY. Mr. President, will the Senator yield to me?

Mr. LANGER. I yield to the Senator.

Mr. McCARTHY. As the Senator from North Dakota knows, I have a great deal of respect for him. I admire the way he fights for the underdog. I think it is a great——

Mr. LANGER. Whether he is rich or poor.

Mr. McCARTHY. That is right, whether he is rich or poor; wealth has nothing to do with it. I admire the Senator from North Dakota for doing that. I think that has been one of the outstanding traits of his whole life. He has always been willing to fight for the underdog.

But, Mr. President, we do not have an underdog in this case. I do not mention his wealth because that has anything to do with his activities in behalf of the Communist Party. If a man was born on the other side of the tracks, born in poverty and brought up in poverty, one could find some excuse for his saying, "This system is wrong. I will be a traitor to my country." The reason I mention his wealth is that this man never has had to do a day's work in his life, and he is still willing to serve the cause of traitors. We do not know whether he himself is a member of the Communist Party. We do know that he headed Communist fronts. I hope the very able Senator from North Dakota, whom I respect very much, does not make a mistake and go off the deep end, thinking he is fighting for an underdog when he is really not fighting for an underdog at all.

Mr. LANGER. I say to the Senator from Wisconsin that if ever I was fighting for an underdog in my life, I am fighting for him now. This man was brought in before a one-man committee. He said, "You have no jurisdiction." He had a right to say that. He had a right to rely upon the advice of his attorney. Then he was asked questions, those that he wanted to answer and those that he did not answer, and he asked for the right to go over the record and correct the stenographic notes.

Mr. McCARTHY. He has that right.

Mr. LANGER. The Senator from North Dakota has been on committees for 13 years. The right has always been given to a witness to go over the stenographic notes and to look at the questions and answers.

Mr. McCARTHY. Mr. President, I say to the Senator that he has had that right.

Mr. LANGER. He was told he could go over the notes when he came down to Washington. On Monday he was coming down, and the Senator from Wisconsin very kindly favored him by not calling him at 10 o'clock in the morning, but 1 o'clock in the afternoon. Then he sent him the telegram which I have read 2 or 3 times, saying he did not have to come.

When Mr. Lamont was not here, the record shows that the chairman said:

The committee will come to order. We had announced last week that Mr. Corliss Lamont would be before the committee today. Mr. Lamont has not been subpenaed.

That was not true. Here is a statement that simply is not true, because he was under a continuing subpena.

Mr. McCARTHY. I show the Senator a document——

Mr. LANGER. I read this on the Senate floor a few minutes ago.

Mr. McCARTHY. May I ask the Senator to yield for 30 seconds?

Mr. President, I wish to make it clear to the Senator that this man has had an absolute right, as every witness has had, to come and examine the record at any time over the past 6 or 7 or 8 months, whatever the time is. The record will show that. If the Senator will look at the record he will find that Mr. Lamont was told that he could examine the record and correct it. We asked the official recorder when he could get the record out for him. We did not offer to pay the very, very wealthy individual his expenses to Washington. We felt he could pay them himself. But the Senator will know, by looking at the record that he has had the absolute right to come down here.

Mr. LANGER. The exact opposite is true, as shown by the statement which I read into the record a moment ago. I read as follows:

The CHAIRMAN. Make it 1 o'clock Monday afternoon.

Mr. WITTENBERG. Monday afternoon, 1 o'clock. Yes, sir. Room——

The CHAIRMAN. I think it is 318.

Mr. CARR. Check.

Mr. WITTENBERG. Senate Office Building.

The CHAIRMAN. Yes. If it is not there, you can easily check.

Mr. WITTENBERG. But in the Senate Office Building.

The CHAIRMAN. Yes.

Incidentally, 1 o'clock means 1 o'clock, not 1:30, because I am going to be tied up all afternoon.

Mr. WITTENBERG. I understand.

May I ask whether it is the common practice to provide us with a copy of the minutes.

The CHAIRMAN. In executive sessions—if it is a public session you have a perfect right to obtain a copy. In executive sessions we do not give out any copies of the record. However, we provide that if—we do provide if you want to come down—

That means to come to Washington—it does not mean any other place in the world.

if you want to come down or if your client comes down, you can go over the record to make any corrections in what you think are stenographic errors.

What, in heaven's name, could be plainer than that?

Before Lamont came to Washington on Monday, he received a telegram telling him not to come. Nevertheless, the committee met on Monday anyhow. As soon as the committee met on Monday, the chairman said:

The committee will come to order. We had announced last week that Mr. Corliss Lamont would be before the committee today. Mr. Lamont has not been subpenaed. He was notified that he could come today and purge himself of the contempt of failure to answer last week. Is Mr. Lamont here?

There was no showing that Mr. Lamont ever was notified.

Then the chairman said:

I will ask the staff to make the executive testimony in the Lamont case part of the public record at this point, so that the reason for the citation for contempt will be very clear.

Mr. LEHMAN obtained the floor.

Mr. MORSE. Mr. President, will the Senator from New York yield, so that I may suggest the absence of a quorum?

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Oregon, for the purpose of allowing the Senator from Oregon to suggest the absence of a quorum?

Mr. LEHMAN. I yield to the Senator from Oregon for the purpose of suggesting the absence of a quorum, with the understanding that I do not lose my right to the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MORSE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SALTONSTALL. Mr. President, with the approval of the Senator from Oregon and the Senator from New York, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. LEHMAN. Mr. President, I am very sorry, indeed to note that the junior Senator from Wisconsin is not in the Chamber of the Senate as I speak. I always like to have him on the floor when I speak.

As in the case of the two other persons who were cited for contempt today, I wish to state that, so far as I know, I am not acquainted with Mr. Corliss Lamont, although I may have met him casually over the years, as I have met a great many millions of people from my State during the long period when I was lieutenant governor and then governor of New York.

The request that the Senate cite Corliss Lamont for contempt of the Senate is based on the proceedings of the executive session of September 23 in New York City. I shall read a very few sentences from the report of the executive session:

TESTIMONY OF CORLISS LAMONT, ACCOMPANIED BY PHILIP WITTENBERG AND IRVING LIKE, ATTORNEYS AT LAW, NEW YORK, N. Y.

Mr. LAMONT. Mr. Chairman, I have a statement I would like to read into the record objecting to the jurisdiction of the committee.

The CHAIRMAN—

Who, of course, was the one-man committee, the Senator from Wisconsin—

Not until we have sworn you.

Mr. LAMONT. I would prefer to affirm, please.

The CHAIRMAN. Pardon me?

Mr. LAMONT. I would prefer to affirm.

The CHAIRMAN. In other words, you don't want to be sworn; you want to affirm.

Do you solemnly affirm to tell the truth, the whole truth, and nothing but the truth in this matter now in hearing before this committee?

Mr. LAMONT. I do.

Then the chairman stated:

The CHAIRMAN. Your reason for not being sworn, not wanting to be sworn, is what?

When Mr. Lamont took the stand in the investigation, he asked to read into the record a memorandum objecting to the jurisdiction of the committee. I do not know whether that memorandum was accepted by the committee or not. It does not show in this report.

Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. LEHMAN. It does not show in this report. Certainly it is not printed in the report. So no Member of the Senate knows—

Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. LEHMAN. So we do not know what was contained in that memorandum.

Mr. President, I wish to emphasize as strongly as I possibly can that the only record, the only thing we have before us as Senators, to help us determine what course of action we shall take in connection with the resolution, or the citation on the ground of contempt of the Senate, is the report itself, and that report, I maintain, is completely inadequate and incomplete.

When Mr. Lamont stated that he wished to affirm rather than to swear, the chairman asked him:

Your reason for not being sworn, not wanting to be sworn, is what?

There is no question whatsoever that, under our Constitution and our laws, an affirmation has exactly the same weight and importance as an oath.

Mr. CHAVEZ. Mr. President, the Senator from New York is trying to make a statement in the best of faith and conscience. His demand is that there be order, and that those who are not Senators, including the clerks and others, maintain order.

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The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from New Mexico?

Mr. LEHMAN. I do, for that purpose.

Mr. CHAVEZ. For the purpose of demanding order. I object to the clerks having more to say in the Senate than do Senators themselves.

Mr. LEHMAN. Mr. President, I thank the Senator from New Mexico for his courtesy, and I fully agree with him that, particularly in view of the fact that this is a matter of conscience on the part of the junior Senator from New York, as it is a matter of conscience on the part of the Senator from North Dakota, attention should be given to the remarks made on the floor.

The PRESIDING OFFICER. The Chair intends to see that order is maintained in the Senate Chamber. The Chair will appreciate it if those who are standing in the rear of the Chamber and talking, will leave the Chamber.

Mr. LEHMAN. I wish to point out again, since there was disorder in the Chamber when I spoke on this matter a few moments ago, that an affirmation has the same force and effect as an oath, and that there was no justification whatsoever for the chairman of the committee, who comprised the entire committee, demanding that this witness, Mr. Corliss Lamont, give his reasons for refusing to be sworn, but, rather, wishing to make affirmation.

Mr. McCARTHY. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Wisconsin?

Mr. LEHMAN. I yield.

Mr. McCARTHY. I believe the Senator will agree with me that one who refuses to be sworn and desires to affirm should state to the court or to the chairman of a committee the reason that he is refusing to be sworn. One need not tell what those reasons are, but he must be sworn unless he has some religious scruples against being sworn. If the Senator from New York will examine the record, he will note that I tried to hold out that opportunity to Mr. Lamont on four different occasions. I said, "I do not care what your religious beliefs are, but do you have religious scruples against being sworn?"

He refused to tell me. Leaning over backward, I allowed him to take the affirmation without being sworn. But the law is, as I understand, that no man can refuse to be sworn unless he has religious beliefs which make it difficult for him to be sworn. As I say, he would not state them. I nevertheless leaned over backward to allow him to affirm.

Mr. LEHMAN. I do not know whether the Senator from Wisconsin leaned over backward or forward. I have no knowledge of that. This is the record on which I base my contention. There is no colloquy between the Senator from Wisconsin, who was then the one-man committee chairman, and the witness.

Said the chairman:

You are ordered to raise your right hand and be sworn.

Mr. McCARTHY. The Senator from New York is in error. I know he does not intend to be in error.

Mr. LEHMAN. I am quoting from page 3.

Mr. McCARTHY. The printed hearings are on the Senator's desk.

Mr. LEHMAN. I have the report of the proceedings.

Mr. McCARTHY. There is a copy of the hearings on the Senator's desk, if he will look.

Mr. LEHMAN. I have not seen it on my desk, but I read from the committee report:

The CHAIRMAN. You are ordered to raise your right hand and be sworn.

Mr. LAMONT. I decline to do so, Senator McCARTHY.

There was nothing carried in the report which is before the Senate to show the reasons for Mr. Lamont's refusal to be sworn.

Mr. McCARTHY. I am sure the Senator would not want to misinform the Senate. I am sure he is not doing it at all purposely. I know it is because he has not seen the record, but let me read very briefly from the record:

Mr. LAMONT. Mr. Chairman, I have a statement I would like to read into the record objecting to the jurisdiction of the committee.

The CHAIRMAN. Not until we have sworn you.

Mr. LAMONT. I would prefer to affirm, please.

The CHAIRMAN. Pardon me?

Mr. LAMONT. I would prefer to affirm.

The CHAIRMAN. In other words, you don't want to be sworn; you want to affirm.

Then he was given the affirmation:

Do you solemnly affirm to tell the truth, the whole truth, and nothing but the truth in this matter now in hearing before this committee?

Mr. LAMONT. I do.

The CHAIRMAN. Your reason for not being sworn, not wanting to be sworn, is what?

Mr. LAMONT. I want to read my statement objecting to the jurisdiction——

The CHAIRMAN. No. I asked why you want to affirm rather than be sworn. Is it because of religious scruples?

Mr. LAMONT. Can I answer?

I gave him about four different opportunities. That testimony is all on the Senator's desk. We were not asking what his religious scruples were.

Mr. CHAVEZ. Mr. President——

The PRESIDING OFFICER. The Senator from New York has the floor. To whom does the Senator yield?

Mr. McCARTHY. We were not concerned with what his religious scruples were. I was giving him an opportunity to give a valid reason for his refusal to be sworn. All he needed to say was, "I have religious scruples against it." He refused to do that, even though given the opportunity on four different occasions.

Mr. CHAVEZ. Mr. President, I think I am just as religious as is the Senator from Wisconsin. Is it against the law to affirm, rather than to take an oath?

Mr. McCARTHY. The law simply provides that if one refuses to take an oath he can affirm. But, as I understand the law, he must state that he is affirming, rather than taking an oath, because of religious scruples.

Mr. CHAVEZ. As I understand the law——

Mr. McCARTHY. Please, please.

Mr. CHAVEZ. Then I will wait.

Mr. LEHMAN. Mr. President, I yielded to the Senator from New Mexico.

Mr. McCARTHY. Very well.

The PRESIDING OFFICER. The Senator from New York has the floor. Does he yield; and if so, to whom?

Mr. LEHMAN. I have yielded to the Senator from New Mexico.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. CHAVEZ. That is correct, Mr. President.

I am not discussing the merits of the position of the Senator from Wisconsin or the merits of the position of the Senator from New York. But I was educated in a Jesuit law school, and I never knew of any difference between taking an oath or affirming. So far as I was ever instructed, an affirmation is just as good as an oath. I should like to have any Member of this body who is a lawyer tell me otherwise, if he can.

Mr. McCARTHY. Mr. President, if the Senator from New York will yield to me, I shall explain the matter again.

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Wisconsin?

Mr. LEHMAN. I am glad to yield to the Senator from Wisconsin.

Mr. McCARTHY. The rule, as I understand it, and my legal staff have told me that this is so; furthermore, I was a judge for some time, and the rule in court is the same—is that one may refuse to take an oath, if he has religious scruples against taking an oath. There is no reflection upon a witness who refuses to take an oath because of religious scruples. However, he must state he has such scruples; he cannot merely say, "I refuse to be sworn."

What I did in this case, as will be found by examining the record, is I tried to give Mr. Lamont an opportunity to tell us why he refused to be sworn. He is not being cited because of his refusal to be sworn. I allowed him to flout the committee, and affirm, rather than be sworn. I accepted his affirmation. The Attorney General has found that is sufficient.

Mr. LEHMAN. Mr. President, let me reply to the Senator from Wisconsin.

Mr. CHAVEZ. Mr. President, will the Senator from New York yield to me at this point?

Mr. LEHMAN. I am glad to yield to the Senator from New Mexico.

Mr. CHAVEZ. Let me say, in all kindness and with the best personal feeling toward the Senator from Wisconsin, that I disagree with the use by him of the word "I"—as, for instance, in connection with such statement as "I allowed him to do this."

Either the witness was allowed to do what he did under the law, or he was not allowed to do it under the law; and it makes no difference whether the Senator from Wisconsin or the Senator from New Mexico or any other Senator was present and participating in the hearing. That is the only point of disagreement I have with the Senator from Wisconsin.

The point at issue is not our personal opinion of what is right or what is wrong. The question at issue is a question of law, and I hope it will continue to be such, rather than a question of the personal feeling of any Senator or what he might think the law to be. The law itself is what is controlling, rather than the personal views of any committee member.

I thank the Senator from New York for yielding to me; and I have made this statement in all kindness.

Mr. LEHMAN. Mr. President, let me reply to the Senator from Wisconsin. So far as I know, in most jurisdictions—and I believe it is true in my own State of New York—it is not necessary to object to the taking of an oath, and instead, to affirm, on the plea of religious grounds. I am quite sure the Senator from Wisconsin will agree with me about this. I, myself, have met many men who, on ethical grounds, not on religious grounds, have refused to take an oath.

Mr. McCARTHY. Let me say to the Senator from New York——

Mr. LEHMAN. May I finish?

Mr. McCARTHY. I am sorry.

Mr. LEHMAN. I have met many persons who, on ethical grounds, not on religious grounds, have refused to take an oath because taking an oath—and I have administered oaths to many thousands of persons—involves the use of the name of the Divinity, and they do not wish to have that done.

I happen to be a religious man, and it gives me pleasure and satisfaction to take an oath. But I know a great many men and women, of equally high morality and of equally high spirituality, who feel that they do not wish to take an oath, but, instead, prefer to affirm.

However, regardless of that, what I am objecting to in this case is that the colloquy in connection with that matter is not included in the report on Senate Resolution 281, Calendar No. 1829. Of course, that report is to accompany Senate Resolution 281; and it is on the basis of the report that a great majority of Senators form their judgment. In the report there is no reference whatsoever to that incident.

Mr. McCARTHY. Mr. President, will the Senator from New York yield to me at this point?

Mr. LEHMAN. I am glad to yield.

Mr. McCARTHY. I am sure the Senator from New York knows that when a committee makes a report, it does not include all the evidence. The cost would be prohibitive.

If the Senator from New York will refer to page 3 of the hearings, he will find that the question as to whether Mr. Lamont was allowed to affirm or was willing to be sworn is completely moot, because on page 3 we find him saying:

> It is on conscientious scruples.

I allowed him to affirm, and I told him then to proceed with his statement.

I had tried to find out why he was refusing to take an oath. When he refused to tell us—and this appears on page 3, his lawyer, Mr. Wittenberg, said to him, "Say it is on conscientious scruples."

And then I said:

> You may advise with counsel. Your counsel says it is your conscientious scruples you are standing on.

Mr. Lamont replied:

> I am standing on my conscientious scruples, in preferring to affirm, rather than to be sworn.

So I said to him:

> All right; go ahead and make your statement.

So that question is a completely moot one, and we are not citing him on that ground.

Mr. LEHMAN. I understand. But I object to the failure to include that part of the testimony in the report, inasmuch as the report is controlling in the case of the decision of a great majority of Senators. I believe the omission of that part of the testimony gives a very incorrect impression.

The report, which I hold in my hand, relates to the proceedings held in executive session on September 23, 1953, in New York City.

Thereafter, on September 28, the committee met, and decided to cite Mr. Lamont. Since then, nothing has happened in this case, so far as I know.

The resolution calling for citing him on the ground of contempt of the Senate is now before this body for the first time, insofar as action on that resolution is concerned; and today is August 16, 1954, nearly 1 year later.

In the report—and I point this out with great emphasis, because I believe it is of extreme importance—Mr. Lamont is shown to have testified.

> As I said in the statement—

Which is not contained at all in the report—

> I am not and never have been a member of the Communist Party.

In other words, he disassociated himself completely from any previous membership in the Communist Party or with present membership in the Communist Party.

Furthermore, I wish to point out again, with all the emphasis at my command, that Mr. Lamont has not pleaded the fifth amendment. He has pleaded the first amendment; and, of course, the validity of the first amendment in connection with proceedings of this character, has not yet been decided by the Supreme Court of the United States.

The Senator from Wisconsin comes before the Senate and makes a plea that we immediately proceed to cite Mr. Lamont. He may consider this proceeding as an unimportant one. I can assure the Senator from Wisconsin that I do not consider it to be unimportant. I consider it to be highly important.

My friends frequently tell me that I take my responsibilities as a United States Senator or as a public official too seriously. Maybe I do, but I am glad I do. I am glad that during the 30 years in which I have served my State and my Nation—I hope I have served them both with reasonable diligence and reasonable effectiveness—I have felt that the civil rights and civil liberties of every man and woman in the country are of paramount importance.

No one can claim, I believe, greater hatred and fear than I for what this criminal conspiracy is conspiring to do. No one, I think, has the right to claim more concern than I with respect to the external as well as the internal threat of communism. I will yield to no one in my desire to do everything I possibly can to bring this criminal conspiracy in this country under control, and to discourage or repel Communist aggression wherever it may exist in the world.

I believe that my votes as well as my speeches—I think my votes probably show my intentions and my feelings more definitely than my speeches—certainly demonstrate that fact.

I believe that important as it is to combat communism—mass communism from abroad, or individual efforts of Communists as members of a criminal conspiracy in this country—it is no less important that we protect and safeguard the individual rights of our citizens.

After all, we have been and are a great Nation. We have been a great Nation, I believe, very largely because of the wisdom of the Founding Fathers who, by accepting and adopting a Constitution and a Bill of Rights, have given recognition to the demands of all men and women, for equal protection under the law, regardless of station, economic position, religion, creed, color, or national origin, and regardless of whether or not a man is born with a silver spoon in his mouth."

I regard a citation of this kind as being very serious. I think it is an infringement of the rights of a man, unless the proof is there. I certainly see nothing to indicate that the proof is there; although I am not inclined to say that it will not develop that this man deserves to be cited for contempt, or possibly even deserves criminal prosecution.

But I wish to emphasize again what I said earlier today—and I wish the Senator from New Jersey [Mr. SMITH] would listen—that there is pending in the Supreme Court of the United States, as outlined in a letter which the Senator from Wisconsin [Mr. McCARTHY] read earlier today, which I believe has a date of about February 15, 1954, the Emspak case, which, when decided, will determine whether or not a man can properly in a proceeding of this kind or otherwise, plead as a defense rights guaranteed by the first amendment.

This resolution citing for contempt which is brought before the Senate today, August 16, was initiated on September 23, 1953. As I have said, that is almost a year ago.

There is this highly important case pending before the Supreme Court of the United States. It is fair to assume that a decision will be handed down as to that case within a reasonable number of months. Certainly, in view of the delay which has already ensued, and in view of the great uncertainty of this case, we can lose nothing by setting aside this proposed citation for a further few months, until we know what the Supreme Court decision will be.

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When we have once cited a man for contempt of the Senate, that is not a slight reflection on him; that is enough to ruin a man's life. Certainly we do not want to do an injustice to anyone, as I have said.

I do not believe the Senator from Wisconsin wishes to do an injustice to Corliss Lamont, even though he was born with a silver spoon in his mouth.

I maintain that we should set this proposed citation aside, for the many reasons I have given, but largely because the Emspak case is pending before the Supreme Court, which case is on all fours with this matter and is a case to determine whether a man has a right to plead the defense of rights guaranteed by the first amendment.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. LEHMAN. Permit me to finish, please.

Mr. McCARTHY. Certainly.

Mr. LEHMAN. When we have that decision we will know in this case, and possibly other cases which may come before the Senate, whether or not we are justified in citing the man.

Mr. McCARTHY. I wonder, when the Senator talks about doing an injustice to Corliss Lamont——

Mr. LEHMAN. I did not understand the Senator.

Mr. McCARTHY. Since the Senator mentioned an injustice to Corliss Lamont, I wonder if the Senator is aware of the fact that Mr. Lamont has not ceased his activities for the Communist cause? For example, in May of 1954 we find Mr. Lamont issuing basic pamphlet No. 8, all of which practically is devoted to attacking every committee that has ever exposed a Communist, from the committee headed by MARTIN DIES down to date.

There is nothing about this man which would indicate he has reformed. He is the same tool of the Communist conspiracy.

I may say, I have no knowledge of whether or not Mr. Lamont is himself a member of the Communist Party. We have testimony by Budenz that Mr. Lamont said he was.

Mr. LEHMAN. I wish to say to the Senator from Wisconsin that I have no idea what Mr. Lamont has been doing since May of 1954. I see in the record of the hearing that he was questioned about a radio broadcast which he made in Moscow in 1938 attacking Governor Dewey, and his answer was:

> I believe I made a—I did broadcast in 1938, as you state—
>
> May I point out that was 16 years ago—over some radio station in Moscow, but I don't recall frankly whether I mentioned Mr. Dewey or not or what the exact subject or what—or indeed everything I covered in said speech.

I wish to say to the Senator from Wisconsin I certainly would never have the slightest intention or expectation or willingness to mention Governor Dewey in a speech connecting him with communism, because I know that would be an unfair and untrue accusation. But I can say to the Senator from Wisconsin that I have made a great many broadcasts from different parts of this country—not from Moscow, but from different parts of this country—attacking Governor Dewey, and I do not think that would make me liable to either criticism or punishment by the Committee on Government Operations.

Finally, the inquiry which was conducted had absolutely nothing whatever to do with the legitimate field of inquiry of a congressional committee. None of the questions which Mr. Lamont was asked bear in the slightest degree on his participation in a conspiracy.

Mr. President, I should like to suggest the absence of a quorum. It has been intimated that there will be a request for a yea-and-nay vote. I shall be very glad to have a yea-and-nay vote.

Mr. SALTONSTALL. Mr. President, I should like to obtain the floor in my own right for a few minutes.

Mr. LEHMAN. Does the Senator from Massachusetts wish me to suggest the absence of a quorum?

Mr. SALTONSTALL. Not at this time.

Mr. LEHMAN. Will the Senator from Massachusetts suggest the absence of a quorum?

Mr. SALTONSTALL. Yes.

Mr. LEHMAN. I am very happy to yield the floor.

Mr. SALTONSTALL. Mr. President, I wish to make a very brief statement. Then I should like to ask the Senator from Wisconsin two questions with reference to this subject.

I have known Corliss Lamont since he was approximately 10 years old, and perhaps for a longer time. I have known his brothers, I have known his sister, and I have known his father and mother for a long time. His older brother is a fine businessman. He is chairman of the board of trustees of Exeter Academy, a member of the governing board of Harvard University, and a very fine citizen in every way. I should like to think that he is a friend of mine.

The younger brother of Corliss Lamont is a distinguished research physician at the University of Pennsylvania. His brother-in-law is a director of a museum in Hartford, Conn. They are all distinguished men.

Corliss Lamont is different from his brothers. He is a man who has very firm opinions. I have argued with him on various occasions. I disagree wholeheartedly with him, and so do his brothers, and so do his family, so far as I know.

There is no question in my mind that he has written the books to which reference has been made. He has spoken from Moscow. At least he went to Moscow, to my knowledge. I am confident that he would not take measures to overthrow our Government. Whether he is a member of the Communist Party, I have no idea. If he says he is not a member of the Communist Party, I have every reason to believe him, because while I heartily disagree with his opinion, I do not think he is a liar.

The case before the Senate raises some new questions. They are questions which have never been decided by the Supreme Court. At least that is what I have been informed. Mr. Lamont came before the subcommittee headed by the Senator from Wisconsin [Mr. McCARTHY], and he refused protection under the fifth amendment.

He stands on his rights, as he claims, as a free American citizen. He questions the jurisdiction of the committee insofar as he is concerned.

He has written some books. He states that the Government has used quotations from his books without his permission. On the basis of those quotations he is brought before the committee. He asserts that as a free American citizen he has a right to express himself in writing or vocally, as he sees fit, and he claims he should not be questioned for doing so.

The question of the jurisdiction of a senatorial committee is raised. There is no question that he refused to answer the questions put to him, after he had taken an affirmation before the chairman of the committee, the Senator from Wisconsin.

As I see it, one of three actions can be taken in this case.

First, the Senate can this evening refuse to cite Lamont for contempt. That would raise the question of whether it will be more difficult for the subcommittee of which the Senator from Wisconsin is chairman, and for any other subcommittee or committee of Congress, to have witnesses testify before them when such witnesses say the committee does not have jurisdiction, and refuse to answer questions because of what they claim is the lack of jurisdiction on the part of a subcommittee or committee.

The second course we can take this evening is to cite Corliss Lamont for contempt, and give him an opportunity to discuss the case with the Attorney General. The Attorney General can reach his own decision. He can bring the case to court. If the case is brought to court, the court can find Corliss Lamont guilty of contempt, but can give him an opportunity to purge himself of contempt by appearing before the committe again.

If he should again refuse to answer questions, an issue would be raised which could be taken to the Supreme Court. That issue would be whether a man who does not seek the protection of any amendment to the Constitution, but who questions the jurisdiction of a committee under the circumstances in which Lamont has questioned them in this instance, should be adjudged guilty of contempt of the Senate. That issue could be taken to the Supreme Court, if Lamont wished to take it to the Supreme Court; otherwise he would have to serve his sentence, whatever it might be.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I should like to continue for a moment, or I will lose my train of thought. I shall be very glad to yield after I have concluded my remarks, if the Senator from Oregon will permit me to do so.

I should like to ask two questions of the Senator from Wisconsin. Then I

shall be glad to try to answer any questions that may be put to me.

First, if we cite Corliss Lamont for contempt tonight, and the question is submitted to the court by the Attorney General, would the Senator from Wisconsin recommend that the court, in sentencing Lamont for contempt, if the court decided to do so, permit him to purge himself of the contempt?

Mr. McCARTHY. I should think that would be a good procedure, not only in this case, but in the other cases as well because, after all, we are not concerned about whether these people are punished. In any case in which a man possesses valuable information, if I were the Attorney General, I would recommend to the court that the man be given the right to purge himself of contempt by giving his information to the committee and to the FBI.

Mr. SALTONSTALL. If Corliss Lamont came before the committee a second time and refused again to plead the protection afforded by the fifth amendment or the first amendment, and refused to answer questions for the same reason the record shows he gave before, namely, because he questions the jurisdiction of the committee to go into the affairs of a private citizen of the United States, who has expressed himself in various ways, but who is not a part of the Government and has not tried to influence any part of the Government, would the Senator from Wisconsin believe that it would be in the best interest of all concerned that a stay of execution should be entered in the case so long as the appeal was pending?

Mr. McCARTHY. I think so, very definitely. Of course, I would have no influence upon the court. However, I assume that a judge would handle it in that fashion. In other words, I would assume that if the judge found Corliss Lamont guilty, he would impose sentence and then suspend the sentence in the case with the understanding that Lamont would purge himself of the contempt. Certainly he would be given an opportunity to put up bond, in lieu of going to jail, if he wanted to appeal the decision of the court. There is no question about his right to do so.

Mr. SALTONSTALL. Of course, if on the citation for contempt he decided to go directly from the lower court to the Supreme Court, assuming that the Supreme Court would hear him, there would be a stay of execution.

Mr. McCARTHY. There is no question about it.

Mr. SALTONSTALL. Mr. President, personally, I think the most effective action the Senate could take in this case, about which I have thought a great deal, because, as I say, I have known this man since he was 10 years of age, and I have disagreed with him and have argued with him—indeed, I have actually had a physical encounter with him in the past, and I know he believes in the position he is taking—would be to cite him for contempt and let the court decide on the issues and the facts as we have presented them tonight.

Mr. MORSE. Mr. President, will the Senator from Massachusetts yield?

Mr. SALTONSTALL. I yield.

Mr. MORSE. I think it is most probable that I did not correctly understand the Senator when he was listing the alternatives which he thought might be followed, but I thought I understood him to say that we could cite Mr. Lamont for contempt, and, in the citation, make a recommendation to the court as to what the court should do in regard to the citation. Am I right or wrong in that understanding?

Mr. SALTONSTALL. If I did say that, Mr. President, I did not intend to say it, because the only thing we could do, as I understand, is to cite him for contempt. I tried to bring out that if that were done the court could, in its discretion, of course, recommend that the defendant be given an opportunity to purge himself from the charge of contempt.

Mr. MORSE. All the Senator is saying is that the court could hand down a variety of decisions.

Mr. SALTONSTALL. Exactly.

Mr. MORSE. But I respectfully say that I think the second alternative which the Senator listed carries with it the meaning that in taking action on a contempt citation tonight we should in some way give some advice to the court as to what it should do, so that then we could get the case back before the Senate and, eventually, to the Supreme Court for a decision on the first-amendment issue which the Senator discussed.

Mr. SALTONSTALL. Mr. President, I do not consider myself a teacher of law, as was the Senator from Oregon. This question, as I understand, raises a new issue which has never been decided directly by the Supreme Court of the United States, namely, the issue as to whether if the Senator or I should write a book or make a speech, and the Government should use a paragraph from the speech or from the book with the idea of instructing the military or some other subdivision of the Government, we could then be subpenaed before a committee and ordered to answer certain questions concerning our personal views. That, as I understand it, is the issue raised by Lamont in this instance.

Mr. MORSE. Does the Senator think that is a basis for citing for contempt?

Mr. SALTONSTALL. I do. I believe he should be cited in order that this issue can be decided, and to give him an opportunity to clear himself if the court decides he is in contempt; if, on the other hand, he does not want to do that, but wants to appeal the case directly to the Supreme Court of the United States, he may do so. In that way this issue can be decided. I think it would be unfortunate to leave this case in such a posture that any one individual could question the jurisdiction of a Senate committee and not be cited for contempt, because the issue would remain and others would be encouraged to do the same thing. Whether the committee has jurisdiction or does not have jurisdiction is a question which can properly be decided by the court.

Mr. MORSE. I have no more questions.

Mr. SALTONSTALL. I yield the floor.

Mr. MORSE. Mr. President, I should like to ask the Senator from Wisconsin a few questions, for information and clarification purposes, because several of us have had some discussions on the floor and in the cloakroom, trying to get clear in our minds just what the issue is as it has developed step by step. Will the Senator permit me to ask him a series of questions for information only?

Mr. McCARTHY. Certainly.

Mr. MORSE. Am I correct in my understanding that when the committee met in New York in executive session it asked Mr. Lamont to be sworn and he refused to be sworn and said he preferred to take an affirmation?

Mr. McCARTHY. That is correct.

Mr. MORSE. Am I correct in understanding that it was at that point the chairman gave him the affirmation?

Mr. McCARTHY. That is correct.

Mr. MORSE. Am I correct in understanding that after the chairman gave him the affirmation the chairman then, for the first time, asked him to state his reasons why he asked for an affirmation rather than for the taking of an oath?

Mr. McCARTHY. That is correct.

Mr. MORSE. Am I correct, as is brought out in the transcript of the record which the chairman handed me, that after some colloquy between the witness and the chairman and between the attorney and the chairman, the witness, by advice of his own counsel, said he was standing on conscientious scruples?

Mr. McCARTHY. That is correct.

Mr. MORSE. Am I correct in saying that the witness, acting, apparently, upon advice of counsel, refused to discuss his insistence upon taking an affirmation, from the standpoint of any religious belief of his, and that as he put it in the record, at least, he was refusing to discuss his religious belief on the basis of what he called the doctrine of separation of church and state?

Mr. McCARTHY. Yes. I may say for the Senator's benefit that as I understand the law, a man can refuse to take the oath which says he must tell the truth, the whole truth, and nothing but the truth, "so help me God," if he does not believe there is a God. A man can refuse to take the oath on the ground that his religious scruples prevent him from taking the oath, even if he believes in a God.

Mr. MORSE. There are some cases in which the followers of certain religions are opposed to taking an oath, although the religions call for belief in God.

Mr. McCARTHY. If I may correct the record on that point, even if they do believe in a God, they may refuse to take the oath because they have religious scruples against it. I wanted to clear up the question of whether he was refusing because of religious scruples.

Mr. MORSE. He did refuse to take the oath, and after the chairman had asked him to stand and raise his right hand and be sworn, even after he had taken the affirmation, he said, upon advice of counsel, that he was resting on conscientious scruples.

Mr. McCARTHY. That is correct.

Mr. MORSE. Then the chairman, I judge from the record—this is my interpretation—apparently decided that when the witness placed his refusal to take the oath on the ground of con-

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scientious scruples, he thereby attempted to justify taking an affirmation instead of an oath, and the chairman then proceeded to examine the witness on the basis of the affirmation. Am I correct about that?

Mr. McCARTHY. Yes, with one slight correction. There was a serious question in my mind at the time, and at the time I wrote the Attorney General, as to whether having never taken the oath he could be held in contempt for refusing to answer. That question was submitted to the Attorney General, and his opinion was that under the present state of the law there was presented a foundation for prosecution.

Mr. MORSE. I do not think there is any question about that. I think that when he took the affirmation and placed it on the ground of conscientious scruples, he met all the legal tests of which I know, because I think it will be found, when we go into the cases, that when a man insists upon taking an affirmation on the basis of conscientious scruples, he is dealing really with a matter of religious faith, or lack of religious faith.

Mr. McCARTHY. I think that is correct.

Mr. MORSE. And whether he has a religious faith that causes him not to want to take an oath, or whether he does not have a religious faith at all that causes him not to take an oath, it does not make any difference.

Mr. McCARTHY. That is the reasoning I followed, and that is why I allowed him to take the affirmation.

Mr. MORSE. That is the conclusion I reached when I read the record—that when it got to the point that he based his refusal to take the oath on conscientious scruples, it was decided, apparently, that that ground met the test, and he was then allowed to proceed to make the record.

Mr. McCARTHY. That is correct.

Mr. MORSE. The colloquy shows that differences developed, of course, but he made the record under an affirmation.

Mr. McCARTHY. That is correct.

Mr. MORSE. With that fact clearly in mind, let me take the Senator to the discussion which has occurred on the floor of the Senate between the Senator from Wisconsin [Mr. McCARTHY], the Senator from North Dakota [Mr. LANGER], and the Senator from New York [Mr. LEHMAN] with regard to what happened thereafter.

On pages 17, 18, and 19 of the record—the material which the Senator from Wisconsin showed me earlier in this debate—we find that the witness and his counsel asked permission to obtain a copy of the transcript taken in executive session.

Mr. McCARTHY. That is correct.

Mr. MORSE. The chairman of the committee advised the witness and his counsel that he did not supply transcripts of executive sessions. Counsel for the witness wanted to know if they could not purchase one at their own expense, and the chairman advised him that he could not.

Mr. McCARTHY. That is correct.

Mr. MORSE. However, he was advised that he could see it if he wanted to come down to Washington, and he could correct anything in the transcript which he believed was a stenographic error. I think that clearly implied what I understand is the rule of the Senator's committee and of all committees of the Senate, that a man cannot proceed to change the meaning of an official record, but he can do justice to himself by having stenographic errors corrected; but that, in turn, really requires the approval of the committee if any issue is raised over it.

The chairman notified him that he could come to Washington and examine the record and correct the record stenographically.

Mr. McCARTHY. I say that is the rule we followed. Normally, we have three copies of the record made, and any witness, his counsel, or both, can come in and make corrections of stenographic errors.

Mr. MORSE. So far as I know, that is the rule of every committee of the Senate. It was the rule of the Armed Services Committee when I was a member of that committee. When we conducted hearings of a high security nature in executive session, we allowed witnesses to correct the record for stenographic mistakes, and in some instances we permitted them to qualify their testimony, but with the consent of the committee and subject then, if the committee desired to subject them to it, to further cross-examination.

Now we are down to the point where the witness and his counsel wanted to obtain a copy of the transcript, and the Senator from Wisconsin, as chairman of the committee, said they could come down to Washington and examine the record and make any proper corrections.

Counsel for the witness then said he had a case out on the west coast and he would have to break a leg if he made that case and got back in time to correct this record at the time the chairman had suggested. There was a little exchange between the chairman and counsel as to the time schedule. It had been suggested that counsel and the witness come down on a Monday at 10 o'clock. The chairman then modified that to 1 o'clock. That is true; is it not?

Mr. McCARTHY. That is correct.

Mr. MORSE. By 1 o'clock, we mean 1 o'clock and not 1:30.

Mr. McCARTHY. That is correct.

Mr. MORSE. The counsel said he understood that.

Mr. McCARTHY. That is correct.

Mr. MORSE. That was the understanding when the Senator left New York. It that true?

Mr. McCARTHY. That is correct.

Mr. MORSE. Is my understanding correct that after the Senator returned to Washington, a telegram was sent to the witness or his counsel, notifying them that they did not have to come down the next Monday at 1 o'clock, but that the chairman wanted them to understand that the witness was under a continuing subpena?

Mr. McCARTHY. That is correct.

Mr. MORSE. And that they could correct the record.

Mr. McCARTHY. Yes. The reason that telegram was sent is that Mr. Roy Cohn, who was my chief counsel at that time, had been in touch with the lawyer, and Mr. Cohn advised me that he thought, first, it would be too great a hardship on the lawyer to make him come to Washington on Monday and, second, it would be only a waste of money because Lamont would give the same testimony in public session on Monday as he had given in executive session. So we resolved the matter by deciding to make the executive session testimony public.

Mr. MORSE. Let me dwell a little longer on the last point I made. Counsel for the witness, as well as the witness received a telegram which informed them that they did not need to come to Washington on the next Monday at 1 o'clock.

Mr. McCARTHY. That is correct.

Mr. MORSE. Have those telegrams been put into the record of this debate?

Mr. McCARTHY. No; but I think they should be placed in the RECORD.

Mr. MORSE. I think they should be, also. In fact, they may be more relevant than some of us think.

Mr. McCARTHY. I ask unanimous consent to have the telegrams inserted in the RECORD at this point.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

Mr. PHILIP WITTENBERG,
70 West 40th Street,
New York, N. Y.:

Confirming conversation with Mr. Like of your office, Corliss Lamont's appearance before subcommittee in Washington, D. C., on Monday, September 28, 1953, postponed. Mr. Lamont is continued under subpena, however, and you will be notified when his appearance is required.

JOE McCARTHY,
Chairman, Senate Permanent Subcommittee on Investigations of the Senate Committee on Government Operations.

Mr. CORLISS LAMONT,
New York, N. Y.:

Pursuant to conversation with Mr. Like of Mr. Wittenberg's office this date, your appearance before this subcommittee in Washington, D. C., on Monday, September 28, 1953, has been postponed. However, you are under continuing subpena, and both you and your counsel will be notified when your appearance is required.

JOE McCARTHY,
Chairman, Senate Permanent Subcommittee on Investigations of the Senate Committee on Government Operations.

Mr. MORSE. Did either of those telegrams say anything about the witness being under continuing subpena?

Mr. McCARTHY. I believe they did. All I know about it, frankly, is what I heard the Senator from North Dakota [Mr. LANGER] read to me. My staff sent the witness a telegram notifying him that he did not have to appear. The witness and his counsel were instructed that Mr. Lamont could purge himself of the contempt. As I previously stated, he was advised that he could purge himself of contempt by appearing on Monday. I do not think we gave him that deadline. I believe we told him he could purge himself of the contempt by appearing and answering the questions

within a reasonable time, but as to that I frankly could not take an oath.

Mr. MORSE. I am only repeating what I heard. I have not seen these documents.

After the telegram was sent to him, did Mr. Cohn, counsel for the committee, have any telephone conversation with the witness or his attorney rescinding the telegram?

Mr. McCARTHY. No; the telegram was never rescinded, and he is not being cited for failing to appear on Monday.

Mr. MORSE. I understand that.

Mr. McCARTHY. He is being cited for refusing to answer the questions on Wednesday.

Mr. MORSE. I understand that.

Mr. McCARTHY. The telegram was never rescinded.

Mr. MORSE. But there may be a point of view, let me say to the Senator——

Mr. McCARTHY. It was never rescinded, except in this respect: Roy Cohn spent much of his time in New York, and he had telephone conversations with the attorney. The attorney understood that he could come to Washington if he so desired. The attorney did not wish to do so. He was busy; he was tied up. The telegram was sent as a courtesy to the lawyer. The witness knew he could appear at any time he desired and examine the record and decide to purge himself of the contempt.

Mr. MORSE. But there is nothing officially in the record up to this point in the debate that shows that the telegram to the witness or his attorney was rescinded. I refer to the telegram which said he did not have to come to Washington on the day and at the hour that had been previously agreed upon when the executive session in New York was closed, namely, Monday at 1 o'clock.

Mr. McCARTHY. Absolutely nothing whatsoever, and I consider it completely unimportant, because in executive session he was asked all the questions we would ask him in public session, and he refused to answer about his Communist activities, as to whether he was a member of the Communist Party, and about other people who were Communists. The only reason for calling him in public session was to perform the function of an investigating committee. It must inform the public as to what it has discovered. Instead of doing that by calling him in a public session, as a courtesy to his lawyer we merely made the executive session testimony public.

Let me make it very clear that he is not being cited even remotely for failure to appear on Monday. It is only because of his activities on Wednesday, all of which occurred before he was asked to appear on the following Monday. In other words, all the contemptuous activities on his part occurred before he was asked to appear on Monday.

Mr. MORSE. I am very frank with the Senator because I think we are now discussing the point which is causing some perplexity on the floor of the Senate. Before I ask the next question—which to me is the key question—I say to the Senator from Wisconsin that I have never voted against a contempt citation resolution in the Senate. As I have said in the past and repeat now, when a committee of the Senate, carrying out its investigation work, believes that it is being interfered with by contemptuous witnesses, by witnesses who are seeking to defeat what I consider to be a constitutional prerogative of the Senate of the United States, namely, to conduct investigations on issues that are of public concern, and whenever I have been presented with a resolution which bears out that charge on a prima facie basis, I have voted for the resolution. I have done so irrespective of the fact that subsequently the Department of Justice may find there was not in fact a basis for the contempt citation—and there have been such cases, as the Senator well knows.

Nevertheless, I think we, as Senators, owe it to our committees to support them when they come to the floor of the Senate and make a prima facie case in support of a contempt citation.

I want the Senator to know that, because I now put this question—and I think this is a question he ought to discuss with the greatest of clarity, because I think this is where some confusion is being developed in this debate.

I judge, from conversations I have had with some of my colleagues, that there is a feeling that this telegram is of more importance than the weight which the Senator from Wisconsin is giving to it, in that, on the basis of the record, the witness had the right to rely upon what he thought was the understanding that he would be allowed to come before the committee on Monday at 1 o'clock and go over the record, and not only correct stenographic mistakes, but purge himself of the contempt. In other words, the Senator from Wisconsin was giving him a cooling-off period—and sometimes witnesses need a cooling-off period—and was giving him time for reflection and giving time for further consultation between lawyer and client, and the Senator from Wisconsin suggested that he come to Washington next Monday at 1 o'clock, and that was agreed to, I think the record shows. Then he received a telegram that he need not come to Washington at 1 o'clock, but the telegram made it clear to him that he was still under a continuing subpena, and that he still was in a position where he could come before the committee and purge himself of that contempt. We have had some discussion as to whether or not he should have paid his expenses to come to Washington or whether the committee should have done so. In my judgment, on this particular point, that is not material; but what is material is whether that telegram put him to sleep legally; whether or not it gave him cause to believe that he could come here and correct the stenographic errors, or, on second thought, if he wanted to do so, he could purge himself of the contempt which the Senator believes he put himself in by his asking the questions and the witness refusal to answer, which placed him in contempt of the committee, and therefore in contempt of the Senate. What the committee did on that Monday was to proceed in open session, if I am correct, or at least it proceeded to make public the transcript of the New York executive session, and proceeded then to move to cite him for contempt. Am I mistaken in that?

Mr. McCARTHY. The Senator from Oregon is mistaken to some extent.

Mr. MORSE. Let us make it clear.

Mr. McCARTHY. The motion to cite him for contempt was not made until several months later. I took it up with the subcommittee. Some of the members thought the matter should be referred to the Attorney General first. We referred it to the Attorney General. We received an opinion from him on April 16. The original testimony was on September 28. The citation for contempt was not until May 26. So he had 8 or 9 months.

Let me say to the Senator again that the contempt occurred before he was told to appear in public session. The contemptuous actions were all in the record, and at that point he was told to appear on Monday, and the record will show that his lawyer objected to that. I frankly was of the opinion that he should appear on Monday, because we had the hearing set for Monday; but we gave them until the afternoon on the recommendation of Mr. Cohn, who talked to his counsel. They did not want to appear——

Mr. MORSE. Does the Senator want my suspicion? I am glad to agree——

Mr. McCARTHY. Let me complete my statement. I agreed that he be not forced to appear, because there was nothing to be gained by paying him roughly $50 or $60 to have him come here. Roy Cohn reported to me that his lawyer said he would take exactly the same attitude in a public session as he had taken in the private session.

The Senator will find, by referring to page 19 of the hearings, that he was given a right to look at a copy of the transcript. He never even came here to look at the transcript, so far as I know. He may have done so.

Mr. MORSE. I wish to express a suspicion. I am inclined to agree with the Senator from Wisconsin that if he had come to Washington he would not have purged himself of the contempt. He might have made some statement with regard to alleged stenographic errors in the transcript.

I am almost through, but I put another question from another angle. There remains a doubt as to whether or not, when he was sent the telegram he did not have to come to Washington on Monday at 1 o'clock, there was thereby imposed upon the committee, by the committee itself, an obligation specifically to notify him as to when the committee would hear him if he wanted to come before it and purge himself of the contempt, and that the failure to do so then would result in his being cited for contempt.

Mr. McCARTHY. I may say to the able Senator that actually I would have no authority to give him the right to purge himself of contempt. I think if I had, the committee would have gone along with me; but I had no right to do so. He was in contempt of the committee. He had refused to answer. He had no right to come before the committee to change his testimony and

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purge himself of contempt. I have taken the position that when witnesses have done so I then recommend to the committee that they not be held in contempt. So far as I was concerned, he was in contempt of the committee. He was told that. He was asked to come here on Monday. His lawyer said, "I cannot come." As a courtesy to him, we told him, "You will not have to come, but consider yourself under subpena."

I had planned to call him later, frankly. So many things came up that we did not call him. He had no right to purge himself of the contempt. He was in contempt already. It would be up to the court to allow him to purge himself of the contempt. I hope, if he is convicted, the court will allow him to purge himself of the contempt, and that he will be allowed to answer the questions. It is the information we want, not the jailing of individuals. Getting the information is much more important than sending individuals to jail.

Mr. MORSE. Does not the Senator think, though, in the closing moment of the colloquy, he acted for the committee, as he had the right to act for the committee, by making clear to him that he was being invited to come to Washington, if he cared to take advantage of the invitation, and correct the errors in the transcript, if any, and purge himself of the contempt?

Mr. McCARTHY. I do not believe we mentioned purging himself of the contempt. He was not told he could purge himself of the contempt. He was told he could examine the record. I read from page 18 of the hearings:

Mr. WITTENBERG. I understand.

May I ask whether it is the common practice to provide us with a copy of the minutes.

The CHAIRMAN. In executive sessions—if it is a public session, you have a perfect right to obtain a copy. In executive sessions we do not give out any copies of the record. However, we provide that if—we do provide if you want to come down or if your client comes down, you can go over the record to make any corrections in what you think are stenographic errors, or if the——

Mr. WITTENBERG. We can't order a copy at our expense for that purpose?

The CHAIRMAN. No. I tell you why you can't because it is strictly executive——

Mr. WITTENBERG. I understand. If it is a rule——

The CHAIRMAN. The ruling is we don't hand any copies out to anybody at all.

The Senator will find he was told he could come to Washington and correct any stenographic errors. He was not told he could purge himself of contempt. I do think he was told, or his lawyer was told by Mr. Cohn, that if he wanted to change his mind, he could come before us and purge himself in that fashion. That is more or less hearsay from my chief counsel, but I am sure that is true.

Mr. MORSE. I thank the Senator.

Mr. HENDRICKSON. Mr. President, if the Senator will yield, I should like to ask if there were any contacts made between the time of the hearing in executive session and the time the telegram was dispatched?

Mr. McCARTHY. Yes; there were contacts with us—Mr. Cohn and his lawyer—who felt I was unreasonable in ordering him to come Monday. He said he had a case. I think the Senator from North Dakota [Mr. LANGER] read about it from the record. He was supposed to try a case, and he felt I was unreasonable in demanding that he come to Washington on Monday.

Mr. Cohn advised me of two things. He advised me of that, and he suggested that I not require him to come Monday, pointing out that nothing would be gained by it, because the lawyer had said he would take exactly the same position on Monday he had taken on Wednesday. As Roy said, there is no sense in paying his traveling expense.

Mr. HENDRICKSON. These contacts were by telephone?

Mr. McCARTHY. Yes.

Mr. HENDRICKSON. Does the Senator know how many there were?

Mr. McCARTHY. I do not know. In my opinion, it is completely unimportant, in that he was guilty of contempt before that time. If he wanted to contact us to purge himself of the contempt, he should have done so. He had no right in that respect, except by courtesy of the committee.

Mr. HENDRICKSON. Mr. President, I have one more question to ask, if the Senator from Wisconsin will yield further.

Mr. McCARTHY. I yield.

Mr. HENDRICKSON. Has the committee or the staff, since the telegram was dispatched, made any contact either with the lawyer or with Mr. Lamont?

Mr. McCARTHY. Mr. Carr informs me that Roy Cohn had considerable contact with Mr. Lamont's lawyer.

Mr. HENDRICKSON. Afterward?

Mr. McCARTHY. I do not know about the date or the time.

Mr. HENDRICKSON. Subsequent to the sending of the telegram?

Mr. McCARTHY. Yes; Mr. Carr informs me that the answer is "Yes."

Mr. LANGER. Mr. President, will the Senator from Wisconsin yield for a question?

Mr. McCARTHY. I yield.

Mr. LANGER. Is it not true that the telegram we are discussing reads in part as follows:

Your appearance before this subcommittee in Washington, D. C., on Monday, September 28, 1953, has been postponed. However, you are under continuing subpena, and both you and your counsel will be notified when your appearance is required.

I should like to know what in heaven's name could be plainer than that; and the man never was notified. He never was telephoned to. He knew nothing about this matter until he was cited for contempt. That is the record.

Mr. McCARTHY. That is not correct. The Senator's reading of the telegram undoubtedly is correct; I am sure he would not misread it.

However, the point is that we had no use for him, unless he would come and give us the information.

Mr. LANGER. I challenge the Senator from Wisconsin to produce the telegram.

Mr. McCARTHY. Just a moment. The Senator from North Dakota asked a question, and I wish to reply to it. There was no reason why we should call Mr. Lamont to Washington, D. C., to do the same thing here that he did in New York. We decided not to do it. There was no reason why we should waste the time of the committee and the money of the committee in doing that. He was never called. Senators will find he was notified he could look at the record, to correct it stenographically—period.

Mr. MORSE. Mr. President, I yield the floor.

The PRESIDING OFFICER. The question is on agreeing to Senate Resolution 281.

Mr. McCARTHY. Mr. President, on this question I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. LANGER. Mr. President, I object. I think this is a very important matter. Is that all right?

Mr. KNOWLAND. That is all right.

The PRESIDING OFFICER. Objection is heard. The Secretary will continue the call of the roll.

The legislative clerk resumed and concluded the call of the roll, and the following Senators answer to their names:

Aiken	Gore	Mansfield
Anderson	Green	Martin
Barrett	Hayden	McCarran
Beall	Hendrickson	McCarthy
Bennett	Hennings	McClellan
Bowring	Hickenlooper	Millikin
Bricker	Hill	Monroney
Bridges	Holland	Morse
Burke	Humphrey	Mundt
Bush	Ives	Murray
Butler	Jackson	Neely
Carlson	Johnson, Colo.	Payne
Case	Johnson, Tex.	Potter
Chavez	Johnston, S. C.	Purtell
Clements	Kefauver	Robertson
Cooper	Kennedy	Russell
Cordon	Kerr	Saltonstall
Crippa	Knowland	Schoeppel
Dirksen	Kuchel	Smith, Maine
Dworshak	Langer	Smith, N. J.
Ellender	Lehman	Symington
Ferguson	Lennon	Watkins
Frear	Long	Williams
George	Magnuson	Young
Goldwater	Malone	

The PRESIDING OFFICER (Mr. GOLDWATER in the chair). A quorum is present.

The question is on agreeing to Senate Resolution 281.

Mr. KNOWLAND. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. LEHMAN. Mr. President, I should like to ask a question of the Senator from Oregon.

Mr. MORSE. Certainly.

Mr. LEHMAN. In the course of the Senator's colloquy with the Senator from Wisconsin [Mr. McCARTHY] he made a statement to the effect that generally speaking he would support a motion to cite a person for contempt of the Senate. I realize that he has had much more experience in the Senate than I have had. This is only my sixth year in the Senate. Quite apart from the determination of the issue before us, what worries me is the following point:

It seems to me that the mere fact that a witness refuses to answer questions addressed to him by a committee should

not in and of itself constitute ground for citation for contempt.

I can very well understand that an inimical or unfriendly committee could ask a witness questions, which for many good reasons he could properly refuse to answer. Yet, if we agree with a committee every time it asks us to cite a witness for contempt of the Senate, without carefully scrutinizing the facts in the case, we would be laying ourselves open to a dangerous course of action, to which I would not be willing to subscribe.

It seems to me that with respect to all requests for citations for contempt it is incumbent upon us to determine whether such a citation should be voted, and it is important for us to study the record, in order to make certain that there was full justification on the part of a witness to refuse to answer questions. I believe that should be the test, not the mere presentation of a resolution for citation for contempt.

In this case I may have an opinion different from the opinion of the Senator from Oregon. I believe the record itself does not justify a citation for contempt. The principle involved is the important consideration. I very much fear that very serious results may ensue if we permit the record to remain unchallenged and merely say that because a committee brings in a resolution of citation for contempt the Senate should, in the natural course of events, vote in favor of such resolution. I regard it as a very dangerous procedure.

Mr. MORSE. I should like briefly to reply to the question of the Senator from New York, and I should like to have the attention of the junior Senator from Wisconsin, because I shall ask him certain questions after I have finished this brief discussion. It should be determined to the satisfaction of every Senator whether a prima facie case has been made by the committee.

I may say to the Senator from New York that my major thesis, as I stated it before, is that I think we would undermine the investigative powers of the Senate if we were to refuse to support a resolution for contempt, provided the committee submitting it made out a prima facie case which justified a citation. That is the principle.

It also carries with it a duty that is imposed upon the committee which asks us to carry out that principle.

If we should ever start compiling a record of not honoring a resolution of contempt when a prima facie case in support of it is made, we would put one investigating committee after another in an untenable position.

With that major premise established, I now ask the following rhetorical questions, and answer them myself. First. Did this committee of the Senate have the authority and jurisdiction to investigate alleged subversive activities in the United States? There is no question about it. That is one of the purposes of the committee.

Did it have the authority, under the rules of the Senate and under its own rules, to go to New York and call before it Mr. Lamont for the purpose of making inquiry of him concerning allegations which purported to connect him with subversive activities in the United States? The answer is that there is no question about it; the committee did have that jurisdiction.

The committee called him before it. As has been previously stated, an altercation ensued between the chairman of the subcommittee and the witness and his attorneys as to whether Mr. Lamont should be allowed to affirm rather than to take an oath. That question was finally settled by the chairman himself by allowing the witness to affirm.

After he took the affirmation, he objected to the jurisdiction of the committee. In effect he said he would not answer any questions put to him by the committee, and that the questions had nothing to do with any alleged subversive activities. He said, "I challenge the right of the committee to ask me those questions under the first amendment to the Constitution."

The committee took the position that the first amendment did not justify his refusal to answer questions which related to the allegations.

I shall point out in a moment, on pages 8 and 9 of the executive hearings, that the questions put to him did relate to the allegation of subversive activity. I do not think there is any question about it.

The committee said, "We do not accept your defense, that you have a right to refuse to answer questions about allegations purporting to connect you with subversive activity, on the ground of the first amendment."

"Oh," he said, "but I think I have that right."

The committee said, "We reject that contention."

He persisted. The committee then proceeded to ask him questions against which he could have protected himself if he had used the fifth amendment. But he said, "No, I am not making any charge that these questions would incriminate me." He simply said, "You have no right, as a matter of jurisdiction, to ask the questions." He kept referring to his so-called exhibit 1, which he bases on two cases, one of which is United States against Rumely; and also a Securities and Exchange Commission case, one case containing language by Justice Douglas and the other by Justice Sutherland. In each instance the witness refused to answer the committee's questions on the ground of what he called exhibit 1.

I think it should be kept clearly in mind what his contentions were as to exhibit 1. It will not take very long to read them. I shall read from page 3 of the transcript of the executive session. The witness said that he objected to the power and jurisdiction of the committee to inquire into:

(a) My political beliefs;

(b) Any other personal and private affairs;

(c) My religious beliefs;

(d) My associational activities.

(2) Let it be understood that I am a private citizen of the United States. That I hold no office of public honor or trust and that I am not employed in any governmental department, nor am I under salary or grant from any governmental department.

(3) To dispose of a question causing current apprehension, I am a loyal American and I am not now and never have been a member of the Communist Party.

(4) The grounds of my objection are:

(a) As stated in *United States* v. *Rumely* (97 L. Ed. 494), a case involving a refusal to give testimony before a committee of the House of Representatives, the Supreme Court of the United States said, in a concurring opinion by Mr. Justice Douglas:

"The power of investigation is also limited. Inquiry into personal and private affairs is precluded."

(b) The Supreme Court of the United States has said in *Jones* v. *Securities and Exchange Commission* (298 U. S. 1) through Mr. Justice Sutherland:

"The citizen, when interrogated about his private affairs, has a right before answering to know why the inquiry is made; and if the purpose disclosed is not a legitimate one, he is not required to answer."

(c) Under the first amendment to the Constitution, the power of investigation by Congress into matters involving freedom of speech and freedom of the press cannot be used in the absence of legislative intent or power. The Congress of the United States has no constitutional right to legislate with regard to prior restraint or utterance in either form, that that as to any books already written or statements made, no ex post facto could be passed determining innocence or criminality, and that therefore an investigation into my writings is beyond the power of this committee.

(5) Under our Constitution, our Government is a government of limited powers, tripartite in form, consisting of the legislative, the judicial, and the executive, and any inquiry into personal conduct, personal beliefs, associational activity lies within the jurisdiction of the judicial department, and the exercise of this power by the legislature is an unconstitutional invasion of the power of the judiciary.

The Supreme Court has held that this separation of powers is fundamental to the existence of our democracy and that not even an emergency warrants an invasion of the powers of one department by the other. *Youngstown Sheet and Tube Co.* v. *Sawyer* (343 U. S. 579).

(6) The jurisdiction of this committee is further limited by the statutes which constitute and set forth its function and sphere of authority. Under the rules of the Senate and the statutes organizing the appointment of this standing committee, this committee has no authority to examine into the personal and private affairs of private citizens. Any action with regard to my books by officials of the Government was done without any prior knowledge or consultation with me. I took no part in any proceedings involving any governmental authority and therefore this committee is without power to examine me under the rules and statute governing it.

This committee is not a competent tribunal. The resignation from this committee of all members belong to one of the major parties, i. e., the Democratic Party, has deprived this committee of its competency to act until it has been properly constituted.

That's all.

Those are the reasons he gave for contesting the jurisdiction of our committee—and it is our committee. It was on the basis of that case which he thereafter called exhibit 1 that he rested all his refusals to answer questions.

The committee rejected his explanation. The committee could have said, "We do not accept your reasons for refusing to answer questions"—and I paraphrase—"in connection with the allegation that you are involved in subversive activity."

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Did our committee have the right to reject his explanation? I think so. We may disagree as to the application of the first amendment. One Senator may say, "I think there is something in what Mr. Lamont said." If so, that question will be tested when the courts pass on it.

But our committee said, "We do not accept the first amendment excuse for not answering certain questions which we wish to put to you."

Let us go over to page 8 and take a look at a few of the questions the committee sought to put to him. Do not forget that we are dealing with our own committee, for which we have appropriated a large sum of money to carry out the authorization to investigate subversive activities in this country. A witness is charged with subversive activity. Senators may think he was wrongfully charged, but that question has no place in this debate, in my judgment. It was clearly within the jurisdiction of the committee to hale him before the committee, and to ask him what kind of questions? To ask him such questions as this—and I turn to page 8:

The CHAIRMAN. Mr. Lamont, it appears from the sworn testimony that the United States Government purchased some of your works. That is the testimony at this point. One of the works purchased, which is apparently not technically your work but one in which you took part, is a book by a Mr. Simmons.

Did you know that Mr. Simmons was a member of the Communist Party at the time you contributed the chapter to this book?

Mr. LAMONT. The question was that Mr. Simmons was—was the editor of the book? As editor of the book, as I recall it——

Mr. WITTENBERG. May I, sir——

The CHAIRMAN. The book is entitled "U. S. S. R., A Concise Handbook," edited by Ernest J. Simmons. That is Ernest Joseph Simmons. Does that answer your question?

Mr. LAMONT. I decline to answer, Mr. Chairman, on the grounds of exhibit 1 and on the further ground that the book speaks for itself.

Mr. President, we may disagree with our committee as to whether we think that is the most artful question which might have been asked Mr. Lamont, but was it a question relevant to the investigation by the committee? The committee was trying to find out, for example, whether this man had associations with the Communists. I think it is a perfectly proper kind of examination to find out whether an individual has close associations with Communists. It is not conclusive evidence, from which we can draw many deductions, but it is relevant, and it is relative to an investigation of subversive activities on the part of Mr. X, Mr. Y, or Mr. Z. The witness refused to answer whether he had had knowledge, when he wrote a chapter in this book, that the editor of the book was a Communist, as alleged by the chairman of the committee.

I do not know whether he was or not, but the chairman has so alleged, and I assume that if the investigation had gone along within its proper scope and if there had not been a refusal to answer questions, the chairman would have brought out through other witnesses facts as to whether this man was or was not a Communist. The witness refused to answer on the ground of the first amendment.

Let me proceed to another question which the chairman asked him:

The CHAIRMAN. Have you ever attended Communist Party meetings?

Mr. LAMONT. I decline to answer on the same grounds stated in exhibit 1.

That is the first amendment ground. It is not the fifth amendment ground; it is the first amendment ground.

Again, I ask the Senate, Was it relevant for our committee, which we had authorized, and for which we had appropriated money for the purpose of conducting hearings into subversive activities, to ask this witness whether or not he had attended Communist Party meetings? Of course it was relevant. Assume that a committee is investigating subversive activities, and it has before it someone against whom allegations or charges have been made that he has been participating in Communist activities. The committee has witnesses waiting to be put on the stand, from whom it intends to elicit testimony to the effect that the person under investigation attended Communist meetings. It does not follow that merely because a witness swears that a person did something, it is so, because every lawyer in the Chamber knows that the way a lawsuit is tried is to offer testimony on both sides of the controversial issue before the tribunal, and then a decision is reached. I ask, Was it relevant to ask Lamont whether or not he had attended Communist Party meetings? He refused to answer on the ground of the first amendment.

We could go down the line and take up other questions. Let us consider the next question which the chairman put to Lamont, and which he refused to answer:

The CHAIRMAN. Did you in 1941 sign a statement addressed to the President of the United States defending the Communist Party?

Mr. WITTENBERG. Not unless it is shown to you for identification.

The CHAIRMAN. To refresh your recollection, may I say the Daily Worker, on March 5, 1941, page 2, carries an account of such a statement by you—signed by you.

The question is: Did you sign such a statement?

Mr. LAMONT. Mr. Chairman, I would have to see some—see the statement. I can't—that was how many years ago? A long time ago. I don't even know what it was about from what you say.

The CHAIRMAN. Is it your testimony that you do not remember having signed a statement addressed to the President of the United States defending the Communist Party?

Mr. WITTENBERG. At this time you have no present recollection unless you can refresh—

(Mr. Lamont confers with Mr. Wittenberg.)

Mr. LAMONT. Mr. Chairman, I have no present recollection of signing such a statement, unless you can refresh my memory somehow or I can read such a statement; 1941?

I just can't recall all those details without checking in some manner.

I think that was a perfectly responsive answer to a question asked by the chairman. The chairman did not press the point, and the matter was dropped.

I continue to read:

The CHAIRMAN. Let's skip 11 years and come up to 1952.

Did you sign an appeal to President Truman requesting amnesty for leaders of the Communist Party who were convicted under the Smith Act?

(Mr. Lamont confers with Mr. Wittenberg.)

Mr. LAMONT. Can't—could I see the—could I see the——

The CHAIRMAN. Could you see what?

Mr. LAMONT. Could I see the statement so I could identify it?

The CHAIRMAN. I don't know. If you want to search for it you will find the Daily Worker, December 10, 1952, apparently carries an account of it, page 4. I don't have a copy of your statement, Mr. Lamont. You asked——

(Mr. Lamont confers with Mr. Wittenberg.)

The CHAIRMAN. If I had a copy of your statement, you certainly could see it. I do not have a copy before me. My question is, Do you recall having signed such an appeal to President Truman?

I may say, good naturedly, that I do not think that was very good examination on the part of the chairman. If the chairman intended to push that kind of questioning, he should have had the document before him. But again, that is not for us to decide on the floor of the Senate today.

The question for us to decide is whether or not the chairman, acting for the Senate, was asking a line of questions which was relevant to the investigation of subversive activities. I have come to the conclusion that the chairman did ask enough questions which were directly related to the jurisdiction of the committee, questions which were within the power of the committee to ask in carrying out its functions of investigating subversive activities, and which Mr. Lamont refused to answer on the basis of the first amendment, so that the Senate is justified in citing Lamont for contempt today, unless we now wish to take the position that the committee does not make a prima facie case for a resolution of contempt citation in any instance when a witness refuses to answer any questions which are directed to him in relation to allegations that he was involved in subversive activities, if he falls behind the first amendment.

I am not ready to take such a position, because I know of no court decision which holds that the first amendment is an adequate defense in such a situation; and because I think the committee had the right to ask the questions which it asked, a duty was placed upon Lamont to answer the questions, unless he himself wanted to go ahead and have the question determined as to whether or not the first amendment was protection for him in such situations as this. That is my answer to the distinguished junior Senator from New York.

If Mr. Lamont wants to assume that responsibility, very well. Of course, there will be a stigma placed upon Lamont if he is cited for contempt. A stigma is placed upon any citizen if he is indicted by a grand jury. But, as I have been heard to say, that is one of the risks of living in a democracy. It is a risk which all of us ought to be perfectly willing to run. This man cannot eat his cake and have it, too. He cannot go before the committee and refuse to answer

relevant questions—I am referring only to the relevant questions bearing upon the jurisdiction of the committee to investigate subversive activities—and then be heard to say, "Now, having done that, you cannot cite me for contempt." The investigatory function of the Senate would be destroyed if such a course were followed.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. ROBERTSON. The Senator from Oregon has clearly shown that a prima facie case of contempt has been made. Is it not true that when that has been done, the witness still is entitled to his day in a court of competent jurisdiction? If he can rebut the presumption of guilt, he will have an opportunity to do so, by letting the court try the issue.

Mr. MORSE. The Senator from Virginia knows what will happen. I speak hypothetically. Assume that the Senate adopts the resolution and that the case is referred to the Department of Justice. We know that it may die there, because if the Department of Justice does not press it, if it decides that the Senate is wrong, the case is likely to die in the Department. I do not think the Department should allow the case to die. Let us assume that the next step is taken, and that the Department takes the case to court. The court then will pass judgment on whether the Senate was right or wrong, whether Lamont was or was not in contempt. There may be other reasons for holding Lamont in contempt than the considerations I have discussed, but let us assume that the case is limited to the questions I have discussed. If the lower court finds Lamont guilty of contempt, he will still have the right of appeal to the Supreme Court of the United States for a determination of the constitutional question he raises.

I do not think he is injured, because if we are satisfied that the committee had a right to ask him the questions which it asked, and Lamont refused to answer them, and did so on the basis of his constitutional argument, he is allowed by the contempt citation to press his constitutional argument up to the Supreme Court of the United States.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. LEHMAN. In the first place, I believe that a citation of a person for contempt of the Senate is an extremely serious matter. I repeat that I do not know Lamont. I have no interest in this case. Lamont may be guilty or not guilty. Nevertheless, I feel it is a serious matter, and that we are called upon to decide a very important question.

I do not for one moment question the power of the committee to hold in contempt this man or any other witness who is called before the committee by subpena. I also realize fully the authority of the Senate to adopt a resolution for a citation of contempt or to refuse to do so. But I believe the question whether the answers on which a person is cited for contempt are sufficiently responsive to the questions asked is a question which the Senate alone can determine after careful scrutiny.

I believe we should not be satisfied with an ex parte action or a unilateral action. The decision should be controlled exclusively by the Members of the Senate after a careful examination of the facts in the record.

I do not believe, therefore, that there should be any acceptance of the principle which was enunciated an hour or two ago by the junior Senator from Oregon that under general circumstances, or ordinary circumstances, generally speaking, he would accept the report and recommendations of a committee.

Mr. MORSE. Only as prima facie evidence.

Mr. LEHMAN. I think the question should be carefully studied. I do not believe this case has been carefully studied by the Members of the Senate. I believe that many other cases and many other resolutions which have been presented have not been carefully studied by the Senate.

I think such action has been taken and probably will continue to be taken, but I am sufficiently a realist to understand the situation, based merely on the recommendation of a committee. I repeat that in my opinion it is dangerous, because any committee can ask any questions it desires to ask, whether or not they be justified by the Constitution and the Bill of Rights, and then recommend a citation.

Mr. MORSE. Mr. President, I have almost finished. I wish to reply very briefly to the Senator from New York.

I hope I made it clear that the report and resolution of the committee raise only a prima facie case so far as I am concerned. We have the duty to study the record to see whether or not the prima facie case holds up.

I have tried to do so, and I have studied it sufficiently to satisfy myself that the committee was carrying out its jurisdiction. It asked questions which were relevant to its jurisdiction. The witness refused to answer those questions. He refused, not on the basis of the fifth amendment, but on the basis of the first amendment. In my judgment, under the existing law we have no justification for saying on the floor of the Senate that there is a legal right which has been determined by the courts justifying a man's refusing to answer relevant questions within the jurisdiction of a Senate committee.

On the basis of that analysis, subject to further argument, which may show that I am wrong, I shall resolve the doubts in favor of the resolution.

Let me say good naturedly and facetiously to the Senator from Wisconsin, in view of the very definite disagreement of opinion we had early this afternoon, that this is but another illustration of the consistency of the Senator from Oregon in protecting procedural rights. On the floor of the Senate not so many nights ago I sought to protect the rights of the Senator from Wisconsin from the standpoint of procedure. As he well knows, I agreed with the objective of the resolution, but I insisted it should be amended by way of a bill of particulars. To me, this principle leads us down the road on a straight course. It can be applied with complete consistency, and I apply it now in connection with this resolution.

SEVERAL SENATORS. Vote! Vote!

Mr. LANGER rose.

The PRESIDING OFFICER. The question is on agreeing to Senate Resolution 281.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

Mr. LANGER. Mr. President, I was on my feet.

Mr. President, the argument of the Senator from Oregon [Mr. MORSE] is absolutely sound so far as it goes. Every single time one of these citations has come up I have voted for it. In this case we have a situation in which one Senator held a secret meeting. There was one witness before him. It was a secret meeting, an executive session, but it was not finished. The witness and his lawyer were present, and the hearing was not completed. The witness said, "I want to look over the stenographic report." He was told, "You can see it next Monday in Washington." The lawyer said, "I am going out West. I cannot be there at 10 o'clock on Monday morning, but I will be there at 1 o'clock." The time was set definitely at 1 o'clock, and the chairman said, "That means 1, and not 1:30. You be there at 1 o'clock."

A few days later he sent a telegram:

> Your appearance before this subcommittee in Washington, D. C., on Monday, December 28, 1953, has been postponed. However you are under continuing subpena, and both you and your counsel will be notified when your appearance is required.

That is the telegram, Mr. Lamont says they received. The Senator from Wisconsin says the telegram which was sent was as follows:

> Pursuant to conversation with Mr. Like of Mr. Wittenberg's office this date, your appearance before this subcommittee in Washington, D. C., on Monday, September 28, 1953, has been postponed. However, you are under continuing subpena, and both you and your counsel will be notified when your appearance is required.

As I said before a witness before a committee of the Senate certainly should be able to trust a Senator of the United States when he says, "We are not through here. We are going to have a meeting on Monday at 1 o'clock. You be there"; and then telegraphs him and says, "The meeting has been postponed, and we will notify you when we want you." When Monday comes and passes without a word to him, and the Senator hands out all the executive proceedings to the press and says the witness is cited for contempt, it seems to me that is a very strange way of doing business. I do not care whether the man is rich or poor—in this case he may be wealthy, and in the next case he may be poor, or absolutely broke. I say, Mr. President, that when a Senator gives his word, or a committee of the Senate gives its word and sets a time and then postpones it, and says that the Senator will notify the defendant when he wishes him to be present, his word ought to be good.

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So far as the Senator from North Dakota is concerned, he will not vote for this citation, because of the fact that that telegram was sent and no notice was given.

The PRESIDING OFFICER. The question is on agreeing to Senate Resolution 281. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. SALTONSTALL. I announce that the senior Senator from Indiana [Mr. CAPEHART] and the Senator Idaho [Mr. WELKER] are absent on official business. The Senator from Pennsylvania [Mr. DUFF], the Senator from Vermont [Mr. FLANDERS], the junior Senator from Indiana [Mr. JENNER], the Senator from Nebraska [Mr. REYNOLDS], the Senator from Minnesota [Mr. THYE], the Senator from New Hampshire [Mr. UPTON], and the Senator from Wisconsin [Mr. WILEY] are necessarily absent.

If present and voting, the senior Senator from Indiana [Mr. CAPEHART], the Senator from Pennsylvania [Mr. DUFF], the Senator from Vermont [Mr. FLANDERS], the junior Senator from Indiana [Mr. JENNER], the Senator from Nebraska [Mr. REYNOLDS], the Senator from Minnesota [Mr. THYE], the Senator from New Hampshire [Mr. UPTON], and the Senator from Idaho [Mr. WELKER] would each vote "yea."

Mr. CLEMENTS. I announce that the Senator from Virginia [Mr. BYRD], and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

The Senator from Texas [Mr. DANIEL], the Senator from Illinois [Mr. DOUGLAS], the Senators from Mississippi [Mr. EASTLAND and Mr. STENNIS], the Senator from North Carolina [Mr. ERVIN], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Iowa [Mr. GILLETTE], the Senator from West Virginia [Mr. KILGORE], the Senator from South Carolina [Mr. MAYBANK], the Senator from Rhode Island [Mr. PASTORE], and the Senator from Florida [Mr. SMATHERS] are absent on official business.

I announce further that if present and voting, the Senator from Texas [Mr. DANIEL], the Senator from Illinois [Mr. DOUGLAS], the Senator from North Carolina [Mr. ERVIN], the Senator from South Carolina [Mr. MAYBANK], the Senator from Rhode Island [Mr. PASTORE], and the Senator from Florida [Mr. SMATHERS] would each vote "yea."

The result was announced—yeas 71, nays, 3, as follows:

YEAS—71

Aiken	Frear	Kuchel
Anderson	George	Lennon
Barrett	Goldwater	Long
Beall	Gore	Magnuson
Bennett	Green	Malone
Bowring	Hayden	Mansfield
Bricker	Hendrickson	Martin
Bridges	Hennings	McCarran
Burke	Hickenlooper	McCarthy
Bush	Hill	McClellan
Butler	Holland	Millikin
Carlson	Humphrey	Monroney
Case	Ives	Morse
Clements	Jackson	Mundt
Cooper	Johnson, Colo.	Murray
Cordon	Johnson, Tex.	Neely
Crippa	Johnston, S. C.	Payne
Dirksen	Kefauver	Potter
Dworshak	Kennedy	Purtell
Ellender	Kerr	Robertson
Ferguson	Knowland	Russell
Saltonstall	Smith, N. J.	Williams
Schoeppel	Symington	Young
Smith, Maine	Watkins	

NAYS—3

Chavez	Langer	Lehman

NOT VOTING—22

Byrd	Fulbright	Sparkman
Capehart	Gillette	Stennis
Daniel	Jenner	Thye
Douglas	Kilgore	Upton
Duff	Maybank	Welker
Eastland	Pastore	Wiley
Ervin	Reynolds	
Flanders	Smathers	

So the resolution (S. Res. 281) was agreed to.

REVISION OF LAWS RELATING TO ESPIONAGE AND SABOTAGE

Mr. KNOWLAND. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1833, House bill 9580, the so-called espionage bill.

The PRESIDING OFFICER (Mr. COOPER in the chair). The bill will be read by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 9580) to revise and extend the laws relating to espionage and sabotage, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 9580) to revise and extend the laws relating to espionage and sabotage, and for other purposes, which had been reported from the Committee on the Judiciary with amendments.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the call of the roll be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The first amendment of the committee will be stated.

Mr. FERGUSON. Mr. President——

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Michigan yield to me?

Mr. FERGUSON. I am glad to yield.

Mr. JOHNSON of Texas. Let me ask the majority leader whether I correctly understand that he plans to request that the conference report on the atomic-energy bill be taken up as soon as it is available. My understanding is that as soon as copies of the conference report on the atomic-energy bill are available, the majority leader plans to ask that the measure now pending be temporarily laid aside, in order that that report may be considered. Is that correct?

Mr. KNOWLAND. That is correct. I plan to ask that whatever measure the Senate is then considering be laid aside, in order that the conference report on the atomic-energy bill may be considered, inasmuch as a conference report is, of course, a privileged matter. Of course, I do not know what measure will be before the Senate at that time; but whatever the measure may be, I shall move that it be laid aside, for that purpose.

Mr. JOHNSON of Texas. I appreciate the optimism of the Senator from California.

Let me ask him now late he expects to have today's session last.

Mr. KNOWLAND. Until 10 or 10:30, or somewhere in that vicinity.

Mr. FERGUSON. Mr. President, in explanation of the bill I should first like to refer to the proposed amendments, as the bill is reported from the Judiciary Committee.

As to the purpose of the amendments, I present the following statement:

Title III, registration of persons trained in espionage and sabotage, section 302 of this bill provides that every person who has knowledge of, or has received instruction or assignment in, the espionage, counterespionage, or sabotage service or tactics of a government of a foreign country or of a foreign political party, shall register with the Attorney General.

This bill as it was referred to this committee provided that the registration requirements of section 2 should not apply to individuals in the following categories:

First. Persons whose knowledge or instruction in espionage or sabotage is a matter of record in the files of any United States Government intelligence agency.

It is clear, Mr. President, as to why that was inserted. If persons came over here and were helping the United States as counterespionage agents they would not be, and of course, should not be registered.

Second. A duly accredited diplomatic or consular officer, a staff member or employee of a duly accreditcd diplomatic or consular officer, or an official of a foreign government recognized by the United States;

Third. A person who is officially acknowledged and sponsored by a foreign government in the United States on an official mission;

Fourth. A member of a force of a NATO country who lawfully enters the United States.

Fifth. Civilian or military personnel of a foreign armed service invited to the United States for training purposes at the request of a military department of the United States; and

Sixth. A designated representative of a foreign government to an international organization, or a member of the immediate family of, and residing with, such representative, officer, or employee.

The purpose of this amendment is to require individuals in the categories just set forth to register with the Attorney General of the United States if they have knowledge of, or have received instruction or assignment in, the espionage, counterespionage, or sabotage service or tactics of a government of a foreign country or of a foreign political party.

The purpose of the proposed legislation, as amended, is to strengthen the internal security of the United States by amending statutes relative to espionage, sabotage, and the registration of foreign agents.

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Attached to and made a part of Senate report is certain correspondence contained in House Report No. 2017 to accompany H. R. 9580 which sets forth in detail the facts available to the committee in connection with this bill.

Senators will find that in the Senate report. I wish to summarize this information.

This bill incorporates the provisions of three bills: H. R. 8749, H. R. 9021, and H. R. 9023. All three of these bills were designed to strengthen the internal security of the United States by tightening up several provisions of title 18 of the United States Code relating to espionage and sabotage, and by amending the Internal Security Act of 1950 relative to the registration of persons trained in espionage and sabotage. Title I of H. R. 9580 incorporates fully the provisions of H. R. 8749.

In view of the technological advances made in scientific research, the possibilities of sabotage by radioactive, biological, or chemical agents have been greatly increased. The sabotage statute as presently worded is not geared to keep pace with these technological advances and therefore certain changes in definition are necessary. This bill seeks to make these changes, and may be explained as follows:

Section 101 of title I adds to the definitions of "war material" and "national defense material" air and water, and in the definitions of "war utilities" and "national defense utilities" air has been added. Also, "war utilities" and "national defense utilities" have been redefined to include airfields, airlanes, and fixtures or appurtenances thereof. Another change made necessary by the advances in aviation is recognized and to effectuate the change section 101 broadens the applicability of "war utilities" and "national defense utilities" to apply not only within the "limits of the United States or upon the high seas" as now provided, but also "elsewhere." "National defense material" is amended to conform with "war material" in that "forage, forest products, and standing timber" have been added to the definition of "national defense material."

Mr. President, it is clear that we should make that addition.

Mr. President, section 102 provides for the applicability of section 2153 not only in times of war but also in times of national emergency as declared by the President or by the Congress. Section 102 also recognizes the possibility of bacteriological warfare by including within its provisions the crimes of contaminating or infecting "war material," "war premises" or "war utilities."

Section 103 of H. R. 9580 also makes the sabotage laws effective in times of national emergency.

This is an important amendment to the bill. Section 2154 of title 18, United States Code, is amended by section 103 to make a crime the construction in a defective manner of "war premises" or "war utilities" in addition to "war material." Thus, it is proposed that it be a crime willfully to construct in a defective manner an airbase.

Section 104 adds conspiracy provisions to sections 2155 and 2156 of title 18, United States Code.

Title II of H. R. 9580 incorporates the provisions of H. R. 9021 and is designed to increase the penalty for peacetime espionage and to correct a deficiency in the sentencing authority.

It is proposed to make espionage a capital offense, irrespective of when committed, in time of peace or war, thus bringing espionage in peacetime within the purview of 18 United States Code 3281, which provides that an indictment for a capital offense may be found at any time without limitation.

In other words, we remove the 10-year limitation and permit the indictment at any time after the commission of the crime. We eliminate the statute of limitations. At the present time, as I said, there is a statute of limitations of 10 years applied to peacetime espionage. I think it is clear that there is a cold war going on at all times. Therefore, any espionage which may occur now is just as dangerous as if we were in actual war.

Under the proposal the imposition of a sentence of "death, or imprisonment for any term of years or for life" would be authorized.

The proposal provides for greater flexibility in the imposition of sentences than the present act, which contains only the authority to sentence "to death or imprisonment for not more than 30 years" in the case of wartime espionage.

Title III incorporates the provisions of H. R. 9023 and proposes to repeal section 20 (a) of the Internal Security Act of 1950 (sec. 1 (c) (5) of the Foreign Agents Registration Act of 1938, as amended) and substitute therefor a separate registration statute unconnected with the Foreign Agents Registration Act and which will require the registration of those persons who have knowledge of or have received an assignment in the espionage, counterespionage, or sabotage service or tactics of a foreign government or a foreign political party, without regard to any present agency status of such persons.

In other words, any person who claims he has resigned as an agent of Russia and is no longer such an agent, although he had been an agent of Russia or of a Communist country or of a foreign political party such as the Communist Party, would be required to register.

The committee, after careful consideration of the data which the committee submits, and for the reasons I have stated, is of the opinion that the bill as amended is meritorious, and, therefore, recommends favorable action on it.

Mr. President, I think that sums up the purpoces of the bill. Its passage is essential if we are to guard the security of the United States. The act would be known as the Espionage and Sabotage Act of 1954.

The penalty is severe in the case of espionage committed in time of peace as well as in time of war. However, America must guard itself. For instance, the atomic energy law provides the death penalty. This proposed act prescribes penalties for sabotage and espionage committed by those who come into our country to commit acts of sabotage or espionage. They should be severely punished, but the court is given discretion with respect to the punishment to be imposed. It may be the death penalty, it may be imprisonment for life, or for a certain number of years.

I believe that statement explains the bill. In my opinion, it should be passed.

The PRESIDING OFFICER. The clerk will state the amendments of the Committee on the Judiciary.

The committee amendments were, on page 12, line 8, after the word "national", to strike out "security; or" and insert "security.", and after line 8, to strike out:

(d) whose knowledge of, or receipt of instruction or assignment in, the espionage, counterespionage, or sabotage service or tactics of a government of a foreign country or of a foreign political party, is a matter of record in the files of an agency of the United States Government having responsibilities in the field of intelligence and concerning whom a written determination is made by the Attorney General or the Director of Central Intelligence, based on all information available, that registration would not be in the interest of national security; or

(e) who is a duly accredited diplomatic or consular officer of a foreign government, who is so recognized by the Department of State, while said officer is engaged exclusively in activities which are recognized by the Department of State as being within the scope of the functions of such officer, and any member of the immediate family of such officer who resides with him; or

(f) who is an official of a foreign government, if such government is recognized by the United States, whose name and status and the character of whose duties as such official are of record in the Department of State, and while said official is engaged exclusively in activities which are recognized by the Department of State as being within the scope of the functions of such official, and any member of the immediate family of such official who resides with him; or

(g) who is a member of the staff of or employed by a duly accredited diplomatic or consular officer of a foreign government who is so recognized by the Department of State, and whose name and status and the character of whose duties as such member or employee are a matter of record in the Department of State, while said member or employee is engaged exclusively in the performance of activities which are recognized by the Department of State as being within the scope of the functions of such member or employee; or

(h) who is an officially acknowledged and sponsored representative of a foreign government and is in the United States on an official mission for the purpose of conferring or otherwise cooperating with United States intelligence or security personnel; or

(i) who is a member of a force of a NATO country who enters the United States under the provisions of article III, paragraph (1) of the Agreement Regarding Status of Forces of Parties of the North Atlantic Treaty, or who is a civilian or one of the military personnel of a foreign armed service who has been invited to the United States for training purposes at the request of a military department of the United States; or

(j) who is a person who has been designated by a foreign government to serve as its representative in or to an international organization or is an officer or employee of such an organization or who is a member of the immediate family of, and resides with, such a representative, officer, or employee.

The amendments were agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If

there be no further amendment to be proposed, the question is on the engrossment of the amendments and third reading of the bill.

Mr. LEHMAN. Mr. President, I shall vote against the pending bill, H. R. 9580. There are some few portions of the bill to which I have no objection and which, in fact, are desirable.

I would be and am in favor of strengthening our espionage and sabotage laws.

This is, however, another example of important legislation submitted to us in the waning hours of this session—legislation which should have careful and concentrated attention by all of us, but for which there has been no opportunity. Sitting in session from early morning until late at night we get little opportunity to study the legislation next scheduled for consideration.

So far as I know or have been able to determine, there is no great urgency in putting this bill on the statute books. I have been able to learn of no case of espionage or sabotage in recent years which has failed of prosecution in the courts because of the inadequacy of our laws, and during the past 15 years of cold and hot war I have not heard of a single proved case of sabotage in the United States.

I should like to speak very briefly from my own experience. For some time I was governor of the greatest State of the Union from the standpoint of population. It has 15 million residents.

Before we entered the Second World War, I heard dire threats and dire predictions to the effect that as soon as war was declared or as soon as it was imminent widespread and wholesale sabotage would be committed in our State by some of our citizens with the nationality background of a certain country which would be engaged in war against us.

Every effort was made to bring pressure on the government of the State of New York, of which I was the head at the time, to take steps to safeguard our situation. We took certain steps, of course, through the State War Council and later through the State Council of Defense. However, we enacted no legislation of this kind; nor was it ever suggested that we do so.

When war came there were virtually no cases of sabotage or treason or any efforts to hinder the war effort. The citizens of the nationality origin of the country with which we were engaged in war were as loyal as other citizens.

I believe there were no exceptions in the State of New York, and no efforts were made to sabotage or hinder the war effort.

I agree that the laws covering both espionage and sabotage should be strong and effective and if any changes are necessary they should be enacted, although not in the haste and under the pressure which we are expected to consider the pending bill.

We now have laws dealing with espionage and sabotage and there have been a number of convictions under the Espionage Act.

The proposed bill makes changes in the present law, some innocuous and even unobjectionable—so far as I can tell from a superficial study—and some undesirable and even dangerous. There are some changes such as the provision of the death penalty for violators of the espionage and sabotage laws which are, at least, highly controversial in terms of their effectiveness.

There are some provisions in this bill, such as the provision requiring the registration of persons termed foreign spies and saboteurs, which I consider not only impracticable but a little ridiculous and part of the current mania for compiling lists of potential or suspected subversives.

But the really dangeous and unwise parts of the bill are on the surface apparently innocent. One of these is the insertion of the phrase "adapted to or suitable for" the use of the United States in connection with the national defense.

By the insertion of this phrase, which appears at page 3 of the bill and at page 6 of the report, any interference with the production, processing, movement, or storage of any product or material in the United States can be considered sabotage in time of war or of national emergency as declared by the President. These words give carte blanche to the officials of the Government to declare any strike or any picketing of any plant, transportation facility, or other process involving practically any article which enters into commerce an act of sabotage. There are no metes, bounds, or limits on the discretion of the executive branch of the Government in this highly important matter. I do not believe it wise to give this discretion to the officials of Government. I see no reason or justification for it.

I agree that the Government must have the authority to guard against sabotage of defense plants and defense facilities, but I do not think that authority should be extended to any plant producing any article whatsoever, especially since sabotage is so broadly interpreted in the proposed bill as clearly to include strikes, picketing, or any interference with production, processing, or transportation, regardless of the motivation.

As I have said, Mr. President, it is undoubtedly necessary to give the Government a wide grant of authority and a wide range of discretion in these matters. The Nation must be protected against espionage and sabotage. Acts of espionage and sabotage must be prevented, and if committed must be severely punished. But that grant of discretion should be no wider than is absolutely necessary. In my judgment, the pending bill expands that discretion to an unjustifiable extent.

Any strike, any sabotage, or any slow-down which would affect any product made in this country, which could be designated by the President, in time of emergency, would be an act which would bring down on the offender the penalties of this bill.

That being the case, it seems to me that the position of labor is highly jeopardized, as it was highly jeopardized when, 2 days ago, we passed, over my protest, a bill which was referred to as a bill to prevent the infiltration of Communists into labor unions. To my regret, I was the only Senator who voted against it, I believe, although a great many of my colleagues favored the appointment of a commission to survey and study the entire situation.

Mr. President, that was a highly dangerous bill. The bill which is now before us is a highly dangerous bill, also, and the next bill which we shall take up, I believe, if the distinguished majority leader calls it up for consideration, is equally dangerous, if not more dangerous.

For this reason, and because I think legislation of this kind should be given far more thought and study than the superficial study which we have been able to give it today, I shall vote against the bill. I wish to warn that the things we are now doing under the guise or excuse of national defense may, and I believe will, work a great hardship and do great harm to organized labor in this country.

Mr. FERGUSON. Mr. President, this bill is not intended in any way to affect labor. It provides:

> Whoever, when the United States is at war, or in times of national emergency as declared by the President or by the Congress, with intent to injure, interfere with, or obstruct the United States or any associate nation in preparing for or carrying on the war or defense activities, or, with reason to believe that his act may injure, interfere with, or obstruct the United States or any associate nation in preparing for or carrying on the war or defense activities, willfully injures, destroys, contaminates or infects, or attempts to so injure, destroy, contaminate or infect any war material, war premises, or war utilities, shall be fined not more than $10,000 or imprisoned not more than 30 years, or both.

Then there is a provision with reference to conspiracy to commit the same act. The next section reads, in part, as follows:

> Whoever, when the United States is at war, or in times of national emergency as declared by the President or by the Congress, with intent to injure, interfere with, or obstruct the United States—

Then it provides that these acts must be committed knowingly.

If we cannot enact a statute to prohibit sabotage when there is a willful intent to injure, knowingly, the United States and its defenses, what are we to do? Are we to allow our facilities to be destroyed? Are we to allow food to be contaminated? Is the American Government to be impotent in a case such as that?

Mr. LEHMAN. Mr. President, I shall not take up much of the time of the Senate. I wish to quote from the last paragraph of page 6 of the report, which reads as follows:

> The words "national-defense material" include arms, armament, ammunition, livestock, forage, forest products, and standing timber, stores of clothing, air, water, food, foodstuffs, fuel, supplies, munitions, and all other articles of whatever description and any part or ingredient thereof, intended for, adapted to, or suitable for the use of the United States in connection with the national defense or for use in or in connection with the producing, manufacturing, repairing, storing, mining, extracting, distributing, loading, unloading, or transporting of any of the materials or other articles hereinbefore mentioned or any part or ingredient thereof.

When we speak of articles which are adapted to or suitable for the use of the United States, we include every article in every category of production with which we have any familiarity whatsoever. It gives unlimited power to the Executive to take such action as he or those who advise him may feel to be to the advantage of special groups—and I am not accusing our present President of such a thing at all. I have no suspicion whatsoever that he would ever lend himself to such a thing. But it is dangerous to place such power in the hands of any man or of any group.

Mr. MORSE. Mr. President, I shall be very brief in setting forth my objections to this bill. I think it is a scarecrow bill. I do not think a bill in this form is needed to check espionage and sabotage in the United States. I think it is a part of a growing hysteria which is developing in this country and which is whipping our people into almost a frenzy on the issue of sabotage and espionage. I think it is designed to vest in the Attorney General of the United States an expansion of power which he should not possess. We have laws on the statute books at the present time which will do the job if the Department of Justice will get busy and do what it should under those laws, without trying to have legislation enacted which would greatly expand the power of the Attorney General.

Among other amendments to the United States Code is included this section as an amendment to section 794, title 18:

> Whoever, with intent or reason to believe that it is to be used to the injury of the United States or to the advantage of a foreign nation, communicates, delivers, or transmits, or attempts * * * any document, writing, code book * * * relating to the national defense shall be punished by death or by imprisonment for any term of years or for life.

This provides the death penalty for peacetime espionage. I think that the death penalty is justified only under very rare circumstances, if at all. By and large, I think that the soundest case which can be made for it is in time of war, when persons engage in treasonable acts which really place in jeopardy the lives of the people of our country, and when, unfortunately, mankind has come to the point of resorting to war as a jungle law for the settlement of disputes among nations.

But I cannot sit here and vote for a law which seeks to take human life in peacetime. I do not think the need exists, as it might be rationalized in time of war. Furthermore, I do not believe the death penalty is an effective deterrent. I shall not delay the Senate with a long discussion of the conflict among the authorities with regard to the efficacy of the death sentence, but I am satisfied that the overwhelming majority of criminologists share the generalization which I now express, namely, that the death penalty has not proved itself to be an effective deterrent to crimes of this type.

I think we should consider why, apparently, the death penalty has been written into the bill. I think the reason will be found, if we consider the discussions on the subject which occurred in the House.

A proposal is made to make espionage a capital offense, irrespective of when committed, in time of peace or war, thus bringing espionage in peacetime within the purview of 18 United States Code 3281, which provides that an indictment for a capital offense may be found at any time without limitation.

At present, the 10-year statute of limitations applies to peacetime espionage.

The report claims greater flexibility in the imposition of sentences. Presently the sentence for wartime espionage is death or imprisonment for not more than 30 years.

I do not think the statute of limitations should be extended to no limit at all. If 10 years is considered too short, and I am not sure that it is too short, then let us consider an amendment to make it 15 years. But I do not think that we should be asked to resort to the death penalty, when the real objective is to extend the statute of limitations, or, as was suggested in the House debate, to make this a crime without limitation whatsoever, so far as the statute of limitations is concerned.

So as to this part of my argument, I do not think there is any proven need for the extreme measures which are set forth in the bill. I do not believe we are justified in imposing the death sentence for peacetime espionage, and I do not think we can justify removing all the statute of limitations requirements from espionage and sabotage.

The next major objection of the three I wish to make about the bill relates to title I. If I ever read a document containing redundancy, if I ever read a section of a bill which, in my opinion, is so broad and general in its terms, it is title I of the bill under consideration. To the definitions of "war material" and "national defense material" is added "air." Air and water are added to the definitions of "war utilities" and "national defense utilities." "War utilities" and "national defense utilities" are broadened to include airfields, airlanes, fixtures, and appurtenances. The applicability of "war utilities" and "national defense utilities" is broadened to apply not only within the "limits of the United States or upon the high seas," but also "elsewhere." It includes forage, forest products, and standing timber to the definition of "national defense material." That is all contained in section 101.

The applicability of sabotage provisions is extended from times of war to include times of national emergency. That is found in section 103.

Section 102 includes contamination in the definition of sabotage.

Title III requires the registration of persons trained in espionage and sabotage by a foreign government or a foreign political party.

I do not know what is left out. Is that a justifiable objection to the bill? I think so, because when a statute is so broad and general as is provided in the bill, then it gives rise, I respectfully say, to a great many abuses in its administration by administrative officers.

I do not believe the Senator from New York has been successfully answered in his comment upon the language that is to be found in section 2154, page 6. I do not think he has been successfully answered in his general criticism of the scope of activities which the Attorney General will have under the very broad definitions which have been added to the bill. Certainly everything is in it, including the kitchen sink, in this case.

In my judgment, the Attorney General will be placed in an almost dictatorial position of determining, in a highly discretionary manner, whether the conduct of American citizens in connection with any of the subject matters of title I might not give rise to a foundation, at least, for an indictment for sabotage or espionage.

Consider the language on page 6 of the bill.

> (a) whoever, when the United States is at war, or in times of national emergency as declared by the President or by the Congress, with intent to injure, interfere with, or obstruct the United States or any associate nation in preparing for or carrying on the war or defense activities—

The language does not stop there. There is no period at that point. It does not provide that it is necessary to show intent to injure or interfere with or obstruct. The language contains a very interesting "or" clause, as follows:

> or, with reason to believe that his act may injure, interfere with, or obstruct the United States or any associate nation in preparing for or carrying on the war or defense activities, willfully makes, constructs, or causes to be made or constructed in a defective manner, or attempts to make, construct, or cause to be made or constructed in a defective manner any war material, war premises, or war utilities, or any tool, implement, machine, utensil, or receptacle used or employed in making, producing, manufacturing, or repairing any such war material, war premises or war utilities, shall be fined not more than $10,000 or imprisoned not more than 30 years, or both.

Let us consider for a moment the "or" clause.

"Or, with reason to believe."

How does one establish that in the case of specific legislation? How does one show, for example, intent or knowledge, for that matter? One can show a certain act.

Let me take Senators into a consideration of some labor disputes in time of emergency or in time of war. It was suggested at one time, as the congressional debates will show, during a threatened railroad strike, that such a strike would have been sabotage or treason. It was urged, in a great oratorical flurry on the floor of the Senate, that those persons should be tried for treason.

In periods of emergency or war, everything is not always harmonious in the field of industrial relations. Good faith labor disputes arise in war plants or defense plants, and it is necessary to have a procedure for the determination of such disputes on the basis of the kind of judicial processes which we have used heretofore in war and emergency periods.

I think the Senator from New York is quite correct in expressing the fear tonight that this section, which is on

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page 6, given an antilabor Attorney General, could be used to break many of the legitimate claims of labor during defense and war periods. We would find that the effectiveness of labor's claims would be practically broken once public opinion was poisoned by a charge made by the Attorney General that labor was guilty of sabotage or espionage. I can hear the argument which would be made—"They certainly had good reason for believing. They ought to have known." I can hear the argument and the philosophy that there was some form of sabotage or espionage, with regard to the threatened strike in the gyroscope case during the war, in the International Harvester case, or in any of a legion of cases. That is tommyrot. Sometimes hardheaded men, and perhaps shortsighted men, on both sides of the industrial relations table are trying to place the national interest first and to agree to abide by some peaceful procedures for settling their disputes. When they do not abide by them, they are not saboteurs or guilty of espionage; and I do not propose to give to the Attorney General any such broad power as the definitive terms of the pending bill would give him.

This is a very poorly drafted piece of proposed legislation; it is redundant. It would broaden entirely too far beyond the national welfare the discretionary power of the Attorney General.

Mr. CASE. Mr. President, recently the Committee on Armed Services held a hearing at which the Secretary of Defense was present, in which representatives of the several branches or departments within the Department of Defense were represented. The Committee on Armed Services asked the Secretary of Defense what he needed in the way of legislation, if any, in order to enable him to give the country and the Congress assurance that the production of war material would be carried on without interruption from sabotage.

In connection with that appearance, the committee was given a report on the activities of the Defense Department. If my memory serves me correctly, the distinguished Senator from Kentucky [Mr. COOPER], who is now occupying the Chair, was present during much of that hearing. We were told that in general the work of eliminating espionage and sabotage was going forward, but that certain legislation was needed before the Defense Department could give us complete assurance of the elimination of sabotage and espionage in some of the war and defense activities.

As I read the bill, particularly the sections referred to on pages 6 and 7 of the report, I am struck by the fact that most of the proposals are already law, but the proposed legislation before us would bring the definitions in certain titles down to date. Many of the proposals are already in the present law, except that they apply only in time of war.

Sections 2153 and 2154 of title 18 of the United States Code would be amended primarily by insertion of the words "or in times of national emergency as declared by the President or by the Congress."

On the face of it, it would appear to me that the intent of a great many of the provisions of the bill is to make applicable in times of national emergency the protection which would be available to the country in times of declared war.

Anyone who is at all familiar with the defense effort now going forward must realize that the swiftness with which modern war can strike makes it as important to be able to proceed in the production of defense or war material, without interruption or danger of sabotage, as it would be if we were in a slower-moving era when we might have actually been engaged in war. It seems to me, therefore, that the proposal is merely to bring existing law down to date.

That purpose is sought to be accomplished in another way by the addition in existing law of certain words such as "forage, forest products, and standing timber, airfields, air lanes, and fixtures or appurtenances thereof" in our national defense facilities.

Those several terms are proposed to be added by the bill to existing law, but they are necessary in order to describe the various facilities and items which enter into preparation in these days. It seems to me that the proposal is one primarily to modernize our statute dealing with espinoage and sabotage. Therefore, I think the proposed legislation is needed and should be enacted.

Mr. HENDRICKSON. Mr. President, will the Senator yield?

Mr. CASE. I yield to the Senator from New Jersey.

Mr. HENDRICKSON. It was the privilege of the Senator from New Jersey to be present when the Secretary of Defense made his statement. Does the Senator from South Dakota recall whether the Secretary of Defense commented on any specific legislation which was then pending before the Congress?

Mr. CASE. He referred to some legislation pending before the Committee on the Judiciary. I assume that this bill probably was that proposed legislation.

Mr. HENDRICKSON. That is the proposed legislation to which he referred. It was called to his attention by the junior Senator from New Jersey.

Mr. CASE. That is correct. It was not a bill pending before the Armed Services Committee with respect to which he stated he lacked authority to deal with the problem. He described it as proposed legislation pending before the Committee on the Judiciary. Consequently, when I saw the proposed legislation before us today——

Mr. HENDRICKSON. If the Senator will yield, I should like to say that he was not able to comment on it at length.

Mr. CASE. That is correct, because it was before another committee.

Mr. HUMPHREY. Mr. President, I should like to have the attention of the Senator from Michigan for 1 or 2 questions. My first question with reference to the pending bill is merely one of procedure in the handling of proposed legislation. I notice that the report which accompanied the bill is dated July 19, 1954. I notice that the House bill was introduced on July 9, 1954. Were hearings held on the bill in the House of Representatives?

Mr. FERGUSON. I cannot at the present moment advise the Senator, but I am assuming that there were hearings. I should like to ask the Senator from New Jersey, if he was on the subcommittee, whether or not there were hearings on the bill?

Mr. HENDRICKSON. I was not on the subcommittee, I am sorry to say. At least, the Senator from New Jersey had no notice of a hearing, if he was on the subccmmittee.

Mr. HUMPHREY. I notice that communications were directed to the Speaker of the House. Rather conspicuous by their absence are communications addressed to any Member of the Senate. I have always been of the opinion that bills should go through the refining fire of whatever committee or subcommittees may be established for that purpose. The report is completely silent so far as any contact with the Senate is concerned.

Mr. FERGUSON. Mr. President, will the Senator repeat his question?

Mr. HUMPHREY. My first question to the Senator from Michigan is, Does the Senator recall whether there were any hearings on this measure in the House? It is a House bill.

Mr. FERGUSON. I cannot advise the Senator concerning that.

Mr. HUMPHREY. Did the Senator say he could not advise me as to that point?

Mr. FERGUSON. That is correct. The Senator from Michigan does not know.

Mr. HUMPHREY. The Senator does not know?

Mr. FERGUSON. That is correct.

Mr. HUMPHREY. Were there any hearings in the Senate?

Mr. FERGUSON. I am now advised by the Senator from Utah [Mr. WATKINS], who was on the committee, that the House committee did hold hearings.

Mr. HUMPHREY. The House committee held hearings?

Mr. FERGUSON. That is correct.

Mr. HUMPHREY. Were there any hearings in the Senate committee?

Mr. FERGUSON. There were not. The Senate committee took the House hearings and the bill as previously written.

Mr. HUMPHREY. Can the Senator advise me how much time was spent in the Senate Judiciary Committee reviewing this very critical piece of legislation?

Mr. FERGUSON. I cannot advise him. I know it is a very thorough committee, having previously been a member of it.

Mr. HUMPHREY. I have the highest regard for it.

Mr. FERGUSON. The members are all lawyers or ex-judges. They are very careful in considering this kind of legislation.

Mr. HUMPHREY. I assume their competence.

It is the usual procedure in the Senate when we consider an important bill to have on our desks a volume of hearings and testimony along with the committee report. I can recall several times in the Senate when bills have been sent

back to committee because they were not the end product of hearings and adequate testimony, or because the report on the hearings was based upon House hearings. I believe the RECORD will reveal such instances. Am I not correct?

Mr. FERGUSON. As a rule, that is the correct analysis.

Mr. HUMPHREY. So far as the general subject matter of the legislation is concerned, I spent a period of time Saturday afternoon in consultation on this proposed legislation with 1 or 2 Members of this body, and also took the time to read the report, as well as the bill. Basically its purpose is, of course, a very sound one; namely, to protect the production installations of our country, the service installations, the transportation installations, the food supply, the water supply, and all other supplies that may be essential in war or in the defense of our country. I have no criticism of the objective. My only point is that it is a most unusual procedure, one, I think, we ought at least scrutinize. Possibly we should express a note of disappointment and condemnation because proposed legislation of this importance, which relates to the basic security of our country, has not received adequate consideration. I remind my colleagues, as I look over this Chamber, that this measure relates to the security of our country. It is directed toward espionage, toward sabotage. Legislation of this importance has not even been given the privilege of a hearing by the Senate. I want my colleagues to let that fact sink in.

This is not a question of whether or not the likeness of Whistler's Mother is to appear on a postage stamp. This is not a question of whether or not we are to increase the size of the parcel-post package. We are considering basic legislation which pertains to the overall security of the Government of the United States, in terms of military installations, defense installations, production, transportation, communication, health, welfare, food supply, fiber supply, and all that goes with them.

Most of this bill is present law, so let the record be quite clear that we are not really legislating in a brandnew field. Most of it is on the books, but, as has been pointed out this evening, there are some very significant modifications.

I remind my colleagues that they are up against the gun again; their backs are to the wall. This bill is of the utmost importance. A vote against the bill would be grossly misinterpreted. It would be interpreted in some quarters as though one were not for adequate protection of the installations for production, communication, transportation, and service of our country in a period of national emergency or war.

As I previously stated, I shall vote for legislation which will protect the security of our country. Because of the sheer necessity of voting for this bill or no bill, most likely I shall be compelled to vote for this measure, but I say very frankly that this is a most unhappy situation and it is bad legislative precedent. Those who bring this proposed legislation before us have some explaining to do.

I am not convinced that we have not time in this body to hold hearings on proposed legislation which involves the security and protection of this Nation. I have known hearings to be held for months on bills of much less importance. The real truth is that this is a belated effort to make a legislative record and a so-called record of preventing sabotage, subversion, and espionage in the closing moments of this Congress, so that Members of Congress may be able to go to the country and say, "Look what we did."

Mr. CASE. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. CASE. Were hearings held on the amendment which the Senator offered the other night practically rewriting a bill?

Mr. HUMPHREY. Hearings have been held for years on that subject.

Mr. CASE. On the legislation as offered by the Senator the other night?

Mr. HUMPHREY. Hearings have been held upon that very same language in both Chambers. The Senator from Montana [Mr. MANSFIELD] will shortly present the same bill which the Senator from Minnesota introduced in 1951, 1953, and 1954, as a matter of record. When a bill comes from a committee, it is at least the duty of the committee to process the legislation. We often amend proposed legislation on the floor. That is not unusual. We have a right to amend proposed legislation, but we hold our committees responsible for basic legislative policy.

If we are to use that standard, the farm bill, which we passed, was amended on the floor. Many amendments were made on the floor, without consideration by the committee. But amendments are the normal legislative process. What is the purpose of this Chamber if it is not to consider amendments? We are not supposed to sit here and be rubber stamps. The purpose of a committee is to hold hearings and to give mature judgment as a result of those hearings.

I, for one, am becoming a little weary of being compelled to vote on one bill after another which is rammed out at the last minute so that we may show a great composite record, particularly when this kind of legislation is presented.

Mr. JOHNSTON of South Carolina. Mr. President, is it not true that the Congress must pass some such legislation as this? Is it not also true that until the last few days, the Congress has never passed any legislation concerning communism?

Mr. HUMPHREY. I gather that that is the record. I recall that the Senator from South Carolina made an address in the Chamber on this very subject, if I am not mistaken, or at least he presented material for the record.

I would not deny any Member the right to develop legislation of the kind he wants, for that is the purpose of the Congress. I feel that we are not really doing our job when we engage in this kind of legislative process. I think it quite interesting that the Senator who is handling this bill did not know the answer at first, when the junior Senator from Minnesota asked him if there were hearings in the House. I think it very significant that he did not know if there were hearings in the Senate. I think it quite significant that there are no hearings available on any Senator's desk. It is more significant that in the report there is not a letter or a statement from an agency of Government which is directed to the Senate. Each and every statement is directed to the Speaker of the House. If the House of Representatives is to write all the legislation, we can save the taxpayers a great deal of money by abolishing the Senate. If the House of Representatives is to complete all legislation, we have violated the purposes of the Constitution, because somewhere in the Federalist papers I read that when Washington was asked by Jefferson why there should be a 2-house Congress, Washington replied in a famous letter to Jefferson along these lines: It is like pouring hot tea into a saucer. The Senate is the Chamber where the legislative processes can cool, where the tempers of those who process legislation in the other Chamber might be cooled off a bit and be refined. This is the least cooled-off legislation I have seen.

It was passed by the House on July 8. It was reported to the Senate on July 19. We are talking about an item of policy which is of such significance that the death penalty may be imposed. The very fact that the death sentence is involved in legislation should at least encourage someone to want to think of the legislative process in the normal and orthodox manner.

SEVERAL SENATORS. Vote! Vote! Vote!

The PRESIDING OFFICER (Mr. COOPER in the chair). If there be no further amendments to be proposed, the question is on the engrossment of the amendments, and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 9580) was read the third time and passed.

GUARDING OF STRATEGIC DEFENSE FACILITIES

Mr. FERGUSON. Mr. President, I move that the Senate now proceed to the consideration of Calendar No. 1834, Senate bill 3428, the so-called Defense Facilities Protection Act of 1954.

The PRESIDING OFFICER. The bill will be read by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 3428) to authorize the Federal Government to guard strategic defense facilities against individuals believed to be disposed to commit acts of sabotage, espionage, or other subversion.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Michigan.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. FERGUSON. Mr. President, I should like to present an explanation of this bill.

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REVISION OF ATOMIC ENERGY ACT OF 1946—CONFERENCE REPORT

Mr. JOHNSON of Texas. Mr. President, I had understood that as soon as we completed action on House bill 9580 we were to proceed to the consideration of the conference report on the atomic energy bill, since it is a privileged matter.

Mr. FERGUSON. I shall be glad to have the unfinished business laid aside temporarily.

Mr. HICKENLOOPER. The report of the conference committee is now on the way from the conference room to the Senate Chamber.

Mr. HUMPHREY. Is it not here now?

Mr. HICKENLOOPER. No. This is for the information of Senators. I had hoped it would arrive in 1 more minute.

If I may, I should like to explain the report for a moment. I believe the official report will be here for submission very shortly.

Mr. FERGUSON. I am glad to yield to the Senator. In fact, I shall relinquish the floor.

Mr. HICKENLOOPER. Let me say in brief that the conference committee has met again, in accordance with the instructions of the Senate and the House, and I shall state what we have done in capsule form.

We have stricken out the words "insofar as practicable" in the places those words appear in the bill, so far as preference is concerned with relation to REA's and public bodies, as to the purchase of power from the Atomic Energy Commission, if it ever produces any power which can be sold. That leaves the preference for REA's and public bodies unqualified by the words "insofar as practicable."

We have also stricken section 182 (d).

Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside for the submission and consideration of the conference report on House bill 9757, the atomic-energy bill, together with the papers of the conference.

The PRESIDING OFFICER. The Chair advises the Senate that this is a privileged matter.

Mr. FERGUSON. I shall be glad to have it taken up.

Mr. HICKENLOOPER. I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9757) to amend the Atomic Energy Act of 1946, as amended, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see pp. 14852–14867 of House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. HICKENLOOPER. Mr. President, this report has been signed by all the conferees of both Houses. As I said a moment ago, the conferees have deleted the objectionable words "insofar as practicable" which referred to the preference clause. We have stricken the words "insofar as practicable" from the preference clauses affecting REA's and public bodies, as to which words there was some objection raised.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. HOLLAND. The striking of the three words referred to relates to the provision which was inserted in the Senate, known as the Gillette amendment, does it not?

Mr. HICKENLOOPER. That is correct.

Mr. HOLLAND. It relates to the sale of excess electrical power produced by the Atomic Energy Commission, if it ever produces any for its own use and has an excess amount beyond what it may need for its own use.

Mr. HICKENLOOPER. That is correct. For example, on page 12 of the first conference report, in section 44, the words "insofar as practicable" are eliminated, and the section reads:

> The Commission shall give preference and priority to public bodies and cooperatives or to privately owned utilities providing electric utility services to high cost areas——

Mr. HOLLAND. Mr. President, will the Senator yield once more?

Mr. HICKENLOOPER. I yield.

Mr. HOLLAND. Does the omission of these three words in effect mean that the provisions of the so-called Gillette amendment as to the disposition of excess power at Atomic Energy Commission plants will remain in the conference bill?

Mr. HICKENLOOPER. That is correct.

I shall have to add parenthetically that it does not change the preference clause one bit, in my own personal opinion. It merely eliminates the words which many people thought might have qualified the preference clause.

Mr. HILL. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. HILL. Whatever may be the opinion of the distinguished deputy chairman of the joint committee, the words "insofar as practicable" are entirely out of the bill now?

Mr. HICKENLOOPER. That is correct.

Mr. HILL. So far as the preference clause is concerned.

Mr. HICKENLOOPER. The Senator is correct. They are stricken from the two places where they appeared.

Mr. HILL. In other words, in the two places where those words appeared they are now stricken.

Mr. HICKENLOOPER. The Senator is correct.

Mr. HILL. The preference clause now in the bill is as it was inserted by the Senate at the time the bill was under consideration by the Senate.

Mr. HICKENLOOPER. Section 44 is as it was placed in the bill by the Senate. The other change removes the words "insofar as practicable" as the bill came from the committee.

Mr. ANDERSON. Mr. President, will the Senator from Iowa yield?

Mr. HICKENLOOPER. I yield.

Mr. ANDERSON. As a matter of fact, the language which is now in the bill fully meets the situation which was mentioned by the able Senator from Nevada [Mr. MALONE] the other day, and completely preserves the preference clause originally suggested by him?

Mr. HICKENLOOPER. Without doubt it does. In my opinion it was preserved the other day. In my opinion the effect was not changed at all, but this wording gives aid and comfort to those who thought those words might have qualified the clause.

Mr. ANDERSON. The Senator from Iowa will recall that I stated that I was quite sure that the conferees had not intended to do violence to the preference clause, but the language was questionable.

Mr. HICKENLOOPER. That is correct.

Mr. ANDERSON. The point is that the bill as now agreed to by the conference committee meets every point in which the Senator from Nevada [Mr. MALONE] was interested in?

Mr. HICKENLOOPER. That is right.

Mr. ANDERSON. The two Senators from South Dakota were also interested in this matter.

Mr. HICKENLOOPER. We have eliminated the words "insofar as practicable."

Mr. MALONE. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

PREFERENCE MODIFICATION PHRASE "INSOFAR AS PRACTICABLE" ELIMINATED

Mr. MALONE. I did not understand the Senator's entire explanation of the elimination of the objectionable modification phrase for which it was returned to the House on Friday, August 13. At the risk of repeating, on page 12, of the report section 44, following the elimination of the words "insofar as practicable," now reads:

> In contracting for the disposal of such energy, the Commission shall give preference and priority to public bodies and cooperatives or to privately owned utilities providing electric utility services to high-cost areas not being served by public bodies or cooperatives.

Mr. HICKENLOOPER. That is the way the language reads, according to this conference report.

Mr. MALONE. Would the distinguished Senator from Iowa outline the second change which was made on page 36, subsection (c) section 182?

Mr. HICKENLOOPER. The second change is on page 36 of the original conference report. I use that only because it is convenient for reference.

In subsection (c) of what was section 182, the words "insofar as practicable" appearing in the last sentence have been removed from this conference report.

Mr. MALONE. It now reads: "where such conflicting applications resulting from limited opportunity for such license include those submitted by public or cooperative bodies such applications shall be given preferred consideration"?

Mr. HICKENLOOPER. That is correct; that is the way it reads.

Mr. MALONE. I thank the Senator from Iowa, and appreciate his courtesy, including the debate on Friday, August 13, when the bill was returned to the House for the express purpose of deleting the phrase "insofar as practicable."

Mr. CASE. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. CASE. Not to be redundant, but perhaps to understand the provision in terms of some correspondence which the Senator from South Dakota has had in this connection, does it accomplish exactly what was proposed to be accomplished by the proposal suggested by the distinguished Senator from California, the majority leader, when he suggested that a separate resolution might be adopted following the conference report?

Mr. HICKENLOOPER. Exactly and completely.

Mr. CASE. I thank the Senator.

Mr. HICKENLOOPER. It conforms to the proposed joint resolution which was suggested the other day.

The other change is to strike out—I shall have to refer for convenience to the original conference report submitted earlier—subsection (d) of section 182, as found on page 36 of the original conference report.

I must use those references, because they are numbered. Subsection (d) is stricken. The language of the so-called Cole amendment of the House is retained. The language of the original section 152 of the bill, as it came to both Houses from the conference committee, is retained, with certain modifications representing suggestions and amendments by the Senator from Oklahoma [Mr. KERR].

Mr. ANDERSON. Mr. President, will the Senator yield for a question at that point?

Mr. HICKENLOOPER. I have this position marked. I should like to complete my statement on it.

Certain modifications are made, with the insertion in paragraph (2) under subsection (b) of what appears to be section 153 in the mimeographed sheet, of the word "nonexclusive" in the patent section.

That paragraph of subsection 153 (b) will then read:

> Any person may apply to the Commission for a nonexclusive patent license—

That is in the old section 152 and in in the new section 153—

> to use the invention or discovery covered by such patent, and the Commission shall grant such patent license to the extent that it finds that the use of the invention or discovery is of primary importance to the conduct of an activity by such person authorized under this act.

In subsection (e) (4), the general language and intent of the Kerr amendment is preserved, and the provision at the end of subsection (e) (4) will read as follows:

> The Commission shall license the application to use the invention or discovery covered by the patent for the purposes stated in such application on terms deemed equitable by the Commission and generally not less fair than those granted by the patentee or by the Commission to similar licensees for comparable use.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. ANDERSON. Would the Senator from Iowa agree with me that that language does not destroy the Kerr amendment as it was originally proposed?

Mr. HICKENLOOPER. That is correct.

Mr. ANDERSON. It merely prevents it from being so inflexible that the Commission could not use it.

Mr. HICKENLOOPER. The Senator from Oklahoma is present on the floor. I believe it reaches the purpose the Senator from Oklahoma attempted to accomplish. Yet it contains enough flexibility so that injustices will not result from a requirement that the Commission cannot use equitable judgment in determining these questions in the future.

Mr. ANDERSON. In other words, the Senator from Oklahoma was trying to make sure that it would be impossible to license a patent at an exorbitant rate to one person and practically give it away to the next one? This meets the point he had in mind, without chaining it down absolutely tight, to the point where there would be no flexibility. Is that correct?

Mr. HICKENLOOPER. That is correct. However, I wish to call attention to the point which was made the other night on the floor of the Senate, that we did not want to tie the amendment down so that a patent holder could not give the use of his patent free of charge or for only $1 to a university, for research purposes, and then be forced to charge only $1 or give it free to an industrial concern. We wanted to provide some leeway in that connection.

Mr. ANDERSON. In the discussion on the floor, the Senator from Oklahoma made it clear that he was in full agreement with that kind of provision.

Mr. HICKENLOOPER. I believe he made it abundantly clear. We have tried to leave a reasonable amount of sound discretion in the Atomic Energy Commission in deciding these questions.

The remaining changes appearing on the first page of the mimeographed sheets, which have been placed on the desk of every Senator, refer only to the renumbering of the sections, which has become necessary because of the changes in section numbers. They are only mechanical changes.

Mr. KEFAUVER. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. KEFAUVER. May I inquire what happened to the amendment offered by the distinguished Senator from Colorado [Mr. JOHNSON], with reference to making some atomic power available for commercial uses?

Mr. HICKENLOOPER. That was not a question of serious dispute when we defeated the first conference report. The Senator from Colorado, I am sure, will say that the spirit and purpose of his amendment, which was to make it clear that the Atomic Energy Commission could build experimental reactors of any size desired, provided it got the money from Congress, is preserved amply in the bill.

Mr. KEFAUVER. Does not the last sentence of section 44 on page 12 rather strike down the possibility of commercial use of atomic power?

Mr. HICKENLOOPER. Will the Senator restate the last part of his question?

Mr. KEFAUVER. I refer to the last sentence of section 44 of the old report.

Mr. HICKENLOOPER. Oh, yes; it clearly states that the Atomic Energy Commission is not to go into the business of production of commercial power. That is clearly established. However, it is clearly set forth in the conference bill that the Commission may build various types and kinds of reactors experimentally for the production of power, but is not to go into the business of commercially producing it.

Mr. KEFAUVER. Was it not the will of the Senate that a limited amount of commercial power should be produced by reactors owned by the Government?

Mr. HICKENLOOPER. For the purpose of research and development; yes. That authority is amply preserved in the bill.

Mr. KEFAUVER. Where is it preserved in the bill?

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. ANDERSON. In part the point being raised by the Senator from Tennessee was met by the change in language which made it possible for the Atomic Energy Commission to license other Government agencies by bringing them under the definition of person. Therefore, the TVA or the Bonneville Power Administration, if it got an appropriation from Congress, could do it. However, the Atomic Energy Commission, as such, was not to run around the country building commercial plants, which had not been contemplated in the original Johnson amendment.

Mr. HICKENLOOPER. That is correct.

Mr. ANDERSON. Could not the Atomic Energy Commission build any type of reactor?

Mr. HICKENLOOPER. Indeed.

Mr. ANDERSON. And carry it all the way through to learn if the production of power were commercially feasible?

Mr. HICKENLOOPER. That is correct. Under the bill the Atomic Energy Commission, if it could get the money from Congress, could build a reactor to produce a million kilowatts of power. There is no limitation as to what it could produce under the research and development sections. If it has excess power from that experimental plant, it can sell it, under preference, to public bodies and REA's.

Mr. ANDERSON. There is nothing in the last sentence of section 44 of the original conference report or in any other provision in the conference report which would prohibit the Atomic Energy Commission from selling, for commercial use, subject to priority or the preference clause, any excess power it may produce after its own needs are taken care of. Is that correct?

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Mr. HICKENLOOPER. In connection with the research and development activities. The Senator is correct.

SEVERAL SENATORS. Vote! Vote!

Mr. HICKENLOOPER. Mr. President, the conferees, I think, are very familiar with what we have done in this second conference report. It is unanimously agreed to. I shall be glad to attempt to answer any questions any Senator may desire to ask, and I am sure the other conferees will be glad to answer questions. If there are no questions——

Mr. FULBRIGHT. Mr. President, will the Senator from Iowa yield?

Mr. HICKENLOOPER. I yield.

Mr. FULBRIGHT. Will the Senator permit me to say that I think he has done a very fine job in getting this very controversial bill through conference, and I wish to pay him a very decided compliment for what he has done.

Mr. HICKENLOOPER. I thank the Senator from Arkansas for his generosity, and I only wish I deserved the full weight of his compliment. There are 5 conferees on the part of the Senate, and the other 4 have probably been more tolerant of the situation at which we are trying to arrive than I have been. They have worked hard on the matter, and four times as much credit should go to the entire committee than any possible credit to me.

Mr. FULBRIGHT. If I may say so, I think the Senate has retained more of the original Senate bill in this report than it has in most of the bills which have been passed at this session of the Congress.

Mr. HICKENLOOPER. There has been a serious attempt to lay a basis for an approach to this subject in the future which will be one of encouragement. We attempted in the original bill to protect the rights of public bodies and of such private bodies as REA and any other private groups to enable them to get "into the swim," and see what will happen when we turn American genius, either public or private, loose in this field.

I think this bill probably gives protection, safeguards, and opportunities as much as has any bill I have ever seen in a pioneering field.

Mr. HOLLAND. Mr. President, will the Senator from Iowa yield?

Mr. HICKENLOOPER. I yield.

Mr. HOLLAND. I wish to say to the distinguished Senator from Iowa that I join the distinguished Senator from Arkansas in expressing my compliments to the Senator from Iowa and to all other members of the conference committee of the Senate. I think they have done a fine job.

I wish to be sure that I understand the situation with reference to patents, because that was the only matter which gave me concern at the time we were considering the previous conference report. Would it be fair to say that under this conference report the situation is handled in such a manner that the 5 years of nonexclusive time covered by the original Senate bill appears in the conference report?

Mr. HICKENLOOPER. The Senator is correct.

Mr. HOLLAND. Rather than the 10-year period which appeared is the bill as passed by the Senate?

Mr. HICKENLOOPER. The Senator is correct.

Mr. HOLLAND. But is it also correct, as I believe it to be, that the protective features in the field of patents written into the bill by the amendment offered by the distinguished senior Senator from Oklahoma [Mr. KERR] are retained in the conference report?

Mr. HICKENLOOPER. The Senator is correct, in my view, and, I believe, according to the view of the Senator from Oklahoma. The control principles are protected and preserved in the present conference report.

Mr. HOLLAND. That meets the only serious objection I had to the original conference report, and I certainly congratulate the conferees upon the working out of the matter.

Several SENATORS. Vote! Vote! Vote!

Mr. HUMPHREY. Mr. President, will the Senator from Iowa yield?

Mr. HICKENLOOPER. I yield.

Mr. HUMPHREY. Were any changes at all made in the international-activities section as a result of the conference?

Mr. HICKENLOOPER. None.

Mr. HUMPHREY. In other words, the language is the language contained in the Senate bill?

Mr. HICKENLOOPER. Yes.

Mr. HUMPHREY. In reference to the power commission regulations, of which there was considerable discussion during the debate, were the basic purposes of that amendment included and continued?

Mr. HICKENLOOPER. Exactly the same.

Mr. HUMPHREY. As it passed the Senate?

Mr. ANDERSON. Mr. President, if I may interrupt, the spirit, at least, is contained in the report.

Mr. HICKENLOOPER. There may have been a grammatical rearrangement, such as "are" for "is," or something of that kind; but there is no fundamental change in it. It is not a matter of dispute.

Mr. HUMPHREY. I wish to say that after a very long discussion of this bill, which has been termed many things, I, too, wish to join my colleagues in commending the conference committee on working out a reasonable and, I hope, a very effective program of legislation in this field. While I joined in the debate and was rather critical of the Senate bill, I also participated in getting a few amendments into the bill, and it is my intention to vote for the bill as it has been reported by the conference committee, despite my misgivings about the Ferguson amendment.

I understand the Gore amendment has been retained in the bill. Is that correct?

Mr. HICKENLOOPER. That is correct.

Mr. President, I yield to the Senator from Oklahoma.

Mr. KERR. Mr. President, in the judgment of the Senator from Oklahoma, the two questions at issue which went to conference following the vote of the Senate have been handled in a manner which entitles the conference committee of the Senate to the congratulations and thanks of every Member of the Senate. I wish to express my appreciation for the able manner in which the two matters at issue are handled in the conference report.

Mr. HICKENLOOPER. I thank the Senator from Oklahoma. He and I have not quite agreed on the verbiage of some of these passages, but he has been most cooperative and most willing to discuss the question. I think we have arrived at a period of mutual understanding and satisfaction as to the protective features of the bill.

Mr. BRICKER. Mr. President, I ask for the yeas and nays on the conference report.

The yeas and nays were ordered.

Mr. HUMPHREY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Anderson	Gore	Mansfield
Barrett	Green	Martin
Beall	Hayden	McCarran
Bennett	Hendrickson	McCarthy
Bowring	Hennings	McClellan
Bricker	Hickenlooper	Millikin
Bridges	Hill	Monroney
Burke	Holland	Morse
Bush	Humphrey	Mundt
Butler	Ives	Murray
Carlson	Jackson	Neely
Case	Johnson, Colo.	Payne
Chavez	Johnson, Tex.	Potter
Clements	Johnston, S. C.	Purtell
Cooper	Kefauver	Robertson
Cordon	Kennedy	Russell
Crippa	Kerr	Saltonstall
Dirksen	Kilgore	Schoeppel
Duff	Knowland	Smathers
Dworshak	Kuchel	Smith, Maine
Ellender	Lehman	Smith, N. J.
Ferguson	Lennon	Symington
Frear	Long	Watkins
Fulbright	Magnuson	Williams
Goldwater	Malone	Young

The PRESIDING OFFICER. A quorum is present.

The question is on agreeing to the conference report. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. SALTONSTALL. I announce that the senior Senator from Indiana [Mr. CAPEHART] and the Senator from Idaho [Mr. WELKER] are absent on official business.

The Senator from Vermont [Mr. FLANDERS], the junior Senator from Indiana [Mr. JENNER], the Senator from North Dakota [Mr. LANGER], the Senator from Nebraska [Mr. REYNOLDS], the Senator from Minnesota [Mr. THYE], the Senator from New Hampshire [Mr. UPTON], and the Senator from Wisconsin [Mr. WILEY] are necessarily absent.

On this vote the Senator from Vermont [Mr. FLANDERS] is paired with the Senator from Alabama [Mr. SPARKMAN]. If present and voting, the Senator from Vermont [Mr. FLANDERS] would vote "yea" and the Senator from Alabama [Mr. SPARKMAN] would note "nay." If present and voting, the senior Senator from Indiana [Mr. CAPEHART], the junior Senator from Indiana [Mr. JENNER], the Senator from Nebraska [Mr. REYNOLDS], the Senator from Minnesota [Mr. THYE],

and the Senator from New Hampshire [Mr. UPTON] would each vote "yea."

On this vote the Senator from Idaho [Mr. WELKER] is paired with the Senator from Illinois [Mr. DOUGLAS]. If present and voting, the Senator from Idaho [Mr. WELKER] would vote "yea" and the Senator from Illinois [Mr. DOUGLAS] would vote "nay."

Mr. CLEMENTS. I announce that the Senator from Virginia [Mr. BYRD] and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

The Senator from Texas [Mr. DANIEL], the Senator from Illinois [Mr. DOUGLAS], the Senators from Mississippi [Mr. EASTLAND and Mr. STENNIS], the Senator from North Carolina [Mr. ERVIN], the Senator from Georgia [Mr. GEORGE], the Senator from Iowa [Mr. GILLETTE], the Senator from South Carolina [Mr. MAYBANK], and the Senator from Rhode Island [Mr. PASTORE] are absent on official business.

I announce further that on this vote the Senator from Illinois [Mr. DOUGLAS] is paired with the Senator from Idaho [Mr. WELKER]. If present and voting, the Senator from Illinois would vote "nay," and the Senator from Idaho would vote "yea."

I announce also that on this vote the Senator from Alabama [Mr. SPARKMAN] is paired with the Senator from Vermont [Mr. FLANDERS]. If present and voting, the Senator from Alabama would vote "nay," and the Senator from Vermont would vote "yea."

I announce further that if present and voting, the Senator from Texas [Mr. DANIEL], the Senator from North Caroline [Mr. ERVIN], the Senator from Georgia [Mr. GEORGE], the Senator from Iowa [Mr. GILLETTE], the Senator from South Carolina [Mr. MAYBANK], and the Senator from Rhode Island [Mr. PASTORE] would each vote "yea."

The result was announced—yeas 59, nays 17, as follows:

YEAS—59

Aiken	Ferguson	Martin
Anderson	Frear	McCarran
Barrett	Fulbright	McCarthy
Beall	Goldwater	McClellan
Bennett	Green	Millikin
Bowring	Hayden	Mundt
Bricker	Hendrickson	Neely
Bridges	Hickenlooper	Payne
Burke	Holland	Potter
Bush	Humphrey	Purtell
Butler	Ives	Robertson
Carlson	Johnson, Colo.	Saltonstall
Case	Johnson, Tex.	Schoeppel
Cooper	Kennedy	Smathers
Cordon	Kilgore	Smith, Maine
Crippa	Knowland	Smith, N. J.
Dirksen	Kuchel	Watkins
Duff	Lennon	Williams
Dworshak	Long	Young
Ellender	Malone	

NAYS—17

Chavez	Johnston, S. C.	Monroney
Clements	Kefauver	Morse
Gore	Kerr	Murray
Hennings	Lehman	Russell
Hill	Magnuson	Symington
Jackson	Mansfield	

NOT VOTING—20

Byrd	George	Sparkman
Capehart	Gillette	Stennis
Daniel	Jenner	Thye
Douglas	Langer	Upton
Eastland	Maybank	Welker
Ervin	Pastore	Wiley
Flanders	Reynolds	

So the conference report was agreed to.

Mr. HICKENLOOPER. Mr. President, I move that the vote by which the conference report was agreed to be reconsidered.

Mr. KNOWLAND. Mr. President, I move to lay on the table the motion of the Senator from Iowa.

The motion to lay on the table was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Watson, one of its clerks, announced that the House had passed the bill (S. 3706) to amend the Subversive Activities Control Act of 1950 to provide for the determination of the identity of certain Communist-infiltrated organizations, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

AMENDMENT OF SUBVERSIVE ACTIVITIES CONTROL ACT OF 1950 RELATING TO DETERMINATION OF IDENTITY OF CERTAIN COMMUNIST-INFILTRATED ORGANIZATIONS

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 3706) to amend the Subversive Activities Control Act of 1950 to provide for the determination of the identity of certain Communist-infiltrated organizations, and for other purposes, which were to strike out all after the enacting clause and insert:

That this act may be cited as the "Communist Control Act of 1954."

FINDINGS OF FACT

SEC. 2. The Congress hereby finds and declares that the Communist Party of the United States, although purportedly a political party, is in fact an instrumentality of a conspiracy to overthrow the Government of the United States. It constitutes an authoritarian dictatorship within a republic, demanding for itself the rights and privileges accorded to other political parties, but denying to all others the liberties guaranteed by the Constitution. Unlike other political parties, which evolve their policies and programs through public means, by the reconciliation of a wide variety of individual views, and submit those policies and programs to the electorate at large for approval or disapproval, the policies and programs of the Communist Party are secretly prescribed for it by the foreign leaders of the world Communist movement. Its members have no part in determining its goals, and are not permitted to voice dissent to party objectives. Unlike members of other parties, members of the Communist Party are recruited for indoctrination with respect to its objectives and methods, and are organized, instructed, and disciplined to carry into action slavishly the assignments given them by their hierarchial chieftains. Unlike other political parties, the Communist Party acknowledges no constitutional or statutory limitations upon its conduct or upon that of its members. The Communist Party is relatively small numerically, and gives scant indication of capacity ever to attain its ends by lawful political means. The peril inherent in its operation arises not from its numbers, but from its failure to acknowledge any limitation as to the nature of its activities, and its dedication to the proposition that the present constitutional Government of the United States ultimately must be brought to ruin by any available means, including resort to force and violence. Holding that doctrine, its role as the agency of a hostile foreign power renders its existence a clear present and continuing danger to the security of the United States. It is the means whereby individuals are seduced into the service of the world Communist movement, trained to do its bidding, and directed and controlled in the conspiratorial performance of their revolutionary services. Therefore, the Communist Party should be outlawed.

PROSCRIBED ORGANIZATIONS

SEC. 3. The Communist Party of the United States, or any successor of such party regardless of the assumed name, whose object or purpose is to overthrow the Government of the United States, or the government of any State, Territory, District, or possession thereof, or the government of any political subdivision therein by force and violence, are not entitled to any of the rights, privileges, and immunities attendant upon legal bodies created under the jurisdiction of the laws of the United States or any political subdivision thereof; and whatever rights, privileges, and immunities which have heretofore been granted to said party or any subsidiary organization by reason of the laws of the United States or any political subdivision thereof, are hereby terminated. *Provided, however,* That nothing in this section shall be construed as amending the Internal Security Act of 1950, as amended.

SUBVERSIVE ACTIVITIES CONTROL ACT AMENDMENT

SEC. 4. Subsection 5 (a) (1) of the Subversive Activities Control Act of 1950 (50 U. S. C. 784) is amended by striking out the period at the end thereof and inserting in lieu thereof a semicolon and the following: "or

"(E) to hold office or enmployment with any labor organization, as that term is defined in section 2 (5) of the National Labor Relations Act (29 U. S. C. 152) or to represent any employer in any matter or proceeding arising or pending under that act."

COMMUNIST-INFILTRATED ORGANIZATIONS

SEC. 5. (a) Section 3 of the Subversive Activities Control Act of 1950 (50 U. S. C. 782) is amended by inserting, immediately after paragraph (4) thereof, the following new paragraph:

"(4A) The term 'Communist-infiltrated organization' means any organization in the United States (other than a Communist-action organization or a Communist-front organization) which (A) is substantially directed, dominated, or controlled by an individual or individuals who are, or who within 3 years have been actively engaged in, knowingly giving aid or support to a Communist-action organization, a Communist foreign government, or the world Communist movement referred to in section 2 of this title, and (B) is knowingly serving, or within 3 years has knowingly served, as a means for (i) the giving of aid or support to any such organization, government, or movement, or (ii) the impairment of the military strength of the United States or its industrial capacity to furnish logistical or other material support required by its Armed Forces: *Provided, however,* That any labor organization which is an affiliate in good standing of a national federation or other labor organization whose policies and activities have been directed to opposing Communist organizations, any Communist foreign government, or the world Communist movement, shall be presumed prima facie not to be a 'Communist-infiltrated organization'."

(b) Paragraph (5) of such section is amended to read as follows:

"(5) The term 'Communist organization' means any Communist-action organization, Communist-front organization, or Communist-infiltrated organization."

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(c) Subsections 5 (c) and 6 (c) of such act are repealed.

SEC. 6. (a) Section 10 of such act (50 U. S. C. 789) is amended by inserting, immediately after the words "final order of the Board requiring it to register under section 7", the words "or determining that it is a Communist-infiltrated organization."

(b) Subsections (a) and (b) of section 11 of such act (50 U. S. C. 790) are amended by inserting immediately preceding the period at the end of each such subsection, the following: "or determining that it is a Communist-infiltrated organization."

SEC. 7. (a) Subsection 12 (e) of such act (50 U. S. C. 791) is amended by—

(1) striking out the period at the end thereof and inserting in lieu thereof a semicolon and the word "and"; and

(2) inserting at the end thereof the following new paragraph:

"(3) upon any application made under subsection (a) or subsection (b) of section 13A of this title, to determine whether any organization is a Communist-infiltrated organization."

(b) The section caption to section 13 of such act (50 U. S. C. 792) is amended to read as follows: "REGISTRATION PROCEEDINGS BEFORE THE BOARD."

SEC. 8. Such act is amended by inserting immediately after section 13 thereof, the following new section:

"PROCEEDINGS WITH RESPECT TO COMMUNIST-INFILTRATED ORGANIZATIONS

"SEC. 13A. (a) Whenever the Attorney General has reason to believe that any organization is a Communist-infiltrated organization, he may file with the Board and serve upon such organization a petition for a determination that such organization is a Communist-infiltrated organization. In any proceeding so instituted, two or more affiliated organizations may be named as joint respondents. Whenever any such petition is accompanied by a certificate of the Attorney General to the effect that the proceeding so instituted is one of exceptional public importance, such proceeding shall be set for hearing at the earliest possible time and all proceedings therein before the Board or any court shall be expedited to the greatest practicable extent.

"(b) Any organization which has been determined under this section to be a Communist-infiltrated organization may file with the Board and serve upon the Attorney General a petition for a determination that such organization no longer is a Communist-infiltrated organization upon removing from the organization those persons determined by this section to be Communists.

"(c) Each such petition shall be verified under oath, and shall contain a statement of the facts relied upon in support thereof. Upon the filing of any such petition, the Board shall serve upon each party to such proceeding a notice specifying the time and place for hearing upon such petition. No such hearing shall be conducted within 20 days after the service of such notice.

"(d) The provisions of subsections (c) and (d) of section 13 shall apply to hearings conducted under this section, except that upon the failure of any organization named as a party in any petition filed by or duly served upon it pursuant to this section to appear at any hearing upon such petition, the Board may conduct such hearing in the absence of such organization and may enter such order under this section as the Board shall determine to be warranted by evidence presented at such hearing.

"(e) In determining whether any organization is a Communist-infiltrated organization, the Board shall be required to determine—

"(1) whether the effective management of the affairs of such organization is conducted by one or more individuals who are, or within 2 years have been, (A) members, agents, or representatives of any Communist organization, any Communist foreign government, or the world Communist movement referred to in section 2 of this title, with knowledge of the nature and purpose thereof, or (B) engaged in giving aid or support to any such organization, government, or movement with knowledge of the nature and purpose thereof;

"(2) whether the policies of such organization are, or within 3 years have been, formulated and carried out pursuant to the direction or advice of any member, agent, or representative of any such organization, government, or movement;

"(3) whether the personnel and resources of such organization are, or within 3 years have been, used to further or promote the objectives of any such Communist organization, government, or movement;

"(4) whether such organization within 3 years has received from, or furnished to or for the use of, any such Communist organization, government, or movement any funds or other material assistance;

"(5) whether such organization is, or within 3 years has been, affiliated in any way with any such Communist organization, government, or movement;

"(6) whether the affiliation of such organization, or of any individual or individuals who are members thereof or who manage its affairs, with any such Communist organization, government, or movement is concealed from or is not disclosed to the membership of such organization; and

"(7) whether such organization or any of its members or managers are, or within 3 years have been, knowingly engaged—

"(A) in any conduct punishable under section 4 or 15 of this act or under chapter 37, 105, or 115 of title 18 of the United States Code; or

"(B) with intent to impair the military strength of the United States or its industrial capacity to furnish logistical or other support required by its Armed Forces, in any activity resulting in or contributing to any such impairment.

"(f) After hearing upon any petition filed under this section, the Board shall (1) make a report in writing in which it shall state its findings as to the facts and its conclusions with respect to the issues presented by such petition, (2) enter its order granting or denying the determination sought by such petition, and (3) serve upon each party to the proceeding a copy of such order. Any order granting any determination on the question whether any organization is a Communist-infiltrated organization shall become final as provided in section 14 (b) of this act.

"(g) When any order has been entered by the Board under this section with respect to any labor organization or employer (as these terms are defined by section 2 of the National Labor Relations Act, as amended, and which are organizations within the meaning of section 3 of the Subversive Activities Control Act of 1950), the Board shall serve a true and correct copy of such order upon the National Labor Relations Board and shall publish in the Federal Register a statement of the substance of such order and its effective date.

"(h) When there is in effect a final order of the Board determining that any such labor organization is a Communist-action organization, a Communist-front organization, or a Communist-infiltrated organization, such labor organization shall be ineligible to—

"(1) act as representative of any employee within the meaning or for the purposes of section 7 of the National Labor Relations Act, as amended (29 U. S. C. 157);

"(2) serve as an exclusive representative of employees of any bargaining unit under section 9 of such act, as amended (29 U. S. C. 159);

"(3) make, or obtain any hearing upon, any charge under section 10 of such act (29 U. S. C. 160); or

"(4) exercise any other right or privilege, or receive any other benefit, substantive or procedural, provided by such act for labor organizations.

"(i) When an order of the Board determining that any such labor organization is a Communist-infiltrated organization has become final, and such labor organization theretofore has been certified under the National Labor Relations Act, as amended, as a representative of employees in any bargaining unit—

"(1) a question of representation affecting commerce, within the meaning of section 9 (c) of such act, shall be deemed to exist with respect to such bargaining unit; and

"(2) the National Labor Relations Board, upon petition of not less than 20 percent of the employees in such bargaining unit or any person or persons acting in their behalf, shall under section 9 of such act (notwithstanding any limitation of time contained therein) direct elections in such bargaining unit or any subdivision thereof (A) for the selection of a representative thereof for collective-bargaining purposes, and (B) to determine whether the employees thereof desire to rescind any authority previously granted to such labor organization to enter into any agreement with their employer pursuant to section 8 (a) (3) (ii) of such act.

"(j) When there is in effect a final order of the Board determining that any such employer is a Communist-infiltrated organization, such employer shall be ineligible to—

"(1) file any petition for an election under section 9 of the National Labor Relations Act, as amended (29 U. S. C. 157), or participate in any proceeding under such section; or

"(2) make or obtain any hearing upon any charge under section 10 of such act (29 U. S. C. 160); or

"(3) exercise any other right or privilege or receive any other benefit, substantive or procedural, provided by such act for employers."

SEC. 9. Subsections (a) and (b) of section 14 of such act (50 U. S. C. 793) are amended by inserting in each such subsection, immediately after the words "section 13", a comma and the following: "or subsection (f) of section 13A,".

SEC. 10. If any provision of this title or the application thereof to any person or circumstances is held invalid, the remainder of the title, and the application of such provisions to other persons or circumstances, shall not be affected thereby.

And to amend the title so as to read: "An act to amend the Subversive Activities Control Act of 1950, to provide for the determination of the identity of certain Communist-infiltrated organizations, to outlaw the Communist Party, and for other purposes."

Mr. BUTLER. Mr. President, I shall, in a very few moments, propose some amendments to the House amendments to Senate bill 3706. The purpose of these amendments is to tighten the proposed law and make it more workable and easier to administer. In my opinion, the amendments are all noncontroversial. There are six amendments in the series. For parliamentary reasons it has been necessary to offer them en bloc, but I shall explain each one separately.

The first of the amendments eliminates confusion respecting whether the Communist Party is a true political party. The whole purpose of the findings in this section is to make it clear that the Communist Party is not a true political party, but, unfortunately, the phrase

"other political party" has been used several times, which would give Communist lawyers an opportunity to argue this point. The proposed amendment eliminates this phrase, and thus draws a clear distinction between the Communist Party and true political parties.

The second amendment is a necessary technical amendment, so as to make the bill refer, properly, to the National Labor Relations Act as amended.

The third amendment eliminates words added to the definition of "Communist-infiltrated organization" which have the effect of making it impossible to prove that any organization comes within the definition. It must be recognized that this section does not impose a criminal penalty or quasi-criminal penalty on any person; it seeks, rather, to assess the nature of an organization. To require that for this purpose there must be a showing of what was in the mind of an individual or individuals at a certain time, is to make an impossible requirement. Furthermore, to require a showing of what an organization, as such, knew at a certain time is another impossible requirement, because an organization has no mind, and a showing of what was in a number of individual minds would be impossible, even if it could be determined what individual minds composed the organization.

Mr. KEFAUVER. Mr. President, will the Senator yield?

Mr. BUTLER. I yield to the Senator from Tennessee.

Mr. KEFAUVER. Does the Senator refer to House amendments or to amendments which the Senator from Maryland has proposed?

Mr. BUTLER. These are amendments which will be proposed to the House amendments within the next few minutes.

Mr. KEFAUVER. May we have an opportunity to read them? Are they printed and available?

Mr. BUTLER. If the Senator from Tennessee will let me finish my statement, I shall recite them. I shall state each one, and explain where each one occurs.

Mr. KEFAUVER. Are there no copies available?

Mr. BUTLER. I am sorry to say there are no copies available.

The third amendment leaves the definition based on acts which are performed, and can be shown by objective proof.

The fourth of this series of six amendments eliminates an impossible condition which the bill now requires before an organization found to be Communist-infiltrated can petition for a redetermination of its status. Since this condition could not be fulfilled, the effect of this requirement is to bar such an organization from ever petitioning for a clarification of status. But the intent of both the Senate and the House was to permit such petitions. The amendment eliminates the impossible requirement, and substitutes instead a requirement that the organization found to be Communist must wait 6 months after such determination, before filing a petition for redetermination of its status.

The reason why the present requirement is impossible is that it requires removal of "persons determined by this section to be Communists," but no persons are or can be determined by this section to be Communists; and no persons can be determined, under or pursuant to this section, to be Communists, unless it is construed that this means persons determined to be members of the Communist-infiltrated organization, in which case the condition is still impossible, because if the members of the organization are removed, no one is left to petition.

The purpose of the fifth amendment is to eliminate a provision which places an impossible burden upon the Subversive Activities Control Board. This provision is that the Board shall determine the facts with respect to seven categories of matters. As used in the bill, this language makes the burden cumulative; that is, the Board would have to make these determinations with respect to every category, and in full; as an instance, the Board would have to determine with respect to every member of the particular organization whether that person ever violated any of a number of laws. When it is realized that the number of members in such an organization may run into hundreds of thousands, it can be realized how impossible of performance this condition is. Furthermore, while it is proper for the Board to consider such matters, it would not be proper for the Board to make a determination respecting the guilt or innocence of any person under a criminal statute.

The sixth and final amendment is designated to change the inflexible standard set by the word "whether" to a more flexible standard under which the Board can consider the extent and importance of any particular conduct which may be proved. Under the language as now written, everything is either black or white. But the Board must be able to consider shades of gray, in order to make a reasonable determination. It would be unfair to labor unions, to give one example, to make them subject to a finding of being Communist-infiltrated because a very small and relatively unimportant segment of the membership had Communist leanings. But that result could come about under the language proposed to be amended. By the amendment, there is no implication at all that any undesirable acts, in any category, have taken place; but if such acts are found to have been performed, the Board will be allowed to weigh the importance of those acts, in the light of the whole record, before making its determination. That is as it should be.

There we have the sum total of these amendments.

The amendments improve the bill. They make it workable, whereas now it is unworkable. They make it possible of administration, whereas now it is impossible of administration. The amendments eliminate provisions which would call for endless wasting of time and effort, without results. The amendments eliminate provisions which would be unfair to labor unions.

To sum up, the amendments will carry into effect the intent of both Houses of Congress in passing this bill.

Mr. President, I send to the desk the proposed amendments to the amendments of the House of Representatives, and ask that they be reported.

Mr. SMITH of New Jersey. Mr. President, will the Senator from Maryland yield for a question?

Mr. BUTLER. I am very happy to yield for a question.

Mr. SMITH of New Jersey. I understood the distinguished Senator from Maryland to say that amendment No. 2 had relation to the National Labor Relations Act, the Taft-Hartley Act. Of course, I am interested in such an amendment.

Mr. BUTLER. The second amendment has to do only with adding the words "as amended," after the words "National Labor Relations Act," so it would be certain that the bill extends to the entire act, as amended.

Mr. SMITH of New Jersey. Mr. President, will the Senator from Maryland yield for another question?

Mr. BUTLER. Yes, I am very glad to yield for a question.

Mr. SMITH of New Jersey. Did the House and the conference committee retain the application of the act to both employers and employees, as was done by the Senate version of the bill?

Mr. BUTLER. In the first place, we are not now dealing with a conference report.

Mr. SMITH of New Jersey. I see. These amendments are to House amendments to the bill, are they?

Mr. BUTLER. Yes, they are to House amendments to the bill as passed by the Senate.

Mr. SMITH of New Jersey. I thank the Senator from Maryland.

The PRESIDING OFFICER. The amendments to the amendments will be stated.

Mr. KEFAUVER. Mr. President, will the Senator from Maryland yield to me?

Mr. BUTLER. Yes, I am glad to yield.

Mr. KEFAUVER. Is it possible to have the House version of the bill before us, so we can see just what the House has done?

Mr. BUTLER. We do not have copies of the House version here, except in mimeographed form. If the Senator from Tennessee wishes me to do so, I shall be very happy to share with him my copy.

Mr. FERGUSON. Mr. President, the amendments are at the desk, are they not? Does not the clerk now have at the desk the House amendments to the bill?

Mr. KEFAUVER. Mr. President, this is a matter of tremendous importance.

First, I wish to ask the Senator from Maryland whether the matter can go over until tomorrow, so that we may have an opportunity to see just what the House has voted and also what the Senator from Maryland proposes to do at this time. I am sure it will be impossible to legislate intelligently on this measure at this time, when we do not

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have available to us copies of the House version of the bill or copies of the amendments proposed by the Senator from Maryland to the amendments of the House.

Mr. BUTLER. Mr. President, let me say to the Senator from Tennessee that while the amendments may not prove to be completely satisfactory to him, I have consulted with the Senator from Minnesota [Mr. HUMPHREY] about the amendments, and he approves of them.

Mr. HUMPHREY. Oh, Mr. President, I ask the Senator to wait; no, no.

Mr. BUTLER. Then, let me say that the Senator from Minnesota is willing to accept them.

Mr. HUMPHREY. No, no. I am unhappy about them, and I am going to have something to say about the latter amendments.

A few minutes ago I told the Senator from Maryland that I considered the amendments to be far beyond the understanding we had about proceeding with the House version of the bill, because the amendments fundamentally affect what was done, not by me, but by the Senator from Texas [Mr. DANIEL], when the Senate amended the so-called Butler bill, with certain definite modifications.

Mr. BUTLER. Let me say to the Senator from Minnesota that I know the Senator from Texas [Mr. DANIEL] well enough to be sure that he would never be willing to have this bill enacted without the language embodied in the principal amendments that I discussed with the Senator from Minnesota [Mr. HUMPHREY], that is to say, the amendment which would strike out of the bill, on page 5 of the mimeographed copy, the words "be required to determine," and would substitute in lieu thereof the word "consider"; and on page 6 of the bill, wherever the word "whether" appears, would insert in lieu thereof the words "to what extent, if any."

I know the Senator from Texas would never permit to remain in any law passed by the Congress a provision that if a man is indicted for manslaughter, it must be proved that he did not murder someone, and also must be proved that he did not rob a bank, and also must be proved that he did not run away with someone's wife.

But that is what this bill would do, unless we agree to the amendments which are suggested in order to make the bill workable.

I say in all good conscience and spirit that these amendments are designed to make the bill—which, in my opinion, is the sense of the Congress—a workable piece of legislation.

Mr. KEFAUVER. Mr. President, will the Senator from Maryland yield further to me?

Mr. BUTLER. Yes, I am glad to yield.

Mr. KEFAUVER. Let me ask whether this matter has been submitted to the Department of Justice or the Federal Bureau of Investigation; I refer to the amendments the Senator from Maryland has been discussing.

Mr. BUTLER. These amendments were first suggested by the eminent Senator from Nevada [Mr. MCCARRAN], and he has consulted with the Department of Justice on them. I know he will say, in his own right, that without these amendments, this bill will not be a workable piece of legislation.

Mr. McCARRAN. Mr. President——

Mr. BUTLER. Mr. President, I yield now to the Senator from Nevada.

Mr. McCARRAN. Mr. President, in answer to the query of the Senator from Tennessee, let me say that since I made my remarks on the floor of the Senate this afternoon, and since the bill came to us from the House of Representatives, we have worked with representatives of the Department of Justice, and especially with the representative of the Department of Justice who has but recently been appointed to have control of the Subversive Activities Division of the Department; and these amendments are the result of the conference and of the work we have done this afternoon.

Mr. BUTLER. And let me say to the Senator——

Mr. KEFAUVER. Mr. President, will the Senator from Maryland yield further, so that I may ask a question of the Senator from Nevada?

Mr. BUTLER. Yes, if I may do so.

Mr. KEFAUVER. Let me ask if the Department of Justice recommends the proposed amendments?

Mr. McCARRAN. The representatives of the Department of Justice who worked with us the evening and this afternoon, I think I am at liberty to say, recommend these amendments.

Mr. KEFAUVER. Let me ask the Senator if those representatives included Mr. Hoover, the Director of the FBI, or if they stated what Mr. Hoover's attitude about the amendments was?

Mr. McCARRAN. The Director of the FBI would not normally participate in such meetings, and he did not participate today.

Mr. BUTLER. Let me say to the Senator from Tennessee that I have, within the last 10 minutes, spoken with the Deputy Attorney General, and he has approved these amendments; and I know Mr. Brownell has approved them.

Mr. KEFAUVER. Let me ask at that point: Is the Deputy Attorney General now in favor of passage of this bill with these amendments, and is Mr. Brownell in favor of passage of this bill with these amendments?

Mr. BUTLER. Yes, they are.

Mr. KEFAUVER. Could we not get a written opinion about this matter, so that we could legislate more intelligently? I do not doubt the word of the Senator from Maryland.

Mr. BUTLER. Let me ask a few simple questions of the Senator.

Mr. KEFAUVER. I am trying to ask the Senator from Maryland a few simple questions.

Mr. BUTLER. Is it not desirable that we remove the confusion from this bill and make clear that the Communist Party is not a political party?

Mr. KEFAUVER. The thing I wish to point out to the Senator from Maryland is that I, at least, am afraid we are going to legislate in confusion if we undertake to act without a copy of the House bill, without a copy of the Senator's amendments, and without a report of the Department of Justice. I do not see how in those circumstances we can legislate on this matter with very much understanding.

Mr. BUTLER. If the Senator from Tennessee will permit me to do so, if there is any amendment the Senator does not understand I shall be happy to explain it again. I have already explained the amendments.

These are clarifying amendments. These are amendments to make this bill workable. These are amendments which will prevent a Communist lawyer from coming into court and saying this is a political party the Congress is trying to outlaw, and saying that Congress did not intend to amend the Subversive Activities Control Act, as amended, but only intended to amend the original act. These are amendments which are necessary in order to make this a workable law.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. KEFAUVER. Mr. President, will the Senator yield for a question?

Mr. BUTLER. I will yield to the Senator from Tennessee and then to the Senator from Michigan.

Mr. KEFAUVER. The Senator has given an explanation of his amendments, but we know we are dealing with a matter here where the use of a word or even a comma, or the placing of a paragraph, has tremendous importance. None of us has had the opportunity of seeing the amendments of the Senator from Maryland. We have not had an opportunity to read the House amendments. This is a very controversial matter, and the Senator from Maryland, who is a lawyer, knows the importance of the use of a single word, and how careful we must be. How the Senator can recommend at this time, under these conditions, that we take up a bill of this kind is beyond my understanding.

Mr. BUTLER. I recommend consideration of the bill because I am convinced I can explain to the Senator from Tennessee and to the United States Senate the advisability of adopting every one of these amendments. They are amendments which are really noncontroversial. They are designed to make a good bill from a bill which is not now workable.

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. BUTLER. I yield to the Senator from Nevada, and then to the Senator from Michigan [Mr. FERGUSON].

Mr. McCARRAN. I asked the Senator to yield in order that I might give an answer to the question of the Senator from Tennessee.

Mr. KEFAUVER. Yes, sir.

Mr. McCARRAN. Not only were these amendments approved by the representatives of the Department of Justice, but Mr. Tompkins—recently confirmed by the Senate—who is to be in charge of the Subversive Activities Division in the Department of Justice, was one of the men who met with us this afternoon and helped to work this out.

The explanation given by the Senator from Maryland a few minutes ago was

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also approved by the representatives of the Department of Justice.

Mr. HENNINGS. Mr. President, will the Senator yield?

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. BUTLER. I now yield to the Senator from Michigan, and then I will yield to the Senator from Missouri [Mr. HENNINGS] and then to the Senator from New York [Mr. LEHMAN].

Mr. FERGUSON. Is it not true that the amendments of the Senator from Maryland are in the nature of perfecting amendments, or clarifications?

Mr. BUTLER. Yes.

Mr. FERGUSON. Or else they are amendments to make the law workable?

Mr. BUTLER. That is correct.

Mr. FERGUSON. For instance, let us consider the first amendment. If the Senator from Tennessee will look at the original of this document, which came from the House, it should be very easy for him to follow these amendments.

Mr. KEFAUVER. Let me say to the Senator that we are all entitled to copies of them. We ought to have a chance to study them.

Mr. FERGUSON. That is true; but I think the Senator from Maryland has explained these amendments very ably.

Let us take the first amendment:

> The Congress hereby finds and declares that the Communist Party of the United States, although purportedly a political party, is in fact an instrumentality of a conspiracy to overthrow the Government of the United States.

That is language which says in no uncertain words that the Communist Party is not a political party.

However, further down in the bill it is stated:

> It constitutes an authoritarian dictatorship within a republic, demanding for itself the rights and privileges accorded to other political parties.

The word "other" is there. Since it is not a political party, we certainly would not describe it in connection with "other political parties," indicating that it is a political party. We merely strike out the word "other."

Mr. BUTLER. If the word "other" is not stricken out any lawyer would say "ejusdem generis," and then it is a political party.

I yield to the Senator from Michigan [Mr. FERGUSON] and then to the Senator from Missouri [Mr. HENNINGS] and then to the Senator from New York [Mr. LEHMAN].

Mr. KEFAUVER. I must say the Senator from Michigan has not contributed much toward clarifying the matter; if in one place it is not a political party, and then later it is stated it shall be treated as a political party.

Mr. FERGUSON. I am saying just the opposite.

Mr. KEFAUVER. Is this not all the more reason that we should be able to read the material?

Mr. FERGUSON. The Senator had the paper.

Mr. KEFAUVER. I know; but I could not keep it long, because there is only one copy for 96 Senators.

Mr. HENNINGS. Mr. President, will the Senator yield?

Mr. BUTLER. I am happy to yield to the Senator from Missouri.

Mr. HENNINGS. I am sure the Senator from Maryland is fully aware of the respect and esteem I hold for him as a lawyer. I serve on the Committee on the Judiciary with him. I have found him to be competent, I have found him to be an excellent technical lawyer, and an ornament to the bar as a member of our committee.

Mr. BUTLER. I thank the Senator.

Mr. HENNINGS. I am sure the Senator does not approve of the manner in which the original bill was passed last week. I am sure the Senator is entirely too sound in his law principles for that.

Mr. BUTLER. The Senator from Maryland was among the first to criticize the amendment when it was suggested.

Mr. HENNINGS. I am sure the Senator from Maryland is too good a constitutional lawyer to suggest or have us believe for a moment that the Senate in his opinion voted for anything other than denunciation or disapproval of communism and its adherents.

Mr. BUTLER. That is right.

Mr. HENNINGS. May I ask my distinguished colleague, are we in agreement on that matter?

Mr. BUTLER. We are in agreement on that. If the Senator will recall, when the Humphrey amendment was offered my remarks about it were not too kind.

Mr. KNOWLAND. Mr. President, will the Senator yield for an inquiry right at this point, because it may solve the problem presented by the Senator from Tennessee?

Mr. BUTLER. I yield.

Mr. KNOWLAND. I wonder if under all the circumstances we might not be able to get a unanimous-consent agreement worked out, so that after 2 hours of debate tomorrow—1 hour to each side on the question of concurring in the House amendments with the amendments offered by the Senator from Maryland—the Senate could vote on this matter? This procedure would permit the amendments to be printed in the RECORD, and they would be available to all the Senators.

We have had considerable debate on this bill. That part of the debate in the Senate tonight will be printed. We shall also have the CONGRESSIONAL RECORD of the House proceedings before us on the amendment they adopted. The additional amendments of the Senator from Maryland to the House amendments, which are clarifying and largely technical in nature, would also then be available to all Senators.

Then, instead of carrying on the debate tonight, we would have that information, and perhaps the Senators would be satisfied when they have the information before them.

I wonder if I could at this point ask unanimous consent that starting after the Senate resumes its session at 10 o'clock in the morning we have the usual morning hour, under the 2-minute limitation, and then take up the matter of concurrence in the House amendments to the bill, plus the amendments offered by the Senator from Maryland, with 2 hours of debate, equally divided; it being understood, of course, that if either side found it did not need the hour's time and was prepared to waive any part of it that could be done, and that the matter would be voted on following the debate?

Mr. KEFAUVER. Mr. President, reserving the right to object, what does the Senator have in mind as to making some provision relative to proposed amendments to the Senate amendments? In other words, would the Senator provide for 30 minutes for each amendment which might be proposed?

Mr. KNOWLAND. Thirty minutes equally divided on any additional amendments.

Mr. HUMPHREY. Reserving the right to object——

Mr. KNOWLAND. And that the time would be controlled by the Senator from Maryland [Mr. BUTLER] in favor of concurrence in the Butler amendment, and the minority leader or someone designated by him.

In the case of other amendments, the sponsor of the amendment would control his portion of the time, and the Senator from Maryland [Mr. BUTLER] would control the other portion of the time if he was in opposition to the amendment. If he was in favor of the amendment, the time would be controlled by the distinguished minority leader.

Mr. HENNINGS. Reserving the right to object, so possibly this may not be a matter for discussion and debate tomorrow, I ask the distinguished Senator from Maryland whether the administration, meaning the Attorney General of the United States, the President's representative, has seen this conference report and whether the administration now——

Mr. KNOWLAND. This is not a conference report. The matter before the Senate is the House amendments, and the question is on concurring in those amendments with the amendments offered by me.

Mr. HENNINGS. I meant to say it was a question of concurring in the House amendments. My inquiry is whether the administration approves of the action proposed to be taken and of the amendments which have been submitted here tonight.

Mr. BUTLER. Yes. The Attorney General is cognizant of all these amendments and concurs in all of them.

Mr. HENNINGS. Then he approves, too, I take it, the philosophy and the objectives of this proposed legislation.

Mr. BUTLER. I think I can safely say that the administration is certainly not opposed to this bill. Whether I can say it is for it or not, I do not know. I can certainly tell the Senator it is not opposed to it. This bill is acceptable.

Mr. HUMPHREY. Reserving the right to object, I merely wish to point out to the Senate that the amendments which have been offered now to the bill returned from the House were offered after the administration had, at least since last Thursday, an opportunity to look over the bill as passed by the Senate. I want it quite clear that administration officials were meeting with representa-

tives of the House prior to the House action.

Mr. BUTLER. That is true.

Mr. HUMPHREY. From what I have been able to ascertain, administration officials went over this bill very carefully. From what I am able to ascertain, they did not suggest the amendments which are now offered in the Senate. If they did suggest them, I am sure Mr. HALLECK, who was handling the bill in the other Chamber, would have asked for them, loyal servant of the administration that he is.

I want the record to be perfectly clear that, insofar as these amendments are concerned, except those which are technical, the amendments which change the substance were not proposed in the House. The House did have the consultation of the representatives of the Department of Justice, at least according to the reports we have, and the bill as passed by the House did not meet with objection on the part of the administration. In fact, the modifications of section 3 of the Senate bill, those modifications in the House amendment, were to meet the objections the administration had to the original section 3 of the Senate bill, and objections that related to the McCarran Act and the possibility of the action of the Senate jeopardizing the equity of the application of the Internal Security Act of 1950.

I am sure we can do this job within the time limitation the majority leader has imposed. I wish to cooperate with him. I believe we can dispose of the pending legislation in that length of time. We have the understanding that on any other amendments 30 minutes will be allowed to each side.

Mr. LEHMAN. Reserving the right to object, Mr. President, the proposed legislation which is now before the Senate is, in my opinion, the most important and most far-reaching that has come before the Congress in a great many years, because it reverses and changes long-established policies and traditions of this country.

Mr. President, even though I was one of those who voted for the bill last Thursday, I now deplore the haste with which we proceeded. I feel that the proposed legislation is so important that it should be scrutinized with the greatest of care.

The bill which has come to us from the House is entirely different from that which was passed by the Senate. It may be better; it may be less good. I have not seen it. I have not seen any of the proposed amendments of the Senator from Maryland [Mr. BUTLER]. I do not wish to be rushed into this thing again.

I say again, even though I was one of those who voted for the bill, I deplore the haste with which we passed the bill last Thursday. Therefore, I respectfully request the majority leader to agree to a debate of 2 hours to each side, not 1 hour to each side, on this bill, so we really know what we are voting on and whether it is sound and in the public interest, or whether it is contrary to the public interest.

Mr. KNOWLAND. Of course, we want to be cooperative and helpful in working out this problem. As the Senator knows, we have a fairly heavy legislative program ahead of us. We will have tomorrow, I think, some time during the day, the farm bill conference report. We shall have the public works omnibus bill, in which a great many of the Senators on both sides are interested. We have the unemployment insurance legislation and the renegotiation act.

I wonder if the Senator might be willing to compromise halfway on an hour and a half for each side, making 3 hours of general debate on the Butler amendments, and then half an hour on each additional amendment to be divided equally.

Mr. LEHMAN. Reserving the right to object, of course I wish to cooperate to the fullest extent possible with the majority leader. With the understanding that there will be half an hour allowed on each amendment, 15 minutes to each side, I am perfectly willing to agree to the 3 hours, 1½ hours to each side.

Mr. FERGUSON. Mr. President, is it clear to the Senator from New York that the Butler amendments are to be considered as one, in this first 3 hours?

Mr. BUTLER. Yes.

Mr. LEHMAN. Frankly, it is not possible for me to answer, because I have not even seen the amendments. I have not seen the amendments which have come to us.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield to the Senator from Florida.

Mr. HOLLAND. I did not hear the Senator state the usual requirement of germaneness.

Mr. KNOWLAND. I would include that, because it is the regular procedure that all the amendments be germane to the bill.

Mr. HUMPHREY. It is very seldom that I disagree with my very beloved friend from New York. We stand pretty much shoulder to shoulder in the Senate. The proposal which came back from the House, with the exception of section 3, is identical to the bill which left the Senate. There is not any basic modification or change in the legislation as it came back from the House, save for section 3, as I understand the House amendment. There are 2 or 3 amendments which relate to terminology, to clarify language, and those are good ones. I have gone over those, and I agree with those amendments, as I told the Senator. The other amendments which I feel ought to be discussed—and I thank the majority leader for this consideration—are amendments which relate to substantive matters in the so-called Daniel substitute, or the Butler bill, to the combined measure that we voted on last Thursday. I do not want the record to be in any way misrepresented unintentionally, I am sure. What we got back from the House was not changed one bit save for section 3.

I do not think section 3 contains all I want, but we debated it for 7½ hours, and we shall have an opportunity to debate it further.

Mr. LEHMAN. Mr. President, I am not quite sure that I understand the suggestion of the Senator from Michigan [Mr. FERGUSON]. I was under the impression that there was to be 3 hours of debate on the bill itself, and that any amendments proposed would be treated separately.

Mr. KNOWLAND. Mr. President, that is correct. In other words, what is coming to us from the House is the Senate bill with House amendments, whereas, normally, probably 9 times out of 10, the procedure we follow is either to concur in the House amendments, or, in some cases, to insist on our position and send the bill to conference. But under this procedure, we are not taking either one of those steps in that form. What we are proposing is that the Senate concur in the House amendments, and the Senator from Maryland [Mr. BUTLER] has proposed a number of amendments, most of which are technical, involving phraseology—some of which are perhaps more than that—a group of amendments to be considered together; that as to the amendments proposed by the Senator from Maryland, there be 3 hours equally divided, and that if there are any other amendments, there be half an hour of debate equally divided.

Mr. LEHMAN. I wanted the Members of the Senate to have ample time to debate the bill itself.

Mr. KNOWLAND. That is correct. They will have that opportunity under the 3 hours assigned.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the unanimous-consent request is agreed to.

The unanimous-consent agreement as reduced to writing is as follows:

Ordered, That on Tuesday, August 17, 1954, following the morning business, further debate on the amendments intended to be proposed by the Senator from Maryland [Mr. BUTLER] and read, to House amendments to S. 3706, to prohibit members of Communist organizations from serving in certain representative capacities, and for other purposes, shall be limited to 3 hours, to be equally divided and controlled, respectively, by the Senator from Maryland [Mr. BUTLER] and the Senator from Texas [Mr. JOHNSON]: *Provided*, That debate on each further amendment to the House amendments shall be limited to 30 minutes, to be equally divided and controlled, respectively, by the mover of such amendment and the Senator from Maryland [Mr. BUTLER] in the event he is opposed to the amendment; otherwise, by the minority leader [Mr. JOHNSON] from Texas: *And provided further*, That all amendments must be germane to the subject matter of the said bill.

Mr. FERGUSON. Mr. President, I ask unanimous consent that the bill which came from the House may be printed, and that it may also be printed in the RECORD as part of the record, so that Members of the Senate will have it before them earlier than is usual, and that the amendments be printed and lie on the table, and also be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

(For bill referred to see pp. 14606–14607 of the Senate proceedings in today's RECORD.)

The amendments intended to be proposed by Mr. BUTLER to the amendments of the House were ordered to be printed in the RECORD, as follows:

In section 2, strike out the word "other" where it appears in the second, third, fifth, and sixth sentences of such section, and in

the fifth sentence of such section insert in lieu of the word "other" the word "political."

In section 4, after the words "Labor Relations Act", add the words "as amended."

In section 5, strike out the word "knowingly" each of the three times it appears therein.

In section 8, in subsection (b) of the text of the proposed new section 13A, insert after the word "may" a comma and the words "within 6 months after such determination,"; and strike out the last 14 words of such subsection.

In section 8, in subsection (e) of the text of the proposed new subsection 13A, strike out "be required to determine" and insert in lieu thereof "consider."

In section 8, in each of subparagraphs (1), (2), (3), (4), (5), (6), and (7) of subsection (e) of the text of the proposed new subsection 13A, strike out the word "whether" where it appears at the beginning of such subparagraph, and insert in lieu thereof the words "to what extent, if any."

Mr. KNOWLAND. Mr. President, I am about to move that the Senate take a recess until 10 o'clock tomorrow morning, but I shall wait for insertions in the RECORD, if any.

I now yield to the Senator from Montana.

OUTLAWING THE COMMUNIST PARTY

Mr. MANSFIELD. Mr. President, I wish to thank the majority leader and the minority leader for their consideration and their integrity in upholding the standards of the Senate.

Mr. President, I ask unanimous consent that I may insert at this point in the RECORD a copy of a speech which I made in the Senate at the time I introduced Senate bill 3191, a bill to outlaw the Communist Party and similar organizations, copies of H. R. 5720 introduced by me in the House of Representatives on October 15, 1951, and S. 3191, introduced by me in the Senate on March 25, 1954.

I also ask unanimous consent that I be allowed to insert a copy of a letter which I wrote to the Library of Congress, the answer from the American Law Division of the Library of Congress, selected excerpts relative to outlawing the Communist Party, pro and con statements, and a paragraph from the Washington Whispers section of the U. S. News & World Report for August 20, 1954.

There being no objection, the matters were ordered to be printed in the RECORD, as follows:

OUTLAWING THE COMMUNIST PARTY

During past sessions of Congress many bills have been introduced into the House and Senate which would outlaw the Communist Party and similar organizations in the United States. As yet none of these proposed bills have gone beyond the committee stage.

Numerous events are today pointing to the outlawing of the Communist Party and such action should be taken during the 2d session of the 83d Congress.

Outlawing the Communist Party would not be a violation of the fundamental right of people in the United States to organize and function through a political party as the Communist Party is not a legitimate political organization, any more than a group of doctors operating an illegal narcotics ring would constitute a legitimate medical enterprise. By its own declaration of aims and purposes, the Communist Party is engaged in a criminal conspiracy and operation: The advocacy and projected overthrow of the American Government by force and violence.

The outlawing of the party will destroy its false appearance of respectability as a political party within the constitutional limitations. The passing of such legislation would be no different than when the Nazi Bund was outlawed here in the early 1940's.

One of the main arguments, if not the main one, given by FBI Chief J. Edgar Hoover in his testimony before congressional committees has been his assertion that to outlaw the Communist Party would drive it underground. In new testimony before the House Appropriations Committee this year, Mr. Hoover states, "The investigative burden in covering the Communist underground has been increased tremendously as is shown by the fact that where 1 agent was formerly needed for proper coverage, we now require as many as 9 or 10 by reason of their greater security consciousness in carrying out their conspirational activities."

He further states in the same testimony that "Today, there are two types of Communist Party leadership: Open leadership comprised of people like William Z. Foster and a select group of others; and an underground leadership which actually has been assuming more and more authority and control to administer the entire party in the event it is no longer feasible to continue in the open."

These statements indicate to me that the Communist Party has gone underground; therefore the chief objection made by Mr. Hoover prior to this year is no longer valid. As to the extent of the conspiracy it might be well for us to note further testimony given by the Director of the FBI in which he says:

"Through the perfection of the underground apparatus, the party aims to preserve intact a hard core of militant Communists to carry out the aims and objectives of the international Communist movement under all forms of adversity.

"The security measures which the Communist Party have taken in order to thwart the efforts of the FBI have been many and detailed in character. No longer are Communist Party membership cards issued; maintenance of membership records are forbidden; contacts of rank-and-file members are limited to from 3 to 5—the basic club unit. Most of the local headquarters have been discontinued and party records have been destroyed. No evening meetings are permitted in headquarters without staff members present. Conventions and large meetings are held to the absolute minimum. The use of the telephone and telegraph is avoided.

"No contact is had with families or friends; contacts between functionaries are arranged through frequently changed intermediaries; false drivers' licenses have been obtained; assumed names have been adopted; modification of physical appearance has been effected, such as dyeing hair and eyebrows, as was done by a member of the national committee who was apprehended by agents of the FBI in a hideout in the high Sierras in California last August.

"They have removed conspicuous means of personal identification such as moles; they have affected a new manner of walking, have changed their dress standards, have avoided old habits and even have avoided old vices, and have avoided appearance in public places where their recognition would be probable.

"They communicate through couriers and avoid the use of written communications. They have instituted loyalty tests for all prospective underground personnel. They rotate the underground personnel to avoid detection. The underground staff is usually recruited from trusted Communist Party members, having at least 10 or 12 years' experience.

"They appear outside of hideouts only at night. They use different automobiles, and the cars frequently are registered in fictitious names and not names of party members; the license plates are frequently changed.

"They have used extreme precautions in regard to surveillance, making rapid and frequent changes of conveyances, entering and leaving subways and buses just before the doors close, and doubling back on their course.

"I cite these various security measures not only because they are of interest to the Committee but to show the stealth of the American Communists. It again shows the increased difficulty with which we are faced in trying to handle these investigations."

A group such as the Communists which is the servant of a foreign power and places the interests of a foreign power above those of our own country should be outlawed in the United States. Such a law would not outlaw ideas, it would not outlaw thoughts, it would make illegal organized conspiracy against this Nation.

The bill which I have just introduced reads in part "whoever knowingly and willfully becomes or remains a member of the Communist Party, or of any other organization having for one of its purposes or aims the establishment, control, conduct, seizure, or overthrow of the Government of the United States, or the Government of any State or political subdivision thereof, by the use of force or violence, shall be fined not more than $10,000 or imprisoned not more than 10 years, or both."

The outlawing of the subversive groups is in line with the recommendations made by President Eisenhower in his state of the Union message. He said that any American convicted of conspiring to overthrow the Government by force and violence should be stripped of his citizenship.

I submit that the Communist organization in the United States should be outlawed.

H. R. 5720

A bill to outlaw the Communist Party and similar organizations

Be it enacted, etc., That whoever knowingly and willfully becomes or remains a member of the Communist Party, or of any other organization having for one of its purposes or aims the establishment, control, conduct, seizure, or overthrow of the Government of the United States, or the Government of any State or political subdivision thereof, by the use of force or violence, shall be fined not more than $10,000 or imprisoned not more than 10 years, or both. For the purposes of this section, the term "Communist Party" means the political organization now known as the Communist Party of the United States of America, whether or not any change is hereafter made in such name.

SEC. 2. This act shall take effect on the first day of the third calendar month following the month in which it is enacted.

S. 3191

A bill to outlaw the Communist Party and similar organizations

Be it enacted, etc., That whoever knowingly and willfully becomes or remains a member of the Communist Party, or of any other organization having for one of its purposes or aims the establishment, control, conduct, seizure, or overthrow of the Government of the United States, or the government of any State or political subdivision thereof, by the use of force or violence, shall be fined not more than $10,000 or imprisoned not more than 10 years, or both. For the purposes of this section, the term "Com-

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munist Party" means the political organization now known as the Communist Party of the United States of America, whether or not any change is hereafter made in such name.

SEC. 2. This act shall take effect on the first day of the third calendar month following the month in which it is enacted.

NOVEMBER 19, 1953.

Dr. ERNEST S. GRIFFITH,
Director, Legislative Reference Service,
Library of Congress,
Washington, D. C.

DEAR DR. GRIFFITH: I am writing to you for information relative to a proposed reintroduction of a measure to outlaw the Communist Party in the United States. Could you send me information relative to whether or not the Communist Party has been shown to be not a political party in the American sense but a conspiracy directed from Moscow.

Also any information you may have as to why it is possible for a Communist to run for President of the United States, but under security regulations not possible for a Communist or a former Communist to serve in a Government capacity.

Do you have any information as to testimony presented before congressional committee by J. Edgar Hoover and others to the effect to outlaw the Communist Party would not be appropriate due to the possibility that such a measure might drive the Communist Party underground?

I would appreciate also if with your reply to this letter you could send me any other information which might be considered pertinent to the introduction of a measure to outlaw the Communist Party in the United States.

Must close now, but with best personal wishes, I am,

Sincerely yours,

MIKE MANSFIELD.

THE LIBRARY OF CONGRESS,
Washington, D. C., February 10, 1954.

To: Hon. MIKE MANSFIELD.

Subject: Legislation to outlaw the Communist Party.

In your letter of November 19, 1953, you have requested certain information pertinent to the introduction of a measure to outlaw the Communist Party in the United States. This memorandum is an attempt to give you the desired information on the questions raised in your letter.

First, whether or not the Communist Party has been shown to be not a political party in the American sense but a conspiracy directed from Moscow.

The principal investigative committees of the Congress, as well as the Federal Bureau of Investigation, the chief investigative agency of the executive department, have concluded that the Communist Party of the United States is an agency of or controlled by Soviet Russia through the Communist movement. On April 20, 1953, the Subversive Activities Control Board, after extensive hearings at which much evidence was heard, concluded that the history and activities of the Communist Party of the United States over the period of its entire existence discloses that "from its inception in 1919, it has been a subsidiary and puppet of the Soviet Union." The Board further concluded:

"With consummate patience, the party strives for the establishment of a dictatorship of the proletariat in the United States; a goal which would rob the American people of the freedoms they have forged. While using the cloak of the United States Constitution, it struggles unremittingly to synthesize from the complexities of our time a condition in this country which would enable it to shackle our institutions and preside over a Soviet America, under the hegemony of the Soviet Union.

"Upon the overwhelming weight of the evidence in this proceeding, we find that respondent is substantially directed, dominated, and controlled by the Soviet Union, which controls the world Communist movement referred to in section 2 of the act; and that respondent operates primarily to advance the objectives of such world Communist movement.

"Accordingly we find that the Communist Party of the United States is a Communist-action organization and required to register as such with the Attorney General of the United States under section 7 of the act. (U. S. Subversive Activities Control Board; *Brownell* v. *Communist Party* (printed as S. Doc. 41, 83d Cong., 1st sess., p. 132 (Apr. 20, 1953)).)

This Board, created by the Subversive Activities Control Act (being title I of the Internal Security Act of 1950), thus found that the Communist Party of the United States is a Communist-action organization. Congress has defined "Communist-action organization" as follows:

"(a) Any organization in the United States (other than a diplomatic representative or mission of a foreign government accredited as such by the Department of State) which (i) is substantially directed, dominated, or controlled by the foreign government or foreign organization controlling the world Communist movement referred to in section 2 of this title, and (ii) operates primarily to advance the objectives of such world Communist movement as referred to in section 2 of this title; and (b) any section, branch, fraction, or cell of any organization defined in subparagraph (a) of this paragraph which has not complied with the registration requirements of this title" (sec. 8 (3), title I, ch. 1024, 64 Stat. 987, 989).

Various Communist Party and Comintern documents have been offered in evidence both at House and Senate committee hearings and hearings conducted by factfinding agencies of our Government. This documentary evidence as well as testimony of witnesses have convinced the committees of Congress as well as the factfinding boards to reach only the conclusion, to wit, the Communist Party of the United States has been since its formation, and is now, an agent of a foreign power.

A brief summary of the Communist Party of the United States showing it to be linked with Soviet Russia is given here as it has appeared in congressional documents and reports of agencies of the executive branch of the Federal Government.

The first congress of the Communist Party of America was held on September 1, 1919, at Chicago. The party was then an underground movement and constituted itself a section of the Third International. The Third International was a new Third, or Communist International formed by the Bolsheviks when in 1903 they split with the modern Mensheviks. Prior to the split the combined groups were called the Russian Social-Democrats. The third congress of the Communist International was held in 1921, following the second, also held in 1921, and the first, held in 1919. This third congress of the international issued instructions to the Communist Party to form an open political body. An open political party, or, rather, what was supposed to be a legal political party, was desired by the international, so that the Communist Party would have some means of getting out into the open and hold meetings. Pursuant to instructions from the Comintern [Communist International], the Communist Party of America, on December 23, 1921, established the American Labor Alliance as its open legal expression. (U. S. Senate Committee on Foreign Relations; hearings on S. Res. 50, 68th Cong., 1st sess., Jan. 21–24, 1924, pp. 249–255; U. S. House of Representatives; Committee on Un-American Activities. The Communist Party of the United States as an agent of a Foreign Power, H. Rept. No. 209, 80th Cong., 1st sess., Apr. 1, 1947, pp. 1, 15–17; 12 Fordham Law Review, 219–223 (1943).)

The organization of the American Labor Alliance, not being the type of political organization desired by the Communist International, the central executive committee of the Communist International at once made plans and actually did change the various units of the American Labor Alliance into units of a political party to be known as the Workers' Party of America. A convention was held for this purpose in New York City on December 23–26, 1921. Both the Communist Party of America and the Workers' Party of America sent delegates to the fourth congress of the Communist International held in Moscow, November 7–December 3, 1922. The two organizations or parties were merged into the Workers' (Communist) Party in America at a convention held August 21–30, 1925.

At the sixth convention in New York City on March 1–10, 1928, the party assumed the name of the Communist Party of the United States, which was continued until the convention of May 20–22, 1944, at which time the organization transformed itself into the Communist Political Association. During this period the party formally disaffiliated itself from the Communist International on November 16, 1940, "for the specific purpose of removing itself from the terms of the so-called Voorhis Act," requiring the registration of foreign agents. The Communist International was itself formally dissolved on May 22, 1943, thus removing from the field of Russian relations with her wartime allies a source of considerable irritation (ibid.).

These formal severances of international ties did not remove the American Communists from foreign influence and direction. At a convention held on July 26–28, 1945, the Communist Party of the United States was reconstituted.

The official party and Comintern documents illustrative of the above summary of the history of the Communist Party of the United States and showing it to be an agent of a foreign power have been placed as evidence in a report of the House-Un-American Activities Committee and also in published hearings of the Senate Committee on Foreign Relations, the report and hearings being cited above. The documents are also set forth in volume I of the transcript of record (76–77, 134–347) of Docket No. 788, *Bridges* v. *Wixson* ((1945) 326 U. S. 135). Neither the text of the documents nor excerpts therefrom are given in this memorandum for the sake of brevity, in order to present herewith excerpts from court decisions, fact-finding boards, and a statement made by the Attorney General and a statement made under oath by the Director of the Federal Bureau of Investigation, Mr. J. Edgar Hoover, before a congressional committee to the effect that the Communist Party of the United States is an agent of a foreign power. The statements and decisions are as follows:

1. Charles B. Sears, a retired judge of the New York court of appeals, who was appointed an inspector in the Immigration and Naturalization Service of the Department of Justice (pursuant to 8 C. F. R. 150.6, 1941 Supp.) to preside over the hearings, take testimony, and make recommendations with respect to the deportation charges brought against Harry Bridges, on September 26, 1941, transmitted to the Attorney General a memorandum of decision in which he made the following proposed findings of fact:

"1. That Harry Renton Bridges is an alien, to wit, a native and citizen of Australia;

"2. That said alien entered the United States at the port of San Francisco, Calif., April 12, 1920, as a member of the crew of the barkentine *Ysabel*;

"3. That the Communist Party of the U. S. A., from the time of its inception in 1919 to the present time, is an organization that believes in, advises, advocates, and teaches the overthrow by force and violence of the Government of the United States;

"4. That the Communist Party of the U. S. A., from the time of its inception to the present time, is an organization that writes, circulates, distributes, prints, publishes, and displays printed matter advising, advocating, or teaching the overthrow by force and violence of the Government of the United States;

"5. That the Communist Party of the U. S. A., from the time of its inception to the present time, is an organization that causes to be written, circulated, distributed, printed, published, and displayed printed matter advising, advocating, and teaching the overthrow by force and violence of the Government of the United States;

"6. That the Communist Party of the U. S. A., from the time of its inception to the present time, is an organization that has in its possession for the purpose of circulation, distribution, publication, issue and display, printed matter advising, advocating, and teaching the overthrow by force and violence of the Government of the United States." (Transcript of record, Supreme Court. October Term. 1944. No. 788, vol. I, pp. 337–338, *Bridges* v. *Wixon* (326 U. S. 135 (1945)). This finding by Judge Sears was used by the Government in prosecuting Bridges. See Memorandum for the Respondent, p. 11 and Brief for the Respondent, p. 23, in No. 788, ibid.)

2. Both Attorney General Francis Biddle and Mr. J. Edgar Hoover, Director of the Federal Bureau of Investigation, have expressed opinions officially that the Communist Party is acting in behalf of a foreign power; Mr. J. Edgar Hoover, under oath before the House Un-American Activities Committee, testified on March 26, 1947:

"The great god of the American Communists, Comrade Lenin—whose writings are their bible—in various speeches and writings urged the use of deceit and trickery and his converts live by his injunction:

" 'The strictest loyalty to the ideas of communism must be combined with the ability to make all necessary practical compromises, to maneuver, to make agreements, zig-zags, retreats and so on, so as to accelerate the coming to power.' (Left-Wing Communism, An Infantile Disorder, pp. 75–76, V. I. Lenin, International Publishers Co., Inc., 1940.)

"Lenin's views were incorporated in the thesis on the fundamental tasks of the second congress of the Communist International, and the following provision is familiar to all American Communists:

" 'In all countries, even the freest, "legal and peaceful" in the sense that the class struggle is less acute in them, the time has fully matured when it is absolutely necessary for every Communist Party systematically to combine legal with illegal work, legal with illegal organization. * * * It is necessary, immediately, for all legal Communist Parties to form illegal organizations. * * * Illegal work is particularly necessary in the Army, the Navy, and police.'

"Continuing, the thesis states:

" 'The absolute necessity in principle of combining illegal with legal work is determined, not only by the sum total of the specific features of the present period, the period of the eve of the proletarian dictatorship, but also by the necessity of proving to the bourgeoisie that there is not, nor can there be, a sphere or field of work that cannot be won by the Communists.' (Vol. X, Selected Works of Lenin, pp. 172–173; International Publishers Co., Inc., 1943.)

"The Communist movement in the United States began to manifest itself in 1919. Since then it has changed its name and its party line whenever expedient and tactical. But always it comes back to fundamentals and bills itself as the party of Marxism-Leninism. As such, it stands for the destruction of our American form of government; it stands for the destruction of American democracy; it stands for the destruction of free enterprise; and it stands for the creation of a 'Soviet of the United States' and ultimate world revolution." (U. S. Congress, House of Representatives Committee on Un-American Activities; hearings on H. R. 1884 and 2122, 80th Cong., 1st sess. p. 35.)

Attorney General Francis Biddle in the deportation case of Harry Bridges rendered an opinion on May 28, 1942 which declared:

"That the Communist Party of the United States of America, from the time of its inception to the present time, is an organization that writes, circulates, distributes, prints, publishes, and displays printed matter advising, advocating, or teaching the overthrow by force and violence of the Government of the United States." See Supreme Court and the Issue of Communism, published by United States Chamber of Commerce and insert in record at hearings * * * on H. R. 1884 and 2122, April 9, 1947, House Committee on Un-American Activities, 80th Congress.

The House Committee on Un-American Activities in reporting H. R. 9490 (the Internal Security Act of 1950) on August 22, 1950, stated:

"Over 10 years of investigation by the Committee on Un-American Activities and by its predecessor committee has established (1) that the Communist movement in the United States is foreign-controlled; (2) that its ultimate objective with respect to the United States is to overthrow our free American institutions in favor of a Communist totalitarian dictatorship to be controlled from abroad; (3) that its activities are carried on by secret and conspiratorial methods; and (4) that its activities, both because of the alarming march of Communist forces abroad and because of the scope and nature of Communists activities here in the United States, constitute an immediate and powerful threat to the security of the United States and to the American way of life.

"The Communist program of conquest through treachery, deceit, infiltration, espionage, sabotage, corruption, and terrorism has been carried out in country after country and is an ever-growing threat to the national security of this and other countries. There is ample evidence that one of the primary objectives of the world Communist movement, directed from within the most powerful existing Communist totalitarian dictatorship is to repeat this pattern in the United States.

"There is incontrovertible evidence of the fact that the Communist Party of the United States is dominated by such totalitarian dictatorship and that it is one of the principal instrumentalities used by the world Communist movement in its ruthless and tireless endeavor to advance the world march of communism" (H. Rept. No. 2980, 81st Cong., 2d sess.).

Second, why is it possible for a Communist to run for President of the United States, but under security regulations not possible for a Communist or a former Communist to serve in a Government capacity?

The Constitution of the United States sets forth the qualifications for office of President and any person chosen or elected by the presidential electors for that office having those qualifications, is presumably eligible:

"No person except a natural-born citizen, or a citizen of the United States at the time of the adoption of this Constitution, shall be eligible to the Office of President; neither shall any person be eligible to that office who shall not have attained to the age of 35 years, and been 14 years a resident within the United States." (Constitution, art. II, sec. 1, clause 5.)

The Constitution, article II, section 1, clause 8, further sets forth the oath of office which the President must take upon entering the duties of that office:

"I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my ability, preserve, protect, and defend the Constitution of the United States."

Any State statute or any act of Congress, for that matter, seeking to add to the above qualifications set forth in the Constitution for the Office of President, would be invalid and without effect. (*Imbrie* v. *Marsh* ((1950) 3 N. J. 578, 71 A. 2d 352, 356); *Shub* v. *Simpson* ((1950) 196 Md. 177, 196, 76 A. 2d 333, 340–341) (both cases citing numerous cases; 1 Story, Commentaries on the Constitution, sec. 625; Cooley on Constitutional Limitations, p. 140; Mechem on Public Offices and Officers, 1890 ed., p. 164).)

The argument has been advanced, however, that a person who subscribes to the principles of the Communist Party cannot take the oath of office of President prescribed by the Constitution:

"A person cannot truly swear and affirm an oath to support the Constitution of the United States * * * and believe in its overthrow by force or violence, without doing so with a mental reservation or a purpose of evasion. It is a principle of our constitutions that a change in the organization of our government is to be effected by the orderly procedures ordained by the constitutions and not by force or fraud." (Dissenting opinion, Justice Oliphant, *Imbrie* v. *Marsh* ((1950) 3 N. J. 578, 71 A. 2d 352, 373), citing dissenting opinion, Chief Justice Stone, *Schneiderman* v. *U. S.* ((1943) 320 U. S. 118, 181).)

Under our system of electing a President, the idea of a person running for President or of a voter voting for a particular person for President is of course legal fiction. Actually under the Constitution, article 1, section 1, clause 3, and amendment XII the President, as well as the Vice President, is elected by electors, constituting the electoral college. The States have exclusive power to decide the manner of choosing electors (*McPherson* v. *Blacker* ((1892) 146 U. S. 1)); and such electors in voting for President and Vice President are acting as agents of the State rather than of the United States (*In re Green* ((1890) 134 U. S. 377); also see *Ray* v. *Blair* ((1952) 343 U. S. 214).)

If of course we wish to exclude an elector, who is a Communist, from the ballot or wish to prohibit the Communist Party from nominating and having the names of its candidates for office of elector printed on the ballot, that presents a different question from the above one concerning disqualification of a Communist to hold the office of President. The Constitution does not fix the qualifications of electors except to specify that no United States Senator or Representative or person holding an office of trust or profit under the United States may be appointed an elector. The States with varying degrees of success have sought to exclude the Communist Party from the ballot either by legislative enactment or by refusal of the proper State official to certify such a group as a political party. Some of the State statutes exclude the Communist Party and its candidates from the ballot, actually naming the party, while other States do not use the word Communist in the statute but simply exclude all parties and candidates advocating the overthrow of the government of the State or of the United States. In both California and New York the State courts have held that neither the Communist Party nor its candidates may be excluded arbitrarily. (*Communist Party* v. *Peek* ((1942) 20 Cal. 2d 536, 127 P. 2d 889); *Metzer* v. *Isaacs* ((1948) 87 N. Y. S. 2d 18); but see *Imbrie* v. *Marsh* ((1950) 3 N. J. 578, 71 A. 2d 352) and *Shub* v. *Simpson* ((1950) 196 Md. 177, 76 A. 2d 333).)

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The United States Supreme Court in a per curiam decision has apparently given its approval to a State statute of the type that excludes from the ballot "a person who is engaged in one way or another in the attempt to overthrow the government by force or violence" and that he is knowingly a member of an organization engaged in such an attempt. (*Gerende* v. *Board of Supervisors of Elections of Baltimore* ((1951) 341 U. S. 56) construing the Ober Act or Maryland Subversive Activities Act, Acts of 1949, ch. 86.) On the other hand the United States Supreme Court has not had an opportunity as of yet to construe a State statute of the type that names the Communist Party and excludes both the party and its nominees from the ballot. Action has been filed in the circuit court for Wayne County seeking a declaratory judgment that such a statute (Michigan Acts 1952, No. 117) is unconstitutional. It is expected that following construction of that statute by the Michigan courts that case will be appropriately before the United States Supreme Court. (*Albertson and the Communist Party* v. *Millard* (U. S. Supreme Court, October term, 1952, No. 384, Mar. 16, 1953, 21 L. W. 4270 (1953)).)

You have asked why it is not possible under security regulations for a Communist or a former Communist to serve in a Government capacity. Presently title I (the Subversive Activities Control Act of 1950) of the Internal Security Act of 1950 (the McCarran Act) of September 23, 1950 (64 Stat. 987), requires any Communist-action organization or Communist-front organization to register with the Attorney General (sec. 7) and provides for hearings before the Subversive Activities Control Board (secs. 12, 13). Section 5 (a) (1) (B) of the 1950 act makes it unlawful for any member of a Communist organization registered or ordered to register by the Board pursuant to the act to hold any nonelective office or employment under the United States. On November 22, 1950, the Attorney General, acting under section 13 (a) of the act, filed a petition with the Board for an order requiring the Communist Party of the United States of America to register with the Attorney General as required by sections 7 (a), (c), and (d) of the act. After lengthy hearings at which both the Attorney General and the Communist Party submitted evidence and were heard the Board on April 20, 1953, ordered the party to register. This, of course, invoked those provisions of the act (sec. 5 (a) (1) (B)) excluding Communists from Federal employment. The Communist Party has appealed from the order of the Board. (See U. S. Subversive Activities Control Board. (*Brownell* v. *Communist Party* (printed as S. Doc. No. 41, 83d Cong., 1st sess.); also see 21 L. W. 2530 (1953)).) The provisions of the act granting a hearing prior to a determination or order of the Board seemingly removed the constitutional objections which existed in proceeding under the President's employees loyalty program as set forth in President Truman's Executive Order No. 9835, issued March 27, 1947. (See *Joint Anti-Fascist Refugee Committee* v. *McGrath* ((1951) 341 U. S. 123); also see S. Rept. No. 2369 and H. Rept. 2980, 81st Cong., 2d sess.)

Thus it will be seen that the Subversive Activities Control Act of 1950, in the work cited, and the order of the Subversive Activities Control Board, issued pursuant to that act preclude persons presently belonging to the Communist Party from holding nonelective Federal office or employment. As for those persons who have been, but are not now, members of the Communist Party, just how are they excluded from employment? In the executive department exclusion may be had for loyalty reasons under rule II of the Civil Service Regulations:

"(a) An applicant may be denied examination and an eligible may be denied appointment for any of the following reasons: * * *

"(7) Reasonable doubt as to the loyalty of the person involved to the Government of the United States." (5 C. F. R. sec. 2.104, 1952 Cum. Supp. p. 14, E. D. 10241, April 28, 1951, 16 F. R. 3690, promulgated on authority of Rev. Stat. 1753, sec. 2, 22 Stat. 403; 5 U. S. C., secs. 631, 633. E. O. 9830, Feb. 24, 1947, 12 F. R. 1259, 3 C. F. R. 1947 Supp.)

Under section 9.101, 5 Code of Federal Regulations, the employing agency may also remove employees in the competitive civil service for the same reason as to loyalty as would disqualify an applicant under section 2.104.

In addition to the above provisions relating to exclusion and removal of Communists from Government employment the act of August 26, 1950 (64 Stat. 476 (5. U. S. C. 22.1–22.3)), in the interest of national security permits the heads of certain named agencies and departments in their "absolute discretion and when deemed necessary in the interest of national security, suspend without pay, any civilian officer or employee." By Executive Order No. 10237 (16 F. R. 3627) issued by President Truman on April 26, 1951, the act was made applicable to the Panama Canal and to the Panama Railroad Company. Later, by Executive Order No. 10450 (18 F. R. 2439), President Eisenhower, on April 27, 1953, made the act apply to all departments and agencies of the Government. Under Executive Order No. 10450, as amended by Executive Order No. 10491 (18 F. R. 6583), issued October 13, 1953, refusals to hire or dismissals may be had in the interest of national security for—

"(5) Membership in, or affiliation or sympathetic association with, any foreign or domestic organization, association, movement, group, or combination of persons which is totalitarian, Fascist, Communist, or subversive, or which has adopted, or shows, a policy of advocating or approving the commission of acts of force or violence to deny other persons their rights under the Constitution of the United States, or which seeks to alter the form of government of the United States by unconstitutional means.

* * * * *

"(8) Refusal by the individual, upon the ground of constitutional privilege against self-incrimination, to testify before a congressional committee regarding charges of his alleged disloyalty or other misconduct" ((8) added by E. O. 10491, October 13, 1953).

The constitutionality of the various phases of refusals to hire and dismissals under the loyalty program are discussed in *Bailey* v. *Richardson* ((1950) 182 F. 2d 46, 86 U. S. App. D. C. 248, affirmed April 30, 1951, per curiam by the Supreme Court, equally divided, 341 U. S. 918).

Section 9A of the Hatch Act also provides:

"(1) It shall be unlawful for any person employed in any capacity by any agency of the Federal Government, whose compensation, or any part thereof, is paid from funds authorized or appropriated by any act of Congress, to have membership in any political party or organization which advocates the overthrow of our constitutional form of government in the United States.

"(2) Any person violating the provisions of this section shall be immediately removed from the position or office held by him, and thereafter no part of the funds appropriated by any act of Congress for such position or office shall be used to pay the compensation of such person" (53 Stat. 1148; 5 U. S. C., sec. 111j).

In addition it might be pointed out that exclusion of persons advocating overthrow of the Government from Federal employment (including the legislative branch) is further assured through so-called riders contained in many appropriation bills. An example of this type of legislation is that contained in the Deficiency Appropriation Act of June 29, 1950:

"SEC. 1202. No part of any appropriation contained in this act, or of the funds made available for expenditure by any corporation included in this act, shall be used to pay the salary or wages of any person * * * who advocates or who is a member of an organization that advocates the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence * * * that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence" (64 Stat. 275, 301).

Third, information as to testimony presented before congressional committee by J. Edgar Hoover and others to the effect to outlaw the Communist Party would not be appropriate due to the possibility that such a measure might drive the Communist Party underground.

With specific reference to Mr. Hoover there is herewith presented the exact statement made by him in Washington during the afternoon of March 26, 1947, before the Committee on Un-American Activities of the House of Representatives while under oath in answer to a question put to him by Representative Richard B. Vail, of Illinois:

"Mr. VAIL. You know that we are considering here certain laws to outlaw communism. I don't believe in the course of our discussion today you have covered whether or not you favor such legislation.

"Mr. HOOVER. Well, Mr. Congressman, within the Department of Justice the question as to the desirability or the undesirability of legislation is strictly a function of the Attorney General.

"I will say this, as regards to that point: I do think that before any such action is taken it ought to be given very, very serious consideration and study, because I would hate to see a group that does not deserve to be in the category of martyrs have the selfpity that they would at once invoke if they were made martyrs by some restrictive legislation that might later be declared unconstitutional.

"I frankly feel that such laws as we have now should be vigorously enforced, and maybe some of them strengthened.

"I think the activity of this committee to expose and to bring out into the spotlight the activity of these individuals can do far more good, at least at the present time, than any very restrictive legislation.

"I wouldn't want to say that I am unalterably opposed to it, but I have my grave doubts as to its wisdom." (U. S. Congress, House Committee on Un-American Activities; hearings on H. R. 1884 and H. R. 2122 (bills to outlaw the Communist Party), pt. 2, pp. 48–49, 80th Cong., 1st sess., Mar. 26, 1947.)

Mr. Hoover was apparently of the same opinion several weeks later when he wrote:

"We cannot hope successfully to meet the Communist menace unless there is a wide knowledge and understanding of its aims and designs. This knowledge outlaws the party in the hearts and minds of good citizens." (J. Edgar Hoover, How To Fight Communism, in Newsweek, June 9, 1947, reprinted in 52 Case and Comment 21, 23 (1947).)

On March 11, 1947, Secretary of Labor Lewis B. Schwellenbach, lawyer and former member of the Federal judiciary, told the House Committee on Education and Labor, the Communist Party should be outlawed. He testified that a 3-percent Communist minority usually dominates a labor union and that "theoretically" employers should have the right to fire Communists. An excerpt from his testimony reads as follows:

"Mr. LANDIS. I want to give the employer the right, in case he is a Communist, to fire him. Then I want to remove the right of the Wagner Act from the labor organization that elects these Communists or subversive officials.

"We have, I think, several cases where they have Communist officials as the head of the unions in America, and I think you can take the rights of that organization away from them and force them to elect Americans to lead their unions.

"Secretary SCHWELLENBACH. My objection to that is that you do not go far enough. Why should we recognize the Communist Party in the United States?

"Mr. LANDIS. We should not.

"Secretary SCHWELLENBACH. Why should they be able to elect people to public office and theoretically at least elect Members of Congress, and why should we have an organization recognized which has as its purpose the overthrow of the Government of the United States by force and violence?

"Mr. LANDIS. I agree with you.

"Secretary SCHWELLENBACH. I cannot see any reason why we should have that.

"On the other hand, I do not see any reason why we should pick out labor unions and say you cannot have them, but they can get elected to Congress. They can get elected mayor and anything else.

"Mr. Landis, if Congress will outlaw the Communist Party, you can do anything you want to about that.

"Mr. LANDIS. I am in favor of that." (United States Congress, House Committee on Education and Labor; hearings * * *on bills to amend and repeal the National Labor Relations Act, and for other purposes, * * * Mar. 8, 10, 11, 12, 13, 14, 15, 1947, 80th Cong., 1st sess., vol. 5, pp. 3041–3042.)

Gov. Thomas E. Dewey, of New York, is quoted as saying on March 31, 1948, while a candidate for the Republican nomination for President:

"There is a lot of talk about outlawing the Communists. I'm against it. We in the United States have been long trained in the traditions of free government and where we spot a Communist we know how to isolate and defeat him. Down in New York City * * * they total about 100,000 votes out of 6 million in our State. We prefer to keep them on the ballot so we can know whom they are supporting—and let the people know it." (Washington Times-Herald, April 1, 1948, quoting Governor Dewey from Albany.)

On March 24, 1947, William C. Bullitt, who had been Ambassador to Russia from 1933 to 1936, told the House Un-American Activities Committee while testifying concerning two bills to outlaw the Communist Party in the United States:

"Here our Communist Party, like all other Communist Parties, is subject to orders from Moscow * * * The party is, in the first place, an agency of the Soviet Government for the purpose of weakening the United States for the ultimate assault that the Soviet Government intends to make on the United States. * * *

"Nevertheless, I should say that I am not at all sure that it is wise, in the interest of the people of the United States, to declare it a crime, at the present time, to belong to the American Communist Party." U. S. Congress, House Committee on Un-American Activities; hearings on H. R. 1884 and H. R. 2122 (bills to outlaw the Communist Party), pt. 1, pp. 4–5, 80th Cong., 1st sess., Mar. 24, 1947.)

Mr. Bullitt proceeded further to advise the committee that "at the present time we are not equipped to face this issue by passing legislation making it a crime to be a member of the Communist Party. * * * The last thing we want to do is to make martyrs of anybody." Mr. Bullitt further stated that since 60 percent of the members of the Communist Party are of alien origin we should "perhaps, make membership in the Communist Party on the part of a naturalized citizen prima facie evidence that his citizenship was fraudulently acquired and that the immigrant in taking the oath of allegiance to support the Constitution of the United States committed perjury. * * *

"There is good precedent for that. We did exactly that with the German Bund, as you know, and deported from the United States, I have forgotten how many thousands of German Bundists." Mr. Bullitt further suggested that under the election laws the Communist Party be required to list all contributors and dues-paying members, because payment of dues is a political contribution (Ibid, pp. 7–8).

On March 24, 1947, Mr. James F. O'Neil, as representative and spokesman for the American Legion, being vice chairman of its National Americanism Commission, testified before the House Un-American Activities Committee asking the committee to implement President Truman's Executive Order 9830 of February 24, 1947, by enacting the following legislation:

"1. Outlaw the Communist Party;

"2. Ban the use of the mails to Communist publications;

"3. Provide universal fingerprinting and identification;

"4. Continue the registration of all aliens and check their movements and activities;

"5. Discontinue Federal aid to institutions of learning which refuse to purge their faculties of Communists and fellow-travelers;

"6. To deport all aliens advocating the overthrow of the Government by force and violence; and

"7. Deny admission to the United States of all nationals from any country refusing to accept those ordered deported." (U. S. Congress, House Committee on Un-American Activities; hearings * * * on H. R. 1884 and H. R. 2122 (bills to outlaw the Communist Party), Mar. 24, 25, 26, 27, 28, 1947, pp. 22–23, 37.)

On March 25, 1947, Mr. William Green, president of the American Federation of Labor, told the House Committee on Un-American Activities:

"We are sympathetic with the motives which have prompted the authors of H. R. 1884 and H. R. 2122 (bills to curb or outlaw the Communist Party of the United States). Nevertheless, upon careful consideration of the problems involved, the American Federation of Labor is compelled to enter its opposition to these proposals as inconsistent with the American Constitution and likely to defeat the very purpose they seek to accomplish" (ibid., p. 49).

On March 26, 1947, Dr. Emerson Schmidt, secretary, committee on socialism and communism, Chamber of Commerce of the United States, told the House Committee on Un-American Activities:

"OUTLAWING THE COMMUNIST PARTY

"The proposal has been made that the Communist Party be outlawed as an agent of a foreign power and as an organization urging undemocratic, violent, and revolutionary methods from time to time.

"A number of countries have taken this step and in no case, to our knowledge, has this step prevented Communist activities and propaganda. In Canada it was during the period when the party was illegal that the fabulous espionage took place. The American people and the United States Constitution are devoted to the principles of freedom of speech, of the press, and of assembly. We are strong believers in individualism. Democracy does not mean merely majority rule; it means certain rights for the minorities. The outlawing of such a party, at least in some degree, runs counter to our traditions and philosophy. Possibly such a step would require a constitutional amendment.

"Outlawing the party and similar organizations as does Mr. SHEPPARD's bill (H. R. 2122) might call for a vast counterespionage staff to enforce the law. There is reason to believe that the outlawing of the party would drive underground still further many of the Communist activities. It would make the party functionaries more subtle, more discreet, and conceivably even more effective. It might give them a rallying cry, and further solidify and cement them. It might make martyrs of the Communists and might cause many persons to come to their rescue. The outlawing of the party might conceivably give us a false sense of complacency knowing that we have passed a law.

"If the party is not outlawed, it will operate in the open, at least in part, where its offices, its officers, its literature, and its meetings are known. Then it can be identified and combated.

"For these reasons, the board of directors of the Chamber of Commerce of the U. S. A. questions the wisdom of outlawing the party at this time" (ibid., pp. 223–224).

On March 26, 1947, California State Senator Jack B. Tenney, chairman of the California Joint Legislative Fact-Finding Committee Investigating Un-American Activities, told the House Un-American Activities Committee:

"Senator TENNEY. I know that you are contemplating studying certain bills here before Congress and I believe that one of those—although I did not receive the bills which you told me you were going to send because we left too soon to receive them—one of those, I believe, is a bill to outlaw the Communist Party. The California legislature by, I think, 1 dissenting vote in the senate and 2 or 3 votes, possibly more—I have forgotten—but a few dissenting votes in the assembly, in 1939 voted to outlaw the Communist Party.

"The bill was written in two sections, the first of which outlawed the party by name and the second outlawed it by definition. In 1942 the Secretary of State of California refused to certify the Communist Party to the ballot. The Communist Party brought a writ of mandamus and that was demurred to by the attorney general. The Supreme Court held that the first section was unconstitutional and remanded the case to the lower court for hearing to determine whether or not it fell within the definition. Before that could be perfected, however, the Communist Party dismissed its action, and the secretary of state certified the party to the ballot. We understand there were some political deals in reference to that matter. That is exactly what happened, and there has never been a determination of that particular point before any of our courts in California.

"I think it is significant to point out, though, that the State of California, through its elected representatives in 1939, did attempt to outlaw the Communist Party. Our committee has recommended again, in this report, which went over the desk on the 24th of this month, that we memorialize Congress to outlaw the Communist Party. We know and we have heard a lot of arguments in reference to the advisability of such an action. We think most of the argument is specious in reference to outlawing the Communist Party. They say, 'If you do this you merely drive them underground.' I submit to you, gentlemen, and I know that those of you who have studied the thing as we have, realize that the Communist Party is underground.

* * * * *

"Mr. NIXON. Now, you testified that insofar as the bill which was passed by the California Legislature was concerned, that the State supreme court held unconstitutional the provision which outlawed the Communist Party by name?

"Senator TENNEY. That is right. I was aware, or at least I felt at the time the bill was drawn, that it wouldn't hold up. I didn't see where we could outlaw a party by name. That is why I added, after a discussion with the attorneys in the legislative counsel bureau, I added the second section which outlawed them by definition. It is a matter which I think the committee here should

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perhaps have in mind, that the language of such a statute must be very carefully drawn.

"Mr. NIXON. You mean by defining what the party attempts to accomplish rather than defining it by name?

"Senator TENNEY. That is right. The Supreme Court stated in that case outlawing the party by name was a futile gesture because it could change its name and repeal the law. I think there is quite a bit of legal logic in that" (ibid., pp. 248, 251).

On March 26, 1947, Mrs. Julius V. Talmadge, president general, Daughters of the American Revolution, in testifying before the House Un-American Activities Committee at hearings held on two bills (H. R. 1884 and H. R. 2122) designed to outlaw the Communist Party said:

"I have been asked by your chairman to express an opinion upon the various bills now pending before the Congress, which strike at communism and communistic activities.

"I have studied three bills and I declare my support of all of them. Moreover, it is my intention as president general of the Daughters of the American Revolution to bring these measures before the members of our resolutions committee at the 56th continental congress of our national society, which will convene in Constitution Hall in this city on May 19. It is my hope that our organization with over 156,000 members will wholeheartedly endorse this pending legislation and urge passage of the various bills.

"The bill of Chairman THOMAS, H. R. 2275, as I understand it, would create a Federal Loyalty Commission to ferret out disloyal Government employees and see to it that they are discharged from holding Government employment.

"It is my judgment that this legislation is necessary, because, as we all know, it is exceedingly difficult to prove that a person is a Communist. Few indeed will admit their true identity. We all know that Communists work in secret. They are quick to deny their communistic affiliations. It is to their advantage to work under cover. Consequently, a commission set up with the power to investigate and secure proof against suspected Communists is needed if we are to keep Communists or those with communistic beliefs from spreading their poison as Government workers.

"The bill of Representative Rankin, of Mississippi, whom I know well, merits solid DAR support. It is H. R. 1884. It is time to stop the spread of communistic propaganda through the mails. It is time to stop the teaching of communistic doctrines no matter how subtle, in our public schools. It is time to prevent election of candidates to Federal or State office who are avowed enemies to our form of Government.

"Likewise, the measure of Representative SHEPPARD, of California, H. R. 2122, is in accord with DAR policies. This sweeping measure strikes directly at the Communist Party and the communistic organizations. It also strikes at organizations engaging in political activities which are affiliated with foreign governments or with foreign political parties.

"I certainly believe legislation is needed to stop the subversive activities which are going on around us. Communism should be outlawed in the United States, wholly and entirely" (ibid., p. 269).

On March 28, 1947, Gov. Kim Sigler, of Michigan, testified before the House Un-American Activities Committee and urged that Congress enact legislation to make it unlawful for any group to try and deprive us of that reepublican form of government that is set forth specifically in the Constitution. He stated that in Michigan under a 1919 statute making criminal syndicalism a felony Federal and State agents were able to gather sufficient evidence to convict persons participating in the national convention of the Communist Party held in Michigan on the 20th day of August 1922. He quoted extensively from the Michigan Supreme Court decision in that case, *People* v. *Ruthenberg* ((1924) 229 Mich. 315). He stated conviction of the Communists was possible in spite of a plea that the law was unconstitutional:

"Now, they raised every conceivable question. The same questions of freedom of speech that we hear so much about today. I know that every member of this committee believes, and I, for one, believe, to the bottom of my heart, in the principle of free speech, but it means freedom of speech out on the county court steps. It means freedom of speech at the city hall. It doesn't mean freedom of speech in a basement. Nor does it mean freedom of speech out in the woods, carrying on stealthily a design to overthrow this Government" (ibid., pp. 309–326).

On March 28, 1947, former Gov. George Earle, of Pennsylvania, told the House Committee on Un-American Activities that J. Edgar Hoover was the best man to advise the committee on legislation to curb the Communists and also was of the opinion that the Federal Bureau of Investigation should be more independent of the Attorney General's office. He said:

"There is not the slightest question in my mind that the Communists and their fellow travelers in this country should be considered as the agent of a ruthless enemy bent upon our destruction. They certainly are bent upon our destruction" (Ibid., pp. 327–335).

On March 28, 1947, Representative GORDON L. MCDONOUGH, Member of Congress, 15th District, California, testified before the House Un-American Activities Committee concerning his resolution (H. Res. 99, 80th Cong.) which defined communism. He referred to a United States Circuit Court of Appeals case in Illinois wherein the court was unable to define communism. Representative MCDONOUGH's definition of communism is (H. Res. 99):

"*Resolved*, That communism be defined and declared to be not a political party, but an international conspiracy and an anti-Christian ideology which advocates and practices deceit, confusion, subversion, revolution, and the subordination of man to the state, and which has for its purpose and intention the overthrow of any democratic form of government by force and violence, if necessary; and be it further

"*Resolved*, That any person, either citizen or alien, adhering to or expounding the purposes and intentions of communism should be exposed and revealed as an enemy of the United States and dealt with accordingly" (ibid., p. 335).

Representative MCDONOUGH further told the committee:

"I maintain that communism is not a political party. It is an anti- and un-American ideology. In my definition I said 'anti-Christian' and I would agree to an amendment to the resolution to read that it is antireligious in its character, and not confined alone to the Christian religion" (ibid., p. 338).

On July 21, 1947, Mr. Walter Steele, chairman, national security committee of the American Coalition of Patriotic, Civic, and Fraternal Societies, told the House Un-American Activities Committee:

"The societies represented at this conference have continued over a period of years to request that the Congress of the United States deprive the Communist Party, as well as any and all other subversive movements of its legal status. The following resolution was adopted by the American Coalition at its January 1947 convention:

" 'Whereas it is demonstrable that the doctrines of Marxian socialism, which constitute the creed of the Communist Party, contemplate the creation of a dictatorship by violence if necessary; and

" 'Whereas dictatorship under any form or under any name is utterly repugnant to the ideals of the American people: Be it

" '*Resolved*, That the American Coalition, in annual convention assembled, urges Congress to take appropriate steps to deprive the Communist Party of legal status, or any party which directly or indirectly suggests the use of violence for attainment of power; and be it further

" '*Resolved*, That the Congress be urged to take appropriate steps to deprive of civil rights any citizen who acts as the agent of a foreign power or political party seeking the overthrow of the Government of the United States.'

"I wish to submit a copy of this resolution, please.

"Mr. STRIPLING. It will be received as exhibit No. 2."

(Exhibit No. 2 was received.)

"Mr. STEELE. I have carefully studied all the resolutions dealing with the Communist menace that have been presented to this Congress, and any one and all of them can be endorsed, since the intent of each is the same. H. R. 2122 and H. R. 1834, now under consideration, had not been introduced at the time of the January convention of the American Coalition, and they were not, of course, discussed at that time. However, I feel that they are in line with the resolution adopted at the convention and the sentiments expressed by the delegates on the subject. H. R. 2122 deals with the Communist Party, and it supports a law which, in effect, would at least cripple its solidarity activities. H. R. 1884 deals with party activities and its fronts, its penetration in our schools, and its propaganda sent through the mails.

"I wish to take this opportunity to present to this committee evidence of the all-inclusive ramifications of the movement these and other resolutions are intended to either control or to outlaw entirely. These ramifications are so extensive that, while the two resolutions referred to above and others have been presented to this Congress previously are definite steps toward the elimination of the menace, much broader legislation must be passed. State legislatures will have to pass much of the legislation controlling the activities of subversive forces.

"Although the Communist Party has already been outlawed as such in 12 States which have barred it from the ballot, it continues to operate in those States. It has apparently found no trouble in circumventing laws by nominating candidates as independents without party label or in forcing its candidates on legitimate party tickets. In California where the party is barred from the ballot, Communists maintain their second largest section. They ran a Communist as an independent in the last State election, and they freely nominate them for local office. Communists in Indiana have even changed the emblem of the party, originally the hammer and sickle.

"The CHAIRMAN. May I interrupt there?

"Then it is your opinion that if the Congress should approve one of these bills and enact it into law, to outlaw the Communist Party, that the Communist Party would circumvent the law and nothing would be gained?

"Mr. STEELE. I think that you would set a precedent for the States, but under the election laws, I believe, you will find that the States control the ballot, and for that reason I don't think that a law by Congress itself would be sufficient. Each State would have to follow suit.

"In most States they continue to run their own candidates in elections for local posts. They are now pushing for a coalition of leftists, with the expectation of forming a major third party.

"You understand, of course, that the Communist Party is set up on a National, State, and local organizational basis. There is an over-all national organization, under which are district organizations. These, in turn, supervise State organizations. Under them come the section organizations and, finally, the local unit organization" (ibid., pp. 5–6, of hearings of July 21, 1947).

On August 8, 1950, while the 81st Congress was considering the Subversive Activities Control Act and the Internal Security Act, President Truman sent a message to Congress on this legislation, saying:

"Legislation is now pending before the Congress which is so broad and vague in its terms as to endanger the freedoms of speech, press, and assembly protected by the first amendment. Some of the proposed measures would, in effect, impose severe penalties for normal political activities on the part of certain groups, including Communists and Communist Party-line followers. This kind of legislation is unnecessary, ineffective, and dangerous.

"It is unnecessary because groups such as the Communists cannot accomplish their evil purposes in this country through normal political activity. They will be repudiated by the people as they have always been.

"It is ineffective because it does not get at the real dangers from the Communists in this country. These dangers come, not from normal political activity, but from espionage, sabotage, and the building up of an organization dedicated to the destruction of our Government by violent means—against all of which we already have laws.

"This kind of proposed legislation is dangerous because, in attempting to proscribe for groups such as the Communists, certain activities that are perfectly proper for everyone else, such legislation would spread a legal dragnet sufficiently broad to permit the prosecution of people who are entirely innocent or merely misguided. As far as the real conspirators against our institutions are concerned, such legislation would merely have the effect of driving them further underground and making it more difficult to reach them. Furthermore, if such legislation were held unconstitutional, as it well might be, it would make martyrs out of our worst enemies and create public sympathy for them.

"Extreme proposals of this type reflect the widespread public concern about communism which most of our people feel today. In some communities, this concern has resulted in the enactment of unnecessary or unconstitutional laws or ordinances designed to suppress subversive activity.

"We must not be swept away by a wave of hysteria." (S. Rept. No. 2369, pt. 2, 81st Cong., 2d sess., p. 4.)

Fourth, other information which might be considered pertinent to the introduction of a measure to outlaw the Communist Party in the United States.

Although no attempt has been made in this memorandum to give an opinion on the constitutionality of an act of Congress to outlaw the Communist Party, some reference to that issue has been made. It would seem appropriate therefore to call your attention to the fact that the Subcommittee on Legislation of the House Committe on Un-American Activities during the 80th Congress reported that barring the Communist Party from the ballot by Act of Congress would be unconstitutional:

"Several bills before the committee attempt to approach the problem by outlawing the Communist movement as a political party. The subcommittee has found it necessary to reject this approach on several grounds. Barring the Communist Party from the ballot by Federal law would in the opinion of the subcommittee, be unconstitutional, in that the States have the power to declare what parties and individuals may qualify for appearance on the election ballots. This opinion was shared by a majority of the witnesses before the subcommittee.

"The subcommittee also finds it advisable not to report the McDonough bill. The committee, however, believes that that portion of the McDonough bill which seeks to define communism presents a salutary recommendation, and the bill which the committee is recommending contains such a definition." (U. S. Congress, House Committee on Un-American Activities; report of the Subcommittee on Legislation, Apr. 10, 1948 (committee print), 80th Cong. 2d sess., p. 4.)

Also during the 81st Congress, the House Committee on Un-American Activities in reporting H. R. 9490 (the Internal Security Act of 1950) on August 22, 1950, said:

"The committee gave serious consideration to the many well-intentioned proposals which were before it which attempted to meet the problem of outlawing the Communist Party. Proponents of this approach differed as to what they desired. Some wanted to bar the Communist Party from the ballot in elections. Others would have made membership in the Communist Party illegal per se.

"The committee believes that there are several compelling arguments against the outlawing approach. There are grave constitutional questions involved in attempting to interfere with the rights of the States to declare what parties and individuals may qualify for appearance on the ballot. To make membership in a specifically designated existing organization illegal per se would run the risk of being held unconstitutional on the ground that such an action was legislative fiat.

"This legislation does not constitute a fiat. The Communist organization of the United States is not made guilty of any offense by reason of the enactment of the provisions of this act. If, however, the Communist organization of the United States or any other organization now in existence or to be formed operates in such a way that it comes within the definitions and performs activities which are proscribed under the act then the legislation will apply to it. If such organization changes its characteristics, then the objectives sought by the committee will have been accomplished." (H. Rept. 2980, 81st Cong., 2d sess.)

SELECTED EXCERPTS RELATIVE TO OUTLAWING THE COMMUNIST PARTY—PRO AND CON STATEMENTS

AFFIRMATIVE

Harold E. Stassen, former Governor of Minnesota.[1]

"In facing up to the problem, we must maintain complete constitutional rights and liberties in America. The right of free speech, of free press, of freedom of conscience, and freedom of religion must be kept inviolate. It must always be open to any individual in this country to protest, to object, to dissent. But there is no constitutional right to carry on organizations above ground or below ground directed by the rulers of the foreign power with the purpose of overthrowing the Government of the United States and taking away the liberties of its people.

"I, therefore, have urged for some months that we need a new law to directly outlaw these Communist organizations. * * * It should directly make it illegal after its passage to carry on any organization, either above ground or below ground, which is directed by the rulers of a foreign power for the purpose of overthrowing the Government of the United States, destroying the liberties of its people, and bringing this country under the domination of the rulers of a foreign power. Such a law would not outlaw ideas, it would not outlaw thoughts, it would make illegal organized conspiracy of fifth columns. Such a law is constitutional under article 4, section 4, of the United States Constitution. * * *

"The report of the committee that investigated the Communist activities specifically found that the Communist organization was an organization whose basic aim, whether open or concealed, is the abolition of our present economic system and democratic form of government and the establishment of a Soviet dictatorship in its place. * * *

"I further believe that [outlawing the Communist Party] * * * will be a precedent for similar action by the other free countries of the world and that effective means will be developed to safeguard against the fifth-column infiltration of the Communists. * * *

"Consider these facts: There are now 11 countries of the world under the domination of the Communist leaders in Moscow. They are Russia, Poland, Czechoslavakia, Hungary, Yugoslavia, Rumania, Bulgaria, Albania, Estonia, Latvia, and Lithuania. In none of these 11 did the Communists ever receive majority support of the people in a free election. The last three were taken over by force during the war and held ever since. In every one of the remaining eight, the Communists used the legal recognition of Communist organizations as an underground nerve center and recruiting station for their underground movements, until they had seized power and brought the nation under the dictation of the Communist Politburo.

"Russia was the first Communist-dominated nation. It came under this dictatorship through a combination of two main reasons: First, the bad government of the czar. Second, the organization developed by the legalized Bolshevik Party, which formed throughout Russia and elected six members to the Russian Parliament in the last election held in that country before the Communists came to power.

"There seems to have been some mistaken idea that the Communists were outlawed in Russia. This is not correct. The Bolshevik Party was active in Russia right up to the first war with Germany. The Communists carried on a nationwide election campaign in Russia in 1912 and elected six members to the Parliament or Duma.

"They used this means of developing their revolutionary organization, and when they were caught in the attempted revolution and in various sabotage, in train wrecking and bombings, they were severely punished, but they were not outlawed as an organization. When this present Communist Party did come into power in Russia, they promptly wiped out all other political parties and took the whole peoples under a firm and dictatorial grip. In each of the other countries—Poland, Hungary, Yugoslavia, Rumania, Bulgaria, Albania, and finally Czechoslovakia—the Communists used the blessing of legality as an aid to organizing an underground movement, and finally betrayed the liberties of the people and brought them under the domination of the Kremlin in Moscow. * * *

"Another mistaken impression is the claim that if we outlaw the Communist organization, we thereby endanger the liberties and civil rights of other people. This is not true. In Canada the party was outlawed for years and the people lost none of their liberties. In fact, the Communists were permitted to operate legally again under the name of the Labor Progressive Party in 1943, and soon afterwards, in less than 3 years, it was found that the Communists were working directly with the Russian Embassy at Ottawa in a spy ring. * * *

"I submit that the Communist organization in America and in the freedom-loving countries of the world should be outlawed."

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[1] Taken from Vital Speeches of the Day, New York, June 1, 1948, pp. 482–489. (Debate over radio from Portland, Oreg., May 17, 1948.)

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Congressman Frank B. Keefe, of Wisconsin: [2]

"Despite the efforts of an international gang of conspirators to shield their treasonable activities under the sham of political action and under the fraudulent guise of calling themselves a political party, the so-called Communist Party cannot be designated as anything more than a criminal conspiracy.

"No one in his right mind will deny that this political conspiracy, worldwide in scope, has for its objective the overthrow and destruction not only of our constitutional system of government but of free governments everywhere in the world.

"The American people are unalterably committed to a program of protecting and defending our free institutions. It is unthinkable that we should continue to permit this Moscow-dominated conspiracy to rise to the dignity of a political party entitling it to a place on an American ballot.

"The proposal to outlaw the Communist Party, which has already been adopted by 12 States of this Union, in no way abridges freedom of speech, freedom of the press, or freedom of assembly. While our Constitution guarantees certain inalienable rights to citizens who seek peacefully to accomplish orderly changes in our social, economic, or political system, it is not intended to be used as a cloak and a mask for the protection of a treasonable group whose avowed objective is the overthrow of free governments through practices of deceit, trickery, violence, and force."

Edward Arthur Hayes, national commander of the American Legion: [3]

"I believe the Communist Party should be outlawed in the United States. It is the servant of a foreign power. It accepts the doctrines of dictatorship as practiced in Russia. Any so-called party which places the interests of a foreign power above those of our own country, whether Communist, Fascist, or Nazi, should be outlawed in the United States. * * *

"Western civilization faces the greatest crisis of its history. Communism, its enemy, is no longer a mere conspiracy. It is a world power, with an immense material base. Its aim is the moral and military defeat of the United States.

"In its essence, communism conducts ruthless war against our capitalist society. The belief that we can work out a compromise and live peacefully side by side with communism is the most dangerous delusion of our age. We must either resist or capitulate. * * *

"Before we entered the last war the Communists were allied with Hitler. At that time we saw Communists marching on Washington, protesting against selective service, shouting 'The Yanks are not coming.'

"They picketed the White House until the day before the Nazis marched into Russia. After that, within a month, they changed the name of the American Peace Mobilization, whose members had done the picketing before the White House, and thereafter they called it the American People's Mobilization, and started their chant for the second front.

"It is crystal-clear that the Communists in this country followed the party line, dictated from Russia, from 1939 to 1941, and as soon as the fate of the Axis was assured the Soviet Union commenced an all-out diplomatic, economic, and ideological attack upon the United States.

"One of the instruments of that attack is the American Communist Party. That party supports the foreign policy of the Soviet Union in the international Communist war against American society.

"What can we do about it?

"We can start an all-out diplomatic, economic, and political counteroffensive. The first step should be legal action—outlawing the Communist Party. By this I mean a Federal law forbidding under penalties membership in any political party which is the instrumentality of a foreign power.

"But, it will be said, that outlawing the Communist Party will drive it underground. Well, the answer to this is that nine-tenths of it is already underground. The part that is above ground today is the administrative and organizational nerve center of the party.

"I would deprive the party of legal existence because to do so would complicate their attempts to coordinate their various underground activities. It would confuse their followers and strike down their various organs of propaganda. Thus I would carry the offensive to the enemy. In warfare, the most effective tactics are offensive tactics.

"Finally, outlawing the party will forever destroy its false appearance of respectability as a political party operating within the constitutional limitations. No one wants to suppress liberal thought. The test of illegality here is not advocacy of socialistic revolution. * * *

"The party should be outlawed because it serves here as the fifth column of the Soviet Union. Citizens of this great Republic who are Communists, seeking to destroy our country in the interests of the Soviet Union, are not worthy of the name 'American.' Aliens who are Communists should be shown the door immediately."

Senator JOSEPH R. MCCARTHY, of Wisconsin: [3]

"I realize full well that merely outlawing the Communist Party and wiping the name 'Communist' from the ballot is but one of the many actions to be taken. * * *

"The Department of Justice should rule that the Communist Party is an agency of a foreign power and subject to the Voorhis Act and the Logan Act which laws concern themselves with conspiracy against the Nation and action on the part of foreign agents.

"The FBI should be empowered and directed to publish the names of all the Communist-front organizations such as Youth for Democracy, Progressive Citizens of America, and on down the line.

"All Communist aliens should be forced to leave the country.

"Communists being the agents of foreign powers should be barred from representing clients or groups before labor and other boards.

"Communists and members of Communist-front organizations should be required to register with a Federal agency and be fingerprinted.

"In short, we must shift from a negative policy to a positive policy."

Col. John Thomas Taylor, director of the national legislative committee of the American Legion: [4]

"I advocate the enactment of legislation embracing a seven-point domestic security plan designed to:

"1. Outlaw the Communist Party in the United States.

"2. Ban the use of mails to Communist publications.

"3. Provide universal fingerprinting and identification.

"4. Continue the registration of all aliens and authorize a check of their activities.

"5. Deport all aliens advocating overthrow of the Government by force.

"6. Deny admission to the United States of nationals from any country refusing to receive those aliens ordered deported from the United States.

"7. Discontinue Federal aid to institutions of learning which refuse to purge their faculties of Communists and fellow travelers.

"Communists in the United States, exclusive of sympathizers and fellow travelers, number at least 100,000. Here are cadres for 10 foreign divisions already on American soil. To them this country is but a theater of operations with the Union of Soviet Socialist Republics, their motherland. They are agents of a foreign power; their allegiance is to a country other than America. * * *

"Steps should be taken immediately to outlaw the Communist Party in the United States through the enactment of legislation. Unless this is done, America will again be living in a fool's paradise, the awakening from which will again cost millions of American lives and again cost billions of American dollars. If ever invasion comes to our shores, our cherished liberties will be its first victim. The rights of free speech, free press, public assembly, and freedom of worship as conscience dictates, will disappear under an enemy invader's hobnailed force, and the same thing will happen here as happened overseas in World War II. Industries, homes, and churches will be battered into heaps of dust and rubble, and ministers of the gospel and teachers of religion will be tortured and slain, for religion, which is the mainstay of a free democracy, is anathema to those who would destroy it as a primary step toward conquest."

Raymond Moley, author of column entitled "Perspective": [5]

"Much of what needs to be done lies within the province of Congress. But under the Constitution there should be supplementary action by the States mainly concerned. Abundant evidence is in the record. Legislation is now in order. Mere exposure is not enough. Continuous exposure and interminable publicity beget hysteria, and hysteria leads to persecution, injustice, and private vengeance. When specific definition and clear law are lacking, Judge Lynch-law mounts his sinister bench. If everybody can make his own definition of communism almost everybody will use the term to define anything he does not like.

"What do we want to do about communism? First, we want no legalized party, organization, or activity which advocates the overthrow of our institutions, now or at any other time, by sabotage, calculated deceit, or any form of violence. Second, we want no political party which is directed or materially supported by a foreign government or by any agency of a foreign government. Let us use either or both of these criteria in defining illegal or criminal activity. Organizations or parties which fall within this definition should be outlawed.

"Besides, persons who subscribe to the views expressed above and are subject to foreign direction should be excluded from office or membership in organizations operating under the law. For example, labor unions should be required to purge themselves of Communists or be subject to punitive proceedings under the law. It goes without saying that no Communist should hold public office or position.

"There are those who object to outlawing the Communist Party because, they say, we would merely drive it underground. But the Communist Party is in part underground now. Its widespread connections are hidden, and its public professions are false. To give it legal status does not make it honest."

[2] From the American Forum of the Air, Washington, D. C., December 16, 1947.

[3] From Town Meeting, New York, April 3, 1947.

[4] The Sign, national Catholic magazine, May 1947, pp. 25–27.

[5] Outlaw American Communism, Newsweek, April 14, 1947, p. 108.

George A. Blasser (article inserted in the CONGRESSIONAL RECORD by Congressman WILLIAM C. COLE of Missouri): [7]

"The Communist Party should be outlawed and its activities systematically suppressed, since it is committed to the criminal purpose of the destruction of American constitutional government by force and violence. * * *

"In the first place, some have asked the question: Would this not be a violation of the fundamental right of people in America to organize and function through a political party? The answer is, "No." The Communist Party is not a legitimate political organization—any more than a group of doctors operating an illegal narcotics ring would constitute a legitimate medical enterprise.

"By its own declaration of aims and purposes, the Communist Party is engaged in a criminal conspiracy and operation: the advocacy and projected overthrow of the American Government by force and violence. The Attorney General of the United States has abundantly demonstrated that this is the true objective of the Communist Party as has the National Republic and as have various congressional committees.

"The policy of the Communist Party is simply this: even though it loses at the ballot box, it proposes "when the time is ripe" to unlawfully seize control of the Government by armed insurrection. For the protection of "ballot-box government"—the rule of the majority—any political organization committed to the use of bullets instead of ballots should and must be outlawed and rigorously suppressed, just as gangsterism is outlawed and suppressed.

"By committing itself to the criminal purpose of bloody revolution, the Communist Party has made itself an outlaw organization. By serving as an arm of a foreign enemy it is also an outlaw force. The only question for the American people to decide, through their elected representatives, is this: Shall we regard the Communist Party as a criminal organization? Shall we deal with it—as we would with any other criminal organization and foreign espionage organization bent upon attaining its end by bloodshed and violence? Or shall we permit the masquerade to continue—whereby at election time the Reds pose as representing a legitimate political party?

"The argument has been advanced that the outlawing of the Communist Party would drive the organization underground. Outlawing the dope traffic, gambling, and bank robbery probably drives these criminal gangs underground also. Is it not better to force the criminal Communist conspirators underground than to permit them to operate in the legitimate political arena, masquerading as an American political organization? Furthermore, the Reds are already busily working underground.

"The fact of the matter is that the Communist Party always maintains an underground organization, even when it is permitted to pose as a respectable organization. As the American wing of the Red International, the Communist Party has always been directed by underground connections from Moscow. Communist Party literature directs its members to maintain the vitality and integrity of their underground organization. * * *

"The argument has been offered that outlawing the Communist Party would really help the organization—by making martyrs of Reds and by forcing them underground. This claim is completely upset by the attitude of the Reds themselves. If it would help them to be outlawed, they certainly would not be fighting with all their resources against this proposal. They know that if they are made illegal they can be seized without awaiting their violation of some other law and they know that if driven underground they cannot reach the masses and their "fronts" will be shattered.

"The simple fact is that the Reds in America fear nothing more than the outlawing of their party. When Congress was considering this legislation, the Communist Party purchased full-page advertisements in leading newspapers to carry on bitter protests against such action aimed at their organization. The Reds well know that to be deprived of legal status would deprive them of prestige, cripple their propaganda machine, and seriously interfere with their whole program for deceiving and misleading their millions of fellow travelers throughout the Nation.

"It has been suggested that, by permitting the Communist Party to operate in the open, we can keep a closer eye on it and know what it is up to. But this is fallacious reasoning. The real plans of the Reds are always kept as closely guarded secrets in the inner council of the underground conspirators and their membership lists and financial records are always hidden. In its electioneering, in its above-ground political activity, the Communist Party spreads only propaganda intended to deceive and agitate the people for the purpose of creating class and racial hatred and to undermine our Government. In the legitimate political arena, the Reds always pose as champions of the worker, friends of civil liberty, and advocates of higher wages, larger old-age pensions, and racial freedom. In reality, the Communist Party plans a world-wide dictatorship under which all peoples will be pauperized, all liberty will be destroyed, all workers will be made slaves of the Soviet state, all elderly people will be turned out to starve.

"In outlawing the Communist Party, we would simply be denying it a propaganda forum through which it could continue to deceive multitudes of our people. Through false and deceptive propaganda, the Reds have been able to recruit millions of pinkish liberals and fellow travelers to the banner of sovietism. * * *

"Every true lover of free speech will favor the suppression of all groups intent upon destroying free speech under Red dictatorship. Every believer in government by the ballot box will be vigilant to suppress movements which would substitute bullets for ballots.

"It would be dumb stupidity to permit the sworn enemies of free speech to use it for the destruction of free speech. It would be absurd to permit the enemies of free government to use the institutions of free government for its own destruction. * * *

"So long as the Communist Party is permitted to function as a legal organization, its agents will be enabled to work as termites, undermining the very temple of American free institutions."

Omar B. Ketchum, national legislative director for the Veterans of Foreign Wars (as reported by C. P. Trussell in the New York Times): [8]

"The Communist Party in the United States * * * represents a conspiracy to overthrow, by force and violence, our Government * * * the lawyer's rejoinder is that an overt act is an essential element to conspiracy. An overt act may be committed by a word, by the teaching and spread of a criminal doctrine, by a joining of hands in a common effort to propagate a doctrine or terror. Surely that fits the pattern of operation of the Communist Party. * * *

"It is contended that the Congress in outlawing the Communist Party would be making a 'finding of fact' that membership in the party was membership in a criminal conspiracy. Our only answer is that it's about time. Eastern Europe and China have learned the bitter lesson of trying to rationalize their acquiescence of communism as the mere acceptance of agrarian or social reform."

NEGATIVE

Thomas E. Dewey, Governor of New York: [9]

"My interest is in preserving this country from being destroyed by the development of an underground organization which would grow so closely in strength, were it outlawed, that it might easily destroy our country and cause us to draft all of the young men in the Nation. * * *

"I believe in keeping the Communist Party everlastingly out in the open so we can defeat it and all it stands for. * * *

"The Czars of Russia were the first people in the world to follow [the] * * * idea of outlawing the Communist Party. They whipped them and they drove them to Siberia, they shot them, and they outlawed them. In the year 1917 Lenin and Trotsky were exiled. What was the result? This outlawing gave them such colossal following, such enormous popularity, such great loyalty on the part of the people, that they were able to seize control of all Russia with its 180 million people, and the first nation to outlaw Communists became the first Communist nation.

"That is what I do not want to happen to the United States of America. For 25 years Mussolini outlawed communism, and they grew and flourished underground despite their punishment and their killing, and their shooting. As a result, 4 weeks ago the Communists and their allies polled more than 30 percent of the vote in the recent Italian election.

"In all of Nazi Europe the Communist were underground and they emerged at the end of the war so strong that they were so popular the French Maquis and others almost seized power in the governments of Europe at the end of this war because of the enormous strength that came to them from the underground.

And Czechoslovakia is another example. * * * For 7 years in Czechoslovakia the Communists were forced underground by the Nazi tyranny, and in those 7 years they developed such enormous strength that they were able shortly after the liberalization of Czechoslovakia, which we could have done, but our troops were pulled back and the Russian troops were allowed to go into Prague, they were able, before long, to take over the whole nation because they had flourished in the dark, underground.

"Here is an issue of the highest moral principle. In the present issue the people in this country are being asked to outlaw communism. That means this: Shall we in America, in order to defeat the totalitarian system which we detest, voluntarily adopt the method of that system? * * *

"I am against it because it is a violation of the Constitution of the United States and of the Bill of Rights, and clearly so. I am against it because it is immoral and nothing but totalitarianism itself. I am against it because I know from a great many years' experience in the enforcement of the law that the proposal wouldn't work, and instead it would rapidly advance the cause of communism in the United States and all over the world. * * *

"To outlaw the Communist Party would be recognized every place on earth as a surrender of the great United States to the methods of totalitarianism. Stripped to its naked essentials, this is nothing but the method of Hitler and Stalin. It is the con-

[7] It Should Be Outlawed, CONGRESSIONAL RECORD, daily edition, December 15, 1947, pp. 5071–5072.

[8] Outlawing of Reds Is Urged by VFW, New York Times, March 23, 1950, p. 11.

[9] Taken from Vital Speeches of the Day, New York, June 1, 1948, pp. 482–489. (Debate over radio from Portland, Oreg., May 17, 1948.)

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trol borrowed from the Japanese war leadership. It is an attempt to beat down ideas with a club, the surrender of everything we believe in. * * *

"In Canada they tried [outlawing] it once and the Communist Party grew so powerful and dangerous that they repealed the law in 1936, and in 1940 they tried it again and the Communist Party came right up with a dozen new false faces exactly as it would do of you passed the ludicrous law to outlaw them here. They would come up under 40 new fronts. They would then say 'We are not Communists any more,' exactly as they did in Canada—'we are just good Canadians working to support our Government.' And what happened? What happened in Canada is exactly what would happen here. They became so strong that during the war, in the face of a law which says it is illegal to belong to the Communist Party, they developed the greatest atomic-bomb spy ring in history, and Canada had to repeal the law."

Senator Glen H. Taylor, of Idaho: [11]

"The basic idea in American democracy is that the people have the right to hear all shades of opinion and then to make up their own minds. The framers of our Constitution had great faith in the common people, and they felt that if the people had an opportunity to hear all sides, they would always make a wise choice.

"I share that faith in the American people. I see no reason for us to abandon now the principle that has worked so successfully throughout our history.

"Our great weapon against error is not suppression, but reason. We have laws making punishable overt acts against the Government. If need be, we can strengthen laws against treasonable activity, but let's legislate against acts, not against names of parties.

"To suppress the Communist Party is to confer undue importance on an extremely unimportant group, but that suppression would inflict great harm on something very important and very dear to all of us, the United States Constitution. We must not create a police state in order to escape a police state."

Leo Cherne, executive secretary of the Research Institute of America: [12]

"I know that the Communist uses the right of speech and press and political action to destroy those freedoms. But the one thing about the Communists I do not fear is that he will win in the battle of ideas, or in the open political contest.

"I believe in civil liberties because I know * * * that you cannot kill any idea, good or bad, by suppressing it. You only drive it further out of your reach. I wish there were some way of forcing the Communists into the spotlight.

"That's why I fight a proposal that will merely push him further into the shadows.

"This history of political suppression is a history of failure. Neither kings, nor emperors, nor inquisitions, nor ruthless tortures have ever stifled an opposition.

"It is no accident that Communists have made less headway in this country and in Great Britain, where our freedoms have given them their greatest opportunity, than they have in any other country in the world. When Canada outlawed the Communist Party it won representation in the Parliament under a new name, the Labor Progressive Party, and acquired greater strength than it ever had in its legal days.

"The Communist Party is an antidemocratic, conspiratorial group. We cannot meet that threat by pretending as some innocents urge that it doesn't exist. Nor by pretending, as many frightened men urge, that we can abolish it by law.

"We meet it by identifying the Communists correctly, by using every democratic resource against him effectively. If he is an agent of a foreign power, * * * then we have a law today which requires that he register as such. * * *

"I recommend that we undress their dishonesty, shine truth in the face of their lies, and prosecute the conspirators. To do these, we must force the Communist into the open, where he can be watched, exposed, and answered.

"To outlaw the Communist is to make his present immorality moral and to protect his present illegality from ethical criticism and effective prosecution. I loathe him. Therefore, I want to keep an eye on him. He is my implacable enemy. Therefore, I would not disarm myself by pretending to abolish him."

Ellis Arnall, former governor of Georgia: [13]

"Our enemy, communism, would rob individual mankind of liberty, dignity, and freedom. We must defend freedom and democracy against the assaults of communism.

"But I cannot believe * * * that it's necessary to outlaw a political party made up of crackpots and subversives in order to build up our defense against communism.

"Because communism is a serious threat in the United States, it is imperative that we bring it out into the open instead of driving it underground. The imperative thing to do is not to pass a law against a disease, but first it is necessary to locate the disease and then undertake to effectuate a cure.

"We need to know who the Communists are, and to that end, I submit that they should be required to be registered and identified.

"We should not drive them underground to meet in secret rendezvous, and to engage in conspiracies. Those actually engaged in conspiracies now ought to be prosecuted.

"The laws against perjury, against conspiracies, against insurrection, against treason, should be enforced, and if need be, they may be made stronger. * * *

"Registration of foreign agents should be required, as the law now provides. Such an approach would let the public know who the Communists are, and would deal with Communists as law violators if they violate the law.

"Also there is a pressing need to require organizations affiliated with the Communist Party and running interference for it to identify themselves. * * *

"But we cannot make laws to control the minds and the intelligence of men. I do not believe the time has come yet when we are ready for thought police on the Japanese model. Once started, there would be no stopping.

"The right of a man to argue in defense of his intellectual position is an inalienable right. If he is a foreign agent, he should be dealt with under the laws relating thereto. * * *

"We cannot preserve freedom by the exercise of tyranny. If there is anything wrong with our Government today, we need to correct it with a good dose of American democracy."

William Henry Chamberlin, foreign correspondent, author, and lecturer: [14]

"I am keenly aware of the Communist threat to American security and the American way of life. But I do not believe the outlawry of the American Communist Party would be an effective counter measure. * * *

"[The threat] * * * is to be found in the fact that American Communists, like Communists in all countries, are the organized fifth column of a powerful foreign nation, the Soviet Union, whose leaders are avowedly committed to a program of world domination through world revolution. The experience of our neighbor, Canada, shows that even a few Communists can do a good deal of harm as spies.

"The infiltration of Communists into leading positions in certain trade unions and their skill in manipulating 'front' organizations into which they entice numbers of credulous non-Communists are dangerous mainly because these activities are part of an international conspiracy, directed from Moscow.

"Would it not, then, be a good idea to outlaw these agents of a foreign power? My answer is in the negative because I think any bill making the Communist Party illegal would be very much like shooting off an old-fashioned blunderbuss in an attempt to kill a very agile mosquito.

"Suppose the Communist Party was declared illegal by act of Congress, and that this act was upheld by the Supreme Court. Communists in every country are experts in protective camouflage. They are specifically instructed to play a continual double game, to lie, to cheat, to deceive, to conceal their identity when circumstances require it. If they were forbidden to function as Communists they would quickly form another party, giving it some nice-sounding name like 'Jefferson Democrats' or 'Lincoln Progressives'."

J. Edgar Hoover, Director, Federal Bureau of Investigation: [15]

"The best antidote to communism is vigorous, intelligent, old-fashioned Americanism with eternal vigilance. I do not favor any course of action which would give the Communists cause to portray and pity themselves as martyrs. I do favor unrelenting prosecution wherever they are found to be violating our country's laws. * * *

"As Americans, our most effective defense is a workable democracy that guarantees and preserves our cherished freedoms.

"I would have no fears if more Americans possessed the zeal, the fervor, the persistence, and the industry to learn about this menace of Red fascism. I do fear for the liberal and progressive who has been hoodwinked and duped into joining hands with the Communists. * * *

"The Communists have been, still are, and always will be a menace to freedom, to democratic ideals, to the worship of God, and to America's way of life.

"I feel that once public opinion is thoroughly aroused as it is today, the fight against communism is well on its way. Victory will be assured once Communists are identified and exposed, because the public will take the first step of quarantining them so they can do no harm. Communism, in reality, is not a political party. It is a way of life—an evil and malignant way of life. It reveals a condition akin to disease that spreads like an epidemic and like an epidemic a quarantine is necessary to keep it from infecting the Nation. * * *

"Congressman VAIL. You know that we are considering here certain laws to outlaw communism. I don't believe in the course of our discussion today you have covered whether or not you favor such legislation.

"Mr. HOOVER. Well, Mr. Congressman, within the Department of Justice the question as to the desirability or the undesirability of legislation is strictly a function for the Attorney General.

"I will say this as regards that point: I do think that before any such action is taken it ought to be given very, very serious consideration and study, because I would hate to see a group that does not deserve to be in the category of martyrs have the self-pity that they would at once invoke if

[11] From the American Forum of the Air, Washington, D. C., December 16, 1947.

[12] From Town Meeting, New York, April 3, 1947.

[13] Ibid.

[14] The Sign, national Catholic magazine, May 1947, pp. 25–27.

[15] U. S. Congress, House Committee on Un-American Activities, hearings, Mar. 26, 1947, pp. 43, 44, 48, 49.

they were made martyrs, by some restrictive legislation that might later be declared unconstitutional.

"I frankly feel that such laws as we have now should be vigorously enforced, and maybe some of them strengthened.

"I think the activity of this committee to expose and to bring out into the spotlight the activity of these individuals can do far more good, at least at the present time, than any very restrictive legislation.

"I wouldn't want to say that I am unalterably opposed to it, but I have my grave doubts as to its wisdom."

Henry Steele Commager, noted historian: [16]

"What of the effectiveness of outlawing the Communist Party? Let us ask ourselves, what is the end to be attained here? It is not, clearly, to prevent Communists from capturing the presidency or the Congress, or the legislatures of any State, for there is not the faintest likelihood of that from a party which has not yet elected a single Congressman, or at most has polled 102,991 votes. Outlawing the Communist Party will not change the political situation, since as far as communism is concerned there is no political situation to change.

"Nor is it at all clear that any method which can be formulated for outlawing the Communist Party would be effective. Should we designate the party by name, as several States have done, and deny any party of that name a place on the ballot? This is downright naive. It is seriously to underestimate the resourcefulness of the Communist Party which can, and doubtless will, change its name, and submit itself to us, smilingly, as the Jeffersonian or the Abraham Lincoln party.

"Many States, admitting the futility of outlawing communism merely by designating that party by name, attempt to achieve the same end by a description of unlawful political purposes or activities, or by requiring from candidates and party officers an oath of loyalty to the American constitutional system. The very fact that this method is now invoked suggests its futility. For it is, after all, nothing new. The requirement of an oath of loyalty to the Constitution is as old as the Constitution itself, and as recently as 1940 the amended Hatch Act included a provision excluding from Federal office those who advocated the use of force in politics. If guaranties of this kind were effective, they would not now be needed.

"But they are not effective, and in the nature of the case they cannot be. Why are they foredoomed to ineffectiveness? Because they will not in fact embrace the Communists. For the Communist Party is not officially committed to the use of force in politics. Quite the contrary. As far as official politics goes, Communists are as peaceable as Prohibitionists and vegetarians. The party is, according to its constitution, "a working-class party carrying forward the traditions of Jefferson, Paine, Jackson, and Lincoln"—indistinguishable, in other words, from the Democratic or the Republican Parties. Not only this but the constitution of the party specifically abjures the use of force in politics.

"Nor is it useful to insist that Communist advocacy of force is a matter of common knowledge. It may be common knowledge, but it is not the kind of knowledge upon which law-enforcement officers can act, or which, in the absence of specific acts, courts can take cognizance of. * * *

"Under our constitutional system men have the right to organize politically, and to agitate for changes in our Government and economy; under our legal system men are innocent until proved guilty, guilt is personal, and is to be proved by unlawful acts, not by unlawful thoughts. Our Constitution rejects the outlawing of any organization because of the program it advocates; our law rejects the doctrine of guilt by association or by intention. * * *

"If Communists violate the law they are subject to arrest and punishment like any other lawbreakers, not because they hold certain beliefs but because they have committed certain acts. No more than other nonconformists can they be prosecuted for the ideas they entertain. * * *

"[We do not] or * * * need to go back to the twenties for evidence that the attempt to outlaw dissent, or to terrify it, involves us almost inevitably in abuse of power and in violation of constitutional guaranties. The evidence is before us in the record of many States today; it is before us in the shoddy record of the Dies, the Rankin, and the Thomas committees. * * *

"The outlawry of any party on mere grounds of belief or program strikes at our basic principles of free speech, press, petition, and organization. It furnishes to any majority group a weapon potentially so dangerous that we have never heretofore been willing to use it. For what is done today to the Communist Party may be done tomorrow—again under the plea of patriotism, or of necessity—to other minority parties: the Socialist Party, or the Labor Party, or Mr. Wallace's new Progressive Party or, in the South, to some party pledged to the vindication of the rights of Negroes. * * *

"To outlaw a body of doctrine, however revolting that doctrine may be, is to confess that we are not prepared to meet and refute its arguments. It is, to that extent, a confession either of weakness or of impatience, and neither has a place in a democratic system. We need not, in fact, fear Communist doctrines so long as the channels of communication remain open, but we must be zealous to preserve the substance as well as the form of free trade in ideas. * * *

"On all these grounds, then, it would seem unwise to outlaw the Communist Party or to punish those whose only crime is membership in that party. It is unwise because it will surely fail of its objective. It is unwise because it would be a grave departure from our traditions of law and of constitutionalism. It is unwise because it would endanger the position of other nonconformist groups, prove an entering wedge to the suppression of freedom of speech and of thought, and open the gates to the kind of despotism that is most pernicious. It is unwise because it would deny to our people and our Government the advantages of criticism which, whatever its animus, is essential to our health and prosperity."

Editorial from Plain Talk: [17]

"The experience of Canada proves that the outlawing of the Communist Party would lead to (1) its reemergence under a new name, (2) its secret and espionage branches being driven deeper underground, (3) the establishment in America of a Gestapo or an OGPU to ferret out the armor-plated conspiracy, and (4) the cry of martyrdom being raised by the Communists which would rally to their support considerable groups of misguided citizens. Many are still laboring under the obsolete notion that the Communist Party, in reality an agency of a foreign power, is a normal political party and as such is entitled to the protection of the Bill of Rights and other constitutional provisions. * * *

"Pitiless exposure is the best remedy for the darkness in which the Communist Party operates. All conspirators know how to evade the law. Few of them can function in open daylight.

"Passing a law outlawing the Communist Party would lull the country into a false sense of security and compel the outlaws to construct a complete underground movement. Moreover, as William Green, President of the American Federation of Labor, put it, such legislation would be 'tantamount to a declaration of voluntary bankruptcy of the ideas and ideals of American democracy.'"

[16] Should We Outlaw the Communist Party? New York Times magazine, August 22, 1948, p. 7.

[17] "Shall We Outlaw the Communist Party?" Plain Talk, April 1947, pp. 3–4.

[From U. S. News & World Report of August 20, 1954]

RICHARD NIXON, Vice President, has noted that, in the countries where Communist activity is under effective control, the Communist Party is outlawed, making membership and association with it a crime. Government lawyers in this country, however, argue that the direct approach to dealing with Communists is too simple.

THE NEED OF SCHOOLS FOR OUR CHILDREN

Mr. HUMPHREY. Mr. President, in not too many more days the Members of this body will be hearing the welcome ring of the bell noting the end of this long and hectic session of Congress. However, no matter how jubilantly we receive the sweet music of this bell, it will not ring loud enough to drown out the thousands of bells which will begin to ring in September to call 31 million children back to our public schools.

Approximately 1 million of these children will be enrolling for the first time and taking the first steps of that 12-year journey which ends with graduation from high school. Most of these 1 million new school children were born during 1948 and 1949. Even before they were born there were Members of this body, myself included, who were wondering how our school buildings were going to accommodate in the 1950's the children of the 1940's.

It was with this prospect in mind that a subcommittee of the Labor and Public Welfare Committee held hearings in June 1949, on bills designed to give Federal assistance for construction of public schools. I had the honor of being the chairman of that subcommittee and of having as my colleagues distinguished Members of the Senate who are happily still with us. I refer, of course, to the senior Senator from Montana [Mr. MURRAY], the senior Senator from Alabama [Mr. HILL], the senior Senator from Vermont [Mr. AIKEN], and the junior Senator from Oregon [Mr. MORSE].

For 2 weeks the committee held hearings at which more than 30 witnesses appeared in person and many more placed statements in the record. Among the witnesses who appeared before the committee were the then United States Commissioner of Education, Dr. Earl J. McGrath, several distinguished Members of Congress, representatives of major national organizations interested in education, representatives of labor and of agriculture, and local school superintendents from many sections of the country. I might add that a significant number of these superintendents were from areas now listed as federally affected areas to which assistance has been given under Public Laws 815 and 874 of the 81st Congress.

What did we find in these hearings? First of all we discovered that the Federal Government had been neglecting to remedy a situation arising from its own

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activities. School districts located near defense installations and military posts were being required to enroll large numbers of children whose parents were Federal employees or who worked in defense plants. At the same time, the property on which these parents lived or worked was removed from the taxrolls of the locality.

As a result, the 81st Congress enacted Public Laws 815 and 874, both of which measures were developed as a result of investigations by my subcommittee and by a subcommittee of the House Committee on Education and Labor headed by Representative BAILEY, of West Virginia.

Secondly, our subcommittee discovered that even our experts were unable to project accurately the national need for school buildings or to break down this need on a State basis. In his testimony to us, Dr. McGrath, the Commissioner of Education, estimated that the need for new school buildings between 1949 and 1960 was in the neighborhood of 400,000 classrooms to be built at a cost of between $8 and $11 billion.

But Dr. McGrath went on to say, and I quote from his testimony:

> However, it should be pointed out that these are informal estimates only. No valid data on the total required will be available until carefully planned studies have been made in all States on some uniform basis to assure the comparability of data.

In view of this statement, when it came time to write the bill that later became Public Law 815, our subcommittee incorporated into it a provision of one of the school construction bills that I had earlier introduced authorizing $3 million to be allocated to the States for surveys of current and future school building needs. I hold here in my hand a copy of the report of the status phase of the school-facilities survey authorized by title I, Public Law 815 of the 81st Congress. This describes our current school building needs. I am informed by the United States Office of Education in the Department of Health, Education, and Welfare, that a further report is being rushed to completion which will project until 1960 the needs of the States participating in the survey. The report which I have here presents detailed statistics on the current needs as of September 1952 for school buildings in 43 States and Territories. I note here that a few States did not participate, either because they had just completed surveys or because of existing legislation which made it difficult for them to participate. Since the 43 States participating in this survey enrolled 79 percent of the children in our public schools, the Office of Education has felt justified in producing estimates projected on a national basis from the factual data supplied by the participating States who, in turn, collected them from the localities within their borders.

What then in brief did the survey disclose? Taking 1952–53 as the base year, the survey found that a third of our Nation's public elementary and secondary schoolchildren were attending classes in buildings of questionable safety as far as fire was concerned. In fact, 18 percent of them were attending in buildings that could not be considered fireproof at all.

The survey also found that 700,000 public-school children were attending school in double shifts and, in some localities, on triple shifts. You cannot realize the full meaning of this until you have actually seen, as I have seen, schools where as one school bus emptied its load of children coming to school a line of children was forming to get on the school bus to be taken home, and this was in the middle of the day. In short, children who should have been spending a normal day in schools were turned out on the streets at noon. Perhaps they were fortunate enough to have a parent at home to keep an eye on them, or perhaps they were fortunate enough to have organized recreation available. And if they were not, what then? And what of the children on the so-called afternoon shift, which sometimes does not end until 6 p. m.? These children lose practically all opportunity for outdoor playtime, their hours disrupt the normal family routine, and during the winter months these youngsters are forced to travel long blocks home in the dark night. The findings of the Senator from New Jersey [Mr. HENDRICKSON], Subcommittee on Juvenile Delinquency, tell that story more eloquently than I have time to do here.

To return to the national school-facilities survey, the report of current needs in 1952–53 stated that more than 312,000 classrooms should be built to relieve overcrowding and to replace obsolete buildings. But that was in 1952. Since then enrollment has increased and more classrooms have become obsolete. The need during the approaching school year 1954–55 will be 340,000 classrooms.

As of 1952, it was estimated that the cost of building the 312,000 classrooms then needed was $10.7 billion. But now it is probably closer to $12 billion. Of course the primary responsibility of financing all this school construction lies with State and local governments, but the laws and methods for voting bond issues or raising assessments on property are such that our States and local school districts estimated that in 1952 they could only raise $5.8 billion of the $10.7 billion needed then. This left a deficit of $4.9 billion. In my own State of Minnesota we reported to the Office of Education a need for $165,959,000 worth of school construction of which 90 percent was new construction rather than for remodeling or rehabilitation of obsolete buildings. Even if every local school district and our State legislature had taxed and appropriated to its total legal capacity there still would have been a deficit of $46 million, or 27.8 percent of the total estimated need.

One more national figure for consideration. Although in the fall of 1952 our States and localities estimated that there was $5.8 billion available for school construction within existing legal limitations, the fact is that the estimated amount of actual expenditure for school construction in the United States during 1952–53 was in the neighborhood of $1.5 billion. The estimates for the school year 1953–54 just ended are $1.8 billion worth of construction, and during the coming year we will probably build $2 billion worth of classroom facilities.

Before we accuse the States and localities, however, of shirking their responsibilities let us keep a few more facts in mind. The national figures for the value of school construction I have just cited are peak figures. The first time the people of the United States ever spent more than $1 billion on school construction was in 1950. Back in 1925 we thought it was a record when we spent $434 million for that purpose. Not until 1948, 23 years later, did we again spend over $400 million to build schools. In 1934, because of the depression, and again in 1944, when labor and material shortages arose during wartime, the total expenditure for school construction sank below $60 million. The fact is that the magnitude of the task has far outstripped the resources available to our States and local school districts. Even so, these same local school districts, aided in 26 States by State funds, are gradually trying to catch up with the backlog of construction which is a legacy of the depression and war years while at the same time keeping abreast of ever-mounting enrollments. I think it is remarkable and praiseworthy that in the 4 years since 1950 we have nearly doubled the amount of expenditure for public school construction in the United States. But even this begins to look like "too little and too late."

As I pointed out at the beginning of my remarks, Mr. President, 31 million children will be going to school in little more than a month from now; and they will find that we are short not 312,000 classrooms, because that was in September 1952, and not 325,000 classrooms because that was last year, but 340,000 classrooms. I might add that there is nothing we can do about this at all. And because we can do nothing about it and because we have done nothing about it so far, 1 child in 5 this year will go to a building that is a firetrap and 1 child in 10 will go to a building that is over 50 years old and ought to be abandoned. I repeat, Mr. President, there is nothing we can do to remedy this situation before the next school year begins, and the tragedy of it all is that we could have remedied it 6 years ago except for the fact that those of us who saw the implications of the increasing national birthrate were like voices crying in the wilderness.

If it is too late to do much for the children of 1954–55 who have to attend crowded, unsafe, and unsanitary school buildings, the question for which we must seek an answer is: What can we do for the school children of 1957, '58, '59, and 1960 and beyond? Only a few days ago, Mr. President, the Vice President proposed to the Governors of our 48 States a national highway plan involving the breath-taking expenditure of $50 billion over the next 10 years. The Vice President pointed out how necessary it was to expand our highways in order to meet the needs of a population of 200 million people by 1970 and cited many ways in which modernizing and expanding our highways would promote the national welfare.

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With all due respect for the regular presiding officer of the Senate, I say to him that it would be foolish in the extreme to plan for the highways of 1970 without taking some thought for the schools of the 1950's. The 5- and 6-year-olds who are entering school for the first time this year will drive on the highways proposed by the administration. Can schools be any less important than highways? In his speech, the Vice President pointed out the cost of neglecting our highway system, a cost compounded of human lives lost or impaired by accident.

But what about the hidden costs of neglecting our schools? Are they not also measured in terms of human lives—the Selective Service rejectee, the juvenile offender in prison or reformatory, the unskilled worker on relief? If we are shocked by the death toll on our highways should we not be equally shocked by the fact that since 1950 the Army has had to retrain 120,000 men because of educational deficiencies? This training was necessary in order to bring these men up to the reading level of a 5th-grader in elementary schools, otherwise the Army could not make effective use of these men as soldiers. Surely it would have been better for these trainees had they been properly taught when they were in school rather than to wait until they were soldiers before giving them the rudiments of literacy. And, I might add, it would have been less costly, since the soldiers receiving literacy training were also fed and clothed and housed at public expense while the school child is not so treated.

If the administration is concerned with the thousands of miles of roads in need of repair should it not be equally concerned with the minds of 8 million persons who are functional illiterates according to reports recently issued by the United States Commissioner of Education? I am not advocating that we neglect highways in order to build schools; neither do I advocate the neglect of the minds of our school children while we build roads. I voted for an additional billion dollars of Federal money for highway construction this year. By the same token I intend to vote for a program of Federal assistance to help our States and localities build the schools our children deserve. All that I advocate is that we balance one national need against another, the need for highways against the need for schools, and that we view both in their proper perspective and in their proper relationship to the national welfare.

In the past several days I have heard many of my colleagues from the other side of the aisle speak in praise of the proposed $50 billion highway plan. As they have done so, I have been reminded of the cartoon by Herb Block of the Washington Post and Times Herald in which a little boy is pulling at the coattails of a man delivering an oration on the future of America and saying to him, "Here I am, Mister."

Mr. President, there is now pending on the calendar of the Senate, S. 2601, the emergency public school construction act of 1954. Over the next 2 years, this bill would authorize not $50 billion, not $5 billion, but $500 million to assist the States and Territories in meeting their immediate and critical needs for public school buildings. I am pleased to note that S. 2601 was reported unanimously from the Senate Labor and Public Welfare Committee and that it is a bipartisan bill with 11 sponsors from both sides of the aisle.

Although I was one of several Senators who introduced a separate school construction bill, I am more than willing to support a bill like S. 2601, amended, in which a hard-working committee has endeavored to include the most desirable features of the many proposals before it. My own bill, S. 536, has several provisions in common with S. 2601, although it differs from it both in the amount of aid authorized and in the formula used for distribution. In my recorded testimony to the hearings before the Senator from Kentucky's [Mr. COOPER] Subcommittee on Education, I pointed out to the subcommittee the need for school construction and gave my reasons for thinking my bill would help alleviate this need. I note from the printed copy of the hearings which I have received that many of my colleagues who had also introduced school construction bills presented similar testimony for the record.

As I glanced through the printed hearings on S. 2601 I saw many familiar names and read many familiar arguments. I say "familiar" because the case for Federal assistance for school construction is substantially the same in 1954 as it was in 1949 except that we should have acted in 1949. One great difference is that the witnesses testifying before the Senate this year were equipped with the best available statistics that could be derived from the school facilities survey, which we did not have in 1949. I noted also that witnesses from several of the States were able to draw upon figures produced by surveys of State needs and resources for financing new schools. In short, Mr. President, we know more facts about the need for school buildings than we knew in 1949, but we still have not gotten around to facing these facts and acting on them.

I was, of course, greatly disturbed that neither the present United States Commissioner of Education, Dr. Samuel Brownell, nor Secretary Hobby of the Department of Health, Education, and Welfare appeared in person before the subcommittee on education of the Labor and Public Welfare Committee. Both of these officials submitted statements for inclusion in the record. The substance of their testimony was that while it is true that we need school facilities, the only thing the Federal Government ought to do at this time is hold some conferences to talk about them. This is indeed a far cry from 1949 when both the Federal Security Administrator and the Commissioner of Education appeared before my subcommittee to urge strongly the passage of a Federal school construction law.

In its present form, S. 2601 is a 2-year emergency bill designed to take care of the immediate needs of our public schools while the proposed State and White House conferences on education advocated by Mrs. Hobby and Dr. Brownell are discussing a long-range program. As such, the bill is designed to meet the objections raised by Secretary Hobby that we have "no adequate and recognized criteria for determining what the actual resources and physical capacity of States and communities are, and no generally accepted criteria of what constitutes a reasonable effort on the part of States and communities in devoting their available resources to meet school construction needs." I do not know what the Secretary means by adequate and recognized criteria, but I have already cited numerous figures from reports on our school needs prepared in her own department at the request of Congress and in compliance with an Act of Congress. At least, Senator COOPER and his subcommittee have recognized these facts and have decided to act now rather than to wait on whatever further information some proposed conferences might develop.

I do not see how by any stretch of the imagination S. 2601 could be called an extravagant measure. Certainly it is not extravagant when compared with the $50 billion highway program, nor is it extragavant by comparison to the $10 billion need for school construction. My own State of Minnesota would receive a little less than $5 million for each of the 2 years the bill is operative, or about $7.51 per child of 5 to 17. Under the terms of the Cooper bill, no more than 40 percent of any one school-building project can be financed with Federal money. This means that the $10 million that will go to my State will finance $25 million worth of schools, of which $15 million must be raised by the State and its local school districts. Yet, as I pointed out, the State of Minnesota in 1952–53 estimated that its resources would fall $40 million short of its needs and I am sure that the deficit of need over ability to pay is greater now than it was 2 years ago.

Nevertheless, S. 2601 is a significant step forward from doing nothing at all. For this reason, Mr. President, I think that the Senate of the United States has no more important unfinished business before it than this bill which will affect the welfare of hundreds of thousands of schoolchildren. I think it should pass, and pass quickly, and I should like to hope that the leadership of the Senate and of the House will do all that they can to get S. 2601 enacted before we go home.

Finally, Mr. President, I should like to hope that the President of the United States will seize this opportunity for an act of creative leadership. How tragic it would be for this bill to fail of passage by Congress because of neglect or actual opposition by an administration whose leader is himself—at least nominally—a former educator. Surely the President meant what he said in his state of the Union message this year from which I quote these words:

> Youth—our greatest resource—is being seriously neglected in a vital respect. The Nation as a whole is not preparing teachers or building schools fast enough to keep up with the increase in our population.

The preparation of teachers, as, indeed, the control and direction of public education policy, is a State and local responsibility. However, the Federal Government should stand ready to assist States which demonstrably cannot provide sufficient school buildings.

The President has stated that he is a liberal when it comes to human needs. If ever there was a human need, the welfare of American school children is one such need. I have already brought to the attention of the Senate a telegram sent to the President by 20 great national organizations, urging him to support favorable consideration by the Congress of the emergency public-school construction bill before it adjourns. I should like to read the opening sentence of this telegram which says, "The people of the United States possess no more precious national treasure than the children enrolled in our schools." Mr. President, here is a resource we can unite in protecting; no long debate is needed here. Nothing we can say or do will keep these American school children from going to school and from growing up to the responsibilities of adult citizens. They will go to school, be it overcrowded or unsafe; and they will grow up and become yet another generation of American voters.

Our task then, is to act and act now to keep faith with this generation of school children, our precious treasure and irreplaceable national resource. That they will become citizens is beyond doubt; what sort of citizens they will be is for our generation to decide. We had this sort of vision when we aided the States to develop land-grant colleges of agriculture and the mechanic arts. We had the vision and we kept faith with the generation to come when we established grants-in-aid to the States for vocational education. Shall we not once again meet a great national need—the shortage of school buildings—by an act of statesmanship. I hope we shall and that S. 2601 will pass before the 83d Congress becomes history.

RECESS TO 10 A. M. TOMORROW

Mr. KNOWLAND. Mr. President, if there be no further business to come before the Senate, I move that the Senate stand in recess until 10 o'clock tomorrow morning.

The motion was agreed to; and (at 10 o'clock and 46 minutes p. m.) the Senate took a recess until Tuesday, August 17, 1954, at 10 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate August 16 (legislative day of August 5), 1954:

DIPLOMATIC AND FOREIGN SERVICE

Robert McClintock, of California, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Cambodia.

Charles W. Yost, of New York, a Foreign Service officer of class 1, to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to the Kingdom of Laos.

DEPARTMENT OF THE AIR FORCE

Trevor Gardner, of California, to be Assistant Secretary of the Air Force.

BOARD OF PAROLE

Lewis J. Grout, of Kansas, to be a member of the Board of Parole for a term expiring September 30, 1959.

John E. Henry, of Montana, to be a member of the Board of Parole for a term expiring September 30, 1956, vice Paul W. Tappan, resigned.

UNITED STATES CIRCUIT JUDGES

Martin Donald Van Oosterhout, of Iowa, to be United States circuit judge, eighth circuit, vice Seth Thomas, retired.

Charles J. Vogel, of North Dakota, to be United States circuit judge, eighth circuit, vice Walter G. Riddick, deceased.

UNITED STATES DISTRICT JUDGE

Henry L. Brooks, of Kentucky, to be United States district judge for the western district of Kentucky, to fill a new position.

UNITED STATES MARSHAL

Jay Neal, of Arkansas, to be United States marshal for the western district of Arkansas, vice Cooper Hudspeth, resigned.

COMPTROLLER OF CUSTOMS

Russell E. Atkinson, of New Jersey, to be comptroller of customs with headquarters at Philadelphia, Pa., to fill an existing vacancy.

IN THE ARMY

The officers named herein for appointment as Reserve commissioned officers of the Army under the provisions of the Armed Forces Reserve Act of 1952 (Public Law 476, 82d Cong.):

To be major generals

Maj. Gen. Philip Charles Bettenburg, O171936, Minnesota National Guard, to date from May 10, 1954.

Maj. Gen. Carl Otha DeBard, O288794, Indiana National Guard, to date from May 10, 1954.

Maj. Gen. Heber Leutner Edwards, O172673, North Dakota National Guard, to date from May 10, 1954.

Maj. Gen. Rhodolph Leslie Esmay, O165227, Wyoming National Guard, to date from July 25, 1954.

Maj. Gen. Luis Raul Esteves, O170507, Puerto Rico National Guard, to date from May 10, 1954.

Maj. Gen. Walter Jones Hanna, O171549, Alabama National Guard, to date from May 10, 1954.

Maj. Gen. Roy Washington Kenny, O176730, Oklahoma National Guard, to date from May 10, 1954.

Maj. Gen. Mark Walter Lance, O243398, Florida National Guard, to date from May 10, 1954.

Maj. Gen. Gordon Alexander MacDonald, O193923, Michigan National Guard, to date from May 10, 1954.

Maj. Gen. Joseph Evelyn Nelson, O241830, Minnesota National Guard, to date from May 10, 1954.

Maj. Gen. Frederick Gates Reincke, O322850, Connecticut National Guard, to date from May 10, 1954.

Maj. Gen. Charles Gurdon Sage, O171863, New Mexico National Guard, to date from May 10, 1954.

Maj. Gen. John Edward Walsh, O256059, Idaho National Guard, to date from May 10, 1954.

To be brigadier generals

Brig. Gen. Wayne Carlos Bailey, O281317, California National Guard, to date from May 10, 1954.

Brig. Gen. Richard Cook, O107835, Minnesota National Guard, to date from May 10, 1954.

Brig. Gen. Gerald Edward DuBois, O340176, Iowa National Guard, to date from May 10, 1954.

Brig. Gen. Joseph Clifford Hodgin, O120835, Illinois National Guard, to date from May 10, 1954.

Brig. Gen. John Francis Homfeld, O253221, Illinois National Guard, to date from May 10, 1954.

Brig. Gen. John Jacobson, Jr., O102326, New Hampshire National Guard, to date from May 10, 1954.

Brig. Gen. Cecil Joseph Kennedy, O243189, Michigan National Guard, to date from May 10, 1954.

Brig. Gen. Harry Atkins Markle, Jr., O271409, Pennsylvania National Guard, to date from May 10, 1954.

Brig. Gen. Loren Gregory Windom, O275591, Ohio National Guard, to date from May 10, 1954.

IN THE NAVY

The following-named officers of the staff corps of the Navy for temporary promotion to the grade of rear admiral, subject to qualification therefor as provided by law:

MEDICAL CORPS

Bruce E. Bradley
Irwin L. V. Norman

SUPPLY CORPS

William L. Knickerbocker
Thomas L. Becknell, Jr.
James W. Boundy

CIVIL ENGINEER CORPS

William Sihler
Robert H. Meade

DENTAL CORPS

Ralph W. Taylor

CONFIRMATIONS

Executive nominations confirmed by the Senate August 16 (legislative day of August 5), 1954.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The following-named persons to be members of the Advisory Board of the Saint Lawrence Seaway Development Corporation:

John C. Beukema, of Michigan.
Harry C. Brockel, of Wisconsin.
Edward J. Noble, of Connecticut.
Kenneth Merle Lloyd, of Ohio.
Hugh Moore, of Pennsylvania.

POST OFFICE DEPARTMENT

E. George Siedle, of Pennsylvania, to be an Assistant Postmaster General.

POSTMASTERS

ALABAMA

Emitt J. Stricklin, Bremen.

ARIZONA

Paul H. McEwen, McNary.
Bertha Bernice Boggs, Waddell.

ARKANSAS

James A. Myover, Cotton Plant.
John A. Fairly, Junction City.
Irel C. Bellville, Little Rock.

CALIFORNIA

Albert S. Ricketts, Burbank.
Hazel M. Bailey, Los Alamos.
Harry S. Barr, Meridian.
Myrtle D. Jennings, Mount Eden.
Alden H. Stookey, Portola.
Gladys K. Mohnike, Tecopa.
Marion E. Underhill, Yuba City.

COLORADO

Lloyd R. Swedhin, Buena Vista.
Maybelle M. Wright, Erie.

FLORIDA

William Dale Dunifon, Fort Lauderdale.
Rudolph W. Long, Sebastian.
Green J. McGriff, Jr., Starke.

GEORGIA

William C. Lovejoy, Jr., Decatur.
Martha E. Priester, Grantville.

ILLINOIS

Elmer W. Johnson, Cherry Valley.
Salvator R. Forlenza, Park Forest.
Enid I. Crotchett, Kane.
Harold J. Fenwick, Malden.
Robert F. Herzog, Peru.

IOWA

Buster Davenport, Anamosa.
Edwin H. Curtis, Chariton.

LOUISIANA

Ruth T. Hingle, Pointe a la Hache.

MAINE

Helen I. Bennett, Charleston.
Sewall L. Moody, Guilford.
Donald T. Reilly, New Harbor.

MASSACHUSETTS

Anna M. Shea, Barrowsville.
Donald F. Griffin, Lanesboro.
Nils Sture Nelson, Norwood.
Stacy P. Taylor, South Wellfleet.

MICHIGAN

Chester F. Lee, Armada.
Lawrence A. Hahn, Au Gres.
Robert J. Price, Baraga.
Walter R. Cremeans, Elmira.
Andrew R. Fuller, Fife Lake.
Henry A. Torretti, Iron Mountain.
Marjorie A. Hershiser, Lake Odessa.
Marvin D. Cole, Middleton.
Shirley E. McBean, Peck.
Burnetta W. Lawitzke, Port Hope.
Ralph G. Hartsig, Van Dyke.

MINNESOTA

Dale E. Matteson, Akeley.
Walter J. Jacob, Anoka.
Robert J. Talbert, Crystal Bay.
Harold J. Mumme, Franklin.
Vernon A. Temanson, Greenbush.
Edward K. Tanner, Little Falls.
Glenn B. Burbach, Rochester.
Ruby S. Lynch, South International Falls.
Bernard J. Rauen, Waconia.

MISSOURI

Weldon P. Coy, South St. Joseph.

MONTANA

Norman E. Blythe, Havre.
Guy C. Rogers, Missoula.
Joseph M. Tackes, Power.

NEBRASKA

Ivan E. Hiatt, Bristow.
Charley L. Dickey III, Columbus.
Clarence O. Rodine, Polk.

NEW HAMPSHIRE

Frank A. Fogg, Center Ossipee.

NEW JERSEY

Lester W. Schroeder, Franklin.
Robert A. Cooper, Mount Arlington.
Frank W. Murphy, Paterson.

NEW MEXICO

Lewis H. Moore, Farmington.

NORTH CAROLINA

Aretta S. Crumpton, Altamahaw.

OHIO

Paul R. Boyd, Barnesville.
William L. Meder, Bellaire.
Hobart A. Wehking, Cincinnati.
Joseph S. Frantz, Cleveland.
August J. Leagre, De Graff.
Harry A. Titsworth, Fremont.
Ellsworth C. Young, Middlebranch.
Orll O. Miller, Mount Blanchard
Sister Mary Annice Cushman, Mount St. Joseph.
William C. Duff, New Concord.
Edna T. Duncan, Perrysville.
Frank R. Faires, Stockport.
Earl W. Conner, Waynesville.
George W. Rupp, Wellston.

OREGON

Friedrick W. Knieling, Marion.
Albert M. Hodler, Portland.

PENNSYLVANIA

Earl S. Cummings, Aliquippa.
Charlotta F. Ferren, Allenport.
Bruce Crumm, Altoona.
Kelvin L. Bowman, Klingerstown.
Harold V. Eichelberger, Lewisberry.
George W. Gunia, Springdale.
William W. Davis, Wilkes-Barre.

SOUTH DAKOTA

Irwin B. Linstad, Eagle Butte.
Delvin Meyer, Mission.

TEXAS

Frank T. Coffman, Bagwell.
Douglas M. Pegues, Cleburne.
Martin E. Franklin, Fort Hancock.
Kenneth Whelply, Nederland.
Nathan O. Jackson, Tolar.

VIRGINIA

Ellwood B. Groseclose, Ivanhoe.

WASHINGTON

Muriel June Kast, Elbe.

WISCONSIN

William D. Arnold, Lake Nebagamon.

HOUSE OF REPRESENTATIVES

MONDAY, AUGUST 16, 1954

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Almighty God, at the beginning of this new week, we are humbly and earnestly beseeching Thee that the whole course of our lives may be directed in true accord with Thy divine will.

Grant that in the welter of life's many conflicting calls and claims we may be inspired by the assurance of Thy sustaining presence to serve our generation faithfully.

Help us to see more clearly that our human life has no defense against despair and defeatism unless we cultivate a greater faith in Thee, whose wisdom is infallible and whose strength is invincible.

Emancipate our troubled and trembling spirits from fear and anxiety and may we put our hands in Thine and hear and heed Thy voice as Thou dost say unto us, "This is the way, walk ye therein."

Hear us in Christ's name. Amen.

The Journal of the proceedings of Thursday, August 12, 1954, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 3516. An act for the relief of Anna K. McQuilkin;

H. R. 8027. An act to amend the act of March 6, 1952 (66 Stat. 16), to extend the time during which the Secretary of the Interior may enter into amendatory repayment contracts under the Federal reclamation laws, and for other purposes;

H. R. 9712. An act granting the consent of Congress to certain New England States to enter into a compact relating to higher education in the New England States and establishing the New England Board of Higher Education;

H. R. 9868. An act to amend the Merchant Ship Sales Act of 1946 to provide for the charter of passenger ships in the domestic trade; and

H. R. 9962. An act to increase by 5 percent the rates of pension payable to veterans and their dependents.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 1665. An act for the relief of Carl Piowaty and W. J. Piowaty;

H. R. 1980. An act to authorize and direct the Commissioners of the District of Columbia to construct a bridge over the Potomac River in the vicinity of Jones Point, Va., and for other purposes;

H. R. 6290. An act to discontinue certain reports now required by law;

H. R. 6672. An act to increase the public debt limit;

H. R. 7762. An act for the relief of M. M. Hess;

H. R. 8193. An act to amend the Refugee Relief Act of 1953;

H. R. 8753. An act to amend the Federal Property and Administrative Services Act of 1949, as amended, to authorize the Administrator of General Services to establish and operate motor vehicle pools and systems and to provide office furniture and furnishings when agencies are moved to new locations, to direct the Administrator to report the unauthorized use of Government motor vehicles, and to authorize the United States Civil Service Commission to regulate operators of Government-owned motor vehicles, and for other purposes;

H. R. 9002. An act to provide for the retirement of certain officers of the Regular Army and the Regular Air Force at age 60, and for other purposes;

H. R. 9357. An act for the relief of S. H. Prather, Mrs. Florence Prather Penman, S. H. Prather, Jr.;

H. R. 9910. An act to amend section 413 (b) of the Foreign Service Act of 1946; and

H. R. 10009. An act to provide for the review of customs tariff schedules, to improve procedures for the tariff classification of unenumerated articles, to repeal or amend obsolete provisions of the customs laws, and for other purposes.

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 114. An act authorizing appropriations for the construction, operation, and maintenance of the western land boundary fence project, and for other purposes;

S. 417. An act conferring jurisdiction upon the United States District Court for the District of New Mexico, to hear, determine, and render judgment upon certain claims arising as a result of the construction by the United States of Elephant Butte Dam on the Rio Grande;

S. 1022. An act for the relief of Harold Swarthout and L. R. Swarthout;

S. 2017. An act to revise the procedure in the district courts relating to the disposition of the wages and effects of deceased and deserting seamen, and for other purposes;

S. 2083. An act for the relief of Lawrence F. Kramer;

S. 2980. An act conferring jurisdiction upon the United States District Court for the Southern District of New York to hear, determine, and render judgment upon a claim of the Bunker Hill Development Corp.;

S. 3187. An act to authorize the United States of America to quitclaim all its right, title, and interest in and to certain lands in Arizona, except for mineral interests therein, and for other purposes;

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S. 3189. An act providing for the conveyance by the United States to the Monterey County Flood Control and Water Conservation District, Monterey County, Calif., of certain lands in Camp Roberts Military Reservation, Calif., for use as a dam and reservoir site, and for other purposes;

S. 3316. An act to authorize and direct the conveyance of a certain tract of land in the State of Mississippi to Jonathan Jones;

S. 3326. An act for the relief of P. H. McConnell;

S. 3601. An act to provide that the Secretary of Agriculture is authorized to extend until not later than October 18, 1962, certain timber rights and necessary ingress and egress, and for other purposes;

S. 3706. An act to outlaw the Communist Party, to prohibit members of Communist organizations from serving in certain representative capacities, and for other purposes;

S. 3726. An act granting the consent of Congress to certain New England States to enter into a compact relating to higher education in the New England States and establishing the New England Board of Higher Education; and

S. J. Res. 156. Joint resolution to provide for a new third division of the Northern Judicial District of California.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 9366. An act to amend the Social Security Act and the Internal Revenue Code so as to extend coverage under the old-age and survivors insurance program, increase the benefits payable thereunder, preserve the insurance rights of disabled individuals, and increase the amount of earnings permitted without loss of benefits, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill; requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MILLIKIN, Mr. MARTIN, Mr. WILLIAMS, Mr. GEORGE, and Mr. BYRD to be the conferees on the part of the Senate.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 10051. An act making appropriations for mutual security for the fiscal year ending June 30, 1955, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill; requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BRIDGES, Mr. FERGUSON, Mr. CORDON, Mr. SALTONSTALL, Mr. DIRKSEN, Mr. HAYDEN, Mr. RUSSELL, Mr. MCCARRAN, and Mr. CHAVEZ to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 22. An act to validate certain payments for accrued leave made to members of the Armed Forces who accepted discharges for the purpose of immediate reenlistment for an indefinite period;

S. 2420. An act to amend section 32 of the Trading With the Enemy Act, as amended;

S. 3233. An act to amend the Merchant Marine Act, 1936, to provide permanent legislation for the transportation of a substantial portion of waterborne cargoes in United States-flag vessels;

S. 3239. An act to authorize conveyance of land to the State of California for an inspection station;

S. 3379. An act to amend the Flammable Fabrics Act, so as to exempt from its application fabrics and wearing apparel which are not highly flammable; and

S. 3487. An act to authorize the Central Bank for Cooperatives and the regional banks for cooperatives to issue consolidated debentures, and for other purposes.

The message also announced that the Senate had ordered that the House of Representatives be requested to return to the Senate the bill No. H. R. 8932, "An act to reclassify dictaphones in the Tariff Act of 1930," and the message of the Senate thereon.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 2263) entitled "An act to authorize the Postmaster General to readjust the compensation of holders of contracts for the performance of mail-messenger service," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. CARLSON, Mr. DUFF, and Mr. JOHNSTON of South Carolina to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9757) entitled "An act to amend the Atomic Energy Act of 1946, as amended, and for other purposes."

The message also announced that the Senate further insists on its amendments to the above-entitled bill and asks a further conference with the House on the disagreeing votes of the two Houses thereon and appoints Mr. HICKENLOOPER, Mr. KNOWLAND, Mr. BRICKER, Mr. JOHNSON of Colorado, and Mr. ANDERSON to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9678) entitled "An act to promote the security and foreign policy of the United States by furnishing assistance to friendly nations, and for other purposes."

SOCIAL SECURITY ACT AND THE INTERNAL REVENUE CODE

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 9366) to amend the Social Security Act and the Internal Revenue Code so as to extend coverage under the old-age and survivors insurance program, increase the benefits payable thereunder, preserve the insurance rights of disabled individuals, and increase the amount of earnings permitted without loss of benefits, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from New York? The Chair hears none, and appoints the following conferees: Messrs. REED of New York, JENKINS, SIMPSON of Pennsylvania, COOPER, and DINGELL.

SECOND LIBERTY BOND ACT

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 6672) to increase the public debt limit, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert "That during the period beginning on the date of enactment of this act and ending on June 30, 1955, the public debt limit set forth in the first sentence of section 21 of the Second Liberty Bond Act, as amended, shall be temporarily increased by $6 billion."

The SPEAKER. The Chair recognizes the gentleman from Tennessee [Mr. COOPER].

Mr. COOPER. Mr. Speaker, I intend to reserve the right to object for the purpose of making a brief statement. It is my understanding that the gentleman from New York [Mr. MULTER] intends to object, so I shall withhold the statement.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. REED]?

Mr. MULTER. Mr. Speaker, reserving the right to object, this bill originally came before the House at the end of the last session of this Congress last year. It was requested by the Secretary of the Treasury at that time on his representation to the House that it was needed in order to meet the debt limit; and that if the debt limit were not increased at that time, this Government of ours would not be able to meet its bills as they became due during the calendar year ending December 31 last.

We have now gone almost 13 months since that request was made and the House passed the bill. Now I understand there has been a statement made to the other body, as a result of which the increase requested, instead of being $15 billion, is to be only $6 billion. I think before this House is asked to do anything more with this bill, the Secretary of the Treasury should report to this House and tell us why the difference and why he can now get along with $6 billion increase when he reported to the House last year that he needed $15 billion before the calendar year was over.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. MULTER. I yield.

Mr. HALLECK. As a matter of fact, the Secretary of the Treasury has made constant representations to all of us in respect to this matter. As far as the action taken by the House of Representatives is concerned, I am completely convinced that if the other body had gone along with us, money would have been saved to the Treasury of the United States. However, they did not.

I rise at this time only to suggest to the gentleman from New York [Mr. MULTER] that this matter must be disposed of.

This course seems to be the desirable one and, may I say, the necessary one under all the circumstances. If the gentleman persists in his objection, then, of course, we would have no alternative except to move to suspend the rules to pass the bill because, as I have said, it is something that must be disposed of. I sincerely trust the gentleman from New York [Mr. MULTER], for whom I have the highest admiration, will not press his objection at this time in order that the matter may be disposed of.

Mr. MULTER. Mr. Speaker, in order to make my position perfectly clear, when the matter was before us in the closing days of the last session of this Congress, I raised the objection that this matter was of sufficient importance to require hearings, to require that the testimony be printed and given to the Members before we were called upon to act. Almost 13 months have gone by. I understand there has been a statement made to the other body, but we do not have that statement here. There have been no hearings before the appropriate committee of this House. I think until those hearings are held and we know where we are going and why we are going there, I must object.

The SPEAKER. Objection is heard.

MUTUAL SECURITY APPROPRIATION ACT

Mr. TABER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 10051) making appropriations for mutual security for the fiscal year ending June 30, 1955, and for other purposes, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. TABER].

Mr. CANNON. Mr. Speaker, reserving the right to object, I should like to ask the gentleman from New York (Mr. TABER) if the legislative bill authorizing this appropriation has yet become a law?

Mr. TABER. I think it has, but I am not sure. The conference report has passed the Senate and the House, but whether or not the bill has been signed, I cannot say; but I think it has.

Mr. CANNON. The House, then, has had no notification of approval by the President of the authorization bill?

Mr. TABER. I have not heard of any.

Mr. CANNON. Would that interfere in any way with this bill going to conference and with action in conference?

Mr. TABER. I should not think so.

Mr. CANNON. This is the last appropriation bill to go to conference this session?

Mr. TABER. I hope so.

Mr. CANNON. And there is already one pending in conference?

Mr. TABER. That is right.

Mr. CANNON. Mr. Speaker, I wonder if the gentleman could give us any information as to when he expects to dispose of these two bills in conference?

Mr. TABER. I hope that we may be able to have a conference report tonight upon the Supplemental bill. I would hope that perhaps we will be able to get to a conference on the Mutual Security bill sometime this afternoon, although it may be a little difficult to do that. It would be very much better if we could get it over with, I hope with good results.

Mr. CANNON. I withdraw my reservation of objection, Mr. Speaker.

Mr. GROSS. Reserving the right to object, Mr. Speaker, I understand that this request is to appoint conferees on the appropriation for the so-called foreign aid?

Mr. TABER. That is it.

Mr. GROSS. The other body put $9 million into this bill for so-called technical assistance to the United Nations. Is that correct?

Mr. TABER. That is correct.

Mr. GROSS. What will be the attitude of the House conferees toward that?

Mr. TABER. I would say that the House conferees did not like that idea when they made up the bill. They left it out of the bill because they felt that it was more damage than it was good.

Mr. GROSS. The House appropriated not one penny for this purpose?

Mr. TABER. We appropriated what we thought was right: nothing.

Mr. GROSS. I hope the managers on the part of the House will stand by their refusal to appropriate money for this purpose.

Mr. Speaker, I withdraw my reservation of objection.

Mr. BROWN of Ohio. Mr. Speaker, reserving the right to object, as I understand the situation, the Senate appropriated over all some $200 million less for foreign aid than the House appropriated.

Mr. TABER. That is not correct.

Mr. BROWN of Ohio. What is the difference?

Mr. TABER. The difference is that the House was lower than the Senate by several hundred million dollars.

Mr. BROWN of Ohio. The House appropriation was lower than the Senate, not higher?

Mr. TABER. Yes, much lower.

Mr. BROWN of Ohio. I certainly want to express the hope that the House conferees will stand by the House version of the bill and reduce this appropriation to the very lowest possible amount.

Mr. TABER. I think the gentleman can count on that.

The SPEAKER. Is there objection to the request of the gentleman from New York? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. TABER, WIGGLESWORTH, H. CARL ANDERSEN, FENTON, DAVIS of Wisconsin, FORD, GARY, ROONEY, PASSMAN, and CANNON.

PROCEEDINGS AGAINST HORACE CHANDLER DAVIS

The SPEAKER. The Chair desires to announce that pursuant to House Resolution 704, 83d Congress, he did on today, August 16, 1954, certify to the United States attorney for the western district of Michigan the refusal of Horace Chandler Davis to answer questions before the Committee on Un-American Activities of the House of Representatives, together with all of the facts in connection therewith.

FILING OF CONFERENCE REPORTS ON MUTUAL SECURITY AND SUPPLEMENTAL APPROPRIATION BILLS

Mr. TABER. Mr. Speaker, I ask that the Committee on Appropriations may have until midnight tonight to file conference reports on the mutual security appropriation bill and the supplemental appropriation bill.

Mr. CANNON. Reserving the right to object, Mr. Speaker, does the request include filing conference reports on both the foreign aid and the supplemental appropriation bills?

Mr. TABER. It does.

Mr. PATMAN. Reserving the right to object, Mr. Speaker, is this the supplemental appropriation bill that carries the appropriation for the Hoover Commission?

Mr. TABER. It is.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

ATOMIC ENERGY ACT OF 1954

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 9757) to amend the Atomic Energy Act of 1946, as amended, and for other purposes, with a Senate amendment thereto, insist on disagreement to the Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from New York? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. COLE of New York, HINSHAW, VAN ZANDT, DURHAM, and PRICE.

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent that the managers on the part of the House on the bill H. R. 9757 may have until midnight tonight to file a conference report.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

CALL OF THE HOUSE

Mr. HOFFMAN of Michigan. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] One hundred sixty-three Members are present, not a quorum.

Mr. HALLECK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 141]

Adair	Buckley	Davis, Tenn.
Angell	Busbey	Deane
Ayres	Campbell	Dempsey
Baker	Canfield	D'Ewart
Barden	Carrigg	Dingell
Beamer	Chatham	Dollinger
Bender	Clevenger	Dolliver
Bentley	Colmer	Donovan
Bentsen	Condon	Dorn, S. C.
Blatnik	Cotton	Doyle
Boland	Coudert	Durham
Bolling	Curtis, Mo.	Ellsworth
Bowler	Davis, Ga.	Engle

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Fine	Lyle	Regan
Fino	McCarthy	Riley
Golden	McCormack	Rivers
Gordon	McCulloch	Robsion, Ky.
Gubser	Mack, Ill.	Rogers, Mass.
Haley	Mack, Wash.	Roosevelt
Hand	Madden	Scrivner
Harrison, Wyo.	Martin, Iowa	Secrest
Harvey	Mason	Shafer
Hébert	Miller, N. Y.	Sheehan
Hess	Mollohan	Sikes
Hillelson	Morgan	Smith, Wis.
Hoffman, Ill.	Morrison	Stringfellow
Holifield	Moulder	Taylor
Holt	Nelson	Teague
Hosmer	Norblad	Thompson, La.
Hruska	O'Brien, Ill.	Tollefson
James	O'Brien, Mich.	Utt
Jonas, Ill.	Osmers	Van Pelt
Kearney	Patten	Vinson
Keogh	Patterson	Vursell
Kilburn	Pelly	Wainwright
Klein	Pillion	Weichel
Kluczynski	Powell	Wheeler
Landrum	Preston	Widnall
Lantaff	Prouty	Wilson, Calif.
LeCompte	Rabaut	Wilson, Tex.
Lipscomb	Radwan	Yates
Lucas	Rains	Yorty

The SPEAKER. On this rollcall 293 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

SECTION 308 (5) OF THE TARIFF ACT OF 1930

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 9248) to amend section 308 (5) of the Tariff Act of 1930, as amended, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, after line 8, insert:

"SEC. 2. (a) Paragraph 1631 of the Tariff Act of 1930, as amended, is amended by inserting 'bookbinding or cover' after 'book.'

"(b) The amendment made by this section shall be effective as to articles entered for consumption or withdrawn from warehouse for consumption on or after the 10th day following the date of this act and prior to September 1, 1956."

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. COOPER. Mr. Speaker, reserving the right to object, I ask unanimous consent to extend my remarks on this bill following the remarks of the gentleman from New York [Mr. REED].

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REED of New York. Mr. Speaker, the purpose of the Senate amendment to H. R. 9248 is to allow a period for the renewal of bookbinding and the importation of book covers for foreign books by the institutions or for the purposes specified in paragraph 1631 of the Tariff Act. These institutions are societies or institutions for religious, philosophical, educational, scientific, or literary in nature. It is not anticipated that any domestic bookbinding or book-cover industry would be affected by the amendment.

Mr. COOPER. Mr. Speaker, as H. R. 9248 passed the House it provided for the temporary exemption of racing vehicles and craft which are imported into the United States for racing events, where no money purse is involved, from the requirement of filing a bond.

The Senate added an amendment permitting certain religious, educational, and similar institutions to import free of duty until September 1, 1956, bookbindings and covers. I urge that the Senate amendment be adopted.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

TARIFF ACT OF 1930

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 8628) to amend the Tariff Act of 1930 to insure that crude silicon carbide imported into the United States will continue to be exempt from duty, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

After line 5, insert:

"Sec. 2. (a) Paragraph 720 of title I of the Tariff Act of 1930 (U. S. C., 1952 edition, title 19, sec. 1001, par. 720), is amended by adding at the end thereof the following subparagraph:

"(d) Fish sticks and similar products of any size or shape, fillets, or other portions of fish, if breaded, coated with batter, or similarly prepared, but not packed in oil or in oil and other substances, whether in bulk or in containers of any size or kind, and whether or not described or provided for elsewhere in this act, if uncooked, 20 percent ad valorem; cooked in any degree, 30 percent ad valorem."

"(b) The foregoing amendment shall enter into effect as soon as practicable on a date to be specified by the President in a notice to the Secretary of the Treasury following such negotiations as may be necessary to effect a modification or a termination of the international obligations of the United States with which the amendment would be in conflict."

Amend the title so as to read: "An act to amend the Tariff Act of 1930 to insure that crude silicon carbide imported into the United States will continue to be exempt from duty, and with respect to the duties applicable to certain prepared fish."

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. COOPER. Mr. Speaker, reserving the right to object, I ask unanimous consent to extend my remarks on this bill following the remarks of the gentleman from New York [Mr. REED].

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REED of New York. Mr. Speaker, the Senate amendment to H. R. 8628 removes an anomaly in the existing duties on certain prepared fish by making fish sticks not containing any added oil dutiable at rates which are higher than those applicable to the raw fish from which they have been processed. The amendment also provides that the new rates of duty shall enter into effect as soon as practicable after the President has taken action to modify or withdraw any international obligations which may be affected by the proposed legislation. It is my understanding that this amendment avoids the possible conflict with international obligations to which the executive departments previously raised objections.

Mr. COOPER. Mr. Speaker, as H. R. 8628 passed the House it provided for the continued importation of crude silicon carbide free of duty.

The Senate added an amendment which would permit a readjustment in the rates of duties on fish sticks and similar products, amounting to an increase in these duties. This increase will be made only after the President has had time to modify concessions on them in our trade agreements.

It is my understanding that the interested departments are agreeable to this amendment. I urge that the Senate amendment be adopted.

Mr. BATES. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BATES. Mr. Speaker, the purpose of the amendment under discussion is to place a duty of 20 percent ad valorem on uncooked fish sticks and 30 percent on the cooked, with a view of providing fairer competition between foreign and domestic fish sticks in the event that foreign nations decide to send these fish sticks into the United States.

The 20-percent tariff on uncooked fish sticks represents an increase in the tariff to carry out the general policy that higher tariffs will be established for each successive stage of processing of any particular article. Under the existing law, the tariff on prepared fish sticks is lower than on raw fish.

I have held conferences with representatives of the various departments and this proposed legislation meets with general approval, and I am confident that the White House will endorse favorable action by this body. Dr. Gabriel Hauge, administrative assistant to the President, has already stated that "the goal of your bill, which we all agree, is a good one."

The domestic-fishing industry is making every effort to help itself in maintaining high standards, provide employment, and encourage industry, but it needs help and protection from competitive imports. The proposed amendment will alleviate some of the strain on the industry, and I urge its passage.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

REVIEW OF CUSTOMS TARIFF SCHEDULES

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 10009) to provide for the review of customs tariff schedules, to improve procedures for the tariff classification of unenumerated articles, to repeal or amend obsolete provisions of the customs laws, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, lines 1 and 2, strike out "for the purpose of determining the applicable rate of duty or exemption from duty" and insert "for tariff purposes."

Page 2, line 3, strike out "certain" and insert "related."

Page 2, line 11, strike out "Established" and insert "Establish."

Page 2, line 20, strike out all after "classifications" over to and including "calculated" in line 25 on page 4.

Page 4, after line 25, insert:

"(b) The Commission shall seek to accomplish the purposes of subsection (a) without suggesting changes in any rate or rates of duty on individual products, whether those rates are applied by statute or by Presidential proclamation. Where, however, in the judgment of the Commission, the purposes of subsection (a) cannot be accomplished without such changes, the Commission shall specify each incidental change in rates which in its judgment would accomplish such purposes, and shall accompany it with a summary of all the data on which such suggested change was based, together with a statement of the probable effect of such suggested change on any industry in the United States. Before suggesting any changes in rates of duty, the Commission shall give public notice of its intention to do so and shall afford reasonable opportunity for parties interested to be present, to produce evidence, and to be heard at public hearings with respect to the probable effect of such suggested changes on any industry in the United States."

Page 5, line 1, strike out "(d)" and insert: (c)

Page 5, line 3, after "data", insert "and statements."

Page 5, line 7, strike out "(e)" and insert "(d)."

Page 5, after line 16, insert:

"(e) The Commission may invoke all the powers granted to it under part II, title III, of the Tariff Act of 1930, as amended, and is authorized to make reasonable rules and regulations, for the purpose of carrying out its functions under this title."

Page 5, after line 16, insert:

"(f) The Commission may procure temporary and intermittent services in accordance with section 15 of the act of August 2, 1946 (5 U. S. C., sec. 55a), but at rates not to exceed $75 per diem for individuals. The Commission may reimburse employees, experts, and consultants for travel, subsistence, and other necessary expenses incurred by them in the performance of their official duties, and make reasonable advances to such persons for such purposes. Service by a person pursuant to the first sentence of this subsection shall not be considered as service or employment bringing such person within the provisions of section 281, 283, 284, or 1914 of title 18 of the United States Code, or section 512 of the Mutual Security Act of 1954, or section 190 of the Revised Statutes (5 U. S. C., sec. 99)."

Page 5, line 17, strike out "(f)" and insert "(g)."

Page 5, line 21, strike out "tariff classification of."

Page 5, line 22, after "articles", insert "—American goods returned."

Page 6, after line 20, insert:

"CERTAIN METAL ARTICLES RETURNED TO UNITED STATES

"SEC. 202. Paragraph 1615 (g) of the Tariff Act of 1930, as amended (U. S. C., 1952 edition, title 19, sec. 1201, par. 1615 (g)), is further amended to read as follows:

"'(g) (1) Any article exported from the United States for repairs or alterations may be returned upon the payment of a duty upon the value of the repairs or alterations at the rate or rates which would apply to the article itself in its repaired or altered condition if not within the purview of this subparagraph (g).

"'(2) If—

"'(A) any article of metal (except precious metal) manufactured in the United States or subjected to a process of manufacture in the United States is exported for further processing; and

"'(B) the exported article as processed outside the United States, or the article which results from the processing outside the United States, as the case may be, is returned to the United States for further processing,

then such article may be returned upon the payment of a duty upon the value of such processing outside the United States at the rate or rates which would apply to such article itself if it were not within the purview of this subparagraph (g).

"'(3) This subparagraph (g) shall not apply to any article exported—

"'(A) from bonded warehouse or from continuous customs custody elsewhere than bonded warehouse with remission, abatement, or refund of duty;

"'(B) with benefit of drawback through substitution or otherwise; or

"'(C) for the purpose of complying with any law of the United States or regulation of any Federal agency requiring exportation.

"'(4) For the purposes of this subparagraph (g), the value of repairs, alterations, or processing outside the United States shall be considered to be—

"'(A) the cost to the importer of such repairs, alterations, or processing; or

"'(B) if no charge is made, the value of such repairs, alterations, or processing,

as set out in the invoice and entry papers; except that, if the Secretary of the Treasury concludes that the amount so set out does not represent a reasonable cost or fair value, as the case may be, then the value of the repairs, alterations, or processing shall be determined in accordance with section 402 of this act. No appraisement of the imported article in its repaired, altered, or processed condition shall be required unless necessary to a determination of the rate or rates of duty applicable to such article.'"

Page 7, line 22, after "from", insert "the invoice or other papers or from."

Page 7, line 22, after "him", insert "or to any person to whom authority under this section has been delegated."

Page 7, line 23, strike out "sale" and insert "sales."

Page 8, line 4, strike out "sixty" and insert "one hundred and twenty."

Page 8, line 4, after "been", insert "raised by or."

Page 8, line 5, after "him", insert "or any person to whom authority under this section has been delegated."

Page 8, line 15, strike out "sixty" and insert "one hundred and twenty."

Page 8, line 16, after "was", insert "raised by or."

Page 8, lines 16 and 17, after "Secretary", insert "or any person to whom authority under section 201 has been delegated."

Page 8, line 19, strike out "sale" and insert "sales."

Page 10, line 13, strike out all after "(a)" down to and including "follows" in line 15 and insert "Section 28 (d) of the Revised Organic Act of the Virgin Islands, approved July 22, 1954, is amended to read as follows."

Page 10, line 16, strike out "SEC. 3." and insert "(d)."

Page 10, line 20, strike out "3350" and insert "7652 (b)."

Page 10, line 20, after "Code", insert "of 1954."

Page 11, strike out all after line 2 over to and including line 19 on page 14.

Page 14, line 20, strike out "VI" and insert "V."

Page 14, line 22, strike out "601" and insert "501."

Page 15, line 17, strike out "602" and insert "502."

Page 16, line 2, strike out "Every" and insert "Except as specified in the proviso to section 594 of this act, every."

Page 16, line 17, strike out "603" and insert "503."

Page 17, line 17, strike out "604" and insert "504."

Page 18, line 4, strike out "605" and insert "505."

Page 18, line 17, strike out "606" and insert "506."

Page 18, line 22, strike out "607" and insert "507."

Page 19, line 3, strike out "VII" and insert "VI."

Page 19, line 4, strike out "701" and insert "601."

Amend the title so as to read: "An act to provide for the review of customs tariff schedules, to improve procedures for the tariff classification of unenumerated articles, and for other purposes."

Mr. COOPER. Mr. Speaker, reserving the right to object, I ask unanimous consent to extend my remarks in the RECORD on this bill immediately following the remarks of the gentleman from New York [Mr. REED].

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to insert in the RECORD at this point an explanation of the Senate amendment.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REED of New York. Mr. Speaker, H. R. 10009, as passed by this House, directed the Tariff Commission to institute a thorough study of tariff classification problems and to transmit copies of its recommendations for reclassification to the President and to the chairmen of the committees of the Congress which have jurisdiction over tariff matters. The House bill anticipated that these recommendations would include rate changes as the result of reclassification. The Senate amendment directs the Tariff Commission to seek to accomplish the purposes of the study without suggesting changes in rates of duty on individual products, unless, in the judgment of the Commission, the purposes of the study

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cannot be accomplished without such rate changes. The amendment also provides that, before suggesting any such changes in rate, the Tariff Commission shall give public notice of its intention to do so and shall afford reasonable opportunity for interested parties to be heard. In addition, the Senate amendments provide certain authority for the Tariff Commission, such as the exercise of the subpena power and the right to procure temporary assistance, as is necessary to carry out the study which it is directed to make. These authorizations are the usual ones in such cases.

The Senate amended title II of the House bill to add a provision which will permit manufacturers of any article of metal—except precious metal—processed in the United States to export such articles for further processing and at the time of reimportation to pay duty on the cost of the processing done in the foreign country. This provision passed the House unanimously last session.

The Senate also amended title III of the House bill, relating to the imposition of antidumping duties. Under present law, an antidumping duty may be imposed against any importation subject to, and unappraised at the time of, a finding of dumping. In some cases, importations which have not been appraised for a number of years because of difficulties entirely unrelated to the question of dumping are nevertheless subject to the dumping duty. This retroactive feature of the present law would have been corrected by the House bill which provided that duty would be applicable only to unappraised entries which had been entered within 60 days before the question of dumping was first raised by or presented to the Secretary of the Treasury. The Senate amendment provides for the retroactive application of dumping duties for a 120-day period instead of 60 days, as in the House bill.

Finally, the Senate eliminated title V of the House bill which would have repealed certain obsolete, inoperative, and unnecessary statutes and provisions thereof relating to the duties, functions, and operations of certain officers and employees of the customs service.

Mr. COOPER. Mr. Speaker, it will be recalled that the primary purpose of H. R. 10009, as it was passed by the House, was to provide for a study looking toward a simplification of classifications under our Tariff Act. The Senate amended the House bill and while still directing that such a study be made by the Tariff Commission, the Senate amendments eliminate the provisions of the House bill which specified to some extent the methods and standards to be used in the study, as well as some of the results which were to be achieved. The effect of this, the Senate Finance Committee felt, would be to broaden to some extent the study of the Tariff Commission.

Another Senate amendment provided that there should be no change in rates recommended by the Tariff Commission unless such changes are necessary in order to accomplish simplification of tariff classifications. The Senate would also require that no such rate changes shall be recommended until after adequate public hearings are held to determine the possible effects of the rate changes proposed.

Under the House bill retroactivity in antidumping cases was limited to 60 days. The Senate changed this to 120 days.

The Senate also added an amendment which would permit manufacturers of metal articles which are processed in the United States to be exported for further processing abroad without having to pay a duty on the articles when they are reimported, except on the cost of the processing which was done in the foreign country.

The House bill eliminated certain obsolete provisions from the tariff laws. The Senate struck these provisions from the House bill.

I urge that the Senate amendments be agreed to.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949

Mr. JONAS of North Carolina. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 8753) to amend the Federal Property and Administrative Services Act of 1949, as amended, to authorize the Administrator of General Services to establish and operate motor vehicle pools and systems and to provide office furniture and furnishings when agencies are moved to new locations, to direct the Administrator to report the unauthorized use of Government motor vehicles, and to authorize the United States Civil Service Commission to regulate operators of Government-owned motor vehicles, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 5, line 5, strike out all after "accounting." down to and including line 7.

Page 7, line 8, strike out "to" and insert "by."

Page 7, line 13, preceding "personnel", insert "civilian."

Page 10, line 21, strike out "when" and insert "When."

Page 11, line 14, strike out "and" and insert "or."

Page 11, line 17, after "depot", insert "and any vehicle regularly used by an agency in the performance of investigative, law enforcement, or intelligence duties if the head of such agency determines that exclusive control of such vehicle is essential to the effective performance of such duties."

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

INCREASING THE DEBT LIMIT

Mr. REED of New York. Mr. Speaker, I move to suspend the rules and agree to House Resolution 705.

The Clerk read the resolution, as follows:

Resolved, etc., That immediately upon the adoption of this resolution the bill H. R. 6672, with the Senate amendment thereto, be, and the same hereby is, taken from the Speaker's table, to the end that the Senate amendment be, and the same is hereby, agreed to.

The SPEAKER. Is a second demanded?

Mr. COOPER. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. REED of New York. Mr. Speaker, H. R. 6672, passed by the House at the last session, would have provided a $15 billion increase in the present statutory debt limit of $275 billion.

The Senate amendments eliminate this permanent increase in the debt limit and substitute a temporary $6 billion increase. The increase so provided will take effect on the date of the enactment of the bill and will terminate on June 30, 1955.

I have been assured that the temporary increase will permit the Federal Government to carry out its fiscal operations this year. We will be able to review the fiscal situation next year to determine the need for further legislation in this area.

Mr. KEATING. Mr. Speaker, will the gentleman yield?

Mr. REED of New York. I yield.

Mr. KEATING. That means that if we do unfortunately find, as we approach June of next year, that it is necessary to continue the increased debt limit, the Congress will have to take affirmative action in order to do so at that time?

Mr. REED of New York. That is right.

Mr. KEATING. And the debt limit automatically goes back to the present figure as of June 30, unless we take that affirmative action; is that correct?

Mr. REED of New York. That is correct.

Mr. JENKINS. Mr. Speaker, will the gentleman yield?

Mr. REED of New York. I yield.

Mr. JENKINS. I will ask the gentleman if it is not true that in these investigations that he has had made, as chairman of the Ways and Means Committee, this matter was taken up with Senator BYRD, and also with the Secretary of the Treasury and other capable persons, and that the conclusion seems to be quite general the proper figure should be six billion.

Mr. REED of New York. That is correct.

Mr. MULTER. Mr. Speaker, will the gentleman yield?

Mr. REED of New York. I yield.

Mr. MULTER. Has the gentleman's committee had any communication during this session from the Secretary of the Treasury on this subject?

Mr. REED of New York. Absolutely, sir; it is well understood that this is satisfactory.

Mr. MULTER. Does the gentleman mean satisfactory to the Department?

Mr. REED of New York. It certainly is; and to the Congress.

Mr. MULTER. Has that communication been made a part of the record of this House, either the CONGRESSIONAL RECORD or in committee hearings?

Mr. REED of New York. I am making it now.

Mr. MULTER. It comes from the Secretary?

Mr. REED of New York. I say I am making it now.

Mr. MULTER. I thank the gentleman.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. REED of New York. I yield to the gentleman from Texas.

Mr. PATMAN. Suppose the temporary increase of $6 billion goes through, and I assume it will, and next June 30 our national debt is $281 billion. The gentleman said this is a temporary increase. How are you going to reduce it to $275 billion?

Mr. REED of New York. This is a temporary increase which will serve until the collections from the corporations come in.

Mr. PATMAN. It contemplates that if securities are issued and sold aggregating $6 billion in addition to the $275 billion, the present limit, they will remain out and intact, and there will be no effort to reduce them to $275 billion next June 30?

Mr. REED of New York. We plan to get down to at least $275 billion by the end of the fiscal year.

Mr. PATMAN. How will you do that if these are sold as securities? That is the point that is confusing me. How will they do that?

Mr. REED of New York. They would have to redeem them. What is more, the tax revenues will be sufficient by the close of this fiscal year under present estimates.

Mr. PATMAN. Suppose they are not sufficient?

Mr. REED of New York. We are not assuming that. We are assuming that they will be sufficient.

Mr. PATMAN. There will be no way to force them down if they are out and you do not have the money to pay for them.

Mr. REED of New York. I say we will have the money.

Mr. Speaker, last session the administration requested and the House approved, a permanent $15 billion increase in the national debt ceiling. Since that time the administration has been making every effort to reduce our expenditures to the extent consistent with the demands of our national defense. The splendid and dedicated work of the appropriations committees have greatly assisted these efforts. The result is that instead of the permanent $15 billion increase in the debt ceiling, which was believed to be necessary last year, only a temporary $6 billion increase is now required. The Secretary of the Treasury has given me his assurance that the Federal Government will be able to meet its obligations during this fiscal year if this temporary increase is provided, assuming that present estimates of receipts and expenditures remain substantially correct.

Lower than this temporary $6 billion increase, we cannot go. This fact is demonstrateble by simple arithmetic. The total debt on August 2, 1954, was $274.1 billion and the cash on hand was $5.9 billion. The Treasury estimates that expenditures between now and January 15, 1955, will exceed receipts by nearly $9 billion. This means that without any change in the debt limit we would, by January 15, have no cash balance and would still have more than $2 billion of bills unpaid. These, of course, are only estimates and may be wrong to the extent of $3 billion one way or the other. Unless we adopt the temporary $6 billion increase in the national debt ceiling it is likely that the Treasury would not be in a position to pay the bills of the United States Government between now and next June 30.

We have a duty to protect the credit of the United States. It is because we must protect this credit that we must approve H. R. 6672. However, in approving only this temporary and limited increase, we will give evidence of our great concern over the continuance of deficit financing and of our desire to bring spending under control.

The temporary character of the increase requested means that at the next session of Congress we will have an opportunity to review the entire expenditure picture in the light of the then existing international conditions so as to insure that proper action can be taken to protect the interests of the Nation and its citizens.

Mr. COOPER. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I feel that I owe it to the House as well as to myself to make a clear, brief statement about this bill.

While I have not checked the RECORD, I believe it is fair to say that during the last year, the first year of the present Eisenhower administration, I think I supported the President more consistently than most members of his own party in this House. I believe I supported him more consistently than some of the most prominent members of his own party here in this House. I felt that he was entitled to that support. Of course, most of the measures recommended by him were continuations of previous measures that had been passed by Democratic administrations.

It was my privilege to have been called to the White House, invited there for a breakfast, during the closing days of the last session of Congress. It will be remembered that the leadership on both sides of the aisle of the House and the Senate, and the chairman and ranking minority member of the Committee on Ways and Means and of the Senate Finance Committee were invited to that conference at the White House to discuss the question of the increase in the debt limit. It is not my intention to undertake to quote the President or the Secretary of the Treasury or any of those who participated in that White House conference, but I do feel that it is only fair for me to state to this House in substance and in effect the information that was given us on that occasion. As I said a moment ago, I believe in fairness to the House I should make this clear, brief statement. Information was given us there by the Secretary of the Treasury that the debt limit had to be increased, and he urged a permanent increase of $15 billion. He stated that there were very important refinancing operations which had to be made during October and November of last year along with a dropoff in corporation tax collections, and that he had to have this increase in the debt limit. He stated that if the situation should develop that a bill against the Federal Government should not be paid when it was presented to the pay window, that information would go out like an electric flash to the financial institutions of this country, and to the world, for that matter, and would result in a panic. That was in substance the information that was given us as a basis for the insistence that the debt limit should be permanently increased $15 billion. The President told us that if legislation was not passed before the close of the last session of Congress, he would call a special session about September because it would have to be acted upon. I thought the Secretary of the Treasury knew what he was talking about. I thought the President of the United States meant what he said. They are primarily responsible for the fiscal affairs of our Government. I accepted their information and yielded to their pleas and I came back here and supported the bill in the Committee on Ways and Means. I spoke for the passage of the bill here in the House. The House passed the bill, as requested by the President and the administration. It went to the other body, and now it is finally back here amended—it has not become law yet. More than a year has passed. They got along without the increase over the present debt limit. We did not have the panic which was predicted, and the President did not call a special session of Congress. That is the situation which now causes me considerable doubt. I have the doubt in my mind as to whether they know more about what they are talking this year than they did a year ago. That was the situation which was presented to us then. Now the request is made that we concur in the Senate amendment, which is to increase the debt limit temporarily by $6 billion instead of the permanent increase of $15 billion, which we were told a year ago was needed to take care of the situation.

I do not feel like assuming the responsibility of objecting to this request or opposing this increase of the debt limit because, frankly, I do not know what may happen. The predictions which were made a year ago might possibly materialize this year, and I would not want to assume any part of the responsibility for anything of that kind happening. But I do feel, in view of the experience that we have had with this measure, there is a justifiable ground for considerable doubt. But, I shall not oppose this motion to suspend the rules and pass this resolution. I feel that we probably have no other choice as responsible legislators in face of the request and urgings of those responsible for our fiscal affairs.

Mr. RAYBURN. Mr. Speaker, will the gentleman yield?

Mr. COOPER. I yield.

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Mr. RAYBURN. Talk about confusion—to say this is a temporary increase in the debt limit—what does "temporary" mean? If it means increasing the debt limit for a year, that is one thing. But suppose the one year passes? What is going to happen then? Are we automatically going back to the $275-billion debt limit? What is going to be the situation?

Mr. COOPER. I think the distinguished gentleman from Texas [Mr. PATMAN] asked a very appropriate question along that line of the chairman of the Committee on Ways and Means. Suppose the debt limit has reached $280 billion by June 30, 1955, which is the time for which this extension applies, suppose that is the amount of the public debt on June 30, 1955; it is contemplated under this that the public debt will have gone back down below the present ceiling of $275 billion. But suppose that has not happened, then what is to occur? There is the debt. Under this limitation there would not be any authority to support that amount of public debt. There is a question, I think, that was very properly asked, and of course the distinguished chairman of the Committee on Ways and Means simply said that the debt will be back below that figure by that time. It is my guess that we will find that this increase will become a permanent one.

Mr. RAYBURN. That might be anybody's guess.

Mr. COOPER. Certainly.

Mr. RAYBURN. It is bound to be a guess.

Mr. COOPER. Then, in response to a question asked by the distinguished gentleman from New York, [Mr. MULTER], as to the consideration given to this resolution that is now presented here, on which a motion to suspend the rules and pass it has been made, it has not even been considered by the Committee on Ways and Means. Not only have no hearings been held, no information been given the committee, but the committee had not even met to consider this resolution.

The SPEAKER. The time of the gentleman from Tennessee has again expired.

Mr. COOPER. I reserve the remainder of my time, Mr. Speaker.

Mr. REED of New York. Mr. Speaker, I yield 5 minutes to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, first of all I want to express my appreciation for the attitude of the gentleman from Tennessee [Mr. COOPER], as just expressed. I was present when those statements were made to us. I cannot agree with him, however, in his apparent finding that there has been a serious miscarriage of the predictions that were made. The fact of the matter is, this has not been political, at least not until recently, and not too political then, and I do not want to make it that way. We took over, and we had a situation that confronted us, with our obligations bouncing up against the debt ceiling. In view of that circumstance we were asked to increase the debt ceiling. I did what I could to bring that about and, as the gentleman from Tennessee [Mr. COOPER] said, he assisted us, and we enacted an increase in the limit at that time. A number of things have transpired since. As far as I am concerned, I think everybody acted in good faith. I think at times no one can tell what the situation will be next June or July, and no one could be absolutely sure at that time, but several things have happened, and they might well be pointed out.

In the first place, the Secretary of the Treasury has said a number of times that the failure in the other body to go along with the increase in the debt limit necessitated certain different operations in the Treasury with respect to financing and refinancing that cost us money; operations that could have been carried on more economically if the Treasury had not been operating under the $275 billion limit. Certainly I think it is to be said to the credit of everyone here who has sought to hold down the expenditures of the Government that we have been able to keep the expenditures down more than some people thought we might be able to keep them down. Those economies, of course, result in a better situation as far as the overall Federal national public debt is concerned. Today it is a practical matter which confronts us. Without mentioning names of anyone in the other body, certainly we have all read the papers enough to know that there were certain objections made over there to an increase in the debt ceiling. Everyone wants to keep down the debt limit if we can, and everyone wants to stay within that limit if we can, but at the same time there is no magic in that limit, because when the time comes that the Federal Government has to pay bills, even out of borrowed money, it has got to pay them. I am happy that a panic did not come about. I am happy that we were able to meet our bills without any trouble. We have got to meet them through the coming fiscal year. In my opinion, the fact that the other body has sent to us this amendment for an increase justifies the action that was taken in the House of Representatives last year.

I think it clearly indicates the necessity of our conforming to that action and meeting the responsibility which is ours to see to it that our Government's fiscal situation is stable and sound. Certainly I would not want to take the responsibility for going along with anything different from that.

I hope this increase can be temporary. I hope the revenues can be brought into line with expenditures, may I say to the gentleman from New York, as he expressed the hope, so that this will in fact be temporary. But if at the time it would expire the obligations of the Federal Government for whatever reason—and it might be a very serious one—were to be above the limit as here fixed, then, of course, the Congress of the United States would have no alternative but to continue that increase in the debt limit. So I sincerely hope that this amendment will be concurred in. It is true that hearings have not been held, but we are all familiar with the situation and I think we are in position to vote on this motion.

Mr. COOPER. Mr. Speaker, I yield 4 minutes to the gentleman from Texas [Mr. PATMAN].

NATIONAL DEBT LIMIT

Mr. PATMAN. Mr. Speaker, I opposed increasing the debt limit from $275 billion to $290 billion when the question was up about a year ago. I opposed it because the Government had about $9 billion idle and unused in the commercial banks.

I am not opposed to the commercial banks; I am in favor of our privately owned commercial banking system. In addition to that, I want that system to be a profitable system, to make money, because we must have a good banking system. Our capitalistic economy which we believe is the best in the world could not function without a good banking system. Banks are indispensable. I do not want to do anything that will harm our present system, but I do believe some improvements can be made in the interest of the country and the banks. I am not advocating any change that would prohibit the banks from operating at a fair profit.

Mr. WOLCOTT. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Michigan.

Mr. WOLCOTT. Should not the gentleman say that the highest the Government has had in the commercial banks is $9 billion, not the average?

Mr. PATMAN. Yes; that is the highest in 1953. It so happened that the day the question came up the report I received was $9 billion.

Mr. WOLCOTT. The average is something like $6 billion.

Mr. PATMAN. At this time it is about $4,500,000,000.

That is all right if it is absolutely necessary to have that much in private banks but I prefer to help the banks in another way if it is necessary to help them. The people should not be required to pay up to 3¼ percent interest on money deposited in banks that is idle and unused. That money is not even subject to check under present practices of the United States Treasury; it is not within reach of the United States Treasury.

It is contended that the banks should have these deposits to offset expenses incurred in tax collections and bond selling campaigns for the Federal Government. I am impressed with this argument but I believe the banks should be aided for these services by adequate compensation being paid by the Government rather than through this uncertain, haphazard, unbusinesslike method. Banks can get money from the Federal Reserve banks to tide them over a tight period during tax collections and bond sales at a very low—almost an insignificant—rate of interest for the time the money is needed. Usually a short time. So why allow billions of dollars to remain idle and unused in these banks over long periods of time—in fact continuously—when the taxpayers are forced to pay 2, 2½, or 3¼ percent interest on it.

In practice when that money is needed by the Government the banks are called

on to deposit a certain percentage of it in the nearest Federal Reserve bank and the Federal Reserve bank is checked on; so why keep this money idle and unused in more than 11,000 commercial banks of the country just to help the banks? Particularly when it is very expensive to the Government.

I am not opposing helping the banks; it is all right to help the banks, but I want to do it in another way if it is necessary to help them. We should not do it in this manner. This is not the right way to do it. We have gone ahead the past year and we have not had to raise this debt limit. We have gotten by because part of that money that was idle and unused in the commercial banks has been used. There is at least $4½ billion in the same banks today. I am not so sure that it would be necessary to raise the debt limit now if that money were to be used. If it is contemplated by the Secretary of the Treasury to keep $4½ or $5 billion in the banks then it is necessary to raise this debt limit, but I want to say that it will be more expensive to the taxpayer by the interest he will have to pay on obligations that are caused by increasing this national debt.

The truth is the debt should be increased if necessary. I do not object to that. It would be dishonest, at least intellectually dishonest, for a Member of Congress to vote for appropriations that when paid will increase the amount of money that will be allowed under the national-debt limit, and then not vote to raise the national-debt limit. I think we are obligated to vote to increase the debt limit when it is necessary and I shall be very glad to do that; but I do not intend to vote to increase it when it is not necessary. I want to be shown that it is necessary. Let us find out. Is it contemplated here that the Secretary of the Treasury wants to keep a balance of $4½ or $5 billion in the commercial banks, upon which he does not check at all, which is not used at all? If it is necessary to raise the debt limit to do that I am opposed to such action. For that reason I will vote against this bill.

I would like to know what the facts are. We do not know what the facts are. I hope this bill goes to conference or goes to the committee and consideration is given to that part of it.

Mr. REED of New York. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, I have listened with a great deal of interest to the comments that have been made here with reference to this matter. I want to say what you all know—that we represent the greatest Government in the world. We are carrying on the greatest fiscal affairs of any country in the world. We know the present heavy burden that is being carried in this country because of past wars and the present unsettled world conditions.

What we have to do is to take the word of the people who come to us and testify. That is what we did last year. It was not for an individual such as myself or, so far as I know, any individual on this floor, to take the responsibility of endangering the credit of this country by not agreeing with this temporary increase in the debt limit on the ground that the full, permanent increase requested last year has not proven completely necessary. That request last year was based upon the facts as honest men saw them at that time. We took the right action last year and I think we should take the right action today.

Mr. KEATING. Mr. Speaker, will the gentleman yield?

Mr. REED of New York. I yield to the gentleman from New York.

Mr. KEATING. Mr. Speaker, I do not think the RECORD should remain silent at this point on the great contribution in this field which has been rendered by the gentleman from New York [Mr. REED]. We are all very proud of the work he has done.

Mr. REED of New York. I thank the gentleman.

Mr. COOPER. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. MULTER].

Mr. MULTER. Mr. Speaker, we all respect the distinguished chairman of the Ways and Means Committee and each and every member thereof. No disrespect is intended if we take a position contrary to that which they recommend when they make a recommendation under circumstances that prevail here this morning.

On July 31, 1953 we had this same bill brought before us. At that time the only thing the committee had done was to conduct an executive session of the committee. There was an attempt to create an aura of secrecy about what transpired there, only to find out that the very information given to the committee in executive session was released to the newspapers that same day by the Secretary of the Treasury.

At that time I asked four distinct questions. Time does not permit me to repeat them now but they are in the RECORD. I concluded my remarks at that time by saying, "Without a direct and complete answer to each of these questions no Member of this House should be requested to vote for this bill."

None of those questions have been answered and no hearings have been held with a view to acquiring the answers. The bill now comes back here, again in the closing hours of the session, and you are told: Please pass the bill, we need it.

That is not the way for responsible legislators to act. If there is any real need for this bill, let us have a hearing. Let the Secretary of the Treasury in public hearing, as has been done in every previous instance when we raised the public debt limit, tell the committee and the Membership of the House precisely why we need the increase. Let us have all the pertinent and necessary questions answered. Then let us act deliberately, knowing what we are doing. You are now being asked to follow blindly what the Secretary of the Treasury has said, and even that is not told to you in any written communication or in any House committee report. You are simply told: The administration says it needs this bill, so please pass it.

That is not the way for a deliberative body to act.

Thirteen months ago this administration told this Congress that if we did not increase the debt limit by $15 billion a financial panic could be expected before the calendar year was out. The calendar year expired without such a panic. In fact the entire fiscal year has expired and we have started upon a new fiscal year without any panic.

I can understand how embarrassing it might be for the Secretary of the Treasury to come before this Congress and explain why his dire prediction did not come true when the Congress failed to follow his advice.

But after such a poor prognostication this Congress has no right to act upon this bill without a full and complete explanation. Without a full and factual disclosure of the fiscal affairs of our Government with ample time to digest and deliberate upon them, we have no right to enact this bill.

Those of our colleagues who were scared $15 billion worth 13 months ago, only to find their fears were groundless, ought not to be scared $6 billion worth now.

The bait that this is only temporary is a complete illusion. If the national debt is increased to $281 billion no amount of words can make that debt temporary. Only payment can wipe it out or reduce it.

To the four unanswered questions I asked last year I add this question: Is the Secretary of the Treasury afraid to appear before a congressional committee because he cannot tell this Congress that an increase in the debt limit can be reduced? Before I vote for this bill. I want my questions answered.

Mr. COOPER. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may extend their remarks in the RECORD prior to the vote on the pending motion.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. COOPER. Mr. Speaker, I yield the remainder of the time on this side to the gentleman from Arkansas [Mr. MILLS].

Mr. MILLS. Mr. Speaker, you will recall last year when we were called upon to consider the question of permanently raising the debt ceiling that I voted against the bill as it passed the House at that time. You perhaps will also recall that just prior to the vote on final passage I offered a motion to recommit the bill with instructions to provide for a $15 billion temporary increase in the debt ceiling. At that time I was impressed, as was my colleague, the gentleman from Tennessee [Mr. COOPER], and others, with the necessity of retaining the fiscal solvency of the Federal Government and avoiding the possibility of a panic caused by failure of the Government to pay its obligations as they were presented. I was convinced at that time, however, that the present administration was sincere in what it had said it hoped to do, and that was to bring about a reduction in the public debt within the 2-year period covered in my motion to recommit. This is an end which we all have been seeking. On

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the basis of this I thought enough of the idea of a temporary increase that I discussed it with some of the leadership on the other side. The idea was not acceptable to the Secretary of the Treasury. It was not acceptable to some Members of the other body with whom I discussed it. They said that the idea that any temporary increase in the public debt could be made was really a figment of the imagination—that at any time we raised the ceiling and permitted the Federal Government to issue obligations under a temporary increase, that we might as well recognize that that increase would become a permanent one.

Now, today I am going to vote for the Senate amendment. I am not going to vote for it, however, Mr. Speaker, with the thought in mind that the public debt will not, on June 30, 1955, be in excess of $275 billion. I am going to vote for it even though I know that the debt on June 30, 1955, or I can be almost certain that the debt on that date will be in excess of $275 billion, for the reason that prompted the gentleman from Tennessee [Mr. COOPER], the gentleman from Texas [Mr. RAYBURN], and others to vote for the $15 billion increase last year—the fiscal solvency of our Government.

Now, why do I say that? If we are spending more money in this fiscal year than we are taking in in revenue, even the fact that we will get much more taxes in March and June from corporations than we get in the last half of the year will not save us from the necessity of a permanent debt increase. We may be able to get by without a permanent debt increase for this present fiscal year, but when we begin to operate in the coming fiscal year we might as well recognize now that the debt will have to be in excess of $275 billion on a permanent basis unless we do better than we have done. And I give aid to my friends on the Committee on Appropriations for the effort they have made in this fiscal year.

I am going to vote for the Senate amendment even though I realize full well that we may be creating a situation for a permanent debt increase later; that this may not be just a temporary debt increase. I am now convinced that those with whom I discussed the matter a year ago were right and that there is really no such thing as a temporary increase in the debt ceiling. I am going to do it because I am fearful and I think the Members of the House are likewise fearful of the consequences of not raising the ceiling with the debt at its present level and with the balances on hand at the level they now are. I am not urging the Members to vote for the temporary increase, but I urge you to seriously consider what the consequences might be if we do not increase the debt ceiling, and remind you of the conditions and possibilities that the Secretary of the Treasury described over a year ago which might arise.

THE GIMMICK ADMINISTRATION

Mr. LESINSKI. Mr. Speaker, the present administration has been far from successful in carrying out the multitude of campaign promises which helped elect it.

The "dynamic progressive" foreign policy of the Republicans has failed to stop the Communists, while apparently succeeding in creating disunity and confusion among our allies. Food prices paid by the housewife have risen steadily and remain near an all-time high despite a sharp decline in prices received by the farmer. The Republicans have given away billions in national assets to special interests, but failed to balance the budget and increased the national debt instead of reducing it.

In the fact of such a record of broken promises, it is not surprising that this administration has become the all-time champion in the art of using public relations gimmicks and doctored figures to confuse the people and cover up their own failures.

Postmaster General Summerfield is one of the outstanding practitioners of the new profession of governmental doubletalk. A good example is his boast of saving the taxpayer a "million dollars every working day" in fiscal 1954 through "economy and modern business techniques." He bases this claim on a supposed reduction of the postal deficit to $437 million instead of the $746 million estimated deficit in former Postmaster General Donaldson's preliminary figures, a difference of $309 million. Mr. Summerfield conveniently neglects to mention, however, that $78 million was saved by President Truman's decision not to restore two deliveries a day. Since Mr. Summerfield also benefited by $240 million in increased rates and transfer of airmail subsidies, he should have been able to reduce the deficit by $318 million instead of only $309 million. If Mr. Summerfield's estimates had been correct, his "savings" would have cost the taxpayers only $9 million, but the Treasury Department now reports that he underestimated his deficit by $25 million. So it appears that Mr. Summerfield's much publicized "economy and modern business technique" actually cost the taxpayers an extra $34 million last year.

Not to be outdone by the Postmaster General, some of the other "idea" men in the Eisenhower administration have figured out an equally clever way to reduce the national debt by $12 billion, by a simple bookkeeping gimmick. Actually, the Federal deficit is $18 billion more than when Harry S. Truman was President.

In spite of all the bookkeeping juggling we now have to increase the national debt limit an additional $6 billion. This certainly is an indication that the budget has not been balanced and that the outgo from the Federal Treasury is so much greater than the income.

Mr. GROSS. Mr. Speaker, let the RECORD show that I am opposed to this proposed increase in the debt limit. And let the RECORD further show that I am one of those who tried to obtain a rollcall vote on this important issue.

Mr. Speaker, it is childish for anyone to argue in behalf of this proposal on the grounds that it is only temporary. Once the limitation is raised, the Federal debt will go higher, stay higher, and the next Congress will be asked to confirm it.

Soon to come before the House will be the conference report on the foreign-spending bill which will make available some $13 billion in further handouts to foreigners. I opposed the authorization bill for this purpose and I opposed the appropriations knowing full well that here was one of the most logical places to cut billions of dollars and avert a further increase in the debt.

I am disappointed beyond measure that this administration does not make a serious attempt to bring spending into balance with income and stop these deficits and increases in the Federal debt. I regret that this administration takes the easy way out by simply lifting the lid and authorizing the borrowing of more money. It is the road to disaster.

The SPEAKER. The question is, Shall the rules be suspended and the resolution be agreed to?

The question was taken; and the Speaker announced that two-thirds had voted in favor of the resolution.

Mr. ROGERS of Texas. Mr. Speaker, on that question I demand the yeas and nays.

The yeas and nays were refused.

Mr. ROGERS of Texas. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] Two hundred and fifty-seven Members are present, a quorum.

The question is, Shall the rules be suspended and the resolution be agreed to?

The question was taken; and on a division (demanded by Mr. GROSS) there were—ayes 193, noes 31.

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

In accordance with the terms of the resolution, the bill (H. R. 6672) was taken from the Speaker's table, and the following Senate amendment was concurred in:

Strike out all after the enacting clause and insert "That during the period beginning on the date of enactment of this act and ending on June 30, 1955, the public debt limit set forth in the first sentence of section 21 of the Second Liberty Bond Act, as amended, shall be temporarily increased by $6 billion."

A motion to reconsider was laid on the table.

CIVIL SERVICE RETIREMENT

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3627) to amend the Civil Service Retirement Act, as amended.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 5 of the Civil Service Retirement Act of May 29, 1930,

as amended, is amended by adding at the end thereof the following:

"Notwithstanding any provision of law to the contrary, title to annuity payable from the civil-service retirement and disability fund shall not arise from any separation unless the officer or employee so separated has, within the 2-year period immediately preceding such separation, completed at least 1 year of creditable civilian service during which he was subject to this act. Any annuity rights based on a separation which (a) terminated service meeting this requirement, or (b) occurred prior to this amendment, shall be restored upon separation from subsequent service which fails to meet said requirement.

"No credit shall be allowed for any service subsequent to the date of the separation on which title to annuity is based. Any amounts deducted from salary for retirement purposes during such service shall upon separation be refunded to such officer or employee without interest, and shall be subject to redeposit as provided in section 12 (b) (2) of this act. Any such amount not so refunded to the officer or employee before his death shall be paid in the order of precedence prescribed in section 12 (e)."

Mr. REES of Kansas. Mr. Speaker, I offer an amendment.

The Clerk read the amendment, as follows:

On page 2, after the period in line 5, insert the following: "Any officer or employee who shall have given notice of his desire to come within the purview of this act pursuant to the last paragraph of section 3 (a) of this act shall be deemed for the purposes of this requirement to have been subject to the provisions of this act during any period of service or part thereof ending not later than September 30, 1954, with respect to which there shall have been deposited the amounts specified in section 9."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PERFORMANCE OF MAIL-MESSENGER SERVICE

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent to have until midnight tonight to file a conference report on the bill (H. R. 2263) to authorize the Postmaster General to readjust the compensation of holders of contracts for the performance of mail-messenger service.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

AMENDMENT OF FOREIGN SERVICE ACT OF 1946

Mr. VORYS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 9910) to amend section 413 (b) of the Foreign Service Act of 1946, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Line 9, after "appointed", insert "from the classified civil service or the Foreign Service reserve or Foreign Service staff."

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

Mr. GROSS. Reserving the right to object, Mr. Speaker, may we have a brief explanation of this bill?

Mr. VORYS. Mr. Speaker, H. R. 9910, to amend section 413 (b) of the Foreign Service Act of 1946, would provide for lateral entry into the Foreign Service from the Foreign Service reserve or Foreign Service staff or from the civil service by persons who had had 4 years of service in the Government if they were under 31 or 4 years if over 31. The Senate put in the words "from the classified civil service or the Foreign Service reserve or Foreign Service staff."

The word "classified" would bar certain persons who are under civil service in the Department of State known as the ABC classes and also incumbent indefinite civil-service employees. Not all of these are dual-service employees who might be eligible for transfer to the Foreign Service. While the State Department would prefer the bill as it passed the House, I am informed that those who are seeking this legislation are willing to concur in the Senate amendment.

Mr. GROSS. Then this is the bill that provides the first step toward increasing the Foreign Service officer corps from about 1,300 as it now exists, to 3,900?

Mr. VORYS. It is a bill to increase the Foreign Service by bringing in new blood through lateral entry. There are a number of other administrative and statutory provisions recommended which would result in a very substantial increase in the Foreign Service, but this bill alone would not do it. The numbers under this bill are limited to 500, and it is in effect only until March 31, next.

Mr. GROSS. I simply want the Members of the House to know what is here being done. This is the first step toward practically tripling the number of Foreign Service officers, that is, those who would serve in the Foreign Service officer corps in the State Department. I am opposed to the bill, and I want to be on record as opposed to it for the reason that this Government ought to be cutting down on employees in the Foreign Service in the interests of economy.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

PROVIDING FAMILY QUARTERS FOR MILITARY PERSONNEL

Mr. SHORT. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 9924) to provide for family quarters for personnel of the military departments of the Department of Defense and their dependents, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. SHORT]? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. JOHNSON of California, CUNNINGHAM, DEVEREUX, BROOKS of Louisiana, and MILLER of California.

ROTC UNITS AT EDUCATIONAL INSTITUTIONS

Mr. SHORT. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 7734) to amend section 47 of the National Defense Act concerning the requirement for bond covering certain property issued by the United States for use by Reserve Officers' Training Corps units maintained at educational institutions, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Line 9, strike out "appropriate" and insert "adequate, but in no event less than $5,000."

Line 12, after "instruction.", insert "A bond without surety thereon may be accepted by the Secretary of the Army or the Secretary of the Air Force, provided the institution to which the property is issued furnishes to the Secretary concerned satisfactory evidence of its financial responsibility."

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. SHORT]?

There was no objection.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

Mr. SHORT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

ACCEPTANCE OF SENATE AMENDMENTS TO H. R. 7734

Mr. SHORT. Mr. Speaker, the purpose of H. R. 7734 is to amend the National Defense Act concerning the requirement for bond covering Federal property issued by the Government for use by ROTC units maintained at educational institutions.

Under present law the Secretary must require a bond to be furnished in the amount of the total value of the property issued. This is requiring educational institutions to furnish large bonds—which result in large premiums—far in excess of what is necessary to cover probable losses.

The House bill merely provides that the Secretary may require a bond in such amount as he considers appropriate. The Senate amended the bill so as to require the bond to be in an amount not less than $5,000. The Senate further amended the bill so as to provide that an institution could furnish a bond without surety if satisfactory evidence is presented to the Secretary concerned of its financial responsibility.

AUTHORIZING COMMANDER, AIR UNIVERSITY, TO CONFER APPROPRIATE DEGREES

Mr. SHORT. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3712) to au-

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thorize the commander, Air University, to confer appropriate degrees upon persons who meet all requirements for those degrees in the resident college of the United States Air Force Institute of Technology.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. SHORT]?

Mr. SHORT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

PURPOSE OF THE BILL

Mr. SHORT. Mr. Speaker, the purpose of this proposed legislation is to provide that under regulations prescribed by the Secretary of the Air Force the commander of the Air University may confer appropriate degrees upon persons who meet all the requirements for those degrees in the resident college of the United States Air Force Institute of Technology. The commander may confer the degrees, however, only after the Institute of Technology has received accreditation by a nationally recognized accreditation association or authority.

BACKGROUND INFORMATION

The United States Air Force Institute of Technology, which is a part of the Air University, is located at Wright-Patterson Air Force Base, Ohio. The Institute offers a variety of courses in the engineering field with special emphasis on aeronautical engineering. Its curriculum is specifically geared to afford its students maximum use of one of the world's finest aviation laboratories, the Wright Air Development Center. The Institute has been in operation for some years, being the modern outgrowth of the Air Service Engineering School which began in 1919, which, at that time, was one of the world's first schools devoted to instruction in aeronautical engineering.

Persons who receive training at the Institute are selected Air Force officers who are trained in the field of aeronautical engineering and related areas.

DESIRABILITY OF THE LEGISLATION

At the present time there is no legal authority for the commander of the Air University to confer degrees on the students who successfully complete the courses at the resident college. In civilian institutions of higher learning authority to grant degrees must be authorized by State law. In federally operated schools Congress must provide the authority. This bill will permit the students who successfully complete the prescribed course of instruction to receive the appropriate degree, after the Institute has received the appropriate accreditation.

ACCREDITATION NECESSARY BEFORE GRANTING OF DEGREES

It should be emphasized that this bill in itself does not authorize the conferring of degrees by the United States Air Force Institute of Technology. It authorizes such authority only after this institution has been accredited by a nationally recognized accrediting association or authority.

An institution cannot be recognized for accreditation unless it has degree-granting authority. This bill will provide the means by which the Institute may be eligible for accreditation. The committee assumes that the accrediting authority will make certain that the Institute fully meets the academic standards, which make an institution eligible to confer an appropriate degree.

LEGISLATIVE PRECEDENT FOR THE BILL

It may be noted that Federal authority to confer degrees is in effect for the United States Military, Naval, Coast Guard, and Merchant Marine Academies. The Air Force Academy will possess such authority as a result of Public Law 325, 83d Congress.

The Navy counterpart to the United States Air Force Institute of Technology, the United States Naval Postgraduate School at Monterery, Calif., was authorized the degree-granting authority as a result of Public Law 303, 80th Congress.

Mr. SCHENCK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SCHENCK. Mr. Speaker, it is with pardonable pride that I call to the attention of my colleagues here in the House that the United States Air Force Institute of Technology is located in the Third District of Ohio, which I have the great honor to represent here in the Congress of the United States.

This Institute was founded many years ago, in 1919, I believe, when it was then known as the Air Service Training School, and I am certain that it was one of the first schools in the world which specialized in teaching aeronautical engineering. The name of the Air Service Training School was changed some years ago to the United States Air Force Institute of Technology and is a part of the Air University. Its curriculum was broadened, additional members of the faculty were selected with great care, and the Institute continues to operate at Wright-Patterson Air Force Base adjacent to Dayton, Ohio. Students in the Institute are carefully selected Air Force officers whose increased ability and training will be of additional and important service to our United States Air Force.

Technical and scientific improvements which are constantly being made in aircraft point up the need for the specialized training given by the Air Force Institute of Technology and which is not available elsewhere. It is of great importance for the defense of our Nation that the officers and men of our Air Force be the best informed and trained men of any air force in the entire world. We have pointed with great pride to the accomplishments of our Air Force in the past and the quality of our personnel. This legislation gives proper recognition to the need for continued improvement.

It is a well-known principle and practice that before any educational institute can confer degrees indicating the proficiency of its students and for these degrees to be properly recognized, the educational institution must have been accredited by a nationally recognized accrediting association or authority. However before such accrediting association can grant such recognition the school must first be properly authorized to do so under whatever State or Federal authority under which it was established. Since the Air Force Institute of Technology is authorized by Congress to operate it is right and proper that we here today consider S. 3712 and I sincerely hope it is approved by the House.

It is assumed, Mr. Speaker, that the national accrediting association under whose rules and regulations authority will be granted, under this legislation, to the Air Force Institute of Technology to confer various degrees will make certain proper requirements as to faculty, curriculum, facilities, equipment, and other proper matters.

Mr. Speaker, it is my understanding that the United States Military, Naval, Coast Guard, and Merchant Marine Academies already have the authority to confer degrees. The Air Force Academy recently established by Congress will also have such authority under Public Law 325, 83d Congress. I am also informed, Mr. Speaker, the similar Navy school, the United States Naval Postgraduate School at Monterey, Calif., was granted the authority to confer proper degrees as the result of Public Law 303 of the 80th Congress.

S. 3712, which we are considering here at this time, Mr. Speaker, will grant this similar and very necessary authority to the United States Air Force Institute of Technology to confer proper degrees. It is understood, Mr. Speaker, that the Secretary of the Air Force will prescribe the necessary rules and regulations.

This will be very helpful legislation, Mr. Speaker, and is a right and proper privilege to be extended to the Air Force Institute of Technology. It is my sincere hope that it will receive unanimous approval.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. SHORT]?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That under regulations prescribed by the Secretary of the Air Force, the Commander, Air University, may, upon accreditation of the United States Air Force Institute of Technology by a nationally recognized accreditation association or authority, confer appropriate degrees upon persons who meet all requirements for those degrees in the Resident College of the United States Air Force Institute of Technology.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DIRECTING SECRETARY OF THE ARMY TO CONVEY CERTAIN PROPERTY IN EL PASO, TEX.

Mr. SHORT. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3595) to direct the Secretary of the Army to convey certain property located in El Paso, Tex.,

and described as part of Fort Bliss, to the State of Texas.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. SHORT]?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Army is authorized and directed to convey by quitclaim deed, without consideration, to the State of Texas all right, title, and interest of the United States, except as retained in this act, in and to a parcel of land within Fort Bliss Military Reservation, such parcel consisting of a portion of N El Paso Addition and a portion of Morningside Heights Addition, El Paso, Tex., and being more particularly described by metes and bounds as follows:

Beginning at a point which is the intersection of the east right-of-way line of Pollard Street and the south right-of-way line of Hayes Avenue; thence south no degrees fourteen and ninety one-hundredths minutes west along the east right-of-way line of Pollard Street a distance of nine hundred two and six-tenths feet; thence south eighty-nine degrees forty-five and ten one-hundredths minutes east a distance of one thousand forty-two and thirty-nine one-hundredths feet to the west right-of-way line of the Southern Pacific Railroad (formerly the E. P. & S. W. R. R.); thence north thirteen degrees forty-five and two one-hundredths minutes east a distance of eight hundred forty-five and seventy-three one-hundredths feet along the Southern Pacific Railroad right-of-way line, to a point; thence north one degree fifteen and sixty-two one-hundredths minutes west a distance of one hundred twelve and five one-hundredths feet, to a point in the south right-of-way line of Hayes Avenue; thence south eighty-eight degrees forty-six minutes west a distance of one thousand two hundred thirty-seven and three-tenths feet along the south right-of-way line of Hayes Avenue, to the point of beginning, containing in all twenty-four and twenty-five one-hundredths acres of land, more or less.

SEC. 2. All mineral rights, including gas and oil, in the lands authorized to be conveyed by this act shall be reserved to the United States.

SEC. 3. There shall be further reserved to the United States in the conveyance of the above-described lands, rights of ingress and egress over roads in the above-described lands serving buildings or other works operated by the United States or its successors or assigns in connection with Fort Bliss, rights-of-way for water lines, sewer lines, telephone and telegraph lines, power lines, and such other utilities which now exist, or which may become necessary to the operation of the said Fort Bliss.

SEC. 4. The conveyance of the property authorized by this act shall be upon condition that such property shall be used primarily for training of the National Guard and for other military purposes, and that if the State of Texas shall cease to use the property so conveyed for the purposes intended, then title thereto shall immediately revert to the United States, and in addition, all improvements made by the State of Texas during its occupancy shall vest in the United States without payment of compensation therefor.

SEC. 5. The conveyance of the property authorized by this act shall be upon the further provision that whenever the Congress of the United States declares a state of war or other national emergency, or the President declares a state of emergency, and upon the determination by the Secretary of Defense that the property conveyed under this act is useful or necessary for military, air, or naval purposes, or in the interest of national defense, the United States shall have the right, without obligation to make payment of any kind, to reenter upon the property and use the same or any part thereof, including any and all improvements made thereon by the State of Texas, for the duration of such state of war or of such emergency. Upon the termination of such state of war or of such emergency plus 6 months such property shall revert to the State of Texas, together with all appurtenances and utilities belonging or appertaining thereto.

SEC. 6. In executing the deed of conveyance authorized by this act, the Secretary of the Army shall include specific provisions covering the reservations and conditions contained in sections 2, 3, 4, and 5, of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DIRECTING THE SECRETARY OF THE AIR FORCE TO CONVEY CERTAIN PROPERTY IN PROXIMITY TO SAN ANTONIO, TEX.

Mr. SHORT. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3750) to direct the Secretary of the Air Force or his designee to convey certain property located in proximity to San Antonio, Bexar County, Tex., to the State of Texas.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Air Force or his designee is authorized and directed to convey by quitclaim deed, without consideration, to the State of Texas all right, title, and interest of the United States, except as retained in this act, in and to the following described land in proximity to San Antonio, Bexar County, Tex., together with all buildings, improvements thereon, and all appurtenances and utilities belonging or appertaining thereto, such land including approximately two hundred eighteen and fifty-six one-hundredths acres and formerly designated as Martindale Auxiliary Field, as shown on maps on file with the Office of the Chief of Engineers:

Beginning at a point on the south right-of-way line of United States Highway No. 90, at the northwest corner of the Emil F. Gambler tract, said corner being also the northeast corner of the Virginia M. Johnson tract:

Station 1–2, bearing north sixty-nine degrees forty-five minutes twenty seconds east, a distance of forty-two and six-tenths feet;

Station 2–3, bearing south no degrees twelve minutes forty seconds east, a distance of eight hundred one and seven-tenths feet;

Station 3–4, bearing north eighty-nine degrees thirty-six minutes twenty seconds east, a distance of two thousand two hundred thirty-three and one one-hundredth feet;

Station 4–5, bearing north three degrees twenty-three minutes forty seconds west, a distance of five hundred forty and five-tenths feet;

Station 5–6, bearing north eighty-six degrees thirty-six minutes twenty seconds east, a distance of twenty feet;

Station 6–7, bearing south three degrees twenty-three minutes forty seconds east, a distance of five hundred forty-one and five-tenths feet;

Station 7–8, bearing north eighty-nine degrees thirty-six minutes twenty seconds east, a distance of two hundred seventy-eight and fifty-four one-hundredths feet;

Station 8–9, bearing south no degrees twenty-two minutes no seconds east, a distance of two thousand eight hundred fourteen and twenty-three one-hundredths feet;

Station 9–10, bearing south eighty-nine degrees thirty-eight minutes thirty seconds west, a distance of four hundred feet;

Station 10–11, bearing south no degrees twenty-one minutes forty-five seconds east, a distance of three hundred eighty and twenty-three one-hundredths feet;

Station 11–12, bearing north eighty-nine degrees thirty-eight minutes fifteen seconds east, a distance of four hundred and eighty-five feet;

Station 12–13, bearing south no degrees twenty-one minutes forty-five seconds east, a distance of two hundred and twenty-five feet;

Station 13–14, bearing south eighty-nine degrees thirty-eight minutes fifteen seconds west, a distance of three hundred eighteen and ninety-six one-hundredths feet;

Station 14–15, bearing south forty-six degrees thirty-eight minutes forty-five seconds west, a distance of one hundred one and sixty-seven one-hundredths feet;

Station 15–16, bearing south eighty-nine degrees thirty-eight minutes forty-five seconds west, a distance of six hundred thirty-eight and two-tenths feet;

Station 16–17, bearing south forty-four degrees forty-three minutes twenty seconds west, a distance of twenty-three and fifteen one-hundredths feet;

Station 17–18, bearing north no degrees six minutes twenty seconds west, a distance of forty-six and thirty-five one-hundredths feet;

Station 18–19, bearing south eighty-nine degrees thirty-eight minutes forty-five seconds west, a distance of eight hundred thirty-seven and seventy-seven one-hundredths feet;

Station 19–20, bearing north no degrees twenty-one minutes thirty seconds west, a distance of six hundred and forty-five feet;

Station 20–21, bearing south eighty-nine degrees thirty-nine minutes no seconds west, a distance of one thousand one hundred ninety-nine and ninety-eight one-hundredths feet;

Station 21–22, bearing north no degrees twenty-one minutes thirty seconds west, a distance of two thousand eight hundred and twelve feet;

Station 22–23, bearing north eighty-nine degrees twenty-six minutes twenty seconds east, a distance of five hundred thirty-one and two-tenths feet;

Station 23–1, bearing north no degrees twelve minutes forty seconds west, a distance of seven hundred eighty-seven and two-tenths feet.

SEC. 2. All mineral rights, including gas and oil, in the lands authorized to be conveyed by this act shall be reserved to the United States.

SEC. 3. There shall be further reserved to the United States in the conveyance of the above-described lands, rights of ingress and egress over roads in the above-described lands serving buildings or other works operated by the United States or its successors or assigns in connection with Martindale Auxiliary Field, rights-of-way for water lines, sewer lines, telephone and telegraph lines, power lines, and such other utilities which now exist, or which may become necessary to the operation of the said Martindale Auxiliary Field.

SEC. 4. The conveyance of the property authorized by this act shall be upon condition that such property shall be used primarily for training of the National Guard and the Air National Guard and for other military purposes, and that if the State of Texas

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shall cease to use the property so conveyed for the purposes intended, then title thereto shall immediately revert to the United States, and in addition, all improvements made by the State of Texas during its occupancy shall vest in the United States without payment of compensation therefor.

SEC. 5. The conveyance of the property authorized by this act shall be upon the further provision that whenever the Congress of the United States declares a state of war or other national emergency, or the President declares a state of emergency, and upon the determination by the Secretary of Defense that the property conveyed under this act is useful or necessary for military, air, or naval purposes, or in the interest of national defense, the United States shall have the right, without obligation to make payment of any kind, to reenter upon the property and use the same or any part thereof, including any and all improvements made thereon by the State of Texas, for the duration of such state of war or of such emergency. Upon the termination of such state of war or of such emergency plus 6 months such property shall revert to the State of Texas, together with all appurtenances and utilities belonging or appertaining thereto.

SEC. 6. In executing the deed of conveyance authorized by this act, the Secretary of the Air Force or his designee shall include specific provisions covering the reservations and conditions contained in sections 2, 3, 4, and 5 of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING CONVEYANCE TO STATE OF TEXAS OF LAND IN HOUSTON, TEX, TO BE USED FOR NATIONAL GUARD PURPOSES

Mr. SHORT. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3822) to authorize the conveyance to the State of Texas of approximately 9 acres of land in Houston, Tex., to be used for National Guard purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. SHORT]?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Army is authorized and directed to convey to the State of Texas, without compensation therefor, all the right, title, and interest of the United States in and to approximately nine and three-tenths acres of land in Houston, Harris County, Tex., and all improvements thereon, said property comprising that portion of the former Hughes Strut Plant now being occupied by the Texas National Guard under a license issued by the Secretary of the Army.

SEC. 2. The deed of conveyance authorized under the provisions of this Act shall—

(1) provide that the property conveyed shall not be alienated in whole or in part by the State of Texas and shall be used primarily for training National Guard and Air National Guard personnel and for other military purposes, and if such provision is violated title to such property (including all improvements by the State of Texas) shall revert to the United States;

(2) reserve to the United States all minerals (including oil and gas) in the lands conveyed;

(3) provide that during any state of war or national emergency and for 6 months thereafter, if the Secretary of Defense determines that the property conveyed is useful or necessary for national defense purposes, the United States may, without payment therefor, reenter such property and use all or any part of it (including improvements by the State of Texas) but upon the termination of such use such property shall revert to the State of Texas; and

(4) contain such additional terms, conditions, reservations, and restrictions as may be determined by the Secretary of the Army to be necessary to protect the interests of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONVEYANCE OF LANDS IN CAMP ROBERTS MILITARY RESERVATION FOR USE AS A DAM AND RESERVOIR SITE

Mr. SHORT. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3189) providing for the conveyance by the United States to the Monterey County Flood Control and Water Conservation District, Monterey County, Calif., of certain lands in Camp Roberts Military Reservation, Calif., for use as a dam and reservoir site and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. SHORT]?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That (a) the Secretary of the Army is authorized to convey by quitclaim deed, to the Monterey County Flood Control and Water Conservation District of Monterey County, Calif., for the purpose of constructing, operating, and maintaining thereon a dam and reservoir area for its El Nacimiento Reservoir project, all right, title, and interest of the United States, except as reserved herein, in and to so much of the following described lands within the boundaries of Camp Roberts Military Reservation, Calif., as the Secretary of the Army, or his designee, and the Monterey County Flood Control and Water Conservation District shall determine to be necessary as a dam site and reservoir area for the El Nacimiento project:

The east half of the southeast quarter of section 11; the southwest quarter of section 12; the west half of section 13; and the east half of the east half of section 14, all lying in township 25 south, range 10 east, Mount Diablo base meridian.

(b) The deed conveying the lands determined to be necessary for the dam site and reservoir area for the El Nacimiento project shall provide (1) for the reservation by the United States of all mineral rights, including oil and gas, in and underlying the lands conveyed, (2) that the lands conveyed shall be used solely for the purpose of constructing, maintaining, and operating a dam and reservoir project thereon, and in the event such dam has not been constructed thereon within 10 years after the enactment of this act, or in the event the lands conveyed shall at any time after construction of the dam cease to be used for the sole purpose of maintaining and operating a dam and reservoir thereon, all right, title, and interest in and to such lands shall revert to the United States, (3) that in the event the existing water supply at Camp Roberts shall be diminished or adversely affected in any manner by the construction, operation, and maintenance of the dam and reservoir project, the grantee, its successors, and assigns, shall provide to the United States without additional cost substitute or supplementary water supply necessary to equal the existing supply at Camp Roberts, (4) the Armed Forces of the United States shall be granted for recreational and training purposes the use of the lands conveyed, to the extent that such use does not adversely affect the operation and maintenance of the dam and reservoir, and the use of the remaining portion of the reservoir area, to the extent provided in the regulations of the Monterey County Flood Control and Water Conservation District generally applicable to the reservoir area, and (5) the grantee shall remove, relocate, and reconstruct, at its own cost and expense all structures, roads, and fences at Camp Roberts affected by the proposed conveyance.

SEC. 2. The Secretary of the Army is authorized to issue to the Monterey County Flood Control and Water Conservation District, without compensation therefor, and on such terms and conditions as he deems appropriate, a license to use and occupy any lands in the area described in section 1 not conveyed pursuant to the authorization contained therein, as may be required for the excavation of borrow materials and any other purposes related to the construction of the El Nacimiento project.

SEC. 3. The conveyance herein authorized shall be made for a monetary consideration determined by the Secretary of the Army or his authorized representative, after appraisal, to represent the appraised fair market value of the estate conveyed.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COMMUNIST CONTROL ACT OF 1954

Mr. GRAHAM. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3706), the Communist Control Act of 1954, with an amendment, which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the bill, as amended.

The Clerk read as follows:

Strike out all after enacting clause and insert in lieu thereof the following: "That this act may be cited as the 'Communist Control Act of 1954.'

"FINDINGS OF FACT

"SEC. 2. The Congress hereby finds and declares that the Communist Party of the United States, although purportedly a political party, is in fact an instrumentality of a conspiracy to overthrow the Government of the United States. It constitutes an authoritarian dictatorship within a republic, demanding for itself the rights and privileges accorded to other political parties, but denying to all others the liberties guaranteed by the Constitution. Unlike other political parties, which evolve their policies and programs through public means, by the reconciliation of a wide variety of individual views, and submit those policies and programs to the electorate at large for approval or disapproval, the policies and programs of the Communist Party are secretly prescribed for it by the foreign leaders of the world Communist movement. Its members have no part in determining its goals, and are not permitted to voice dissent to party objectives. Unlike members of other parties, members of the Communist Party are recruited for indoctrination with respect to its objectives and methods, and are organized, instructed, and disciplined to carry into action slavishly the assignments given them by their hierarchial chieftains. Unlike other political parties, the

Communist Party acknowledges no constitutional or statutory limitations upon its conduct or upon that of its members. The Communist Party is relatively small numerically, and gives scant indication of capacity ever to attain its ends by lawful political means. The peril inherent in its operation arises not from its numbers, but from its failure to acknowledge any limitation as to the nature of its activities, and its dedication to the proposition that the present constitutional Government of the United States ultimately must be brought to ruin by any available means, including resort to force and violence. Holding that doctrine, its role as the agency of a hostile foreign power renders its existence a clear present and continuing danger to the security of the United States. It is the means whereby individuals are seduced into the service of the world Communist movement, trained to do its bidding, and directed and controlled in the conspiratorial performance of their revolutionary services. Therefore, the Communist Party should be outlawed.

"PROSCRIBED ORGANIZATIONS

"SEC. 3. The Communist Party of the United States, or any successors of such party regardless of the assumed name whose object or purpose is to overthrow the Government of the United States, or the government of any State, Territory, District, or possession thereof, or the government of any political subdivision therein by force and violence, are not entitled to any of the rights, privileges, and immunities attendant upon legal bodies created under the jurisdiction of the laws of the United States or any political subdivision thereof; and whatever rights, privileges, and immunities which have heretofore been granted to said party or any subsidiary organization by reason of the laws of the United States or any political subdivision thereof, are hereby terminated: *Provided, however,* that nothing in this section shall be construed as amending the Internal Security Act of 1950, as amended.

"SUBVERSIVE ACTIVITIES CONTROL ACT AMENDMENT

"SEC. 4. Subsection 5 (a) (1) of the Subversive Activities Control Act of 1950 (50 U. S. C. 784) is amended by striking out the period at the end thereof and inserting in lieu thereof a semicolon and the following: 'or

"'(E) to hold office or employment with any labor organization, as that term is defined in section 2 (5) of the National Labor Relations Act (29 U. S. C. 152) or to represent any employer in any matter or proceeding arising or pending under that act.'

"COMMUNIST-INFILTRATED ORGANIZATIONS

"SEC. 5 (a) Section 3 of the Subversive Activities Control Act of 1950 (50 U. S. C. 782) is amended by inserting, immediately after paragraph (4) thereof, the following new paragraph:

"'(4A) The term "Communist-infiltrated organization" means any organization in the United States (other than a Communist-action organization or a Communist-front organization) which (A) is substantially directed, dominated, or controlled by an individual or individuals who are, or who within 3 years have been actively engaged in, knowingly giving aid or support to a Communist-action organization, a Communist foreign government, or the world Communist movement referred to in section 2 of this title, and (B) is knowingly serving, or within 3 years has knowingly served, as a means for (i) the giving of aid or support to any such organization, government, or movement, or (ii) the impairment of the military strength of the United States or its industrial capacity to furnish logistical or other material support required by its Armed Forces: *Provided, however,* That any labor organization which is an affiliate in good standing of a national federation or other labor organization whose policies and activities have been directed to opposing Communist organizations, any Communist foreign government, or the world Communist movement, shall be presumed prima facie not to be a "Communist-infiltrated organization"'

"(b) Paragraph (5) of such section is amended to read as follows:

"'(5) The term "Communist organization" means any Communist-action organization, Communist-front organization, or Communist-infiltrated organization.'

"(c) Subsections 5 (c) and 6 (c) of such act are repealed.

"SEC. 6 (a) Section 10 of such act (50 U. S. C. 789) is amended by inserting, immediately after the words 'final order of the Board requiring it to register under section 7', the words 'or determining that it is a Communist-infiltrated organization.'

"(b) Subsections (a) and (b) of section 11 of such act (50 U. S. C. 790) are amended by inserting immediately preceding the period at the end of each such subsection, the following: 'or determining that it is a Communist-infiltrated organization.'

"SEC. 7 (a) Subsection 12 (e) of such act (50 U. S. C. 791) is amended by—

"(1) striking out the period at the end thereof and inserting in lieu thereof a semicolon and the word 'and'; and

"(2) inserting at the end thereof the following new paragraph:

"'(3) upon any application made under subsection (a) or subsection (b) of section 13A of this title, to determine whether any organization is a Communist-infiltrated organization.'

"(b) The section caption to section 13 of such act (50 U. S. C. 792) is amended to read as follows: 'Registration proceedings before the Board.'

"SEC. 8. Such act is amended by inserting, immediately after section 13 thereof, the following new section:

"'PROCEEDINGS WITH RESPECT TO COMMUNIST-INFILTRATED ORGANIZATIONS

"'SEC. 13A. (a) Whenever the Attorney General has reason to believe that any organization is a Communist-infiltrated organization, he may file with the Board and serve upon such organization a petition for a determination that such organization is a Communist-infiltrated organization. In any proceeding so instituted, two or more affiliated organizations may be named as joint respondents. Whenever any such petition is accompanied by a certificate of the Attorney General to the effect that the proceedings so instituted is one of exceptional public importance, such proceeding shall be set for hearing at the earliest possible time and all proceedings therein before the Board or any court shall be expedited to the greatest practicable extent.

"'(b) Any organization which has been determined under this section to be a Communist-infiltrated organization may file with the Board and serve upon the Attorney General a petition for a determination that such organization no longer is a Communist-infiltrated organization upon removing from the organization those persons determined by this section to be Communists.

"'(c) Each such petition shall be verified under oath, and shall contain a statement of the facts relied upon in support thereof. Upon the filing of any such petition, the Board shall serve upon each party to such proceeding a notice specifying the time and place for hearing upon such petition. No such hearing shall be conducted within 20 days after the service of such notice.

"'(d) The provisions of subsections (c) and (d) of section 13 shall apply to hearings conducted under this section, except that upon the failure of any organization named as a party in any petition filed by or duly served upon it pursuant to this section to appear at any hearing upon such petition, the Board may conduct such hearing in the absence of such organization and may enter such order under this section as the Board shall determine to be warranted by evidence presented at such hearing.

"'(e) In determining whether any organization is a Communist-infiltrated organization, the Board shall be required to determine—

"'(1) whether the effective management of the affairs of such organization is conducted by one or more individuals who are, or within 3 years have been, (A) members, agents, or representatives of any Communist organization, any Communist foreign government, or the world Communist movement referred to in section 2 of this title, with knowledge of the nature and purpose thereof, or (B) engaged in giving aid or support to any such organization, government, or movement with knowledge of the nature and purpose thereof;

"'(2) whether the policies of such organization are, or within 3 years have been, formulated and carried out pursuant to the direction or advice of any member, agent, or representative of any such organization, government, or movement;

"'(3) whether the personnel and resources of such organization are, or within 3 years have been, used to further or promote the objectives of any such Communist organization, government, or movement;

"'(4) whether such organization within 3 years has received from, or furnished to or for the use of, any such Communist organization, government, or movement any funds or other material assistance;

"'(5) whether such organization is, or within 3 years has been, affiliated in any other way with any such Communist organization, government, or movement;

"'(6) whether the affiliation of such organization, or of any individual or individuals who are members thereof or who manage its affairs, with any such Communist organization, government, or movement is concealed from or is not disclosed to the membership of such organization; and

"'(7) whether such organization or any of its members or managers are, or within 3 years have been, knowingly engaged—

"'(A) in any conduct punishable under section 4 or 15 of this act or under chapter 37, 105, or 115 of title 18 of the United States Code; or

"'(B) with intent to impair the military strength of the United States or its industrial capacity to furnish logistical or other support required by its Armed Forces, in any activity resulting in or contributing to any such impairment.

"'(f) After hearing upon any petition filed under this section, the Board shall (1) make a report in writing in which it shall state its findings as to the fact and its conclusions with respect to the issues presented by such petition, (2) enter its order granting or denying the determination sought by such petition, and (3) serve upon each party to the proceeding a copy of such order. Any order granting any determination on the question whether any organization is a Communist-infiltrated organization shall become final as provided in section 14 (b) of this act.

"'(g) When any order has been entered by the Board under this section with respect to any labor organization or employer (as these terms are defined by section 2 of the National Labor Relations Act, as amended, and which are organizations within the meaning of section 3 of the Subversive Activities Control Act of 1950), the Board shall serve a true and correct copy of such order upon the National Labor Relations Board and shall publish in the Federal Register a statement of the substance of such order and its effective date.

"'(h) When there is in effect a final order of the Board determining that any such labor

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organization is a Communist-action organization, a Communist-front organization, or a Communist-infiltrated organization, such labor organization shall be ineligible to—

"'(1) act as representative of any employee within the meaning or for the purposes of section 7 of the National Labor Relations Act, as amended (29 U. S. C. 157);

"'(2) serve as an exclusive representative of employees of any bargaining unit under section 9 of such act, as amended (29 U. S. C. 159);

"'(3) make, or obtain any hearing upon, any charge under section 10 of such act (29 U. S. C. 160); or

"'(4) exercise any other right or privilege, or receive any other benefit, substantive or procedural, provided by such act for labor organizations.

"'(i) When an order of the Board determining that any such labor organization is a Communist-infiltrated organization has become final, and such labor organization theretofore has been certified under the National Labor Relations Act, as amended, as a representative of employees in any bargaining unit—

"'(1) a question of representation affecting commerce, within the meaning of section 9 (c) of such act, shall be deemed to exist with respect to such bargaining unit; and

"'(2) the National Labor Relations Board, upon petition of not less than 20 percent of the employees in such bargaining unit or any person or persons acting in their behalf, shall under section 9 of such act (notwithstanding any limitation of time contained therein) direct elections in such bargaining unit or any subdivision thereof (A) for the selection of a representative thereof for collective-bargaining purposes, and (B) to determine whether the employees thereof desire to rescind any authority previously granted to such labor organization to enter into any agreement with their employer pursuant to section 8 (a) (3) (ii) of such act.

"'(j) When there is in effect a final order of the Board determining that any such employer is a Communist-infiltrated organization, such employer shall be ineligible to—

"'(1) file any petition for an election under section 9 of the National Labor Relations Act, as amended (29 U. S. C. 157), or participate in any proceeding under such section; or

"'(2) make or obtain any hearing upon any charge under section 10 of such Act (29 U. S. C. 160); or

"'(3) exercise any other right or privilege or receive any other benefit, substantive or procedural, provided by such act for employers.'

"SEC. 9. Subsections (a) and (b) of section 14 of such act (50 U. S. C. 793) are amended by inserting in each such subsection, immediately after the words 'section 13,' a comma and the following: 'or subsection (f) of section 13A.'.

"SEC. 10. If any provision of this title or the application thereof to any person or circumstances is held invalid, the remainder of the title, and the application of such provisions to other persons or circumstances, shall not be affected thereby."

Amend the title to read as follows: "To amend the Subversive Activities Control Act of 1950, to provide for the determination of the identity of certain Communist-infiltrated organizations, to outlaw the Communist Party, and for other purposes."

Mr. HARDY (interrupting the reading). Mr. Speaker, the Clerk is not reading the amendment word for word. I thought it was to be read in its entirety. If it is going to be read this way I would just as soon not have it read at all.

Mr. CELLER. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. CELLER. We were handed a mimeographed copy of S. 3706. Is that the copy that is being read now by the reading clerk? What is before the House?

Mr. GRAHAM. Yes; with three minor exceptions.

The SPEAKER. The Chair will state that it is the same with several minor exceptions.

The Clerk will continue the reading.

(The Clerk concluded the reading of the amendment.)

Mr. MULTER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MULTER. Mr. Speaker, do I understand that there is no printed or typewritten copy of the bill for the membership other than the one at the desk in the exact form it was read?

The SPEAKER. The gentleman from Pennsylvania can answer that question.

Mr. HALLECK. Mr. Speaker, if I may answer, the bill is exactly as the mimeographed copies are presently here for anyone's inspection, except a comma is changed in section 3 and these words are added at the end of the findings of fact which were contained in the bill coming from the other body: "therefore the Communist Party should be outlawed."

Then there is added a proviso at the end of section 3 which reads as follows:

Provided, however, That nothing in this section shall be construed as amending the Internal Security Act of 1950, as amended.

Mr. MULTER. Mr. Speaker, do I understand that we have neither hearings on this bill nor a printed report on the bill?

The SPEAKER. That is another matter that the Chair is not able to answer but the gentleman from Pennsylvania may be able to answer it.

Mr. GRAHAM. Mr. Speaker, hearings were held on March 10, April 5, 6, 7, 8, 12, June 2, 23, 25, and 30, 1954.

Mr. CELLER. Mr. Speaker, those hearings were held on a series of bills but not on the particular bill before us?

Mr. GRAHAM. That is correct, but on the same subject matter.

The SPEAKER. Is a second demanded?

Mr. CELLER. Mr. Speaker, I demand a second.

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MULTER. Mr. Speaker, may I repeat my inquiry that has not been answered: Do we have any report from the committee on this bill?

The SPEAKER. That was answered in debate.

The gentleman from Pennsylvania [Mr. GRAHAM] is recognized for 20 minutes, and the gentleman from New York [Mr. CELLER] is recognized for 20 minutes.

Mr. GRAHAM. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. VELDE].

Mr. VELDE. Mr. Speaker, this bill is really in two important parts. The first part that should be considered probably is the part that was introduced by the gentleman from Pennsylvania of the Committee on the Judiciary; that part outlawing the Communist Party. The second part is very largely a copy of H. R. 9838, a bill which was passed by the Committee on Un-American Activities last August 9 and reported to the floor. That part of this combined bill deals with the great problem of Communist-infiltrated labor organizations.

Mr. Speaker, I ask your indulgence while I give some of the background and make some comments on the hearings that have been held by the Committee on Un-American Activities into that phase. The gentleman from Texas [Mr. DIES] first headed the Committee on Un-American Activities in 1938 when it was a temporary committee. I am sure that the gentleman from Texas contributed a great deal to the pronouncement and the ascertainment of the fact that the Communist Party of the United States and world communism has long endeavored to control our great labor organizations in this country. It was as a result of the hearings held by the gentleman from Texas [Mr. DIES] that, back as far as 1938 and continuing up to the very present time, we were able to show the two great national labor organizations, the CIO and the AFL, that there were certain unions within their jurisdiction that were Communist infiltrated and dominated. Those hearings largely produced a very desirable result when the CIO in 1949 and 1950 expelled 10 unions from their parent organization. One of the first to be expelled was the United Electrical, Radio & Machine Workers Union and later, in 1950, the ILWU, the Harry Bridges union, was expelled as the result of the hearings up until that time showing Communist infiltration into labor organizations.

Mr. KEATING. Mr. Speaker, will the gentleman yield?

Mr. VELDE. I yield to the gentleman from New York.

Mr. KEATING. I would like to call the attention of the membership to the fact that on the 8th page of this mimeographed copy it appears that this bill applies also to a Communist-dominated employer organization. It is not limited to a labor organization. It applies, as it should, to any and all organizations. Certainly labor organizations should not be singled out.

Mr. VELDE. That is exactly right. When a union is finally determined by the Subversive Activities Control Board to be Communist dominated, it has no rights before the NLRB; neither does the Communist-infiltrated employer have any rights before the NLRB, which is in accord with traditional American fairness and justice.

As to the recommendation for specific legislation, in the annual report of the Committee on Un-American Activities in 1952 it was recommended that some such legislation as this bill, H. R. 9838, be enacted by the Congress. Bills dealing

with the subject introduced by various Members of the House include a bill introduced by the gentleman from Arizona [Mr. RHODES], a bill by the gentleman from Maryland [Mr. MILLER], and finally my first bill on this matter, H. R. 7487, which was introduced last January 25. This bill was brought to the attention of the Committee on Un-American Activities last January 28. At that time the Senate Committee on the Judiciary were having hearings on a similar bill. Our staff members attended those hearings to determine what action the Senate Committee on the Judiciary would take. Later, after the Senate Committee on the Judiciary did act, they reported out the bill we are considering today, S. 3706. At that time I introduced a bill, part of which is now on the Clerk's desk, H. R. 9838. H. R. 9838 was voted out of the Committee on Un-American Activities August 9 by a vote of 5 "ayes," 1 "no," and 1 "present."

The gentleman asked a while ago if any hearings were held on this bill. We have had a great number of hearings on Communist infiltration into labor organizations.

I would like to call to your attention an incident which, while it was not in a hearing, points up the necessity for this legislation. In December of 1953, your Committee on Un-American Activities held hearings in San Francisco, Calif., and, while this is a beautiful city, it is blighted by the presence of Harry Bridges and his International Longshoremen's and Warehousemen's Union. Bridges was so aroused at the imminence of hearings dealing with communism that he threatened to call a strike if the hearings were held.

When the hearings did proceed as scheduled, Bridges carried out his threat and for one day, shipping in the great port of San Francisco was at a standstill. This mind you, only because a committee of the Congress was holding hearings to ascertain subversive activities. There may arise, at some future date, an emergency much greater than a congressional investigation, and unless we take steps now, Bridges will be able to deal a crippling blow to this Nation.

The legislation reported out by your Committee on Un-American Activities, H. R. 9838 would deal with such individuals and the labor unions they control.

This is generally how the Butler-Velde bill on control of Communist-infiltrated organizations would operate: First of all the bill provides various criteria to be used by the Subversive Control Board before determining what a communist-infiltrated organization is.

Secondly, as to the operation of this act, may I assume a hypothetical case, that of the International Longshoremen's and Warehousemen's Union, known as the Harry Bridges union.

Section 8 of the bill before you provides that the Attorney General upon securing evidence of Communist infiltration may file a petition with the Subversive Activities Control Board asking for a hearing to determine whether or not that union is actually Communist infiltrated. After due notice to the parties involved, the Subversive Activities Control Board would hold a hearing and evidence, of course, would be introduced as to such Communist infiltration. After proper hearings if the Subversive Activities Control Board finds in fact that the Bridges union has been infiltrated, it would be required to certify that finding to the National Labor Relations Board and also cause same to be published in the Federal Register. Then, after final determination, which would probably be a decision by the Supreme Court, the National Labor Relations Board would be required to deny privileges and benefits of such Communist-infiltrated union which it hitherto had enjoyed under the provisions of the National Labor Management Relation Act of 1947, as amended.

This bill seems the only logical way of striking a death blow to communism in labor organizations.

The portion of the bill dealing with Communist-infiltrated labor organizations was amended in the Senate in several respects. One of the amendments which passed the Senate and was forwarded to the House was introduced in the Senate by Senator IVES. It provides as follows:

Provided, however, That any labor organization which is an affiliate in good standing of a national federation or other labor organization whose policies and activities have been directed to opposing Communist organizations, any Communist foreign government, or world Communist movement, shall be presumed prima facie not to be a "Communist-infiltrated organization."

This amendment is entirely acceptable to me and I am sure would be to the other Members of the Un-American Activities Committee. It recognizes that the two principal national labor organizations, the CIO and the A. F. of L. have stood side by side with anticommunist organizations and anticommunist individuals in fighting that menace within organized labor. Yet the Ives amendment would not preclude immediate action by the Subversive Activities Control Board against such organizations as the Bridges union or the United Electrical-Farm Equipment Union which have been ousted from the jurisdiction of the CIO.

The bill is a good bill and has had the ample consideration which characterizes other good legislation which has been reported by the House Committee on Un-American Activities and passed by this 83d Congress. I am happy to say it has the approval of both the White House and the Department of Justice. I hope it passes by an overwhelming majority.

The SPEAKER. The time of the gentleman has expired.

Mr. CELLER. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. WALTER].

Mr. WALTER. Mr. Speaker, the bill under consideration is palatable. Just palatable. It is far from being perfect. However, in the few moments that I have had it in my hand I have not been able to find all of the bugs that are in it. However, these mimeographed sheets very closely resemble a bill which was adequately described by the distinguished Senator from Nevada, Senator MCCARRAN, as "so loosely drawn that it rattles."

I should like to correct one thing that the chairman of the Committee on Un-American Activities said, namely: That the second part of this bill is largely H. R. 9838, a bill which I voted against in that committee, after the most flagrant attempt to jam legislation down the throats of the committee was made, that I have ever seen in the 22 years that I have been a Member of this body. Fortunately, this bill is not largely H. R. 9838.

Of course, I realize the reason for trying to jam the bill down our throats in the Committee on Un-American Activities, but there was no excuse for it. This proposal does not even remotely resemble H. R. 9838, because this bill contains now the Ives amendment, an amendment which I unsuccessfully attempted to have inserted in the bill that the chairman of the Committee on Un-American Activities mentioned, a bill which was not even read in that committee. There was not a word of testimony adduced on that measure.

A subcommittee of the Committee on the Judiciary, under the very able leadership of Mr. GRAHAM, reported a recommendation in House Joint Resolution 527 that a commisison be appointed to make a study of this matter so that we would not be placed in the position in which we found the Senate on Thursday night. Contrary to press reports, that Senate bill did not outlaw the Communist Party. I repeat, it did not outlaw the Communist Party. But it did repeal the Internal Security Act. Certainly nobody intended that those two things should happen. Now we have here the work of people who for the last 72 hours have been trying to salvage something out of a very nasty situation.

I want to pay my respects to the legal staffs of both the Committee on Un-American Activities and the Committee on the Judiciary, and to the Attorney General. But, as I said at the outset, this is not good legislation.

I think that outlawing the Communist Party is a proper thing to do. A great American, John Trevor, of New York, sent me a telegram this morning in which I think he adequately summed up this whole situation:

A substantial number of private letters exchanged between leaders of the Communist movement in 1919, which were picked up by agents of the New York State Joint Legislative Committee To Investigate Seditious Activities, which were brought to me as a special deputy attorney general of the State, expressed the convictions that if the party was outlawed and forced underground they would lose the audiences necessary to build up membership and support from liberals.

In the time I have been a member of this Committee on Un-American Activities I have always been impressed by the ease with which people, engaged in this unlawful conspiracy, were able to enlist gullible, unsuspecting followers.

Some time ago there was an automobile accident in the city of Pittsburgh, in my own State. Among the papers found in an automobile that was involved in the accident, an automobile belonging to a Communist, was a list of eighty-odd clergymen, every one of whom could be relied upon to front in a par-

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ticular type of movement. It seems to me that if we have outlawed the Communist Party through this legislation which is before us, then those well-meaning eggheads will not get into the bad company they have been in heretofore.

Mr. JAVITS. Mr. Speaker, will the gentleman yield?

Mr. WALTER. I yield to the gentleman from New York?

Mr. JAVITS. Is it not a fact that this bill has but 2 salient differences, 1 on the labor provision, which the gentleman mentioned, which would cover every union in the CIO, the AFL, and the railroad brotherhoods, the United Mine Workers and similar national labor federations; and as to the outlawing of the Communist Party, it does not make membership in it a crime but it exercises legislative control over the type of organization which can function as a political party, which the Congress has a right to do.

Mr. WALTER. Precisely. I think we should have done this a long while ago, if only for the effect outlawing the party would have on some of the people who are engaged in the hot phase of this war against communism.

Mr. GRAHAM. Mr. Speaker, I yield 5 minutes to the distinguished chairman of our committee, the gentleman from Illinois [Mr. REED].

Mr. REED of Illinois. Mr. Speaker, I support the bill, S. 3706, which with the Graham amendment amends the Internal Security Act of 1950, and outlaws the Communist Party. My colleague, the gentleman from Illinois, has adequately covered the provisions of the bill dealing with Communist-infiltrated organizations and, therefore, I shall limit my remarks to section 3 of the bill before us, which actually outlaws the Communist Party. This bill, as it passed the Senate, statements in the press to the contrary notwithstanding, did not, in truth, outlaw the Communist Party. Section 3 of the bill, as it passed the Senate, merely provided that one who remained, or became a member of the Communist Party, or any organization advocating the overthrow of the Government, by force or violence, with knowledge of that purpose, and who committed an overt act in furtherance of those objectives was subject to criminal penalty.

That provision, as it passed the Senate, destroyed the very effective Subversive Activities Control Act of 1950, which specifically provided that membership in the Communist organization was not per se a violation of any criminal statute. Such provision was written into the law in order that the registration and filing requirements operate effectively to control these Communist groups. Otherwise, they could have pleaded their privilege against self-incrimination and thereby avoid the requirements of the statute. The Senate version would have destroyed the very effective requirements of the Internal Security Act and would thus have defeated the very purpose for which it was written. Moreover, the proof required under the Senate version would have placed a greater burden upon the prosecutor in trying violations of the Smith Act.

The Congress and the Supreme Court, over a period of several years, have stated time and time again that this international conspiracy is, indeed, a clear and present danger to the security of the United States. Several laws have been enacted, designed to control and to eliminate that danger. The records of the Department of Justice and of the Subversive Activities Board reflect not only the danger, but the effective means whereby it is currently being combated. Just last Friday, the day following Senate approval of this legislation, nine Communist leaders were convicted in Philadelphia for violating the Smith Act. These effective statutes, bulwarked by court decisions, must not be destroyed. On the other hand, I am convinced that the Communist Party, as a legal entity, should and must be outlawed once and for all.

Many fallacious arguments have been advanced by bleeding hearts that we should never outlaw the Communist Party. Such arguments are mere smoke screens to divert or block the enactment of legislation such as this, which strikes at the very heart of the Communist conspiracies. Let us have no truck with such dilatory tactics. The longer we wait and delay, the more vulnerable we become to these traitors and foreign agents. Why should we bestow upon our sworn enemies the benefits which flow from the Government they hate, and seek to abolish?

The one argument advanced against the outlawing of the Communist Party is that it would, in effect, drive the Communist movement underground. I believe that while that argument was true some time ago, it is no longer so today. As recently as the spring of this year, the Director of the Federal Bureau of Investigation, Mr. J. Edgar Hoover, stated that the Communist Party was going underground and if that is so, why worry about the effect of this bill.

All of us, here, know that the most dangerous Communist agents are not the Fosters or the Browders, but rather, the Dexter Whites, the Alger Hisses, and the Judy Coplons. Those traitors operate secretly and insidiously.

During this Congress, the House has passed legislation to permit wiretapping in National Security cases; to grant immunity in such cases; we have seen fit to take away the nationality of a person convicted of subversion. We have extended the statute of limitations in certain subversion prosecutions and we have increased the penalties on the conviction of such cases. Since we have done all these things, let us take the final step, the one necessary step to squelch once and for all the international menace of godless communism. Let us deny to the Communist Party and its subsidiary organizations the legal protection afforded by the very laws they seek to destroy. Let us enact this bill and outlaw the Communist Party once and for all in the United States of America.

Mr. CELLER. Mr. Speaker, I yield myself 7 minutes.

Mr. Speaker, this is a most unusual bill—brought up in a most unusual manner. Consider its history—the confusion, the turmoil, the excitement, the haste and the celerity with which it is being considered now at this fag end of the session. I am reminded of an old adage, "He gets there too late who gets there too fast." In other words, the more haste the less speed. We only have a mimeographed copy of this bill which is now before us, and that copy is not complete. There are amendments attached thereto.

It is replete with and bristles with constitutional questions. They cannot be resolved in a 40-minute debate. The Judiciary Committee never saw the instant bill. It was cooked up over the weekend. It was cut and recut, furbished and refurbished, shuffled and reshuffled. It is indeed a hodgepodge.

The Committee on the Judiciary tabled similar bills some time ago and reported a bill providing for a commission to make adequate study of this very difficult and cumbersome problem.

Now, we are, in a way, buying a pig in a poke. What does this bill really entail? Nobody really knows. Of this bill's import and that of similar bills the New York Times recently said:

> The Brownell legislation was more like that of a police state than of a free democracy, and would have been impossible to administer even had it been either wise or necessary.

I am not a bleeding heart. I have no use for commies or for their party. I am a hardheaded, two-fisted lawyer, and a liberal Member of this House, of course, but I believe when you seek to outlaw the Communist Party, to use the language of the President, you are "shooting from the hip." The President opposed its outlawing. If we can outlaw the Communist Party, there is no reason why, if the Republicans are in control, they could not outlaw the Democratic Party. And, vice versa, if the Democrats were in control, they could outlaw the Republican Party. I don't like that part of the bill which outlaws the party. It is palpably unconstitutional. Also, the States, not the Federal Government, control conditions affecting political parties. Much as I dislike some portions of the bill, however, I favor other portions. On balance the evil is outweighed by the good. I shall vote for the bill.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield.

Mr. HALLECK. I think the gentleman should certainly understand that the very language contained in the bill indicates that the Communist Party is not a political party. It is an international conspiracy to destroy your party and mine.

Mr. CELLER. Yes, but you hold the trump cards—you who are in power. You can declare the party to be anything you wish. You do that by a mere declaration—by fiat. You could do the same with the Democratic Party. You could say that any party that opposes high tariffs or believes in deficit spending is subversive. You could order that the factors making up the Democratic Party are factors of destruction. You could say, therefore, by the

same token, the Democratic Party should be taboo. You say this Communist Party, because it is guilty of certain acts and certain attitudes and potentialities, shall be outlawed. There is nothing to prevent the Democrats, when in power, from saying that certain things the Republicans are doing ruffle the feelings of the Democrats and go against democratic principles, and therefore the Republican Party should be outlawed. I just point out to you the danger you are running. The language used, too, is very indefinite. It is going to take years before you get these questions judicially settled.

You are unduly interfering with the splendid activities of the FBI in running down, fencing in, and convicting Communists. Over 125, I believe, known Communists have been indicted. There are more to be indicted. Scores have been convicted. You are going to set the clock backward many years. That is the clock of efficient enforcement of present statutes, notably the Smith Act, by Mr. Hoover and his FBI, and the administration. It will take a long time before we get exact judicial definitions of what this bill entails. The precipitate action taken today will come back to plague us: The uncertainties of the bill will become handles used to strafe us in the courts.

Mr. KEATING. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield.

Mr. KEATING. It seems to me the gentleman's remarks are directed more to the bill as it passed the other body rather than to this measure which is before us today.

Mr. CELLER. No, not at all.

Mr. KEATING. Specifically section 3.

Mr. CELLER. Not at all. For example, you say in this bill in effect that the Communist Party cannot appear on the ballot, can have no legal standing, cannot appear in any elections; but there are no sanctions mentioned. In fact, for example, an individual could be elected even if he were a Communist, although he might run on a good neighbor party ticket or he might run on a welfare party ticket or for a party of some other name. He could enter the legislative body although really a Communist, albeit he had a different party label.

The SPEAKER. The time of the gentleman has again expired.

Mr. CELLER. Mr. Speaker, I yield myself 2 additional minutes. He gets into this House and he is a Communist. In other words, you invoke no sanctions against an individual. You invoke no sanctions against the party. Hence the bill may lose its effectiveness. I really do not know. There has been so little time for consideration. It is hard to fathom this bill—on the run. I believe, you allow a person to do individually what you prevent that person from doing collectively. Any person could run for office even if he were a Communist, provided he used a different political label, but a number of such persons banning together could not maintain the Communist Party name and put it on the ballot.

That gives you some of the difficulties that a court will be confronted with when it has before it cases arising out of this statute. Now you have other matters here which should be pointed out.

One is on page 3 of the mimeographed copy. You have a specific section which is the nub of the coconut as far as I am concerned. It is as follows:

> *Provided, however,* That any labor organization which is an affiliate in good standing of a national federation or other labor organization whose policies and activities have been directed to opposing Communist organizations, any Communist foreign government, or the world Communist movement, shall be presumed prima facie not to be a "Communist-infiltrated organization."

I take it from that language which was drawn rather hastily and rather loosely in the last 48 hours, that it is meant that the American Federation of Labor, United Mine Workers, and the CIO, and the Railroad Brotherhoods are exempt from the operation, of this act. I do not know, I am not too sure about that, but I believe that in the Senate when it was debated, that that particular section seemed to strike the Senators as exempting those organizations that I have mentioned.

But there may be additional organizations. Those organizations that have so effectively struck at Communists should be thus favored. It is this provision that causes me to vote for the bill. I do not favor most of the other provisions but this one is the saving grace.

Mr. WIER. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield.

Mr. WIER. I want to point out to the gentleman an inconsistency. There are a lot of labor organizations throughout these United States that I know of who may have 1, 2, or 3 Communist members or Communist sympathizers in the organizations. Those unions have tried during——

Mr. CELLER. I am not yielding for a speech. Forgive me, I do not yield further.

I agree that the gentleman does point his finger at some of the difficulties. The section in question is not drawn in perfect manner. It may do some injustice to some unions, I hope not. We have no power of amendment under suspension of rules. It is take it or leave it. I take it—but reluctantly.

There is another question which agitates me. I am dubious about it. This bill seeks to punish for potential acts, for things that may occur in the future. I do not know whether the Congress has the power to punish for potential acts. It says if you are a member of the Communist Party insofar as the party is punished you are punished—not for what you personally do but for what the party may do as well as for what the party has done. For instance, the Wall Street Journal, when a similar bill was before the Committee on the Judiciary, had this to say:

> As we see it, the trouble with Mr. Brownell's bill is that he here seeks not to expose organizations or to punish people for what they have done, but to punish people for what they might be in a position to do. Mr. Brownell's bill contains no safeguard. Indeed, it would have been most difficult to make reference to the Bill of Rights and then attempt to do what this measure suggests.
>
> We recognize the trying task the Attorney General and his law officers face in combating the secret and sinister Communist intrigue. But it is not the part of wisdom ourselves to chip away at the very rights we seek to save from this menace.

I will say that this bill, so hastily conceived, should not have been brought before us at the end of the session. We are attempting to write a bill on the floor of this House. Whenever we do that we seem to have our labor for our pains. We get into insuperable difficulties. For that reason I have voiced my objections to portions of the bill. I repeat: I do not like the outlawing of the Communist Party—much as I loathe that party. I favor the exemption from sanctions of reputable organizations like the CIO, A. F. of L., railroad brotherhoods, and the like. Unions which have been tainted of communism and dominated of Communists should be brought to book.

On balance, I must vote for the bill.

However, we are curiously told that the administration favors the bill with the outlawry of the Communist Party. But President Eisenhower said heretofore that he opposed such outlawry. What will he do now?

Mr. GRAHAM. Mr. Speaker, I yield such time as he may desire to the gentleman from North Dakota [Mr. BURDICK].

Mr. BURDICK. Mr. Speaker, I desire to insert my remarks following the statement made by the gentleman from New York. He spoke against the bill, but he is for it, so I do not think his argument counts.

Mr. Speaker, the Senate has passed a bill outlawing communism, but the question remains will the House approve it; and if so, will it outlaw communism? Congress is treading on dangerous ground by making unlawful what a man may think. Thomas Jefferson realized this when he said:

> I have sworn on the altar of God eternal hostility against any form of tyranny over the mind of man. I am for freedom of speech and freedom of the press. I am opposed to silence by fear instead of reason, any complaint or criticism, just or unjust, by the people against the Government.

Unless a man does some act to indicate that he proposes to destroy the United States or any of its institutions, I do not see any authority in written or unwritten law to do so.

Besides this, a negative command does not negate. In the days of prohibition it was unlawful to sell liquor, but it was sold in tremendous volumes. When people realized it was unlawful to sell liquor, then many people, who had never used liquor before, wanted it and they abetted the sale of it by being purchasers. No bootlegger could make a sale of a single pint of liquor unless there was a buyer. Applying this reasoning to communism, it will no doubt follow that people who never thought of being a Communist will want to venture into it because there is a ban against it.

I think the Senate and the whole Congress do not understand the background of communism. Communism springs from want and dire distress, and it is embraced by many as the only light they see to relieve them of this distress. In

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the United States if we make the Declaration of Independence mean what it says, that particular ism will not gain much headway. I am speaking from experience. In the dark depression days in North Dakota, when foreclosures and dispossession were rampant and whole families were being ejected out on the highways, because they were helpless; when wheat was selling for 26 cents per bushel and good steers selling for less than 2 cents per pound, and the purchasing power of the farmers had disappeared, men who were caught in this dilemma and had families to support would embrace any kind of an ism that they thought might relieve them from this dire need, want, and suffering. In that period the Communists had a State ticket in the field and attracted many good people to it.

When times changed and the buying power was put back in the Farm Belt; when foreclosures and dispossessions ceased, and the farmers—and through them every business concern in the State—regained their purchasing power, the Communist tickets disappeared entirely.

My record is absolutely against communism, as many people know, but I am of the firm opinion that you cannot change men's minds, under given circumstances, by any act of Congress. If this law is enacted by Congress it will make the work of ferreting out Communists and removing them from the public payrolls much more difficult, because their actions will not be in the open, but underground. On this measure I agree with the Attorney General and J. Edgar Hoover, whose business it is to oust Communists from the public payrolls.

Keep Communists out of the Government service and so conduct our Government that no class is in penury and want, and we will have no trouble about communism.

The proponents say that the original bill has been amended providing that there must be some overt act done by the person believing in communism before a prosecution will be begun. If that amendment is finally contained in the bill it will be perfectly useless, because that is the law today. Just what the purpose of this bill is, with this amendment in it, is not clear, unless it is a political sop to show the people that we have buckled up our armor and gone out barehanded and dispatched the Communists' dragon. It may win votes, but, in the long run, it will reflect upon our good sense.

Mr. GRAHAM. Mr. Speaker, I yield such time as he may desire to the gentleman from Maryland [Mr. HYDE].

Mr. HYDE. Mr. Speaker, in our consideration of legislation to outlaw the Communist Party, many of us are seized with a conflict of emotions. A conflict between our desire to preserve our constitutional freedoms and our desire to protect our country from those who would destroy those freedoms.

We must ever bear in mind the reason for the action we are taking here today.

We hold certain truths to be self-evident. Most important of which is that governments are established to preserve life, liberty, and the pursuit of happiness. Therefore, any organization which would seek to inflict upon us by force and violence a form of government which denies those truths and which in fact has as its purpose the destruction of life and liberty, has no right to the privileges of a legal organization in this country.

It must be made abundantly clear that we are not denying to anyone the right to peaceably advocate any political theory or any form of legislation. In fact this Congress has passed legislation which in form and substance is the same as advocated by Communists and Socialists. For example: The graduated income tax, social security, and unemployment insurance.

We have come to the point where we must take a stand on certain eternal truths. We cannot permit the forces of evil to thrust us back into the Dark Ages. The Communist Party has by its own declarations declared that to be its purpose. We can no longer permit it to have legal existence in our Nation.

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent that all Members may have leave to extend their remarks at this point in the RECORD on the pending bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. CANFIELD. Mr. Speaker, the Communist infiltration of our economy represents a strategic and vital threat to the Nation. The infiltration of certain organizations constitutes one of the deeply ingrained phases of the menace of communism in the United States. The great labor unions of our country, the CIO and the A. F. of L., have dealt with the menace vigorously to the limit of their capacity to do so. The CIO in 1949 and 1950 expelled 10 unions because of their Communist domination. We now have the opportunity through H. R. 9838, to crack down on Communist infiltration from the Government level. This brings about the highest and the most effective form of cooperation between the Federal Government and the respected organizations of American labor.

This bill has been carefully considered in relation to anti-Communist legislation that already exists, in relation to the scope and the nature of the Communist menace, and was evolved slowly and thoughtfully out of congressional knowledge and experience. H. R. 9838 gives the people of the United States a weapon in law. It enables our Government to deal with Communist infiltrated labor unions. The rule of Communist labor leaders over these unions is despotic and absolute. The notorious Harry Bridges' tyranny over his International Longshoremen's and Warehousemen's Union is a case in point.

But in creating this proposed legislation the American tradition of justice and fair play was not thrown to the winds. The bill calls for substantial criteria that must be presented to the Subversive Activities Control Board before it can determine that a labor organization is Communist infiltrated. Under the bill—section 8—the Attorney General files a petition with the Subversive Activities Control Board on the basis of evidence he has secured of Communist infiltration. The petition asks for a hearing to determine whether or not that union is in fact a victim of Communist infiltration. There is due notice to all concerned before the hearing. If the evidence proves infiltration to the satisfaction of the Subversive Activities Control Board their findings are certified to the National Labor Relations Board and are published in the Federal Register.

The effect is to deny to the guilty union the benefits of the services of the National Labor Relations Board under the National Labor Management Relations Act of 1947, as amended. The bill operates in precisely the same way toward the Communist infiltrated employer.

As I see it this is the judicial, the American, the correct way to take the Communist infiltrated labor union and Communist infiltrated employer out of America's economic and political life. The result of this bill—H. R. 9838—is to strangle Communist infiltration through due process and in the best American tradition of lawful self-defense against the enemies of our country and to drastically discourage such infiltration. I believe the measure to be an answer to the Communist problem on the economic and the labor front and I wish to give it my wholehearted endorsement.

Mr. KERSTEN of Wisconsin. Mr. Speaker, I am supporting this bill outlawing the Communist Party because it calls a spade a spade. There was never any reason to consider that the activities of the Communist Party were within the law. They are beyond and against the law. They are essentially criminal activities.

The evidence now being received by our Committee on Communist Aggression regarding the activities of the Communist Party in Guatemala shows very clearly the brutal murders and tortures officialy perpetrated by the Arbenz Communist-controlled government in that country. When a Communist government takes over and goes into operation, law, justice, and morality go out the window. This was the case in Guatemala.

The operation of the Communist conspiracy in Central America is also a violation of international law. It was the Moscow-controlled government interfering in the internal affairs of the Western Hemisphere. Evidence before our committee shows that within the year preceding the downfall of the Red regime last June, over 150 Guatemalan officials traveled to countries behind the Iron Curtain and that many of those trips were financed by a bank in Communist-dominated Czechoslovakia.

Mr. JENKINS. Mr. Speaker, under leave to extend my remarks at this point in the RECORD, I wish to say that now it seems that practically all of the leading lawyers on the Committee on the Judiciary have agreed on what should be done with reference to curtailing the activities of the Communists, I

wish to approve their action and shall vote with them.

Mr. Speaker, my colleague, Mr. HESS, of Ohio, who is absent on committee business wants me to say that if he were here he would vote in favor of the pending legislation.

Mr. McDONOUGH. Mr. Speaker, I have consistently given my wholehearted support to every measure brought before the House that would aid in the investigation of the Communist movement in the United States, and uncover and discredit its agents. Whether the purpose of the Communist is to act as a spy for the Kremlin, sabotage our military services and our defense industries, or pervert the minds and morals of our people, he is equally dangerous to the survival of our Nation. I welcome this opportunity to vote on outlawing the Communist Party. I vigorously support S. 3706, the bill before us for consideration.

The Communist movement in the United States should be wiped out completely. And every active Communist in this country should be ferreted out, identified, exposed. Only by such drastic action can his potential danger to our national security be neutralized.

Most important of all, I concur with our senior Senator from California, Senator WILLIAM KNOWLAND, that we must formulate law to outlaw the Communist Party as a legal political party in our Nation, and make it a crime punishable by law to engage in Communist activities whether such acts are treasonable or merely the spread of the insidious poison which is Communist propaganda.

In the 80th Congress in 1947 I introduced a resolution to define communism. At that time, I recognized the urgent need for a clear understanding of just what the Communist movement and the Communist Party were in the United States so that effective legislative measures could be taken to curb and combat communism.

I pointed out in my resolution that communism is not a political party, but is an international conspiracy which advocates and practices deceit, confusion, subversion, revolution, and the subordination of man to the state, and which has for its purpose and intention the overthrow of any democratic form of government by force and violence, if necessary.

My resolution further declared that "any person, either citizen or alien, adhering to or expounding the purposes and intentions of communism, should be exposed and revealed as an enemy of the United States and dealt with accordingly."

I believe communism is treasonable and inimical to the people of the United States.

If there is any doubt as to the true purpose of the Communist movement, and the active aims of the international Communists, a look at their own statements reveals their true goal, the destruction of democracy and individual liberty.

The following comes from Lenin:

> The principal task of the Communist parties at present is to unite the scattered Communist forces, to form in every country a united Communist Party (or to reinforce or revive already existing parties) in order to increase tenfold the work of preparing the proletariat for the conquest of political power, the conquest of power precisely in the form of the dictatorship of the proletariat.
>
> If we have a strongly organized party, a single strike may grow into a political demonstration, into a political victory over the government. If we have a strongly organized party, a rebellion in a single locality may flare into a victorious revolution. We must bear in mind that the fight against the government for certain demands, the gain of certain concessions, are merely slight skirmishes with the enemy, slight skirmishes of outposts, but that the decisive battle still lies ahead.

And from Stalin:

> Is it not true that the history of the revolutionary movement shows that the parliamentary struggle is only a school and an aid in the organization of the extraparliamentary struggle of the proletariat, that the basic questions of the workers' movements under capitalism are decided by force and by the direct action (general strikes and insurrection) of the proletarian masses?

And from Pravda:

> For Communists there is nothing above the interests of the party.

If more proof of the aims of the international Communist movement are needed, a look at the classic statement of goals and procedures of communism issued by Karl Marx in the Communist manifesto should convince the most skeptical:

> The Communists disdain to conceal their views and aims. They openly declare that their ends can be attained only by the forcible overthrow of all existing social conditions.

In a report by the Special Committee of the House To Investigate Communist Activities in the United States in 1931, the following was given as a definition of communism:

> A worldwide political organization advocating: (1) Hatred of God and all forms of religion; (2) destruction of private property and inheritance; (3) absolute social equality; promotion of class hatred; (4) revolutionary propaganda through the Communist International, stirring up Communist activities in foreign countries in order to cause strikes, riots, sabotage, bloodshed, and civil war; (5) destruction of all forms of representative or democratic governments, including civil liberties, such as freedom of speech, of the press, of assembly, and trial by jury; (6) the ultimate and final objective is by means of world revolution to establish the dictatorship of the so-called proletariat into one world union of soviet socialist republics, with the capital at Moscow.

The Communist Party in the United States today is a part of the world Communist movement. It is a part of an active vicious force which recognizes no territorial boundaries. It denies all religion, all spiritual values, and, therefore, it has no soul, no moral sense, no decency.

As long as the Communist Party is free to operate unhampered by legal restriction in the United States, it will continue to recruit new followers among our young people with its lies and deceptions. It will continue to infiltrate our land with spies and saboteurs bent upon our destruction as a free nation. It will use every means to spread vice and crime to demoralize our citizenry.

It is high time we recognize the Communist Party in America for what it is and take the necessary steps to enact Federal law to destroy the Communist Party and make it illegal for any person in the United States to act as an agent of any Communist organization, whether national or international in scope, which advocates the overthrow of our Government by force and violence.

Again, I say, I vigorously support S. 3706. Such a law will finally give our law enforcement agencies the means to drive communism out of America. And we should pass this necessary legislation now.

Mr. WILLIAMS of New Jersey. Mr. Speaker, for some time it has been apparent that the Communist-inspired fiction implying it is just another political party is a complete myth. The fact of the matter is that it is a conspiratorial organization designed to serve the ends of a foreign power in undermining American constitutional system of Government. Members of the Communist organizations also hope some day to subvert the American Government to the will of the Soviet Union by means of force and violence.

Since this fact has been known, there has been great confusion in how to handle the problem it presents. The hysterical methods employed by some self-serving politicians have done great damage to the entire free climate in the United States, and have frequently infringed on the civil liberties of the innocent. The proposed legislation would leave to the courts the determination of fact as to whether a specific individual is a member of the conspiracy. The judicious way of handling the problem is far better since it will punish the guilty while giving ample protection to the innocent. This method is much more in accord with our traditions of civil liberty than the various hysterical methods which have been used in the past several years. Senator HUMPHREY and his associates in the other body are to be commended for their leadership in this matter.

While I have thought for a long time on the proposition that outlawing the party could have the effect of driving it underground, my study has indicated that many elements of the party are already underground and this legislation would permit the FBI to expose those underground activities in courts of law and to handle it in the American tradition.

Another problem this legislation would solve is the chaotic confusion which has occurred with respect to Communists in the Army or in other sensitive positions in our society. Since it has been legal to be a Communist, we have been moving in the direction of private police forces in the agencies of Government as well as in private industries. This is a very dangerous trend since each little private investigative system can employ its own rules and systems of determining guilt or innocence. The proposed legislation would eliminate the necessity for this and put the question in the

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hands of courts of law where fair procedures are assured.

I hope that the House will act on this bill, so as to put the problem of Communist sabotage and subversion into the effective but fair hands of the courts. As a lawyer, I must say that I am in full agreement with this legislation because it permits the due processes of law to work against the guilty and in favor of the innocent. It should also go a long way toward uniting our country in the American constitutional way to meet the question of internal subversion.

Mr. DODD. Mr. Speaker, once again I believe it necessary to object to the procedure under which we are considering and about to pass a most important piece of legislation. In this instance we are asked to suspend the rules in order to outlaw the Communist Party in the United States.

There has been ample time in the past several months for this House to consider this grave problem with adequate provision for debate and deliberation. Several bills to outlaw the Communist Party have been introduced in this session of Congress. Yet once again, we are to be allowed only 40 minutes to discuss legislation which involves serious constitutional questions. This is bad legislative procedure.

I shall vote for the bill now before the House only because it appears to be the best that we can get at this hour and under all the circumstances.

For many years, I have been urging that the United States outlaw the Communist Party.

I introduced a bill to outlaw the Communist Party, H. R. 8948, in this session of Congress.

Several years ago, I appeared before the judiciary committee of the Connecticut Legislature and urged that body to make the Communist Party illegal in Connecticut.

On many occasions I have engaged in public debate on behalf of this proposition.

Until very recently, those of us who advocated the outlawing of the Communist Party received very little attention and very little help from the Federal Government or from several State governments.

It is encouraging to have this legislation before us today even though under a repugnant procedural rule for it is an indication that at long last the Government of the United States is ready to face up to the situation.

For a long time we have been putting the cart before the horse.

To illustrate this point, permit me to cite some facts.

It is the law of the United States that no alien Communist Party member is admissible to the United States for purposes of permanent entry.

It is further the law of the United States, and there are many cases in the books upholding the law, that any alien Communist Party member, who by concealment of his membership, obtains admission to the United States for permanent entry is a deportable person.

The National Labor Relations Act withholds the privileges and rights of the labor law of the land to any labor organization, the leadership of which does not affirm and avow under oath that it does not hold membership in the Communist Party; and the Supreme Court has held in the case of American Communications Association, CIO et al. against Charles T. Douds, that this restriction in the law squares with the Constitution of the United States.

At the same time, the right to public employment by the United States is denied to a member of the Communist Party.

And finally the courts of the United States have held that so infamous is the mere term communism that one falsely charging another with being a Communist entitles the person falsely accused to collect damages from his accuser in the courts of the United States.

Add to these the Internal Security Act of 1950, the Smith Act of 1940, the act requiring registration of printing presses, the immunity bills, and we have some of the political sanctions that have been visited upon the members of the Communist Party in the United States.

As a matter of moral and legal orderliness the Communist Party should have been outlawed before any of the above steps were taken. For if the Communist Party is a legal political institution in the United States, standing on all fours with our traditional political parties, then none of the above steps should have been taken against the members of the Communist Party.

By the passage of this legislation today, we will at least have begun to put our own house in order. Thereafter, we will give greater meaning to our leadership in the world against the Communist conspiracy, and we will have begun to clarify the confusion in the minds of our own people with respect to this problem.

The first responsibility of government is to protect and preserve itself.

Article IV of the Constitution of the United States guarantees a republican form of government to every State in this Union.

But as a matter of law and of fact the Communist Party seeks to destroy our guaranteed republican form of government.

Therefore, it is impossible under our Constitution to recognize as a valid political organization the Communist Party, which has as a primary purpose the destruction of our republican form of government.

We are a people dedicated and devoted to liberty and freedom, and we shrink from restrictions on liberty and freedom. The Communists have taken advantage of this deep-seated sense of fair play in order to destroy us.

All of us want the United States to remain broadminded. But it is not necessary that we become flatheaded in order to remain broadminded.

Mr. Speaker, while objecting to the procedures, I shall vote for the passage of this legislation.

Mr. JAVITS. Mr. Speaker, as the bill stands now in the House it represents in effect a declaration against Communist infiltration and subversion in the United States, direct or indirect. It has already been pointed out that the bill is loosely drawn and has many defects and raises many serious legal questions, and so it does. But method and implementation can be worked out in the courts. As I see it now the vote is one expressing the overwhelming sentiment of our people against an instrument—the Communist Party—posing as a political party but being spurious, designed only to entrap and deceive and using our laws to attempt to achieve an unlawful purpose, the overthrow of constitutional government.

I have heretofore voted against legislation making it a crime or imposing material personal disabilities as a penalty for belonging to a particular organization even if defined as a Communist-action or Communist-front organization. I consider it fundamental to our freedoms that crimes be defined as such on the basis of acts or conspiracies by an individual and be not defined by association. I have pointed out as the danger of this course, in sustaining my negative votes, that it can be applied to many organizations with international implications now considered perfectly lawful, in fact exemplary in their objectives. I have also voted against S. 16, to compel witnesses to testify despite the plea of self-incrimination under a grant of immunity in Communist investigations because of my deep concern that there should be no abridgment of the constitutional safeguards for the individual and that the genuine deep concern of our people to prevent Communists from disabling us at home should not be used as a cover to reduce the equal protection of the Constitution for all.

But the bill before us does not make it a crime to belong to the Communist Party, or its successors, but only deprives an organization spuriously purporting to be a political party of whatever rights, privileges, or immunities it may have enjoyed as such under the protection of our laws. I believe it to be fully within the province of a legislature, in this case the Congress, to regulate and control political organizations, as is, indeed, done in every State.

The same observations apply to that part of the bill which are amendments to the Subversive Activities Control Act. That act is on the books now and though I voted against it originally it is entitled to be amended to meet changing conditions. The proviso inserted at the instance of my colleague, the senior Member of the other body from New York, prevents its being used vexatiously for it provides that affiliates of national labor federations like the CIO, AFL, railroad brotherhoods, United Mine Workers, and similar organizations whose policies and activities have been directed to opposing Communist organizations shall be without further proof presumed not to be Communist-infiltrated. It must be noted that this proviso being in both the House and Senate bills, will not be subject to conference and must remain in any final law.

The bill before us radically differs in its essential provisions from the bill that was before the other body. It is these fundamental differences which are determinative as far as I am concerned in view of the overriding pronouncement

against Communist subversion and infiltration which the bill expresses.

Mr. BEAMER. Mr. Speaker, I would like to speak in behalf of the House amendment to S. 3706 which is before the House of Representatives today.

Legal advice from the Justice Department is to the effect that the Senate amendment does not outlaw the Communist Party. The House amendment is intended to strengthen the existing security laws and is acceptable to the Federal Bureau of Investigation and the Office of the Attorney General, and at the same time, does in fact outlaw the Communist Party.

Under the existing Security Act, just last Friday nine Communists were convicted in Philadelphia. This law is working and I am happy to give my support to any legislation that would make it even more effective. My record will prove that I have been outspoken against the Communist Party and other subversive organizations and I always have supported legislation aimed at outlawing any organization that advocates the violent overthrow of our great country.

Mr. EVINS. Mr. Speaker, the pending bill, S. 3706, although late in reaching the floor of the House during this session certainly is deserving of approval by the Congress. The great Committee on the Judiciary has for several years been studying the overall question of whether or not the Communist Party as such should be outlawed. In the past deference has been given to the fact that the Communist Party was considered in fact a political party. We know today, or should know, that it is not in fact a political party but rather an instrumentality of an enemy foreign government designed through a conspiracy to overthrow the Government of the United States. Under such circumstances there should be no hesitancy or reservation about outlawing an instrumentality and a conspiracy designed to overthrow the Government of this Nation.

Some have said that the pending bill goes too far and others have indicated that the bill does not go far enough. Individual liberties can, should be, and will be preserved for the citizens of our country, under our Government and our systems of laws and judicial procedures; but an organization such as the Communist conspiracy designed to overthrow the Government deserves the most stringent and firm action that this Congress and our Government can take with respect to it.

I happen to be among those who believe that this bill could be strengthened and improved. In the event time dictates the necessity for change or amendment, the Congress can take appropriate action to amend the law. The pending act not only outlaws the Communist Party, but preserves intact the so-called Smith Act, the Internal Security Act, and other security legislation. It is a step that should be taken, and as I have indicated this act should have been passed earlier.

Mr. Speaker, I refer to proceedings and debates of the 81st Congress, 2d session, CONGRESSIONAL RECORD, Volume 96, part 10, page 13731, at which time the House had under consideration similar internal security legislation. At that time I indicated in a colloquy with the then Representatives CASE and NIXON, who are now Member of the Senate and Vice President, respectively, an expression of views with reference to outlawing of the Communist Party at that time. I cite this reference, Mr. Speaker, to indicate what I have just said, that I feel the House has already been too slow and deliberate enough in passing this long-needed legislation. I shall support it and in the event the bill, which some charge has been hastily drawn, needs amending we can amend it and correct the legislation as time and circumstances dictate as needed and necessary.

Mr. DINGELL. Mr. Speaker, when it comes to the question of outlawing communism there just is no argument against such proposals although some of the Members of this House may have misgivings that a bill might go too far. I choose to resolve that fear by placing my trust in court decisions which would rectify any error which the Congress might make.

In connection with such legislation we always hear one of the standard arguments about driving communism underground, and even the President and the Attorney General have expressed themselves in similar manner. I remember back to 1948 when Governor Dewey, as a presidential candidate, in his debate with Harold Stassen, stated that we had a score or more of Federal laws on the statute books against communism and its pernicious tactics especially against the overthrow of the Government of the United States by force and violence. He said he did not believe we should do anything further along that line; and that the people and the Government were all protected. Somehow the weasly Communists seemed to get by all the protective laws and went on with their nefarious dirty work. So I always choose the course where the Communist is concerned that it is better to have one superficial or extra law than to be delayed in bringing the Communists to bay.

I believe President Eisenhower expressed only recently, if I recall correctly, the opinion that he feared the Communists would be driven underground. I hope that is true. I have often wished that the whole Communist movement and each and every individual Communist would be driven underground about 6 feet, for the only kind of Communist that is any good is a dead one. If we can exterminate them by a sufficient ground covering the world and humanity will be far better off. I opposed communism long before many people awakened to its real meaning and I have fought this curse upon humanity every inch of the way with all my strength and with every device that was available to me. Certainly my record from the earliest days of my service in Congress indicates my hatred and opposition to the godless philosophy which without a doubt is rooted in hell and is nurtured by the Devil.

A Communist should have no rights in the United States of America, and such rights as he might have acquired as a citizen should be nullified by law under the Constitution which the Communist would trample and destroy. Along with any such law as would outlaw communism there should also be a provision which would give any individual who prefers communism to Americanism a one-way ticket to Russia, that paradise which we hear praised so loudly, but which seemingly does not attract the spellbinders who would mislead the gullible among our people. There are many examples of American Communists who jumped bail in the United States and went to Russia, and who long before they died in this self-imposed exile expressed their willingness to return to the United States to die in prison rather than live under the form of government they sought to impose upon the people of the United States. It is admitted, Mr. Speaker, that the living standard of the average Russian under the Communist system is less by far than that enjoyed by the convicts in America. I assume that the vote on this bill will be unanimous.

Mr. O'NEILL. Mr. Speaker, I rise in support of the passage of S. 3706, an act cited as the Communist Control Act of 1954.

Today, the members of both major parties, Democrats and Republicans, by their actions here are in agreement that communism is our common enemy. I am in full accord with the finding of facts in S. 3706, that the Communist Party is an instrumentality of conspiracy to overthrow the Government of the United States by force. It is a dictatorship within a republic. The discipline of the Communist Party is like that of an army, and in no way resembles a political party.

By our actions today we are showing the world we consider this organization as a ruthless and tenacious foe whose one thought is that of world empire. This Congress has been remiss in its duty for not having acted before this to outlaw that party where members are plotting the overthrow of our free Constitution. The more stringent the law, the safer and the happier the people of the United States will be.

Mr. HIESTAND. Mr. Speaker, I am emphatically in favor of this bill as amended. I introduced H. R. 10237 to outlaw the Communist Party and to deny the rights and privileges under the Taft-Hartley law for Communist-infested or controlled labor unions.

My bill was substantially the same as the Senate bill, S. 3706. Our first committee amendment clarifies and makes crystal clear the object of the bill to outlaw the Communist Party as such. It is an improvement. It leaves no doubt as to the object of the bill.

The chief objection of the Attorney General and the head of the FBI was that outlawing the Communist Party might tend to weaken the laws under which they had been successfully attacking the Communist conspiracy. Certainly we do not want to do that. So the second committee amendment, providing that nothing in section 3 shall be construed as amending the Internal Security Act of 1950, the statute upon which the Department of Justice and

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the FBI have been attacking the Communists, takes away the only objection to the bill.

Mr. Speaker, the people of the United States are clamoring for this legislation. As amended, the administration has no objection. I see no reason whatever why we should hesitate to pass this bill unanimously in order that the managers for the House and Senate may go into conference immediately. I urge the passage of the bill.

Mr. SCOTT. Mr. Speaker, I will vote for the passage of S. 3706, as amended, known as the Communist Control Act of 1954. This is a much better bill than the original act passed by the other body and should provide effective judicial control of that part of the international conspiracy which we know as internal communism.

We are advised that this House bill is acceptable to the administration and, if passed, becomes a part of its program. The promises of the Eisenhower program have been kept as the record of the 83d Congress will amply demonstrate.

The Republican Party in keeping its promises to the people of this country has earned much praise from impartial commentators such as Roscoe Drummond, formerly with the Christian Science Monitor and now with the New York Herald Tribune whose article of August 13, 1954, makes such interesting reading that I have included it here:

CONGRESS RECORD SHOWS EISENHOWER PHILOSOPHY

(By Roscoe Drummond)

At this point the Nation's voters can begin to weigh the proposition which President Eisenhower put to them a few months ago. The proposition was that the Republican Party deserved to win the congressional elections this fall only if it enacted a solid and progressive legislative program.

The 83d Congress is poised to adjourn—or to recess—and the record is now almost entirely on the books. There is little to be added. It is a record which most Republicans will soon be describing as impeccably good and which most Democrats will be condemning as woefully inadequate.

Before partisan debate begins, it should be possible to look at the Eisenhower-Republican record with some detachment. I believe that most Washington correspondents whose purpose is to get at the facts as well as they can, agree that these conclusions about the 83d Congress are supported by what has happened.

1. This has been an extraordinarily productive Congress. As much significant legislation has been put on the statute books during this session of Congress as during any comparable 2-year period in recent years and more than most. The nearly balanced strength of the two parties has often in the past stalemated Congress into inaction, into something near a "do nothing" record. It didn't this year.

2. Despite some serious setbacks, the President won a very substantial part of his legislative program. This Congress has been more responsive to the President's requests on domestic matters than any previous Congress since the first 2 years of the New Deal.

3. Important parts of the administration record concretely reflect the President's stated philosophy of government—a philosophy of economic conservatism with humanitarian overtones. This is true of the tax bill. This is true of the farm program. This is true of the wide-ranging extension of social-welfare measures.

4. The administration suffered critical losses on the legislative front. It had to take only a 1-year extension of the Reciprocal Trade Act, and it lost nearly all of the related measures to improve and expand foreign trade. It was unable to meet its promise to revise the Taft-Hartley law. It was unable to honor its platform promise to give statehood to Hawaii. But it had more victories than it had defeats and is pledged to return to do battle on all these issues when the new Congress convenes next January.

What makes much of the legislation of the 83d Republican Congress significant is that it represents alternative political philosophy to that of the Roosevelt-Truman administrations.

These are the aspects of the Eisenhower-Republican record which, in light of the voting record of the opposition, could only have come into being with a Republican victory 2 years ago:

Tax policy: The major changes in the vast new tax bill—which represents a rewriting of the tax code for the first time since 1876—are in the direction of providing tax incentives to spur greater investment and business expansion. These changes in the tax structure rest on the conviction that the key to prosperity is not first with helping the consumer to buy through reduced taxes, but first with inducing the investor to invest in order that expanded business may itself finance consumption. A mostly opposite tax philosophy had prevailed under the Democratic administration.

Farm policy: Here again the administration's views have prevailed in Congress over the opposition of a coalition of Democratic and Republican farm bloc Senators. Support for the gradual introduction of flexible price supports was substantially Republican; support for continued high-rigid price supports was substantially Democratic.

Power policy: The Eisenhower administration has veered away from putting Federal funds behind the expansion of public power. It favors a partnership with private industry in which the Federal Government pays the costs of dam development from which it derives irrigation and flood control while private industry pays the whole cost of power production. This doesn't necessarily mean less power development; it can mean more because, while Mr. Truman flooded Congress with public power requests, it got few of them passed during the last 5 years.

Social welfare policy: The expansion of social security, unemployment insurance, and related social measures by the 83d Congress does not reflect any break from previous administrations. It does reflect a break in Republican policy in that it alines the Republican Party behind social-welfare measures against which a majority of Republicans have voted many times. It carries out one of Mr. Eisenhower's major campaign commitments.

It will be seen, I think, that much of the Republican record reflects alternative political philosophy. It reveals basic areas of difference between the two parties which did not emerge so sharply while the Republicans were only the source of opposition. It gives the voters a clearer opportunity to choose as they will have the opportunity to choose this November—whether to endorse or to reject the Eisenhower Republicans.

Mr. BONIN. Mr. Speaker, I am in support of S. 3706, known as the Communist Control Act of 1954. As a member of the Select Committee of the House of Representatives To Investigate Communist Aggression, I had the privilege of hearing over 112 witnesses tell about methods, plans, and subversive activities of all Communist Party members. The general consensus of opinion in Congress, and throughout the United States, is that the Communist Party is an instrumentality of a foreign government created to overthrow the Government of the United States and all other free governments in the world.

The members of this subversive movement accept the rights and privileges offered under the Constitution of the United States but, on the other hand, seek to destroy the same law that grants them these rights and privileges.

I am fully aware of the fact that this secret conspiracy, controlled and directed from the Kremlin, has but one objective and that is world domination. The members of the Communist Party have no part in determining its goal and have no freedom to express their opposition to any of the objectives of this organization. In the United States, the Communist Party has about 25,000 active members. This number does not really indicate the strength of the organization, which is willing to sell the United States Government down the river.

Ever since coming to Congress, I believed the Communist Party should be outlawed. I am confident that the amendments offered by the committee to S. 3706 will be acceptable to the membership of this House. It is imperative on our part to demonstrate that we are firmly opposed to all Communists and their sympathizers who are destroying faith in civilization. By our action here, it will give faith, hope, and confidence to the people of the United States that we are performing our duties for, and on their behalf, and thereby strengthening the Constitution by which we live.

Mr. HAGEN of California. Mr. Speaker, I rise to speak with reference to the provisions of this bill which profess to outlaw the Communist Party. I am disappointed that these provisions do not include punitive provisions to be applied to the individual who joins or remains in the Communist Party after acquiring a knowledge of its conspiratorial and subversive nature through the process of indoctrination which is implied in acceptance into the party. I think that we have been dealing too long with this question in indirect fashion and that this bill is only another halfway approach to the real problem which is of concern both to American conservatives and American liberals. I much prefer the legislation introduced by myself, Congressman KING, Congressman DIES, Congressman WALTER, and others.

It is pretty generally conceded that the Communist Party is not a political organization. It is conceded to be an organization bent on upholding the sovereignty of the U. S. S. R. to the detriment of all other nations including the United States of America which we dearly love and seek to protect not only from internal subversion but also from outside aggression which feeds in many instances upon internal subversion. All good Americans agree on these premises but apparently there is some disagreement, motivated by politics or other considerations, about the proper remedies for combating our internal and external enemies.

Consider the situation of the Communist Party in this country with its many disguises and the many people

who range from the gullible to the vicious who are part of its apparatus. In the days of the 1929 depression and the slow recovery therefrom there were many people in this country who because of personal disappointment sought radical solutions to our economic and social problems. The revolutionary experiment in Russia was somewhat in its infancy and had not assumed the terrifying aspect of its adulthood. Its conspiratorial and dictatorial aspects were not starkly and widely revealed and many persons in this country were deluded into believing it was a brave new world and that the doctrines it preached were the doctrines it practiced and that such doctrines had some validity and relevancy to maintaining a system of social and economic justice in the United States. This was the time of tolerance of communist activities in this country and the time of rapid growth of such activites. Also, because the Communists were part of a disciplined, conspiratorial movement, they were able to sell the idea to many gullible people who were confused by poverty and economic injustice that they were not revolutionary—that they were democratic—that they were the only element in this country which had the drive to correct the evils of unemployment and other evils which were admitted to exist. However, the disillusionment was not long in setting in with respect to wholesale numbers of their followers. The Moscow trials were followed by the pact with Hitler and the invasion of Finland and the twists and turns and lame explanations of the communist propagandists of these events in attempting to square them with the aforesaid concept of a brave new world marked the beginning of the end of the overt successes of the communist party in this country. Moreover the success of Democratic administrations in finding American answers to American problems left the radicals with the necessity of cultivating new issues—issues which were often fictitious—and methods of approach which demonstrated that the communist party had no humanitarian concern for the welfare of any segment of the population of this country.

These changes and revelations put the Communist Party on the run. They were augmented by the activities of committees of Congress, the FBI, an awakening in the labor movement to the Communist threat and various other factors and it could truthfully be said that today the Communist iceberg is almost entirely concealed and greatly diminished in size. Why then have any concern about driving it underground—it is already there.

Today it is possible to punish active Communists under the Smith Act successfully. Very shortly Communist organizations will be required to register the identity of their members as the Federal statute now says they shall. Individual party members can be haled before congressional committees and forced to confess or be labeled by failure to answer committee questions. Many limbs have been cut off the tree. Why not tear it out by the roots? Proposals have been made to deprive Communists of their citizenship—to remove their eligibility for certain types of jobs—the committee hearings aforementioned mean virtual banishment from our society. Why quibble over the last and necessary step of declaring such membership and Communist activity illegal with the test being knowledgeable membership in a conspiracy? Only in this fashion can we guarantee that Communist intervention will no longer pervert valid causes. Only thus can we eliminate demagogic exploitations of the Communist issue for partisan and often un-American purposes. Only thus can we eliminate the filthy Communist press.

It is only in this fashion that we can protect the gullible who are so obsessed with a cause such as peace or elimination of racial discrimination or other valid issue that they are willing to collaborate with any organization legally permitted to exist through its membership and often proceed from collaboration to subservience or indoctrination. With the party outlawed and the doctrine of personal guilt established this question of personal guilt will be a question of criminal guilt triable in the courts according to standards of jurisprudence which obtain in our courts. This, my friends, will be a major advance.

In my opinion this legislation is satisfactory but not satisfactory enough and you may be assured that I intend to pursue the subject of legislation properly dealing with this problem in subsequent sessions of the Congress. In this legislation we are saying, by way of analogy, we will not punish narcotic addicts but we disapprove of a narcotic addicts society and will deny it the right to sue in court and various other minor aspects of its viability. We should say it is illegal for anyone to belong to a narcotic addicts society knowing it to be such a society dedicated to promoting the use of narcotics. I believe that this legislation does nothing to the Communist press. It does not say that it is illegal and prohibited from distorting issues and telling lies under penalty of imprisonment for the editors and writers who must necessarily be identified as Communists. It does not say that and in failing to say it it lends itself to a perpetuation of the situation where vital public issues are often decided by the negative aspect of expressed Communist approval or disapproval. I am truly fearful of the day when there may be no middle ground in this country between the demagogues of the extreme right and the extreme left and the continued existence of a legal Communist apparatus engaged in propaganda tends toward the arrival at such a situation.

Mr. WOLVERTON. Mr. Speaker, we need additional legal restraints on Communist activities beyond that which already exist.

The proposed legislation now under consideration seeks to provide stronger and more useful ways of combating this menace within our borders. Communism works from within in an insidious and secretive manner. This makes it hard to ferret out. As to the best means to deal with it we are learning by experience. This requires changes in our approach. The present bill differs from that passed by the Senate a few days ago. It may or may not be the best means. However, it can be said to have the endorsement of the Attorney General, who is the legal adviser to the President, and a member of his Cabinet. He is presumed to know best as to what is necessary to bring communism and its agents to justice. Therefore, I will give my support to the present bill in order that at least we do something worthwhile to curb the menace of communism. It is not claimed that this is the last word, or the only remedy. The passage of this bill may cause the necessity of a conference between the Senate and House to resolve the differences between the bills passed by the respective bodies. But in any event it will mean progress toward providing more adequate means of dealing with communism in our country.

I regret that this bill comes before the House under a procedure that precludes as full debate, and opportunity of amendment, that a bill of this importance should have. I believe it could have been made even better if such had not been the procedure adopted. A matter of this kind is so vital to our welfare that it should be given every opportunity to be strengthened that is possible. However, I have no doubt that it can and will be an improvement upon present law.

The bill sets forth in sections 2 and 3 of the proposed amendment as fine a statement as to the purposes, and aims of communism, together with the way in which it works and imposes itself upon the body politic, and, the most effective means of controlling it, as has come to my attention at any time. It reads as follows:

FINDINGS OF FACT

SEC. 2. The Congress hereby finds and declares that the Communist Party of the United States, although purportedly a political party, is in fact an instrumentality of a conspiracy to overthrow the Government of the United States. It constitutes an authoritarian dictatorship within a republic, demanding for itself the rights and privileges accorded to other political parties, but denying to all others the liberties guaranteed by the Constiution. Unlike other political parties, which evolve their policies and programs through public means, by the reconciliation of a wide variety of individual views, and submit those policies and programs to the electorate at large for approval or disapproval, the policies and programs of the Communist Party are secretly prescribed for it by the foreign leaders of the world Communist movement. Its members have no part in determining its goals, and are not permitted to voice dissent to party objectives. Unlike members of other parties, members of the Communist Party are recruited for indoctrination with respect to its objectives and methods, and are organized, instructed, and disciplined to carry into action slavishly the assignments given them by their hierarchial chieftains. Unlike other political parties, the Communist Party acknowledges no constitutional or statutory limitations upon its conduct or upon that of its members. The Communist Party is relatively small numerically, and gives scant indication of capacity ever to attain its ends by lawful political means. The peril inherent in its operation arises not from its numbers, but from its failure to acknowledge any limitation as to the nature of its activities, and its dedication to

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the proposition that the present constitutional Government of the United States ultimately must be brought to ruin by any available means, including resort to force and violence. Holding that doctrine, its role as the agency of a hostile foreign power renders its existence a clear present and continuing danger to the security of the United States. It is the means whereby individuals are seduced into the service of the world Communist movement, trained to do its bidding, and directed and controlled in the conspiratorial performance of their revolutionary services.

PROSCRIBED ORGANIZATIONS

SEC. 3. The Communist Party of the United States, or any successors of such party regardless of the assumed name, whose object or purpose is to overthrow the Government of the United States, or the government of any State, Territory, district, or possession thereof, or the government of any political subdivision therein by force and violence, are not entitled to any of the rights, privileges, and immunities attendant upon legal bodies created under the jurisdiction of the laws of the United States or any political subdivision thereof; and whatever rights, privileges, and immunities which have heretofore been granted to said party or any subsidiary organization by reason of the laws of the United States or any political subdivision thereof, are hereby terminated.

Mr. Speaker, in dealing with communism we must not overlook the necessity of attacking it from all sides and from every angle, communism directs its attack against Americans of both parties. The sooner we understand this fact the better it will be for all of us. No group of Americans is the special target of communism and none should claim a monopoly of anticommunism. Although, we Americans may disagree among ourselves on other issues, we should never lose sight of the fact that communism is a common enemy and that we must stand united in our fight against it.

I include as part of my remarks an editorial appearing in the Courier-Post, published at Camden, N. J., issue of August 14, 1954, reading as follows:

SENATE PASSAGE OF BILL TO BAN COMMUNIST PARTY

Has the Senate acted wisely, or with due deliberation, in passing the bill outlawing the Communist party?

The fact that it voted 85 to 0 to do so is a fair measure of the Communists' general popularity both in the Senate and in the Nation at large. From that standpoint its action is not open to challenge.

But the action, initiated by 19 Democrats, is nevertheless unexpected and surprising.

The Administration has been asking, among a dozen or so other bills aimed at communism, one which would bar any Communist from holding office with or being employed by a labor union. This was the bill under debate Thursday when, accepting the Democrats' proposal, the Senate voted to combine the two and declare the Communist party to be "in fact an instrumentality of a conspiracy to overthrow the Government of the United States" and to make the party illegal. The legislation would provide penalties of 5 years in jail and a $10,000 fine for persons remaining in or willfully joining the party or committing any act designed to carry out Communist purposes.

The vote was taken amid a welter of parliamentary maneuvers, with a number of Senators, perhaps, not knowing exactly what was going on. Although legislation to outlaw the Communist Party has been under discussion for years, this vote to do so was taken almost as an afterthought and without reflection. It was taken in a confused parliamentary situation, with the titular Republican leader, Senator KNOWLAND, of California, once more deserting the administration's position on important legislation and using his influence against the administration.

For the fact is that this administration, which certainly no one accuses of coddling communism, does not want the Communist Party outlawed, or at least has not up to now.

President Eisenhower and Attorney General Brownell have asked for and backed the House-passed bill to decitizenize Reds, and the Attorney General's other anti-Communist bills, which are in various stages of the legislative process.

But Brownell has repeatedly objected to outlawing the party on the ground that it would undermine present internal-security laws.

J. Edgar Hoover has repeatedly objected to outlawing the party lest it would serve to drive the Reds farther underground and make the task of the Federal Bureau of Investigation in ferreting them out far more difficult.

It is a little hard to escape the belief that the Senate's action Thursday night was, as Senator LEHMAN, Democrat, of New York, put it, "blunderbuss, scattershot" business or motivated by little more than a desire, for vote-getting purposes, "to do something—anything—about Communist influences in the United States," as he said previously in connection with other anti-Red legislation.

The bill now goes to the House,where it seems unlikely to receive concurrence. Members of the House appear to be as startled as some Members of the Senate itself at the Senate's action.

Should the administration reverse itself and now give the green light to the bill, the chances are the House will pass it. Otherwise not.

But unless new reasons for such a change of mind now exist, it is safe to assume that J. Edgar Hoover, for instance, will not change his opinion about the bill.

And on a subject of this nature, so far as the Courier-Post is concerned, and most other Americans as well, J. Edgar Hoover's opinion is good enough for us.

Mr. O'HARA of Illinois. Mr. Speaker, I am availing myself of the general leave to extend remarks at this point for the sole purpose of explaining what is here transpiring to those who in later days and years will be reading this RECORD.

The 83d Congress is near the close of a long session. Many Members, most of whom were punctilious in their attendance, already have left for home with the understanding, general among the Membership, that there would be no further legislation of major importance not already cleared by the Rules Committee or otherwise scheduled. A point of quorum raised earlier in the day resulted in a rollcall—No. 141—showing 140 absentees. From this it is fair to conclude that approximately one-third of this body already had left under the assurance that the work of the session was completed.

In this situation a measure requiring the most careful study and particularity to keep our legislative actions, in serving a worthy end, still within the limitations of the Constitution, is brought before us under suspension of the rules. That means that there can be only 40 minutes of debate, which of course is inadequate for proper presentment by ranking Members and denies to others any opportunity of participation. The general leave to extend remarks will permit those who wish to do so to put into the RECORD what they might have said in fact and prior to the voting had this important legislation been before us in the usual manner with the House sitting as Committee of the Whole and every Member free to participate under the 5-minute rule.

Moreover, there is no printed copy of the bill available. There is no committee report. No one seems to know exactly what is in the measure. The distinguished gentleman from Pennsylvania [Mr. WALTER] a ranking member of the Judiciary Committee and a lawyer of recognized preeminence, says that it is "so loosely drawn that it rattles," and that in the few minutes he has had to examine it he has only started finding the bugs hidden in it. The distinguished former chairman of the Judiciary Committee, the gentleman from New York [Mr. CELLER], says that it will take a long time to get from the courts exact judicial definitions of what the bill entails.

We have been in session since January. All that time the United States has been engaged in a continuing cold war with the communist world. It is beyond my understanding why this legislation, effectively to confine communism, was not brought before us long ago and in the regular order. Why this waiting until a third of the Members had gone home? Why this coming in with a bill unprinted and which may or may not be constitutional, may or may not be more harmful than helpful to the purpose we seek? No one knows.

Despite my objection to this manner of legislating, and the confusion as to the real meaning of the provisions of this bill, I am voting for it. Whenever there is doubt, I resolve the doubt in favor of my country. I have lived by this rule. I am sure that the same holds true with my colleagues on both sides of the aisle.

This is not a normal time. It is a period of continuing emergency that requires military service of our youth, makes great demands upon our resources, torments us with the constant fear of a civilization-destroying atomic war. Soviet Russia and her communistic satellites have forced that upon us.

Communism as a political philosophy ceases to exist when communism becomes the instrument of Godless tyrants to subdue the free will of men everywhere. We must distinguish between that which by a label is a philosophy and that which in reality is a conspiracy to destroy our way of life.

I have voted consistently against legislation which I thought unwise because any temporary advantage that might attend its enactment I foresaw would be offset by the permanent injury to constitutional foundations supporting the rights we cherish. In a time of passions natural to an emergency, and popular indignation over the abuse of the Bill of Rights, I consistently have sought to hold my head and keep my feet on the ground.

As I see it, and as the issue is here presented on voting for this bill, imperfectly drawn though it be and of uncertain legal validity, we are putting the Congress

of the United States definitely on record against communism both openly organized and subversively operated. That is ground upon which all Americans can stand, conservatives and liberals, Democrats, Republicans, and Independents. The issue then is one of confession of faith. The imperfections in a hastily drawn and scantily considered bill we must leave to experience and to the courts.

Mr. GRAHAM. Mr. Speaker, I yield 4½ minutes to the gentleman from Texas [Mr. DIES].

Mr. DIES. Mr. Speaker, as has been stated, the Senate bill fails to outlaw the Communist Party, although I am sure they intended to do so. Actually what they did was to provide that anyone who becomes or remains a member of the Communist Party and commits some act in furtherance of the objectives of the Communist Party is guilty of a crime. That, in substance, is the Smith Act. The House bill is a considerable improvement over the Senate bill. Section 3 of the House bill, which outlaws the Communist Party, was taken from H. R. 8912, a bill which I introduced and which was later introduced by my distinguished colleague from Pennsylvania [Mr. GRAHAM], and which was written largely by Justice Musmanno as an eminent authority on this question. Justice Musmanno spent a great deal of time and he prepared what I conceived to be an effective bill. It is my regret that the entire provisions of H. R. 8912 were not included in this bill.

Here is the situation: You outlaw the Communist Party; you terminate its rights and its privileges and its immunities. But you have no provision in the bill to enforce it. Under my bill and under Mr. GRAHAM's bill—that is, the bill which Justice Musmanno prepared—you had an enforcement provision. You provide that anyone who becomes a member of the Communist Party, would be guilty of a crime. You define 15 factual situations that would constitute membership.

The administration was opposed to that bill. Mr. Brownell, the Attorney General, would not agree to it. I recently debated the question with the Assistant Attorney General. Their argument is that if you have that provision it would nullify the Smith Act. Of course, they are absolutely mistaken.

The Smith Act provides for an overt act. It is not sufficient to be a member of the Communist Party to be guilty, under the Smith Act. You have to commit some overt act in order to be convicted. There is nothing in my bill or in Mr. GRAHAM's bill which would nullify the Registration Act.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. DIES. I yield to the gentleman from New York.

Mr. CELLER. Was not the decision to the effect that it need not be an overt act? Judge Medina ruled that way.

Mr. DIES. The theory and the purpose of the Smith Act is to provide for overt acts; that is, speaking, advocating, doing something in connection with your membership in the Communist Party. That constitutes an overt act.

Under the theory of the bill which Justice Musmanno prepared and which I enlarge in some respects there was provided that the party is outlawed in the same language that you will find in this bill. But we went further and we said anyone who becomes a member or remains a member of the party will be guilty of a crime, and we then define about 15 factual situations that constitute membership in the Communist Party.

Those who put this bill together left out section 3 of my bill. They simply put in section 2. So while you are outlawing the Communist Party—and certainly that is a very desirable thing to do—yet the bill does not contain adequate enforcement provisions. I am hoping that when the conferees meet they will call Justice Musmanno before the committee and get him to help them write a more workable bill.

Of course, this bill represents a great victory for those of us who have been urging that the Communist conspiracy be outlawed in the United States. It is a frank and realtistic recognition of the criminal and treasonable nature and purpose of Communist organizations. Why do we want to keep fooling with this thing? I read to the House the agreement which President Roosevelt made with Litvinov in 1933. In that agreement they agreed to outlaw the Communist Party and all Communist organizations. That was a solemn commitment on the part of the Soviet Union, and all that my bill proposes to do is to carry into effect the agreement of the Soviet Government.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. CELLER. Mr. Speaker, I yield the gentleman 3 additional minutes.

Mr. Speaker, will the gentleman yield?

Mr. DIES. I yield.

Mr. CELLER. The Senate bill provided for individual sanctions. This bill does not provide for such sanctions; and, if the Senate bill provides for individual sanctions, then if one under the Smith Act is asked whether he is a Communist or a member of the Communist Party, he ipso facto gets into the toils of this statute and convicts himself.

Mr. DIES. Here is the answer to that: This statute will not become effective until passed. It will only apply in the future. It will not apply in the past. You can prosecute a man under the Smith Act for what he has done or failed to do in the past. You can prosecute him for failure to register in the past, and at the same time you can prosecute him under the terms of my act in the future just because he belongs to the Communist Party or he is a member of the Communist Party.

Furthermore, my bill included not only the Communist Party but the frontal organizations—subsidiary or auxiliary organizations. I want to deprive the entire Communist machinery in the United States of its legal status. I think the time has come when we ought to end this question. Now, the Dies committee recommended it unanimously in 1941—5 Democrats and 2 Republicans—and we have been talking about it for years. There is no reason today that we should not act effectively and adequately to accomplish what the people of this country want. In every poll that has been conducted 98 percent of the people are in favor of outlawing the Communist Party. One million people signed petitions in favor of my bill.

Let me urge the Republican leadership, my good friend the gentleman from Indiana [Mr. HALLECK], and our distinguished Speaker, that when you go into conference to write this bill remember it is a tremendously important bill, not only for the effect it will have in the United States but the psychological effect throughout the world. Our weakness has always been that while we denounce communism, we recognize it as a legal entity in the United States.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. DIES. I yield to the gentleman from Indiana.

Mr. HALLECK. I want to say, first of all, that I am quite sure that the first section of the bill subsequently introduced by the gentleman from Pennsylvania [Mr. GRAHAM] does outlaw the Communist Party. The other section makes it a felony to belong to the party. That position has been avoided in the past. Take the registration act. A man is required to register, and then to belong to the organization per se is a felony. You ask him to incriminate himself. In other words, what we want to do is to outlaw the Communist Party, which we do here and which the bill from the other body did not do, and to preserve intact the Internal Security Act and the Smith Act, which have been serving very well.

Mr. DIES. In the first place, take your registration act. It was a foolish piece of legislation. The very idea of saying "Here is a criminal, here is a conspirator, here is a man who wants to overthrow the Government. We will let him have legal protection by simply registering." I hope that when this goes to conference we will include all of the provisions of this bill that was introduced by me as well as the bill introduced by the gentleman from Pennsylvania [Mr. GRAHAM].

Mr. CELLER. Mr. Speaker, I yield one-half minute to the gentlewoman from Idaho [Mrs. PFOST].

Mrs. PFOST. Mr. Speaker, I stand second to none in my opposition to and hatred of communism. I am anxious to do everything in my power to prevent its insidious spread in this country and to oust from our shores all foreign agents who seek to overthrow this great democracy of ours.

Since coming to Congress it has given me great satisfaction to support legislation making espionage equally heinous in peacetime as in war.

I have been disturbed, however, by the piecemeal, patchwork approach we are making to the very great problem of safeguarding our national security. One day we pass a law which strikes at one illegal activity of the Communist Party, and the next day we pass another law which strikes at a separate activity. Inevitably, some of them overlap. Others are ineffective. Still others are unclear, or have loopholes through which Com-

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munists slip easily to escape punishment. If we continue to use this hit-or-miss approach, we will continue to be faced with a constant stream of bills on communism.

Why not strike directly at the problem by clearly and unequivocally outlawing the Communist Party?

We all know what the Communist Party is. We know it is not a party but a revolutionary conspiracy, inspired and directed by Moscow. We know it is working 24 hours a day with one objective—the destruction of our democratic form of government and the establishment of a Communist dictatorship. We have masses of documentary evidence proving that Communists will resort to any illegal or unethical conduct to achieve their objective. Deceit, perjury, infiltration, espionage, sabotage, and terrorism are the basic ingredients in the Communist recipe. And these basic operations have always been conducted in secrecy, while a few Communists above ground carry on a poor pretense that the Communist Party is a political organization not too different from Democrats and Republicans.

This conspiracy has been operating under the guise of the Communist Party in the United States since 1919. By 1928, the party had grown in prestige to the extent that 48,770 American citizens voted for William Z. Foster, later head of the Communist Party, for president. That year, you will remember, the Communists ran under the label of the "Workers Party."

By 1932, the number of Communists had nearly doubled, and in that election almost 103,000 persons voted the Communist ticket for president. By 1936 the Communist vote was slightly over 80,000. By 1940 it had dropped to 48,597.

In February 1953, FBI Chief J. Edgar Hoover testified that the number of Communists in this country totaled only 24,796—or only one-fourth of the number that voted in 1932. I am confident the facts will show that from 1932 to 1952 the United States Government had the most successful record of any free country in the world in crushing the effectiveness of the Communist apparatus.

But, as J. Edgar Hoover has warned, the smaller figure represents hard-core fanatics. And we all know that a handful of Communists can do massive harm.

Much of the Communist success in this country is due to the freedom of the organized and trained minority to work on and manipulate non-Communists. There is no doubt that loyal Americans are only manipulated when they are confused. And our present security legislation has unquestionably contributed to that confusion.

For example, it is certainly confusing to see Communist Party leaders listed on our ballots—their right to run even for the Presidency unchallenged—while at the same time other Communist leaders are being led off to jail for conspiracy to advocate the overthrow of this government by force and violence. Such a paradox is perplexing to even the clearest thinking person—let alone one muddled by Communist indoctrination.

It seems to me that if we sincerely believe that the Communist Party is dedicated to the destruction of our form of Government, we owe our Government and our people legislation that faces the problem squarely. We need to outlaw the Communist Party, and provide criminal penalties for anyone who participates in its activities with knowledge of its revolutionary objective and purpose.

I know that the bill accomplishing this will be passed. I am very happy over the part I have been privileged to play in the war against this foreign-controlled conspiracy.

Mr. CELLER. Mr. Speaker, I yield to the gentleman from New York such time as I have remaining.

Mr. MULTER. Mr. Speaker, obviously I am in the majority here, or it seems to me the majority, who agree that this is a very bad bill and that this is the wrong way to bring before the House a bill of such tremendous importance. Just as obviously, I am going to be a very small minority of one in voting against the bill.

I am opposed to outlawing any party. No one can say that I have not opposed communism or that I shall not continue to oppose it as vigorously as any American can.

Let me quote very briefly from a statement made yesterday by a truly great American, one of the greatest jurists of our day, United States District Judge Harold R. Medina. He said, in voicing his opposition to outlawing the Communist Party:

> I take this position only as a citizen on a question of national policy. Such a blanket act is an utterly un-American procedure. If we let our passions of the moment whittle away our hard-won concepts of justice, it will be a sorry day for us.

It will, indeed, be a sorry day for us if we pass this bill of attainder, as the House is inclined to do at this moment.

Our Federal Government has been indicting, trying, convicting, and sending to jail persons who have been advocating the overthrow of this Government by force and violence.

We do not need this bill to accomplish that worthy objective.

President Eisenhower and his Attorney General have said this bill is unnecessary and bad.

But if it is good, if it can withstand analysis, if it can stand up under the light of day, then bring it before us in the regular way.

Certainly we should have hearings on it with a report from the Judiciary Committee. We not only do not have that, we do not even have a copy of the bill we are being urged to enact. I doubt whether as many as three Members of this House have had an opportunity to read the mimeographed copy of what we are told is the bill except for "minor changes."

What is the burning rush about this? Why must it be done today in the closing hours of this session, with 40 minutes of debate and no opportunity to amend it?

No one has suggested that any possible harm can come from waiting until next January to pass this bill.

Permit me to suggest that your action here today borders on hysteria, born of fear that you cannot prove you are a 100-percent American.

Mr. GRAHAM. Mr. Speaker, I yield for a unanimous consent request to the gentleman from Missouri [Mr. COLE].

Mr. COLE of Missouri. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD at this point and to include a speech I made on this subject back in the 80th Congress.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. COLE of Missouri. Mr. Speaker, under date of November 17, 1947, I introduced in the House the first bill to have for its purpose the outlawing of the Communist Party in the United States. That bill was known as H. R. 4482 of the 80th Congress. Thereafter, on December 15, 1947, I spoke at length on the need for this legislation and the constitutionality thereof. There was a pressing need for this legislation then, and, had it been enacted, our Nation would no doubt by now be comparatively free of the Communist threat that presently confronts our Nation from within.

Mr. Speaker, there is still a pressing need to outlaw the Communist Party in these United States, and I am wholeheartedly in favor of the legislation now under consideration even though it does not go as far as my bill, H. R. 1576, introduced January 13, 1953. In order to overcome the arguments of some as to the constitutionality of this legislation, under unanimous consent, I ask that the speech that I made on December 15, 1947, be printed in full at this point in the RECORD:

> Mr. Speaker, this special session of Congress was convened primarily to deal with the threat of communism that now confronts our national security. Earlier today this House voted to authorize the expenditure of approximately $600 million to prevent the spread of communism in Europe. Our national leaders are much concerned over the situation in Europe, and, in that deep concern, they have apparently overlooked the activities of the Communists here at home. Evidently they cannot see the forest for the trees. The earlier we wipe out every vestige of this venomous activity within our own borders, the stronger we shall keep ourselves to withstand its attacks from other sources. The threat to our national security is so great that immediate and drastic action must be taken.
>
> There are those that will contend that my bill is unconstitutional. They will cry about civil liberties, free speech, and invasion of States rights. To them I have this to say:
>
> The Founding Fathers of our great Republic did not contemplate in their guaranty of life, liberty, and the pursuit of happiness that such pursuit should permit anyone to take away our liberty and destroy our happiness through the overthrow of our republican form of government by subversive means. There is more constitutionality in a move to prevent destruction of what we hold dear than there is in the unfettered right of communistically inspired lunatics to take it away from us. There is more plain commonsense in the theory back of what I propose than there is in the whole ideology of the Soviet Republic, and particularly those who reside within our borders and adhere to those ideologies; but let us take a look at the Constitution of the United States. Let us see whether or not its provisions are such as to prohibit the legislation I propose. We

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have only to turn to article 4, section 4, which provides:

"The United States shall guarantee to every State in this Union a republican form of government and shall protect each of them against invasion."

Now let us determine what the framers of our Constitution intended a republican form of government as here guaranteed to be. James Madison defined a republican form of government as "a government which derives all its powers directly or indirectly from the great body of the people and is administered by persons holding their offices during pleasure, for a limited period, or during good behavior." It is reported in the Federalist, No. 43, that James Madison, during the debate on the adoption of our Constitution, had this to say concerning the scope and intent of article 4, section 4:

"It may possibly be asked, what need there could be of such a precaution, and whether it may not become a pretext for alterations in the State governments, without the concurrence of the States themselves. These questions admit of ready answers. If the interposition of the General Government should not be needed, the provision for such an event will be a harmless superfluity only in the Constitution. But who can say, what experiments may be produced by the caprice of particular States, by the ambition of enterprising leaders, or by the intrigues and influence of foreign powers? To the second question it may be answered, that if the general governments should interpose by virtue of this constitutional authority, it will be, of course, bound to pursue the authority. But the authority extends no farther than to a guaranty of a republican form of government, which supposes a preexisting government of the form which is to be guaranteed. As long, therefore, as the existing republican forms are continued by the States, they are guaranteed by the Federal Constitution. Whenever the States may choose to substitute other republican forms, they have a right to do so, and to claim the Federal guaranty for the latter. The only restriction imposed on them is, that they shall not exchange republican for anti-republican constitutions; a restriction which, it is presumed will hardly be considered as a grievance."

A more recent interpretation of this constitutional provision is found in one Willoughby, opere citato, supra, pages 214–216, where it is said:

"In form, the first clause of this section would appear to be for the benefit of the States and to impose a duty upon the Federal Government, and such undoubtedly would be its effect should a foreign power attempt to impose a government of any sort whatever upon the people of one of the States against their will; or should a domestic revolution result in the establishment of a government not sanctioned by law or not freely agreed to by the electorate. In fact, however, as is elsewhere described, and as will presently be more particularly spoken of, this clause was so interpreted during reconstruction times as to give to the Federal Government for several years an almost unlimited power of control of the domestic affairs of those States that had been in rebellion against its authority.

"It will be noticed that the Constitution does not itself define the term 'republican form of government.' It has, however, always been an accepted rule of construction that the technical and special terms used in the Constitution are to be given that meaning which they had at the time that instrument was framed. This is but reasonable, for, in default of anything to the contrary, those who drafted the Constitution are to be presumed to have intended the words which they used to have that meaning they knew them to have. For a definition, then, of 'republican government,' we must discover what, in 1787, such a political form was considered to be. Certainly we may say that the Government of the 13 Original States as they existed at the time the Constitution was drafted must have been considered as illustrating the republican type. Furthermore, the constitutions of all those States which have been admitted to the Union since 1787 must be regarded as having been impliedly considered republican by Congress at the time of the giving of its assent to their entrance into the Union."

In the case of *Duncan* v. *McCall* (139 U. S. 461), Chief Justice Fuller had this to say:

"By the Constitution a republican form of government is guaranteed to every State in the Union, and the distinguishing feature of that form is the right of the people to choose their own officers for governmental administration, and pass their own laws in virtue of the legislative power reposed in representative bodies, whose legitimate acts may be said to be those of the people themselves; but, while the people are thus the source of political power, their governments, Nation and State, have been limited by written constitutions, and they have themselves thereby set bounds to their own power, as against the sudden impluses of mere majorities."

Now, let us determine the type of government that the Communists propose. Last March, J. Edgar Hoover, Director of the Federal Bureau of Investigation, had this to say regarding the Communist Party:

"It stands for the destruction of our American form of government; it stands for the destruction of American democracy; it stands for the destruction of free enterprise, and it stands for the creation of a 'Soviet of the United States' and ultimate world revolution. * * * The Communist Party of the United States is a fifth column if there ever was one."

In speaking before a group of American Communist leaders, Dictator Joseph Stalin made the following comments:

"I consider that the Communist Party of the United States is one of the few Communist Parties to which history has given decisive tasks from the point of view of the world revolutionary movement. The revolutionary crisis has not yet reached the United States, but we already have knowledge of numerous facts which suggest that it is approaching. It is necessary that the American Communist Party should be capable of meeting the moment of crisis, fully equipped to take direction of future class wars in the United States. You must prepare for that, comrades, with all your strength and by every means. You must forge real revolutionary cadres and leaders of the proletariat who will be capable of leading the millions of American workers toward the revolutionary class wars."

This address of Dictator Joseph Stalin was published by the Communist Party of the United States in a work entitled "Stalin's Speeches on the American Party."

When the United States Government tried unsuccessfully to deport Harry Bridges because of his Communist activities, the Department of Justice, in rendering a legal opinion on the matter, said:

"The Communist Party of the United States, a section of the so-called Third International, was founded in 1919; and after its name was changed several times finally became the Communist Party of the United States of America.

"The Third International advocated the class struggle, which was described as entering the phase of civil war in America. Illegal methods were also advocated, where necessary, to carry on its work—systematic agitation in the Army, the renouncing of patriotism, and the revolutionary overthrow of capitalism.

"The American section adopted a program declaring: 'The Communist Party will systematically and persistently propagate the idea of the inevitability and necessity for violent revolution and will prepare the workers for armed insurrection as the only means of overthrowing the capitalistic state.'

"The Communist Party teaches the violent overthrow of existing governments including the United States. The concept reaches back to the famous manifesto of Marx and Engels of 1848, which declares, 'The Communists openly declare that their ends can be attained only by the overthrow of all existing social conditions.'

"In the theses and statutes of the Third International (1920) this doctrine is expanded. This and other documentary evidence established that it is an organization that advises, advocates, and teaches the overthrow by force and violence of the Government of the United States."

Karl Marx, in his Manifesto of the Communist Party, clearly defines the aim of communism to destroy the American concept of right to individual property. He said:

"The theory of communism may be summed up in one sentence: Abolish all private property."

He added:

"We know very well that capitalism cannot be abolished without the use of force."

The following quotes are on the general subject of Communist threat to American security:

"Over the years the American Communists have developed a propaganda machine and a nefarious and elaborate school system of their own * * * and even in the chameleon cloak with which they have now enshrouded themselves, the American Communists still proclaim their loyalty to Marxism, the antithesis of American democracy.

"* * * The mere association of the names 'American' and 'democracy' with the Communist youth movement does not make the organization either American or democratic. (Source: J. Edgar Hoover, in an address at commencement exercises at Holy Cross College on June 29, 1945.)

"These forces," the forces of communism "bend their efforts not to ameliorate the conditions of the American worker within the framework of our institutions, but to destroy our American system by creating dissatisfaction, discontent, and disillusionment.

"The propaganda of communism is cleverly and subtly administered to our people, so that they are unintentionally seduced by it. (Source: The report of the committee on American citizenship of the New York State Bar Association, issued on January 21, 1938.)"

"Recently the American press has talked less and less about the Communist danger. Yet that danger has never been greater than it is today. As one who worked 20 years under the Communist dictatorship in close association with Soviet leaders, I feel it is my duty to warn the American people against this insidiously growing menace to their free institutions. (Source: Article in the Reader's Digest of October 1944, by Alexander Barmine, one-time brigadier general in the Red army.)"

Lewis G. Hines, national legislative representative of the American Federation of Labor, said in a statement issued on October 4, 1945:

"Communism is a social philosophy dedicated to the overthrow of our American way of life. A Communist cannot be a good union man because while he would in all outward appearances carry out the principles of the trade-union movement he would be prepared at any moment to destroy the trade-union movement in the furtherance of the program of communism, and this goes for all of our American institutions, including the church, the school, or anything that would interfere with the final consummation of the Communist program."

M. J. Olgin, Communist Party leader and editor of the Morning Freiheit, describes the Communist plan for the overthrow of the

American Government in his pamphlet entitled "Why Communism":

"Workers stop work; many of them seize arms by attacking arsenals. Many have armed themselves before as the struggle sharpened. Street fights become frequent. Under the leadership of the Communist Party, the workers organize revolutionary committees to be in command of the uprising. There are battles in the principal cities. Barricades are built and defended. The workers fighting has a decisive influence with the soldiers, the workers, and the marines.

"The movement among the soldiers and marines spreads. Capitalism is losing its strongest weapon—the army. The police as a rule continue fighting, but they are soon silenced and made to flee by the united revolutionary forces of workers and soldiers. The revolution is victorious.

"Armed workers and soldiers and marines seize the principal government offices, invade the residence of the President and his Cabinet members, arrest them, declare the old regime abolished, establish their own power, the power of the workers and the farmers."

Herbert Morrison, British Labor Party leader and Home Secretary of the wartime Churchill cabinet, declared in a speech in June 1943:

"The Communists still believe in revolution by violence. They still believe that bloodshed is necessary. You cannot mix our policy of government by persuasion with a party which fights in elections and prepares for violent revolution at the same time."

William C. Bullitt, former United States Ambassador to Russia, in his book, The Great Globe Itself, stated:

"The aims of the Soviet Government, we hoped, were not those expressed in the official Communist doctrine taught in the Soviet Union. We knew that according to the Lenin-Stalin version of the Communist creed, the supreme moral goal of mankind was the establishment of communism in all nations. We knew that Lenin himself had considered this end as justifying the use of all means for its attainment; that he had written in chapter 6 of his pamphlet, The Infantile Sickness of Leftism In Communism, first published in 1920: 'It is necessary * * * to use any ruse, cunning, unlawful methods, evasion, concealment of truth,' and that he looked forward to wars with non-Communist states like the United States, which he called either bourgeois or imperialist, before the ultimate world triumph of communism. He had stated his views frankly: 'We are living not merely in a state, but in a system of states, and it is inconceivable that the Soviet Republic should continue for a long period side by side with imperialist states. Ultimately one or the other must conquer. Meanwhile a number of terrible clashes between the Soviet Republic and the buorgeois states is inevitable'."

Mr. Bullitt continued:

"The Soviet Government believes in a Communist creed, which it teaches to all its children, for which it prepares them to live, and, if need be, to die. That is the Marx-Lenin-Stalin creed which denies God and claims to be based on scientific fact; but is based on the improbable assumption that the establishment of Communist dictatorship throughout the earth and the abolition of private ownership of the means of production will end all war, civil and international, and so improve the nature of all men in all nations that, in Lenin's phrase, 'the state will wither away' and all men will live without a state in perfect freedom and happiness. As Engels, the collaborator of Marx, envisioning a Communist world, wrote 'the machine of the state is put into the museum of antiquities, alongside of the spinning wheel and the bronze ax.'

"Lenin * * * believed that the state, whether in his hands or in the hands of a 'burgeois government,' was an instrument of violence; but that, while living under Communist dictatorship, men could be prepared for perfect freedom. 'While there is a state,' he said, 'there is no freedom. When there is freedom there will be no state.'

"* * * The Communist true-believer offers his life as gallantly as an early Christian. He believes that he is fighting for the emancipation of all humanity from all evil. He thinks he serves eternal truth. The Communist Party, to him, is a union of the faithful. His old testament is the books of Marx and Engels; his new testament, the works of Lenin and Stalin. * * *

"Since the highest moral goal, according to the Communist creed, is to achieve the destruction of the state, following the establishment of Communist dictatorship throughout the earth, the highest moral duty of man is to serve to promote such dictatorship. This supreme moral end, the Communist believes, justifies all means for its achievement, including war, murder, character assassination, the pledged word given and broken. * * *

"Four short statements of Lenin and Stalin contain the fundamental theses on which Soviet foreign policy is based:

"1. We are living not merely in a state, but in a system of states; and it is inconceivable that the Soviet Republic should continue for a long period side by side with imperialist states. Ultimately one or the other must conquer. Meanwhile a number of terrible clashes between the Soviet Republic and the bourgeois states is inevitable. (Lenin, Collected Works, vol. XXIV, p. 122, Russian Edition. Quoted with approval by Stalin in his book Problems of Leninism.)

"2. From the time a Socialist government is established in any one country, questions must be determined * * * solely from the point of view of what is best for the development and the consolidation of the Socialist revolution which has already begun. The question whether it is possible to undertake at once a revolutionary war must be answered solely from the point of view of actual conditions and the interest of the Socialist revolution which has already begun. (Lenin, Twenty-one Theses, January 20, 1918.)

"3. It is necessary * * * to use any ruse, cunning, unlawful method, evasion, concealment of truth. (Lenin, the Infantile Sickness of Leftism in Ccmmunism, 1920.)

"4. The comintern is the holy of holies of the working class. (Stalin, speech on the American Communist Party, May 6, 1929.)

"The Soviet Government knows what it intends, and, therefore, believes that wars are inevitable between the Soviet Union and the non-Communist states which it calls bourgeois or capitalist or imperialist—that is to say, states like the United States."

Referring to the American Communist Party, Mr. Bullitt said:

"Since the control of the Soviet Union by the Communist dictatorship is the chief source of strength of world communism, the interests of national Communist parties outside the Soviet Union are subordinated to the interests of the Soviet Union. They are often ordered to change their strategy and tactics and to take positions which render them ridiculous—just as a battalion of an army is often ordered to sacrifice itself for the benefit of the army as a whole.

"The American Communist Party, for example, has been obliged to turn intellectual somersaults so often in following faithfully the strategic and tactical changes in Soviet foreign policy that only those who are ignorant of its actions can regard it as anything but a Soviet fifth column, the members of which are loyal to the Soviet Union, not to the United States, and are prepared to support the Soviet Union against the United States even in case of war. The American Communists are potential traitors, and would be ashamed if they were not. Their somersaults from July 1939 to October 1945 are recorded in their official organ, the Daily Worker, of New York, excerpts from which follow:

"September 19, 1939—Declaration of the National Committee, Communist Party, United States of America: 'The war that has broken out in Europe is the second imperialist war. * * * This war, therefore, cannot be supported by the workers. It is not a war against fascism * * * not a war with any of the character of a just war, not a war that workers can or should support. It is a war between rival imperialisms for world domination. The workers must be against this war. * * *

"'* * * we must keep two guiding thoughts in mind: First, allow no single measure to be taken for purposes of giving American help to either side of the imperialist conflict; second, find the most effective means of keeping out of the war. * * * These two guiding thoughts are inseparable.'

"December 6, 1939—Foster: 'The Communist Party opposes the administration's plan to spend $3 billion next year to strengthen the Navy, Army, and Air Forces. The reason for this opposition is that the present Government is following the policy of territorial aggrandizement which leads straight toward war, with all the attendant misery, poverty, enslavement, and death for the workers and other toilers.'

"May 21, 1940—Foster, speech in Philadelphia on May 17: 'If British-French-American imperialism should win the present war, the results would be even more reactionary. * * * The Allied cause is not a lesser evil in comparison to Hitler's. * * * Nor would entry of the United States into the war democratize it and make it a real fight for freedom. * * * Its real war aims would be to grab off all possible territories for itself * * * to transform the imperialist war into a general war against the Soviet Union.'

"January 23, 1941—Statement of the National Committee of the Communist Party:

"'Defeat F. D. R.'s war-powers bill. Get out and stay out of the war. Here are the facts: This bill * * * would give the President unlimited authority to enter into foreign entanglements and secret alliances. * * * This bill would cancel the Bill of Rights and the Constitution. * * * This bill would saddle an unbearable burden of new taxes on the backs of America's workers, farmers, professionals, and small business people.'

"April 29, 1941—Manifesto of the National Committee of the Communist Party:

"'The imperialists have made the war; we, the people, must make the peace. Get out and keep out of the imperialist war; no convoys, no AEF; the Yanks are not coming; dissolve the Anglo-American war alliance; for a people's peace with no indemnities and no annexations; against the militarization of the United States under the false pretense of national defense.'

"June 23, 1941—Statement of the Communist Party (signed by Foster and Minor):

"'The Soviet Government is now waging * * * a just struggle for the cause of the freedom of all nations and peoples. * * * The American people * * * will see in the cause of the Soviet Union the cause of all advanced and progressive mankind.'

"June 30, 1941—Manifesto of the National Committee of the Communist Party:

"'The people of America are beginning to realize that to defend the Soviet Union means to defend the United States. * * *

"'* * * The chief guaranty for the successful realization of this program is the struggle for the united front of the working class and the unity of the American people in a genuine people's front. Such a united and people's front would be broad enough to embrace in fraternal collaboration all honest opponents of Hitlerism, both here and abroad. * * * We, on our part, speaking in the name of the Communist Party of the United States, pledge our all to work and

struggle as a part of the American people for the realization of this program. * * *

"'* * * Stop all Government attacks on the Communist Party.'

"August 5, 1945—Sunday Worker; Foster, the Communist Party convention:

"'A few of the more important aspects of the party's new policy are as follows: (a) Recognition of the aggressive role of American imperialism on a world scale, which Browder's policy tried to hide; (b) a realization that a progressive collaboration among the Big Three powers will depend primarily upon the role of labor and all other democratic forces in the world, instead of upon the good will or intelligence of the American big bourgeois; (c) a Marxian analysis of the war against Japan which differentiated between the imperialist aims of American big capital in the war and the democratic aims of the peoples of Asia and the United States to maintain the national liberation character of the war in the Pacific.'"

In a speech opening the presidential nominating convention of the Communist Party in Chicago on May 28, 1932, Earl Browder, general secretary of the Communist Party of the United States, made the following statement:

"The Communist Party is the only party which organizes the workers and farmers to create a revolutionary government which will confiscate the industries, banks, railroads, etc., from the parasite capitalists, who have proved they do not know how to run them, and to put the industrial machinery to work for the benefit of the masses of workers and farmers."

The present head of the American Communist Party, William Z. Foster, has frankly characterized the political plans of the Communists as follows:

"At the Eighth Congress of Soviets, in 1920, Lenin declared that 'Communism is the Soviet power plus the electrification of the country.' In the United States the problem of the American working class in achieving socialism may be summed up, as Browder has put it, as the present American industrial technique plus soviets."

In the hearings before the House investigating committee in 1930, Foster was even more outspoken. This is a quotation from his testimony taken down by an expert stenographer:

"The CHAIRMAN. Now, are the Communists in this country opposed to our republican form of government?

"Mr. FOSTER. The capitalist democracy—most assuredly. We stand for a workers' and farmers' government; a government of producers, not a government of exploiters. The American capitalist government is built and controlled in the interests of those who own the industries, and we say that the government must be built and controlled by those who work in the industries and who produce.

"The CHAIRMAN. They are opposed to our republican form of government?

"Mr. FOSTER. Most assuredly.

"The CHAIRMAN. That is, what you advocate is a change of our republican form of government and the substituting of the soviet form of government?

"Mr. FOSTER. I have stated that a number of times."

That the American Communists have not given up the plan of reaching their goal by the use of force and violence was recently once more admitted by Earl Browder in his book What Is Communism? He wrote:

"We believe that the needs of the masses would be best served by such a party; that is why we are fighting for it. Because they are as yet not ready to accept our full program, we proposed a program which they themselves are beginning to voice. This does not mean that we Communists are abandoning the idea of the revolution. We believe that such a farmer-labor movement would give a revolutionary education to the masses."

In 1932, William Z. Foster, at that time candidate for President on the Communist ticket, said the following:

"We Communists are unscrupulous in our choice of weapons. We allow no consideration of legality, religion, patriotism, honor, duty, etc., to stand in our way to the adoption of effective weapons. We propose to develop, and are developing, regardless of a capitalistic conception of legality, fairness, right, etc., a greater power and then wrest from them, by force, the industries. (Source: hearings before the House Un-American Activities Committee, 75th Cong., 3d sess., p. 172.)"

During the same 1932 campaign, Mr. Foster wrote Toward Soviet America, in which he stated:

"Engels * * * states in his 1888 preface to the Communist manifesto: 'One thing especially was proved by the (Paris) commune, viz, that the working class cannot simply lay hold of the readymade state machinery and wield it for its own purpose.' The capitalistic state must be broken down and the workers' state built from the ground up on different principles, and this was done in the Union of Soviet Socialist Republics (p. 135).

"To put an end to the capitalist system will require a consciously revolutionary act by the great toiling masses, led by the Communist Party; that is, the conquest of the state power, the destruction of the state machine created by the ruling class, and the organization of the proletarian dictatorship. The lessons of history allow no other conclusions (p. 213).

"* * * the history of the American capitalistic class offers ample evidence that the toilers can defeat the ruling class only in an open struggle (p. 216)."

The leaders of the Communist Party, United States of America, would have you believe that there is no connection between their party and the recently reestablished Comintern of the Communist Party of the Soviet Republic, but do not be fooled. Let us look at the record again. The very first sentence in the preamble to the Communist constitution adopted in New York July 26–28, 1945, states:

"The Communist Party, United States of America, is the political party of the American working class, basing itself upon the principles of scientific socialism, Marxism-Leninism."

Marxism-Leninism to the American Communists is whatever Joe Stalin decrees it to be. J. Edgar Hoover, Director of the Federal Bureau of Investigation, has testified under oath that he has evidence from within the Communist organization dated within the past year that the Communist leaders are on record as saying:

"In the event of war between the United States of America and Russia, the Communist Party, United States of America, would be with Russia and make no mistake about that."

I have heretofore referred to the principles of Karl Marx and Nikolai Lenin, but in order to make clear just what the Communist Party, United States of America, intended by adopting the principles of Marx and Lenin, I would like to touch briefly on this again:

In 1841 Karl Marx, in the preface to his doctoral thesis, openly declared: "I hate all the gods." Nine years later, in an address before the League of the Communists, he said:

"It may be taken for granted that bloody conflicts are coming. * * * The arming of the workers with rifles and ammunition must be carried out at once and steps taken to prevent the rising of the army which would be directed against the workers. * * * If the small middle class propose to purchase the railways and the factories, the workers must demand that such railways and factories, being the property of the reactionaries, shall be confiscated by the state without compensation. * * * The workers need not be misled by democratic platitudes about freedom. * * * Their battle cry must be 'the revolution in permanence.'"

Nikolai Lenin said:

"A morality taken from outside of human society does not exist for us; it is a fraud. For us, morality is subordinated to the interests of the workers' class struggle. (Religion, New York edition, 195.)"

In The Infantile Sickness of Leftism in Communism, Lenin further said:

"It is necessary * * * to use any ruse, cunning, unlawful method, evasion, concealment of the truth."

And in Problems of Leninism, Generalissimo Stalin said approvingly:

"Dictatorship means nothing more or less than the power which directly rests on violence, which is not limited by any laws or restricted by any absolute rules."

In 1945 we had been warned by 10 Catholic bishops and archbishops to be constantly on guard against the dangers of Marxian totalitarianism on which Russian communism is based. We were told:

"To reckon with the active, cleverly organized and directed opposition of Marxian totalitarianism to genuine democracy. This system herds the masses under dictatorial leadership, insults their intelligence with its propaganda and controlled press, and tyrannically violates innate human rights. Against it, democracy must be constantly on guard, quick to detect and penetrate its camouflage."

Several months later, Louis F. Budenz, who left the Communist Party of America in which he was a leader, to rejoin the Roman Catholic Church, said that communism destroyed the "thinking and integrity of the individual," that it was "irrevocably set up for the ending of religion," and that it had cultivated "lust for power." He said, "Communist arrogance, with which the world is now familiar, arises out of this destructive viewpoint."

In a radio address on February 2, 1947, Right Rev. Msgr. Fulton J. Sheen said:

"It may very well be * * * that unless there is a moral revival in our Western World, a fulfillment of the pledges of the Atlantic Charter, a rebirth of family life, communism will be the instrument for the liquidation of a bourgeois civilization that has forgotten God. Communism is not to be feared just because it is antigod, but because we are godless; not because it is strong, but because we are weak; for if we were under God, then who could conquer us?"

So for us:

To fight communism is to recognize the eternal struggle between the doctrines of God's moral law and the materialistic concept of man as a biologic creature conditioned ethically by his environment. (These Days, by George E. Solkolsky, Washington Times-Herald, Mar. 18, 1947.)

Mr. Speaker, the place to fight communism is here at home. The time to fight it is now. Let us remember the advice of Abraham Lincoln that if this Nation is ever destroyed it will not be from without but from within. If President Lincoln were alive today, I believe he would say as General Washington said: "Put none but Americans on guard tonight."

Let us heed the warning expressed years ago by Edwin Markham:

"I fear the vermin that shall undermine senate and school and citadel and shrine.
I fear the worm of fraud, the fatted worm of ease, and all the crawling progeny of these.
I fear the vermin that shall honeycomb the walls and towers of state in unsuspecting hours."

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Because, Mr. Speaker—

"No man escapes
When freedom fails,
The best men rot
In filthy jails;
And they who cried,
'Appease, appease,'
Are hanged by men
They tried to please.

—MANN."

CONSTITUTIONALITY OF THE DIES BILL

Mr. GRAHAM. I yield to the gentleman from Texas for a unanimous-consent request.

Mr. DIES. Mr. Speaker, I ask unanimous consent to insert at this point in the RECORD an article prepared by Justice Michael A. Musmanno on the constitutionality of the Dies bill.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

(The matter referred to is as follows:)

CONSTITUTIONALITY OF THE DIES BILL, H. R. 8912

(Submitted by Pennsylvania Supreme Court Justice Michael A. Musmanno)

As recently as May 24, 1954, the Supreme Court of the United States reaffirmed principles of constitutional law which assure us of the constitutionality of the Dies bill (H. R. 8912), outlawing the Communist Party and providing punishment for membership in the Communist Party.

In the case of *Robert Norbert Galvan, Petitioner, v. U. L. Press, Officer in Charge, Immigration and Naturalization Service, etc.* (407 October Term, 1953), reference was made to the decision in *Harisiades v. Shaughnessy* (342 U. S. 580), which sustained the constitutionality of the Alien Registration Act of 1940 (54 Stat. 670). "Under the 1940 act," the Supreme Court said, "it was necessary to prove in each case, where membership in the Communist Party was made the basis of deportation, that the party did, in fact, advocate the violent overthrow of the Government." But the Internal Security Act of 1950, the Supreme Court pointed out, "dispensed with the need for such proof." It went on to specify: "On the basis of extensive investigation Congress made many findings, including that in section 2 (1) of the act that the 'Communist movement * * * is a worldwide revolutionary movement whose purpose it is, by treachery, deceit, infiltration into other groups (governmental and otherwise), espionage, sabotage, terrorism, and any other means deemed necessary, to establish a Communist totalitarian dictatorship,' and made present or former membership in the Communist Party, in and of itself, a ground for deportation. Certainly we cannot say that this classification by Congress is so baseless as to be violative of due process and therefore beyond the power of Congress."

Thus it will be seen that with passage of the Dies bill the only thing needed to produce at a trial would be evidence as to whether the defendant is actually a member of the Communist Party. Under the Immigration and Nationality Act of 1952 (66 Stat. 163, 205; 8 U. S. C. sec. 1251 (a) (6) (C)), deportation proceedings are brought against "aliens who are members of or affiliated with (i) the Communist Party of the United States." (Sec. 22, Internal Security Act of 1950.)

It is enough to deport an alien, under this legislation, if it is shown, the Supreme Court points out in the *Galvan v. Press* case, supra, that "the alien joined the party, aware that he was joining an organization known as the Communist Party which operates as a distinct and active political organization, and that he did so of his own free will."

If, under present law, we may deport an alien on the showing that he is a member of the Communist Party, why cannot Congress provide for penal punishment for members of the Communist Party who remain here? Deportation, perhaps, in many ways is even a more severe punishment than imprisonment. The Supreme Court of the United States said in the case of *Ng Fung Ho v. White* (259 U. S. 276, 284), that to deport a man is to deprive him "of all that makes life worth living." In *Fong Haw Tan v. Phelan* (333 U. S. 6, 10), the Supreme Court said that "deportation is a drastic measure and at times the equivalent of banishment or exile." We have had dramatic proof recently of how Communists themselves feel about deportation. In several instances where convictions were had under the Smith Act (notably in the last trial in New York), the presiding judge offered the convicted defendants freedom from jail if they would agree to be sent to another country. They preferred jail, that is, jail in the United States.

There can be no constitutional doubt that membership in an organization proved to be inimical to the best interests of the State or Nation can be punished in one form or another through legislation. We have seen how deportation can ipso facto follow upon proof of membership in the Communist Party. Justice Frankfurter, concurring in the *Dennis* case (341 U. S. 494, 551), pointed out how "The Hatch Act prohibits employment by any Government agency of members of organizations advocating overthrow of 'our constitutional form of government'. The Taft-Hartley Act contains a section designed to exclude Communists from positions of leadership in labor organizations." Membership in the Communist Party is enough to exclude one from the teacher's profession. Passing upon the Feinberg Law of New York, the Supreme Court of the United States, speaking through Mr. Justice Minton said: "Membership in a listed organization found to be within the statute and known by the member to be within the statute is a legislative finding that the member by his membership supports the thing the organization stands for, namely, the overthrow of government by unlawful means. We cannot say that such a finding is contrary to fact or that 'generality of experience' points to a different conclusion. Disqualification follows therefore as a reasonable presumption from such membership and support." (*Adler v. Board of Education* (342 U. S. 485, 494).)

Certainly no one at this late hour of the legislative day will advance the stale argument that the Communist Party is a political party and that its members are merely exercising their political rights under the Constitution. In the decisive and landmark case of *Communications Ass'n. v. Douds* (339 U. S. 382, 431), Justice Jackson said in his concurring opinion that "Every member of the Communist Party is an agent to execute the Communist program."

What is the program of the Communist Party? Every department of the United States Government: the Judicial, Executive, and Legislative, has declared this program to be the overthrowing of the Government of the United States by force and violence. There is scarcely a member of this distinguished committee that has not participated in the enactment of some legislation based on the established premise that the Communist Party is committed to destroying the present form of Government of the United States. The Communist Party is the enemy of the United States. Can anyone seriously contend that an enemy organization may not be prohibited by Congress from using against the United States "rights, privileges, and immunities attendant upon legal bodies"?

Every member of the Communist Party owes allegiance to the program of the Communist Party. In the same Douds case, Justice Jackson said: "There is certainly sufficient evidence that all members owe allegiance to every detail of the Communist Party program and have assumed a duty actively to help execute it, so that Congress could, on familiar conspiracy principles, charge each member with responsibility for the goals and means of the party. Such then is the background which Congress could reasonably find as a basis for exerting its constitutional powers, and which the judiciary cannot disregard in testing them." To those who may have some doubts as to constitutionality of legislation such as that proposed in the Dies bill, let me repeat what Justice Jackson said: "Congress could, on familiar conspiracy principles, charge each member with responsibility for the goals and means of the [Communist] Party."

It is no longer questioned that Congress has the right to protect interstate commerce. Has it less power to protect the Nation's existence? In the Dennis case, Justice Jackson quoted from Justice Holmes: " 'Coming next to the objection that no overt act is laid, the answer is that the Sherman Act punishes the conspiracies at which it is aimed on the common law footing—that is to say, it does not make the doing of an act other than the act of conspiring a condition of liability.' (*Nash v. United States* (229 U. S. 373, 378). Reiterated, *United States v. Socony-Vacuum Oil Co.* (310 U. S. 150, 252).) It is not to be supposed that the power of Congress to protect the Nation's existence is more limited than its power to protect interstate commerce."

Further "it [the law of criminal conspiracy] has an established place in our system of law, and no reason appears for applying it to concerted action claimed to disturb interstate commerce and withholding it from those claimed to undermine our whole Government" (p. 572).

After the many authoritative expressions by the Supreme Court of the United States, the President of the United States, and the Congress of the United States that membership in the Communist Party is membership in an organization committed to the wrecking of our whole system of Government, visiting death, destruction, and misery on the whole American people, it is simply unthinkable to say that Congress does not have the power to declare that that type of membership is criminal. As stated by the late Chief Justice in the case of *Dennis v. United States* (*supra* (p. 501)): "We reject any principle of governmental helplessness in the face of preparation for revolution, which principle, carried to its logical conclusion, must lead to anarchy. No one could conceive that it is not within the power of Congress to prohibit acts intended to overthrow the Government by force and violence."

Mr. GRAHAM. Mr. Speaker, I yield the remainder of our time to the distinguished majority leader [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, the gentleman who just preceded me spoke concerning this type of action. Let me say that there was some rather precipitate action taken in the other body. I would not undertake to characterize it except to say that it was precipitate. As a result of that, it became obvious that we had a problem over here with which we had to deal.

Mr. DIES. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield.

Mr. DIES. As a matter of fact, the gentleman from Pennsylvania [Mr.

GRAHAM] conducted the most careful and the fairest hearings I have ever heard in this House on this subject.

Mr. HALLECK. I appreciate that. There is a broad background for this bill. Let us understand that there have been hearings and careful study. In any event, after that action was taken by the other body some of us became quite disturbed as to the implications of certain parts of that legislation. As a result, I took it upon myself, together with some of the members of the Committee on the Judiciary and their staff, as well as members of the Committee on Un-American Activities and their staff, representatives of the Department of Justice and some administration representatives, to see what we could do that would be proper, that would be right, and that would finally become law. This is what we have devised.

I have been asked to explain the administration's position. I can say to the House that the administration is not opposed to this bill. If it is enacted by the Congress of the United States, it will become law.

Some think we go too far. Others think we do not go far enough. Let me point out that in the other body they did some other things and the bill passed by a vote of 85 to 0. There are differences. There has been reference here to the two parts of the bill. There is the first part which has to do with outlawing the Communist Party. As has been pointed out, the action taken in the other body did not outlaw the Communist Party. It undertook to make a felony of the bare fact that one belonged to the Communist Party, coupled with some overt act that such a person committed. That might destroy the party ultimately, although I seriously doubt it. But certainly such a provision does not outlaw the party. The section which we have included does outlaw the party. That is what the people of this country want. That is the reason we ought to support this bill. It picks up the so-called Butler-Velde bill that had been reported in the Senate and by our Committee on Un-American Activities of the House. But let me point out again that it takes the provisions of the bill as amended in the Senate; not the bill as originally introduced here, but as presented in the Senate.

If I may say to my good friend from Texas and to others, we have the Internal Security Act of 1950, which was worked out after the most careful consideration, the Registration Act, and the Smith Act, under which we have had more than 100 indictments and sixty-some convictions, all of Communist leaders, already an effective weapon against the Communist conspiracy. Those acts we have on the books. The gentleman from Texas may think they are not good, or that something else is better, but let me just say to him that they have established themselves.

There is now pending in the Circuit Court of Appeals a case to determine the constitutionality of the Internal Security Act. I am convinced that if the measure passed by the other body and the second-section provisions of the Dies bill were here enacted into law, they would destroy that appeal immediately. The simple reason for that is found in these words in the Attorney General's statement before the committee. Speaking of the Internal Security Act, he said:

> Essential to the validity of this careful plan, however, is the provision of section 4 (f) of the act, that the holding of office or membership in any Communist organization shall not constitute in itself a violation of that act or any other criminal statute.

Then he points out with these very powerful words a thing that cannot be denied by anyone who has studied the law:

> It is apparent that the enactment of legislation making membership in the Communist Party per se a crime would be in direct conflict with these provisions of the Internal Security Act. If membership alone is made criminal, to require a member to declare his membership is to require him to give self-incriminating evidence. By nullifying this portion of the act, its entire operation would be jeopardized unless there is added a grant of immunity so broad as to vitiate wholly the legislation now proposed.

In other words, what we are doing permits outlawing the Communist Party, and maintaining the Internal Security Act, the Smith Act, and all the other acts by which we deal realistically with the Communist conspiracy. I say that it is a job that has been carefully done. We did the best we could to get the information here for you with these mimeographed copies. It has all been before committees. I say, let us pass this overwhelmingly so that the people of the world and of the country shall know what we think about the Communist Party.

The SPEAKER. The question is, Shall the rules be suspended and the bill be passed, as amended?

Mr. VELDE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 305, nays 2, not voting 125, as follows:

[Roll No. 142]

YEAS—305

Abbitt	Bosch	Cretella
Abernethy	Bow	Crosser
Addonizio	Boykin	Crumpacker
Albert	Bramblett	Cunningham
Alexander	Bray	Curtis, Mass.
Allen, Calif.	Brooks, La.	Curtis, Nebr.
Allen, Ill.	Brooks, Tex.	Dague
Andersen, H. Carl	Brown, Ga.	Davis, Wis.
	Brown, Ohio	Dawson, Utah
Andresen, August H.	Brownson	Delaney
	Broyhill	Derounian
Andrews	Buchanan	Devereux
Arends	Budge	Dies
Ashmore	Burleson	Dodd
Aspinall	Bush	Dondero
Auchincloss	Byrd	Donohue
Bailey	Byrne, Pa.	Dorn, N. Y.
Barrett	Byrnes, Wis.	Dowdy
Bates	Cannon	Eberharter
Battle	Carlyle	Edmondson
Becker	Carnahan	Elliott
Belcher	Cederberg	Evins
Bennett, Fla.	Celler	Fallon
Bennett, Mich.	Chelf	Feighan
Berry	Chenoweth	Fenton
Betts	Chiperfield	Fernandez
Bishop	Chudoff	Fisher
Boggs	Church	Fogarty
Boland	Clardy	Forand
Bolton, Frances P.	Cole, Mo.	Ford
	Cole, N. Y.	Forrester
Bolton, Oliver P.	Cooley	Fountain
	Coon	Frazier
Bonin	Cooper	Frelinghuysen
Bonner	Corbett	Friedel
Fulton	Krueger	Rodino
Gamble	Laird	Rogers, Colo.
Garmatz	Lane	Rogers, Fla.
Gary	Lanham	Rogers, Tex.
Gathings	Latham	Rooney
Gavin	Lesinski	Sadlak
Gentry	Long	St. George
George	Lovre	Saylor
Goodwin	McConnell	Schenck
Graham	McDonough	Scherer
Granahan	McGregor	Scott
Grant	McIntire	Scudder
Green	McMillan	Seely-Brown
Gregory	McVey	Selden
Gross	Machrowicz	Shelley
Gwinn	Mack, Wash.	Sheppard
Hagen, Calif.	Magnuson	Short
Hagen, Minn.	Mahon	Shuford
Hale	Mailliard	Sieminski
Halleck	Marshall	Simpson, Ill.
Harden	Matthews	Simpson, Pa.
Hardy	Meader	Small
Harris	Merrill	Smith, Kans.
Harrison, Nebr.	Merrow	Smith, Miss.
Harrison, Va.	Miller, Calif.	Smith, Va.
Hart	Miller, Md.	Spence
Hays, Ark.	Miller, Nebr.	Springer
Hays, Ohio	Mills	Staggers
Herlong	Morano	Stauffer
Heselton	Moss	Steed
Hiestand	Mumma	Sullivan
Hill	Murray	Sutton
Hillings	Natcher	Taber
Hinshaw	Neal	Talle
Hoeven	Nicholson	Thomas
Hoffman, Mich.	Norrell	Thompson, Mich.
Holmes	Oakman	
Holtzman	O'Brien, N. Y.	Thompson, Tex.
Hope	O'Hara, Ill.	Thornberry
Horan	O'Hara, Minn.	Trimble
Howell	O'Konski	Tuck
Hunter	O'Neill	Van Zandt
Hyde	Ostertag	Velde
Ikard	Passman	Vorys
Jackson	Patman	Wainwright
Jarman	Perkins	Walter
Javits	Pfost	Wampler
Jenkins	Philbin	Warburton
Jensen	Phillips	Watts
Johnson, Calif.	Pilcher	Westland
Johnson, Wis.	Poage	Wharton
Jonas, N. C.	Poff	Whitten
Jones, Ala.	Polk	Wickersham
Jones, Mo.	Price	Wier
Jones, N. C.	Priest	Wigglesworth
Judd	Prouty	Williams, Miss.
Karsten, Mo.	Ray	Williams, N. J.
Kean	Rayburn	Williams, N. Y.
Kearns	Reams	Willis
Keating	Reece, Tenn.	Wilson, Ind.
Kee	Reed, Ill.	Winstead
Kelley, Pa.	Reed, N. Y.	Withrow
Kelly, N. Y.	Rees, Kans.	Wolcott
Kersten, Wis.	Rhodes, Ariz.	Wolverton
Kilday	Rhodes, Pa.	Young
King, Calif.	Richards	Younger
King, Pa.	Riehlman	Zablocki
Kirwan	Roberts	
Knox	Robeson, Va.	

NAYS—2

Burdick	Multer

NOT VOTING—125

Adair	Dollinger	Kluczynski
Angell	Dolliver	Landrum
Ayres	Donovan	Lantaff
Baker	Dorn, S. C.	LeCompte
Barden	Doyle	Lipscomb
Beamer	Durham	Lucas
Bender	Ellsworth	Lyle
Bentley	Engle	McCarthy
Bentsen	Fine	McCormack
Blatnik	Fino	McCulloch
Boiling	Golden	Mack, Ill.
Bowler	Gordon	Madden
Buckley	Gubser	Martin, Iowa
Busbey	Haley	Mason
Campbell	Hand	Metcalf
Canfield	Harrison, Wyo.	Miller, Kans.
Carrigg	Harvey	Miller, N. Y.
Chatham	Hébert	Mollohan
Clevenger	Hess	Morgan
Colmer	Hillelson	Morrison
Condon	Hoffman, Ill.	Moulder
Cotton	Holifield	Nelson
Coudert	Holt	Norblad
Curtis, Mo.	Hosmer	O'Brien, Ill.
Davis, Ga.	Hruska	O'Brien, Mich.
Davis, Tenn.	James	Osmers
Dawson, Ill.	Jonas, Ill.	Patten
Deane	Kearney	Patterson
Dempsey	Keogh	Pelly
D'Ewart	Kilburn	Pillion
Dingell	Klein	Powell

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Riley	Stringfellow	Widnall
Rivers	Taylor	Wilson, Calif.
Robsion, Ky.	Teague	Wilson, Tex.
Rogers, Mass.	Thompson, La.	Yates
Roosevelt	Tollefson	Yorty
Scrivner	Utt	

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

Mr. Canfield with Mr. McCormack.
Mr. Smith of Wisconsin with Mr. Fine.
Mr. Widnall with Mr. Colmer.
Mr. Beamer with Mr. Haley.
Mr. Bender with Mr. Davis of Georgia.
Mr. Bentley with Mr. Campbell.
Mrs. Rogers of Massachusetts with Mr. Mollohan.
Mr. Utt with Mr. Dorn of South Carolina.
Mr. Taylor with Mr. Yorty.
Mr. Wilson of California with Mr. Moulder.
Mr. Hand with Mr. Dollinger.
Mr. Hillelson with Mr. Rabaut.
Mr. Hess with Mr. Rains.
Mr. Busbey with Mr. Regan.
Mr. Coudert with Mr. Dempsey.
Mr. Fino with Mr. McCarthy.
Mr. Ellsworth with Mr. Madden.
Mr. Harrison of Wyoming with Mr. Barden.
Mr. Martin of Iowa with Mr. Bowler.
Mr. Jonas of Illinois with Mr. Chatham.
Mr. McCulloch with Mr. Sikes.
Mr. Carrigg with Mr. Keogh.
Mr. Adair with Mr. Yates.
Mr. Curtis of Missouri with Mr. Dingell.
Mr. Holt with Mr. Mack of Illinois.
Mr. Hosmer with Mr. Wheeler.
Mr. Hoffman of Illinois with Mr. Klein.
Mr. Sheehan with Mr. Engle.
Mr. Shafer with Mr. Roosevelt.
Mr. Robsion of Kentucky with Mr. Teague.
Mr. Tollefson with Mr. Vinson.
Mr. Stringfellow with Mr. Gordon.
Mr. Weichel with Mr. Doyle.
Mr. Pillion with Mr. Hébert.
Mr. Osmers with Mr. Bolling.
Mr. Norblad with Mr. Thompson of Louisiana.
Mr. LeCompte with Mr. Deane.
Mr. Mason with Mr. Holifield.
Mr. Kilburn with Mr. Durham.
Mr. Clevenger with Mr. Kluczynski.
Mr. Patterson with Mr. Blatnik.
Mr. Cotton with Mr. Rivers.
Mr. D'Ewart with Mr. Preston.
Mr. Kearney with Mr. Morgan.
Mr. Nelson with Mr. Landrum.
Mr. Radwan with Mr. Buckley.
Mr. Scrivner with Mr. Metcalf.
Mr. Vursell with Mr. Condon.
Mr. Miller of New York with Mr. Dawson of Illinois.
Mr. Dolliver with Mr. O'Brien of Michigan.
Mr. Harvey with Mr. Riley.
Mr. James with Mr. Davis of Tennessee.
Mr. Ayres with Mr. O'Brien of Illinois.
Mr. Hruska with Mr. Miller of Kansas.
Mr. Baker with Mr. Patten.
Mr. Van Pelt with Mr. Lyle.
Mr. Pelley with Mr. Morrison.
Mr. Gubser with Mr. Bentsen.
Mr. Angell with Mr. Lucas.
Mr. Golden with Mr. Lantaff.
Mr. Lipscomb with Mr. Wilson of Texas.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. VELDE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. VELDE. Mr. Speaker, due to the fact that the gentleman from Pennsylvania [Mr. WALTER] refused to yield to me today, during the debate on S. 3706, in order that I might answer his remarks against me, I am taking this opportunity to extend my remarks in the CONGRESSIONAL RECORD, in answer to the gentleman from Pennsylvania.

Today, during the course of the debate on the floor of the House of Representatives on S. 3706, Representative FRANCIS E. WALTER, ranking minority member of the House Committee on Un-American Activities, made certain statements that were grossly unfair to me and other members of the committee. In listening to the gentleman from Pennsylvania [Mr. WALTER], it was impossible to determine whether he is against communism, or the work that is being performed by the House Committee on Un-American Activities, of which he has claimed he was an "unwilling" and "unfortunately" a member.

I wish the record to show that in January of 1954, when this legislation was first considered by the committee, I consulted with the gentleman from Pennsylvania [Mr. WALTER], who advised me that he was certain that no formal legislative hearings were necessary, because of the voluminous hearings the committee had held over the past years dealing with the subject of Communist-dominated labor unions. Why the gentleman from Pennsylvania [Mr. WALTER] changed his tune at a later date is unknown to me. However, he might well have seen the advantages of such legislation and had hopes that by putting it over until next year, his party could take credit for it should they gain control of the House.

In his reference to the meeting that the committee held to vote out H. R. 9838, the gentleman from Pennsylvania [Mr. WALTER] left the false impression that this action was taken hastily. I wish the record to show that the gentleman from Pennsylvania [Mr. WALTER] as were all the members of the committee, given notice of this meeting and its purpose 5 days prior to the date the meeting was held. The gentleman from Pennsylvania [Mr. WALTER] not only failed to raise any amendments as he said, but in the minority report that followed, he left the false impression that the vote on reporting out the bill was 4 to 1, while in reality it was 5 to 1, and one member voting present. It was further pointed out to the gentleman from Pennsylvania [Mr. WALTER] that this legislation was considered to be of the utmost importance to the President of the United States and the Attorney General, whose duty it will be to enforce it.

I am further heartened by the fact that the House of Representatives has seen fit to support this legislation by the overwhelming majority of 305 to 2.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 697. An act for the relief of Demetrios Christos Mataraggiotis, and Zoi Demetre Mataraggiotis, his wife, and Christos Mataraggiotis and Constantinos Mataraggiotis, their minor sons;

H. R. 717. An act for the relief of Henriette Matter;

H. R. 822. An act for the relief of Sister Giuseppina Giaccone;

H. R. 832. An act for the relief of Katharine Balsamo;

H. R. 834. An act for the relief of Arthur J. Boucher;

H. R. 839. An act for the relief of Sister Mary Gertrude (Mary Gertrude Kelly);

H. R. 877. An act for the relief of Nasser Esphahanian;

H. R. 1622. An act for the relief of Agustin Mondreal;

H. R. 1627. An act for the relief of Johann Groben;

H. R. 1904. An act for the relief of Patricia A. Pembroke;

H. R. 2061. An act for the relief of Regine du Planty;

H. R. 2154. An act authorizing the issuance of a patent in fee to Leona Hungry;

H. R. 2393. An act for the relief of Brother Eugene Cumeriato;

H. R. 2480. An act for the relief of Charlotte Margarita Schmidt;

H. R. 2483. An act for the relief of Giacomo Bartolo Vanadia;

H. R. 2500. An act for the relief of Stanislaw Majzner (alias Stanley Maisner);

H. R. 2794. An act for the relief of Mrs. Claire Godreau Daigle;

H. R. 3024. An act for the relief of Sergio Emeric;

H. R. 3388. An act for the relief of Louie Ella Attaway;

H. R. 3447. An act for the relief of Maria Paccione Pica;

H. R. 3507. An act for the relief of Maj. Elias M. Tsousgranis;

H. R. 3520. An act for the relief of Mrs. Erna Rosita Pont (formerly Erna Rosita Michel);

H. R. 3566. An act for the relief of Pimen Maximovitch Sofronov;

H. R. 3665. An act for the relief of Marko Ribic;

H. R. 3750. An act for the relief of Inge Beckmann;

H. R. 3869. An act for the relief of Gilbert Elkanah Richards, Adelaide Gertrude Richards, and Anthony Gilbert Richards;

H. R. 3874. An act for the relief of Roberto Johnson;

H. R. 4015. An act for the relief of Josef, Paula, and Kurt Friedberg.

H. R. 4054. An act for the relief of Jorge Sole Massana and Montserrat Thomas-Sanchez Massana;

H. R. 4426. An act for the relief of Andrea Paulette Quatrehomme and her child;

H. R. 4427. An act for the relief of Mrs. Helena Piasecka;

H. R. 4437. An act for the relief of Louise Rank;

H. R. 4522. An act for the relief of Petrus Van Keer;

H. R. 4815. An act for the relief of Alexander Petsche;

H. R. 4908. An act for the relief of Pietro Petralia;

H. R. 4969. An act for the relief of Basilios Xarhoulacos;

H. R. 5119. An act for the relief of Augusta Oppacher Bialek;

H. R. 5194. An act for the relief of Pauline Katzmann;

H. R. 5319. An act for the relief of Henry (also known as Heinrich) Schor, Sally (also known as Sali) Schor, and Gita (also known as Gitta Aviva) Schor;

H. R. 5344. An act for the relief of Bob Kan and Fourere Kan;

H. R. 5459. An act for the relief of Takeko Ishiki;

H. R. 5553. An act for the relief of Dr. Lu Jen-lung;

H. R. 5718. An act to limit the period for collection by the United States of compensation received by officers and employees in violation of the dual compensation laws;

H. R. 5749. An act for the relief of Maria Teresa Lubiato;

H. R. 6266. An act for the relief of Frank Robert Gage;

H. R. 6355. An act for the relief of Elena Scarpetti Savelli;

H. R. 6442. An act for the relief of Tamiko Fujiwara;

H. R. 6492. An act for the relief of Rodolfo Navarro;

H. R. 6498. An act for the relief of Elfriede Lina Avitable, nee Roser;

H. R. 6752. An act for the relief of Mrs. Maria Giuseppa De Lisa Quagliano;

H. R. 6762. An act for the relief of Mrs. Irmgard (Chrapko) Broughman;

H. R. 6858. An act for the relief of Mrs. Efthemia Soteralis;

H. R. 7031. An act for the relief of Mrs. George A. Meffan;

H. R. 7033. An act for the relief of Mrs. Anna J. Weigle;

H. R. 7151. An act for the relief of Mazal Kolman;

H. R. 7217. An act for the relief of Astor Vergata;

H. R. 7229. An act to provide for the conveyance to T. M. Pratt and Annita C. Pratt of certain real property in Stevens County, Wash.;

H. R. 7581. An act for the relief of Gaetano Conti;

H. R. 7813. An act authorizing the Secretary of the Interior to adjust or cancel certain charges on the Milk River project;

H. R. 7828. An act for the relief of Mariana George Loizos Kellis;

H. R. 7829. An act for the relief of Shimasoi Michiko;

H. R. 7834. An act for the relief of Erika Schneider Buonasera;

H. R. 7885. An act for the relief of Sohan Singh Rai and Jogindar Kaur Rai;

H. R. 7938. An act for the relief of Miss Martha Heuschele;

H. R. 7947. An act for the relief of Mrs. Erika (Hohenleitner) Stapleton;

H. R. 8065. An act for the relief of Carlos Francisco, Manriqueta Mina, and Roberto Mina Ver;

H. R. 8183. An act for the relief of Elfriede Ida Geissler;

H. R. 8205. An act to authorize the conveyance by the Secretary of the Interior to Virginia Electric & Power Co. of a perpetual easement of right-of-way for electric transmission line purposes across lands of the Richmond National Battlefield Park, Va., such easement to be granted in exchange for, and in consideration of, the conveyance for park purposes of approximately 6 acres of land adjoining the park;

H. R. 8244. An act for the relief of Mrs. Dorothy Nell Woolgar Allen;

H. R. 8375. An act for the relief of Ilse Radler Hughes;

H. R. 8424. An act for the relief of Mrs. Else Johnson;

H. R. 8554. An act for the relief of Maria M. Khoe;

H. R. 8557. An act for the relief of Ezio Bertoni;

H. R. 8859. An act to convey the reversionary interest of the United States in certain lands to the city of Pawnee, Okla.;

H. R. 8936. An act for the relief of Dana Evanovich;

H. R. 9029. An act for the relief of Paul James Patrie;

H. R. 9496. An act for the relief of Elisabeth Hoeft;

H. R. 9512. An act for the relief of Mrs. Franziska (Han) Rigau;

H. R. 9790. An act to amend the act of June 30, 1948, so as to extend for 1 year the authority of the Secretary of the Interior to issue patents for certain public lands in Monroe County, Mich., held under color of title; and

H. R. 9953. An act for the relief of Mr. Fu-Ho Chan, Mrs. Fu-Ho Chan, and their child, Richard Chan.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 3873. An act to provide survivor benefits for widows of Chief Justices and Associate Justices of the Supreme Court of the United States.

The message also announced that the Senate agrees to the amendments of the House to a bill and a joint resolution of the Senate of the following titles:

S. 599. An act for the relief of Cpl. Robert D. McMillan; and

S. J. Res. 147. Joint resolution to establish the Woodrow Wilson Centennial Celebration Commission, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 7886) entitled "An act for the relief of Mrs. Cecil Norton Broy," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. LANGER, Mr. WILEY, and Mr. MCCARRAN to be the conferees on the part of the Senate.

The message also announced that the Senate had ordered that the Senate request the return of the message asking the House of Representatives to return to the Senate the bill (H. R. 8932) entitled "An Act to reclassify dictaphones in the Tariff Act of 1930."

AMENDMENT TO REFUGEE RELIEF ACT OF 1953

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 8193) to amend the Refugee Relief Act of 1953, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 10, strike out "Subdivision" and insert "Subsection."

Page 2, line 10, strike out "birth, nationality, and last residence" and insert "birth, or nationality, or last residence."

Page 2, after line 16, insert:

"SEC. 4. That subsection (a) of section 7 be amended by adding at the end thereof the following: 'No visa shall be issued under the allotment of 45,000 visas heretofore made by paragraph (5) of subsection 4 (a) of this act to refugees in Italy, or under the allotment of 15,000 visas heretofore made by paragraph (7) of subsection 4 (a) of this act to refugees in Greece, or under the allotment of 15,000 visas heretofore made by paragraph (9) of subsection 4 (a) of this act to refugees in the Netherlands, to an alien who qualifies under the preferences specified in paragraph (2), (3), or (4) of section 203 (a) of the Immigration and Nationality Act, until satisfactory evidence is presented to the responsible consular officer to establish that the alien in question will have suitable employment and housing, without displacing any other person therefrom, after arrival in the United States. Verification of such available employment and housing shall be made in accordance with such regulations as the Administrator may, in his discretion, prescribe for the administration of the act, including job order clearances by the United States Employment Service and its affiliated State employment services, and a certification by local housing authorities wherever they exist and are authorized and prepared to make such certifications.'"

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. JAVITS. Mr. Speaker, reserving the right to object, do we understand this is the bill which deals with the difficulties encountered in the administration of the Refugee Relief Act of 1953?

Mr. GRAHAM. That is correct. This is the bill the House passed last year, and it has come back to the House with the amendments which we are agreeing to.

Mr. JAVITS. Will the gentleman put an explanation of this bill in the RECORD? I think it is extremely important and will help greatly in making the Refugee Act perform its service.

Mr. GRAHAM. Mr. Speaker, this is the bill introduced by myself to amend the Refugee Relief Act of 1953 so as to make immigrant-visa allocations mutually available to either refugees or close relatives of United States citizens who are natives of Italy, Greece, or the Netherlands.

The Senate has added one provision to the bill, under which United States citizens who want to sponsor the immigration of their close relatives from Italy, Greece, and the Netherlands would be required to submit assurances that such immigrants would have housing and employment available for them.

It is believed that that amendment is sound and therefore concurrence is recommended.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

GRANTING STATUS OF PERMANENT RESIDENCE TO CERTAIN ALIENS

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the resolution (H. Con. Res. 227) favoring the granting of the status of permanent residence to certain aliens, with Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the concurrent resolution.

The Clerk read the Senate amendment, as follows:

Page 29, after line 4, insert:
"A-6682832, Abraham, Joseph Heskel.
"A-7187216, Rosenberger, Menasche.
"A-7182351, Fulop, Bertha."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

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SPECIAL ORDERS GRANTED

Mr. PATMAN asked and was given permission to address the House for 30 minutes on tomorrow and Wednesday, following any special orders heretofore entered, to revise and extend his remarks and include extraneous matter.

Mr. PRICE asked and was given permission to address the House for 30 minutes on tomorrow, following any special orders heretofore entered.

Mr. POLK asked and was given permission to address the House for 30 minutes on Wednesday next, following any special orders heretofore entered.

Mr. CELLER asked and was given permission to address the House for 15 minutes on tomorrow, following any special orders heretofore entered.

FEDERAL SUPERVISION OVER THE PROPERTY OF CERTAIN TRIBES

Mr. DAWSON of Utah submitted a conference report and statement on the bill (S. 2670) to provide for the termination of Federal supervision over the property of certain tribes, bands, and colonies of Indians in the State of Utah and the individual members thereof, and for other purposes.

NATIONAL COMMITTEE FOR AN EFFECTIVE CONGRESS

Mr. CLARDY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CLARDY. Mr. Speaker, on June 2 on this floor I exposed the Trojan-horse tactics of Americans for Democratic Action—ADA. I carefully documented the charge that this outfit, while loudly proclaiming itself anti-Communist, in reality, has embraced much of the Communist Party line. It propagandizes the idea that the Communist Party is a genuine political party rather than the subversive and traitorous organization that we know it to be. It is selling the idea that Communists are really not bad fellows—that they should be allowed to teach our youth and be on public payrolls. They oppose outlawing this subversive organization. They weep salt tears over the imagined wrongs inflicted on individual Communists by congressional committees and call for an end to congressional investigations and exposures. They continually attack and smear all of us engaged in the serious business of ferreting out and exposing Communists, Communist fronts and their stooges and dupes.

This outfit accuses congressional committees of throttling free speech—of trying to compel conformity of thought—and convicting without evidence of trial. Their heart bleeds continually for the enemies of our country—but never for those who must brave the left-wing smears in trying to protect our Nation. It is headed up by a group of left-wingers.

About 6 years ago the same masterminds that direct ADA formed another leftist organization called the National Committee for an Effective Congress. Like the Communists, whose technique they thus imitate, this bunch of leftists found it expedient to invent a new high-sounding name under which they could carry on their work without alerting an unsuspecting nation to the fact that it was the same old crowd merely doing business under a new brand name. Fund solicitation would be helped and the appealing sound of the new name was counted on to bring fresh recruits.

Of course, this group of leftists are entitled to their own opinions. But the public has a still greater interest and right—the public has the right to know who it is putting out their propaganda and it has a right to know the names of those financing and pushing this effort.

This group has invaded State after State with money from outside sources. They have and are seeking to impose upon the electorate of the several districts and States the kind of thinking and the kind of candidate these alien "angels" desire. If they have their way, they will impose a one-party government—and that party will be socialist and eventually Communist.

Since this group is well organized, well financed and provided with numerous press, radio and television mouthpieces, it represents a grave threat whose true nature and exact extent can only be determined after lengthy hearings and exhaustive investigation.

I have today introduced a resolution calling for the creation of a special House Committee to investigate the background, work, and nature of this organization. I strongly suspect it of having violated the laws relating to lobbying—as well as other statutes. Having watched its operations as closely as its secret methods permit I think there is much that needs thorough investigation. While its leaders loudly accuse our committees of stifling free speech and thought this gang has been expending large sums to remove from Congress every member who dares differ with their left-wing philosophy.

Talk about thought control—this band of leftists are spending unlimited amounts to throttle every congressional voice raised in defense of the American system of free economy. Secretly they have invaded district after district and through smear campaigns have sought to destroy all who oppose socialism. They are at work right now running a well-heeled campaign from headquarters here on the Hill. Who may be on their slaughter list only they know for certain—but for reasons of my own I suspect it will be a long one this year.

Usually they operate in the dark—supplying left-wing candidates with money and propaganda, but never letting the people know about this dirty work until they can crow over success. Since the leaders of Americans for Democratic Action are the same as those heading this "front"—and since their line is the same all I have had to say about ADA applies with equal force to this outfit.

On August 11 this year at page 14101 of the RECORD will be found a lengthy statement inserted by Senator FLANDERS dealing with this outfit. It would appear to be a self-serving document put out by this National Committee for an Effective Congress. The facts therein set out are themselves sufficient to raise grave suspicion about their motives, their fund-raising activities, and the lobbying they have undoubtedly engaged in. That statement alone warrants and justifies the investigation I am seeking.

I believe they have violated the law—I believe they are doing so right at this moment. There should be an immediate commencement of an investigation into all the ramifications of this group and its activities. The committee should investigate its background and that of its sponsors. It should find out exactly where every dime comes from—how it is spent—where its propaganda originates—what members of press, radio, and television are conspiring with them—the nature and extent of its lobbying work—and in general all there is to know about it. For it is my opinion that there is much more than meets the eye, that the public should know. What hidden forces are behind this group's campaign to suppress the opinions and efforts of those who are fighting socialism and communism?

There may be a subversive angle that could bring this within the jurisdiction of the Un-American Activities Committee—but that remains to be seen—and it may be that time will prevent action on this resolution before adjournment. But, if so, I shall present it again when the next session starts. Of course, if that becomes necessary, we will only learn about things after the dirty work has been done. That is why I urge immediate consideration and passage of my resolution. The left-wingers running ADA and this organization furnish a link that needs examination. The very many similarities between ADA's program and that of the Communist Party suggests yet other angles. Put all these things together and it is evident there is a pressing need for the creation of a special committee right now. I urge immediate passage of this resolution.

A companion resolution providing for an appropriation of $25,000 is also being introduced.

DR. BERNARD BRASKAMP, CHAPLAIN

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, I could not leave for home with warm and affectionate memories of the 83d Congress without mention of my debt and that of my colleagues to our deeply esteemed Chaplain, Dr. Bernard Braskamp. His prayers at the opening of our daily deliberations have given us spiritual strength as guide in the discharge of grave responsibilities. The warmth of his personality, his cordiality

and his genuine interest in us he has shown in the associations on the floor of this Chamber that we shall always remember.

For the people of Chicago, who are looking forward to his visit to our city, I extend our heartiest greetings. The happy occasion that takes him to Chicago on August 28 is the marriage of his son, the father performing the service.

The son bears the proud name of his father, Bernard Braskamp, Jr. He has recently been graduated from Trinity College and shortly after the marriage ceremony he will leave for service as a flying officer in the service of his country.

It will interest my colleagues to know that the charming young woman to whom Bernard Braskamp, Jr., will plight his vows only recently won the world's woman swimming championship, 100 yards free style. Miss "Jody" Alderson, also holder of two other American swimming records, was a member of the Olympic swimming team in 1952.

I feel, too, Mr. Speaker, that it would be base ingratitude to leave Washington at the close of this Congress without a word of recognition for the prompt, efficient, and scholarly service of the Legislative Reference Branch of the Congressional Library. No assignment is too difficult for them; while the cheerful promptness with which they fill demand orders will ever be the marvel of the members of my staff and of me. Dr. Griffiths and his staff do a splendid work in assisting Members of Congress with the research necessary in their legislative work. I wish them to know the deep appreciation of my office.

REV. CHARLES V. ROSSINI

Mr. FULTON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2259) for the relief of Rev. Charles V. Rossini.

Mr. FULTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FULTON. Mr. Speaker, S. 2259 for the relief of Rev. Charles V. Rossini is a bill which I can recommend heartily to Congress for passage. This bill is for the purpose of correcting the tragic loss of United States citizenship of Father Rossini, choir director of St. Paul's Cathedral of the Catholic Church in the diocese of Pittsburgh, Pa.

We in Pittsburgh are proud of the fine work of Father Rossini in the church and our good community. He is not only an excellent choir director, but is a composer of fine church music, and has been responsible for many of the best choir arrangements of church music in our day.

Father Rossini became a permanent resident of the United States in July 1921, as a priest in the Pious Society of St. Charles. He came to the diocese of Pittsburgh in 1923 and became a naturalized citizen of the United States in 1929.

Under the United States Naturalization Act of 1940 any person who is a United States naturalized citizen and who returns to the country of his birth for a continuous period in excess of 3 years, loses his United States citizenship under the provisions of 404 (c). Unfortunately, although Father Rossini was actually out of the United States less than a period of 3 years, he was notified by the State Department of the loss of his United States citizenship under a technicality of the law. Three months during this period which he actually spent in the United States, were not subtracted from the legal 3-year period in calculating the time for loss of citizenship while abroad.

Father Rossini was invited by the Vatican Secretariat of State through the late Bishop Boyle, of Pittsburgh, to go to Rome to reorganize the St. Cecilia Society of Church Musicians and to take part in the preparation of musical programs for the holy year 1950. Because of his good work in Rome Father Rossini was presented, through Bishop Boyle, the Pope's golden medal benemerenti. Father Rossini finished the musical program for the Marian year and his work with the St. Cecilia Society early in April 1952. The Pious Society of St. Charles requested his assignment in Rome for a temporary teaching position at the college in Rome, the position terminating September 15, 1952.

Unfortunately, under the technical provisions of the Naturalization Act, Father Rossini was notified in Rome in August 1952 that his United States citizenship had been canceled because he had been on church duty abroad for more than a 3-year period. This was the case although Father Rossini had actually returned to the United States for rest for a period of 3 months from June 18, 1951, through September 18, 1951. On October 7, 1952, Father Rossini returned to the United States on a temporary visa, and further extensions of this visa are now coming to an end so that he might be subjected to deportation to Italy on order.

The fine congregation of St. Paul's Cathedral, and many members and clergy of the Pittsburgh diocese, have called this injustice to my attention and asked for my support of this measure. I am glad to heartily endorse and urge the passage of this bill for the relief of Father Rossini in order to restore him to full United States citizenship, upon taking the oath of allegiance to the United States within 1 year after effective date of this act.

With a person of Father Rossini's standing, ability, and genius, the citizens of Pittsburgh, the members of the congregation of St. Paul's Cathedral, and the members of the Pittsburgh diocese, will suffer a great loss without his loyal service and musical ability.

I urge that Congress give favorable consideration to this bill and pass it forthwith as I believe it merits our full confidence and support.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. WALTER. Mr. Speaker, reserving the right to object, this bill is one of 187 Senate bills all of which are meritorious. I shall not object to this bill, but I want to state now that I shall object to any bill that is brought up in this fashion hereafter. It seems to me that the Subcommittee on Immigration should be given time to call the calendar in order to dispose of this large number of bills.

I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection, the Clerk read the bill as follows:

Be it enacted, etc., That Rev. Charles V. Rossini, who lost United States citizenship under the provisions of section 404 (c) of the Nationality Act of 1940, may be naturalized by taking prior to 1 year after the effective date of this act, before any court referred to in subsection (a) of section 310 of the Immigration and Nationality Act or before any diplomatic or consular officer of the United States abroad, the oaths prescribed by section 337 of the said act. From and after naturalization under this act, the said Rev. Charles V. Rossini shall have the same citizenship status as that which existed immediately prior to its loss.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING TARIFF ACT OF 1930

The SPEAKER laid before the House the following communication from the Senate:

Ordered, That the Senate request the return of the message asking the House of Representatives to return to the Senate the bill (H. R. 8932) entitled "An act to reclassify dictophones in the Tariff Act of 1930."

The SPEAKER. Without objection, the request of the Senate will be granted.

There was no objection.

AMENDING TARIFF ACT OF 1930, AS AMENDED

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 8932) to amend the Tariff Act of 1930, as amended, to reclassify dictaphones, with Senate amendments and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments as follows:

Page 2, line 11, after "The" insert "foregoing."

Page 2, after line 13, insert:

"SEC. 5. Section 201 of title II of the Tariff Act of 1930, as amended, is further amended by adding at the end thereof a new paragraph to read as follows:

" 'PAR. 1818. Furfural.' "

Page 2, after line 13, insert:

"SEC. 6. The Secretary of the Treasury is hereby directed to admit free of duty black granite, in whatever form, imported prior to January 1, 1955, for use in any statue, monument, or memorial authorized by law to be erected on Federal property."

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. REED]?

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Mr. MARSHALL. Mr. Speaker, reserving the right to object, I do so in order to make inquiry of the distinguished chairman of the Committee on Ways and Means whether this bill relieves the payment of import duties on granite for the purpose of building the Iwo Jima Monument in Arlington Cemetery?

Mr. REED of New York. That is correct.

Mr. MARSHALL. It affects only that one monument?

Mr. REED of New York. That is correct.

Mr. MARSHALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. MARSHALL. Mr. Speaker, the Senate amendment to the bill (H. R. 8932) directs the Secretary of the Treasury to admit free of duty black granite imported prior to January 1, 1955, if the black granite is to be used in a monument erected on Federal property.

When this amendment was first called to my attention, it did not include a cut-off date and I therefore felt it necessary to oppose the bill as reported in the other body. To exempt individual products from duty in piecemeal fashion is bad legislative practice and discriminates against certain industries without regard to the tariff laws of this country.

Quality black granite is found in several States, including Minnesota, and there is no valid reason for permitting duty-free importation of this product contrary to the provisions of the Tariff Act of 1930.

It is my understanding that the whole intent of this amendment is to remove the duty owed on black granite already imported for the base of the Iwo Jima monument to be erected in Arlington National Cemetery by the Marine Corps veterans of the United States.

The explanation given to me is that domestic granite was declared unsuitable for the purposes of this monument and Minnesota black granite in particular was rejected because of a purplish tinge in sunlight. This is a question, of course, to be determined by the sponsors of the monument and I am in no position to quarrel with their artistic judgment.

I would, however, point out that the base of the Jefferson Memorial here in the Nation's Capital is constructed of Minnesota black granite and all of us are proud of this magnificent structure honoring a great American.

I am sure that everyone who visits this national shrine will agree that the black granite base upor which the towering figure of Jefferson rests enhances rather than detracts from the artistic beauty of the monument.

However, if imported black granite is felt essential to the completion of the Marine Corps monument by its sponsors, I will not object to the bill in its present form since the language serves to limit the duty-free status of the Iwo Jima Monument.

Furthermore, I am told that the black granite is already in the United States and that the sponsors are unable to pay the $7,000 duty since funds for the monument were raised by popular subscription among Marine Corps veterans. I have no intention, therefore, of delaying erection of the monument.

I would have preferred if the amendment adopted by the other body would have declared specifically that the duty-free import is intended for the Iwo Jima monument but am told that the Treasury Department and the Tariff Commission objected to such language on the grounds that a precedent would be established which might prompt special legislation every time a statue, memorial, or monument is being erected.

I agree that this would be unwise legislative practice and accept it in the present instance only because of the hardship which might result inasmuch as the granite is already in the United States. We are assured that the cut-off date of January 1, 1955 will limit importation to the present monument because there are no other laws in effect authorizing Federal monuments on Federal property before that date.

It frankly strikes me as somewhat incongruous that American granite is unfit for a monument to the courage of American marines but that is not a decision to be made by the House of Representatives.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to insert in the RECORD at this point an explanation of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REED of New York. Mr. Speaker, the first Senate amendment to H. R. 8932 provides for the free entry of furfural. Furfural is a chemical compound made from cellulosic raw materials such as corncobs, oat hulls, and similar waste materials. It is a colorless liquid, light in weight, and with a boiling point of 161.7° centigrade. The primary use is in the production of synthetic rubber, synthetic resins, nylon, and in the refining of petroleum.

The increased use of furfural and the necessity for centrally located large quantities of raw materials for its production has promoted considerable research and study on the part of producers and consumers. A plant for the production of furfural on an efficient basis must have ready access to 100,000 tons or more of raw material.

Furfural was a commodity little known when the Tariff Act of 1930 was adopted, and it is not separately mentioned in any tariff paragraph. If imported, it would be entered under paragraph 5 of the Tariff Act as a chemical compound not specially provided for dutiable at 12½ percent ad valorem, reduced by trade agreement from 25 percent.

There are three plants in the United States producing furfural, all operated by one manufacturer. Total domestic production is about 110 million pounds per year. Because of the demand it is not anticipated that free importation of furfural will affect domestic output and it will be of distinct economic aid to one or more of our neighboring countries. Furfural production requires large amounts of sulfuric acid and the export of this material from the United States might thus be stimulated.

The second Senate amendment provides for the importation, free of duty, of black granite when it is to be used in monuments or memorials authorized by law to be built on Federal property. The free entry of this material will terminate under the amendment on January 1, 1955.

Black granite is not available in the United States. It is my understanding that the purpose of the free importation provided by this amendment is to make a sufficient supply of black granite available for the construction of the Iwo Jima memorial now being erected on Government property near Arlington National Cemetery.

POSTPONING EFFECTIVE DATE OF ABSORPTION REQUIREMENT IN PUBLIC LAW 874

Mr. McCONNELL. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3629) to postpone the effective date of the 3 percent absorption requirement in Public Law 874, 81st Congress, for 1 year.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions of section 3 (c) (1) of Public Law 874, 81st Congress, as amended, the amounts payable to a local educational agency for the fiscal year ending June 30, 1955, with respect to the number of children determined under subsection (a) or (b) of section 3 thereof shall be computed on the same basis as was used during the fiscal year ending June 30, 1954, under subsections (a), (b), (c), and (d) of section 3 of said law.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD at this point on S. 3629.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. FOGARTY. Mr. Speaker, the amendment made to Public Law 874 by the 1st session of the 83d Congress, through the passage of Public Law 248, provides that a school district must absorb a number of children equal to 3 percent of its non-Federal school enrollment without payment from Federal funds.

The Federal children countable under this law are in 2 categories, 3A and one-half of 3B. At least 10 children are needed to qualify. A number equal to 3 percent of the non-Federal children is subtracted from the total of 3A plus one-half of 3B children. A school district is eligible for payment for the number of children remaining.

The number subtracted is the so-called absorption feature.

When the Department of Education was testifying before the House Committee on Education and Labor last year it estimated that this provision would eliminate from payment about 10 percent of the districts and reduce payments to the remainder about 25 percent each. On basis of more recent date this absorption feature proved to be much more severe than originally anticipated.

The Appropriations Committee of the Senate, in reporting out appropriations for the Department of Health, Education, and Welfare for 1955 fiscal year, indicated that the absorption provision eliminated 600 school districts from any entitlement, although they had received payments for the previous year. This is nearly 24 percent of the total school districts that have previously been eligible for payment. Nearly 200 additional districts would lose from 75 percent to 100 percent of entitlement, and 324 more districts would lose from 50 percent to 75 percent.

I repeat, this reduction is far more drastic than originally intended; furthermore, the school districts suffering most are the small districts which can afford it least.

In my own State of Rhode Island it means the loss of $112,000 of the approximately $588,000 received by the 10 school districts eligible for payment during 1954. Two of the ten districts in Rhode Island lose their entire entitlements; 1 district would lose 96 percent, one 74 percent, two 15 percent, and the others less than 10 percent.

Public Law 874, as amended—List of applicant school districts and estimated entitlements, fiscal year 1954 and fiscal year 1955 (showing effects of 3 percent absorption on entitlement and total expenditures of districts) State of Rhode Island

Project No.	Applicant district	Estimated secs. 3 (a) and 3 (b) entitlement		Percent reduction in entitlement	Percent reduction in school budget
		1954	1955		
1	Newport City School Committee	$249,601	$225,641	9.6	2.2
2	Middletown Town School Committee	83,524	78,304	6.3	2.1
3	Tiverton Town School Committee	8,838	2,321	73.7	2.4
4	East Greenwich Town School Department	13,885	9,848	29.1	1.3
5	North Kingstown Town School Department, Wickford	126,190	119,866	5.0	1.7
6	Portsmouth Town School Committee	33,280	28,175	15.3	2.1
7	Jamestown Town School Committee	12,033	10,215	15.1	1.8
8	Coventry School Department	7,429		100.0	2.7
9	Warwick School Committee	49,988	2,037	95.9	2.2
501	School committee, town of Westerly	3,724		100.0	.7
502	School committee, town of Charlestown	(1)			
	Total	588,492	476,407	19.1	2.3

[1] Not processed.

Losses in several other States are as follows:

First. Massachusetts has 29 districts of which 12, or 41.4 percent, would be ineligible.

Second. New York, with 97 districts, would have 60 districts that would completely lose entitlements.

Third. West Virginia would lose 91.5 percent of its entitlement.

Fourth. New Hampshire would lose 9 of 27 districts.

Fifth. Kansas would lose 64 of 178 districts, or 36 percent.

Sixth. Wyoming, with 11 districts now qualifying, would lose 5, or 45.5 percent.

Seventh. Iowa, with 17 districts, would lose 6, or 35.3 percent.

Eighth. Pennsylvania would lose 35.4 percent of entitlements, or about $500,000.

Ninth. North Carolina would lose 40.3 percent of its entitlement, or approximately $125,000.

Losses are severe throughout the Nation. There is no question that the amendment means that the Federal Government is failing to meet its responsibilities to federally impacted communities.

Mr. POLK. Mr. Speaker, I strongly urge passage by the House of the bill S. 3629 to amend Public Law 874 of the 81st Congress, so as to eliminate the 3 percent absorption requirement. While this bill, S. 3629, only postpones the effective date of the 3-percent requirement for 1 year, I strongly urge its passage. It is my firm conviction that the Department of Health, Education, and Welfare made a grave mistake in recommending last year that the 3 percent absorption clause be incorporated in the provisions of Public Law 874, as amended, at that time. I believe the 3 percent absorption idea is not based upon a sound and realistic understanding of the practical application of Public Law 874 as it affects federally impacted areas. Statistics prove that in Ohio the 3 percent absorption provision in last year's amendments to Public Law 874 would cause great hardship to many school districts in federally impacted areas in Ohio. For this reason and because I believe the 3 percent absorption clause is fundamentally unsound, I urge the House to vote favorably on this bill, S. 3629.

In order to explain more fully my reasons for supporting this legislation, I wish to quote briefly from the Senate report on the bill, as follows:

Public Law 874 provides financial assistance for the maintenance and operation of schools in areas affected by Federal activities. As originally enacted this law would have expired on June 30 of this year. Last year, however, the Congress enacted Public Law 248 which extended the original law for an additional 2 years with some modifications.

Public Law 874, 81st Congress, provides for financial aid to local school districts for maintenance and operation of their schools with respect to three categories of federally connected children:

(a) Children who reside on Federal property with a parent employed on Federal property (sec. 3 (a));

(b) Children who reside on Federal property or reside on non-Federal property with a parent employed on Federal property (sec. 3 (b));

(c) Children whose school attendance is attributable to activities of the United States (sec. 4).

(The bill here reported affects only the provisions relating to the (a) and (b) category children.)

Under the provisions of the original law, each local educational agency was, after meeting the eligibility conditions specified therein, entitled to payment of the local share of the per-pupil cost of school maintenance and operation (the local contribution rate) with respect to each federally connected child in category (a) in attendance during the year for which the application is made. In the case of federally connected children in category (b), the payment, if the local agency met the eligibility conditions, was one-half of the local share of the cost. The eligibility conditions under the original law were that the number of federally connected children in the category must number 10 and must also be equal to 3 percent of the total children in attendance at the schools of the applicant during the year for which the application is made.

Under the amendments included in Public Law 248 of this Congress, which became effective July 1, 1954 (a few amendments became effective immediately), the children in the two categories during the preceding year (instead of the year for which the application is made, as under the original law) are to be considered together, with the number in category (a) and one-half the number in category (b) being combined. If this totals 10 or more, the local agency is entitled to the local contribution rate multiplied by the number of (a) children plus one-half the number of (b) children, minus 3 percent of the total number of nonfederally connected children in attendance at the schools of the applicant during the preceding year. The last-mentioned figure is the so-called absorption requirement to which the bill is addressed.

This absorption requirement was among the changes in the original Public Law 874 recommended by the Department of Health, Education, and Welfare, and included in Public Law 248. It was thought that only a small percentage of the applicant school districts would be affected substantially by this change. It now appears that a much larger percentage than was first envisioned will be so affected.

In view of this unforeseen effect of the amendment and the undue hardship it will impose on a number of local school districts, the committee is recommending a suspension of the absorption requirement for an additional year in order to provide an opportunity for further review and consideration of the problem to which this legislation is directed.

ANALYSIS OF THE BILL

The bill would provide that notwithstanding the provisions of section 3 (c) (1) of Public Law 874, as amended—the provisions which include the 3 percent absorption requirement—the amount payable to a local educational agency for the current fiscal year with respect to the number of federally connected children determined under subsection

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(a) or subsection (b) of section 3 of such law (as amended) shall be computed on the same basis as was used during the preceding fiscal year under subsections (a), (b), (c), and (d) of section 3 of the law.

Under the bill the number of eligible children would be determined under subsections (a) and (b) of section 3 of Public Law 874, as amended by Public Law 248. This would include basing eligibility on the number of federally connected children during the preceding fiscal year instead of the current fiscal year.

However, while the number of children used in determining eligibility would be determined under the amended section 3 (a) and (b), the eligibility requirements for aid during the current fiscal year would, under the bill, be those contained in section 3 (d) (1) of the original law; that is, in each category for which aid is requested by the applicant local educational agency there would have to be 10 or more children as well as a number of children equal to 3 percent of the total number of children in average daily attendance at the schools of the applicant during the preceding fiscal year. (It should be noted that somewhat different eligibility and payment provisions apply, as indicated below, to larger school districts.)

Under the bill the amount payable to an applicant would be equal to the number of children in the (a) category in school attendance during the preceding fiscal year multiplied by the local contribution rate (determined under sec. 3 (c) of the original Public Law 874) and the number of children in the (b) category in school attendance during such year multiplied by one-half the local contribution rate.

Other effects of the bill would be:

(1) The 6 percent eligibility requirement and 3 percent absorption requirement with respect to the large school districts which were contained in section 3 (d) (2) of the original law, but eliminated by Public Law 248, would be reinstated for this year.

(2) The authority of the Commissioner of Education under section 3 (d) (1) of the original law to waive the 3 percent eligibility requirement would be reinstated. His authority under the amended law to waive the requirement of 10 children in the category would be suspended along with the 3 percent absorption requirement.

(3) The provisions of subsections (e) and (f) of section 3 of the original law would not be reinstated since these provisions would be inappropriate when the payments are based on the number of federally connected children in the preceding fiscal year, instead of the current fiscal year as under the original Public Law 874.

(4) The local contribution rate would be determined, as under section 3 (c) of the original law, on the basis of expenditures in the second preceding year in the most nearly comparable school districts in the State.

(5) In other respects, the amendments made by Public Law 248, which were to become effective on July 1 of this year, would be permitted to do so. This would include the provisions of the new section 3 (c) (2) which permits additional payments in the case of certain local school districts with very substantial proportions of federally connected children.

PROGRAM OF ASSISTANCE FOR SCHOOL CONSTRUCTION

Mr. McCONNELL. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3628) to amend Public Law 815, 81st Congress, in order to extend for 3 additional years the program of assistance for school construction under title III of that act.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the last sentence of section 301 of the act of September 23, 1950 (Public Law 815, 81st Cong.), as amended, is amended to read as follows: "There are hereby authorized to be appropriated for the fiscal year ending June 30, 1954, and for the four succeeding fiscal years, such sums as the Congress may determine to be necessary for such purpose."

SEC. 2. The first sentence of section 303 of such act is amended by striking out "1954" and inserting in lieu thereof "1957."

SEC. 3. The first sentence of section 304 of such act is amended by striking out "the regular school year 1953–1954" and inserting in lieu thereof "the current school year."

SEC. 4. Section 305 (a) of such act is amended by striking out "the regular school year 1953–1954" and inserting in lieu thereof "the current school year."

SEC. 5. Section 305 (d) of such act is amended (1) by striking out "the regular school year 1953–1954" and inserting in lieu thereof "the current school year" and (2) by striking out "the school years 1951–1952 and 1953–1954" and inserting in lieu thereof "the school year 1951–1952 and the current school year."

SEC. 6. Section 305 of such act is further amended by inserting at the end thereof the following new subsection:

"(f) The determination of any increase in children for the purpose of any application under the provisions of this act shall be made without regard to any increase in children for which payment has been or will be made on the basis of a previous application under the provisions of this act."

SEC. 7. The first sentence of section 310 of such act is amended by inserting after "June 30, 1954" the following: ", June 30, 1955, June 30, 1956, or June 30, 1957."

SEC. 8. Title III of such act is amended by adding at the end thereof the following new section:

"SEC. 312. For the purposes of this title, the term 'current school year' means (1) with respect to an application filed before July 1, 1954, the regular school year 1953–1954; (2) with respect to an application filed after June 30, 1954, and before July 1, 1955, the regular school year 1954–1955; (3) with respect to an application filed after June 30, 1955, and before July 1, 1956, the regular school year 1955–1956; and (4) with respect to an application filed after June 30, 1956, the regular school year 1956–1957."

SEC. 9. Section 209 (e) of such act is amended by striking out "June 30, 1955" and inserting in lieu thereof "June 30, 1958."

Mr. McCONNELL. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. McCONNELL: Strike out all after the enacting clause and insert the following: "That the last sentence of section 301 of the act of September 23, 1950 (Public Law 815, 81st Cong.), as amended, is amended to read as follows: 'There are hereby authorized to be appropriated for the fiscal year ending June 30, 1954, and for the three succeeding fiscal years, such sums as the Congress may determine to be necessary for such purpose'.

"SEC. 2. The first sentence of section 303 of such act is amended by striking out '1954' and inserting in lieu thereof '1956'.

"SEC. 3. The first sentence of section 304 of such act is amended by striking out 'regular school year 1953–54' and inserting in lieu thereof 'regular school year 1955–56'.

"SEC. 4. Section 305 of such act is amended (1) by striking out 'regular school year 1953–54' wherever appearing in such section and inserting in lieu thereof 'regular school year 1955–56'; and (2) by striking out 'regular school year 1951–52' wherever appearing in such section and inserting in lieu thereof 'regular school year 1953–54'.

"SEC. 5. Section 305 (d) of such act is amended by striking out 'school years 1951–52 and 1953–54' and inserting in lieu thereof 'school years 1953–54 and 1955–56'.

"SEC. 6. The first sentence of section 310 of such act is amended by striking out '1954' and inserting in lieu thereof '1956'.

"SEC. 7. Section 209 (e) of such act is amended by striking out '1955' and inserting in lieu thereof '1957'.

"SEC. 8. The amendments made by this act shall not apply with respect to any application filed, or any funds appropriated, before the enactment of this act."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bills S. 3628 and S. 3629.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

AUTHORIZING UNITED STATES TO QUITCLAIM ITS RIGHT TO CERTAIN LANDS IN ARIZONA

Mr. RHODES of Arizona. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3187) to authorize the United States of America to quitclaim all its right, title, and interest in and to certain lands in Arizona, except for mineral interests therein, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That, subject to the reservations set out in section 4 of this act, the United States of America hereby quitclaims all of its right, title, and interest in and to the land described in that certain deed executed by Salt River Valley Water Users' Association, an Arizona corporation, dated May 20, 1941, and recorded May 20, 1941, in the office of the county recorder, Maricopa County, State of Arizona, in book 360 of deeds at page 81, to the persons named as grantees therein or to the persons who succeeded to and now hold the possessory interests conveyed by said deed; and in addition thereto, the United States of America hereby quitclaims to the State of Arizona all its right, title, and interest in and to all that portion of the land lying within the right-of-way of the State highway designated on the plat of Victory Tract as the Apache Trail, said plat being recorded in the office of the county recorder of Maricopa County in book 31 of maps, page 6 thereof.

SEC. 2. Subject to the reservations set out in section 4 of this act, the United States of America hereby quitclaims all of its right, title, and interest in and to the lands described in those certain instruments executed by Salt River Valley Water Users' Association, an Arizona corporation, and recorded in the office of the county recorder,

Maricopa County, State of Arizona, as follows:

Deed dated June 1, 1931, and recorded June 19, 1931, in book 257 of deeds at page 182;

Deed dated January 24, 1935, and recorded August 17, 1935, in book 294 of deeds at page 159;

Deed dated April 9, 1934, and recorded April 16, 1945, in book 432 of deeds at pages 289 and 290;

Deed dated October 13, 1947, also executed by Salt River Project Agricultural Improvement and Power District, a municipal corporation of Arizona, and recorded December 17, 1947, in docket 105 at pages 67 and 68;

Deed dated July 5, 1930, and recorded January 28, 1931, in book 250 of deeds at page 510;

Deed dated January 20, 1939, and recorded June 22, 1939, in book 334 of deeds at pages 243 and 244 subject to the rights-of-way, reservations and covenants as set forth in said deed;

Deed dated August 1, 1927, and recorded April 12, 1928, in book 220 of deeds at page 161;

Deed dated April 16, 1930, and recorded May 10, 1930, in book 247 of deeds at pages 17 and 18;

Deed dated January 10, 1935, and recorded February 13, 1935, in book 289 of deeds at pages 95 and 96;

Deed dated September 24, 1930, and recorded October 4, 1930, in book 248 of deeds at pages 378 and 379;

Deed dated March 19, 1928, and recorded May 4, 1928, in book 220 of deeds at pages 364 and 365;

Deed dated April 6, 1953, also executed by said Salt River Project Agricultural Improvement and Power District, and recorded April 15, 1953, in docket 1117 at page 174;

Deed dated December 2, 1929, and recorded June 20, 1930, in book 247 of deeds at pages 352 and 353;

Deed dated October 30, 1953, also executed by said Salt River Project Agricultural Improvement and Power District, and recorded November 17, 1953, in docket 1234 at pages 166 and 167;

Deed dated April 6, 1953, also executed by said Salt River Project Agricultural Improvement and Power District, and recorded April 17, 1953, in docket 1119 at pages 70, 71, and 72;

Deed dated November 3, 1952, and recorded November 5, 1952, in docket 1019 at pages 491 and 492;

Deed dated November 13, 1953, and recorded November 17, 1953, in docket 1234 at pages 170 and 171;

General release of easement dated May 2, 1932, and recorded May 2, 1932, in book 45 of miscellaneous at page 500;

Deed dated November 13, 1953, and recorded November 17, 1953, in docket 1234 at pages 160 and 161;

Deed dated October 5, 1936, and recorded October 19, 1953, in docket 1219 at pages 513 and 514;

Deed dated November 16, 1953, also executed by said Salt River Project Agricultural Improvement and Power District, and recorded November 17, 1953, in docket 1234 at pages 162 and 163;

Deed dated May 5, 1938, and recorded May 11, 1938, in book 321 of deeds at page 486;

Deed dated November 13, 1953, and recorded November 17, 1953, in docket 1234 at pages 168 and 169;

Deed dated July 18, 1923, and recorded August 18, 1923, in book 177 of deeds at pages 447 and 448, as well as in deed from Arthur D. Neuhard to the United States of America, dated December 13, 1922, and recorded December 14, 1922, in book 171 of deeds at pages 298 and 299;

Deed dated July 18, 1931, and recorded August 8, 1931, in book 257 of deeds at pages 510 and 511; and

Deed dated November 3, 1953, and recorded November 17, 1953, in docket 1234 at pages 164 and 165, subject to the rights-of-way set forth in said deed;

to the persons named as grantees or releasee therein or, if such persons no longer hold the possessory interests conveyed by said deeds or released by said general release of easement, then to the persons who succeeded to and now hold such possessory interests.

SEC. 3. Subject to the reservation set out in section 4 of this act, the United States of America hereby quitclaims to the abutting property owners of record on either side of the rights-of-way of the hereinafter described canals to the center lines thereof all of its right, title, and interest in and to the following described property:

All that certain canal right-of-way known as the Maricopa Canal, which takes its head out of the Salt River jointly with that of the Salt River Valley Canal on the north side thereof in section 8, township 1 north, range 4 east, Gila and Salt River base and meridian, and running thence in a northwesterly direction to its terminus in section 27, township 2 north, range 1 east, Gila and Salt River base and meridian, Maricopa County, Arizona, except those portions of said right-of-way through, over, and across the following lands:

North half of the south half section 8, township 1 north, range 4 east.

North half of the south half section 7, township 1 north, range 4 east.

North half of the south half section 12, township 1 north, range 3 east.

Southwest quarter section 1, township 1 north, range 3 east.

Southeast quarter section 2, township 1 north, range 3 east.

Southwest quarter section 25, township 2 north, range 2 east.

Northwest quarter of the northwest quarter of section 36, township 2 north, range 2 east.

North half of the north half of section 34, township 2 north, range 2 east.

Northwest quarter of the northwest quarter of the northeast quarter of section 33, township 2 north, range 2 east.

All that certain canal right-of-way known as the Salt River Valley Canal, which takes its head out of the Salt River jointly with that of the Maricopa Canal, on the north side of said river, in section 8, township 1 north, range 4 east, Gila and Salt River base and meridian, and running thence in a westerly direction to its terminus in section 12, township 1 north, range 1 west, Maricopa County, Ariz., except those portions of said right-of-way through, over, and across the following lands:

North half of the south half of section 8, township 1 north, range 4 east.

North half of the south half of section 7, township 1 north, range 4 east.

North half of the south half of section 12, township 1 north, range 3 east.

North half of the northwest quarter of section 12, township 1 north, range 2 east.

North half of the north half of section 11, township 1 north, range 2 east.

North half of the north half of section 10, township 1 north, range 2 east.

North half of the north half of section 9, township 1 north, range 2 east.

North half of the north half of section 8, township 1 north, range 2 east.

North half of the north half of section 7, township 1 north, range 2 east.

North half of the north half of section 12, township 1 north, range 1 east.

North half of the north half of section 11, township 1 north, range 1 east.

North half of the northeast quarter of the northeast quarter of section 10, township 1 north, range 1 east.

Northwest quarter of the northeast quarter of section 10, township 1 north, range 1 east.

North half of the north half of section 9, township 1 north, range 1 east.

Northeast quarter of the northwest quarter of section 8, township 1 north, range 1 east.

North half of the north half of section 7, township 1 north, range 1 east.

North half of the northeast quarter of section 12, township 1 north, range 1 west.

SEC. 4. With respect to all of the lands quitclaimed by this act, all minerals are hereby reserved to the United States, together with the right of the United States, its lessees, permittees, and licensees to enter upon the land to prospect for, drill for, mine, treat, store, transport, and remove such minerals and to use so much of the surface and subsurface as may be reasonably necessary for the foregoing purposes.

SEC. 5. For the purposes of this act, the deeds from the Salt River Valley Water Users' Association referred to in sections 1 and 2 of this act shall be deemed, insofar as the United States is concerned, to have created possessory interests in the grantees therein named, and the general release of easement referred to in section 2 of this act shall be deemed, insofar as the United States is concerned, to have released possessory interests to the release therein named.

SEC. 6. Nothing contained in this act shall be deemed to create or recognize any obligation or liability whatsoever on the part of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING THE DISTRICT OF COLUMBIA UNEMPLOYMENT COMPENSATION ACT

Mr. TALLE. Mr. Speaker, I call up the conference report on the bill (S. 3482) to amend the District of Columbia Unemployment Compensation Act, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2657)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3482) to amend the District of Columbia Unemployment Compensation Act, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

"That the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 946), as amended (title 46, ch. 3, D. C. Code, 1951 edition), is further amended as follows:

"Section 1 (b) (2) (B) is amended by adding at the end thereof the following:

" 'Service shall be deemed to be localized within a State if—

" '(i) the service is performed entirely within such State; or

" '(ii) the service is performed both within and without such State, but the service performed without such State is incidental to the individual's service within the State, for

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example, is temporary or transitory in nature or consists of isolated transactions.'

"Section 1 (b) (4) is amended to read as follows:

"'(4) Notwithstanding any other provisions of this subsection, the term employment shall also include all service performed after the effective date of this amendment by an officer or member of the crew of an American vessel on or in connection with such vessel, provided that the operating office, from which the operations of such vessel operating on navigable waters within or within and without the United States are ordinarily and regularly supervised, managed, directed, and controlled, is within the District.'

"Section 1 (b) (5) is amended by adding at the end thereof the following subsections:

"'(Q) service performed on or in connection with a vessel not an American vessel by an individual if he performed service on and in connection with such vessel when outside the United States;

"'(R) service performed by an individual in (or as an officer or member of the crew of a vessel while it is engaged in) the catching, taking, harvesting, cultivating, or farming of any kind of fish, shellfish, crustacea, sponges, seaweeds, or other aquatic forms of animal and vegetable life (including service performed by any such individual as an ordinary incident to any such activity), except (A) service performed in connection with the catching or taking of salmon or halibut, for commercial purposes, and (B) service performed on or in connection with a vessel of more than ten net tons (determined in the manner provided for determining the register tonnage of merchant vessels under the laws of the United States).'

"Section 1 (b) is amended by adding at the end thereof the following subsections:

"'(7) Notwithstanding any of the provisions of subsection 1 (b) (5) of this Act, services shall be deemed to be in employment if with respect to such services a tax is required to be paid under any Federal law imposing a tax against which credit may be taken for contributions required to be paid into a State unemployment compensation fund.

"'(8) (i) Any service performed for an employing unit, which is excluded under the definition of employment in section 1 (b) (5) and with respect to which no payments are required under the employment security law of another State or of the Federal Government may be deemed to constitute employment for all purposes of this Act: *Provided*, That the Board has approved a written election to that effect filed by the employing unit for which the service is performed, as of the date stated in such approval. No election shall be approved by the Board unless it (A) includes all the service of the type specified in each establishment or place of business for which the election is made, and (B) is made for not less than two calendar years.

"'(ii) Any service which, because of an election by an employing unit under section 1 (b) (8) (i), is employment subject to this Act shall cease to be employment subject to the Act as of January 1 of any calendar year subsequent to the two calendar years of the election, only if not later than March 15 of such year, either such employing unit has filed with the Board a written notice to that effect, or the Board on its own motion has given notice of termination of such coverage.'

"Section 1 (c) is amended by repealing subsection (1) and renumbering subsection (2) to be subsection (1) and subsection (3) to be subsection (2) and subsection (4) to be subsection (3).

"Section 1 (h) is amended to read as follows:

"'(h) "Benefit year" with respect to any individual means the fifty-two consecutive-week period beginning with the first day of the first week with respect to which the individual first files a valid claim for benefits, and thereafter the fifty-two consecutive-week period beginning with the first day of the first week with respect to which the individual next files a valid claim for benefits after the termination of his last preceding benefit year. Any claim for benefits made in accordance with section 11 of this Act shall be deemed to be a "valid claim" for the purposes of this subsection if the individual has during his base period been paid wages for employment by employers as required by the provisions of section 7 of the Act.'

"Section 1 (m) is amended to read as follows:

"'(m) "Employment office" means a free public employment office or branch thereof operated by this or any other State as a part of a State-controlled system of public employment offices or by a Federal agency or any agency of a foreign government charged with the administration of an unemployment-insurance program or free public employment offices.'

"Section 1 is amended by adding at the end thereof the following subsections:

"'(t) The term "American vessel" means any vessel documented or numbered under the laws of the United States; and includes any vessel which is neither documented or numbered under the laws of the United States nor documented under the laws of any foreign country, if its crew performs service solely for one or more citizens or residents of the United States or corporations organized under the laws of the United States or of any State.

"'(u) The term "principal base period employer" means the employer that paid a claimant the greatest amount of wages used in the computation of his claim. In the event two or more employers paid the claimant identical amounts, the employer in such group for whom the claimant most recently worked shall be the principal base period employer.'

"Section 3 (c) (1) is amended by adding at the end thereof the following:

"'Each year the Board shall credit to each of such accounts having a positive reserve on the computation date, the interest earned by such accounts from the Federal Government. This shall be done by averaging the interest rate paid for the four quarters ending on the computation date and crediting to each such account the amount which the reserve on such computation date would earn at such average rate of interest.'

"Section 3 (c) (2) is amended by adding at the end thereof the following:

"'The principal base period employer shall be notified of each payment of benefits to a claimant at the time of such payment.'

"Section 3 (c) (7) (a) is amended to read as follows:

"'(a) If 25 per centum or more of the business of any employer is transferred, the transferee shall be determined a successor for the purposes of this section.

"'(i) If the Board is unable to get information upon which to determine whether or not 25 per centum of the business has been transferred, it may, in its discretion, make such determination based upon the quarterly payrolls of the employers involved for the last complete calendar quarter prior to the transfer and the first complete calendar quarter after such transfer.

"'(ii) In the event of a transfer of 25 per centum or more of the assets of a covered employer's business by any means whatever, otherwise than in the ordinary course of trade, such transfer shall be deemed a transfer of business and shall constitute the transferee a successor hereunder, unless the Board, on its own motion or on application of an interested party, finds that all of the following conditions exist:

"'(1) The transferee has not assumed any of the transferor's obligations;

"'(2) The transferee has not continued or resumed transferor's goodwill;

"'(3) The transferee has not continued or resumed the business of the transferor, either in the same establishment or elsewhere; and

"'(4) The transferee has not employed substantially the same employees as those the transferor had employed in connection with the assets transferred.'

"Section 3 (c) (7) (c) is amended to read as follows:

"'(c) The successor shall take over and continue the employer's account, including its reserve and all other aspects of its experience under this section, in proportion to the payroll assignable to the transferred business as determined for the purposes of this section by the Board. However, his successor shall take over only the reserve actually credited to the account of the transferor or for which the transferor has filed a claim with the Board at the date of transfer. The successor shall be secondarily liable for any amounts owed by the employer to the fund at the time of such transfer; but such liability shall be proportioned to the extent of the transfer of business and shall not exceed the value of the assets transferred.'

"Section 3 (c) (7) (d) is amended to read as follows:

"'(d) The benefit chargeability of a successor's account under section 3 (c), if not accrued before the transfer date, shall begin to accrue on the transfer date in case the transferor's benefit chargeability was then accruing; or shall begin to accrue on the date otherwise applicable to the successor, or on the date otherwise applicable to the transferor, whichever is earlier, in case the transferor's benefit chargeability was not accruing on the transfer date. Similarly, benefits from a successor's account, if not chargeable before the transfer date, shall become chargeable on the transfer date, in case the transferor was then chargeable for benefit payments; or shall become chargeable on the date otherwise applicable to the successor or on the date otherwise applicable to the transferor, whichever is earlier, in case the transferor was chargeable for benefit payments on the transfer date.'

"Section 3 (c) (7) (f) is amended to read as follows:

"'(f) Notwithstanding any other provisions of this section, if the successor employer was an employer subject to this Act prior to the date of transfer, his rate of contributions the remainder of the calendar year shall be his rate with respect to the period immediately preceding his date of acquisition. If the successor was not an employer prior to the date of transfer, his rate shall be the rate applicable to the transferor or transferors with respect to the period immediately preceding the date of transfer: *Provided*, That there was only one transferor or there were only transferors with identical rates; if the transferor rates were not identical, the successor's rate shall be the highest rate applicable to any of the transferors with respect to the period immediately preceding the date of transfer. The rate of the transferor, if still subject to the Act, will not be redetermined and shall remain the rate with respect to the period immediately preceding the date of transfer.

"'For future years, for the purposes of section 3 (c), the Board shall determine the "experience under this section" of the successor employer's account and of the transferring employer's account by allocating to the successor employer's account for each period in question the respective proportions of the transferring employer's payroll, contributions, and the benefit charges which

the Board determines to be properly assignable to the business transferred.'

"Section 3 (c) (7) (g) is hereby repealed.

"Section 3 (c) (8) (i) is amended to read as follows:

"'(i) If as of the computation date the total of all contributions credited to any employer's account, with respect to employment since May 31, 1939, is in excess of the total benefits paid after June 30, 1939, then chargeable or charged to his account, such excess shall be known as the employer's reserve, and his contribution rate for the ensuing calendar year or part thereof shall be—

"'(A) 2.7 per centum if such reserve is less than 0.9 per centum of his average annual payroll;

"'(B) 2 per centum if such reserve equals or exceeds 0.9 per centum but is less than 1.4 per centum of his average annual payroll;

"'(C) 1.5 per centum if such reserve equals or exceeds 1.4 per centum but is less than 1.9 per centum of his average annual payroll;

"'(D) 1 per centum if such reserve equals or exceeds 1.9 per centum but is less than 2.9 per centum of his average annual payroll;

"'(E) 0.5 per centum if such reserve equals or exceeds 2.9 per centum but is less than 3.4 per centum of his average annual payroll;

"'(F) 0.1 per centum if such reserve equals or exceeds 3.4 per centum of his average annual payroll.'

"Section 3 (c) (10) is amended by substituting the word 'thirty' for the word 'fifteen' in the second and seventh sentences thereof.

"Section 3 is amended by adding at the end thereof the following new subsections:

"'(e) From December 31, 1939, to January 1, 1955, wages, for the purpose of section 3, shall not include any amount in excess of $3,000 paid by an employer to any person arising out of his or her employment during any calendar year. After December 31, 1954, wages shall not include any amount in excess of $3,000 (or in excess of the limitation on the amount of taxable wages fixed by the Federal Unemployment Tax Act (26 U. S. C. 1600, 1607), whichever is greater) actually paid by an employer to any person during any calendar year. After December 31, 1954, the term "employment" for the purpose of this subsection shall include services constituting employment under any employment security law of another State or of the Federal Government.

"'(f) In the event the District of Columbia should elect to cover employees under this Act under the provisions of section 1 (b) (8) (i) in lieu of contributions required of employers under this Act, the District of Columbia shall pay into the fund an amount equivalent to the amount of benefits paid to individuals based on wages paid by the District. If benefits paid an individual are based on wages paid by both the District of Columbia and one or more other employers, the amount payable by the District to the fund shall bear the same ratio to total benefits paid to the individual as the base-period wages paid to the individual by the District of Columbia bears to the total amount of the base-period wages paid to the individual by all of his base-period employers.

"'The amount of payment required under this section shall be ascertained by the Board quarterly and shall be paid from the general funds of the District at such time and in such manner as the Commissioners of the District of Columbia may prescribe except that to the extent that benefits are paid on wages paid by the District from special administrative funds, the payment by the District into the unemployment fund shall be made from such special funds.

"'(g) Contributions due under this Act with respect to wages for insured work shall, for the purpose of this section, be deemed to have been paid to the fund as of the date payment was made as contributions therefor under another State or Federal employment security law if payment into the fund of such contributions is made on such terms as the director finds will be fair and reasonable as to all affected interests. Payments to the fund under this subsection shall be deemed to be contributions for purposes of section 3.'

"Section 4 (c) is amended to read as follows:

"'(c) (1) If contributions are not paid when due, there shall be added, as part of the contributions, interest at the rate of one-half of 1 per centum per month or fraction thereof from the date the contributions became due until paid.

"'(2) If contributions or wage reports are not filed when due or contributions are not paid when due, there shall be added as part of the contributions a penalty of 10 per centum of the contributions, but such penalty shall not be less than $5 nor more than $25 and for good cause such penalty may be waived by the Board with the approval of the Commissioners of the District of Columbia.'

"Section 4 (d) is amended to read as follows:

"'(d) In the event of the death, dissolution, insolvency, receivership, bankruptcy, composition, or assignment for benefit of creditors of any employer, contributions then or thereafter due from such employer under this section shall have priority over all other claims, except taxes due the United States or the District, and wages (not exceeding $600 with respect to any individual) due for services performed within the three months preceding such event.'

"Section 4 (j) is amended by substituting the following:

"'(j) The Board in its discretion, whenever it may deem it administratively advisable, may charge off of its books any unpaid account due the Board or any credit due an employer who has been out of business for a period of more than three years. Whenever an account is charged off by the Board, there shall be placed in the minutes of the Board a reason for such action.'

"Section 4 (l) is amended by adding at the end thereof the following:

"'There is hereby established in the Treasury of the United States a special escrow account into which the Board shall deposit all funds received in connection with an offer of compromise. Such funds shall be kept in such escrow account until final action is had upon the offer of compromise and shall not be subject to offset for any indebtedness whatsoever. In the event the compromise is approved, the funds shall be transferred to the District Unemployment Compensation Fund. In the event the compromise is disapproved, the funds shall be immediately returned to the individual who made the offer of compromise.'

"Section 7 is amended to read as follows:

"'AMOUNT AND DURATION OF BENEFITS

"'SEC. 7. (a) On and after January 1, 1938, benefits shall become payable from the benefit account of the District unemployment fund. All benefits shall be paid through employment offices, in accordance with such regulations as the Board may prescribe.

"'(b) Except as provided in section 7 (c), an individual's weekly benefit amount shall be the amount in column (B) of the table in this subsection on the line on which, in column (A), there appears his total wages for employment paid to such individual by employers during that quarter of his base period in which such wages were the highest.

"'*Table A*

"'High-quarter wages (col. A)	Basic weekly benefit (col. B)	Minimum qualifying wages (col. C)
$130.00 to $184	$8	$276
$184.01 to $207	9	310
$207.01 to $230	10	345
$230.01 to $253	11	379
$253.01 to $276	12	414
$276.01 to $299	13	448
$299.01 to $322	14	483
$322.01 to $345	15	517
$345.01 to $368	16	552
$368.01 to $391	17	586
$391.01 to $414	18	621
$414.01 to $437	19	655
$437.01 to $460	20	690
$460.01 to $483	21	724
$483.01 to $506	22	759
$506.01 to $529	23	793
$529.01 to $552	24	828
$552.01 to $575	25	862
$575.01 to $598	26	897
$598.01 to $621	27	931
$621.01 to $644	28	966
$644.01 to $667	29	1,000
$667.01 and over	30	1,035

"'(c) To qualify for benefits an individual must have been paid wages for employment in his base period totaling not less than the amount in column (C) of the table in section 7 (b) on the line on which, in column (B), there appears his weekly benefit amount, and such wages must have been in at least two calendar quarters in his base period: *Provided*, That if an individual during his base period has not been paid such an amount, but has been paid wages in more than one calendar quarter totaling not less than the amount appearing on one of the lines in column (C) above, he can qualify for benefits and his weekly benefit amount shall be the amount appearing in column (B) on the line for which the individual qualifies for benefits in column (C).

"'(d) Any otherwise eligible individual shall be entitled during any benefit year to a total amount of benefits equal to twenty-six times his weekly benefit amount or thirty-three and one-third per centum of the wages for employment paid to such individual by employers during his base period, whichever is the lesser: *Provided*, That such total amount of benefits, if not a multiple of $1, shall be computed to the next higher multiple of $1.

"'(e) Any individual who is unemployed in any week as defined in section 1 (e) and who meets the conditions of eligibility for benefits of section 9 and is not disqualified under the provisions of section 10 shall be paid with respect to such week an amount equal to his weekly benefit amount, less the earnings (if any) payable to him with respect to such week. For the purpose of this subsection, the term "earnings" shall include only that part of the remuneration payable to him for such week which is in excess of 40 per centum of his weekly benefit amount for any week. Such benefits, if not a multiple of $1, shall be computed to the next higher multiple of $1.'

"'(f) Dependent's allowance: In addition to the benefits payable under the foregoing subsections of this section, each eligible individual who is unemployed in any week shall be paid with respect to such week $1 for each dependent relative, but not more than $3 shall be paid to an individual as dependent's allowance with respect to any one week of unemployment nor shall any weekly benefit which includes a dependent's allowance be paid in the amount of more than $30. An individual's number of dependents shall be determined as of the day with respect to which he first files a valid claim for benefits in any benefit year, and shall be fixed for the duration of such benefit year. The dependent's allowance is not

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to be taken into consideration in calculating the claimant's total amount of benefits in subsection (d) of this section.'

"Section 10 (a) is amended to read as follows:

"'(a) An individual who has left his most recent work voluntarily without good cause, as determined by the Board under regulations prescribed by it, shall not be eligible for benefits with respect to the week in which such leaving occurred and with respect to not less than four nor more than nine consecutive weeks of unemployment which immediately follow such week, as determined by the Board in such case according to the seriousness of the case. In addition such individual's total benefit amount shall be reduced in a sum equal to the number of weeks of disqualification multiplied by the weekly benefit amount.'

"Section 10 (b) is amended to read as follows:

"'(b) An individual who has been discharged for misconduct occurring in the course of his most recent work proved to the satisfaction of the Board shall not be eligible for benefits with respect to the week in which such discharge occurred and for not less than four nor more than nine weeks of consecutive unemployment immediately following such week, as determined by the Board in such case according to the seriousness of the misconduct. In addition such individual's total benefit amount shall be reduced in a sum equal to the number of weeks of disqualification multiplied by his weekly benefit amount.'

"Section 10 (c) is amended to read as follows:

"'(c) If an individual otherwise eligible for benefits fails, without good cause as determined by the Board under regulations prescribed by it, either to apply for new work found by the Board to be suitable when notified by any employment office or to accept any suitable work when offered to him by any employment office, his union hiring hall, or any employer direct, he shall not be eligible for benefits with respect to the week in which such failure occurred and with respect to not less than four nor more than nine consecutive weeks of unemployment which immediately follow such week, as determined by the Board in such case according to the seriousness of the refusal. In addition such individual's total benefit amount shall be reduced in a sum equal to the number of weeks of disqualification multiplied by the weekly benefit amount. In determining whether or not work is suitable within the meaning of this subsection the Board shall consider (1) the physical fitness and prior training, experience and earnings of the individual, (2) the distance of the place of work from the individual's place of residence, and (3) the risk involved as to health, safety, or morals.'

"Section 10 (f) is amended to read as follows:

"'(f) An individual shall not be eligible for benefits with respect to any week if it has been found by the Board that such individual is unemployed in such week as a direct result of a labor dispute still in active progress in the establishment where he is or was last employed: *Provided*, That this subsection shall not apply if it is shown to the satisfaction of the Board that—

"'(1) he is not participating in or directly interested in the labor dispute which caused his unemployment; and

"'(2) he does not belong to a grade or class of workers of which, immediately before the commencement of the dispute, there were members employed at the premises at which the dispute occurs, any of whom are participating in or directly interested in the dispute: *Provided*, That if in any case separate branches of work which are commonly conducted as separate businesses in separate premises are conducted in separate departments of the same premises, each such department shall, for the purposes of this subsection, be deemed to be a separate factory, establishment, or other premises.'

"Section 10 is amended by adding at the end thereof the following subsection:

"'(h) An individual shall not be eligible for benefits for any week within the six weeks prior to the expected date of such individual's childbirth and within the six weeks after the date of such childbirth. In determining the expected date of childbirth the Board in its discretion may rely solely upon a doctor's certificate.'

"Section 13 (c) is amended to read as follows:

"'(c) The Board shall each year, not later than May 1, submit to Congress a report covering the administration and operation of this Act during the preceding calendar year, and containing such recommendations as the Board wishes to make.'

"Section 14 is amended to read as follows:

"'SEC. 14. All moneys received by the Board from the United States under title III of the Social Security Act or from other sources for administering this Act shall, immediately upon such receipt, be deposited in the Treasury of the United States as a special deposit to be used solely to pay such administrative expenses (including expenditures for rent, for suitable office space in the District of Columbia, and for lawbooks, books of reference, and periodicals), traveling expenses when authorized by the Board, premiums on the bonds of its employees, and allowances to investigators for furnishing privately owned motor vehicles in the performance of official duties at rates not to exceed $40 per month. All such payments of expenses shall be made by checks drawn by the Board and shall be subject to audit by the Commissioners of the District of Columbia in the same manner as are payments of other expenses of the District. Notwithstanding the provisions of this section and the provisions of sections 2 and 8 of this Act, the Board is authorized to requisition and receive from its account in the Unemployment Trust Fund in the Treasury of the United States of America, in the manner permitted by Federal law, such moneys standing to the District's credit in such fund, as are permitted by Federal law to be used for expenses incurred by the Board for the administration of this Act and to expend such moneys for such purposes. Moneys so received shall, immediately upon such receipt, be deposited in the Treasury of the United States in the same special account as are all other moneys received for the administration of this Act. All moneys received by the Board pursuant to section 302 of the Social Security Act shall be expended solely for the purposes and in the amounts found necessary by the Department of Labor for the proper and efficient administration of this Act. In lieu of incorporation in this Act of the provision described in section 303 (a) (9) of the Social Security Act, the Board shall include in its annual report to Congress, provided in section 13 (c) of this Act, a report of any moneys received after July 1, 1941, from the Department of Labor under title III of the Social Security Act, and any unencumbered balances in the unemployment compensation administration fund as of that date, which the Department of Labor finds have, because of any action or contingency, been lost or have been expended for purposes other than, or in amounts in excess of, those found necessary by the Department of Labor for the proper administration of this Act.'

"Section 15 (c) is amended to read as follows:

"'(c) The Commissioners of the District shall serve on the Board without additional compensation, but the representatives of employees and employers, respectively, shall be paid $25 for each day of active service. For the purposes of this subsection, a part of a day shall be construed as an entire day.'

"Section 19 (a) is amended to read as follows:

"'(a) Whoever makes a false statement or representation knowing it to be false, or knowingly fails to disclose a material fact, to obtain or increase any benefit or other payment provided for in this Act or under an employment security law of any other State, of the Federal Government, or a foreign government for himself or any other individual, shall, for each such offense, be fined not more than $100 or imprisoned not more than sixty days, or both.'

"Section 19 is amended by adding at the end thereof the following subsection:

"'(e) Any person who the Board finds has made a false statement or representation knowing it to be false, or who knowingly fails to disclose a material fact, to obtain or increase any benefit or any other payment under this Act may be required by the Board to repay to it for the fund a sum equal to the amount of all benefits received by him for weeks subsequent to the date of the offense and falling within the benefit year current at the time of the offense. Such claimant may also be disqualified for benefits for all or part of the remainder of such benefit year and for a period of not more than one year commencing with the end of such benefit year and thereafter while any sum payable to the Board for the fund under this subsection is still due and unpaid, unless the Board in its discretion shall decide, after the disqualification imposed has been served, to allow the claimant to file a claim for benefits and recoup from such benefits the amount still payable to the Board.

"'All findings under this subsection shall be made by an appeals tribunal of the Board which shall afford the claimant a reasonable opportunity for a fair hearing in accordance with the provisions of section 11 of this Act and such findings shall be subject to review in the same manner as all other disqualifications decided by an appeals tribunal of the Board.'

"There shall be added after section 26 the following:

"'SEC. 27. (a) Wherever this Act prescribes the performance of a duty by any official or agency of the District of Columbia, such duty shall be performed by the Commissioners of the District of Columbia or such officer, employee, or agency as the Commissioners may delegate to perform the duty for them.

"'(b) Where any provision of this Act, or any amendment made by this Act, refers to an office or agency abolished by or under the authority of Reorganization Plan Numbered 5 of 1952, such reference shall be deemed to be to the office, agency, or officer exercising the functions of the office or agency so abolished.'

"TRANSITION PROVISIONS

"SEC. 2. (a) As used in this section, unless the context clearly requires otherwise—

"(1) 'old law' means the unemployment compensation law prior to its amendment by this Act;

"(2) 'new law' means the unemployment compensation law as amended by this Act; and

"(3) 'effective date' means the date upon which the new law becomes effective.

"(b) The benefit rights of any individual having a benefit year current on or after the

effective date shall be redetermined and benefits for calendar weeks ending subsequent to the effective date shall be paid in accordance with the new law: *Provided*, That no claimant shall have his benefits reduced or denied by redetermination resulting from the application of this provision. All initial and continued claims for benefits for weeks occurring within a benefit year which commences on or after the effective date shall be computed and paid in accordance with the new law.

"EFFECTIVE DATE

"SEC. 3. This Act shall take effect on January 1, 1955."

And the House agree to the same.

HENRY O. TALLE,
CARROLL D. KEARNS,
OLIN E. TEAGUE,
Managers on the Part of the House.

J. GLENN BEALL,
FREDERICK G. PAYNE,
MIKE MANSFIELD,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3482) to amend the District of Columbia Unemployment Compensation Act, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House amendment struck out all of the Senate bill after the enacting clause and inserting new provisions which differ in some particulars from the Senate bill.

Except for differences discussed below in detail, and minor clerical and technical differences, the conference substitute adopts the provisions of the House amendment.

Under the existing District of Columbia Unemployment Compensation Act an individual, otherwise eligible for benefits under the act, is entitled during any benefit year to a total amount of benefits equal to 20 times his weekly benefit amount or one-half the wages for employment paid him during his base period, whichever is the lesser.

Under the Senate bill the individual would have been entitled to 26 times his weekly benefit amount or 38 percent of his wages for employment paid him during his base period, whichever is the lesser. The House amendment changed the figure to 22 times the weekly benefit amount.

The conference substitute provides that the total amount of benefits shall be equal to 26 times the weekly benefit amount or 33⅓ percent of the wages for the base period, whichever is the lesser.

The Senate bill contained a provision relating to payment of benefits during labor disputes which was the same as existing law except that where the existing law, in giving examples of types of labor disputes, says "such as a strike, lockout, or jurisdictional labor dispute" the Senate bill said only "such as a strike or jurisdictional labor dispute." The House amendment left this provision of existing law untouched.

The conference substitute would amend existing law by striking out all of the matter quoted above.

HENRY O. TALLE,
CARROLL D. KEARNS,
OLIN E. TEAGUE,
Managers on the Part of the House.

The conference report was agreed to, and a motion to reconsider was laid on the table.

CONVENING DATE OF 84TH CONGRESS

Mr. HALLECK. Mr. Speaker, I offer a joint resolution (H. J. Res. 585) and ask unanimous consent for its immediate consideration.

The Clerk read the joint resolution, as follows:

Resolved, etc., That the 84th Congress shall assemble at noon on Wednesday, January 5, 1955.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

Mr. RAYBURN. Mr. Speaker, reserving the right to object, and, of course, I shall not object, if the date was put over until the next day, that is, the 6th of January, it would be a much more important date, but I will not object to the 5th of January.

Mr. HALLECK. Of course, we all realize that the 6th of January is the birthday of the gentleman from Texas, and we will all be here to help him celebrate.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING CONSIDERATION OF CONFERENCE REPORTS

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that it may be in order for the House to consider conference reports at any time during this week, notwithstanding the provisions of clause 2 of rule XXVIII.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

S. H. PRATHER ET AL.

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 9357) for the relief of S. H. Prather, Mrs. Florence Prather Penman, S. H. Prather, Jr., with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the Senate amendment, as follows:

Page 2, lines 22 and 23, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

M. M. HESS

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 7762) for the relief of M. M. Hess, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the Senate amendment, as follows:

Line 8, strike out all after "claim" down to and including "$1,000" in line 16 and insert:

"SEC. 2. No part of any credit or refund that may be allowed by reason of the enactment of this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with obtaining such credit or refund, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

AUTHORIZING AND DIRECTING INVESTIGATION BY ATTORNEY GENERAL INTO CERTAIN OFFENSES

Mr. GRAHAM. Mr. Speaker, I ask unanimoust consent to take from the Speaker's desk the bill (S. 2308) to authorize and direct the investigation by the Attorney General of certain offenses, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. CELLER. Mr. Speaker, reserving the right to object, may we have an explanation of this bill?

Mr. GRAHAM. Mr. Speaker, this bill gives the FBI concurrent jurisdiction over violations of title 18 of the United States Code by Government officers and employees with other governmental agencies. It was thoroughly discussed and was passed by the Committee on the Judiciary and is now offered for the consideration of the House.

Mr. CELLER. Do I understand the gentleman from Pennsylvania to say that the Post Office is included in the departments which may be investigated by the FBI? Is not the gentleman mistaken about that? Was not the Post Office excluded from the operation of the act?

Mr. KEATING. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield.

Mr. KEATING. There is a provision written in in the form of an amendment that this bill shall not limit in any way the primary authority of the Postmaster General to investigate postal offenses, but it does permit the FBI to, one might say, parallel the action of the Postmaster General in his own department.

Mr. CELLER. That language is very vague: And is there not also an exception with reference to the Department of Defense?

Mr. KEATING. Yes, there is a provision with reference to the Department of Defense that this bill shall not, in any way, interfere with the jurisdiction which the Department of Defense has under the Uniform Code of Military

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Justice. That is with reference to Army personnel, for instance. They would not want the FBI to handle investigations with reference to them, so long as they were being prosecuted under the regular Code of Military Justice.

Mr. CELLER. Does that mean the Department of Defense could determine for itself what should be their exclusive jurisdiction, and thereby exclude the FBI from operating in the Department of Defense? You see, this bill is replete with considerable ambiguity. I wonder whether or not a bill of this character, so sweeping, should be considered by unanimous consent. This gives the FBI inordinate powers to go into any branch of the Government. While I am of the opinion in general that the FBI should have the right to ferret out crime wherever it exists, heretofore it never has had such power. It never had such power because each department was jealous of its prerogatives and did not want the FBI or Department of Justice poaching on its preserves. The various departments, presided over by Cabinet officials, can now make their own investigations. Here you have the Department of Justice given carte blanche to go into any department of the Government. You have the Postmaster General coming in to the Judiciary Committee and complaining about that widespread jurisdiction. He says he should be exempt. The Department of Defense say they should be exempt. What about the other branches of Government?

Mr. GRAHAM. The committee amendments take care of what the gentleman is discussing. It does not disturb the jurisdiction of these various departments. The FBI, after they have finished their investigations, can step in.

Mr. CELLER. I beg to differ with the gentleman. I feel the interpretation placed upon the words by the gentleman, which may be in disagreement with my interpretation, is the wrong interpretation.

Mr. GRAHAM. All departments have agreed to this. Every one of them.

Mr. CELLER. That may be—well, have they all agreed?

Mr. HALLECK. Mr. Speaker, will the gentleman yield to me?

Mr. CELLER. I yield to the gentleman.

Mr. HALLECK. My understanding is that as the bill has been amended it meets with the approval of the various departments of the Government. I appreciate the gentleman's reservation and the questions he has raised. I might say to him that this is a measure that many feel should be passed. It has been the subject of rather vigorous editorials in one of the newspapers just today. I think there is a general agreement that the legislation should be passed. Of course, whatever is done with respect to the amendments will go to conference. This procedure will simply eliminate the necessity of suspending the rules with a motion to pass the bill.

Mr. BROOKS of Louisiana. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield.

Mr. BROOKS of Louisiana. In what respect will this bill amend the uniform code of military justice.

Mr. GRAHAM. It does not amend it in any way.

Mr. BROOKS of Louisiana. It does give jurisdiction to the FBI for the investigation of purely military offenses?

Mr. GRAHAM. May I suggest to the gentleman that he wait until the amendments are read, and they will clear up the whole matter.

Mr. BROOKS of Louisiana. Then may I suggest it will be too late to ask these questions. Would this give to the FBI authority to investigate the offense of AWOL, for instance?

Mr. GRAHAM. No, no.

Mr. BROOKS of Louisiana. It would not interfere in any way with court-martial proceedings?

Mr. GRAHAM. No.

Mr. CELLER. Mr. Speaker, I withdraw my reservation of objection.

Mr. GROSS. Mr. Speaker, reserving the right to object, what is the FBI going to do in the Post Office Department? What is there that the Post Office Department cannot handle with respect to investigations of its own?

Mr. GRAHAM. We do not disturb that in any way. All the various departments have made their investigations, and they will continue to do so. After they have made their investigations, and they need further investigation, the FBI can step in. It does not disturb the present situation at all.

Mr. GROSS. What is there that the present inspection division of the Post Office Department cannot do today?

Mr. GRAHAM. Nothing.

Mr. GROSS. Then why bring in the FBI?

Mr. GRAHAM. Because the FBI has jurisdiction over all these departments, or should have, inasmuch as if the investigation by the Department would fail to clear up something, then the FBI can step in.

Mr. GROSS. I am not necessarily opposed to this bill, but I want to be informed as to what is proposed.

Mr. REED of Illinois. At the request of the Department.

Mr. CRUMPACKER. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield.

Mr. CRUMPACKER. I would like to say only that the thought is that the investigating agencies in each Department, such as in the inspection service of the Post Office Department, is not apt to investigate its top men such as the Postmaster General or his immediate staff; they are not apt to be investigated by their own investigative agencies. The idea here is to put the FBI in position where they can check on some of these officials who are not apt to be investigated.

Mr. GROSS. I appreciate that expression of the gentleman from Indiana. Now we are beginning to get somewhere, but I had not understood that there was any particular scandal in the inspection service of the Post Office Department necessitating use of the FBI or any other investigative agency.

Mr. CRUMPACKER. There is none.

Mr. GROSS. Then I cannot understand why the Post Office Department should be included.

Mr. KEATING. I think this may help to clear it up in the gentleman's mind. This bill is general in its application to all Government departments. The Postmaster General came in and asked that this amendment with reference to his Department be written into the bill, which states that the provisions of this section shall not in any way interfere with the primary authority of the Postmaster General to investigate postal offenses. It means, therefore, that he will continue as he is doing now to have primary authority and would only call upon the FBI to come in, in a case where he thought it would be helpful to have them there.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding any other provision of law, and without limiting the authority to investigate any matter which may have been or may hereafter be conferred upon them, or upon any other department or agency of the Government, the Attorney General and the Federal Bureau of Investigation shall have authority to investigate any violation of title 18, United States Code (including without limitation bribery or attempted bribery, extortion or conspiracy, embezzlement, fraud against the Government, or other crimes against the United States), involving Government officers and employees. Any information, allegation, or complaint received in any department or agency of the executive branch of the Government relating to said violations involving Government officers and employees shall be expeditiously reported to the Attorney General by the head of such department or agency, unless the responsibility to perform an investigation with respect thereto is specifically otherwise assigned by another provision of law, or unless the Attorney General otherwise directs with respect, as to any department or agency of the Government, to any specified class of information, allegation, or complaint.

SEC. 2. Section 3056 of title 18, United States Code, is amended by striking out the following: "detect and arrest any person violating any laws of the United States directly concerning official matters administered by and under the direct control of the Treasury Department;".

With the following committee amendment:

Page 1, line 9, after the word "Code", strike out "(including without limitation bribery or attempted bribery, extortion or conspiracy, embezzlement, fraud against the Government, or other crimes against the"; and page 2, line 1, strike out "United States."

The committee amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 2, line 12, after "complaint", insert the following: "*Provided*, That the provisions of this section shall not apply to any person or offense over which the Armed Forces have exclusive jurisdiction under the Uniform Code of Military Justice except as hereafter expressly agreed by regulations between the Secretary of Defense and the Attorney General: *Provided further*, That the provisions of this

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section shall not limit, in any way, the primary authority of the Postmaster General to investigate postal offenses."

Mr. GRAHAM. Mr. Speaker, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. GRAHAM to the committee amendment: On page 2, line 12, strike out the first proviso beginning on line 12 and ending on line 17, and substitute in lieu thereof the following: "The provisions of this section shall not limit, in any way, the existing authority of the military departments to investigate persons or offenses over which the Armed Forces have jurisdiction under the Uniform Code of Military Justice."

The amendment to the committee amendment was agreed to.

The committee amendment as amended was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BUNKER HILL DEVELOPMENT CORP.

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2980) conferring jurisdiction upon the United States District Court for the Southern District of New York to hear, determine, and render judgment upon a claim of the Bunker Hill Development Corp.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the jurisdiction conferred upon the United States District Court for the Southern District of New York by subsection (b) of section 1346, title 28, United States Code, is hereby extended to a civil action, which may be commenced not later than 1 year after the date of the enactment of this act, asserting any claim or claims of Bunker Hill Development Corp., of Newburgh, N. Y., against the United States for alleged damages arising out of the construction of Stewart Field, a United States Air Force base located at Newburgh, N. Y., in such a manner as to allegedly damage its golf course and buildings as a result of weed-laden soil dust and cement dust blowing over its properties in 1942 and 1943, and to destroy a proposed housing development of said corporation, and for alleged damages to the property of said corporation by reason of the alleged failure of the Government to provide and maintain proper drainage from said Stewart Field, which resulted and successively results in the storm-flooding of the property of the corporation. Any such civil action may be joined for trial with any pending action between the Bunker Hill Development Corp. and the United States relative to damages in the construction of Stewart Field. Except as otherwise provided in this act, all provisions of law applicable in and to such subsection, and applicable to judgments therein and appeals therefrom, are made equally applicable in respect of the civil actions authorized by this act. Nothing in this act shall constitute an admission of liability on the part of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FARM BILL

Mr. HOPE. Mr. Speaker, I ask unanimous consent that the committee of conference on the bill (H. R. 9680) may have until midnight to file a report.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HARRISON of Wyoming (at the request of Mr. HALLECK), for August 16, 17, and 18, on account of official business.

Mr. WIDNALL (at the request of Mr. AUCHINCLOSS), indefinitely, on account of illness.

SURVIVOR BENEFITS FOR WIDOWS OF CHIEF JUSTICE AND ASSOCIATE JUSTICES OF THE SUPREME COURT OF THE UNITED STATES

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3873) to provide survivor benefits for widows of Chief Justice and Associate Justices of the Supreme Court of the United States.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. GRAHAM]?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That chapter 17 of title 28 of the United States Code, as amended, is amended by adding at the end thereof the following new section:

"375. Annuities to widows of the Chief Justice and Associate Justices of the Supreme Court of the United States.

"(a) The Director of the Administrative Office of the United States Courts shall pay to the surviving widows, if any, of a Justice of the United States who has died or who dies while in regular active service, or who has died or who dies after having retired or resigned under the provisions of this chapter, an annuity in the amount payable to the beneficiary under the Act of January 14, 1937 (50 Stat. 923, ch. 3).

"(b) An annuity granted under the provisions of this section shall accrue monthly and shall be due and payable in monthly installments on the first busines day of the month following the month for which the annuity shall have accrued. Such annuity shall commence on the first day of the month in which any such Justice dies, or on the first day of the month in which this section is enacted, whichever is later, and shall terminate upon the death or remarriage of the annuitant."

SEC. 2. The analysis of chapter 17 of title 28, of the United States Code, immediately preceding section 371, is amended by inserting at the end thereof the following:

"375. Annuities to widows of the Chief Justice and Associate Justices of the Supreme Court of the United States."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EIGHTY-THIRD CONGRESS, 2D SESSION—FINAL REPORT

The SPEAKER. Under special request heretofore entered, the gentleman from New York [Mr. JAVITS] is recognized for 20 minutes.

Mr. JAVITS. Mr. Speaker, here is the record as finally completed of this Congress. There will be much controversy as to the sufficiency of the accomplishments of this Congress. I believe that on the whole it has done many worthwhile things which needed doing, but there is much that is undone or only partly done. Progress toward peace, security, and higher standards of living is heavily dominated by world events and more strongly influenced by sections in the United States than by party alinement.

PEACE

The two dominant recent considerations have been accentuated understanding by the free world, of the mortal peril inherent in A-bomb and H-bomb war, and free discussion of the idea of coexistence with the Communist bloc. The accentuation of the danger from the A-bomb and H-bomb is likely to prove a benefit to the free world which normally moves more slowly than it should in reaction to peril and the peril is the possible elimination of all civilization in such a war. The hope of coexistence may be a pleasing illusion to the British or any other people, who we understand are so much closer to the dread nightmare of a sudden Communist attack with A-bombs and H-bombs of which dictators like those in the Kremlin are always capable, but it is certainly not the stuff of which policies for world peace can be made. The fundamental dynamics of the Communist system, which are the same for any totalitarian system, for Hitler as well as Malenkov and company is such that it must constantly expand for it is unsuccessful in getting the cooperation of its own people and in doing an effective internal job. Its only hope for survival, therefore, is to continually scare its own people with the fact that they are being threatened by external enemies, to continually expand by infiltration, aggression, or any other means no matter how immoral and, if possible, to overwhelm all opposition and to rule the whole world as one totalitarian system. Coexistence is an acceptance of conquests already made and presumes that we will not protest the Communist Chinese ill-gotten gains in North Korea and northern Vietnam, or the Soviet Union's ill-gotten gains in East Germany, Poland, Czechoslovakia, Hungary, Rumania, and Albania. It would be the height of folly in terms of policy and immoral as well to concede the legality or permanence of the fruits of these aggressions. But it is entirely practicable to take this attitude without going to the other extreme of inviting a preventive war. I am convinced that the Congress and the American people will not tolerate any such eventuality.

The program which appears best for us in the quest for world peace is to place even greater reliance on the collective action that can be attained in

the United Nations, even though the Russian veto and other delaying tactics may prove very nettling and disrupting at times. Second, that we should have a formula to deal with colonialism and the tens of millions of people who need to be brought to independence and self-government, and who have heretofore been non-self-governing. Regional organization is the best way to inspire confidence in former colonial areas and to give them the greatest amount of internal strength during the formative period of self-government.

If we are to avoid world war III, the competition between the free and the Communist world will be ultimately resolved by attracting from behind the Iron Curtain many of the peoples and states now enslaved there. With our genius for production and our magnificent traditions to advance the dignity of the individual we should at once undertake with vigor the offensive in the economic, social, education, and and information fields. I believe also that in this way we can be successful in attracting from behind the Iron Curtain many of the peoples and states now enslaved there.

ASIA AND THE PACIFIC

There is no question that the free world suffered a serious reverse when the Red River Delta of Indochina fell into Communist hands. The Communists have gotten a foothold in south and southeast Asia from which they can now threaten Thailand, Malaya, south Vietnam, Laos and Cambodia, Indonesia and Burma, India, Pakistan, and Ceylon and have also a new window on the Pacific. Anyone who had the idea that the Communist aggression in Indochina was some kind of an effort by Indochinese nationalists to drive out the French will soon see that the Communists will do nothing but enslave the population of northern Vietnam. Under these circumstances, the action of our Government in not recognizing the armistice agreement between France and the Communist forces in Indochina insofar as it titioned the country but stating that force would not be used to undo the armistice agreement seems exactly appropriate.

We have suffered in Indochina from the failure to organize the region of southeast Asia for its own security and to sponsor self-government and independence for non-self-governing peoples there, and see now that such regional organization cannot be improvised when aggression comes despite the fact that we have mutual security arrangements with Japan, the Philippines, New Zealand, and Australia.

I joined in assisting in the adoption of resolutions first refusing to recognize any conquests by Communist aggression in this area of the world. This was the proposal of British Foreign Secretary Anthony Eden for a Locarno pact for this area. Also, the Congress reaffirmed its strong opposition to the admission of Communist China as the representative of China in the United Nations, emphasizing its conviction that brigandage and aggression should not be a way to get into the United Nations. The policy of our Government must now be to strive to establish the Southeast Asia Treaty Organization (SEATO), thereby paralleling the situation in Europe where we have a North Atlantic Treaty Organization, NATO, of 14 nations organized for their own security and cooperation. In southeast Asia there should be heavy emphasis also upon regional economic cooperation through such an organization and in addition remaining problems of independence and self-government in that area can be dealt with most effectively through the intermediation of such a regional organization.

MUTUAL SECURITY ACT

The Congress has passed the mutual security program for 1954. This embodies the foreign policy of the United States. The bill provides for overall foreign aid of about $3 billion of which 85 percent is directly and indirectly for military assistance to our allies and to regional security organizations of which we are members and 15 percent is for technical and economic assistance. Other interesting features of the bill required that 50 percent of United States aid material be transported in American-flag vessels. About $700 million is provided for assistance against Communist aggression in the area of Indochina in order to deal with the situation which now faces us as a result of the cession, in effect, of North Vietnam to the Communists. Another important provision is one to stimulate overseas travel by United States citizens and by foreigners in the United States following generally the lines of a bill which I introduced. and which received widespread support in the Congress and the country. About $70 million is to be provided for special economic aid to India in its 4-year development plan, $115 million is provided for special economic aid in Israel and the Near East, and $9 million for special economic aid in South America. About $110 million is provided for the technical-assistance programs in countries of the free world and a United States contribution to the U. N. multilateral Technical Assistance Program of about $9 million adequate to December 31, 1954, is also provided. About $28½ million is provided for other humanitarian programs like the United Nations Children's Fund, the Intergovernmental Committee on European Migrants, transportation overseas of relief packages, and others. Two hundred million dollars is provided for relief and reconstruction in the Republic of Korea and $30 million is authorized for the support and resettlement of the Palestine-Arab refugees.

The mutual security program marks the continuance, in 1954–55, of the policy of erecting a shield of military security of regional organizations, alliances, and bases throughout the free world; behind this shield we pursue programs of economic and technical assistance and cooperation with these same allies and carry on the interchange of students, professors, trade unionists, businessmen, and civic leaders among the countries of the free world and explain the position of our country through the media of the United States Information Agency. The policy is sound but needs to be pursued with greater resources, vigor, and initiative than we have yet shown to meet the magnitude of the Communist challenge and competition with which we are faced in the free world.

FOREIGN ECONOMIC POLICY

An enlightened economic policy is essential to our country's free world leadership for peace. The report of the Presidential Commission on Foreign Economic Policy early this year urgently recommended extension of the Reciprocal Trade Agreements Act for 3 years with certain liberalizing features. This I supported, but the Congress has refused it and extended the Reciprocal Trade Agreements Act only for 1 year with the present restrictive clauses still contained in it. There are also grave signs of a return to protectionism in the country. This is against our interests in terms of foreign policy and also against the interest of consumers in our country. So for example, a great effort is being made to put a tariff on lead and zinc in order to favor uneconomic production of some lead and zinc mines in this country which could better be put on a standby basis with some Government help. Also the President materially increased the tariff on Swiss watch movements, and a drive is being made in the Congress to double the tariff on hardboard with a resultant material increase in cost to the consumer of this important building and packaging material though domestic competition is flourishing and only one company produces 70 percent of the domestic output.

There has been considerable discussion about East-West trade in nonstrategic goods—strategic goods directly useful for war are under generally successful controls—with constant appeals to the emotions that it should be completely embargoed. This trade today amounts to less than 2 percent of the whole external trade of the free world which gets more out of it than it gives to the Communist world, because it enables the nations of Western Europe to get foodstuffs and raw materials which they urgently require. Should we embargo this trade the United States would have to make up the difference of some $2¾ billion a year in some kind of aid. There may be very sound military reasons for such an embargo even on nonstrategic goods, but we cannot ask for an embargo on the ground that this is a good way to additionally implement the cold war unless we are ready to pay the cost, and from all indications in the Congress, we are not.

In late November, there will be an economic conference of the American States at Rio. Our country has a great opportunity there to present an enlightened, cooperative, and forward looking economic policy for raising standards of living, improving the flow of capital investment funds, both public and private, and expanding technical assistance and the interchange of peoples, skills and ideas with the Latin American countries. It is essential that we make the greatest use of this opportunity especially in view of

the serious Communist threat which we have just faced in Guatemala.

GUATEMALA

What the dire threat of Communist infiltration means right on our doorstep was shown by the suspension of constitutional guaranties by the Communist infiltrated government of Guatemala. This was almost immediately followed by a revolution against the Communist dominated government which ended quickly with its decisive defeat as it obviously did not have the support of the people of Guatemala. Our problems there now are to insure recognition for the broad social and economic development of Guatemala and for the firm establishment of constitutional guaranties and free institutions there. In attaining these absolutely vital objectives, the collective action of the American states is essential and it is a great challenge to us as the leader in this hemisphere to be sure the Organization of American States fully measures up to its responsibilities.

GERMANY AND FRANCE

With France's disengagement from the 7-year-old conflict in Indochina, and the continued lag in its National Assembly ratifying the treaty for the European Defense Community, the question of Germany comes strongly to the fore again. The EDC is the best means which has been devised for utilizing the defense potential of Western Germany without incurring the danger of a renewal of German militarism. This project has been approved by West Germany, Belgium, Holland, and Luxembourg and looks in a fair way to be approved by Italy. The principal sticking point is France which is fearful of German dominance in the EDC, and has now set many conditions reducing the effectiveness of EDC as a means to integrate free Europe, as the condition to even considering EDC. Pressure upon our Government to turn the German Federal Republic loose in terms of rearmament must be sternly resisted. The danger of some new German-Soviet approachment must be constantly borne in mind especially while the Soviet has the absolute power to hold out the bait of re-unification upon Communist terms of West and East Germany. The government of the German Federal Republic and the German people have so far shown themselves on the side of the free world. It would be most unwise to expose them to Soviet blandishments by a surrender to the pressures for complete sovereignty and rearmament for West Germany at this time. The policy indicated by our Government may necessitate a grant of further sovereignty to the German Federal Republic but with the continued maintenance of United States, British, and French troops there for the defense of Western Germany and without allowing West Germany to rearm a national force. This is an unhappy compromise but one forced upon us by the situation. It may be necessary to do without the utilization of the West German military potential for a time (until we can work out EDC) rather than to incur the grave dangers of a renewed German national military establishment.

NEAR EAST AND ISRAEL

The situation there still remains tense. It is constantly aggravated by serious border incursions, ambushes, and clashes engendered by continued Arab hostility against Israel. The fundamental policy of our Government must continue to be strict adherence to and implementation of the Three Power Pact between the United States, United Kingdom, and France guaranteeing against aggression in that area while at the same time we make a regional effort at economic cooperation and development and resettlement of the Palestine-Arab refugees. It is for this reason that it is so important that Israel continue to participate in the mutual security program in generally the same magnitude in which she has participated in it for the last 3 years. Provision in the just enacted mutual security program for $115 million for economic development for Israel and the Arab States.

In no case, however, is it consistent with the policy of our Government to give arms aid to the Arab States. I joined with others in the Congress to protest against supplying arms to the Arab States at a time when such supply was first contemplated to Iraq as it is now said to be contemplated to Egypt. I successfully urged an amendment in the Mutual Security Act which provides that no arms may be furnished in any case which could be utilized for major external military operations to any country unless earned by it as a member of a regional security organization. This provision will very considerably moderate the situation. If arms are to buttress the regional security of the Near East, Israel with tough and effective fighting forces and a fine strategic position must be considered on high priority.

The recent settlement of the Suez questions between Egypt and the United Kingdom providing for the evacuation of British forces from the Suez under certain conditions will contribute to the pacification of this area but I have joined with others in the Congress to insist that the United States see that Egypt as a result of this arrangement no longer continues to violate the resolution of the United Nations Security Council of September 1, 1951, to refrain from an interference with shipping to Israel through the Suez Canal. Such a blockade by Egypt has been causing grave economic difficulties to Israel which it and the free world cannot afford in view of its own efforts to settle immigrants and refugees.

Considerable progress has been reported on the possibility of working out the Jordan River Valley development scheme for which President Eisenhower sent Ambassador Eric Johnston into the Near East. It is certainly to be desired that an economic bridge be found which could lead toward some peaceful relationships toward Israel and the Arab States as the diplomatic bridge seems impossible at this time.

OTHER FOREIGN POLICY DEVELOPMENTS

Efforts are being made in the Congress to bring about a return of German and Japanese property of private individuals and corporations seized during World War II in the United States by the Alien Property Custodian and which by law had been earmarked to be devoted to the claims of Americans who were prisoners of war and for injuries done to them. It is opposed by the President and the Department of Justice. It is argued by others that this would be a good public relations move. I opposed the return of German property very strongly upon the ground that the German Government had already undertaken by treaty—Bonn Agreement—to pay damages for the property of its nationals which was seized during the war in the United States, that much of the property or its proceeds had already been utilized for war claims, that United States taxpayers should not be called upon to reimburse for property in view of what Nazi Germany was guilty of in outrages against the world in World War II and that there are some thousands of claims pending by persecutees of Nazi Germany now residents and citizens of the United States, against these very assets which in all morality and decency were entitled to first and highest priority and should not be relegated to the German forum. The legislation is unlikely to pass in this Congress though it is likely that the drive for it will be renewed in the next Congress.

An amendment to the War Claims Act was passed this session which extended the period for filing claims for compensation by World War II prisoners of war to August 1, 1954.

I introduced a resolution protesting the kidnaping by the Communists in East Germany of people and officials from West Berlin. This is barbarism—not civilized conduct—and deserves the condemnation of the world.

I introduced a resolution hailing the new governments of the Gold Coast and East Nigeria in West Africa, formerly colonial areas of the British and now gradually emerging into self-government and independence. This resolution was enacted by the House of Representatives and the Senate, and will be signed by the President of the United States. I consider it vital that we strongly support local independence movements which are attained through the utilization of free institutions and where the capability is shown for protecting and safeguarding such independence against some new Communist imperialism. Through such a policy we can show a leadership and statesmanship in Africa which is moving rapidly toward self-determination and avoid the mistakes for which the free world paid so heavily in China and Indochina.

ATOMIC ENERGY

This was the first time that legislation upon this momentous subject came before the Congress since the original Atomic Energy Act passed in 1946 which gave the Government full control over all atomic materials and developed both for weapons and civilian uses. The purpose of the legislation was to permit our country to share atomic information more widely with its allies, to permit greater private-enterprise participation in the development of atomic energy for electric power and to make provisions for patents in respect to atomic energy for

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civilian uses. There was no dispute about the sharing of limited atomic information with our allies—on the use and characteristics of weapons and civilian uses—but there was very great dispute about the electric power and patent phases of the law. The law as finally enacted will undoubtedly permit the Government, if necessary on a yardstick basis, to go into the atomic power generating field, but will give the priority in the development of atomic energy for power to private enterprise, provided it meets the conditions established by the Atomic Energy Commission. This is certainly a conservative compromise. When the bill was in the House, I voted against keeping the Atomic Energy Commission entirely out of the generating of electric power from atomic energy. Also, I voted to require the compulsory licensing of patents with proper compensation to inventors, as this atomic field is altogether too new to give an opportunity to some few peoples or companies to get a monopoly on new patents. A momentous step will have been taken in the enactment of a new Atomic Energy Act heralding a new revolution in the world of production when the atom is available for generating electric power. This, too, is a great competition between the free and slave Communist worlds in which it is essential that our country lead.

ECONOMIC SITUATION

Since my last report, the employment situation has stabilized with a reduction of about 400,000, bringing the figure of unemployed to 3,347,000 at June 30, 1954; and with over 62 million Americans gainfully employed. Other reassuring factors in the economic situation are the relative stability of consumer prices which has continued quite consistently now since the summer of 1953 and the material reduction of inventories in the hands of manufacturers since the summer of 1953. The latter is a helpful sign for the future as it shows that the consumption is keeping up and that one of the major indicators which gave the greatest fear of recession early this year is gradually coming into better adjustment. The purchasing power of the dollar has varied by only ½ percent in the last year and a half—gross national product.

The aggregate productive power of our economy is running at the rate of about $356 billion a year which, though not as high as it was in 1953, when it reached an all-time high, or up to our potential at full employment, is still well above the figure for any year other than 1953. New housing construction which represents such an important part of our economic base is continuing at a relatively high rate with about a million two hundred thousand units indicated for 1954, but this is still a half million starts per year less than we ought to have considering our housing needs and our economic capabilities.

A national health program failed of enactment but Federal aid to hospital construction, nursing homes, and so forth, aggregating $96 million was on the modest basis, and only meager progress was made toward urgently needed Federal aid to education and school construction. There was enacted a $96 million Federal-aid-to-road-construction program which is being implemented.

By enacting an improved social security law, effecting some improvement in the unemployment insurance system and keeping consumers' prices stable, the Federal Government has sought to put some concrete base under the economy. On the whole, the picture though not what it ought to be shows elements of great strength and there is a real feeling that we have gotten over the worst of our recession anxieties. International uncertainties being what they are, of course, these must always be borne in mind in appraising the economic situation. So, too, must the need for dynamic planning and initiative especially in foreign trade opportunities, use of leisure time and attaining of full employment be constrantly before us.

COST OF LIVING

Farm price policy has loomed very large in this administration's program in view of its determination to give some attention to the consumer by insisting upon a system of flexible farm price supports rather than the high fixed farm price supports which have been in effect now since the war. Under high fixed farm supports, the consumer is made to pay in two ways. One in higher food prices and second in taxes to sustain the Government price support program. The United States now has over $7 billion tied up in agricultural surpluses and commitments undertaken with respect to them, is paying for commodities on hand alone about $500,000 a day in storage charges and has very recently had to increase borrowing power for absorbing farm price surpluses to $10 billion. All of this despite the fact that the farmer's income has fallen by 13 percent in the last 2 years and that his export markets though at the moment showing some recovery, have fallen by almost twice that during the same period of time. I have fought hard here for flexible price supports and also have opposed increases in borrowing power to maintain the high farm price parity program. The effect of such a program was seen when on April 1, the Secretary of Agriculture cut the support price on butter to 75 percent of parity and brought about a price reduction in butter available to consumers by about 10 cents a pound. Meanwhile, the Agriculture Trade Development and Assistance Act providing $700 million for the sale of agricultural surpluses to cooperating nations for local currency plus authorization to utilize $450 million of such surplus under the Mutual Security Act of 1954, represents an effort to dispose of some of the enormous surpluses created by the Federal Government's high fixed farm price support operations.

Investigations are continuing into the rapid rise in the price of coffee. The latest is a report from the Federal Trade Commission on monopoly controls. This should be pursued as we must assure that American consumers are treated fairly in this the greatest single import item—other than international travel—of our country.

CIVIL RIGHTS AND CIVIL LIBERTIES

The historic unanimous decision of the Supreme Court holding segregation on grounds of race, creed, or color, in public education and in public housing to be contrary to the Constitution is a historic event in our national history. It is the greatest single action in decades to demonstrate the determination of our people that all shall be citizens of the same class. This decision now needs to be effectively implemented and extended into other fields where there is still serious discrimination and segregation. It should result in a renewal of the drive to eliminate segregation in railroads, buses, and other means of interstate transportation. I testified in favor of the Heselton bill which was reported favorably by the Committee on Interstate and Foreign Commerce but was caught in the closing logjam and in a renewed drive for a Federal Fair Employment Practices Act with enforcement powers.

I took up the fight to insure fair treatment in the investigation by the Special Committee To Investigate Tax-Exempt Foundations. The activities of this special committee in cutting off public hearings before the foundations could be heard threatened serious injustice to many foundations which have done much for our people and our country. My resolution sought a review of the work of this special committee by the House Rules Committee as it is my conviction with respect to all congressional investigations that there must be some way of maintaining control over them on the part of the authorizing House so that they deal justly both with individuals and the matters which they are investigating.

I testified before the Senate Rules Committee in favor of my bill to establish a Joint Committee on Internal Security to replace existing committees in this field—the House Un-American Activities Committee, the Senate Subcommittee on Investigations—McCarthy and the Senate Subcommittee on Internal Security—and also to establish rules of fair procedure and means for enforcing those rules. I believe that the hearings before the Senate Rules Committee made it very clear that such a plan as this would enable such congressional investigations to be effective in pursuing the effort to expose communism in key places without engaging in excesses doing violence to our national security, higher learning, religion, or the morale of Government employees and Armed Forces or to affect adversely our foreign policy. Excesses in these congressional investigations harmful to our national interests have shown that reforms are essential. I shall continue to fight for these reforms.

I called for an investigation and for furnishing of information on the anti-religious, anti-Catholic, anti-Protestant, and anti-Jewish hate propaganda which is going through the mails exploiting the anti-Communist feelings of our people in a fraudulent effort to seek the cover of the internal anti-Communist

campaign. I named specifically 10 such hate publications purportedly of general circulation which were violations of the spirit of our laws and Constitution. The Postmaster General in response advised that much as the distribution of hate propaganda through the mails is deprecated the law as it is at present cannot reach them. I am convinced that new law is needed for this purpose and shall do everything that I can to see that the Federal Government is enabled to meet this grave aspersion on our free institutions.

BUDGET AND TAXATION

In the fiscal year ending July 31, 1954, the deficit was somewhat over $3 billion instead of an anticipated $9 billion. This was brought about through a $7 billion reduction in expenditures. Budget receipts remained fairly constant at about $64,600,000,000. Tax cuts of $7½ billion were achieved in this fiscal year including a reduction estimated at about $4 billion per year in taxes payable by individuals through the maintenance of the 10 percent personal income tax cut which took effect on January 1, 1954, a cut of about a billion dollars in various excise taxes which generally were paid by consumers and favorable provisions for medical expenses, working mothers, those who draw retirement compensation, parents with children at college, and others estimated at $827 million.

The most important development in the field of taxation was in the enactment of the tax revision bill, the first full codification of Federal tax laws for 75 years. In addition to rewriting and simplifying the tax law the purposes of the bill were to continue the corporate income tax at 52 percent and to deal with tax inequities which concerned individuals. Primary among the individual benefits are allowed deducton of medical expenses above 3 percent of taxable income instead of 5 percent as at present, exemption of the first $1,200 of retirement income annually from taxable income after attaining the age of 65 or for retired government employees before that age, reductions of taxable income up to $600 annually for expenditure for child care by single working mothers or those with an incapacitated husband or wife if the family's income is less than $5,100 a year, and deduction for a child as a dependent even if the child is earning more than $600 a year provided the taxpayer is responsible for more than half of the child's support or the child is attending college. Other improvements include nontaxability of income from health or accident plans or death benefits, right to report as the head of the household for and to receive the benefit of income splitting 2 years after the death of a spouse and to half the benefit if single and maintaining a home for a dependent parent, increase in allowable deductions of charitable contributions and similar benefits. The new tax law provides that the first $50, plus 4 percent of dividend income, may be deducted from taxable income but not in excess of 4 percent of such income. As noted in my previous district report, I opposed at one and the same time additional exemptions for individuals over and above the tax reductions already made on the ground that they were entirely political in nature and not warranted by our financial situation and also credits for dividend income on the ground that this was unfair to wage and salary earners who would not receive at this time any increase in exemptions. I voted accordingly in the various stages of the tax revision bill.

HOUSING, HEALTH, WELFARE, AND EDUCATION

Forecasts are that new housing construction is running at the annual rate of 1,206,000 units per year, a high since 1950, but the problem is that a balanced national housing program is made even more difficult by the failure to include adequate public housing in the housing bill which was recently enacted and by the continuing failure to find a solution for the problem of middle income housing. The whole situation has been further troubled by the Senate investigation of "windfalls" defined as the excess of FHA guaranteed mortgages over the cost to build middle income rental property and the fact that the mortgage principal rather than the cost of construction is reflected in the established rents.

I fought hard for the President's minimal program of 140,000 federally aided low rent housing units to be constructed in 4 years but this failed of enactment. The only result of the struggle was an authorization of 35,000 new public housing units for 1 year but with such restrictions as to its being utilized only for urban redevelopment as to make it unlikely that many more than 10,000 to 15,000 of the public housing units will actually be started. New York City will probably do better than most places in respect of the authorization of 35,000 getting an estimated 15 percent of all units so authorized, but the country's housing needs cannot be justly met on this minimal and truncated program. The housing bill also liberalized mortgage credit for single family homes making it possible now even for nonveterans to acquire a $10,000 home with an FHA mortgage for a downpayment before closing expenses of $750. Also FHA mortgages are made available for the first time on existing housing.

A strong effort was made to begin to establish some responsibility in the Federal Government for the people's health through an administration bill for a $25 million fund for the reinsurance of voluntary health plans like Blue Cross and Blue Shield in order to enable them to establish broader coverage and increase their benefits. The bill failed because some thought it did too little and others were not willing to do anything. I supported at least the effort on the ground that it was a beginning in accepting the national responsibility for the people's health. I continue as the sponsor of the comprehensive national health program for substantial Federal-State aid to voluntary health programs and this is now being hailed as the most logical solution by important trade union and other civic union organizations. It is unfortunate that a reverse has been suffered in the first instance but a national health program is vital to our country and the Federal Government must come to it.

A bill was enacted into law which I supported authorizing Federal spending of $30 million a year for 3 years to aid State and local communities in expanding hospital and clinical facilities for the chronically ill, aged and physically disabled. This aids further the remarkably successful Federal hospital construction—Hill-Burton—program.

A bill was passed which I strongly supported extending greater Federal aid to State rehabilitation programs for the crippled and handicapped. A great many people—estimated at approximately 2 million—require vocational rehabilitation in this country each year. We have heretofore been able to help by rehabilitation only 60,000 annually. By the terms of the new 5-year comprehensive vocational rehabilitation program, the Federal Government will ultimately aid the States in the rehabilitation of over 200,000 of the handicapped per year. It is estimated that for each dollar spent in Federal aid under this program, approximately $10 will be returned in taxes from the productive work of the handicapped person rehabilitated under this program.

Three resolutions were adopted regarding the participation of the Federal Government in education. First, to establish a National Advisory Committee on Education, second, to assist cooperative research in educational problems, and third, and most important, to authorize a White House conference on education to analyze the problems of Federal aid to education and school construction and see what the Federal Government can do to help meet it. These are but mild steps toward affirmative Federal aid to meet the very serious classroom shortage, shortage in funds for teaching, and similar school expenses and other educational problems in the country. I supported these moves, however, as at least some effort in the right direction. The measure which has the best chance in the Congress is Federal aid to school construction. I am supporting a bill to provide $500 million for this purpose over a 2-year period. A bill has also been authoritatively introduced to provide Federal participation of $5 billion, which is estimated to be about one-half of the aggregate requirement of $10 billion for school construction for the Nation. I shall give most earnest support to these efforts which I believe to be vital to the future of our country.

SOCIAL SECURITY, UNEMPLOYMENT INSURANCE, LABOR

The most signal achievement of this administration is the expansion and improvement of the social security law. An estimated additional 10 million are expected to be covered by the Social Security System, including farm workers, various groups of professional men—with the notable exception of doctors—including lawyers, dentists, and ministers; employees of State and local governments on an optional basis; employees of the Federal Government not covered by retirement systems; United States citizens employed outside the United

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States and certain persons employed in fishing and other activities.

One of the very important provisions is to raise the ceiling of allowable earnings for social security beneficiaries to $1,000 a year with one monthly benefit check withheld for each additional $80 or fraction of $80 earned from any type of employment. This is the principle for which I have contended for a long time. Efforts must continue to afford even greater relief as older people should be encouraged to work and to supplement what they receive under the Social Security System rather than be discouraged from doing so. The wage base for the payment of the 4-percent social-security tax divided equally between the employee and the employer is raised from $3,600 to $4,200 a year. Benefits were increased on an average of about $6 a month per beneficiary.

The minimum benefit is increased to $32.50 from $27.50 and the maximum benefit is increase from $85 to $108.50 a month for single persons and from $127.50 to $162.50 for married persons.

Approval was given to extending unemployment compensation coverage to employers of 4 or more workers, the previous standard having been 8 workers under the Federal law and also bringing Federal employees in States under unemployment compensation into the system. I supported a more liberal unemployment compensation bill seeking to provide coverage for all employers of 1 or more employees, to establish minimum benefits payments of 26 weeks and to make the maximum weekly benefit not less than two-thirds of average weekly earnings. This was defeated, though I introduced legislation for it and with others, fought for it.

Social security, unemployment compensation and a national health program are the fundamental concrete base for all American working people and self-employed, dependent upon their earnings and every effort must be made to build them up, strengthen them and make them comprehensive.

Efforts to enact amendments to the Taft-Hartley law, even those which were generally agreed upon as vital, failed in both houses when the Senate turned down its own amendments bill. I have joined with others of my colleagues here in sponsoring legislation in consultation with the great national labor federations of amendments urgently required to maintain the integrity of labor-management collective bargaining and I have also opposed efforts to have government by injunction, or to otherwise, coerce this typically American process of adjusting relations between management and labor. Also it proved impossible to get consideration of an increase in the minimum wage, now 75 cents per hour, under the Federal Fair Labor Standards Act, which should be realistically $1.25 per hour.

Some concrete gains were made, however, in this important area of national life, notably the passage of improvements to the Railroad Retirement Act. This measure was strongly backed by all the railroad unions, and provided for an increase in retirement annuities, a reduction of the eligibility age for various benefits, increases in unemployment benefits and other changes urgently required to bring the railroad retirement system more nearly in line with present conditions and costs of living. Of equal significance was the passage of an act implementing the Railroad Retirement Act by permitting individuals to receive benefits under both the Railroad Retirement Act and the Social Security Act. I supported and worked for both these measures.

I opposed, however, the so-called wetback bill to admit Mexican workers for seasonal work on farms in the Southwest on the ground that there is no adequate supervision or enforcement contained in this legislation for those from Mexico entering the United States for temporary farm work and because it tended to embarrass our relations with Mexico.

VETERANS AND ARMED FORCES

It has been necessary to be eternally vigilant in respect of veterans' benefits, veterans' compensation, veterans' hospitalization and veterans' rights generally. Korean veterans were given an additional 1 year to take advantage of the GI education benefits. The principal measure passed with respect to veterans was an increase by 5 percent in the monthly benefits payable to veterans with service-connected disabilities, their widows, survivors, and beneficiaries. A similar increase was granted to veterans entitled to benefits under the program for those over 65 or permanently and totally disabled but not service connected. In addition, an act was passed extending the direct loan program of the Veterans' Administration with an appropriation of $100 million to aid veterans in the financing of home mortgages; a law was enacted providing for the quick naturalization of aliens who had served in the United States Armed Forces from June 24, 1950, to July 1, 1955; while social-security wage credits for military service were extended for 18 months.

Other veterans' measures remain urgent but that is all that it was possible to accomplish despite an outstandingly brilliant effort by the chairman and members of the Veterans' Affairs Committee in this Congress.

POST OFFICE AND CIVIL SERVICE

There has been a classic struggle going on here regarding pay increases for post office and classified civil-service employees. There is no question about the fact that a raise is urgently required by existing costs of living. The difficulty has been in the economy drive and the Post Office's effort to reduce its deficit by further increases in rates. After fighting for the Withrow bill, I supported the Corbett bill to give the post office workers a 7 percent across the board increase with a minimum of $240 and a maximum of $480. The opportunity was given to vote for a 5 percent pay raise with a minimum of $180 and without a maximum, tied to a bill to increase mail rates. I supported this measure also, upon the ground that it was essential to make provision for a postal pay increase through willingness to be realistic in the matter of postal rates.

A pay raise, which is essential to Federal classified employees, will stem directly from a pay raise for the postal workers, and therefore a fight for one is a fight for the other.

Desirable legislation is being enacted for "fringe benefits," such as group insurance to Federal employees, a repeal of the Whitten rider which I opposed from the very beginning, which has blocked promotions and an adequate personnel system, revisions in annual leave and sick leave practices and similar matters. In every way it is essential that personnel relations be considered by the Government on the highest priority. Ours is a government of laws not men, but it is the men who administer the laws and the Federal Government must show its sense of justice to those who work for it.

MISCELLANEOUS ISSUES

We have had submitted a number of bills labeled anti-Communist. It has been necessary not to be taken in by the labels but to carefully analyze each bill to be sure that it constitutes a material factor in the anti-Communist struggle and that we were not paying too high a price for it in terms of American freedoms. I supported bills depriving of citizenship those convicted under the Smith Act of seeking to overthrow our Government by force; establishing condign punishment for peacetime espionage; ruling out the Communist as a political party and various contempt citations putting up to the courts the issues of witnesses' refusals to answer legitimate questions of congressional investigating committees. I also supported a bill to allow congressional committees to take such cases into court at once so as to get the maximum number of answers to their questions and to make punishment for contempt assured for failure to answer, and I supported the move to amend the wiretapping bill by requiring a court order first. On the other hand, I opposed a bill giving congressional committees the power to grant immunity, and thereupon to require testimony of a witness pleading self-incrimination on the ground that this would not advance the anti-Communist struggle but would, on the contrary, represent an invasion of one of the fundamental historic freedoms of all the American people and one of a very special significance to minorities of religion or race, while putting into the political arena a power to let rogues go free and to punish innocent men.

There have been a great many bills before us to establish dams to produce power and aid navigation as well as reclamation and irrigation projects involving substantial extensions of credit by the United States. I have proceeded generally upon the basis that we must help in the development of our country according to established patterns, preserving and improving our natural resources for the public interest, being careful that our national parks and our national monuments are not compromised or invaded, and guarding against "windfalls" to a few.

There has been a greatly renewed interest in the problems of youth and juvenile delinquency in our dangerous world. I have been working hard for the National Youth Assistance Act to develop a $50 million national youth program. I also endeavored to bring about an appropriation of $165,000 for the Children's Bureau of the Department of Health, Education, and Welfare for the purpose of coordinating the activities of State and local youth commissions throughout the country.

I have made every effort to get consideration of the essential revision of our immigration laws to make them accord with wise United States leadership of the free world. I have joined with others of my colleagues in seeking hearings on a bill which I sponsored entitled "The Immigration and Nationality Act Amendments of 1954" to liberalize the immigration laws. I have also continued my work to see that there is effective implementation of the Refugee Relief Act of 1953 and am glad to say that better progress is being made with 7,287 visas visas granted under this act as of July 30, 1954, and with the enactment of legislation which will pool the aggregate 209,000 quota numbers available for refugees and escapees from behind the Iron Curtain and those for preference immigrants from Italy, Greece, Holland and West Germany. The authorization to continue United States participation in the intergovernmental committee for European migration is expected to resettle several hundred thousand of the excess working population of free Europe in this fiscal year. I believe, however, that we must declare the rewriting of the basic immigration law, the McCarran Act, to be a primary objective of our foreign policy.

A constitutional amendment giving 18-year-olds the right to vote failed in the Senate. I hope that it will be brought up again as I favor it. It may be trite, but it is true that those old enough to defend our country with their lives, should have something to say about how it is run.

Interest continues in my resolution for the unification of Ireland.

I testified in support of a bill with others of my colleagues for a United States Arts Foundation to assist college, cooperative, and voluntary nonprofit efforts in the fields of theater, music, and art. This is an area in which we are far behind practically all the other countries of the free world. Such activities are essential to us as our time for recreational and cultural enjoyment increases and as our world leadership becomes essential in these fields, too.

Grants of statehood to Hawaii and Alaska got lost in the legislative logjam with contrary bills coming out of the House and Senate. This is a must for our country and I have and will constantly and actively support statehood for both.

I have also sponsored and worked for a United States Travel Commission to develop for all our people including those in the moderate income level—$3,500 to $5,000 a year—the opportunity for overseas travel which I believe is entirely feasible.

I have introduced legislation and worked to enable members of the Armed Forces to vote for candidates for Congress in national elections without regard to State laws relating to registration and without payment of any poll tax and to recommend to the States a better and more effective absentee voting procedure for civilians who are necessarily serving abroad. The broadest possible franchise for all our people is vital in our national interest.

CONCLUSION

This completes the record of the 83d Congress. As is always true, much has been done, not always adequately and a good deal of what is essential has been left undone. On the whole it is not an untypical American congressional record of achievements and shortcomings. The people will judge as to whether a dynamic and progressive program, to use the words of President Eisenhower has been enacted. It is vital to us in public office to be sure that they have all the facts upon which to judge. This I consider to be my highest duty and this I have sought to accomplish to the best of my ability.

PROGRAM OF ASSISTANCE FOR SCHOOL CONSTRUCTION

Mr. McCONNELL. Mr. Speaker, I ask unanimous consent to change the figure in the title of the bill to conform with the measure just passed in connection with the extension for 2 years of aid to construction work in impacted school districts.

The Clerk read as follows:

Amend the title so as to read: "A bill to amend Public Law 815, 81st Congress, in order to extend for 2 additional years the program of assistance for school construction under title 3 of that act."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

ANTI-COMMUNIST BILL

Mr. PHILLIPS. Mr. Speaker, during the debate on the Communist bill this afternoon, S. 3706, the gentleman from California, Mr. UTT, who is away on committee business, the gentleman from California, Mr. HOSMER, who is away on committee business, and the gentleman from California, Mr. WILSON, who is away on committee business, all wanted to vote in favor of the bill or to be paired, and they were included as general pairs. May I make the statement that they would have voted "aye" but were compelled to be paired?

The SPEAKER. The Chair will state that that would be contrary to the rules of the House.

Mr. PHILLIPS. May the RECORD show that they stand as specific pairs instead of general pairs?

The SPEAKER. That statement will stand in the RECORD.

SENATE BILLS, JOINT RESOLUTIONS, AND CONCURRENT RESOLUTION REFERRED

Bills, joint resolutions, and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 17. An act to provide general rules of practice and procedure before Federal agencies; to the Committee on the Judiciary.

S. 19. An act to suspend the running of the statutes of limitations applicable to offenses involving performance of official duties by Government officers and employees during periods of Government service of the officer or employee concerned; to the Committee on the Judiciary.

S. 47. An act for the relief of Joseph Andrew Wright; to the Committee on the Judiciary.

S. 101. An act for the relief of Phed Vosniacos; to the Committee on the Judiciary.

S. 114. An act authorizing appropriations for the construction, operation, and maintenance of the western land boundary fence project, and for other purposes; to the Committee on Foreign Affairs.

S. 209. An act for the relief of Irene C. Karl; to the Committee on the Judiciary.

S. 221. An act to amend subsection (a) of section 6 of the War Claims Act of 1948, as amended, to include claims of certain American citizens who served in the armed forces of any government allied with the United States during World War II and who were taken prisoners of war; to the Committee on Interstate and Foreign Commerce.

S. 264. An act to provide for the conveyance of certain lands in the State of Maryland to the Disney-Bell Post 66 of the American Legion, Bowie, Md., to the Committee on Merchant Marine and Fisheries.

S. 346. An act for the relief of Alick Bhark; to the Committee on the Judiciary.

S. 377. An act for the relief of the State of Oklahoma; to the Committee on the Judiciary.

S. 417. An act conferring jurisdiction upon the United States District Court for the District of New Mexico, to hear, determine, and render judgment upon certain claims arising as a result of the construction by the United States of Elephant Butte Dam on the Rio Grande; to the Committee on the Judiciary.

S. 547. An act for the relief of Hava Shpak, A. A. Shpak, and Sympcha Shpak; to the Committee on the Judiciary.

S. 575. An act for the relief of Moniek Lemberger, Frida Lemberger, and Peysach Lemberger; to the Committee on the Judiciary.

S. 675. An act to amend sections 2311, 2312, and 2313 of title 18, United States Code, so as to extend the punishment for the transportation of stolen motor vehicles in interstate or foreign commerce to tractors, commercial truck trailers, and truck semitrailers, and for other purposes; to the Committee on the Judiciary.

S. 831. An act for the relief of Pietro Meduri; to the Committee on the Judiciary.

S. 1022. An act for the relief of Harold Swarthout and L. S. Swarthout; to the Committee on the Judiciary.

S. 1061. An act for the relief of Norman F. George; to the Committee on the Judiciary.

S. 1083. An act for the relief of Kurt Glaser; to the Committee on the Judiciary.

S. 1291. An act for the relief of Charalampos Socrates Iossifoglu, Nora Iossifoglu, Helen Iossifoglu, and Efrossini Iossifoglu; to the Committee on the Judiciary.

S. 1336. An act for the relief of Euline Saliba Sihwel (Eveline Saliba Suhweil); to the Committee on the Judiciary.

S. 1338. An act for the relief of Nabiha Elias Audi; to the Committee on the Judiciary.

S. 1341. An act for the relief of Salamy Khouri; to the Committee on the Judiciary.

S. 1417. An act for the relief of Gerard Lucien Dandurand; to the Committee on the Judiciary.

S. 1445. An act for the relief of Evelyn Harry Waters; to the Committee on the Judiciary.

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S. 1601. An act for the relief of Jeremy Allen Clore; to the Committee on the Judiciary.

S. 1604. An act for the relief of Margot Herta Matulewitz; to the Committee on the Judiciary.

S. 1605. An act for the relief of James Arthur Cimino and Joan Cimino; to the Committee on the Judiciary.

S. 1622. An act for the relief of Constantinos Pantermalis; to the Committee on the Judiciary.

S. 1625. An act for the relief of Milan K. Jovanovic; to the Committee on the Judiciary.

S. 1687. An act for the relief of T. C. Elliott; to the Committee on the Judiciary.

S. 1692. An act for the relief of Francis C. Pollard; to the Committee on the Judiciary.

S. 1720. An act for the relief of Capt. George Gafos, Eugenia Gafos, and Adamantios George Gafos; to the Committee on the Judiciary.

S. 1838. An act for the relief of Azzam Isaac Rafidi; to the Committee on the Judiciary.

S. 1852. An act for the relief of Juan Antonio Gorrono Lajarzabulo and Jesus Maria Ojenalo Guernica; to the Committee on the Judiciary.

S. 1871. An act for the relief of Antonio Fopp; to the Committee on the Judiciary.

S. 1873. An act for the relief of Ursula Wilke and Mike Mario Wilke; to the Committee on the Judiciary.

S. 1887. An act to amend sections 3182 and 3183 of title 18 of the United States Code so as to authorize the use of an information filed by a public prosecuting officer for making demands for fugitives of justice; to the Committee on the Judiciary.

S. 1890. An act for the relief of Olivia Mary Orciuch; to the Committee on the Judiciary.

S. 1893. An act for the relief of Andreas George Vlastos (Andreas Georges Vlasto); to the Committee on the Judiciary.

S. 1898. An act for the relief of Walter H. Berry; to the Committee on the Judiciary.

S. 1978. An act for the relief of Dr. Chang Ho Cho; to the Committee on the Judiciary.

S. 2010. An act for the relief of Alexy W. Katyll and Ioanna Katyll; to the Committee on the Judiciary.

S. 2017. An act to revise the procedure in the district courts relating to the disposition of the wages and effects of deceased and deserting seamen, and for other purposes; to the Committee on the Judiciary.

S. 2056. An act for the relief of Deborah Jordan Williams (Grace Yoko Watanabe); to the Committee on the Judiciary.

S. 2064. An act for the relief of Aniceto Sparagna; to the Committee on the Judiciary.

S. 2083. An act for the relief of Lawrence F. Kramer; to the Committee on the Judiciary.

S. 2109. An act for the relief of Claire Heiszler; to the Committee on the Judiciary.

S. 2216. An act for the relief of Vasilios Demetriou Kretsos and his wife Chryssa Thomaidou Kretsos; to the Committee on the Judiciary.

S. 2316. An act for the relief of Birmingham Iron Works, Inc.; to the Committee on the Judiciary.

S. 2329. An act for the relief of Garabed Papazian; to the Committee on the Judiciary.

S. 2452. An act for the relief of David Wei-Dao Lea and Julia An-Fong Wang Lea; to the Committee on the Judiciary.

S. 2486. An act authorizing the Secretary of the Interior to transfer certain property of the United States Government (in the Wyoming National Guard Camp Guernsey target and maneuver area, Platte County, Wyo.) to the State of Wyoming; to the Committee on Interior and Insular Affairs.

S. 2496. An act for the relief of Harvey Schwartz; to the Committee on the Judiciary.

S. 2525. An act for the relief of Lupe M. Gonzalez; to the Committee on the Judiciary.

S. 2532. An act for the relief of Giuseppina Latina Mozzicato and Giovanni Mozzicato (John Mozzicato); to the Committee on the Judiciary.

S. 2536. An act for the relief of Ellen Henriette Buch; to the Committee on the Judiciary.

S. 2540. An act to amend the act entitled "An act to provide for the registration and protection of trade-marks used in commerce, to carry out the provisions of international conventions, and for other purposes," approved July 5, 1946; to the Committee on the Judiciary.

S. 2613. An act for the relief of Dr. Luciano A. Legiardi-Laura; to the Committee on the Judiciary.

S. 2632. An act for the relief of Epes Transportation Corp.; to the Committee on the Judiciary.

S. 2633. An act for the relief of Stanislavas Racinskas (Stacys Racinskas); to the Committee on the Judiciary.

S. 2634. An act for the relief of Mrs. William A. Curran; to the Committee on the Judiciary.

S. 2636. An act for the relief of Arturo Rodriguez Diaz; to the Committee on the Judiciary.

S. 2640. An act for the relief of Esther Joanne Potter; to the Committee on the Judiciary.

S. 2646. An act for the relief of Victoriana Areitio Berincua; to the Committee on the Judiciary.

S. 2649. An act for the relief of Chaya Frangies; to the Committee on the Judiciary.

S. 2669. An act for the relief of Andree M. Doyle; to the Committee on the Judiciary.

S. 2674. An act for the relief of Moxon J. van den Abeele; to the Committee on the Judiciary.

S. 2678. An act for the relief of Liselotte Warmbrand; to the Committee on the Judiciary.

S. 2679. An act for the relief of Ahti Johannes Ruuskanen; to the Committee on the Judiciary.

S. 2682. An act for the relief of Maria Bertagnolli Pancheri; to the Committee on the Judiciary.

S. 2695. An act for the relief of Francoise O. McMahon; to the Committee on the Judiciary.

S. 2709. An act for the relief of Peter Haberl; to the Committee on the Judiciary.

S. 2731. An act for the relief of Jean Cantalini; to the Committee on the Judiciary.

S. 2768. An act for the relief of Lydia Tischler; to the Committee on the Judiciary.

S. 2789. An act for the relief of Gianni Bernardis; to the Committee on the Judiciary.

S. 2791. An act for the relief of Ernesto DeLeon; to the Committee on the Judiciary.

S. 2801. An act for the relief of Graphic Arts Corp., of Ohio; to the Committee on the Judiciary.

S. 2830. An act for the relief of Christos Paul Zolotas; to the Committee on the Judiciary.

S. 2840. An act for the relief of Jonas Dercautan; to the Committee on the Judiciary.

S. 2841. An act for the relief of Vittoria Alberghetti, Daniele Alberghetti, Anna Maria Alberghetti, Carla Alberghetti, and Paolo Alberghetti; to the Committee on the Judiciary.

S. 2843. An act for the relief of Ursula Else Boysen; to the Committee on the Judiciary.

S. 2849. An act for the relief of Elisa-Pompea Roppo (Elisa-Pompea Cardone); to the Committee on the Judiciary.

S. 2877. An act for the relief of Philopimin Michalacopoulos (Mihalakopoulos); to the Committee on the Judiciary.

S. 2879. An act for the relief of Peter Julian Newbery and Prudence Ellen Newbery; to the Committee on the Judiciary.

S. 2884. An act for the relief of Sister Anna Scrinzi, Sister Giuliana Paladini, Sister Iolanda Mazzocchi, and Sister Giuseppina Zanchetta; to the Committee on the Judiciary.

S. 2885. An act for the relief of Sandra Lea McMullin; to the Committee on the Judiciary.

S. 2887. An act for the relief of Hon Cheun Kwan; to the Committee on the Judiciary.

S. 2904. An act for the relief of Jan Hajdukiewicz; to the Committee on the Judiciary.

S. 2921. An act for the relief of Ervin Fuchs; to the Committee on the Judiciary.

S. 2922. An act for the relief of Robert A. Borromeo; to the Committee on the Judiciary.

S. 2925. An act for the relief of Evantiyi Yorgiyadis; to the Committee on the Judiciary.

S. 2936. An act for the relief of Elisa Palumbo Castaldo; to the Committee on the Judiciary.

S. 2941. An act for the relief of Kim Kwang Suk and Kim Woo Shik; to the Committee on the Judiciary.

S. 2945. An act for the relief of Eulalio Rodriguez Vargas; to the Committee on the Judiciary.

S. 2950. An act for the relief of Domenico Scaramuzzino; to the Committee on the Judiciary.

S. 2954. An act for the relief of Christine Thum; to the Committee on the Judiciary.

S. 2968. An act for the relief of Franciszek Janicki and Stefania Janicki; to the Committee on the Judiciary.

S. 2973. An act for the relief of Henry Duncan; to the Committee on the Judiciary.

S. 2984. An act for the relief of Roger Ouellette; to the Committee on the Judiciary.

S. 2993. An act for the relief of Ruch Wehrhan; to the Committee on the Judiciary.

S. 2994. An act for the relief of Mr. and Mrs. Edward H. Hon; to the Committee on the Judiciary.

S. 2996. An act for the relief of Sister Ramona Maria (Ramona E. Tombo); to the Committee on the Judiciary.

S. 3017. An act for the relief of Thomas Barron; to the Committee on the Judiciary.

S. 3024. An act for the relief of Malbina Rouphael David, nee Gebrael; to the Committee on the Judiciary.

S. 3029. An act for the relief of Miroslav Slovak; to the Committee on the Judiciary.

S. 3031. An act for the relief of Antonin Volejnicek; to the Committee on the Judiciary.

S. 3032. An act for the relief of Bohumil Suran; to the Committee on the Judiciary.

S. 3033. An act to authorize the Secretary of Commerce, acting through the Coast and Geodetic Survey, to assist the States of Maryland and Delaware to reestablish their common boundary; to the Committee on the Judiciary.

S. 3043. An act to authorize the leasing of restricted Indian lands in the State of Arizona, other than those of the Navaho or Hopi Indians, for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases; to the Committee on Interior and Insular Affairs.

S. 3045. An act for the relief of Margaret Isabel Byers; to the Committee on the Judiciary.

S. 3046. An act for the relief of Nejibe El-Sousse Slyman; to the Committee on the Judiciary.

S. 3047. An act for the relief of Luzia Cox; to the Committee on the Judiciary.

S. 3054. An act for the relief of Rosita A. Jocson; to the Committee on the Judiciary.

S. 3055. An act for the relief of Jan R. Cwiklinski; to the Committee on the Judiciary.

S. 3056. An act for the relief of S. Sgt. Silvestre E. Castillo; to the Committee on the Judiciary.

S. 3058. An act for the relief of certain nationals of Italy; to the Committee on the Judiciary.

S. 3065. An act for the relief of Ernest Ludwig Bamford and Mrs. Nadine Bamford; to the Committee on the Judiciary.

S. 3071. An act to amend the act authorizing agricultural entries under the nonmineral land laws of certain mineral lands in order to increase the limitation with respect to desert entries made under such act to 320 acres; to the Committee on Interior and Insular Affairs.

S. 3076. An act to provide for the reimbursement of Meadow School District No. 29, Upham, N. Dak., for loss of revenue resulting from the acquisition of certain lands within such school district by the Department of the Interior; to the Committee on the Judiciary.

S. 3084. An act for the relief of Elsa Lederer; to the Committee on the Judiciary.

S. 3087. An act for the relief of Peter Charles Bethel (Peter Charles Peters); to the Committee on the Judiciary.

S. 3094. An act for the relief of Christa Harkrader; to the Committee on the Judiciary.

S. 3101. An act to amend section 490 of title 14, United States Code, entitled "Coast Guard," and for other purposes; to the Committee on Merchant Marine and Fisheries.

S. 3104. An act for the relief of Theodore J. Harris; to the Committee on the Judiciary.

S. 3105. An act for the relief of Stanley Rydzon and Alexander F. Anderson; to the Committee on the Judiciary.

S. 3110. An act for the relief of the Portsmouth Sand & Gravel Co.; to the Committee on the Judiciary.

S. 3112. An act for the relief of Emiko Watanabe; to the Committee on the Judiciary.

S. 3116. An act to amend section 1073 of title 18 of the United States Code to provide for the punishment of any individual who travels in interstate or foreign commerce to avoid prosecution or punishment for indecent molestation of a minor; to the Committee on the Judiciary.

S. 3138. An act for the relief of Wakako Niimi and her minor child, Katherine; to the Committee on the Judiciary.

S. 3148. An act for the relief of Francesco Pugliese; to the Committee on the Judiciary.

S. 3150. An act for the relief of Zanthi Georges Komporozou; to the Committee on the Judiciary.

S. 3156. An act for the relief of Slavoljub Djurovic and Goran Djurovic; to the Committee on the Judiciary.

S. 3160. An act for the relief of Irene Julienne Givens; to the Committee on the Judiciary.

S. 3163. An act for the relief of Myung Sik Hong; to the Committee on the Judiciary.

S. 3164. An act for the relief of Rosario Estevez de Aponte (nee Frias), otherwise known as Rosario Estevez Aponte; to the Committee on the Judiciary.

S. 3187. An act to authorize the United States of America to quitclaim all its right, title, and interest in and to certain lands in Arizona, except for mineral interests therein, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 3200. An act to amend section 3 of the Travel Expense Act of 1949, as amended, to provide an increased maximum per diem allowance for subsistence and travel expenses; to the Committee on Government Operations.

S. 3218. An act for the relief of Maria Elena Venegas and Sarah Lucia Venegas; to the Committee on the Judiciary.

S. 3221. An act for the relief of Ingeborg Otto; to the Committee on the Judiciary.

S. 3234. An act for the relief of Aron Klein and Zita Klein (nee Spielman); to the Committee on the Judiciary.

S. 3251. An act to provide for the conveyance of certain mineral rights to Mrs. Pearl O. Marr, of Crossroads, N. Mex.; to the Committee on Interior and Insular Affairs.

S. 3273. An act for the relief of Cirino Lanzafame; to the Committee on the Judiciary.

S. 3276. An act for the relief of Cleophat Robert Joseph Caron; to the Committee on the Judiciary.

S. 3293. An act for the relief of Lt. P. B. Sampson; to the Committee on the Judiciary.

S. 3304. Conferring jurisdiction upon the Court of Claims of the United States to consider and render judgment on the claim of the Cuban-American Sugar Co. against the United States; to the Committee on the Judiciary.

S. 3316. An act to authorize and direct the conveyance of a certain tract of land in the State of Mississippi to Jonathan Jones; to the Committee on Interior and Insular Affairs.

S. 3322. An act for the relief of Ali Hassan Waffa; to the Committee on the Judiciary.

S. 3326. An act for the relief of P. H. McConnell; to the Committee on the Judiciary.

S. 3327. An act for the relief of Rev. Lorenzo Rodriguez Blanco and Rev. Alejandro Negredo Lazaro; to the Committee on the Judiciary.

S. 3341. An act to provide punishment for certain confidence game swindles; to the Committee on the Judiciary.

S. 3343. An act for the relief of Babette Bayer Trisler; to the Committee on the Judiciary.

S. 3392. An act for the relief of Anna C. Giese; to the Committee on the Judiciary.

S. 3404. An act for the relief of Anni Stroee Jacobsen; to the Committee on the Judiciary.

S. 3413. An act for the relief of Shigeko Nakamura Bulmer; to the Committee on the Judiciary.

S. 3415. An act for the relief of June Rose McHenry; to the Committee on the Judiciary.

S. 3424. An act for the relief of Anneliese Hofmann; to the Committee on the Judiciary.

S. 3429. An act to authorize the assessment of costs and reasonable attorneys' fees against the United States in certain appellate proceedings; to the Committee on the Judiciary.

S. 3436. An act for the relief of Laurie Dea Holley and the legal guardian of Karmen Lael Holley, minor child; to the Committee on the Judiciary.

S. 3485. An act for the relief of Liselotta Kunze; to the Committee on the Judiciary.

S. 3494. An act for the relief of the Central Railroad Co. of New Jersey; to the Committee on the Judiciary.

S. 3562. An act for the relief of the McMahon Co., Inc.; to the Committee on the Judiciary.

S. 3569. An act for the relief of Mrs. Lisa Lear; to the Committee on the Judiciary.

S. 3577. An act for the relief of Milos Knezevich; to the Committee on the Judiciary.

S. 3582. An act for the relief of Col. David W. Stonecliffe; to the Committee on the Judiciary.

S. 3585. An act to amend the Strategic and Critical Materials Stockpiling Act (60 Stat. 596); to the Committee on Armed Services.

S. 3586. An act for the relief of Mrs. Hildegard Simon Walley; to the Committee on the Judiciary.

S. 3598—An act for the relief of Elonore Schmucker and her child; to the Committee on the Judiciary.

S. 3601. An act to provide that the Secretary of Agriculture is authorized to extend until not later than October 18, 1962, certain timber rights and necessary ingress and egress, and for other purposes; to the Committee on Agriculture.

S. 3622. An act to provide for the preparation of plans and specifications for a museum building for the Smithsonian Institution; to the Committee on Public Works.

S. 3625. An act for the relief of Mrs. Juana Padilla de Caballero (Mrs. Juana Padilla de Ontiveros); to the Committee on the Judiciary.

S. 3652. An act for the relief of Francis Timothy Mary Hodgson (formerly Victor Charles Joyce); to the Committee on the Judiciary.

S. 3666. An act for the relief of Mary Palanuk; to the Committee on the Judiciary.

S. 3688. An act for the relief of Helga Schart Coulson; to the Committee on the Judiciary.

S. 3689. An act for the relief of Gisela Nagel (nee Maireder); to the Committee on the Judiciary.

S. 3744. An act to change the name of Gavins Point Reservoir back of Gavins Point Dam to Lewis and Clark Lake; to the Committee on Public Works.

S. 3756. An act for the relief of Howard Carl Kaiser; to the Committee on the Judiciary.

S. 3773. An act to authorize reciprocal fire protection agreements between departments and agencies of the United States and public or private organizations engaged in firefighting activities, and for other purposes; to the Committee on Government Operations.

S. 3774. An act to extend the benefits of the Watershed Protection and Flood Prevention Act to Alaska, Hawaii, Puerto Rico, and the Virgin Islands; to the Committee on Agriculture.

S. J. Res. 158. Joint resolution to provide for a new third division of the Northern Judicial District of California; to the Committee on the Judiciary.

S. Con. Res. 104. To print additional copies of part 4 of the hearings held before a subcommittee of the Commitee on Interior and Insular Affairs relative to stockpile and accessibility of strategic and critical materials to the United States in time of war; to the Committee on House Administration.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 669. An act for the relief of George D. Kyminas;

H. R. 787. An act for the relief of Israel Ratsprecher and Maryse Ratsprecher;

H. R. 803. An act for the relief of Christakis Modinos;

H. R. 804. An act for the relief of Enrichetta F. C. Meda-Novara;

H. R. 818. An act for the relief of Mrs. Emma Martha Staack;

H. R. 868. An act for the relief of Ciriaco Catino;

H. R. 905. An act for the relief of Franciszek Wolczek;

H. R. 950. An act for the relief of Panoula Panagopoulos;

H. R. 970. An act for the relief of George Economos;

H. R. 977. An act for the relief of Mrs. Aimee Dutour Rovzar;

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H. R. 1171. An act for the relief of Mrs. Wai-Jan Low Fong;

H. R. 1324. An act for the relief of Georgina Chinn;

H. R. 1463. An act for the relief of Ilona Elizabeth Carrier;

H. R. 1646. An act for the relief of Arthur Neustadt and Mrs. Emma Neustadt;

H. R. 1697. An act for the relief of Mrs. Katharina Batke;

H. R. 1843. An act to increase the retired pay of certain members of the former Lighthouse Service;

H. R. 1897. An act for the relief of Mrs. Betty E. Le May;

H. R. 1974. An act to amend the third paragraph of section 4, chapter 1, title I, of the act entitled "An act making further provision for a civil government for Alaska, and for other purposes," approved June 6, 1900 (31 Stat. 322; 48 U. S. C., sec. 101), as amended;

H. R. 1975. An act to amend section 2201 of title 28, United States Code, to extend the Federal Declaratory Judgments Act to the Territory of Alaska;

H. R. 1976. An act to amend title 28, United States Code, to permit the registration of judgments in or from the District Court of the Territory of Alaska;

H. R. 2051. An act for the relief of Ivo Markulin;

H. R. 2224. An act to amend the Army-Navy Medical Services Corps Act of 1947 (61 Stat. 734), as amended, so as to authorize the appointment of a Chief of the Medical Service Corps of the Navy, and for other purposes;

H. R. 2358. An act for the relief of Dr. Vahram Uluhogian;

H. R. 2359. An act for the relief of Joseph Veich, also known as Giuseppe Veic;

H. R. 2635. An act for the relief of Olga Abitia;

H. R. 2654. An act for the relief of Sisters Linda Salerno, Luigiana C. Cairo, Antonietta Impieri, Anna Impieri, Rosina Scariato, Iolanda Gaglianone, Maria Assunta Scaramuzzo, Franceshina Cauterucci, and Filomena Lupinacci;

H. R. 2793. An act for the relief of Miyoko Nagare;

H. R. 2843. An act to authorize the Secretary of the Interior to investigate and report to the Congress on the conservation, development, and utilization of the irrigation and reclamation resources of the Waimanalo, Oahu; Waimea, Island of Hawaii; and Molokai projects, T. H.;

H. R. 2874. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of Mary K. Reynolds, as successor in interest to the Colonial Realty Co.;

H. R. 2879. An act to stay deportation proceedings on Juan Onativia;

H. R. 2901. An act for the relief of Tokuko Kobayashi, and her minor son;

H. R. 3116. An act for the relief of Dimitra Makhavitzki;

H. R. 3125. An act for the relief of Alexander Hahn and Suzanne Hahn;

H. R. 3144. An act for the relief of Elias Y. Richa;

H. R. 3238. An act for the relief of Danica Maria Vavrova;

H. R. 3344. An act for the relief of Carmen Salvador and her daughter, Ruby Salvador;

H. R. 3419. An act to authorize a $50 per capita payment to members of the Red Lake Band of Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation;

H. R. 3444. An act for the relief of Toki Yaeko;

H. R. 3616. An act for the relief of Nicoletta Di Donato;

H. R. 3677. An act for the relief of Sister Paolina (Angela Di Franco);

H. R. 3759. An act for the relief of Babette Mueller Esposito;

H. R. 3855. An act for the relief of Sister Agrippina (Agrippina Palermo), Sister Battistina (Franceschina Serpa), Sister Romana (Angela Iolanda Morelli), Sister Franceschina (Maria Caruso), and Sister Bruna (Giuseppina De Caro);

H. R. 4092. An act for the relief of Mira Tellini Napoleone;

H. R. 4213. An act to authorize works for development and furnishing of water supplies for waterfowl management, Central Valley project, California, and for other purposes;

H. R. 4371. An act for the relief of June Ann Sakurai;

H. R. 4620. An act for the relief of Natale Joseph John Ratti;

H. R. 4690. An act to provide for the erection of appropriate markers in national cemeteries to honor the memory of members of the Armed Forces missing in action;

H. R. 4721. An act to provide that the excess-land provisions of the Federal reclamation laws shall not apply to lands in the Owl Creek unit of the Missouri Basin project;

H. R. 4740. An act for the relief of Kaoru Yoshioka;

H. R. 4881. An act to amend the Canal Zone Code in reference to the survival of things in action;

H. R. 4959. An act for the relief of Muhittin Schuer;

H. R. 4998. An act for the relief of Paul Frkovich;

H. R. 5072. An act for the relief of Carmen D'Ottavio, also known as Cameron D'Ottavio;

H. R. 5077. An act for the relief of Sophia Nassopoulos;

H. R. 5314. An act to extend the coverage of the Servicemen's Indemnity Act to members of the Reserve Officer Training Corps when ordered to active training duty for periods in excess of 14 days;

H. R. 5340. An act for the relief of Tibor, Szuzsa (Susanne) and Judith Sauer;

H. R. 5354. An act for the relief of Liborio Guido Rutilio;

H. R. 5443. An act for the relief of Eva Lowinger;

H. R. 5639. An act for the relief of Edeltraud Kamberg;

H. R. 5816. An act for the relief of Mrs. Caridad Rosa Avila Leyva de Ernest;

H. R. 5822. An act for the relief of Evanthia Demetrios Makrozonari;

H. R. 5832. An act to authorize the Commissioner of Public Lands of the Territory of Hawaii to sell public lands to certain lessees, permittees, and others;

H. R. 5944. An act for the relief of Alberto Ugo Landry;

H. R. 5997. An act to enable the Legislature of the Territory of Hawaii to authorize the issuance of general obligation bonds, the proceeds thereof to be used for veterans' mortgages;

H. R. 6026. An act for the relief of Gertrud O. Heinz;

H. R. 6113. An act to amend title 28 of the United States Code, so as to increase the penalties applicable to the smuggling of goods into the United States;

H. R. 6127. An act to amend the act entitled "An act to create a Board for the Condemnation of Insanitary Buildings in the District of Columbia, and for other purposes," approved May 1, 1906;

H. R. 6223. An act to amend section 87 of the National Defense Act of June 3, 1916, as amended (32 U. S. C. 47), to relieve the States from accountability and pecuniary liability for property lost, damaged or destroyed except in cases where it shall appear that the loss, damage, or destruction of the property was due to carelessness or negligence or could have been avoided by the exercise of reasonable care;

H. R. 6253. An act to amend Public Law 410, 78th Congress, with regard to compensation for overtime, Sunday, and holiday work of employees of the United States Public Health Service, Foreign Quarantine Division;

H. R. 6280. An act to extend temporarily the rights of priority of nationals of Japan and certain nationals of Germany, with respect to applications for patents;

H. R. 6367. An act for the relief of Nobu Nogawa Nitta;

H. R. 6393. An act granting the consent and approval of Congress to an interstate forest fire protection compact;

H. R. 6414. An act for the relief of Barbara Pator Allen;

H. R. 6553. An act for the relief of Esterina Pella Bellucci;

H. R. 6658. An act to provide for the conveyance of certain lands by the United States to the county of Cumberland, State of North Carolina, without remuneration;

H. R. 6855. An act for the relief of Mrs. Elisabeth Metzing Rink;

H. R. 6885. An act to amend section 1 of Joint Resolution 12 enacted by the 25th Legislature of the Territory of Hawaii, in the regular session of 1949 and approved by the 81st Congress of the United States of America at the 2d session (Public Law 746, ch. 833).

H. R. 6886. An act to ratify and confirm sections 5 and 6 of Act 254 and Act 280 of the session laws of Hawaii, 1953, and to authorize the issuance of certain public-improvement bonds by the Territory of Hawaii;

H. R. 6955. An act for the relief of Margers Nulle-Siecenieks.

H. R. 6982. An act for the relief of Maria Elizabeth Sanchez Y Moreno.

H. R. 6987. An act for the relief of Gene C. Szutu and Florence C. Szutu.

H. R. 7041. An act for the relief of Waltruade Elsa Solleder.

H. R. 7051. An act for the relief of Mary George Solomon.

H. R. 7088. An act for the relief of Antonio Cazzato.

H. R. 7131. An act to repeal a limitation on pay of certain officers of the Navy;

H. R. 7138. An act for the relief of Rosa Marie Adelheid Herok;

H. R. 7140. An act for the relief of Robert A. Duval;

H. R. 7145. An act for the relief of Anneliese Catalino;

H. R. 7150. An act for the relief of Thora June Grumbles;

H. R. 7152. An act for the relief of Jozef Van den Broeck;

H. R. 7221. An act for the relief of Anders Taranger;

H. R. 7251. An act to authorize the Secretary of the Interior to transfer to Vernon F. Parry, the right, title, and interest of the United States, in foreign countries, in and to a certain invention;

H. R. 7334. An act to authorize certain property transactions in Cocoli, C. Z., and for other purposes;

H. R. 7398. An act to repeal the requirement of section 3921 of the Revised Statutes that postmasters report to the Postmaster General failure to cancel postage stamps;

H. R. 7399. An act to authorize the sale of postage-due stamps for philatelic purposes.

H. R. 7411. An act for the relief of Mrs. Esterlee Hutzler Weinhoeppel;

H. R. 7451. An act for the relief of Erika Jette Lavery;

H. R. 7460. An act to pay Warren P. Hoover for services rendered the Army of the United States;

H. R. 7486. An act to amend section 1071 of title 18, United States Code, relating to the concealing of persons from arrest, so as to increase the penalties therein provided;

H. R. 7494. An act for the relief of Elizabeth Forster Austin;

H. R. 7508. An act for the relief of James Dore, Jr.;

H. R. 7517. An act to enable the Legislature of the Territory of Hawaii to authorize

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the city and county of Honolulu, a municipal corporation, to issue public-improvement bonds;

H. R. 7518. An act to enable the Legislature of the Territory of Hawaii to authorize the city and county of Honolulu, a municipal corporation, to issue public-improvement bonds;

H. R. 7568. An act to authorize and direct the Farm Loan Board of Hawaii to convey certain land and to ratify and confirm certain acts of said Farm Loan Board.

H. R. 7569. An act to authorize the removal of a restrictive covenant on land patent No. 9628, issued to the board of the Hawaiian Evangelical Association on January 18, 1929, and covering lots 5 and 6 of Waimea town lots, situated in the County of Kauai, T. H.

H. R. 7584. An act for the relief of Angele Marie Boyer (nee Pieniazcek);

H. R. 7593. An act for the relief of Theresia Probst Uhl;

H. R. 7606. An act for the relief of Michael Henry LaFleur;

H. R. 7612. An act for the relief of Enrico Intravaia;

H. R. 7628. An act for the relief of Mrs. Adriana M. Truyers Aretz;

H. R. 7629. An act for the relief of Mrs. Ruth Gruschka Krug;

H. R. 7635. An act for the relief of Martti Ilmari Timonen, Maj-Lis Timonen, and Marja Timonen;

H. R. 7761. An act for the relief of John Lewis Pyles, Jr.;

H. R. 7807. An act for the relief of Heinz Gerhard Rolappe;

H. R. 7924. An act for the relief of Giuseppi Clementi;

H. R. 7925. An act for the relief of Mrs. Dina Mianulli (nee Kratzer);

H. R. 7945. An act for the relief of Bart Blaak (formerly Johannes J. M. Gijsbers);

H. R. 7987. An act for the relief of Roger Feghali;

H. R. 8006. An act to authorize the Secretary of the Interior to issue patents for certain lands in Wisconsin bordering upon inland lakes or rivers;

H. R. 8034. An act for the incorporation of the Sons of Union Veterans of the Civil War;

H. R. 8038. An act to authorize the conveyance to the Hot Springs School District and to Garland County, Ark., for school and for other public purposes, of certain land originally donated to the United States and situated in Hot Springs National Park, Ark., and for other purposes;

H. R. 8041. An act to provide benefits under the laws administered by the Veterans' Administration based upon service in the Women's Army Auxiliary Corps under certain conditions;

H. R. 8066. An act for the relief of Mrs. Gertrud Eckert Strickland;

H. R. 8146. An act for the relief of Palmina Smarrelli (nee Lattanzio);

H. R. 8115. An act for the relief of Tannous Estephan;

H. R. 8155. An act to continue until the close of June 30, 1955, the suspension of duties and import taxes on metal scrap, and for other purposes;

H. R. 8180. An act to increase the amount of Federal aid to State or Territorial homes for the support of disabled soldiers, sailors, and airmen of the United States;

H. R. 8239. An act for the relief of Fung Ping Wah and others;

H. R. 8334. An act for the relief of Helmut Cermak and Hana Cermak;

H. R. 8365. An act to confirm the authority of the Secretary of the Interior to issue patents in fee to allotments of lands of the Mission Indians in the State of California prior to the expiration of the trust period specified in the act of January 12, 1891, as amended;

H. R. 8384. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Talent division of the Rogue River Basin reclamation project, Oregon;

H. R. 8385. An act to amend section 2382 of the Revised Statutes, in order to make the size of townlots conform in size to local standards;

H. R. 8501. An act to provide for the conveyance of certain land in Sumter County, Ga., to the Americus and Sumter County Chamber of Commerce;

H. R. 8520. An act to provide for the inclusion of the Ainsworth, Lavaca Flats, Mirage Flats extension, and O'Neill irrigation developments in the Missouri River Basin project;

H. R. 8570. An act to authorize the Secretary of the Navy to dispose of certain uncompleted naval vessels, and for other purposes;

H. R. 8634. An act to amend section 22 of the Organic Act of Guam;

H. R. 8658. An act to amend title 18, United States Code, to provide for the punishment of persons who jump bail;

H. R. 8736. An act to authorize the issuance of a land patent to certain public lands, situate in the county of Kauai, T. H., for school purposes;

H. R. 8821. An act to authorize the exchange of lands acquired by the United States for the Catoctin recreational demonstration area, Frederick County, Md., for the purpose of consolidating Federal holdings therein;

H. R. 8897. An act to authorize and direct the Secretary of the Interior to transfer 40 acres of land in the Northern Cheyenne Indian Reservation, Mont., to School District No. 6, Rosebud County, Mont.;

H. R. 8921. An act to establish the rate of compensation for the position of the General Counsel of the Department of Commerce;

H. R. 9000. An act to integrate the Judge Advocate's promotion list with that of the Army, to restore lost seniority and grade, and for other purposes;

H. R. 9020. An act to provide increases in the monthly rates of compensation payable to certain veterans and their dependents;

H. R. 9194. An act to provide for the conveyance of certain land owned by the Federal Government near Vicksburg, Miss., to Vicksburg, Miss.;

H. R. 9236. An act to amend the Federal Credit Union Act, as amended;

H. R. 9302. An act to permit retired members of the uniformed services to revoke elections made under the Uniformed Services Contingency Option Act of 1953 in certain cases where the elections were made because of mathematical errors or misinformation;

H. R. 9336. An act for the relief of Marianne Geymeier;

H. R. 9390. An act to extend certain civilian-internee and prisoner-of-war benefits under the War Claims Act of 1948, as amended, to civilian internees and American prisoners of war captured and held during the hostilities in Korea;

H. R. 9406. An act to provide for the conveyance of certain real property to the town of Beaufort, N. C.;

H. R. 9582. An act to provide for the disposition of surplus personal property to the Territorial government of Alaska;

H. R. 9584. An act to protect the rights of vessels of the United States on the high seas and in territorial waters of foreign countries;

H. R. 9630. An act to authorize the Secretary of the Interior to execute an amendatory contract with the Black Canyon Irrigation District, Idaho, and for other purposes;

H. R. 9671. An act for the relief of Dr. Liang Nun Wang and his wife and child, Fa-chi Ling Wang and Eileen Wang;

H. R. 9678. An act to promote the security and foreign policy of the United States by furnishing assistance to friendly nations, and for other purposes;

H. R. 9814. An act for the relief of Alfio Capizzi;

H. R. 9821. An act to amend titles 18 and 28 of the United States Code;

H. R. 9882. An act to incorporate the Foundation of the Federal Bar Association;

H. R. 9888. An act to amend the laws granting education and training benefits to certain veterans to extend the period during which such benefits may be offered;

H. R. 9889. An act to authorize the Secretary of the Interior to execute an amendatory contract with American Falls Reservoir District No. 2, Idaho, and for other purposes;

H. R. 9996. An act for the relief of Susan Ellen Heiney;

H. J. Res. 257. Joint resolution authorizing the President to invite the States of the Union and foreign countries to participate in the First International Instrument Congress and Exposition to be held in Philadelphia, Pa., from September 13 to 25, 1954;

H. J. Res. 356. Joint resolution authorizing the erection of a memorial gift from the people of the Netherlands;

H. J. Res. 359. Joint resolution designating the period from October 11 to October 15, inclusive, 1954, as National Nurse Week.

H. J. Res. 560. Joint resolution to authorize the Commissioners of the District of Columbia to promulgate special regulations for the period of the American Legion National Convention of 1954, to authorize the granting of certain permits to the American Legion 1954 Convention Corp. on the occasion of such convention, and for other purposes;

H. J. Res. 561. Joint resolution to authorize the quartering in public buildings in the District of Columbia of troops participating in activities related to the American Legion National Convention of 1954;

The SPEAKER announced his signature to enrolled bills and joint resolutions of the Senate of the following titles:

S. 16. An act to permit the compelling of testimony under certain conditions and to grant immunity from prosecution in connection therewith;

S. 22. An act to validate certain payments for accrued leave made to members of the Armed Forces who accepted discharges for the purpose of immediate reenlistment for an indefinite period;

S. 154. An act for the relief of George Pantelas;

S. 232. An act for the relief of Hugo Kern;

S. 546. An act to authorize payment for losses sustained by owners of wells in the vicinity of Cold Brook Dam by reason of the lowering of the level of water in such wells as a result of the construction of Cold Brook Dam;

S. 1184. An act to authorize relief of authorized certifying officers from exceptions taken to payments pertaining to terminated war agencies in liquidation by the Department of State;

S. 1225. An act for the relief of Brunhide Walburga Golomb Hartsworm;

S. 1308. An act for the relief of Leonard Hungerford;

S. 1706. An act to provide for taxation by the State of Wyoming of certain property located within the confines of Grand Teton National Park, and for other purposes;

S. 1748. An act to incorporate the National Fund for Medical Education;

S. 1845. An act for the relief of Dr. Ian Young-cheng Hu;

S. 1904. An act for the relief of Ottilie Theresa Workmann;

S. 1959. An act for the relief of Mrs. Annemarie Namias;

S. 2420. An act to amend section 32 of the Trading With the Enemy Act, as amended;

S. 2456. An act for the relief of Martin Genuth;

S. 2461. An act for the relief of Berta Hellmich;

S. 2744. An act to provide for the termination of Federal supervision over the prop-

erty of the Alabama and Coushatta Tribes of Indians of Texas, and the individual members thereof; and for other purposes;

S. 2958. An act for the relief of Ida Reissmuller and Johnny Damon Eugene Reissmuller;

S. 3028. An act to require the Postmaster General to reimburse postmasters of discontinued post offices for equipment owned by the postmaster;

S. 3085. An act for the relief of Mrs. Helen Stryk;

S. 3233. An act to amend the Merchant Marine Act, 1936, to provide permanent legislation for the transportation of a substantial portion of waterborne cargoes in United States flag-vessels;

S. 3302. An act granting to the Las Vegas Valley Water District, a public corporation organized under the laws of the State of Nevada, certain public lands of the United States in the State of Nevada;

S. 3239. An act to authorize conveyance of land to the State of California for an inspection station;

S. 3303. An act granting to Basic Management, Inc., a private corporation organized under the laws of the State of Nevada, certain public lands of the United States in the State of Nevada;

S. 3379. An act to amend section 4 of the Flammable Fabrics Act, with respect to standards of flammability in the case of certain textiles;

S. 3393. An act authorizing the Administrator of Veterans' Affairs to convey certain property to Milwaukee County, Wis.;

S. 3487. An act to authorize the Central Bank for Cooperatives and the regional banks for cooperatives to issue consolidated debentures, and for other purposes;

S. 3532. An act to provide for the partition and distribution of the assets of the Ute Tribe of Uintah and Ouray Reservation in Utah between the mixed-blood and full-blood members thereof; and for the termination of Federal supervision over the property of the mixed-blood members of said tribe; to provide a development program for the full-blood members of said tribe; and for other purposes;

S. 3546. An act to provide an immediate program for the modernization and improvement of such merchant-type vessels in the reserve fleet as are necessary for national defense;

S. 3769. An act to amend section 709 of title 18, United States Code, so as to protect the name of the Federal Bureau of Investigation from commercial exploitation;

S. 3816. An act to authorize the replacement of certain Government-owned utility facilities at Glacier National Park, Mont., and Grand Canyon National Park, Ariz.;

S. J. Res. 140. Joint resolution to establish a commission for the celebration of the 200th anniversary of the birth of Alexander Hamilton; and

S. J. Res. 183. Joint resolution to extend greetings to the Gold Coast and Nigeria.

BILLS PRESENTED TO THE PRESIDENT

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee did on August 12, 1954, present to the President, for his approval, bills of the House of the following titles:

H. R. 686. An act for the relief of Mrs. Erna Grownowski;

H. R. 795. An act for the relief of Jean Hollis Vock;

H. R. 692. An act for the relief of Nina Makeef, also known as Nina Berberova;

H. R. 1462. An act for the relief of Fontini X. Parisis;

H. R. 1337. An act for the relief of Mrs. Franca Gatti Ohta;

H. R. 1766. An act for the relief of Claire Louise Carey and Vincent P. Carey;

H. R. 1788. An act for the relief of Wanda Luceri, also known as Sister Cecelia; Maria De Padova, also known as Sister Rosanna; Anna Santoro, also known as Sister Natalina; Valentina Ruffoni, also known as Sister Severina; Cosima Russo, also known as Sister Carmelina;

H. R. 2028. An act for the relief of Mrs. Antonietta Palmieri;

H. R. 2188. An act for the relief of Karoline Diekmeyer;

H. R. 2371. An act for the relief of Mrs. Maria M. Broix;

H. R. 2403. An act for the relief of Laszlo Varga and Nike Varga;

H. R. 2440. An act for the relief of Lidija Cimze;

H. R. 2499. An act for the relief of Adolfo L. Kalb, and his wife, Mrs. Eugenia G. Kalb;

H. R. 2619. An act for the relief of Sister Aurelia Yanguas Teres and Sister Matilde Cuevas San Martin;

H. R. 2627. For the relief of Cecilia Lucy Boyack;

H. R. 2650. An act for the relief of Sister Anna Ettl;

H. R. 3017. An act for the relief of Felix Petrover;

H. R. 3675. An act for the relief of Herre van der Veen, Mrs. Marie van der Veen, Helen Winifred van der Veen, and Jan Herre van der Veen;

H. R. 3743. An act for the relief of Chaim Szemaja Segal and Icek Hersz Segal;

H. R. 4248. An act for the relief of Albertas Bauras;

H. R. 8152. An act to extend to June 30, 1955, the direct home and farmhouse loan authority of the Administrator of Veterans' Affairs under title III of the Servicemen's Readjustment Act of 1944, as amended, to make additional funds available therefor, and for other purposes; and

H. R. 8694. An act for the relief of Suzanne L'Heureux.

ATOMIC ENERGY ACT OF 1954

Mr. COLE of New York, from the committee of conference, submitted a conference report and statement on the bill (H. R. 9757) to amend the Atomic Energy Act of 1946, as amended, and for other purposes.

SUPPLEMENTAL APPROPRIATIONS, 1953

Mr. TABER submitted a conference report and statement on the bill (H. R. 9936) making supplemental appropriations for the fiscal year ending June 30, 1955, and for other purposes.

FRINGE EMPLOYMENT BENEFITS FOR EMPLOYEES OF THE FEDERAL GOVERNMENT

Mr. REES of Kansas submitted a conference report and statement on the bill (H. R. 2263) to authorize the Postmaster General to readjust the compensation of holders of contracts for the performance of mail-messenger service, and for other purposes.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the RECORD, or to revise and extend remarks, was granted to:

Mr. HUNTER and to include extraneous matter.

Mr. HAGEN of Minnesota in three instances and to include extraneous matter.

Mr. WAINWRIGHT and to include extraneous matter.

Mr. DONOHUE.

Mr. JOHNSON of Wisconsin.

Mr. BOGGS in two instances and to include extraneous matter.

Mr. ASPINALL.

Mr. HOLT (at the request of Mr. HUNTER).

ADJOURNMENT

Mr. HALLECK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 31 minutes p. m.), the House adjourned until tomorrow, Tuesday, August 17, 1954, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1818. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of a bill entitled "A bill to amend the District of Columbia Teachers' Salary Act of 1947, as amended"; to the Committee on the District of Columbia.

1819. A letter from the Attorney General, transmitting a report showing the special assistants employed during the period from January 1, 1954, to June 30, 1954, pursuant to section 202, general provisions, Department of Justice Appropriation Act for the fiscal year 1954, approved August 5, 1953; to the Committee on Government Operations.

1820. A letter from the Acting Comptroller General of the United States, transmitting a copy of the General Accounting Office report on the audit of Alaska Road Commission, an agency in the Department of the Interior, for the fiscal year ended June 30, 1953, pursuant to the Budget and Accounting Act, 1921 (31 U. S. C. 53), and the Accounting and Auditing Act of 1950 (31 U. S. C. 67); to the Committee on Government Operations.

1821. A letter from the Acting Comptroller General of the United States, transmitting a copy of the General Accounting Office report on the audit of the Puerto Rico Reconstruction Administration, an agency in the Department of the Interior, for the fiscal year ended June 30, 1953, pursuant to the Budget and Accounting Act, 1921 (31 U. S. C. 53), and the Accounting and Auditing Act of 1950 (31 U. S. C. 67); to the Committee on Government Operations.

1822. A letter from the Assistant Secretary of the Interior, transmitting a copy of a bill passed by the Municipal Council of St. Thomas and St. John, V. I., pursuant to section 16 of the Organic Act of the Virgin Islands of the United States, approved June 22, 1936; to the Committee on Interior and Insular Affairs.

1823. A letter from the Assistant Secretary of the Interior, transmitting a proposed award of a concession permit to Mr. Hjalmar A. Mattson which will, when approved by the regional director, region No. 2, National Park Service, authorize him to operate the Windigo Inn at Washington Harbor, Isle Royale National Park, Mich., for a period of 5 years from January 1, 1954, pursuant to the act of July 31, 1953 (67 Stat. 271); to the Committee on Interior and Insular Affairs.

1824. A letter from the Governor, Canal Zone government, Canal Zone, transmitting a report of claims paid by the Canal Zone government for the period July 1, 1953, to June 30, 1954, pursuant to section 2673 of

title 28, United States Code; to the Committee on the Judiciary.

1825. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders entered in the cases of certain aliens who have been found admissible into the United States, pursuant to section 212 (a) (28) (I) (ii) of the Immigration and Nationality Act; to the Committee on the Judiciary.

1826. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders granting the applications for permanent residence filed by the subjects, pursuant to section 6 of the Refugee Relief Act of 1953; to the Committee on the Judiciary.

1827. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders entered in the cases where the authority contained in section 212 (d) (3) of the Immigration and Nationality Act was exercised in behalf of such aliens, pursuant to section 212 (d) (6) of the Immigration and Nationality Act; to the Committee on the Judiciary.

1828. A letter from the secretary-treasurer, Military Chaplains Association of the United States of America, transmitting the annual report of the proceedings, including financial report of the Military Chaplains Association of the United States of America pursuant to Public Law 792, 81st Congress; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DONDERO: Committee on Public Works. Senate Joint Resolution 170. Joint resolution to approve the conveyance by the Tennessee Valley Authority of certain public-use terminal properties now owned by the United States; without amendment (Rept. No. 2659). Referred to the Committee of the Whole House on the State of the Union.

Mr. COLE of New York: Joint Committee on Atomic Energy. H. R. 10203. An act to provide rewards for information concerning the illegal introduction into the United States, or the illegal manufacture or acquisition in the United States, of special nuclear material and atomic weapons; with amendment (Rept. No. 2660). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON of Utah: Committee of conference. S. 2670. An act to provide for the termination of Federal supervision over the property of certain tribes, lands, and colonies of Indians in the State of Utah and the individual numbers thereof, and for other purposes (Rept. No. 2661). Ordered to be printed.

Mr. GRAHAM: Committee on the Judiciary. S. 2862. An act to provide relief for the sheep-raising industry by making special nonquota immigrant visas available to certain skilled alien sheepherders; without amendment (Rept. No. 2662). Referred to the Committee of the Whole House on the State of the Union.

Mr. TABER: Committee of conference. H. R. 9936. A bill making supplemental appropriations for the fiscal year ending June 30, 1955, and for other purposes (Rept. No. 2663). Ordered to be printed.

Mr. HOPE: Committee of conference. H. R. 9680. A bill to provide for continued price support for agricultural products; to augment the marketing and disposal of such products; to provide for greater stability in the products of agriculture; and for other purposes (Rept. No. 2664). Ordered to be printed.

Mr. REES of Kansas: Committee of conference. H. R. 2263. A bill to authorize the Postmaster General to readjust the compensation of holders of contracts for the performance of mail-messenger service (Rept. No. 2665). Ordered to be printed.

Mr. COLE of New York: Committee of conference. H. R. 9757. A bill to amend the Atomic Energy Act of 1946, as amended, and for other purposes (Rept. No. 2666). Ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GRAHAM: Committee on the Judiciary. S. 2074. An act for the relief of certain Basque sheepherders; with amendment (Rept. No. 2658). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HIESTAND:

H. R. 10237. A bill to outlaw the Communist Party, to prohibit members of Communist organizations from serving in certain representative capacities, and for other purposes; to the Committee on the Judiciary.

By Mr. BERRY:

H. R. 10238. A bill to authorize the Secretary of Agriculture to exchange certain lands in Pennington County, S. Dak.; to the Committee on Agriculture.

By Mr. DONOHUE:

H. R. 10239. A bill to amend section 201 of the Immigration and Nationality Act, so as to provide that all quota numbers not used in any year shall be made available to immigrants in oversubscribed areas in the following year, and for other purposes; to the Committee on the Judiciary.

By Mr. JENKINS:

H. R. 10240. A bill to authorize Federal payments to enable the States to expand their school construction programs; to the Committee on Education and Labor.

By Mr. KEATING:

H. R. 10241. A bill to prescribe penalties applicable to present and former officers and employees of the United States who refuse to testify concerning matters relating to their public office or employment; to the Committee on the Judiciary.

By Mr. METCALF:

H. R. 10242. A bill to provide that the amount in the Federal aid to wildlife-restoration fund shall be available for use by the States during the fiscal year beginning July 1, 1955, and for other purposes; to the Committee on Appropriations.

By Mr. THORNBERRY:

H. R. 10243. A bill authorizing the transfer of a portion of the Camp Mabry militia rifle range tract in the city of Austin, Tex., comprising 189.11 acres, to the State of Texas; to the Committee on Armed Services.

By Mr. WILLIAMS of New Jersey:

H. R. 10244. A bill Communist Control Act of 1954; to the Committee on the Judiciary.

By Mr. HOLIFIELD:

H. Con. Res. 269. Concurrent resolution to effect a Federal Power Commission survey of electric energy including energy derived from nuclear fission, and legislative recommendations relating thereto; to the Joint Committee on Atomic Energy.

By Mr. PRICE:

H. Con. Res. 270. Concurrent resolution to effect a Federal Power Commission survey of electric energy including energy derived from nuclear fission, and legislative recommendations relating thereto; to the Joint Committee on Atomic Energy.

By Mr. CLARDY:

H. Res. 706. Resolution creating a select committee to conduct an investigation and study of the Committee for an Effective Congress; to the Committee on Rules.

H. Res. 707. Resolution to provide funds for the expenses of the investigation and study authorized by House Resolution 706; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDONIZIO:

H. R. 10245. A bill for the relief of Buonaventura Giannone; to the Committee on the Judiciary.

H. R. 10246. A bill for the relief of Mrs. Margarete Gick Scordas; to the Committee on the Judiciary.

By Mr. BARTLETT:

H. R. 10247. A bill to provide for the issuance of an unrestricted deed to Mrs. Edith Hollyday of Sitka, Alaska; to the Committee on Interior and Insular Affairs.

By Mrs. FARRINGTON:

H. R. 10248. A bill for the relief of Mrs. Shizuko Hashimoto Miyashiro; to the Committee on the Judiciary.

By Mr. FORD:

H. R. 10249. A bill for the relief of Theodoros Symeonidis; to the Committee on the Judiciary.

By Mr. FRIEDEL:

H. R. 10250. A bill for the relief of Ioannis (John) Kritikos; to the Committee on the Judiciary.

By Mr. GATHINGS:

H. R. 10251. A bill for the relief of Sing Fong York; to the Committee on the Judiciary.

By Mr. GROSS:

H. R. 10252. A bill for the relief of Miss Else Widdel; to the Committee on the Judiciary.

By Mr. HUNTER:

H. R. 10253. A bill for the relief of Adelaido Jimenez-Solorio; to the Committee on the Judiciary.

By Mrs. KELLY of New York:

H. R. 10254. A bill for the relief of Pearl Abrams, Christina Agatha Brown, Roslyn Ashley, Lucille Daley, Ida Grey, Mary Eugenie Smith, Hazel Steward, Inez Thomas Sharp, Lena Osborn, Ruby Amelia Walters, and Isola Mamby Lindo; to the Committee on the Judiciary.

By Mr. MAILLIARD:

H. R. 10255. A bill for the relief of Kanekichi Kumasaki; to the Committee on the Judiciary.

By Mr. O'NEILL:

H. R. 10256. A bill for the relief of Giuseppi Borelli; to the Committee on the Judiciary.

By Mr. REED of New York:

H. R. 10257. A bill for the relief of John A. Balkits (also known as Janis Alberts Balkitis); to the Committee on the Judiciary.

By Mr. YOUNGER:

H. R. 10258. A bill for the relief of Eosin, Linda, Walter, and Hsien King; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1141. By Mr. NEAL: Petition of Mrs. H. B. Tallman and other members of the Vienna,

UNIVERSITY OF MICHIGAN LIBRARIES

W. Va., Woman's Christian Temperance Union, expressing approval of H. R. 1227, the Bryson bill; to the Committee on Interstate and Foreign Commerce.

1142. By Mr. PHILBIN: Petition of Miss Estella M. Marshall of Leominster, Mass., and others, in favor of legislation to prohibit alcoholic beverage advertising over the radio and television and in newspapers and magazines; to the Committee on Interstate and Foreign Commerce.

1143. By the SPEAKER: Petition of Mrs. Rosemary Wiegand, the Marion Guild, Dearborn,, Mich., requesting that every true American help promote clean literature, thereby helping to uplift the morale of our people; to the Committee on the Judiciary.

1144. Also, petition of the Secretary, Liberal Religious Youth, Boston, Mass., relative to going on record as being opposed to the trend as demonstrated in adding the words "under God" to the pledge of allegiance to the flag, and the proposed so-called "Jesus Christ Amendment" to the Constitution of the United States; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Report to the People of the Ninth Wisconsin Congressional District

EXTENSION OF REMARKS
OF
HON. LESTER JOHNSON
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES

Monday, August 16, 1954

Mr. JOHNSON of Wisconsin. Mr. Speaker, the final curtain is being drawn on the 83d Congress. It has been my privilege to serve in the second session of this Congress. I was elected last October to fill out the unexpired term of the late Congressman MERLIN HULL, who represented the Ninth District so ably from 1934 until his death in May of 1953.

When I was a candidate last year in the special election, I pledged the citizens of the Ninth District I would follow—as closely as my own convictions and philosophy permitted—in the footsteps of my illustrious predecessor on all legislative matters affecting the average or common man. I have endeavored—since I was sworn in on January 7, 1954, to keep that pledge. In all sincerity, I say that I believe I have kept faith with the people of the Ninth District. My voting record sustains this belief.

At this time I should like to place in the RECORD a brief summary of my votes and position on some of the major issues that came up during the 2nd session of the 83d Congress.

One of the major questions considered by Congress in this last session was the tax revision bill. Taxes are always of concern to the people who must pay them. For this reason, I wish to make it clear why I could not support the administration's position on the need for certain giveaway provisions in the tax revision bill. In particular, I was very much opposed to the provision granting extremely favorable tax exemption to income derived from corporation stock dividends.

Frankly speaking, I cannot subscribe to the administration's "trickle-down" philosophy on the need for special dividend income tax exemption. Only a few people in the United States will reap the benefits from this exemption. At various times the administration has played up to the public on its desire to achieve a balanced budget. I also believe in a balanced budget. Apparently the administration conveniently forgot about balancing the budget when it espoused the cause of the coupon clippers.

It was—and still is—my contention that if tax relief is in order, then the people in the lower income brackets should receive an increase of at least $100 a year in exempted income. I know that farmers, workers, small-business men, and others in my district could use an additional $100 a year of exemption on income.

There is definitely a need for some spending at the bottom of the Nation's economic ladder. I supported the proposal to increase personal income tax exemption. The proposal was opposed by the administration. The opposition of the administration, I presume, was based on the need for a balanced budget.

The administration is certainly aware of the fact that the automatic 10 percent tax cut which went into effect on January 1, 1954, was approved by the Democratic 82d Congress. The bill approved by the 83d Congress gives very little relief to the average taxpayer.

What did the 1954 Republican tax cut do? Well, 80 percent of the people in the United States earn less than $5,000 a year. The great majority of people will receive a $311 million tax reduction. This figures out to about 9 percent of the total relief provided for in the 1954 GOP bill. Ninety-one percent of the tax relief in the $3.3 billion GOP tax bill will go to individuals and corporations earning over $5,000 a year.

For the purpose of the record, I wish to say I did not oppose every administration program. I supported the President and administration when I thought they were right. For example, I supported the President on all of his requests for appropriations pertaining to domestic, foreign, and military programs needed to strengthen our Nation against the encroachments of imperialistic communism. As a matter of fact, I suspect I and most of my Democratic colleagues supported the President on some of his programs much better than some members of his own party.

There are people in the United States who are very vocal in their opposition to communism. Some of the vocal battlers are not so consistent when it comes to supporting the struggle against communism with cash to inaugurate sound economic programs for winning the allegiance of people in other lands.

Perhaps it is possible to defeat communism with hard words and sensational newspaper headlines. I doubt it, and that is why I voted for the aid and military programs.

Turning back to domestic problems, I wish to say I supported every sound proposal to increase social-security benefits and extend coverage under the program. I hope the final bill will be the one we first passed in the House.

As a member of the Veterans' Affairs Committee, I took a keen interest in legislation affecting veterans and their dependents. I attended every meeting of the committee. On the House floor I supported committee-sponsored bills to the best of my ability. The record will show that I consistently voted in the interest of veterans.

Along with other people in this country, I believe a strong educational system is one of the foundation stones of our republican form of government. A well-informed citizenry is essential to preserve and extend our democratic way of life in this critical period of world history. I agree with the philosophy that education is the first line of defense in a democracy. In keeping with this conviction, I voted for all bills to aid our educational system.

During this session of Congress I was very much interested in conservation legislation. There were good and bad bills on conservation up for consideration by the House. I opposed the bills which I thought were bad and supported those which were good for conservation. I was strongly opposed to one bill that would have given away piecemeal our national parks and forest lands to private interests.

The great majority of people in the Ninth District are dairy farmers. Thousands of people living in smaller communities of the district are dependent to a large degree on the financial stability of dairy farmers. For this reason I was as much concerned about agricultural legislation as I was about taxes. Farmers and people who depend on farmers must have incomes to pay taxes.

Therefore I opposed very vigorously cut in dairy prices ordered early in the year by Secretary of Agriculture Ezra Benson. I received hundreds of letters from farmers in the district on Benson's action. I can say without fear of refutation almost 100 percent of the farmers did not favor Benson's cut.

Later in the session, when the general farm bill was up for consideration, I attempted to amend the bill to increase dairy price supports above the 80 percent provision contained in the bill. I also supported other amendments for the same purpose.

Percentagewise the Ninth District probably has more farmers in REA co-ops than any district in the country. At one time, when I was farming, I belonged to the Jackson Electric Cooperative. I supported all legislation to increase REA loan authorizations because I know from firsthand observation what this program has done since 1935 to make rural America a better place in which to live.

UNIVERSITY OF MICHIGAN LIBRARIES

When the Atomic Energy Act was considered by the House, I opposed all of the provisions to give away the people's equity in this program. The people of the United States have over $12 billion invested in the atomic-energy program. I voted to protect this investment, and I shall continue to do so.

In closing, I wish to say that at all times I tried to vote in the interests of people—regardless of whether those people are farmers, workers, veterans, Federal employees, old people, professional people, or small-business men.

Almond Growers Deserve Protection

EXTENSION OF REMARKS
OF
HON. OAKLEY HUNTER
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Monday, August 16, 1954

Mr. HUNTER. Mr. Speaker, since 1950, the domestic almond industry has operated under a Federal marketing-agreement program, whereby a certain percentage of the crop is salable in normal trade channels, and a certain percentage is declared surplus and must be disposed of in noncompetitive outlets. Under such an arrangement, the domestic industry is endeavoring to work out its own salvation without Government subsidy or price support. Coincidental to such a program, hearings are held before the Tariff Commission under section 22 of the Agriculture Adjustment Act looking to restrictions whereby imports of foreign-produced almonds are not permitted to adversely affect the marketing program and dissipate the industry's efforts.

On September 1, 1953, the Tariff Commission, as a result of formal hearings, recommended establishment of a quota fee of 5 cents per pound on the first 7 million pounds of shelled almonds imported into the United States, with 10 cents per pound added for importations in excess of said 7 million pounds. This recommendation was for the crop year October 1, 1953, to September 30, 1954, and to continue until changed by recommendation of the Tariff Commission. As of September 29, 1953, the recommendation was approved by Presidential proclamation with the proviso that the same was to continue for the crop year only.

Notwithstanding this action, imports were relatively heavy and packers' carryover at the end of the 1953–54 season will be substantial, and somewhat more than at the beginning of the season. A record large production is forecast for the 1954 crop.

Presently, a hearing has been set by the Tariff Commission for August 24, 1954, to consider appropriate action for the coming crop year.

In view of the situation, as outlined, the American almond industry is hoping for a more favorable quota than was established last year and that the quota will be on a continuing basis.

This matter was made the subject of a meeting of the California Delegation Committee on Agriculture on July 14. It was unanimously agreed at that meeting that the case presented by the American almond industry was a meritorious one and that its request for continuing and more adequate protection should be acted upon favorably by the Tariff Commission and the President. Accordingly, as chairman of the committee, I was authorized to inform the President of the committee's views.

Mr. Speaker, following are some pertinent facts concerning the domestic almond industry which I believe will be of interest and value to Members of Congress:

United States almond production and California production are synonymous—there are no commercial plantings of almonds in the United States other than in California.

One hundred and five thousand acres are devoted to the production of almonds in California. (California Crop Reporting Service.)

California almond production for 1954 is estimated at 52,500,000 pounds, shelled basis; 1953 production was 40 million pounds, shelled basis.

Farm value of the 1953 crop was approximately $19 million.

Processing and packing by California shippers increased the farm value by approximately $5 million.

Persons in California wholly or partially dependent upon the California almond industry for a livelihood total approximately 50,000.

United States tariff on almonds established under the Hawley-Smoot Tariff Act of 1930: Unshelled, 5½ cents per pound; shelled, 16½ cents per pound; blanched and otherwise prepared, 18½ cents per pound.

Almonds were listed or considered in early trade agreements with Spain, France, Italy, and Iran, but were not listed in the more recent negotiations at Annecy, Torquay, and Geneva.

United States production of almonds has increased approximately 300 percent in the last 20 years and is now capable of supplying the entire United States demand.

Crop year:	*California production meat basis*
1930–39	16,230,000
1940–49	30,290,000
1950–53	39,050,000

United States almond consumption 1950–53 crop years averaged approximately 42,700,000 pounds, shelled basis.

For 8 of the last 16 years imports averaged 2,340,000 pounds, shelled basis. However, in certain years during this period imports of 22 million, 18 million, 13 million, and 12 million shelled pounds were experienced.

The production of almonds in countries other than the United States is approximately 168 million pounds, shelled basis. Italy and Spain account for approximately two-thirds of these supplies.

Imports of almonds into the United States have represented but a fraction of the world's supplies. There is not a world surplus of almonds and the principal producing countries outside the United States are not dependent upon this market for disposal of their supplies.

Almond plantings in both Spain and Italy are currently subsidized by the Spanish and Italian Governments.

Almond imports in all principal producing countries outside the United States, including Spain and Italy, are embargoed.

Approximately 35 to 40 percent of the cost of producing almonds in California is hand labor, for which the domestic producer pays from $1 to $1.25 an hour. By comparison, in Spain and Italy, the 2 principal sources of competition, labor rates for identical work are but a fraction of those paid in the United States (approximately $1.25 for an 8-hour day).

In addition to increased labor rates, domestic producers are experiencing greatly increased costs in the form of expenses for fertilizers, spray materials, machinery, taxes, etc. These increased costs have made the need for additional tariff protection all the more acute.

My Record in the 83d Congress

EXTENSION OF REMARKS
OF
HON. HAROLD D. DONOHUE
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Monday, August 16, 1954

Mr. DONOHUE. Mr. Speaker, throughout my public life, of over 20 years of municipal and Federal Government, I have consistently respected and complied with the Biblical mandate to "render an account of thy stewardship."

Since becoming a Member of Congress, I have, at the end of each term of office, compiled, published, and distributed to the people of my district a concise report of my congressional activities.

This current report is, then, simply a continuation of my established custom in recognition of the moral obligation resting upon every individual privileged to hold a responsible public office.

THE TRUTH IS IN THE RECORD

Mr. Speaker, the desire for truth is ever present in the human mind and heart. In the inevitable confusion and bewilderment overshadowing our great country's destiny today there is, naturally, a heightened longing in each American citizen to find the truth. There has, perhaps, never been a time in our national history when it was more seriously important for the American voters and citizens to know the truth about the action and philosophy of those of us to whom they have entrusted the guidance of their Government for leadership in a troubled world. The foundation source of fact on the deeds and words of men serving in this United States House of Representatives is the official journal, called the CONGRESSIONAL RECORD, required by law to publish the proceedings of each legislative day in the Congress.

The main body of this personal report with some accompanying comments, will reveal the exact words I spoke and actions initiated during particular legislative discussions and debates. It is, of course, obviously impossible to include herein my every word and action, in detail, during the brief time allowed. However, I desire to clearly outline my personal convictions upon certain major issues that achieved a particular measure of public prominence and interest. I shall do that by presenting

pertinent extracts from the speeches and remarks I made during this Congress and which are wholly contained in the pages of the official CONGRESSIONAL RECORD.

THE WORCESTER TORNADO A DISTRICT TRAGEDY

Mr. Speaker, late in the afternoon of Tuesday, June 9, 1953, the city of Worcester and surrounding communities of central Massachusetts were suddenly struck by the most vicious tornado in our history, leaving widespread death and property damage in its wake.

Word of the disaster reached me by telephone to my office here at 7 p. m. I immediately made arrangements to return to Worcester, my home city, and the next day made a complete inspection of the destruction, which was, indeed, awe-inspiring in its ferocity.

On Thursday morning, June 11, I flew back to Washington, and as soon as the House assembled at 12 noon, I introduced House Resolution 276 and asked unanimous consent for its immediate consideration. The substance of the resolution was that it should be the sense of the House of Representatives that the devastated tornado-stricken sections of Worcester and central Massachusetts should be declared a major disaster area and at the earliest opportunity all possible Federal aid should be given such area.

The resolution was promptly approved by my sympathetic colleagues and on the same day the President officially declared that unfortunate part of our great Commonwealth a major disaster area within the provisions of Public Law 875 of the 81st Congress.

Following the resolution's approval, I immediately brought this House action to the attention of officials of the Civilian Defense Administration, the then Reconstruction Finance Corporation, the Housing and Home Finance Agency, and the Farmers' Home Administration. These are the agencies empowered under existing legislation to render prescribed assistance, through State and local governments, to disaster areas when they have been so designated by the President. These agencies, together with the American Red Cross, promptly went into action to assist our people in every possible way.

A great many of the tornado victims lost their complete household furnishings in the disaster and, unfortunately, too few of them had any insurance coverage. In order to help them in trying to set up temporary housekeeping, and keep family units together, I asked the Federal agencies to permit them to use, out of Government surplus property, such articles as chairs, tables, mattresses, and so forth, which I found were stored uselessly in warehouses. It was a shock to me to learn that Government officials interpreted existing laws as preventing them from aiding our own American citizens in that manner.

To correct this legal deficiency and remove all doubt from official minds, I introduced in the House on June 18, 1953, H. R. 5826, a bill to authorize the President to donate surplus Federal property to individuals in a major disaster area. Thereafter, I requested our two Massachusetts Senators to introduce similar bills in the Senate and by working together my original proposal was placed on the statute books with the Presidential signature on July 17, 1953 and is now known as Public Law 134, 83d Congress. It proved to be of immeasurable assistance to the disaster victims.

When Worcester city officials informed me they felt greater Federal financial assistance was needed, I drew up a petition to the President, signed by every member of the Massachusetts delegation, and forwarded it to the White House, under date of June 29, 1953, urging his approval of additional funds.

I remained in continuing contact with local city officials and the heads of the Federal agencies here until the emergency care and housing were over and recovery operations were proceeding in normal fashion.

I have in my files official letters from the mayor of Worcester expressing thanks and praise for my cooperative efforts.

I have had to summarize this account, Mr. Speaker, because of space limitation. However, the chronological history of my cooperative actions on behalf of my people in the CONGRESSIONAL RECORD, volume 99, part 5, pages 6431, 6432, 6433, and 6434 of June 11, 1953, and pages 6928 and 6929 of June 19, 1953, and in CONGRESSIONAL RECORD, volume 99, part 11, pages A3787 and A3788.

I am pleased to be able to relate that through the wonderfully coordinated activities of local, State, and Federal governmental units, civic organizations, church and community leaders, the physical properties of the disaster area are either well on the way or fully restored. No words can portray the persevering courage, fortitude, industry, sacrifice, and initiative of the tornado victims who lost family members as well as their entire homes and furnishings. The example our brave people demonstrated in this time of tragedy will stand forever as their inspiring monument in the annals of American history.

FORESTALLING COMMUNISM

Mr. Speaker, it has, for some time now, been apparent to every loyal United States citizen that the gravest threat to survival this country and the free world has ever faced is the scourge of atheistic communism. It is obvious, therefore, that the time has come for this Nation to take every reasonable precaution to protect ourselves against their devilish aggression, both from within and without.

I supported aid to Greece and Turkey, the so-called Marshall plan, a sound foreign aid program, and alliances with friendly allies, all designed to stop the advance of Communist tyranny and persecution abroad; of course, I have consistently voted for strong American military preparedness.

However, it has long seemed to me, and a great many other Members of Congress, that in the general concern with foreign and domestic military plans, the real dangers of Communist infiltration and subversion from within our own beloved country had been somewhat overlooked. We deeply felt the day had come, and legislative duty required us to erect safeguards to prevent us from unconsciously falling victim to the same insidious type of Kremlin-directed machinations that overthrew other Christian democratic nations before they really knew what happened.

With that conviction, and in that patriotic spirit, measures were presented in this Congress permitting a Federal judge to grant immunity to any congressional witness giving testimony of Communist conspiracy, forfeiting citizenship of any person convicted of conspiring the overthrow of the United States by force and violence, making peacetime espionage a capital offense with the death penalty, and outlawing the Communist Party. I supported all of these bills.

My thoughts on the grave danger of domestic Communist activity are expressed below.

House speech, July 21, 1954:

Mr. DONOHUE. Mr. Speaker, I am, of course, mindful of the basic constitutional guaranties of free speech and peaceful assembly. We, and all other officers and agencies of government, are and should be vitally concerned in the preservation of these great democratic liberties for our individual citizens. Our entire judicial system and procedure is set up precisely to protect the innocent and prevent any prejudgment of the accused until proved guilty beyond reasonable doubt after trial by jury. These are among the traditional blessings of this great and free country, and God forbid us from ever abandoning them.

However the grant of a personal right does not carry with it the unlimited privilege of abuse, and perversion leading to the contradiction and repudiation of the original purpose of the right. That is the morality, as well as the patriotism, involved in this legislation.

We have documentary evidence that the Communist doctrine is pledged to the accomplishment of the subjugation of all free peoples and it is openly stated they will conspire to overthrow any government by force or violence if that becomes necessary to their objective.

The proof of this fanatical and immoral Communist determination to gradually enslave the free world through infiltration, false propaganda, fear, persecution, all types of devilish deception, and finally, by force, is terribly clear on the face of the world today. Slowly and fiercely deliberate, they have stamped their tyrannical heel upon nation after nation all over the globe, suffocating the free spirit of ever-increasing millions of peoples.

America is the last and grandest prize in their plans. It has been too long obvious their intention and hope is to achieve our enslavement by the perverted use of the very freedoms and liberties we so proudly acclaim. How foolish we would be to continue to lend our assistance to their aims in that fashion.

The time has come to publicly and legally recognize the Communist scourge for what it really is, a menacing threat and persistent thrust at the heart of American freedom. The hour has come to impress upon the dreamers, the hesitators, the doubters, and the intentional enemies within, that we recognize the serious nature of this contest for survival.

Let us, in this critical time, be extremely vigilant in safeguarding our security rather than permit, through misguided leniency, traitors to take destructive advantage of our democratic blessings. In that patriotic spirit let us enact this preserving legislation without further delay.

THE POWER TO TAX IS THE POWER TO DESTROY

Mr. Speaker, I cannot be counted among those who accepted and applauded the perhaps hasty and unthinking statements made by the present head of probably the most important executive department before a congressional committee when he said: "What is good for General Motors is good for the country."

I must confess that I prefer instead, the earnest exhortation of the President himself when he proclaimed that the yardstick of measurement of his own personal actions would be, "Is this good for all Americans?" I accept the President's implied request to me and all other Members of Congress and conscientiously applied it to my own legislative actions. Accordingly, I deeply believe the traditional principles of equality of sacrifice and ability to pay must remain as the cornerstone of American tax policy, if this Nation is to long endure.

It is in conformity with those principles and the Christian philosophy behind them that I have consistently cast my votes on tax legislation since becoming a Member of Congress. That is why, during the discussion of the 1954 revenue bill, I first voted with a great many of my colleagues for recommittal so that a greater measure of tax relief through higher personal exemption could be afforded the people in our middle- and lower-income brackets who, I was convinced, needed it the most. Our efforts in this manner to equally distribute taxation hardships were repulsed by a very narrow margin.

When the Revenue Act of 1951 was being debated, I spoke as follows:

I would feel derelict in my obligation if I did not briefly speak once again on the deficiencies of our overall antiquated tax system. Since becoming a Member of Congress I have continually urged that a nonpartisan committee be appointed to thoroughly study and recommend elimination of the existing injustices and overlapping of our spread-eagling, topsy-turvy tax structure which is fast demoralizing the American people. Noted tax experts and authorities have supported my stand in this respect.

Because the current tax measure was the first real recodification of our laws in almost a century, because it contained some few measures of relief to struggling American families, because the Government, of course, must have revenue to operate and because there was no alternative, we supported the measure on final action with the hope of helping to enact a more equitable law in the next Congress.

My convictions as expressed during the debate on the Internal Revenue Code revision of 1954 are contained below.

House speech, March 18, 1954:

Mr. DONOHUE. Mr. Chairman, as my colleagues here well know, I have, for the past 7 years, repeatedly urged the vital necessity of complete revision and recodification of our entire Internal Revenue Code. In three successive Congresses, I have introduced bills whose purpose was to accomplish that objective. We all fully realize that our present internal revenue laws are jumbled, complicated, often contradictory, little understood by the average person, and filled with obsolete regulations, imposing multitudinous inequities, irritations, and too often great hardships upon the American taxpayer.

The tax measure before us today is the first attempt in nearly half a century to revise and simplify the Internal Revenue Code.

It serves to forcefully remind us that the time is long overdue for a complete and thorough revision of our tax system in the public interest. I earnestly wish this present bill was a more generally equitable one.

When we scrutinize this bill carefully, it becomes forcefully apparent that in its entirety, and in its particular provisions to extend special tax relief on dividend income and through changes in depreciation calculation, it would, should it become law, give investors and business 12 times as much relief as individuals.

The average individual would get $6 in tax relief, $250 million divided by 39 million tax returns showing taxable income, while the average dividend recipient would ultimately get $200, $1.2 billion divided by 6 million stockholders, or 33 times as much. The discrimination is still understated, since the less than 4 percent of the taxpayers receiving dividends, those with income over $10,000, get more than three-fourths of all taxable dividends. If we consider families rather than tax returns, we find that less than 1 percent of the American families own 80 percent of all publicly held stocks. An examination of those authoritative figures and percentages certainly indicates that the major tax relief offered in this measure is being granted to those who need it least and is a contradiction of our traditional principle that taxes should be apportioned on the fair basis of ability to pay.

While the inequitable disproportion of tax relief presented in this measure would be open to conscientious questioning at any time, it is the more striking now because of the definite and increasing unemployment situation throughout the country which the President himself has publicly recognized.

No reasonable person doubts that we are in a recession, and no true American desires the economic decline to go any further. The United States Census Bureau has estimated there are more than 3 million unemployed people in this country today and, unfortunately, that figure is slowly but steadily advancing. I believe that all of us are aware of the grave problem inherent in this increasing unemployment, and I know we are all patriotically united in our determination to take all possible steps to prevent the present recession from growing into a dangerous depression.

It, therefore, seems but simple logic to conclude that the best and most immediately effective way to strengthen business incentive and our declining economic trend is to place additional spendable income in the hands of American consumers. The same sound logic, not to mention the moral responsibility of legislating in justice to all, moves us to the conviction that any additional income, granted from tax reduction, should be at least proportionately distributed to families in the lower half of the income scale. Statistical evidence of long standing demonstrates that these families are required to spend practically all of what they have and get, while the same statistics show that most of the saving is confined to the upper brackets of the income scale.

In my opinion, these facts are strong arguments on firm economic grounds, demonstrating the necessity as well as the justice in granting increases of personal exemption for the low-income taxpayer when we are proposing to grant substantial relief to prosperous business and high-income groups. The lessons of history show that it is far easier to stop a mild decline than to halt a galloping depression. The country as a whole, business, consumers, and the Treasury Department all have much more to lose by a further reduction in national income than by the loss of revenue through raising such exemptions, for action of that kind would promptly add billions to the slowing stream of general purchasing power.

Reluctant as I am to disagree with the President's program, I nevertheless very deeply feel he has accepted questionable advice from his economic counselors. While the bill contains many desirable changes in our outmoded tax system, there is obviously grave doubt existing in the minds of a great many Members here of its substantial merit.

EMERGENCY EXCISE TAXES

House speech, March 10, 1954:

Mr. DONOHUE. Mr. Chairman, I am supporting this measure because it is at least partially keeping faith with the people on the promise of the Congress to remove these so-called temporary and emergency excise and luxury taxes when vital need of them no longer exists. My reluctance in favoring the measure is because of my belief it does not go far enough, and it discriminates against many other items that should not be still considered luxuries and equitably ought to be afforded proportionate reductions.

One of the most compelling and forceful reasons for supporting this measure, inadequate as it is, arises out of the alarming current unemployment trend throughout the country. We all, I know, earnestly and sincerely hope this trend is short lived and will be eliminated when the administration readjustment policies and programs are completed. Nevertheless, and without any partisanship, we would indeed be lax in our duty if we pretended that dangerous unemployment did not now exist. It is, therefore, imperative and timely that some effort must be made to increase consumer purchasing power, thereby stimulating production and helping to reverse the rising unemployment rate. It is fundamental in the American system that our tax policy should, to the fullest possible extent, encourage a constant expanding economy. I greatly hope the Members of this body will remember that fundamental tax principle when we are called upon to consider higher tax exemptions on individual incomes next week.

Let us plan now, barring any national or world emergency, to expand this program of excise-tax reduction and elimination so that the entire American purchasing public and all affected industries will be treated alike with fairness and justice.

We have abundantly fulfilled all our pledges to our foreign allies and friends; let us keep faith with our own people who have suffered too long from too much taxation.

SOCIAL SECURITY COMBATS COMMUNIST PROPAGANDA

Mr. Speaker, I have long maintained that if we cannot afford to give a concrete demonstration of the ability of this blessed country to reasonably provide for security of our older citizens' enjoyment of abundant American life, then we have no right to tell Communist followers that our democratic process is more inherently Christian than their pagan godless state of servility.

Ever since becoming a Member of Congress in 1947, I have consistently voted in favor of wisely expanding and reasonably liberalizing the provisions and benefits of our social-security law because social security was originally founded and continues to operate upon humane, progressive principles calculated to strengthen our democratic free-enterprise system and demonstrate to the world our Christian concern for human life.

Again in this Congress I was privileged to support such legislation as revealed below in the remarks taken from my

speech in the House when current amendments were being debated.

House speech, June 1, 1954:

Mr. DONOHUE. Mr. Chairman, I am very glad to speak once again in support of the expansion of our present social-security legislation.

In my firm judgment, adequate social-security legislation is a sound barrier against the advancing scourge of communistic propaganda and philosophy which is challenging us this very hour and is forcing us to fight for our very survival.

There are still a great many technical inequities in this measure that I hope will be adjusted in future consideration but since it is this bill or no bill I urge my colleagues to approve it without further delay. In substance it is a real step forward for those of us who have persistently advocated increased coverage and more liberal benefits.

In the overall analysis this bill strives to correct numerous inequalities that have been demonstrated from the testing ground of experience. It is a healthy indication that as time goes on this Congress will more and more recognize the obligation we have to our older citizens to remove, in a Christian spirit, the haunting and despairing darkness of fear of want that comes in the sunset of life to so many Americans through no fault of their own, other than generosity to their own families.

How much stronger, how much more resistant to Communist entreatment and intrigue this Nation will be when its citizens are assured that our great business system and our Government, working harmoniously together, have established a dignified, humane financial operation making them eligible to receive what every worthy working American deserves, namely, reasonable security in time of adversity and dire need.

Let us, therefore, enact this measure now and diligently work to improve it in the future.

LABOR, HEALTH, EDUCATION, AND WELFARE DEPARTMENTS

Outside of morale and spiritual strength, no attributes are more vital to national progress and security than the promotion of good health, the advancement of sound education, and the encouragement of peaceful labor-management relations in this Nation.

It is my firm opinion, founded on substantial evidence, that the Federal Departments of Labor and Health, Education, and Welfare have proved to be national assets. The Department of Labor is charged generally with administering and enforcing Federal statutes designed to advance the public interest by promoting the welfare of the wage earners of the United States, improving their working conditions, and advancing their opportunities for profitable employment.

The Department of Health, Education, and Welfare was established for the purpose of improving the administration of those agencies of the Government whose major responsibilities are to advance the general welfare in the fields of health, education, and economic security.

Periodic attempts have been made, by advocates of drastic appropriation reductions, to negate the legally established purposes of these departments and make it impossible for them to carry out the responsibilities imposed upon them by Congress through the original laws creating them.

While the record will show my consistent support of all reasonable economy proposals, these misguided efforts to save a sovereign at the expense of almost life itself appear to me a contradiction to American tradition and national intention, as well as being against the President's exhortation to legislate "for the good of all America." I am pleased to state the Congress eventually granted sufficient funds to permit these departments to reasonably fulfill their public duties.

House speech, May 25, 1953:

Mr. DONOHUE. Mr. Chairman, whatever other differences may exist among us, no one will deny that the functions and services of the Labor, and Health, Education, and Welfare Departments directly affect the fundamental resources of the people of this country.

When we speak of "forcing" economies in connection with such obviously important subjects and services, it is eminently wise to approach the task with the understanding mind and sympathetic heart of the skilled surgeon who knows he has life and destiny in his hands. Let me remind you that in acting upon the appropriations for these essential departments of Government, we are dealing with the lives of our people and the destiny of this country in a most delicate sense.

You Members here know I have been and am now a consistent advocate of Federal expenditure reductions, and voted accordingly, whenever the absolute need of requested appropriations could not be demonstrated by the various department officials. Careful and prudent elimination of Federal waste, extravagance and nonessential spending is the objective of us all. God knows, and, without any irreverence, may I say we know our overburdened taxpayers and harassed businesses can stand that. However, let me exhort you not to let the mere cry of economy become a catchword instead of a patriotic watchword.

HOSPITAL CONSTRUCTION

Is it good for all America to practically eliminate further construction authorized under the Hill-Burton hospital program? These funds are used to help States and communities defray part of the costs to erect hospitals and public-health centers; they are granted on the basis of population and economic need. These projects are adding 96,500 hospital beds and over 330 public-health centers to the Nation's health resources. Under this program, 430 communities now have hospitals for the first time. One hundred and fifty-one other communities now have hospitals where their previous facilities were substandard and unacceptable under the minimum laws of fire and life safety. If there is any Federal program that has proved its worth to the American people, it surely is the hospital-construction program.

Other impractical reductions set forth in this bill would disastrously impair such essential public-health services as pure food and drug enforcement, control of communicable diseases, and cancer and polio research, to mention only a few. Is that good for all Americans?

EDUCATION

In the areas of education, the proposed cuts would seriously disrupt Federal assistance to the State activities and agencies carrying out vocational guidance in teaching distributive occupations, giving aid to schools in crowded defense localities, and extending vocational rehabilitation to disabled veterans and the physically handicapped. The admittedly competent Federal Commissioner of Education resigned rather than attempt to fulfill the obligations of his office, which would be virtually impossible with the ridiculous budget offered him. He questioned the wisdom of saving "such small sums while we continue as a Nation to spend billions for other purposes."

LABOR

In the Labor Department and the independent labor agencies, the reductions advocated in this measure would paralyze the proper functioning of such important Government divisions as the National Labor Relations Board, the Federal Mediation and Conciliation Service and the Railroad Retirement Board; divisions which have splendid records of achievement in public service and promoting harmonious management-labor relations. Other agencies whose vital work in the public interest and welfare would be practically destroyed if these cuts stand approved are the Women's Bureau to protect women from exploitation, the Bureau of Veterans Reemployment Rights, Bureau of Labor Statistics, Bureau of Employment Security, Workmen's Compensation Bureau, and the Wage and Hour Division of Labor.

INTELLIGENT ECONOMY

Mr. Chairman, at a time when we are generously granting billions of dollars to aid our foreign allies, is it wise to neglect our own citizens? At a time when we are boasting to the world of our better way of life, as opposed to the Communist state, is it intelligent to dangerously retract so many public services whose contributions to national progress have been acknowledged? At a time when we are engaged in a bitter struggle for national survival, is it practical to disrupt the morale of our own people? I submit it is not.

In the spirit and admonition of the President, let us continue to legislate and appropriate for the good of all America.

THE VETERAN AND OUR MORAL OBLIGATION

Mr. Speaker, it will be a dark and tragic day in our history if this Nation ever neglects the moral obligation we owe to the veteran and his dependents.

It was my privilege to serve on the House Veterans' Affairs Committee in both the 80th and 81st Congresses. My activities on behalf of our veterans, their families and dependents are well known and have been publicly recognized. I have been accorded personal commendations by the Disabled American Veterans, the Military Order of the Purple Heart, the Veterans of Foreign Wars, and the American Legion, as well as several other veterans' organizations.

My cooperative committee efforts in helping to formulate sound veterans' legislation have been publicly commended by the beloved and distinguished current head of the present House Veterans' Affairs Committee, my colleague from Massachusetts, the Honorable EDITH NOURSE ROGERS.

Under her inspiring and experienced direction, the committee considered and reported a great many measures designed to preserve and promote veterans' interests, but unfortunately, a major portion of them was rejected, against her wishes, by the leadership.

Nevertheless, she did succeed, against certain powerful opposition, but with the help of myself and many other Members of both sides, in obtaining congressional approval of a few bills of importance to our veterans.

Among them were measures to preserve the eligibility of certain veterans to dental outpatient care and dental appliances; to authorize veterans' benefits for individuals disabled in connection with reporting for service induction; to provide for the automatic renewal of expiring 5-year-level-premium-term policies of United States Government

and national service life insurance; to extend for World War II veterans a further presumption of service-connection for tuberculosis, other than pulmonary; to prohibit reduction of any rating of total disability for compensation, pension, or insurance purposes which has been in effect for 20 or more years; to extend the time for direct home loans under the Servicemen's Readjustment Act, with provision for additional funds; to extend for another year Korean GI educational and training eligibility. I supported all of these measures.

Of course, the most prominent bills enacted were H. R. 9020 and H. R. 9962 providing increased compensation and pension rates for all disabled veterans and their dependents. My statements on these measures are outlined below.

House speech, July 21, 1954:

Mr. DONOHUE. Mr. Speaker, I am deeply disappointed that this bill, as amended, is being presented now to this body for a vote rather than H. R. 9020 as it was first reported by the House Committee on Veterans' Affairs.

We are prevented from acting on the original bill by the Rules Committee under the leadership instruction, which refused to report it for action by the House. I was one of those who gladly signed a discharge petition to bring this bill to the floor for a vote.

I felt then, and I feel now, that the Veterans' Affairs Committee recommendation providing a reasonable cost-of-living rate increase to all our disabled veterans, both service and nonservice connected, for their widows, and children, and dependent parents was merely the recognition of justice.

Unfortunately these increased rates, recommended by committee members of their own party, were not acceptable to the leadership here and they have forced out this compromise amendment which sharply and inequitably reduces the compensation increases on the plea of necessary economy. They did this despite the implied pledge of President Eisenhower as a candidate in 1952 when he said, and I quote:

"No program of economy should overlook the legitimate rights and needs of disabled veterans."

By the standards on which this Congress generously appropriates money for assistance to questionable allies and subsidization of big business, the amount of money that this increased pittance would have meant is infinitesimal.

Nevertheless, this compromise measure, although leaving out so many needy veterans, and widows and dependents, grants some small relief, and since we shall have no other choice, I shall vote for it.

However, I shall not relax my efforts, and I urge you all to rally to the veterans' deserving cause to bring to the floor, before adjournment, another bill which will accomplish all the just and rightful objectives of H. R. 9020, as originally reported.

FOREIGN AID AND NATIONAL SECURITY

Mr. Speaker, I have consistently been in favor of the basic principle involved in mutual security defense aid and that is to prevent the necessity for American fathers and sons to fight all over the world under treaty commitments that have been made.

House speech, June 30, 1954:

Mr. DONOHUE. Mr. Chairman, I think we can all agree that the primary objective of this legislation is to promote the peace and security of the United States. Inherent in that objective must be recognition of the gravest problem of United States foreign policy, which is the protection of the United States from the Soviet threat.

It is obviously sensible to reasonably assist our friendly allies both militarily and economically, thereby encouraging them to reject communistic overtures and appeals. By such assistance, we are certainly promoting our own security and protecting ourselves from the Kremlin menace.

However, before we go headlong ahead, motivated by the accepted objective, with enthusiastic and unbridled appropriation, I feel that patriotic wisdom compels us to stop for a few moments to reexamine, restudy, reappraise, in summary, this whole foreign-aid program.

Now when we put all the figures together we discover that in principal and interest on these foreign-aid programs, continuing since 1940, they have cost the people of the United States the fabulous sum of over $131 billions.

I have listed these facts and circumstances to reemphasize what I regard to be our absolute obligation to the American people to take the greatest care of their money and exercise the highest vigilance over the manner in which it is spent. We can promote the fullest rehabilitation of friendly foreign nations, and it will avail us nothing if we thereby foolishly destroy the morale of our own people here at home.

In that connection, let us remind some of the impractical geniuses in our State Department, as well as our Defense Department experts, that we are not appropriating money here for the purpose of destroying American industries and eliminating employment opportunities for our own people. The placing of American Government contracts abroad at a time when unemployment in this country presents a currently serious economic problem is, to say the least, of very questionable wisdom. It is indeed the more foolhardy when we realize that some defense items and essential parts of industrial machinery are being manufactured abroad in places where the danger of Communist infiltration and sabotage is a high and recognized threat. Such promiscuous spending, in the guise of promoting friendly foreign relations, will not be tolerated by the American taxpayers, and this Congress should be and must be extremely restrictive of their authorization and approval. We can, perhaps, give some of the American people's money away discriminately with their sanction, but we can never expect them to stand loyally by while we give their jobs away.

As I indicated at the start, I am not opposed to the fundamental objectives of this measure. I believe it is practically wise to continue to reasonably furnish aid to those allied countries demonstrating their willingness to fight in the common cause against Communist oppression. I believe that we can enact a prudent foreign-aid program of substantial continuing value to ourselves and the free world.

In conclusion, let me exhort you not to rush this legislation. It is deserving of our prolonged study and debate. It is a program in keeping with our Christian democratic philosophy and is basically good for ourselves and the free world.

However, let us also be mindful that our watchword on all appropriation measures should be "the American taxpayer and our own economic stability come first."

HOUSING FOR THE AMERICAN PEOPLE

The basic unit of this Nation is the American family, and the first necessity for Christian family life is a decent place to live.

Having entered the Congress in 1947 with the heartfelt conviction, based on prolonged study and experience, that the critical shortage of adequate housing facilities for the American people was a dominant domestic problem, I have continuously supported Federal legislation for reasonable housing construction. Since that time, there has been steady improvement in the situation but, by the evidence of unquestioned authority, there still remain some sections of the country where housing and slum clearance are desperately required. This was recognized by the President himself, who favored the appropriation of money for the building of 35,000 units of public housing this year, together with a 4-year development program. Unfortunately, the President's appeal on this occasion was eventually denied, although many of us vigorously fought the losing battle with him.

Below is an exact excerpt from the speech I made in the House at the time this proposal was being discussed.

House speech, April 22, 1953:

Mr. DONOHUE. Mr. Chairman, I very deeply regret that this bill as presented to us by the committee ignores the recommendations of President Eisenhower and his Housing and Home Finance Administrator, who favor the inclusion of sufficient funds to build 35,000 units of public housing. Unfortunately, the bill, as it stands before us, would terminate the public-housing program and, in effect, slum-clearance and redevelopment, immediately. Therefore, I am opposed to the bill in its present form and urge the approval of amendments to authorize continuation of a reasonable public-housing construction and slum-clearance program so vitally needed in so many communities in the country.

In that respect, I am very happy to approve and join the sentiments of the President as expressed in a statement he made last October as a candidate:

"We must have better housing for those Americans who are now forced to live in slums and substandard dwellings."

The federally assisted low-rent housing program is a Christian solution to the housing needs of a great many desperate families as well as being a major factor in vitally urgent community slum clearance and redevelopment. It is imperative that the bare minimum of 35,000 dwelling units be restored in this bill, the same number agreed upon and approved last year. I earnestly hope and urge this House to take such reasonable and wise action to continue this minimum housing program until the whole housing situation can be surveyed and definite national needs determined.

PERMANENT SMALL BUSINESS ADMINISTRATION

It has always been an unquestioned American tradition that this Government shall aid, counsel, assist, and protect the interests of small business in order to preserve our democratic system of free competitive enterprise.

With the dissolution and absorption of the Reconstruction Finance Corporation and the Small Defense Plants Administration, a great number of Congressmen, including myself, favored legislation to create a new permanent independent Small Business Administration, with the paramount duty of encouraging and assisting small enterprises in peacetime as well as in any emergency period.

Recognizing the importance of our small businesses in defense-production efforts and the national economy, I have consistently urged reasonable Federal assistance and guidance to them throughout my congressional service. My convictions on this subject are presented in the following extract from my

remarks in the Chamber when this legislation was under consideration.

House speech, June 5, 1953:

Mr. DONOHUE. Mr. Chairman, I consider it a conscientious duty to speak here this afternoon in support of the small-business people of my own district and the Nation. The only voice they have in the enactment of Federal legislation is yours and mine, and we would be neglecting our obligation if we failed to truly represent this solid segment of our national and area economy.

I am heartily in favor of the principle of this legislation to establish a permanent, independent Small Business Administration. In modern times, Government assistance has become more vitally important to insure that a fair proportion of the total purchases and contracts for military supplies and services shall be placed with small business enterprises and to maintain and strengthen the overall national economy.

With the scheduled end on June 30 of the Small Defense Plants Administration it is imperative to the survival of small business to have a Government agency to direct and assist them in obtaining appropriate Government contracts and also advise them on applying for necessary financial loans.

Our small-business firms have a substantial employment figure. By granting reasonable help to keep these firms going we are taking safety steps in the prevention of threatening unemployment which is unquestionably uneconomic in these dangerous days when every person and every resource of the Nation should be brought into this fighting struggle against Communist aggression.

EMERGENCY IMMIGRATION FOR QUALIFIED REFUGEES

One of the proudest of our American traditions arises from the historical fact that this country originally gave harbor to the victims of religious and political persecution. We cannot forget that this Nation itself was founded almost altogether by displaced persons.

In advancing our position of world leadership in these perilous days, we can speak more convincingly for freedom everywhere when we have done our Christian utmost to give real freedom to those now faced with Communist extinction. Security screened and qualified refugees are the kind of people in whose behalf the original American tradition of asylum was established and whose immigration to these shores has enriched our country from its earliest days right up to this hour.

I have, therefore, been continually sympathetic with reasonable legislation to grant permanent residence to immigrants who can meet the very high standards and qualifications that must be set up to protect our own security. It has seemed to me we should implement as fully as we can the clear intention of the Almighty that brothers and sisters, mothers and fathers of one family should be together in 1 land under 1 roof.

The substance of my remarks on this legislation are set forth below.

House speech, July 28, 1953:

Mr. DONOHUE. Mr. Speaker, I am supporting and voting for this emergency refugee immigration measure, and I hope the majority of my colleagues will also, because it is in the true spirit of our Christian democracy and a concrete gesture of the moral leadership we must demonstrate if the United States is to successfully guide a bewildered world away from atomic destruction.

I have spent the most of my life as the friend and neighbor of immigrant fathers and their families. The contributions of these people to community, State, and National betterment present a glorious record. God knows the sons, and, yes, the daughters, of these families have fully participated in our national defense efforts and are doing so right now on the tragic fields of Korea.

In the administrative operation of this bill the established security regulations will not be relaxed. The provisions for screening and checking against the possibility of subversives slipping through will be completely carried out.

Mr. Speaker, a good many of us very deeply feel and have advocated the necessity for making substantial changes in the present immigration law. The outmoded quota system in that law together with several other discriminatory provisions should be and I hope will be eliminated in the near future. Meanwhile we have a chance here by passage of this emergency measure to correct some of the prevailing injustices.

In these circumstances I am in full agreement with the President that we must assume our just share of the responsibility of providing asylum for these desperate men, women, and children who face certain annihilation if they again fall into the hands of the enemy barbarians.

As a nation of immigrants and the sons of immigrants passage of this measure is in accord with the best traditions and ideals of this blessed United States.

AID TO THE PHYSICALLY HANDICAPPED

To continue to ignore the problems of medical attention, vocational training, education and employment placement of the physically handicapped would be a grave mistake that no Christian progressive government can afford to make, especially in these times of Communist challenge.

As a result of the persistent pleas of myself, and many other Members of Congress, a measure, now Public Law 565, of the 83d Congress, was adopted. The purposes of this law are to assist in the extension and improvement of vocational rehabilitation services, provide for a more effective use of available Federal funds and facilitate the application of legal provisions already established. While this law does not, in the opinion of many of us, completely encompass the whole problem, it is a promising step in the forward direction. My thoughts on this important subject are revealed below.

House speech, July 31, 1953:

Mr. DONOHUE. Mr. Speaker, as my colleagues know, I have, since becoming a Member of Congress, been urging the enactment of legislation to establish a Federal agency to aid and assist the physically handicapped to take their right and proper place in American life.

For that purpose, I introduced in the last Congress, H. R. 8549, and in March of this Congress introduced H. R. 4262, to establish a Federal Commission for the Physically Handicapped. The objectives of this bill are to increase defense manpower, provide for the general welfare, promote rehabilitation and employment of handicapped individuals, and help preserve our Nation by setting up a Federal agency for handicapped. Authoritative figures show that there are approximately 30 million Americans who suffer physical handicaps, and it should be obvious that the Federal Government can no longer afford to delay in trying to solve a problem involving nearly one-fifth of all our citizens.

The very nature of the problem, the great number directly affected, and the scope of any solution demands the continuing participation and assistance of an appropriate agency of the Federal Government, acting under comprehensive legislation.

ATOMIC-ENERGY BILL

House speech, July 22, 1954:

Mr. DONOHUE. Mr. Speaker, it is said hereabouts that the atomic energy bill will soon be considered in the House and that only 2 days will be allowed for debate and discussion.

The bill is compiled of some 107 pages of technical provisions and complex phraseology. It affects a $12-billion investment of the American taxpayers, and whatever final law we enact will reach into the destiny of many generations to come.

It is, therefore, my earnest hope and plea that the leadership will insure that no restriction of time be placed upon discussion of perhaps the most vital subject yet to be presented to this Congress or indeed any other Congress.

As the bill now reads, it is objectionable to me, and I think a great many others, primarily because it negatives the nonpartisan public power policy of this country that has been developed since 1902. That occurs because of the current absence in the measure of any reliable safeguard against exploitation of atomic power by private utilities. It practically forbids the Atomic Energy Commission to operate in the commercial power field which simply means that the taxpayers will have to pay for further experimentation, from which the private utilities will ultimately benefit.

There are many deficiencies in the bill as it now stands but, in the public interest and recognition of the tremendous amount of money that has come out of the average taxpayer's pocket, two major improvements must be inserted in the act before, in my judgment, it should be approved.

The present patent provision must be corrected to insure that no atomic development monopoly can be established by those few firms privileged to carry out the original atomic energy research under Government contract and subsidy.

The provision restricting the Atomic Energy Commission from producing atomic power for Government-operated plant uses and also making it available for public consumption through rural electric cooperatives and municipal agencies must also be removed in deference to the power-consuming public and protection against unjust profiteering.

I sincerely remind the Members of this House that a heavy moral obligation rests upon us with respect to this particular legislation. Let us give this vitally important subject the long and careful and serious consideration it warrants. We can do no less to merit the continuing trust and confidence of the people who sent us here to legislate for the general welfare.

CONTINUING GOVERNMENT REORGANIZATION

It is an axiom of Christian progress in civilized society that the least government is the best government. Among the highest duties of any legislative body is eternal vigilance to insure the governmental system does not collapse upon itself from overweight and smother the personal liberties it is intended to promote.

In this historical period of tendency and temptation to solve all problems by passing a law, many of us have, for years, been deeply disturbed by the octopus growth of National Government. We recognized the danger and necessity of taking proper measures to meet it. It was, therefore, a pleasant duty for me,

as a Member of the 80th Congress in 1947, to support and vote for the bill which became Public Law 162 of that Congress. It provided for a Commission on Organization of the Executive Branch of the Government which afterwards became known as the Hoover Commission. No one needs to be reminded of the enormous good that Commission accomplished.

In order that that good work might be continued another such Commission was established in this present Congress through the enactment of Public Law 108 and has the same purposes and duties of the previous Hoover Commission.

Mr. Speaker, many of us, with continuing legislative responsibilities, also realized the unhealthy trend toward government duplication and friction at National, State, city, and town levels, which has steadily advanced during these turbulent years of global unrest.

In dozens of competing fields, there are competing activities between and among all these various governmental units throughout what is supposed to be the United States. To finance this profusion of governmental activities and agencies, there is a correspondingly confusing and stifling array of taxes.

Obviously, too much such Government means reckless extravagance, waste and duplication from top to bottom. It places unbearable and oppressive tax burdens upon private business and the ordinary working man and his family. Such evil conditions develop the discouraged and disheartened citizenry characteristic of a deteriorating nation. A dispirited people and a disordered Government are just what the Kremlin leaders are trying to promote here in America. God forbid that their devilish designs be unwittingly and unconsciously forwarded by our own lassitude or negligence.

In an attempt to prevent such a calamity, I introduced H. R. 8714, in the 81st Congress, H. R. 8560 in the 82d Congress and H. R. 3603 in this Congress. All of these bills had for their purpose to provide for the establishment of a Commission to investigate and make recommendations with respect to the distribution of governmental functions and sources of revenue within the framework of our Federal, State, and local systems of government.

I am happy to state this objective was finally accomplished in this Congress by the adoption of Public Law 109.

The following is an extract from my remarks in the House on the subject.

House speech, August 1, 1953:

Mr. DONOHUE. Mr. Speaker, having introduced bills to provide for such a commission in three successive Congresses, I am proud of the part I had in promoting final action on the establishment of this Commission to study relationships among Federal, State, and local governments.

The primary purpose of this Commission is to investigate and make recommendations for the correction of the fantastic duplication and overlapping that currently exist in our complex network of separate government units at all levels.

The staggering cost to the taxpayer in supporting all these units, not to mention the morale-straining irritation imposed by them on individual citizens, comes close to being a national disaster.

I am sure that all Members of Congress and all our citizens will join in supporting the efforts of the Commission to bring refreshing relief to the smothering American taxpayers and good order in place of the vast confusion that threatens the collapse of our traditional government operations.

FEDERAL AND POSTAL EMPLOYEES' PAY

House speech, August 9, 1954:

Mr. DONOHUE. Mr. Chairman, I am happy to rise in support of and to urge prompt approval of this measure to increase the rates of basic compensation of all postal employees and thus attempt to somewhat bring them into line with positions of comparable responsibilities and service in private industry.

It has been my privilege to repeatedly appear before the House and Senate committees, during these past few years, to testify on the various bills to eliminate the salary injustices prevailing among the Postal Department's employees, as well as all Federal employees, whose wage scales have so seriously lagged behind the advances granted in the comparable fields of industry.

I was among the first signers of the discharge petition because I deeply believed the request of the postal employees for an equitable salary readjustment should have the particular sympathy of all of us. They form a large group of our most reliable public servants. The service they render is fundamental and essential to the Nation. The security they enjoy is paid for by themselves. There are no more loyal people in our Government than those working in the Postal Department.

May I also remind you that the best insurance against any misguided reception of false Communist propaganda by our Government employees is to wisely and practically extend them adequate salary compensation.

It is only ordinary commonsense and recognition of the facts of life that if our Government employees are sufficiently compensated to enable them to meet their personal and family obligations with confidence and a high morale, then there will be no doubt of their loyalty as good Americans and their repudiation of Communist ideas.

I urge you, therefore, in simple justice, to promptly and favorably approve this measure.

ADJOURNMENT VERSUS LEGISLATIVE DUTY

House speech, July 27, 1954:

Mr. DONOHUE. Mr. Speaker, there appears to be a well-founded rumor around here that the leadership is planning to offer a resolution to adjourn sine die at the end of this month. If the rumor is true and the proposal is presented to the House, I intend to vote against it.

Every one of us knows there are many grave domestic problems, upon most of which the President himself has requested our action, that have not yet been accorded any consideration. Also, no one can predict what emergency may suddenly erupt on an international front. The new atomic-energy bill, the foreign-aid measure, the postal and Federal employees' pay revision, and the question of raising the public debt limit are matters of such serious national consequence that they should not be given hasty and peremptory treatment just to meet a politically expedient closing date.

These, and other major issues ought to be accorded the long, careful, thorough debate, and discussion necessary for the full understanding essential to patriotic and intelligent action. Any other course practically amounts to a denial of our responsibilities.

The people who sent us here have a right to expect us to place legislative duty and the national interest above any personal convenience or political expediency. I, for one—and I deeply feel there are a great many others who agree with me—am willing to stay on the job until our full duty is conscientiously discharged.

BILLS INTRODUCED

Mr. Speaker, this summary would be highly inadequate if I did not list, in part, some of the bills I introduced in the 83d Congress. They follow:

H. R. 3369, to carry out the recommendations of United States Tariff Commission with respect to duty concessions on Swiss watch movements.

H. R. 3603, to provide for the establishment of a commission to investigate and make recommendations with respect to the distribution of governmental functions and sources of revenue within the framework of our Federal, State, and local systems of Government.

H. R. 4261, to idemnify drivers of motor vehicles of the postal service against liability for damages arising out of the operation of such vehicles in the performance of official duties.

H. R. 4262, to establish a Federal Commission for the Physically Handicapped.

H. R. 5139, to incorporate Wounded Combat Veterans, now known as The Military Order of the Purple Heart.

H. R. 5826, to authorize the President to donate surplus Federal property to individuals in a major disaster area.

H. R. 8484, to amend tariff Act to insure that crude silicon carbide imported into the United States will continue to be exempt from duty.

H. R. 8574, to amend the Servicemen's Readjustment Act of 1944 so as to reduce from 4½ percent to 4 percent the maximum interest rate on home loans made, guaranteed, or insured under that act.

H. R. 9840, to provide for programs of public facilities construction which will stimulate employment in areas having a substantial surplus of labor, and for other purposes.

H. R. 9965, to provide for loans to enable needy and scholastically qualified students to continue post-high-school education.

H. R. 10003, granting the consent of Congress to certain New England States to enter into a compact relating to higher education in the New England States and establishing the New England Board of Higher Education.

H. R. 10004, to provide for emergency Federal assistance to the States and Territories in the construction of public elementary and secondary school facilities urgently needed because of overcrowding, and to encourage full and efficient use of State and local resources in meeting school construction needs, and for other purposes.

H. R. 10064, to provide for the establishment of a VA center for domiciliary and chronic care at the Cushing VA Hospital at Framingham.

H. R. 10095, to provide assistance to communities, industries, business enterprises, and individuals to facilitate adjustments made necessary by the trade policy of the United States.

H. R. 10096, to provide for the establishment of a United States Foreign Service Academy.

Cosponsor of H. R. 9430, to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes.

H. R. 10239, to amend section 201 of the Immigration and Nationality Act, so as to provide that all quota numbers not used in any year shall be made available to immigrants in oversubscribed areas in the following year, and for other purposes.

A NECESSARY PERSONAL NOTE

Mr. Speaker, 8 years ago, following my release from active military service, I presented my qualifications to the voters of the Fourth Congressional District in Massachusetts for the honor and privilege of representing them in the United States Congress. They accepted me in November of 1946 and reelected me in 1948, 1950 and 1952.

No man could help but be deeply inspired and gratified by the confidence the people of my district demonstrated in electing me as their national representative to the 80th, 81st, 82d and 83d Congresses.

Since the day of assuming the responsibilities of Congressman, I have conscientiously worked to justify that confidence and trust. The full facilities of my office have been energetically and courteously extended, at all times, for personal service to my constituents. I have cooperated, on every occasion, with the community agencies, social, fraternal, and racial organizations of my district in the promotion of their various objectives.

The expressed wishes of the majority of the people I represent, and a thorough study of the issues involved, have been the foundation for my judgment and action on legislation to advance the best interests of my district and the Nation.

I am happy to present this summary of my voting record on domestic and foreign legislative measures to my people.

CONCLUSION—TIMELY COUNSEL FROM A GREAT AMERICAN

Mr. Speaker, the words of wise authority remain forever as comforting beacons of guidance in troubled, distressing hours. A counseling message to all Americans is contained in the following extract from a speech given at Harvard University graduation exercises on June 30, 1910, by the late great Chief Justice Charles Evans Hughes:

> The most important agencies of democracy are, after all, not the organs of government, but the influences that shape public opinion. * * * Democracy must prize its public life. It has stripped it almost altogether of ceremonial and of meaningless and absurd forms. It has placed the public officer in a position of power, to be used for service. * * * Having surrounded him with none of the pomp which makes appeal to the thoughtless and ignorant, it must invest him with the higher honor which should be the reward of fidelity. Those who cultivate the true democratic spirit will be as earnest in their support of faithful officers as they are unsparing in their condemnation of the faithless.

A Report to My District

EXTENSION OF REMARKS

OF

HON. STUYVESANT WAINWRIGHT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, August 16, 1954

Mr. WAINWRIGHT. Mr. Speaker, I feel that the people of my district should have a full report of my accomplishments for them in the Congress during the 2d session of the 83d Congress. Therefore, I submit the following:

A Congressman is an employee of the people. As your employee this is the second annual report. Government, which has grown enormously in recent years, should, I believe, be brought closer to the people. In order to help my neighbors, friends, and constituents have a greater understanding of the happenings in Washington, I have written a weekly column for the newspapers, engaged in weekly broadcasts, mailed out special legislative reports, and spoken at as many gatherings, of every description, as physically possible.

This session of the 83d Congress is over. I am proud to say that I had at least a small part in its accomplishments. But what are its accomplishments? It would be far too long a report, were one to list the hundreds of votes cast so I intend to touch on only eight of the many issues. All were part of the President's program and all were vigorously supported by me. In addition to this I shall report to you the supplemental work, done exclusively for your benefit locally.

On the national scene:

First. The Truman budget, fiscal 1954, was reduced 61 percent. Seven billion one hundred million dollars less than former President Truman predicted for this year, fiscal 1955.

Second. A tax bill was passed granting cut in income and excise taxes, amounting to $7.5 billion.

Third. The States were given title to and control of the submerged oil lands as opposed to Federal ownership and control.

Fourth. A flexible farm bill was passed.

Fifth. Economic controls were voted out the window; no depression has come as predicted by the prophets of doom and gloom, but, rather, the reverse is true—we have genuine prosperity.

Sixth. The St. Lawrence Seaway program was enacted after 30 years of failure in prior Congresses.

Seventh. A new Social Security bill was passed, giving coverage to 10 million additional people, as well as raising the amount of the individual benefits.

Eighth. The Congress enacted new stringent anti-Communist internal security laws, and the party itself was outlawed.

In addition to these specific measures, President Eisenhower fulfilled the special campaign pledge to take us out of war. For the very first time in 15 years our Nation is operating on a full peacetime economy—capacity employment exists, and jobs are safe—business is excellent.

As the President said several days ago:

> We have halted inflation. The purchasing power of the dollar has varied only one-half of 1 percent in the past 8 months.

Because of this one who is usually an arch opponent of the Republican Party, Columnist Doris Fleeson, had this to say several weeks ago:

> Democrats who a few months ago were supremely confident that they would romp home in the House and win narrow control in the Senate are today full of misgivings. They are banking on the economic recession and slipping farm prices. Now the administration's attitude of confidence in both areas has infected them. Eisenhower's spokesmen are not merely talking confidence; they are betting it.

These important national policies have had their direct effect on the people of Long Island, who are now more numerous and more prosperous than ever before. For example, I predict in the building field alone we will have greater expansion, hard as it may be to believe, than any prior time.

But what of the local and personal issues presented, supported and undertaken by your Congressman? The following 22 points outline the work accomplished for you on the local front:

First. Promised funds for the maintenance of Fire Island Inlet. The Department of the Army has scheduled an engineer dredge for the inlet by mid-September.

Second. Promised a fight to the end for the establishment on a permanent basis of the Kings Point Merchant Marine Academy in Nassau County. The bill passed the Merchant Marine Committee, of which I am a member, cleared the all-powerful Rules Committee, and then passed the House on July 30. The bill has been bottled up in the Senate.

Third. Obtained approval for the establishment of new post offices in the First Congressional District, as well as the installation of city delivery and the establishment of new R. F. D. routes in many towns and villages. This represents the first such effective changes in 10 years.

Fourth. Sponsored what became known as the Wainwright bill (H. R. 8647). It passed the House on June 7, 1954, and the Senate on August 16, 1954. This measure stopped seizure of small craft by Customs when boat owners add safety features to their vessels at Coast Guard's request. This bill is part of a complete revision of all Coast Guard regulations to provide greater safety at sea.

Fifth. Obtained first class status for the Suffolk County Air Base at Westhampton, including a permanent housing program which passed the House on July 29, 1954.

Sixth. Reduced danger and firing hazard at Montauk Point from the United States Army AA battery stationed there. Public hearings on this subject were held at Montauk in the winter of 1954.

Seventh. Reviewed the Government's choice of Calverton as an airfield site.

This investigation perpetuated a change in site checking methods by the Department of Defense.

Eighth. Halted runway extension construction at MacArthur Air Field in the Lake Ronkonkoma area based on the petition of local residents. Hearings indicated there would be no substantial benefit to national defense by this expensive construction program.

Ninth. Succeeded in having four private immigration bills passed by both Houses of Congress and signed by the President in behalf of Mrs. Nathalie Illiine, of Halesite; Miss Dorothy Sonya Goldschmidt, of East Northport; Theodora Sammartino, adopted daughter of Mr. and Mrs. Vincent Sammartino, of Islip; Alexander Petsche, the husband of Mrs. Frieda Petsche of Northport. The passage of these four bills makes it possible for these fine families, heretofore separated because of a technicality in the immigration laws to be reunited in these United States.

Tenth. Obtained special funds for Golden Nematode research. Interceded continually with Secretary of Agriculture so that potato farmers would be taken out of competition with subsidized farmers of the South and West using diverted acreage. Stopped Cuban embargo on Long Island potatoes.

Eleventh. Have been successful in obtaining visas for admission to the United States and in expediting issuance of passports for over 380 people.

Twelfth. Obtained 10 appointments to United States Military Academy, and the United States Naval Academy. This is the greatest number in the history of the First Congressional District.

Thirteenth. Made weekly reports to the people by radio and through the press. Many leaders in Government have been guests on my radio program. Members of the Cabinet and executive branch will write a number of my weekly articles in the months ahead.

Fourteenth. Obtained, by intercession with the Secretary of Interior and in conjunction with the New York State Conservation Commissioner, a separate wildfowl shooting season for Long Island. Local hunters have been striving for a Long Island season ever since the event of hunting laws.

Fifteenth. Insisted on special safety precautions for the Plum Island Animal Research Laboratory; conducted a safety inspection with the former Surgeon General of the United States Army and other qualified officials.

Sixteenth. Presented, with Congressman MARTIN DIES, of Texas, and Congressman CHARLES KERSTEN, of Wisconsin, an anti-Communist information series.

Seventeenth. Made 2 overseas missions for our Government; 1 to the Orient in 1953, and another as a congressional representative at the inauguration of the Governor of the Virgin Islands.

Eighteenth. Presented to the Suffolk County Board of Supervisors a historical American flag that flew from the dome of the Capitol on the day of the inauguration of Dwight D. Eisenhower as President of the United States.

Nineteenth. Sponsored a district-wide Americanism essay contest, offering as a prize a parchment copy of the new oath of allegiance, personally signed by President Eisenhower.

Twentieth. Met with the President of the United States and the Prime Minister of Great Britain, Sir Winston Churchill, at the White House on Friday, June 25, 1954.

Twenty-first. Polled, at my own expense, the voters of the First District in order to obtain their views on the great issues of the day. Only by report such as this, of administration and individual action, may the people exercise intelligently their precious vote.

Twenty-second. Worked in conjunction with the Suffolk and Nassau officials on the rehabilitation program for the Long Island Railroad.

My office in Washington, D. C., will remain open, in competent hands, for the use of those having problems in the Capital. Also, I shall have an office in Huntington and Wainscott, Long Island, where I can be reached by those wishing to see me on any matter. It has been a pleasure to serve you, and it is certain that you as my employer are entitled to pass judgment on these activities.

Penalties for Membership in the Communist Party

EXTENSION OF REMARKS
OF
HON. HALE BOGGS
OF LOUISIANA
IN THE HOUSE OF REPRESENTATIVES

Monday, August 16, 1954

Mr. BOGGS. Mr. Speaker, the 208 Members of the House of Representatives who voted on yesterday to provide penalties for membership in the Communist Party recognized that the time has come to really face the issue of this foreign conspiracy in our country.

Every intelligent American has recognized for many years that a Communist is an agent for a foreign power. The Communist Party is not now and never has been a political organization.

During the years that I have been a member of this body I have consistently voted against the Communists. I believe that the vote on yesterday is tremendously significant and indicates that the American people have decided to strike out once and for all against these agents of the Kremlin.

The idea that our vote will be ineffectual and drive the party underground is, of course, ridiculous. It is simply saying that you cannot do anything about a conspiracy in your midst. I know that we can. This bill will be effective.

I believe that the 14 criteria included in the Senate amendment are adequate and will cover any type of subterfuge that the Communist Party might resort to.

I hope that this bill is enacted into law and that it is signed by the President of the United States.

It is very significant indeed that the Senate of the United States voted 85–0 on this measure and the House of Representatives voted 208–100, which well reflects the sentiment of all of the people of the United States.

World's Most Modern Beet-Sugar Plant Opens—Hon. Harold C. Hagen, of Minnesota, Urges More Sugar-Beet Acreage, New Sugar-Processing Plants

EXTENSION OF REMARKS
OF
HON. HAROLD C. HAGEN
OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES

Monday, August 16, 1954

Mr. HAGEN of Minnesota. Mr. Speaker, a $10 million up-to-the-minute modern sugar-beet plant has been opened at Crookston, Polk County, Minn., my home city.

It was my privilege to participate in the dedication exercises of this sugar factory, which means so much to the Red River Valley of the North.

The plant was built by the American Crystal Sugar Co., which also has fine sugar-processing plants at East Grand Forks and Moorhead, also in the Red River Valley, and in the Ninth Minnesota Congressional District.

This new Crookston plant will produce 100 million pounds of sugar a year, will employ about 400 people, with an annual payroll of $800,000. This means a great deal, not only to the many farmers who raise sugar beets, but also means employment for these 400 people in the late fall and winter months, when, ordinarily, jobs are scarce. This payroll and the approximately $4 million that will go to the sugar-beet farmers also means much to every business and professional man in the upper Red River Valley, because this is cash, which can be and will be put in circulation or in savings by the thousands of persons affected by this wonderful new industrial enterprise in our area.

The sugar plants at Crookston, Moorhead, East Grand Forks, and Chaska, Minn., all owned by the American Crystal Sugar Co., means a $3 million payroll to workers in these 4 areas and approximately $17 million per year in beet payments to the farmers of our State.

Before giving details of this wonderful dedication, I want to say that the United States Department of Agriculture is considering a proposal to cut sugar-beet acreage in Minnesota next year by approximately 5,000 to 7,000 acres. This sounds like the old Democratic policy.

This certainly should not be done and is a wrong policy. I shall strongly oppose this effort, and I believe we will defeat such a move.

There are about 7,000 babies per day born in these United States. Our population is growing by leaps and bounds. These 7,000 new Americans per day, plus the other thousands who come in from foreign nations, must be fed, and sugar

is not only an important food but a vitally necessary staff of life.

ACREAGE SHOULD BE RAISED

Instead of planning to cut the sugar acreage in Minnesota next year, the Agriculture Department should substantially raise the acreage so that at least seven or eight thousand more acres in the Red River Valley can be used in the production of sugar beets.

We need more sugar-processing plants in the Red River Valley, and I believe that important places where these may be placed would be Breckenridge, Halstad, Ada, Oslo, Warren, Hallock, and other places in the Ninth Congressional District. Research by soil scientists has revealed that the Red River Valley soil comprises one of the two important parts of these United States, where sugar beets can be produced at less cost than in other parts of the Nation. The other economical beet-producing area is in the State of Washington, some 2,000 miles from the Red River Valley, and offers no economic interference with our activities in the Ninth Congressional District.

If the voters of 15 counties, comprising the Minnesota Ninth Congressional District, honor me on November 2, 1954, with my seventh election as their Congressman, I pledge to the farmers of this area, to the workers in these sugar beet factories, and to the thousands of business and professional persons and workers who profit from these activities, that I shall immediately take steps, as your Congressman, to show the Department of Agriculture that thousands more acres should be allotted in northwestern Minnesota to sugar beet production.

Those of you who are familiar with procedures in Congress realize that a Congressman who would have 7 terms, and the seniority and the power that goes with 14 years of service, who has made many friends and acquaintances in official Washington, D. C., can be of tremendous value and help, far more than some newcomer who must spend many years in reaching the same relative position in the House of Representatives that I now have.

It must be kept in mind that the Democrats for a century have traditionally favored free trade and low tariffs. The Democrats also passed and have maintained as law the reciprocal trade treaty law, which permits the importation of sugar, farm products and other commodities into these United States, either free of any duty whatsoever, or with a tariff cut by at least 50 percent.

Those of you who live near the Canadian border know about the bringing in of products from our neighbor to the north. But possibly you do not realize that sugar produced in the Philippine Islands or Puerto Rico, or Cuba, is produced by labor which draws wages of less than 75 cents per day in American money and in the Philippines the wages of some of these workers runs about 30 cents per day.

I am proud to say that I never have voted for extension of the present reciprocal trade treaty law, because I feel that American producers should receive first consideration from their Congressmen instead of the coolies and low-paid workers of other lands. And my viewpoint applies not only to sugar, but to the importation of all farm products and industrial products that would weaken our American way of life.

FINE DEDICATION PROGRAM

The dedication program of this new sugar processing plant at Crookston was an event attended not only by thousands of persons from the Red River Valley, but by newspapermen, radio commentators, and television operators. The wide publicity given to this splendidly planned dedication will do much to help create a market for Red River Valley products and especially for the fine sugar produced in the three great sugar factories at Crookston, East Grand Forks, and Moorhead. There were some splendid addresses made and it was my privilege to be on the platform with the distinguished speakers and guests and to be introduced to the thousands who inspected this plant and attended these ceremonies.

In the space I have it will be impossible to report to you all of the fine speeches that were made at the Crookston plant's dedication programs. However, I am going to offer you, in part, or in their entirety, four of the oustanding addresses.

John M. Budd, president of the Great Northern Railroad, reviewed the part that James J. Hill and the Great Northern had in helping to develop the Red River Valley from a wilderness, just one long life ago, into its present outstanding position in American economy. Mr. Budd said:

It gives me much pleasure to be here today and on behalf of the Great Northern Railroad to take part in the formal opening of the new Crookston plant of the American Crystal Sugar Co. This is the third such plant to be built in this area, and the second one to go into production since World War II ended.

I am sure you people of Crookston take as much pride in this plant as the people in Moorhead and East Grand Forks do in theirs. I hope that you have all enjoyed as I did the inspection of this magnificent plant. Mr. Summerton doubtless will have many volunteers for management of the affairs of the American Crystal Sugar Co. in Crookston, since we all now know exactly how sugar is extracted from beets and made ready for marketing; what becomes of the byproducts and all of the other details necessary to run the plant.

One cannot make even a brief trip through the new refinery without realizing that here is an investment of very substantial magnitude, for it is obvious that millions of dollars have been spent in creating this modern, up to the second, magnificent installation. My own experience assures me that sums of this size are not idly spent on expansion, but only after very thoughtful study and definite proof of the soundness of the investment. Planning for every phase of the operation must be incorporated into the facilities, and all of the mistakes that went into other plants must be eliminated from this one. This plant is here for a long, long time, and must remain efficient and modern for years to come.

From the time the plans for the construction of this refinery were announced, I have speculated on the reasons why the American Crystal Sugar Co. has staked so much of its future in the Red River Valley. Naturally the soil conditions and climate must be favorable for beet culture.

Bill Duncan, director of Great Northern's agricultural development department, tells me the Red River Valley is one of the two regions in the United States in which sugar beets can be grown at the lowest cost. The other is the Columbia Basin in the State of Washington. However, where agriculture in the Columbia Basin is dependent on irrigation, the normal rainfall in the Red River Valley assures abundant production.

But I am confident that this was not the only consideration of Mr. Summerton and his associates in their decision to build this new plant in Crookston. I feel sure that another decisive aspect is the human factor—the character of the people in the valley. In the background thought of those who built this new industry there obviously was great consideration of the quality of the valley's men and women—their intelligence on the science of agriculture and proven ability to make the soil produce so abundantly. These great human qualities will continue to justify the faith of the company in the years ahead.

Farming, it seems to me, is a satisfying kind of industry because of the continuing productivity of wealth from the soil. Your neighboring State, which also has an important agricultural economy, has developed in recent years an oil industry of considerable consequence and promise. North Dakota also has a lignite development in several places, and Minnesota has an iron-mining activity second to none in the Nation. Yet, in the petroleum and mining industries there are definite limits to the supplies, and once oil and ore are taken from the ground the harvest has been forever concluded. In farming another crop always is ahead. In farming, value keeps flowing from the ground. It is true that timber grows, is cut, and grows again; but the process is slow and tedious, demanding infinite patience—and you can't eat wood. Farm products, on the other hand, constitute one of the most basic needs of man: food. Farm crops also provide food for animals, and animals, in turn, provide foor for humans.

This valley has been producing food for at least 75 years; and those years have been dramatic ones. What in the early seventies was little more than raw wilderness now is a prosperous, well-populated region of tremendous economic importance to our Nation. In the wake of those who traversed the valley en route north to the Selkirk colony and Pembina, to the fur-trapping and trading posts beyond those settlements, came a great man and significant changes in the order of things in this part of the country.

James J. Hill went to St. Paul as a young man in 1856, and settled there by accident rather than by choice. His interest in transportation started early when he became agent for a steamship line on the Mississippi River. His second interest was in fuel, the result of contract to supply wood to steamboats. His third interest, farming, was a natural heritage, but really was awakened in him when he saw the fertile lands of Minnesota, particularly in the Red River Valley. He envisioned the tremendous possibilities of the productivity of Minnesota farmlands combined with cheap transportation to markets.

Transportation facilities for people and goods were crude in this part of the country at that time. The famed Red River oxcart was the principal means of overland transportation between St. Paul and settlements to the north, and there was some movement of freight and travelers by river craft.

In 1862 a railway with the modest name of St. Paul & Pacific began the first rail transportation in Minnesota and the Northwest. The railway extended from St. Paul and not to the Pacific but to Minneapolis, a distance of 10 miles.

By 1878, the year Mr. Hill and three courageous associates acquired the St. Paul & Pacific, the rails of the pioneer railway had moved gradually in a northwesterly direction. Crookston became a station on the railway in 1872, when the line was extended

from Barnesville to Warren. The next line that helped make Crookston a growing community was built in 1875. It ran from Crookston to Fisher's Landing on the Red Lake River. The building company was the Red River Valley Railroad, owned by Mr. Hill and Norman W. Kittson, who were associated in steamboat transportation on the Red River. This 10½-mile line between Crookston and Fisher's Landing was, in reality, Mr. Hill's first railroad.

The trail of the iron horse expanded rapidly under Mr. Hill's impetus throughout this region after he and his associates acquired the St. Paul & Pacific in 1878 and created the St. Paul, Minneapolis & Manitoba Co. The Red River Valley became laced with a network of rails, with lines on each side of the Red River extending from Breckenridge to the Canadian border. Lines also were built to the East and West, and by 1896 the Manitoba had completed the basic network, of which Crookston is the hub.

With an outlet to markets, the Red River Valley was soon settled by people from other parts of the country and from Europe. Mr. Hill encouraged settlers by selling at low prices lands acquired from the State by grants. He was steadfast in the belief that his railroad could prosper only as the people along it prospered. It is significant that freight rates went down steadily for several years after Mr. Hill took control.

But, Mr. Hill reasoned that settlement of land and availability of railway services were not enough. He supported his confidence in the fertility of Red River Valley land and his faith in the ambition of those who settled on it by showing farmers how to improve their methods. He preached crop diversification, imported purebred livestock, created an agricultural development department for his railway, established experimental farms of his own and helped to institute schools for the teaching of agriculture.

Among the many living evidences of Mr. Hill's interest in agriculture is the Northwest School and Experiment Station. In the early 1890's he offered the State a plot of land near Crookston for use as an experimental farm. In 1895 Minnesota Legislature created 2 of these farms, one at the Crookston location. The Hill gift was formally conveyed to the State a year later, and the Northwest Experiment Station was created.

In 1908, just 8 years before his death, Mr. Hill was principal speaker at the dedication of Stephens Hall at the Crookston School of Agriculture. In his address he said:

"I need hardly say to you how much pleasure it gives me to see evidences of progress that I see here today. * * * These 450 acres upon which your college is now about to be opened, lying close to Crookston, I had reserved for another purpose * * * but I felt that it would be of greater value as the starting point of an agricultural farm in the Red River Valley. * * * Now the years have rolled by and many changes have occurred."

The progress of agriculture in this region in the 46 years since Mr. Hill made those observations would have been highly pleasing to him; but, I feel that he would not have been surprised had he lived to see what has been accomplished in the Red River Valley. Mr. Hill had a tremendous vision for the future. He invested great confidence in the soundness of his doctrine for better agriculture, and in the desire of farmers to benefit from his ideas. It is noteworthy, I believe, that Mr. Hill's faith in the principle of crop rotation not only is generally practiced today, but also is regarded as a principal contributor to the continuing productivity of Red River Valley farmland.

Those who have succeeded Mr. Hill in the leadership of the Great Northern have continued his principles and program of encouragement of and assistance to the man on the land.

This is a basic policy of the railway's management.

Evidence of the fruit of vision is abundant everywhere in the vast Red River Valley, and the newest manifestation of agricultural and industrial progress is this modern refinery for the processing of a crop so suitable to this land—the sugar beet.

The dedication of this new plant brings into perspective conditions governing the production of beet sugar. I am aware of the fact that under existing laws the sugar industry is a controlled economy, and that national prices normally are maintained somewhat above the world market price structure. When the Sugar Act formula was developed allotments were made to beet and cane producers on a national basis. Offshore quotas were established in relation to the production capabilities and the need for supplementing the various economies affected.

The Great Northern is entirely sympathetic with the proposal that domestic producers be permitted to increase production at least in direct relation to increases in this country's population. This position we take not solely for the interest we might have in the production of more sugar in our territory. Our interest is far broader than that.

A contracted crop strengthens the stability of a community because many economic benefits accrue to an area in which sugar beets are grown and processed. But even more important to an agricultural community and to a railway interested in the prosperity of the country it serves is the improvement in farming methods—better use of soil capabilities with improved yields and equality in all production, made possible through a sugar-beet program.

The great Northern understandably is pleased to share with Crookston and its farming community in welcoming the establishment of the third American Crystal sugar plant in the Red River Valley. This plant is a new fruit of vision and a symbol of faith in tomorrow.

MR. SUMMERTON SPEAKS

Another outstanding address was made by J. A. Summerton, president of the American Crystal Sugar Co., with headquarters in Denver, Colo. Mr. Summerton has had 36 years of service with the company, starting as the voucher clerk and working up through smaller positions to become vice president and in 1952 president of the company.

This is what he had to say at the dedication:

This is a memorable day for all of us. For the many who have spent countless hours in the planning and construction of this, the company's 10th plant, it marks a day of accomplishment. The fulfillment of a vision—a dream come true. The griefs and disappointments that are encountered in an undertaking such as this are now forgotten. Instead, there is the pride of achievement—the satisfaction that comes from a task well done.

Yet as this day marks the end of one period, it more dramatically marks the beginning of another. The beginning of a period which will contribute materially to the happiness and prosperity of a far greater number than have benefited to date. The beet growers, the local merchants, the professional men, and the plant employees who will come from this area, all will benefit for years to come from the completion of this beet sugar plant which we are dedicating here today.

Speaking on behalf of our company, may I say that we are happy to have led in the development of the beet sugar industry in the Red River Valley. Each of you here honors us with your presence. I wish to personally thank Congressman HAROLD HAGEN, Senator THYE, and other notables, and also members of the press, radio, and television representatives for taking time to come here today. Many of you have come long distances to attend the dedication and to inspect the plant. I wish to express our sincere appreciation for the interest shown.

Our experience in its construction has been most pleasant. The many courtesies and the cooperation we have received from the good people here in Crookston and in the surrounding area are deeply appreciated. We hope that we will continue to merit your goodwill.

To Mayor Thomforde, may I say—we are glad to be located here near your progressive city, and to have a part in the future growth of this community. On this occasion we wish to give assurance that we look forward to serving and to becoming an active partner in the growth and prosperity of the area. We trust our presence will be welcomed over the many years that lie ahead of us, and that the hopes we all share here today will be fulfilled in a greater future for the Red River Valley.

SENATOR THYE GIVES FINE TALK

Senator ED THYE, of Minnesota, needs little introduction to you voters of the Ninth Congressional District. Himself a farmer, and former commissioner of the Minnesota Department of Agriculture, he long has fought the good fight of the producers and the Nation. Senator THYE showed in his splendid address where the American system of private initiative is so far superior to communism, socialism, or Democratic New Dealism that I am placing his talk in the CONGRESSIONAL RECORD so all Americans may be able to read and analyze it:

SENATOR THYE'S ADDRESS

We are gathered to welcome an important addition to Minnesota's facilities for processing farm products. We are gathered to congratulate you, Mr. Summerton, upon American Crystal Sugar's farseeing plans and your completion of this project. And to congratulate you, Mayor Thomforde and Judge Sylvester, upon your city's and the surrounding farm community's receiving this addition to your economic stability.

My friend, Congressman HAROLD HAGEN, and I, as representatives of the State of Minnesota, are proud to welcome a new source of industrial and agricultural wealth within our borders. We are, all of us, happy to see additional crop dollars and the payroll dollars flowing into this area of Minnesota and North Dakota.

But when we've congratulated ourselves, as Minnesotans and Dakotans, as businessmen and farmers and workers, let's take another look. Is there something else here, too—something with far wider implications for us and for the Nation?

As representatives of Minnesota, but also as small cogs with responsibility for our National Government, and with the same concern and responsibility for our welfare as every good citizen carries, Congressman HAROLD HAGEN and I say, "Yes; there is something else here we should look for, and note, and pay honor to."

We should here honor the basic principle of American Government and free enterprise that makes it possible for the friendly, profitable cooperation we see here between the men who raise the goods and the men who process the goods. Here we have a close look at free enterprise at work in logical and harmonious surroundings.

This is decentralization of industry at its best. Processing on the spot where the crops are grown—here where the sugar beet fields extend almost to the doors of the plant. This is sound business, sound agriculture, sound American progress.

And on this spot and for this occasion, I think we should pay honor here to the two

parties who have made this enterprise possible: The farmers of the Red River Valley who raise the sugar beets and the company that processes their beets, the American Crystal Sugar Co.

Over the years these two mutually dependent groups have learned to live with and respect each other. Surely not completely without friction, but in a remarkable spirit of good will. They've learned that basic business lesson and human lesson that no bargain is truly profitable unless it's profitable for both sides. They've learned to work together—to respect each other—to make the contribution to the growth and life of our upper Midwest and indeed of the entire country.

Here—it seems to HAROLD HAGEN and me—is a good example of the Golden Rule in practical action. Here are men who realize that neither can get along as well without the other—yet neither party is taking advantage of it. They are interdependent—dependent upon each other for their prosperity.

And there is this important thing about interdependence—unless we fully recognize it—our dependence, one upon another—we in America are going to have trouble keeping our independence.

Yes, here in this valley of the Red River is a living and successful example that all America can well note. Interdependence helps make independence.

Let us look for a moment at each member of this remarkable interdependent duo.

First, the beet growers who are so well represented here today:

All honor, we say, is due these sturdy, self-reliant people who inhabit the Red River Valley. They are bred in a sturdy individualism—in a strength to match their rich valley's vigorous weather. They've stood up under dry years, under devastating floods. They are smart farmers, good citizens, worthy directors of their own destiny.

We see more opportunity and more security opening for you beet growers with the opening of the gates of this factory. I know you will meet this opportunity with the same composure and the same calm good judgment as you have met trials and difficulties in the past.

I predict that some day you folks of the Red River Valley who are gathered here will find that you or some of your children will grow into an important and leading part with this company that is so intertwined in your lives and in your destinies. I welcome this opportunity for you. I welcome your capacity and your ingenuity which also has made it possible.

Yes; honor the men who raise the sugar beets.

And what about the processors? The men who change the raw beets into a white crystal stream of sweetness that flows to all America—that brightens our breakfast table, that sweetens our drinks, that pampers our sweet tooth?

Yes; let's take a long look at this fellow—the processor. Where does he fit into our economy?

Well, let's start with this figure. I looked it up—and it surprised me—and maybe it'll surprise you, too. Who eats up our farm crops—where do they go? Well, the Department of Agriculture figures tell me that three-fourths of all our farm crops are eaten up by processors—creative processors, if you will—who take these products and process them in some way, change their form, make them ready for human consumption. Only one-fourth of our farm crops are actually eaten by animals on the farm or by the farmers themselves. That's an amazing figure, isn't it?

Down around Northfield where I live, we raise a lot of corn and soybeans. Of course we know most of our corn is fed to livestock. But at the same time I note that each year on the average 600 million bushels of corn go to processors who make everything from paste and corn meal to alcohol, feed, and desserts.

Soybeans, as you know, are practically all handled by processors before they can become of use to mankind. In the hands of the processor they become cooking oil, plastics, paints, feed ingredients and 50 other useful items.

Everywhere you city folks go—in every store—you see processed farm products—in the grocery store, in the hardware, in the clothing store. First somebody had to raise the farm products. Then somebody had to provide the scientific research, the know-how, the factory (like this building), the warehouse and the money to process those farm products into forms usable for our civilization.

The processor—and fortunately more and more often he is becoming a creative processor—has, to my mind, two functions:

1. He creates new markets for more and more farm products.

2. He creates new products to make our farm life better and more profitable than before.

As an example of the first kind of creative processing, take this whole sugar beet industry. The first struggling sugar beet processors fought with planting and growing problems, processing problems, public indifference * * * to create a new product from a farm product. But in finally succeeding, they created a new market for farm products—sugar beets now the key crop on tens of thousands of acres of Red River Valley land alone.

We have to go no further for an example of the second kind of creative processing—the processing that creates new products to make our farm life better. Through the work of Dr. Hass and his Sugar Research Foundation (and many of the individual companies), the residue, the sugar beet pulp from the refining process, has been made into a nourishing low-cost animal feed ingredient that has improved and lowered the cost of feeding beef and pork.

We're seeing here today with our own eyes what it means to be a processor, what it means in plant and machinery, what it means in the ingenuity of plant and engineering design, what it means in investment in refined product that must be stored unsold for as long as 9 months.

Mr. Summerton, your company is to be congratulated on the ways it has accepted its responsibility as a processor—a creative processor, may I say—of farm products. And further, you are to be congratulated upon the way you have accepted the responsibility in dealing with those equal partners of yours—the men whose effort and toil raises the sugar beets upon which your plants depend.

And so we do honor to both of you here today: the men who raise the beets and the men who process them.

This blending of interests and effort is a wonderful example.

Certainly one of my guiding principles and what should be the guiding principles of truly American administration should be to see that the conditions under which this fine working partnership can exist are never destroyed. Rather they should be strengthened and encouraged that free men working together can make this sort of a dream of steel and bricks and concrete come true.

They tell me that in Russia it takes two farm families working full time to provide their food plus the food and other farm products for one family living off the farm. In America, 1 farm family provides enough for more than 5 families living off the farm.

What's the difference? Better mechanization, yes, certainly. Better farming methods—surely. But beyond all these and standing with them is the peculiarly American relationship of the man who raises the crops and the man who processes them. The man who processes the crops must pay a fair price for them or the farmer will not raise them—not over a series of years. The man who processes the crop must process it attractively, effectively, and at a low enough cost that it can be resold in the markets of the city and in the markets of the world. Otherwise he ceases to be in business. The tremendous appetite of Americans' agricultural processing plants like this sugar refinery is a more powerful prop under farm prices than any the Government can devise by itself. That appetite that eats up three-fourths of our farm-produced items is something we must nourish and encourage in every way we can.

I am glad to note that there are representatives of the press, radio, and television here today not only from the immediate area, but from all of the upper Midwest. Because this is not just a local thing that affects only Crookston or only Polk County. And I am glad also to see on the platform here Representative HAROLD HAGEN, your fine and able Congressman.

It is important, too, in Grand Forks and Fargo, in St. Cloud, and Northfield, and in Twin Cities—important for all the upper Midwest.

The dollars for cash crops—the dollars for payrolls—multiply themselves many times as they pass from hand to hand. Each dollar becomes $10 or $20 in total business as it moves along.

Mr. Budd will tell you. His railroad knows. They like the direct traffic that comes from a plant like this. But they also know that the payroll dollars and the crop dollars mean more total business for the community, and indirectly, but just as surely more total goods to be hauled by a railroad.

Take a simple example: Beet farmer Engberg buys a tractor for his farm. The tractor had to be hauled in by railroad. Part of the dollars that pay for the tractor pay for the hauling. Part of those hauling dollars go into the wages of switchman Peterson at Great Northern's division point at Grand Forks. Peterson buys bread for his family. The baker profits, and also buys flour from one of our great Twin City mills, who pay salaries and buy wheat, and so it goes, on and on, even throughout the Nation. The single dollar paid for raising sugar beets has been multiplied many times in the business volume of our State.

Now, I'm not starting a one-man crusade to have us buy only products made in Minnesota. We are far too interdependent with our sister States to do that. I'm not even making a slogan out of "buy Minnesota," or "buy upper Midwest." But I do feel this:

These people—the growers, and the workers, and the company—have a right to say to their fellow Minnesotans and Dakotans, from the Red River Valley to the Twin Cities, and south to the very borders of the State—they have a right to say:

"Don't forget where the Crystal sugar originates. Don't forget some of the dollars are flowing back to your pocket too—however indirectly. Let's encourage more closely knit farming and processing in Minnesota. Let's give our Minnesota-grown-and-processed sugar a break."

To you people of the upper Midwest, some of your sweetest things in life are going to be coming from this plant—in your jelly, cakes, candy, in your soda pop, coffee, breakfast. The effect upon our economy can be just as sweet, if a little less noticeable.

I am glad to be with you today. It was a pleasure and a privilege to talk to you. Goodby to you all.

THIRD DEDICATION SPEECH

A very interesting personage at this dedication was Mr. H. E. Zitkowski, general consultant for the American Crystal Sugar Co., at Denver, Colo. He is called the dean of the sugar industry because he entered it 60 years ago at Norfolk,

Nebr., and he has had the unusual privilege of attending the dedication of the three plants in the Red River Valley at Crookston, East Grand Forks, and Moorhead. He served the company from waterboy, chief chemist, general superintendent, vice president, then general manager. Virtually everybody in the sugar industry knows this great figure, and this was his statement at the dedication:

This is the third time I have had the opportunity and the pleasure to meet with you good people of the Red River Valley on an occasion of this nature. In 1926 when the pioneer sugar-beet processing plant in the Red River Valley was placed into operation; again in 1948 when the Moorhead, Minn., plant was dedicated; and now this plant at Crookston. It also gives me great pleasure to note that quite a number of persons are in the audience who were present on the two former occasions.

Thirty years ago last month, I first scouted the Red River Valley as to its potential sugar-beet growing possibilities for my company, then known as the American Beet Sugar Co. I was favorably impressed and so reported to my company. In my report I recommended that steps be taken to acquire the Northern Sugar Corp.'s plant at Mason City, Iowa, and the Minnesota Sugar Co.'s plant at Chaska, Minn. Both of these companies had trial plantings of sugar beets in the valley which trial plantings were quite encouraging. I also recommended that steps be taken to build a sugar beet processing plant in the Red River Valley at the earliest possible moment. Such a plant was placed into operation in 1926 at East Grand Forks, Minn. We then envisioned that additional sugar-beet processing plants would be established in the Red River Valley in the not too distant future. However, we had to learn many things and adjust ourselves to a new set of agricultural and climatic conditions to produce sugar beets in this northern area. It was not until the early 1930's that sugar beets were produced in quantities to give the East Grand Forks plant capacity operations. Then, as many of you will recall, the drought conditions of the 1930's dealt a severe blow to the Middle West including this valley and seriously reduced sugar beet production. These drought conditions were broken by 1939 and 1940, but the outbreak of World War II in 1939 in which this country also became involved, prohibited construction of new processing plants in order to fulfill the war demands.

Immediately after the cessation of hostilities, plans were designed and authorization was obtained from the directing heads of the by then American Crystal Sugar Co. to proceed with the construction of a second sugar beet processing plant. And now we are about to add another link in the chain of prosperity in the Red River Valley here at Crookston. Much thought, toil, and sweat has gone into the project and I want to commend the efforts and assistance given to this project by the engineering and purchasing departments of our company, the general contractors, and the various subcontractors; our own local construction people and the many craft workers who made this the newest and most modern plant of its kind a possibility.

To one who has been associated with the beet sugar industry of this country these many years, and who can well recall the cost of construction of sugar beet processing plants 30 or 40 years ago, this plant cost an unconscionable sum of money. It has taken a lot of courage and confidence in the future of our country and of the Red River Valley for the board of the American Crystal Sugar Co. to authorize so huge an investment; but we believe such confidence will prove to have been justified. You have seen, or will see, the magnitude of this plant. Unfortunately, it is not in operation, but an invitation is extended to you to view this plant when in operation after it has passed through its initial shakedown period—say after October 15.

In closing, let me repeat the statement by Mr. Benson, Secretary of Agriculture, on April 1, 1954, at Grand Forks, N. Dak.: "The sugar program has operated successfully in the past. We would maintain it on the same basis. Here in the Red River Valley, you have built a thriving sugar-beet industry. I am confident that it will continue to prosper."

To you, Elmer Lindquist, as superintendent of the Crookston plant, I turn over the golden key of this new plant and may the results be likewise. And now the Crookston sugar beet processing plant is dedicated to the welfare and prosperity of the Red River Valley, the State, and the Nation.

I feel it my duty to repeat that if I am returned to Congress on November 2, that my first order of business will be to show the United States Department of Agriculture that there should be a greatly increased acreage for sugar beets in the Red River Valley. As I said before, the experts have proven that beets could be raised at a lower cost on the wonderful soil of our area than in any other part of the Nation except one area in the State of Washington on the Pacific coast, which is about equal to ours.

The Red River Valley farmers want more acreage. The workers in these villages and cities want more jobs and the business and professional persons in the Red River Valley want to see this extra money in circulation. To all of you, I pledge my full efforts toward building the sugar-beet industry and sugar-beet production in the Ninth Congressional District of Minnesota.

The Upper Colorado River Storage and Development Project

EXTENSION OF REMARKS
OF
HON. WAYNE N. ASPINALL
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Monday, August 16, 1954

Mr. ASPINALL. Mr. Speaker, as the 2d session of the 83d Congress draws to a close, I must confess that at times during the session I have been somewhat irritated and angered by the activities of some of my colleagues, especially those from the southern part of the great State of California. It has been impossible to thumb through the CONGRESSIONAL RECORD during these last months without finding some article which is unjustly critical of the upper Colorado River storage and development project, especially as to the Echo Park Dam unit which, after all, is but one related single entity of the overall development program. A great number of these insertions have been without foundation or fact.

For over a quarter of a century I not only have had knowledge of, but I have also been called upon to take part in the controversy between the upper basin and the lower basin over the waters of the Colorado River. At this time I would question the motives of the vociferous Members of the vanguard operating for the well oiled and carefully prepared propaganda barrage of the lower basin. I hate to see the presently proposed necessary and vital program of the upper basin of the Colorado River kicked hither and yon for political personal gain by ambitious politicians. Also, I hate to see this well developed and rational program undercut and destroyed by the union of forces from areas which must profit because of its failure.

I have gone from day to day, week to week, and month to month during this session without attempting to make answer to this floodtide of commentary by lower-basin representatives. I have had neither the time nor the resources to furnish to my colleagues factual information which is available to answer these screaming tirades of the low landers. I have no trained lobbyists, no well-heeled specialized groups grinding out propaganda for my use. I must rely upon the advice of able men of my own State, most of whom are all too busy with necessary personal activities other than the controversy between the lower and upper basins of the Colorado River. I must depend to a great extent upon the practical suggestions of my country cousins, who have acquired a wealth of information about the Colorado River by living on and with it for many years, but who also are limited in the time which they can give to the solution of its problems. I must also put credence in the findings of the Bureau of Reclamation, which has spent years of study on the problems and questions arising out of the controversy along this great river. If and when the the Bureau representatives and those working with them make mistakes—and for that matter all men and groups of men do sometimes make mistakes—then I must learn of such mistakes the hard way, for I have no battery of trained engineers and specialists at my disposal. Nevertheless, I have a determination, not only to find out the facts which are involved in all matters pertaining to the upper Colorado River storage and development program, but also to see to it, as far as possible, that my colleagues in Congress have access to such facts in order that they, themselves, may base their final decisions upon the facts and not upon prejudices and emotional appeals.

Water, it is wisely said, in the West as well as elsewhere, is the life blood of our very existence. It is especially true that it may not be wasted in the West. The volume of usable water determines the limits of all facets of civilization. What happens to the last waterhole determines the life and death of the area involved. This is a most serious game of life. It is well that all who are interested know all of the rules and all of the facts surrounding the game.

We of the upper Colorado Basin are painfully aware that we are now and always have been in the great minority. We have no great metropolitan areas. Neither do we have great centers of in-

dustrialization. Inequitable and unfair conflicts; that is, the overly strong antagonist against the less strong, are not popular in this country of ours. The deserving underdog usually can depend upon obtaining public sympathy by the very need of his case. I hope that this truism will hold for the interests of the upper basin area of the Colorado River. If it does not, then we shall have seen the mighty crush the weak—a situation contrary to American tradition. We shall have seen superior political power used to squeeze legitimate benefits from people of a deserving area so that the greedy can hog the public trough.

It is time for honesty and clarity to be used in the consideration of this whole matter. We have had quite enough of bombast and braying. The whole subject has been most thoroughly and quite fairly studied in the Committees on Interior and Insular Affairs of both Houses. The hearings are printed and available. The reports of the committees, with a minority report from the committee of the House, which approved this program are available. Truly we have no need for the daily harangues and self-serving statements which are being placed in the CONGRESSIONAL RECORD, not to educate but to demonstrate—to the folks back home in southern California—how this or that office seeker is slaying the dragon. Let such office seekers run on some record of factual interest to their own district rather than of emotional interest engendered because of its past relationship to an area a thousand miles away. There is no disposition on the part of any individual or group of individuals in the upper Colorado River Basin to despoil or lessen the rights which the people of the lower basin have in the Colorado River. It is not fair that these self-seeking political ambitious representatives should endeavor to advance politically over the imagined dragons of the upper Colorado River Basin for, in fact, there are no dragons, only a people in hopeless minority—a people, however, who are very much aware of their opposition and who are determined, if it is at all possible, not to become victims of a program of, or of a group of people having uncontrolled selfishness as a basic claim for attention.

I feel certain that the real issues which are present in the upper Colorado River storage and development program are not clear to many Members of the House. May I state further that it is my opinion that this lack of clarity—this confusion—is a part of the program of those seeking to delay or destroy the ultimate potential development of our area. What is not understood, it is reasoned, is more easily maligned and more easily defeated. One rational insertion in the CONGRESSIONAL RECORD, and there have been a few among the barrage of emotional appeals, was placed in the July 15 daily RECORD at page A5128, by the Honorable A. L. MILLER, of Nebraska, the present chairman of the Committee on Interior and Insular Affairs. Such insertion is aptly entitled "Echo Park Dam: Too Much Heat and Not Enough Light." If, after studying such insertions as that by Dr. MILLER, additional informative material is desired I shall be glad to try and supply it. On the other hand, if one-sided propaganda is wished, it can be found by easy reference to the insertions made by the opponents from the lower river.

Almost a third of a century ago it was decided by solemn and binding compact among the States of the Colorado River Basin, with the Federal Government in agreement therewith, that an equitable part of the waters of the Colorado River are to be used in the upper basin of the river—in that part of the basin where the waters arise. The waters come from the snow-capped mountains and forested slopes of the upper basin. Ours is the area of origin, a principal which seems to mean so much to the people of the great State of California when considering the use of waters which rise and flow entirely within the confines of its own borders. However, their application or friendliness to such a principal stops at their own State lines. They know full well that the law of gravity applies to flowing water more readily and more effectively than to any other element or combination of elements. They know that no matter what means are applied in keeping the water from use in the upper basin—if it remains unused, it must naturally flow down to the lower basin without any further effort on their part to capture it or possess it.

How do you boil down so great and involved a controversy into "20 quick lines"—making it clear so that those who wish can understand it? Perhaps such cannot be done, but here at least is a try.

The headwaters of the main stems of the Colorado River are mostly in the States of Wyoming and Colorado, with far the greater portion being in Colorado. The Continental Divide splits Colorado almost in half, the Western part being the area where the Colorado River and most of its tributaries lie. All in all this one-half of the State contributes slightly over 70 percent of the entire flow of the Colorado River. The balance of the flow: that is, not quite 30 percent comes from the other upper basin States, Wyoming, Utah, New Mexico, and Arizona. Lower down; that is, below Lee Ferry, the water evaporates far faster than any water runs in. California and Nevada contribute nothing in the form of water to this river. I make only slight reference about the origin of the hot air which causes the evaporation. The upper basin of the Colorado River is all of the natural drainage above Lee Ferry which is located near the Arizona-Utah border. It includes the States I have mentioned. The lower basin includes California, Nevada, most of Arizona, and a small part of Utah. Recent history records the fact that it is the States of California, Nevada and Arizona which find it impossible to agree on who gets what from the river. This is true even though the powerful State of California, in its ordinary legislative procedure, passed, signed and proclaimed a "self limitation statute" on how she is to use her share and permit others to use their share as decided among themselves. If at this time you are of the opinion that this legal status should be binding enough to end the matter—and most assuredly it should be—please just continue to give to me your attention. There is more. Once again, I call to your mind the fact that back in the 1920's the duly authorized representatives of all of the States involved got together in Santa Fe, N. Mex., and in their sovereign capacities divided the waters of the Colorado River. Without going into the carefully worded language, the division agreed upon at that time simply means that on the basis of what was thought then to be the average flow of water in the Colorado River, one-half of such flow was to go to the upper basin from which virtually every drop comes and the other one-half to the lower basin, meaning mostly, of course, the State of California which contributes only a matchless thirst. These divisions were to be made subject to an expected treaty entitlement to the United States of Mexico the total amount of which was to be determined later. This treaty priority on the river has since been found by treaty agreement to be 1½ million acre-feet per year. It now appears that a most important mistake was made at Santa Fe. It had to do with the amount of water for division—the crux, of course, of the whole problem. The delegates had good reason to think that the erratic and muddy old lady averaged about 16 million acre-feet in a year. This thinking was responsible for the figures which were used; again roughly speaking 7½ million acre-feet to each basin per annum. However, since that memorable year of 1922, the muddy and erratic old river has reneged. The river has been averaging, as nearly as can be determined, slightly over 12 million acre-feet in the average year since the date of the compact.

Primary arithmetic indicates that this complicates the situation—a division of waters which are not in existence. Yet, never once has anyone in the upper basin ever suggested directly or impliedly that under the conditions of scarcity the people of the lower basin were not entitled to their annual priority claim on the river. Present interbasin consumptive uses in the upper basin amount to somewhere around 2 million acre-feet. Present transbasin consumptive uses amount to 440,000 acre-feet. No matter how one figures or how long he sticks with the problem, there just has not been sufficient water in the river in the average year since the date of the Santa Fe compact to supply the upper basin entitlement under such compact agreement if the upper-basin States were in position to put their share to beneficial use.

The sovereign State of California has received more benefits from Federal expenditures for reclamation than any other State in the reclamation West. Many of her projects were depression built and present replacement cost would be phenomenal. Southern California, including her great shining cities, lives in her greatness because she is largely watered by the Colorado River. The great breadbasket in the Imperial Valley is almost entirely watered by the Colorado River. Farther north, her great Central Valley is watered and blessed by the huge Central Valley project. Only the State of Washington with its monolithic Grand Coulee project can

compare with California for Federal assistance received while growing great and mighty.

Now this self-same State, awash in the ever-expanding benefits of basic water development, has the temerity and the gall to rise up in opposition to the legitimate development of the upper basin. Thus far, she has her sister State of Arizona tied up in the Federal courts and has petitioned the court to blanket all of the other Colorado Basin States into her linen-washing expedition. She continues her "half-century-old" death-dealing tactics to put the heat on Colorado and Wyoming and Utah and New Mexico—up the river where the water rises. I am not sure but that perhaps it is this California-generated heat which has brought to us in 1954 the driest year that we have had since 1934—perhaps even dryer than heretofore. The old munificent division of 15 million acre-feet, plus Mexico, rings just ever so slightly hollow this year because the mighty Colorado will trickle down to Lee Ferry the stupendous total of just under 5 million acre-feet. That is just about the whole of the mythical "self-limitation" amount of 4.4 million agreed to by California and which she has been said to be using for years.

We of the upper basin, in full understanding of our commitments to the lower basin, and in complete sympathy with the needs of one another, have entered into a mutual compact and have divided among ourselves our share of the waters of the Colorado River—that part that is left for our use after lower-basin entitlements have been delivered at Lee Ferry. Relying upon the promises expressed and implied at Santa Fe and in the years since the signing of that memorable compact agreement, we now propose, in harmony with all of such agreements, to have constructed the large holdover storage dams in our basin for the dual purpose of permitting us to make our contract deliveries to the lower basin and to permit the uses of our water in the upper reaches of the Colorado River tributaries. The program contemplates the storage of water when it is in plentiful supply to save it up against the hour of need for lower-basin deliveries during the years of scarcity. Competent engineers have advised us that some 48 million acre-feet of live storage is necessary for us to discharge our responsibilities. As stated hereinbefore, this storage program will not only make it possible to make deliveries to the lower basin but it will also permit use by us, especially in years of scarcity, of our own legal share of the Colorado River waters. We cannot do this now. As a matter of fact, we are able presently to put to beneficial use only about 58 percent of our legal allocation—mind you I said allocation, not water—for the water is not there and has not been there during the average year since 1922. In fact, up to the present we have been able to put to beneficial use in the upper basin only about one-third of the compact allocation.

Let me repeat just once more for the sake of clarity that we of the upper-basin area—that is, Colorado, New Mexico, Utah, and Wyoming, and a small part of Arizona—are presently trying to piece together a well-planned and coordinated system of holdover storage systems so that we can meet commitments to areas in the lower reaches of the river and at the same time develop our own resources in the interests of the local and national economy and security. That being the case, one would naturally assume that the lower-basin areas would be working hand in hand with us in order to further such a development program. Such is emphatically not the case. Quite the contrary is true and it is true with a vengeance. There is a reason. The lower basin apparently is not yet ready, in spite of legal agreement and sacred promises to the contrary, to help limit their own potential possibilities just as long as water must flow downhill.

Western river law or "water law" provides that he who—and that includes a State—first puts water to use and continues it to beneficial use, has perpetual priority to that amount of water necessary to such use. Perhaps the real issue is clearer now to all. Self-limitation statutes be made and disregarded as selfish interests dictate. The hungry horde in the lower basin wants every possible drop and they want to get this clamp of first beneficial use on it. That explains this proclivity to take one's near neighbors to court, to oppose by all available means one's neighbors' development—and at the same time fatten one's own political nest irrespective of party so that one can move on to a smaller and possibly more select body—and the proclivity to hide as much of this as possible behind the cleanest possible skirts that can be prostituted for this end. We in the upper basin are reaching the limit of our endurance of such machinations.

The Late Honorable Sidney A. Camp

EXTENSION OF REMARKS
OF
HON. HALE BOGGS
OF LOUISIANA
IN THE HOUSE OF REPRESENTATIVES

Monday, August 16, 1954

Mr. BOGGS. Mr. Speaker, it was with sorrow and grief that I received the news of the passing of our beloved colleague, Sidney Camp. Duties in my district prevented my being here to eulogize him at the time of his passing, and now as I rise to pay tribute to my late departed friend, there is little that I can add to the splendid eulogies spoken by other Members. It has been my privilege to serve with him on the Committee on Ways and Means. He was a valuable member of the committee and had an unfailing sense of devotion to duty. All who knew him loved him and he will be sorely missed both in the committee and in the House. Sid Camp has left a host of warm friends and the Nation has suffered a great loss. My deepest sympathy goes to the members of his family.

More Than 100 Laws for Veterans Voted For and Supported By Harold C. Hagen

EXTENSION OF REMARKS
OF
HON. HAROLD C. HAGEN
OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES

Monday, August 16, 1954

Mr. HAGEN of Minnesota. Mr. Speaker, my service in the House of Representatives began in January 1943, during World War II.

In the 12 years that I have served the citizens of the Ninth Congressional District, which comprises 15 counties in northwestern Minnesota, I have voted for more than 100 laws favored by the veterans and their great organizations.

The 80th Congress, which was in session in 1947 and 1948, and was controlled by the Republicans, passed 188 different bills and measures for the benefit of the veteran, his family, or other dependents.

In the past year Representative HAGEN has favored a 15-percent increase for the disabled veterans; but since all legislation in Congress is a compromise, only a 5-percent increase in benefits to disabled veterans and their widows was voted. However, if I am reelected for my seventh term on November 2, 1954, I shall advocate more compensation for the men who have suffered and the dependents and widows whose husbands have died in our various wars.

One of the things that I did help gain for Minnesota and the Ninth Congressional District was an enlargement of the veterans' hospital in Minneapolis. I also have been helpful in getting increased facilities and personnel at the veterans' hospital at Fargo, N. Dak. This is the hospital for Ninth District veterans.

There are more than 422,000 men and women in Minnesota who have served their Nation in all wars. It is my considered judgment that those who have suffered because of the call to arms, whether it be in the Air Force, in the Army, in the Navy, Marines, in the Coast Guard, or in some of the auxiliary organizations, should be given serious consideration by those of us who make the laws and pass the appropriations in Congress.

Among the laws I have favored:

Raise burial and funeral expenses for veterans from $100 to $150.

Give widows and wives of disabled veterans preference for Government jobs.

Provide higher pay for the doctors and other professionally trained persons in the Veterans Bureau.

As a result we now have some very able physicians and surgeons taking care of the injured and sick service men and women.

We have passed a law providing psychiatric care for what formerly was called shellshock cases.

As your Representative in the Ninth Minnesota District HAROLD HAGEN supported the $10,000 insurance law; compensation ranging up from $300 a month for injured men; automobiles for amputees, artificial arms and legs for those

who lost theirs in the war; terminal leave pay; pensions to widows and dependents of veterans; to pay $50 per month to a wife; $30 for the first child, and $20 for each additional child for fathers in World War II, or $37 per month to a parent.

Where the pay of servicemen used to begin at $13 per month, later $30 to $33 per month, now the minimum pay of men or women in the services runs from $75 a month up.

HAGEN supported mustering-out pay; the payments of $75 to $120 per month, together with tuition and books, for those exservice men and women who wanted to get an education.

He supported a law giving seeing-eye dogs for the blind, relief from lawsuits and foreclosures, so service men and women could not be bothered while serving their country; he favored giving alien veterans their citizenship and several times has voted for veterans preference on housing.

He voted extra pay for aviators and the 20 percent extra for foreign service; he supported laws to give veterans first chance at buying surplus property after World War II.

He also supported laws giving veterans first right to land entry and the filing on claims; he fought for the right of overseas veterans to vote in all elections since 1942; he helped pass the law for vocational rehabilitation which has permitted thousands of veterans to learn trades and professions and to study farming; he voted for a new court-martial law to give the ordinary GI an even chance with officers when being tried for offenses.

He has done everything within his power to make the American service man and woman the best fed, best equipped, and best armed, services in all the world's history.

During the first session of the 83d Congress, the Committee on Veterans' Affairs reported favorably to the House a total of the 17 bills and in every case, I was happy to vote "Aye," which is the official word for voting yes, and assist in making them law. Some of these pertain to giving the veterans of the Korean war many of the same privileges which were accorded to veterans of World War II. After all, in spite of the fact that the Democrats said this was not a war, the United States did have more than 140,000 killed, wounded, and missing, and that is war in any person's language.

I voted that the men and women in this so-called Truman episode were entitled to the same privileges and rights as those of World War II because a bullet or a bomb would kill a man or woman just as fast in Korea as in Germany, Okinawa, Guadalcanal, or any place else on earth.

I need not enumerate all the laws I supported for the Korean veterans or the World War veterans because officers of the Veterans of Foreign Wars, officers of the American Legion, officers of the Disabled American Veterans, or any other organization of veterans can certify as to my record on veteran legislation.

I was against the law which provided that American veterans should be tried under the law of foreign countries in which our troops were quartered. I do not think our former enemies could give a fair deal to American servicemen, and therefore opposed this obnoxious legislation.

I voted for the law which would give the enlisted serviceman the same rights and privileges in courts-martial as it would to officers and give all soldiers and sailors, and other service men and women, a fair deal on this type of proceeding.

There will be issued by the House Committee on Veterans' Affairs a pamphlet detailing the legislation which was considered by that committee through 1953 and 1954. Any interested veteran who wants a copy of this may write me at Crookston, Minn., and if I am furnished enough of these by the committee, I shall be happy to send one to you. The supply, however, may be limited, so I suggest that those who want this pamphlet write me at the earliest possible time.

In my 12 years in Congress I have promised very little, I have made few so-called campaign promises, because the voter, man or woman, is a little bit dubious and skeptical about election promises. The only pledge I make to the men and women who served in our Armed Forces in any war is: That I shall continue to do just as I have done since January 1943.

And that is, in case of any doubt whatsoever, to give the man or woman who sacrificed his or her time or physical ability in fighting for this Nation better than an even break.

That is the least that you veterans are entitled to and that is the pledge of HAROLD C. HAGEN, your United States Representative in Congress.

Report to the People on the 83d Congress

EXTENSION OF REMARKS
OF

HON. JOSEPH F. HOLT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 16, 1954

Mr. HOLT. Mr. Speaker, I should like to take this opportunity to report to the folks of the 22d Congressional District of California, which I represent in Congress, on the accomplishments—both locally and nationally—of the 83d Congress. This report is being made in order to assist my friends and neighbors to have a greater understanding of the happenings in Washington.

As the first Congressman for this fast-growing area consisting of Hollywood and the San Fernando Valley, I have published weekly Report From Washington news columns in all newspapers, and have mailed special bimonthly legislative reports to a mailing list of over 10,000 constituents. Incidentally, I have shouldered the expenses of these reports myself.

Now that the 83d Congress has ended, I believe it is vital that each American knows exactly what we have accomplished. Right off the bat, I want to say that I am proud to have played a part in the accomplishments of the 83d Congress. I should like to start off with a report on legislation of special local interest to my district.

BIRMINGHAM STORY

Conversion of the old Birmingham General Hospital site to the permanent Birmingham educational center has been my No. 1 project for my district since I first became the elected Representative from the 22d Congressional District. Happily, I can announce that our city schools received the deed to the Birmingham property. Because of its historical significance and the part it played in World War II, I feel that the Birmingham story should be made a matter of official record for the folks of my community. Inasmuch as I grew up in my congressional district and received my own elementary, junior high, and high school education there, I have followed the Birmingham story closely. My personal investigation proved to me that for the good of our community, the Birmingham site should be immediately made available for an educational center.

BIRMINGHAM GENERAL ARMY HOSPITAL

On what used to be a farm belonging to a pioneer valley family, the Birmingham General Hospital site was born. It was chosen for its location, beautiful landscape, and marvelous weather conditions. Actual breaking of the ground began on June 18, 1943, in the center of a lima bean and carrot patch. The property is comprised of 117.31 acres owned outright by the Government and 14.12 acres leased by the Government. The land owned outright by the Government was originally composed of three tracts. These three tracts were acquired by the Government in the United States district court. The hospital was activated during the construction stage as an unnamed general hospital. The War Department on August 24, 1943, gave the hospital its present name, Birmingham General Hospital, in honor of Brig. Gen. Henry Patrick Birmingham, of the Medical Corps of the United States Army. Shortly after original activation orders were received, duty personnel began to arrive, and civilian personnel were employed on a small scale.

BIRMINGHAM VETERANS' ADMINISTRATION HOSPITAL

Birmingham General Army Hospital was transferred to the jurisdiction of the Veterans' Administration on April 1, 1946, and was known as the Veterans' Administration hospital at Van Nuys, Calif., although many still referred to it as Birmingham Veterans' Administration Hospital. Under the operation of the Veterans' Administration, Birmingham Hospital was a 1,500-bed hospital.

BIRMINGHAM EDUCATIONAL CENTER

We have an exceptional number of children per family unit in our valley. This is because the area is populated by a young group of parents with large families. As the only Californian serving on the Education and Labor Committee of the House of Representatives, I have had an opportunity to get the overall picture of the tremendous educational problem before our country. Our children must receive the very best

of education in the most modern facilities, with every opportunity to prepare themselves for the trying times ahead. The new Birmingham educational center will consist of an elementary school, a junior high school, and in all probability, a senior high school. A school for physically handicapped high-school students is needed right now and the therapy facilities now at Birmingham can be put to good use for this program. For each of these schools, space for agriculture and horticulture training is available in the total acreage. As these youngsters progress through school and the enormous growth continues in the San Fernando Valley, there is no question that a technical training or trade school will be needed to serve the community and training needs of business and industry.

I should like to take this opportunity to extend my sincere thanks and appreciation to the many folks who have assisted me in my negotiations to obtain the Birmingham Hospital free of charge for an educational center.

FLOOD CONTROL FOR YOU

As your Congressman, I am proud to report that the Los Angeles River flood-control project is being completed to the extreme west end of the San Fernando Valley. At the present time, as you can observe daily, the United States Army Engineers are completing construction on the project from Sepulveda Boulevard to Reseda Boulevard. The county of Los Angeles is the coordinating authority under the Los Angeles County Flood Control District. The city and county have the responsibility of building drains that carry the water from our streets into the Los Angeles River where it is carried away in the event of flood. The next step of the project to be undertaken in the overall plan is that portion from Reseda Boulevard to Corbin Avenue.

HIGHWAYS FOR YOU

The record breaking $965 million a year highway program for the next 2 fiscal years—1956–57—under the new Federal-Aid Road Act of 1954 will be of help to our community. The traffic situation is rapidly becoming impossible within our community and I have pledged my assistance to local public officials who are in charge of the program. I favor toll roads if local and State funds are not available.

EDUCATION FOR YOU

As the only Californian of either party serving on the Education and Labor Committee of the House, I have been able to work for our community, State, and Nation. My legislation calling for a White House Conference on Education has just been signed into law by President Eisenhower. It will be held in the fall of 1955 in Washington, D. C. Prior to the National Conference, the various States will hold statewide conferences to determine the educational needs of their respective States. There will be a conference held locally where the parent-teacher associations in our community and other interested parents and citizens will participate. The future of America depends on our children, and we must face facts immediately and solve the shortages of teachers and classrooms throughout our country.

I was fortunate in serving on the Subcommittee on Education which wrote Public Laws 815 and 874 to assist in the construction and maintenance of schools in critical defense areas.

WELFARE FUNDS

While in recess, I am participating as a member of the Special Labor Subcommittee to recommend legislation to protect the welfare funds of union members. At the present time unions and employers agree that regulation is needed to protect the individual's money and that a financial accounting should be made to a responsible agency.

Also during the recess, I am making a 4-week tour of Asia combining a 2-week tour of active duty as a captain in the United States Marine Corps Reserve with an additional 2 weeks' personal survey at my own expense.

OUTSTANDING PROGRAM ENACTED

The 83d Congress will go down as one of the best in America's history as it was responsible for many notable achievements. In two busy, exacting sessions, the 83d Congress has carried through to enactment an outstanding program of constructive legislation.

We ended the fighting and sacrifices of American lives in Korea; kept the United States out of the war in Indochina; strengthened the free nations; and confronted Russian imperialism and Communist aggression with the firm determination to safeguard freedom and attain genuine peace. We successfully bridged the difficult transition from war to peace and maintained prosperity at the highest level in the Nation's history. Price, wage, and rent controls were ended, freeing American enterprise from undue Government interference. The national economy was stabilized and the value of the dollar strengthened, ending the cheating of our people by inflation and avoiding the distress of deflation, while employment, production, wages, and earnings remained high.

POSITIVE FOREIGN POLICY

By placing American interest foremost and with firm, realistic policies, the following was accomplished: The exchange of Korean prisoners was secured and the peaceful reconstruction of that war-torn country began. Several American divisions were brought home as a result of the strengthening of the Korean troops. The initiative was taken against communism in all parts of the world as follows:

By exposing Communist hypocrisy, designs, and tactics at Berlin and Geneva Conferences.

By a congressional resolution supporting a united Germany.

By a resolution condemning the Soviet mistreatment of minorities and its callous disregard of human rights.

By reaffirming official policy denying Red China's admission to the United Nations.

By leading American states at Caracas in the adoption of a resolution declaring communism to be a threat to freedom and peace in the Americas and pledging full consultation in the event of any aggression.

By negotiating arms pacts to strengthen Central American countries against Communist subversion.

By taking appropriate steps to oust Americans in the United Nations who serve the Communist cause and by instituting an FBI check on the fitness of Americans for loyal service.

By undertaking to share information on atomic weapons with allies in the common defense against Communist aggression.

And by proposing an international pool of atomic energy for peace.

At the same time, the defenses of the free world were reinforced. Training and building up of the NATO forces and equipping them with planes, guided missiles, atomic weapons and other materiel was continued. New airbases were acquired in Spain and the bases elsewhere improved. European recovery and security are now so well advanced that American aid may be steadily and safely reduced. Military aid was given to Pakistan and aid to Nationalist China continued.

STRONG NATIONAL DEFENSE

By department reorganization, better management, and a thorough overhaul of the entire national-defense program, a highly flexible, mobile Army, Navy, and Air Force capable of handling anything short of a major international war requiring all-out mobilization has been built. Should an all-out war occur, this program would and could be rapidly enlarged. Most significant are the actions, first, to maintain a large, well-rounded, highly trained and equipped military force for the indefinite future; second, to incorporate atomic and other new weapons into the regular military arsenal for strategic and tactical use; third, to establish an Air Force Academy comparable to West Point and Annapolis; and fourth, to gear our military program to our foreign policies and commitments. These are history-making decisions. They result from a fresh appraisal of our defense program by a new team of military and civilian officials following the end of fighting in Korea.

NATION IS PROSPEROUS

The depression predicted by calamity howlers and partisan critics did not materialize. Prosperity was not an accident, however. The Congress and the administration took positive steps to instill public confidence, to spur peacetime activity to supplant declining war demands.

COST OF LIVING STABILIZED

The cost of living was stabilized. In contrast to the 6 percent average annual increase in living costs under the past administration, the cost of living has been held down to only slightly more than 1 percent. Likewise the value of the dollar has varied only one-half cent in the past 18 months.

CONSTRUCTION ACTIVITIES ENCOURAGED—SMALL BUSINESS AIDED

Congress enacted a great number of laws to help maintain a healthy, growing economy. In the construction field alone, this Congress compiled a notable record. It voted funds and encouraged building. Small business already is benefiting from the Small Business Administration, created by the 83d Congress to make loans, sublet prime contracts, and otherwise strengthen the backbone of America. All business will be stimulated and more jobs created as a result of the new tax laws.

ATOMIC ENERGY ACT

More impetus than ever before has been given to the development of atomic energy for peacetime use by our people. The Congress passed legislation bringing the Atomic Energy Act of 1946 up to date. The act permits limited exchange with United States allies of information about atomic developments by private industry. The Atomic Energy Commission is permitted to dispose of electric energy it produces in the course of its own operations, but not to produce electricity for commercial purposes unless authorized by Congress. Private industry will be permitted to use atomic reactors and related facilities under a licensing system.

ACTION ON COMMUNIST ISSUE

Action has been vigorous and results tangible in the 83d Congress on the Communist issue. With the threat of Communist domination hanging over the entire world, Americans must be alerted to the danger of communism at home and abroad. A series of measures was passed by both Houses of Congress and sent to the President strengthening the hand of the Executive in combating the Communist conspiracy in this country. These measures include:

First. Legislation which outlaws the Communist Party and provides for the determination of the identity of certain Communist-infiltrated organizations.

Second. Legislation to gain facts by the granting of immunity to witnesses testifying before congressional committees.

Third. Legislation which imposes heavier penalties for concealing persons from arrest.

Fourth. Legislation which imposes heavier penalties on bail jumpers.

Fifth. Legislation known as the Alger Hiss bill, which denies a Government pension or retirement benefits to any Government employee convicted of a felony.

Sixth. Legislation approved by the President July 29, 1954, amended the Internal Security Act by requiring that all printing presses owned or controlled by Communists must be registered with the Attorney General.

Seventh. In addition to the various types of legislation enumerated above, some 2,400 security risks were weeded out from Federal employment between January 1953 and June 30, 1954. As of August 16, 1954, 105 alien subversives had been deported since January 1953 and, in addition, 355 new deportation proceedings and warrants for arrest had been issued against alien subversives.

NEW HOUSING ACT

The 83d Congress has made it possible to help fulfill the fundamental desire of American families to have good homes of their own.

LOWER DOWNPAYMENTS, LONGER PERIODS TO REPAY

The new housing law permits lower downpayments, lower monthly payments, longer payment terms of up to 30 years, and increased mortgage limits of up to $20,000. More money is made available for home loans by the merger of all FHA mortgage insurance activities into one authorization which was increased by $1.5 billion. Under the new FHA-insured mortgage program, it is possible, for example, to buy a $12,000 home for $1,200 down, instead of $2,400, with monthly payments of less than $60. Home buyers also are protected by guaranties required from builders or sellers using FHA-insured mortgages.

AID TO VETERANS

This Congress insisted that the human approach rather than the cold casework approach be made toward veterans and their problems. This resulted in a reorganization of the Veterans' Administration along functional lines, giving veterans and their dependents faster, better service at less overhead cost. Among the more important specific benefits given to our veterans was the increase in compensation payments to those with service-connected disabilities as well as an increase in the monthly payments to widows and dependent parents of veterans. Non-service-connected disability pensions were also increased.

The 83d Congress extended to July 1, 1955, the act providing for Federal contributions of dependency allotments for more than 1 million enlisted personnel. Over 11,000 Korean war prisoners and soldiers missing in action were benefited for a period well beyond the truce by extension of the Missing Persons Act to July 1, 1955, which provides for a continuance of pay checks and family allotments. Privileges of soldiers overseas to send home gifts duty free and bring back their personal possessions free of duty were extended for another 2 years.

The Congress increased by $100 million the revolving fund to finance direct Veterans' Administration loans to war veterans unable to finance home and farmhouse loans through private lending sources.

Under the old-age and survivors insurance system, military personnel under certain circumstances are provided wage credits for active duty without payment to the OASI fund.

Congress simplified the handling of veterans' life insurance policies giving better protection for the insured veteran as well as realizing savings of about $600,000 a year through less paperwork.

A law was passed which provides that all types of tuberculosis among veterans causing 10-percent disability within 3 years of discharge is presumed to be service connected.

Korean war veterans were granted the same preferences as World War II veterans in war housing, civil-service appointments, and free postage service. Time has been extended for Korean veterans to initiate training under the GI bill of rights.

To take care of the ever-increasing load of hospitalized veterans and to provide them with adequate facilities, the Congress enacted the largest appropriation ever provided for the highest number the VA feels it can use and staff properly.

NEW LANDMARK IN CIVIL AND POLITICAL RIGHTS

In 1953–54 the frontier of progress in basic civil and political rights moved forward.

A Government Contract Committee has been established to promote equal job opportunities on all Government work done by private industries. This is a direct effort to prevent discrimination among employees of those industries engaged in Government work. Forthright action was taken to eliminate segregation in the Armed Forces.

HEALTH

To safeguard the Nation's health, the Hill-Burton Act was extended to 1957 and expanded for hospital facilities for the aged, chronically ill, and physically disabled. A broader program of vocational rehabilitation has been established to increase State financing and activities, and to encourage closer Federal-State-local cooperation. It includes the training of doctors, physical therapists, occupational therapists, rehabilitation counselors, and psychologists. Increased emphasis is placed on improvement of rehabilitation techniques and special facilities such as community workshops. Increased grants were made for research on cancer, heart, mental health, and arthritis. As a health protective measure, Congress passed a law specifically giving the Food and Drug Administration power to inspect factories where pharmaceutical and food products are manufactured.

SOCIAL SECURITY

A social security act was passed bringing some 7 million more persons into the Federal retirement system and increasing the benefits of the 5 million already retired. Under this act, social security beneficiaries now have the advantage of a much more liberalized program. They may now earn as much as $1,200 a year from covered work without loss of benefits. In addition, the new formula makes it possible for beneficiaries to earn more than $100 in any one month without losing all 12 months' benefits. The age of beneficiaries for earning unlimited amounts without losing their benefits has been lowered from 75 to 72 years. Those under the railroad retirement system have benefited by a change in the law which increases the benefits of some 36,000 an average of $24 a month, retroactive to October 30, 1951.

ACHIEVEMENTS BENEFIT WORKERS

Without fanfare, and without the aid of a lot of new laws, the administration

and Congress set a record of substantial achievements benefiting workers throughout the Nation. Foremost among these was the successful transition from a war to peace economy. Extremes of inflation and deflation which are most harmful to wage earners were avoided by Government policies. Where employment difficulties arose, as in scattered pockets of labor-surplus areas, the administration moved swiftly to meet them with a corrective program. Special "set asides" in defense procurement were held open for firms having idle capacity and surplus labor.

SENSIBLE AGRICULTURAL PROGRAM

The President recommended and Congress adopted flexible, rather than rigid, price supports, for the basic commodities, with adjustment to the flexible program to be accomplished gradually in the interest of both the farmers and the Nation's economy as a whole.

GOVERNMENTAL EFFICIENCY AND ECONOMY PRACTICED

Through reorganization of executive departments and agencies, reduction of Federal personnel and large-scale paring of appropriations and expenditures, the 83d Congress made the Government more efficient and economical. We have come over two-thirds of the way toward balancing the budget and, remember, this was done while putting into effect a tax program which will return nearly $7½ billion to the people.

Over 200,000 unnecessary persons were removed from the Federal civilian payroll. Congress approved all 12 of President Eisenhower's Government reorganization plans. These plans included creation of the Department of Health, Education, and Welfare and authorized departments and agencies to operate on a sounder, more businesslike basis. Congress also established two commissions, the Commission on Organization of the Executive Branch of the Government—called the Hoover Commission—and the Commission on Intergovernmental Relations. The Hoover Commission has a mandate to survey all Federal functions and recommend changes to promote economy and efficiency, including abolition of any functions found no longer to be of value to the American people.

HIGHLIGHTS OF THE TAX REVISION BILL

This is the first comprehensive revision of the internal-revenue laws since before the turn of the century and the enactment of the income tax.

Approximately a half a million manhours of work have gone into this gigantic achievement.

Over 3,000 changes in the revenue laws are contained in the tax revision measure. In general, the purpose of these changes has been to remove inequities, to end harassment of the taxpayer, and to reduce tax barriers to future expansion of production and employment.

The new law closes over 50 loopholes through which taxpayers today can avoid paying their fair share of taxes.

Without attempting to give a technical interpretation, the following represents some of the highlights of the new tax law. These changes in general are effective last January 1 so that the taxpayers will receive the benefit from them this year.

DEPENDENTS

First. A parent can claim a deduction of $600 for each child regardless of the child's earnings if the child is under 19 and the parent continues to furnish more than half the child's support.

Second. A parent can also claim the $600 dependency deduction for a child over 18 regardless of the child's earnings if the child is attending school or college, or receiving on-the-farm training, and the parent continues to furnish more than half the child's support.

Third. An aged parent or other dependent cared for by several members of a family can be claimed as a deduction by one of the members of the family.

Fourth. A taxpayer can claim a $600 dependency deduction for a foster child.

Fifth. A taxpayer can claim a $600 dependency deduction for a child awaiting adoption.

Sixth. A taxpayer can claim a $600 dependency deduction for any other person, regardless of relationship, if the taxpayer supports that person in his home.

Seventh. A taxpayer can claim a $600 dependency deduction for a cousin who is institutionalized because of physical or mental disability.

Savings to taxpayers, $85 million.

CHILD-CARE EXPENSES

First. Single working parents, such as a widow, are allowed a deduction up to $600 for the expense of child-care for children up to 12 years of age.

Second. The same deduction is allowed for a married woman who must work because her husband is incapacitated.

Third. The same deduction is allowed with respect to any dependent, regardless of age, who is mentally or physically incapable of caring for himself.

Fourth. A similar deduction is allowed a married woman if the combined income of her husband and herself does not exceed $5,100.

Savings to taxpayers, $130 million.

MEDICAL EXPENSES

First. Medical expenses can be deducted when they exceed 3 percent of income, instead of 5 percent as under present law.

Second. Example: A family with $3,000 gross income and medical expenses of $150 will be able to deduct $60. The same family can deduct nothing today.

Third. The bill doubles the present maximum limit on the amount that can be deducted.

Savings to taxpayers, $80 million.

HEAD OF FAMILY

First. A single taxpayer who has a dependent son or daughter will be entitled during the first 2 years after the death of his spouse to the same income-splitting privilege as is accorded married couples.

Second. A single individual can receive half the benefits of income splitting if he has a dependent parent and if the taxpayer maintains a household for the father or mother.

Savings to taxpayers, $11 million.

RETIREMENT INCOME CREDIT

First. All retired people 65 and over, including schoolteachers, firemen, policemen, and civil servants, will in effect be exempt on all retirement income up to $1,200. This will mean a tax reduction for these retired people of up to $240 a year.

Second. Example: A retired single individual over 65 who has a total retirement income of $3,000 today pays about $300 in income tax. Under the bill, his tax is reduced to $60—a saving of $240.

Third. The same exemption will extend to individuals under 65 if they receive a pension from a public retirement system, such as do teachers.

Savings to taxpayers, $141 million.

CREDIT PURCHASES

The bill allows a deduction for interest up to 6 percent on installment purchases.

Total saving to taxpayers, $10 million.

CHARITABLE CONTRIBUTIONS

The bill increases from 20 to 30 percent the allowable deduction for charitable contributions to churches, hospitals, and educational institutions.

Total saving to taxpayers, $25 million.

SICKNESS AND ACCIDENT PLANS

First. Premiums paid by employers to health and accident plans will not be taxable to their employees.

Second. All accident and health benefits paid as reimbursement for actual medical expenses to employees, their wives, or children, are completely exempted from tax.

Third. Payments to employees for loss of wages due to injury or illness are exempted up to $100 a week.

DEATH BENEFITS

The bill exempts all death benefits up to $5,000 paid by an employer to the widow or other beneficiary of an employee.

PENSIONS AND ANNUITIES

The bill also provides a simpler method for taxation of pensions and annuities.

Savings to taxpayers, $10 million.

DIVIDEND CREDIT

First. Excludes first $50 in dividends from taxation and provides a credit against tax equal to 4 percent of the balance.

Second. Example: An individual with $50 or less in dividends from his savings will be entirely exempt from tax on that amount.

Third. Example: An individual with $250 in dividends from his savings will exclude the first $50 entirely, and then reduce his total tax by $8—4 percent of the balance of $200.

Savings to taxpayers, $204 million.

DEPRECIATION

The bill will permit the more liberal writeoff of the cost of new equipment.

Savings to taxpayers, $375 million, of which $75 million represents savings to individuals such as farmers, shopkeepers, and salesmen.

DECLARATIONS OF ESTIMATED TAX

The requirements are eased for filing declarations of estimated tax.

FILING TAX RETURNS

Tax returns will be due April 15 instead of March 15.

ACTION FOR TAXPAYERS

The 10 percent reduction in Federal income taxes which went into effect last January 1 saves individual taxpayers a total of $3 billion annually.

The excise-tax reduction law saves taxpayers an additional $1 billion.

The tax revision act will save taxpayers $1,400,000,000.

A total of $827 million of this tax saving is for individuals. The remainder, $536 million, is tax relief for business.

The overall tax-cut program will save $7,400,000,000. Of this amount, individuals receive an overall total tax saving of $4,700,000,000. The tax savings so far surpass any previous total in the history of Congress.

United States Representative Harold C. Hagen Always Has Supported REA and RTA

EXTENSION OF REMARKS

OF

HON. HAROLD C. HAGEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 16, 1954

Mr. HAGEN of Minnesota. Mr. Speaker, several years ago one of the weekly newspaper editors in my Ninth Congressional District of Minnesota falsely attacked my voting record on supporting the Rural Electrification Administration. It has been reported to me that he may do so again. However, I personally doubt it because this editor now knows the facts and he is a man of good judgment and integrity.

There are approximately 60 weekly and daily newspapers in the Ninth Congressional District and none of them would reprint or give any recognition to the false and malicious statements made. A great majority of the editors at that time, as this year, are supporting me for reelection to Congress.

In this 1954 campaign, for Representative in Congress, from the Ninth District of Minnesota, comprising 15 counties in northwestern Minnesota, I have some overzealous, misguided, and misinformed Democrat-Farmer-Labor opponents, who are misrepresenting my position just as maliciously and as ignorantly as was done several years ago.

To those who have read my campaign newspapers over the years, to those who read the CONGRESSIONAL RECORD, and to those who know the facts, it is no surprise that I always favored 100-percent parity for farm produce and have never voted for anything less than 90-percent parity.

However, I want to confine my remarks today to rural electrification and the rural-telephone program.

Since I first came to Congress in January 1943, it has been my pleasure to know that power and light has been turned on in more than 15,000 farm homes of Minnesota's Ninth Congressional District as a result of the REA appropriations, for which I have voted in every instance. In some cases, the Ninth District has been given more than its proportionate share of Minnesota's allocation of REA money. Up to 1948, I helped REA co-ops to secure money from Congress to build 5,092 additional miles of lines serving 4,640 additional farms in my district.

I am very happy to say that as of 1954 that 9 out of 10 farms in America have electricity, and that almost every farmer in the Ninth Minnesota District who wants power and electricity has it today. REA should be extended to help some additional hundreds of farmers get this electric service and power.

HAGEN SUPPORTS REA

Due to my support of the telephone program, many more farmers in these 15 northwestern Minnesota counties have a telephone, or can have or will have, within the next 2 years.

I voted for every REA appropriation and for the telephone funds which soon will connect most farms, who want that service with every part of the Nation and of the world of the future. In case anyone again starts misrepresenting my farm record or my REA record, I want to review briefly some of my votes on REA.

Let it be done by former editor of the Bemidji (Minn.) Daily Pioneer, H. Z. Mitchell, who has a reputation all over the upper Midwest as a fine, truthful newspaperman who looks at the record of Congressmen and other officials in an objective and factual way.

When my record was misrepresented and misquoted, Editor Mitchell, of Bemidji, wrote in part:

In every case, Congressman HAROLD HAGEN has vigorously supported REA since he first became Congressman in January 1943.

Mitchell goes on to write that the first recorded vote on REA, which HAGEN had an opportunity to cast, was on June 23, 1943, as shown in the CONGRESSIONAL RECORD, volume 89, part 5, page 6361.

This was a rollcall, during the war year, raising REA money from 20 million to 30 million, and this page shows that HAGEN voted in favor of the increase.

The 79th Congress—

Mitchell said—

met during 1945 and 1946 and HAGEN supported all REA appropriations during that time.

The 80th Congress met January 3, 1947, and recessed June 19, 1948.

On July 18, 1947, the House considered H. R. 3601 the Department of Agriculture appropriation bill for 1948.

On that day, Representative Rankin made a motion that the House increase REA funds from $225 to $250 million.

The rollcall is shown in the CONGRESSIONAL RECORD, volume 93, part 7, page 9302, and shows that HAGEN voted for this increase.

On February 24, 1948, the same Representative Rankin moved that rural electrification be provided with $300 million extra. His reason for that amount was that there was virtually no copper wire or other supplies available to REA during the war years, or immediately after and, as a result, there was a huge backlog of applications for loans to electrify farms.

MONEY TO REA ARE LOANS

Incidentally, every voter in the Ninth Minnesota District should know that any moneys voted to REA is not a gift from Uncle Sam. Every penny of this money is paid back with interest to the Federal Treasury, through the charges for power and light to the farms and customers in the areas served by REA.

HAGEN voted on April 1, 1948, to raise the REA appropriation from $300 million to $400 million for 1949, and this carried.

Every year since 1949, when REA or farm appropriations have been voted upon by the House of Representatives, HAGEN has voted with the farmers of his Ninth Minnesota District and the farmers of America generally.

Any poppycock, gossip, rumors, or declarations to the contrary, spread by anyone running for United States Representative in the Ninth Minnesota District should be discounted 100 percent.

There is no other candidate for this office on any ticket who has more consistently supported the farm programs, rural electrification, the farm telephone program, the bringing in of extra electric power from the great Missouri River dams in North Dakota and other regions, or any other legislation or laws which would help the farmers and the villagers and the townspeople of northwestern Minnesota than HAROLD C. HAGEN, who has been your Representative since January 1943.

This statement is borne out by the hundreds of newspaper clippings and articles showing HAGEN's activities in every field of endeavor. These clippings and letters received tell the situation in this manner:

At least 20,000 letters a year have come into HAGEN's office from the people of the ninth district since 1943, asking help and service on hundreds of different matters and problems, of an official Federal nature.

You can hunt all through the 15 northwestern counties and you will find that in virtually every case, Representative HAGEN has answered his mail the day it was received and has given prompt and efficient service to all concerned, regardless of party, creed, race, religion, or anything else.

His record is unsurpassed in the history of the ninth district and if you want a continuation of this fair, impartial, and nonpolitical service, HAROLD C. HAGEN should be returned as the United States Representative in Congress from the Ninth Minnesota District.

SENATE

TUESDAY, AUGUST 17, 1954

(Legislative day of Thursday, August 5, 1954)

The Senate met at 10 o'clock a. m., on the expiration of the recess.

Rev. F. Norman Van Brunt, associate pastor, Foundry Methodist Church, Washington, D. C., offered the following prayer:

Almighty and eternal God, who dost bring forth Thy righteousness as the light and Thy judgments as the noonday, in the presence of ageless realities we pause in reverence and, with a deepening sense of obligation, pray for courage to attempt, power to achieve, and patience to endure.

Grant that with these virtues we, who hold the birthright of democratic traditions, may meet the crisis of our time with avowed faith in them, praying as we work:

Faith of our fathers, we will strive
To win all nations unto Thee,
And through the truth that comes from God
Mankind shall then be truly free.
Faith of our fathers, holy faith.
We will be true to Thee till death.

In Thy name we pray. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
Washington, D. C., August 17, 1954.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. FREDERICK G. PAYNE, a Senator from the State of Maine, to perform the duties of the Chair during my absence.

STYLES BRIDGES,
President pro tempore.

Mr. PAYNE thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. KNOWLAND, and by unanimous consent, the reading of the Journal of the proceedings of Monday, August 16, 1954, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 2259. An act for the relief of Rev. Charles V. Rossini;

S. 2980. An act conferring jurisdiction upon the United States District Court for the Southern District of New York to hear, determine, and render judgment upon a claim of the Bunker Hill Development Corp.;

S. 3187. An act to authorize the United States of America to quitclaim all its right, title, and interest in and to certain lands in Arizona, except for mineral interests therein, and for other purposes; and

S. 3629. An act to postpone the effective date of the 3-percent "absorption" requirement in Public Law 874, 81st Congress, for 1 year.

The message also announced that the House had passed the bill (S. 2303) to authorize and direct the investigation by the Attorney General of certain offenses, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the bill (S. 3627) to amend the Civil Service Retirement Act, as amended, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3482) to amend the District of Columbia Compensation Act, and for other purposes.

The message further announced that the House had agreed to the amendment of the Senate to the bill (H. R. 9357) for the relief of S. H. Prather, Mrs. Florence Prather Penman, and S. H. Prather, Jr.

The message also announced that the House had agreed to the amendments of the Senate to the following bills of the House:

H. R. 8193. An act to amend the Refugee Relief Act of 1953; and

H. R. 8932. An act to reclassify dictophones in the Tariff Act of 1930.

The message further announced that the House had agreed to the amendment of the Senate to the concurrent resolution (H. Con. Res. 227) favoring the granting of the status of permanent residence to certain aliens.

The message also announced that the House had passed a joint resolution (H. J. Res. 585) fixing the time of assembly of the 84th Congress, in which it requested the concurrence of the Senate.

LEAVE OF ABSENCE

On his own request, and by unanimous consent, Mr. GILLETTE was excused from attendance on the sessions of the Senate commencing tomorrow for the remainder of the week.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. KNOWLAND. Mr. President, I ask unanimous consent that immediately following the quorum call there may be the customary morning hour for the transaction of routine business, under the usual 2-minute limitation on speeches.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Morning business is now in order.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REAL ESTATE AND CONSTRUCTION LOANS BY NATIONAL BANKS

A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to permit national banks to make 20-year real estate loans and 9-month construction loans (with accompanying papers); to the Committee on Banking and Currency.

SOIL SURVEY AND LAND CLASSIFICATION OF LANDS BENEFITED BY EDEN PROJECT, WYOMING

A letter from the Assistant Secretary of the Interior, certifying, pursuant to law, that an adequate soil survey and land classification has been made of the lands to be served by the Eden project, Wyoming, under the change in development plan, and that the lands to be irrigated are susceptible to the production of agricultural crops by means of irrigation (with an accompanying paper); to the Committee on Interior and Insular Affairs.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

Three letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions of law as to each alien, and the reasons for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

GRANTING OF APPLICATIONS FOR PERMANENT RESIDENCE FILED BY CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders granting the applications for permanent residence filed by certain aliens, together with a statement of the facts and pertinent provisions of law as to each alien, and the reasons for granting such applications (with accompanying papers); to the Committee on the Judiciary.

MEMORIAL

The ACTING PRESIDENT pro tempore laid before the Senate a resolution adopted by the Republican Women's Club of Madison County, Mont., at Virginia City, Mont., protesting against the admission of Red China into the United Nations, which was referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. WATKINS, from the Committee on Interior and Insular Affairs, with amendments:

H. R. 2233. A bill to provide for the acquisition of lands by the United States required for the reservoir created by the construction of Oahe Dam on the Missouri River and for rehabilitation of the Indians of the Cheyenne River Sioux Reservation, S. Dak., and for other purposes (Rept. No. 2489).

By Mr. BRICKER, from the Committee on Interstate and Foreign Commerce, without amendment:

H. R. 9115. A bill to provide that contributions received under Public Law 485, 80th Congress, for the construction of a merchant marine chapel shall be invested in Government obligations pending their use for such construction (Rept. No. 2490).

By Mr. LANGER, from the Committee on the Judiciary, without amendment:

S. 3840. A bill for the relief of Klyce Motors, Inc. (Rept. No. 2491).

ENROLLED BILLS AND JOINT RESOLUTIONS PRESENTED

The Secretary of the Senate reported that on today, August 17, 1954, he presented to the President of the United States the following enrolled bills and joint resolutions:

S. 16. An act to permit the compelling of testimony under certain conditions and to grant immunity from prosecution in connection therewith;

S. 22. An act to validate certain payments for accrued leave made to members of the Armed Forces who accepted discharges for the purpose of immediate reenlistment for an indefinite period;

S. 154. An act for the relief of George Pantelas;

S. 232. An act for the relief of Hugo Kern;

S. 546. An act to authorize payment for losses sustained by owners of wells in the vicinity of Cold Brook Dam by reason of the lowering of the level of water in such wells as a result of the construction of Cold Brook Dam;

S. 1184. An act to authorize relief of authorized certifying officers from exceptions taken to payments pertaining to terminated war agencies in liquidation by the Department of State;

S. 1225. An act for the relief of Brunhilde Walburga Golomb Hartsworm;

S. 1308. An act for the relief of Leonard Hungerford;

S. 1706. An act to provide for taxation by the State of Wyoming of certain property located within the confines of Grand Teton National Park, and for other purposes;

S. 1748. An act to incorporate the National Fund for Medical Education;

S. 1845. An act for the relief of Dr. Ian Yung-cheng Hu;

S. 1904. An act for the relief of Ottilie Theresa Workmann;

S. 1959. An act for the relief of Mrs. Annemarie Namias;

S. 2420. An act to amend section 32 of the Trading With the Enemy Act;

S. 2456. An act for the relief of Martin Genuth;

S. 2461. An act for the relief of Berta Hellmich;

S. 2744. An act to provide for the termination of Federal supervision over the property of the Alabama and Coushatta Tribes of Indians of Texas, and the individual members thereof, and for other purposes;

S. 2958. An act for the relief of Ida Reissmuller and Johnny Damon Eugene Reissmuller;

S. 3028. An act to require the Postmaster General to reimburse postmasters of discontinued post offices for equipment owned by the postmaster;

S. 3085. An act for the relief of Mrs. Helen Stryk;

S. 3233. An act to amend the Merchant Marine Act, 1936, to provide permanent legislation for the transportation of a substantial portion of waterborne cargoes in United States-flag vessels;

S. 3239. An act to authorize conveyance of land to the State of California for an inspection station;

S. 3302. An act granting to the Las Vegas Valley Water District, a public corporation organized under the laws of the State of Nevada, certain public lands of the United States in the State of Nevada;

S. 3303. An act granting to Basic Management, Inc., a private corporation organized under the laws of the State of Nevada, certain public lands of the United States in the State of Nevada;

S. 3379. An act to amend section 4 of the Flammable Fabrics Act, with respect to the standards of flammability in the case of certain textiles;

S. 3393. An act authorizing the Administrator of Veterans' Affairs to convey certain property to Milwaukee County, Wis.;

S. 3487. An act to authorize the Central Bank for Cooperatives and the regional banks for cooperatives to issue consolidated debentures, and for other purposes;

S. 3532. An act to provide for the partition and distribution of the assets of the Ute Indian Tribe of Uintah and Ouray Reservation in Utah between the mixedblood and fullblood members thereof; and for the termination of Federal supervision over the property of the mixedblood members of said tribe; to provide a development program for the fullblood members of said tribe; and for other purposes;

S. 3546. An act to provide an immediate program for the modernization and improvement of such merchant-type vessels in the reserve fleet as are necessary for national defense;

S. 3769. An act to amend section 709 of title 18, United States Code, so as to protect the name of the Federal Bureau of Investigation from commercial exploitation;

S. 3816. An act to authorize the replacement of certain Government-owned utility facilities at Glacier National Park, Mont., and Grand Canyon National Park, Ariz.;

S. J. Res. 140. Joint resolution to establish a commission for the celebration of the 200th anniversary of the birth of Alexander Hamilton; and

S. J. Res. 183. Joint resolution to extend greetings to the Gold Coast and Nigeria.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GILLETTE:

S. 3877. A bill to accelerate establishment of comprehensive soil- and water-conserving works on private and public property through provision of appropriate credit for conservation, reforestation, and water-control work; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. GILLETTE when he introduced the above bill, which appear under a separate heading.)

By Mr. MORSE (for himself, Mr. NEELY, Mr. BEALL, Mr. MANSFIELD, and Mr. PAYNE):

S. 3878. A bill to amend the District of Columbia Unemployment Compensation Act; to the Committee on the District of Columbia.

(See the remarks of Mr. MORSE when he introduced the above bill, which appear under a separate heading.)

By Mr. LONG:

S. 3879. A bill to amend the Civil Aeronautics Act of 1938 in order to require in certain cases that air carriers provide transportation for additional baggage at air-freight rates; to the Committee on Interstate and Foreign Commerce.

S. 3880. A bill for the relief of Seiji Naya; to the Committee on the Judiciary.

By Mr. HENDRICKSON:

S. 3881. A bill for the relief of Mari Farabullini and Alla P. Farabullini; and

S. 3882. A bill for the relief of Renato Noe and Angela Noe; to the Committee on the Judiciary.

By Mr. HUMPHREY:

S. 3883. A bill to amend section 37 of the Internal Revenue Code of 1954 so as to remove the discrimination against retired members of the Armed Forces of the United States; to the Committee on Finance.

LOANS FOR CONSERVATION, REFORESTATION, AND WATER-CONTROL WORKS

Mr. GILLETTE. Mr. President, I introduce for appropriate reference a bill to accelerate establishment of comprehensive soil- and water-conserving works on private and public property through provision of appropriate credit for conservation, reforestation, and water-control work. I do not expect to have the bill enacted at this session of Congress, but for introduction and study in the interim between the Congresses.

The present speed of establishment of conservation practices on our farms is not adequate. The chief bottleneck is long-term, low-cost credit. This bill is an effort to tailor credit for conservation programs.

Times are going to be harder for the farmer in months ahead. The rural work which would be done by the funds loaned under this bill's authority would have a beneficial effect in agricultural areas in this period of falling farm income.

Some idea of the magnitude of the conservation job still to be done in this country may be gained by looking at these figures:

Through the year 1952 soil conservation plans had been prepared for only 1,214,000 out of 5,100,000 farms in the United States, covering 350 million acres out of 1,100,000,000 acres of farmland. In Iowa, through December 31, 1952, plans had been prepared for only 37,235 out of our more than 200,000 farms, covering only 6,760,000 of our more than 34 million acres. A tremendous job remains to be done.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3877) to accelerate establishment of comprehensive soil- and water-conserving works on private and public property through provision of appropriate credit for conservation, reforestation and water-control work, introduced by Mr. GILLETTE, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

INCENTIVE AWARDS TO OFFICERS AND EMPLOYEES OF THE UNITED STATES—AMENDMENTS

Mr. KNOWLAND submitted amendments intended to be proposed by him to the bill (H. R. 7774) to establish a uniform system for the granting of incentive awards to officers and employees of the United States, and for other purposes, which were ordered to lie on the table and to be printed.

FLOOD CONTROL ACT OF 1954—AMENDMENTS

Mr. MAGNUSON submitted amendments intended to be proposed by him to the bill (H. R. 9859) authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes, which were ordered to lie on the table and to be printed.

EXECUTIVE REPORTS OF A COMMITTEE

Mr. SALTONSTALL. Mr. President, as in executive session, from the Committee on Armed Services, I report favorably a group of nominations of flag and general rank in the Army and Navy, and ask that they be placed on the Executive Calendar.

The ACTING PRESIDENT pro tempore. The nominations will be received and placed on the Executive Calendar.

The nominations ordered to be placed on the Executive Calendar are as follows:

Maj. Gen. Henry Irving Hodes, United States Army, for appointment as commanding general, VII Corps, with the rank of lieutenant general and as lieutenant general in the Army of the United States;

Maj. Gen. John Howell Collier, United States Army, for appointment as commanding general I Corps, with the rank of lieutenant general and as lieutenant general in the Army of the United States;

Maj. Gen. Charles Edward Hart, United States Army, for appointment as commanding general, V Corps, with the rank of lieutenant general and as lieutenant general in the Army of the United States;

Lt. Gen. John Ernest Dahlquist, Army of the United States (major general, U. S. Army), for appointment as Chief, Army Field Forces, with the rank of general and as general in the Army of the United States;

Col. Elmer William Young, Veterinary Corps, United States Army, for appointment as brigadier general, Veterinary Corps, in the Regular Army of the United States;

Brig. Gen. James Holden Phillips and sundry other officers for temporary appointment in the Army of the United States;

Maj. Gen. Philip Charles Bettenburg and sundry other officers for appointment as Reserve commissioned officers of the Army;

Bruce E. Bradley and sundry other officers of the Staff Corps of the Navy for temporary appointment; and

George W. Anderson, Jr., and sundry other officers for temporary promotion in the line of the Navy.

Mr. SALTONSTALL. Mr. President, I also report favorably from the Committee on Armed Services the following nominations, and ask that they also be placed on the Executive Calendar:

Frank H. Higgins, of New York, to be Assistant Secretary of the Army;

Charles C. Finucane, of the State of Washington, to be Assistant Secretary of the Army;

William Birrell Franke, of New York, to be an Assistant Secretary of the Navy;

Trevor Gardner, of California, to be Assistant Secretary of the Air Force; and

Lyle S. Garlock, of Minnesota, to be Assistant Secretary of the Air Force, vice H. Lee White, resigned.

The ACTING PRESIDENT pro tempore. The nominations will be received and placed on the Executive Calendar.

Mr. SALTONSTALL. In addition to the above, I also report favorably from the Committee on Armed Services a group of 8,408 routine nominations in the Navy in the grade of commander and below. In order to save the expense of printing in the Executive Calendar of this large number of names, which have already appeared once in the CONGRESSIONAL RECORD, I request that these nominations be ordered to lie on the Vice President's desk for the information of any Senator.

The ACTING PRESIDENT pro tempore. The nominations will be received and will lie on the desk, as requested by the Senator from Massachusetts.

FAMILY QUARTERS FOR PERSONNEL OF MILITARY DEPARTMENTS

The ACTING PRESIDENT pro tempore laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H. R. 9924) to provide for family quarters for personnel of the military departments of the Department of Defense and their dependents, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. KNOWLAND. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Acting President pro tempore appointed Mr. CASE, Mr. DUFF, and Mr. STENNIS conferees on the part of the Senate.

ACCUSATION OF FAVORITISM AGAINST THE PRESIDENT OF THE UNITED STATES

Mr. KNOWLAND. Mr. President, my attention has been called to an article which appeared in the morning newspapers. The particular newspaper I have in mind is the Baltimore Sun of this morning, in which Mr. Mitchell, chairman of the Democratic National Committee, is reported to have cast some reflections, I believe, upon the President of the United States.

I think the Members of the Senate know that I have not been a bitter or narrow partisan in my responsibilities in the Senate. I have expressed appreciation, and I express it again, for the cooperation we have received from the official leadership of the Democratic Party in the Senate, and from Senators on the other side of the aisle, in the handling of the very heavy and burdensome legislative program which we have been facing.

I regret very much when a statement is made which, in these troublous times, appears to me to cast reflection upon the President of the United States, and to tend to break down the confidence of the country in a man who has been called to the high responsibilities of the Presidency, and who has been elected to that office by an overwhelming vote of the American people.

Mr. President, it seems to me that if Mr. Stephen Mitchell has any information which indicates in any way that the contract in question is either illegal, that undue influence has been used, or that any personal relationship between the President of the United States and any friend and neighbor, as he puts it, might have played a part, he owes it to the country, to his own party, and to a sense of responsibility to furnish any such facts to the Joint Committee on Atomic Energy or to the Department of Justice.

I regret very much that in the heat of what seems to be a growing political campaign, it cannot be kept on a level other than one of attacking the personal motives of the President of the United States.

Mr. COOPER. Mr. President, I heard with interest the comments which have been made by the distinguished majority leader. The Members of the Senate will recall that when the Dixon-Yates contract to which the article referred was being debated in the Senate in connection with the AEC bill I opposed vigorously, with all the strength at my command, the amendment which in effect approved the contract. I oppose now the conclusion of the contract. I still hold to the position I held then, when I said that I regretted that the contract had been made.

Yet, Mr. President, when I read the statement of Mr. Mitchell in the newspaper this morning, I had the same reaction which has been expressed by the distinguished majority leader. While I was very much opposed to the contract, yet there was never any question in my mind—and I so stated upon the floor of the Senate, that the President of the United States acted as he thought best and with sincerity to meet a power need which had been claimed by TVA as existing in the Memphis area.

I have no confidence in, and I do not believe in any degree or in any way, the statement impugning the President which has been made by the chairman of the Democratic National Committee, Mr. Mitchell. I do not believe there is any truth at all in his statement. The era of favoritism and of deals ended with the last administration. The people of the United States know the integrity of President Eisenhower.

Mr. REYNOLDS. Mr. President, in line with the remarks which have been made by the distinguished majority leader, let me say that doubtless there will be much more in the press in regard to the so-called Dixon-Yates contract. During the debate on the bill, there was much criticism of the contract, in regard to the policy of awarding a contract before the plant was built. That policy was severely critized.

I think that somewhere along the line the RECORD should show that that policy is not a new one, but is a long-established policy of the Tennessee Valley Authority, particularly in respect to the TVA's purchases of coal. On more than one occasion the TVA has awarded coal contracts to persons who had no more of a coal mine than we have in this Chamber; yet, on the basis of such a contract, they financed a new mine. I point that out because the policy is not a new one; it is an established policy of the TVA. In my opinion so far as coal is

concerned the result of the policy has been anything but good; it has been very detrimental to the coal industry, and has been of no benefit to the consumers of TVA, and has cost the United States Treasury untold thousands of dollars in tax funds.

The purpose of my remarks is simply to point out that the policy which was invoked in the awarding of the Dixon-Yates contract is not a new policy insofar as the Tennessee Valley Authority is concerned.

The ACTING PRESIDENT pro tempore. Is there further morning business?

If not, morning business is closed.

AMENDMENT OF SUBVERSIVE ACTIVITIES CONTROL ACT OF 1950

The Senate resumed the consideration of the amendments of the House of Representatives to the bill (S. 3706) to amend the Subversive Activities Control Act of 1950 to provide for the determination of the identity of certain Communist-infiltrated organizations, and for other purposes.

The ACTING PRESIDENT pro tempore. The clerk will state the unanimous-consent agreement, for the information of the Members of the Senate.

The legislative clerk read as follows:

Ordered, That on Tuesday, August 17, 1954, following the morning business, further debate on the amendments intended to be proposed by the Senator from Maryland [Mr. BUTLER], and read, to House amendments to S. 3706, to prohibit members of Communist organizations from serving in certain representative capacities, and for other purposes, shall be limited to 3 hours, to be equally divided and controlled, respectively, by the Senator from Maryland [Mr. BUTLER] and the Senator from Texas [Mr. JOHNSON]: *Provided*, That debate on each further amendment to the House amendments shall be limited to 30 minutes, to be equally divided and controlled, respectively, by the mover of such amendment and the Senator from Maryland [Mr. BUTLER] in the event he is opposed to the amendment; otherwise, by the minority leader [Mr. JOHNSON of Texas]; *And provided further*, That all amendments must be germane to the subject matter of the said bill.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator from Texas will state it.

Mr. JOHNSON of Texas. If the suggestion of the absence of a quorum were to be made at this time, would it be covered by the unanimous-consent agreement which has been entered?

The ACTING PRESIDENT pro tempore. The Chair is advised that a quorum can be had at this time only by unanimous consent.

Mr. JOHNSON of Texas. Then, Mr. President, I ask unanimous consent that I may suggest the absence of a quorum, without having the time required therefor charged to either side under the unanimous-consent agreement.

The ACTING PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered; and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. JOHNSON of Texas. The Senator from Maryland [Mr. BUTLER] has offered amendments. Are those amendments pending?

The ACTING PRESIDENT pro tempore. They have not yet been called up.

Mr. JOHNSON of Texas. Does the Senator from Maryland propose to call up his amendments?

Mr. BUTLER. Yes, I do.

Mr. JOHNSON of Texas. May I ask the Senator from Maryland if he proposes to take further time on those amendments?

Mr. BUTLER. As I understand, we have one and a half hours on each side.

Mr. JOHNSON of Texas. My understanding is that 15 minutes is allowed to each side on an amendment.

Mr. BUTLER. I have already explained the amendments. I think there can be absolutely no question as to 3 and possibly 4 of the amendments. I had not proposed to take additional time, unless I felt time was required to answer the opponents.

Mr. JOHNSON of Texas. Mr. President, what is the parliamentary situation? The Senator's amendments "8–16–54–A" have been printed. Does the Senator from Maryland propose to call those up at this time? If the Senator does call them up, then will there not be 15 minutes available for each side?

The ACTING PRESIDENT pro tempore. The Chair will state that the amendments of the Senator from Maryland en bloc are entitled to 3 hours of debate, divided between the mover of the amendments, the Senator from Maryland, and the Senator from Texas [Mr. JOHNSON].

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. KNOWLAND. Does the situation not come down to this: So far as the amendments of the Senator from Maryland are concerned, they are to the amendments of the House of Representatives to Senate bill 3706. The normal motion would be to concur in the House amendments. The motion of the Senator from Maryland would ultimately be first to amend the House amendments and then to concur in them as amended. On the amendments of the Senator from Maryland there would normally be 15 minutes to a side, but on the question of concurrence itself there would be 3 hours. I assume, as under our normal unanimous-consent agreements, it would not make very much difference how the time was used, because the time could be used on the question of concurrence in the amendments, if it were necessary.

I think as I actually worded the unanimous-consent agreement, the amendments offered by the Senator from Maryland were included en bloc in connection with general concurrence.

The ACTING PRESIDENT pro tempore. That is correct.

Mr. BUTLER. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. BUTLER. If I should move that the Senate concur in the House amendments with the amendments I intend to offer, what would be the effect of such a motion?

The ACTING PRESIDENT pro tempore. If the Senate should agree to the motion, that would be conclusive action on the bill.

Mr. BUTLER. Would the bill then be open to further amendment?

The ACTING PRESIDENT pro tempore. Not if the Senator moved to concur, with his amendments, and the motion were agreed to.

Mr. KNOWLAND. Mr. President, let me ask the Senator from Maryland not to move to concur, but rather that he offer his amendments, so that the offering of any other amendments, if there are any to be offered, will not be foreclosed. I think that was the spirit of the unanimous consent agreement; that after a night of study of further amendments, if amendments were to be offered, they might be offered under a 15-minute limitation to a side.

Mr. BUTLER. Mr. President, in consonance with the unanimous consent agreement, I now offer my amendments designated "8–16–54–A."

The ACTING PRESIDENT pro tempore. The clerk will state the amendments.

The LEGISLATIVE CLERK. In section 2, it is proposed to strike out the word "other" where it appears in the second, third, fifth, and sixth sentences of such section, and in the fifth sentence of such section insert in lieu of the word "other" the word "political."

In section 4, after the words "Labor Relations Act", add the words "as amended."

In section 5, strike out the word "knowingly" each of the three times it appears therein.

In section 8, in subsection (b) of the text of the proposed new section 13A, insert after the word "may" a comma and the words "within six months after such determination,"; and strike out the last fourteen words of such subsection.

In section 8, subsection (e) of the text of the proposed new subsection 13A, strike out "be required to determine" and insert in lieu thereof "consider."

In section 8, in each of subparagraphs (1), (2), (3), (4), (5), (6), and (7) of subsection (e) of the text of the proposed new subsection 13A, strike out the word "whether" where is appears at the beginning of such subparagraph, and insert in lieu thereof the words "to what extent, if any."

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. JOHNSON of Texas. Do Senators have 30 minutes on these specific amendments, or 3 hours?

The ACTING PRESIDENT pro tempore. On the motion of the Senator from Maryland to concur——

Mr. JOHNSON of Texas. Mr. President, I am not asking about the motion. I am merely asking about the amendments the Senator from Maryland has offered.

The ACTING PRESIDENT pro tempore. They are part of the question involving the concurrence with the House amendments, and action upon the amendments en bloc. The total time is covered under the 3-hour limitation.

After action is taken on this matter, any amendment which is offered to the amendments of the Senator from Maryland will be governed by the 30-minute limitation.

Mr. JOHNSON of Texas. The ruling is that there is available to each side for debate on the pending amendments 1½ hours?

The ACTING PRESIDENT pro tempore. That is correct; and on the motion to concur.

Mr. BUTLER. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. BUTLER. Does the debate of 3 hours on the question of concurrence and the question of agreeing to the amendments submitted by the Senator from Maryland foreclose the offering of any other amendment to the bill?

The ACTING PRESIDENT pro tempore. If the Senator withholds his motion to concur and offers his amendments, amendments then will be in order to the Senator's amendments and also to the bill, after the Senator's amendments are disposed of.

Mr. BUTLER. The bill would then be open to further amendment, after the pending amendments are disposed of?

The ACTING PRESIDENT pro tempore. The House amendments would be; yes.

Does the Senator from Maryland desire that the amendments which he has offered be considered en bloc?

Mr. BUTLER. I have so requested, Mr. President.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President——

The ACTING PRESIDENT pro tempore. The Senator from Texas.

Mr. JOHNSON of Texas. I am prepared to yield to any Senator desiring time to oppose the pending amendments such time as he may desire, or as may be reasonable.

Mr. LEHMAN. A parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. LEHMAN. Am I correct in assuming that the vote on concurrence will not be had at this time?

The ACTING PRESIDENT pro tempore. The Senator from Maryland has merely offered his amendments to the House amendments.

Mr. LEHMAN. I just wished to make sure.

Mr. JOHNSON of Texas. Mr. President, I yield to the distinguished Senator from New York [Mr. LEHMAN] 10 minutes.

The ACTING PRESIDENT pro tempore. The Senator from New York.

Mr. LEHMAN. Mr. President, I shall not speak on the subject of concurrence at this time. It is quite probable I shall wish to do so later in the morning.

I desire to address myself at this particular time to a discussion of section 8 of the pending bill, which is described as "Proceedings with respect to Communist-infiltrated organizations." My colleagues will recall that when this bill, in its original form, was before the Senate last week I strongly opposed it. Later, when the provisions now in question were offered by Senator DANIEL as an amendment to the Humphrey substitute, I voted against it. I believe I was the only Member of the Senate who did so.

I voted against it because I felt that these provisions are so dangerous to the rights of organized labor, and possibly other organizations—but mainly to the rights of organized labor—that they should not be adopted. I was a cosponsor of an amendment offered as a substitute by the senior Senator from Washington [Mr. MAGNUSON], asking that a commission be appointed to study and carefully consider this entire subject, and to report back to the Senate by January 15, 1955.

The Commission, it will be recalled, was to be appointed by the President of the United States, and was to consist of 12 persons, chosen in equal numbers from labor, industry, and the public. That would have been the sane and sensible thing to do. But the Magnuson substitute was defeated, and the Butler bill provisions were approved.

The bill in section 8 provides that whenever the Attorney General has reason to believe that any organization is Communist-infiltrated, he may file with the Subversive Activities Control Board and serve upon such organization a petition for determination that such organization is a Communist-infiltrated organization.

Thereupon, if the Subversive Activities Control Board decides that in its opinion the organization—the labor union—is Communist-infiltrated, the members of such union lose their rights to access to the National Labor Relations Board, which was created, as we know, for the purpose of conserving the rights of both labor and industry.

I believe these provisions place in the hands of the Attorney General and of the Subversive Activities Control Board powers far too great to give to any individual or board. I do not raise any question with regard to the good faith and integrity and fairness of the present Attorney General. But we do not know how long he will be in office.

The provisions in question unquestionably give to an Attorney General who might be unfriendly to labor, a broad grant of authority which could be used in the future for the destruction of good non-Communist labor unions, the crippling of the rights of organized labor, and the right of labor to organize in areas in which it has not yet organized or in which its standing is not very secure.

I believe these provisions affect every man and woman in the organized labor movement. I do not know of any case where equivalent powers have been given to any one official of government.

All this is being done on the ground that there may be a certain number of Communists in the labor movement. If the bill were confined to the purpose of eliminating these individuals from the labor movement, I would have no objection. Of course, I agree fully that the Communist Party in this country is a conspiracy against our security and that it proposes and seeks to overthrow the Government of the United States by force, if necessary.

But this bill, in its present form, does not eliminate Communists from labor unions. It eliminates the labor unions.

The bill gives arbitrary powers to the Attorney General. I think this bill is useless, from a practical viewpoint, in achieving its avowed objectives, because of the time it will take to force a final decision. The bill gives the right to any union charged with being Communist-infiltrated to seek redress in the courts. We know what great delay that means.

It is right, of course, that a labor union or any other body should have redress by appeal to the courts. However, the delay which will ensue will completely prevent any successful effort on the part of the Government to clean the house of the labor movement. It can only hurt unions. It cannot cleanse them of Communist influence.

When I spoke on the floor of the Senate a few days ago, I pointed out that when the Internal Security Act was passed in 1950, I predicted it would take at least 2 years to force a decision against the Communist Party. I was far too conservative when I predicted a delay of 2 years. We are now about to go into 1955. Nearly 4½ years have elapsed, and a final decision has not yet been reached with regard to whether the Communist Party itself is a subversive organization.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. LEHMAN. My time is limited.

Mr. FERGUSON. The Senator says no decision has been reached. Is he familiar with the fact that a Federal district court has held——

Mr. LEHMAN. I was coming to that in a minute. No final decision has been reached. I am informed that the case has not even been considered by the Supreme Court of the United States. Of course, until it is heard by the Supreme Court there can be no final decision. That delay of 5 or 6 years will be duplicated in hundreds of cases, because in every one of the cases an appeal will be taken. In the meantime the arm of the Government and the power of the unions themselves will be completely paralyzed.

The great national unions have done a good job in cleaning house. The CIO expelled 9 of its affiliated unions because they were Communist infiltrated. Of the million or more men and women who belonged to these unions, more than three-fourths have now joined unions in which there is no Communist influence.

I believe we would proceed far more rapidly and far more effectively——

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. LEHMAN. May I have 2 more minutes?

Mr. JOHNSON of Texas. Mr. President, I yield the distinguished Senator from New York 2 additional minutes.

Mr. LEHMAN. I believe we would proceed far more effectively and far more rapidly if we continued, as we have to date, to strengthen and to help the labor unions to clean house, rather than to impede them, rather than to make it impossible for them to take effective action. In the meantime, Mr. President, we are subjecting every labor union in this country to the threat of interference and of crippling action by the Government as represented by an Attorney General, who, as I have said, may be inimical or unfriendly to organized labor.

I believe that this amendment, section 13A, will work against the efforts of the country to rid the labor movement of the infiltration of Communists, and it will do absolutely no good. It will continue so long as it may remain on the statute books, to be a real threat against the welfare and the rights of organized labor.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the House had passed without amendment the bill (S. 3873) to provide survivor benefits for widows of the Chief Justice and the Associate Justices of the Supreme Court of the United States.

The message also announced that the House had passed the bill (S. 3628) to amend Public Law 815, 81st Congress, in order to extend for 3 additional years the program and assistance for school construction under title III of that act, with amendments, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Acting President pro tempore:

H. R. 8753. An act to amend the Federal Property and Administrative Services Act of 1949, as amended, to authorize the Administrator of General Services to establish and operate motor-vehicle pools and systems and to provide office furniture and furnishings when agencies are moved to new locations, to direct the Administrator to report the unauthorized use of Government motor vehicles, and to authorize the United States Civil Service Commission to regulate operators of Government-owned motor vehicles, and for other purpose; and

H. R. 9962. An act to increase by 5 percent the rates of pension payable to veterans and their dependents.

AMENDMENT OF SUBVERSIVE ACTIVITIES CONTROL ACT OF 1950

The Senate resumed the consideration of the amendments of the House of Representatives to the bill (S. 3706) to amend the Subversive Activities Control Act of 1950 to provide for the determination of the identity of certain Communist-infiltrated organizations, and for other purposes.

Mr. JOHNSON of Texas. Mr. President, I should like to ask the Senator from Tennessee if he desires time.

Mr. KEFAUVER. Yes, I do.

Mr. JOHNSON of Texas. Has the Senator from New York concluded?

Mr. LEHMAN. I have concluded.

Mr. JOHNSON of Texas. How much time does the Senator from Tennessee desire?

Mr. KEFAUVER. Ten minutes.

Mr. JOHNSON of Texas. I yield 10 minutes to the Senator from Tennessee.

Mr. KEFAUVER. At this time I wish particularly to ask the distinguished Senator from Maryland [Mr. BUTLER] a few questions about what his amendments will do, and about what will happen under the House bill with reference to the Internal Security Act, and also the Smith Act.

In the first place, as I read the amendments of the distinguished Senator from Maryland, they are largely clarifying amendments, and do not materially change the basic provisions of the House bill. Is that substantially correct?

Mr. BUTLER. That is correct.

Mr. KEFAUVER. After studying the amendments of the distinguished Senator from Maryland, I feel they are well considered, improve the terminology, make clear the meaning, and set forth what is intended to be done by the House bill. I think the amendments are good, will make the proposed legislation more understandable, and will clarify some possible legal objections which might be raised against the bill.

So that we may know the exact situation which confronts us, I may say that some think this bill will outlaw the Communist Party; others hold the opinion that it will make membership in the Communist Party a crime; others have expressed the fear, as I had the fear concerning the original Senate bill, that it would take the underpinning from the Internal Security Act, and would probably also hamper the administration of the Smith Act.

The bill, as it is presently written, does not actually make the Communist Party illegal. Is that not correct?

Mr. BUTLER. In my opinion, the bill outlaws the Communist Party and makes it illegal. It strips the Communist Party of all its rights, privileges, and immunities under the Constitution of the United States and all laws of the United States.

Mr. HUMPHREY. Mr. President, will the Senator yield to me at that point?

Mr. KEFAUVER. I have one other question I should like to ask and then I will yield. If the Senator from Maryland correctly states the situation, then what effect will the bill have upon section 7 of the Internal Security Act, which requires any Communist organization to register with the Attorney General? Will not the privilege of the fifth amendment be available to an organization as well as to an individual?

Mr. BUTLER. The privilege against self-incrimination is an individual privilege. It does not apply in any manner to an organization. My amendments do not deal with members at all. They strip the Communist Party of all its legal rights, privileges, and immunities. They unmask the Community Party for what it is—a conspiracy to overthrow the Government of the United States by force and violence.

Mr. KEFAUVER. I inferred from one of the amendments that the Senator was trying to describe the Communist Party not as being a party, but as being a totalitarian or Communist conspiracy. Under the House bill, is the Communist Party a party, or is it something else?

Mr. BUTLER. The first amendment I offered goes to that point, and that point alone. If the Senator will read the preamble to section 3, he will find that it refers to the Communist Party and then to other parties. We delete the word "other" to clearly show that the Communist Party is not a political party. That is the purpose of the first amendment.

Mr. KEFAUVER. What is the motive of the Senator's amendment in striking out the word "other"?

Mr. BUTLER. Let me read the language of section 2:

> The Congress hereby finds and declares that the Communist Party of the United States, although purportedly a political party, is in fact an instrumentality of a conspiracy to overthrow the Government of the United States. It constitutes an authoritarian dictatorship within a republic, demanding for itself the rights and privileges accorded to other political parties—

We would strike out the word "other" because we do not want to denominate the Communist Party as a political party when it is in fact a conspiracy.

Mr. KEFAUVER. In fact, then, the bill, with the Senator's amendment, does not outlaw any party. It outlaws a conspiracy.

Mr. BUTLER. That is correct. We do not want to call the Communist Party a political party, and we do not outlaw it as such.

Mr. KEFAUVER. So no party, as such, is outlawed by the House bill with the Senator's amendment.

Mr. BUTLER. That is correct.

Mr. KEFAUVER. It outlaws a conspiracy.

I should like to return to the question of what effect this will have on section 7 of the Internal Security Act. I have here the Internal Security Act, section 7 of which reads in part:

> (a) Each Communist-action organization (including any organization required, by a final order of the Board, to register as a Communist-action organization) shall, within the time specified in subsection (c) of this section, register with the Attorney General, on a form prescribed by him by regulations—

In other words, under the Internal Security Act, the Communist Party must register. I have had many misgivings about this. No convictions have been obtained so far. I understand the Government hopes to win this case in the court of appeals and get a final decision on it in the Supreme Court and since the Internal Security Act is the law of the

land I would like to see it given a fair trial. I hope it may be effective in dealing with the Communist problem.

My question is: Is the Senator absolutely certain that by making illegal the so-called Communist conspiracy, whether it is called a party or something else, we are not giving those who would be called on to register under the Internal Security Act, a constitutional immunity which would protect them in not doing so?

Mr. BUTLER. I think I can say to the Senator positively that such will not be the case. Furthermore, in order to make assurance double sure, if the Senator will refer to the proviso on page 16, at line 16, he will see that it is expressly stated in the House amendment:

Provided, however, That nothing in this section shall be construed as amending the Internal Security Act of 1950, as amended.

Mr. KEFAUVER. Of course, I have read that provision, but one or the other of two things must be true. Either it will undermine the Internal Security Act, or it will not do so, by the substance of what it does rather than by some provision that is added.

If the bill outlawed a person, which I understand it does not do, in other words, if it related to a person—then, undoubtedly, such person could refuse to register with the Attorney General under the Internal Security Act, because he would be protected in not doing so by the fifth amendment. Is that not correct?

Mr. BUTLER. I think that is correct.

Mr. KEFAUVER. Then the Senator must make a differentiation, within the terms of the fifth amendment, between an organization and a person. Is that correct?

Mr. BUTLER. I am of the opinion the fifth-amendment privilege is a personal privilege and does not apply to an organization.

Mr. KEFAUVER. Frankly, since the matter came up last night, I have not had an opportunity to do research on the question. Does the Senator have any Supreme Court decisions holding that the privilege of the fifth amendment is not available to an organization, even though it be a voluntary organization of many people and not incorporated?

I know the Senator from Maryland is correct in saying that the privilege would not be available to a corporation, but I am not certain about its application to a voluntary association which calls itself a party, a league, or something of that sort, and which must act through persons.

Mr. BUTLER. Such a voluntary association, under the laws of most of the States, when it consists of seven or more members, is, in fact, an entity, and can be sued as such.

The PRESIDING OFFICER. The time of the Senator from Tennessee has expired.

Mr. KEFAUVER. Mr. President, will the Senator from Texas yield me 10 additional minutes?

Mr. JOHNSON of Texas. I yield 10 additional minutes to the Senator from Tennessee.

Mr. BUTLER. While I do not have at my fingertips the Supreme Court opinions, there are opinions which hold that the fifth-amendment privilege is a personal privilege and is not available to a corporate body or other organization.

Mr. KEFAUVER. I think the Senator from Maryland is correct with respect to a corporate body; but a voluntary association or a partnership or association exists only by virtue of the individuals who compose it. As the Senator well knows, when one sues a partnership, he sues A, B, and C, doing business under a firm name.

Mr. BUTLER. That is correct.

Mr. KEFAUVER. Or if one sues an association, he must name the individual members of the association in order to attach personal liability against them.

So I ask whether we are, by what is proposed to be done by the amendment, picking out the substance of the registration provision of the Internal Security Act, which is one of the main provisions of the act.

Has the Senator any Supreme Court case, or has he briefed the question as to whether or not that would be the effect?

Mr. BUTLER. I have briefed the question, and there are cases. I do not have them available, but I may say again that the privilege under the fifth amendment runs only to a natural person, not to a corporation and not to an association.

Mr. KEFAUVER. Political parties, or some of them, ordinarily may be incorporated, but they need not be incorporated, as I understand the law. I do not know whether the Communist Party of the United States is or is not incorporated. Does the Senator from Maryland know?

Mr. BUTLER. I do not know.

Mr. KEFAUVER. Assuming the Communist Party of the United States is not incorporated, would not the officers and members of that party be able to avail themselves of the fifth amendment, so far as the Internal Security Act is concerned?

Mr. BUTLER. Only with respect to themselves; not with respect to the organization.

Mr. KEFAUVER. Then the Communist Party would exist only by virtue of individuals, if it is not a corporation.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. KEFAUVER. I yield.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate may dispose of a bill which is at the desk, and also appoint conferees on the military housing bill, without the time being charged to either side.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

RECESS APPOINTMENT OF COMPTROLLER GENERAL OF THE UNITED STATES—AUTHORIZATION OF PAYMENT OF SALARY

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside, and that the Senate proceed to the consideration of Senate bill 3868.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the clerk will state the bill by title.

The LEGISLATIVE CLERK. A bill (S. 3868) authorizing the payment of salary to any individual given a recess appointment as Comptroller General of the United States before the beginning of the 84th Congress.

Mr. JOHNSON of Texas. Mr. President, I ask for the immediate consideration of the bill.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed as follows:

Be it enacted, etc., That notwithstanding section 1761, as amended, of the Revised Statutes, any individual appointed by the President to the office of Comptroller General of the United States before the beginning of the first regular session of the 84th Congress may be paid the salary for such office as provided by law.

SEC. 2. This act shall cease to be in effect upon the 41st day following the beginning of the first regular session of the 84th Congress unless prior to such day the President shall have submitted to the Senate a nomination to fill such office.

Mr. JOHNSON of Texas. Mr. President, as I understand, the time taken for the consideration of S. 3868 was not charged to the time of the Senator from Tennessee.

The PRESIDING OFFICER. It was not.

AMENDMENTS OF SUBVERSIVE ACTIVITIES CONTROL ACT OF 1950

The Senate resumed the consideration of the amendments of the House of Representatives to the bill (S. 3706) to amend the Subversive Activities Control Act of 1950 to provide for the determination of the identity of certain Communist-infiltrated organizations, and for other purposes.

Mr. KEFAUVER. I understand the Department of Justice would much rather have the information and the control it can have under what it hopes will be its right by virtue of the registration provisions of the Internal Security Act, rather than to have the party as such outlawed, because that would result in making it impossible to get the organization or its individual members to register.

In other words, if the amendment is designed to give those who otherwise would be required to register, the right not to do so, the Department of Justice and Mr. J. Edgar Hoover think it would be a very bad policy, because they are very anxious to drive out subversive persons, and they feel they will be making the most substantial progress possible under the registration provisions of the Internal Security Act.

So, if the Senator from Maryland is wrong in the assumption that these persons, or the association or club, or whatever it might be called, would not be entitled to the protection of the fifth

amendment, that would present a very serious problem.

Mr. BUTLER. It is my firm conviction that such is correct.

Mr. KEFAUVER. Does the Senator from Maryland feel absolutely certain that the fifth amendment will not be made available to any person, group, or association by virtue of the passage of the House bill and the Butler amendment?

Mr. BUTLER. I can assure the Senator from Tennessee that the Department of Justice and the persons who are interested in the bill are satisfied on that point.

Mr. KEFAUVER. I had understood that the Department of Justice was satisfied on the theory that the House bill, even with the Butler amendments, does not actually outlaw the Communist Party; and on the theory that the bill does not outlaw the Communist Party, the Department feels that it can still force registration under the Internal Security Act. But the legislative intent now being stated by the Senator from Maryland might be to the effect that the bill outlaws and declares illegal the Communist Party.

Mr. BUTLER. The legislative history being made here is of no importance unless the bill itself is ambiguous; and certainly the bill is not ambiguous.

Mr. KEFAUVER. I understand. That is the reason why I wish to make the intent very clear, because I am certain that the courts will pay a great deal of attention to the interpretation placed upon the bill by the distinguished Senator from Maryland.

Has the Senator from Maryland seen the editorial relating to this subject in the Washington Post and Times Herald this morning?

Mr. BUTLER. I am sorry, I have not. I was up quite late last night, and up early again this morning, working on other matters, so I have not had opportunity to read the newspapers.

Mr. KEFAUVER. For the purpose of the discussion, it might be well not simply to have the editorial included in the RECORD, but to read the editorial now, because it might throw light on the question.

Mr. BUTLER. I should very much like to have the Senator from Tennessee read, it, because I have not done so.

Mr. KEFAUVER. It is the leading editorial in the Washington Post and Times Herald for today, August 17, 1954, and is as follows:

ANTI-COMMUNIST BILLS

The administration's backing away from the Senate bill to outlaw the Communist Party does not reflect any softness toward communism. The reverse seems to be true. Department of Justice officials are fearful that if the bill passed by the Senate last week should become law the result might be a breakdown of its present efforts to bring subversive activities under tighter control. It was that belief which led to the passage of a less drastic and also less reckless outlaw bill by the House yesterday.

For nearly 4 years the Department has been working to compel the Communist Party to register, to submit a list of its officers and members, and to make a public accounting for its funds. The findings of the Subversive Activities Control Board that the Communist Party is a Soviet-dominated organization which must submit to these requirements of the present law are now before the court of appeals. If those findings are upheld, the Communist Party will presumably outlaw itself by refusing to obey the orders of the Board.

The bill passed by the Senate would cut the ground from beneath the Subversive Activities Control Act of 1950 by directly condemning the Communist Party and making membership in it (plus an overt act) a crime. Could the courts force an organization so outlawed to register and comply with the law? That is at least very doubtful. Some eminent lawyers believe that the only significant effect of the Senate bill would be to repeal the central provisions of the Subversive Activities Control Act. In any event, enforcement of the present law would be seriously confused, and several years would be required before the new law could be tested in the courts and made effective.

We have previously noted the amorphous character of the Senate bill. As amended, it would make membership in the Communist Party criminal only if it were combined with "any act designed to carry into effect the purposes of such Communist Party organization." This was an obvious attempt to give the bill better constitutional underpinning. But what does it mean? Would paying party dues be sufficient to show that a member was acting to carry out the subversive purposes of the organization, or would this require an attempt to overthrow the Government? In any event, it would be more difficult to convict a Communist under this formula than under the Smith Act. It is easy to see why the administration does not want to jump from the present law to anything so spongy as the Senate bill.

The measure accepted by the House is designed to avoid the weaknesses in the Senate bill by simply denying the Communist Party a place on the ballot and withdrawing other rights and privileges, while leaving penalties to be applied under the Smith Act and the Subversive Activities Control Act. All question about upsetting the latter act was removed by a provision saying specifically that the bill should not be construed as being in conflict with the SACA. This is a major improvement.

The objective to be sought is effective control over the Communist conspiracy. In our opinion, it is more likely to be attained under the House proposal. The House bill serves to eliminate whatever confusion may remain because of the Communists' claim to be just another political party. Yet it seems to stop short of undermining the basis on which leaders of the Communist conspiracy are now being brought to book.

Of course, I do not know with whom the able editor of the Post talked in writing the editorial, but it is a well written and, I take it, well-thought-out editorial.

Mr. BUTLER. I may say to the Senator from Tennessee, in all good nature, that I do not have to have the Washington Post tell me how the Attorney General and the administration feel about this bill. I have been in close contact with them, and I know the administration, the Attorney General, the Department of Justice, the legislative counsel, and the Legislative Reference Service of the Library of Congress, all concur that the sections pointed to by the Senator will not have any effect on the Internal Security Act.

I also point out to the Senator that the editorial is incorrect in one respect at least. The bill does not outlaw the Communist Party by making its activities criminal. It makes the Communist Party impossible. It destroys all of its rights, privileges, and immunities, and strips it of all legal rights under the Constitution and the laws of the United States.

Mr. KEFAUVER. That is not what the Senator said a few minutes ago.

Mr. BUTLER. That is precisely what the Senator from Maryland said a few minutes ago.

Mr. KEFAUVER. The Senator said a few minutes ago that it completely outlaws the Communist Party.

Mr. BUTLER. It does. The Senator from Tennessee is equivocating with words.

Mr. KEFAUVER. I am not equivocating with words.

The PRESIDING OFFICER (Mr. REYNOLDS in the chair). The time of the Senator from Tennessese has expired.

Mr. KEFAUVER. Mr. President, I have too much time of the minority. Will the Senator from Maryland yield furfurther time, so that we can discuss this matter?

Mr. JOHNSON of Texas. Does the Senator from Tennessee desire more time?

Mr. KEFAUVER. Yes.

Mr. JOHNSON of Texas. Mr. President, I yield the distinguished Senator from Tennessee 5 additional minutes.

Mr. KEFAUVER. As I understand from the Washington Post editorial and from what the Senator from Maryland is now saying, it would be legally possible to have a Communist Party, but the Communist Party would have no rights, privileges, or immunities. In other words, it could not be placed on the ballot, it could not be sued, it could not sue; it could not enjoy the privileges the other parties enjoy. Is that correct?

Mr. BUTLER. That is correct. The Smith Act controls what may be done as to the individual members, as does the Subversive Activities Control Act of 1950.

Mr. KEFAUVER. I take it the Senator now comes down to the point of view——

Mr. BUTLER. The Senator from Maryland does not come down to anything; the Senator from Maryland has been there right along.

Mr. KEFAUVER. Let me see where the Senator is. The Senator feels, anyway, that the bill takes away the rights, privileges, and immunities of the Communist Party, but does not actually outlaw it. Is that correct?

Mr. BUTLER. I think any time the rights, privileges, and immunities are taken away from any organization and it is stripped of rights under the law which other organizations enjoy, in effect, it is outlawed. If the Senator wants to equivocate with words, all right.

Mr. KEFAUVER. I am not arguing this question in a facetious manner.

Mr. BUTLER. I realize that. I am not taking it in that vein.

Mr. KEFAUVER. I hope the Senator will take it in a serious vein. All of us want to do the most effective thing against the conspiracy of communism.

Mr. BUTLER. I am taking it seriously. I think the Senator from Tennessee is bringing out in this colloquy some constructive questions.

Mr. KEFAUVER. That is my intention, because I think this is an important discussion.

As I understand, then, the bill does not place any burden upon the individual who is a member of this conspiracy, or party, or whatever one may want to call it. Is that correct?

Mr. BUTLER. No, it does not. That is the difference between the House amendments and the Senate bill.

Mr. KEFAUVER. I do not want to vote for anything which will void the registration provision of the Internal Security Act. I want it given an opportunity. So a person could be a member, and he would still have to register under the Internal Security Act?

Mr. BUTLER. That is true. He would be subject to the Smith Act if he actively advocated or taught communism.

Mr. KEFAUVER. By what legal conception could a person be a member of something which legally could not exist?

Mr. BUTLER. I did not hear the question.

Mr. KEFAUVER. How can one be a member of an organization which by law cannot exist?

Mr. BUTLER. I assure the Senator I am not going to worry about that.

Mr. KEFAUVER. If there can be no entity such as the Communist Party, how can a person be a member of an organization which by law does not exist?

Mr. BUTLER. If after the passage of the bill a person nevertheless is willing to become a member of what is known as the Communist Party, and register under the terms of the Internal Security Act, I assure the Senator from Tennessee that the Senator from Maryland is not going to worry about him.

Mr. KEFAUVER. I think these questions are going to be asked somewhere along the line, and I think it might be well to ask them now. Does the Senator now say that the Department of Justice believes—and I suppose its opinion would reflect Mr. Hoover's view—that the bill, if enacted into law, would not relieve any individual of the obligation of registering under the Internal Security Act?

Mr. BUTLER. There are persons who are today members of an illegal conspiracy. The only penalty they can be made to suffer is that provided by law. The same situation would apply if the pending bill were enacted into law.

Mr. KEFAUVER. The reason why I ask the question is that the Internal Security Act recognizes that there can be a legal entity, but that its members nevertheless must register and its members must do certain things. I do not by our action here today want to give any Communist or any association of Communists the right to refuse to register on the basis that to require them to do so would take away their rights under the fifth amendment. But the Senator is satisfied on that point, is he not?

Mr. BUTLER. We are hoping that the bill, when enacted into law, will discourage persons from becoming members of the conspiracy, but I do not know that I can say any more than I have said to convince the Senator that the bill will not interfere with the registration provisions of the Internal Security Act of 1950.

Mr. KEFAUVER. I hope that will be the case. I must say that I think the bill raises many very complicated legal questions which are going to keep the courts busy for some time to come. I hope that getting the legal controversies into the courts will not interfere with the progress being made in the appeals of decisions in the courts of appeals in cases which were brought to court under the Internal Security Act. I feel that the Senator's amendments improve the House bill. In view of the Senator's opinion, which I share, that this will not interfer with prosecutions under the Smith Act or with the registration of Communists under the Internal Security Act I shall support the House bill with the Senator's amendments. This I believe to be the position of the Attorney General and of Mr. J. Edgar Hoover. However, if any amendment is added which will emasculate the Internal Security Act, until it has been given a fair chance to operate, I shall have to oppose the entire measure. I have confidence in Mr. Hoover as knowing more about handling the Communist problem than any of us and I think his position must be given great weight in these matters.

The PRESIDING OFFICER. The time of the Senator from Tennessee has expired.

Mr. JOHNSON of Texas. Mr. President, I yield 1 additional minute to the Senator from Tennessee.

Mr. BUTLER. What the Senator has stated is exactly the reason why the amendments were made in the House. It was for exactly that reason.

Mr. KEFAUVER. Let me ask one other question. Many of us are concerned about the precedent of outlawing a particular group. Perhaps next year Congress will not like some other group. Perhaps 10 years from now Congress may not like another group. In the history of this Nation, is this a new approach to the problem? Have we ever outlawed any group before in the history of the United States? In the history of our Nation, has any group ever been outlawed or condemned as illegal by legislative enactment?

The PRESIDING OFFICER. The additional minute granted the Senator from Tennessee has expired.

Mr. JOHNSON of Texas. Mr. President, I yield an additional minute to the Senator from Tennessee.

The PRESIDING OFFICER. The Senator from Tennessee is recognized for an additional minute.

Mr. BUTLER. In reply, Mr. President, I would say to the Senator from Tennessee that if the Communist Party is an illegal conspiracy, there is no reason why it should not be outlawed.

Mr. KEFAUVER. I want the Congress to take the most effective action to combat and fight communism. I wish to be certain that we are using the most effective means, and that we are not setting precedents which will plague us in the years to come. Does the Senator from Maryland know of any group which previously has been declared illegal, by act of Congress?

Mr. BUTLER. No, I do not.

Mr. KEFAUVER. Does the Senator from Maryland know the time in which such groups or persons will have an opportunity to present an appeal? I take it they will come before the Subversive Activities Control Board. Suppose the Attorney General decides that a certain group comes under the provisions of the House version of the bill? What right of appeal and judicial determination will such a person or organization have?

Mr. BUTLER. I cannot hear the Senator from Tennessee.

Mr. KEFAUVER. Suppose the Attorney General decides that a certain organization is Communist-infiltrated or Communist-dominated, and that it comes within the provisions of the House version of the bill?

The PRESIDING OFFICER. The additional minute granted the Senator from Tennessee has expired.

Mr. BUTLER. Mr. President, let me say——

The PRESIDING OFFICER. Does the Senator from Maryland yield some of the time under his control to the Senator from Tennessee?

Mr. BUTLER. I shall be happy to do so; I do not think we need to proceed for more than 2 minutes further. So I yield an additional 2 minutes to the Senator from Tennessee.

The PRESIDING OFFICER. The Senator from Tennessee is recognized for 2 minutes more.

Mr. KEFAUVER. Mr. President, will the Senator from Maryland explain the right of appeal and judicial review which such an organization or group might have?

Mr. BUTLER. As I understand, if the Attorney General believes that a certain organization comes within the proscription of this act, he will file a petition before the Subversive Activities Control Board, and a hearing will be held before that Board. If the Board finds the organization is Communist-infiltrated, certain sanctions will be invoked against it; and if it is a labor organization or an employer of labor, it will lose any rights it would otherwise have under the National Labor Relations Act. It will have all rights of appeal to the courts, and it can probably avail itself of the Administrative Procedure Act.

Mr. President, let me say, in further response to the question asked by the Senator from Tennessee, that those rights are provided by the Internal Security Act of 1950 and the Administrative Procedures Act.

Mr. KEFAUVER. Under which of those acts would such a person or group take an appeal? Would it be under the Internal Security Act?

Mr. BUTLER. Yes, the appeal would be taken under the Internal Security Act.

Mr. KEFAUVER. How about the Administrative Procedures Act?

Mr. BUTLER. No; such a person could not take an appeal under the Administrative Procedures Act, but he may

be able to avail himself of the provisions of the act.

Mr. KEFAUVER. In other words, insofar as counsel and a record would be concerned?

Mr. BUTLER. Perhaps he could take advantage of the provisions of the Administrative Procedures Act; I am not positive about that. But he would take his appeal under the Internal Security Act.

Mr. KEFAUVER. Mr. President, I certainly thank the Senator from Maryland. I shall support his amendments, and since there is a finding based on many years of experience that the Communist Party is an international conspiracy, I feel justified in supporting the House bill. However, while I did not vote for the internal security bill, I now feel it may do some good and should at least be given the support of Congress and I hope that nothing will be put into the present bill which will destroy the 3 years of labor of the Department of Justice in trying to make an effective instrument out of the internal security bill. I believe the internal security bill and the Smith Act plus a section 2 of the House bill offer the best program of ridding the country of communism and this is the goal of all of us.

Mr. BUTLER. Mr. President, I do not want any more of my time to be used at this point.

The PRESIDING OFFICER. The time of the Senator from Tennessee has expired.

Mr. JOHNSON of Texas. Mr. President, I yield 15 minutes to the Senator from Minnesota [Mr. HUMPHREY].

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 15 minutes.

Mr. HUMPHREY. Mr. President, I wish to direct my attention to the bill, section by section.

First of all section 2 of the bill which now is on the desk of Senators, on page 14 contains what are called Findings of Fact. The amendments the Senator from Maryland has submitted to section 2 are technical in nature; they are in the nature of clarifications, so there can be no doubt whatsoever that the Communist Party, which is alleged to be a party, does not have the same functions, the same purposes, or the same activities that an ordinary legitimate political party has.

Mr. BUTLER. That is the purpose of the amendments.

Mr. HUMPHREY. I think those amendments are desirable. They would improve what we might call the grammatical text of section 2.

Mr. BUTLER. That is correct.

Mr. HUMPHREY. Section 2 establishes on the part of Congress a finding to the effect that the Communist Party is, in fact, an instrumentality of a conspiracy to overthrow the Government of the United States. There can be no doubt as to the power of Congress to outlaw this, Mr. President.

In the case of *Communications Association* v. *Douds* (339 U. S. 382, 431), Mr. Justice Jackson made the following comment:

> Every member of the Communist Party is an agent to execute the Communist program. There is certainly sufficient evidence that all members owe allegiance to every detail of the Communist Party program and have assumed a duty actively to help execute it, so that Congress could, on familiar conspiracy principles, charge each member with responsibility for the goals and means of the party.
>
> Such then is the background which Congress could reasonably find as a basis for exerting its constitutional powers, and which the judiciary cannot disregard in testing them.

That is the end of the citation from the case of *Communications Association* v. *Douds* (339 U. S. 382, 431), with Mr. Justice Jackson speaking for the Court.

Mr. President, I would have the RECORD note that Mr. Justice Jackson in that case, when speaking for the Court, pointed out that while the Communist Party is within itself a conspiracy—

> Congress could, on familiar conspiracy principles, charge each member with responsibility for the goals and means of the party,

That is a very significant passage, and it has already become law in the United States, in the sense that court law is controlling law.

What the Court said in that case—and it has not previously been brought out in this connection—is that not only is the Communist Party a conspiracy, but that Congress has within its constitutional powers—and I wish my lawyer friends to listen—the right to cite each member of the Communist Party as a part of the conspiracy—each member, as the decision of the Court reads, "with responsibility for the goals and means of the party."

Mr. GORE. Mr. President, will the Senator from Minnesota yield to me?

Mr. HUMPHREY. I yield.

Mr. GORE. Was not that the purport and effect of the amendment in the nature of a substitute, submitted by the distinguished Senator from Minnesota?

Mr. HUMPHREY. That is correct, because I believe, first of all, that it is within the constitutional power of the Government of the United States to outlaw the Communist Party as a conspiracy. If we make the declaration or finding that it is a conspiracy, we can then outlaw that conspiracy. I say to some of my good friends that one of the real problems we have is to cleanse our minds of the legal doctrine which applies to normal political parties. If we get clearly in mind that in this case we are not dealing with a normal political party, we shall be able more clearly to see the purposes and objectives of the congressional enactment in this field. We will then also see this is no precedent or threat to any minority party operating within the democratic framework.

Mr. GORE. Mr. President, will the Senator from Minnesota yield further to me?

Mr. HUMPHREY. I yield.

Mr. GORE. Was it not the further intent and effect of the amendment in the nature of a substitute which was offered by the Senator from Minnesota to establish in law as a felony the act of participation in a conspiracy to overthrow the Government of the United States by force of violence?

Mr. HUMPHREY. That is correct.

Let me point now to another case which relates to this matter.

Mr. KEFAUVER. Mr. President, will the Senator from Minnesota yield to me?

Mr. BUTLER. Mr. President, will the Senator from Minnesota yield to me for a moment?

Mr. HUMPHREY. I ask Senators to wait, please. I wish to have continuity of presentation in connection with my reply to the interrogation of the junior Senator from Tennessee.

Let me now refer to the case of *Dennis* v. *United States* (341 U. S. 494, 501). At this point let us keep in mind that in the case of the Communications Association against Douds, Mr. Justice Jackson, speaking for the Court, made perfectly clear the nature of the Communist Party—namely, a conspiratorial apparatus—and then said that each member was carrying out the goals and means of that party, and that it was within the constitutional power of the Government of the United States to take remedial action to protect itself in this area. What did the Court say in the case of *Dennis* v. *United States* (341 U. S. 494, 501)? The Court, speaking through the late Chief Justice Vinson, had this to say:

> We reject any principle of governmental helplessness in the face of preparation for revolution, which principle, carried to its logical conclusion, must lead to anarchy. No one could conceive—

And these are the critical words—

> that it is not within the power of Congress to prohibit acts intended to overthrow the Government by force and violence.

The one word that stands out there is "acts." The only question is one of definition. Is the act of membership, the act of joining into a conspiratorial force or apparatus, an act of membership which carries with it the slavish responsibility and duty to follow to the last iota, to the last detail, the dictates of the hierarchy of that apparatus? Is that act of membership today an act within the terms of what we might call the legal precedents of our bill?

I say that it is, because once the conspiratorial nature of such a political organization has been established, and once the court has made it crystal clear that it is within the power of Congress to control the membership, or to take action upon the membership, of such a conspiratorial organization, then, following the case of Dennis against the United States, it becomes quite obvious that the act of membership is the act of conspiracy, the willingness to join a conspiracy whose avowed purpose is to overthrow the Government of the United States by force and violence.

Mr. GORE. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. GORE. I have noticed certain references in the press to the Senator's amendment as being something which was a momentary effort, prematurely delivered. Is it not a fact that the Senator from Minnesota was chairman of a subcommittee which conducted long hearings into this field? Was not the late distinguished Senator from Ohio, Mr. Taft, on that subcommittee? In fact,

did not the Senator from Minnesota bring forth his suggestion as the result of long and diligent study and care?

Mr. HUMPHREY. The Senator from Minnesota was a member of that subcommittee, and, in fact, was its chairman. The committee did produce administrative suggestions for the administration and it did produce legislative proposals which were introduced in the Senate, but which were never even so much as given the courtesy of a hearing before the appropriate committee of the Senate. Nevertheless, the proposals which were presented were designed to enable effective action to be taken in the field of Communist infiltration in certain trade unions.

Let me point out further that the subject of the so-called outlawing—or whatever word one desires to use—of the Communist Party is not a new subject. The distinguished Senator from Montana [Mr. MANSFIELD] placed in the RECORD last night a long study he had made concerning this legislative proposal, going back to the time he served in the House of Representatives.

There are other Members of the Senate who have introduced bills to accomplish the so-called illegalizing of the Communist movement. It is not that we are outlawing a party. The problem here is one of semantics. We are not outlawing a party at all. We are outlawing a conspiracy, and that fact must be crystal clear in our minds.

I listened to the comments of the senior Senator from Tennessee [Mr. KEFAUVER], for whom I have the highest respect and the greatest affection. I know of the Senator's dedication to the protection of civil liberties. Let me say to my friend, the senior Senator from Tennessee, we are not outlawing now the Women's League, the Democrats, the Republicans, the Non-Partisan League, the Progressive, the Socialists, the Farmer-Laborites, or any other party we can think of. Those are parties which follow the traditions of the established pattern of legal conduct in America. They are parties which are voluntary associations; they are parties which arrive at decisions through their membership; they are parties which arrive at decisions through their conventions; they are parties which elect their own officers and whose officers make their own decisions. There is no foreign control involved in those parties. There is no hierarchial setup which determines what will be the discipline of the members of those parties. They operate within the legal democratic framework.

I say it is almost academic to argue about the nature of the Communist Party. The Communist Party has been branded — and properly so — and termed—and properly so—in court and in administrative decisions of the Subversive Activities Control Board, under the Internal Security Act, as a conspiracy with the avowed purpose of overthrowing the Government of the United States through the use of subversion, force, and violence.

Section 2 of the bill, as it was passed by the Senate, was identical with section 2 of the bill as it came from the House, and attempted to establish by statutory law the fact—the acknowledged, the known, the visible, the ascertainable fact—that the Communist Party is not a political party, but in fact is a conspiratorial force which has as its avowed purpose the destruction of free government.

Once we have established that fact, the next question is, how best to deal with this menace? That is a logical question to be asked. The Senate bill provides that the best way to deal with this menace is to go to the point of membership. I worry about the House amendments to our bill pertaining to section 3. The House amendments in section 3 revise and tend to change the purposes and objectives of section 3 of the Senate bill.

What did the Senate bill provide? The Senate bill in section 3, with some slight modification, as the junior Senator from Minnesota offered his amendment to it, provided that—

> Whoever knowingly, willfully, and intentionally becomes or remains a member of the Communist Party or any other organization having for one of its purposes or objectives the establishment, control, conduct, seizure, or overthrow of the Government of the United States, or the government of any State or political subdivision thereof, by the use of force or violence, with knowledge of the purpose or objective of such organization, designed to carry into effect the purposes of such Communist Party organization, shall upon conviction be punished as provided by the penalty provisions of section 15 of the Subversive Activities Control Act of 1950 (50 U. S. C. 794).

What did that provide? It uses the words "knowingly and willfully" becomes a member. So these are matters for the court to determine, because all of these would be jury trials or court cases. The court is to determine if one is a member knowingly and willfully. But if knowingly and willfully, and understanding the purposes of the conspiracy, he becomes a member of said conspiracy, he has committed a crime, and the penalty for that crime is the penalty as outlined in the Internal Security Act, section 15, which means not more than 5 years imprisonment and/or a fine of not more than $10,000. That does not mean the maximum, necessarily.

The PRESIDING OFFICER. The Senator's 15 minutes have expired. Does the Senator desire an extra 5 minutes?

Mr. HUMPHREY. I yield myself the extra 5 minutes.

Mr. GORE. Mr. President, will the Senator yield for a question?

Mr. HUMPHREY. I yield.

Mr. GORE. Is not the proposal to which the Senator has just referred in context with the decision of the court in the Dennis case?

Mr. HUMPHREY. In my opinion it is. That is why I quoted the decision of the court in the Dennis case. There is no need to labor the subject further. I believe that the bill as passed by the Senate was a sound bill. I believe the penalties in the bill as passed by the Senate were appropriate and constitutional. The only question is, Does it interfere with other acts on the books, namely, the Smith Act and the Internal Security Act?

Let us look at the Smith Act. The Smith Act does not even refer to the Communist Party. The Smith Act refers to certain types of action and certain acts which would lead to the overthrow of our Government, or would jeopardize the security of our Government.

The fear that the bill which was passed by the Senate would in any way jeopardize the security of the Nation by affecting either the Smith Act or the Internal Security Act is an unjustified fear. They are separate and distinct measures.

Let us consider, for example, the Smith Act. Under the Smith Act it is unlawful for any person to advocate or teach the overthrow of our Government by force or violence, or to organize or help organize or become a member of any organization which teaches the overthrow of our Government by force or violence. The Smith Act does not even mention the Communist Party.

The Smith Act is aimed at the generic crime of teaching and advocating the overthrow of our Government by force or violence. There may be other acts threatening our security which cannot be reached by the Smith Act. By the same token, there are many acts which cannot be reached even by the bill we have before us.

Let us move now to the Internal Security Act. Section 4 (f) reads, in part, as follows:

> Neither the holding of office nor membership in any Communist organization by any person shall constitute, per se, a violation of subsection 2 or subsection (c) of this section or any other criminal statute.

A kind of immunity is here attempted to be granted. We passed such an immunity bill in the Senate a short time ago. It provides that anyone who testifies against himself need not be held liable for his testimony.

The PRESIDING OFFICER. The additional 5 minutes of the Senator from Minnesota have expired.

Mr. HUMPHREY. I yield myself an additional 5 minutes.

The PRESIDING OFFICER. The time is controlled.

Mr. SMATHERS. Mr. President, how much time does the minority have remaining?

The PRESIDING OFFICER. Thirty minutes.

Mr. SMATHERS. I yield 5 minutes to the Senator from Minnesota.

Mr. HUMPHREY. A short time ago we provided immunity to certain witnesses under certain conditions, so that they may not incriminate themselves. That was done so that the Government may obtain certain information, with the understanding that a person so testifying will not be prosecuted on the basis of his testimony.

The McCarran Internal Security Act contains a similar provision in effect and applies to any criminal statute, as it relates to the Communists or members of an organization whose purpose is the overthrow of our Government.

However, let us assume that there is a conflict between the provisions of the bill as passed by the Senate and the Internal Security Act. How does the Internal Security Act operate insofar as members of the Communist Party are concerned? It requires them to register.

If they do not register, they are subject to the same penalties that are proposed in Senate bill 3706. The same penalty clause is contained in both. However, the Communist Party officers have not registered. For 4 years now they have refused to register. What kind of remedy is available to the Government?

What would the proposal of the Senator from Minnesota and his many associates do? It would declare that membership in this conspiracy by itself is a violation of the law. Obviously the men and women belonging to the Communist apparatus would not give themselves up. The Justice Department would have to seek them out, just as it seeks them out under the McCarran Act. It would have to find them and prosecute them in a court of law.

What is the advantage of the bill as passed by the Senate? The advantage of that bill is that under it it is not necessary to prove that the Communist Party is a conspiracy, and it is not necessary to prove anything more than membership in the Communist Party. We know that the membership is conspiratorial.

I say the bill would not weaken the internal-security laws of our country, as has been alleged in the hurly-burly of debate and in the effort to find something wrong with the bill as passed by the Senate. All kinds of contradictory statements have been made. It is claimed one minute that it is too severe, and in the next that it does not do anything, and there have been all kinds of roarings through the respective chambers in an effort to prove that what we did was wrong.

The administration does not oppose branding the Communist Party a conspiracy. The administration apparently accedes to the denial to the Communist Party of any so-called privileges and immunities, whatever they may be.

Does Congress believe that it will have any control over what party goes on the ballot? That is in the hands of the respective States. Section 3 of the House bill contains a very mild penalty for being a part of a conspiracy to overthrow the Government of the United States. I say it will prove to be rather ineffective. All that it means is that Congress goes on record as declaring the Communist Party a conspiracy.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. SMATHERS. First, I wish to congratulate the Senator on what he is saying. I was very happy to support his amendment the other day. I should now like to ask him to explain to me, if he can, the logic of saying, as I understand the House bill does, that the Communist Party is unlawful and illegal, but that the men who get together to organize the party and direct the party, and have control of the party, are not guilty, although what they do and what they organize is illegal. Does that seem to the Senator to be a logical position to take?

Mr. HUMPHREY. Surely it is not.

The PRESIDING OFFICER. The time of the Senator from Minnesota has expired.

Mr. SMATHERS. I yield another 5 minutes to the Senator from Minnesota.

Mr. HUMPHREY. Mr. President, what I am trying to point out to my colleagues is that the action of the House of Representatives went only so far as to make it clear and unmistakable that the Communist Party, insofar as the apparatus is concerned, has no legal standing in any area of American life. That is an inadequate provision, in terms of the nature of its activities, for a crime such as is charged.

Mr. SMATHERS. Mr. President, will the Senator from Minnesota yield for a question?

Mr. HUMPHREY. I yield.

Mr. SMATHERS. Is it not plain to the Senator that we might have a law, as recommended by the House, in which it is provided that it is illegal and improper for Communists jointly to do something, we will say, to start a program, and yet, if they as individuals believe in the overthrow of the United States, and do not act in concert on a particular issue, they would not, as individuals, be called to account?

Mr. HUMPHREY. That is correct. One of the purposes of the proposal of the Senators who advanced the amendment on Thursday last was to get at the core of the problem. There is bill after bill coming before the Senate dealing with the fringes of Communist-dominated unions, Communist-dominated women's clubs, Communist-action groups. The only reason we pass any legislation against any of these groups is because of the factor of communism. The purpose I have in mind is to get at that factor of communism and place the control of it in the proper legal officials. If we could pass the bill as it was presented in the Senate, much of the so-called committee action which takes place would be unnecessary.

Mr. MORSE. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. MORSE. Is there anything in the House version of the bill now that makes it possible for the United States Department of Justice to proceed to prosecute an individual for belonging to the Communist conspiracy, as a member of the Communist Party?

Mr. HUMPHREY. There is not one word that permits that kind of procedure.

Mr. MORSE. Does the Senator from Minnesota agree that when he first presented this matter to a very small group of us—in fact, a group of three, at first, including the Senator from Massachusetts [Mr. KENNEDY], myself, and the Senator from Minnesota—we agreed that the time had come for us to get at the core of the problem, as the Senator has used the phrase, by passing a law which would make it a criminal offense to belong to the Communist conspiracy, which meant that we should have a law which would place upon the Department of Justice the duty of proceeding by way of prosecution against an individual Communist?

Mr. HUMPHREY. The Senator is absolutely correct. That was the purpose in mind.

Mr. President, the argument which has been used against the proposal passed by the Senate by a vote of 85 to 0—I want that record vote to stand—is that it would drive the Communist Party underground. The Communist Party is so far underground that in comparison coal mines look as if they are in the sky. The Communist Party has gone down to the bottom of the cavern, to the third layer of geological formation. What the bill would do is to give to the courts, to United States attorneys, and to lawenforcement officials, a clear mandate from Congress that if membership in the party can be proved, it can be proved that the members are part of a conspiracy and are subject to criminal penalty.

Mr. MORSE. Has the Senator heard a great deal of discussion in America in recent months about digging out human skunks?

Mr. HUMPHREY. Yes.

Mr. MORSE. Is it not true that we offer in the Senate version of the bill a measure which makes it a criminal offense for a person to belong to the Communist conspiracy in this country, and that the House has watered it down by throwing the whole thing into the administrative process of the Subversive Activities Control Board, but the House bill does not make it a criminal act in the United States to belong to the Communist conspiracy, or place an obligation on the Department of Justice to proceed to prosecute as a criminal that kind of a conspirator? Is not that correct?

Mr. HUMPHREY. The Senator has put his finger upon the weakness in the House amendments as they have come to the Senate.

The PRESIDING OFFICER. The time of the Senator from Minnesota has again expired.

Mr. HUMPHREY. Mr. President, will the minority leader yield us additional time to complete this colloquy?

Mr. SMATHERS. How much time?

Mr. HUMPHREY. I hope to get through in 5 minutes.

Mr. SMATHERS. I yield 5 minutes to the Senator from Minnesota.

Mr. MANSFIELD. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. MANSFIELD. I have been in rather good spirits with reference to the tone of newspaper editorials in regard to outlawing the Communist Party. I think the Senator from Oregon and other Senators have pointed out that what we are carrying out is some sort of warfare against the fringes, whereas the only way to meet this menace—and it is a menace—is to meet it headon and to outlaw the Communist Party and attach penalties for membership.

The Senator from Minnesota and his cosponsors gave some of us who over the past 4 or 5 years have been introducing bills to outlaw the Communist Party the first opportunity we have had in any Congress to stand up and be counted and to discuss the outlawing of the Communist Party as a subversive organization under the control of international communism. I, for one, am grateful to the Senator from Minnesota

for showing enough statesmanship to introduce this particular proposal and have it considered at this time, because for 5 years I have been waiting for this opportunity. I repeat, that this is the first chance I have had in either the House of Representatives or the Senate, in all that time, to face up to the issue squarely.

Mr. HUMPHREY. I thank the Senator from Montana.

I merely wish to say, Mr. President, with reference to the action taken by the Senate, by a vote of 85 to 0—most of the Members of the Senate being lawyers and competent in the field of legislation—that any comment to the effect that the Senate bill harms the Internal Security Act is a comment not based upon fact, and one which is made only for the purpose of trying to distract us from what we are trying to do, or to divert us from the objectives of the particular bill now pending. I repeat that the Communist Party will be driven no farther underground than it is. With the bill we have passed, instead of trying to get them out from underground with a hand shovel, we will have a pneumatic drill and will be able to get them out.

Mr. MORSE. Mr. President, will the Senator from Minnesota yield further?

Mr. HUMPHREY. I yield.

Mr. MORSE. Is it not true that espionage, sabotage, and other conspiracies have always been carried on underground?

Mr. HUMPHREY. Of course. The only activities above ground are soapbox activities.

Mr. MORSE. Propaganda activities.

Mr. HUMPHREY. That is correct.

Testimony which has been given to committees of the Congress points out the dual nature of the Communist Party. On one level we find the propagandists who get their names into the newspapers. They are not the dangerous ones. The men and women in the Communist apparatus who are a threat to the security of this country are not the ones who talk or send out pamphlets, but those who are found in agencies of the Government and are willing to wait for 20 years to get one bit of information, and men and women who chart every factory, every pipeline, every transportation system, to turn over to the enemy. They are saboteurs who would wait for the hour of attack.

It is very strange that in the Senate of the United States, with all the speeches we have heard on communism, and all the addresses which my colleagues have made to American Legion posts, Veterans of Foreign Wars, and on radio and television shows, when the chance is given to do something completely, we start backing away from it.

Mr. MANSFIELD. Mr. President, will the Senator from Minnesota yield further?

Mr. HUMPHREY. I yield.

Mr. MANSFIELD. Is it not a fact that the Veterans of Foreign Wars and the American Legion have gone on record as favoring outlawing the Communist Party?

Mr. HUMPHREY. That is correct. I spoke recently at the Statler Hotel about the matter. I said the great mistake of the liberal movement of America is that some liberals, conscientious as they may be, have been unwilling to come to grips head-on with the menace of communism. This should be the essence of a liberal's platform—as it is mine.

The PRESIDING OFFICER. The Senator's 5 minutes have expired.

Mr. SMATHERS. Mr. President, how much more time have we?

The PRESIDING OFFICER. Fifteen minutes.

Mr. SMATHERS. I yield the Senator an additional 3 minutes.

Mr. HUMPHREY. Only for the purpose of the question of the Senator from Oregon [Mr. MORSE].

Mr. MORSE. Speaking about driving Communists underground, is it not true that every criminal element in this country works underground? Whether we are dealing with gamblers, burglars, kidnapers, or any other criminal element, they always work underground.

Mr. HUMPHREY. The Senator is, of course, correct.

Mr. MORSE. Has the Senator ever heard the Department of Justice or J. Edgar Hoover deplore the fact that we have a criminal code which places upon the Department of Justice the duty to prosecute the underground element in this country? The Senator has never heard them object to that, has he?

Mr. HUMPHREY. No.

Mr. MORSE. Is it not remarkable that now Brownell, Hoover and, apparently, the White House itself, are deploring the fact that the Senate has come to grips frankly and openly with this criminal conspiracy and has said, "We ought to have a law which makes it a crime to be a member of that conspiracy, and the Department of Justice and the FBI should get busy and proceed to prosecute that criminal element as they prosecute the other criminal elements in this country?" Is that not the issue we are drawing on the floor of the Senate today?

Mr. HUMPHREY. That is correct.

Mr. MORSE. Let the public understand who is trying to save the Communists in this country from prosecution, individual by individual, for the conspiracy to which they belong. It now appears that the White House thinks the Senator from Minnesota [Mr. HUMPHREY] is a little too harsh on the Communists.

Mr. KEFAUVER. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield to the Senator from Tennessee.

Mr. KEFAUVER. As I understand the Senator's statement, in the final analysis all the House bill does is take away the privileges, rights, and immunities from the so-called Communist Party. In the first place, they do not particularly have any or try to exercise any. So it amounts only to making a speech against the Communist Party. Is that not substantially what the House bill does?

Mr. HUMPHREY. I think it goes further than that, but it does not do very much more than that.

Mr. KEFAUVER. Does the Senator have in mind, so we may know where we are, offering an amendment to that provision?

Mr. HUMPHREY. Yes. I have in mind offering an amendment to restore the Senate language, with further detail as to the nature of membership in the Communist Party.

I ask my colleagues to come to grips with this problem and try to do what we set out to do last Thursday.

Mr. BUTLER. Is the Senator's amendment at the desk?

Mr. HUMPHREY. It will be very shortly.

Mr. BUTLER. May I have a copy?

Mr. HUMPHREY. The amendment is in the bill as passed by the Senate.

The PRESIDING OFFICER. The Senator's additional 3 minutes have expired.

The question is on agreeing en bloc to the amendments offered by the Senator from Maryland [Mr. BUTLER] to the House amendments.

Mr. BUTLER. Mr. President, I yield to the Senator from Michigan such time as he may desire.

Mr. FERGUSON. Mr. President, there has been considerable debate on the pending bill as it has come back from the House. I think the difficulty is that we are not mindful of certain words which are being used and what their legal significance is.

There is considerable argument about the word "outlaw." I am afraid there is a misunderstanding of what the word "outlaw" really means.

I wish to read from Callaghan's Cyclopedic Law Dictionary, third edition:

> Outlaw. In English law. One who is put out of the protection or aid of the law.

That is what the House of Representatives was trying by its amendment. What the Senate did on last Thursday was not to outlaw the Communist Party at all. It is true that the headlines in the newspapers used the expression that we were outlawing the Communist Party. We were doing no such thing. We were making a certain act a crime. We were passing a criminal statute which provided that if any man belonged to the Communist Party and—in the terms of the Cooper amendment, committed an overt act or an act—it makes no difference whether it reads "overt act" or an "act"—he would be guilty of a crime.

That is what we were doing. We were not outlawing the party.

The House quite properly reasoned that we have other statutes. What we were trying to do yesterday and are trying to do today, as in some other bills we have passed at this session, was to create under our law a situation which would enable us to cope with the Communist Party. That is all we were really trying to do.

From the arguments made this morning, I am fearful that some forget what we have already done. There has been talk about the Communist Party being a conspiracy. There is no doubt in my mind that the Communist Party is a conspiracy, but the United States has never adopted the common law definition of a conspiracy. A conspiracy under the common law was a combination of two or more persons to do an unlawful

act or to do a lawful act unlawfully. That last term would require much explanation, but I shall not explain it here, because I do not think it is material to this debate.

The Internal Security Act, in section 4, prohibited certain things. When a criminal statute is enacted, the doing of some act is prohibited as a crime under the pains and penalties of punishment. That is what we did last Thursday when we passed this bill.

When the bill was brought to the floor, it did not have even a semblance of a definition of membership in the party or what one belonging to it would be. We tried to remedy that situation.

Let me go back to what we did under the internal-security law in 1950. This made a certain thing a crime:

SEC. 4. (a) It shall be unlawful for any person knowingly to combine, conspire, or agree with any other person to perform any act which would substantially contribute to the establishment within the United States of a totalitarian dictatorship, as defined in paragraph (15) of section 3 of this title, the direction and control of which is to be vested in, or exercised by or under the domination or control of, any foreign government, foreign organization, or foreign individual: *Provided, however*—

I well remember the debates on this subject. We put this in at the end:

Provided, however, That this subsection shall not apply to the proposal of a constitutional amendment.

In other words, one could propose a constitutional amendment to establish a dictatorial power in America, even though it might be connected with a foreign power.

Then we continued in subsection (b) of this act:

(b) It shall be unlawful for any officer or employee of the United States or of any department or agency thereof, or of any corporation the stock of which is owned in whole or in major part by the United States or any department or agency thereof, to communicate in any manner or by any means, to any other person whom such officer or employee knows or has reason to believe to be an agent or representative of any foreign government or an officer or member of any Communist organization as defined in paragraph (5) of section 3 of this title, any information of a kind which shall have been classified by the President (or by the head of any such department, agency, or corporation with the approval of the President) as affecting the security of the United States, knowing or having reason to know that such information has been so classified, unless such officer or employee shall have been specifically authorized by the President, or by the head of the department, agency, or corporation by which this officer or employee is employed, to make such disclosure of such information.

I wish to return to the word "outlaw," the meaning of which is, "One who is put out of the protection or aid of the law."

Mr. President, that remedy is used, in a sense, when a corporation which is required by law to file its annual report fails to file it. When a certain number of days or months go by after its failure to file the report, the corporation may no longer sue. In effect, it is outlawed. It has no right to use the courts, because it has failed to comply with the law. So in this instance the House of Representatives has passed a bill which would take away all legal rights of the Communist organization.

This morning it was said in the Senate that the Communist Party does not want to use the courts. In my own State the Communist Party does use the courts. The party did it when it was prohibited from putting its name on a ballot as the Communist Party. The Communist Party intervened in the case, and carried it to the Supreme Court; and I understand the case is pending at the present time in the Supreme Court. I think the House of Representatives is right in wanting to do what it has tried to do, which is to take away all the legal rights of this conspiracy which is called the Communist Party, which is called by the Communists a political party, but which is not a political party, because its aim is to destroy, not to foster, the Government of the United States under the present Constitution. Its aim is to destroy the constitutional governments, not only of the Federal Government, but of all the States.

So it should be realized that while the headlines have stated that the Communist Party was outlawed by the bill, no such thing was done. It was merely made a crime to belong to the Communist Party, and to carry out any act in furtherance of the desires or the real aims of the Communist Party.

Mr. President, we are doing the only thing that should be done. This is a real outlawing, because we shall be taking away from the party all its rights, privileges, and immunities. That is a real outlawing of the party within the meaning of the ancient British law. The bill will not conflict with the Internal Security Act. We shall not be indirectly repealing that act. We shall have a law which will provide that a conspiracy to contribute to the establishment in the United States of a totalitarian dictatorship is a crime. That is already covered by a criminal statute.

The Smith Act covers the teaching or advocating of the overthrow of the United States Government, and about 64 persons have been convicted under that act.

The bill does not change the Smith Act. An overt act is not required. The bill which we passed last week did repeal the Smith Act in an indirect way. It is desired that the existing laws remain in effect. The purpose is to enact a law with relation to infiltration.

It is rather amusing, but everyone has forgotten the bill which was originally reported by the Committee on the Judiciary, which had to do with the penetration of labor organizations and other organizations by the Communists. As was said by the CIO, Communists had taken over and were destroying the labor union movement in America. We have all forgotten about that, and now we are talking about whether it ought to be a crime merely to belong to a conspiracy.

In my State, which is a common-law State and one which adopted the old rule of conspiracy, it is a crime to be in a conspiracy, even though one does not commit an overt act, if he knowingly joins the conspiracy. As a rule, in other States it is required that some overt act or knowledge of an overt act be proven on the part of one or more in the act of carrying out the conspiracy.

What the bill really does is put the Communist Party, which is a conspiracy, outside the pale of the law, where it should be. The party would not be able to make any leases or hire people under contract. It would not be able to enter into any contractual relations, because the party would have no legal rights within the United States.

Mr. President, I think that is what we really should do, and then we should pass the other sections of the bill and really try to cope with the situation, under our Constitution.

The PRESIDING OFFICER. The question is on agreeing en bloc to the amendments of the Senator from Maryland [Mr. BUTLER] to the amendments of the House to Senate bill 3706.

Mr. BUTLER. Mr. President, I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. BUTLER. Mr. President, I shall suggest the absence of a quorum, unless the Senator from Missouri [Mr. HENNINGS] desires to address a question to me.

Mr. HENNINGS. I should like to make a few remarks on my own time.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that I may suggest the absence of a quorum without the time being charged to either side.

Mr. BUTLER. I shall be happy to yield time to the Senator from Missouri, if he does not have enough time available to him.

Mr. HENNINGS. I thank the Senator from Maryland.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Texas? The Chair hears none, and it is so ordered.

The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I yield 10 minutes to the distinguished senior Senator from Missouri [Mr. HENNINGS].

The PRESIDING OFFICER. The Senator from Missouri is recognized for 10 minutes.

Mr. HENNINGS. Mr. President, I believe the Senate today stands upon the threshold of determining whether we are to make a frontal and direct assault upon the Communist conspiracy, or whether we are to be content, by means of various fringe efforts and forays and by other legislative enactments to continue only to submit alleged violations of law to various boards and commissions.

I must confess that when we were first presented with the question of outlawing the Communist Party and bringing the force of law to bear upon the individuals related to the general conspiratorial characteristics of that party, as defined

by the Humphrey amendment, I believed that appropriate committees of the Senate had not given the subject sufficient consideration. This I still believe, and I believe it is unfortunate we should have.

Since this question was first presented to the Senate, I, together with other Members of this body, have given it further thought and further study. I have come to the conclusion that this direct, frontal assault, not upon the organization of the party, but upon individual membership in it—joining the party and membership in the party as constituting an overt act—is sufficient under any Anglo-Saxon concept of justice under law relating to conspiracy to constitute a predicate for the conviction of anyone who knowingly and wilfully associates himself with any organization, and who, in so doing, takes an active part in any degree whatsoever in the furtherance of the conspiracy which we know today to be a clear and present danger to the safety and security of the United States.

Everyone—Communist or non-Communist, Fascist or non-Fascist—is entitled to his day in court. With all respect to the Subversive Activities Control Board, whose functions are to determine which of certain organizations do in fact constitute a part of the Communist movement and, in turn, the Communist conspiracy in this country, this Board and other similar boards have been attacking this problem obliquely and not directly.

It seems to me that, as in the case of murder, armed robbery, or any other offense against the safety and security of the citizens of this country, membership in this unlawful conspiracy should be denounced and denominated a crime, with punishment as provided by law.

With all respect to the distinguished Senator from Michigan, I cannot subscribe to his notion that, as he says, placing anyone outside the protection of the laws is sufficient. I believe that everyone is entitled to the protection of the laws, whether he be a Communist or a non-Communist, or whether he be a citizen who is not tainted in any respect by activity in the Communist conspiracy.

Mr. GORE. Mr. President, will the Senator from Missouri yield to me?

Mr. HENNINGS. I am very glad to yield to the able junior Senator from Tennessee.

Mr. GORE. Is it in fact within the power of the Congress to deny to any citizen the protection of law?

Mr. HENNINGS. Let me say to my friend from Tennessee that not only is it not within the power of Congress under our Constitution to deny any citizen the benefit of equal protection of the laws, but we have no right to deny any alien, any noncitizen within our borders under our jurisdiction, this same equal protection of law.

We know that the Communist conspiracy is but the sum total of the individuals who comprise it, and that the movements and activities of this conspiracy endanger the safety of this country. This force and threat to our freedom are the result of the concerted acts of its members.

There is no question about it; if we want to stop all the excessive examinations of individuals by committees—there have been great excesses, in my judgment, and great infringements upon the basic rights of citizens of this country by some of the committees of the Congress, even though we have an agency such as the Department of Justice with its Federal Bureau of Investigation, which is charged with the enforcement of laws against subversion and discovery of subversives, including the Communist conspiracy—we must meet the question head-on and call the conspiracy by its right name? Why not call this conspiracy a crime, as it is and designate those who by their overt acts become part and parcel of it, active and participating members in this conspiracy, criminals under the law? Give them their day in court, in accordance with the best traditions of Anglo-Saxon jurisprudence and justice. Give them an opportunity for a jury trial. Let us really settle this issue and say that there are agencies of the Government whose duty and function it is to take cognizance of these things, which have the authority to prosecute these offenses, and which have men possessing the training, equipment, and understanding to enable them to do so. Let them be held responsible for the enforcement of this act.

It seems to me, Mr. President, that this subject rises far above any partisan consideration. The war against the Communist conspiracy at home and abroad is neither a Republican nor a Democratic war. The business of impugning the motives, purposes, and intent of individuals and political parties has gone far enough. Indeed, too far for too long.

The bill offered by the majority and the House amendments subscribed to by the majority in both the House and the Senate happen to be supported by the majority party, by and large. I will not stultify myself nor undertake to make a false issue of the loyalty of the members of the Republican Party, now the majority party in both the House and the Senate, which brought this bill before us, and which supports it. I would not for a minute say that the majority party, because it supports a weaker measure than the Humphrey amendment, is soft on communism.

But I say that the Humphrey amendment and the Senate bill proclaim that at long last the Senate is coming to grips with this problem directly, and not by a multiplicity of measures, politically inspired, some of which transgress the basic rights of good and loyal citizens.

Mr. KEFAUVER. Mr. President, will the Senator yield?

Mr. HENNINGS. I am glad to yield to the Senator from Tennessee.

Mr. KEFAUVER. The Senator is a very distinguished lawyer, for whom I have great respect.

Can the Senator from Missouri tell me how the House bill really does anything to thwart the Communist conspiracy? I ask that question because, when we finally get down to the end, apparently all that is claimed for the bill is that it takes away the rights, privileges, and immunities of an organization. Whether that organization is to be on the ballot or not is a question which depends upon State law. They are not trying to sue anybody. I wonder what the Senator from Missouri thinks the House bill really does.

Mr. HENNINGS. Mr. President, I shall be glad to try to answer that question.

I know the distinguished Senator from Tennessee has given this question a great deal of thought. I think the House bill, as has been suggested heretofore, is only a gesture. I think it came to us as an expedient, and that it was politically motivated.

I was unable last night to elicit a definite answer from the distinguished Senator from Maryland [Mr. BUTLER] as to whether or not the administration, or the Attorney General of the United States, approves the House version of this bill.

The PRESIDING OFFICER. The Senator's 10 minutes have expired.

Mr. HENNINGS. The best answer we can get is that they do not oppose it.

Mr. BUTLER. Mr. President, how much time does the Senator desire?

Mr. HENNINGS. Will the Senator yield an additional 2 or 3 minutes to me?

Mr. BUTLER. I yield an additional 5 minutes to the Senator from Missouri.

Mr. HENNINGS. I thank the distinguished Senator for his generosity, and I in turn shall undertake to yield to him, if he so desires, or to any other Senator who may wish to expand this discussion.

Mr. President, it seems to me that the House version, singularly enough, though not having the blessing of the Attorney General of the United States and the administration, at least does not have its opposition.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. HENNINGS. I am glad to yield to the Senator from Maryland.

Mr. BUTLER. The amendment has the absolute approval of the Attorney General.

Mr. HENNINGS. What disturbs me in that connection is this: Many of us have for a long time been trying to evolve some sort of formula whereby a court of law will determine these questions—not boards, with all respect to the individuals comprising them—and not administrative agencies, but courts. Of course, it is conceivable that we lawyers sometimes place too much faith in the courts; but I do not think so. My faith in the jury system continues to increase, not to diminish. Until someone devises a better one, I believe our jury system and our Anglo-Saxon administration of justice, under law, stand as a shield and a bulwark against tyranny and oppression and insure the safety and security of every man and woman in our domain—as much as any manmade tribunal can do so.

We have heard for a long time that Mr. J. Edgar Hoover, in whom we all have such faith and confidence, has suggested that the Communist Party might be driven underground by this

action and that the Communist Party perhaps should not be declared illegal nor prohibited from a place on the ballot. Many of us, having faith in the high degree of expertness and professional competence, and of course, in the high-minded dedication and patriotism of Mr. Hoover—have, for many years, in deference to his judgment, forborne taking any action or even presenting to the Senate any legislation which might outlaw the Communist Party—or drive it underground.

In addition, many lawyers have had misgivings as to the possible infringement upon the first amendment to the Constitution—the right to free speech, free press, and other liberties which are granted every citizen under the Constitution. We have now come to the issue of attempting to take some affirmative and definitive action about the Communist Party. Now that we have undertaken to denounce the Communist Party as a party as an illegal apparatus or instrumentality, it would seem only logical to me, since the administration does not disapprove the House bill—and I assume that the Attorney General has conferred with Mr. J. Edgar Hoover—that if we go one step further and reach for the individual that would not be likely to do anything more toward driving the Communist Party underground.

As we all well know, the "soap box" activities of the Communist Party are, by and large, participated in by people who are not carrying on the real work of sabotage and espionage, the damaging and destructive work of this conspiracy within the confines of the United States. These people are only the front, the propaganda part of the conspiracy.

I would suggest that we should adopt section 3, known as the Humphrey amendment, so that certain criteria may be established for the guidance of a court and jury. We should, today, go on record in the Senate and stand by the original Senate bill. Communism has all too long been a political football. We should, by our affirmative action here, through the regularly ordained processes of justice and the administration of our law, give not only those chargeable as members of this conspiracy their day in court, but give all of the people of the United States theirs, in a court of law.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. HENNINGS. I am very glad to yield. However, before yielding, I should like to compliment the Senator from Minnesota on his great contribution to our efforts in this field of activity.

The PRESIDING OFFICER. The additional time of the Senator from Missouri has expired.

Mr. HENNINGS. I believe we are embarking on a straightforward case, which I am sure will lead to action which we shall not regret in the future. I thank the Senator from Maryland for yielding me additional time.

Mr. BUTLER. Mr. President, all of us know the leading part which the distinguished Senator from Nevada [Mr. McCARRAN] has played in this field. Without his valued aid and assistance, most certainly the Senator from Maryland would be quite inadequate at this very moment. I ask unanimous consent, if unanimous consent is necessary, to associate the Senator from Nevada with the amendments of the Senator from Maryland now lying on the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing en bloc to the amendment offered by the Senator from Maryland [Mr. BUTLER] to the House amendments to Senate bill 3706.

Mr. BUTLER. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk called the roll.

Mr. SALTONSTALL. I announce that the Senator from Wisconsin [Mr. WILEY] is absent by leave of the Senate.

The senior Senator from Indiana [Mr. CAPEHART] and the Senator from Idaho [Mr. WELKER] are absent on official business.

The Senator from Vermont [Mr. FLANDERS], the junior Senator from Indiana [Mr. JENNER], and the Senator from New Hampshire [Mr. UPTON] are necessarily absent.

On this vote the Senator from Idaho [Mr. WELKER] is paired with the Senator from Illinois [Mr. DOUGLAS]. If present and voting the Senator from Idaho [Mr. WELKER] would vote "yea" and the Senator from Illinois [Mr. DOUGLAS] would vote "nay."

If present and voting, the senior Senator from Indiana [Mr. CAPEHART], the Senator from Vermont [Mr. FLANDERS], the junior Senator from Indiana [Mr. JENNER], and the Senator from New Hampshire [Mr. UPTON] would each vote "yea."

Mr. CLEMENTS. I announce that the Senator from Virginia [Mr. BYRD] and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

The Senator from New Mexico [Mr. CHAVEZ], the Senator from Texas [Mr. DANIEL], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from North Carolina [Mr. ERVIN], the Senator from Louisiana [Mr. LONG], and the Senator from South Carolina [Mr. MAYBANK] are absent on official business.

I announce further that the Senator from Texas [Mr. DANIEL] is paired on this vote with the Senator from Louisiana [Mr. LONG]. If present and voting, the Senator from Texas would vote "yea" and the Senator from Louisiana would vote "nay."

The Senator from Illinois [Mr. DOUGLAS] is paired on this vote with the Senator from Idaho [Mr. WELKER]. If present and voting, the Senator from Illinois would vote "nay" and the Senator from Idaho would vote "yea."

I also announce that if present and voting, the Senator from New Mexico [Mr. CHAVEZ] and the Senator from North Carolina [Mr. ERVIN] would each vote "yea."

The result was announced—yeas 62, nays 19, as follows:

YEAS—62

Aiken	Frear	McCarran
Barrett	George	McCarthy
Beall	Gillette	McClellan
Bennett	Goldwater	Millikin
Bowring	Green	Mundt
Bricker	Hayden	Pastore
Bridges	Hendrickson	Payne
Burke	Hickenlooper	Potter
Bush	Holland	Purtell
Butler	Ives	Reynolds
Carlson	Johnson, Colo.	Robertson
Case	Johnson, Tex.	Russell
Clements	Johnston, S. C.	Saltonstall
Cooper	Kefauver	Schoeppel
Cordon	Kerr	Smith, Maine
Crippa	Knowland	Smith, N. J.
Dirksen	Kuchel	Thye
Duff	Lennon	Watkins
Dworshak	Malone	Williams
Ellender	Mansfield	Young
Ferguson	Martin	

NAYS—19

Anderson	Kennedy	Murray
Fulbright	Kilgore	Neely
Gore	Langer	Smathers
Hennings	Lehman	Stennis
Hill	Magnuson	Symington
Humphrey	Monroney	
Jackson	Morse	

NOT VOTING—15

Byrd	Eastland	Maybank
Capehart	Ervin	Sparkman
Chavez	Flanders	Upton
Daniel	Jenner	Welker
Douglas	Long	Wiley

So Mr. BUTLER's amendments to the amendments of the House to Senate bill 3706 were agreed to.

Mr. BUTLER. Mr. President, I move to reconsider the vote by which the amendments were agreed to.

Mr. KNOWLAND. Mr. President, I move to lay the motion of the Senator from Maryland on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California to lay on the table the motion of the Senator from Maryland.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The House amendments are open to further amendment.

Mr. HUMPHREY. Mr. President, I send to the desk an amendment and ask that it be read by the clerk.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Minnesota.

The LEGISLATIVE CLERK. On page 3, after section 3, in the House amendments, it is proposed to insert new sections, as follows:

SEC. 4. Whoever knowingly and willfully becomes or remains a member of (1) the Communist Party, or (2) any other organization having for one of its purposes or objectives the establishment, control, conduct, seizure, or overthrow of the Government of the United States, or the government of any State or political subdivision thereof, by the use of force or violence, with knowledge of the purpose or objective of such organization, shall upon conviction be punished as provided by section 15 of the Subversive Activities Control Act of 1950 (50 U. S. C. 794).

(b) For the purposes of this section, the term "Communist Party" means the organization now known as the Communist Party of the United States of America, the Communist Party of any State or subdivision thereof, and any unit or subdivision of any

such organization, whether or not any change is hereafter made in the name thereof.

SEC. 5. In determining membership or participation in the Communist Party or any other organization defined in this act, the jury, under instructions from the court, shall consider evidence, if presented, as to whether the accused person:

(1) Has been listed to his knowledge as a member in any book or any of the lists, records, correspondence, or any other document of the organization;

(2) Has made financial contribution to the organization in dues, assessments, loans, or in any other form;

(3) Has made himself subject to the discipline of the organization in any form whatsoever;

(4) Has executed orders, plans, or directives of any kind of the organization;

(5) Has acted as an agent, courier, messenger, correspondent, organizer, or in any other capacity in behalf of the organization;

(6) Has conferred with officers or other members of the organization in behalf of any plan or enterprise of the organization;

(7) Has been accepted to his knowledge as an officer or member of the organization or as one to be called upon for services by other officers or members of the organization;

(8) Has written, spoken, or in any other way communicated by signal, semaphore, sign, or in any other form of communication orders, directives, or plans of the organization;

(9) Has prepared documents, pamphlets, leaflets, books, or any other type of publication in behalf of the objectives and purposes of the organization;

(10) Has mailed, shipped, circulated, distributed, delivered, or in any other way sent or delivered to others material or propaganda of any kind in behalf of the organization;

(11) Has advised, counseled, or in any other way imparted information, suggestions, recommendations to officers or members of the organization or to anyone else in behalf of the objectives of the organization;

(12) Has indicated by word, action, conduct, writing, or in any other way a willingness to carry out in any manner and to any degree the plans, designs, objectives, or purposes of the organization;

(13) Has in any other way participated in the activities, planning, actions, objectives, or purposes of the organization.

(14) The enumeration of the above subjects of evidence on membership or participation in the Communist Party or any other organization as above defined, shall not limit the inquiry into and consideration of any other subject of evidence on membership and participation as herein stated.

It is proposed to amend the title so as to read: "An act to outlaw the Communist Party, to prohibit members of Communist organizations from serving in certain representative capacities, and for other purposes."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Minnesota [Mr. HUMPHREY] to the House amendments. The time is under control. The junior Senator from Minnesota has 15 minutes, and the Senator from Maryland has 15 minutes.

Will the Senator from Minnesota advise the Chair how much time he yields to himself?

Mr. HUMPHREY. I yield myself 5 minutes.

Mr. President, in order to simplify the explanation, the amendment is designed to accomplish the following: It leaves intact the House bill as amended by the House. It leaves section 3, as the House substituted it for section 3 of the Senate bill, still in the bill. Section 3 of the House amendments refers to the privileges and immunities of the Communist Party being denied, because the Communist Party is a conspiracy, as declared by the bill.

I desire my colleagues to know that what the House bill does is only to refer to the Communist Party as such, taking away from the instrument known as the party its privileges and immunities, without in any way getting at the membership of the party. The difference between the House bill and the Senate bill is the matter of getting at the underpinning of the party. In other words, membership in a political party or membership in a conspiracy is like the piling holding the edifice or structure. The House bill does not touch membership. The Senate bill, which was passed by a vote of 85 to 0, contained section 3, which, under my amendment, would become section 4, and would read:

Whoever knowingly and willfully becomes or remains a member of (1) the Communist Party, (2) or any other organization having for one of its purposes the establishment, control, conduct, seizure, or overthrow of the Government of the United States, or the government of any State or political subdivision thereof, by use of force or violence, with knowledge of the purpose or objective or such organization, shall upon conviction be punished as provided by section 15 of the Subversive Activities Control Act of 1950.

That provision, which goes to the core of the problem, was eliminated by the House. What the House substituted was mild language. In other words, all the House did was to say that communism is a conspiracy, a man-eating bear. But when it got ready to deal with it, it went forth with a powderpuff and touched the bear on the nose.

What the Senate did was to say that communism is a man-eating bear; and it provided a bear gun to get the bear. It is the difference between a powderpuff approach and the approach with the use of a legal weapon which will do the job of punishment for affiliating with or being a part of and participating in a conspiracy.

When we shall have adopted section 2 of the House amendment, which will be before the Senate shortly for concurrence, we shall have said in section 2, as we said in the Senate bill in section 2, that the Communist party is not a party but a conspiracy. It is dedicated to the overthrow of the Government of the United States by subversion, force, and violence. If we make that statement, and if it is a declaration of a finding of fact as to the nature of the Communist Party, its purpose, and its objective, I ask, in all good conscience, if we as Members of the Senate say to the American people and to the world that the Communist movement is a conspiratorial apparatus with its prime objective that of the destruction of the free institutions of government by subversion, force, and violence, is the only proper remedy to deny the Communist Party the right to sue in court? The Communist Party does not sue. I doubt whether the Congress can determine the right of the Communist Party to be on the ballot. I am of the opinion that State law determines who shall be on the ballot.

The purpose of the new section which I propose to add to the House amendment is to establish certain criteria by which the court can hear evidence so as to determine effective membership, because obviously one of the most difficult jobs of the court and of the prosecutor is to determine what constitutes membership, and to be able really to pinpoint the fact of participating membership in the Communist conspiracy.

I have listed 14 criteria. I wish to make it clear that they are not exclusive. They are criteria, however which the court shall instruct the jury to consider, in its deliberations upon the evidence, as being relevant to the ascertainment or establishment of membership.

The PRESIDING OFFICER. The time of the Senator from Minnesota has expired.

Mr. HUMPHREY. I yield myself 1 additional minute.

I conclude by saying that by restoring to the bill the provisions which originally passed in the Senate, plus the list of criteria for the ascertainment of membership, the measure will have been strengthened; we shall have done what we set out to do; namely, not only to deny to a political instrumentality privileges and immunities, but to subject those who are members of the conspiracy to the penalties for such membership.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield to the Senator from Oklahoma for a question.

Mr. MONRONEY. Are the penalties provided in the amendment of the Senator from Minnesota in addition to the penalties now provided for in the Smith Act and in other anti-Communist legislation?

Mr. HUMPHREY. That is correct.

Mr. MONRONEY. There is no substitution of the Senator's amendment for the provisions of any act heretofore passed?

Mr. HUMPHREY. That is correct.

Mr. MONRONEY. Only additional enforcement mechanism is added.

Mr. HUMPHREY. That is correct.

The PRESIDING OFFICER. The additional minute of the Senator from Minnesota has expired.

Mr. BUTLER. Mr. President, I desire to speak briefly, but first I ask the Senator from Nevada [Mr. MCCARRAN] if he desires to have me yield time to him.

Mr. McCARRAN. Will the Senator from Maryland yield me 2 minutes?

Mr. BUTLER. I shall yield as much time as the Senator from Nevada desires; but first I should like to address the Senate for a moment.

I could not disagree more with the argument of the Senator from Minnesota. We all know that the Communist conspiracy is a dangerous conspiracy. All of us want to fight it with all our energy, skill, and ability. I say we are doing that. We are not hitting the

Communist conspiracy on the nose with a powder puff.

If the House amendments now before the Senate become law, the Communist party will have been proscribed. Under the Smith Act we have reached the members of the Communist Party who teach or advocate communism.

Under the Internal Security Act, if the Senate will refer to section 4, it will be found that the prohibited acts begin with section 4 (a), as follows:

SEC. 4. (a) It shall be unlawful for any person knowingly to combine, conspire, or agree with any other person to perform any act which would substantially contribute to the establishment within the United States of a totalitarian dictatorship, as defined in paragraph (15) of secion 3 of this title, the direction and control of which is to be vested in, or exercised by or under the domination or control of, any foreign government, foreign organization, or foreign individual: *Provided, however,* That this subsection shall not apply to the proposal of a constitutional amendment.

(b) It shall be unlawful for any officer or employee of the United States or of any department or agency thereof, or of any corporation the stock of which is owned in whole or in major part by the United States or any department or agency thereof, to communicate in any manner or by any means, to any other person whom such officer or employee knows or has reason to believe to be an agent or representative of any foreign government.

And so forth. I say to the Senate that under the existing law all the acts which the Senator from Minnesota [Mr. HUMPHREY] would proscribe in his amendment are already proscribed.

Why should we muddy the waters and take a chance of destroying the integrity of the Internal Security Act of 1950, which is now only beginning to bear fruit? Why should we cloud any proceeding under that act when we can do everything we desire to do by passing the House amendment, as amended, and let it go at that?

Madam President, what remaining time have I?

The PRESIDING OFFICER (Mrs. SMITH of Maine in the chair). The Senator has used 3 minutes of his time.

Mr. BUTLER. I yield equal time to the Senator from Nevada [Mr. MCCARRAN] and the Senator from Michigan [Mr. FERGUSON], if they so desire.

Mr. McCARRAN. I shall take only a minute.

Madam President, if this amendment is adopted, it will destroy the full efficacy of this proposed law. The Department of Justice and every agency we could bring to our command have worked to draft a bill which would be really and truly workable. This amendment, if adopted, will do no more than the law which is today and has been for a number of years on the statute books. Furthermore, it will destroy the registration feature of the present act.

Madam President, if we want an effective law—and I want such a law as much as anyone else in the world—we should vote down this amendment. If we vote this amendment into the bill, we are likely to do one of two things: either it will be stalled in the House and we shall never get a bill through, or it will become an ineffective provision in the law. I hope the amendment will not prevail.

Mr. Butler. Madam President, I yield to the Senator from Michigan such time as he may desire.

Mr. FERGUSON. Madam President, I take a few minutes to speak on the bill because I was greatly interested when we passed the Internal Security Act of 1950.

We find ourselves today in the position of having before us a substitute for a bill which has real meaning and a real place in our legislation. The bill which the Judiciary Committee reported to the Senate, one of the administration bills would have made it possible for labor unions to cope with the situation of being penetrated by Communists. I read into the RECORD the other day a resolution by the CIO stating how they felt about the penetration of labor unions by Communists. We desired to give them help and assistance in ridding labor unions of the evil of being penetrated by Communists.

We have lost all sight of the real bill which was before us, and we now find ourselves in the unique position of attempting to enact a piece of legislation which would destroy and repeal the registration section of the Internal Security Act.

Madam President, the Judiciary Committee of the Senate, of which I was a member at the time, devoted months trying to perfect a bill to cope with Communists. We knew the bill would be attacked in every way. We knew it would suffer a filibuster on the floor of the United States Senate. In fact, one Senator exhausted himself in discussing the bill and had to be carried from the floor of the Senate. We had reason to believe the President of the United States would veto it, and we had reason to believe that some Members of the Senate would vote to sustain the veto.

It seems rather strange that those who voted to sustain the veto and wanted that bill vetoed, are now advocating this bill.

By this amendment we would destroy the registration feature of the present law, which I say to the Senate is a fine piece of legislation. It requires registration, it requires the members to be known, it requires them to mark their literature, it requires them to disclose where they obtain their money.

The United States Government has now spent almost 4 years in hearing the case. Those who were interested in communism delayed it in every possible way, but a decision was obtained in the lower district court which held the act to be constitutional. The case has now been in the circuit court of appeals for a period of 4 months.

Today we are asked to repeal that law. No Member of the Senate can truthfully say that the proposed amendment would outlaw the Communist Party. The House outlawed the party. As I read the definition of the word "outlaw," an "outlaw" is merely one who is put out of the protection or aid of the law.

Mr. HUMPHREY. Madam President, will the Senator yield?

Mr. FERGUSON. In a moment. I have only a few minutes.

Here we are creating a new crime, the crime of knowingly and willfully becoming or remaining a member of the Communist Party or an organization which is described in the bill. The section continues and defines what a member is.

I submit to the Senate this plain question: Does the Senate desire at this time to repeal the Internal Security Law which was passed in 1950, which was vetoed by the President of the United States, and which was passed over the veto of the President of the United States in the House of Representatives and in the Senate? Do we desire today, by this vote, to repeal the real keystone of the arch in that legislation? If we do, then we should vote for this amendment.

If we vote for this amendment, we cannot have registration of Communists, because to require a man to testify against himself by registration would be violating the Constitution of the United States. There is no law of the land which would require a man to violate that provision of the Constitution and register, if there was a law making it a felony, as is sought to do by this amendment, to be a member or knowingly to remain a member of the Communist organization.

There is no such thing, really, as a member of the Communist Party. We struck at the acts and conduct of Communists. We did not try to cover the question of membership, which they would all deny. They no longer carry cards. They would not have to be members in order to carry on the party activities.

Madam President, we should handle this situation by proceeding under the Smith Act, which strikes at conduct, and under the Internal Security Act, which strikes at conduct, rather than mere imaginary membership.

Mr. BUTLER. Madam President, before we vote I should like to reemphasize and reiterate that this bill would in no way relieve the Communist Party or any subversive organization of the requirement of complying with any final order of the Subversive Activities Control Board. If the Communist Party or any subversive organization were ordered to register by the Subversive Activities Control Board, nothing in this bill would relieve them of that requirement.

This bill preserves any rights under section 4 (f) of the Internal Security Act of 1950, and accordingly those rights remain in effect.

Furthermore, there is nothing in the bill which is intended to affect or which would affect either the Government of the United States or the Communist Party in prosecuting the present proceeding involving the Communist Party, pending in the Court of Appeals for the District of Columbia.

Mr. KNOWLAND. Madam President, how much time remains?

The PRESIDING OFFICER. The Senator from Maryland [Mr. BUTLER] has 2 minutes remaining; and the Senator from Minnesota [Mr. HUMPHREY] has 9 minutes remaining.

Mr. HUMPHREY. Madam President, we are prepared to use some of our time. First, I yield 4 minutes to the

distinguished junior Senator from New Mexico [Mr. ANDERSON].

The PRESIDING OFFICER. The Senator from New Mexico is recognized for 4 minutes.

Mr. ANDERSON. Madam President, I was very happy to join with the able junior Senator from Texas [Mr. DANIEL] and the able junior Senator from Minnesota [Mr. HUMPHREY] in trying, the other day, to have the Senate pass a bill which would actually strike at this question by outlawing the Communist Party. That bill passed and went to the House.

Now we have before us the House amendments, one of which says that communism is a conspiracy against this Government, but that those guilty of participating in that conspiracy shall not feel the weight of our clenched fist, but shall see instead, only an admonitory finger.

Madam President, not only are we interested in taking vigorous and decisive action—a knockout blow—against the conspiracy as the House amendment does against the party, but we wish also to take a hard swing at the card-carrying Communists, the membership of the party. However, some persons do not seem to wish to do that.

This morning I talked with MARTIN DIES. When I was a Member of the House of Representatives, day after day MARTIN DIES would speak in the well of the House of Representatives about what to do about Communists and communism. Today MARTIN DIES told me that unless the amendment of the Senator from Minnesota is adopted, we might as well throw away the bill. The amendment of the Senator from Minnesota is the way to get at communism, MARTIN DIES says. He says we must use the 15 tests he has outlined, and the Senator from Minnesota has therefore included them in his amendment to the bill.

Madam President, what is the proper punishment for participation in a Communist conspiracy to overthrow this Government by force and violence? Shall we say only that one who participates in that conspiracy cannot be a justice of the peace? That is what the House says, for the House says that such a person cannot hold office. Or shall we say merely that such a person cannot prosecute a case in court? That is what the House says, for the House says that such a person cannot sue in court.

But the amendment of the Senator from Minnesota says that such a person is guilty of a felony, if he conspires against this Government, and he ought to be so held.

Mr. KNOWLAND. Madam President, will the Senator from New Mexico yield to me?

Mr. ANDERSON. Madam President, I have but 4 minutes, but I am glad to yield to the Senator from California.

Mr. KNOWLAND. Does the Senator from New Mexico realize that the provisions of the Internal Security Act and the provisions of the Smith Act are still in force?

Mr. ANDERSON. Oh, yes, indeed; they are still in force, and I realize that. I also realize that the Internal Security Act requires the registration of Communists. But will some Senator please rise and state how many Communists have registered under the provisions of that act? Not one. Some persons tell us that if the bill with the Humphrey amendment is enacted, it will absolutely paralyze the registration of Communists under the Internal Security Act. Again I ask, will any Senator rise and tell us us how many Communists have registered under that act and how we can stop what never has started? The fact is that none has registered under that act, so far; and no one is going to register. All we are supposed to do is campaign against Communists; but when we actually get a chance to strike at Communists, oh, Madam President, we get suggestions to be careful not to do a thing against them, whatever we do.

Madam President, what was the meaning of the vote of 85 to 0, taken in the Senate the other day? I thought it meant that the Congress of the United States finally did something about Communists and outlawed that party. I realize that the able senior Senator from Maine [Mrs. SMITH], who now is presiding over this body, had for a long time tried to have the committee report her bill which strikes at communism and outlaws it. But she could not get it out of committee. Finally, it reached the floor by accident, and 85 Senators voted for it. But immediately many people began running for cover and began saying, "You must not do that. If you do, what you will do will be to destroy the registration of Communists."

Madam President, I believe that the 85 Senators who voted in favor of that bill meant to have Congress take action against the Communist Party. If any of those Senators did not wish to have that done, they should have voted the other way.

Of course, the Communists will go under cover. That will be only natural. After all, what happens in the case of murderers and thieves and thugs? Do not they go under cover, and are not they called the underworld?

Madam President, in the Talmud there is a wonderful passage that tells about what should be done when a man is found to have been murdered. Does the Talmud say that in that situation all known thieves and murderers should be rounded up? No, Madam President; it says that in such a situation the people of the community should gather together, and the elders should be lined up, and each elder should be required to stand and say, "My hand has not shed this blood," because it is the responsibility of the good people of the community to see that the laws are obeyed. It is the duty of the good people in this Senate to strike at communism.

All of us recognize that communism can go underground; but I say we had better stand by the vote cast the other day in outlawing the Communist Party and vote for the Humphrey amendment to do that job again.

The PRESIDING OFFICER (Mr. PURTELL in the chair). The time of the Senator from New Mexico has expired.

Mr. HUMPHREY. Mr. President, I yield 3 minutes to the Senator from Missouri [Mr. HENNINGS].

The PRESIDING OFFICER. The Senator from Missouri is recognized for 3 minutes.

Mr. HENNINGS. Mr. President, I shall be very brief, but I think it most important to point out that on page 13 of the Humphrey version of the House bill, the following appears in line 17:

> Nothing in this section shall be construed as amending the Internal Security Act of 1950, as amended.

Of course, this means clearly that nothing is to be taken away from, or in anywise construed as diminishing the force and effect of, the Internal Security Act of 1950.

As the Senator from New Mexico has pointed out, we have certainly, insofar as we may have been told during the debate, or as it may have been indicated by any of the proponents of the other version, yet to hear or to learn of any Communist organization which ever has registered under the act. Much is made of the point that the Communist organization, the subversive conspiratorial force, will go underground. Mr. President, has not it been underground these many years? Is not the Department of Justice charged with the responsibility of enforcing the Federal statutes against this conspiracy? And would not we all expect it to go underground as law violators have always had a way of doing?

I must say, Mr. President, in fairness to this entire subject of discussion, that it would certainly have been preferable had hearings been held in committee on this measure or any related ones—such as the original Butler bill. I think it would have been much better if the whole field of this problem had been thoroughly discussed in committee after full hearings, and if the membership of the Senate had been given some time to reflect upon the alternatives. But now that we have before us a measure which undertakes to strike at communism, through the members of that conspiracy—which, as we know, is certainly not a political party within our understanding of that term, we should meet the issue head on, by striking at the individuals, the conspirators themselves who knowingly and willfully make up this movement, give it its life and being, and who are the mortal enemies of our country.

Mr. BUTLER. Mr. President, let me say to my good friend, the Senator from Missouri—and he is my good friend—that the provision beginning in line 16, on page 16, does not have quite the effect the Senator from Missouri says it has. The Congress of the United States may not by such language disavow the plain intent of legislation passed by it.

The amendment of the Senator from Minnesota makes membership in the Communist Party the essential element of a criminal offense. If adopting such a provision, we shall have destroyed the Internal Security Act, because that act provides that Communists must register. But under the fifth amendment a man cannot be forced to testify against himself. So in that way we shall have

simply destroyed the Internal Security Act.

Mr. KNOWLAND. Mr. President, will the Senator from Maryland yield for a question?

Mr. BUTLER. I am very happy to yield.

Mr. KNOWLAND. In the judgment of the Senator from Maryland, would not this amendment at this stage of the legislative procedure kill the bill?

Mr. BUTLER. I can confidently say to our distinguished majority leader that it would kill this bill just as dead as a dodo.

Mr. HENNINGS. Mr. President, will the Senator yield?

Mr. BUTLER. Mr. President, do I have any time remaining?

The PRESIDING OFFICER. The Senator has 3 minutes remaining.

Mr. HUMPHREY. Mr. President, will the Senator yield to me?

Mr. BUTLER. I yield.

Mr. HUMPHREY. Is the Senator from Maryland familiar with section 4 (f) of the Internal Security Act?

Mr. BUTLER. Yes. I have it in front of me.

Mr. HUMPHREY. Will the Senator read the provision of that section?

Mr. BUTLER. Without that provision in the law we would have been in a great deal of trouble.

Mr. HUMPHREY. Will the Senator read the provision of that section to the Senate?

Mr. BUTLER. The Senator will have to read it to the Senate on his own time.

Mr. HUMPHREY. Does that section not give a kind of immunity in the matter of administration?

Mr. BUTLER. No. I have made my point. I say we cannot legislate that way.

If we are going to say that the essential element of a criminal offense is to be a member of a proscribed organization, we cannot, in another act, say that members of that organization must register, because that would be forcing a man to testify against himself.

Mr. HENNINGS. We can give them immunity.

Mr. BUTLER. When the Senator from Minnesota first offered his original amendment to my bill, I told the Senator his proposal was completely unworkable for one cardinal reason, namely, there is no such thing as membership in the Communist Party. If that be true, as it is, and we prescribe rules with relation to membership, what do they do? They do exactly as they did under section 9 (h) of the Taft-Hartley law; they resign, sign the oath, and then the next day they rejoin the organization.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HUMPHREY. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 2 minutes.

Mr. HUMPHREY. I yield 1 minute to the Senator from Maine [Mrs. SMITH].

Mrs. SMITH of Maine. Mr. President, in spite of all the legalistic and technical arguments which have been made, the question here is very simple and direct. Either we are for outlawing the Communist Party or we are against doing so. Either we are completely, not qualifiedly, against the Communist Party, or we are not. Either we are for this amendment or we are against it.

I am in favor of outlawing the Communist Party, Mr. President. I am in favor of doing it the real and honest way; not in a half-hearted way. Therefore, I shall vote for the amendment.

Mr. LONG. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield to the Senator from Louisiana.

Mr. LONG. During the 6 years I have had the privilege of serving as a Member of the Senate I have heard many people talk about doing something about the Communist Party. They have said that we should make Communists register, or decree they could not practice before the courts, or that they could not appeal a case before the National Labor Relations Board.

Mr. President, I am opposed to communism. I believe that if Russia ever decided to strike against this Nation, every Communist in America would be capable of carrying a suitcase with an atom bomb in it to the nearest defense base, destroy it, and in the end destroy our country.

So far as I am concerned, if I have a choice between making Communists register and putting them in jail, I want them to be put in jail. Therefore, I shall vote for the Humphrey amendment.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. HUMPHREY. I will yield whatever time I have remaining to the Senator from New York [Mr. LEHMAN].

The PRESIDING OFFICER. There are 20 seconds remaining.

Mr. LEHMAN. I merely wish to say that I fully concur with the remarks of the Senator from Maine [Mrs. SMITH]. She has already expressed my sentiments in full.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Minnesota to the amendments of the House.

Mr. HUMPHREY. I ask for the yeas and nays, Mr. President.

The yeas and nays were ordered.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Eastland	Johnson, Tex.
Anderson	Ellender	Johnston, S. C.
Barrett	Ferguson	Kefauver
Beall	Frear	Kennedy
Bennett	Fulbright	Kerr
Bowring	George	Kilgore
Bricker	Gillette	Knowland
Burke	Goldwater	Kuchel
Bush	Gore	Langer
Butler	Green	Lehman
Carlson	Hayden	Lennon
Case	Hendrickson	Long
Chavez	Hennings	Magnuson
Clements	Hickenlooper	Malone
Cooper	Hill	Mansfield
Cordon	Holland	Martin
Crippa	Humphrey	McCarran
Dirksen	Ives	McCarthy
Duff	Jackson	McClellan
Dworshak	Johnson, Colo.	Millikin
Monroney	Purtell	Smith, N. J.
Morse	Reynolds	Stennis
Mundt	Robertson	Symington
Murray	Russell	Thye
Neely	Saltonstall	Watkins
Pastore	Schoeppel	Williams
Payne	Smathers	Young
Potter	Smith, Maine	

The PRESIDING OFFICER. A quorum is present.

The question is on agreeing to the amendment of the Senator from Minnesota [Mr. HUMPHREY] to the House amendments to Senate bill 3706. On this question the yeas and nays have been ordered.

Mr. LANGER. Mr. President, may we have the amendment read?

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 3, after section 3, in the House amendments it is proposed to insert new sections, as follows:

SEC. 4. Whoever knowingly and willfully becomes or remains a member of (1) the Communist Party, or (2) any other organization having for one of its purposes or objectives the establishment, control, conduct, seizure, or overthrow of the Government of the United States, or the government of any State or political subdivision thereof, by the use of force or violence, with knowledge of the purpose or objective of such organization, shall upon conviction be punished as provided by section 15 of the Subversive Activities Control Act of 1950 (50 U. S. C. 794).

(b) For the purposes of this section, the term "Communist Party" means the organization now known as the Communist Party of the United States of America, the Communist Party of any State or subdivision thereof, and any unit or subdivision of any such organization, whether or not any change is hereafter made in the name thereof.

SEC. 5. In determining membership or participation in the Communist Party or any other organization defined in this act, the jury, under instructions from the court, shall consider evidence, if presented, as to whether the accused person:

(1) Has been listed to his knowledge as a member in any book or any of the lists, records, correspondence, or any other document of the organization;

(2) Has made financial contribution to the organization in dues, assessments, loans, or in any other form;

(3) Has made himself subject to the discipline of the organization in any form whatsoever;

(4) Has executed orders, plans, or directions of any kind of the organization;

(5) Has acted as an agent, courier, messenger, correspondent, organizer, or in any other capacity in behalf of the organization;

(6) Has conferred with officers or other members of the organization in behalf of any plan or enterprise of the organization;

(7) Has been accepted to his knowledge as an officer or member of the organization or as one to be called upon for services by other officers or members of the organization;

(8) Has written, spoken or in any other way communicated by signal, semaphore, sign, or in any other form of communication orders, directives, or plans of the organization;

(9) Has prepared documents, pamphlets, leaflets, books, or any other type of publication in behalf of the objectives and purposes of the organization;

(10) Has mailed, shipped, circulated, distributed, delivered, or in any other way sent or delivered to others material or propaganda of any kind in behalf of the organization;

(11) Has advised, counseled, or in any other way imparted information, suggestions, recommendations to officers or members of the organization or to anyone else in behalf of the objectives of the organization;

(12) Has indicated by word, action, conduct, writing, or in any other way a willingness to carry out in any manner and to any degree the plans, designs, objectives, or purposes of the organization;

(13) Has in any other way participated in the activities, planning, actions, objectives, or purposes of the organization.

(14) The enumeration of the above subjects of evidence on membership or participation in the Communist Party or any other organization as above defined, shall not limit the inquiry into and consideration of any other subject of evidence on membership and participation as herein stated.

Amend the title so as to read: "An act to outlaw the Communist Party, to prohibit members of Communist organizations from serving in certain representative capacities, and for other purposes."

The PRESIDING OFFICER (Mr. PURTELL in the chair). The question is on agreeing to the amendment offered by the Senator from Minnesota [Mr. HUMPHREY] to the amendments of the House to Senate bill 3706. The yeas and nays have been ordered, and the Secretary will call the roll.

The Chief Clerk called the roll.

Mr. KEFAUVER (after having voted in the negative). On this vote I have a pair with the senior Senator from Illinois [Mr. DOUGLAS]. If he were present and voting, he would vote "yea." If I were permitted to vote, I would vote "nay." I withdraw my vote.

Mr. LENNON (after having voted in the negative). I have a pair with the junior Senator from Texas [Mr. DANIEL]. If he were present and voting he would vote "yea." If I were permitted to vote, I would vote "nay." I therefore withdraw my vote.

Mr. SALTONSTALL. I announce that the Senator from Wisconsin [Mr. WILEY] is absent by leave of the Senate.

The senior Senator from Indiana [Mr. CAPEHART] and the Senator from Idaho [Mr. WELKER] are absent on official business.

The senior Senator from New Hampshire [Mr. BRIDGES], the Senator from Vermont [Mr. FLANDERS], the junior Senator from Indiana [Mr. JENNER], and the junior Senator from New Hampshire [Mr. UPTON] are necessarily absent.

On this vote the senior Senator from New Hampshire [Mr. BRIDGES] is paired with the Senator from South Carolina [Mr. MAYBANK], the senior Senator from Indiana [Mr. CAPEHART] is paired with the Senator from North Carolina [Mr. ERVIN], the Senator from Vermont [Mr. FLANDERS] is paired with the Senator from Alabama [Mr. SPARKMAN], and the Senator from Idaho [Mr. WELKER] is paired with the Senator from Mississippi [Mr. EASTLAND]. If present and voting, the senior Senator from New Hampshire [Mr. BRIDGES], the senior Senator from Indiana [Mr. CAPEHART], the Senator from Vermont [Mr. FLANDERS], and the Senator from Idaho [Mr. WELKER] would each vote "nay" while the Senator from South Carolina [Mr. MAYBANK], the Senator from North Carolina [Mr. ERVIN], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Mississippi [Mr. EASTLAND] would each vote "yea." If present and voting, the junior Senator from Indiana [Mr. JENNER] and the junior Senator from New Hampshire [Mr. UPTON] would each vote "nay."

Mr. CLEMENTS. I announce that the Senator from Virginia [Mr. BYRD], and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

The Senator from Texas [Mr. DANIEL], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from North Carolina [Mr. ERVIN], and the Senator from South Carolina [Mr. MAYBANK] are absent on official business.

I announce further that the Senator from Mississippi [Mr. EASTLAND] is paired on this vote with the Senator from Idaho [Mr. WELKER]. If present and voting, the Senator from Mississippi would vote "yea," and the Senator from Idaho would vote "nay."

The Senator from North Carolina [Mr. ERVIN] is paired on this vote with the Senator from Indiana [Mr. CAPEHART]. If present and voting, the Senator from North Carolina would vote "yea," and the Senator from Indiana would vote "nay."

The Senator from South Carolina [Mr. MAYBANK] is paired on this vote with the Senator from New Hampshire [Mr. BRIDGES]. If present and voting, the Senator from South Carolina would vote "yea," and the Senator from New Hampshire would vote "nay."

The Senator from Alabama [Mr. SPARKMAN] is paired on this vote with the Senator from Vermont [Mr. FLANDERS]. If present and voting, the Senator from Alabama would vote "yea," and the Senator from Vermont would vote "nay."

Mr. KNOWLAND. Madam President, how am I recorded?

The PRESIDING OFFICER (Mrs. SMITH of Maine in the chair). The Senator is recorded as having voted in the negative.

Mr. FERGUSON. Madam President, how am I recorded?

The PRESIDING OFFICER. The Senator is recorded as having voted in the negative.

Mr. CORDON. Madam President, how am I recorded?

The PRESIDING OFFICER. The Senator is recorded as having voted in the negative.

Mr. PURTELL. Madam President, how am I recorded?

The PRESIDING OFFICER. The Senator is recorded as having voted in the negative.

Mr. MUNDT. Madam President, how am I recorded?

The PRESIDING OFFICER. The Senator is recorded as voting in the negative.

Mr. THYE. Madam President, how am I recorded?

The PRESIDING OFFICER. The Senator is recorded as having voted in the negative.

Mr. HENDRICKSON. Madam President, how am I recorded?

The PRESIDING OFFICER. The Senator is recorded as having voted in the negative.

Mr. JOHNSON of Texas. Madam President, I ask for the regular order.

The result was announced—yeas 41, nays 39, as follows:

YEAS—41

Anderson	Holland	Mansfield
Burke	Humphrey	McClellan
Chavez	Jackson	Monroney
Clements	Johnson, Colo.	Morse
Ellender	Johnson, Tex.	Murray
Frear	Johnston, S. C.	Neely
Fulbright	Kennedy	Pastore
George	Kerr	Robertson
Gillette	Kilgore	Russell
Gore	Kuchel	Smathers
Green	Langer	Smith, Maine
Hayden	Lehman	Stennis
Hennings	Long	Symington
Hill	Magnuson	

NAYS—39

Aiken	Dirksen	Millikin
Barrett	Duff	Mundt
Beall	Dworshak	Payne
Bennett	Ferguson	Potter
Bowring	Goldwater	Purtell
Bricker	Hendrickson	Reynolds
Bush	Hickenlooper	Saltonstall
Butler	Ives	Schoeppel
Carlson	Knowland	Smith, N. J.
Case	Malone	Thye
Cooper	Martin	Watkins
Cordon	McCarran	Williams
Crippa	McCarthy	Young

NOT VOTING—16

Bridges	Ervin	Sparkman
Byrd	Flanders	Upton
Capehart	Jenner	Welker
Daniel	Kefauver	Wiley
Douglas	Lennon	
Eastland	Maybank	

So Mr. HUMPHREY's amendment to the amendments of the House was agreed to.

Mr. JOHNSON of Texas. Madam President, I move that the vote by which the Humphrey amendment was agreed to be reconsidered.

Mr. GORE. Madam President, I move to lay that motion on the table.

Mr. KNOWLAND. Madam President, I ask for the yeas and nays on the motion to lay on the table.

The yeas and nays were ordered, and the legislative clerk called the roll.

Mr. SALTONSTALL. I announce that the senior Senator from Wisconsin [Mr. WILEY] is absent by leave of the Senate.

The senior Senator from Indiana [Mr. CAPEHART] and the Senator from Idaho [Mr. WELKER] are absent on official business.

The senior Senator from New Hampshire [Mr. BRIDGES], the Senator from Vermont [Mr. FLANDERS], the junior Senator from Indiana [Mr. JENNER], and the junior Senator from New Hampshire [Mr. UPTON] are necessarily absent.

On this vote the senior Senator from New Hampshire [Mr. BRIDGES] is paired with the Senator from South Carolina [Mr. MAYBANK], the senior Senator from Indiana [Mr. CAPEHART] is paired with the Senator from North Carolina [Mr. ERVIN], the Senator from Vermont [Mr. FLANDERS] is paired with the Senator from Alabama [Mr. SPARKMAN], the junior Senator from Indiana [Mr. JENNER] is paired with the Senator from Mississippi [Mr. EASTLAND], the junior Senator from New Hampshire [Mr. UPTON] is paired with the Senator from Texas [Mr. DANIEL], and the Senator from Idaho [Mr. WELKER] is paired with the Senator from Illinois [Mr. DOUGLAS]. If present and voting, the senior Senator

from New Hampshire [Mr. BRIDGES], the senior Senator from Indiana [Mr. CAPEHART], the Senator from Vermont [Mr. FLANDERS], the junior Senator from Indiana [Mr. JENNER], the junior Senator from New Hampshire [Mr. UPTON], and the Senator from Idaho [Mr. WELKER] would each vote "nay," while the Senator from South Carolina [Mr. MAYBANK], the Senator from North Carolina [Mr. ERVIN], the Senator from Alabama [Mr. SPARKMAN], the Senator from Mississippi [Mr. EASTLAND], the Senator from Texas [Mr. DANIEL], and the Senator from Illinois [Mr. DOUGLAS] would each vote "yea."

Mr. CLEMENTS. I announce that the Senator from Virginia [Mr. BYRD] and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

The Senator from Texas [Mr. DANIEL], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from North Carolina [Mr. ERVIN], and the Senator from South Carolina [Mr. MAYBANK] are absent on official business.

I announce further that the Senator from Texas [Mr. DANIEL] is paired on this vote with the Senator from New Hampshire [Mr. UPTON]. If present and voting, the Senator from Texas would vote "yea," and the Senator from New Hampshire would vote "nay."

The Senator from Illinois [Mr. DOUGLAS] is paired on this vote with the Senator from Idaho [Mr. WELKER]. If present and voting, the Senator from Illinois would vote "yea," and the Senator from Idaho would vote "nay."

The Senator from Mississippi [Mr. EASTLAND] is paired on this vote with the Senator from Indiana [Mr. JENNER]. If present and voting, the Senator from Mississippi would vote "yea," and the Senator from Indiana would vote "nay."

The Senator from North Carolina [Mr. ERVIN] is paired on this vote with the Senator from Indiana [Mr. CAPEHART]. If present and voting, the Senator from North Carolina would vote "yea," and the Senator from Indiana would vote "nay."

The Senator from South Carolina [Mr. MAYBANK] is paired on this vote with the Senator from New Hampshire [Mr. BRIDGES]. If present and voting, the Senator from South Carolina would vote "yea," and the Senator from New Hampshire would vote "nay."

The Senator from Alabama [Mr. SPARKMAN] is paired on this vote with the Senator from Vermont [Mr. FLANDERS]. If present and voting, the Senator from Alabama would vote "yea," and the Senator from Vermont would vote "nay."

The result was announced—yeas 43, nays 39, as follows:

YEAS—43

Anderson	Hayden	Kerr
Burke	Hennings	Kilgore
Chavez	Hill	Kuchel
Clements	Holland	Langer
Ellender	Humphrey	Lehman
Frear	Jackson	Lennon
Fulbright	Johnson, Colo.	Long
George	Johnson, Tex.	Magnuson
Gillette	Johnston, S. C.	Mansfield
Gore	Kefauver	McClellan
Green	Kennedy	Monroney
Morse	Robertson	Stennis
Murray	Russell	Symington
Neely	Smathers	
Pastore	Smith, Maine	

NAYS—39

Aiken	Dirksen	Millikin
Barrett	Duff	Mundt
Beall	Dworshak	Payne
Bennett	Ferguson	Potter
Bowring	Goldwater	Purtell
Bricker	Hendrickson	Reynolds
Bush	Hickenlooper	Saltonstall
Butler	Ives	Schoeppel
Carlson	Knowland	Smith, N. J.
Case	Malone	Thye
Cooper	Martin	Watkins
Cordon	McCarran	Williams
Crippa	McCarthy	Young

NOT VOTING—14

Bridges	Eastland	Sparkman
Byrd	Ervin	Upton
Capehart	Flanders	Welker
Daniel	Jenner	Wiley
Douglas	Maybank	

So Mr. GORE's motion to lay on the table the motion of Mr. JOHNSON of Texas was agreed to.

Mr. HUMPHREY. Madam President, I ask unanimous consent that the clerks be authorized to change the section numbers.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. HUMPHREY. Madam President, I ask unanimous consent that the title may be amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. LEHMAN. Madam President, I offer an amendment, which I ask to have read.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 16, it is proposed to strike out sections 4, 5, 6, 7, 8, 9, and 10.

Amend the title by striking out all after "to outlaw the Communist Party."

The PRESIDING OFFICER. Will the Senator from New York advise the Chair how much time he yields to himself?

Mr. LEHMAN. I yield myself 15 minutes.

Madam President, my amendment proposes to delete from the bill the so-called Butler amendment, which was attached to the Humphrey substitute some days ago. I have studied this question many times before, and, in my opinion, the Butler amendment is very dangerous, indeed. It gives to the Attorney General and the Subversive Activities Control Board power over labor unions which, under no circumstances, should be lodged in any governmental agency.

I would not place this deadly anti-union weapon in the hands of any administration, even one of my own political persuasion. I do not think it belongs in the hands of government. It certainly does not belong in the hands of the Attorney General and the Subversive Activities Control Board, who have neither experience nor any sense of responsibility for the preservation of the labor movement in this country.

Here is the real crux of the matter. The pending bill, as I have indicated, and as I shall further demonstrate in a moment will be completely ineffective in its avowed purposes while it holds under its terms, promise of grave and almost incalculable danger to the proper, legitimate, and responsible labor movement in America.

This is why the two leading labor organizations in this country, the CIO and A. F. of L., are strongly opposed to this measure. Were it otherwise, they would be among its prime supporters. The CIO has been devoting a major share of its efforts—undertaking with sweat, blood, and tears to destroy the Communist influence in the labor movement. It expelled nine unions believed to be under Communist influence. It has been engaged in an all-out effort to win the loyal members away from those unions and, as I have already indicated, succeeded in a remarkable degree.

The A. F. of L., as far as I know, has had no great Communist problem. There is no international union in the A. F. of L. which, as far as I know, reflects a Communist influence. But the A. F. of L., too, has been participating with all its might and main in the fight against communism in the labor union movement, in the country as a whole, and, indeed, in the world labor movement.

Would it not be logical if this legislation had any promise of being successful in its avowed objective for these unions to support this bill?

But they are opposing it. They are opposing it strongly. They see in it a threat not to Communist-dominated unions but to the entire American labor movement.

It is worth noting that the views of these two labor unions which have most of the knowledge and experience that there is about Communist-dominated unions, were not even heard in the public hearings on this legislation. Their views were subsequently filed with the committee, in the form of written statements.

As far as the way in which this legislation would operate is concerned, it would penalize not the Communists who have—to use the term established in this bill—"infiltrated" the labor movement, but rather to penalize the labor unions themselves.

The standards and criteria set forth ir. this bill are so vague and indefinite that no labor union has any assurance that it will not be brought before the Subversive Activities Control Board on the charge of being Communist infiltrated. The definition of a Communist-infiltrated organization is a union which is dominated by an individual or individuals actively engaged in a Communist organization. What is meant by "actively engaged in"? Is it confined to membership, or does it include association with Communists, or subscription to the Daily Worker, or contributions to an organization subsequently labeled as a Communist-front organization?

Under the terms of the bill, a union can be proscribed if its "effective management" was conducted by one or more individuals who are, or within 3 years have been, members, agents, or representatives of any Communist organizations or any Communist foreign government or the world Communist movement "with knowledge of the nature and purpose thereof." What does "effective management" mean in this context? What dangers to legitimate labor organizations might be involved in this

proscription of unions whose "effective management" resides in the hands of an individual or individuals who as long as 3 years before were members or representatives of "any Communist organization?"

What does the bill mean in defining Communist infiltration as a situation in which the policies of a union have been carried out "pursuant to the direction or advice of any member, agent, or representative" of a Communist organization? Is a showing of mere coincidence of policies sufficient?

There is a third standard which refers to the furtherance or promotion of the objectives of Communist organizations. It is not only possible, but inevitable, that labor unions as well as other organizations will support some causes which are also hypocritically espoused by the Communist Party. Is this a ground for condemnation of such a labor union as a Communist-infiltrated organization?

Mr. MANSFIELD. Madam President, will the Senator yield?

Mr. LEHMAN. I yield to the Senator from Montana.

Mr. MANSFIELD. Will the Senator from New York explain exactly how the particular series of amendments which he proposes in the form of one amendment would be applicable to cases before the National Labor Relations Board?

Mr. LEHMAN. Under the bill as presently framed, without my amendment, I think almost certainly labor unions, on complaint of the Attorney General and action by the Subversive Activities Control Board, could be completely deprived of the services and the use of the National Labor Relations Board, thus penalizing hundreds of thousands, if not millions, of hard-working, loyal, patriotic men and women in organized labor.

Mr. MANSFIELD. Will the Senator yield further?

Mr. LEHMAN. I yield.

Mr. MANSFIELD. Mr. President, it seems to me that the amendments which the Senator from New York is offering encompass a great deal of territory, and should be given serious consideration. How does the amendment offered by the Senator from New York affect the amendment previously offered by the Senator from Minnesota and agreed to?

Mr. LEHMAN. The fact that we have again affirmed the Humphrey amendment and turned back the completely innocuous and ineffective House amendment certainly very greatly helps the situation. As is recorded in the CONGRESSIONAL RECORD, I have felt that if the Humphrey amendment were agreed to it would not be necessary to enact a great many "fringe" provisions, and that their effectiveness, if agreed to, would be greatly lessened, because action would be taken under the Humphrey amendment.

Mr. MANSFIELD. Is the Senator from New York responsible for bringing in at this particular time the many volumes of the CONGRESSIONAL RECORD which are piled on the desk near him?

Mr. LEHMAN. I do not even know what they are.

Mr. NEELY. Madam President, if the Senator will yield to me, I will assure him that I will refer to the mountain of RECORDS on the desk in a manner that will dispel the prevailing fog.

Mr. FERGUSON. Madam President, will the Senator yield?

Mr. LEHMAN. I do not yield at this time.

Madam President, I have stated my views on the very dangerous issue of the Butler amendment, and I need add nothing further. I withdraw my amendment.

Mr. FERGUSON. Madam President, Will the Senator yield?

Mr. LEHMAN. I have withdrawn my amendment.

Mr. FERGUSON. Will the Senator yield for a question?

Mr. LEHMAN. I have withdrawn my amendment. I yield the floor.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. FERGUSON. Will the Senator yield for a question?

Mr. LEHMAN. The Senator from Michigan can speak on his own time.

Mr. JOHNSON of Texas. Madam President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JOHNSON of Texas. The Senator from New York has withdrawn his amendment.

Mr. BUTLER. Madam President, a parliamentary inquiry?

Mr. JOHNSON of Texas. Has the Senator from New York any time remaining once he has withdrawn his amendment?

The PRESIDING OFFICER. He has not.

The House amendments are open to further amendment.

Mr. HUMPHREY. Madam President, I move that the Senate concur in the House amendments, as amended.

Mr. KNOWLAND. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Madam President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JOHNSON of Texas. Is it correct that under the unanimous-consent agreement, if the yeas and nays are ordered, immediately following a quorum call the Senate will vote on the motion of the Senator from Minnesota?

The PRESIDING OFFICER. That is correct.

Mr. JOHNSON of Texas. Has all the remaining time expired?

The PRESIDING OFFICER. It has.

Mr. JOHNSON of Texas. Madam President, I ask for the yeas and nays on the motion of the Senator from Minnesota [Mr. HUMPHREY].

The PRESIDING OFFICER. The Senator from Texas will have to ask unanimous consent to have the yeas and nays ordered.

Mr. JOHNSON of Texas. Madam President, I ask unanimous consent that the yeas and nays be ordered.

The PRESIDING OFFICER. Is there objection?

The yeas and nays were ordered.

The PRESIDING OFFICER. The clerk will continue with the call of the roll.

The Chief Clerk resumed and concluded the call of the roll, and the following Senators answered to their names:

Aiken	Gore	McCarthy
Anderson	Green	McClellan
Barrett	Hayden	Millikin
Beall	Hendrickson	Monroney
Bennett	Hennings	Morse
Bowring	Hickenlooper	Mundt
Bricker	Hill	Murray
Burke	Holland	Neely
Bush	Humphrey	Pastore
Butler	Jackson	Payne
Carlson	Johnson, Colo.	Potter
Case	Johnson, Tex.	Purtell
Chavez	Jnhnston, S. C.	Reynolds
Clements	Kefauver	Robertson
Cooper	Kennedy	Russell
Cordon	Kerr	Saltonstall
Crippa	Kilgore	Schoeppel
Dirksen	Knowland	Smathers
Duff	Kuchel	Smith, Maine
Dworshak	Langer	Smith, N. J.
Ellender	Lehman	Stennis
Ervin	Lennon	Symington
Ferguson	Long	Thye
Frear	Magnuson	Watkins
Fulbright	Malone	Williams
George	Mansfield	Young
Gillette	Martin	
Goldwater	McCarran	

The PRESIDING OFFICER. A quorum is present.

The question is on agreeing to the motion of the Senator from Minnesota [Mr. HUMPHREY] that the Senate concur in the amendments of the House, as amended.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. SALTONSTALL. I announce that the Senator from Wisconsin [Mr. WILEY] is absent by leave of the Senate.

The senior Senator from Indiana [Mr. CAPEHART] and the Senator from Idaho [Mr. WELKER] are absent on official business.

The senior Senator from New Hampshire [Mr. BRIDGES], the Senator from Vermont [Mr. FLANDERS], the Senator from New York [Mr. IVES], the junior Senator from Indiana [Mr. JENNER], and the junior Senator from New Hampshire [Mr. UPTON] are necessarily absent.

If present and voting the senior Senator from New Hampshire [Mr. BRIDGES], the senior Senator from Indiana [Mr. CAPEHART], the Senator from Vermont [Mr. FLANDERS], the Senator from New York [Mr. IVES], the junior Senator from Indiana [Mr. JENNER], the junior Senator from New Hampshire [Mr. UPTON], and the Senator from Idaho [Mr. WELKER] would each vote "yea."

Mr. CLEMENTS. I announce that the Senator from Virginia [Mr. BYRD] and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

The Senator from Texas [Mr. DANIEL], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], and the Senator from South Carolina [Mr. MAYBANK] are absent on official business.

I announce further that if present and voting, the Senator from Texas [Mr. DANIEL], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from South Carolina [Mr. MAYBANK], and the Sen-

ator from Alabama [Mr. SPARKMAN] would each vote "yea."

The result was announced—yeas 81, nays 1, as follows:

YEAS—81

Aiken	Goldwater	McCarran
Anderson	Gore	McCarthy
Barrett	Green	McClellan
Beall	Hayden	Millikin
Bennett	Hendrickson	Monroney
Bowring	Hennings	Morse
Bricker	Hickenlooper	Mundt
Burke	Hill	Murray
Bush	Holland	Neely
Butler	Humphrey	Pastore
Carlson	Jackson	Payne
Case	Johnson, Colo.	Potter
Chavez	Johnson, Tex.	Purtell
Clements	Johnston, S. C.	Reynolds
Cooper	Kennedy	Robertson
Cordon	Kerr	Russell
Crippa	Kilgore	Saltonstall
Dirksen	Knowland	Schoeppel
Duff	Kuchel	Smathers
Dworshak	Langer	Smith, Maine
Ellender	Lehman	Smith, N. J.
Ervin	Lennon	Stennis
Ferguson	Long	Symington
Frear	Magnuson	Thye
Fulbright	Malone	Watkins
George	Mansfield	Williams
Gillette	Martin	Young

NAYS—1

Kefauver

NOT VOTING—14

Bridges	Eastland	Sparkman
Byrd	Flanders	Upton
Capehart	Ives	Welker
Daniel	Jenner	Wiley
Douglas	Maybank	

So Mr. HUMPHREY's motion to concur in the House amendments, to the Senate bill 3706, as amended, was agreed to.

The title was amended so as to read "An act to outlaw the Communist Party, to prohibit members of Communist organizations from serving in certain representative capacities, and for other purposes."

Mr. BUTLER. Madam President, I hope the Senate will note—and I ask the press particularly to note—what we have done. As I have previously stated, the bill, as amended by the Humphrey amendment is substantially the same as the provisions in the Smith Act. I read section 2 of the Smith Act.

SEC. 2. (a) It shall be unlawful for any person—

(1) to knowingly or willfully advocate, abet, advise, or teach the duty, necessity, desirability, or propriety of overthrowing or destroying any government in the United States by force or violence, or by the assassination of any officer of any such government—

I shall skip paragraph (2) and read paragraph (3)—

(3) to organize or help to organize any society, group, or assembly of persons who teach, advocate, or encourage the overthrow or destruction of any government in the United States by force or violence; or to be or become a member of, or affiliate with, any such society, group, or assembly of persons, knowing the purposes thereof.

I insist that the only thing we have done here today is to emasculate a good piece of legislation.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. BUTLER. I yield.

Mr. JOHNSON of Texas. Was the Senator a party to that emasculation? I observe the yea-and-nay vote; and unless there is some error the Senator from Maryland voted with the "yeas."

Mr. BUTLER. I voted to save what little I could, knowing that this proposed legislation carries a separability clause. I think the amendment offered by the Senator from Minnesota [Mr. HUMPHREY] will be knocked out by the Supreme Court if it remains in the law.

Mr. JOHNSON of Texas. But the Senator from Maryland voted to concur in the House amendments, as amended?

Mr. BUTLER. I voted to save what I could of this legislation.

Mr. JOHNSON of Texas. I thank the Senator.

FIXING THE TIME OF ASSEMBLY OF THE 84TH CONGRESS

Mr. KNOWLAND. Mr. President, I ask that the Chair lay before the Senate House Joint Resolution 585.

The PRESIDING OFFICER laid before the Senate the joint resolution (H. J. Res. 585) to fix the time of assembly of the 84th Congress, which was read the first time by its title and the second time at length, as follows:

Resolved, etc., That the 84th Congress shall assemble at noon on Wednesday, January 5, 1955.

Mr. KNOWLAND. Mr. President, I ask unanimous consent for the immediate consideration of the joint resolution.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered, ordered to a third reading, read the third time, and passed.

PROTECTION OF STRATEGIC DEFENSE FACILITIES AGAINST ACTS OF SABOTAGE, ETC.

Mr. KNOWLAND. Madam President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KNOWLAND. What is the unfinished business before the Senate?

The PRESIDING OFFICER. The unfinished business is Senate bill 3428, a bill to authorize the Federal Government to guard strategic defense facilities against acts of sabotage.

AMENDMENT OF DISTRICT OF COLUMBIA UNEMPLOYMENT COMPENSATION ACT — CONFERENCE REPORT

Mr. KNOWLAND. Madam President, there are two conference reports, the consideration of which I do not believe will take more than 1 or 2 minutes each.

The Senator from Maryland [Mr. BEALL] has a conference report to submit.

The PRESIDING OFFICER. The Senator from Maryland [Mr. BEALL] is recognized.

Mr. BEALL. Madam President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3482) to amend the District of Columbia Unemployment Compensation Act, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of August 16, 1954, pp. 14666–14670, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. KNOWLAND. Madam President, I ask the Senator from Maryland if this is the conference report the Senator from Maryland discussed with the majority leader and minority leader.

Mr. BEALL. It is.

Mr. KNOWLAND. Dealing with the District of Columbia?

Mr. BEALL. Yes.

Mr. KNOWLAND. Will the Senator please give a brief explanation?

Mr. BEALL. Madam President, I wish to read a statement signed by the Senate conferees. It is as follows:

The conferees on the part of the Senate on this bill favored its enactment in the form in which it passed the Senate.

It was evident, however, that insistence upon all of the Senate language would result in a deadlock, preventing the passage of any legislation whatever.

The present District of Columbia unemployment compensation law has benefits equal to the lowest benefits of any State in the Union, equaled by only 3 or 4 States. The Senate conferees believed that it would be preferable to obtain the considerable gains that the bill, as reported from conference, affords rather than to hold out for more and achieve nothing.

As reported from conference, the bill provides benefits of up to $30 a week, as contrasted with the present $20. It provides for 26 weeks of payment, or 33⅓ percent of the base-period earnings, whichever is lesser, as contrasted with 20 weeks, or 50 percent of base-period earnings, whichever is lesser, provided in present law.

The bill as reported from conference provides for unlimited stepback in calculating benefits, which is more beneficial to low-income workers than the bill originally passed by the Senate.

The Senate conferees believe that the Congress in its next session should continue to build on these gains. Your conferees intend to propose further amendments to the law in the next Congress designed to liberalize some of the stringent disqualification provisions contained in the conference bill and thereby extend unemployment benefits more widely than provided for in the bill as reported.

Your conferees believe that the present proposal is a step forward, however, and brings the District substantially into line with many States in this field. With certain further improvements, the law of the District can become a model for the country, as your conferees believe it should be.

This statement is signed by me, by the Senator from Maine [Mr. PAYNE], and the Senator from Montana [Mr. MANSFIELD].

Mr. MORSE. Madam President, will the Senator yield?

Mr. BEALL. I yield to the Senator from Oregon.

Mr. KNOWLAND. Madam President, we have several more items to consider.

Mr. MORSE. I desire to speak on this particular conference report.

Mr. KNOWLAND. I am sorry. I did not understand that.

Mr. MORSE. Madam President, when this bill passed the Senate it carried an amendment offered by the junior Senator from Oregon which was accepted by the chairman of the Senate District Committee. This amendment, in my judgment, was important to thousands of workers who from time to time are forced to depend upon unemployment compensation benefits.

I am disturbed, therefore, to discover that the bill as it passed the House and as it has now come out of conference does not carry my amendment.

I appreciate the statement of the Senator from Maryland [Mr. BEALL] on behalf of himself and the other distinguished Senate conferees that they tried to bring back from conference the bill as it passed the Senate. I accept their judgment that this was not possible and that to have persisted, in the present circumstances, would have meant no legislation whatever.

I happen to believe that it would be better not to enact any legislation on this subject until the next session of Congress. If this report is approved, however, a bill which I intend to offer at the conclusion of my remarks should be considered in the next session by the appropriate committees of Congress.

Madam President, honest men can differ as to the proper procedure. I shall vote against the conference report, not because I do not have the highest regard for the Senate conferees and not because I do not appreciate the situation in which they found themselves in conference. I think they had a duty to the Senate to bring from conference the best bill they could obtain, and I think they have done so. However, when Senate conferees have done that, it does not automatically follow that we should approve the bill they bring back to the Senate. I do not consider the rejection of a conference report any reflection on the Senate conferees. It merely means that the conferees did the best they could, but that the Senate decides, in the overall public interest, that it is better to have no bill at all than agree to such a conference report. That is my personal judgment in this case. I do not think we can close the books on the question; nor do I propose to do so by accepting the conference report.

The amendment which I offered when this bill passed the Senate, and which was approved by the Senate, would have moderated what I believe are excessively severe penalty provisions of this bill. These penalties apply to three groups of workers: Those who leave a job without adequate cause, those who refuse to take work for which they are qualified, and those who lose their jobs for misconduct.

As passed by the Senate, with my amendment, the bill would have denied all unemployment benefits to such workers for 6 weeks. Thereafter, they would be eligible for full benefits until again employed. This seemed to many of us to be a fully adequate penalty for the type of "offense" involved—if we may so describe acts of this kind which can be judged only subjectively, at best.

The bill as it comes from conference, unfortunately, raises this penalty waiting period to a variable 4 to 9 weeks, at the discretion of the Unemployment Compensation Board. But worse, it then deducts that waiting period from the total benefit eligibility.

What this means, Mr. President, is that an employee conceivably under this conference bill could obtain not 26 weeks but only 17 weeks of benefits. Whereas under present law, employees—whether they fall into 1 of the penalty classes or not—are eligible for 20 weeks. In other words, for some workers, the bill could be a net loss in their total benefit period.

I am glad for the gains over present law in this bill, sorry that we cannot achieve more. I congratulate the conferees on their intention to seek further legislative action in the next Congress. I realize it is too late for that in this session.

Madam President, I am proud to have as cosponsors with me on the bill which I shall introduce when I finish my brief remarks, the Senate conferees, who, I am satisfied, are completely accurate when they say they brought back from conference the very best bill they could. It is simply not good enough, and should not be agreed to.

I believe we should have something concrete before our committees and the appropriate agencies of the executive branch during the fall which can be studied and readied for early action in the new Congress.

Accordingly, I am introducing for appropriate reference a bill to further amend the Unemployment Compensation Act of the District to lessen these excessive penalties. I hope that it will have thorough study this fall and early action in the 84th Congress, if this conference report is adopted.

Disqualification provisions, properly applied, should define the boundaries of the program in terms of its objectives, and should not be used as penalties against claimants or to regiment their conduct, as would be the case under the proposed amendments to the District of Columbia law. The basic purpose of disqualifications is to assure that benefits are payable only to those whose current unemployment is involuntary, and who are able and willing to work. It is not to set an administrative agency up in judgment upon an individual's character or conduct.

One of the strengths of our free economy lies in the high mobility of labor. Unemployment insurance should not interfere with this mobility, through any provision which tends to chain a free American worker to a particular employer. Disqualifications which cancel or reduce a claimant's benefit rights when they leave one job have just such a tendency.

Furthermore, the reduction in benefit rights or cancellation of wage credits reduces the protection a worker may need should he again become involuntarily unemployed. Wage credits should be a measure of attachment to the labor market, not a reward for good service.

Madam President, I should also like respectfully to suggest that we should not overlook one of the major social purposes of unemployment benefit insurance, namely, the welfare of the children and the family.

We may not completely approve of a certain course of action which a worker may take in regard to a job allocated by an unemployment insurance commissioner. Very frequently we find problems of human relationships, and cases in which an unemployment insurance commissioner says in effect, "There is a job for you; you take that job," although the worker has a very good reason for insisting that he should not be required to take the particular job. Let us not overlook the fact that what we are seeking is a social objective in unemployment insurance benefits, namely, to protect the family, and to make certain that the children will get some food and that means will be afforded with which to support the wife and family.

That is why I say it is easy for us to direct our attention to the worker and take the position that we ought to give wide discretionary power to an unemployment insurance commissioner, and permit him to dictate, direct, and order the unemployed workers around as he pleases.

Madam President, in my judgment we should keep in mind the fact that when benefit rights are reduced or wage credits canceled, this can operate arbitrarily and inequitably, since the severity of the disqualification depends mainly on the length of previous employment and the presence or absence of any other wage credits.

Furthermore, it is undesirable to impose indeterminate and variable disqualification periods as a consequence of a disqualifying act. Denials of benefits in the duration of the unemployment may have consequences which are much more serious than the disqualifying act should warrant. Periods which depend upon the discretion of the agency are difficult to administer, since they involve judgment and discretion on the part of administrative personnel, in an area where they are no proper or objective standards to govern such a judgment—as in making a decision, such as would be required under this bill, as to the relative seriousness of a case in which a man exercises his right as a free American to quit his job.

It is doubtful, moreover, whether one type of disqualification deserves a longer disqualification period than another type. Such disqualifications are punitive and vindictive in nature and have no place in a social-insurance program.

I do not believe that punitive power should be vested in an unemployment insurance commissioner.

The duration of a disqualification period should be fixed and uniform and should not exceed the time required by the average individual to find work in a year when business is good. If a claimant is unemployed beyond that time in spite of the fact that he is seeking work, it is reasonable to conclude that his un-

employment is due to bad economic conditions against which the unemployment-insurance program professes to, and should, insure him.

Therefore, Madam President, for those reasons I am introducing for appropriate reference a bill to amend further the Unemployment Compensation Act of the District of Columbia in order to lessen the severe penalties. I hope it will be fully studied this fall and receive early action in the 84th Congress if the conference report is agreed to.

I am very proud to introduce the bill with the cosponsors whose names appear on it. I introduce the bill on behalf of myself, the Senator from West Virginia [Mr. NEELY], and the three Senate conferees on the bill now before the Senate, the Senator from Maryland [Mr. BEALL], the Senator from Montana [Mr. MANSFIELD], and the Senator from Maine [Mr. PAYNE].

I assure the three conferees that not a word I have uttered in my remarks is intended as the slightest criticism of what I believe was a remarkable job on their part under the circumstances.

They were up against adamant House conferees, who apparently favor the punitive approach to the subject of unemployment insurance, and in respect to the issue that is set forth in the remarks I have just made on the floor of the Senate.

I express only my personal view when I say that no great harm will be done if we do not change the law at all between now and the time Congress convenes in January.

The bill (S. 3878) to amend the District of Columbia Unemployment Compensation Act, introduced by Mr. MORSE (for himself, Mr. NEELY, Mr. BEALL, Mr. MANSFIELD, and Mr. PAYNE), was received, read twice by its title, and referred to the Committee on the District of Columbia.

Mr. BEALL. Madam President, on behalf of the Senator from Maine [Mr. PAYNE], the Senator from Montana [Mr. MANSFIELD], and the Senator from West Virginia [Mr. NEELY], I should like to say that we are very happy and are very grateful to the Senator from Oregon for permitting us to join with him in cosponsoring his bill. We think it will eliminate some of the difficulties in the conference proposal, if approved.

I may say to the Senator from Oregon, however, that though there is room for improvement in this measure, if the conference report is approved, it will be among the most liberal unemployment compensation acts in the country.

It provides maximum weekly benefits of $30, compared with a national average of $26.

It provides 26 weeks of benefits, compared with a national average among the States of 23 weeks.

It provides maximum benefits of $780, compared with a national average of $625.

In general, this proposal would put the District near the top of the country in respect to benefits and duration of benefits, and about at midpoint among the States in respect to the stringency of its disqualification provisions. Some 15 States have more stringent disqualification rules than are provided in this bill as reported from the conference.

Mr. CASE. Madam President, will the Senator from Maryland yield?

Mr. BEALL. I yield.

Mr. CASE. Madam President, as chairman of the Committee on the District of Columbia, I wish to express my appreciation to the members of the subcommittee who worked on this bill and conducted hearings, to the conferees, and to all the members of the committee who have been associated with this effort. As a matter of fact, it is a piece of legislation which was about to go "down the drain" because of the difficulties ahead of us in trying to do anything about it at all, but we were persuaded to try to get something done by a statement which was made to the committee by the Under Secretary of Labor. At the conclusion of his remarks he said to the committee:

> I would like to emphasize that if the maximum amount of benefits is increased to $30 and a uniform duration of 26 weeks is established, a big step forward will have been taken in providing an adequate system of unemployment compensation for District of Columbia workers.

The conferees were not able to maintain the complete position of the Senate, but, as the Senator from Oregon has said, they did do a good job. They have come back with a bill which does increase benefits to $30 and provides for 26 weeks duration as a maximum, and it is a very important step forward. I trust that our labors and efforts will enable this much to be nailed down so that we can make this much progress, at least, and then we can proceed with the consideration of the bill which the Senator from Oregon and his associates have introduced.

I move the adoption of the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. MORSE. Madam President, I am not going to object to the conference report in the sense of calling for a vote on it, but I wish the RECORD to show that I am not in favor of its adoption.

Mr. NEELY. Madam President, referring to the address delivered by the distinguished Senator from Oregon [Mr. MORSE] and to the remarks made by the distinguished Senator from Maryland [Mr. BEALL], I state for the RECORD that if there were a yea-and-nay vote on the conference report before the Senate I would not vote for its approval. I am a cosponsor with the Senator from Oregon of his substitute bill, but I could not support the conference report in its present form.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

TRANSFER OF CERTAIN PROPERTY IN KLAMATH COUNTY, OREG., TO STATE OF OREGON—CORRECTION IN ENROLLMENT OF BILL

Mr. CORDON. Madam President, I submit a concurrent resolution to correct an error in the enrollment of the bill (H. R. 8020) authorizing the transfer of certain property of the United States Government (in Klamath County, Oreg.) to the State of Oregon. I ask unanimous consent for the present consideration of the concurrent resolution.

The PRESIDING OFFICER. The concurrent resolution will be read for the information of the Senate.

The concurrent resolution (S. Con. Res. 107) was read, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Clerk of the House of Representatives, in the enrollment of the bill (H. R. 8020), entitled "An act authorizing the transfer of certain property of the United States Government (in Klamath County, Oreg.) to the State of Oregon," is authorized and directed to make the following correction: In the matter added by the Senate amendment, strike out "section 203 (d) (2) (D)" and insert in lieu thereof "section 203 (k) (2) (D)."

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. CORDON. Madam President, in the printing of the amendment of the Senate to House bill 8020 an error was made in the language describing a prior act which was being amended. The purpose of the concurrent resolution is to authorize a correction of the printer's error before the bill is enrolled and is sent to the President.

The PRESIDING OFFICER. The question is on agreeing to the concurrent resolution.

The concurrent resolution (S. Con. Res. 107) was agreed to.

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the Speaker had affixed his signature to the enrolled bill (S. 3873) to provide survivor benefits for widows of the Chief Justice and the Associate Justices of the Supreme Court of the United States, and it was signed by the Acting President pro tempore.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, August 17, 1954, he presented to the President of the United States the enrolled bill (S. 3873) to provide survivor benefits for widows of the Chief Justice and the Associate Justices of the Supreme Court of the United States.

COMIC BOOKS—PRIZE-WINNING ESSAY IN CONTEST CONDUCTED BY DEPARTMENT OF MASSACHUSETTS JEWISH WAR VETERANS

Mr. HENDRICKSON. Madam President, recently I met a young man, Roger H. Allen, a resident of New Bedford, Mass., who wrote the prize-winning essay in a contest conducted by the Department of Massachusetts, Jewish War Veterans of the United States of America. This outstanding essay is entitled "Is

There Anything Wrong With Comic Books?"

I commend the young man and predict a great future for him. Because of the excellence of his work, and because it relates to a vital issue pending before a subcommittee of the Senate, I ask unanimous consent that this essay be printed in the body of the RECORD.

There being no objection, the essay was ordered to be printed in the RECORD, as follows:

"Is there anything wrong with comic books?" My answer to this much debated question is definitely "Yes." Perhaps you are wondering just what is wrong with them. Well, I'll tell you. Comic books actually destroy a child's mind by lowering his mentality.

First of all, there are three groups or classifications of comic books, funnies, crime, and horror. Let me take each of these categories and show you how they corrupt the minds of youngsters.

Funnies are the least harmful of the three. They seem to offer a sort of silly humor which I suppose entertains most children. But just think of what reading too many of these books can do. They will become habit forming, and the child will find it hard to get used to reading the higher leveled literature when he gets to junior or senior high school. At high school age if a child hasn't got over the "comic book stage" he really faces a problem; not only with scholastic achievement but with society.

Crime magazines are something which we all know should be done away with. Even those that claim to be crime prevention magazines. What they claim to do is to show children ways in which criminals get caught. "Oh," you say, "isn't that helping to prevent crime?" The real answer to that question is "No." They merely show children ways in which to avoid being caught. A child thinks that because a man in a magazine did such and such a thing he was caught; so if they avoid that they won't be caught. Thus they venture to seek a way of finding out whether or not it will work, and the only way they can find out is by resorting to crime. Surely now, you know as well as I that this is one of the basic elements in encouraging juvenile delinquency.

Horror comics are of course out of the question. They contain wicked and terrible pictures of monsters which really never existed and never will. These things cause a child to be kept awake nights with fright and nightmares. The next day the child cannot do his schoolwork. He is tired due to lack of sleep, and his brain does not function properly. Truthfully now—doesn't this cause a reduction in alertness and ability to keep up with scholastic studies?

Now you may say, "If comics are so bad, why don't parents prevent their children from reading them?" This problem is neither the fault of the parents nor the teachers nor the children themselves, but of the people who print such obnoxious literature. A child's mind is curious and easily swayed. Naturally if these magazines are on the market children will buy them to see what they are about. Therefore, they should be taken off the market completely.

So in conclusion I should like to briefly sum up my reasons for answering "Yes" to the question: "Is there anything wrong with comic books?" They are a menace to the well-being of the modern-day child because they destroy his morals and ideals with useless, uneducational trash, which never was and never will be of any value to the American schoolchild.

Thank you.

PROTECTION OF STRATEGIC DEFENSE FACILITIES FROM ACTS OF SABOTAGE, ETC.

The Senate resumed the consideration of the bill (S. 3428) to authorize the Federal Government to guard strategic defense facilities against individuals believed to be disposed to commit acts of sabotage, espionage, or other subversion.

Mr. KNOWLAND. Madam President, after consulting with the minority leader [Mr. JOHNSON of Texas], I send to the desk a proposed unanimous-consent agreement, with the understanding that it will take effect at the conclusion of the remarks of the Senator from Nevada [Mr. MALONE]. I understand he has a speech which will take approximately half an hour.

The PRESIDING OFFICER. The clerk will read the proposed unanimous-consent request.

The legislative clerk read as follows:

Ordered, That during the further consideration of Calendar No. 1834, S. 3428, a bill to authorize the Federal Government to guard strategic defense facilities against individuals believed to be disposed to commit acts of sabotage, espionage, or other subversion, debate on any amendment or motion (including appeals) shall be limited to not exceeding 1 hour to be equally divided and controlled, respectively, by the mover of any such amendment or motion and the Senator from North Dakota [Mr. LANGER] in the event he is opposed to any such amendment or motion; otherwise by the mover and the minority leader: *Provided*, That no amendment that is not germane to the subject matter of the said bill shall be received: *And provided further*, That debate upon the bill itself shall be limited to not exceeding 1 hour, to be equally divided and controlled, respectively, by the Senator from North Dakota [Mr. LANGER] and the Senator from Texas [Mr. JOHNSON].

Mr. KNOWLAND. Madam President, as I previously pointed out, the request is meant to take effect at the conclusion of the remarks of the Senator from Nevada [Mr. MALONE].

The PRESIDING OFFICER. Is there objection to the unanimous-consent request?

Mr. JOHNSON of Texas. Madam President, I was at the rear of the Chamber and did not hear all the majority leader said.

Mr. KNOWLAND. This is the unanimous-consent request about which I spoke to the Senator from Texas, with reference to defense facilities.

Mr. JOHNSON of Texas. I have no objection.

The PRESIDING OFFICER. Is there objection?

The Chair hears none, and the unanimous-consent request is agreed to.

EUROPE'S TRADE WITH RUSSIA—"COMRADE CLEM" — OPERATION RATHOLE

Mr. MALONE. Madam President, "Comrade Clem" is the title of an editorial published in the August 7, 1954, issue of the Washington Daily News.

The "Comrade Clem" referred to in the editorial is, of course, Clement Attlee, Britain's Prime Minister from July 1945 to October 1951, and now the leader of Britain's second major party.

Attlee and a bevy of British Socialists are now on a mission to Soviet Russia and Red China.

They traveled in Russia in a Soviet plane, kowtowing to Communist officials, thus providing the red world with propaganda ammunition to use against the United States.

Accompanying "Comrade Clem" is "Comrade" Aneurin Bevan, the pro-Communist, anti-American boss of the most radical wing of Mr. Attlee's party.

Mr. Attlee and Mr. Bevan are anticipating an early return to power as heads of the British Government.

ATTLEE-BEVAN RED JUNKET LINKED WITH BRITISH POLITICS

They hope to succeed the aging Sir Winston Churchill, and this mission to Red Russia and Communist China is part of their big campaign buildup.

I mention these facts in connection with the excellent editorial "Comrade Clem" which I ask unanimous consent to have printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

COMRADE CLEM

Nine Socialist members of the British Parliament are en route to Moscow. They will spend 2 days before proceeding to Peiping, where they will be the guests of the Government of Red China.

It is altogether appropriate that this delegation should be headed by Clement Attlee, who was Prime Minister of Britain under the last Labor government.

Mr. Attlee's government joined with ours to repel the invasion of Korea from the north. But he lost all stomach for the fight after the intervention of Red China. Indeed, from that moment, his sympathies appeared to be on the other side.

It was Mr. Attlee who convinced President Truman that it would be dangerous to let American bombers cross the Yalu River. He also successfully opposed any counter-attacks against the Chinese mainland, where the Reds had their supply bases. Members of his party credited him with having brought about the recall of General MacArthur, an accomplishment which he did not deny.

The subsequent stalemate settlement in Korea—which left the Reds entrenched in their old positions—was an almost inevitable result of his policies.

Since that time Mr. Attlee has been a leading advocate of seating Red China in the United Nations. When he arrives in Peiping Mr. Attlee can be hailed as a friend, for few men have contributed more to the success of that outlaw regime. Moreover, he should be doubly welcome in Red China, for no man ever received more consideration from the United States or gave less in return for it. That, to the Communists, should be at least par for the course.

ATTLEE PARTY AND CHURCHILL REGIME BOTH FAVORED RECOGNIZING RED CHINA

Mr. MALONE. Madam President, it is not clear at the moment exactly what difference there is between the government represented before 1951 by Clement Attlee and the government represented at the moment by Mr. Churchill, because both governments favored the further recognition of Communist China. That nation has already been officially recognized. The leaders of both parties favor

further trade agreements with Communist China, Russia, and the Iron Curtain countries.

Only recently Mr. Churchill and Mr. Eden visited the United States and made a proposal that the United States enter into some kind of coexistence pact, whatever that may mean—some kind of mutual security pact or nonaggression pact with Russia. The proposal was made at that time, and is still being pursued by Mr. Churchill and Mr. Eden, because they would both sell the United States down the river, and themselves along with it, in order to keep Hong Kong and the Malayan States 1 more year.

"COMRADE CLEM" HAD POWERFUL VOICE IN TRUMAN ADMINISTRATION

Madam President, the editorial which has just been placed in the RECORD ably points out the powerful influence exerted by "Comrade Clem" over the Truman administration in its conduct of the Korean war.

It brings out that it was Mr. Attlee whose advice was followed when President Truman prohibited the American Air Force from bombing Red China territory and supply bases at the height of that conflict.

Further, the editorial offers the strong supposition that "Comrade Clem" had a decisive role in bringing about the recall of Gen. Douglas A. MacArthur, a recall that prevented Red China from facing an inevitable defeat.

The editorial also notes that Mr. Attlee has been and is a leading advocate of seating Red China in the United Nations.

In other words, "Comrade Clem," whose voice carried such great weight with the previous administration, has consistently given aid and comfort to our enemy. He seeks to expand that aid to Moscow and Peiping, and to date he has been very successful.

REDS SPREAD FEAST FOR BRITISH SOCIALISTS

The saga of "Comrade Clem" and his Socialist crew is continued in a Reuters' dispatch from Peiping, Red China's capital, published on page 1 of the August 16 issue of the New York Times.

Reuters, a British news agency, reports what it describes as a "feast" given by the Chinese Communist Premier Chou En-Lai to "Comrade Clem" and company.

The dispatch presents such interesting details as that Attlee and his fellow Britains dined on lotus roots, bamboo shoots, shark fins, and mo-tai, a colorless, fiery liqueur.

In fact throughout the Attlee junket the party has been handsomely liquored. In Moscow where he was wined and dined it was vodka with which "Comrade Clem" and his Soviet hosts exchanged 22 toasts.

TRADE STRONG STIMULANT TO STIMULATE TRADE

In Peiping it is mo-tai which, perhaps, is equally potent.

The pretext for this grand tour by Britain's former Prime Minister is that Comrade Clem hopes to stimulate British-Communist trade; and in stimulating trade, the guests and hosts are now trading stimulants.

Possibly in the course of his so-called trade mission Mr. Attlee will arrange for stimulating imports of Russian vodka and mo-tai from Peiping into Scotland in exchange for machine tools and other war goods.

The Scotch are great free enterprisers, and Mr. Attlee no doubt would welcome an opportunity to help curb Scotch free enterprise.

REDS HIT UNITED STATES POLICY DURING ATTLEE-BEVAN VISIT

The New York Times article, headed "Chou En-lai Fetes Attlee Group—Trade Is Major Luncheon Topic," reports other interesting details of the British Socialist excursion, and is appropriately followed by a short dispatch from Hong Kong, headed "United States Policy Attacked."

I ask unanimous consent that both these dispatches be printed at this point in the RECORD.

The PRESIDING OFFICER (Mr. BENNETT in the chair). Is there objection?

There being no objection, the dispatches were ordered to be printed in the RECORD, as follows:

CHOU EN-LAI FETES ATTLEE GROUP—TRADE IS MAJOR LUNCHEON TOPIC

PEIPING, August 15.—Clement R. Attlee and his British Labor Party delegation were guests today at a feast given by Chou En-lai, Chinese Communist Premier.

The menu included lotus roots, soybean soup, bamboo shoots, shark fins and mo-tai, a colorless, fiery liqueur. The Chinese hosts provided western knives and forks for the guests instead of chopsticks.

Later the Britons spent 5 hours discussing East-West trade with Mr. Chou and other Government leaders in the beautiful pavilions of the former Chung Nan Hai imperial palace.

The eight-member British delegation arrived here yesterday after a visit to Moscow. They were officially welcomed at a cocktail party given by the Government.

They expect to meet Mao Tse-tung, the head of state, some time next week.

Morgan Phillips, the Labor Party secretary and spokesman for the good-will mission here, said the Britons also discussed British-Chinese relations and the new constitution that will soon be introduced by the Chinese regime.

The delegation asked specific questions about the constitution and these were "answered on the spot," he added.

Details of the delegation's itinerary, disclosed tonight, show that the Britons will spend 5 days here and then tour Manchuria for several days. They will fly back to Peiping from Mukden.

The meeting with Mr. Mao will come during the mission's 3-day pause here before it leaves for Shanghai and other Chinese cities on the way to Hong Kong and eventually home.

Tomorrow Mr. Attlee and his party will attend a Government dinner in their honor and on Wednesday an official luncheon. The Government has told the Britons and announced in the official newspaper, People's Daily, that they can see whatever they like.

This week's program includes visits to a prison, hospitals, schools, textile factories, railways, and a coal mine.

Today's People's Daily reported the mission's visit on its front page, with pictures, articles, and an editorial welcoming the mission.

It said many things had been changed in China in the last 5 years, and many things in the old China had needed changing. The country welcomed the guidance of friends, it added.

The newspaper said Chinese-British trade was an important factor in relations between the two countries.

It said this trade had a long history and that the Chinese people had laid emphasis on its development and extension, based on equality and mutual benefit.

It added that two snags were the United States' embargo policy and its naval control of Far Eastern waters, allowing Chiang Kai-shek's traitors to interfere with normal shipping.

In a day of hot sunshine and heavy humidity, capped by a tropical storm in the evening, the first seven British reporters to come to China since 1949, kept touch with the delegation in a convoy of "pedicabs," one-seat bicycle rickshaws, pedaled by colorfully dressed Chinese.

UNITED STATES POLICY ATTACKED

HONG KONG, August 15.—Communist China lashed out today anew against United States policy in the Far East and accused United States leaders of endangering world peace and of trying to start a new war in Asia.

The Peiping radio quoted an editorial from the People's Daily welcoming the British Laborites. The editorial referred to alleged efforts by the United States to put obstacles in the course of trade between Britain and China. It also declared that the United States was disturbing peace in the Far East by aiding Chiang Kai-shek and trying to build an "aggressive bloc." It said this policy was "detrimental to the principles of peaceful coexistence between all peoples of Asia and the world," as well as the "cause for an increasingly grave threat to the peace and security of Asia and the world."

ATTLEE FOE OF FREE ENTERPRISE

Mr. MALONE. Mr. President, I do not believe that Attlee knows any more about trade or cares any more about trade than he does about horseshoe pitching. Mr. Attlee's real purpose in life is to destroy the free-enterprise system, an aim in which he was rather successful while he was Prime Minister of Great Britain. The United States is the citadel of the free-enterprise system, and it is not beyond the imagination of some Americans that Mr. Attlee would like to destroy the United States.

BRITAIN'S MAJOR INDUSTRIES SOCIALIZED UNDER ATTLEE REGIME

As Great Britain's Prime Minister from July 1945, until November 1951, Mr. Attlee was successful in nationalizing or socializing eight major British enterprises. Those enterprises, together with the dates when they were taken over by the British Government, are as follows:

The Bank of England, March 1946.
Civil aviation, August 1946.
Coal, January 1947.
Telecommunications, January 1947.
Inland transport, January 1948.
Electricity, April 1948.
Coal gas, May 1949.
Iron and steel, February 1951.

Subsequent to "Comrade Clem's" Socialist regime acts were passed by Parliament desocializing iron and steel and road haulage, but the other industries and enterprises listed above remain nationalized just as similar industries are nationalized in Soviet Russia and Red China.

COMRADES CLEM, MALENKOV, AND CHOU EN-LAI IDEOLOGICALLY MATED

It can therefore be seen that when "Comrade Clem" and Malenkov, or

"Comrade Clem" and Chou En-lai exchange toasts in vodka or mo-tai, the colorless, fiery liqueur, their thoughts behind their words may be "Here's to the worldwide destruction of free enterprise."

Attlee, Malenkov, and Chou En-lai are, in fact, ideological blood brothers.

That the British Socialist mission to Russia and Red China has grave implications there can be no doubt.

MOSCOW "LOVE FEAST" INTERPRETED BY DISTINGUISHED COLUMNIST

Mr. Constantine Brown, the authoritative columnist on military and international subjects, today touches on these in his column published in the Washington Star.

I ask unanimous consent that Mr. Brown's column, headed "Odd Love Feast in Moscow," be printed in the RECORD at this point in my remarks.

There being no objection, the news column was ordered to be printed in the RECORD, as follows:

ODD LOVE FEAST IN MOSCOW—WORLD PUZZLES AT SPECTACLE OF HIGH BRITISH POLITICIANS PARTYING WITH RED LEADERS DURING COLD WAR

(By Constantine Brown)

While the imposing delegation of leaders of the British Labor Party sat swapping sentimental toasts with Malenkov, Kruschchev, and company in Moscow, the people of the free world wonder to what end all this camaraderie will lead.

Former Prime Minister Clement Attlee and his party of Laborites, including the stormy leftist leader Aneurin Bevan, stopped off in the Soviet capital en route to keep a date with Mao Tse-tung, Chou En-lai and the other top men of Red China. The Kremlin rolled out the red—or should we say white—carpet for the visiting Britishers.

From the warm and most cordial character of the Soviet welcome for the party, it was obvious that every effort was being made to add to the prestige of the British delegation by the most painstaking attention to detail. Moscow even reported that the great Malenkov himself personally picked a bouquet for Edith Summerskill, the only woman member of the party. This is a strange Malenkov. Indeed, this is an unlooked for Communist, indulging in such gross bourgeois flattery.

The dinners and parties were all arranged in a manner of intimacy. Little conversational groups gathered around the chief Russian bigwigs to have, we suppose, heart-to-heart talks about the state of the world and the Soviet desire for peace with coexistence.

Out of these cozy tete-a-tetes came reports of earnest agreement on the peaceful intentions of the Kremlin. Wilfrid Burke, chairman of the Labor Party, found Malenkov very friendly, he said, and very anxious to establish peaceful relations with the West.

The Muscovites broke precedent, even, to attend a dinner at the British Embassy. The Embassy must also have broken precedent: borscht was served, and no one dressed for dinner. No one said whether or not the ghosts of Kipling, Clive, Rhodes, or Victoria sent a delegation in protest, or picketed the place. But Peter the Great and Boris Godounov were certainly present in spirit. All hands drank a toast to Queen Elizabeth.

As if to underline the significance of the Moscow visit, the British Foreign Office, not at present under the wing of the Labor Party, announced that the Soviet Government has invited a delegation of British members of Parliament to visit Moscow this fall. The invitation, from the Presidium of the Supreme Soviet—the Red version of a parliament—was addressed to Lord Simonds, head of the House of Lords, and to Speaker Morrison of the House of Commons. The invitation has been accepted.

Thus the Communist leaders, by inviting officially the visit of an all-party delegation from Britain's Parliament, rather adeptly spike the guns of those scoffers who have charged off the significance of the Attlee delegation's visit with the "oh, they're just a bunch of Socialists anyway" type of comment.

And the Kremlin propaganda strategists pat themselves on the back and award themselves a few medals for a master coup. For the world looks at the spectacle of the staid and dignified British visitors in their friendly visit to the lair of the Red chieftains, and somehow the picture of Communist aggression becomes blurred and unreal. That, of course, is the Red design, and it is a clever one.

Although technically there is nothing amiss at all in these friendly visits between nations having formal diplomatic ties, as is the case in both the Russian and Chinese journeys of the Attlee party, much could be said on the question of the British taste in choosing this particular time for the visit.

British troops, under the banner of the United Nations, have hardly stopped fighting and dying in Korea against the Chinese Red hordes. And there is no peace in Korea, even yet, beyond the mockery of the "truce" agreement entered into last year. The guns have not yet had time to cool in Indochina, where the West abjectly settled a war on Communist terms and called it a peace.

The British are past masters at the art of diplomacy, and are very much aware that the Russian intentions in all this show of cordiality are primarily to place the United States, the acknowledged leader of the free world forces, in an embarrassing position.

"Coexistence," in the British view, would appear to be a considerably different procedure from any the term implies in the United States.

While it could never be said of Americans that they spurn the hand of friendship with any nation, it has always been something of an American characteristic to expect that the hand will be sincerely proferred.

It has been the consistent stand of our policymakers that, in the case of the Soviet, actions speak louder than words—or toasts.

UNITED STATES PAYS FOR BRITISH-RUSSIAN-RED CHINA HONEYMOON

Mr. MALONE. Mr. President, Mr. Brown quite properly includes the entire British leadership and the British Foreign Office in the plot to bed down with Communist Russia and Red China while Uncle Sam pays for this bigamous honeymoon with more billions in foreign aid.

The Baltimore Sun, in its editions of Monday, August 16, banners Reuters dispatches from Moscow and Peiping on page 1 with "Red China To Send Chargé d'Affaires to London—Peiping Sees Geneva Talk as a Reason—Says Parley Brought Improvement in Sino-British Relations."

AMERICAN NEWSMEN EXCLUDED FROM BRITISH SOCIALIST JUNKET

Reuters, may I emphasize again, is a British news agency, and the British carefully excluded any representative from an American news service from accompanying the Attlee-Bevan party.

In contrast, British reporters in America, like the reporters of Tass, the Soviet news agency, are accorded the same privileges as American newsmen, which is appropriate in a free country.

Soviet Russia has long restricted news coverage by Americans, and now Britain has followed suit, an indication of how close Britain, whom we have supported before, during and after three world wars, is to Communist methods, if not actual communism.

COMMUNISM AND SOCIALISM SEEK SAME OBJECTIVES

Mr. President, as the junior Senator from Nevada has often said, there is no difference between the objectives of socialism and those of communism; only the approach is different. The objectives of both are government ownership, with the individual owning nothing. The sole difference between them is that a Communist will shoot to gain his ends, and a Socialist will spend a country into them. The latter is about what Britain has been doing with our money, coupled with some of her own. So, Mr. President, the difference is very slight.

COMMUNISTS IMPATIENT SOCIALISTS

The objectives are the same. In other words, a Communist is only an impatient socialist.

We are compelled to rely on Reuters and its favored journalists for full accounts of the Attlee-Bevan mission in Red China.

Therefore, I ask unanimous consent that the Reuters dispatches referred to above be printed in the RECORD at this point in my remarks.

There being no objection, the news dispatches were ordered to be printed in the RECORD, as follows:

PEIPING SEES GENEVA TALK AS A REASON—SAYS PARLEY BROUGHT IMPROVEMENT IN SINO-BRITISH RELATIONS

Moscow, August 15.—W. S. Morrison, Speaker of the British House of Commons, and Lord Simonds, Chancellor of the House of Lords, have accepted an invitation to visit Russia next month, the Soviet Communist Party newspaper Pravda reported today.

PEIPING, August 15.—The Communist Chinese Government has decided to send a chargé d'affaires to London, the Peiping People's Daily, quoted by the Communist New China News Agency, reported today.

The paper disclosed that the decision was the outcome of "an improvement brought about in Sino-British relations at the Geneva Conference, thanks to the efforts of both China and Britain."

Britain is represented by a chargé d'affaires in Peiping, but until this time, Communist China had not reciprocated.

The People's Daily, mouthpiece of the Chinese Communist Party, added today:

"The British Government has also displayed a positive attitude to the question of improving Sino-British relations.

"MUTUAL BENEFIT

"One of the salient principles of our foreign policy is to establish and develop diplomatic relations with all countries on the basis of the principles of equality, mutual benefit, and mutual respect of each other's territorial integrity and sovereignty. This principle is naturally applicable to the relations between China and Britain."

The British Government decided to recognize the Chinese Communist Government in January 1950 and has been represented in Peipin since by a chargé d'affaires.

In June this year, Communist China and Britain agreed that China should send a chargeé d'affaires to London with the same rank and duties as the British chargé d'affaires in Peiping.

FIRST MISSION

The Chinese diplomatic mission will be the first to represent the Chinese Communist Government in Britain since it came to power in 1949.

When Britain decided to recognize the Chinese Communist regime in January 1950, a British diplomatic mission was sent promptly to negotiate the resumption of full diplomatic relations and the exchange of ambassadors.

But the negotiations, which failed to make progress, stalled completely in June 1950. No further talks on representation took place until the recent Geneva Conference.

EMBASSY CLOSED

During the 4-year interval, no attempt was made by the Chinese Government to exercise its right to send to London a mission of comparable status with the British mission in Peiping. During the whole of this period, the Chinese Embassy has been closed.

The People's Daily said, "Both China and Britain play a vital role in international affairs and exert a powerful influence on them."

"The development of relations between China and Britain on the basis of the principle of peaceful coexistence is naturally beneficial to collective peace in Asia and the rest of the world."

BRITAIN'S GOVERNMENT LEADERS AND SOCIALIST CHIEFS CLOSELY LINKED

Mr. MALONE. Mr. President, the heading of the Reuter's dispatch from Moscow reads:

W. S. Morrison, speaker of the British House of Commons, and Lord Simonds, Chancellor of the House of Lords, have accepted an invitation to visit Russia next month, the Soviet Communist party newspaper Pravda reported today.

That is how close the Socialist Clement Attlee is to the Morrisons, the Churchills, and the Edens.

Mr. President, whatever the pretended purpose of the Attlee mission, Britain's Red trade aims already are on a long way toward accomplishment.

TRADE WITH REDS SPEEDED BY GREAT BRITAIN

Early editions of the Washington Daily News Monday front-paged a dispatch from London, headed, "Trade With Reds Eased for Britons."

I ask unanimous consent that the article be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TRADE WITH REDS EASED FOR BRITONS

LONDON, August 16.—Britain eased controls today on trade with Russia and Communist European satellite governments.

Orders totaling $120 million already have poured into Britain and Soviet bids to buy $28 million worth of steel rolling plants are being studied.

The relaxation of restriction on Iron Curtain trade, agreed to by the United States and other North Atlantic treaty powers after long conferences in Washington and Paris, went into effect in Britain today.

The new ruling will enable Britain to proceed immediately with orders received from Moscow earlier this year, although not all of them will be sanctioned by the Board of Trade.

In relaxing restrictions, the West has shortened its list of embargoed goods from a total of 400 items to about 250.

Strategic items still are barred from export to the Communist bloc, but the interpretation of what is strategic has been relaxed.

Stricken off the strategic list were textile machinery, some types of machine tools and certain agricultural machinery.

Western experts have cautioned against pitfalls of such Red proposals, arguing the Communist bloc does not have enough to offer in exchange because of shortages which now have affected even its agriculture.

Officials estimate that total West European trade with the Soviet and East European satellites has risen from $738 million in 1952 to $789 million in 1953. European imports from the Soviet bloc fell during the same period from $990 million to $918 million.

RUSSIAN BID TO BUY STEEL ROLLING PLANTS FROM ENGLAND "STUDIED"

Mr. MALONE. Mr. President, the first paragraph of the dispatch, which is a United Press dispatch from London, dated August 16, 1954, reads:

Britain eased controls today on trade with Russia and Communist European satellite governments.

The timing of this announcement with Mr. Attlee's visit to Moscow and Peiping is very interesting.

I continue to read from the dispatch:

Orders totaling $120,000,000 already have poured into Britain, and Soviet bids to buy $28,000,000 worth of steel rolling plants are being studied.

There surely could be nothing critical about a steel-rolling plant. That could not be used to make war on the United States. At least, that is the argument the United Nations made, and the argument, of course, that our own east-west trade proponents probably will make when confronted with such a transaction.

RED TRADE PLAN AGREED TO DURING STASSEN VISIT TO ENGLAND

Mr. President, it will be noted that Britain's action is in conformance with an agreement made last spring by Britain with United States officials and those of other North Atlantic treaty powers. In other words, the agreement preceded the Attlee mission.

It is, in fact, an aftermath of a visit Mr. Harold Stassen paid to Britain several months ago, and to which I shall have occasion to refer later in my remarks.

The junior Senator from Nevada has long considered it unfortunate that among our gifts to Britain we did not tender to them Mr. Stassen.

This could have been done preferably under some sort of a lend-lease arrangement, which would have assured us that we would not get Mr. Stassen back.

Such an arrangement could possibly save the taxpayers of this Nation more billions of dollars.

NEW GIVEAWAY SCHEMES PLOTTED BY FOREIGN AID SPENDERS OF $59 BILLION

These taxpayers since the war have been tapped for $59 billion to support various global giveaway schemes, and Mr. Stassen and his handout crew are now thinking up new ways to squander new billions of taxpayers' money in new schemes to shower American wealth on foreign peoples throughout the world, and to promote more schemes of the Clement Attlee-and-party type.

The Wall Street Journal today carries a rather comprehensive report of the goings-on in Mr. Stassen's bailiwick under the page one heading "President's Advisors Mull a Costly New Foreign-Help Program—Scheme: Plow in Dollars, Shore Up Economies in Red-Threatened Areas—Asia Would Be First Target."

I ask unanimous consent that this article be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PRESIDENT'S ADVISORS MULL A COSTLY NEW FOREIGN-HELP PROGRAM—SCHEME: PLOW IN DOLLARS, SHORE-UP ECONOMIES IN RED-THREATENED AREAS—ASIA WOULD BE FIRST TARGET

(By Ray Cromley)

WASHINGTON.—The Red triumph in Indochina, and the short-lived success of the Red regime in Guatemala, may cost you a pretty penny.

You may find yourself, through the United States Government, subsidizing more roads, dams, and reclamation projects in Guatemala, in Burma, South Vietnam, Pakistan, and in other trouble spots around the globe.

You may find yourself, through the United States Government, loaning or giving money to Japan or England or France, or Belgium, or West Germany, if they will in turn furnish world danger areas with road-building equipment, electric generators, or cement-producing machinery, or textile plants.

You may find that foreign aid, running at around $3 billion a year now, will stay that high, or almost that high, for many years to come.

ECONOMIC AID BILLIONS

For as a result of Guatemala and Indochina, President Eisenhower's advisors are already hard at work on grandiose plans for new billions in economic aid. They will be superimposed on our plans for rearming the free nations against the Communists. And where military spending goes down, as in Indochina as a result of the armistice, these moneys will be diverted to "economic defense."

A key part of the new Eisenhower economic aid program will be a drive to cut tariffs in the free world, and stimulate trade. The idea is to use all kinds of economic weapons—not just United States cash—in an integrated global effort to help underdeveloped areas resist Communist blandishments.

So another likely result of the current planning would be more competition from abroad for some United States businessmen, and cheaper foreign wares for United States shoppers. The State Department not only wants to stimulate trade with the United States but also to use United States tariff concessions as a lever to encourage freer trade between our allies. Thus we might agree to lower trade barriers against British or French imports to the United States if those countries would cut tariffs on Japanese textiles or on Thai or Formosan exports.

The men drafting the plans want to push more "planning" by underdeveloped countries and would send more engineer-advisor teams around the world; they would start sending more point 4 technicians and public health experts and would help start more technical schools in backward countries. But above all, the planners would try to get the countries of the free world to get together to do more planning on how to help each other so that United States aid for one would snowball into aid from the helped countries to other countries.

CONGRESS MAY BE COOL

The idea is, says one planner, we'll tell these people, "We'll help you if you agree to help someone else."

Much of this planning, of course, will have to be O. K.'d by Congress before it can be carried out. At this session, the lawmakers indicated considerable coolness toward continued heavy spending abroad. The Eisenhower forces asked $3.4 billion for foreign aid for the current fiscal year, but Congress is likely to provide little more than $2.8 billion despite a last-minute appeal from Ike. Congress was also cold to the Administration's "freer trade" schemes, and the President had to settle for a 1-year extension of the Reciprocal Trade Act, instead of the progressive tariff reductions he favored.

But President Eisenhower will argue next year that Indochina has proved that military aid and military alliances alone will not stop the Communists. His advisors are convinced on this point.

"Look at the several billions for arms we poured into Indochina," says one diplomat wryly.

Says another: "We could have a strong military alliance of the southeast Asiatic nations, well armed and well prepared, and they could still go Red."

Southeast Asiatic diplomats have told Secretary of State Dulles and his aides that they don't fear an out-and-out Red Chinese invasion. But they do fear subversion, infiltration, and coups d'etat. They worry about the Red underground. Our diplomats say they're right.

CRUX OF PROBLEM

"The problem is economic and political unrest; that gives the Reds a chance to make hay," says one Dulles aide. "Look at what happened in Guatemala; and the Reds couldn't have won in Indochina except for native dissatisfaction with their government and with their economic plight."

The planners say their program will aim at building enough economic stability to prevent people from turning to communism as a desperate hope. "But that will cost a lot," says one planner, "and a lot of the cost will have to come from the United States taxpayer."

In some ways, the planners admit, this isn't a new concept. It was the idea of the Marshall plan for Europe. It's the basic idea of the smaller point 4 plan to help people to help themselves. But the trend the past few years has been to depend more and more on military alliances and military aid to stop the Reds and to cut back on economic aid. In a way, this is an attempt to reapply the basic premise of the Marshall plan to critical spots around the globe.

The first of these big new economic plans will be for that part of Asia which hasn't yet fallen to the Communists. Planners are already at work, though they're still only at the start of their planning. "We have dozens of plans," says one diplomat, "and we've got to take all these ideas and make one workable program out of it all." "But this oriental plan will have worldwide overtones, for the planners have already decided you can't help one country or one area efficiently without tying this aid in with aid plans for many other countries.

Asia is being picked as the first target because Dulles diplomats figure it's the prime danger spot. Diplomats worry that Japan's ailing export trade will lure the Japanese Communist markets in Russia and China. There's an underground Red war going on in Malaya now. The present administration in Indonesia already has a parliamentary alliance with the local Red party and depends on Red votes to stay in power; fluctuations in the world tin and rubber markets keep Indonesia's economy unsettled. The Reds have set up in Communist China an ex-premier of Thailand as head of a Red Thai movement; there's still a Red army in Burma fighting the Burmese Government. The Reds have shown unexpected political strength in some sections of Pakistan.

Like the original Marshall plan, the new Asiatic aid program will try to get away from helping countries one by one; instead it will aim at helping each country in a way that will enable that country's production to help other countries.

An official gives this example of how the plan would work: Japan is short of iron ore; she finds it difficult to sell in Southeast Asia because these lands are often short of foreign exchange. Malaya has iron ore. If these Malayan mines were expanded, Malaya would earn more of the foreign exchange she needs and be able to buy more of what Japan and other countries sell. (And the developing of these mines would give Japan a market for mining machinery and mining equipment.)

Indonesia wants to develop a cotton textile industry to meet domestic textile needs. She can't afford to import the machinery to start it. Japan has cotton textile machinery to export; she can't find enough buyers to sell the machinery to. If some way can be found to finance this deal, then Indonesia will save foreign exchange—because she won't have to import so many textiles. Japan will have a growing market for industrial goods.

Burma could earn more foreign exchange if she developed her lumbering industry. To do that she needs better roads leading to forests in the interior. Probable best market for her specialized lumber would be the United States. So the planners see a three-way deal. Loan or grant Burma the funds she needs to build the roads. She'll probably buy her road building equipment from Japan and sell her lumber to the United States. Then Japan would take the funds she earned from selling equipment to Burma, and buy the goods she has to have from the United States.

But the basic idea of the program would be to develop in each country industries such as mining, textile-making and agriculture (through dams and irrigation projects and fertilizer plants) that would help the country to pay its own way, raise the standard of living, and provide exchange.

Because most of Asia is underdeveloped and Japan the only well-developed country in the area, Japan would be a focus of a lot of these two-way or three-way trade and development deals. But a lot of the programs would provide for increasing trade and investment between a country in Asia and some European or African or South American area.

In fact, the further the planners go in planning for Asia the less they think of it as a single trade area like Europe, and more as an area where each country will want to trade more and more with the rest of the world.

So the planners at the State Department, the Foreign Operations Administration and the Commerce Department are thinking in global terms. The plans they'll come up with, if adopted by Congress, would make foreign economic aid a big item in the Federal budget for the "duration" of the cold war.

MACHINE-TOOL GIVEAWAY TO BRITAIN COSTLY TO TAXPAYER AND INDUSTRY

Mr. MALONE. Mr. President, one of the schemes advanced by the State Department foreign-aid giveaway clique in recent years was to provide foreign nations with machine tools of advanced American design.

Millions of dollars in machine tools were given to Great Britain, and it is interesting to note that in British dispatches reporting steps to increase Britain's trade with Communists machine tools are prominently mentioned.

It would be interesting to learn, Mr. President, if some of the machine tools that we gave Britain after the war are among the machine tools that Britain now proposes to send on to Soviet Russia and Red China.

They are excellent tools, Mr. President, useful in manufacturing war planes and jet engines, and no doubt would be greatly welcomed by all of our Communist enemies.

GIFT MACHINE TOOLS TO BRITAIN MISSING

Some of these machine tools we gave to Great Britain already have been mislaid or disappeared. In any event, the investigations division of the Senate Appropriations Committee has been unable to trace them since their arrival in Great Britain, and in this regard have had no help from Mr. Stassen's agency.

Mr. President, I ask unanimous consent that the portion of the investigations division's report titled "The Machine Tool Grant" be printed at this point in the RECORD, as a part of my remarks.

There being no objection, the excerpt from the report was ordered to be printed in the RECORD, as follows:

THE MACHINE-TOOL GRANT

Included in the United States grant-aid to the British aircraft industry was the gift of a large quantity of expensive and specialized American machine tools that were in short supply in the United States and not available to American industry without priority ratings.

These tools were authorized at the end of a fiscal year without adequate screening; some proved to be unnecessary, others were not well adapted to their proposed use and a number are still in reserve. MSA and FOA have failed to make full end use checks and the United States does not participate in the revenue derived from the rental of the tools by the British Ministry of Supply.

Although this transaction was initiated and the funds committed by ECA more than 3 years ago, the details are still so highly classified by the Foreign Operations Administration, the successor of ECA and MSA, that, unfortunately, they cannot be fully discussed herein. At the request of the Division of Investigation, the General Accounting Office made a study of the machine-tool grant in April 1954 and prepared a report for the Senate Committee on Appropriations. FOA was asked to release the report for general publication. This request was refused. However, a summary of the available data may disclose a clue to the motives for a continuation of the highly restricted classifications.

In 1951 the United States agreed to supply the British Government through grant aid with several thousand machine tools to further defense production in the United Kingdom at a total cost of $126 million. The funds were duly committed and deliveries were made over a long-lead-time period, the last tools according to our information having been delivered in March 1954. These tools were consigned to the British Ministry of Supply which in turn distributed them to various manufacturers engaged in defense production under terms and conditions which FOA does not permit us to describe but which have considerable interest to the Congress and the American taxpayer. There is no indication that the British Ministry of Supply is in any way responsible for this restriction on vital information.

Curiously enough, while it is not permitted to mention the total number of machine tools procured and delivered to the British Ministry of Supply, there is no restriction upon stating that 3,838 of these tools were allocated by the Ministry of Sup-

ply to the British aircraft industry. This distribution was as follows:

For engines	2,426
For airframes	400
For components	1,012
Total	3,838

These tools are estimated to have had an average value of something slightly in excess of $20,000 each, making the total cost for the tools allocated to the aircraft industry approximately $76 million.

The machine tools allocated to the aircraft industry are dispersed among the following users:

Engines:	
Armstrong Siddeley Motors	437
Rolls Royce	434
Napier (English Electric)	442
Standard Motor Co	323
DeHavilland Engine Co. (includes 4 factories, and subcontractors: Jos. Sankey, Ltd.; Wayburn Engine Co.: S. E. Opperman; B. S. A. Ltd.)	395
Bristol Airplane Co. (includes subcontractors: Wellworthy Piston Ring Co., Ltd.; Balfour Marine Engine Co.; R. T. Shelley & Co., Ltd.; Enfield Tool Mfg. Co.; Engineering Productions, Ltd.; Singer Motors, Ltd.; Bros. Ltd.)	317
Miscellaneous users	28
Total	2,426
Airframes:	
Hawker Aircraft Co. (2 factories)	118
Armstrong Whitworth [1]	35
Vickers Armstrong (includes subcontractors: Sauders-Rowe; All Tools, Ltd.)	56
DeHavilland Aircraft Co.[1]	58
Gloster Aircraft Co.[1]	51
English Electric [1]	41
Miscellaneous users	41
Total	400
Components:	
Blade Research and Development (blades) [1]	111
Rotax (starters)	84
Rotol (gear box and undercarriage)	89
British Thompson Houston (turbo (starters) [1]	103
Dowty Equipment Co. (undercarriages) [1]	60
Geo. Godfrey & Partners (cold-air vents)	58
Dunlop Rim & Wheel Co.[1]	18
E. M. I. Development Co.[1]	12
Farranti, Ltd.[1]	37
Folland Aircraft Co.[1]	11
J. Garrington & Sons [1]	19
Lockheed Hydraulic Brake Co.[1]	21
H. Lucas, Ltd	51
Royal Aeronautical Establishment, Farnborough [1]	17
Miscellaneous users	321
Total	1,012

[1] Inspections by FOA—U. K. have never been made of these companies. It is not known whether subcontracting companies are involved with them, because inspections were the only means used to gain information of subcontractors involved.

It is hoped by FOA that an agreement will be reached under which the British Ministry of Supply will submit to the United States a detailed inventory by location of the machine tools. When and if this inventory is submitted, a clear picture of the status of the machine tools will be available. It is of interest to note that several of the above companies are also engaged in the manufacture of civil, Government-subsidized aircraft. It has not been possible to determine from available records that United States financed machine tools are used solely for the manufacture of military aircraft. On the contrary, representatives of the Senate Committee on Appropriations have seen at least one large American tool engaged in the production of door and window frames for one of the new British jet transports.

Most of the aircraft companies above mentioned are engaged in the production of both civilian and military aircraft, engines or components. It is apparent that the American tools are not set aside and reserved for purely military production. It would be unreasonable to assume, or insist upon, any such restrictive arrangement in plants that do not have a single assembly line and are concerned with simultaneous production of both military and civilian end items.

LACK OF SCREENING

At the time the machine tool grant was approved and the funds committed, no satisfactory screening as to possible end use and utilization was made by ECA. An adequate screening check would have made it difficult to obligate these funds before the close of the fiscal year. Actually over 90 percent of the money committed for the procurement of the machine tools was obligated on May 31, 1951, 1 month prior to the close of the fiscal year.

The details of what happened to all the tools is also highly restricted, thus preventing a public evaluation of the manner in which this program was conceived, negotiated, and administered by ECA, MSA, and FOA. However, it may be stated that: (1) when the tools were delivered in the United Kingdom, it was found that there was a surplus, (2) some tools were not well adapted to the proposed use, (3) in at least one case tools valued at several million dollars could not be used because the plant for which they were intended had not been completed, (4) as of recent date a substantial number of the tools are in reserve and are not needed for defense purposes, (5) MSA and FOA have not made full end use checks of the tools in operation, (6) the United States does not share in any revenue that may be received by the Ministry of Supply from manufacturers for the use of the machine tools allocated to them, (7) notwithstanding indications of improper and nonutilization of the machine tools, no concerted corrective action was taken by FOA until the middle of 1953, (8) as of May 1, 1954, no final agreement with the British regarding the use and disposition of the machine tools had been executed, (9) the agreement which has apparently been approved by both sides and is awaiting execution is open to question from the standpoint of protecting the best interests of the American taxpayer, (10) at the time this transaction was originated, it was regarded largely as a device for putting dollars into the British economy by picking up the checks for something the British had already ordered, and (11) since the operation was treated essentially as a form of balance of payment assistance, only a limited amount of time or attention was given by MSA and FOA to the allocation, use, and disposition of the tools once they had entered into the British economy.

OPERATION RATHOLE

Mr. MALONE. Mr. President, the above excerpt from the Appropriations Committee investigation division's report is but one example of what the Omaha World-Herald in a recent editorial referred to as Operation Rathole.

I ask unanimous consent that the editorial from the Omaha World-Herald, of August 2, 1954, be printed at this point in the RECORD, as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ONLY SEVEN VOTED YES

Last Friday Republican Senator MALONE, of Nevada, moved to kill the foreign-aid program entirely.

He said, let's take the money that has accumulated in that fund and spend it on the American Air Force. He said, let's use it to buy a couple of thousand heavy jet bombers for General LeMay, and maybe 3,000 jet interceptors for the defense of America.

Can any rational American doubt that the money, if so invested, would buy vastly more national defense than if dribbled away in some 60-odd foreign lands?

The truth would seem to be self-evident.

Yet, when the roll was called, how many Senators of the United States voted with Senator MALONE?

Just six.

BRICKER, of Ohio; JENNER, of Indiana; LANGER and YOUNG, of North Dakota; MCCARTHY, of Wisconsin; and WELKER, of Idaho.

That's all. The others present voted no.

Oh, sure, the defenders of the aid program offered gilt-edged reasons. They said a great deal of the money now on hand has been committed. They said many billions of dollars worth of weapons ordered for other countries under the military-aid program are now being made, and will have to be paid for.

To many well-meaning Senators, no doubt those arguments were most persuasive.

But haven't you, dear reader, heard them all before?

Whenever any move is made to curb or end foreign aid, apologists for the great giveaway say, oh, no; we can't do it; we are committed; we have made pledges; we must keep our sacred promises to our dear allies.

The upshot is that the American people, who are all but unanimously opposed to foreign aid, are saddled with it year after year after year.

And there is no relief in sight.

Time and again the Senators and Representatives who say they are opposed to foreign aid (most of whom are probably sincere in that stand) allow themselves to be outmaneuvered, outthought, and outfought by the international spenders.

In the past 8 years this foreign-aid nonsense has cost the American people about $60 billion.

And only seven Senators of the United States voted to put a stop to it.

Why is it so difficult for the people of free, democratic America to get what they want from their own Congress?

Senator MALONE has an answer to that one. He says the wishes of the people have been frustrated by a coalition of "the internationally minded press, the pseudo-liberal writers and commentators, the pinkos and near-Reds, and those large concerns here in America which are harvesting the profits of the prodigality and senselessness of these programs."

That just about calls the roll. Among them all, those forces generally manage to control the national conventions of both parties, and their contributions are a potent factor in the campaigns in which Senators and Representatives are chosen—even here in the Midwest.

Will there then be no end to this Operation Rathole?

Not, we surmise, until the American people wrathfully make their convictions known at the polling place. So long as they elect officials who talk against foreign aid at campaign time but vote for it later, the wealth of the United States—and the national security—will continue to go down the drain.

DOLES TO 60 FOREIGN NATIONS PREFERRED TO STRENGTHENED AIR FORCE

Mr. MALONE. Mr. President, I wish to read a few excerpts from the editorial, as follows:

Can any rational American doubt that the money—

That is to say, the $13 billion, which was voted by the Senate as recently as last Saturday evening, to be expended in those countries—

if so invested—

Meaning invested in American airpower—

would buy vastly more national defense than if dribbled away in some sixty-odd foreign lands?

Mr. President, the editorial is apropos the amendment offered by me to the foreign operations administration bill, proposing that the $13 billion be transferred to the Air Force, to build up-to-date defense planes.

I read further from the editorial:

Oh, sure, the defenders of the aid program offered gilt-edged reasons. They said a great deal of the money now on hand has been committed. They said many billions of dollars' worth of weapons ordered for other countries under the military-aid program are now being made, and will have to be paid for.

Mr. President, who commits the money of the United States of America, before it is appropriated? It seems to be about time that the administrative officals of the Government be taught a lesson, and that the United States Congress regain its prerogative of appropriating the taxpayers' money and of knowing where the money goes.

Mr. President, stories have been told about commitments made by the Foreign Operations Administration and about contracts let—for all of which we must pay. However, everyone of those contracts contains a cancellation clause, and every one of the contracts could be cancelled at much less than its total cost.

Furthermore, there is grave suspicion that approximately 75 percent of the materials to be manufactured and sent to Europe and placed in warehouses will be obsolete when they "hit the ground."

GREAT BRITAIN BIGGEST BENEFICIARY IN OPERATION RATHOLE

Mr. President, Operation Rathole, as it is described in the editorial to which I have just referred, to date has cost the taxpayers of the Nation fifty-nine thousand million dollars.

Great Britain has been the greatest recipient of this gift money, much of it advanced to her during Mr. Attlee's regime to help him socialize British industry.

Mr. Attlee also may well be the future Prime Minister of Great Britain, utilizing and expending American aid either in the interest of Britain or the interest of the favorite allies of British Socialists, Soviet Russia, and Red China.

Great Britain, as we all know, has a habit of rotating Prime Ministers, and Sir Winston in recent years has aged rapidly.

ATTLEE PROMOTED FIRST POSTWAR AID TO BRITAIN

Mr. Attlee, we remember, did succeed Mr. Churchill at the conclusion of World War II. Then, in October 1951, Mr. Churchill succeeded Mr. Attlee. In due course it may be "Comrade Clem's" turn again, with more millions of United States dollars to play the big brother act to Communist Russia and Red China. This would certainly set no precedent.

It was during Mr. Attlee's regime as Britain's Prime Minister that the initial billions for foreign aid were granted to England by the United States. Part of this aid money was used to finance the British aircraft industry, as I have previously stated. The British aircraft industry, bolstered by American aid, then built a very efficient jet engine, which it sold to Soviet Russia. The junior Senator from Nevada disclosed this to the Senate at the time, but the sale by Britain to Russia of jet engines was not checked. Mr. Attlee, or "Comrade Clem," as the News calls him, was Prime Minister of Great Britain during this period, and Mr. Attlee's friends were in the White House and the State Department.

BRITISH JET-ENGINE SALES TO RUSSIA IN 1948 EXPOSED IN SENATE

As a matter of fact, Mr. President, on this floor in 1948, when we were debating the Marshall plan, the successor to UNRRA, I said that Great Britain had shipped jet engines to Russia. That was denied; it was denied by the then Secretary of the Army. But within a few months from that date everyone knew England had shipped jet engines to Russia. Of course, it is necessary to ship only one engine of each type to the Russians or the Japanese or to any other group, in order for that group to make all of such engines they may need.

Communist jet warplanes—MIG-15's—manned by enemy pilots and equipped with these British-type jets, were employed by Red China in the Korean war, and succeeded in shooting down some of our American boys.

The junior Senator from Nevada does not know whether Mr. Attlee and his Socialist comrades on their mission to Moscow and Peiping will be awarded for this contribution to Communist airpower. He does not know whether in the course of their arrangements for increased trade they will arrange to supply Russia or China with more jet engines or other war goods.

REDS GAIN VITAL UNITED STATES SECRETS THROUGH TRADE AND TRAITORS

Of course, Mr. President, we have a habit of imparting to our potential enemies our secrets regarding the atom bomb, atomic energy, jet engines, and airplanes. We have two ways of doing that. One is by means of desertions from our ranks or traitors in our ranks; the other is by giving the equipment to European nations who are trading with and have traded with Russia and her satellites, and have done so without stint ever since World War II.

What the junior Senator from Nevada does know is that "Comrade Clem's" sympathies are with the Reds, and against the interests of the United States.

For this reason, Mr. President, the Congress of the United States assumes great risks in conferring further aid on Great Britain at this time.

FOREIGN AID RISKS EXPOSED IN SENATE STAFF REPORT

Mr. President, the investigations division of the Senate Appropriations Committee in its report came to some very pertinent conclusions about this aid given by the United States Government to the socialized British aircraft industry.

It likewise made some interesting recommendations.

I ask unanimous consent that that portion of the report subtitled "Conclusions and Recommendations" be printed in the RECORD at this point in my remarks.

There being no objection, the portion of the report was ordered to be printed in the RECORD, as follows:

CONCLUSIONS AND RECOMMENDATIONS

I. Foreign aid is being used to build up and fortify the productive facilities of other countries to the detriment of United States strategic industries. Specifically, United States taxpayers' money is being used to support, directly or indirectly, the British aircraft industry which is heavily subsidized by the British Government.

The preeminence which the United States has enjoyed in international civil aviation is based upon the initiative and competition generated by the free enterprise system. This position of preeminence and the stability of the aviation industry are of paramount importance to this country. They should not be imperiled by contributing to the support of the British aircraft industry.

II. The United States aircraft industry is made up of three component parts, all interdependent upon each other:

1. The engine makers.
2. The airframe builders.
3. The domestic and international airlines.

A program which endangers any one of these elements threatens the well-being of the entire integrated industry. The fact should not be overlooked that thousands of small component manufacturers have a vital interest in the continued stability, prosperity, and expansion of the United States aircraft industry operating within the framework of the free enterprise system.

III. If the United States desires to maintain close relations of mutual esteem and respect with valued allies, we should recognize the imperative need for frank, realistic, and hard trading in the extension of our foreign aid. Any concept that the United States can only exercise world leadership and hold allies by providing money on terms laid down by the recipient nation is unsound and contrary to the best interests of the United States.

IV. The effect of the grants-in-aid to the Royal Air Force was to release British budgetary funds for the continued subsidization of the commercial jet development program.

V. A great nation capable of embarking upon a long-range and costly program largely financed by government to obtain mastery of the air in commercial transportation should be able to produce without foreign aid the military aircraft necessary for its national defense and the fulfillment of its obligations to the North Atlantic Treaty Organization. This is especially true since large quantities of dollar foreign exchange are not essential to the production of British aircraft.

VI. The administrative judgment exercised by ECA, MSA, and FOA is open to serious question in connection with:

1. The obligation of funds at the end of the fiscal year for the procurement of several thousand expensive machine tools without proper screening or end-use checks.

2. A failure to keep track of the distribution, use, and ultimate disposition of the tools for a long period of time after they were delivered to the Ministry of Supply.

3. A failure to inspect the tools at the British factories to which they were allocated.

4. A failure to negotiate any agreement with the British Ministry of Supply regulating the use and distribution of the tools for a matter of nearly 3 years.

5. A commitment to finance the procurement of British military aircraft that have not been evaluated or approved by the United States Air Force and some of which will be obsolescent when delivered.

6. A commitment to finance substantial quantities of a British military aircraft that will have only 12 to 18 months front-line service after delivery before it is scheduled for retirement from the front lines.

7. A commitment to enter into offshore procurement contracts for two British military aircraft with the British Ministry of Supply instead of the manufacturers, thus making it impossible to control costs and to impose other essential conditions of production normally required in defense procurement contracts.

VII. The programing, procurement, and financing of all aircraft required by the mutual security program should be decided and managed by the United States Air Force. The appropriations, if any, for foreign aircraft financing should be included in the funds allocated to military aid and should not be divided between the Department of Defense and Foreign Operations Administration. The present procedure which permits the Foreign Operations Administration to get into the business of programing and financing British aircraft, independently of the United States Air Force lends itself to the distortion of military aid by civilian policymakers in an effort to attain political and economc objectives through the use of defense support or direct forces support funds.

VIII. The British fighters being financed with United States grant aid as part of the Royal Air Force modernization program are still in the experimental stage and are not yet in full production. None can fly at supersonic or transonic speeds in level flight according to United States Air Force standards.

IX. The executive agreement reached at Paris in April 1953 regarding future support for the modernization plan of the Royal Air Force should have been fully disclosed to the Congress when the first appropriations were requested. The formula adopted for seeking the necessary funds was misleading and the manner in which the formula was later carried out was contrary to the intent of Congress to limit the amount of economic aid to the United Kingdom. It has led to confusion, undesirable division of administrative responsibility and decisions, the wisdom of which are open to serious question.

X. It is assumed that when the British Government spokesmen advocate "trade not aid" they mean the interplay of free competitive forces and not a method of obtaining a privileged position through the use of Government subsidies indirectly financed by the United States taxpayers.

XI. If high policy decrees that United States grant aid should be continued in support of the British military air budget, it would be desirable to explore with the appropriate technicians and policymakers the possibilities of supplying the British Government with the airframes of our latest types of fighters in which British-make engines could be readily installed. This formula, if feasible, would appear to be preferable to the present program for the following reasons: (1) The combination of United States airframes and British engines should result in truly supersonic fighters far superior to the Javelin, Hawker, Hunter, and Swift. (2) United States grant aid would not be used to build up production lines in the United Kingdom to turn out planes that are not comparable to the suggested United States-British combination versions. (3) United States taxpayers' money would be used to strengthen our own aircraft industry and make jobs for American workers instead of contributing to the British program for civil jet expansion.

FURTHER AID FUNDS TO BRITAIN SHOULD AWAIT ATTLEE-BEVAN REPORT

Mr. MALONE. Mr. President, in view of the above recommendations, the junior Senator from Nevada would consider it a better part of wisdom if foreign-aid disbursements to Great Britain were deferred until at least Mr. Attlee and Mr. Bevan return to England and report on their conferences with the leaders of Communist Russia and Red China.

The junior Senator from Nevada considers this a very constructive proposal and he earnestly hopes that Mr. Stassen will give it his earnest consideration when he gets these new billions of taxpayers' dollars in his eager hands.

He could tie up a reasonable portion in a neat bundle for Britain and store the bundle in some safe place temporarily, or until such time as we know what Britain proposes to do with it, or with the aircraft, jet engines, munitions, and other war goods that it will enable British industry to produce.

If Britain proposes to use it to provide for its own or for Western Europe's defense, then, under the terms of the act, the money would be turned over to it.

BEWARE OF BLANK CHECKS TO BRITAIN

But a blank check to Britain at this time could wind up endorsed by Molotov or Chou En-Lai, Red China's Foreign Minister.

Mr. President, let me say at this point it is not certain but that much of this money, in goods and in manufactured materials, may wind up in Red China and Communist Russia even under Mr. Churchill and Mr. Eden.

The contention may be made that Mr. Attlee and Mr. Bevan do not, at this moment at least, represent the British Government.

Technically, that is true. They hold no official posts, although the Attlee-Bevan party does include several members of the British Parliament.

But the British Government operates a bit differently than we do in America.

ATTLEE SHARED IN WORLD WAR II ROOSEVELT-CHURCHILL SECRETS

Mr. Attlee was very active in the Churchill Cabinet during World War II. He was Lord Privy Seal and served as Deputy Prime Minister during Winston Churchill's trips to the United States and other areas of the world to consult with President Roosevelt or with Stalin.

He shared Churchill's confidences and in Churchillian-Roosevelt secrets that the American public were not permitted to share in. And, of course, as I stated before, Mr. Attlee was advanced to Britain's No. 1 man about the time that Mr. Truman took office.

Tomorrow he may be back in power again with Comrade Bevan as his Foreign Secretary.

Such a thin line divides the Government in Britain today that there is little difference in policy, regardless of which group is in power. No attempt has ever been made by either to reverse the recognition of Red China.

Mr. President, the editorial, previously referred to, which was published in the Washington Daily News, dealt only with "Comrade Clem's" operations in connection with the Korean war, and with the errors and mistakes made by the previous United States administration in following his counsels.

Other errors and mistakes prior to the Korean war were made by the previous administration while Mr. Attlee represented Great Britain as its Prime Minister.

The British loan was inspired during "Comrade Clem's" ministry over Britain during which he exerted his baneful influence over the then President of the United States and Secretary of State.

Foreign aid was born under Attlee.

GATT, the giant international trade giveaway was born under Attlee.

UNITED STATES OFFICIALS AIDED ATTLEE IN POSTWAR SCHEMES

Socialized trade and socialized aid all were inaugurated in Britain while "Comrade Clem" was its Prime Minister. And he had willing aids in our own Government.

It was not many months after Mr. Attlee's rise to power that the administration came up with its proposals for expansion of world trade and employment.

The United States Treasury Department was represented in this by Harry Dexter White and V. Frank Coe, and the proposals were sent to 14 countries including Soviet Russia, Czechoslovakia, and the United Kingdom.

HARRY DEXTER WHITE'S ROLE IN $3,750,000,000 LOAN TO BRITAIN

Then came the so-called Anglo-American financial and commercial agreements with the Attlee government and our own Treasury and State Departments handling the negotiations.

That is the agreement, we all remember, that resulted in the $3,750,000,000 loan to Mr. Attlee's government, the lend-lease settlement so favorable to Britain, and the agreement to shift from bilateral to multilateral trade agreements through what is now known as GATT, the general agreement on tariffs and trade, which is so little understood in this country that it is scary even to think about it.

Here we find Harry Dexter White and V. Frank Coe again representing the United States in harmony with Mr. Attlee, and their names appear again high on the list of those who prepared the charter for the International Trade Organization, or ITO, along with that of another individual whose name may be familiar to congressional investigators—Victor Perlo.

Mr. President, the junior Senator from Nevada recalls that as long ago as April 1947, I discussed on the floor of the Senate the activities of Mr. Harry Dexter White in connection with the $3,750,000,000 British loan which we were then debating. That was in 1947, 8 years ago.

HOW WHITE RELATED BRITAIN'S UNKEPT PLEDGES

I quoted Mr. White as testifying before the Committee on Banking and Currency. Mr. White had told the committee:

She—

Meaning Britain—

is willing to commit herself to our program of fair currency and trade practices in order to encourage an expansion of world trade.

Think of that—a sovereign nation willing to commit herself to fair currency and trade practices if she is paid for it.

Of course Britain, then under the ministry of "Comrade Clem" never lived up to these assurances by Mr. White.

No steps have been taken even at this late date to inaugurate a system of fair currency, and Britain's Chancellor of the Exchequer Mr. R. A. Butler warned less than a month ago that Britain has no intention of backing a fair currency unless the United States pledges "freer trade and massive dollar backing."

BRITAIN'S ULTIMATUM TO UNITED STATES ON FAIR CURRENCY

Mr. President, I ask unanimous consent that Mr. Butler's ultimatum, as published in the New York Journal of Commerce on July 19, 1954, be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CONVERTIBILITY LINK STRESSED—SEEK UNITED STATES GUARANTY OF FREER TRADE, DOLLAR SUPPORT

LONDON, July 18.—Non-Communist Europe served notice over the weekend it intends seeking new American guaranties of freer trade and massive dollar backing before making its currencies convertible.

Britain's Chancellor of the Exchequer R. A. Butler told reporters on behalf of a conference of 12 European nations:

1. Pace of Europe's haul toward convertibility "must depend upon action taken within the dollar area" to widen world trade. That, in practice, means the United States will be urged to cut tariffs, liberalize customs regulations and generally buy more from Europe.

2. The International Monetary Fund with lending powers of $3.2 billion, must be a "principal source of credit" for its European members after convertibility. The United States is about the biggest single investor in IMF.

Mr. Butler did not say so but other informants reported the European nations discussed the possibility of approaching the American Federal Reserve System for standby backing in any currency emergency that might come in the wake of convertibility.

Mr. Butler had presided over a 2-day parley of finance ministers that ended Friday.

They came here, under auspices of the Organization for European Economic Cooperation, to plan one of the biggest financial gambles since the war. All agreed they would be taking a giant step toward free trade by making their pounds, francs, lire, marks, kroner, and other moneys convertible.

A strong American delegation under Foreign Operations Administrator Harold E. Stassen took part in an observer role. Canada, Portugal, Eire, Turkey, and Austria also sent observers.

The ministers did not issue a communique but Mr. Butler spoke for them all as chairman.

He said of the American observers that they were "of the greatest possible help" and he added: "I have no doubt they would wish to see American policies develop in as liberal a method as possible following upon the report of the Randall Commission. But there is a great more to be done . . . before we can be satisfied."

HAS ASSIGNED DEPUTIES

Mr. Butler said deputies have been assigned to:

1. Formulate a new world trade code embodying the idea of ever-widening the free flow of goods.

2. Study ways of setting up a new multimillion-dollar European credit fund on which all will be able to draw in times of trouble—whether they free their currencies or not.

Britain already has lined about all the Commonwealth and empire countries behind her in the march to convertibility.

That is important. They make up the stearling area. About half of the world's trade is transacted with sterling.

Mr. Butler said the next stage will come when European and Commonwealth finance ministers meet in Washington for the annual IMF parley in September. It seems clear the Commonwealth and European nations then will begin to discuss concrete proposals with American leaders on all the issues involved.

British officials said they believe a new world trade and finance parley will emerge from these discussions.

BRITAIN LONG ON PLEDGES—SHORT ON PERFORMANCE

Mr. MALONE. Mr. President, Mr. Harry Dexter White, back in 1947, gave assurances of British action in the event that we advanced Mr. Attlee's government $3,750,000,000 American tax dollars. That was not all the British pledged, Mr. President. They pledged that that would be the end of it. That was to be the last. This followed lend-lease, UNRRA, and many other subterfuges.

Mr. White stated that in return for this huge loan Britain would "be willing to assume the risk of selling her products in fair competition with the exporters of other countries."

Imagine, Mr. President, that for a little less than $4 billion a nation would be willing to assume the risk of selling her products in fair competition with the exporters of our own Nation.

Of course, she never has done that and never will.

COULD WHITE HAVE BEEN AGENT FOR BOTH REDS AND BRITAIN'S SOCIALISTS?

It would be interesting to learn, Mr. President, if Mr. Harry Dexter White, whom we now know to have been an agent for the Soviet Government, also had authority from Britain's Socialist government to act as its agent in promoting the fantastic and unnecessary $3,750,000,000 British loan.

Britain's Prime Minister at that time, as I stated before, was Mr. Clement Attlee, the same Attlee who is currently leading a Socialist delegation in Red China with a view to warming up still closer to the Communists.

Mr. President, the current mission of Attlee and Bevan to Moscow and Peiping should come as no surprise. The New York Times on May 26, 1954, published a special dispatch from London headed "Attlee and Bevan To Visit Red China." I ask unanimous consent that this dispatch be printed in the RECORD at this point in my remarks.

There being no objection, the dispatch was ordered to be printed in the RECORD, as follows:

ATTLEE AND BEVAN TO VISIT RED CHINA—LABORITE LEADER AND KEY FOE WILL HEAD PARTY DELEGATION—FAVOR CLOSER RELATIONS

LONDON, May 26.—Former Prime Minister Clement R. Attlee and Aneurin Bevan, his principal foe in the Labor Party, will lead a Laborite delegation to Communist China this summer.

The national executive committee of the Labor Party, at a meeting here today, decided to accept an invitation from the Chinese People's Institute of Foreign Affairs to visit China in August and September. It will be the first Laborite visit to China since the Communist regime was established. In 1946 the party sent an official delegation to the Soviet Union.

Officially the party has supported a British-United States agreement to examine the possibility of collective defense in southeast Asia to check aggression by Communist China or its satellites. But both Mr. Attlee and Mr. Bevan are strong supporters of a policy of establishing closer ties with the Communist regime.

Other members of the delegation will include Wilfrid Burke and Dr. Edith Summerskill, members of Parliament, and Morgan Phillips, general secretary of the party. There also will be three trade-union representatives.

The first move for a visit to China was made at the party conference at Margate last September. The agenda included a composite resolution urging that goodwill missions be sent to the Soviet Union and China as a step toward more friendly relations between East and West.

MOSCOW URGES BRITAIN TO SCUTTLE NATO

Mr. MALONE. Mr. President, by a remarkable bit of timing Moscow, on the very same day as the Attlee-Bevan announcement, came out with proposals to Britain that it scuttle the North Atlantic Treaty and enter into trade ties with the Soviet Union.

The New York Times likewise reported this in a dispatch from Moscow headed, "Soviet Overtures to Britain Pushed."

I ask unanimous consent that this article be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SOVIET OVERTURES TO BRITAIN PUSHED—MOSCOW BIDS LONDON BREAK WITH NATO AND ABANDON UNITED STATES TRADE RESTRICTIONS

(By Harrison E. Salisbury)

MOSCOW, May 26.—Moscow proposed today that Britain break with her policy of support for the North Atlantic Treaty, abandon United States-inspired trade restrictions and join the Soviet Union in a common effort for peace, security, and profitable business contracts.

The Soviet bid was made in connection with the anniversary of the Anglo-Soviet alliance signed 12 years ago today in London by Anthony Eden, Foreign Secretary, and Vyacheslav M. Molotov, Soviet Foreign Minister.

The government newspaper Izvestia, noting the long-term nature of the 20-year alliance, took the occasion to emphasize that under one of its provisions the treaty might be renewed.

The fact that the government newspaper took particular notice of the proviso of the

treaty whereby it might be extended attracted particular interest since Britain has on several occasions suggested to Moscow that she might find it desirable to extend the treaty to a 50-year term.

TRADE LINK DISCUSSED

One of the strongest features of the commentary in Pravda, the Communist organ, was its open bid to Britain to throw off her restrictions originating with the United States Battle Act and enter into broader trade relations with the Soviet Union. The Battle Act is designed to halt shipment of strategic materials to the Soviet bloc by denying United States aid to nations that engage in such commerce.

The Soviet statement suggested that Britain could be certain of large contracts and a big increase in business if she was willing to disregard the Battle Act provisions. At the same time the Soviet entered into a general argument directed against Britain's association with the North Atlantic Treaty Organization in its present form and against British association with the European Defense Community.

The Soviet proposed as an alternative that Britain and the Soviet, on the basis of the existing alliance, enter into joint search for security measures for Europe on the basis of the Soviet proposals made at Berlin.

Pravda declared that collaboration of Britain and the Soviet Union had special significance at this time and strongly argued that the present direction of North Atlantic Treaty arrangements was not in British interests and in fact had produced a threat to British sovereignty.

LAWRENCE COMMENTS ON ATTLEE'S JOURNEY TO RED CHINA

Mr. MALONE. Mr. President, on June 7, shortly after the Attlee-Bevan announcement and the Moscow proposals, David Lawrence wrote a very fine column discussing the impending Attlee-Bevan mission, which, as I have stated, is now taking place. The Washington Star was among newspapers of the Nation publishing Mr. Lawrence's column and I ask unanimous consent that Mr. Lawrence's comment, headed "Attlee's Journey to Red China," be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ATTLEE'S JOURNEY TO RED CHINA—BLUNT ANNOUNCEMENT MADE OF TRIP BY LABOR PARTY LEADERS; BRITISH DON'T REALIZE HOW DEEPLY AMERICANS WILL RESENT IT

(By David Lawrence)

LONDON, June 7.—How readily the relations between Great Britain and the United States can be subjected to acute irritation when all the facts are not put in perspective is well illustrated by the blunt announcement that eight members of the British Labor Party in Parliament, headed by former Prime Minister Attlee, have decided to go for a visit to Red China this summer.

If some of the minority leaders in Congress had suddenly decided during the summer of 1940, after Britain had been bombed, to go on a visit to Adolf Hitler, it can easily be imagined what the reaction inside Great Britain would have been. Furthermore, if today some of the Democratic Party leaders had decided to visit the Kremlin without having consulted the United States Department of State in advance and if the announcement had said that the purpose was to discuss public policies with the Moscow government, the British press would properly have hailed it as an unwarranted interference with the prerogatives of the American Chief Executive. There would be even more criticism than there was a few months ago when Senator MCCARTHY undertook to persuade Greek shipowners to carry out the spirit of the American embargo on trade with Red China.

But while the announcement of Mr. Attlee's proposed visit has been adversely commented upon in some of the British newspapers, and while the Foreign Office has denied that it was consulted or that it approved of the mission, the fact remains that the British people as a whole are not at all exercised about the episode and few persons really know how deeply the Attlee mission can wound the sensibilities of the American people.

Why, it may be asked, is there such indifference? The answer is that the sacrifices made by the American people—the 140,000 casualties in Korea—are not now and never have been impressed upon the British people by most of the newspapers here. There is a sort of "it's all in the day's work" attitude in Britain which seems to say, "well, we have had many killed in little wars for the last hundred years." This is but another way of brushing off the Korean war itself, which seems never to have been convincingly presented in Britain as a war for an ideal—the repelling of aggression 8,000 miles away from home primarily by the forces of a country with no colonies in the Far East and with no commercial interests to defend. There is no other logical explanation for the tendency in the British Parliament to forget so soon that Red China was declared an aggessor by formal resolution of the United Nations in February 1951 and that she has done nothing since to atone for her sins before the world. Americans cannot understand the British willingness to take the blood-covered hand of the Red China government.

But it would be a mistake to say that the British Government, and particularly its Foreign Office, is unaware of the American attitude. Had the Attlee mission come before the cabinet for permission, which apparently it does not need to obtain, the answer would have been, "not at this time."

Also there are plenty of members of Parliament who say privately that the Attlee mission is a grave mistake and they hope America will understand it is not a policy of the British Government or of the majority in Parliament. For after all, Mr. Attlee and his associates—among them the firey Aneurin Bevan—do not represent Britain, but only themselves.

Clement Attlee himself has a deep prejudice on the matter of American policy in the Far East. He thinks the United States should have abandoned Formosa to the Reds. Mr. Bevan believes America caused the aggression by the North Koreans and the Red Chinese. Both men are mature enough to know the comfort that the Communists will derive from their journey. Mr. Attlee defends his course in an interview published in the London News Chronicle:

"Our politicians are too ignorant of the China of today. We want to make an honest report about the changes taking place in this vast country whose civilization is thousands of years old. We want, if we can, to see how we can make friends in this great community and to gain the good will of its leaders. I cannot see how anything but good can come of such a visit."

There is something naive about a man of the experience of Mr. Attlee who believes that he will be able to get an honest look at anything behind the Iron Curtain or that the hand of friendship should be extended to a government which holds in prison many American citizens captured in the Korean war and never returned as the armistice agreement required.

Prime Minister Churchill, moreover, has just told the House of Commons that the government of Red China has snubbed for 4 years a British offer to exchange ambassadors.

Is it, therefore, the function of a group of minority members of the national legislature to conduct the foreign policy of the British Government, and decide for themselves whether or not it is opportune to start their own conversations with Chou En-lai, the foreign minister of Red China, who cannot but feel he is dealing with the British Labor Party and possibly with the men who will head up the next British Government? The American people may confidently expect that all this will be clarified before long. For never in the heyday of his assertion of congressional powers in inquiring into international policy has even a certain Wisconsin Senator ever suggested that he or his associates go abroad to deal directly with a foreign government, especially when his own Government, as well as the United Nations, are still in a technical state of war with that aggressor government.

RED CHINA SEEKS TRADE PACT WITH BRITAIN

Mr. MALONE. Mr. President, some might say that Mr. Attlee and Mr. Bevan do not shape Britain's foreign policy or trade policy, but whatever the case may be, the Attlee-Bevan policy and the official policy of Britain have marked similarities.

The Washington Post and Times Herald on June 4, 1954, carried an interesting dispatch from London headed "Peiping plans trade pact with Britain." I ask unanimous consent that this dispatch be printed in the RECORD at this point in my remarks.

There being no objection, the dispatch was ordered to be printed in the RECORD, as follows:

PEIPING PLANS TRADE PACT WITH BRITAIN

LONDON, June 3.—Red China has accepted an unofficial British invitation to send a mission here soon to negotiate a big trade pact.

This was announced today by five of the nation's main industrial and commercial groups. They said also the Chinese have offered to receive a team of British businessmen in Peiping to conclude contracts and generally boost trade between the two countries.

Spokesmen for the British groups told a news conference arrangements for nonstrategic business with the Chinese have been carried out "with the full knowledge and blessing of the British Government."

The information came out after the Foreign Office disclosed the Chinese Communists had promised to lift some restrictions on activities of British businessmen in their territory and to review the case of Robert Ford, a British radio operator seized when the Chinese overran Tibet in 1950.

A Foreign Office spokesman refused to say whether the Chinese had agreed to a longtime British request for exchange of ambassadors, but the steps taken represented the most conciliatory gestures the Chinese Reds have taken since Britain recognized the Peiping regime more than 4 years ago.

The Foreign Office said the Chinese delegation at the Geneva Conference informed Humphrey Trevelyan, head of the British diplomatic mission in Peiping, that they will grant exit permits to British businessmen on the Chinese mainland who for some years have not been allowed to leave.

They will also allow the firms these businessmen represent to send in men to replace those who leave, and investigate difficulties which have been placed in the way of British firms which want to wind up their operations in China.

H. J. Collar, secretary of the China Association, which speaks for British firms with interests in China, said later nearly 20 exit permits had been granted to Britons in the past month or so.

FOREIGN AID BILLIONS PILE UP NEW GOVERNMENT DEBT

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. MALONE. I am happy to yield to the distinguished Senator from Louisiana.

Mr. LONG. Is it not true that since World War II we have given away $45 billion to countries overseas on the theory that we were incapable of defending our own Nation alone if we were attacked?

Mr. MALONE. That must have been the assumption, however, starting with World War I in 1917 we entered into Europe's interminable wars on the theory that if Germany whipped Europe we would be next—and that we must defend Africa, Europe, and Asia to secure the critical materials we must have in peace and in war. Neither is true. Including our committed money, the amount we have expended since World War II is now $59 billion. No one knows, of course, how much a billion dollars is. But, when we get down to a few dollars taken from our taxpayers who are making a living the hard way, taxpayers in the Senator's State of Louisiana and in the State of Nevada, they can understand what a few dollars amount to. Probably one of the reasons it is difficult to understand the $59 billion is because it has been piled up into an additional debt. The $275 billion debt is just so many figures.

Mr. LONG. Mr. President, will the Senator yield for a further question?

Mr. MALONE. I am very happy to yield.

Mr. LONG. Did the Senator see an article which appeared in the New York Times recently, to the effect that Europeans have received $4 billion more than they even expected? Somewhere there was a slip, we gave them $4 billion more economic aid than they were expecting, and more than we thought we were going to deliver to them.

Mr. MALONE. I am not surprised. I note that Mr. Stassen is having considerable trouble now with the Middle East. Some of the nations seem to be fed up with him and do not want any more of his fooling around out there, and have told him politely to stay away. He is now engaged in that argument, how to force them to take the money.

It seems that we are having more and more trouble disposing of money. One of our chief exports, of course, is money, and apparently we think we have to continue exporting it for some reason not entirely clear to the junior Senator from Nevada.

Mr. LONG. Mr. President, will the Senator yield for a further question?

Mr. MALONE. I am very happy to yield.

Mr. LONG. Does the Senator recall that one of the main arguments made for economic aid to the countries of Europe was that those countries needed American dollars in order to buy from us? The whole idea of the economic aid was to get the dollars in their hands.

Mr. MALONE. I remember that very thoroughly, and I remember from our prior debates in the Senate we were so anxious to give them dollars, we gave them cash, and then we also paid in dollars full price for their materials.

Mr. LONG. Is the Senator familiar with the fact that there are almost one-half million American servicemen and their families stationed in Europe today, and that all those people are being paid in dollars? Those people spend those dollars, and the result is many billions of dollars of economic aid in Europe that no one ever thought about when the proposal to send additional American troops to Europe was first considered.

Mr. MALONE. Mr. President, I should like to say to the distinguished Senator from Louisiana that many believe that is the reason why we are keeping the troops in foreign nations. Certainly they cannot defend themselves. Quoting outstanding military strategists, if a war came tomorrow, we could not put on a decent Dunkerque in Europe. We could not feed our soldiers and we could not evacuate them. They would be on the way to salt mines, or dead, in a week. They are there to spend money in lieu of additional Marshall plan aid.

Mr. LONG. Mr. President, will the Senator yield for a further question?

Mr. MALONE. I am happy to yield.

Mr. LONG. I wonder if it ever occurred to the Senator how foolish our foreign policy has been in some respects, particularly insofar as England is concerned. Historically, for more than 300 years, England has been compelled by force of her position to contain Russia and keep Russia from taking the remainder of Europe. Britain successfully maintained that foreign policy for hundreds of years. Finally that policy became a tremendous burden. She maneuvered the United States into assuming that burden; and once we assumed it and assumed treaty obligations providing that we would not permit Russia to expand, Britain seems to be moving toward neutrality. Now she is prepared to let us take over the responsibility of containing Russia.

Mr. MALONE. I am about to say that the nations of Europe—Britain and France being the 2 leaders—have 2 hats. One of them is a United States hat and one is a Russian hat. It is little known, at least apparently little known—although the junior Senator from Nevada has placed the facts in the RECORD here 3 or 4 different times—that Britain and France each have an independent mutual-security pact with Russia. There is a paragraph in each one of the pacts reading almost exactly like the North Atlantic Treaty Pact. So they are signed up with both Russia and the United States. It is like a ballplayer signed up with the Yankees and the Giants, whichever wins the pennant they are in the money.

Mr. LONG. They are signed up with both teams.

Mr. MALONE. That is correct. It would be funny if it were not a tragedy. There is nothing that Senators can do about it if we continue to vote billions of dollars of taxpayers' money for Europe and they continue to pour them into Russia and into Communist China through exports. Reporters are writing about it every day. We can pick up any newspaper—for instance, here is the Baltimore Sun of August 17, which is today. It is headed "Attlee China Visit Viewed as Welding Ties to Britain." It reads, in part, as follows:

PEIPING, CHINA, August 16.—Chou En-lai, Chinese Premier and Foreign Minister, tonight gave an elaborate banquet in honor of the British Labor Party delegation.

It goes on to say that the dinner was held in the Hall of Magnanimity, a former royal palace, and that the dinner was attended by members of government diplomatic corps in Peiping.

Mr. President, I should like to say to the distinguished Senator from Louisiana that I was in the capital of China, Nanking, in 1948, and our Ambassador, Mr. Stewart, and the Generalissimo Chiang Kai-shek, tried to prevail on me not to go to Peiping because the Communists were supposed to be only 8 miles outside the city limits.

I said "I did not come 12,000 miles to fail to see the city of Peiping and the great northern general."

We landed in Peiping at night, without lights, and we found a car waiting without lights. We were driven to the great northern general's camp. He told us exactly what we both know, that China was being sold down the river to the Communists. It took him about 3 hours, through an interpreter, to tell us about it.

I say to the distinguished Senator from Louisiana that we have deliberately brought about the condition we now face in China, the Far East, and Africa.

How anyone can read the current newspaper reports and vote continually to pay the taxes and industrial production expenses of the European nations is more than I can understand.

This newspaper article describes the dinner to which I have referred. It was a great dinner, undoubtedly. Then it goes on to say:

It is the desire of the Chinese people to strengthen further friendly relations between the peoples of the two countries.

The Chinese Premier urged cultural interchange. I read further:

"Cultural interchange should also be extended," he said. "This will have an important bearing upon consolidating and developing friendship and increasing mutual understanding.

"Strengthening of Chinese-British peaceful cooperation not only will prove to the whole world that it is possible for two countries of different systems to coexist peacefully, but will make it possible to facilitate the application of this principle of peaceful coexistence to relations between other countries."

The speech was delivered in three languages, in Russian as well as in English and Chinese.

I would say to the distinguished Senator from Louisiana that we must be punch drunk, because these things have no effect upon us. We have no idea apparently of what a billion dollars means to our hard-pressed taxpayers, not to mention $17 billion, which was the amount of the first appropriation under the Marshall plan in 1948. It was to have covered 4 years. But by now we have built this assistance up to the $48

billion mentioned by the distinguished Senator from Louisiana and to the $59 billion which includes the billions we have appropriated but which these foreign countries have not yet got around to collecting.

Twenty-five years ago a man would have been put into an insane asylum if he mentioned such a sum to be paid to foreign nations with no return.

Mr. LONG. Mr. President, will the Senator from Nevada yield?

Mr. MALONE. I yield.

Mr. LONG. Did it ever occur to the Senator that for the sum which we have given away we could have built 2,000 modern airports in this Nation, with adequate fuel to maintain a going war for a considerable period of time. We could have built enough aircraft to give us the ability to strike Russia with a complete atomic attack from this country and to disperse our strength over 2,000 airbases instead of over about 100 airbases?

Mr. MALONE. I will say to the Senator that if he will examine—and I know he has examined—the report made by the Subcommittee on Minerals, Materials, and Fuels Economics, of which I happen to be chairman, it will be found that some of our greatest former generals have testified that we can defend the Western Hemisphere. They have testified that not only can we defend it, but we can defend it from North America. The only way we can defend any other part of the world is from here, by building long-range sonic-speed bombers and fighters, guided missiles, and radar, and by spending our money in defending the only area which can be defended in the first go-around in an all-out war, the New World—the Western Hemisphere.

The committee depended upon the well known military strategists to define the area we could defend, but I know every engineer in the United States, by reputation, who has accomplished anything; I know every contractor, every producer who has accomplished anything, and I know the engineers and economists in the Government who have gained the necessary experience to know what they are doing.

I can tell them from the hand-raised economists who have inhabited the wings of the White House since 1932 and who have gained their knowledge about the economy of this Nation by reading the books which they themselves wrote.

We heard these engineers, producers, and experienced Government employees.

The Western Hemisphere can be made self-sufficient in the production of the critical materials we need to fight a war or live in peace. It could have been done with much less than the $48 billion or the $59 billion to which we have referred, and this Nation made safe from dependence upon foreign nations.

Mr. LONG. Mr. President, will the Senator from Nevada yield?

Mr. MALONE. I yield.

Mr. LONG. The Senator's argument is not an isolationist argument. It is based upon a careful appraisal of what our potential enemy has and what it would be able to do under the circumstances, if the circumstances might become worse. It seems to me that this Nation should adopt a defense policy which would tell the world that no matter what happens in Europe or in Asia, we are fully capable of defending this Nation and this hemisphere, and we expect to do so.

Mr. MALONE. I will say to the Senator that my argument is the opposite of an isolationist policy, because we cannot possibly defend Europe, Africa, and Asia with foot soldiers stationed in those areas—we can only defend the Western Hemisphere and any other areas we elect to defend from this area.

The testimony to which I have referred is public testimony. The only way we can protect parts of Europe, Africa, or Asia is by operating from North America with the planes which I have described, with submarines, guided missiles and radar. If this is true—and it is true—it is time we reassayed our foreign policy and our domestic policy. We should reassay these policies when we are asked to divide the markets of this Nation with all the other nations of the world and to station foot soldiers in the nations throughout the world.

ONLY UNITED STATES WILL OR CAN PROTECT WESTERN HEMISPHERE

The United States is the only power which can protect the nations of the Western Hemisphere. We need to revive the spirit of the Monroe Doctrine and encourage increased cooperation between the nations of the New World.

Our ancestors came to the New World 100, 200, 300, or 400 years ago. Why? Because they could not make a living in the Old World, and the situation has not changed.

Four hundred years ago Britain, France, and Spain began to explore to locate new sources of food to keep their populations alive. They discovered and explored South America, North America, the Far East, the Middle East, and Africa. As they discovered new countries, they made colonies of them—colonial slaves in effect. No question was raised about the rights of the discovered people—only the rights of the nations which were seeking to discover new sources of food and new sources of trade were considered.

WESTERN POWERS DISCOVERED, THEN DIVIDED

The Encyclopaedia Britannica will tell anyone who cares to read it what happened. Representatives of those nations often boldly divided the areas which they had mutually discovered to avoid trouble among themselves.

For more than 400 years the colonial system has been building.

OLD WORLD COLONIAL SYSTEMS SHATTERED IN TWO WARS

There were developed the French colonial system called the Union, the British colonial system now known as the Sterling bloc, the Belgian colonial system, and the colonial system of the Netherlands.

I say to the distinguished Senator from Louisiana [Mr. LONG] that the First World War shook the system. That was my war. I served in France and England in 1918. The Second World War destroyed the colonial system utterly.

UNITED STATES GUARANTEES COLONIAL SYSTEM IN NATO PACT

Then what happened? Following the Second World War, the North Atlantic Treaty was proposed on the floor of the Senate in 1948. What is the North Atlantic Pact? It is nothing more than a mutual guaranty by the United States of the integrity of the colonial systems throughout the world.

The debate between the junior Senator from Nevada and the late Senator Vandenberg of Michigan is in the RECORD. When Senator Vandenberg proposed the North Atlantic Treaty, I said, "We are guaranteeing by this treaty the integrity of the colonial system throughout the world." He said, "Oh, no."

I then said, "This is the way it is being done. We are guaranteeing to go to war when those nations are in war. We will have no control of how the nations of Europe—Britain, France, the Netherlands, and Belgium—get into war. How will they get themselves into war? Through the defense of their colonial systems."

The Senator from Louisiana can read about those developments in any local newspaper. They appear in the news every day. We are attempting to defend the colonial systems, and the systems are deader than Julius Caesar. Nobody can defend them. We are attempting to do the impossible. It cannot be done. Russia knows it; we should know it.

It is time the United States reassessed its foreign policy and got its feet on the ground. We do not want isolationism as such; we do not want internationalism as such. We want to preserve our own integrity in the new world—we want to trade with all of the nations of the world on the basis of fair and reasonable competition—and become self-sufficient in the production of the critical material within the area we can defend—the new world—the Western Hemisphere. We need to revive the spirit of the Monroe Doctrine or an extended Eisenhower doctrine.

BRITISH ADVISERS HAVE LONG URGED TRADE WITH REDS

There is no mystery about Britain's policy toward Soviet Russia and Red China, whether the Prime Minister be "Comrade Clem" or Sir Winston Churchill. The policy is the same, the policy is trade.

Britain's trade romance with Communist nations as been of long duration, and it has been half sold to some of our own policymakers.

As early as last December 31, 1953, the Associated Press carried a dispatch from London headed "British Manufacturers Advised To Increase Trade With Red Bloc."

I ask unanimous consent that the dispatch be printed at this point in the RECORD.

There being no objection, the dispatch was ordered to be printed in the RECORD, as follows:

BRITISH MANUFACTURERS ADVISED TO INCREASE TRADE WITH RED BLOC

LONDON, December 31.—A British industry advisory group has urged Britain's manufacturers to make vigorous efforts to increase

their trade in nonstrategic items with Communist China and the Soviet bloc.

But the group, a special panel of the Federation of British Industries cautioned yesterday that trade with the Communists could no longer account for even a comparatively modest proportion of Britain's total commercial flow. The Reds, they explained, don't have the agricultural exports Britain needs and have regarded their economy to gain independence of the West.

The panel said East-West trade should receive consideration uninhibited by political preconceptions. It asserted any feeling that such dealings are unpatriotic should be emphatically dispelled.

The report said the federation also should keep under review present controls on trade with Red China so the British Government could be asked to relax them if peace comes in Korea.

Present controls forbid trade in goods designated as having strategic value.

The report cited these factors limiting British trade with the Reds:

1. Trade between Russia and her satellites has been stepped up tenfold since the end of World War II.

2. All the satellites have been geared to the Soviet economic system in the hope of achieving independence of imports from beyond the Iron Curtain.

3. Because of wide industrial expansion, the Soviet bloc countries no longer have surpluses of the agricultural products which were the mainstay of their former commercial dealings with the West and which Britain chiefly wants from them.

The panel expressed doubt, for example, that China could sustain an annual trading program with Britain of 75 to 100 million pounds ($210 to $280 million) "which interested propaganda claims as possible."

RANDALL REPORT ECHOED BRITAIN'S EAST-WEST TRADE PLEA

Mr. MALONE. Mr. President, support by some Americans for Britain's plans to increase her trade with Communist nations was not long in developing. We are all familiar with the Randall report, recommending that:

The United States acquiesce in more trade in peaceful goods between western Europe and the Soviet bloc.

What are peaceful goods when a nation is preparing for war? Shirt buttons are war goods when a country is preparing for war. Food is war goods. Textiles are war goods. Anything which allows a nation to maintain its standard of living when it is preparing for war is war goods.

If Japan during the closing days of World War II could have received the goods which European nations now are shipping to Russia and Red China, the United States might still be in the war, unless, of course we could utterly have destroyed Japan from the air, which we probably could have done.

A London dispatch of January 26 noted that a group of British industrialists, following the British advice above stated had left for Moscow.

I ask unanimous consent that this dispatch, headed "U. K. Industrialists Leave for Russia," be printed at this point in the RECORD.

There being no objection, the dispatch was ordered to be printed in the RECORD, as follows:

U. K. INDUSTRIALISTS LEAVE FOR RUSSIA

LONDON, January 26.—Thirty-three British industrialists took off for Moscow today on a private mission to drum up trade. A spokesman said business "running to many millions" is going begging in the Soviet Union.

Members of the party represented 26 firms from Britain's major industries, including automobiles, electrical, toolmaking, and woodworking machinery manufacturers.

"We are going out there to show the Russians just what we have to offer," J. B. Scott, spokesman of the group told a press conference. "In a country half again as big as the whole of Europe there are great possibilities for private trade."

Scott said everything the party has to offer the Russians was cleared by the British Government as nonstrategic.

The group represents a revamped version of a trade mission organized last year by the British Council for the Promotion of International Trade. Arrangements for that trip broke down when Foreign Secretary Anthony Eden denounced the council as a "Communist-front organization concerned mainly with spreading Communist propaganda."

UNITED STATES FINANCES TRADE: BRITAIN GETS IT

Mr. MALONE. Mr. President, the first paragraph of the London dispatch of January 26, 1954, reads:

Thirty-three British industrialists took off for Moscow today on a private mission to drum up trade. A spokesman said business "running to many millions" is going begging in the Soviet Union.

I have no doubt that it was going begging; but not for long. Not if the United States could finance the trade, and Britain could get it.

The British drive for increased trade with the Red bloc won early sympathy from Mr. Stassen, according to later dispatches.

The Wall Street Journal in February published a front page article headed "Free World To Relax Curbs; United States Exporters May Get New Outlets—Stassen and Allies Secretly Agree To Study Freeing of Machines, Metals, Ships—From a Driblet to a Trickle?"

I ask unanimous consent that opening paragraphs of this article be printed at this point in the RECORD.

There being no objection, the excerpts from the article were ordered to be printed in the RECORD, as follows:

FREE WORLD TO RELAX CURBS; UNITED STATES EXPORTERS MAY GET NEW OUTLETS—STASSEN AND ALLIES SECRETLY AGREE TO STUDY FREEING OF MACHINES, METALS, SHIPS—FROM A DRIBLET TO A TRICKLE?

(By George E. Cruikshank)

WASHINGTON.—Freer trade across the Iron Curtain is on the way. What will it mean for the American businessman?

Answer: Possible new export outlets for a limited list of United States goods, mostly production machinery and some raw materials, that up to now have been ruled too "strategic" for shipment to Russia. Also, some slight competition from Soviet bloc wares, such as furs and food products.

Precisely what goods will be dropped from the list of "strategic" items now banned from shipment to Iron Curtain countries won't be decided until later this month. At that time, a little-known international body set up to police western trade with the Reds will meet in Paris to revamp its current embargo list. Called the Consultative Group, it's made up of the United States and 14 of its allies; the group's trade policies are actually hammered out in detail by a coordinating committee, known informally as COCOM.

STASSEN AND THE ALLIES

The western allies don't see eye to eye on just what goods can be safely traded with the "enemy"; for example, Britain and France, desperate for new export markets, favor a lot looser East-West trading than does the United States. Because the trade talks late this month will involve touchy negotiations, United States officials are chary with public comment on exactly what COCOM might come up with.

But United States foreign aid boss Stassen, just back from high-policy talks with British and French officials, is promising substantial easing of East-West trade restraints. That much was agreed to by Mr. Stassen in his talks with the British and French.

Moreover, it's understood that the 3 countries secretly agreed on 10 broad categories of items that might be dropped from the present strategic list, leaving it to COCOM to decide just which items, of the hundreds in each group, will actually be freed of East-West trade shackles.

Mr. MALONE. Mr. Stassen and the allies agree, Mr. President. It is a wonderful thing when a free-lance negotiator can go out and commit us to divide trade with the world and divide our taxpayers' money with the world. It certainly saves a lot of work for an overworked Congress, provided Congress follows the commitment through and makes good, as it has done for 22 years.

U. N. REPORTS RED CHINA TRADE GAINS

Mr. President, even without Mr. Stassen's help, or that of Mr. Randall, trade with Red China had been increasing.

The Washington Star carried a report from the United Nations showing this increase in its issue of February 7, 1954, under the heading, "1953 Trade With Red China Rose Sharply, U. N. Reports."

I ask unanimous consent that the news report be printed in the RECORD at this point in my remarks.

There being no objection, the news report was ordered to be printed in the RECORD, as follows:

1953 TRADE WITH RED CHINA ROSE SHARPLY, U. N. REPORTS

UNITED NATIONS, NEW YORK., February 6.—Red China's trade with the non-Communist world rose sharply during the first half of 1953, a U. N. survey showed today.

The U. N. figures, published in the monthly bulletin of statistics, disclosed:

1. Communist China's exports to the non-Communist nations increased from $151 million in the first 6 months of 1952 to $205 million for the corresponding period last year.

2. Her imports from non-Communist countries zoomed from $112 million in the first half of 1952 to $163 million for the first half of 1953.

3. Countries increasing their trade with the Peiping regime included Britain, France, Belgium, Western Germany, the Netherlands, the Scandinavian countries, Italy, Austria and Japan.

4. While Communist China's trade with non-Communist areas was increasing, the trend of Russia's trade and that of her European satellites was just the opposite. There actually was a drop in the total trade between Communist and non-Communist countries in Europe.

As usual the U. N. tables were made up of figures supplied by the non-Communist countries and contained no information on trade among the Communist countries themselves.

Although the total dollar increase in Red China's trade was not very substantial when

compared with the total volume of world trade, there was a percentage increase of approximately one-third in both imports and exports.

The United States and India were the only major countries to have reduced their trade with the Chinese Communists substantially. The table listed Red China's exports to the United States for the first half of 1952 at $22.5 million and those for the first half of 1953 at $4 million. Exports from the United States to Communist China were listed at zero for both periods.

The U. N. report did not say what goods were exported to the United States, but a Census Bureau spokesman said in Washington last November 25 the United States bought about $27.5 million in goods from Communist China and Outer Mongolia in 1952, consisting in large part of Chinese bristles, considered a strategic material. Since then the supply has been declared adequate and the imports ceased, he added.

The spokesman said imports for the first quarter of 1953 amounted to $2 million, all from Outer Mongolia, where United States dollar purchases are not forbidden.

No figures were published on India's exports to the Chinese Reds, but the chart showed India's imports from the Peiping regime dwindled from $5.1 million in the first 6 months of 1952 to $2.1 million during the corresponding period last year.

Britain's imports from Red China rose from $4.5 million to $10.9 million and those of other British overseas territories increased from $89.7 million to $120.3 million. Western Europe's total imports from Communist China increased from $26.4 million to $55.4 million. This was not broken down country by country, but the U. N. report contained figures in the exports of some Western European countries to the Peiping Government.

These include: France's exports rose from $900,000 to $9.6 million; Belgium's from $7.4 million to $16.8 million; the Netherlands from zero to $2.6 million; Western Germany from $100,000 to $13.7 million; Denmark, Norway, and Sweden from $100,000 to $3.3 million; Austria and Italy (lumped together) from $1.9 million to $3.8 million.

Britain's exports to Red China increased from $1.8 million to $8.7 million. Japan's exports to the Chinese Communists jumped from $300,000 to $2.2 million and her imports from Red China from $5 million to $11.4 million. Hong Kong's exports to Red China rose from $29 million to $63.7 million.

There was no breakdown on individual Latin-American countries, but the chart showed the group as a whole increased their imports from Red China from $600,000 to $1.3 million. No exports from Latin America to China were shown.

STASSEN AGREEMENT WITH FRENCH, BRITISH AMPLIFIED

Mr. MALONE. Mr. President, a detailed account of plans to increase trade with Communist nations, headed, "Western Big 3 Agree To Relax Ban on Trade With Communists" was carried by the Christian Science Monitor in its issue of April 1, 1954, mentioning Mr. Stassen, Prime Minister Churchill, British Chancellor of the Exchequer R. A. Butler, and British Board of Trade President Peter Thorneycroft, but not Clement Attlee or Mr. Bevan.

In passing, I wish to say, do not overlook this Mr. Butler. Apparently he has brains. He is the one who invented the slogan "Trade, not aid," which has been adopted by many individuals in this country.

Mr. President, I ask unanimous consent that the article be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WESTERN BIG THREE AGREE TO RELAX BAN ON TRADE WITH COMMUNISTS

(By Carlyle Morgan)

LONDON.—American desire to preserve the closest possible unity among the Western Allies has played a major part here in winning agreement in principle between the United States, Great Britain, and France for a relaxation of bans against East-West trade.

While certain European viewpoints about this trade carried much weight in the three-power discussions now drawing to a close here, these views were less convincing to American negotiators than the fact that a rigid American attitude against East-West trade would do more harm than good in Europe's present political and economic climate.

So United States Foreign Operations Administrator Harold E. Stassen, British President of the Board of Trade Peter Thorneycroft, and French Under Secretary Maurice Schumann have agreed:

1. To permit trade with the Soviet Union and its European satellites not only in peacetime consumer goods but in some items heretofore listed as "strategic."

2. To keep the present bans on East-West trade with Communist China and North Korea intact until a settlement of the Indochinese and Korean wars can be reached.

European arguments for increased East-West trade included the points that this trade is likely to be diplomatically useful; that it develops western contacts with traders inside the Iron Curtain; that it should help to relax political tension between East and West; that it helps raise living standards and so reduces the appeal of communism.

Some of these arguments have already been put forward by Britain's Prime Minister Sir Winston Churchill in the House of Commons. Many Britons are convinced of their validity quite aside from any consideration of Britain's growing need for export markets.

They were recognized in the agreement reached here to permit trade in goods that would contribute to food, shelter, health, etc., of the European peoples behind the Iron Curtain. This should at least prevent Soviet propaganda from effectively charging the West with withholding needed things which the Communist regimes stood ready to buy for their peoples, it was felt.

The agreement reached here is only the beginning of a task likely to take 3 or 4 months and involving 15 non-Communist countries. These now must work out detailed agreements as to what goods shall be labeled strategic and nonstrategic under the new arrangements. The countries are all North Atlantic Treaty Organization members except Iceland, plus West Germany and Japan.

What is clear now is that the list of strategic goods will be considerably shorter than it has been. The shorter list, besides meaning enlarged trade opportunities for Europe, will have the advantage from an American as well as British point of view of being easier to police effectively.

In addition to the American desire to maintain maximum allied cohesion, another important reason for relaxing East-West trade bans has appeared in recent months. This is the changed outlook for the course of the East-West struggle.

The United States as well as its European allies now are preparing for a long pull rather than an immediate explosion in the cold war. The long pull calls for more emphasis on diplomacy and other methods of relaxing East-West tensions and somewhat less on purely military preparations against attack.

The demand for bigger East-West trade opportunities has seemed justified in many European eyes by the fact that the United States does not itself seem likely to open up much bigger markets for the products of its allies. Some of these allies have their own problems with communism at home, problems which become more difficult if their exports fall and unemployment increases.

Before leaving London for Washington, Mr. Stassen will discuss with British Chancellor of the Exchequer R. A. Butler questions of American aid to Britain during the coming year and very likely also the effect which the new American policy of resuming stockpiling may have on British exports.

So far the announcement of this new policy has served only to reassure Britons that American raw materials will not be dumped in European markets.

Mr. Stassen and Mr. Butler also are expected to discuss the American recession—a development which many Europeans see as a warning that they must seek increased markets elsewhere than in the United States—including markets which have heretofore been restricted by bans on East-West trade.

BRITISH PRESS GIVES BRITISH VERSION OF RED TRADE DRIVE

Mr. MALONE. Mr. President, Mr. Stassen's policy of increased trade with Communists, as detailed in the Christian Science Monitor issue of April 1, 1954, ties in neatly with the British program as told in the March 25 issue of the London Daily Express, published in London, England.

I ask unanimous consent that the article from the London Daily Express, headed "Open Up, Friends—There's Gold Here," be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

OPEN UP, FRIENDS—THERE'S GOLD HERE

(By William Barkley)

Britain is making definite proposals to the United States and other allies to cut down the barred list of goods for trade with Soviet Russia.

Sir Winston Churchill is, therefore, pressing his views that the more trade there is through the Iron Curtain the better for the chances of peaceful relations.

Sir Winston laid down in the Commons a month ago that there would be no trade in military equipment.

But he recommended "a substantial relaxation of the restriction of manufactured goods, raw materials, and shipping."

All these, and many more items, are on the list governed by "strategic controls," and are barred.

NONSENSE

Yesterday M. P.'s on both sides said it was nonsense to regard them as involving security.

And Mr. Peter Thorneycroft, president of the board of trade, was able to assure them that Britain is taking the initiative in this.

He emphasized that the discussions excluded China and said "We believe it is possible to combine an enforceable list of controls on goods where security is important with a relaxation of controls on other goods.

"We intend to press on with this initiative."

And he added that the Geneva conference, starting on April 20, will give an opportunity for pressing on.

Mr. Harold Wilson (Socialist, Huyton), former president of the board of trade, was scornful of his successor's deeds to date. "All we have had is words, words, words. Let

us have some action." His recommended action:

1. Streamlining of the control list until it includes only such items as jet aircraft, guided missiles, and atomic weapons;

2. A formal trade agreement with Russia, and

3. Reopening of trade with China on the same basis.

AFRAID?

"American and Japanese businessmen are already getting active in the China market," he said. "We feel the Government is afraid to move an inch in case it gets into trouble with some American Senators."

Mr. Wilson said that America is schizophrenic in these matters—"It's Government preaches virtue, while its businessmen go in for sin in a big way. And, if you complain, the United States Government says: 'These are private businessmen.'"

He told how Western European manufacturers get around the restrictions which our manufacturers observe.

Russia wants uninsulated copper wire, but this is barred. So one firm supplied insulation which can be stripped off with a kind of zip-fastener.

Trade with Russia, said Mr. Wilson, has become respectable since the mission of the 33 British businessmen went to Moscow and now he added, the seal has been set upon it by Sir Winston's speech.

Britain's gold and dollar reserve was maintained last quarter by the arrival of £35 million worth of Soviet gold.

Mr. Wilson added: "Mr. Butler, the Chancellor, agrees that even Russian gold is worth its weight in dollars (laughter) even if it has to be melted down to remove the hammer and sickle before exporting it to the United States."

Did Mr. Wilson see a new look when he visited Moscow last September?

GREAT DESIRE

His report was: "It became clear to me that there was a great desire in the Soviet Union to expand imports and exports and that the increasing need for consumer goods gave an entirely new aspect to the domestic economy.

"Sir Winston Churchill's foray has stimulated the board of trade. He is the only member of the Government big enough to stand up to certain transatlantic pressures."

Capt. Henry Kerby (Tory, Arundel and Shoreham) revealed in a maiden speech that he is a first-class interpreter in the Russian language, who spent some years on what he called the borderlands of that great empire. He agreed if goods do not cross frontiers armies will sooner or later.

China note: Asked about trade with China at question time before the debate Mr. Anthony Nutting, Foreign Under Secretary, said he hoped the Geneva conference would open the way "for reconsideration of the strategic embargo on trade with China."

Sir Winston, in his foreign affairs speech made it clear he was thinking only of Russia.

We could not, he said, relax restriction on trade with China until the Korean peace is established.

"BILLIONS TO BRITAIN" INVOLVES RISKS TO UNITED STATES

Mr. MALONE. Mr. President, there is much behind this current mission of Mr. Attlee and Mr. Bevan and their comrades to Moscow and to Communist China.

It has all the semblance of a well-laid pattern—perhaps the word "conspiracy" might be too strong.

Missions of other Britons to Moscow have preceded it. High officials in the Churchill government, including the Chancellor of the Exchequer, have been singing the same sweet theme song—friendly coexistence with the Communists and, above all, trade.

I submit, Mr. President, that our own Government at this time will be assuming grave risks if we advance further millions or billions of new aid to Britain without a firm understanding of what it is to be spent on, who it is to be spent for, and who will direct the spending.

TIME TO STOP APPEASING

Mr. President, I ask unanimous consent that there be printed in the RECORD at this point in my remarks a final editorial connected with Mr. Attlee, titled, "We're Still Appeasing."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Daily News of August 11, 1954]

WE'RE STILL APPEASING

If the United States "had taken courageous action" and won a military victory in Korea, "we would not have been confronted with the unhappy situation in Indochina," in the opinion of Gen. Mark Clark.

The four-star general, who retired last year, after commanding our forces in Austria and in Korea, told a congressional committee yesterday that the Korean truce left the Communist enemy "ready and arrogant" on the 38th parallel.

"We trained him how to fight," he said.

General Clark also said we need "more red blood" in our State Department, with which most Americans will agree.

He related that in 1947 President Truman told him personally to keep possession of thousands of Danube River barges in Austria. But this decision was overridden in a few weeks by the State Department and the barges were turned over to the Russians.

The general said that when he was not permitted to send his bombers beyond the Yalu River into Manchuria, he felt that the Joint Chiefs of Staff agreed with him. But he said he "had a feeling that the signals were being called by the State Department or someone higher."

Former British Prime Minister Clement Attlee, now being toasted at Moscow, where he has stopped off en route to Peiping to be the guest of the Chinese Reds, has boasted that he was that "someone higher." Mr. Attlee also has accepted credit for "getting" Gen. Douglas MacArthur, who has said almost exactly the same things General Clark is saying now.

But Mr. Attlee, the British Socialist leader, was by no means the only influence responsible for our weak approach to communism. As General Clark declared yesterday, "We have confronted the Soviets with one appeasement and concession after another." And most of those decisions were made in the State Department, where the purge promised by the present administration probably hasn't more than skimmed the surface.

General Clark, who had daily dealings with the Russians in Austria, does not believe bombing Red Chinese territory during the Korean conflict would have "triggered world war III." He said he did not think "you can drag the Soviet Union into a world war"—"because they are doing so well in the cold war."

But we are inviting excesses by the Red satellites by our very timidity.

Right now, in drafting the so-called Southeast Asian Defense Treaty, we are trying to lure neutrals like India into the organization by barring anti-Communist governments like South Korea and Nationalist China. That is appeasement of the worst kind because it demonstrates to the enemy that we do not have the courage of our convictions.

Moreover, our Government is publicly excluding Nationalist China from this proposed pact at the very moment when Red China is threatening to invade Formosa. It is the next thing to telling the Reds to go ahead because we are looking the other way.

RED TRADE PACTS WITH MARSHALL PLAN BENEFICIARIES RECALLED

Mr. MALONE. Mr. President, it might be remembered that the junior Senator from Nevada put in the CONGRESSIONAL RECORD in 1948, 86 trade treaties made between Russia or her Iron Curtain satellites, and the 17 Marshall plan countries of Europe.

In 1949 the junior Senator from Nevada inserted in the RECORD 96 trade treaties made by the same European countries with Communist Russia and her satellites agreeing to ship to those countries tool steel, engines, electrical equipment, ball bearings—in fact, every conceivable material that Russia or China might need to make war upon the United States of America.

BRITAIN SIGNS SECURITY PACT WITH RUSSIA

In 1949 the junior Senator from Nevada also placed in the RECORD a copy of the mutual security pact that England had signed with Russia. One paragraph reads:

Each high contracting party undertakes not to conclude any alliance and not to take part in any coalition directed against the other high contracting party.

I wish to point out that that pact is still in existence. No notice has ever been served by either country, Russia or England, of cancellation, and not even any nervousness has been shown about it. As a matter of fact, I pointed out that they are now carrying out the very pledge they made in that pact, assisting Russia economically.

BRITAIN, FRANCE WEAR TWO HATS

Yet, Mr. President, on April 4, 1949, England signed the Atlantic Pact with the United States of America, including, in effect, the same identical provision.

France also signed the same mutual security pact with Russia, and then signed the Atlantic Pact with this Nation. Those pacts with Russia have approximately 10 more years to run.

The two nations of England and France have two hats, a United States hat and a Russian hat.

"COMRADE CLEM" DONS RUSSIAN HAT

Mr. Attlee, in his recent visits to Moscow, Russia, and to Peiping, China, was simply wearing his Russian hat, while they arranged for additional trade agreements with Communist Russia and Red China.

England was in the forefront of the nations which recognized Red China.

Mr. President the Atlantic Pact was "stillborn." The only life it has ever had injected into it was American blood and money.

Mr. President, on Saturday the Senate voted approximately $3 billion, in addition to an unexpended balance of about $9 billion. This is to be disbursed largely in Europe and Asia. To develop what? Industrial enterprises and production to

fulfill the trade treaties between our so-called allies and Russia and China.

Mr. President, since the European countries seem to be donning Russian hats, it behooves the United States of America to reappraise its foreign policy now in the interest of her own survival.

Mr. President, I yield the floor.

PROTECTION OF STRATEGIC DEFENSE FACILITIES FROM ACTS OF SABOTAGE, ETC.

The Senate resumed the consideration of the bill (S. 3428) to authorize the Federal Government to guard strategic defense facilities against individuals believed to be disposed to commit acts of sabotage, espionage, or other subversion.

The PRESIDING OFFICER. Under the unanimous-consent agreement, during the further consideration of Senate bill 3428, debate on any amendment or motion, including appeals, is limited to not exceeding 1 hour, to be equally divided and controlled; and debate on the bill itself is limited to not exceeding 1 hour, to be similarly divided and controlled.

The bill is open to amendment.

Mr. MARTIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. In view of the fact that the time on the bill is controlled, under the unanimous-consent agreement, the absence of a quorum can be suggested at this time only by unanimous consent.

Mr. MARTIN. Then, Mr. President, I ask unanimous consent that I may suggest the absence of a quorum, without the time required for the call of the roll being charged to either side.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from California will state it.

Mr. KNOWLAND. I believe the Senate is now operating under the unanimous-consent agreement. Will the Chair have it stated at this point for the information of the Senate?

The PRESIDING OFFICER. The unanimous-consent agreement will be read.

The Chief Clerk read as follows:

Ordered, That during the further consideration of Calendar No. 1834, S. 3428, a bill to authorize the Federal Government to guard strategic defense facilities against individuals believed to be disposed to commit acts of sabotage, espionage, or other subversion, debate on any amendment or motion (including appeals) shall be limited to not exceeding 1 hour, to be equally divided and controlled, respectively, by the mover of any such amendment or motion and the Senator from North Dakota [Mr. LANGER], in the event he is opposed to any such amendment or motion; otherwise, by the mover and the minority leader: *Provided*, That no amendment that is not germane to the subject matter of the said bill shall be received: *And provided further*, That debate upon the bill itself shall be limited to not exceeding 1 hour, to be equally divided and controlled, respectively, by the Senator from North Dakota [Mr. LANGER] and the Senator from Texas [Mr. JOHNSON].

Mr. KNOWLAND. Mr. President, acting on behalf of the Senator from North Dakota [Mr. LANGER], I yield 20 minutes of the time on our side to the Senator from Michigan [Mr. FERGUSON].

The PRESIDING OFFICER. The Senator from Michigan is recognized for 20 minutes.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Michigan yield to me at this time?

Mr. FERGUSON. I yield.

Mr. JOHNSON of Texas. I shall be absent from the Chamber for a few minutes. I ask that the Chair recognize the Senator from Massachusetts [Mr. KENNEDY], for the purpose of enabling him to yield such time as I would otherwise be called upon to yield.

The PRESIDING OFFICER. Without objection, that will be done.

Mr. JOHNSON of Texas. I thank the Senator from Michigan for yielding to me.

Mr. FERGUSON. Mr. President, I shall make a brief explanation of the bill.

The purpose of Senate bill 3428 is to provide the Federal Government with new authority to guard strategic defense facilities by barring from them that limited number of individuals who are subversive and may be reasonably believed to be disposed to commit acts of sabotage, espionage, or other subversion. It is understood that a definite number of such individuals has already been identified. Some of these individuals are known to be employed in facilities where sabotage in time of war or emergency would seriously impair the military effectiveness of the United States.

It is understood that a definite number of such individuals have already been identified; that is, those who can be expected to commit sabotage and espionage and subversion. Some of those individuals are known to be employed in facilities where sabotage in time of war or emergency would seriously—and I underscore the word "seriously"—impair the military effectivness of the United States.

The facilities involved are privately owned and are primarily engaged in what is regarded as normal civilian production. Although there is authority for barring subversive individuals from facilities directly engaged in the performance of defense contracts, there is no similar authority with respect to these facilities, although, as in the case of a powerplant or a producer of other basic materials or supplies required by a defense contractor, sabotage or interruption of production by these facilities could very materially curtail defense production. Espionage is also an important consideration.

The Magnuson Act (50 U. S. C. 191), relating to vessels, piers, and waterfront facilities, has served as a model for the proposed bill.

What was provided in the Magnuson bill is not included in this bill, but is specifically exempt. The Magnuson bill applied to vessels, piers, and waterfront facilities. We wish to extend the law so as to cover other facilities, as proposed in the pending bill.

Although the bill has a potentially broader coverage than the Magnuson Act, by reason of the procedures provided by the bill its operations will in fact be confined to the screening of a relatively small number of persons.

Section 1 provides a short title for the proposed enactment, the "Defense Facilities Protection Act of 1954."

Section 2 is a statement of legislative findings as to the basic considerations applicable to this legislation, reciting the dependence of the Nation in time of war upon its production economy, and the fact that injury or impairment of such economy and capacity has become a major objective of aggressor nations; the existence in the United States of a small number of subversive individuals reasonably believed to be disposed to engage in sabotage or espionage at the strategic time; and the necessity of barring them from access to those facilities where they could seriously impair the Nation's power and ability to meet internal or external threats.

Section 3 authorizes the President, whenever he finds and proclaims that the security of this country is threatened, to protect defense facilities from sabotage and espionage within a framework satisfying requirements of due process and with as little inconvenience to both employers and employees as the circumstances permit.

Subsection (a) authorizes the President, upon finding of enumerated emergency conditions, to prescribe rules and regulations to prevent access to defense facilities by those likely to commit sabotage, espionage, or other subversive acts. It is anticipated that the act will be put into effect by the issuance of an Executive order reciting the conditions mentioned above and naming an official or officials who shall take the necessary steps to accomplish its objectives. These steps would include the issuance of rules and regulations consistent with the limitations of subsections (b) and (c) of section 3.

Subsection (b) provides that, except for the summary procedures authorized in subsection (c), no measure, rule, or regulation shall operate to bar an individual from access to a defense facility (as later defined) under this bill unless he shall have first been notified of the charges against him and given an opportunity to defend himself against such charges. He is to be granted an expeditious hearing if he requests it, and any charges made must be sufficiently specific to permit him to respond to them. However, no hearings under the act will require that any Government investigative organization disclose its informants or other information if in its judgment disclosure would endanger its investigatory activity.

Mr. President, that is not an unusual provision. If it were necessary to give the names of informants or agents of the

United States Government, and if the disclosure of those names or that information would endanger our investigatory activities in this field, naturally they would not have to be given. But the law does require that charges be specific enough to enable a defense to be made, despite the provision for protection of security information. In other words, if the Government does not wish to give the names or information which would lead to disclosure of the names, it must nevertheless give information specific enough so that the accused may be given an opportunity to answer. It would appear, on the basis of recent decisions involving the Magnuson Act, which was taken to the upper court, that this would meet the requirements of due process.

I cite the cases of *United States* v. *Gray* (207 F. (2d) 237, 241–242 (C. A. 9th, 1953)); *Parker* v. *Lester* (112 F. Supp. 433, 443–444 (N. D. Calif., 1953)); see also *United States* v. *Nugent* (346 U. S. 1), involving hearing procedures under the Selective Service Act.

The necessity of expeditious action and of protecting security information makes appropriate the provisions of section 3 (b) that the Administrative Procedure Act shall not be applicable to proceedings under the bill.

Section 3 (c) authorizes summary suspension under certain circumstances. The individual involved would be entitled to a hearing, but under certain regulated circumstances there could be a suspension in the beginning. I shall describe those circumstances.

Section 3 (c) authorizes summary suspension of individuals from access to defense facilities without prior charges or hearing. However, if such a procedure is followed the individual involved must be notified of the charges against him within 15 days and, if he requests it, must be granted a hearing within 30 days from the time he is barred. In other words, he must get the information in 15 days, and within 30 days he is entitled to a hearing.

A determination must be made and transmitted to him within 30 days from the date of termination of the hearing or, if no hearing is requested, of the individual's submission of his defense to the charges. The subsection provides that any administrative appellate proceedings shall be determined promptly. No such administrative appeal proceedings would be constitutionally required.

The requirement of specific charges and hearings either before an employee is barred—subsection (b)—or, if summarily barred, immediately thereafter—subsection (c)—is intended to prevent any procedure involving the screening of the general body of civilian employees or placing a burden upon them to prove their loyalty. The procedure provided is, however, adequate to eliminate the known subversives expeditiously.

Finally, subsection (c) provides for compensation by the United States for the loss of earnings in or in connection with the defense facility during the period he is barred without a prior hearing, if he is thereafter cleared. The inherent fairness of such a provision and its desirability from the standpoint of due process are self-evident.

Therefore, the bill provides for due compensation in case a person is not found to be guilty. The inherent fairness of such a provision and its desirability from the standpoint of due process are self-evident. The bill affords to the respondent due process of law.

Subsection (d) provides that the term "defense facility" shall have the same meaning as it has in title I of the Internal Security Act of 1950. Section 3 (7) of title I of that act—title 50 United States Code, section 782 (7)—defines the term "facility" broadly, and the term "defense facility" as a facility designated and proclaimed by the Secretary of Defense pursuant to section 5 (b) of title I—title 50, United States Code, section 784 (b)—and included on the list published and currently in effect thereunder. Section 5 (b) directs the Secretary of Defense to designate and proclaim a list of "defense facilities" with respect to which he finds and determines that the security of the United States requires the exclusion of members of Communist organizations; such list must be published in the Federal Register and the management of any listed facility notified. The management must post notice of designation in such manner as to give reasonable notice thereof to all employees and applicants for employment.

Section 4 authorizes the imposition of penal sanctions for willful violations of any regulation, rule, or order issued pursuant to the act or for knowing obstructions or interference with the exercise of any power conferred by the act. Such offenses are made punishable by a fine of not more than $10,000 or by imprisonment for not more than 5 years or both. It is believed that such penalties are adequate punishment for violation of the proposed act.

That is the same penalty which is provided for certain acts under the Internal Security Act of 1950.

Section 5 provides that nothing in the proposed enactment will deprive any person of the rights or benefits he may enjoy under the National Labor Relations Act, as amended.

Mr. President, that is my explanation of the bill. I believe its enactment is essential to our security. Even though a plant may not be engaged in manufacturing goods for the United States military services—for example, a powerplant, water plant, electric light plant, or some other type of plant—it may still be as vital to our security as a plant which manufactures munitions, because it is impossible to operate one without the other.

Mr. KENNEDY. Mr. President, I yield 10 minutes to the Senator from New York [Mr. LEHMAN] on the bill.

Mr. LEHMAN. Mr. President, of course, I fully recognize the fact that in time of real emergency the Nation must have the power to protect itself. I yield to no one in my desire to grant adequate powers to our Government to protect the Nation.

It seems to me, however, that the so-called antisubversive bills which we have been passing during the past few days go very far afield, and do not protect the Nation but threaten the civil liberties of our people and the rights of labor.

As my colleagues know, earlier today I voted for the bill which had been introduced originally by the Senator from Minnesota [Mr. HUMPHREY], placing very heavy sanctions against those who belong to the Communist Party or who believe in the principles of the Communist Party, or who act in accordance with the orders of the Communist Party. I was glad to do so, because I believe firmly that the Communist Party is not a political party, but is a conspiracy to overthrow the Government of the United States by force or violence at such time as suits its purpose. I believe it is a very real threat.

However, in our desire to control the activities of members of the Communist Party, I believe we are going a long way on the road toward abridging the civil liberties of our people. I read a part of the explanation of the pending bill as follows:

> The purpose of the bill is to authorize the Federal Government to guard strategic defense facilities against individuals believed to be disposed to commit active sabotage, espionage, or other subversion.
>
> The facilities involved are privately owned and are primarily engaged in what is regarded as normal civilian production. Although there is authority for barring subversive individuals from facilities directly engaged in the performance of defense contracts, there is no similar authority with respect to these facilities, although, as in the case of a power plant or a producer of other basic materials or supplies required by a defense contractor, sabotage or interruption of production by these facilities could very materially curtail defense production.

Mr. President, I would have no objection to giving wide powers to the President in case of war and in the case of plants engaged in the production of genuine defense materiel—in other words, what we know as real defense plants. However, the bill goes far beyond that. The bill does not deal with defense plants alone. We are dealing with all plants. We are dealing with privately owned facilities which are primarily engaged in what is regarded as normal civilian production.

There is absolutely no limit to what could be done in connection with the operation of such plants and in connection with the employment or discharge of employees of plants which are privately owned and privately operated, and not used for defense purposes at all. There is nothing to stop the Government from going into a pants factory, a civilian automobile factory, a washing machine factory, a refrigerator plant, a television plant, an ice cream plant, or any other kind of plant, and saying: "We are not going to allow particular people to come into the plant or to work in the plant."

The Government could bar them from employment, and exclude them from the operations of the plant and from their means of a livelihood.

I have lived a long time, and I have seen many things happen, Mr. President. I am acquainted with the efforts that have frequently been made by industry to break strikes and to control the activities of organized labor or of labor generally. I believe this bill, just as the so-called Butler bill, which I voted against and spoke against, poses serious threat

to the freedom of action that should be the right of legitimate, decent labor in this country.

Under this bill anybody could be excluded from a plant, even plants engaged in civilian production. I am amazed at the boldness of the bill and the frankness of the report, because in describing what the bill does, it says:

> The facilities involved are privately owned and are primarily engaged in what is regarded as normal civilian production.

Why should anybody have the right to say who can or cannot work in such plants, unless there is proof that those excluded are guilty of disloyalty or treason or attempts at espionage?

Mr. President, I think we are departing a long way from the principles which we have followed for so many decades, of protecting the rights of labor to organize and to work without unnecessary governmental interference.

We established the National Labor Relations Board and we have established many other boards for the protection of labor, so as to assure that justice is done to labor, to employer, and to the consumer, because, after all, if we do not do justice to labor, we are not doing justice to industry or to the consumer since I believe their interests are usually closely related.

In this bill we say very frankly that at any time the President feels there may be some emergency—and there is no binding description of what constitutes an emergency—he may say to John Smith or Jim Brown, or to 10,000 John Smiths or 10,000 Jim Browns, "You cannot work here. We do not want you. There is a strike on which we believe is subversive. We believe that strike may possibly be antagonistic to the interests of this country." Therefore, they are excluded from the plant.

I cannot conceive of any better device to break a strike than that which is afforded by this bill. I think it is a highly dangerous bill. I think it is a bill which should be defeated overwhelmingly in the Congress, but I am frank to say I do not believe it will be defeated.

The PRESIDING OFFICER (Mr. BARRETT in the chair). The time of the Senator has expired.

Mr. LEHMAN. May I have 3 minutes more, please?

Mr. KENNEDY. Mr. President, I yield the Senator an additional 3 minutes.

Mr. LEHMAN. I do not believe the bill will be defeated, because I know the temper of the Senate at this time. We are off on a rampage by indirect means to give the Attorney General of the United States, and the Subversive Activities Control Board, the right to control labor. I am not accusing the present Attorney General of unfair tactics or of any mean motives, but I am convinced that in the past few days, in connection with these so-called antisubversive bills, which are not antisubversive bills at all but are antilabor bills, we are seriously interfering with the rights of labor, the dignity of labor, and the ability of labor to fight for its rights and its liberties. We are passing a number of bills which put chains around the necks of the workers, chains they cannot break. We are putting ourselves in the hands of a few officials of the Government who will be able to dictate the policies of labor and the policies of the country.

I am not a laboring man. I do not make my living by the sweat of my brow or with my hands. But I believe that organized labor is of the utmost importance to all of the people of this country, and it is of the utmost importance that justice be done to labor, and unless we protect the rights of organized labor, we shall harm not only labor, but the entire Nation.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. KENNEDY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Do both sides yield back all their remaining time?

Mr. KENNEDY. We yield back our time, and ask unanimous consent that each side may keep 5 minutes at the end of the quorum call.

Mr. FERGUSON. Each side reserves 5 minutes?

Mr. KNOWLAND. Mr. President, how much time is left?

The PRESIDING OFFICER. Fifteen minutes to each side.

Mr. KNOWLAND. We shall reserve 10 minutes for each side and yield back the balance of the time. I suggest the absence of a quorum, not to come out of the time of either side.

The PRESIDING OFFICER. The unanimous-consent agreement is that each side have 10 minutes after the quorum call, that the time consumed in making the quorum call not be taken out of the time of either side, and that the remaining time is yielded back. Is there objection? The Chair hears none, and it is so ordered.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. I yield 1 minute to the Senator from New York [Mr. LEHMAN].

Mr. LEHMAN. Mr. President, I do not know whether it will be possible to have a yea-and-nay vote on the bill. I believe the bill is a bad, dangerous bill—dangerous not only to labor, but to all the people of the country. If there is not to be a yea-and-nay vote, I desire, nevertheless, to be recorded in the negative on the bill.

Mr. FERGUSON. Mr. President, I yield myself 1 minute.

This is not an antilabor bill. It does not apply solely to workers. It applies to management as well, because the bill contains a provision that if management were barred from a plant illegally or wrongfully, it could recover damages because of inability to use the plant.

Only two kinds of persons would be in a plant—management and labor. The bill is not an antilabor bill. It is designed to protect America from sabotage and espionage. In the present cold war, with conditions as they are, America must be placed in a position to defend herself.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. FERGUSON. I am glad to yield.

Mr. LEHMAN. I may be mistaken, but I do not think I am. I have not found anything in the bill which includes management in its scope.

Mr. FERGUSON. It includes any person in a plant.

Mr. LEHMAN. Any worker in a plant.

Mr. FERGUSON. A member of management is a worker.

Mr. MORSE. Mr. President, will the Senator yield me a half a minute?

Mr. JOHNSON of Texas. I yield 30 seconds to the Senator from Oregon.

Mr. MORSE. Mr. President, I join in the point of view expressed by the Senator from New York [Mr. LEHMAN]. I think this is an exceedingly bad bill. I think it could be used very arbitrarily, to the great injury of American free labor. Instead of calling it an espionage and sabotage bill, it would be better to call it a police state bill.

Mr. JOHNSON of Texas. Mr. President, I yield back the remainder of my time.

Mr. KNOWLAND. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That this act may be cited as the "Defense Facilities Protection Act of 1954."

SEC. 2. The Congress hereby finds that—

(1) The history of modern warfare has established that the defense of any country is greatly dependent upon the effective and continued operation of its industrial economy and the full utilization of its productive capabilities. In time of war or of preparation for defense from attack by a potential aggressor, injury to the industrial economy or impairment of the productive capabilities of a country may severely curtail its military effectiveness, and such injury or impairment has become a major objective of aggressor nations in their preparation for and prosecution of war.

(2) There exists in the United States a limited number of individuals as to whom there is reasonable ground to believe they may engage in sabotage of the industrial economy and productive capabilities of the United States, espionage, or other subversive acts in order to weaken the power and ability of the United States to cope with actual or threatened war, invasion, insurrection, subversive activity, disturbance, or threatened disturbance of international relations.

(3) In such circumstances it is essential that, without impairing the rights or privileges of the great bulk of loyal United States citizens, such individuals be barred from access to facilities injury to which would be harmful to the industrial economy and productive capabilities of the United States, and, therefore, to its military effectiveness.

SEC. 3. (a) Whenever the President finds by proclamation or Executive order that the security of the United States is endangered by reason of actual or threatened war, or invasion, or insurrection, or subversive activity, or of disturbance or threatened disturbance of the international relations of

the United States, the President is authorized to institute such measures and issue such rules and regulations as may be necessary to bar from access to any defense facility or facilities individuals as to whom there is reasonable ground to believe they may engage in sabotage, espionage, or other subversive acts. The President may perform any function vested in him by this act through or with the aid of such officers or agencies as he may designate.

(b) Except as provided in subsection (c) of this section, no measure instituted, or rule or regulation issued, pursuant to subsection (a) of this section shall operate to deprive any individual of access to any defense facility or facilities unless such individual shall first have been notified of the charges against him and given an adequate opportunity to defend himself against the charges. Such charges shall be sufficiently specific to permit the individual to respond to them, and such opportunity shall, if the individual so desires, include a hearing. The Administrative Procedure Act shall not be applicable to proceedings under this act. Nothing contained in this act shall be deemed to require any investigatory organization of the United States Government to disclose its informants or other information which in its judgment would endanger its investigatory activity: *Provided, however,* That in the event that such information is not disclosed the individual charged shall be furnished with a fair summary of the information in support of the charges against him.

(c) The measures instituted, or rules or regulations issued, pursuant to subsection (a) hereof may operate to bar summarily any individual from access to any defense facility or facilities provided that such individual shall be notified in writing of the charges against him within 15 days from the time he is so barred and given an adequate opportunity to defend himself against such charges, including, if he so requests, a hearing within 30 days of the date of such request. Reasonable continuances may, however, be permitted if consistent with expeditious disposition of the matter. A determination shall be made and transmitted to the individual affected within 30 days from the date of the termination of the hearing or, if no hearing is requested, of the submission of the individual's defense to the charges, and if administrative proceedings are provided by the rules or regulations for review of any such determination they shall be promptly determined. In the event that the summary bar against such individual is removed as a result of any proceeding, the individual shall be compensated by the United States solely for his loss of earnings in or in connection with any defense facility during the period he was so barred.

(d) As used in this act the term "defense facility" shall have the same meaning as it has in title I of the Internal Security Act of 1950, as amended, but shall not include vessels, piers, or waterfront facilities.

SEC. 4. Whoever willfully violates any rule, regulation, or order issued pursuant to the provisions of this act, or knowingly obstructs or interferes with the exercise of any power conferred by this act shall, upon conviction thereof, be punished by a fine of not more than $10,000 or by imprisonment for not more than 5 years, or both.

SEC. 5. Nothing contained in this act shall be construed to deprive any individual of any rights or benefits conferred upon him by the National Labor Relations Act, as amended by the Labor Management Relations Act, 1947.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 9580) to revise and extend the laws relating to espionage and sabotage, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. GRAHAM, Miss THOMPSON, Mr. HYDE, Mr. CELLER, and Mr. WALTER were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H. R. 8647) to amend Revised Statutes 4426.

FLOOD CONTROL ACT OF 1954

Mr. KNOWLAND. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2026, H. R. 9859, the omnibus public-works bill.

The PRESIDING OFFICER. The clerk will state the bill by title.

The LEGISLATIVE CLERK. A bill (H. R. 9859) authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California [Mr. KNOWLAND].

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Public Works with amendments.

Mr. KNOWLAND. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I have a proposed unanimous-consent agreement, which has been formulated after consultation with the distinguished Senator from Pennsylvania [Mr. MARTIN], chairman of the Committee on Public Works, who is in charge of the bill. I have consulted with the majority leader and with other Senators on both sides of the aisle. I submit the proposed unanimous-consent agreement on behalf of the majority leader and myself, and ask that it be read.

The PRESIDING OFFICER. The clerk will read the proposed unanimous-consent agreement.

The legislative clerk read as follows:

Ordered, That during the further consideration of Calendar No. 2026, H. R. 9859, an act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, debate on any amendment or motion (including appeals) shall be limited to not exceeding 1 hour, to be equally divided and controlled, respectively, by the mover of any such amendment or motion and the Senator from Pennsylvania [Mr. MARTIN], in the event he is opposed to any such amendment or motion; otherwise, by the mover and the minority leader: *Provided,* That no amendment that is not germane to the subject matter of the said bill shall be received: *And provided further,* That debate upon the bill itself shall be limited to not exceeding 1 hour, to be equally divided and controlled, respectively, by the Senator from Pennsylvania [Mr. MARTIN] and the Senator from Texas [Mr. JOHNSON].

The PRESIDING OFFICER. Is there objection to the proposed unanimous-consent agreement? The Chair hears none, and it is so ordered.

Mr. MARTIN. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc, with the understanding that as we go through the bill they can be amended.

Mr. JOHNSON of Texas. Mr. President, reserving the right to object, I should like to ask the Senator from Florida if that is agreeable.

Mr. HOLLAND. That is perfectly agreeable.

Mr. MARTIN. Is that agreeable to the distinguished Senator from New Mexico?

Mr. CHAVEZ. Yes, that is agreeable.

Mr. HOLLAND. Mr. President, is it my understanding that the bill will be regarded as a clean bill, so that amendments may be made as if the bill were being considered anew?

Mr. MARTIN. The Senator from Florida is entirely correct. That is my purpose.

Mr. HOLLAND. I thank the Senator.

The PRESIDING OFFICER. Is there objection?

Mr. CHAVEZ. Mr. President, the Senator from Pennsylvania is asking unanimous consent that the committee amendments be considered en bloc, but amendments may be offered from the floor. Is that not correct?

The PRESIDING OFFICER. That is correct.

Without objection, the committee amendments are agreed to en bloc.

The committee amendments agreed to en bloc are as follows:

On page 4, after line 9, to insert:

"Delaware River, Pa., N. J., and Del.: In accordance with the recommendations of the Board of Engineers for Rivers and Harbors in House Document No. 358, 83d Congress, at an estimated cost of $91,389,000."

At the top of page 7, to insert:

"The existing modified project for Wilmington Harbor, N. C., authorized by the River and Harbor Act approved May 17, 1950, in accordance with the recommendations of the Chief of Engineers in House Document No. 87, 81st Congress, is hereby further modified to provide that the Secretary of the Army shall reimburse local interests for such work as they may have done upon widening of the transition channel at the lower end of the anchorage basin, subsequent to May 17, 1950, insofar as the same shall be approved by the Chief of Engineers and found to have been done in accordance with the project modification adopted in said act, provided that such payment shall not exceed the sum of $65,000."

After line 13, to insert:

"Charleston Harbor, S. C.: Senate Document No. 136, 83d Congress, at an estimated cost of $200,000."

On page 8, after line 2, to insert:

"Carabelle Harbor, Fla.: House Document No. 451, 83d Congress (maintenance of existing channel)."

After line 20, to insert:

Pascagoula Harbor, Miss.: Modification of existing project in accordance with plans on file in the Office of the Chief of Engineers, at an estimated cost of $877,000."

On page 9, after line 19, to insert:

"Port Aransas-Corpus Christi Waterway, Tex.: In accordance with the report of the Chief of Engineers, dated May 24, 1954, at an estimated cost of $180,000."

On page 11, after line 16, to insert:

"Ashtabula Harbor, Ohio: In accordance with the report of the Chief of Engineers, dated June 29, 1954, at an estimated cost of $4,900,000."

On page 13, after line 5, to insert:

"Richmond Harbor, Calif.: House Document No. 395, 83d Congress, at an estimated cost of $2,086,000."

After line 14, to insert:

"Tillamook Bay and Bar, Oreg.: Senate Document No. 128, 83d Congress, at an estimated cost of $1,500,000."

On page 14, line 7, after the name "Washington", to strike out "House Document No. , 83d Congress" and insert "in accordance with the report of the Chief of Engineers, dated May 27, 1954"

At the top of page 15, to insert:

"Tacoma Harbor, Wash.: Modification of existing project to provide for 30-foot channel in Port Industrial (Wapato) Waterway, in accordance with plans on file in the Office of the Chief of Engineers, at an estimated cost of $634,200."

After line 14, to insert:

"Sitka Harbor, Alaska: House Document No. 414, 83d Congress, at an estimated cost of $41,500."

After line 16, to insert:

"Dry Pass, Alaska: House Document No. 414, 83d Congress, at an estimated cost of $1,419,800."

After line 18, to insert:

"Neva Strait, Alaska: House Document No. 414, 83d Congress, at an estimated cost of $224,400."

After line 24, to insert:

"Kodiak Harbor, Alaska: House Document No. 465, 83d Congress, at an estimated cost of $1,685,000"

On page 16, after line 5, to insert:

"Nawiliwili and Port Allen Harbors, T. H.: House Document No. 453, 83d Congress, at an estimated cost of $1,166,400."

On page 18, line 7, to strike out "$1,176,400" and insert "$1,180,400."

On page 19, after line 20, to strike out:

"SEC. 103. The Secretary of the Army is hereby authorized and directed to cause a preliminary examination and survey to be made to determine the need for a channel from the Gulf of Mexico into Choctawatchee Bay, Fla., in the vicinity of Point Washington, subject to all applicable provisions of section 110 of the River and Harbor Act of 1950."

And in lieu thereof to insert:

"SEC. 103. The Secretary of the Army is hereby authorized and directed to cause preliminary examinations and surveys to be made at the following-named localities, and subject to all applicable provisions of section 110 of the River and Harbor Act of 1950:

"Eastern River, at and in the vicinity of Orland, Maine;

"Southwest Harbor, Maine;

"Vicinity of Wells Beach and Drakes Island, Maine;

"Channel from the Gulf of Mexico into Choctawatchee Bay, Fla., in the vicinity of Point Washington;

"Lake Tarpon (formerly Lake Butler), Fla., to determine the cause of salt water intrusion and corrective measures with respect thereto; and

"Chipola River, Fla., for measures to maintain satisfactory water levels in the Dead Lakes."

On page 21, after line 9, to insert:

"SEC. 105. The authorization of the improvement of the Intracoastal Waterway from the Caloosatchee River to the Anclote River (H. Doc. No. 371, 75th Cong.) authorized in the River and Harbor Act of 1945 and modified by the River and Harbor Act of 1948 and the River and Harbor Act of 1950 is further modified so as to authorize the use of alternate route C–1 in the Venice and Lemon Bay, Fla., area, as designated in plans of the Corps of Engineers.

"The Chief of Engineers is directed to report to the Congress prior to request for appropriation to construct this part of the project his recommendation as to the fair amount of local contribution in the light of the changed condition. Provisions as to local contribution based on these recommendations shall become effective when approved by the Public Works Committees of the Senate and the House of Representatives."

On page 22, after line 2, to insert the following new section:

"SEC. 106. That the requirement, that local interests provide the ferries and bridges required for land traffic across the lateral and terminal canals, with respect to the river and harbor project authorized by the act of August 30, 1935 (49 Stat. 1028), on the Pearl River, Miss., below Jackson, shall hereafter be ineffective: *Provided*, That local interests furnish assurances satisfactory to the Secretary of the Army that they will hold and save the United States free from any claim for damage which might result from deprivation of access to the area."

In line 13, to change the section number from "105" to "107."

On page 25, after line 20, to insert:

"The plan for flood protection on the West Branch of the Susquehanna River, Pa. and N. Y., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in his report dated June 25, 1954, and there is hereby authorized to be appropriated the sum of $25,000,000 for partial accomplishment of that plan."

On page 27, line 15, after the numerals "1954", to strike out "as concurred in by" and insert "and"; in line 16, after the word "Engineers", to strike out "dated April 8, 1954" and insert "in House Document No. 478, 83d Congress."

On page 29, after line 2, to insert:

"(e) The plan for flood control in the Reelfoot Lake Area, Tenn. and Ky., is substantially in accordance with the recommendation of the Chief of Engineers in his report dated June 17, 1954, at an estimated cost of $748,100."

After line 22, to insert:

"The project for the Belton Reservoir, Leon River, Tex., authorized by the Flood Control Act of 1946, is hereby modified to provide for the reservation, without reimbursement, of 12,000 acre-feet of conservation storage to be used as a permanent source of water supply for Fort Hood and adjacent military installations."

On page 32, line 25, after the word "interests", to strike out "under section 2."

On page 33, after line 14, to insert:

"PECOS RIVER BASIN

"The project for flood protection on the Pecos River, Tex., and N. Mex., is hereby authorized substantially in accordance with the recommendations of the Board of Engineers for Rivers and Harbors, dated March 26, 1954, at an estimated cost of $9,540,000: *Provided*, That no appropriations shall be made for construction of Los Esteros Reservoir until satisfactory arrangements have been made by the State of New Mexico for the transfer of irrigation storage from the Alamagordo Reservoir."

On page 35, after line 3, to insert:

"The project for flood protection on the Arkansas River, Conway County Drainage and Levee District No. 1, Arkansas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 167, 82d Congress, at an estimated cost of $230,600."

After line 9, to insert:

"The project for flood protection on the Arkansas River, Holla Bend Bottom, Ark., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 157, 82d Congress, at an estimated cost of $312,000."

After line 21, to insert:

"The project for flood protection on Bear Creek at Hannibal, Mo., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 435, 83d Congress, at an estimated cost of $3,326,000."

At the top of page 39, to insert:

"The project for flood protection on the Big Sioux River and tributaries at Sioux Falls, S. Dak., is hereby authorized substantially in accordance with the recommendations of the Board of Engineers for Rivers and Harbors in its report dated March 15, 1954, at an estimated cost of $3,430,000."

After line 12, to insert:

"The Secretary of the Army, through the Chief of Engineers, is authorized and directed to compensate the owners of water wells in the vicinity of Cold Brook Dam in South Dakota for losses determined by him to have been sustained by reason of the lowering of the level of water in such wells as a result, wholly or partially, of the construction and operation of Cold Brook Dam: *Provided*, That claims for losses compensable under this section shall be submitted not later than 2 years after the date of enactment of this act, or not later than 2 years after the lowering of the level of water which is the basis for the claim, whichever is the later."

After line 24, to insert:

"The general comprehensive plans for flood control and other purposes in the Missouri River Basin set forth in House Document No. 475 and Senate Document No. 191, as revised and coordinated by Senate Document No. 247, 78th Congress, 2d session, approved in the Flood Control Act of December 22, 1944, are hereby modified to include the payment by the Corps of Engineers for construction or provision of adequate water supply and sewage facilities in the new relocated municipality of Pollock, S. Dak., at a cost not to exceed $200,000, which is to compensate for the acquisition of and to replace facilities in the town which are located within areas which have been or will be acquired by the United States because of the construction of the Oahe Dam and Reservoir project in the basin."

On page 40, after line 20, to insert:

"The project for flood protection on the Lower Heart River in the vicinity of Mandan, N. Dak., authorized by the Flood Control Act of 1946, and modified by the Flood Control Act of 1950, is further modified substantially in accordance with the recommendations of the Chief of Engineers in his report dated July 27, 1954, at an estimated cost of $1,727,000."

On page 41, line 18, after the word "in", to strike out "House Document No. , 83d Congress" and insert "his report dated June 23, 1954."

On page 42, line 2, after the word "in", to strike out "House Document No. , 83d Congress" and insert "said document."

At the top of page 43, to insert:

"SANTA MARIA RIVER BASIN

"The project for flood protection on Santa Maria River and tributaries, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 400, 83d Congress, at an estimated cost of $10,182,000 for levees and channel improvements to be prosecuted under the direction of the Secretary of the Army and supervision of the Chief of Engineers."

After line 9, to insert:

"SAN LORENZO RIVER BASIN

"The project for flood protection on San Lorenzo River, Calif., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 447, 83d Congress, at an estimated cost of $2,665,000."

On page 44, after line 9, to insert:

"SAN LORENZO CREEK BASIN

"The project for flood protection on San Lorenzo Creek, Alameda County, Calif., is hereby authorized sustantially in accordance with the recommendations of the Chief of Engineers in House Document No. 452, 83d Congress, at an estimated cost of $3,790,000."

After line 15, to insert:

"TRUCKEE RIVER BASIN

"The project for flood protection on Truckee River and tributaries, California and Nevada, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in his report dated April 15, 1954, at an estimated cost of $791,000: *Provided*, That the authorization for improvement for flood control on Truckee River, Calif. and Nev., contained herein shall not become effective unless and until the Washoe reclamation project on the Truckee and Carson Rivers, Calif. and Nev., shall have been authorized pursuant to law."

On page 45, after line 17, to insert:

"The project for flood protection on Amazon Creek at Eugene and vicinity, Oregon, authorized by the Flood Control Act of 1946, and modified by the Flood Control Act of 1950, is further modified substantially in accordance with the Chief of Engineers, in Senate Document No. 131, 83d Congress, at and estimated cost of $893,600."

On page 47, line 6, after the word "or" to strike out "harbor" and insert "stream"; in line 7, after the word "this", to strike out "title" and insert "section"; after line 10, to insert:

"Ash and Pine Creeks, Fairfield and vicinity, Connecticut."

After line 15, to insert:

"Devils River and tributaries, Texas."

After line 16, to insert:

"Rio Hondo and tributaries, New Mexico."

On page 50, line 7, to change the section number from "210" to "209."

On page 52, line 10, to change the section number from "211" to "210."

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. MARTIN. Mr. President, I yield myself 15 minutes in order to make an explanation of the bill.

First, Mr. President, I suggest that the Chair ascertain whether there are any further amendments to be offered.

The PRESIDING OFFICER. Are there further amendments?

Mr. JOHNSON of Texas. Mr. President, are we to have an explanation of the bill? Many amendments may be offered after the bill is explained.

The PRESIDING OFFICER. The Senator from Pennsylvania has the floor. How much time does he yield to himself?

Mr. MARTIN. I yield myself 15 minutes in order that I may explain the bill.

Mr. President, House bill 9859 is an omnibus bill providing authorizations for river and harbor and flood-control projects. It is the first general authorization bill considered by the Congress since the act of May 17, 1950. All of the projects proposed in the bill have been considered in extensive hearings held by the Committee on Public Works of the House of Representatives and by the Committee on Public Works of the Senate. The representatives of the Corps of Engineers, which prepared the reports and submitted recommendations on these projects, as requested by the Congress, were heard by both committees. They have furnished full information on the works proposed and the justifications for their accomplishment. Local interests which would be affected by the proposed projects were given full opportunity to present their views either for or against the proposed projects.

I should like to take this opportunity to remind the Senate very briefly of the procedures by which these projects are started and developed. In the first place, examinations and surveys of proposed projects must be specifically authorized by Congress. No survey can be undertaken by the Corps of Engineers without such specific authorization. Survey authorizations are provided by the Congress after receiving requests from the local people who are interested in securing improvements for flood-control or navigation purposes. After local requests are enacted by Congress into authorizations for surveys, the Corps of Engineers then proceeds to carry forward the surveys as rapidly as funds are made available. During the course of the surveys, public hearings are held by the Corps of Engineers in the localities which would be affected by the work under study, and the surveys are coordinated with all public agencies which may have some direct interest in the proposed improvements. After the surveys are completed they are then referred to the governors of the States in which the proposed work is located, and to interested Federal agencies. The comments of the governors and Federal agencies are all submitted to Congress with the report of the Corps of Engineers.

The proposed projects have, therefore, been carefully worked up by the technical staff of the Corps of Engineers, and have been fully scrutinized by local interests, State governors, and Federal agencies.

All members of the Committee on Public Works have taken part in the consideration of this bill, and it is reported to the Senate with the unanimous approval of the committee. The projects included in the bill as passed by the House are described in detail in the House Report No. 2247. The additional projects which were considered by the committee and incorporated in the bill are described in Senate Report No. 2007. A complete list of the projects, both those originally approved by the House and the ones added by the Senate committee, are shown in lists on pages 5, 19, and 22 of the Senate report. The committee has approved the projects contained in the bill as passed by the House, and we have recommended additional projects which were proposed for consideration subsequent to the close of the House hearings. Most of the projects considered by the Senate committee were found to be fully justified, and are thus recommended for inclusion in the bill.

A few projects were passed over without prejudice for the reason that they had not been processed to the point where adequate data could be made available for the consideration of the committee.

The bill as passed by the House contained a total of 147 projects, with a total estimated cost of $890 million. The Senate committee recommends the addition of 31 fully justified projects at a total estimated cost of $169 million. The bill as reported to the Senate, therefore, includes a grand total of 178 projects, at a total estimated cost of $1,059,000,000.

By comparison with previous authorizations, the total in this bill is smaller than the last 3 bills, which ranged between $1,290,000,000 and $1,450,000,000.

I call attention to the fact that the bill is purely an authorization bill. It does not provide any appropriations, and action to carry forward any of the projects proposed in this bill will be subject to the further review by the Appropriations Committees, and action by those committees and by the Congress itself on future appropriation bills.

A rather extensive explanation of the river and harbor flood-control programs is printed in the Senate report. I hope Members of the Senate will have the opportunity to examine the entire report, because I think they will find much valuable information therein with respect to these very important programs.

I should like to mention very briefly one of the more important factors which is considered in passing upon the justification for these projects. That is the ratio of benefits to cost. Under existing law, Congress has laid down the policy of participation in these projects whenever the benefits exceed the cost. The practical way of using these criteria is to convert all the costs of construction and maintenance to an annual basis, and compare the result with the average annual benefits which would accrue from the completed project. Therefore, under existing law if there is $1 of benefit for each $1 of cost, the project is considered economically justified within the letter of the law.

The projects in the bill all meet that test, and most of them are well above the minimum requirement. The highest benefit-cost ratio in the bill is for a beach erosion control project, in which the benefits would amount to $17.9 for each dollar of cost. Many of the projects have better than a 2-to-1 ratio. More than two-thirds of the projects have a ration of 1.5 to 1, or better. Overall, the estimated benefits from all projects in the bill will exceed the cost by a very substantial margin.

I wish to express my deep appreciation to the members of the Committee on Public Works for the splendid cooperation in taking up the bill upon rather short notice, and at a time when our workload is at its peak. I want to commend the chairman of the subcommittee, the distinguished Senator from Connecticut [Mr. BUSH], and all other members of the subcommittee, for their excellent and efficient work on the bill.

I also wish to commend the representatives of the Corps of Engineers who assisted the committee, and so ably supplied the technical data needed by the committee in its consideration of these projects. Their cooperation is greatly appreciated.

Mr. President, I also wish to thank the members of the staff for their cooperation and fine, intelligent work in the preparation of the bill.

I think the Committee on Public Works has one of the best records in the Senate for bipartisan action. The unanimous committee approval of the bill is further evidence of that record. The committee also is one of the most representative committees from the standpoint of the areas served by its members. The New England area is very ably represented by the Senator from Connecticut [Mr. BUSH] and the Senator from New Hampshire [Mr. UPTON]. From the Middle Atlantic area we have the Senator from Maryland [Mr. BEALL], and I am happy to be able to share in the representation of that section. The South Atlantic area has one member on the committee, the Senator from Florida [Mr. HOLLAND], who is a most capable representative of that part of our country.

The Senator from Mississippi [Mr. STENNIS] and the Senator from Tennessee [Mr. GORE] furnish very competent service for the central southern and lower Mississippi areas. The Great Lakes area is well represented by the Senator from Ohio [Mr. BURKE]. The Southwest has two very eminent representatives, the Senator from New Mexico [Mr. CHAVEZ] and the Senator from Oklahoma [Mr. KERR]. The Great Northern Plains area has but one representative, the Senator from South Dakota [Mr. CASE], but I know it could not be more effectively served, even if it had several members on the committee. The Pacific Slope area is very efficiently represented in the southern portion by the Senator from California [Mr. KUCHEL], and in the northern portion by the Senator from Oregon [Mr. MORSE]. This gives us rather complete coverage of the principal geographical regions of the country.

I believe we have a good bill. We are recommending a number of very meritorious public-works projects that will produce much needed benefits. They are all economically justified.

They will form a necessary part of the expanding economy, and they will be available for development, as appropriations are provided and as economic conditions warrant.

Mr. President, I request unanimous consent to have printed at the end of my remarks a short summary of the projects, showing the number of projects and their total cost.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

A breakdown of these projects among the categories of flood control, rivers and harbors, and beach erosion control, is as follows:

	Passed by House		Added by Senate committee		Total	
	Number	Amount	Number	Amount	Number	Amount
Rivers and harbors	85	$212, 915, 100	15	$106, 303, 300	100	$319, 218, 400
Beach-erosion control	22	14, 007, 664	0	0	22	14, 007, 664
Flood control	40	663, 352, 750	16	62, 850, 300	56	726, 203, 050
Total	147	890, 275, 514	31	169, 153, 600	178	1, 059, 429, 114

Mr. CHAVEZ. Mr. President, will the Senator from Pennsylvania yield to me?

Mr. MARTIN. It is a pleasure for me to yield to the distinguished senior Senator from New Mexico.

Mr. CHAVEZ. Mr. President, I wish to take this opportunity to congratulate the Senator from Pennsylvania [Mr. MARTIN], the chairman of the Committee on Public Works, for presenting his statement on the bill. I know this is one bill which does not have any political implications. All of those of us who serve on the Committee on Public Works, under the leadership of the able chairman, the senior Senator from Pennsylvania, have tried to report a bill which will be of service and benefit to the entire country. As the chairman of the committee has stated, the entire area of the Nation is taken care of, not with the idea of having a pork-barrel bill but with the idea of having a beneficial measure.

So I congratulate the Senator from Pennsylvania. I, for one, who heretofore had been chairman of the committee, commend the Senator from Pennsylvania for the fine work which has been done by him; and I know that equally efficient and successful work has been done by the Senator from Connecticut [Mr. BUSH], the Senator from Florida [Mr. HOLLAND], and the other members of the committee. No politics whatsoever were involved; all members of the committee tried to do a good job.

So I desire to pay a warm and well-deserved tribute to the senior Senator from Pennsylvania.

Mr. MARTIN. Mr. President, I certainly appreciate greatly the remarks of the distinguished senior Senator from New Mexico. All of us know that he is the senior member of the Committee on Public Works, and he has been most cooperative and helpful.

Mr. President, at this time I offer and send to the desk two perfecting amendments, for which I request immediate consideration.

The PRESIDING OFFICER (Mr. CRIPPA in the chair). The amendments submitted by the Senator from Pennsylvania will be stated.

The LEGISLATIVE CLERK. On page 9, in lines 20 to 22, it is proposed to strike out "In accordance with the report of the Chief of Engineers, dated May 24, 1954," and to insert in lieu thereof "House Document No. 487, 83d Congress."

On page 11, in lines 17 and 18, it is proposed to strike out "In accordance with the report of the Chief of Engineers, dated June 29, 1954," and insert in lieu thereof "House Document No. 486, 83d Congress."

The PRESIDING OFFICER. The question is on agreeing to the amendments of the Senator from Pennsylvania.

The amendments were agreed to.

Mr. BUSH. Mr. President, will the chairman of the committee yield to me?

Mr. MARTIN. Let me inquire how much time the Senator from Connecticut wishes to have me yield to him.

Mr. BUSH. Will the chairman of the committee be so kind as to yield 5 minutes to me?

Mr. MARTIN. Certainly, Mr. President, I yield 5 minutes to the Senator from Connecticut.

The PRESIDING OFFICER. The Senator from Connecticut is recognized for 5 minutes.

Mr. BUSH. Mr. President, first, I wish to endorse the remarks of my distinguished friend, the Senator from New Mexico [Mr. CHAVEZ]. I thoroughly agree with all he has said.

I also desire to pay my tribute to him, as the ranking minority member of the committee, for his full cooperation in connection with the preparation of the bill; and I may say the same of all other members of the committee on his side of the aisle. I did not think we could possibly have reported so good a bill as we have, and so carefully prepared a bill, without the very expert help of the Senator from Florida [Mr. HOLLAND] and the Senator from Mississippi [Mr. STENNIS], in particular, who have devoted more time than have other members of the committee on that side of the aisle, in connection with the hearings and the preparation of the bill.

I also desire to pay my tribute to the distinguished chairman of the committee, the senior Senator from Pennsylvania [Mr. MARTIN], who has given this matter a great deal of careful attention; and because of his wide and extensive experience in these matters, he has guided the bill very carefully to the floor of the Senate.

I think all of us can feel very happy about the bill.

Mr. KUCHEL. Mr. President, will the Senator from Connecticut yield to me?

Mr. BUSH. I yield to the Senator from California for a question.

Mr. KUCHEL. I desire to pay my respects to and extend my congratulations to the distinguished chairman of the committee, the senior Senator from Pennsylvania [Mr. MARTIN]; and also to my friend, the senior Senator from Connecticut [Mr. BUSH]; and, indeed, to all the other members of the Committee on Public Works, which held hearings over a long period of weeks and months, and has produced, today, on the floor of the Senate, a bill which literally will build America and will make America's economy stronger.

Mr. President, let me repeat that I pay my sincere respects and extend my congratulations to them; and I desire to state that I was delighted and thrilled to be able to participate in the discussions in the committee and subcommittee meetings.

Mr. BUSH. Mr. President, I thank the distinguished Senator from California for his generous remarks.

In view of all the nice things we have said about each other, I hope we shall be able to pass the bill.

Mr. President, at this time I wish to make a brief statement, if the distinguished chairman of the committee will be so kind as to yield me an additional 5 minutes.

Mr. MARTIN. Mr. President, I yield an additional 5 minutes to the senior Senator from Connecticut.

The PRESIDING OFFICER. The Senator from Connecticut is recognized for 5 minutes more.

Mr. BUSH. Mr. President, this bill continues a program of development of our rivers and harbors which had its beginning as a Federal Government activity over 125 years ago. Over this span of years, our Nation has grown from a group of small frontier settlements to a position of world leadership in economic development. Our transportation systems have played a vital part in this phenomenal development. Water transportation has always been the mainstay of these systems for the movement of bulk commodities and heavy goods. Over the past 125 years, we have developed almost 300 commercial harbors, 28,000 miles of improved waterways and about 500 locks and dams. These improvements have facilitated the growth of trade with other nations, developed commerce among the States and contributed to the security and continued growth of the Nation.

The latest available figures show that in 1952 the waterborne commerce of the United States totaled about 890 million tons, of which 660 million were domestic and 230 million were foreign. This represents an increase of 50 percent over the pre-war peak in 1929. On the inland waterways, the commerce reached a total of 168 billion ton-miles in 1952, which is an increase of 42 percent since 1940 when the total amounted to 118 billion ton-miles.

The improvement of these waterways for a growing peacetime economy has also given us a valuable asset in time of war. They have been used to provide access to inland shipyards and they have made possible a widespread geographical diffusion of manufacturing processes which otherwise would have been forced into congested or more exposed coastal areas.

The bill provides for many projects to deepen and widen existing channels and harbors. This is necessitated by the increasing use of larger and more economic vessels which will result in lower transportation costs and lower prices to the consumers. The progressive development of waterborne transportation has consistently brought economies in the cost of production of the many goods that provide us with the highest living standards of any Nation on the earth today.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MARTIN. Mr. President, I yield 3 minutes more to the Senator from Connecticut.

Mr. BUSH. Mr. President, the bill includes a number of projects for the control of beach erosion. Under the basic law establishing the policy for this program the Federal participation is limited to not to exceed one-third of the total estimated cost of the proposed remedial work. The remaining two-thirds of the total cost must be borne by local interests. The basic law also limits Federal participation to publicly-owned beach areas. No Federal financing is permitted for any privately-owned beaches. The beach erosion control projects included in this bill have been shown by the studies presented to Congress to have a high degree of economic justification.

The bill further continues the Federal flood control program which had its initial beginning in 1879 when interest first developed in the problems of the great Lower Mississippi River Basin. This initial interest was followed by the adoption of a Federal project for flood control on the lower Mississippi, and also on the Sacramento River in California, where another great flood problem had become evident. In 1936 the Congress adopted flood control as a National policy with the declaration that floods constituted a menace to National welfare and that flood control is a proper activity of the Federal Government in cooperation with States and local interests where the benefits are in excess of the estimated costs and if the lives and social security of the people are otherwise adversely affected. From that beginning there has grown the important flood control program undertaken by the United States.

The flood control program undertaken by the Federal Government has already brought large returns. It is estimated that if no Federal flood control measures had been undertaken the total average flood damages in the United States would be in excess of $800 million a year. The Federal flood control works now in operation prevent flood losses estimated at more than $300 million a year, and a considerable amount of flood damage is prevented by works constructed by local interests. The remaining average annual flood damage actually experienced in this country totals, therefore, about $500 million a year under the present state of development.

I am impressed with the thoroughness with which these projects have been studied and presented to the Congress by the Corps of Engineers in accordance with specific authorization by Congress. Detailed project reports have been submitted and printed as public documents so that all of the data explaining and supporting the proposed work are available as public information. These projects have been carefully considered by the Committees on Public Works of the House and of the Senate. It is the feeling of the committee that they will contribute to the national economy and welfare. We believe that there is adequate justification for the Federal participation in these improvements and we wholeheartedly recommend approval of the bill.

I yield back the remainder of my time, Mr. President.

Mr. FERGUSON. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 11, after line 14, it is proposed to insert:

Saginaw River, Mich.: In accordance with the report of the Chief of Engineers, dated June 7, 1954, at an estimated cost of $4,496,800.

Mr. FERGUSON. Mr. President, I yield myself 5 minutes.

This amendment would authorize a navigation project for the deepening of the Saginaw River in Michigan. The Saginaw River is an important artery of commerce leading from the industrial cities of Saginaw and Bay City, Mich., into Lake Huron. In the 10-year period 1941 through 1950, commerce on the river averaged 2,771,829 tons a year, and I believe it has increased since then.

The project was submitted to Congress on August 2, after the Committee on Public Works had reported H. R. 9859. There were no adverse comments on this navigation project.

The project would cost $4,496,800 in Federal costs, plus $713,300 in local costs. The benefit-cost ratio is 1.41 to 1. Local interests would be responsible for providing certain land and rights of way, as well as protecting the existing bridges across the river.

Because the project came to Congress after the Committee had acted on the bill, I feel clearly justified in offering it on the floor and in asking the Committee and the Senate to approve the amendment so that it may be taken to conference.

Mr. MARTIN. Mr. President, this project came in a little too late for the committee to consider it before we finished work on the bill. However, as the Senator from Michigan states, everything had been properly cleared.

I will say to Members of the Senate that, owing to the lateness of the date, I do not know just what can be done in conference. I have discussed what is in the bill at the present time with Members of the House. I believe this amendment has great merit. At a later session the committee approved it. I am willing to take the amendment to conference.

Mr. JOHNSON of Texas. The junior Senator from Texas [Mr. DANIEL] and I are presented with a very similar situation. We received from the Bureau of the Budget and from the Chief of Engineers a report after the committee had acted on the bill. I believe the Senator is familiar with the Navarro Mills Dam on Richland Creek. Is this project somewhat similar to that?

Mr. MARTIN. Mr. President, what the senior Senator from Texas says is absolutely correct. The project to which he refers has received consideration by our staff, but the request was received too late for us to make the item a part of the bill. We have not yet acted on it.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Michigan [Mr. FERGUSON].

The amendment was agreed to.

Mr. JOHNSON of Texas. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 29, after line 6, it is proposed to insert:

TRINITY RIVER BASIN, TEX.

The project for the Navarro Mills Reservoir on Richland Creek, Tex., is hereby authorized substantially in accordance with recommendations of the Chief of Engineers in his report dated May 28, 1954, at an estimated cost of $4,969,000.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Texas [Mr. JOHNSON].

The amendment was agreed to.

Mr. FERGUSON. Mr. President, I offer another amendment which I send to the desk. I wish to ask some questions about it. I ask that it be stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 42, between lines 18 and 19, it is proposed to insert the following:

WEST SHORE OF LAKE ERIE

The projects for flood protection along the shores of Lake Erie are hereby authorized substantially in accordance with the recommendations of the Chief of Engineers, in House Document No. 424, 83d Congress, at an estimated cost of $1,900,000.

Mr. FERGUSON. Mr. President, I should like to have inserted in the RECORD at this point a statement I have prepared with regard to this project.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR FERGUSON

I direct the attention of the Senate to two badly needed flood-control projects in the State of Michigan, which were not included in its version of the omnibus public works bill.

Both these projects are on the west shore of Lake Erie, in Monroe County. They are located at communities known as Lakewood-Luna Pier and Detroit Beach-Woodland Beach, each of which comprises approximately 500 homes. Their protection from flood damage has been estimated by the Corps of Engineers to cost $1,900,000.

In March 1952, those communities were devastated by floods caused by the high level of Lake Erie and strong northeasterly winds. Damage at both points exceeded a half million dollars.

Committees on Public Works in both the House and the Senate failed to include the projects in their respective omnibus public-works bills because of a legal technicality. The Corps of Engineers recommended both projects as meritorious and deserving of construction. The Public Works Committees of the House and Senate did not disagree with the engineers on the merits.

The technicality was raised by the Bureau of the Budget in a letter to the Secretary of the Army, dated May 10, 1954. The point raised by the Bureau was simply this:

That Federal flood-control legislation does not specifically—I repeat, specifically—cover inundation of property aggravated by or due to wind or tidal effects. It suggested that underlying legislation be revised so as to clarify congressional intent with respect to such projects as set forth for Monroe County by the Corps of Engineers.

The cost is estimated as follows:

At Detroit Beach-Woodland Beach, the Government's share would amount to $508,000, that contributed by local interests, some $70,000, with a cost-benefit ratio of 1.47. At Lakewood-Luna Pier, the Federal cost would be approximately $977,000 with local interests to contribute $122,500. The cost-benefit ratio at that point amounts to 1.24. At Point Place, Ohio, Federal funds totaling $339,000 have been asked, backed by local contributions totaling $52,000 with a cost-benefit ratio of 1.26.

I particularly want to emphasize the cost-benefit ratios cited for each project. All exceed the basic ratio of 1 for 1.

Despite the doubt raised by the Budget Bureau, there is precedent for the type of project I ask to be included in the public works bill. Such construction already has been authorized and completed in Lucas County, Ohio, along the shores of the same lake, Lake Erie, known as the Reno Beach.

Howard Farms project contained in the 1948 act. Another precedent was a project for flood control along Lake Ponchartrain in Jefferson Parish, La., in the 1946 act at a total cost of $1,230,000.

The flood of 1952, to which I referred earlier, caused extensive damage at Estral Beach, Mich., also in Monroe County. Instead of ducking the issue, the Corps of Engineers immediately allocated over $250,000 from its emergency fund to repair dikes already in existence.

After the flood which I mentioned, in March 1952, the Public Works Committee of the House adopted a resolution on June 26, 1952, in which it instructed the Corps of Engineers to make a study of the high levels of the Great Lakes.

Included in that resolution and in other acts of Congress—and this is of extreme importance to me—was this language: This study by the Corps of Engineers should be undertaken "with a view to determining the property damage resulting from changes in levels of the Great Lakes and the feasibility of measures to prevent the recurrence of damage." Similar language was used in the 1946 Flood Control Act and I believe that in adopting this language, the Congress was indicating its intent that flood-control measures could and should be undertaken in areas where the flood is caused or aggravated by wind or tidal effect, such as is the case with these projects.

The Corps of Army Engineers is of the opinion that the Monroe County, Mich., flood-control projects are authorized by existing law. They so testified before the Public Works Committees of the House and Senate pointing out that Flood Control Acts from 1944 on authorized surveys of damage from wind or tidal effects.

I might add that when the Monroe County projects were recommended by the Corps of Engineers, the St. Lawrence Seaway had not yet become law. The seaway, now about to become a reality, makes the construction of the dikes in Monroe County even more necessary.

Their cost will be offset against the reduced necessity for dredging in the channel connecting Lake Erie with the Detroit River. Higher levels in lake harbors and channels will permit the passage of deep-draft vessels without threat of further damage to low riparian areas. They also result in saving operating costs to bulk, commercial shippers, normally using the lakes on which to carry ore, coal, and wheat.

As long ago as 1925, testimony during the Chicago drainage canal controversy produced figures by the Lake Carriers' Association showing that freight savings or losses amounted to $500,000 annually for each inch of increase or decrease in depth of navigation channels.

The reason simply is that ships can carry heavier cargoes in deeper channels.

The people of Monroe County have waited patiently for 2½ years for action by the Federal Government. Now we are at the point where relief can be granted on the basis of a careful study by the Corps of Engineers who have recommended these two projects.

I hope the 83d Congress will not become history without having taken the first basic step of enacting authorizing legislation for this construction work which is so badly needed.

I urge my colleagues to vote favorably on the amendment I have offered.

Mr. MARTIN. Mr. President, this project was not turned down because it lacked merit. However, it is not in accordance with the law. This project, to be approved, would require further authorization.

I shall be glad to attempt to answer any questions the Senator from Michigan wishes to ask.

Mr. FERGUSON. The Senator from Michigan, as well as the Representative from the Second District of Michigan, appeared before the committee, where the question was considered, and the committee was sympathetic as concerns the merits of the proposal. However, we were informed that it was the opinion of the committee that this project was not legally authorized. Is that correct?

Mr. MARTIN. Mr. President, that is correct. The project was not turned down because it lacked merit.

Mr. President, I hope I have made it entirely clear that the project was not turned down because it did not have merit. The committee felt that the project did not comply with the law.

Mr. FERGUSON. That is, it was not legally covered as an authorized project?

Mr. MARTIN. That was the feeling of the committee. It was not that the project did not have merit.

Mr. FERGUSON. Under the circumstances, the Senator from Michigan will not press his amendment as a part of this bill. I feel that the Senator from Michigan and Mr. MEADER, the Representative from that district, should present this project to be legally authorized in the next session.

Mr. MARTIN. Mr. President, I think that is a very proper way to proceed, and I thank the Senator.

The PRESIDING OFFICER. Does the Senator from Michigan withdraw his amendment?

Mr. FERGUSON. I withdraw the amendment.

Mr. BUSH. Mr. President, will the Senator from Michigan yield to me?

Mr. FERGUSON. I yield.

Mr. BUSH. The Senator from Michigan and the Representative from Michigan who appeared before the committee gave a very thorough and adequate explanation of this project. The committee was very much impressed with the manner in which they presented the project. As the Senator from Pennsylvania has said, if the law were such as to permit it, the committee would have been in favor of the project. Nothing more could have been done to convince the committee that it was a good project than was done by the Senator from Michigan.

Mr. CLEMENTS. Mr. President, on behalf of myself and my junior colleague [Mr. COOPER] I offer the amendment which I send to the desk and ask to have it stated.

The PRESIDING OFFICER (Mr. IVES in the chair). The secretary will state the amendment.

The CHIEF CLERK. On page 10, line 17, after the semicolon, it is proposed to insert:

Provided, That such authorization shall include the acquisition of lands necessary for wildlife purposes as outlined in said Senate Document 81.

Mr. CLEMENTS. The amendment would not add any cost to the bill. It would merely grant authority to the Corps of Army Engineers to acquire such land as may be needed in replacement. The Engineers question whether they have the authority to do it without such authorization. I discussed the question with the chairman of the committee, and, at his request, with the ranking minority member of the committee. I hope the chairman will take the amendment to conference.

Mr. MARTIN. The distinguished senior Senator from Kentucky and the distinguished junior Senator from Kentucky have discussed this subject with me. We are unable to say anything about the merits of the proposal, and we are not sure what can be done. If the amendment is taken to conference, we are not sure whether anything can be done with it, without further study and consideration.

Mr. CLEMENTS. I should like to make some legislative history in connection with the amendment.

The Kentucky Woodlands National Wildlife Refuge, containing approximately 60,000 acres, is located between the Tennessee and Cumberland Rivers. About 6,000 acres of that wildlife refuge will be taken in the construction of the high dam there. It might be said that 6,000 acres is a small percentage of more than 60,000 acres in the wildlife preserve. However, these 6,000 acres constitute the only productive land within that preserve. They provide feed for the geese and wild turkeys which abound in that wildlife preserve. Unless some replacement is made for that land, the remainder of the land will be of no further value as a wildlife preserve.

As I said a short time ago, the amendment would not add anything to the cost of the bill. It would merely give to the Engineers the authority to acquire this land when they acquire all the other land which is needed in connection with the construction of the dam, instead of having the Department of the Interior called upon to provide the machinery to acquire the land.

The Engineers could do it, provided definite authority was included in the bill to permit them to do it. I ask the chairman if that is a fair statement of the facts.

Mr. MARTIN. I believe the Senator has stated the facts very clearly. However, we are not sure about it. We have done some work on the program, but we are not sure about the authorization.

Mr. CLEMENTS. I can assure the chairman of the committee that I have been advised by the Engineers that unless such language is added to the bill they will not be authorized to acquire the land.

Mr. MARTIN. I have consulted with the chairman of the subcommittee which handled this bill and also with the ranking minority member of the committee, and I shall be glad to take the amendment to conference, with the explanation I have made.

Mr. CLEMENTS. I hope the chairman will not only take the amendment to conference, but will endeavor to "sell" the House on the importance of the amendment being retained in the bill.

Mr. COOPER. Mr. President, I should like to join my colleague, the distinguished senior Senator from Kentucky in urging the conferees to give their most careful attention to the amendment, which has been so ably presented by my distinguished colleague from Kentucky.

My colleague lives in the section of Kentucky where the improvement will be made. He was once governor of Kentucky, and he is very familiar with the wildlife refuge. I hope very earnestly that the conferees on the part of the Senate will press the request made by my senior colleague and myself. I know that the Senators who will represent this body on the conference committee are familiar with the authority of the Corps in such a field. In analogy, I remember that when the Wolf Creek Dam was built on the Cumberland River the town of Burnside was inundated. In that instance the Engineers not only provided relief from the serious damage suffered by businesses and industries which had to move from the inundated areas, but also made arrangements to restore the town to the same comparable condition in which it was before the inundation.

That situation may not be an exact analogy with what my colleague has said, is needed in this case, but it is true that the situation cannot be handled except in the way in which my colleague has described. I urge that the conferees give very serious consideration to our request.

Mr. HOLLAND. Mr. President, will the Senator from Kentucky yield me 5 minutes?

Mr. COOPER. I am glad to yield 5 minutes to the Senator from Florida.

Mr. HOLLAND. I wish to supplement what has been stated with respect to this bill by the distinguished chairman of the committee and by other members of the committee. However, certain facts in connection with the bill should be included in the RECORD, and I ask unanimous consent that they be included in the RECORD at this point, as a part of my remarks.

The first of two tables found at pages 5 and 6 of the committee report, covers rivers and harbor projects contained in the House bill. It shows a total of $212,915,100.

I ask unanimous consent that the table be printed in the RECORD at this point as a part of my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Projects in title I of bill as passed by House—Sec. 101

Projects	Document No.[1]	Federal cost of new work	Projects	Document No.[1]	Federal cost of new work
Lubec Channel, Maine	S. 243, 81st Cong	$74,000	Pocomoke River, Md	H. 486, 81st Cong	$678,300
Portsmouth Harbor and Piscataqua River, Maine and N. H.	H. 556, 82d Cong	952,000	Ocean City Harbor and Inlet, Sinepuxent Bay, Md.	H. 444, 82d Cong	704,000
Lynn Harbor, Mass	H. 568, 81st Cong	65,000	Parrotts Creek, Va	H. 46, 82d Cong	38,700
Weymouth Fore River, Mass	H. 555, 82d Cong	4,400,000	Norfolk Harbor and Thimble Shoal Channel, Va.	S. 122, 83d Cong	6,138,700
Town River, Quincy, Mass	H. 108, 83d Cong	525,000	Deep Creek, Accomack County, Va	H. 477, 81st Cong	95,000
Scituate Harbor, Mass	H. 241, 83d Cong	375,000	Oyster Channel, Va	S. 49, 83d Cong	75,200
Fall River Harbor, Mass	H. 405, 83d Cong	694,000	Wallace Channel, Pamlico Sound, N. C	H. 453, 81st Cong	108,000
Bullocks Point Cove, R. I	H. 242, 83d Cong	166,400	Smiths Creek, N. C	H. 170, 83d Cong	102,000
Sakonnet Harbor, R. I	H. 436, 82d Cong	555,400	Channel from Hatteras Inlet to Hatteras, and Rollinson Channel, N. C.	H. 411, 83d Cong	175,000
Patchogue River, Conn	H. 164, 83d Cong	135,000	Peltier Creek, N. C., to Intracoastal Waterway	H. 379, 81st Cong	43,200
Westport Harbor and Saugatuck River, Conn	H. 488, 81st Cong	112,500	Channel Port Royal Sound to Beaufort, S. C	H. 469, 81st Cong	765,000
Westchester Creek, N. Y	H. 92, 82d Cong	32,200	Savannah Harbor, Ga	H. 110, 83d Cong	414,000
Hudson River, N. Y	H. 228, 83d Cong	31,928,000	Rice Creek, Putnam County, Fla	H. 446, 82d Cong	82,200
Shoal Harbor and Compton Creek, N. J	H. 89, 82d Cong	138,000	Hillsboro River, Fla	H. 567, 81st Cong	16,600
Hackensack River, N. J	H. 252, 82d Cong	1,973,900	Apalachicola Bay, Fla	H. 156, 82d Cong	98,000
Mispillion River, Del	S. 229, 81st Cong	469,400	Apalachicola Bay, Fla., channel across St. George Island.	H. 557, 82d Cong	635,700
Inland waterway from Delaware River to Chesapeake Bay, Del. and Md.	S. 123, 83d Cong	101,000,000	St. Joseph Bay, Fla	H. 595, 81st Cong	1,312,000
Queenstown Harbor, Md	H. 718, 81st Cong	31,900	Mobile Harbor, Ala	H. 74, 83d Cong	5,778,000
Little Creek, Kent Island, Queen Annes County, Md.	H. 715, 81st Cong	23,000	Dauphin Island Bay, Ala	H. 394, 82d Cong	70,000
Anchorage at Lowes Wharf, Talbot County, Md.	H. 90, 82d Cong	29,000	Bayou Segnette Waterway, La	H. 413, 83d Cong	520,000
Nanticoke River, Bivalve, Wicomico County, Md.	H. 91, 82d Cong	192,600	Sabine Neches Waterway, Tex	S. 90, 83d Cong	6,875,000
Webster Cove, Somerset County, Md	H. 619, 81st Cong	20,300	Guadalupe River at Seadrift, Tex	H. 478, 81st Cong	74,300
Crisfield Harbor, Md	H. 435, 81st Cong	101,750	Aransas Pass, Tex., in connection with the Gulf Intracoastal Waterway.	H. 376, 83d Cong	30,700
Rhodes Point to Tylerton, Somerset County, Md.	H. 51, 82d Cong	45,100	Turtle Cove, Tex	H. 654, 81st Cong	40,000
			Port Aransas-Corpus Christi Waterway, Tex	H. 89, 83d Cong	829,100

[1] H. indicates House document; S. indicates Senate document.

Projects in title I of bill as passed by House—Sec. 101—Continued

Projects	Document No.	Federal cost of new work	Projects	Document No.	Federal cost of new work
Mississippi River at Louisiana, Mo	H. 251, 82d Cong	$82,600	Columbia River at the mouth, Oregon and Washington	H. 249, 83d Cong	$8,555,000
Mississippi River at Chester, Ill	H. 230, 83d Cong	65,000	Columbia River between Chinook, Wash., and the head of Sand Island	S. 8, 83d Cong	227,100
Crooked Slough Harbor, Winona, Minn	H. 347, 83d Cong	142,000	Willapa River and Harbor and Naselle River, Wash	H. 425, 83d Cong	977,000
Cumberland River, Ky. and Tenn	S. 81, 83d Cong		Grays Harbor and Chehalis River, Wash	H. 412, 83d Cong	421,800
Green and Barren River, Ky	S. 82, 83d Cong	3,434,000	Grays Harbor and Chehalis River (Westhaven breakwater), Wash	H. —, 83d Cong	323,700
Knife River Harbor, Minn	H. 463, 83d Cong	219,900	Anacortes Harbor, Wash	S. 102, 83d Cong	179,300
Cornucopia Harbor, Wis	H. 434, 83d Cong	220,000	Neah Bay, Wash	H. 404, 83d Cong	139,250
Sheboygan Harbor, Wis	H. 554, 82d Cong	217,200	Bellingham Harbor, Wash	H. 558, 82d Cong	1,366,650
Holland Harbor, Mich	H. 282, 83d Cong	574,400	Blaine Harbor, Wash	H. 240, 83d Cong	436,000
Crooked and Indian Rivers, Mich	H. 142, 82d Cong	225,000	Shilshole Bay, Seattle, Wash	H. 536, 81st Cong	3,397,300
Toledo Harbor, Ohio	H. 620, 81st Cong	512,000	Port Angeles Harbor, Wash	H. 155, 82d Cong	477,900
Erie Harbor, Pa	H. 345, 82d Cong	174,000	Everett Harbor and Snohomish River, Wash	H. 560, 81st Cong	395,500
Black Rock Channel and Tonawanda Harbor, N. Y.	H. 423, 83d Cong	270,000	Quillayute River, Wash	H. 579, 81st Cong	425,550
Little River at Cayuga Island, Niagara Falls, N. Y.	H. 246, 83d Cong	36,900	Seward Harbor, Alaska	H. 182, 83d Cong	81,200
Oswego Harbor, N. Y	H. 487, 81st Cong	2,459,000	Valdez Harbor, Alaska	do	116,600
Los Angeles and Long Beach Harbor, Calif	H. 161, 83d Cong	896,500	Honolulu Harbor, T. H	H. 717, 81st Cong	3,022,000
Llaya del Rey Inlet and Harbor, Venice, Calif	H. 389, 83d Cong	3,869,000			
Port Hueneme, Calif	H. 362, 83d Cong	5,437,000	Total		212,915,100
Rogue River, harbor at Gold Beach, Oreg	S. 83, 83d Cong	3,758,700			
Umpqua Harbor and River, Schofield River at Reedsport, Oreg	S. 133, 81st Cong	41,000			

Mr. HOLLAND. Mr. President, the second table I ask to have included in the RECORD at this point appears at page 6 of the committee report. It shows the rivers and harbors projects placed in the bill by the Senate committee. The total is $106,303,300.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Amendments—Projects recommended by Senate committee—Items added (sec. 101)

Projects	Document No.[1]	Federal cost of new work	Projects	Document No.[1]	Federal cost of new work
Delaware River, Pa., N. J., and Del	H. 358, 83d Cong	$91,389,000	Tacoma Harbor, Wash		$634,200
Wilmington Harbor, N. C. (reimbursement)		0	Sitka Harbor, Alaska	H. 414, 83d Cong	41,500
Charleston Harbor, S. C	S. 136, 83d Cong	200,000	Dry Pass, Alaska	do	1,419,800
Carabelle Harbor, Fla. (maintenance only)	H. 451, 83d Cong	0	Neva Strait, Alaska	do	224,400
Pascagoula Harbor, Miss		877,000	Kodiak Harbor, Alaska	H. 465, 83d Cong	1,685,000
Port Aransas-Corpus Christi Waterway, Tex		180,000	Nawiliwili and Port Allen Harbors, T. H	H. 453, 83d Cong	1,166,400
Ashtabula Harbor, Ohio		4,900,000			
Richmond Harbor, Calif	H. 395, 83d Cong	2,086,000	Total		106,303,300
Tillamook Bay and Bar, Oreg	S. 128, 83d Cong	1,500,000			

[1] H. denotes House document; S. denotes Senate document.

Mr. HOLLAND. Mr. President, the third list covers the projects in the field of beach erosion control. The table is found at page 19 of the report. The total cost, so far as the Federal portion only is concerned—and the Federal portion generally is one-third of the total cost—is $14,003,664. I ask unanimous consent that that table be included in the RECORD at this point in my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Beach erosion control—Projects in bill as passed by House

Projects	Document No.[1]	Federal cost of new work	Projects	Document No.[1]	Federal cost of new work
Hampton Beach, N. H	H. 325, 83d Cong	$140,000	Ocean City, N. J	H. 184, 83d Cong	$105,000
Lynn-Nahant Beach, Mass	H. 134, 82d Cong	189,000	Cold Spring Inlet (Cape May Harbor), N. J	H. 206, 83d Cong	260,000
Revere Beach, Mass	H. 146, 82d Cong	402,900	Virginia Beach, Va	H. 186, 83d Cong	525,514
Quincy Shore Beach, Mass	H. 145, 82d Cong	409,000	Pinellas County, Fla	H. 380, 83d Cong	34,300
South Shore, State of Rhode Island	H. 490, 81st Cong	166,550	Illinois Shore of Lake Michigan	H. 28, 83d Cong	1,176,400
Hammonassett River to East River (area 2), Conn.	H. 474, 81st Cong		Vermillion to Sheffield Lake Village, Ohio	H. 229, 83d Cong	185,000
Hammonassett Beach		166,600	Cleveland and Lakewood, Ohio	H. 502, 81st Cong	
Middle Beach		20,400	Edgewater Park		1,275,000
New Haven Harbor to Housatonic River (area 3), Conn.	H. 203, 83d Cong		White City Park		68,900
Prospect Beach		84,600	Presque Isle Peninsula, Erie, Pa	H. 231, 83d Cong	2,006,000
Woodmont Shore		42,400	Selkirk Shores State Park, Lake Ontario, N. Y	H. 343, 83d Cong	136,500
Gulf Beach		13,100	Point Mugu to San Pedro Breakwater, Calif	H. 277, 83d Cong	3,874,000
Silver Beach to Cedar Beach		18,300	Anaheim Bay Harbor, Calif	H. 349, 83d Cong	
Housatonic River to Ash Creek (area 7), Conn	H. 248, 83d Cong		Seal Beach		65,700
Short Beach		26,500	Surfside		91,600
Seaside Park		119,000	Carpenteria to Point Mugu, Calif	H. 29, 83d Cong	73,700
Atlantic City, N. J	H. 538, 81st Cong	2,044,000	Waikiki Beach, T. H	H. 227, 83d Cong	283,700
			Total		14,003,664

[1] H. indicates House document.

Mr. HOLLAND. Mr. President, the flood-control projects covered by the bill fall into two categories. The first category covers the projects which are included in the House bill. The table showing those projects is found at pages 22 and 23 of the committee report. The table shows new flood-control projects in amount of $294,852,750. The total increases in earlier flood-control authorizations as approved by the House, are $368,500,000. I ask unanimous consent that the table be printed in the RECORD at this point, as a part of my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Projects in title II of bill as passed by House—Sec. 203

Project	Document No.[1]	New flood-control projects	Increases in authorizations for previously approved projects
Connecticut River Basin:			
Modification of project to provide for Otter Brook Reservoir, N. H.			
Modification of plan for West River Basin, Vt.			
Susquehanna River, vicinity of Endicott, Johnson City, and Vestal, N. Y.	H. 500, 81st Cong.	$4,460,000	
Central and southern Florida (modification of project).	H. 643, 80th Cong.		$7,000,000
Lower Mississippi River:			
Control of Old and Atchafalaya Rivers and lock for navigation.	(2)	32,000,000	
Channel in Old and Atchafalaya Rivers to Morgan City, La.	S. 53, 82d Cong.	440,000	
Modification of project for the Vicksburg-Yazoo area.	H. 85, 83d Cong.		
Modification of project for New Madrid floodway.	H. 183, 83d Cong.	1,743,000	
Buffalo Bayou Basin, flood protection at Houston, Tex.	H. 250, 83d Cong.	16,191,600	
Brazos River and tributaries, Oyster Creek and Jones Creek, Tex.	H. 535, 81st Cong.	40,000,000	
Guadalupe and San Antonio Rivers, Tex.	H. 344, 83d Cong.	30,254,000	
Guadalupe River, Tex. (modification of project for Canyon Dam).			
Rio Grande Basin:			
At Albuquerque, N. Mex.	H. 464, 83d Cong.	7,500,000	
At Roswell, N. Mex., on Rio Hondo River.	H. 436, 83d Cong.	5,658,000	
White River Basin: Modification of plan for Greers Ferry Reservoir, Ark., and authorization of Beaver Reservoir, Ark.	(3)		
Arkansas River and tributaries, at Enid, Okla.	H. 185, 83d Cong.	965,000	
Upper Mississippi River:			
Urban areas at Alton, Ill.	H. 397, 83d Cong.	2,500,000	
Guttenberg, Iowa, to Hamburg Bay, Ill.	H. 281, 83d Cong.	30,551,000	
Fish Lake Drainage and Levee District, No. 8, Monroe County, Ill.	H. 396, 83d Cong.	480,000	
Upper Mississippi River—Con.			
Sny Island levee, Levee Drainage District, Ill.	H. 247, 83d Cong.	$7,046,300	
Upper Iowa River, Iowa	H. 375, 83d Cong.	979,600	
Missouri River Basin authorization			$144,000,000
Kansas River and tributaries, Colorado, Nebraska, and Kansas.	H. 642, 81st Cong.	73,710,000	
Osage River and tributaries, Missouri and Kansas, modification of project.	H. 549, 81st Cong.		
Kansas Citys, Kans. and Mo., modification of project.			
Chariton River, Iowa and Mo.	H. 561, 81st Cong.	19,612,000	
Little Sioux River, Iowa	S. 127, 83d Cong.	10,076,000	
Little Missouri River and tributaries at Marmarth, N. Dak.	S. 134, 81st Cong.	212,300	
Coal Creek and tributaries, Tenn.	H. 154, 82d Cong.	745,200	
Ohio River Basin: Sandy Lick Creek, vicinity of Reynoldsville, Pa.	H. 716, 81st Cong.	570,000	
Paint Rock River, Ala.	H. —, 83d Cong.	1,001,300	
Kalamazoo River, Mich.	S. 98, 83d Cong.	4,201,550	
Little Calumet River, Ind.	H. 153, 82d Cong.	509,900	
Los Angeles-San Gabriel Basin and Ballona Creek, Calif.			12,500,000
Sacramento River Basin:			
Middle Creek, Calif.	H. 367, 81st Cong.	1,110,000	
American River, Calif.	H. 367, 81st Cong.	1,600,000	
Lower San Joaquin River Basin			5,000,000
Columbia River Basin: Modification of project to include power development at Cougar Reservoir on South Fork of McKenzie River, Oreg., and Green Peter Reservoir on Middle Fork of Santiam River, Oreg., including White Bridge reregulating reservoir on Middle Fork of Santiam River, Oreg.	H. 531, 81st Cong.		180,000,000
Gold Creek and tributaries, Alaska	H. 54, 82d Cong.	380,000	
Wailoa Stream and its tributaries, island of Hawaii, T. H.	H. 529, 81st Cong.	347,000	
Department of Agriculture, sec. 205, prosecution of works heretofore authorized.			20,000,000
Total		294,852,750	368,500,000

[1] H. indicates House document; S. indicates Senate document.
[2] Report of the Chief of Engineers dated Apr. 8, 1954.
[3] Report of the Chief of Engineers dated Feb. 19, 1954.

Mr. HOLLAND. Mr. President, my last request covers the amendments placed in the bill by the Senate committee in the field of flood control, totaling $62,850,300, as shown in the table found on page 23 of the committee report. I ask unanimous consent that the table showing these amendments be printed in the RECORD at this point, as a part of my remarks.

There being no objection, the table was ordered to be printed in the RECORD.

Amendments—Projects recommended by Senate committee—Items added (sec. 203)

Projects	Document No.[1]	Estimated Federal cost
West Branch of Susquehanna River, Pa.		$25,000,000
Reelfoot Lake area, Kentucky and Tennessee		748,100
Belton Reservoir, Tex. (reservation of water supply for Fort Hood).		0
Pecos River, N. Mex. and Tex.		9,540,000
Conway County Drainage and Levee District, Arkansas.	H. 167, 82d Cong.	230,600
Holla Bend Bottom, Ark.	H. 157, 82d Cong.	312,000
Bear Creek Mo.	H. 435, 83d Cong.	3,326,000
Big Sioux River and tributaries, Iowa and South Dakota.		3,430,000
Cold Brook Dam, S. Dak.		15,000
Oahe Reservoir, S. Dak., facilities at Pollock, S. Dak.		$200,000
Heart River at Mandan, S. Dak.		1,727,000
Santa Maria River and tributaries, California.	H. 400, 83d Cong.	10,182,000
San Lorenzo River, Calif.	H. 447, 83d Cong.	2,665,000
San Lorenzo Creek, Calif.	H. 452, 83d Cong.	3,700,000
Truckee River and tributaries, California and Nevada.		791,000
Amazon Creek, Oreg.	S. 131, 83d Cong.	893,000
Total		62,850,300

[1] H. indicates House document; S. indicates Senate document.

Mr. HOLLAND. Mr. President, the total of these 5 tables as inserted in the RECORD will be found to be approximately $1,050,000,000 of authorizations, as mentioned by the distinguished chairman of the committee, the Senator from Pennsylvania [Mr. MARTIN] in his opening remarks.

Notwithstanding the fact that it has been more than 4 years since a bill of this kind has been passed, it is the smallest bill in this field that has been considered by Congress for many years. That fact indicates a conservative approach, and indicates also that there is a large backlog of earlier authorizations, which have not been reached and which have added to the complexities of the situation.

I have asked that these items be included in the RECORD for the information of all who may read the CONGRESSIONAL RECORD.

The PRESIDING OFFICER (Mr. IVES in the chair). The question is on agreeing to the amendment offered by the Senator from Kentucky [Mr. CLEMENTS].

The amendment was agreed to.

Mr. CASE. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from South Dakota.

The CHIEF CLERK. It is proposed to strike out on page 39, lines 13 to 24, inclusive.

Mr. CASE. Mr. President, this amendment is a little unique. It proposes to make the amount in the bill a wee bit smaller. The reason for it is that the item has been taken care of by a bill which passed on the Consent Calendar some time ago, and which has been passed by the House of Representatives since this bill was reported. Consequently, there is no need of this language in the bill, and it might as well be deleted from the bill.

Mr. MARTIN. Mr. President, the amendment of the Senator from South Dakota is very much in conformity with his very careful legislative work. I do not think I have ever been associated with anyone who is so careful as is the Senator from South Dakota. It will be a great pleasure to accept his amendment and take it to conference.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from South Dakota [Mr. CASE].

The amendment was agreed to.

Mr. MAGNUSON. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Washington.

The LEGISLATIVE CLERK. On page 15, between lines 20 and 21, insert the following:

At Petersburg Harbor, Alaska: In accordance with the report of the Chief of Engineers, dated April 8, 1954, at an estimated cost of $40,000;

Pelican Harbor, Alaska: In accordance with the report of the Chief of Engineers, dated April 8, 1954, at an estimated cost of $270,000;

Ketchikan Harbor, Alaska: In accordance with the report of the Chief of Engineers, dated April 8, 1954, at an estimated cost of $2,947,900;

Rocky Pass, in the Keku Strait, Alaska: In accordance with the report of the Chief of Engineers, dated April 8, 1954, at an estimated cost of $214,000.

Mr. MAGNUSON. Mr. President, I ask unanimous consent to place in the RECORD at this point an explanation of these items. They have been approved not only by the Corps of Engineers but by the Bureau of the Budget. Like several other amendments which have been accepted today, they came in too late for the House to consider them, and I hope the Senate conferees will take them to conference.

There being no objection, the explanation was ordered to be printed in the RECORD, as follows:

HARBORS OF SOUTHEASTERN ALASKA (REPORT OF CHIEF OF ENGINEERS, DATED APRIL 8, 1954)

LOCATION

That portion of the Territory known as the Panhandle area, consisting of a narrow strip of mountainous mainlands, together with the islands of the Alexander Archipelago lying immediately offshore.

REPORT AUTHORIZED BY

Flood Control Act of June 30, 1948; river and harbor acts of July 24, 1946, and May 17, 1950; and resolutions of the House Committee on Rivers and Harbors dated October 30, 1945, and July 13, 1949.

Existing project: 15 projects in southeast Alaska have been adopted to facilitate navigation. Petersburg: Dredging approaches to the wharves 24 feet deep, a small-boat basin 8⅔ acres in extent, 11 feet deep, and a short channel 8 feet deep and 40 feet wide to the south of the Forest Service float. Ketchikan: Stone breakwater with concrete cap 940 feet long and a small-boat basin 10 feet deep.

PLAN OF RECOMMENDED IMPROVEMENT

Petersburg: Modification of existing project to provide for dredging the outer one-third of the small-boat basin to a depth of 15 feet. Pelican: Construction of a small-boat basin 12 feet deep and protected by a breakwater 1,000 feet long. Ketchikan: Modification of the existing project to provide a small-boat basin at Bar Point dredged to a depth of 15 feet or to rock, and protected by two stone breakwaters 700 feet and 1,550 feet long. Keku Strait at Rocky Pass: Improvement of Rocky Pass in Keku Strait by removing rock hazards to provide a channel with a minimum depth of 5 feet and a width of 150 feet at the Summit and 200 feet at Devils Elbow.

Estimated cost (report 1952 prices)

	Federal	Non-Federal	Total
Petersburg Harbor	$40,000		$40,000
Pelican Harbor	270,000	$20,000	290,000
Ketchikan Harbor	2,947,900	127,000	3,074,900
Rocky Pass in Keku Strait	214,000		214,000
Total	3,471,900	147,000	3,618,900

Local cooperation: Furnish lands, easements, and rights-of-way, including quarry rights and spoil-disposal areas; construct, maintain, and operate mooring facilities and public landing; and hold and save the United States free from damages.

Project economics

	Petersburg	Pelican	Ketchikan	Rocky Pass
Annual charges:				
Interest and amortization	$1,560	$11,960	$115,000	$8,700
Maintenance		1,200	12,000	2,300
Total	1,560	13,160	127,000	11,000
Annual benefits:				
Prevention of damage or loss	3,500	4,450	138,000	
Transportation savings		4,800	18,000	18,000
Increased fish catch		5,400		
Total	3,500	14,650	156,000	18,000
Benefit-cost ratio	2.24	1.1	1.23	1.63

REMARKS

The economy of this section of Alaska, with its many islands, sparse population, and widely scattered settlements, is dependent on water transportation. There are several thousand boats using the harbors and waterways of the area. These projects are needed to protect fishing craft and other vessels from damage, decrease transportation costs to the fishing grounds and timber areas, and result in an increased value of the fish catch.

Mr. MARTIN. Mr. President, in accordance with the statements which I have made with reference to other amendments, this amendment has been cleared with the Bureau of the Budget, but it did come in too late, and I do not know what the House conferees may do. We shall make every effort to press for its adoption.

Mr. MAGNUSON. I appreciate the statement of the Senator from Pennsylvania.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Washington [Mr. MAGNUSON].

The amendment was agreed to.

Mr. MAGNUSON. Mr. President, I ask unanimous consent to place in the body of the RECORD at this point correspondence with reference to the Tacoma Harbor dredging project.

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE,
Washington, D. C., July 22, 1954.

Re Tacoma Harbor dredging project (port industrial waterway)

Hon. WARREN G. MAGNUSON,
United States Senate.

DEAR SENATOR MAGNUSON: In further reference to my letter of June 7, 1954, the Pacific Oil & Refining Co. advised me, under date of July 13, 1954, that it has requested the Office of Defense Mobilization to amend its presently existing Certificate of Necessity TA–NC–24054 to include an alkylation unit in the interests of national defense.

We are pleased with this development since, as indicated in my previous letter to you, the Department of Defense is vitally interested in the construction of alkylation facilities in the Pacific Northwest area.

It is hoped that the necessary arrangements can be made in connection with the Tacoma Harbor dredging project which, if completed, will enable the Pacific Oil & Refining Co. to proceed with the construction of their refinery.

Sincerely yours,

W. W. WHITE,
Brigadier General, USAF,
Staff Director, Petroleum Logistics Division.

MAY 26, 1954.

Re Tacoma Harbor dredging project (Port industrial waterway)

Col. W. W. WHITE,
Office, Secretary of Defense,
Supply and Logistics,
Washington, D. C.

DEAR COLONEL WHITE: Recently the Chief of Engineers has received a very favorable report from the Seattle district engineers approving the above-named project. The report recommends a Federal investment of $634,000 to complete this waterway. To date the local interests have spent in excess of $2 million. The project is sorely needed to provide new deep water frontage for the port of Tacoma. This calls for dredging a ¾-mile waterway 30 feet in depth and about 800 feet wide.

One of the industries which intends to locate on this waterway involves an oil refinery. The refinery group intends to begin construction as soon as dredging of the waterway is assured and as soon as sufficient dredging has been accomplished, to provide a fill where storage tanks, etc., will be located.

The Washington Processing Co. is a participant in the refinery syndicate group and is currently acting as agent and spokesman for the larger organization. Recently this company advised the Tacoma Port Commission that in addition to the installation of modern type catalytic thermal reforming units, capable of producing 100-octane gasoline, it is planned to include an alkylation unit which will then make possible production of aviation gasoline. I am enclosing a copy of a letter which Mr. W. G. French, of Washington Processing Co., Inc., recently sent to the Tacoma Port Commissioners stating this intent.

As I understand it, there is still a considerable shortage of production facilities

for aviation gasoline. In addition, there are no such facilities located in the Pacific Northwest. Such a facility in the area would be of great value to the Defense Department in supplying installations in the Pacific Northwest and Alaska.

The oil refinery and alkylation facilities have been granted a tax amortization certificate. Their location in Tacoma is dependent upon early authorization and completion of the Port Industrial Waterway.

I am wondering if you would be willing to check into this matter from defense point of view and let me know what interest, if any, your department would have in the location of a refinery and alkylation unit in Tacoma. Since the waterway and these facilities are dependent one upon the other, the national defense importance of the installation will have some bearing on the speed with which we can get the waterway project through the Congress.

For your further information, legislative action is being correlated as much as possible with the procedures of the Corps of Engineers. I and other members of the Washington State delegation are trying to achieve authorization of the waterway in this session of Congress. If the project is approved for inclusion in the Omnibus Rivers and Harbors bill, we will seek an appropriation before adjournment. The time, therefore, is short. Your statement regarding the importance of the project for the national defense in terms of the oil refinery and aviation gasoline installation dependent upon the waterway completion will be most helpful.

I'll appreciate hearing from you at your earliest convenience. Best regards.

Sincerely,

WARREN G. MAGNUSON,
United States Senator.

Mr. KENNEDY. Mr. President, I have an amendment at the desk which I should like to have the clerk read.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Massachusetts.

The LEGISLATIVE CLERK. On page 4, line 14, after "$91,389,000", it is proposed to insert a colon and the following:

Provided, That the incremental depth from 35 feet to 40 feet shall be provided by the Federal Government subject to the condition that local interests contribute one-half of the cost of such incremental depth in accordance with the recommendations of the Chief of Engineers in such document.

Mr. KENNEDY. Mr. President, if I may have the attention of the Senator from Pennsylvania [Mr. MARTIN], I should like to say that on page 4 of the bill there is an authorization for the Delaware River of $91,389,000. The sum of $36 million of the $91 million is for dredging the Delaware River from the Philadelphia Navy Yard to the United States Steel Works, at a cost of $36 million. Because only the United States Steel Co. is going to benefit from this dredging to 40 feet, the Chief of Engineers, the Secretary of the Army, and the Bureau of the Budget, all of them, have recommended that the United States Steel Co. should pay half the cost. Unfortunately, the committee did not choose to follow the recommendations of the Bureau of the Budget, the Corps of Engineers, and the Secretary of the Army. Therefore, the entire $36 million will be paid by the taxpayers of the United States. I think it is most regrettable. While I recognize that this is an authorization, nevertheless, I believe the Senate should go on record and request the United States Steel Co., which is the only local interest to benefit from the dredging to 40 feet, to pay half the cost.

The Chief of Engineers, in a report to the Senate dated November 18, 1953, said:

All evidence indicates that the use of depths greater than 35 feet now or in the foreseeable future will be confined to a single company and, in accordance with established policy, the greater depth required by this single company warrants a substantial cash contribution to the incremental cost of the greater depth. I believe, therefore, that the incremental depth from 35 to 40 feet should be provided by the Federal Government subject to the condition that the United States Steel Co., or other local interests, contribute one-half of the cost of the incremental depth, this half being presently estimated at about $18 million.

Secretary of the Army Stevens, on March 19, 1954, said:

I do not believe that any evidence now available indicates that prospective general commerce on the river, other than iron-ore receipts, will require more than a 35-foot depth. It appears true that additional economic benefits will accrue directly to the United States Steel Corp., from a 40-foot channel, and there seems every reason for the beneficiary to participate in the project.

Finally, Mr. President, the Budget Director, Mr. Hughes, said, on February 25, 1954:

We believe that no exception should be made to the long-established principle and practice in such cases of requiring local participation in the cost and that the amount of the cash contribution proposed by the Chief of Engineers in this case is reasonable.

There is no reason why the United States Steel Co., which is the only company which could possibly benefit from dredging the river from 35 feet to 40 feet, should not pay half the cost. The company is having iron ore carriers built in Japan to carry ore from Venezuela. Yet, Mr. President, it is the taxpayers who will have to pay the other half of the cost of deepening this channel. In view of the statements by the Bureau of the Budget, the Chief of Engineers, and Secretary Stevens, I see no justification for the United States Steel Co. not paying half the cost. It is a local company which is going to benefit from the project. It is for that reason that the Senator from Illinois [Mr. DOUGLAS], who is absent, and I have offered this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Massachusetts [Mr. KENNEDY], for himself and the Senator from Illinois [Mr. DOUGLAS].

Mr. MARTIN. Mr. President, I yield myself 5 minutes.

I should like to say to my distinguished friend from Massachusetts that I cannot give the name of the concern, but 2,500 acres of land have been optioned on the New Jersey side of the river, opposite the Fairless steel plant for the construction of another steel plant in the Delaware Valley.

Mr. DUFF. Mr. President, will my colleague yield?

Mr. MARTIN. I yield.

Mr. DUFF. I believe it is the National Steel Co., which is one of the largest steel companies, ranking very close to the United States Steel Co., which has acquired this land and which expects to make another installation at the point which the Senator has mentioned.

Mr. MARTIN. I appreciate what my distinguished colleague has stated.

I should like the Senate to have this information. The port of Philadelphia is one of the oldest ports of our Nation.

The Commonwealth of Pennsylvania, the city of Philadelphia, and the railroads have spent on that port one-third of a billion dollars. The population is increasing very rapidly in Bucks County, which is on the Pennsylvania side of the river. There are 8,000 industries in the Philadelphia area, in the States of Delaware, New Jersey, and Pennsylvania.

During the war there was probably more critical war production in this valley than in any other place in the United States. From the standpoint of defense alone, this project should be approved.

I am fearful that if we permitted the United States Steel Co. to make an appropriation of $18 million, it would be a bad precedent. I feel that the waterways of our country ought to be free and without any possible understanding that any individual or any corporation has priority in their use.

Mr. BUSH. Mr. President, will the Senator from Pennsylvania [Mr. MARTIN] agree with me that the committee considered this question very carefully, and that it was pointed out to us that there is no precedent for the type of suggestion which the Senator from Massachusetts [Mr. KENNEDY] makes for himself and on behalf of the Senator from Illinois. There is no precedent for such contributions where general commerce is involved.

Mr. KENNEDY. Mr. President, will the Senator yield?

Mr. BUSH. I do not have the floor.

Mr. MARTIN. I am glad to yield.

Mr. KENNEDY. Is it not a fact that Colonel Milne was asked that question before the Senator's committee on May 13, and that he stated for the Corps of Engineers:

There have been a number of examples, Mr. Chairman, where the Corps of Engineers has recommended a local cash contribution and such contribution has been approved by the Congress and has been made by those interests.

He then proceeded to give the Senator 4 or 5 examples.

Mr. BUSH. Does the Senator have the examples before him?

Mr. KENNEDY. I have. Colonel Milne stated:

Some specific examples that come to my mind: In the New England area, in Town River, Mass.—

He went on to say that the people of Town River, Mass., contributed 25 percent.

In the case of Houston ship channel——

Mr. BUSH. From what page is the Senator reading?

Mr. KENNEDY. Page 42 of the Senator's committee hearings.

Mr. BUSH. Of the hearings?

Mr. KENNEDY. That is correct. Colonel Milne talks about the Stockton deepwater channel in California, where the local interests paid one-half the cost.

Mr. BUSH. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The Senator from Pennsylvania has the floor.

Mr. MARTIN. I yield.

Mr. BUSH. We are trying to get at the facts.

Mr. MARTIN. Mr. President, I am very anxious that the Senate and the people of America have all possible information relative to the development of the Delaware Valley. I do not know whether Senators realize it or not, but using Philadelphia as the center, within 100 miles we have 1 percent of the area of the United States, but 14 percent of the population.

The PRESIDING OFFICER. The Senator's 5 minutes have expired. Does the Senator wish to yield himself additional time?

Mr. BUSH. Will the other side yield 2 minutes?

Mr. KENNEDY. How much more time have we left on this side?

The PRESIDING OFFICER. Twenty-five minutes remain to the Senator's side.

Mr. KENNEDY. I yield 5 minutes.

Mr. BUSH. The point I should like to make is this: There is no precedent for this kind of contribution where general commerce is involved. That is my position, and I believe it to be accurate. The examples which the Senator was reading, I believe, are not similar examples. Sometimes local contributions are obtained. That has been true not infrequently where land enhancement was involved. But when there is involved the deepening of a channel for the improvement of general commerce and the general service of the area, I submit that my information is that there is no precedent for this kind of contribution.

Mr. KENNEDY. Mr. President, will the Senator yield?

Mr. BUSH. I should also like to emphasize, if the Senator will permit me, that this improvement should not be regarded solely as a benefit to the United States Steel Corp. The United States Steel Corp. is a very important element in the entire economy of this area, as the Senator from Pennsylvania [Mr. MARTIN] has pointed out. There are other industrial organizations there which will benefit by this improvement. I think the Senate should not be given the impression that we are doing a favor to the United States Steel Corp.

Mr. KENNEDY. Mr. President, will the Senator yield?

Mr. BUSH. I am glad to yield.

Mr. KENNEDY. I think the Senator should understand that increasing the depth from 35 to 40 feet is not for the general industrial development of the area. I would not object to that at all. The fact is that the only company which can possibly need the additional depth from 35 to 40 feet, is the United States Steel Corp. I quote from the report of the Senate Committee on Public Works:

> Extension to Trenton is necessary due to the recent construction of a large modern steel plant by the United States Steel Corp. below Morrisville, Pa. This plant will receive high iron content ores from Venezuela and other foreign sources directly by water and is vital to national defense and national welfare.

Mr. BUSH. Mr. President, I ask the Senator from Massachusetts whether or not he thinks it would be of great benefit to that whole area if the company installed such a plant.

Mr. KENNEDY. The Senator from Massachusetts is stating that the industrial benefit is to the United States Steel Corp. Is that not the fact?

Mr. BUSH. I say the benefit is to the whole area.

Mr. KENNEDY. Because it benefits the United States Steel?

Mr. BUSH. If the Senator will have it that way.

Mr. KENNEDY. The point is that, as the Corps of Engineers stated, the reason for dredging to 40 feet is the construction by United States Steel in Japan of extra large carriers. For the general commerce of the river, dredging to a depth of 35 feet is sufficient.

I would support that statement. The Corps of Engineers stated that if the depth were to be increased to 40 feet the local interests which would be directly benefited should bear one-half the cost.

Mr. BUSH. The committee felt, on the other hand that the dredging of the additional depth would so improve commerce that it would better the situation for the entire area, and not solely for the United States Steel Corp.

Mr. KENNEDY. The Senator may recall that it was stated before his committee that United States Steel was the only company which would need dredging to that depth; that all other commerce or the interests of the area could be served by dredging to 35 feet. It was because of the extra large ore vessels that it was necessary to dredge to 40 feet.

Mr. BUSH. The committee did not feel that there was anything particularly evil about that. The committee was thinking about the improvement of navigation in order to benefit the whole industrial and economic situation in that area. Someone has to take the leadership in these things. There is no particular disgrace in having the United States Steel Corp. do it.

Mr. MARTIN. Mr. President, I wonder if the two Senators will yield for a moment.

The PRESIDING OFFICER. Is this time to be charged to the time of the Senator from Massachusetts [Mr. KENNEDY]?

Mr. MARTIN. No; it can be taken out of my time.

I should like to give the Senate this information:

The number of people employed by the United States Steel Co. in that area is 6,180. One other concern in the locality is the Kaiser Metal Products Co., which employs 9,032.

As my distinguished colleague from Pennsylvania [Mr. DUFF] stated a moment ago, I know that options are taken on an area opposite the Fairless plant on the Jersey side; and he gave the name of the steel company which intends to erect a plant there.

Mr. KENNEDY. I quote the Chief of Engineers, General Sturgis. He states:

> All evidence indicates that the use of depths greater than 35 feet now or in the foreseeable future will be confined to a single company.

There is no indication that the company which the Senator has just named has any need for a channel more than 35 feet deep.

Mr. BUSH. Mr. President, there is nothing unusual about that situation. It is true that that statement is in the report and in the hearings, but the same situation arises in Texas. I am sorry the Senators from Texas are not present to hear me. One of the projects was the deepening of a channel in a particular waterway in Texas so that oil tankers could get in there. They needed more depth. It was not done for the particular benefit of the Humble Oil Co., or the Standard Oil Co. of New Jersey. It was done for the benefit of commerce generally in the area.

That is why all these things are done. The fact that the United States Steel Corp. happens to be the particular agency which will use the waterway first, and at the present time is the only one that may use it at that depth, is not an argument against the project.

Mr. KENNEDY. The only reason——

The PRESIDING OFFICER. Whose time is this on?

Mr. KENNEDY. This is on my time, and then I shall conclude.

The only reason I argue the point is that it is the position taken by the Corps of Engineers, by the Bureau of the Budget, and by the Secretary of the Army. For the Congress of the United States to authorize the expenditure of $36 million for the benefit of one company, however important the company may be, seems to me to be establishing a most dangerous precedent. Therefore, the amendment which we have offered is in accordance with the recommendations of the Corps of Engineers.

Mr. Fairless, speaking in Georgia on October 30, 1952, stated:

> But real economy can never be achieved in Washington by the effort of Congress alone. It cannot be accomplished by hacking splinters at the edges of an executive budget that is wasteful to the core; for real economy is not merely a legislative act—it is a state of mind.

It seems to me we have an opportunity, in accordance with the recommendations of the administration—and I think they are 100 percent right—to ask that the local interests pay one-half the cost.

Mr. BUSH. Mr. President, I should like to make 1 or 2 additional observations.

The Senator's figure of $36 million is the gross figure, and I believe the amendment proposes that half of that cost be borne by the company, not all of it.

Mr. KENNEDY. That is in accordance with the amendment—one-half.

Mr. BUSH. So that we are talking about $18 million, and not $36 million.

Mr. KENNEDY. That is correct.

Mr. BUSH. It is still a great deal of money. I agree with the Senator about that, but I think the Senate should stand on its precedents, and there is no precedent for this kind of a split in this kind of a project where general commerce is involved. There have been many cases in which local contributions have been made, but not in this kind of case. I wish the RECORD to show that is the reason why the committee acted unanimously, as it did in connection with the report.

Mr. KENNEDY. I wish to say that the House did not have a chance to consider this matter. Therefore, there were no House hearings held, and the House bill did not contain this amendment. Therefore, if the Senate passes the bill and it goes to conference, this will be the only action Congress will have taken in approving or disapproving the amendment. Therefore, on my amendment I ask for the yeas and nays.

The yeas and nays were not ordered.

The PRESIDING OFFICER (Mr. POTTER in the chair). The question is on agreeing to the amendment offered by the Senator from Massachusetts [Mr. KENNEDY] for himself and the Senator from Illinois [Mr. DOUGLAS].

Mr. MARTIN. Mr. President, I ask unanimous consent to have printed in the RECORD at this point in my remarks——

The PRESIDING OFFICER. Does the Senator from Pennsylvania desire to have something printed in the RECORD that pertains to the amendment?

Mr. MARTIN. Yes. I yield myself 1 minute.

I ask unanimous consent to have printed in the RECORD a telegram from the Governor of New Jersey, a telegram from the Governor of Pennsylvania, a telegram from the mayor of Philadelphia, a telegram from the mayor of Camden, N. J., and a telegram from the mayor of the city of Trenton.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

TRENTON, N. J., *August 12, 1954.*

Hon. EDWARD MARTIN,
United States Senator:

Deepening of Delaware River Channel from Philadelphia to Trenton vitally important to future development of Delaware Valley, United States of America. Urge immediate passage pending legislation.

ROBERT B. MEYNER,
Governor of New Jersey.

HARRISBURG, PA., *August 11, 1954.*

Hon. EDWARD MARTIN,
United States Senate,
Washington, D. C.:

I understand that the Senate will start debate on the Delaware Channel deepening proposal today. Over the past several months you and I have frequently discussed the importance of action in this field. I want to reaffirm my position on the vital necessity for this action at the Federal level. Properly and traditionally channels are the responsibility of the Federal Government. This channel is vital to the interest of our 3-State area in the further industrial expansion along its 30-mile river front. Call upon the Commonwealth for any possible help we can afford you in the furtherance of this program.

JOHN S. FINE.

PHILADELPHIA, PA., *August 5, 1954.*

Senator EDWARD MARTIN,
Senate Office Building:

I have today sent the following telegram to the members of the House Public Works Committee: "Request your support of full authorization for channel dredging from Philadelphia to Trenton. Local contribution scheme proposed to finance part of this project is unprecedented in scope and would only delay or prevent completion of this essential improvement. The project, involving the regular Federal responsibility for navigable waters, is vital to the continued development of the Philadelphia area. The resulting productive capacity will be a big factor in national security."

JOSEPH S. CLARK, Jr.,
Mayor of Philadelphia.

PHILADELPHIA, PA., *August 5, 1954.*

EDWARD MARTIN,
Senate Office Building:

I hope the Senate will endorse the full authorization for Delaware River Channel dredging from Philadelphia to Trenton. The local contribution formula put forward as a way to finance this project is unprecedented in scope and cannot be relied upon for this essential improvement. This project fits in with the regular Federal responsibility for navigable waters and is very important in the continued development of productive capacity which will benefit not only the Philadelphia area but the entire Nation.

JOSEPH S. CLARK, Jr.,
Mayor.

CAMDEN, N. J., *August 11, 1954.*

Hon. EDWARD MARTIN,
Senate Office Building:

Forty-foot channel in Delaware River important to States of New Jersey and Pennsylvania. Request your full support on this matter.

GEORGE E. BRUNNER,
Mayor, City of Camden.

TRENTON, N. J., *August, 11, 1954.*

Senator EDWARD MARTIN:

The Delaware Valley is one of the most important manufacturing marketing and service areas of the world. Within a radius of 250 miles, 50 million people live, including approximately 14,300,000 families with an effective annual buying income estimated at more than $70 billion. There is probably no better, more concentrated, or richer market in the world. Trenton may be considered as being in the center of this important business and industrial territory. As mayor of this city of Trenton, may I advise you that all the people of this area, regardless of political affiliation, feel that a deep water channel in the Delaware River between Trenton and Philadelphia is essential for their continuance and prosperity.

DONALD J. CONNELLY,
Mayor of the City of Trenton.

Mr. MARTIN. Mr. President, I yield 10 minutes to my colleague from Pennsylvania.

Mr. DUFF. Mr. President, I feel that the objection to the expenditure minimizes the importance of the great Port of Philadelphia. I have before me a map showing the course of the Delaware River from the Bay up to Trenton, near which the steel plant is located. From the course of the argument, it would seem that between Philadelphia and Trenton there was practically no development except that of the United States Steel Corporation. An analysis of the map will show that the distance from Philadelphia to where the United States Steel plant is located is almost half the distance along the Delaware River from Philadelphia all the way down to the bay. It so happens that in this immediate area, in the neighborhood of the Port of Philadelphia, there are already 8,000 manufacturing plants of every description. Furthermore, there are underway plans for the construction of further large installations in addition to those of the steel plants.

As everyone who is familiar with the steel industry in this country knows, the National Steel Co. is one of the great producers of steel in America. As the senior Senator from Pennsylvania has pointed out, that company has already taken an option on 2,500 acres in the general area of where the United States Steel plant is located, unquestionably for the same reasons for which the United States Steel Corp. located there, namely, the accessibility of that area to the great fresh-water port of Philadelphia.

I am sure that any person acquainted with the terrain from Philadelphia to Trenton and from Philadelphia to the bay is aware of the fact that the territory from Philadelphia to the bay is one of the greatest industrial areas in all America. There is no reason whatever, except for the shallowness of the channel from Philadelphia to Trenton, why that upper area of the river which is almost half as great in extent as the area I have described, will not equal in every way in importance, from an industrial point of view, the area along the lower stretch of the river.

The Commonwealth of Pennsylvania, in recognition of the importance of the port, during the 8-year period when my distinguished colleague was Governor and when I followed him as Governor, expended almost $30 million in State funds so that one of the tributaries of the Delaware would not silt into the Delaware and interfere with navigation to the great port of Philadelphia.

If our State was willing to expend $30 million of its own funds for that purpose, that fact alone ought to show the appraisal that the people of Pennsylvania attach to the importance of the port of Philadelphia.

If the United States Steel Co. were to be the only company that ever would have an installation in that great area from Philadelphia to Trenton there might be some point to the argument that they ought to contribute. However, by virtue of the very character of the area, its importance to the defense of this country and the magnificent development that has already taken place below Philadelphia, which positively will repeat itself in the upper river area, the argument loses persuasiveness, because the depth of the channel is the only thing that has so far inhibited the upper river from great development. Based merely on a dollars-and-cents viewpoint, considering the new income which would be available to the Government in the way of taxes as a result of the development that would take place in the upper river, such as has taken place in the lower river, it would be one of the best investments the Government could make.

I am sure a visual view of the area in question, below and above Philadelphia, would convince anyone of the fact

that the channel alone is the one thing which has prevented the upper river from being developed in the manner in which the lower river has and the lower river is one of the greatest industrial areas of the world. Therefore, the United States Steel Co. should not be penalized for having the foresight to appreciate the value of this location in an area which, as my colleague pointed out, has within 100 miles 14 percent of the population of America, and within a radius of 300 miles, one-third of the whole population of America. By reason of fresh water facilities, location, and proximity to facilities and markets, and the fact that other factories will come into that area, as happened in the lower river, there is every reason to believe an equal amount of industry will come to the upper river once the channel is deepened.

Therefore, it would seem to me that, unless we were going to look only as far as the end of our noses, and if we are willing to take a look at the future, we must appreciate that this area in the region between Philadelphia and Trenton is bound to be one of the greatest industrial areas of America. The improvement under discussion will immediately contribute to that result and speed that day.

Mr. KENNEDY. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were not ordered.

Mr. KENNEDY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The question is on agreeing to the amendment submitted by the Senator from Massachusetts [Mr. KENNEDY] for himself and the Senator from Illinois [Mr. DOUGLAS].

Mr. KENNEDY. Mr. President, on this question, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll.

Mr. SALTONSTALL. I announce that the senior Senator from Wisconsin [Mr. WILEY] is absent by leave of the Senate.

The senior Senator from Indiana [Mr. CAPEHART] and the Senator from Idaho [Mr. WELKER] are absent on official business.

The senior Senator from New Hampshire [Mr. BRIDGES], the Senator from Vermont [Mr. FLANDERS], the junior Senator from Indiana [Mr. JENNER], the junior Senator from Wisconsin [Mr. MCCARTHY], and the junior Senator from New Hampshire [Mr. UPTON] are necessarily absent.

On this vote, the junior Senator from Wisconsin [Mr. MCCARTHY] is paired with the Senator from Illinois [Mr. DOUGLAS]. If present and voting, the junior Senator from Wisconsin [Mr. MCCARTHY] would vote "nay" and the Senator from Illinois [Mr. DOUGLAS] would vote "yea."

Mr. CLEMENTS. I announce that the Senator from Ohio [Mr. BURKE], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Texas [Mr. DANIEL], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Tennessee [Mr. GORE], the Senator from South Carolina [Mr. MAYBANK], and the Senator from Nevada [Mr. MCCARRAN] are absent on official business.

The Senator from Virginia [Mr. BYRD], and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

I announce further that on this vote the Senator from Illinois [Mr. DOUGLAS] is paired with the Senator from Wisconsin [Mr. MCCARTHY]. If present and voting, the Senator from Illinois would vote "yea," and the Senator from Wisconsin would vote "nay."

I announce also that if present and voting, the Senator from Texas [Mr. DANIEL] would vote "yea."

The result was announced—yeas 21, nays 56, as follows:

YEAS—21

Anderson	Jackson	Mansfield
Fulbright	Johnson, Tex.	Monroney
Goldwater	Johnston, S. C.	Murray
Green	Kefauver	Pastore
Hennings	Kennedy	Russell
Hill	Kilgore	Smathers
Humphrey	Magnuson	Symington

NAYS—56

Aiken	Ferguson	Millikin
Barrett	Frear	Morse
Beall	George	Mundt
Bennett	Gillette	Neely
Bowring	Hendrickson	Payne
Bricker	Hickenlooper	Potter
Bush	Holland	Purtell
Butler	Ives	Reynolds
Carlson	Johnson, Colo.	Robertson
Case	Kerr	Saltonstall
Clements	Knowland	Schoeppel
Cooper	Kuchel	Smith, Maine
Cordon	Langer	Smith, N. J.
Crippa	Lehman	Stennis
Dirksen	Lennon	Thye
Duff	Long	Watkins
Dworshak	Malone	Williams
Ellender	Martin	Young
Ervin	McClellan	

NOT VOTING—19

Bridges	Eastland	McCarthy
Burke	Flanders	Sparkman
Byrd	Gore	Upton
Capehart	Hayden	Welker
Chavez	Jenner	Wiley
Daniel	Maybank	
Douglas	McCarran	

So the amendment offered by Mr. KENNEDY (for himself and Mr. DOUGLAS) was rejected.

Mr. MARTIN. Mr. President, I move that the vote by which the amendment was rejected be reconsidered.

Mr. BUSH. Mr. President, I move to lay on the table the motion to reconsider.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table.

The motion to lay on the table was agreed to.

Mr. BUSH. Mr. President, I ask for the yeas and nays on the final passage of the bill.

The yeas and nays were ordered.

The PRESIDING OFFICER (Mr. POTTER in the chair). The bill is open to further amendment.

Mr. THYE. Mr. President, because the time was controlled I was unable to present the statement I had intended to make on the pending bill, House bill 9859. Because of my interest in the particular amendment which has just been rejected, and because of my interest in the entire overall development of rivers and harbors, I ask unanimous consent that a statement which I have prepared be printed in the body of the RECORD as a part of my remarks. This statement clearly sets forth my convictions on the amendment which has just been rejected.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR THYE

Two of the largest items in the bill (H. R. 9859) now pending to authorize construction, repair, and preservation of certain public works on rivers and harbors for navigation and flood control, are the authorizations of $101 million for the inland waterway from the Delaware River to Chesapeake Bay, which was approved by the House of Representatives, and an item of $91 million for enlarged channel improvements in the Delaware River between Philadelphia and Trenton, which is embodied in an amendment proposed by the Senate Committee on Public Works following the extensive hearings which that committee held with reference to all of these projects.

I intend to support the recommendations of the Public Works Committee with reference to these large authorizations because I believe that they are justified and the larger economic needs of the area to be served, and thus of the Nation as a whole, are such as to warrant this action.

It has been my feeling that we should consider these matters on the basis of the justification for them and the advantages and benefits that will result from such improvements.

It is only natural that the States immediately affected by such a large scale improvement program would have a primary interest in their development, but that interest is also the national interest.

Minnesota and the other upper Midwestern States have a primary interest in another important waterway development which is closely related to the St. Lawrence Seaway development project already authorized by Congress and approved by the President.

It is extremely important that in connection with the St. Lawrence Seaway there should be early authorization of the necessary public works to improve and deepen the upper channels of the Great Lakes for the full potential of this great development can only be realized if the project is carried out as a whole.

It is my hope that when the report of the Army engineers relative to the present survey being made as to the cost of the connecting channel in the upper Great Lakes is presented to Congress in the next session this improvement likewise will be authorized.

The Army engineers have advised me that the present study concerning the connecting channels in the upper Great Lakes will be completed by the district and division engineers about November 1, after which their recommendations will be submitted to the Board for Rivers and Harbors and subsequently to the Public Works Committees of Congress.

As a member of the Senate Committee on Appropriations, I was glad to have had a part last year in the recommendation of that committee that approximately $150,000 be made available to the Corps of Engineers for the present survey of the connecting channels.

Although no information has been made available by the Army engineers relative to their reappraisal of the proposed 27-foot channel in the Great Lakes, it is anticipated that the cost will be approximately $125 million for these improvements.

When the bill was introduced early last year to establish the St. Lawrence Seaway Development Corporation, I proposed an amendment to authorize an appropriation for such improvements as may be necessary to provide a deep waterway for navigation requiring a controlling channel depth of 27 feet through the Great Lakes connecting channels above Lake Erie, including the Detroit River, Lake St. Clair, St. Clair River, the Straits of Mackinac, and the St. Mary's River.

The proposed authorization of funds in this amendment was approximately the same as the estimate which had been made on the earlier survey of these channels.

It was proposed to spread the appropriation over a 5-year period as the engineers contemplated that it would require at least that length of time for the necessary planning, dredging, and construction.

It has always been my considered judgment that if the canal at the International Rapids section is built and the construction of the connecting channels in the upper Great Lakes is delayed or sidetracked this would result in injury to vital areas which have a great stake in this entire waterway and would retard and diminish the economic returns for a large segment of our people.

In supporting the St. Lawrence Seaway Development Corporation enactment, I did not press for the adoption of my amendment relating to the upper Great Lakes channels partly because I felt the bill then under consideration should be decided on its merits and also because I felt that Congress could act with greater understanding of the need if we had a new survey of the channel needs and a reappraisal of the specific requirements for that improvement.

I have always felt that even if no other part of the Great Lakes-St. Lawrence Seaway were ever undertaken, the deepening of the connecting channels in the upper Great Lakes would be essential and should be implemented at the earliest possible time for the full utilization of our greatest inland waterway.

It is obvious that to give lake ports on Huron, Superior, and Michigan the full benefit of the St. Lawrence Seaway, which we know now is assured, the present program must be supplemented by deepening the channels that connect those lakes.

Under present plans the seaway is to provide a depth of 27 feet, and the upper lake channels must be brought to at least that future seaway depth both because failure to do so would prevent the greatest potential use of the entire waterway and also because the many new vessels which have been added to the Great Lakes fleet have drafts which require the deepening of these connecting channels.

In other words, interlake traffic alone would require a deepening of these channels to 27 feet.

Iron ore, limestone, coal, petroleum, and grain are the chief commodities moved on the Great Lakes.

It has been estimated that the tonnage on the Great Lakes approximates our total foreign waterborne commerce.

On a ton-mileage basis, it exceeds that on our inland waterways by 3.3 times and that by our motortrucks by 1.6 times.

Larger ships now operating on the Great Lakes or being planned for construction are designed to handle some 24,000 tons of ore, which is equivalent to a freight train of 480 cars, with each car loaded to 50 tons.

I think it is interesting to note that in the historic consideration of the Great Lakes and St. Lawrence Seaway project, the Great Lakes system has always included the five great Lakes of Superior, Michigan, Huron, Erie, and Ontario, and the connecting waters, including Lake St. Clair.

Deep waterway has been defined in all the agreements between the United States and Canada as meaning a controlling channel depth of 27 feet from the head of the Great Lakes to Montreal Harbor via the Great Lakes system and St. Lawrence River.

The upper channels have been considered essential links in the deep waterway.

What is involved so far as the national interest in this entire matter is concerned, is primarily the requirements in the shipment of iron ore.

Other important aspects involve shipments of grain, development of other low-cost freight shipment, and the working out of a balanced transportation system.

Improvement of the Great Lakes waterway system is an economic necessity for the future of the upper midwest areas and will be a resultant benefit to the entire country.

Mr. MILLIKIN. Mr. President, I offer an amendment which is at the desk, proposed by the senior Senator from Colorado [Mr. JOHNSON] and the junior Senator from Colorado, and ask to have it stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 34, between lines 21 and 22, it is proposed to insert the following:

The project for flood control and other purposes, on the Purgatoire (Picketwire) River, Colo., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in his report dated July 22, 1954, at an estimated cost of $17 million: *Provided*, That repayment of the first cost allocated to irrigation shall be made under the applicable Federal reclamation law.

Mr. MILLIKIN. Mr. President, the amendment proposed by the senior Senator from Colorado and myself to H. R. 9859 would authorize the Purgatoire River project substantially in accordance with the recommendations made by the Chief of Engineers, Department of the Army, in his report dated July 22, 1954.

The project contemplates the construction of a multiple-purpose reservoir about 4 miles above the city of Trinidad on the Purgatoire River. This project has been jointly planned by the Corps of Engineers and the Bureau of Reclamation, Department of Interior.

An earth-filled dam about 208 feet in height would be constructed. The reservoir would have a total storage capacity of 140,700 acre-feet of water apportioned as follows: Flood control, 46,700 acre-feet; conservation, 55,000 acre-feet; and sediment retention, 39,000 acre-feet.

The Purgatoire River project will provide flood protection for Trinidad, Colo., and nearby areas. I call attention to the serious floods which inundate large areas because there is not adequate control of the river at this time.

On July 23, 1954, the Purgatoire River overran its banks, endangering life and property. The river rose from 1.34 feet to 16 feet during the rainstorm and sheriff officers warned ranchers along the river south of La Junta and Las Animas to evacuate their homes.

I shall not read these newspaper clippings, but I ask unanimous consent that they be inserted at this point in the RECORD.

There being no objection, the newspaper clippings were ordered to be printed in the RECORD, as follows:

[From the Denver Post of July 24, 1954]

UP TO 5 INCHES OF RAIN FLOODS SOUTHEAST AREAS

Parts of southeast Colorado along the Purgatoire River were digging out Saturday after cloudbursts in the preceding 48 hours dumped as much as 5 inches of rain in some locations.

Isolated for a time was Trinchera, 35 miles southeast of Trinidad, when floodwaters from the swollen Purgatoire washed out bridges along State Highway 55 both east and west of the small cattle community.

The swirling waters washed out sections of Colorado & Southern Railroad tracks in the region and work trains from Trinidad and Texline worked late Friday to repair the damage.

Heavy runoff flooded many homes in Trinchera and about 3 feet of water flowed through the railroad yard. Power lines and telephone service were disrupted for hours.

MILD FOR WEEKEND

All tributaries of the Arkansas River were reported running high, and some out of their banks, as flash floods followed cloudbursts late Friday. Many sections of low-lying highway were covered for a time, but all were reported back in service in that region by Saturday morning.

Weathermen in Denver forecast mild weekend temperatures and partly cloudy skies. The 5-day forecast for the metropolitan area calls for high temperatures around 90 degrees and a few aftenoon or evening thundershowers through Wednesday. Nights will be comfortable at 55 to 60 degrees, the weather bureau said.

Colorado during the same period is expected to have temperatures near seasonal or slightly warmer, and scattered showers and thunderstorms.

[From the Fort Morgan Times of July 23, 1954]

PURGATOIRE RIVER OUT OF ITS BANKS

The Purgatoire River was running out of its banks Friday, endangering ranch properties and livestock, after cloudbursts swept over southern Colorado late Thursday. The storms centered in the Trinidad area.

Sheriff officers warned ranchers along the Purgatoire, also known as the Picketwire, south of La Junta and Las Animas to evacuate their houses and move their livestock to higher ground.

At Las Animas the Purgatoire was carrying 18,000 second feet of water with a higher crest expected late Friday. The river rose from 1.34 feet to 16 feet early Friday. Between Trinidad and Higbee, where the greatest danger to livestock occurred, the river was carrying 57,000 second feet of water.

The river measuring device at Higbee was washed downstream by the flood.

More rain was reported falling Friday east of Higbee and Caddoa Creek. All tributaries to the Arkansas River in the area are high. More than 2 inches fell at Holly, near the Kansas line. Eads, 35 miles north, received only a drizzle.

The flood waters from the Purgatoire River will be impounded in the John Martin Reservoir, below Las Animas. The reservoir is dry at present.

The highway department reported the rains temporarily blocked several stretches of roads, but all were open Friday.

The storm damage centered at Trinchera, 35 miles southeast of here, several hundred yards of the Colorado & Southern Railway right-of-way were washed and trains were held at Trinidad and at points south of Trinchera until the tracks could be repaired.

Trinchera Creek overflowed its banks, inundating state 55 and the railroad tracks. At one time the water was 2 feet deep in the Trinchera depot.

Ranches in Frisco Canyon were reported damaged by heavy rainfall and overflowing creeks.

Rainfall at Trinidad totaled 1.42 inches. The recently dedicated Pinon Canyon Dam northwest of the city prevented damage to the northwest sections by controlling runoff. The Purgatoire River, which runs through Trinidad flowed within 2 feet of the top of its channel but there was no damage from it.

The rains brought small landslides onto the million-dollar highway—U. S. 550—between Ouray and the New Mexico border, closing the road briefly, the report said. It added it was still raining Friday in the area but the road was reopened.

U. S. 160 between Beshoar Junction and Kim, Colo., has up to 1 foot of water covering the road in several sections, the department said, although the road is still open.

Heavy rains washed out shoulders along State 61 north of Otis and State 51 north of Wray, with traffic moving slowing on both roads.

Mr. MILLIKIN. I am informed that on past occasions—and during this storm, too—flood damage has disrupted rail transportation when a rush of water has inundated or washed out sections of mainline tracks belonging to the Colorado & Southern Railway and the Santa Fe. These important western railroads connect Denver, Colo., and points within the State of Texas. I need not tell Senators what such a condition would mean during a period of emergency. There would be great disruption and delay of rail movements between the South and the Rocky Mountain area.

Construction of this project would result in benefits to the area through flood control and would make available an additional supply of irrigation water for thousands of acres within the project area. The need for irrigation water is keenly felt by those persons residing in areas with insufficient water. Water is the basic need of the agricultural economy of the area. This project, when completed, will supply the needed water, which will result in an expanded agricultural industrial community. I emphasize that existing storage and regulatory facilities on the Purgatoire River are inadequate for complete regulation of the available water supply to permit maximum crop utilization within the area.

The total first cost of the project is estimated to be $17 million, with $8,268,000 of this amount allocated to flood control, and $8,732,000 allocated to irrigation. The cost of this project is small by comparison to the value of human life and property. I understand that each year the estimated cost of damage caused by floods in this area is $226,700.

Local residents of the project area are interested in this project. They want the Trinidad Reservoir. They will repay to the Federal Government that portion of the estimated cost which is chargeable to irrigation. Their share will be $8,732,000 of the total estimated first cost of $17 million.

I ask for favorable consideration of this project, and for approval of this amendment.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. BUSH. My recollection on this point is that the project which the Senator proposes has a favorable cost-to-benefit ratio, but at the time the committee acted it did not have a report from the Bureau of the Budget or the Army engineers. For that reason the committee did not take action on the project. The committee thought the Senator from Colorado made an excellent argument in favor of the project.

Mr. MILLIKIN. I thank the distinguished Senator for the very friendly consideration which was given the project.

Mr. CARLSON. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Kansas?

Mr. MILLIKIN. I yield.

Mr. CARLSON. I wish to ask the distinguished Senator from Colorado if the Purgatoire River is not a tributary of the Arkansas River, which flows through our State?

Mr. MILLIKIN. The Purgatoire River is a tributary of the Arkansas River, which flows through our two States and is subject to a compact between the States of Colorado and Kansas. The compact prohibits any violation of its terms, and its terms would not be violated by the proposed action.

Mr. CARLSON. Mr. President, if the Senator will yield, I should like to assure him that we do not oppose the project, but I wish the record to show that Kansas has a direct interest in the proposed project. In view of the statement made by the Senator from Colorado, that the compact between the States of Colorado and Kansas will prevail, and that we shall be given consideration in connection with the amount of water to be stored in the reservoir, I shall not object. However, I think the RECORD should show that the Governor of Kansas was asked for his views on the project by the Corps of Army engineers, and in a letter to the engineers he opposed the project. If the distinguished Senator will permit me to do so, I should like to read an excerpt from the Governor's letter.

Mr. MILLIKIN. Certainly.

Mr. CARLSON. I shall read only the concluding paragraph of the letter written by Governor Arn concerning the Purgatoire River project.

Even the most conservative estimate indicates an increased depletion of Purgatoire River water. It is our conclusion that the operation of this project would, at times, materially deplete the water supply which would otherwise be available to Kansas water users through the John Martin Reservoir. Under these conditions, the State of Kansas at this time is opposed to the project as proposed.

Mr. MILLIKIN. Mr. President, I believe my colleague will consent to the modification of the amendment so as to make it clear that the project will not be operated in any way which would interfere with the compact. I do not think such an amendment is necessary, because the language is already clear, to the effect that the compact must be complied with.

Mr. CARLSON. I am pleased to accept the statement of the distinguished Senator from Colorado. However, the people of Kansas might feel a little less uneasy if such an amendment were added to the bill.

Mr. MILLIKIN. Mr. President, I send to the desk a modification of the pending amendment and ask that it be stated. I offer the amendment on behalf of myself and my colleague as a modification of the pending amendment.

The PRESIDING OFFICER. The Secretary will state the amendment.

The CHIEF CLERK. At the end of line 7 of the original amendment it is proposed to add the following:

In the operation and maintenance of the facilities of this project authorized by this act, under the jurisdiction and supervision of the Secretary of the Army and the Secretary of the Interior, in the Purgatoire River Basin, such officers are directed to comply with the applicable provisions of the Arkansas River compact (63 Stat. 145).

The PRESIDING OFFICER. Does the Senator modify his amendment accordingly?

Mr. MILLIKIN. I do.

The PRESIDING OFFICER. The Senator's amendment is modified accordingly.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. AIKEN. Will the Senator from Colorado tell us whether the proposed reservoir would cover up any places where dinosaurs once walked? If that were so, of course we should not approve the project.

Mr. MILLIKIN. Unhappily the dinosaurs did not leave any of their bones around there.

Mr. AIKEN. Can the Senator assure us that dinosaurs did not walk through that part of his State?

Mr. MILLIKIN. I do not know of any evidence to that effect.

Mr. AIKEN. If the Senator states that all kinds of animal life wandered through there in prehistoric times, he may be prejudicing his case.

Mr. MILLIKIN. No claim is made that any dinosaurs or brontosaurs or any similar animals ever wandered through that part of Colorado. I would have to look up the facts before I could accurately answer the Senator's question, but I am perfectly willing to let my troubles rest as they are.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. THYE. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. THYE. I have some telegrams in my hand, and I wonder whether they refer to the pending amendment or to the pending legislative proposal. The first telegram reads:

ST. PAUL, MINN., *August 16, 1954.*

Senator EDWARD J. THYE,
Senate Office Building,
Washington, D. C.:

Minnesota Conservation Federation urges blocking of move to add upper Colorado

storage project as rider to omnibus flood-control bill. This project highly controversial from economic and national park invasion standpoint. Needs extension hearings and revision. We urge holding it for next Congress for adequate discussion on its own merits.

CLIFF SAKRY,
Executive Secretary, Minnesota Conservation Federation.

Mr. THYE. The other telegram reads as follows:

ST. PAUL, MINN., *August 16, 1954*

Senator EDWARD J. THYE,
Senate Office Building,
Washington, D. C.:

Am advised upper Colorado storage project may become rider to omnibus flood-control bill. Sincerely hope you can block such move. Features of upper Colorado project too controversial from economic standpoint alone to be authorized in this manner. Needs extensive hearings and modifications to make it sound.

THOMAS R. EVANS.

Mr. THYE. Do those telegrams refer to the question before the Senate?

Mr. MILLIKIN. Mr. President, I ask the Senator not to have those telegrams placed in the RECORD. The project under consideration has nothing to do with the Upper Colorado River. The telegrams refer to a matter on the other side of the Continental Divide, and to an entirely different stream system. We are concerned with the Arkansas River Basin. The two stream systems are divided by the Continental Divide. I suggest that the Senator not put those telegrams in the RECORD, because they would reflect on our geographical knowledge of the State of Colorado.

Mr. THYE. We in Minnesota are not acquainted with all the Rocky Mountains. In order that the RECORD may be clear, and in order that I may not be derelict in my responsibilities and duties, I ask whether the matters referred to in the telegrams refer to the project in question.

Mr. MILLIKIN. Not in the slightest, remotest, or microscopic degree.

Mr. THYE. Then the question has been answered, and the telegrams have been answered. That is all I wanted to know.

Mr. MILLIKIN. I urge the distinguished Senator from Minnesota to ask his constituents to take a look at the geography of Colorado and to spend some part of the summer out there, where they can learn about this river system.

Mr. THYE. I would not encourage them to do so. If they are to spend any time away from home, I should prefer to have them spend it in northern Minnesota.

Mr. MILLIKIN. I do not blame them for that at all. I have been there myself.

Colorado is 1 mile nearer to heaven than most of the rest of the country. Some sinners—not around here, of course—will need that extra mile.

Mr. THYE. Mr. President, will the Senator yield further?

Mr. MILLIKIN. I yield.

Mr. THYE. If the Senator will yield further, I am happy to have brought up the question, because my question was answered properly. On the other hand, I regret having brought it up, because it produced a chamber of commerce speech by the distinguished Senator from Colorado.

Mr. MILLIKIN. The Senator from Minnesota ought to hear a real chamber of commerce man from Colorado.

Mr. SCHOEPPEL. Mr. President, will the Senator from Colorado yield?

Mr. MILLIKIN. I yield.

Mr. SCHOEPPEL. I should like to ask the distinguished Senator from Colorado if there is anything in the report on this question? Is there any indication as to how much water would be diverted from the Arkansas River by this project? Is it any considerable amount?

Mr. MILLIKIN. I believe the project can be operated so that no water will be diverted from the Arkansas River. We have changed our amendment specifically——

Mr. SCHOEPPEL. I appreciate that, but I was wondering if there was anything in the report with reference to it.

Mr. MILLIKIN. Mr. President, I should like to yield a moment or two to my neighbor from New Mexico [Mr. CHAVEZ].

Mr. CHAVEZ. Mr. President, I agree with my neighbor from the State of Colorado. I think the project which he has in mind has a great deal of merit.

What I wish to emphasize is that many people do not know the history of Colorado and New Mexico. Four hundred years ago, in the home State of the Senator from Colorado, around Pueblo, there was a land grant by Philip II of Spain involving a large piece of real estate.

Mr. MILLIKIN. That is correct.

Mr. CHAVEZ. History was being made there many years ago. It is not realized that in Colorado, New Mexico, Nevada, or Arizona, a small amount of water means much to us. In the East people want to get rid of water. Out West we want to save what little there is. Whether the water be in Colorado or anywhere else out there, I think we should all realize that it is the lifeblood of the people of the West.

Mr. MILLIKIN. I appreciate the Senator's contribution.

Mr. President, I should like to yield at this time to the distinguished senior Senator from Colorado.

The PRESIDING OFFICER. The time is controlled by the junior Senator from Colorado and the senior Senator from Pennsylvania.

Mr. MILLIKIN. Mr. President, will the Senator from Pennsylvania yield some time to the senior Senator from Colorado?

Mr. MARTIN. Does not the junior Senator from Colorado have time remaining?

Mr. MILLIKIN. I have no time left.

Mr. MARTIN. I yield 2 minutes to the Senator from Oregon [Mr. MORSE].

Mr. MORSE. Mr. President, I think it would be a great mistake to adopt this amendment in the race for adjournment. The problem was before the Public Works Committee where it was given very fair consideration, and the proposal was turned down. The cost-to-benefit ratio is exceedingly high. The project has not been fully cleared by all the departments involved.

I think a remarkably fine job has been done by the Public Works Committee in bringing the bill before the Senate. I think it is a very fair bill, and I think great credit is due the Senator from Pennsylvania [Mr. MARTIN], the Senator from Connecticut [Mr. BUSH], the subcommittee, and the full committee, under their respective chairmanships. I think the project can well go over until January, when the Senators from Colorado and other interested Senators can try to convince the committee.

I hope the Senate will support the Public Works Committee and not approve this amendment.

Mr. MARTIN. Mr. President, I yield 3 minutes to the Senator from Florida [Mr. HOLLAND].

Mr. HOLLAND. Mr. President, I oppose this project with great regret. My first reason for opposing it is this: This is a substitute project for one which was already authorized, which had a large public benefit-to-cost ratio and which would have cost only about a million dollars. The present estimated cost is something over $2 million. It is a flood-control project channelized through the city of Trinidad, Colo. The substitution of the $17 million project itself offers a serious problem.

The second reason is that the committee requested the opinion of the Budget Bureau and was unable to get an approving opinion. One of the reasons was that the Bureau of the Budget had not received an answer from the Governor of Kansas which State was involved in the compact with Colorado.

The third reason is that when the Governor of Kansas acted, he acted unfavorably to the project.

I am completely willing to reconsider the matter on later hearings, and I hope we can get it into such shape that we can approve it at a later date. It was with regret that I felt I could not approve it when it was before our committee.

It seems to me that if we are going to proceed in an orderly fashion, when the committee finds itself confronted with almost insuperable obstacles, as it did, and turns the project down with great regret after having a most able exposition of the situation by the distinguished Senators from Colorado, the committee should stand its ground, because otherwise we are likely to be accused of having passed pork-barrel legislation.

I hope, for the three reasons I have indicated, and for the additional reason that the benefit-to-cost ratio is only 1.07, that we will allow this matter to be further studied by a sympathetic committee which hopes it can act favorably on it at some future date.

Mr. JOHNSON of Colorado. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator will state his point of order.

Mr. JOHNSON of Colorado. The junior Senator from Colorado offered two amendments. Does he not have time on each of those amendments?

The PRESIDING OFFICER. That is correct.

Mr. JOHNSON of Colorado. Mr. President, will my colleague yield me 5 minutes?

Mr. MILLIKIN. Mr. President, I yield the senior Senator from Colorado 5 minutes.

Mr. JOHNSON of Colorado. Mr. President, the project which we have proposed tonight is one which has been studied very carefully by the Army Engineers and by the Bureau of Reclamation. There was some argument about improving the channel of the river through the city of Trinidad. That would have cost less money, but, Mr. President, as the Senator from New Mexico [Mr. CHAVEZ] has pointed out, water is very precious in that arid part of the West and in the area about which we are speaking tonight. We cannot afford to widen the channel and let that water go on down the river. We want to conserve it to the greatest possible extent.

Half of this project is for flood control, and half of it is for reclamation. Half of the cost will be repaid to the Treasury of the United States, and half of it, of course, is dedicated to flood control.

The Army engineers reported the project on July 22, and, strangely enough, a flood occurred on July 23, the day following their report. There have been many floods in the past; in fact, they occur possibly two or three times a year, and some of those floods have cost a considerable amount of money because they do great damage to the city of Trinidad.

This is not pork-barrel legislation; it is an investment in America. America is worthy of that kind of investment. America is what she is today because of such investments. This project would be an investment in America. Half of the investment would be repaid in different ways by citizens of Colorado, who are subject to the floods.

The question was asked by the Senator from Kansas [Mr. SCHOEPPEL] whether any water would be diverted from the Arkansas River Basin by the project. The answer is that not one drop would be diverted from the Arkansas Basin. The rights of Kansas are protected, as my colleague has said, by the compact which has been entered into between Kansas and Colorado and ratified by Congress. Congress has no power or authority to pass any laws to take, use, or allocate any of that water which are not in accord with that very sacred treaty—which is what it is—between the States of Kansas and Colorado. That matter has been taken care of by the amendment which has been proposed and which, I understand, was accepted as a perfecting amendment to the original amendment which was offered.

I sincerely hope the very able chairman of the committee, the distinguished Senator from Pennsylvania [Mr. MARTIN] will find it possible to take the proposed amendment to conference, because this proposal is one of very great merit. I doubt whether there are any projects in the whole bill which equal this project so far as merit is concerned.

The Senator from Florida [Mr. HOLLAND] said that to adopt this amendment would cause the Senate to be accused of pork barrel legislation. I have glanced through the bill and have noticed that 37 States of the Union and 2 Territories are receiving projects and benefits in the bill. That is not pork barrel legislation. I believe that every one of the projects in the 37 States and 2 Territories is an investment in the United States of America. They are all good investments, which will repay to the Treasury many times their cost.

I hope the Senators in charge of the bill will find it within their hearts and consciences to take the amendment to conference.

Mr. CHAVEZ. Mr. President, will the Senator from Pennsylvania yield me 3 minutes?

Mr. MARTIN. I yield 3 minutes to the Senator from New Mexico.

Mr. CHAVEZ. There is no one to whom I am more devoted or whom I admire more than I do the two Senators from Colorado. Notwithstanding his Republicanism, I still have the greatest respect for the distinguished junior Senator from Colorado [Mr. MILLIKIN]. I know of the devotion of the distinguished senior Senator from Colorado [Mr. JOHNSON] to the people of his State.

If there is one particular area that I know about, next to New Mexico, it is the area around Trinidad, about which the Senators from Colorado have been speaking. But, after all, we owe a duty to the chairmen of our committees. I think the amendment has much merit, but it should not be included in this bill. I believe it should be discussed further. The committee went through the list of public works, in order, after 4 years, to try to draft a good bill. It is true that the bill contains projects for 37 States. Why not? Why not have projects in Massachusetts, Oregon, Colorado, or New Mexico? But I think we are duty bound to be fair with the chairman of the Committee on Public Works, who worked hard and patiently for many months in order to report a good bill, and we should support him.

I should like to join with my two colleagues from Colorado, because I know the river. I walked that river probably before they were even in Colorado. The project which they are seeking has much merit, but it does not belong in this bill. I want to help them. If they will introduce a bill making this a separate project, and hearings are held on it, I believe the necessity of constructing it can be proved to Congress. But in this particular instance, I think the Committee on Public Works should be sustained.

Mr. MILLIKIN. Mr. President, will the Senator yield 1 minute to me?

Mr. MARTIN. I yield 1 minute to the Senator from Colorado.

Mr. MILLIKIN. Perhaps I should have said more about the conditions in the particular area of the project. Trinidad once was a great coal-producing region. The coal business has disappeared there. People are out of work. The community is in a poor condition. Floods recur from time to time, and the industry is unable to function. The floods are tearing up the town and tearing up the good land outside of the town.

There is not time to make a long study. This is not a new project. Various phases of the project have been before Congress for a long time.

The people in that region are being afflicted with floods. The basic industry of the region is demoralized, and the land is being washed out as a result of floods. The people cannot wait. Let us help them by getting the project started while there is time to do some good.

Mr. BUSH. Mr. President, will the Senator yield 2 minutes to me?

Mr. MARTIN. I yield 2 minutes to the Senator from Connecicut.

Mr. BUSH. I feel very unhappy about this situation, because the two highly distinguished Senators from Colorado have made such a strong appeal for the adoption of their amendment. I have no doubt in my mind that they speak with the greatest sincerity when they say that the improvement is needed by the people in that region.

But I am bound to support the comments of the distinguished Senator from New Mexico [Mr. CHAVEZ] and the distinguished Senator from Florida [Mr. HOLLAND]. I am the one who proposed to the committee that the bill should include projects with respect to which the committee did not have favorable reports from the Corps of Army Engineers and the Bureau of the Budget. We do not have such reports yet on this particular project. As chairman of the subcommittee, having asked the committee to adopt such a policy, I find myself in a most unenviable position—nevertheless, one in which I must recommend that the amendment not be adopted.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. BUSH. I yield.

Mr. JOHNSON of Colorado. Did not an Army officer attend the hearings on the bill, and did he not indicate that the Corps of Engineers had approved the project? As I recall, an Army engineer appeared and testified with respect to the bill. He testified at length and answered all the questions of the committee.

I am certain the Army engineers have recommended the project. The Army sent its recommendations to the committee on July 22. Therefore, I am certain that, at long last, the project has been recommended.

Mr. BUSH. The comment of the Senator is that an Army engineer told him that a report had been filed by the Bureau of the Budget. We do not have the report.

The PRESIDING OFFICER. The question is on agreeing to the modified amendment offered by the junior Senator from Colorado [Mr. MILLIKIN] for himself and the senior Senator from Colorado [Mr. JOHNSON]. [Putting the question.]

Mr. MILLIKIN. Mr. President, I ask for a division.

On a division, the amendment, as modified, was rejected.

The PRESIDING OFFICER (Mr. HUMPHREY in the chair). The bill is open to further amendment.

Mr. COOPER. Mr. President, I offer an amendment, which I ask to have read.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 20, after line 19, it is proposed to insert:

Big Sandy River and Tug and Levisa Forks in Kentucky, West Virginia, and Virginia.

Mr. COOPER. Mr. President, I ask unanimous consent to have printed in the RECORD a statement which I have prepared.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR COOPER

The purpose of the amendment which I offer for myself and my colleague, Senator CLEMENTS, is to direct the Corps of Engineers to make an examination and survey of the Big Sandy River and its Tug and Levisa Forks in Kentucky and West Virginia and Virginia, and to review its latest report dated March 15, 1950, with a view to revising the estimated costs and benefits contained in the report, to reflect present conditions. It is our desire that the Corps of Engineers will not be required to restrict itself to its recommendation contained in this latest report for the development of these rivers, but will seek such a plan of development as will be appropriate for navigation, flood control, and power development as will meet the demands of the area and be economically feasible.

On January 9, 1953, I introduced for myself and my colleague, Senator CLEMENTS, a bill (S. 279) to authorize the construction of public works for navigation, flood control and power development on the Big Sandy and its tributaries. It would have effectively canalized the Big Sandy River.

In 1953, hearings were held by a subcommittee of the Senate Committee on Public Works, under the chairmanship of the distinguished Senator from Connecticut, Senator BUSH. Many people representing business, agriculture and labor of the area testified before the committee in favor of the approval of S. 279. At the hearing the representatives of the Corps of Engineers testified that their last report dated March 15, 1950, showed that the benefits that would be derived from the improvements on the Big Sandy would not equal the costs of its development and that under their policy they recommended against the construction of locks and dams on the rivers.

Later, Senator CLEMENTS and I appeared before the Senate Committee on Public Works and asked that our bill be approved by the committee and that the authorization of the new locks and dams on the Big Sandy and its forks be included in H. R. 9859, which is now before us. The committee gave us a very full hearing, but stated that because of the unfavorable report of the Corps of Engineers they could not under their policy include it in the pending bill. The committee suggested that an authorization should be obtained to direct the Corps of Engineers to make a new examination to see if new factors and conditions had changed the cost-benefit ratio. That is the purpose of our amendment.

I point out to the Senate that in 1948 the Corps of Engineers reported that the benefits from this project would exceed the cost, but in 1952 the cost of the project had increased from approximately $85 million to over $161 million. We submit that this increase in cost arose chiefly from the inflationary price advances caused by the Korean war.

We suggest that the following factors, among others, ought to be considered now by the Corps of Engineers:

1. That a reduction in cost of materials and other factors connected with construction, has occurred since the close of the Korean war.

2. There may be a reduction of cost in the project due to the approved construction of a high-level dam on the Ohio River near Greenup, Ky. The Congress has just appropriated funds to begin the construction of this dam. This dam will back water up the Big Sandy almost to the second lock and dam and will thus begin its canalization. This should reduce the total cost of the Big Sandy project.

3. Additional benefits have occurred since the submission of the last report to the Congress. Among them I name the following:

Several steam plants are now in construction along the Ohio River to supply the atomic energy plants at Paducah, Ky., and Piketon, Ohio. This will undoubtedly provide a larger market for coal from the Big Sandy Valley.

Also, rail freight rates have increased measurably in the last several years and the cheaper water transportation should be considered in the estimates of benefits.

There are other factors, of course, to be considered, but I name these as examples. Previously, at my request, the Corps of Engineers has been directed to make a survey of reservoir sites on the Big Sandy and its tributaries for the purpose of selecting a site which is economically feasible. Authorizations for reservoirs had been made under the act of 1938 and later, but had been found by the Corps of Engineers to have an unfavorable cost-benefit ratio, and nothing had been done to survey other sites. Now the Corps of Engineers has been directed to review, for the purpose of determining a site which will be justified under the cost-benefit ratio rule, so that we may go ahead with requests for appropriations for reservoirs.

The Big Sandy Valley holds a store of great resources in coal, timber, gas and oil, and other products unmatched in the Nation. These products cannot flow to the market as they should without cheaper transportation. The development and canalization of the Big Sandy Valley will provide cheaper navigation, flood control, reservoirs, and volume of water in the river for industry and recreation. My colleague, Senator CLEMENTS, and I submit this amendment so that the Corps of Engineers will immediately make this survey in order that my colleague and I may present these new factors which I have mentioned to the Senate at an early date, so that this great project may be favorably considered and approved. I move the adoption of our amendment.

Mr. COOPER. Mr. President, I understand the Senator from Pennsylvania is willing to accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Kentucky [Mr. COOPER].

The amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GOLDWATER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill having been read the third time, the question is, Shall it pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. SALTONSTALL. I announce that the senior Senator from Wisconsin [Mr. WILEY] is absent by leave of the Senate.

The senior Senator from Indiana [Mr. CAPEHART] and the Senator from Idaho [Mr. WELKER] are absent on official business.

The senior Senator from New Hampshire [Mr. BRIDGES], the Senator from Vermont [Mr. FLANDERS], the junior Senator from Indiana [Mr. JENNER], the junior Senator from Wisconsin [Mr. MCCARTHY], and the junior Senator from New Hampshire [Mr. UPTON] are necessarily absent.

If present and voting, the senior Senator from New Hampshire [Mr. BRIDGES], the senior Senator from Indiana [Mr. CAPEHART], the Senator from Vermont [Mr. FLANDERS], the junior Senator from Indiana [Mr. JENNER], the junior Senator from Wisconsin [Mr. MCCARTHY], the junior Senator from New Hampshire [Mr. UPTON], and the Senator from Idaho [Mr. WELKER] would each vote "yea."

Mr. CLEMENTS. I announce that the Senator from Ohio [Mr. BURKE], the Senator from Texas [Mr. DANIEL], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Tennessee [Mr. GORE], and the Senator from South Carolina [Mr. MAYBANK] are absent on official business.

The Senator from Virginia [Mr. BYRD] and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

I announce further that if present and voting, the Senator from Ohio [Mr. BURKE], the Senator from Texas [Mr. DANIEL], the Senator from Mississippi [Mr. EASTLAND], the Senator from South Carolina [Mr. MAYBANK], and the Senator from Alabama [Mr. SPARKMAN] would each vote "yea."

The result was announced—yeas 77, nays 2, as follows:

YEAS—77

Aiken	Goldwater	Martin
Anderson	Green	McCarran
Barrett	Hendrickson	McClellan
Beall	Hennings	Millikin
Bennett	Hickenlooper	Monroney
Bowring	Hill	Morse
Bricker	Holland	Mundt
Bush	Humphrey	Murray
Butler	Ives	Neely
Carlson	Jackson	Pastore
Case	Johnson, Colo.	Payne
Chavez	Johnson, Tex.	Potter
Clements	Johnston, S. C.	Purtell
Cooper	Kefauver	Reynolds
Cordon	Kennedy	Saltonstall
Crippa	Kerr	Schoeppel
Dirksen	Kilgore	Smathers
Duff	Knowland	Smith, Maine
Dworshak	Kuchel	Smith, N. J.
Ellender	Langer	Stennis
Ervin	Lehman	Symington
Ferguson	Lennon	Thye
Frear	Long	Watkins
Fulbright	Magnuson	Williams
George	Malone	Young
Gillette	Mansfield	

NAYS—2

Robertson Russell

NOT VOTING—17

Bridges	Eastland	McCarthy
Burke	Flanders	Sparkman
Byrd	Gore	Upton
Capehart	Hayden	Welker
Daniel	Jenner	Wiley
Douglas	Maybank	

So the bill (H. R. 9859) was passed.

Mr. MARTIN. Mr. President, I move that the Senate insist upon its amendments, request a conference thereon with the House of Representatives, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer (Mr. HUMPHREY in the chair) appointed Mr. MARTIN, Mr. CASE, Mr. BUSH, Mr. CHAVEZ, and Mr. HOLLAND conferees on the part of the Senate.

Mr. MARTIN. Mr. President, I ask unanimous consent that the bill be printed with the Senate amendments numbered.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MARTIN. Mr. President, I also ask unanimous consent that the clerks be authorized to make any technical and typographical corrections which may be found necessary in the bill, as passed.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. GOLDWATER, and by unanimous consent, the Committee on Foreign Relations was authorized to meet during the session of the Senate this evening.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the House had disagreed to the amendments of the Senate to the amendments of the House to the bill (S. 3706) to outlaw the Communist Party, to prohibit members of Communist organizations from serving in certain representative capacities, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. REED of Illinois, Mr. GRAHAM, Mr. HYDE, Mr. CELLER, and Mr. WALTER were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9680) to provide for the continued price support for agricultural products; to augment the marketing and disposal of such products; to provide for greater stability in agriculture; and for other purposes.

The message further announced that the House agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9936) making supplemental appropriations for the fiscal year ending June 30, 1955, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 5, 6, 9, 10, 11, 12, 13, 14, 15, 21, 34, 54, 55, 59, 72, 73, 93, 103, 105, 113, 114, 126, 152, 159, and 169 to the bill, and concurred therein; that the House receded from its disagreement to the amendments of the Senate numbered 27, 30, 31, 38, 39, 40, 46, 49, 52, 56, 61, 62, 71½, 74, 79, 85, 86, 88, 89, 91, 99, 100, 104, 110, 115, 116, 119, 122, 127, 128, 129, 132, 134, 136, 147, 148, 151, 154, 155, 164, 168, and 187 to the bill, and concurred therein severally with an amendment, in which it requested the concurrence of the Senate, and that the House insisted on its disagreement to the amendments of the Senate numbered 60, 71, and 130.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting a nomination was communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session,

The PRESIDING OFFICER laid before the Senate a message from the President of the United States submitting the nomination of Herbert Hoover, Jr., of California, to be Under Secretary of State, which was referred to the Committee on Foreign Relations.

FRINGE EMPLOYMENT BENEFITS FOR FEDERAL EMPLOYEES—CONFERENCE REPORT

Mr. KNOWLAND. Mr. President, the distinguished Senator from Kansas [Mr. CARLSON] has ready for submission a conference report which I understand has been agreed to by all the conferees. The distinguished ranking minority member of the committee is present at this time. The presentation of this matter has been postponed until now, in order that both those Senators might be present.

Mr. CARLSON. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 2263) to authorize the Postmaster General to readjust the compensation of holders of contracts for the performance of mail-messenger service. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of August 18, 1954, pp. 15029–15033, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. CARLSON. Mr. President, this conference report is on what is known as the fringe employment benefits bill. The conference report is a unanimous report on the part of all the conferees, and it is signed by all the conferees for both the House and the Senate.

The report makes only a few changes. Generally speaking, the Senate version of the bill is approved. On 2 or 3 occasions the Senate voted for repeal of the so-called Whitten rider. The conferees agreed to a rewriting of the Whitten rider. It was rewritten on a basis that had at least the consent and approval of the Civil Service Commission. In other words, the Commission had not changed its view that it wished the rider repealed, but said it could live under the provisions the conferees adopted.

The conference report makes 1 or 2 changes in the provisions regarding overtime pay. It provides for full time and one-half through the minimum rate for grade 9.

Mr. President, let me say by way of summary of the conference report that the Senate version of the bill provided for full time and one-half overtime pay up through the maximum rate for grade 9. The conference agreement provides for full time and one-half through the minimum rate for grade 9.

The Senate version provided that overtime pay could not be less than straight time. The conference agreement omits this provision.

The Senate version excluded fire fighters from the category of employees who may be paid 25-percent premium compensation in lieu of overtime pay for irregular overtime. The conference agreement eliminates this exclusion.

The Senate version contained no limit on incentive awards payable under the bill. The conferees added a $5,000 limit generally, with a provision under which awards up to $25,000 could be made with the approval of the Civil Service Commission in special cases.

The Senate version provided that up to $100 per annum could be paid to employees required to wear uniforms, to assist in defraying the cost of acquisition or upkeep of their uniforms. The conference agreement eliminates reference to upkeep; and also provides that the head of the department may furnish uniforms in lieu of paying the uniform allowance.

The Senate version repealed the Whitten rider. The conference agreement modifies, but does not repeal, this provision. Under the modification, permanent appointments could be made up to 10 percent above the total number of employees employed on September 1, 1950. In addition, it authorizes permanent reinstatements and promotions.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

FAMILY QUARTERS FOR PERSONNEL OF MILITARY DEPARTMENTS—CONFERENCE REPORT

Mr. KNOWLAND. Mr. President, the Senator from South Dakota [Mr. CASE] is prepared to submit the conference report on House bill 9924, relating to military family housing.

Mr. CASE. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9924) to provide for family quarters for personnel of the military departments of the Department of Defense and their dependents, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report. (For conference report, see House proceedings of August 18, 1954.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. CASE. Mr. President——

Mr. KNOWLAND. Mr. President, will the Senator from South Dakota yield to me?

Mr. CASE. I yield.

Mr. KNOWLAND. The conference report is signed by all the conferees; is it not?

Mr. CASE. Yes; the report is signed by all the conferees on behalf of both the House and the Senate.

There was only one principal item of controversy or discussion in the conference, and it related to the amount of foreign currencies which might be used in the acquisition of housing overseas. In the conference report, the amount of foreign currencies which may be used for the procurement of military housing overseas is reduced from $75 million to $25 million. Some of the conferees felt that since this was an experimental program or at least a new departure, the smaller amount should be used initially.

Furthermore, the language agreed to by the conferees authorizes the transfer of unexpended balances of appropriations for quarters allowances to the Commodity Credit Corporation in an amount equivalent to the dollar value of foreign currencies used in any fiscal year.

Mr. President, I ask unanimous consent that a statement I have prepared on the conference report be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR CASE

H. R. 9924 TO PROVIDE FOR FAMILY QUARTERS FOR MILITARY PERSONNEL AND THEIR DEPENDENTS

The principal item on which the Houses disagreed was the Senate provision authorizing the Secretary of Defense to procure family housing in foreign countries in the amount of $75 million by using foreign currencies acquired through the sale of surplus agricultural commodities as authorized by the Agricultural Trade Development and Assistance Act of 1954 (Public Law 480, 83d Cong).

Paragraph 3 of section 407 of the Senate bill provided that appropriations for quarters allowances for personnel occupying family housing procured in this manner would be available for reimbursement to the Commodity Credit Corporation in an amount equivalent to the dollar value of the foreign currencies used. This provision contemplated an annual transfer of appropriations that otherwise would be available for the payment of quarters allowances to personnel occupying the housing until the Commodity Credit Corporation had received full reimbursement for the currencies that had been acquired by the sale of surplus agricultural commodities from the stocks of the Commodity Credit Corporation.

The House position was that there should be authority for the Commodity Credit Corporation to be reimbursed within the period of the fiscal year in which the foreign currencies were used for the procurement of housing in an amount equivalent to the total dollar value of the currencies used.

The language agreed to in conference authorizes the transfer of unexpended balances of appropriations for quarters allowances to the Commodity Credit Corporation in an amount equivalent to the dollar value of foreign currencies used in any fiscal year. The extent of the authority for the procurement of family housing in foreign countries through the use of funds acquired by the sale of surplus agricultural commodities was reduced from $75 million to $25 million.

The compromise language relative to the reimbursement of the Commodity Credit Corporation presupposes the existence of unexpended balances of appropriations for quarters allowances. Since the extent of the monetary authorization for this purpose was reduced to $25 million, the conferees have reason to believe that unexpended balances in this amount will be available for the purpose of reimbursement in full to the Commodity Credit Corporation.

If this method of procuring family housing in foreign countries proves feasible, and the Congress in future years should decide to expand this authority, the subject of reimbursing the Commodity Credit Corporation for commodities used in generating foreign currencies can be reexamined at that time.

I should like to say that the Senate conferees are no less desirous than their counterparts in the House that the Commodity Credit Corporation shall not be unfairly charged with the cost of military housing. I believe that the language agreed to by the conferees is a satisfactory solution of the problem of Commodity Credit Corporation reimbursement, at least for the authority contained in this act, and I move the adoption of the conference report.

Mr. CASE. Mr. President, I move the adoption of the report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

INVESTIGATION OF CERTAIN OFFENSES BY ATTORNEY GENERAL

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 2308) to authorize and direct the investigation by the Attorney General of certain offenses, and for other purposes, which were, on page 1, line 9, strike out all after "Code", over through "States)" in line 1, page 2, and on page 2, line 12, after "complaint", insert "*Provided*, That, the provisions of this section shall not limit, in any way, the existing authority of the military departments to investigate persons or offenses over which the Armed Forces have jurisdiction under the Uniform Code of Military Justice: *Provided further*, That the provisions of this section shall not limit, in any way, the primary authority of the Postmaster General to investigate postal offenses."

Mr. WILLIAMS. Mr. President, this bill was amended by the House of Representatives in order to take care of a question raised by the Department of the Army in order to safeguard its right to have certain investigations made in the Defense Department. The amendment has been cleared with the Department of Justice, and is in complete agreement with the spirit of the bill, as introduced.

Mr. President, I move that the Senate concur in the amendments of the House.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Delaware that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

EXTENSION AND AMENDMENT OF RENEGOTIATION ACT OF 1951

Mr. KNOWLAND. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 644, House bill 6287, to extend and amend the Renegotiation Act of 1951.

The PRESIDING OFFICER. The bill will be read by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 6287) to extend and amend the Renegotiation Act of 1951.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 6287) to extend and amend the Renegotiation Act of 1951, which had been reported from the Committee on Finance with amendments, and on which additional amendments had been reported by the Finance Committee on May 18, 1954.

Mr. JOHNSON of Texas. Mr. President, I submit and send to the desk, on behalf of the majority leader and myself, a proposed unanimous-consent agreement regarding the time available for the consideration of this bill and the amendments thereto.

The PRESIDING OFFICER. The proposed unanimous-consent agreement will be read.

The legislative clerk read as follows:

Ordered, That during the further consideration of Calendar No. 644, House bill 6287, an act to extend and amend the Renegotiation Act of 1951, debate on any amendment or motion (including appeals) shall be limited to not exceeding one-half hour, to be equally divided and controlled, respectively, by the mover of any such amendment or motion and the Senator from Colorado [Mr. MILLIKIN] in the event he is opposed to any such amendment or motion; otherwise, by the mover and the minority leader: *Provided*, That no amendment that is not germane to the subject matter of the said bill shall be received: *And provided further*, That debate upon the bill itself shall be limited to not exceeding one hour, to be equally divided and controlled, respectively, by the Senator from Colorado [Mr. MILLIKIN] and the Senator from Texas [Mr. JOHNSON].

The PRESIDING OFFICER. Is there objection to the proposed unanimous-consent agreement? Without objection, it is agreed to.

The Chair recognizes the Senator from Colorado. Will the Senator from Colorado state how much time he desires to yield?

Mr. MILLIKIN. I shall now present my opening statement. We have not reached the question of amendments. What time have I?

The PRESIDING OFFICER. There is a time limit on the bill.

Mr. MILLIKIN. I yield myself 10 minutes on the bill.

The PRESIDING OFFICER. The Senator may have whatever time he wishes.

Mr. MILLIKIN. On May 19, 1954, the Committee on Finance reported additional amendments to the bill (H. R. 6287) to extend and amend the Renegotiation Act of 1951. I move that the previous committee amendments and the additional amendments be agreed to en bloc and made a part of the bill, as though it were a clean copy, and that the bill then be subject to further amendment.

The PRESIDING OFFICER. Without objection, the committee amendments will be agreed to en bloc.

The committee amendments agreed to en bloc are as follows:

On page 1, after line 5, to insert:

"SEC. 2. (a) Section 105 (f) (1) of such act is amended by striking out '$250,000' wherever it appears therein and inserting in lieu thereof the following: '$250,000, in the case of a fiscal year ending before June 30, 1953, or $500,000 in the case of a fiscal year ending on or after June 30, 1953.'

"(b) Section 105 (f) (3) of such act is amended by inserting in the second sentence thereof, after 'the $250,000 amount' the following: ', the $500,000 amount,'."

On page 2, line 3, to change the section number from "2" to "3"; in line 24, to change the section number from "3" to "4."

On page 3, after line 14, to strike out:

"SEC. 4. Section 106 (d) of such act is hereby amended by striking out the period at the end of paragraph (5) and inserting in lieu thereof a semicolon, and by inserting after paragraph (5) the following new paragraph:

"'(6) any contract or subcontract for the making or furnishing of a standard commercial article, if, in the opinion of the Board, competitive conditions affecting the sale of such article are such as will reasonably protect the Government against excessive prices.'"

And insert:

"SEC. 5. (a) Section 106 (a) of such act is hereby amended by striking out the period at the end of paragraph (7) and inserting in lieu thereof a semicolon, and by inserting after paragraph (7) the following new paragraph:

"'(8) any contract or subcontract for the making or furnishing of a standard commercial article, unless the Board makes a specific finding that competitive conditions affecting the sale of such article are such as will not reasonably protect the Government from excessive prices. For the purpose of this paragraph—

"'(A) The term "article" includes any material, part, assembly, machinery, equipment, or other personal property; and

"'(B) The term "standard commercial article" means an article—

"'(1) which is substantially identical in every material respect with an article which was manufactured and sold, and in general civilian, industrial, or commercial use, prior to June 1, 1950, or

"'(2) which is substantially identical in every material respect with an article which is manufactured and sold, as a competitive product, by more than one manufacturer, or which is an article of the same kind and having the same use or uses as an article manufactured and sold, as a competitive product, by more than one manufacturer, or

"'(3) which is the subject of any prime contract entered into pursuant to competitive bidding.

An article made in whole or in part of substitute materials but otherwise identical in every material respect with the article with which it is compared under clause (1) or (2) shall be considered as identical in every material respect with such article with which it is so compared.'

"(b) The amendment made by this section shall apply only with respect to fiscal years (as defined in section 103 (h) of the Renegotiation Act of 1951) ending on or after June 30, 1953."

On page 5, line 13, to change the section number from "5" to "6."

The additional amendments reported by Mr. MILLIKIN, from the Committee on Finance on May 19, 1954, and agreed to en bloc, are as follows:

On page 3, after line 2, insert the following:

"(b) Paragraph (1) of section 106 (c) of such act is further amended by inserting '(A)' after the word 'except' and by adding before the period at the end of such paragraph the following: 'and (B) to receipts and accruals from contracts for new durable productive equipment in cases in which the Board finds that the new durable productive equipment covered by such contracts cannot be adapted, converted, or retooled for commercial use'."

On page 3, line 3, strike out "(b)" and insert "(c)."

On page 3, line 11, strike out "(c)" and insert "(d)."

On page 3, lines 11 and 12, strike out "subsections (a) and (b)" and insert "subsections (a), (b), and (c)."

Beginning on page 3, line 24, strike out all through line 12 on page 5 and insert the following:

"SEC. 5. (a) Section 106 (a) of such act is hereby amended—

"(1) by striking out, in paragraph (7), 'by reason of this subsection.' and inserting in lieu thereof 'by reason of any paragraph, other than paragraph (8), of this subsection; or'; and

"(2) by adding at the end of such section the following:

"'(8) any contract or subcontract for the making or furnishing of a standard commercial article, unless the Board makes a specific finding that competitive conditions affecting the sale of such article are such as will not reasonably prevent excessive profits. This paragraph shall apply to any such contract or subcontract only if (1) the contractor or subcontractor files, at such time and in such form and detail as the Board shall by regulations prescribe, such information and data as may be required by the Board under its regulations for the purpose of enabling it to reach a decision with respect to the making of a specific finding under this paragraph, and (2) within a period of 6 months after the date of filing of such information and data, the Board fails to make a specific finding that competitive conditions affecting the sale of such article are such as will not reasonably prevent excessive profits, or (3) within such 6-month period, the Board makes a specific finding that competitive conditions affecting the sale of such article are such as will reasonably prevent excessive profits. Any contractor or subcontractor may waive the exemption provided in this paragraph with respect to receipts or accruals in any fiscal year by including a statement to such effect in the financial statement filed by such contractor or subcontractor for such fiscal year pursuant to section 105 (e) (1). Any specific finding of the Board under this paragraph shall not be reviewed or redetermined by any court or agency other than by the Tax Court of the United States in a proceeding for a redetermination of the amount of excessive profits determined by an order of the Board. For the purpose of this paragraph—

"'(A) the term "article" includes any material, part, component, assembly, machinery, equipment, or other personal property;

"'(B) the term "standard commercial article" means an article—

"'(1) which, in the normal course of business, is customarily manufactured for stock, and is customarily maintained in stock by the manufacturer or any dealer, distributor, or other commercial agency for the marketing of such article; or

"'(2) which is manufactured and sold by more than two persons for general civilian industrial or commercial use, or which is identical in every material respect with an article so manufactured and sold;

"'(C) the term "identical in every material respect" means of the same kind, manufactured of the same or substitute materials, and having the same industrial or commercial use or uses, without necessarily being of identical specifications; and

"'(D) the term "persons" does not include any person under control of, or controlling, or under common control with any other person considered for the purposes of subparagraph (B) (2) of this paragraph.'

"(b) The amendments made by subsection (a) shall apply to contracts with the Departments and subcontracts only to the extent of the amounts received or accrued by a contractor or subcontractor after December 31, 1953."

On page 5, after line 12, insert the following new section:

"SEC. 6. (a) Section 106 (a) (4) of such act is hereby amended by striking out '; or' at the end thereof and inserting the following: 'and to such furnishing or sale in any case in which the Board finds the regulatory aspects of rates for such furnishing or sale, or the type and nature of the contract for such furnishing or sale, are such as to indicate, in the opinion of the Board, that excessive profits are improbable; or.'

"(b) The amendment made by subsection (a) shall apply only with respect to fiscal years (as defined in sec. 103 (h) of the Renegotiation Act of 1951) ending on or after December 31, 1953."

On page 5, after line 12, insert the following new section:

"SEC. 7. (a) Section 105 (d) of such act is hereby amended by striking out the period at the end of the last sentence thereof and inserting the following: ', and shall also have the power to set aside and declare null and void any such agreement if, upon a request made to the Board within 3 years from the date of such agreement, the Board finds as a fact that the aggregate of the amounts received or accrued by the other party to such agreement during the fiscal year covered by such agreement was not more than the minimum amounts subject to renegotiation specified in section 105 (f) for such fiscal year.'

"(b) The amendment made by subsection (a) shall be effective as if it were a part of the Renegotiation Act of 1951 on the date of its enactment."

On page 5, strike out lines 13 through 15 and insert the following:

"SEC. 8. Section 201 (h) of such act is hereby amended by striking out '2 years' and inserting in lieu thereof '4 years', and by adding at the end thereof the following new sentence: 'If any such case has been dismissed by any court for failure to substitute for the War Contracts Price Adjustment Board prior to the effective date of this sentence, such case is hereby revived and reinstated in such court as if it had not been dismissed.'"

The PRESIDING OFFICER. The bill as now amended is open to further amendment.

Mr. MILLIKIN. This bill was discussed by me in the Senate on July 29, 1953, but was withdrawn pending further

study by the committee. Your committee, after hearing the full Renegotiation Board, has reported certain additional amendments. Because of the lapse of time since the matter was before the Senate, my discussion is intended to cover a detailed explanation of the bill in its entirety.

Section 1 of the bill extends the renegotiation authority for 1 year, to December 31, 1954. Unless the Renegotiation Act is extended, amounts received or accrued by defense contractors and subcontractors during 1954 will not be subject to renegotiation and the Government will not be adequately protected against payment of excessive prices in the execution of the national defense program. Under the bill renegotiation will not be applicable to receipts or accruals attributable to performance after December 31, 1954.

Section 2 of the bill is the same as that contained in the bill reported by our committee last year. This section raises the minimum amount subject to renegotiation from $250,000 to $500,000 with respect to fiscal years ending on and after June 30, 1953. This amendment has the approval of the Board, since it will permit the Board to concentrate on the larger cases, and therefore facilitate administration of the act. The number of filings has been about 40,000 for each of the calendar years 1951 and 1952. Filings for 1953, normally due on April 1, 1954, were postponed by the Board due to pending legislation.

Section 3 of the bill remains unchanged. This section amends section 106 (a) (6) of the act, relating to mandatory exemptions. The amendment makes it clear that there should be exempt from renegotiation contracts with the Reconstruction Finance Corporation for materials and services to be used in the manufacture and sale of synthetic rubber to the extent that such materials or services are required for the manufacture of synthetic rubber for sale thereof to a private person or private persons for nondefense purposes. The Board concurs in the desirability of this provision and has already caused a directive to be issued to that effect.

Section 4 of the bill relates to the relief provided for in section 106 (c) of the act for durable productive equipment. Under the existing law certain special relief was granted for new durable productive equipment with respect to subcontracts. The House bill extends this relief to contracts direct with the Government. For example, under the House bill, if the Government purchases for its own account a $100,000 machine tool having an estimated useful life of 20 years, the portion of the profits subject to renegotiation will be the proportion which 5 years bears to the estimated life, which is one-fourth. The committee amendment denies this relief in the case of contracts with the Government in cases where the Board finds that the new durable productive equipment covered by such contract cannot be adapted, converted, or retooled for commercial use. The Board has approved of this amendment.

Section 5 of the reported bill provided a mandatory exemption for standard commercial articles unless the Board made a specific finding that competitive conditions affecting the sale of such article were such as will not reasonably protect the Government from excessive prices. Your committee has reconsidered this amendment particularly because it was felt that the Board did not have a sufficient investigative staff to make such a determination in the first instance. Under the changed version, which the Board states is administratively feasible, it is required, first, that the specific finding be made as to "excessive profits" instead of "excessive prices"; second, that the contractor or subcontractor file information with the Board containing sufficient data to enable the Board to make such a finding; and third, that if within 6 months after the date such information is filed the Board does not make a specific finding that competitive conditions affecting the sale of such article are such as will not reasonably prevent excessive profits, the exemption will apply. Under the amendment the Board may make a specific finding without waiting for the expiration of such 6 months' period. The amendment applies only to amounts received or accrued by a contractor or subcontractor after December 31, 1953. The definition of standard commercial articles has also been rewritten to make it easier for the Board to determine whether an article should be classed as a standard commercial article.

At this point I should like to read a letter from George C. McConnaughey, Chairman of the Renegotiation Board, addressed to me as chairman of the Senate Committee on Finance. The letter is dated August 13, 1954, and reads as follows:

MY DEAR MR. CHAIRMAN: I understand that H. R. 6287, the bill to extend and amend the Renegotiation Act of 1951, together with amendments recommended by your committee, will be presented to the Senate in the immediate future.

As previously indicated to you and your committee, the Renegotiation Board has been consistently in favor of the extension of the Renegotiation Act with amendments.

With respect to the proposed amendment affecting new durable productive equipment, the Renegotiation Board takes no position inasmuch as it believes the matter presents no administrative problems and is purely a subject for congressional consideration on the question of the extent of exemption which the peculiar problems of that industry require.

The Renegotiation Board has been primarily concerned with the administrative problem presented by the proposed amendment for standard commercial articles. The Renegotiation Board has discussed this problem thoroughly with the staff of your committee and has coordinated the language which your committee proposes to recommend as a substitute for the standard commercial article exemption passed by the House of Representatives.

In the opinion of the Renegotiation Board, the standard commercial article exemption, as now recommended by the Senate Finance Committee, presents, through the definitions therein contained, a clearer legislative intent than that passed by the House. Moreover, the exemption as recommended by your committee gives greater guidance for the implementation of such exemption and is susceptible of fairer and more equitable administration.

Respectfully yours,
GEORGE C. MCCONNAUGHEY,
Chairman.

Section 6 gives the Renegotiation Board discretionary authority to exempt from renegotiation contracts for space or commodity transportation on ships if the Board finds that the regulatory aspects of the rates charged are such as to indicate in the opinion of the Board that excessive profits are improbable. This amendment applies only to fiscal years ending on or after December 31, 1953.

Section 7 gives the Board authority to set aside and declare null and void any renegotiation agreement if, upon a request made to the Board within 3 years from the date of such agreement, the Board finds as a fact that the aggregate of the amounts received or accrued by the other party to such agreement during the fiscal year covered by such agreement was not more than the minimum amount subject to renegotiation for such year. Thus, if the Board had renegotiated amounts below the $250,000 minimum limit now in the law, such renegotiation could be set aside.

Section 8 extends until March 23, 1955, the time within which the United States can be substituted for the World War II Contract Price Adjustment Board in suits before the Tax Court. It further provides that if any such case has been dismissed by any court for failure to substitute the War Contracts Price Adjustment Board prior to the effective date of this sentence, such case is hereby revived and reinstated in such court as if it had not been dismissed.

Mr. SALTONSTALL. Mr. President, will the Senator yield for a question?

Mr. MILLIKIN. I yield.

Mr. SALTONSTALL. As the Senator knows, in 1951, when the 1951 act was being debated, the late Senator Butler of Nebraska and several other Senators offered an amendment with relation to scoured wool. That amendment was taken to conference, but did not come out of conference, and was not included as an exemption in the renegotiation bill. I should like to ask the chairman of the Committee on Finance if the committee, in considering these amendments at this time, considered the subject of scoured wool, and whether it should not be exempted as being, like other agricultural products, in the first state, rather than in a processed state.

Mr. MILLIKIN. In the first place, I should say that it is not my memory that the committee specifically considered that question. In the second place, I believe there is a rather wide field of speculation over the proper placing of scoured wool. I do not believe we would be warranted in taking an amendment to conference for decision of that question.

It might be better added to another bill. There will be one or two bills, I hope—of course I cannot guarantee it—on which such an amendment would be more appropriate than on the pending bill.

Mr. SALTONSTALL. In other words, the position of the Senator is that there will be another bill this year?

Mr. MILLIKIN. I am hoping that there will be another bill this year. However, all I can do is take what I believe are the signs and indications.

Mr. SALTONSTALL. In other words, what the Senator from Colorado believes is that if the question should be raised by me—of course he knows there are many people in Massachusetts interested in wool and that there is a great market there for wool—it should not be raised in connection with this bill, but, instead, another bill, either this year or next year?

Mr. MILLIKIN. I believe it should be raised this year, and if it is not raised this year, I can assure the Senator it will receive the careful attention of the committee next year.

Mr. SALTONSTALL. I thank the Senator. I should like to ask one more question. I listened to the Senator's exposition of the bill, in which he said the limit had been raised from $250,000 to $500,000. Does that mean that any contract under $500,000 would not be subject to renegotiation in any event?

Mr. MILLIKIN. That is correct.

The PRESIDING OFFICER (Mr. HUMPHREY in the chair). The Senator's time has expired.

Mr. MILLIKIN. I yield myself an additional 5 minutes.

After June 30, 1953, any contract which involved less than $500,000 is not renegotiable.

Mr. SALTONSTALL. A wool contract would have to be a very substantial contract, as I understand, to be subject to renegotiation, in any event.

Mr. MILLIKIN. It would, indeed.

Mr. SALTONSTALL. I thank the Senator for his answers to my questions, because, as I say, this is a matter of considerable importance to a number of citizens in Massachusetts. I shall take the Senator's advice and not press my amendment to this bill, but be prepared to offer it to another bill.

Mr. MILLIKIN. I appreciate the Senator's attitude. I may say, as chairman of the Committee on Finance, I am well aware of the extreme importance of various aspects of the wool business to the citizens of Massachusetts.

Mr. SALTONSTALL. I appreciate the Senator's statement.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. SMATHERS. I do not know whether I understood exactly what the Senator said with respect to June 30, 1953. Do I correctly understand that after June 30, 1953, any contract above $500,000 would be subject to renegotiation, or did he say below $500,000?

Mr. MILLIKIN. For exemption, it would have to be less than $500,000 after that date.

Mr. SMATHERS. Any contract made after June 30, 1953, for less than $500,000 would be exempt from action by the Renegotiation Board. Is that correct?

Mr. MILLIKIN. That is correct.

Mr. SMATHERS. As I understand, the bill contemplates extending the Renegotiation Board and its actions for 1 additional year.

Mr. MILLIKIN. To the end of the current year.

Mr. SMATHERS. To the end of the current year?

Mr. MILLIKIN. That is correct.

Mr. SMATHERS. I should like to ask the Senator one more question. It has to do with section 6, on page 5, of the additional amendments. Is section 6 limited to contracted space for the transportation of commodities? In other words, is it limited to a transportation matter?

Mr. MILLIKIN. I think it is a little bit broader than what the Senator has in mind. The exact language reads:

SEC. 6. (a) Section 106 (a) (4) of such act is hereby amended by striking out "; or" at the end thereof and inserting the following: "and to such furnishing or sale in any case in which the Board finds that the regulatory aspects of rates for such furnishing or sale, or the type and nature of the contract for such furnishing or sale, are such as to indicate, in the opinion of the Board, that excessive profits are improbable; or."

Mr. SMATHERS. Will the Senator give me a little more elucidation on that point?

Mr. MILLIKIN. I believe the Board would have the discretionary power to determine whether that is true.

Mr. SMATHERS. If it appeared to the Board that a contract negotiated between the Government and a private contractor would lead them to believe that excessive profits were improbable, they would not, obviously, investigate it.

Mr. MILLIKIN. That is absolutely correct. I think that through the act runs the idea that if some regulatory power had as a part of its normal business the determination of the question whether fair rates have been applied, the Board would be directed to take the judgment of the body which had proper jurisdiction.

Mr. SMATHERS. Is it the Senator's feeling that we should continue the Renegotiation Board somewhat indefinitely, as we do, year after year, when we find that the Korean war has now come to an end—and I hope that we do not get into a similar small war—and is it not the Senator's feeling that we should finally get back to the basis of competitive bidding, with people who enter into contracts through competitive business having a right to rely on contracts, without having hanging over their heads the fear that the contracts will be renegotiated?

Mr. MILLIKIN. I have that feeling very strongly.

Mr. CASE. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. CASE. Apropos of the question which has been asked by the Senator from Florida, the junior Senator from South Dakota observes that when we first established renegotiation as a means of controlling excessive profits, early in World War II, we did not have the excess-profits tax; nor did we have the development of the various tax methods of reaching war profits.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. MILLIKIN. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator has 15 minutes remaining.

Mr. MILLIKIN. I yield myself 5 more minutes.

Mr. CASE. Mr. President, of course we also had the problem of facilities loaned or financed by the Government, and the normal percentage of tax, a tax based upon a percentage of volume which did not reach profits made possible by facilities loaned by the Government, but I share in the opinion expressed by the Senator from Colorado that we should not consider the renegotiation proposed as something to be used in normal times and under normal conditions.

I will say for the RECORD that when Maurice Karker, the first head of the Price Adjustment Board, was testifying before the House Committee on Appropriations for the War Department, he made that point very definitely. I think that was the first pronouncement by any head of the Price Adjustment Board that we should not have renegotiation under normal conditions. But I note that the amendment proposed by the Senate Committee on Finance uses the following language in setting forth the exemption:

Any contract or subcontract for the making or furnishing of a standard commercial article, unless the board makes a specific finding that competitive conditions affecting the sale of such article are such as will not reasonably protect the Government from excessive prices.

I am very glad that language has been used.

Mr. MILLIKIN. I am delighted that the Senator is pleased with it.

Mr. CASE. I think it means that the committee is saying that when we are operating under competitive conditions, we do not need renegotiation——

Mr. MILLIKIN. The article is then exempt.

Mr. CASE. And we do not need the renegotiation concept.

I applaud the committee's discernment.

Mr. SMATHERS. Mr. President, will the Senator from Colorado yield on that point?

Mr. MILLIKIN. I yield.

Mr. SMATHERS. I thoroughly agree with what tne able Senator from South Dakota has said. The only present objection I have relates to the narrow definition of what are called standard articles. As I understand, the definition does not include too wide a range of articles. Today many small companies have entered into a competitive situation and have finally received a contract from the Government. They do not have much money or much by way of reserves. Yet, they must keep all the money they make in the bank; they cannot use it for fear the contract may be renegotiated a year or two in the future, and then they will have to make good to the Government.

So I say again that I appreciate the able chairman's views that since a competitive situation now exists the law

should come to an end as quickly as it may be possible to bring it to an end.

Mr. MILLIKIN. I thank the Senator from Florida.

Mr. President, I now yield to the Senator from Pennsylvania.

Mr. MARTIN. Mr. President, is it in order to offer an amendment at this time?

The PRESIDING OFFICER (Mr. BARRETT in the chair). It is in order to offer an amendment.

Mr. MARTIN. I offer my amendment designated "8–13–54–A."

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Pennsylvania.

The LEGISLATIVE CLERK. On page 3, line 14, it is proposed to strike out "June 30, 1953" and insert "June 30, 1952."

Mr. MARTIN. Mr. President, I ask unanimous consent to modify my amendment by inserting the date March 23, 1951.

The PRESIDING OFFICER. The Senator has a right to modify his own amendment.

Mr. MARTIN. I desire to modify the amendment to read "March 23, 1951."

The PRESIDING OFFICER. There are two dates in the Senator's amendment. To which one does the Senator refer?

Mr. MARTIN. On page 3, line 14, strike out "June 30, 1953" and insert "March 23, 1951." That is the date of the enactment of the law.

The PRESIDING OFFICER. The clerk will state the amendment of the Senator from Pennsylvania, as modified.

The LEGISLATIVE CLERK. On page 3, line 14, it is proposed to strike out "June 30, 1953" and insert "March 23, 1951."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Pennsylvania, as modified.

Mr. MARTIN. Mr. President, I yield myself 5 minutes.

Mr. President, amendment "A," which I have called up, would make section 4 of the bill, as amended by the additional committee amendments, retroactive to March 23, 1951.

As the committee amendment reads, section 4 would apply only to fiscal years ending on or after June 30, 1953.

As has been so ably presented by the distinguished chairman of the Senate Finance Committee, the purpose of section 4 of the pending bill, is to eliminate the discriminatory and unjust provisions of the Renegotiation Act of 1951.

I hope that with equal clarity I may be able to point out why it is desirable not only to remove the discrimination for fiscal years ending on or after June 30, 1953, but to make section 4 applicable retroactively to March 23, 1951.

The unfair conditions which existed with respect to 1953, and which will exist in the future, are even more true with respect to the years 1951 and 1952. In actual fact, the discrimination was probably more intense and more severe in 1951 and 1952 than in 1953.

This is true because the concentration of productive equipment procurement was greater in 1951 and 1952 than in subsequent years. It is in the early part of an emergency, while plants are being retooled for emergency production, that heavy Government buying of machine tools and other productive equipment would occur.

So far as I know, there has been only one objection to a retroactive amendment that would cover the entire period of renegotiation, back to the effective date of the act, January 1, 1951. That objection is that retroactivity would place undue administrative burdens upon the Renegotiation Board. By administrative burdens is meant, so far as I can determine, that the Board might be required to go back and refigure on the basis of the new section 4, contracts which have already been determined.

When H. R. 6287 was being considered last year, such a retroactive provision would not have imposed much of a burden, in that the Renegotiation Board had at that time acted upon only a few cases. Now, it is my understanding, the Board has progressed considerably with cases filed in 1951.

I venture to predict that if section 4 of the bill is made retroactive so as to apply on or after March 23, 1951, the Board will actually face less, rather than more, of an administrative problem. This is true because some of the most difficult cases are those in which the contractor knows that he is being unfairly treated under the discriminatory features of the existing law. It is only natural that he should resist at every step, and these controversies are increasing. Unless we write a fair law, I believe they will soon clog the docket of the tax court.

Mr. President, we must remember that when we faced the recent emergency and looked at the machine tool industry to produce the necessary tools and equipment, our Government went to the best companies in the business to get the job done. Our leading machine tool manufacturers became the prime contractors—and in most cases devoted all of their production to Government contracts. Why should they not be given at least the same consideration and treatment as those companies which supplied tools and machines as subcontractors. That is what section 4 proposes to correct—and my amendment would make that correction retroactive to years on or after March 31, 1951.

Mr. MILLIKIN. I may say to the distinguished Senator from Pennsylvania that the Board has already finished many of the 1951 and 1952 cases. I am afraid the Senator's amendment would open up the whole subject and cause endless confusion by going back into those years.

If the bill be studied, I think it will be found that the machine-tool companies have been pretty well treated. I read a part of the mechanism for handling machine tools. It gives a good example of how they have been treated in the bill. I think it would be a mistake to put something in the bill which would have a retroactive effect with respect to opening up 1951 and 1952 cases, as to which determination already has been made.

Mr. MARTIN. Mr. President, I yield the remainder of my time to the distinguished Senator from Connecticut [Mr. BUSH].

Mr. BUSH. Mr. President, the machine-tool industry is one of the more important employers of labor in my State. It is a very important part of our economy and, therefore, is something in which we are very much interested. The feast-or-famine nature of the machine-tool industry has been such over the years that, I believe, it deserves some special consideration, such as the committee of which the distinguished Senator from Pennsylvania [Mr. MARTIN] is chairman is prepared to accord it.

I speak in support of the amendment offered by the Senator from Pennsylvania. I have in my hand the committee report. On page 3, in the paragraph entitled "Prime Contracts for Machine Tools," I read the following:

> The fact that many Government purchases of machine tools at the present are for stockpiling purposes makes this amendment essential. By making sales of this type to the Government, the industry is, in effect, destroying the future market for its products because the eventual release of the Government stockpile will serve to satisfy normal demand. Thus, the amendment merely requires recognition of the fact that defense use can be expected to represent only a portion of the useful life of the equipment sold under prime contracts.

One of my constituents, who is active in this industry has written me as follows. This may be directly in point with what the distinguished Senator from Colorado has said:

> We do not believe that there can be any objection of substance to the full retroactive application of the recommended change in partial mandatory exemption. Any objection based upon workload or administrative difficulty should yield to the equity and justice of the complete application of the principle involved in such change. Contractors who are involved, if they see fit, should have an opportunity to assume the workload which falls primarily on them.

The question I wish to ask the Senator from Colorado is this: If this kind of amendment, this kind of concession, is good for 1 year, why is it not good all the way back?

Mr. MILLIKIN. Every problem of taxation involves the same question. Assuming we are progressive with our tax laws, a taxpayer can easily say, "If this is right now, why has it not been right during the past 20 years?" Following that theory, one would never reach a point of repose in the taxation statutes.

Mr. BUSH. I certainly agree with the Senator that speaking particularly in connection with matters of tax law, the tax laws change from time to time. But we say that it was right in 1952, and on this particular point it was right in 1952. It seems to me they are exactly the same. I do not see why the distinguished Senator from Colorado will not take this excellent amendment under his wing.

Mr. MILLIKIN. The reports for 1953 are not yet available. The time was extended until September 1, in order to accommodate those making such reports.

Mr. BUSH. All we wanted to get was special treatment for the machine tool companies, and to extend the time back to that date.

Mr. MILLIKIN. I hope the Senator from Connecticut will not press the amendment at this time, because the

Committee on Finance has much business yet to consider with the House Committee on Ways and Means. Conferences are being held now on other bills, and we are not reaching agreements very fast. We shall be sending many bills to conference, and they will certainly be killed if we include a number of amendments such as this. I hope the Senator will not press the amendment.

Mr. SMATHERS. Mr. President, would the Senator from Colorado object to an amendment on page 4, line 10, to include a definition of "standard commercial articles"? The amendment would be, after the semicolon, to insert "or" and between lines 10 and 11 to insert the following:

3. Which is the subject of any competitive bid contract designed to modernize, repair, and/or increase the United States merchant marine fleet.

To be perfectly frank with the Senator, there are in Florida a number of small shipyards which have entered into competitive bidding for contracts with the Government, and which have received contracts after competitive bidding. From the contracts in each instance they have realized profits, which have not been large. Nonetheless, the contracts are subject to renegotiation, and the companies do not know what they can do so far as future reinvestment is concerned. They feel, and I share their feeling, that they are not proper subjects for renegotiation of contracts, and possibly one way in which they could be helped would be by the adoption of such an amendment as I have suggested.

Mr. MILLIKIN. It has been suggested that contractors such as the Senator has in mind could get assistance under the discretionary powers of the Board.

The Senator is a distinguished member of the Finance Committee. Let him bring such a situation to our attention. I do not believe objection will be made. I should dislike very much to include anything in the bill which would be likely to prevent an agreement in conference. I am afraid that by agreeing to this amendment we would have another point upon which we could not agree.

Mr. SMATHERS. I appreciate the position of the distinguished Senator as to the inadvisability of writing a technical bill on the floor. For that reason, I certainly shall not press the amendment. However, I appreciate the distinguished Senator's statement that, in his opinion, he does not believe the Renegotiation Board would be justified in renegotiating the contract of a small contractor which was obtained on a purely competitive basis, and who has obviously not made an excessive profit. Nevertheless, he must stand in readiness, with what little profit he has, in the event the Renegotiation Board might find against him and take a part of his profit away from him.

Mr. MILLIKIN. I would not wish to pass judgment on a case as to which I do not know all the facts; but, as I have said, the distinguished Senator from Florida is a member of the Committee on Finance; and if the Renegotiation Board should not use its discretionary powers with wisdom, I hope the Senator will let us know about it.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Pennsylvania [Mr. MARTIN].

The amendment was rejected.

Mr. MARTIN. In connection with section 5 of the bill, I wish to ask the distinguished chairman of the Committee on Finance a question. Before doing so, I desire to ask if he has had an opportunity to read a brief excerpt from the committee hearings on H. R. 6287, which I placed in his hands.

Mr. MILLIKIN. Mr. President, I shall be completely candid. Probably I did. But when I go from the Chamber to my office, or from my office to the Chamber, it almost always happens that someone pushes papers into my hand. Usually I read them. But I would not be completely candid if I were to say with certainty that I had read what the Senator from Pennsylvania handed me.

Mr. MARTIN. The distinguished Senator from Colorado is entirely too young a man to forget such things. When one is my age, it is a little different.

The excerpt is taken from the printed hearings, pages 31 and 32, and is a colloquy between the chairman of the Committee on Finance and Frank L. Roberts, one of the members of the Renegotiation Board. It demonstrates the point I wish to bring out.

My question concerns whether or not excessive profits can result from sales made to the Government when those sales are made under published, competitive prices. I believe it is the view of the chairman of the Senate Finance Committee, and it is my view, that profits made as a result of sales to the Government are not excessive when they are made in a completely competitive market.

The Renegotiation Board has taken the position in some instances that excessive profits may result merely from volume of business. I do not believe that was intended by the Renegotiation Act. I concede that the Renegotiation Board has a right to review the sales of any company in order to establish the validity of the competitive conditions. I deny that the Board may find profits excessive on the basis of volume of business, when fully competitive prices prevail.

Mr. MILLIKIN. In most cases I do not see how the Renegotiation Board could possibly make a finding of excessive profits where complete, full competitive conditions prevailed. If one wants to use his imagination, he can say that war produces a necessity for buying all sorts of materials when there is no time to figure out the right designs, no experience of buying that type of article, or the volume is such that the unit cost shrinks below the cost which was projected. Perhaps something could be made of that argument, but I think the Renegotiation Board should go very slow with that kind of reasoning.

Mr. MARTIN. I appreciate the very fine statement of the distinguished chairman of the Finance Committee.

Mr. President, I now ask unanimous consent to have printed in the RECORD at this point in my remarks an excerpt from the hearings on H. R. 6287, held on February 25, 1954, as found on pages 31 and 32.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The CHAIRMAN. Let us assume complete fairness of competition. Let us assume that there is competition, that there is lively competition. Is it your contention that if what you consider to be an inordinate profit develops out of that kind of a field, that it is subject to renegotiation?

Mr. ROBERTS. Mr. Chairman, I would like to answer that by saying that I do feel that it is subject to renegotiation, but that does not imply that there will be a reduction in the price through a refund in renegotiation.

The CHAIRMAN. What, then, does that mean?

Mr. ROBERTS. It means that the Government has a right to review or renegotiate profits from the Government business in that instance.

The CHAIRMAN. Let me ask you this again. Assuming that there is full and free competition and a profit is made which you consider to be a comparatively large profit, do you consider that to be subject to renegotiation?

Mr. ROBERTS. Again, I say it is subject to renegotiation, but I do not wish to imply that under those conditions the Board would find that it had to make finding of excessive profits.

The CHAIRMAN. Then, you do not quarrel with the contention that if the article is in free competition, genuine free competition, that it should be renegotiated?

Mr. ROBERTS. I do not, not since I understand you to mean being renegotiated, mean to have a refund exacted.

The CHAIRMAN. I am assuming that out of an article in free competition, someone makes a large profit. Do you believe that that should be renegotiated?

Mr. ROBERTS. No, sir; not in the sense that I understand you to mean it.

The CHAIRMAN. Is that the feeling of the Board?

Mr. ROBERTS. I believe so, sir.

The CHAIRMAN. Then, we come back again to the proposition that what you are really fussing about is that you want the contractor to submit the data from which you can take a look at the picture and determine whether there has been free competition and other factors that you take into consideration?

Is that correct?

Mr. ROBERTS. That is correct.

Senator FLANDERS. Mr. Chairman, may I pursue this just a little further? It seems to me this raises a question as to whether any profit under free competition, if it happened to be large, is inordinate. That is a fundamental question. With free competition and a large profit, is that profit inordinate? Is it socially inordinate or is it inordinate from the Government's standpoint? Certainly it is there, and if the Government can reach its hand into it and bring some of it back, is that a good thing, when private purchasers are well content to pay the price under free competition which gives the so-called inordinate profit?

The CHAIRMAN. As I have understood the witness, in that case, assuming free competition, they would not be interested in renegotiating profits. That would be assuming free competition. Am I correct in that?

Mr. ROBERTS. You are, sir.

The PRESIDING OFFICER. If there be no further amendments to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 6287) was read the third time and passed.

IMPROVEMENT OF UNEMPLOYMENT COMPENSATION PROGRAM

Mr. MILLIKIN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H. R. 9709.

The PRESIDING OFFICER (Mr. BARRETT in the chair). Is there objection to the unanimous-consent request?

Mr. SMATHERS. Mr. President, reserving the right to object, I wonder if there has been an agreement to suggest the absence of a quorum. There was no request on this side.

Mr. MILLIKIN. I have had no request, but——

The PRESIDING OFFICER. The clerk will state the bill by title.

The CHIEF CLERK. A bill (H. R. 9709) to extend and improve the unemployment compensation program.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request?

There being no objection, the Senate proceeded to the consideration of the bill (H. R. 9709) to extend and improve the unemployment compensation program.

Mr. SMATHERS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. SMATHERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MILLIKIN. Mr. President, H. R. 9709 would extend the unemployment insurance system to 4 million additional workers. The bill would make the following four important improvements in the system:

First. It will enable some 1.3 million workers throughout the country to gain the right to unemployment insurance benefits from which they are now excluded, by making the Federal unemployment tax applicable to firms employing 4 or more workers in each of 20 weeks. Present law limits the incidence of the Federal tax to employers with 8 or more workers in the same period.

Second. Some 2.5 million Federal workers who, up to this time, have never had any protection against layoff or job suspension, will be covered by the bill. Thus, for the first time the Federal Government would provide for its own employees, the same right to unemployment benefits which it now requires private employers to provide.

Third. A revision of the experience rating factor will make it possible for the States to encourage the development of new business enterprises. Such new enterprises are now placed at a competitive disadvantage over established employers in the amount of their tax because present law sets a waiting period of 3 years before permitting new businesses the "experience rating" tax reductions. H. R. 9709 would permit States to lower this waiting period to 1 year, thus helping to equalize the burden of the employer tax.

COVERAGE OF FIRMS EMPLOYING FOUR OR MORE INDIVIDUALS

The extension of coverage of the system to additional workers is in line with the recommendations of President Eisenhower. In his Economic Report of January 1954, he called upon the Congress to "amend the present law to cover employees of businesses with fewer than 8 employees, on the ground that such workers need protection no less than those of larger, and often more stable, enterprises"—Economic Report of the President, January 1954, page 97.

The case for a further extension of unemployment insurance to uncovered groups is really a very simple one. If unemployment insurance is a good thing for two-thirds of the workers in this country who now are covered, certainly it is a good thing for as many more workers as can be covered without creating excessive administrative problems. It has been clear for some time that it would be practical, administratively, to broaden the coverage by Federal action to firms employing four or more individuals. The majority of State systems have already had experience with coverage of small firms. In 17 States, employers hiring 1 or more workers are covered. Two States cover firms employing 3 or more, 8 States—New York, New Jersey, Rhode Island, Connecticut, Louisiana, Kentucky, New Hampshire, and Oregon—now have coverage of firms hiring 4 or more employees, as provided in this bill.

Federal responsibility for determining the minimum number of employees per firm subject to the Federal-State unemployment insurance system was clearly established at the time of enactment of the Social Security Act. By requiring coverage of firms employing 4 or more individuals instead of 8 or more, as is provided in present law, the Federal Government would be continuing to exercise the role assigned to it when the program was enacted in 1935. Now that we are assured that the States have the administrative know-how to cover smaller firms we can proceed to give unemployment insurance protection to workers who have been excluded from the system because of administrative difficulties.

The tragedy of unemployment is no less severe for a man or woman because he or she happens to work for a small firm instead of a large firm with thousands of workers. This is the vital human consideration which calls for prompt enactment of H. R. 9709.

COVERAGE OF FEDERAL EMPLOYEES

The second major contribution this bill would make is its provision for the coverage of 2.5 million Federal workers under the unemployment insurance system. In his Economic Report for 1954, the President said:

> A worker laid off by a Government agency gets no insurance benefits despite the fact that in many types of Federal jobs he is as vulnerable to layoff or dismissal as the factory worker. It is recommended that Congress include in the insurance system the 2.5 million Federal civilian employees under conditions set by the States in which they last worked, and that it provide for Federal reimbursement to the State of the amount of the cost, estimated to be about $25 million for the fiscal year ending in 1955.

H. R. 9709 would put this recommendation into effect. It provides unemployment insurance for Federal civilian workers who are employed in the United States, including Puerto Rico or the Virgin Islands, and elsewhere, if citizens of the United States. Unemployment compensation will be payable to such Federal workers who are unemployed after December 31, 1954. A Federal worker's right to benefit is to be determined under the unemployment-compensation law of the State to which his Federal services and wages are assigned. Usually, this will be the State in which the worker had his official station when he became unemployed, or, if he has been in Foreign Service, the State in which he resides when he files his claim. Compensation will not be paid for the period with respect to which accrued annual leave is paid upon separation.

The Secretary of Labor is authorized to enter into agreements with each State, under which the State unemployment compensation agency will make benefit payments as agent for the United States and will be reimbursed by the United States for any additional costs of such payments. If a State does not have such an agreement, the Secretary will make the unemployment-compensation payments and will apply the benefit standards and other provisions of the law of such State. Unemployed workers filing a claim in Puerto Rico or the Virgin Islands will be paid according to the benefit standards and other provisions of the unemployment-compensation law of the District of Columbia.

Now let us look at some of the special conditions of their employment which call for unemployment insurance for Federal workers. Federal civilian employees face the risk of unemployment on about the same degree as do non-Government workers in the same kind of employment.

In this connection, it is important to note that approximately one-fourth of all Federal employees are so-called wage-board, or blue-collar, workers, such as mechanics, helpers, and other such employees in navy yards, arsenals, air installations, and other Government facilities. Moreover, the separation rate for wage-board employees is higher than that for all Federal employees. In 1953 it averaged 2.9 percent per month, as compared with 2.2 percent for all Federal employees. Unless we act promptly to extend coverage to Federal employees, we are asking these blue-collar workers performing jobs vital to national defense to surrender their right to unemployment benefits for any period during which they work for the Federal Government. This is not wise, it is not fair, and it is not just. H. R. 9709 would correct this inequity.

Because there has been no experience with an unemployment-compensation

system for Federal workers, cost estimates are necessarily rough. Tentative estimates of the Department of Labor put the annual cost at $35 million.

The enactment of H. R. 9709 would mark a major step forward in the working conditions of some 2.5 million Government workers. May I remind the Senate that the bulk of this protection would not be limited to Washington, as only about 10 percent of Federal employees live in the District of Columbia metropolitan area. The other 90 percent are distributed throughout all of the States in the Union.

I am convinced that the Federal Government should provide unemployment-insurance protection for its employees which is at least comparable to that available for employees in private industry.

EXPERIENCE RATING

The third section of the bill which makes a long-needed improvement in the unemployment insurance system is the one which reduces the cost of the Federal Unemployment Tax Act for new employers by authorizing the States to extend experience-rating tax reductions to new and newly covered employers after they have had at least 1 year of experience under the State law, instead of requiring them to wait 3 years as is required today. This section of the bill would carry out the recommendation of the President in his Economic Report of January 28, 1954, that "Congress allow the shortening, from 3 years to 1, of the period required to qualify for a rate reduction." In simple language, this amendment will permit States to base the rate for an employer with 1 year's experience on that single year, and to base the rate for an employer with 2 years of experience on those 2 years.

At least four types of employers may benefit from this provision: First, employers newly covered by an extension of the coverage of the State law as a result of the enactment of H. R. 9709; second, employers establishing a new business; third, out-of-State employers establishing new branches in a State, and fourth, veterans who are reestablishing their businesses when they return from military services.

ANNUAL PAYMENT OF TAX

Another improvement made by the bill in the administration of the program deserves our consideration. This is the provision which eliminates the right to pay the Federal unemployment insurance tax on a quarterly basis. The elimination of quarterly payments would not alter the present practice for most taxpayers. Some 85 percent of total taxes collected under the Federal law are now paid annually, rather than on a quarterly basis. Under the bill the practice which is followed on the part of most taxpayers would be made uniform and result in more efficient and more economical administration.

Mr. President, I urge the passage of H. R. 9709, and thus we would implement the recommendations of President Eisenhower to which I have referred and which are contained in his Economic Report of January 1954.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. MILLIKIN. Mr. President, I offer a series of amendments, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendments.

Mr. SMATHERS. Mr. President, are these the technical amendments?

Mr. MILLIKIN. No. This amendment follows a suggestion made to me, as chairman of the committee, by Arthur Larson, Under Secretary of Labor.

The PRESIDING OFFICER. Does the Senator desire the amendment read?

Mr. SMATHERS. Mr. President, I ask unanimous consent that the reading of the amendments be waived and that the Senator from Colorado be asked to explain them.

The PRESIDING OFFICER. Without objection, the amendments will be printed in the RECORD without reading.

There being no objection, the amendments offered by Mr. MILLIKIN were ordered to be printed in the RECORD, as follows:

On page 1, in lines 4 and 5, strike out "section 1607 (a) of the Internal Revenue Code" and insert the following: "section 3306 (a) of the Internal Revenue Code of 1954."

On page 1, in line 6, strike out "four" and insert "4."

On page 1, in lines 8 and 9, strike out "section 1602 (a) of the Internal Revenue Code" and insert the following: "section 3303 (a) of the Internal Revenue Code of 1954."

On page 2, in lines 3 and 4, strike out "three-year" and insert "3-year."

On page 2, in line 8, strike out "one" and insert "1."

On page 2, strike out lines 10 through 19 and insert the following:

"SEC. 3. Effective with respect to the taxable year 1955 and succeeding taxable years, section 6152 (a) (3) of the Internal Revenue Code of 1954 is hereby repealed."

On page 3, in line 20, after "Code" insert "of 1939."

On page 4, in line 19, strike out "or."

On page 5, in line 2, strike out "States." and insert "States; or."

On page 5, after line 2, insert the following:

"(13) by an officer or a member of the crew on or in connection with an American vessel (A) owned by or bareboat chartered to the United States and (B) whose business is conducted by a general agent of the Secretary of Commerce, if contributions on account of such service are required to be made to an unemployment fund under a State unemployment compensation law pursuant to section 1606 (g) of the Internal Revenue Code of 1939 or section 3305 (g) of the Internal Revenue Code of 1954."

On page 16, in line 18, after "Code", insert "of 1939."

On page 16, after line 20, insert the following:

"(c) Effective with respect to services performed after December 31, 1954, section 3305 (e) and section 3306 (l) of the Internal Revenue Code of 1954 are hereby repealed."

The PRESIDING OFFICER. Without objection, the amendments offered by the Senator from Colorado will be considered en bloc.

The question is on agreeing to the amendments.

Mr. THYE. Mr. President, may we have an explanation?

Mr. MILLIKIN. I am perfectly willing to make an explanation.

Mr. THYE. The amendments will appear in the RECORD, but we have no explanation.

Mr. MILLIKIN. Let me read the letter from Under Secretary Larson. It will explain the amendments, I think. This is a letter dated July 20, 1954, addressed to me by Arthur Larson, Under Secretary of Labor:

DEAR SENATOR MILLIKIN: Upon reexamining the provisions of House bill 9709 relating to unemployment compensation for Federal workers, we discovered the need for a minor amendment to avoid the possibility of duplication in Federal and State coverage of certain seamen. Last year Public Law 196 was enacted to add section 1606 (g) to the Internal Revenue Code to permit the States to cover under their unemployment insurance laws services performed by seamen who are employed on ships operated by general agents of the Secretary of Commerce. The Department of Commerce reimburses the general agents for their contributions paid to the States on behalf of these workers. All of the States concerned have taken action to cover these seamen. Since these seamen are Federal employees, it is necessary to amend H. R. 9709 to exclude these seamen from its coverage. Otherwise, there will be duplicate coverage of these seamen. Since these seamen constantly transfer between Government and private ships, it would seem more desirable not to disturb their coverage under State law.

I would, therefore, appreciate your introducing the attached amendment when H. R. 9709 comes up for consideration by the Senate. I am informed that Mr. REED, chairman of the Committee on Ways and Means of the House, will accept this amendment without requesting a conference on the bill.

Yours very truly,

ARTHUR LARSON,
Under Secretary of Labor.

The amendments would also conform to the provisions of the bill to the Internal Revenue Code of 1954.

The PRESIDING OFFICER. The question is on agreeing to the amendments en bloc offered by the Senator from Colorado [Mr. MILLIKIN].

The amendments were agreed to.

Mr. JOHNSON of Colorado. Mr. President, I desire to offer an amendment to the bill at page 1, line 4, to strike out "1954" and insert in lieu thereof "1956."

Mr. President, this is an important amendment, and it is one which is necessary. Unless we extend the time somewhat we shall catch many employers off base, without knowledge that this change has been made.

Under the present law any employer of eight or more people must report his employment and must pay a tax on his employment. That original provision was placed in the law by the States themselves.

I recall when the State of Colorado voted to have the formula fixed at 8 or more employees. I think all the State adopted that formula in the beginning.

There may be some very good reason for changing it to 4 or more employees instead of 8 or more. However, my contention is that employers have not had sufficient notice that this change was to be made.

I talked with the senior Senator from Georgia [Mr. GEORGE] today about this whole subject, and he told me he was

very much opposed to suddenly changing the formula from 8 or more to 4 or more.

The effect of my amendment would be to postpone the effective date for 2 years. I think that is reasonable; I think it is fair; I think it is equitable; and I think it is absolutely necessary, unless we expect to have a great deal of disappointment on the part of many employers who will feel aggrieved that they have had no notice of this very important change.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. CARLSON. May I ask the Senator to what page and line his amendment applies?

Mr. JOHNSON of Colorado. Page 1, line 4, strike out "1954" and insert in lieu thereof "1956." Such an amendment would postpone the action changing the formula from 8 or more to 4 or more for 2 years, and would give employers an opportunity to know that this change is contemplated rather than slipping up on them on their "blind side."

Furthermore, the legislatures of the various States would be given an opportunity to change their laws.

Mr. CARLSON. Mr. President, will the Senator further yield?

Mr. JOHNSON of Colorado. I am happy to yield to the Senator from Kansas.

Mr. CARLSON. The distinguished Senator from Colorado has served as governor of the great State of Colorado, and I held a similar office as governor of Kansas. I believe his amendment may have some merit. I wonder whether 2 years is not a longer period than is necessary. I should like to have the act become effective as soon as possible. I know that various States must act through their legislatures in order to have the act go into operation within their States. However, I think 2 years is a little too far to carry it forward.

Mr. JOHNSON of Colorado. Of course the legislatures ought to have an opportunity to act on the question, and they ought to have a right to make the determination. I invite the Senator's attention to the general statement in the report at page 2:

> It may be appropriate that unemployment protection be extended into this fringe area—

That refers to the difference between 8 and 4—

> but your committee believes that such extension should be left to State determination in the light of local variations in employment patterns.

That is what I am contending. That is why I believe the States ought to have an opportunity to act on the proposed change.

Of course the Senator from Georgia may have been mistaken, but he said to me that the Senate committee has not held hearings on this particular point, and it would be a grave error for the Senate to change that particular provision without employers throughout the Nation having notice of it.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. MILLIKIN. Does not the Senator feel that the suggestion of the Senator from Kansas [Mr. CARLSON], to provide a 1-year postponement, instead of a 2-year postponement, is better? The Federal tax would not become due until early in 1956, as the bill now stands. There would be sufficient time for employers to acquaint themselves with the system.

Mr. JOHNSON of Colorado. I wish to give the States an opportunity not only to acquaint themselves with the system, but to determine whether the system is right or wrong. Of course, the bill would have to go to conference. Probably the first thing that would happen in conference would be the suggestion that the period be changed from 2 years to 1 year. Probably that is what would come out of conference. If we go into conference with provision for a period of 2 years, perhaps it will be changed to 1 year in conference. If we go into conference with 1 year, perhaps it will be said, "What difference does it make. We might as well make it effective on December 31, 1954."

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. There is a great deal of merit in the position taken by the senior Senator from Georgia [Mr. GEORGE]. He is not able to be present this evening, and I regret that he is not here, because I know he is very much concerned with this proposed change in the law. He has spoken to me several times about it.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. CARLSON. I was wondering whether the distinguished Senator from Colorado would not agree, if we should accept an extension until the year 1955, that it might not be necessary to have a conference. In other words, the bill might go back to the House and the House might accept the 1-year extension, whereas a 2-year extension might require a conference.

I believe 1 year would be sufficient. Most legislatures meet at the beginning of 1955. It seems to me that would be sufficient time for legislatures to make necessary provisions and for employers to make provision. I sincerely hope the Senator will agree to that modification.

Mr. JOHNSON of Colorado. Of course, 1 year would be of great help.

Mr. THYE. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. THYE. I believe the Senator from Kansas has made an excellent suggestion, because if we should provide for an extension of 1 year the legislatures which meet in 1955 would have an opportunity to amend their laws and adjust themselves to whatever change the Federal law may require of them. That is all that should be necessary. They would be alerted. They would be in a position to take care of themselves. I am sure 1 year would be sufficient.

Mr. JOHNSON of Colorado. Of course, I should be glad to bow to the judgment of my colleagues. They think that 1 year would be about right.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. MILLIKIN. I believe the case that has been made for a 1-year extension is a very persuasive one. The House might accept it. I feel confident that it would not accept an extension of 2 years.

Mr. JOHNSON of Colorado. Very well. I shall bow to the judgment of my colleague.

The PRESIDING OFFICER. Does the Senator from Colorado modify his amendment?

Mr. JOHNSON of Colorado. Mr. President, I modify my amendment so as to make it read "1955." I move to strike out "1954" and insert in lieu thereof "1955."

The PRESIDING OFFICER. The Senator modifies his amendment accordingly.

The question is on agreeing to the amendment of the Senator from Colorado [Mr. JOHNSON], as modified.

The amendment, as modified, was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, its reading clerk, communicated to the Senate the intelligence of the death of Hon. PAUL W. SHAFER, late a Representative from the State of Michigan, and transmitted the resolutions of the House thereon.

The message announced that the House had passed, without amendment, the following bills of the Senate:

S. 417. An act conferring jurisdiction upon the United States District Court for the District of New Mexico, to hear, determine, and render judgment upon certain claims arising as a result of the construction by the United States of Elephant Butte Dam on the Rio Grande;

S. 2083. An act for the relief of Lawrence F. Kramer;

S. 2496. An act for the relief of Harvey Schwartz;

S. 2632. An act for the relief of the Epes Transportation Corp.;

S. 2801. An act for the relief of Graphic Arts Corp. of Ohio;

S. 3110. An act for the relief of the Portsmouth Sand & Gravel Co.;

S. 3251. An act to provide for the conveyance of certain mineral rights to Mrs. Pearl O. Marr, of Crossroads, N. Mex.; and

S. 3562. An act for the relief of the McMahon Co., Inc.

The message also announced that the House had severally agreed to the amendment of the Senate to the following bills of the House:

H. R. 1461. An act for the relief of Kenneth McRight;

H. R. 2781. An act for the relief of Nicholas Matook;

H. R. 3014. An act for the relief of Dr. Alfred L. Smith;

H. R. 3232. An act for the relief of Dennis F. Guthrie;

H. R. 3446. An act for the relief of Mrs. Emily Wilhelm;

H. R. 6290. An act to discontinue certain reports now required by law; and

H. R. 6529. An act for the relief of Raleigh Hill.

The message further announced that the House had severally agreed to the amendments of the Senate to the following bills of the House:

H. R. 1980. An act to authorize and direct the Commissioners of the District of Columbia to construct a bridge over the Potomac River in the vicinity of Jones Point, Va., and for other purposes;

H. R. 3384. An act for the relief of John B. Daniel, Inc.; and

H. R. 7853. An act to permit retired policemen, firemen, and teachers of the District of Columbia to waive all or part of their annuities, relief, or retirement compensation.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2670) to provide for the termination of Federal supervision over the property of certain tribes, bands, and colonies of Indians in the State of Utah and the individual members thereof, and for other purposes.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9757) to amend the Atomic Energy Act of 1946, as amended, and for other purposes.

The message also announced that the House had agreed to the following concurrent resolutions of the Senate:

S. Con. Res. 106. Concurrent resolution to correct an error in the enrollment of H. R. 1975, to amend section 2201 of title 28, United States Code, to extend the Federal Declaratory Judgments Act to the Territory of Alaska; and

S. Con. Res. 107. Concurrent resolution to correct an error in the enrollment of H. R. 8020, authorizing the transfer of certain property of the United States Government (in Klamath County, Oreg.) to the State of Oregon.

PERMANENT CARGO PREFERENCE BILL—RELEASE ISSUED BY COMMITTEE OF AMERICAN STEAMSHIP LINES

Mr. BUTLER. Mr. President, I ask unanimous consent to have inserted in the body of the RECORD a release issued by the Committee of American Steamship Lines with reference to the passage by the Congress of the permanent cargo preference bill.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

Passage Thursday by the House of Representatives of permanent 50–50 legislation for American shipping will have a healthy effect on employment of merchant ships, seafaring and shoreside labor, and major ports in the country, C. C. Mallory, chairman of the Committee of American Steamship Lines, said today upon receiving word of the House action.

"This is excellent news for shipping, but also for all United States industry, depending as it does upon American-flag ships for export and import trade," he declared. "It is a major development in augmenting individual steamship lines' efforts to insure sufficient cargoes and expanded world trade in the months ahead."

He paid special tribute to what he termed the public-interest statesmanship of the Senate Subcommittee on Water Transportation, chairmanned by Senator JOHN M. BUTLER, Republican, of Maryland, and the House Merchant Marine and Fisheries Committee, headed by Congressman THOR C. TOLLEFSON, Republican, of Washington, for passage of the legislation through both Houses of Congress during this session.

Mr. BUTLER. Mr. President, I was especially pleased by the action of the House of Representatives last week in passing the cargo preference bill, S. 3233, which I introduced some time ago. Having as its purpose the mandatory requirement that at least 50 percent of all United States Government cargoes be transported in American vessels, this legislation crystallizes a long standing feeling of growing substance and momentum that it is only reasonable for us to allocate this minimum portion of our cargoes to our privately owned vessels and that we would indeed be naive in not adhering to such a policy.

These opinions are not shared by many of our friends abroad, however, and as a typical illustration, I ask unanimous consent to have printed in the body of the RECORD at this point an editorial entitled "The Other Butler," which appeared in the July 8, 1954, edition of the British publication Shipbuilding and Shipping Record.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE OTHER BUTLER

On each side of the Atlantic there is a Butler. Here, he is Chancellor of the Exchequer now kindly disposed towards shipping—finding in it some useful metaphors for his speeches, and helping it to the limited extent he deems possible in present circumstances. In America he is a Senator, chairman of the Senate Water Transportation Subcommittee and a "staunch advocate of a strong American merchant marine." The Senator has just got through the Senate a bill which, if enacted, will perpetuate the 50–50 rule as applied to American Government-aid cargoes. Like the poor, it will always be with us. In fact, the principle has already been with us for a long time. It may not be generally appreciated that as far back as 1934 Congress passed a resolution (Public Resolution 17) that all exports financed through the Reconstruction Finance Corporation should be carried exclusively in United States flagships if available. The principle of this legislation was given a certain degree of legislative force by the Merchant Marine Act of 1936, which decreed that "a substantial portion of American cargoes should be carried in American bottoms."

When Marshall aid was given to the war-torn countries of Europe, the cargoes were sent in American ships. No one could cavil at that; it would have been churlish to object to the "postfree" gift, even if, privately, some doubts were entertained as to its effects. In some quarters it was felt that the dollars which had to be spent on freights might have been more usefully employed in helping the countries concerned to get back on their feet. Then followed the succession of Mutual Security Aid, stockpiling and Government-financed cargoes, and the application of the 50–50 provision in every case. The necessary authority to insure this had to be written into every measure. Senator BUTLER's bill seeks to make this provision a permanent part of all American legislation which has to do with Government-financed cargoes. It is known that the United States administration is opposed to the idea and, of course, it does not follow that every bill introduced into the American legislature emerges as an act.

In this country it is not always easy to know which is the "official" and which the "business" voice of America. The recommendations of the maritime subsidy policy report issued by the Department of Commerce includes one that Government efforts should be continued to minimize the effect of discriminatory practices of foreign nations against United States flag shipping. That is a proposal which every maritime nation opposed to flag discrimination could heartily support as applied to itself, as well as to America. But then we have Mr. James Stuart, president of the American Tramp Shipowners' Association, saying that the only hope for the survival of the tramp fleet is to have certain cargoes restricted to American-flag vessels in accordance with the terms of the Butler legislation. It is difficult to see what makes discrimination improper when directed against American ships, and proper when it is exercised in favor of them.

Across the Atlantic there is a readily understood desire not to have to depend on foreign ships if another war should unhappily break out. But when that is linked with a recommendation that, to quote the report referred to above, "all Government assistance in providing cargo and protection against unfair foreign competition should be provided" for the United States merchant fleet, all kinds of questions arise. Who is to define "unfair competition"? What is a "high-cost" country? (The United Kingdom, for example, is a "low-cost" country vis-a-vis America, but a "high-cost" country as compared with some of its foreign competitors.) If every maritime country demanded, and obtained, such help from its own government as this Commerce Department report suggests, chaos would result. Government intervention in normal commercial operations is rarely successful.

Mr. BUTLER. Mr. President, while I am honored to be compared with the distinguished Chancellor of the Exchequer of the United Kingdom, I would remind our British friends that recommendation No. 15, contained on page 120 of the Maritime Subsidy Policy Report of this Government, stipulated that "The cargo preference provision of existing law should be continued as a part of our national maritime policy."

Also, Under Secretary of Commerce Robert B. Murray, Jr., in testifying before the Senate Water Transportation Subcommittee on May 3, 1954 emphatically stated: "Cargo preference legislation has been of substantial assistance in providing a firm backlog for the United States overseas fleet. This type of aid should be continued as a part of our national shipping policy."

By way of further rebuttal, I would direct the attention of our allies to another editorial published by the Baltimore Sunday American on August 8, 1954, entitled "Why Not All?" which, Mr. President, I ask to be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WHY NOT ALL?

The President of the United States has been asked by the heads of two of the leading maritime organizations of the country,

the Merchant Marine Institute of New York and the American Steamship Association, to do what he can to break the legislative log jam now preventing approval of a bill vitally important to the American merchant marine.

The bill, unanimously passed by the United States Senate and already having the unanimous approval of the Merchant Marine Committee of the House of Representatives, is now unaccountably being held up by the House Rules Committee.

Its purpose is to require that at least half of the cargoes shipped under the foreign-assistance program paid for by the American Government be carried in American ships.

It is urgent that this be done, because the foreign-assistance cargoes comprise a great part of the total maritime traffic; and with foreign ships carrying most of it there is nothing left for American shipping lines to do but lay up their idle vessels—which is exactly what has happened to 171 ships very recently.

It would be a very reasonable requirement, and certainly a sound one, that American ships should get at least half of the maritime business for which the American people put up the money.

In fact, it would be an entirely proper requirement that all such cargoes be carried in American ships, since it seems rather silly that America should try to improve the prosperity of other countries and deliberately impair its own prosperity in the process.

Mr. BUTLER. Long did the British rule the seas and if left to them this domination would continue—at our expense. The announced policy of cargo preference, as now ratified by the Congress of the United States, offers a reasonable and essential protection for the preservation of the great American merchant marine.

PROHIBITION AGAINST PAYMENT OF GOVERNMENT RETIREMENT BENEFITS TO PERSONS CONVICTED OF CERTAIN OFFENSES

Mr. THYE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. THYE. Mr. President, I ask unanimous consent that the order for the call of the roll be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THYE. Mr. President, I have been informed by the majority leader that the next order of business would be Calendar No. 2261, Senate bill 2631, known as the Williams bill. I move that the Senate proceed to the consideration of Senate bill 2631.

The PRESIDING OFFICER. The clerk will state the bill by title.

The LEGISLATIVE CLERK. A bill (S. 2631) to prohibit the payment of Government retirement benefits to persons convicted of certain offenses.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota [Mr. THYE].

The motion was agreed to; and the Senate proceeded to consider the bill (S. 2631) to prohibit the payment of Government retirement benefits to persons convicted of certain offenses, which had been reported from the Committee on the Judiciary with amendments.

Mr. WILLIAMS. Mr. President, the pending business is now Senate bill 2631. However, House bill 9909 is before the Post Office and Civil Service Committee, which bill is the same in substance as the Senate bill. Therefore, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from the further consideration of House bill 9909, and that it be now considered in lieu of Senate bill 2631.

Mr. CLEMENTS. Mr. President, is the House bill a companion bill to the Senate bill?

Mr. WILLIAMS. It is. The House bill was introduced by Representative CRETELLA; and in order to expedite the legislation, I should like to have the Senate consider the House bill.

The PRESIDING OFFICER. Without objection, the Committee on Post Office and Civil Service is discharged from the further consideration of House bill 9909.

Is there objection to the present consideration of the House bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 9909) to prohibit payment of annuities to officers and employees of the United States convicted of certain offenses, and for other purposes.

Mr. WILLIAMS. Mr. President, the purpose of this bill is to bar, after its enactment, the payment of annuity or retired pay based on service performed by any individual under any retirement system applying to civilian officers and employees of any branch of the Federal or District of Columbia Governments, and officers or enlisted members of the Armed Forces of the United States, to any person who prior or subsequent to the enactment of the bill was or is convicted of any criminal offense.

Under the existing law, there is no provision which will prevent employees of the Federal Government who have been convicted of crimes involving disloyalty to the United States or corruption and dishonesty in the execution of their authority from being paid full retirement pensions upon reaching the statutory retirement age.

For example, one former State Department employee who was convicted of perjury for denying that he had given highly classified secrets to an agent of a foreign power, will, under the present law, be eligible to receive regular retirement benefits upon reaching the age of 62.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield.

Mr. MUNDT. I presume the Senator from Delaware is referring to Mr. Alger Hiss, who is at present incarcerated in a Federal penitentiary.

Mr. WILLIAMS. That is correct. The Senator from South Dakota and I have had bills pending for several months before the Senate committee. As he knows, in a discussion of the subject, we agreed to accept the House bill in order to expedite the legislation.

Mr. MUNDT. The bills introduced by the senior Senator from Delaware and the senior Senator from South Dakota have been before the Senate committee for considerably more than a year.

Mr. WILLIAMS. That is correct.

Mr. MUNDT. In consultation with the distinguished Senator from Kansas [Mr. CARLSON], chairman of the Committee on Post Office and Civil Service, we were advised that a similar bill was moving through the House. I quite agree with the Senator from Delaware that the best approach is to have our bills set aside and to pass the House bill, which incorporates exactly what we desire to have included in our bills. This makes a very closely drawn, clear-cut legal instrument for depriving Alger Hiss, and others like him, from receiving their pensions, while at the same time recognizing the contractual understanding by returning to them, with interest, whatever money they have invested in the pension fund.

Mr. WILLIAMS. The Senator is correct.

Mr. CARLSON. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS. I yield.

Mr. CARLSON. The Senator from South Dakota mentioned that some of the bills had been before the Senate committee for a considerable length of time.

Senate bill 2361, which was reported, and which was considered as we opened the discussion of this subject a few minutes ago, has now been replaced by the House bill, which has been before the Committee on Post Office and Civil Service for only 2 or 3 weeks, it having been previously before the Committee on the Judiciary for many months.

Mr. WILLIAMS. That is true. However, as the Senator from South Dakota has pointed out, in view of the fact that the House decided first to hold hearings, it was agreed that the Senate should wait until the House had acted, in order that there might not be overlapping in connection with the proposed legislation.

I am glad that action is now being taken before this Congress adjourns.

Mr. MUNDT. There was no implied criticism in the statement which I made. I merely pointed out a fact. More than a year ago the Senator from Delaware and I had both introduced bills on this subject, and we were quite insistent that before this Congress adjourned one of those bills should be passed.

It is entirely proper that the House bill, which was passed first, should have priority. I am perfectly willing to waive consideration of our bills and have the House bill passed, because any 1 of the 3 bills would achieve the desired result, namely, to deny to Alger Hiss, who will be eligible for parole sometime in the next 60 or 90 days, the opportunity to live the rest of his life on the taxpayers of America, as a result of having been pensioned before he committed perjury and before his espionage activities had come to public attention.

Mr. CARLSON. Mr. President, I commend the Senator from Delaware and the Senator from South Dakota for their interest in the subject. I am pleased that the Committee on Post Office and Civil Service unanimously reported the bill. The committee had under con-

sideration both the House bill and the Senate bill. I think the proper course has been followed by substituting the House bill for the Senate bill, in order that there may be prompt action.

Mr. WILLIAMS. Mr. President, there are also two cases in which former Members of Congress have been convicted by the courts of corrupt practices while in public office. In one of these cases the individual is now receiving a pension from the United States Government, while the other individual will be eligible for his pension upon reaching the age of 62.

During the past 2 years many high public officials, a large percentage of whom were employed in the Treasury Department, likewise have been convicted in the courts of such crimes as bribery, embezzlement, and the like. In each of these cases, unless the retirement laws are amended, the convicted officials will upon reaching the statutory retirement age be eligible for all the retirement benefits which are now extended to honest public officials. That is wrong. No public official who has been convicted by the courts of having unlawfully used his position to enrich his own personal fortune or who willfully betrays his country to a foreign power should be pensioned at the expense of the American taxpayers.

Our retirement laws were enacted to provide some degree of security for faithful Government employees who, after spending many years in Government service, reach the age of retirement.

The bill would accomplish the following purposes:

First. It would prohibit the payment of a retirement annuity to any Member of Congress, public official, or member of the armed services who has been convicted of accepting bribes or other offenses involving the improper use of authority or power derived from his office, or to persons convicted of certain crimes involving disloyalty to the United States.

Second. It would provide for the refund to the convicted employees of their contributions to the retirement fund.

The refund of the retirement payments in cases in which the benefits are rescinded is only fair, since to confiscate those funds would, in effect, be a fine in addition to that imposed by the courts.

The bill would apply to all Federal employees, including Members of Congress.

Mr. President, for myself and on behalf of the Senator from Kansas [Mr. SCHOEPPEL] and the Senator from Michigan [Mr. FERGUSON] I offer an amendment which I ask to have read.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. At the end of the bill it is proposed to add the following new section:

SEC. 7. (a) Section 3282 of title 18 of the United States Code is amended by striking out "three" and inserting in lieu thereof "five."

(b) The amendment made by subsection (a) shall be effective with respect to offenses (1) committed on or after the date of enactment of this act, or (2) committed prior to such date, if on such date prosecution therefor is not barred by provisions of law in effect prior to such date.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Delaware [Mr. WILLIAMS] for himself and on behalf of the Senator from Kansas [Mr. SCHOEPPEL] and the Senator from Michigan [Mr. FERGUSON].

Mr. WILLIAMS. Mr. President, the purpose of this amendment is to extend from 3 to 5 years the statute of limitations with respect to a certain list of crimes. The same amendment was previously agreed to by the Senate and attached to the tax bill, H. R. 8300. However, the amendment was not retained in conference.

The amendment is very important. I think it is appropriate to include it in this bill which has already passed the House. By so doing we can expedite the consideration of both legislative questions before Congress adjourns. Therefore, I ask that the Senate agree to the amendment.

The Department of Justice has urgently requested that the amendment be accepted. In recent weeks the great need of this amendment has been pointed out in connection with cases involving former Government officials. Cases have been referred to the Department only to be returned with the notation that the statute of limitations had expired. As a result certain corrupt public officials will go unpunished.

Congress would be negligent in meeting its responsibilities if it did not make certain that both these measures were enacted before we adjourn.

In discussing the need of extending the statute of limitations from 3 years to 5 years it must be remembered that ofttimes the corrupt act of the public official will go undetected months or perhaps even years. Therefore the need of a greater length of time than the existing 3-year limit is apparent.

Mr. GILLETTE. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield.

Mr. GILLETTE. Will the Senator from Delaware comment upon the effect of the bill in increasing the penalty imposed upon a person who had been convicted at a prior time? Would not the penalty be increased because of the enactment of the bill?

Mr. WILLIAMS. That portion of the bill to which the Senator is directing his remarks provides for the refund to the employee of all his contributions to the retirement fund, plus accumulated interest, in exactly the same manner as if the person had voluntarily withdrawn his money.

The committee decided, in reporting the bill, that it would be unfair to confiscate the contributions of the former employee, because to do so would, in effect, represent a fine in addition to that imposed by the court. The bill merely provides that if a person is convicted—and he must have been convicted of a crime which is among those specified and which relates to the official conduct of his office—such individual shall have no further rights under the retirement system of the Government.

Mr. GILLETTE. Would not the effect be that the individual would have no choice in the matter?

Mr. WILLIAMS. That is correct.

Mr. GILLETTE. The amount he has paid, with the accumulation of interest, will be refunded; but, in effect, a person who has been convicted and sentenced at a prior time will now have an additional penalty imposed upon him by being involuntarily placed in a position in which he will be deprived of vested rights.

Mr. WILLIAMS. That is correct. He cannot avoid that; although in cases in which an individual has not been on retirement and has not collected the full amount of retirement contributions, the individual will automatically receive an additional check. If he has been on retirement and has collected more, the bill would not provide that he should make a refund but that payments would automatically stop with conviction.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield.

Mr. ANDERSON. Would the bill involve cases other than the so-called Hiss case?

Mr. WILLIAMS. Yes, the bill would involve the case of any employee of the Government who had betrayed his trust or used his position to enrich his own personal fortune by accepting bribes or selling his influence and for which he had been convicted in the courts.

Mr. ANDERSON. A Member of the House was convicted some time ago. His crime was not too well established; but apparently he had been guilty of a technical violation of the law. He is now out of Congress. Would the bill include him, as well? I have no objection to including the Hiss case.

There are several people that I can recall who have got into difficulties. While I do not wish to go back and retry their cases, I thought some of them were pretty decent sort of public servants. I am just wondering if the bill includes them all, or whether it hits directly at the Hiss case.

Mr. WILLIAMS. The bill takes in all Government employees who are convicted by the courts of crimes committed while in office. It does not attempt to spell out or pass upon the merits or demerits of the crime but recognizes that crime only after they are convicted in the courts of some act which was in relation to their official duties.

Mr. CARLSON. I should like to add that it must be a criminal offense.

Mr. ANDERSON. I was thinking of a former Representative from the State of Kentucky, one from the State of Ohio, and one from the State of New Jersey. Those three cases come to my mind. Apparently they were found guilty. Personally I never thought they were too evil characters. I wondered what the situation would be. Would they all be covered by the bill? I think there is a difference between a man who makes a mistake, probably a serious mistake, and a man who has been charged with selling his country down the river, as has been charged in the Hiss case.

Mr. WILLIAMS. Unquestionably there is a difference in cases. That difference would be taken into consideration at the time the court sentenced the man. We cannot pass on that. All we are passing upon is the right of a Government employee who has misused his office or who has betrayed his country to be carried on the retirement rolls. That is the question with which we are confronted. Personally, as one individual, and as the sponsor of proposed legislation, it was and is my contention that such persons should forfeit their rights to retirement benefits.

The bill does provide for the complete refund, with interest, of all the contributions which such individuals might have made prior to the time of their conviction.

This bill would also cancel the retirement benefits of any Government employee who claims the fifth amendment as the basis of refusal to give testimony regarding the official conduct of his Government office.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield to the Senator from South Carolina.

Mr. JOHNSTON of South Carolina. Is it not true that a Government employee enters into a contract with the Government in which he says, "You take so much out of my pay every month, and when I reach a certain age I shall receive a certain amount of annuity"? Does not a Government employee enter into such a contract?

Mr. WILLIAMS. It is true in one sense of the word that he enters into a contract, but it is also true that he must become a Government employee before he is entitled to retirement benefits, and when he becomes a Government employee he signs an oath that he will discharge his duties in a lawful manner and that he will be loyal to the United States Government. It is only after he violates his oath of office, or his contract, that the forfeit goes into effect. Thereafter all contracts with the Government are void.

Mr. JOHNSTON of South Carolina. Is this not a proposal to put an additional penalty on a man which was not contemplated at the time he entered into a contract with the Government?

Mr. WILLIAMS. No. We will be taking from him only a privilege. In the one Department alone to which reference has been made, there have been 214 indictments in the last 18 months, and there have been over 100 convictions. I do not think the American people will want to keep on the permanent retirement rolls persons who have forgotten that they accepted a public office and a public trust. I repeat again, the terms of the bill would not apply in the cases where men are merely charged or indicted; they would apply only in cases where there have been convictions by the courts for criminal action.

Mr. ANDERSON. Mr. President, will the Senator yield further?

Mr. WILLIAMS. I yield to the Senator from New Mexico.

Mr. ANDERSON. I dislike to mention names and cases and drag them into the debate, but I see no other way out. There was a Member of the House of Representatives from the State of Kentucky, Representative May, who was chairman of the Military Affairs Committee when I was in the House of Representatives. We all thought pretty highly of him. We thought he was a patriotic, energetic person.

There was no question of loyalty involved. He became mixed up in some sort of controversy. I have forgotten exactly what it was that he was convicted of. Will the bill change the terms of the conviction? I am also thinking of the case of Representative Parnell Thomas, who was of an opposite political faith of mine, and who was very active in the Un-American Activities Committee. I did not approve of what he did. I did not like the way he ran the committee. However, he was mighty nice to me when I used to speak to him on the floor. He ran afoul of the law and was convicted. Would the bill change the terms of that conviction and the terms of the contract having to do with his pension? I am only asking that question.

Mr. WILLIAMS. First, I should like to emphasize that the bill would cover all Government employees as well as the two individuals mentioned, but since those two have been mentioned, let us deal with them. In both of those instances, those men were serving in the Congress prior to the time that any retirement system was established for Members of Congress. They were elected to serve, and they served their terms of office not expecting any retirement benefits. After they left Congress, retirement benefits were provided. In the case of the Representative from Kentucky, at the time he was convicted and sentenced to jail no retirement benefits were in effect as far as Members of Congress were concerned, because the congressional retirement system went into effect in 1946. Congress retroactively gave Members of Congress the right to make back payments and thereby become eligible. As far as the Congressman from Kentucky is concerned, when he was elected to Congress and when he signed his oath of office, he did not know there was going to be any retirement benefits, nor were there any deductions made from his pay for such retirement benefits.

By no stretch of imagination could it be said we are taking anything from him.

Mr. ANDERSON. He did make payments and entered into a contract.

Mr. WILLIAMS. The Representative from Kentucky, or any other Member of Congress, after the retirement law went into effect, could qualify under the law but surely that law was never intended to protect crooks or in Alger Hiss' case, a traitor.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield to the Senator from South Dakota.

Mr. MUNDT. We certainly would not be taking away any right. They have certain privileges as Members of Congress, if they desire to pay in a part of their salaries in order to contribute to the retirement fund. That law was enacted comparatively recently, starting in about 1948. If there are Members of the Senate or of the House who want to insist that the American taxpayers should be taxed to pay pensions to chiselers and crooks, we ought to take a yea and nay vote and find out just who want to tax the homefolks so the Government can pay pensions to jailbirds. This is a little astonishing to me. If that is going to be done, we should have a yea and nay vote. In my opinion, the bill should be passed unanimously. The proposal is to take away from the faithless people nothing but a privilege, and they will be returned every dime that they contributed, as well as interest. I do not think we should ask the taxpayers to contribute to pensions to faithless officeholders or chiselers.

Mr. THYE. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield to the Senator from Minnesota.

Mr. THYE. The question I wish to ask is that before such persons would be deprived of the rights of any retirement funds which have been accumulated to their credit, they would have to be convicted in a court. Is that correct?

Mr. WILLIAMS. That is correct, and then they will get all their contributions plus interest back. Surely that is as much as they have any right to expect.

Mr. THYE. Before any benefits would be taken from a Federal employee, the courts of the United States must have found him guilty of a violation, and then and then only would the retirement benefits be taken away from him. Is that correct?

Mr. WILLIAMS. That is right. The bill does not propose to stop a pension because a man would be charged with something on the floor of the Senate or even because a man might be indicted by a grand jury. He must be convicted by the courts. After he has been convicted by the court, the provisions of the bill would go into effect.

Mr. MUNDT. The issue is very clear. It is whether Members of Congress desire to have people back home pay taxes which will go toward the payment of pensions to jailbirds or not. They have to be a jailbird before pensions are stopped.

Mr. FERGUSON. Mr. President, will the Senator from Delaware yield to me?

Mr. WILLIAMS. I yield.

Mr. FERGUSON. I was a sponsor, I believe, of the original Senate bill in regard to these pensions. When I introduced the bill, I thought Government officers and employees convicted of such offenses were entitled to have their payments returned, with interest. I always thought that was a fair way to deal with the situation.

The House has passed House bill 9909. I hope the Senate will pass the House bill, as a proper way to deal with Government officers and employees who have been unfaithful to the trust reposed in them.

Mr. WILLIAMS. I certainly agree; and I hope the Senate will also adopt the amendment to give the Department of Justice 2 more years to catch these individuals.

Mr. FERGUSON. I should like to join the Senator from Delaware in sponsoring that amendment, if he is agreeable to having me do so.

Mr. WILLIAMS. I am glad to have the Senator from Michigan join in both proposals.

Mr. FERGUSON. I feel that the Statute of Limitations should be extended for that purpose. The new administration has taken over, and is investigating these cases. It would be sad if, while the administration is investigating the cases, the Statute of Limitations were to expire and these persons were permitted to go scot free.

As to those with respect to whom the Statute of Limitations has not run on the day we pass the bill, the statute should be extended.

Mr. WILLIAMS. That is correct.

Mr. COOPER. Mr. President, will the Senator from Delaware yield to me?

Mr. WILLIAMS. I yield.

Mr. HENDRICKSON. Mr. President, if the Senator from Delaware will yield to me, I was about to request that this bill be temporarily laid aside, so that the Senate might proceed to consider the conference report on the farm bill, a privileged matter.

Mr. WILLIAMS. I believe the Senate can take final action on this measure in a moment or two, if the Senator from New Jersey will withhold his request. It is important that this bill be passed tonight in order that the House can act before adjournment.

Mr. HENDRICKSON. Very well.

Mr. COOPER. Mr. President, there is no question about the power of Congress to legislate prospectively. I wish to ask the distinguished Senator from Delaware whether he considered the question of whether Congress can legislate so as to have the effect of abolishing contracts which have been entered into before the enactment of this bill. I am not trying to argue on the merits of the bill or whether the bill should be passed or should not be passed. I think all of us agree that no one who is a traitor to his country should be rewarded by his country. On the other hand, there is a problem which cannot be answered in that way.

Did the committee consider whether Congress can legislate retrospectively to dissolve or abrogate a contract?

Mr. WILLIAMS. That question was considered by both the House committee and the Senate committee. I know the Senate committee was unanimous in its decision in regard to that question, and I believe that the House committee was likewise unanimous in holding that Congress had a right to repeal these retirement benefits for convicted employees as well as the right to extend the statute of limitations from 3 to 5 years in order to have adequate time to catch corrupt officials. The Department of Justice has been pleading for this authority.

As the Senator from South Dakota [Mr. MUNDT] has pointed out, we do not owe these persons anything. It is a privilege to come under the Government retirement system, and the Government makes contributions to that system. This bill provides that all the money such persons have contributed to the retirement system shall be repaid to them, with interest.

The Attorney General, the Senator from Michigan [Mr. FERGUSON], who is an able lawyer, and many other members of the committee have agreed that the Government could not extend the statute of limitations retroactively. This measure applies only to cases in which the statute would not have run on the date of enactment of the bill. The amendment does not apply retroactively to extend the 2-year statute of limitations in regard to a case which expired yesterday.

The Attorney General advised that to make the bill retroactive would be unconstitutional, and that was the decision of the members of the Judiciary Committee as well.

Mr. COOPER. I am not speaking of the amendment relating to the statute of limitations. My question relates to the contract.

Mr. MORSE. But let me point out that is not a right.

Mr. WILLIAMS. When these persons accepted public office, they signed or took an oath that they would live up to the laws of the United States and would be loyal to our country. Once they violate that oath of office, the Government has a right to terminate any contract it may have with them.

Mr. COOPER. The Senator from Delaware stated, I believe, that the Attorney General rendered an opinion relating to the statute of limitations. Does the committee have from the Attorney General an opinion on the question of whether payments could be cut off in connection with contract arrangements entered into before the enactment of the bill?

Mr. WILLIAMS. I do not know whether or not the chairman of the committee had such an opinion on the retirement question. Congress does not usually request the Attorney General to state whether Congress can raise or lower the civil-service-retirement benefits. The Senator from Kentucky knows that on many occasions Congress has voted to increase benefits under the system. Congress has full authority in that respect. After all, Congress enacted the law providing such benefits.

In this case we are not proposing to affect any honest employee or loyal citizen. Surely at no time was it ever intended that we should protect and give financial security to a crook, a jailbird, or a traitor to his country.

Mr. COOPER. I am not discussing the merits of the situation; I am discussing the right of Congress.

Mr. WILLIAMS. Mr. President, I ask for a vote on the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Delaware [Mr. WILLIAMS].

The amendment was agreed to.

The PRESIDING OFFICER. The question now is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

Mr. MUNDT. Mr. President, on this question, I ask for the yeas and nays.

Mr. WILLIAMS. Mr. President, I request the yeas and nays.

The yeas and nays were not ordered.

Mr. FERGUSON. Mr. President, as I understand, an agreement has been reached between the majority leader and the minority leader that there will be no yea-and-nay votes at this time.

Mr. HENDRICKSON. That is correct.

Mr. FERGUSON. Then we should respect the agreement.

Mr. CLEMENTS. Mr. President, I wish to ask a question of the distinguished Senator from Delaware. In view of the agreement between the majority leader and the minority leader, does the Senator from Delaware wish to request a yea-and-nay vote at this time? Instead, why not defer final action on the bill until tomorrow?

Mr. HENDRICKSON. Mr. President, that was what I had in mind—namely, to lay aside this bill, and have the Senate proceed to consider the conference report on the farm bill. The Senator from Vermont [Mr. AIKEN] has been waiting all afternoon to have the conference report on the farm bill taken up.

The PRESIDING OFFICER. The question is, Shall the bill pass?

Mr. WILLIAMS. Mr. President, on the question of the final passage of House bill 9909, I request a division.

Mr. FERGUSON. Mr. President, I ask for a division.

Mr. CHAVEZ. Mr. President, why should the Senate be governed by what the majority leader and the minority leader say? This is still the Senate of the United States.

The PRESIDING OFFICER. House bill 9909 having been read the third time, the question is, Shall it pass?

The yeas and nays have been requested, but there was not a sufficient second.

Mr. WILLIAMS. Mr. President, on this question, I ask for a division.

Mr. FERGUSON. Mr. President, I join in the request for a division.

The PRESIDING OFFICER. On this question a division is requested.

Mr. LANGER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. LANGER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

House bill 9909 having been read the third time, the question is, Shall it pass?

On this question a division has been requested.

Mr. WILLIAMS. Yes, Mr. President; I have requested a division on this question.

The PRESIDING OFFICER. A division is requested, and the Senate will proceed to divide.

On a division, the bill (H. R. 9909) was passed.

The PRESIDING OFFICER. Without objection, Senate bill 2631 will be indefinitely postponed.

ORDER FOR RECESS

Mr. KNOWLAND. Mr. President, I ask unanimous consent that when the Senate recesses tonight, it recess until 10 o'clock tomorrow morning.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

INCREASE IN BORROWING POWER OF COMMODITY CREDIT CORPORATION

Mr. KNOWLAND. Mr. President, I move that the Senate now proceed to the consideration of Calendar No. 2499, H. R. 9756, a bill to increase the borrowing power of the Commodity Credit Corporation.

The PRESIDING OFFICER. (Mr. REYNOLDS in the Chair) The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 9756) to increase the borrowing power of the Commodity Credit Corporation.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. KNOWLAND. Mr. President, there is a privileged matter at the desk, namely, the conference report on the farm bill.

AGRICULTURAL ACT OF 1954—CONFERENCE REPORT

Mr. AIKEN. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9680) to provide for the continued price support for agricultural products, to augment the marketing and disposal of such products, to provide for greater stability in agriculture; and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of Aug. 17, 1954, pp. 14827–14834, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. AIKEN. Mr. President, at this time of the night I am sure the Senate does not wish to have me review the contents of the entire bill, so I shall state the differences between the Senate amendment to H. R. 9680, or the Senate version of the bill, and the bill as it comes from the conference. The conference substitute differs from the Senate amendment to H. R. 9680 in the following respects:

First. The commodity set-aside is to be made "as rapidly as the Secretary of Agriculture shall determine to be practicable." Transfer of set-aside commodities for foreign aid purposes is to be restricted to disposition for disaster or other relief purposes, subject to the limitation of title II of the Agricultural Trade Development and Assistance Act of 1954. The method provided by title I of the Agricultural Trade Development and Assistance Act of 1954 is specified as a method of sale or barter of such commodities. Commodities transferred from the set-aside to the national stockpile established by the act of June 7, 1939, are to be included in the computation of total supplies for allotment and quota purposes.

Second. The Commodity Credit Corporation is specifically authorized to use any method determined necessary by the Secretary to dispose of surplus dairy products and to expend up to $50 million annually between September 1, 1954, and June 30, 1956, to increase the consumption of fluid milk by children in nonprofit schools of high school grade and under.

Third. The conference substitute contains a statement of legislative policy with respect to dairy products; directs the Secretary to utilize existing authority for dairy products disposal programs; authorizes the Commodity Credit Corporation to make dairy products available to the Armed Services and to hospitals under the jurisdiction of the Veterans' Administration or the Department of Defense in excess of normal requirements; authorizes the Commodity Credit Corporation to transfer up to $15 million annually for 2 years to the brucellosis eradication program (the Commodity Corporation to be reimbursed through appropriation); and directs the Secretary of Agriculture to make a study of the various methods of production control and price supports for dairy products.

Fourth. The conference substitute leaves the Secretary of Agriculture's authority to undertake diverted acreage programs permissive, rather than requiring him to undertake such programs; and provides that in a disaster area under Public Law 875, 81st Congress, such programs shall be administered in such manner as will most quickly restore the normal pattern of its agriculture.

Fifth. The conference substitute requires the Secretary to obtain assurances, to the extent practicable, that producers receive the maximum benefits from any price support or surplus removal operation carried out through purchases from or loans or payments to processors.

Sixth. The conference substitute provides for proclaiming the wheat acreage allotment by May 15, rather than July 15, each year and for proclaiming wheat marketing quotas by May 15, rather than July 1, each year.

Seventh. In lieu of the commercial wheat area provision of the Senate amendment, which would have excluded from the commercial area States normally planting 150,000 acres or less to wheat, the conference substitute would exclude States receiving an allotment of 25,000 acres or less.

Eighth. The conference substitute includes a provision authorizing county committees which elect to make cotton farm acreage allotments on a historic basis (a) to make adjustments for abnormal conditions affecting planting; (b) to make provision for small farm allotments in the manner prescribed by section 344 (f) (1) of the Agricultural Adjustment Act of 1938; and (c) to limit farm allotments to 50 percent of the cropland.

Ninth. The conference substitute includes a provision making permanent the provisions for voluntary surrender of cotton acreage allotments heretofore applicable only to 1954 and 1955 allotments.

Tenth. Under the conference substitute the provision of the Senate amendment rendering violators of acreage allotments on basic commodities ineligible for soil conservation payments would be (a) effective beginning with the 1955 crops, and (b) applicable only to persons harvesting a basic commodity after it had been determined by the Secretary to be in excess of his allotment—rather than to all persons planting in excess of their allotments. A provision now applicable to cotton would be enlarged to permit the producer of any basic agricultural commodity to adjust his acreage prior to harvesting to bring it within the allotment.

Eleventh. The provision in the Senate amendment giving acreage allotment relief to wheat farms in the summer fallow areas would not, under the conference substitute, be limited to farms planting less than 640 acres to the 1952 and 1953 crops. In lieu of this limitation, the conference substitute provides that the relief afforded by this provision will be given only on the first 640 acres of the adjusted base acreage for the farm.

Twelfth. The conference substitute directs the Secretary of Agriculture to make a study of various two-price systems for rice.

Thirteenth. The provision of the Senate amendment prohibiting imports of certain commodities which do not comply as to grade, size, quality, or maturity with marketing orders applicable to domestic production would be extended by the conference substitute to include green peppers, cucumbers, and eggplants. Under the conference substitute if there is more than one order applicable to domestic production, the imports would be required to comply only with the order applicable in the production area with which the imported commodity is in most direct competition.

Fourteenth. The wool price-support provisions were restricted to wool marketed between April 1, 1955, and March 31, 1959. The maximum price-support level for shorn wool was fixed at 110 percent of parity, and the support level for mohair was fixed at a level within 15 percent of the percentage of parity at which shorn wool is supported. Amounts necessary to reimburse Commodity Credit Corporation in connection with payments are appropriated annually by the conference substitute in an

amount not exceeding 70 percent of the customs receipts on wool and wool products.

Fifteenth. The provision of the Senate amendment denying acreage allotments to lands leased from the United States has been omitted from the conference substitute.

Sixteenth. The provisions of the Senate amendment relating to national forest administration have been omitted from the conference substitute.

Seventeenth. The title would be amended to read as follows: "An act to provide for greater flexibility in agriculture; to augment the marketing and disposal of agricultural products; and for other purposes."

Those are the differences between the bill as it left the Senate and the bill arrived at in conference, which I am now reporting.

Mr. President, I move that the Senate agree to the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. LANGER. Mr. President, will the Senator yield for a question?

Mr. AIKEN. I yield.

Mr. LANGER. What became of the Senate amendment dealing with the election of county committees?

Mr. AIKEN. That provision remains in the bill.

Mr. LANGER. Is that provision in the conference report?

Mr. AIKEN. It is.

Mr. HOLLAND. Mr. President——

Mr. AIKEN. I have not mentioned the provisions which were in the bill as it left the Senate and which remained as they were in the Senate version of the bill.

Mr. LANGER. Mr. President, the Senator from North Dakota expects to vote against the conference report. He makes that announcement because of the fact that it is expected to have a voice vote, not a yea and nay vote. I am against the bill, and I desire the RECORD so to show.

Mr. YOUNG. Mr. President, there are many provisions in this farm price-support legislation which are very desirable and will be helpful to farmers. They are in the best interest of the Nation as a whole. However, I am opposed to so many provisions contained in the bill or conference report, that I feel I must vote against it.

First. It sets a precedent for lower support levels at a time when farmers can least afford to take them. I think lower support prices are not in the best interest of either the farmers or the consumers.

Second. This bill provides more rigid controls and more regimentation than we have ever had before. I think this is entirely uncalled for, particularly at a time when the farmers of the Nation have complied admirably with all the requests of the Government for rigid controls, marketing quotas, and everything else.

Mr. President, I know the hour is late, but I had prepared some remarks, hoping that the conference report would come before the Senate earlier in the day. These remarks require only about 10 minutes, and I hope the Senate will bear with me while I make these few comments.

Mr. President. I have repeatedly pointed out to the Senate of the United States that the Benson farm plan of lowering price supports to farmers would do great injury to the farm economy—without reducing prices to the consumers. The lowering of farm commodity prices for many months now has been of little or no benefit to the consumers.

When the major bread bakers of the United States were assured the Benson plan of lower price supports for wheat would go into effect, they immediately announced—not a reduction of bread prices to consumers—but an increase. There was a similar increase of one cent a loaf a year ago when wheat prices dropped to the lowest level for the year. This was just before the farmers voted on wheat quotas.

The average price received by farmers for wheat has decreased from $2.81 a bushel in 1948 to the present average farm price of $1.91 a bushel. During exactly this same period of declining wheat prices, the average price of a 1-pound loaf of bread has increased from 13.8 cents to 18 cents a loaf. Now we may add a cent a loaf to the 18 cents average price which consumers were paying up to a few days ago. The present farm value of wheat in a 1-pound loaf of bread is only 2¼ cents.

Mr. President, the New York Times of Saturday, August 14, 1954, carried a news story entitled "Price Rise Likely for White Bread"; and the subhead is: "Major Brands May Follow Dark Loaves—Higher Costs Include Durum Wheat." The article states that leading brands of white bread produced by the country's biggest commercial bakers are likely to increase in price following a trend already set by two concerns.

The breadmakers are increasing the cost of bread at almost precisely the same time that the Benson farm plan, lowering price supports for wheat producers next year by approximately 18 cents a bushel, is approved by Congress. The Benson plan would reduce the minimum support price next year to 75 percent of parity, and, following that, a switch-over to the so-called modernized parity formula. In all, this would mean a reduction in wheat support prices of approximately 70 cents a bushel.

According to the New York Times article, the bakers cite the "drastic increase in the cost of flour" and the fact that the price of hard wheat—the kind used for bread—is high as reasons for raising the price of bread. They claim there is a shortage of hard wheat. Actually, there is no shortage of good hard wheat. Most of the better grades of hard wheat—and this is particularly true with respect to this year's spring wheat crop—have a higher protein content than last year's crop.

Unfortunately, more than half of the 741,654,000 bushels of wheat now being held by the CCC is either feed wheat or wheat of a very poor baking quality. It is also true that a very high percentage of the wheat now being produced is of very poor baking quality, and practically its only use is for feed purposes. Flexible price supports will not remedy this situation. The answer lies in providing a lower support price for high per acre yielding feed wheat—and a higher price support for the lower yielding high quality baking wheats.

Mr. President, at this point I ask unanimous consent to have inserted as a part of my remarks a table prepared by the Department of Agriculture indicating average per acre yields of wheat in a few of the principal producing States.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Average harvested yield per acre for wheat, 1949 through 1953

	1949	1950	1951	1952	1953	5-year average
Maryland	19.0	18.5	20.5	20.5	20.5	19.8
Illinois	23.0	19.5	19.0	23.0	27.0	22.3
Michigan	26.5	26.0	25.0	25.5	29.5	26.5
Kansas	11.0	14.5	13.0	21.0	12.5	14.4
Minnesota	15.1	16.7	18.6	14.7	16.2	16.3
North Dakota	10.6	13.9	13.9	10.2	10.3	11.8

Mr. YOUNG. It will be noted that the States producing the high-protein hard wheats—such as Kansas, Minnesota, and North Dakota—have much lower per acre yields than the soft wheat producing States of Maryland, Illinois, and Michigan. This is not to say that the producers of wheat in the spring wheat and hard winter wheat areas could not attain high per acre yields if that were their only objective. For a long period of years the farmers of this area have only planted wheats of very high baking quality. Unfortunately, the quality types of wheat are invariably less resistant to rust and other diseases, and are much poorer yielders.

If the Department of Agriculture continues to make available higher support prices for the poorer qualities of wheat, then there is great danger that the farmers producing the high quality wheats will turn to types of wheat that will yield higher but will have poorer baking qualities. The Secretary of Agriculture has wide discretionary authority to provide these necessary price differentials. Actually, Mr. President, by the action of the Secretary of Agriculture on July 23, 1954, the support price for low quality wheat used mostly for feed purposes was increased, and the support prices for the good baking quality wheats were reduced.

The excuse for such unwise action by the Secretary of Agriculture was indeed a weak one. I doubt if there is an agriculture authority in the whole United States who would support this unwise move. This action by the Secretary will tend to further increase the production of wheat in some areas of the United States where the economy undoubtedly would be better suited to other types of agriculture.

This action by the Secretary of Agriculture will do great injury to the wheat-producing States of the Midwest—those that produce the high quality baking wheat such as North Dakota, Montana,

South Dakota, Nebraska, Kansas, and many others. Secretary Benson has claimed on many occasions that the present price-support program for wheat has failed because the cash price in the past year has ranged considerably below support levels. This contention has been echoed by many of his flexible price-support followers in and out of the Congress of the United States.

In many States there is considerable spread between the actual cash prices paid in the marketplace for feed wheat and the United States Government support price. This disparity will be increased further, as I pointed out, by Secretary Benson's order of July 23. In Maryland the support price is $2.46 a bushel. On August 6, 1954, the cash price in Baltimore, as determined by the Department of Agriculture, was only $1.99 a bushel. This is the market where most of the wheat produced in Maryland is marketed. You will note from this that the cash price of this wheat, used mostly for feed purposes, is 47 cents a bushel below support prices.

We find a quite similar situation in Illinois where the support price is $2.37 a bushel and the cash price on August 6 was only $2.08¾ per bushel. Again, this disparity of 29 cents a bushel between the cash price and support price is due almost entirely to the type of wheat produced in that area.

The cash price for wheat in the Minneapolis market for the past 2 years or more has averaged about 30 cents a bushel above the cash prices received in the Chicago market. As of August 6, the cash price in the Minneapolis market, for example, was $2.41½ as compared to the Chicago cash price on that day of $2.08¾ a bushel.

The cash price received in the Kansas City and Minneapolis areas has averaged much closer to the support level. The Minneapolis cash price for several years has been above support levels for wheat in the Minnesota, North Dakota, Montana, and South Dakota areas, from which Minneapolis derives most of its wheat shipments.

May I emphasize again that the Secretary of Agriculture has wide discretionary authority under the present law to provide more equitable differential prices between the producers of high quality baking wheat and the producers of feed wheat. The wide disparity between the cash prices received by farmers for feed wheat and the support price can be charged almost entirely to the failure of the Department of Agriculture, for many years, to provide the necessary equitable support prices for quality wheat production.

May I point out to the Members of the Senate that when farmers receive wheat price-support loans they have 10 cents a bushel advance storage costs deducted from that loan by the Commodity Credit Corporation. Other costs are also deducted from the price-support loan a farmer receives. Thus, many farmers elect to sell their grain on the cash market when it is possible to secure within 12 or 15 cents of the price they would receive under the price-support program.

The New York Times story quotes the bakers as claiming the shortage of durum wheat is largely responsible for the increased cost of flour and resultant price rises for bread. This is a bit far fetched. Durum wheat is used almost exclusively as an ingredient of macaroni products. More than 90 percent of all the United States supplies of durum wheat are produced in North Dakota. The shortage of durum wheat—and there is one—is due entirely to the failure of our great plant breeders to develop new types of durum wheat which would be more resistant to the new devastating strain of rust known as 15–B.

We have been far too niggardly in the past in providing research funds to help our plant breeders. We must not let this happen again. As a result, both the producers of durum wheat and the millions of consumers of macaroni products are now not only paying a higher price for this fine food, but are receiving a poorer quality.

For the past year, because of the extreme shortage of durum wheat, the producers of macaroni products have had to substitute a very high percentage of other wheats, mostly of the high protein hard spring wheat. Quite naturally, this has resulted in somewhat poorer quality macaroni products.

I sincerely hope that the Secretary of Agriculture will reverse the action he took on July 23, which, in effect, increased the support level for wheats used almost exclusively for feed purposes and lowered the support levels for the high quality baking wheats.

I ask unanimous consent to have placed in the RECORD as a part of my remarks the article referred to which appeared in the New York Times under date of August 14, 1954, entitled "Price Rise Likely for White Bread."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PRICE RISE LIKELY FOR WHITE BREAD—MAJOR BRANDS MAY FOLLOW DARK LOAVES—HIGHER COSTS INCLUDE DURUM WHEAT

Leading brands of white bread, produced by the country's big commercial bakers, are likely to increase in price, following a trend already set by two concerns.

S. B. Thomas, Inc., announced yesterday that it had raised the wholesale cost of its dark bread a penny a loaf. On Monday the Ward Baking Co. will charge an additional cent at wholesale for its protein loaf. These increases probably will be passed on to consumers by retailers.

George L. Morrison, president of General Baking Co., maker of Bond bread, said recently that "a price increase is the only logical move in view of the constant cost pressures from diverse factors."

These factors included a drastic increase in the cost of flour and higher prices for shortening and for labor. Mr. Morrison did not say exactly when the price rise would go into effect.

A spokesman for the Continental Baking Co., producer of Wonder bread, would not comment on the possibility of a price increase here. He did say, however, that the company had recently raised its bread a cent a loaf on the west coast and in Washington, D. C.

Bakers note that though there is a surplus of soft wheat, the price of hard wheat—the kind used for bread—is higher. But there is no shortage of hard wheat. The Wheat Flour Institute of Chicago, representing the Nation's wheat growers, reported yesterday that the hard wheat crops, both spring and winter, were ample to meet domestic demands.

The troublemaker is durum wheat, an especially hard variety of hard wheat that is the principal ingredient in macaroni products. For the last two years disease and adverse weather have reduced this crop and this year Federal reports indicate that supplies will be scarcer than ever.

Macaroni manufacturers, many of whom formerly used only durum for their products now must turn to other hard wheats entirely or in combination with whatever durum they can get. It is the demand from this quarter that has increased the cost of the hard wheats that bread makers must use.

Mr. MUNDT. Mr. President, will the Senator from North Dakota yield?

Mr. YOUNG. I yield.

Mr. MUNDT. I congratulate my colleague from North Dakota on his very adequate and helpful discussion of the bill as it comes from the conference committee. I shall have to oppose the adoption of the conference report, because, while it has some very fine qualities—the wool section for example—the adoption of the program carrying the possible support level to 82½ percent is a hazard for the farmers which I will not endorse or underwrite.

I congratulate my colleague for the job he did in the conference. I talked with him several times during the course of the conference, and I know he was outnumbered, but he was not outmaneuvered. He was outvoted. He put up a strong case. He represented the position of a majority of us on the Senate Agriculture Committee but he represented the minority point of view of the Senate as a whole, unfortunately.

I should like to say further to my colleague from North Dakota that, like him, I have some doubts about the high hopes held by the advocates of this proposed legislation when they say it is a step toward greater agricultural prosperity. We all want the farmer to prosper and succeed; but I fear, as I say, that the present bill will not lead to agricultural prosperity, and I shall vote against the conference report in the hope that if we send it back to conference they can improve it.

After voting against the sliding price support amendment last week substituting 82½ percent to 90 percent price supports for our committee bill to continue straight 90 percent supports, I then voted for the Senate version of the farm bill on final passage since to have defeated it at that time would have caused us to revert to the Anderson bill of 1949 with its drastic version of flexible price supports ranging from 90 percent all the way down to 75 percent. However, we now face quite a different situation on this conference report. Instead of improving the Senate version in my opinion the conferees have weakened it and by defeating the conference report at this time we can send the bill back to conference where perhaps dairy supports could be raised at least to 77½ percent—perhaps to the House version of 80 percent—and other correctives could be added.

At least we now run no risk of getting the 75 percent to 90 percent sliding supports because a vote against this conference report sends the whole bill back

to conference—it does not kill the legislation as would have been the case had the Senate version of the bill been defeated on final passage by our votes of last week. I urge that the conference report be defeated and that the farm bill be sent back to conference for further revision in the same manner that the atomic energy bill was slowly but surely corrected by sending it back to conference. A vote against the conference report is now our best means to register a protest against dropping price supports below 90 percent and our best hope to force the conference committee to bring back a better bill for the American farmer.

Mr. YOUNG. I thank my distinguished friend from South Dakota for his great interest in agriculture. Ever since I have been associated with him as a Member of the Senate, the Senator from South Dakota has always been greatly concerned about agricultural problems and more particularly good farm prices. I think many Members of the Senate would be more than happy to adopt another kind of plan or none at all if we believed farmers could be assured of fair and adequate prices for their commodities.

Mr. MUNDT. Precisely. I think we all recognize that the farm problem is an economic problem, not a political issue. It so happens that the producers of the kind of products involved in this bill lacked the necessary votes; a switch of three votes would have given us victory for 90 percent price supports in the vote last week.

Mr. CORDON. Mr. President, will the Senator from North Dakota yield?

Mr. YOUNG. I yield to the Senator from Oregon.

Mr. CORDON. Mr. President, I, too, thank the Senator from North Dakota for his presentation. I hope my colleagues in the Senate who have heard his statement will take the opportunity to read and reread it in the RECORD. He has set forth clearly a fact which should have more consideration in the United States, namely, that wheat serves dual markets—the market for human consumption and the market for feed for stock. It is perfectly logical and economically necessary that there be two prices to meet the two needs. In the months to come, I hope that fact will be more fully understood by the American people, because I believe that around it we can build a sounder economy in this particular field of agriculture. I know that the committee gave careful consideration to that fact. I am sure that many Members of the Senate have understood fully for the first time that there is a basic division in the use of wheat which, better understood, will result in a sounder approach to the marketing of wheat and will in the end, benefit the American farmer and benefit the American taxpayer.

I intend to vote for the conference report. I shall vote for it not because I am wholly satisfied with it, for I am not, but because only in that way can we save the wool industry in the United States; only in that way can we improve upon the law which will take effect if we do not have the provisions which are in the conference report. We cannot hope to improve upon it at this session; and, as between the two alternatives, in my judgment, the best thing to do is to adopt the report which is before us.

Mr. YOUNG. Mr. President, I wish to thank my good friend from Oregon for his comments. He has always been a good friend of those engaged in agricultural production. We certainly cannot let the present situation, in which we actually provide a higher support price for feed wheat than we do for high protein wheat, continue much longer.

The two-price system which my friend the Senator from Oregon strongly believes in would be one method of correcting the situation. It is one way in which this problem of giving recognition to quality wheat production could be solved. Somehow, in some way, it will be necessary to correct the present situation, or have the whole wheat price support program greatly in danger of collapsing.

Mr. THYE. Mr. President, I commend the Senator from North Dakota for his clear and understandable statement on the agricultural question. As he has served as a member of the committee of conference, he knew very well what he was faced with and the concessions which he was compelled to make.

It was most disturbing to me again to receive a verification of fact which I was endeavoring to have cleared up. I thought it was a fact, but I had not been able to obtain the figures until today. I have received them from the Department of Agriculture. The figures show that the producer is receiving only 42 cents of the consumer's food basket dollar. That figure is lower than any which I stated on the floor during the debate on the bill. The figures which I have today been able to confirm indicate that the producer has lost 13 cents of the consumer's food dollar since the calendar year 1946. Any loss which the producer has suffered has not been a gain to the consumer. Let us bear that in mind. If ever there was a time for Congress to settle down and try to find an answer to the problem which faces the American farmer, that time is now.

I returned from Minnesota to the Washington Airport at 6 o'clock this morning. While I was in Minnesota I talked with a number of producers, reliable, substantial farmers whom I have known for the past 30 years. They told me that they are faced with selling hens at from 9 to 11 cents a pound, and that the price of eggs had dropped to a low of 20 cents a dozen. The dairy prices to the farmer have gone down consistently during this calendar year, although there are rumors to the effect that they might go up somewhat in the month of August.

Despite the consistent drop in the price which the producer receives, every report which we read in the newspapers is to the effect that the price of milk to the consumer will be increased. These are facts which cannot in any sense be debated out of existence, because they are economic facts. We need only refer to the situation in the country to know what the facts are.

Therefore, as I examine the action of the committee of conference, I find some accomplishments which are commendable. I note that the conferees agreed to a provision in the House bill relative to dairy product disposals, including making dairy products available for the school lunch program and to servicemen, and the veterans' hospitals. All this is commendable. I endeavored to have such provisions included in the Senate bill during the debate on the floor. I am glad the conferees yielded to the House on this item. But the House had to yield to the Senate conferees on the question of the 80-percent support price for dairy products. So the dairy producer lost the 5 percent which the House had succeeded in giving the dairy producer when it acted on the farm bill.

As I have examined the facts as I find them in the conference report, it disturbs me no end to find that I arrive at a conviction with which I cannot live, or at least I cannot live with my convictions, if I vote in support of the conference report. If there be a yea-and-nay vote, I shall vote against the report. If there is not a yea-and-nay vote, I record myself as being opposed to the conference report.

Between now and the convening of the 84th Congress serious thought must be given to what kind of study shall be made to develop a farm support program and a farm bill which will restore agriculture to a basis of parity with the other segments of the Nation's economy, because there is neither justice nor explanation for the high degree of employment in industrial productivity, while agriculture has taken a decided drop month after month.

The farmer is at such a low point at present that he is compelled to incur an increase in his real estate mortgage obligations, as well as in his short term loans, which have doubled in only a few years.

I wish to bring my thoughts to a focal point. If any of us can consider the statistical facts in the records of the Department of Agriculture and still say that the farmer is doing all right, he must be more clear in his thinking than I have been able to be in mine, as I have examined the statistics in the Department.

Mr. KEFAUVER. Mr. President, will the Senator yield?

Mr. THYE. I yield.

Mr. KEFAUVER. I agree with the opinion of the distinguished Senator from Minnesota with reference to the conference report. Does not the Senator think that a proposal for an investigation, such as was made by the distinguished Senator from Iowa [Mr. GILLETTE], to investigate the disparity between consumer prices and the drop in prices of farm products, a proposal which was rejected some time ago, would be a good idea for the Senate to take up as an order of business early in the next Congress?

Mr. THYE. I endeavored to make clear what my thinking was when I said that Congress needed to give serious thought, not only when it convenes in January, but also between now and the beginning of the next Congress, to what shall be done to try to bring agriculture into parity with other segments of our Nation's economy. I care not what type

of study is made, but some plan must be initiated which would restore agriculture to balance. Otherwise the Nation is headed for a recession. There can be no question about that, because history proves it.

Mr. KEFAUVER. Mr. President, will the Senator further yield?

Mr. THYE. I yield.

Mr. KEFAUVER. As I remember, the Senator from Minnesota supported the resolution of the distinguished Senator from Iowa, which provided for an investigation of the reason why farm prices have dropped, while the prices of things which the farmer buys have remained at a high level or have even gone higher and higher. Does not the Senator feel that such an inquiry, which unfortunately was opposed by the administration, would be of benefit to the consumer and to farmer, as well?

Mr. THYE. Several approaches must be made to the question, if the farmer is ever to be brought back on the road to parity in the Nation's economy.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. THYE. I yield.

Mr. MUNDT. The Senator from Tennessee has made a very good point, with which I agree, namely, that much study and analysis must be made of the price spread between the consumer and the farmer.

For the information of the Senator from Tennessee—and I have just confirmed the fact with the Senator from Vermont [Mr. AIKEN], chairman of the Committee on Agriculture and Forestry—the staff of the committee has been ordered, during the recess, to make precisely the kind of study and investigation about which the Senator from Tennessee has spoken, by calling upon technicians from the Department of Agriculture and the Library of Congress.

There is already under way, to a considerable degree, a pilot study of a dairy-products plant in Wisconsin, to determine why the producer receives too little and the consumer pays so much. As that study is brought to a conclusion, similar studies will be carried into other areas of farm production.

Mr. THYE. I was somewhat encouraged last spring when the chairman of the Senate Committee on Agriculture and Forestry stated that he was continuing in the employment of the Senate one of the staff members who had done an excellent job of investigational work on the importation of damaged Canadian wheat, of which some had gone into milling channels. When that assignment was completed, the staff member was requested to do investigational work, as I understand, in the field of high costs and the price spread between what the producer receives and what the consumer pays.

That study has been in progress since some time last spring. I have not seen any fruit harvested from that particular vine or tree. For that reason I am wondering whether there will be an economic benefit to producers by reason of a further committee study between now and the next session of Congress.

Mr. CLEMENTS. Mr. President, will the Senator yield?

Mr. THYE. I yield to the Senator from Kentucky.

Mr. CLEMENTS. First I wish to compliment the Senator from Minnesota for his fine analysis and appraisal of the conference report. I agree with the judgment he has expressed tonight on the conference report and its effect on agriculture. I should like to ask my friend the Senator from Minnesota, when he suggests that a study be made between now and the first of January, if he has forgotten that the bill may well be considered the result of a study which has been in progress for 18 months within the Department of Agriculture.

Mr. THYE. I did not have in mind that a committee be named. I more or less charged myself and other Senators who are here assembled with the responsibility of studying this question quite thoroughly between now and the convening of the 84th Congress. I hope I am wrong, but I am fearful that unless in some manner we check the trend, great harm will be done. If one gets away from the metropolitan centers, he can see the losses which the farmer has suffered. Those who live in metropolitan centers merely see the high prices charged, and every time they make a complaint about the high charges they are informed that they are caused by the terrible farm support prices.

It is natural for the average person to believe that, because in the last 4 or 5 months he has read nothing else in the newspapers, listened to nothing else over the radio, and learned nothing else by other means of communications. So it is perfectly natural that the average consumer should have that idea. When the housewife complains to the cashier in the store about the high prices of groceries, she is told by the clerk what causes the high prices. I had such an experience last winter. I was in a store with my wife, and we mentioned to the clerk that the prices were very high. Without blinking an eye, that young chap said that the terrible farm support program had brought prices to such a high level. I asked him about potatoes. He told me all about the supports on potatoes. On that day potatoes were selling at 5 cents a pound in the bin. I had heard producers say they could not get a dollar a hundred pounds for grade 1 potatoes.

I refer to my experience as an example of the widespread misinformation concerning what the producer receives and why the consumer pays such high prices. I hope each one us will appoint himself a committee of one to study the question of what should be recommended when Congress reconvenes, in order that we may get down to bedrock in connection with the farm economic question, in an attempt to restore agriculture to a position in which it can enjoy some of the fruits of the present prosperous national economy. The farmers are not enjoying their share of it.

Mr. CLEMENTS. Does not the Senator from Minnesota agree that the farm bill was the result of more than a year's study by a committee or commission which worked with the Department of Agriculture, and that we would not desire to have such a committee or commission look after the future of the farmers?

Mr. THYE. I can answer that question without any equivocation whatsoever. In the course of that study support prices on dairy products have dropped from 90 to 75 percent. Prices of eggs to the producer have fallen more than 25 percent. The prices of hens have gone to such a low that those in the statistical offices are in a quandary in trying to ascertain what has influenced the poultry and egg market. The market is far out of line with what it should be when the increase in the production of poultry and eggs is considered.

I am citing facts which anyone can gather by reading the statistical records. I am not referring to statistics which I have not seen in the records; I am citing facts from statistical reports. As a result of studies by an advisory committee, we find that supports on basic commodities have dropped to 82½ percent, and have dropped to 75 percent on dairy products. We are, so to speak, hanging on to the eave troughs by our fingernails. I have referred to inescapeable facts. I cannot return to my constituents and say that I voted for the conference report because I fully supported it. I shall be able to say only that I am in favor of the portion of the bill which relates to the eradication of brucellosis in dairy cows, because that will take a few cows out of the milk barns.

I shall also be able to say that I supported expansion of the school-lunch program, and that I supported the proposal that boys in military camps be given all the dairy products they can consume. I shall be able to say that I am more or less in support of the provision looking toward an equitable solution of the wheat problem. I can absolutely commend the conferees on all those aspects of the bill.

However, when we consider price supports for basic commodities, it will be seen that the underpinnings which kept commodity prices up have been whittled away on the ground that the huge surpluses have had a depressing effect on the market. When support prices on commodities were reduced to 82½ percent, that did not help the producer. It merely meant that supports went from 90 percent to 82½ percent. So prices receded. When dairy supports were reduced from 90 to 75 percent, that did not help the producer.

I may be able to say that we were promised that with proper administrative effort there is a hope that we can get rid of the surpluses and get back to a normal place in the market.

Mr. CLEMENTS. Mr. President, will the Senator yield?

Mr. THYE. I yield to the Senator from Kentucky.

Mr. CLEMENTS. The items which the Senator from Minnesota has selected from the conference report are the ones with respect to which I should like to join with him. That is about the extent of the approval I can give to the conference report. Therefore, if there is a yea-and-nay vote, I shall vote against the conference report. If there is not a

yea-and-nay vote, I want my objection recorded.

Mr. THYE. Mr. President, I yield the floor.

Mr. HOLLAND. Mr. President, I do not expect to discuss now the facts which have been for months the subject matter of this long and difficult debate. I merely wish to say that I have never known a subject matter with respect to which I have seen convictions run so deep, and in connection with which I have seen, nevertheless, courtesy and kindness displayed to such a great extent as that which has prevailed throughout this debate.

So I end the debate with the utmost of respect and devotion for every member of the committee. I have found them fighting for the rights of the farmers, as they believed they could best serve those rights; and I have the utmost of respect for each and all of them.

Mr. President, there are two important points which I wish to discuss briefly with respect to this legislation. First, with reference to price supports on basics; of course this measure in no way affects the permanent 90-percent support program for tobacco. The conference report, as applied to existing law, permanently provides, after 1955, for price supports on the five basic agricultural commodities, other than tobacco, at from 75 to 90 percent of parity. The 82½ to 90 percent of parity provided in the legislation is for 1955, and for that one year only. This is a temporary bridge to the permanent provisions of the Agricultural Act of 1949, the Anderson Act. This measure reflects the intention of Congress to gradually shift from high, rigid supports to flexible supports. This philosophy is further carried out by retaining the provision for modernized parity to go into effect in 1956 on the basic commodities. As the Senate knows, the transition to the new parity is on a gradual basis that shifts parity for commodities on the basis of the last 10-year average price for each commodity, rather than to continue indefinitely to use an unrealistic parity built upon price levels in the years from 1910 to 1914.

Second, with reference to production controls. This legislation, together with the Agricultural Adjustment Act of 1938 and the Agricultural Acts of 1948 and 1949, fully expresses the intention of Congress to control production as a necessary part of price support.

The support of prices above what buyers would otherwise pay has the effect of increasing production, which, in turn, has the effect of causing supply to exceed demand and thereby forcing the lowering of prices. Accordingly, in order to assist in supporting prices Congress has established the policy of keeping supplies in line with demand, not only by providing for lower price supports, when surpluses mount, but by providing authority and direction to the Secretary of Agriculture to control production by the use of acreage allotments and marketing quotas, and by the limitation of the use of diverted acres. Unfortunately, the large surpluses carried over from past programs when production was not properly controlled will make it necessary, for the time being, to continue controls along with the lower level of price support.

The support of prices is the part of the farm program that many farmers view with pleasure. On the other hand, they frequently look upon the control of production as the disagreeable part of the program. Nevertheless, most of the farmers receiving price support are realistic and they know that it is impossible to continue to support prices and not at the same time effectively control production. It is generally recognized by farmers that it is unfair to that large majority of agricultural producers who produce nonsupported crops to subject them to Government-subsidized competition by the unlimited use of diverted acres.

We have made it clear that we fully expect the Secretary of Agriculture to operate the price-support program in a manner that will keep supplies in line with demand and that, of course, includes effective control of production. The Congress fully recognizes that rigid controls are the inevitable result of high, rigid price supports.

This legislation provides, among other things, that beginning with 1955, any person who knowingly harvests any basic agricultural commodity on his farm in excess of the farm acreage allotment shall be ineligible for agricultural conservation payments. While this has the effect of depriving a farmer of his ACP payment if he actually harvests more than his acreage allotment, nevertheless, it should be fully understood that, for purposes of acreage allotments, marketing quotas, and diverted acreage regulation, a farm is out of compliance if acreage is planted thereon in excess of the quantity specified. It was our intention, as stated in the conference report, that a farmer should not be penalized by losing his ACP payment unless he knowingly harvested more than his allotment. This is a separate matter, entirely, from his eligibility for price support and is not intended to lessen in any way the control of his diverted acreage.

Mr. President, in closing, since there is in the conference report and in the bill as passed by the Senate a paragraph which provides that under grapefruit marketing contracts, that part of the fruit which goes into cans may be included and controlled along with that which is marketed in fresh fruit channels, provided the conditions imposed by the law are met, I ask unanimous consent to have included at this point, in the RECORD as a part of my remarks an article from a recent issue of the Lakeland Ledger, of Lakeland, Fla., based on the latest United States Department of Agriculture statistics showing the returns to the Florida grapefruit growers from their crops in the past 2 years.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FLORIDA GRAPEFRUIT GROWER'S NET AVERAGES $21 AN ACRE

(By George Knight)

The average Florida grapefruit grower who marketed his fruit between October 1, 1953, and June 30, 1954, netted approximately $21 per acre. This compares to about $97 he netted during the 1952–53 season, and with $158 per acre the average orange grower made last season.

The $21 was his net before he deducted taxes and depreciation, according to calculations computed by the Ledger from figures supplied by authoritative industry sources. No citrus agencies have issued official cost summaries covering grapefruit grown last season.

This means that the Florida grapefruit grower netted (before taxes and depreciation) about 6 cents per box last season compared to about 30 cents for the 1952–53 season.

During the October-to-June period, approximately 39,500,000 boxes of grapefruit were utilized, compared to 31,340,000 boxes utilized the previous season.

In spite of the fact that more grapefruit was marketed, it is estimated that the total gross on-tree sales value of Florida grapefruit for that period the past season was only $18,170,000, compared to $24,703,000 the previous season.

The grapefruit grower grossed 46 cents a box (on-tree) for all methods of sale during the period of October to June. However, the grower who sold most of his fruit fresh did much better than the one who was forced to sell most of his fruit to the cannery. The 46 cents is an average of United States Department of Agriculture on-tree prices. The USDA figures revealed that a simple average of fresh-fruit prices was 86 cents on-tree but the grower selling to the cannery grossed only 6 cents per box on-tree during the period.

On-tree averages for the 1952–53 season were 76 cents for all methods of sale; $1.08 for fruit sold fresh, and 40 cents for grapefruit sold to processing plants.

An authoritative United States Department of Agriculture source revealed that there were about 112,000 acres of bearing grapefruit trees in the State last season, compared to about 104,000 the previous season. The cost of production is figured to be about $140 per acre, or about the same as for the 1952–53 season.

This shows that the average Florida grapefruit grower grossed only $161 per acre (on-tree) the past season, compared to $237 for the 1952–53 season. And he netted $21 per acre compared to $97 the previous season.

Production per acre for October to June is estimated to be 352 boxes per acre, compared to 312 boxes per acre the previous season.

The figures in this summary are intended to be only statistical averages, and certainly do not represent the case of every Florida grapefruit grower.

Some grapefruit growers—those with high-quality seedless, pinks and reds which sold readily in the fresh market, made substantial profits. Other growers, with a predominance of seeded grapefruit which moved to the cannery, took a substantial loss.

Figures for 1952–53 used in this article were taken from annual summaries of the Florida and United States Departments of Agriculture.

Mr. HOLLAND. Mr. President, I strongly hope that the conference report may be approved.

Mr. KERR. Mr. President, I am opposed to the conference report. I shall vote against it, if given the opportunity. If not, I wish the RECORD to show not only that I am opposed to the conference report, but that in my judgment it is the most unfortunate and damaging piece of proposed legislation that the Congress of the United States has passed in my lifetime.

In a recent issue of the Washington Sunday Star, I saw the following headline: "Eisenhower Scores Farm Victory."

Mr. President, since then I have been thinking a great deal about the victor and the vanquished. The press of the country for the past several days has declared, in bold headlines, that the present national Republican administration has won its greatest victory.

Mr. President, who is the vanquished? There cannot be a victor without there also being one who is defeated. It may be that Eisenhower does not know who the vanquished are, but the vanquished know.

A few days ago I saw in the Washington News a story about Mr. Ezra Taft Benson. The headline read: "Strong Man in the Cabinet—Denounced and Mocked, Benson Is Now a Hero."

Mr. President, what made him a hero? The impoverishment of American farmers? The stripping from them of the limited farm program they had? The weakening of the economic structure that was theirs, and upon which they were dependent?

I read from the article:

They mocked him and called him stupid and denounced him as the worst Agriculture Secretary of history, and demanded that President Eisenhower fire him. But Ezra Taft Benson stood his ground. Today he has emerged as hero of the biggest legislative victory the Eisenhower administration has had.

Mr. President, I remember a story of ancient Rome, when the Emperor received word from one of his generals that he had won a great victory, but after the casualties were known, the emperor became very much aware that while he had won the battle it had probably cost him the war. And throughout the days ahead, when his heart was troubled and his mind was ridden with fear he was heard often to say "Varus, Varus, give me back my legions"—because while a victory had been won, the legions had been sacrificed, and the emperor knew that the empire had been endangered.

I see the chairman of the Agricultural Committee, a distinguished Senator and an effective leader, in this victory. If Eisenhower is the general and if Benson is the chief of staff, the senior Senator from Vermont has been the commander of the shock troops, and they have been victorious. They have ridden roughshod, Mr. President, over millions of American farmers who tonight, if they were aware of the detail of history, might be thinking of what was in the minds of the gladiators in ancient Rome when forced into the arena whence there was no escape except in death, who looked upon the face of their emperor and gave voice to the sad and terrible words, "Morituri te salutant": "We who are about to die salute you."

I hope there is that within the heart of the American farmer tonight, Mr. President, which can give him that courage, because the millions of them who are the victims of this bill, if not aware tonight, will be aware as the inexorable march of the days and the weeks and the months ahead disclose the tragedy to them. They who are yet alive will be saying, "We who are about to die salute you."

I wish to read to the Senate, Mr. President, the testimony of one of the casualties of this greatest legislative victory the Eisenhower administration has had.

Mr. President, if this administration had launched its mighty power against the embedded forces of wealth and budged them from their position for the benefit of citizens, it would be entitled to the paeans of praise and tributes for victory. But against whom did the administration launch this victorious attack? Was it against the entrenched private power lobby in this city? No, sir. They are more powerful tonight than ever in the history, and are congratulating themselves, Mr. President, upon the amazing successes they have achieved.

I remember when the President and the Secretary of the Treasury spoke to the National Bankers' Association in this city and told them of the fiscal policies of this administration, Mr. President, and that crowd of bankers cheered until the rafters rang. When the good President and his Secretary of the Treasury left there, they were congratulating each other on the belief that they had the bankers of the country in their pockets. But, Mr. President, the bankers were congratulating themselves, that they had the President and the Secretary of the Treasury in their pockets.

No, the victory was not against the bankers, Mr. President, the victory was against that group who, as the distinguished Senator from Georgia the other day advised us, are at the bottom of the economic totem pole in this country, of whom one-third have an annual income of less than $1,000. So, in this instance, when the General marched his forces and when Chief of Staff Benson gave the orders and when the Senator from Vermont led those shock troops, they overwhelmed that group of American citizens. I wish to read the plaintive wail from one of them, which I hold in my hand:

CHICKASHA, OKLA., *August 13, 1954.*

Hon. BOB KERR,
United States Senate,
Washington, D. C.

DEAR MR. KERR: As the wife of a small dairy farmer I listen with interest personally every morning to the news as to what has been done about the farm program in Washington the day before.

Mr. President, by the millions small farm families across the Nation had tuned their ears to Washington. They listened to the radio. They read the newspapers. They were seeking, longing, hoping for a word of relief and a word of cheer.

Mr. KERR I honestly wonder if Mr. Benson and his associates can really understand the condition of we small farmers and dairymen. I have no doubt that he wants to do what is best for our interest, but does he understand?

What graciousness, Mr. President. "We who are about to die salute you."

Last year when the drought came we were told over and over, cull your herds and feed for better production.

Do Senators hear those words emanating from the Department of Agriculture?

When you are drowning you will try anything. I have sales and purchase slips to show that we did just that. We culled five head of dairy cows and shipped to Oklahoma City Stock Yards. We had given $1,197 for them, or an average price of $239 per head. We received a check from the National Livestock Commission for $330.16, or an average price of $66 per head. Then we paid the trucker $10 for hauling them. Mr. KERR (according to our sales slip), Armour & Co. bought the cows. In less than 1 month from that time, according to reports from the Secretary of Agriculture, the packers were to be reimbursed for cattle purchased. I ask you, why reimburse them, we had already taken the loss, not the packers. Why couldn't we have been reimbursed for our loss, in accordance with our sales slips direct, or the packers instructed to reimburse the farmers according to their purchases from the farmer.

Now we are in the depth of another drought, and again we are told, cull for better production. Yesterday we took one cull dairy cow to Oklahoma City Stock Yards. We had given $225 for this 995-pound cow, and, Mr. KERR, we received 7 cents per pound, or $69.65. Again, Armour & Co. bought the cow. We have got to cull more cows, due to pasture and feed, and I'm sure you know we are going to have to take the same kind of price, 5 to 7 cents per pound, as that is the class all dairy cattle are placed in. Can you explain to Mr. Benson that we small dairymen that have to sacrifice these dairy cattle just can't go on like this; that we just have to have a better program of some kind.

"We who are about to die, salute you." What else can there be in that wail?

We are losing money on these cattle, depleting our herds. When this drought is over, there will be no money, no cattle. Please try once more to show that man just what he's doing to we small dairymen, when he lowers the parity on milk until we can't afford to produce milk, and have to sacrifice our dairy cows at 5 cents per pound. We come up with no production, no price, no feed, no money—then where to? Does he have an answer?

Yours for a better farm program, I am.

Then she gives me her name and her address.

Ah, Mr. President, at what price does Benson win the greatest legislative victory of this administration? At the price of human suffering and poverty. That is the price. I say to the Senate that is the price that Americans will have to pay for this farm bill. We are making them pay it, we who were sent here to represent the people and to help them receive equity and justice from their Government, the greatest Government on this earth. We have stripped hope from their hearts as if it were something vile, something to which Americans are not entitled. We are taking it from them with the cold, ruthless hand of law.

Oh, we will put another palm leaf on the Croix de Guerre for the Secretary of Agriculture and for the chairman of the committee. He will be decorated for bravery in action for leading the shock troops which marched across the Senate of the United States and the economic graves of millions of American farmers.

I say it is a tarnished medal. I say it is not a reward for service to American citizens. It is recognition for what he has done to them. Eisenhower scored a farm victory, Benson is a hero,

and millions of American farm families are the losers. There will be reverberations echoing across the length and breadth of this land.

"We who are about to die, salute you."

They who live will right this wrong. They who live will send representatives here to restore justice and do equity, and make sure that when farm legislation is passed by Congress the people will score a victory, not someone who knows not what he has won.

Mr. JOHNSTON of South Carolina. Mr. President, we have caught ourselves in another tangle here this evening.

I remember, almost 2 years ago, at the beginning of 1953, when Benson came before the committee, the first question I asked him was, "Are you in favor of a sliding scale?"

He hedged, and he said that he would have to do a lot of studying and investigating. Senators will remember that he has been investigating ever since 1953.

Let us not blame the conferees this time. Let us not blame them for this bill. Let us remember that this bill was Benson-drawn in the House and Benson-drafted through the Senate. We were boxed in, so to speak. Therefore, we are in an awful fix. This is the best that could be brought back to us by the conference committee. I did not sign the conference report, and I am glad to say that the junior Senator from North Dakota [Mr. YOUNG] refused to sign it.

One of the main reasons for my refusing to sign the conference report was not because of the disagreement in conference, but because I am not in favor of flexible price supports. I believe the purpose of price supports is to protect the farmer when he is in need. Any Senator who travels among farmers knows they are in need. I remember when I was a small boy, just growing up, I was told that the farmer is the man who feeds us all, and that is a true statement. I know, Mr. President, that every recession has started with the farmer, and that every depression has started with the farmer.

No one can tell me that the farmer is not in a depressed condition today, when everything he must buy is still priced high—it has not come down—and the price of everything the farmer sells has gone down.

I believe we should protect the farmer. Oh, yes, we have been caught again. I know that. I know that a great many members of the committee knew that we would be caught like this.

There is on the books the 1949 act, and we were told, "If you do not pass a new bill, you will get the 1949 act." Do Senators know what we would have under the 1949 act? The support program would range from 75 percent to 90 percent. That is what we were faced with all the way. The bill was held up until the very end of the session, so we could be told, "Take it, or leave it."

I am one who feels that two wrongs do not make one right. The act of 1949 is wrong, and this bill is wrong. The only way I can tell the farmers of my State and the farmers of the Nation, that I am against it is by refusing to sign the conference report and to vote against its adoption.

We have been fenced in, that is true. This bill will become law, and if the same representatives in Congress return next year—I do not believe they will—this law will be amended, and then Mr. Benson will get everything he wants. No; he did not get this year all he wanted. Let no one tell me that he got everything he wanted. No one can tell me that Benson has been the victor all the way. He wanted 75 percent of parity to be the minimum. He got 82½ percent. Do not let him fool us in this bill in regard to the setaside. Next year and the year after, the farmer will be caught again. The setaside in the bill does nothing to help in connection with the amount of the acreage. Under this bill the acreage will be cut, and also parities will be cut in the future.

The setaside holds up the parity for a short while, but so far as parities and prices are concerned, everyone knows how much surplus we have and the setaside in this bill will be taken into consideration. This bill will become known in the future as the Aiken-Hope bill. Thank God for some "hope." We have some hope in the future.

Mr. KEFAUVER. We have a great deal of "Aiken," too.

Mr. JOHNSTON of South Carolina. Hope is being held out for the future. I, for one, hope that in the future this measure will be amended, not as Mr. Benson wants it amended, but as it ought to be amended in order to care for the farmers of the Nation.

The farmers will feel the effects of this bill. They will ache from this bill, and finally they will suffer from the bill, because parities on the basic commodities of agriculture cannot be lowered without their feeling it.

Tobacco is in the bill for the next 2 years, it is said. No, tobacco is not in this bill at all. Thank God, it is not in this bill. Tobacco has been supported at 90 percent of parity, and has been under strict controls. That is what all the farmers of the Nation want. Give the farmers that, and the surplus will be reduced, but the surplus cannot be reduced by setting aside and then trying to fool the farmers in regard to parity. I cannot support this kind of legislation. I feel that the farmers of the Nation need help at this time more than do any other class of people.

We have the wage-and-hour law, and I am glad we have it, but it involves competition with farm labor, and at the same time it does not protect farm labor. I think both should be protected.

Administration supporters will hail Mr. Benson as a great victor. He can have such praise so far as I am concerned. I do not want to have anything to do with it. I feel that the farmers of the Nation will be displeased with this legislation, and that it will cause suffering. For that reason I intend to vote against the conference report if there is to be a yea-and-nay vote. If not, I am telling the Nation that the junior Senator from South Carolina does not approve this kind of legislation.

The PRESIDING OFFICER (Mr. BUSH in the chair). The question is on agreeing to the conference report.

Mr. KEFAUVER. Mr. President, I shall not detain the Senate long. I wish to record my opposition to the conference report.

When the bill came up in the Senate, because of 2 breakdowns on the Eastern Airlines plane on which I was riding, over which I had no control, I was about 4 hours late returning to Washington, which prevented my voting against the sliding scale which was adopted. Had I been present, I would have voted for 90 percent of parity as the support program. I take this opportunity to explain my position in that connection.

In the first place, Mr. President, I am fearful the administration, and particularly the Secretary of Agriculture, is not aware of what is going on in the Nation today. There is considerable unemployment, and more is indicated. The national production has been cut twenty or twenty-five billion dollars in the face of the fact that the population is increasing.

Mr. President, the distress that exists today is nothing compared with what it will be in the months and years to come, largely because of lack of foresight in dealing with the farm program.

Farmers today undoubtedly are suffering greatly as a result of reduced prices. They are not able to paint their barns; they cannot buy the tractors and the manufactured products which they need. There is resulting unemployment in factories. Only in the building trades industry is employment holding up in the Nation today.

It seems to me that Mr. Benson and the administration do not realize the economic facts of life. While we provide a protective tariff for certain industries in our Nation today which are entitled to some protection in order to enable them to compete with industries in other nations, while we give protection to working men and women, with floors under wages and with collective-bargaining agreements which are sanctioned by acts of the Congress—while we protect these two segments of our economy, yet we virtually throw the farmer to the four winds. That is what is being done by the proposed farm legislation.

The farmers of America constitute the one segment of our population which has been suffering from reduced income in the face of increasing prices for that which they must purchase.

The trend or cycle which has been inaugurated by the Benson farm policy and which will increase in intensity as a result of the proposed legislation which is now before the Senate, will cause many of those who support this proposal to rue the day when they gave the farmer the bad deal that is being dealt to him tonight.

After all, the present farm-support program has cost us comparatively very little, compared with what we have put into Indonesia in 1 year, which now proves to have been of little avail. On the average over many, many years the farm program has not cost very much.

When we consider the cost of unemployment, the fact that we must appropriate larger amounts for unemployment compensation insurance, that business is off in many sections of the Nation, that we are not moving ahead, and that we are reducing the national production, it all points to the fact that the

program of cutting down the income of the farmer which we are following here tonight is ill-advised.

The treatment which has been given the American farmer, and the refusal of the administration adequately to develop the natural resources of the Nation, are largely responsible for the bad plight in which we are in today and the increasingly worse one with which we shall be faced in the days to come.

Mr. President, it is not only in the price-support program that the administration has failed to meet the test of a sound legislative program. In other aspects the administration is doubling or trebling the catastrophe which we shall meet in the days to come.

The administration talks about farm surpluses. One way to dispose of farm surpluses would be in connection with the school-lunch program, for which Congress has provided in the bill to the extent of $50 million. I am sorry that the conferees agreed to the House version and would not leave in the bill the larger sum provided by the Senate. That would have been most helpful.

Next, we must realize that if there could be full employment, as is required by the act of 1946, and people would have sufficient income with which to buy the food they need to eat, there would not be the farm surpluses which exist today. In a progressive nation, which seeks to have forward-looking programs for its people, it is not logical to reduce the volume of commodities which can be produced on our farms. If we had followed the full employment program, as set forth in the bill with which the distinguished Senator from Montana [Mr. MURRAY] had much to do, and which I supported in the House of Representatives, there would not be farm surpluses.

Furthermore, lack of fortitude on the part of administration leaders in the Senate and the House today is responsible in a large part for the plight facing the American farmers. The lack of courage evidenced by the failure to proceed with the President's program in connection with reciprocal trade agreements will rise to plague American farmers in the years to come. The sad fact today is that one-third of the people of the world are hungry. In many nations of the world our food products could be a wonderful instrumentality in the interest of better international relations, and perhaps for peace in the world. Many foreign nations produce uranium, rubber, manganese, chrome, and other products which we need, and of which we are in short supply. Other nations of the world would be very happy to have our food products in exchange for those materials.

The President of the United States recognized that a real extension of the reciprocal trade agreements program was not only a necessary step in the interest of better foreign relations, but would be a very important step in the interest of our own domestic economy. He recommended a gradual lowering of tariffs and suggested that the reciprocal trade agreements program be extended for 3 years. This would have given the American farmers, particularly the cotton and tobacco farmers, needed relief to a large degree.

After the subject had been investigated for a year by the Randall Commission, I offered an amendment last year to extend the reciprocal trade agreements program for 3 years. My amendment was rejected, and the statement was made that an investigation would be made. The investigation was made, and the working people, manufacturers, business, industry, and agriculture recommended that, in the interest of our domestic economy and the farmers of America, there should be a gradual lowering of tariffs and a real extension of the reciprocal trade agreements program, so that our friends abroad would know that they could trade with us under favorable terms for years to come. But the administration did not furnish leadership in Congress so that the President's own recommendations could be made effective. The President let the farmers of America down by settling for only a 1-year extension.

My distinguished colleague, the junior Senator from Tennessee [Mr. GORE], and other Senators, led the fight for the President's reciprocal trade agreement program, which would have done much to alleviate the distress from the surpluses which are bothering us today.

On a long-range basis, the farmers of America are not being adequately considered. Even where trade agreements have been entered into, we find Presidential approval of the raising of tariffs, as in the case of Swiss watches. Undoubtedly that action will cut off a great many tobacco and cotton sales to the Swiss Republic. Other impediments are being placed in the way of freer world trade, which would enable us to dispose of our agricultural surpluses.

I was very much interested in the remarks of the distinguished Senator from Minnesota [Mr. THYE] in opposition to the conference report. He said he could not face the farmers of Minnesota if he voted to let them down in the manner they would be let down if the conference report were agreed to. I can understand why the Senator from Minnesota expresses such sentiments. First, he is a thoughtful man, who understands the agricultural program. He knows that the bill before the Senate is not in the best interests of the farmers of America.

Perhaps there is another reason why the Senator from Minnesota feels some embarrassment about the question. As I recall, at Kasson, Minn., the President of the United States told the American farmers that they could expect, and he would pledge them, a continuation of the 90 percent support price program, and 100 percent in the market place. This bill is far removed from the pledge made at Kasson, Minn., as a result of which many of the farmers of America voted for the administration, without having any intimation that the administration intended to abandon the 90 percent support program which had been promised to them at Kasson, and that it was planned to put the farmers on a program of sliding scale supports, which means lower and lower prices for the products which the farmer sells.

I say to the Senator from Minnesota that not only are the farmers of Minnesota bewildered by the broken promises of the administration, but farmers all over America are likewise concerned. I have been in Tennessee recently, where I talked with many farmers, who said, "Were we not promised a continuation of the 90-percent program?" They have read the RECORD and the statement of the President. Of course, they were promised that program. The thing furthest from their minds was that the promise would be abandoned, and that they would be given a sliding scale, which has made heroes out of Mr. Benson and other members of the administration today.

Finally, I have heard much talk about the making of an interim investigation by the staff of the Committee on Agriculture and Forestry or an investigation by the Department of Agriculture as to what has happened to our economy, which has resulted in the farmers getting less for their products day by day, while almost everything which the farmers buy has been staying at 100 percent of parity, or even going a little higher. Everyone recognizes that to be true.

It is unquestioned that there has not been any substantial lowering of the prices which the consumers pay. Everyone bemoans the fact that that condition exists.

Many Senators on the other side of the aisle are talking about having an investigation made by the Committee on Agriculture or some other committee. The administration was offered a clear-cut opportunity to give the American people the facts in this connection some time ago, when the distinguished Senator from Iowa [Mr. GILLETTE], togther with more than 28 other sponsors submitted a resolution asking for the appointment of a special committee for the purpose of investigating the question of why farm prices have been going down, while what the farmer must buy continues to rise in price, and while the prices which the consumer must pay for his products remain at the same high level or have decreased only a very little.

The Senator from Iowa is present. I know his resolution was vigorously presented to the Senate Committee on Rules and Administration. The Senator's resolution provided for a real investigation by a committee which could have obtained the facts for the farmers and consumers of America. It could have pointed out to the farmers why their products were selling at high prices to the consumers. But the resolution of the Senator from Iowa was never given favorable consideration, even though almost one-third of the Members of the Senate asked for such an investigation. So I do not think very much will be accomplished by an investigation conducted by the Department of Agriculture. It seems to me that if the administration really wanted the people of America to know why it is the consumer is being squeezed, why the farmer has to continue to pay high prices, and why he is getting low prices for his products in the meantime, it would have got behind the resolution of the distinguished Senator from Iowa

and enabled the people of the United States to have this information.

Mr. President, in conclusion I wish to point out again, as has been so well stated by the distinguished Senator from Oklahoma [Mr. KERR] and the distinguished Senator from South Carolina [Mr. JOHNSTON] that the history of all recessions or depressions has been preceded by drastic drops in the purchasing power of the farmer.

There is not any reason why we should have a depression at this time, but if the farmer's purchasing power is going to be cut and cut, as will happen as a result of the bill recommended in the conference report, then I am afraid that there may be a repetition. At least I wish to point out that this is not what the people of America were promised. They were promised something entirely different. They have been let down. The agreements made with the people have been abandoned.

I at least want the RECORD to show that many of us on this side of the aisle, and some Senators on the other side of the aisle, realize the catastrophe that is about to be visited upon the American farmer by the legislation proposed in the conference report.

Mr. FULBRIGHT. Mr. President——

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. KNOWLAND. Mr. President, will the Senator yield so that I may have a matter printed in the RECORD?

Mr. FULBRIGHT. I yield for that purpose.

Mr. KNOWLAND. I ask unanimous consent to have printed in the body of the RECORD at this point in my remarks the vote in the Senate in 1949 relative to flexible price supports.

There being no objection, the vote was ordered to be printed in the RECORD, as follows:

[81st Cong., 1st sess.]

VOTE No. 226

(CONGRESSIONAL RECORD, vol. 95, pt. 11, p. 15008)

SUBJECT: FARM PRICE SUPPORT (H. R. 5345)

Synopsis: Vote on motion to agree to the conference report on the Anderson farm bill. The report was a compromise between the high-support schedule of the House bill and the sliding scale of supports passed by the Senate. It embodied the principle of flexibility as a long-range peacetime policy, but assured high prices for basic commodities during a 4-year transitory period. Note: Those opposing the report contended that it would mean higher prices for the consumer and higher governmental costs in carrying out its objectives.

Action: Agreed to.

Excerpts from the Congressional Record

Mr. ANDERSON. Mr. President, on behalf of the Senator from Oklahoma [Mr. Thomas] I submit a conference report on House bill 5345, to amend the Agricultural Adjustment Act of 1938, as amended, and for other purposes, and I ask unanimous consent for its present consideration.

(Conference report with statement of managers is attached hereto.)

The VICE PRESIDENT. Is there objection to the present consideration of the conference report?

There being no objection, the Senate proceeded to consider the report.

Mr. IVES. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The VICE PRESIDENT. The question is on agreeing to the conference report. The yeas and nays have been ordered, and the Secretary will call the roll.

The legislative clerk called the roll.

Mr. IVES (when Mr. Dulles' name was called). The junior Senator from New York [Mr. Dulles] has a pair with the senior Senator from Minnesota [Mr. THYE]. If the junior Senator from New York were present, he would vote "nay." If the senior Senator from Minnesota were present, he would vote "yea."

Mr. MCCARTHY (when his name was called). I have a pair with the senior Senator from Ohio [Mr. Taft]. If he were present and voting, he would vote "nay," and if I were permitted to vote, I would vote "yea."

The rollcall was concluded.

Mr. LUCAS. The Senator from Virginia [Mr. BYRD], the Senator from South Carolina [Mr. JOHNSTON], and the Senator from Washington [Mr. MAGNUSON] are detained on official business.

The Senator from New Mexico [Mr. CHAVEZ], the Senator from Delaware [Mr. FREAR], the Senator from South Carolina [Mr. MAYBANK], the Senator from Nevada [Mr. MCCARRAN], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from Virginia [Mr. ROBERTSON], the Senator from Alabama [Mr. SPARKMAN], the Senator from Mississippi [Mr. STENNIS], and the Senator from Maryland [Mr. Tydings] are absent by leave of the Senate on official business.

The Senator from Louisiana [Mr. ELLENDER], the Senator from Rhode Island [Mr. GREEN], and the Senator from Oklahoma [Mr. Thomas] are absent on official committee business.

The Senator from Iowa [Mr. GILLETTE] is absent by leave of the Senate.

The Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Wyoming [Mr. Hunt], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Montana [Mr. MURRAY], the Senator from Pennsylvania [Mr. Myers], the Senator from Idaho [Mr. Taylor], and the Senator from Kentucky [Mr. Withers] are absent on public business.

I announce further that if present and voting, the Senator from New Mexico [Mr. CHAVEZ], the Senator from Illinois [Mr. DOUGLAS], the Senators from Mississippi [Mr. EASTLAND and Mr. STENNIS], the Senator from Louisiana [Mr. ELLENDER], the Senator from Rhode Island [Mr. GREEN], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Wyoming [Mr. Hunt], the Senators from South Carolina [Mr. JOHNSON and Mr. MAYBANK], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Washington [Mr. MAGNUSON], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from Montana [Mr. MURRAY], the Senator from Pennsylvania [Mr. Myers], the Senator from Alabama [Mr. SPARKMAN], the Senator from Idaho [Mr. Taylor], the Senator from Oklahoma [Mr. Thomas], and the Senator from Maryland [Mr. Tydings] would vote "yea."

Mr. SALTONSTALL. I announce that the Senator from Ohio [Mr. BRICKER], the Senator from Nebraska [Mr. Butler], the Senator from Vermont [Mr. FLANDERS], and the Senator from New Jersey [Mr. SMITH] are absent on official business with leave of the Senate.

The Senator from New Jersey [Mr. HENDRICKSON], the Senator from Kansas [Mr. Reed], and the Senator from Michigan [Mr. Vandenberg] are absent by leave of the Senate.

The Senator from Michigan [Mr. FERGUSON], who is absent on official committee business, is paired with the Senator from Indiana [Mr. CAPEHART], who is absent on official business. If present and voting, the Senator from Michigan would vote "nay" and the Senator from Indiana would vote "yea."

The Senator from Wisconsin [Mr. WILEY] is absent on official business.

The Senator from New York [Mr. Dulles], who is absent by leave of the Senate, is paired with the Senator from Minnesota [Mr. THYE], who is absent on official committee business. Their pair has been previously announced by the senior Senator from New York [Mr. IVES].

The Senator from South Dakota [Mr. MUNDT] is absent on official business with leave of the Senate. If present and voting, the Senator from South Dakota would vote "yea."

The Senator from Ohio [Mr. Taft] is necessarily absent and his pair has been previously announced by the Senator from Wisconsin [Mr. MCCARTHY].

The Senator from Indiana [Mr. JENNER] is absent on official committee business.

The Senator from Washington [Mr. Cain] and the Senator from Pennsylvania [Mr. MARTIN] are detained on official business.

The result was announced—yeas 46, nays 7, as follows:

Yeas—46: Aiken, Anderson, Brewster, Chapman, Connally, Cordon, Donnell, Downey, Dworshak, Ecton, Fulbright, George, Graham, Gurney, Hayden, Hickenlooper, Hill, Hoey, Holland, Johnson of Colorado, Johnson of Texas, Kem, Kerr, Kilgore, Knowland, Langer, Leahy, Long, Lucas, McFarland, McKellar, McMahon, Malone, Millikin, Morse, Neely, O'Conor, O'Mahoney, Pepper, Russell, Schoeppel, Smith of Maine, Thomas of Utah, Watkins, Wherry, Young.

Nays—7: Baldwin, Bridges, Ives, Lodge, Saltonstall, Tobey, Williams.

Not voting—43: Bricker, Butler, Byrd, Cain, Capehart, Chavez, Douglas, Dulles, Eastland, Ellender, Ferguson, Flanders, Frear, Gillette, Green, Hendrickson, Humphrey, Hunt, Jenner, Johnston of S. C., Kefauver, McCarran, McCarthy, McClellan, Magnuson, Martin, Maybank, Mundt, Murray, Myers, Reed, Robertson, Smith of N. J., Sparkman, Stennis, Taft, Taylor, Thye, Thomas of Okla., Tydings, Vandenberg, Wiley, Withers.

So the conference report was agreed to.

Analysis of vote

	Republicans	*Democrats*
Yeas (46)	19	27
Nays (7)	7	0
Not voting (43)	18	25
Positions of Senators not voting:		
Paired "yea"	[2]3	0
Paired "nay"	[2]3	0
Not paired, position "yea"	[3]1	[5]19
Not paired, no position	[4]11	[6]6
Total	44	52

[1] Capehart, McCarthy, Thye.
[2] Dulles, Ferguson, Taft.
[3] Mundt.
[4] Bricker, Butler, Cain, Flanders, Hendrickson, Jenner, Martin, Reed, Smith (N. J.), Vandenberg, Wiley.
[5] Chavez, Douglas, Eastland, Ellender, Green, Humphrey, Hunt, Johnston (S. C.), Kefauver, Magnuson, Maybank, McClellan, Murray, Myers, Sparkman, Stennis, Taylor, Thomas (Okla.), Tydings.
[6] Byrd, Frear, Gillette, McCarran, Robertson, Withers.

Mr. FULBRIGHT. Mr. President, I shall not detain the Senate long. I merely wish to make my position clear for the RECORD, because I understand, at least, there is some doubt as to whether there may be a record vote on the conference report. I voted against the principle of flexible supports during the consideration of the bill itself, and I shall

vote against the acceptance of the conference report.

It seems to me extremely unfortunate that at this particular time we should pass a bill which threatens the future of the farmers, as I believe this bill does. In my own State we are suffering from one of the worst droughts in our history. This is really the fourth year of a severe drought.

I particularly wish to commend the statement of the Senator from Oklahoma with regard to this conference report and I associate myself with his statement. His State is suffering from a very similar drought. As a matter of fact, the reality is that the decrease in prices of dairy products in particular is already adding to the misery of the farmers in my State, and of farmers of that entire area as a whole.

I also should like to associate myself with what has been said with regard to the effect of the increase in tariffs at the same time supports on agricultural products are being decreased.

While I recognize the promise that was made by the present occupant of the White House, and I think that is an important matter, my principal criticism is on another basis. I simply think it is extremely unwise for the welfare, not only of the farmers, but of the people of the country as a whole, because the bill will throw our economy out of balance. As has been so well stated, it will put the farmer at a disadvantage in comparison with the other economic groups. It has been well stated that all these years farmers have been at the lowest economic level for a large segment of our economy, but the bill will further increase the disparity that exists between the farmers and the various other economic groups of the country. That is all I feel it is necessary to say at this moment.

THREAT OF INVASION OF FORMOSA

I wish to make a brief statement about another matter, about which I am reminded. I think it is appropriate because of the statement made about the difference between the promises made at the last election with regard to price supports and the characterization by the President of another matter in his speech on the state of the Union on February 2, 1953. This has nothing to do, I may say, with the conference report, but it is very short and I should like to read it. I have in my hand a statement appearing on the ticker tape. I should like to read the few paragraphs it contains. It is with regard to the President's press conference today.

The President's discussion of the war dangers involving Formosa was terse and to the point.

He was asked what would happen if Chinese Communist forces, reported massed on the mainland preparatory to an attack of the national stronghold, suddenly invaded Formosa in force.

He referred back to his order of January 1953, instructing the Seventh Fleet to continue to protect Formosa, but not strangle the movement of national forces. This order, he said, was still in force.

Then to the particular point of what might happen in this Far Eastern tension area, the President said any invasion of Formosa would have to run over the Seventh Fleet.

Asked whether he was prepared to use any other forms of American strength to combat a Formosan invasion, the President said he had not had a military discussion on this point.

As for the legislation to outlaw the Communist Party, Mr. Eisenhower said things were happening so fast that many people were confused. He declined to discuss the action in the Senate which this afternoon approved an amendment making membership in the Communist Party a crime.

The point I particularly wanted to bring to the attention of the Senate was with regard to Formosa and the President's order.

In contrast to that, I wish to read two paragraphs from the President's speech to the Congress on February 2, 1953, appearing in the CONGRESSIONAL RECORD, volume 99, part 1, page 749. This is the President speaking:

In June 1950, following the aggressive attack on the Republic of Korea, the United States Seventh Fleet was instructed both to prevent attack upon Formosa and also to insure that Formosa should not be used as a base of operations against the Chinese Communist mainland.

This has meant, in effect, that the United States Navy was required to serve as a defensive arm of Communist China. Regardless of the situation in 1950, since the date of that order the Chinese Communists have invaded Korea to attack the United Nations forces there. They have consistently rejected the proposals of the United Nations command for an armistice. They recently joined with Soviet Russia in rejecting the armistice proposal sponsored in the United Nations by the Government of India. This proposal had been accepted by the United States and 53 other nations.

Consequently there is no longer any logic or sense in a condition that required the United States Navy to assume defensive responsibilities on behalf of the Chinese Communists. [Applause.]

I well recall the speech, and the greatest applause in the whole speech was on the very statements I have just read, as the RECORD shows.

This permitted those Communists, with greater impunity, to kill our soldiers and those of our United Nations allies, in Korea.

I am, therefore, issuing instructions that the Seventh Fleet no longer be employed to shield Communist China. [Applause.]

Applause again shown in the RECORD.

Permit me to make crystal clear, this order implies no aggressive intent on our part. But we certainly have no obligation to protect a nation fighting us in Korea. [Applause.]

Mr. President, I again emphasize that this is the President of the United States speaking:

I am, therefore, issuing instructions that the fleet no longer be employed to shield Communist China.

Today, continuing the statement that I started to read a moment ago, this is what the President said:

Mr. Eisenhower told his news conference in unequivocal terms that 1950 orders to the fleet to protect Formosa are still in force.

There have been reports of a tremendous military buildup by Red China on the mainland area opposite the Nationalist-held island of Formosa. There have been accompanying statements by top Communist Chinese leaders about conquering Formosa.

Mr. President, we have been told that Chiang Kai-shek has 600,000 troops on Formosa; and there the Chinese Communists are building up a force of 100,000 troops. I should say that the 600,000 could hold their own against the 100,000. But be that as it may, I read further from the ticker tape:

The President was asked what would happen if the Chinese Reds launched an attack in force.

He recalled that orders went to the fleet in early 1953 regarding the defense of Formosa. He said these orders merely reaffirmed the fleet's instructions in effect since 1950, when the Korean war began, to guard Formosa against attack.

Mr. President, contrast that with what he said in his speech to the Congress. I read further:

Those orders are still in force, the President said.

Any invasion of Formosa would have to run over the 7th Fleet, he added.

And so on, as I stated a moment ago.

Mr. President, as a junior member of the Foreign Relations Committee, I must say that such doubletalk completely confuses me. I cannot tell what the President really meant.

Mr. KNOWLAND. Mr. President, will the Senator from Arkansas yield to me?

Mr. FULBRIGHT. I am glad to yield for an explanation.

Mr. KNOWLAND. I have been trying to follow as closely as possible the remarks of the Senator from Arkansas, with whom I serve on the Foreign Relations Committee. But I have not been quite able to understand his point. I see nothing inconsistent between the President's speech before the joint session of the two Houses of Congress, when he said that the United States fleet would no longer be used to prevent the Government of the Republic of China from moving against the Chinese Communist mainland, and the President's statement at this time that the policy which the Government has followed since 1950—the policy of not permitting the Chinese Communists to move against Formosa—will be continued. In other words, he is continuing half of the policy, but he has abandoned the other half of the policy.

So I do not quite understand the point the Senator from Arkansas is making.

Mr. FULBRIGHT. I shall refer to the speech the President made on February 2, just after he had been inaugurated. At that time he said—and I was present, and I clearly understood the intention, and I think this language interprets it quite correctly:

I am therefore issuing instructions that the 7th Fleet no longer be employed to shield Communist China.

The President had only one purpose in mind, and that was to leave with Congress and with the entire country the impression that the previous administration—the Democratic administration—had been using our 7th Fleet only to protect the Communists from Chiang Kai-shek.

The Senator from California will remember that the common expression in the Senate and in the country at that time was that President Eisenhower had "unleashed Chiang Kai-shek," so that he could then attack the Chinese main-

land. That entire speech can be subject to no other interpretation.

Mr. KNOWLAND. Mr. President, will the Senator from Arkansas yield further to me?

Mr. FULBRIGHT. I yield.

Mr. KNOWLAND. I do not think the President of the United States can be held responsible for what newspaper headlines may be or for how his speech may be interpreted. However, I think it was very clear that the part of the policy which was to prevent the Government of the Republic of China from operating against the Communist mainland would no longer be in force, but that the part of the policy of the previous administration which recognized that the loss of Formosa would be a strategic loss to the Government and the people of the United States and to the rest of the free world would continue to be in force. That is a perfectly consistent policy, because under the prior administration the Department of State itself made clear in a written document that the most strategic location in the Far East was the Island of Formosa, from which the Japanese launched their attacks against southeast Asia and the Philippines.

Mr. FULBRIGHT. I think it is quite clear that what I read was not a headline, but was the language of the speech the President himself made to Congress.

But in the President's statement today, as I have read the statement to the Senate, he takes an entirely different position on the whole matter.

If the Senator from California wishes to ignore the clear implications and clear meaning of the language the President used in his address to Congress in February, of course the Senator from California has a right to do so. But I think any fair-minded person would say that the President has completely reversed his position in regard to that fleet; and I think that indicates—it does to me, at least—that in the field of foreign relations he is staying no closer to his position in 1953 than he is in his agricultural policy.

Mr. MORSE. Mr. President, will the Senator from Arkansas yield to me?

Mr. FULBRIGHT. I yield.

Mr. MORSE. I wish to say respectfully, and, I hope, as a fair-minded person, that I think the Senator from California is completely correct in the interpretation he makes of the President's state of the Union speech. The President did not say, either by specific terms or, in my judgment, by implication, that we were going to give up American interests in Formosa.

What the President did say—and I think that is what produced the applause on that occasion—was that no longer would we prevent the Generalissimo from invading the mainland of China.

Mr. FULBRIGHT. Does the Senator from Oregon really think there was any reality to such a supposed threat? Does the Senator from Oregon think Chiang Kai-shek was then prepared to invade the mainland of China, or that he is now prepared to do so?

Mr. MORSE. Personally, I have never thought he was capable of conducting much of a raid on the mainland of China. But I am not sure that the President, when he made his state of the Union speech, was fully informed as to what the status of the Generalissimo's troops was.

But from the language the Senator from Arkansas has read, I do not think we can read into the President's language the meaning that America would give up her interests in Formosa if the Chinese Reds should invade Formosa.

Mr. FULBRIGHT. Of course he did not mean that; and that is not what I said.

His main, clear purpose was to leave the impression that the preceding administration was soft toward communism. That was the purpose. It had nothing to do, in my opinion, with the military realities of the situation.

The Senator would not for a moment tell the Senate that he thinks there was the slightest danger of an invasion by Chiang Kai-shek of the mainland of China in February 1953, or now, or at any other time since the Chiang Kai-shek left the mainland of China. That statement was clearly for a political purpose.

Mr. MORSE. No; I do not take the position of the Senator from Arkansas at all. Up to that time, I was a member of the Armed Services Committee, and there appeared before us in the committee military officials who led us to believe that such an invasion of the mainland might take place.

Mr. FULBRIGHT. But such statements cannot be relied upon to any particular extent, because in the committee we had a high military official of the Government—only a month before Dien Bien Phu—assure us that there was not the slightest thing to worry about in connection with Indochina. That is a matter of record. Both Admiral Radford and the Secretary of State assured us of that.

Of course it is extremely difficult for the State Department to obtain accurate information from the Foreign Service, because the Foreign Service has been so mistreated by the Senate, that I think it is very difficult for the State Department to get accurate information from the Foreign Service at this time; and I attribute the misleading statements made by State Department officials partly to that, at least, because they are unable to obtain accurate information from our officials abroad.

But this is a matter of record. I was present at the meeting, and there was great enthusiasm. It was not enthusiasm because they thought that at last Formosa would be safe from the Communists, but it was enthusiasm at the very clever dig made at the Democrats, on the theory that they had been soft toward communism, and that we had sent the Seventh Fleet there for no purpose other than to protect Red China from an invasion by Chiang Kai-shek. That was the clear reason for it and the meaning and understanding that we got from it when the President made that statement.

Mr. MONRONEY. Mr. President, will the Senator from Arkansas yield to me?

Mr. FULBRIGHT. I yield.

Mr. MONRONEY. Let me ask the distinguished junior Senator from Arkansas if it is not a fact that constantly, day after day after day after day, during the campaign, through September, October, and early November 1952, the Nation was told by those who were speaking for the Republican Party that, once their party came into power, it would remove the 7th Fleet from protecting the flank of the Communists in that sea, and that all the campaign propaganda was directed to the fact that President Truman was using the 7th Fleet as an instrumentality to protect the flank of the troops of Red China.

In today's announcement, which the distinguished junior Senator from Arkansas has read to the Senate, the President tells the press and the world that he was reissuing—in 1953—the orders which were standing since 1950.

Those were the orders which President Truman gave to the Seventh Fleet, and today the President tells us that he reissued in 1953 the orders putting the Seventh Fleet where it was stationed by President Truman in 1950.

Mr. FULBRIGHT. That is exactly true. The Senator from California says he did not see the point. The ticker statement says:

> He recalled that orders went to the fleet in early 1953 regarding the defense of Formosa. He said these orders merely reaffirmed the fleet's instructions in effect since 1950, when the Korean war began, to guard Formosa against attack.

That is what the ticker tape says, which is a very different thing from what the President said to the Congress in February 1953.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KNOWLAND. What is the pending question before the Senate?

The PRESIDING OFFICER. The pending question is on agreeing to the conference report on the farm bill.

SEVERAL SENATORS. Vote! Vote! Vote!

Mr. MORSE. Mr. President, I wish to make a brief comment on the foreign policy observation of the Senator from Arkansas, [Mr. FULBRIGHT] because I do not think we should conclude the session tonight, after hearing the Senator's interpretation of the President's statement, without at least someone expressing a different point of view, if such is his conviction.

I think it is pretty well known in the Senate that I have many differences with the President on both foreign and domestic policy. I recall very well the President's state of the Union speech, and I think the language which the Senator from Arkansas has read is subject to the very clear interpretation that what the President said in the state of the Union speech on that occasion was that no longer would the 7th Fleet be used to prevent an invasion of the mainland of China by the Generalissimo's troops. I think that is all he said. I do not think there is a single word in the statement the President made in his state of the Union message which would justify the inference that if the Red Chinese should mass on the mainland across from Formosa and seek to invade Formosa we would not do anything about protecting American interests in Formosa.

We have taken the position for some years, Mr. President, that as a matter of American foreign policy in the Pacific we felt Formosa was vital to American interests in the Pacific, at least for now.

I think all the President said in his state of the Union message was that if the generalissimo wanted to carry on war with the Red Chinese on the mainland we no longer were going to do what we could, by using the Seventh Fleet, to prevent that conflict from taking place in that part of Asia. But I do not think the President engaged, on that occasion, at least, in any doubletalk; and I do not think that there was any implication that we would let the Red Chinese proceed to take over Formosa if they could defeat the Nationalist Chinese.

We learned some weeks later something of which the President should have notified us in his speech. We learned, as a result of a press release, that there was a definite understanding between this administration and the generalissimo that if he planned an invasion of the mainland of China, there would be first a so-called clearance with the White House.

But I wish to say with respect to the President's statement today, which the Senator from Arkansas [Mr. FULBRIGHT] has read from the ticker, that when the President refers to the policy of the United States in Formosa he refers to a policy that was in existence long before 1950. Prior to 1950 the military witnesses from the Pentagon Building were testifying before the Armed Services Committee that we had no intention of standing by and letting Red China take over Formosa. That was the American military policy prior to 1950.

There is going to come a time, Mr. President, after there is some chance of peace in the world, when I think the Formosa issue is going to be settled in an international judicial tribunal, and not by force of arms. I do not know how many years away that is—maybe 50, 75, or 100 years. In that judicial tribunal the determination will be made as to who, under international law, has the right to exercise territorial and governmental jurisdiction over Formosa.

I wish to say—and I say it with the highest of respect for the foreign policy views of my friend from Arkansas [Mr. FULBRIGHT]—that I do not think the President's press statement on this matter today and the President's state of the Union message in 1953 are subject to the interpretations which the Senator has given to them tonight.

While I am on my feet, Mr. President, I wish to make a very brief statement with respect to the conference report on the farm bill. I am opposed to the conference report, as I was opposed to the farm bill when it was before the Senate. I am opposed to it, Mr. President, because in my judgment the program of flexible supports let down the American farmer, and presents the danger that the American farmer will be taken into a recession.

I think the so-called subsidy paid by American taxpayers for the 90 percent of parity prices for farmers is a very cheap premium on an insurance policy for prosperity for the American farmer. I have heard no successful rebuttal to the statement which I first heard from the lips of the Senator from Alabama [Mr. HILL] early this year, when he presented the figures on the cost of the parity program to the American taxpayer.

I understand the Senator from Tennessee [Mr. KEFAUVER] has introduced into the RECORD tonight supporting testimony bearing out the cost figures first offered by the Senator from Alabama [Mr. HILL].

During the course of the debate on the bill itself, I believe the Senator from Minnesota [Mr. THYE] presented similar evidence which supports the figure that the Senator from Alabama [Mr. HILL] first used here on the floor of the Senate; namely, that the total cost of the so-called farm-subsidy program is about 35 cents per person per year.

I wish to say, Mr. President, that payment is a cheap premium for the American people to pay for farm prosperity. As was brought out by the Senator from Alabama [Mr. HILL] and the Senator from Tennessee [Mr. KEFAUVER] and others during the course of the debate, it does not even equal, Mr. President, the subsidies which are given to magazine publishers in this country, who are doing their best editorially to impose upon the American farmer this flexible support program.

I shall be very proud tonight, on the basis of my farm record here in the Senate, to join with those who will vote against this conference report, because when we do, in my judgment, we are voting for the interests of the American farmer.

I ask, Mr. President, for the yeas and nays on the question of agreeing to the conference report.

The yeas and nays were ordered.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. STENNIS. Mr. President, will the Senator from California withhold his suggestion for a very brief discussion?

Mr. KNOWLAND. I withhold my request.

Mr. STENNIS. Mr. President, there is one phase of this bill which has not been given very much attention in the debate. I should like to have the attention of the Senator from Vermont [Mr. AIKEN].

That phase is the question of diverted acres. There is a provision in the final draft of the bill with reference to diverted acres which is different from the provision on the same subject when the bill passed the Senate.

Mr. President, I wish to read very briefly what the report says about the three points involved with reference to diverted acres.

The report reads:

The substitute—

Meaning the bill as it is now before us—

has modified the Senate provision substantially and provides (1) that, in administering any programs for diverted acres, the Secretary may make his regulations applicable on an appropriate geographical basis.

The question I wish to propound to the Senator from Vermont is this. As I understand, the program can be applied on a geographical basis, depending on conditions. However, is it the idea of the Senator from Vermont that the program of controlling diverted acres should immediately apply to all the diverted acres, or should it be put into effect gradually; that is, a reasonable percent the first year, and perhaps a greater percent the next year?

Mr. AIKEN. It is perfectly obvious that the Secretary of Agriculture would have to apply controls to the diverted acres geographically, and take into consideration the condition of the areas. The conference report contains a proviso that it shall be handled in such a way in areas where there has been a disaster of any kind so as to restore normal practices as rapidly as possible.

Mr. STENNIS. That point is covered in the report. That is the point with respect to semiarid areas. However, will the diverted-acreage program go into effect all of a sudden on a 100-percent basis, or will it be put into effect gradually and developed? Farmers are not prepared for it. It is something that has not been required heretofore. To immediately force this program with respect to all diverted acres would have a very severe result.

Mr. AIKEN. In my opinion, we would have to have some experience before we could apply it on a general scale. That is my opinion. There may be those who differ with me.

Mr. STENNIS. The Senator has in mind that for the first year a relatively small percent would be applied, and the next year perhaps a larger percent, and the farmer could adjust himself to the change?

Mr. AIKEN. I believe the Senator from Mississippi can safely assume it. This year there has been no control at all with reference to the acres that were supposed to have been diverted. We have an increase of around 56 percent in the planting of barley, and I believe 51 percent on sorghum and other crops. I think some experience will be helpful and necessary before we can get a proper application of control. The Senator from Mississippi can safely assume that it will be handled in such a way as to bring about as little hardship as possible on anyone.

Mr. STENNIS. In other words, it would be a program of moderation, with time to prepare from year to year?

Mr. AIKEN. That is my opinion.

Mr. STENNIS. I thank the Senator very much.

Mr. THYE. Mr. President——

Mr. STENNIS. I understood the Senator from Mississippi had the floor.

Mr. KNOWLAND. I have the floor.

Mr. STENNIS. The Senator withheld his request for a quorum. It is all right with me, but——

Mr. KNOWLAND. I did not know that I had yielded the floor. I rose to suggest the absence of a quorum. I have just talked with the acting minority leader, and I was about to move that the Senate stand in recess until 10 o'clock tomorrow morning.

Mr. STENNIS. I will take only 1 minute.

Mr. KNOWLAND. Mr. President, I yield further to the Senator from Mississippi.

Mr. STENNIS. Mr. President, may I ask the Senator from New Mexico one question?

Mr. THYE. All I wanted to say——

Mr. STENNIS. May I ask this question of the Senator from New Mexico? I discussed this point with the Senator from New Mexico earlier today, and I should like to address this question to him. With respect to the program on diverted acres, I should like to ask him whether it will be a program of moderation in the beginning.

Mr. ANDERSON. I would say to the Senator from Mississippi that the only answer the Secretary of Agriculture can give is contained in the proposed legislation itself. In developing this program the Secretary of Agriculture would naturally make it as moderate as he could in the beginning. If there was not a proper response on the part of farmers, he would naturally have to tighten up. Surely in the beginning he would make it a moderate program.

Secondly, I think he would have to judge a little by what was going to be done with the land. If, for example, the land was to be moved from cotton into a crop that was itself in a very critical condition, he would have to be stronger in his control than if it were being moved into a crop that was not in a critical condition.

Therefore, I believe the Secretary of Agriculture, as this language contemplates, has complete authority to work out a program which I hope will be a moderate program, and that is what is suggested to him.

Mr. STENNIS. The Senator therefore understands that it will be a program of moderation and gradual development. Is that right?

Mr. ANDERSON. Yes.

Mr. STENNIS. I thank the Senator very much. I would be glad to yield now to the Senator from Minnesota.

The PRESIDING OFFICER. The Senator will be in order.

Mr. KNOWLAND. Mr. President, I yield to the Senator from Minnesota.

Mr. THYE. Mr. President, the reason I sought recognition was that while I was acting as majority leader this afternoon the Senator from North Dakota [Mr. LANGER] asked me specifically whether there would be a record vote this evening. I told the Senator from North Dakota it was my information that there would not be a record vote. Therefore the Senator left the floor. If we were to have a record vote, I would feel that I had erred greatly, that I had misinformed one of my colleagues, and that there would have been committed an error that should not have been committed.

Mr. STENNIS. Mr. President, I thank the distinguished majority leader for yielding to me.

Mr. MURRAY. Mr. President, before the vote on this conference report is taken, I want the RECORD to show that I regard the action of this Republican Congress with respect to America's farmers as a direct and complete violation of the pledge made to the American people by the Republican candidate for the Presidency in 1952. The farm people of America, the merchants and businessmen of rural America, in fact, the big-business men, industrialists, and the workers of our great urban centers were led to believe in 1952 that the Republican Party had finally and belatedly realized that the prosperity of every segment of America's economy is directly dependent upon the continued prosperity of America's farmers.

The action taken by this Republican Congress with respect to parity prices makes it crystal clear that in an obvious bid for votes the Republican leaders were willing in the 1952 campaign to pretend that which they did not believe.

I refuse to vote for this measure, Mr. President. I refuse to vote for it because there is no question in my mind but that this so-called flexible parity plan, if allowed to continue, will be ruinous not only to American agriculture but American business and industry as well. The ruin of America's farm family life under the last Republican administration in the 1920's heralded the collapse and ruin of our entire economic life at the close of that decade. This conference report represents the first step toward a repetition of that desperate economic experience. However, Mr. President, I must say that while this action of Congress represents a devastating blow to the immediate welfare of our farm families, I am equally convinced that it will not have the same tragic effect on our entire economy as did the sell-out of the farmers in the 1920's. It will not have that effect, Mr. President, for just one reason: That reason is that the farmers, the workers, and the businessmen of America have well learned the economic facts of life, and as a result of this defalcation of Republican promises, I am convinced that they will go to the polls this November to return the Democratic Party to control and that the Democratic Party early in 1955 will do what the Republican Party failed to do. We will restore full parity prices. We will stop this onslaught on the farm families of America, and by so doing we will protect and reestablish the basic conditions of prosperity throughout the country.

Mr. KNOWLAND and Mr. RUSSELL addressed the Chair.

The PRESIDING OFFICER. The Senator from California has the floor.

Mr. RUSSELL. Mr. President, I do not understand how this floor is farmed out, without any other Senator being recognized.

Mr. KNOWLAND. Mr. President, I have tried to be courteous to Senators on both sides of the aisle. The hour is now a quarter to twelve. Inasmuch as there had been indications on both sides of the aisle that there would not be a yea-and-nay vote this evening, a number of Senators have departed for their homes.

I feel that if a yea-and-nay vote were ordered—and it has been ordered—it would be my responsibility to suggest the absence of a quorum so as to give Senators who are not present, who have gone home, an opportunity to return to the Senate. I think it is not unreasonable, under those circumstances, for the majority leader, at this hour of the night, to suggest, under all the circumstances, that the Senate stand in recess until 10 o'clock tomorrow.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. RUSSELL. This has been a very remarkable proceeding. The majority leader has kept 70 Senators sitting here since about 8 o'clock, ready to vote, and then it is revealed, after we have sat here for 4 hours, that there has been some agreement that we shall not be permitted to have a vote tonight. I have never before seen anything of that nature.

Mr. JOHNSON of Texas. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield.

Mr. JOHNSON of Texas. Mr. President, although the minority leader did not ask for a yea-and-nay vote on this question, he asked the majority leader if he planned to have a vote. The majority leader did not give me his assurance that there would be a yea-and-nay vote. The majority leader wanted to bring the conference report up tonight. I conferred with interested Senators on the minority side, and after conferring with them I assured the majority leader that we were ready to proceed with the conference report. But it never occurred to me that we would have to consider it until a quarter of 12 and then go home without a vote. There has been no assurance that there would be no yea-and-nay vote. The majority leader did not give me any such assurance.

Mr. KNOWLAND. Perhaps the majority leader is mistaken. This is the first time, I think, that I have misunderstood what I thought was the understanding across the aisle; and I move that the Senate stand in recess until 10 o'clock tomorrow morning.

Mr. KERR. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KERR. Was there not an understanding that when the Senate had completed its business for the day it would stand in recess?

The PRESIDING OFFICER. The Senator is correct.

Mr. KERR. Mr. President, a further parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KERR. Does not that unanimous consent agreement have some significance with reference to the present situation?

Mr. KNOWLAND. I will say to the distinguished Senator that that is the customary agreement that is entered into. Sometimes it is entered into in the middle of debate on a bill, sometimes at the completion of the debate, and sometimes after a day of discussion.

Mr. RUSSELL. Mr. President, I ask for the yeas and nays on the motion to recess.

The PRESIDING OFFICER. The Chair will state——

Mr. RUSSELL. Does the Chair rule that a Senator has no right to request the yeas and nays?

The PRESIDING OFFICER. The Senator from California has moved that the Senate take a recess, and that is the question before the Senate.

Mr. RUSSELL. Mr. President, I have requested the yeas and nays; and I have that right.

The PRESIDING OFFICER. The Chair has not questioned the Senator's right.

Mr. RUSSELL. The Chair was very slow about indicating that I had any rights of any kind.

The PRESIDING OFFICER. The question is on agreeing to the motion to take a recess until 10 o'clock tomorrow morning. On this question the yeas and nays have been requested.

The yeas and nays were ordered.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Hayden	McCarran
Anderson	Hendrickson	McCarthy
Barrett	Hennings	McClellan
Beall	Hickenlooper	Millikin
Bennett	Hill	Monroney
Bowring	Holland	Morse
Bricker	Humphrey	Mundt
Bush	Ives	Murray
Carlson	Jackson	Neely
Case	Johnson, Colo.	Pastore
Clements	Johnson, Tex.	Payne
Cooper	Johnston, S. C.	Potter
Cordon	Kefauver	Purtell
Crippa	Kennedy	Reynolds
Duff	Kerr	Russell
Dworshak	Kilgore	Saltonstall
Ellender	Knowland	Schoeppel
Ervin	Kuchel	Smathers
Ferguson	Lennon	Smith, Maine
Frear	Long	Stennis
Fulbright	Magnuson	Symington
Gillette	Malone	Thye
Goldwater	Mansfield	Williams
Green	Martin	Young

The PRESIDING OFFICER. A quorum is present.

(At this point, on the request of Mr. FERGUSON, the Presiding Officer laid before the Senate resolutions of the House of Representatives on the death of Representative PAUL W. SHAFER, of Michigan, and Mr. FERGUSON submitted a resolution, the proceedings and remarks incident to which appear at the end of today's Senate proceedings.)

Mr. RUSSELL. Mr. President, I demand the regular order.

The PRESIDING OFFICER. Does the Senator from California renew his motion to recess?

Mr. RUSSELL. The yeas and nays have been ordered on the motion to recess. The Senator from California cannot withdraw his motion.

The PRESIDING OFFICER. The Senator from California withheld his motion to enable the Senator from Michigan to make a unanimous-consent request.

Mr. RUSSELL. The yeas and nays had been ordered on the motion to recess, and the Senator from California had no right to withdraw his motion.

Mr. KNOWLAND. The Senator from Michigan was speaking to a resolution concerning a deceased Member of the House.

Mr. RUSSELL. I did not object to that. But I observe the Senator from Vermont [Mr. AIKEN] and other Senators seeking recognition. It seems to me that instead of my being out of order on this matter, the majority leader and the Senator from Michigan [Mr. FERGUSON] might be seeking a little undue advantage from the parliamentary situation due to the death of a very great American. I did not know he was dead until now. I deeply regret to hear of his passing.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KNOWLAND. The yeas and nays were ordered on the motion to recess, were they not?

The PRESIDING OFFICER. The yeas and nays were ordered.

Mr. KNOWLAND. Under the circumstances, a request to withdraw the motion to recess is not in order on the point of order made by the Senator from Georgia [Mr. RUSSELL].

The PRESIDING OFFICER. Only by unanimous consent.

Mr. RUSSELL. The motion can be withdrawn only by unanimous consent.

The PRESIDING OFFICER. The Chair has so stated.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that I may be permitted to withdraw the motion to recess at this time.

The PRESIDING OFFICER. Is there objection?

Mr. JOHNSON of Texas. Reserving the right to object, Mr. President, earlier in the evening I had some conferences with the majority leader. At that time, as I stated to the Senate a moment ago, I asked the majority leader if we would have a record vote, as we have had on a number of other matters, on the conference report on the farm bill, if it were taken up. He said he would not ask for a record vote. I said I would not ask for a record vote.

In light of that conversation—and that is the way I remember it—I wish to ask the majority leader this question: Did the majority leader understand me to say that there would be no record vote this evening?

Mr. KNOWLAND. I did not understand the minority leader or his representative to guarantee me under blood bond that a sufficient number of Senators would not raise their hands to demand a record vote, but there was what I thought was a general understanding on both sides of the aisle that there would be no record vote this evening.

Mr. JOHNSON of Texas. Did the Senator from Texas give to the Senator from California any assurance that there would be no record vote, other than his own assurance that he was not in favor of a record vote?

Mr. KNOWLAND. No; but I felt under all the circumstances and from the conversations that went on, some while the Senator was here and some while he was not, that there would not be a record vote this evening. I am not blaming the Senator, because he was not even present when this "hassle" finally developed.

Under the circumstances, as majority leader of the Senate, with the understanding which at least I had in good faith, I felt that I was perfectly justified in moving to recess the Senate until 10 o'clock tomorrow morning, because a number of Senators would want to be recorded if there were going to be a record vote.

If the leadership of the Senate is to be taken away under those circumstances, of course the votes may be available to do it, but I felt that in discharging my responsibility under what I thought was an understanding, I was amply justified in taking the course of action I did.

Mr. JOHNSON of Texas. Mr. President, the last thing I would ever want to happen would be for the majority leader ever to feel that he could not depend upon everything the Senator from Texas said to him. The majority leader said to me that one reason he wanted the conference report to come up this evening was in order that Senators such as the Senator from Iowa might have an opportunity to vote on it.

Mr. KNOWLAND. The Senator spoke to me earlier in the day.

Mr. JOHNSON of Texas. Some Senators expressed to me the desire that there not be a record vote, and I assured them that the minority leader would not ask for a record vote. I have no control over what 10 Senators may do.

The acting minority leader called me in my office on the telephone while I was in a very important conference, about which the Senator from California knows, and he told me that some Senators wanted a record vote. I told him that I had assured the majority leader that, so far as I was concerned, I would not ask for a record vote, and I hoped he would attempt to prevail on them not to have a record vote. But once a record vote is ordered, realizing the situation of the Senator from Iowa and other Senators as related to me by the majority leader, I know of no reason why we should keep them here until 12 o'clock and then recess the Senate, only to have them miss the vote on an important piece of legislation.

For that reason, I attempted to prevail upon the majority leader——

Mr. KNOWLAND. I will say to the distinguished minority leader that perhaps we should not let those outside the lodge in on all the lodge proceedings, but when I had that understanding, I went among the Members on this side of the aisle and suggested that because of the understanding I had entered into, I hoped they would not raise their hands, and, so far as I know, with the exception of the distinguished Senator from Oregon [Mr. MORSE], who is the Independent Party, over which I do not pretend to exercise even a minimum influence, I think there were very few hands raised over on this side.

Mr. JOHNSON of Texas. I wish to say to the majority leader that I was operating somewhat by remote control, but I said to the acting minority leader that I hoped he would go among Senators on

this side of the aisle and attempt to prevail on them not to ask for a record vote.

Mr. THYE. Mr. President——

Mr. JOHNSON of Texas. Evidently we did not have any more influence over some of the Members on this side of the aisle than the majority leader has over the Independent Party, and we are confronted with a reality instead of a theory. We have a larger attendance in the Senate now than I have seen all evening. I do not know if there are Members who are not present who were given assurance, but I know the minority leader did not give any Member assurance that there would not be a vote tonight, because we expected a vote.

The PRESIDING OFFICER. The question is on the unanimous-consent request of the Senator from California [Mr. KNOWLAND] to withdraw his motion to recess.

Mr. CLEMENTS. Mr. President, reserving the right to object, I am very happy——

The PRESIDING OFFICER. Does the Senator yield?

Mr. KNOWLAND. I yield. The Senator from Kentucky has a reservation.

Mr. CLEMENTS. I am very happy that the minority leader and the majority leader have both made the statements they have made in the last few minutes, because I think it justifies the observation which was made in the colloquy with the Senator from Michigan and the Senator from South Dakota by myself earlier in the evening when I suggested what they have outlined at this time. That colloquy brought about a voice vote on a bill on which some Members on the other side had desired to have a yea-and-nay vote.

I wish to add to what the minority leader said, that no individual Senator has control over any vote but his own. Certainly when I made that observation, I made it in the light of the statements which have been made by the minority and majority leader, and I think it was justified at that time.

The PRESIDING OFFICER. Is there objection to the request of the Senator from California?

Mr. MUNDT. Mr. President, reserving the right to object—although certainly I shall not object—I simply wish to confirm the statement made by my good friend, the acting minority leader, about the fact that around 9 o'clock this evening, in connection with a bill on which the Senator from Delaware [Mr. WILLIAMS] and I were endeavoring to obtain a yea-and-nay vote—it was a bill to deny the payment of pensions to Alger Hiss and other unfaithful former Government employees—when we asked for yeas and nays there was a gratifying display of hands which looked like a forest on the great South Dakota landscape; but in the middle of that display of hands, the acting majority leader rose and said, "We have given our word that there will be no yea-and-nay votes, and some of the Members have left with that understanding."

Being persuaded by that, I withdraw my request for a yea-and-nay vote on the question of the passage of that bill.

I mention that because it seems to me that a number of our colleagues left the Chamber with those words ringing in ears; and if they are not here at this time, to vote on the question of adoption of the conference report on the farm bill, certainly there are a great many extenuating circumstances, in view of the fact that they were so advised at that time.

It seems to me that the fair thing to do, insofar as the Senators now absent are concerned, is, consequently, to support the motion of the majority leader that the Senate take a recess until tomorrow, and on tomorrow to have the Senate vote on the question of agreeing to the conference report.

So far as I am concerned, I am here, and can vote at any time. But after other Senators had been assured there would be no yea-and-nay votes this evening, it seems to me it would be verging on sharp practice if suddenly a yea-and-nay vote were taken in the Senate.

The PRESIDING OFFICER. Is there objection to the request of the Senator from California for unanimous consent to withdraw his motion?

The Chair hears none. Without objection, it is so ordered.

The question now is on agreeing to the conference report.

Mr. CASE subsequently said: Mr. President, I ask unanimous consent to insert in the RECORD prior to the vote on the conference report, a statement setting forth the reasons why I voted for the adoption of the report.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

STATEMENT BY SENATOR CASE

With the consent of the Senate, I state these reasons for voting for adoption of the conference report on the farm bill.

1. If the conference report is rejected we are likely to have no bill since the House of Representatives has already voted for it and many of its Members have now left Washington and have gone home or abroad.

2. If we have no bill, the 1949 act comes into force with a 75 to 90 percent sliding scale instead of the 82½ to 90 percent price support provided in this bill.

3. If we have no new law, the agriculture conservation program expires and that $250 million program ends on the last day of this year, 1954. This means the end of soil-conservation payments which has done so much for soil and water conservation in South Dakota.

4. If we reject this bill now, we lose the set-aside of $2½ billion worth of farm products which is necessary to avoid further cruel cuts in acreage next year. This cut in acres and a 75-percent price support could spell complete disaster to incomes.

5. If we reject this bill now we lose its authorization for use of $50 million for purchase of milk and milk products for the school-lunch program. This will further injure milk producers.

6. If we reject this bill at this stage of proceedings, we lose the program it provides for the wool grower and that domestic industry will almost disappear.

7. If we reject this bill now, we reject the give and take of the legislative process which has been in progress for many months.

This bill represents the best upon which agreement could be had by a majority of the Congress. I shall not vote to throw it away at this stage of the proceedings in our democratic processes.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. SALTONSTALL. I announce that the senior Senator from Wisconsin [Mr. WILEY] is absent by leave of the Senate.

The senior Senator from Indiana [Mr. CAPEHART] and the Senator from Idaho [Mr. WELKER] are absent on official business.

The senior Senator from New Hampshire [Mr. BRIDGES], the Senator from Maryland [Mr. BUTLER], the Senator from Illinois [Mr. DIRKSEN], the Senator from Vermont [Mr. FLANDERS], the junior Senator from Indiana [Mr. JENNER], the Senator from North Dakota [Mr. LANGER], the Senator from New Jersey [Mr. SMITH], the junior Senator from New Hampshire [Mr. UPTON], and the Senator from Utah [Mr. WATKINS] are necessarily absent.

On this vote, the senior Senator from Indiana [Mr. CAPEHART] is paired with the Senator from South Carolina [Mr. MAYBANK], and the Senator from Vermont [Mr. FLANDERS] is paired with the Senator from Alabama [Mr. SPARKMAN]. If present and voting, the senior Senator from Indiana [Mr. CAPEHART] and the Senator from Vermont [Mr. FLANDERS] would each vote "yea," and the Senator from South Carolina [Mr. MAYBANK] and the Senator from Alabama [Mr. SPARKMAN] would each vote "nay."

If present and voting, the senior Senator from New Hampshire [Mr. BRIDGES], the Senator from Maryland [Mr. BUTLER], the Senator from Illinois [Mr. DIRKSEN], the junior Senator from New Jersey [Mr. JENNER], the Senator from New Jersey [Mr. SMITH], the junior Senator from New Hampshire [Mr. UPTON], the Senator from Utah [Mr. WATKINS], and the Senator from Idaho [Mr. WELKER] would each vote "yea."

Mr. CLEMENTS. I announce that the Senator from Ohio [Mr. BURKE], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Texas [Mr. DANIEL], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Georgia [Mr. GEORGE], the Senator from Tennessee [Mr. GORE], the Senator from New York [Mr. LEHMAN], the Senator from South Carolina [Mr. MAYBANK], and the Senator from Virginia [Mr. ROBERTSON] are absent on official business.

The Senator from Virginia [Mr. BYRD] and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

I announce that the Senator from Mississippi [Mr. EASTLAND] is paired with the Senator from Texas [Mr. DANIEL]. If present and voting, the Senator from Mississippi would vote "yea," and the Senator from Texas would vote "nay."

I announce further that the Senator from South Carolina [Mr. MAYBANK] is paired with the Senator from Indiana [Mr. CAPEHART]. If present and voting, the Senator from South Carolina would vote "nay," and the Senator from Indiana would vote "yea."

I announce also that the Senator from Alabama [Mr. SPARKMAN] is paired on this vote with the Senator from Vermont [Mr. FLANDERS]. If present and voting, the Senator from Alabama would vote "nay," and the Senator from Vermont would vote "yea."

I announce further that if present and voting, the Senator from Illinois [Mr. DOUGLAS] would vote "yea."

Mr. BEALL. Mr. President, how am I recorded?

The PRESIDING OFFICER. The Senator from Maryland is recorded as having voted in the affirmative.

Mr. CRIPPA. Mr. President, how am I recorded?

The PRESIDING OFFICER. The Senator from Wyoming is recorded as having voted in the affirmative.

Mr. DUFF. Mr. President, how am I recorded?

The PRESIDING OFFICER. The Senator from Pennsylvania is recorded as having voted in the affirmative.

Mr. PAYNE. Mr. President, how am I recorded?

The PRESIDING OFFICER. The Senator from Maine is recorded as having voted in the affirmative.

Mr. GOLDWATER. Mr. President, how am I recorded?

The PRESIDING OFFICER. The Senator from Arizona is recorded as having voted in the affirmative.

Mr. YOUNG. Mr. President, how am I recorded?

The PRESIDING OFFICER. The Senator from North Dakota is recorded as having voted in the negative.

Mr. KUCHEL. Mr. President, how am I recorded?

The PRESIDING OFFICER. The Senator from California is recorded as having voted in the affirmative.

Mr. McCARTHY. Mr. President, how am I recorded?

The PRESIDING OFFICER. The Senator from Wisconsin is recorded as having voted in the negative.

Mr. AIKEN. Mr. President, how am I recorded?

The PRESIDING OFFICER. The Senator from Vermont is recorded as having voted in the affirmative.

Mr. BENNETT. Mr. President, how am I recorded?

The PRESIDING OFFICER. The Senator from Utah is recorded as having voted in the affirmative.

Mr. PURTELL. Mr. President, how am I recorded?

The PRESIDING OFFICER. The Senator from Connecticut is recorded as having voted in the affirmative.

Mr. POTTER. Mr. President, how am I recorded?

The PRESIDING OFFICER. The Senator from Michigan is recorded as having voted in the affirmative.

Mr. HENDRICKSON. Mr. President, how am I recorded?

The PRESIDING OFFICER. The Senator from New Jersey is recorded as having voted in the affirmative.

Mr. SCHOEPPEL. Mr. President, how am I recorded?

The PRESIDING OFFICER. The Senator from Kansas is recorded as having voted in the affirmative.

Mr. BARRETT. Mr. President, how am I recorded?

The PRESIDING OFFICER. The Senator from Wyoming is recorded as having voted in the affirmative.

Mr. POTTER. Mr. President, a point of order: The Senate is not in order.

Mr. CASE. Mr. President, how is the junior Senator from South Dakota recorded?

The PRESIDING OFFICER. The Senator from South Dakota is recorded as having voted in the affirmative.

Mr. SALTONSTALL. Mr. President, how am I recorded?

The PRESIDING OFFICER. The clerk will recapitulate the vote.

The Chief Clerk recapitulated the vote.

Mr. IVES. Mr. President, I did not hear my name called. How am I recorded?

The PRESIDING OFFICER. The Senator from New York is recorded as having voted in the affirmative.

Mr. IVES. I thank the Chair very much, indeed.

Mr. CASE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from South Dakota will state it.

Mr. CASE. Is it in order, before the result of the vote is announced, for a Member to state his reasons for voting as he does?

The PRESIDING OFFICER. The Chair will advise the Senator from South Dakota that during the rollcall proceedings, debate is not in order. Therefore, the answer to the inquiry of the Senator from South Dakota is "No."

Mr. CASE. Mr. President, is a unanimous-consent request in order, in order to ask permission——

The PRESIDING OFFICER. The Chair will advise the Senator from South Dakota that during the rollcall proceedings, business cannot be transacted. So the answer is "No."

Mr. McCLELLAN. Mr. President, is a request for the regular order in order?

The PRESIDING OFFICER. A Senator may request the regular order.

Mr. McCLELLAN. Mr. President, I request the regular order.

Mr. McCARTHY. Mr. President——

The PRESIDING OFFICER. The regular order requires the announcement of the result of the vote, and the Chair will announce the result of the vote.

Mr. McCARTHY. Mr. President, before the Chair announces the result of the vote——

The PRESIDING OFFICER. For what purpose does the Senator from Wisconsin rise?

Mr. McCARTHY. In view of the fact that the Senate is not in order, I did not hear the recapitulation of the vote. May I ask for a recapitulation of the vote?

The PRESIDING OFFICER. The Senator from Wisconsin may make his request after the Chair has announced the result of the vote.

Mr. McCARTHY. Mr. President, I did not hear how I was recorded. May I have that stated?

The PRESIDING OFFICER. The regular order has been requested, and the Chair will announce the result of the vote.

The result was announced—yeas 44, nays 28, as follows:

YEAS—44

Aiken	Ferguson	McCarran
Anderson	Frear	Millikin
Barrett	Gillette	Neely
Beall	Goldwater	Pastore
Bennett	Green	Payne
Bowring	Hayden	Potter
Bricker	Hendrickson	Purtell
Bush	Hickenlooper	Reynolds
Carlson	Holland	Saltonstall
Case	Ives	Schoeppel
Cordon	Kennedy	Smathers
Crippa	Knowland	Smith, Maine
Duff	Kuchel	Stennis
Dworshak	Malone	Williams
Ellender	Martin	

NAYS—28

Clements	Johnston, S. C.	Monroney
Cooper	Kefauver	Morse
Ervin	Kerr	Mundt
Fulbright	Kilgore	Murray
Hennings	Lennon	Russell
Hill	Long	Symington
Humphrey	Magnuson	Thye
Jackson	Mansfield	Young
Johnson, Colo.	McCarthy	
Johnson, Tex.	McClellan	

NOT VOTING—24

Bridges	Douglas	Maybank
Burke	Eastland	Robertson
Butler	Flanders	Smith, N. J.
Byrd	George	Sparkman
Capehart	Gore	Upton
Chavez	Jenner	Watkins
Daniel	Langer	Welker
Dirksen	Lehman	Wiley

So the report was agreed to.

Mr. AIKEN. Mr. President, I move that the vote whereby the conference report was agreed to be reconsidered.

Mr. KNOWLAND. Mr. President, I move to lay the motion of the Senator from Vermont on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California to lay the motion of the Senator from Vermont on the table.

The motion to lay on the table was agreed to.

Mr. KNOWLAND. Mr. President——

The PRESIDING OFFICER. The Senator from California.

Mr. KNOWLAND. Mr. President, I do not wish to violate any rules of the Senate. I am about to move to recess; but I shall, as a matter of courtesy to both sides of the aisle, be glad to yield for insertions in the RECORD.

SPECIAL SUBCOMMITTEE ON INVESTIGATION OF THE COMMITTEE ON GOVERNMENT OPERATIONS—PERMISSION TO FILE REPORT WITH THE SECRETARY OF THE SENATE

Mr. MUNDT. Mr. President, I rise to propound a unanimous-consent request. I ask unanimous consent that the Special Subcommittee on Investigations of the Committee on Government Operations be authorized to file a report with the Secretary of the Senate during its recess, on behalf of the Committee on Government Operations, on the special Senate investigation on charges and countercharges involving Secretary of the Army Robert T. Stevens, John G. Adams, H. Struve Hensel, Senator Joe McCarthy, Roy M. Cohn, and Francis P. Carr, with the approval, by letter or otherwise, of a majority of the full Committee on Government Operations.

That full approval has been secured, and we very much hope to be able to file the report before the Senate recesses. However, sometimes Congress has the habit of recessing somewhat spontaneously. In order to fortify the privilege, I ask this unanimous consent.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

AMENDMENT OF TRADING WITH THE ENEMY ACT—AMENDMENTS

Mr. KILGORE submitted amendments intended to be proposed by him to the bill (S. 3423) to amend the Trading With the Enemy Act, which were ordered to lie on the table and to be printed.

ADDITIONAL EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following additional favorable reports of nominations were submitted:

By Mr. McCLELLAN, from the Committee on the Judiciary:

Jay Neal, of Arkansas, to be United States marshal for the western district of Arkansas, vice Cooper Hudspeth, resigned;

By Mr. LANGER, from the Committee on the Judiciary:

Henry L. Brooks, of Kentucky, to be United States district judge for the western district of Kentucky;

Charles J. Vogel, of North Dakota, to be United States circuit judge, eighth circuit, vice Walter G. Riddick, deceased; and

William C. Littlefield, of Georgia, to be United States marshall for the northern district of Georgia, vice Joe B. Harrison, resigning.

By Mr. SMITH of New Jersey, from the Committee on Foreign Relations:

Herbert Hoover, Jr., of California, to be Under Secretary of State;

Robert McClintock, of California, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to the Kingdom of Cambodia; and

Charles W. Yost, of New York, a Foreign Service officer of class 1, to be Envoy Extraordinary and Minister Plenipotentiary to the Kingdom of Laos.

MUTUAL SECURITY APPROPRIATIONS

Mr. THYE. Mr. President, on Saturday, August 14, I took leave of the Senate by unanimous consent immediately following the roll call vote on Senator MAYBANK'S amendment to the mutual security appropriations bill, H. R. 10051.

Having read the CONGRESSIONAL RECORD for the remainder of that day's session, I find the statement by the junior Senator from Wisconsin [Mr. McCARTHY] concerning the Director of the Foreign Operations Administration, Mr. Harold E. Stassen.

I have also noted the reply of the Senator from Illinois [Mr. DIRKSEN], who was acting chairman of the Appropriations Committee during the hearings at which Mr. Stassen testified.

The Senator from Illinois was most emphatically correct in his statement as I have read it in the RECORD of Saturday.

Mr. President, Harold Stassen is one of the eminent citizens of Minnesota.

It has been my good fortune to have been acquainted with him for quite a number of years.

I first became acquainted with him when he was elected county attorney of Dakota County, Minn.

I admired Harold Stassen as county attorney for his forthrightness and honesty in that public office.

He was three times elected Governor of Minnesota.

His record as governor was outstanding.

The reorganization of State government under his leadership has proven administratively sound and has been highly beneficial to the State of Minnesota.

He cleaned up the graft, mismanagement, and misuse of public trust that had existed in the State government prior to his administration.

In all of the administrative functions in the public offices that Harold Stassen held, his honesty, frankness, and forthrightness were what won him the respect and the confidence, not only of his associates but of the public whom he served.

Harold Stassen has the courage of his convictions.

Mr. President, I want to commend the Senator from Illinois [Mr. DIRKSEN] for his positive statement to be found in the CONGRESSIONAL RECORD on page 14512, wherein he said: "I must reaffirm my statement that Governor Stassen was a forthright and a complete witness.

"I would do him a disservice if I said otherwise."

Mr. President, I was present at all of the Appropriations Committee hearings when Mr. Stassen testified on the appropriations for Mutual Security and the Foreign Operations Administration.

Therefore, I want to take this opportunity to commend the Senator from Illinois [Mr. DIRKSEN], for having made that positive statement.

I, Mr. President, have every confidence that the Director of the Foreign Operations Administration, Mr. Stassen, would give nothing but a factual and positive statement on any question.

DEATH OF REPRESENTATIVE PAUL W. SHAFER, OF MICHIGAN

Mr. FERGUSON. Mr. President, I ask the Chair to lay before the Senate resolutions coming over from the House of Representatives.

The PRESIDING OFFICER laid before the Senate the resolutions of the House of Representatives, which were read, as follows:

IN THE HOUSE OF REPRESENTATIVES, U. S.,
August 17, 1954.

Resolved, That the House has heard with profound sorrow of the death of Hon. PAUL W. SHAFER, a Representative from the State of Michigan.

Resolved, That a committee of 25 Members of the House with such Members of the Senate as may be joined be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect the House do now adjourn.

Mr. FERGUSON. Mr. President, on behalf of my colleague [Mr. POTTER] and myself, I send to the desk a resolution, which I ask to have read, and for which I ask present consideration.

The PRESIDING OFFICER. The resolution will be read.

The resolution (S. Res. 316) was read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. PAUL W. SHAFER, late a Representative from the State of Michigan.

Resolved, That a committee of two Senators be appointed by the Presiding Officer to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

The PRESIDING OFFICER. The Chair announces that pursuant to the second resolving clause of the resolution, the Chair appoints the two Senators from Michigan [Mr. FERGUSON and Mr. POTTER] as the committee on the part of the Senate to attend the funeral for the late Representative SHAFER.

Mr. FERGUSON. Mr. President, as a further mark of respect to the memory of the late distinguished Representative from Michigan, PAUL SHAFER, I move that the Senate stand in recess until 10 o'clock a. m. today.

The motion was unanimously agreed to; and (at 12 o'clock and 31 minutes a. m., August 18, 1954) the Senate took a recess, the recess being, under the order previously entered, until 10 o'clock a. m. the same day.

NOMINATION

Executive nomination received by the Senate August 17 (legislative day of August 5), 1954:

DEPARTMENT OF STATE

Herbert Hoover, Jr., of California, to be Under Secretary of State.

HOUSE OF REPRESENTATIVES

TUESDAY, AUGUST 17, 1954

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

O Thou who art the source of every good and perfect gift, we thank Thee for this noon hour when we are again privileged to assemble in the fellowship of prayer.

Inspire our baffled minds and burdened hearts with vision and valor, and may we daily go forth on our quest of the true, the beautiful, and the good as crusaders, courageously following the Captain of our salvation.

Help us to look upon life as a glorious enterprise and constrain us to give ourselves resolutely to the arduous task of

building the kingdom of righteousness and justice, of love and good will among men and nations.

Grant that in our plans and labors we may always seek the guidance of Thy spirit, for we are so frequently in doubt as to what we ought to do and how to accomplish that which is needful.

Hear us in the name of the Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Ast, one of its clerks, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 1461. An act for the relief of Kenneth McRight;

H. R. 2781. An act for the relief of Nicholas Matook;

H. R. 3014. An act for the relief of Dr. Alfred L. Smith;

H. R. 3232. An act for the relief of Dennis F. Guthrie;

H. R. 3384. An act for the relief of John B. Daniel, Inc.;

H. R. 3446. An act for the relief of Mrs. Emily Wilhelm;

H. R. 6529. An act for the relief of Raleigh Hill;

H. R. 8498. An act authorizing construction of works to reestablish for the Palo Verde Irrigation District, California, a means of diversion of its irrigation water supply from the Colorado River, and for other purposes; and

H. R. 9580. An act to revise and extend the laws relating to espionage and sabotage, and for other purposes.

The message also announced that the Senate had passed bills and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 239. An act for the relief of Mr. and Mrs. Frank Goto;

S. 684. An act for the relief of Ernest B. Sanders;

S. 1042. An act to abolish the Commission for the Enlarging of the Capitol Grounds;

S. 1342. An act for the relief of Irfan Kawar;

S. 1343. An act for the relief of George Harb;

S. 1345. An act for the relief of certain Palestinian Arab refugees;

S. 1504. An act for the relief of the estate of Rev. Pang Wha Il;

S. 1892. An act for the relief of Hildegarde Hiller;

S. 2115. An act for the relief of Gertraut Hildegarde Marie Hubinger and Franz Hubinger;

S. 2203. An act for the relief of Andraous Jad Suidan and Leonora Yenovkian;

S. 2692. An act for the relief of Hedwig Marie Zaunmuller;

S. 2694. An act for the relief of Francis Bertram Brennan;

S. 3108. An act to modify the act of October 8, 1940 (54 Stat. 1020) and the act of July 24, 1947 (61 Stat. 418) with respect to the recoupment of certain public school construction costs in Minnesota;

S. 3238. An act for the relief of Johanna Schmid;

S. 3362. An act for the relief of Oskar Aszmoneit; and

S. Con. Res. 106. Concurrent resolution to correct an error in the enrollment of H. R. 1975.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 45. An act for the relief of Mrs. Merle Cappeller Weyel;

S. 46. An act for the relief of E. S. Berney;

S. 555. An act for the relief of Charles W. Gallagher;

S. 820. An act for the relief of the estate of Carlos M. Cochran;

S. 1183. An act for the relief of John L. de Montigny;

S. 1203. An act for the relief of Lt. Col. Rollins S. Emmerich;

S. 2070. An act for the relief of the estate of Givens Christian;

S. 2147. An act for the relief of Terrence Waller;

S. 2156. An act for the relief of John Enepekides, his wife Anna, and his son George;

S. 2266. An act for the relief of Walter P. Sylvester;

S. 2553. An act for the relief of Joseph V. Crimi, father of the minor child, Joseph Crimi;

S. 2693. An act for the relief of Robert Lee Williams; and

S. 3064. An act for the relief of the estate of Mary Beaton Denninger, deceased.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9757) entitled "An act to amend the Atomic Energy Act of 1946, as amended, and for other purposes."

SIXTH PAN-AMERICAN HIGHWAY CONGRESS

Mr. McGREGOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. McGREGOR. Mr. Speaker, as a delegate to the Sixth Pan-American Highway Congress it was my privilege to meet and become acquainted with many capable and highly interesting people. In my opinion the representative of each and every government was honest and outstanding in his chosen field, all sincerely endeavoring to exemplify friendliness and cooperation. Of course we learned to know some more than others. One of these was Romulo O'Farrill, Sr., of Mexico, whose outstanding work in behalf of the Pan-American Highway deserves special recognition from all of us.

Romulo O'Farrill, Sr., is a typical Mexican businessman of the new era, in love with his country, and with a keen business eye.

Quiet, unassuming, he does not make very much noise when all goes well, but his Irish ancestry shows up in times of trouble or when launching a new idea. He is one of those men who can enjoy work around the clock.

O'Farrill was discovered as a good road Samaritan by the International Road Federation and was later elected as president of the Mexican Highway Association. This is a civic organization sponsored by Mexican business and with the blessings of the Mexican Government. In 5 years it has created many State branches and has organized a National Commission for Rural Highways, which is building rural highways at the rate of more than 1,000 miles per year. The Mexican Highway Association has an A–1 standing among the national highway associations in the world.

O'Farrill brought first to Caracas for the Sixth Pan-American Highway Congress a top team of engineers and fellow businessmen and came with a fine report on the results of many months of active pursuit on matters related to the highway movement in this Western Hemisphere. In his customary suave and cheerful manner it took him no time to convince all of the other national delegations that it was high time to stop academic discussions in these congresses and get down to brass tacks. This hit the spot and was the keynote of the last highway meeting held at Caracas. As a result of this, Don Romulo, as everyone calls him, brought home to his native country, Mexico, the chairmanship of the permanent committee of the Pan-American Highway Congress and a portfolio full of matters to be attended to. Among these are the conclusion of the Pan-American Highway through Central America; new formulas for financing highways with external and internal funds in each country; the integration of the Gulf of Mexico and Caribbean highway-ferry circuits; and the exploration of the jungles at Darien, to find out if this last tough obstacle can be overcome for highway communication between Central and South America.

O'Farrill is a good citizen of Mexico and a pan-American at heart; therefore, a good friend of the United States. His many businesses—manufacturing, radio, newspapers, real estate, and financing—can well be representative of the American way of doing business, or, better still, of the new pan-American way of doing things; a combination of the aggressiveness of the American pioneer and the good manners of the Latins.

It was a real privilege to become acquainted with Romulo O'Farrill and his colleagues.

LOTUS FLOWER OFFERED TO BRITISH DELEGATION IN CHINA

Mr. HALE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. HALE. Mr. Speaker, I was particularly edified to read in yesterday morning's paper that the roots of the lotus flower were eaten by British labor delegates at a lunch given by Premier Chou En-lai the day previous. I hope that the lotus flower will have the same effect on the British labor delegation that it did on the companions of Odysseus in Homer's great epic, so that they will be satisfied to remain indefinitely in Communist China. I salute Clem Att-lee and Ny Bev-an.

POSTAL TRANSPORTATION SERVICE

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, during the past 3 weeks, I have received many letters and telegrams regarding the proposed curtailment of railway post office service in New England. Knowing how vital distribution en route is to efficient postal service, I am greatly concerned about the Post Office Department's plans for the future of the postal transportation service.

I first learned of the proposed curtailment on July 16, when I received a telegram from the National Postal Transport Association, advising me that the Post Office Department planned to drastically curtail railway post office service in New England. Upon making inquiry at the Post Office Department, I was advised by Assistant Postmaster General John C. Allen that the general superintendent at Boston had been directed to make a survey of certain lines in his division that provide dual service with a view to effecting consolidations where it is possible to do so without impairment of the postal service. Members of Congress were advised that they would be notified before any curtailment action was taken.

I was, therefore, shocked to receive information from the National Postal Transport Association that the superintendent of district 3, postal transportation service, issued the following order on August 3:

> Effective August 1, 1954, railway post-office service was discontinued on Rockport and Boston trains 2501, 2510, 2525, and 2536, and superseded by closed-pouch service. All mails formerly dispatched to Rockport and Boston RPO trains will be labeled to North Terminal, PTS, Boston.

This discontinuance of distribution en route on the four railway post-office trains running between Rockport and Boston will result in mails being held back and accumulated at the north terminal with consequent impairment of service for postal patrons on the North Shore and Cape Ann. The Commonwealth of Massachusetts has invested large sums of money cultivating tourist trade for the communities along the north shore of Massachusetts. It is ironic that at the height of the tourist season all railway post-office service on the Rockport & Boston has been discontinued. Efficient mail service is essential to any growing community or industry, and those catering to the tourist trade on the north shore will be handicapped by this curtailment of distribution en route. This false economy shows a disregard for the Commonwealth of Massachusetts and for the welfare of postal patrons who depend, in part, for their livelihood upon an efficient postal service.

It has also been brought to my attention that the Post Office Department plans to curtail distribution en route between Bangor, Maine, and Boston, Mass.; Portland and Boston; White River Junction, Vermont, and Boston; White River Junction and Springfield, Mass.; Boston and Albany; Boston and New York; Boston and Springfield; Springfield and New York: Bridgeport and Waterbury, Conn.; and Boston and Hartford.

Despite the assurances of the Post Office Department that there would be no impairment of postal service, it is inconceivable to me that curtailment of distribution en route on all the railway post-office trains I have just mentioned can result in anything but drastic impairment of service in New England.

Not only will postal service be impaired, but as a result of loss of revenue, rail service will be affected. Railroads in New England have recently invested huge sums of money in modern railway post-office equipment which can be used for no other purpose than distribution en route. Through the withdrawal of railway postal service, it is inevitable that railroads consider curtailing some of their passenger trains.

What the people of New England desire is a stable mail service; that is, receiving their mail at the time it should be delivered according to post office mail routes. They do not care whether mail trucks are painted red, white, and blue or olive drab; nor are they jubilant about snorkel mail boxes. They are concerned, however, about letters which are postmarked 8 p. m., July 30 in Washington and are not received in Connecticut until 10:45 a. m. on August 3. Window dressing and the businessman's approach will not suffice; what the people of New England want is dependable mail service.

Distribution en route by highly skilled distributors in moving railway post office cars is the most expeditious method of moving first-class mail and newspapers. It provides swift, stable, dependable postal service. This kind of service should be expanded rather than curtailed.

The public has the right, and Congress has the duty, to insist that an efficient postal service be maintained. The curtailment of distribution en route throughout New England will result in sporadic postal service that will not be tolerated by either business or the public.

OUTLAWING OF COMMUNIST PARTY

Mr. McCARTHY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. McCARTHY. Mr. Speaker, had I been present yesterday I would have voted in support of S. 3706.

I favor the passage of the bill outlawing the Communist Party. The Communist Party cannot claim the protection and privileges given to other political parties because of its international conspiratorial character and because of its continued and determined use of the methods of deception, falsehood, and subversion.

Two practical arguments can be made against this bill. One, that it is dangerous to suppress any political party, and that the Communist Party should be tolerated as a concession to the traditional American recognition of freedom of thought and expression. It seems clear enough that the Communist Party gives lipservice to freedom, only to exploit and abuse it. It seems clear enough that the Communist Party is different not only in degree, but in its essential qualities, from other extreme political movements which either exist today in America or have existed in the past.

The second argument against the bill is that which has been made by the Justice Department to the effect that this legislation would force the Communist Party to go underground. It seems reasonable to me to conclude that the Communist Party would long ago have gone underground if such action were advantageous to the party. If this law forces the party to adopt that course of action, it will have the effect of bringing the party to take an action which it has not freely taken in the past, and which, I think we can safely assume will not be advantageous to the party.

SPECIAL ORDERS GRANTED

Mr. FEIGHAN asked and was given permission to address the House for 10 minutes today, following the legislative program and any special orders heretofore entered.

Mr. O'HARA of Illinois asked and was given permission to address the House for 20 minutes today, following any special orders heretofore entered.

Mrs. ROGERS of Massachusetts asked and was given permission to address the House for 10 minutes today, following any special orders heretofore entered.

Mr. EBERHARTER asked and was given permission to address the House for 30 minutes tomorrow, following the legislative program and any special orders heretofore entered.

SUPPLEMENTAL APPROPRIATION BILL, 1955

Mr. TABER. Mr. Speaker, I call up the conference report on the bill (H. R. 9936) making supplemental appropriations for the fiscal year ending June 30, 1955, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

Mr. CANNON. Reserving the right to object, Mr. Speaker, may I ask the gentleman from New York if the hour will be equally divided between that side and this side?

Mr. TABER. That is all right.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

> CONFERENCE REPORT (H. REPT. NO. 2663)
>
> The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R.

9936) "making supplemental appropriations for the fiscal year ending June 30, 1955, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 23, 24, 41, 42, 44, 50, 58, 107, 153, 158, 161, 163, and 175.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 3, 4, 7, 8, 16, 17, 18, 19, 20, 22, 26, 28, 29, 36, 37, 45, 47, 48, 53, 76, 80, 81, 87, 90, 92, 97, 101, 102, 106, 109, 111, 112, 117, 118, 125, 133, 135, 137, 140, 142, 143, 144, 145, 146, 149, 150, 156, 170, 171, 172, 173, 174, 176, 177, 178, 179, 180, 181, 182, 183, and 184, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "$15,000"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"Senate Office Building: For an additional amount for 'Senate Office Building', $4,100."

And the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$300,000"; and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$450,000"; and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "$430,000"; and the Senate agree to the same.

Amendment numbered 43: That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"REIMBURSEMENT TO DISTRICT OF COLUMBIA

"For reimbursement to the Highway Fund, District of Columbia, for part cost of construction of highway-railroad grade separation structure in the District of Columbia on New York Avenue in the vicinity of South Dakota Avenue Northeast, $290,000."

And the Senate agree to the same.

Amendment numbered 51: That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "$87,500"; and the Senate agree to the same.

Amendment numbered 57: That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "$175,000"; and the Senate agree to the same.

Amendment numbered 63: That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"Training and traineeships

"For training and traineeships, $900,000, of which $500,000 shall be available for grants pursuant to section 4 of the Vocational Rehabilitation Act, as amended, and $400,000 shall be for carrying out the training functions provided for in section 7 of said Act: *Provided*, That not more than two dollars of the funds herein appropriated, granted pursuant to section 4 of said Act, shall be expended for each dollar that such grantee, or the State and the grantee, expends for the training of the same individuals."

And the Senate agree to the same.

Amendment numbered 64: That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"Salaries and expenses

"For an additional amount for 'Salaries and expenses', $200,000."

And the Senate agree to the same.

Amendment numbered 65: That the House recede from its disagreement to the amendment of the Senate numbered 65, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$21,000,000"; and the Senate agree to the same.

Amendment numbered 66: That the House recede from its disagreement to the amendment of the Senate numbered 66, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$6,500,000"; and the Senate agree to the same.

Amendment numbered 67: That the House recede from its disagreement to the amendment of the Senate numbered 67, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$6,500,000"; and the Senate agree to the same.

Amendment numbered 68: That the House recede from its disagreement to the amendment of the Senate numbered 68, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$4,000,000"; and the Senate agree to the same.

Amendment numbered 69: That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$4,000,000"; and the Senate agree to the same.

Amendment numbered 70: That the House recede from its disagreement to the amendment of the Senate numbered 70, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$250,000"; and the Senate agree to the same.

Amendment numbered 75: That the House recede from its disagreement to the amendment of the Senate numbered 75, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "$75,000"; and the Senate agree to the same.

Amendment numbered 77: That the House recede from its disagreement to the amendment of the Senate numbered 77, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"Salaries and expenses, Office of the Secretary

"For an additional amount for 'Salaries and expenses, Office of the Secretary', $50,000, of which $35,000 shall be available only for administrative and operational studies."

And the Senate agree to the same.

Amendment numbered 78: That the House recede from its disagreement to the amendment of the Senate numbered 78, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"NATIONAL ADVISORY COMMITTEE ON EDUCATION

"For expenses necessary for the National Advisory Committee on Education, as authorized by the Act of July 26, 1954 (Public Law 532, $25,000."

And the Senate agree to the same.

Amendment numbered 82: That the House recede from its disagreement to the amendment of the Senate numbered 82, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "$250,000"; and the Senate agree to the same.

Amendment numbered 83: That the House recede from its disagreement to the amendment of the Senate numbered 83, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "$505,000"; and the Senate agree to the same.

Amendment numbered 84: That the House recede from its disagreement to the amendment of the Senate numbered 84, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"SOIL CONSERVATION SERVICE

"Watershed protection

"For an additional amount for "Watershed protection", to remain available until expended, $1,750,000, of which not to exceed $40,000 shall be transferred to and made a part of the appropriation "Office of the Solicitor", 1955: *Provided*, That funds appropriated under this head shall be available for carrying out the purposes of the Act of August 4, 1954 (Public Law 566, Eighty-third Congress)."

And the Senate agree to the same.

Amendment numbered 94: That the House recede from its disagreement to the amendment of the Senate numbered 94, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "$50,000"; and the Senate agree to the same.

Amendment numbered 95: That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "$400,000"; and the Senate agree to the same.

Amendment numbered 96: That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$7,120,000"; and the Senate agree to the same.

Amendment numbered 98: That the House recede from its disagreement to the amendment of the Senate numbered 98, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$3,500,000"; and the Senate agree to the same.

Amendment numbered 108: That the House recede from its disagreement to the amendment of the Senate numbered 108, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$653,150"; and the Senate agree to the same.

Amendment numbered 120: That the House recede from its disagreement to the amendment of the Senate numbered 120, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "$500,000"; and the Senate agree to the same.

Amendment numbered 121: That the House recede from its disagreement to the amendment of the Senate numbered 121, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "$1,500,000"; and the Senate agree to the same.

Amendment numbered 123: That the House recede from its disagreement to the amendment of the Senate numbered 123, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "$1,000,000"; and the Senate agree to the same.

Amendment numbered 124: That the House recede from its disagreement to the amendment of the Senate numbered 124, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "$400,000"; and the Senate agree to the same.

Amendment numbered 131: That the House recede from its disagreement to the amendment of the Senate numbered 131, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$2,000,000"; and the Senate agree to the same.

Amendment numbered 138: That the House recede from its disagreement to the amendment of the Senate numbered 138, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$3,750,000"; and the Senate agree to the same.

Amendment numbered 139: That the House recede from its disagreement to the amendment of the Senate numbered 139, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$98,000,000"; and the Senate agree to the same.

Amendment numbered 141: That the House recede from its disagreement to the amendment of the Senate numbered 141, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$630,000,000"; and the Senate agree to the same.

Amendment numbered 157: That the House recede from its disagreement to the amendment of the Senate numbered 157, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$42,500"; and the Senate agree to the same.

Amendment numbered 160: That the House recede from its disagreement to the amendment of the Senate numbered 160, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$150,000"; and the Senate agree to the same.

Amendment numbered 162: That the House recede from its disagreement to the amendment of the Senate numbered 162, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$8,000,000"; and the Senate agree to the same.

Amendment numbered 165: That the House recede from its disagreement to the amendment of the Senate numbered 165, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$10,025,000"; and the Senate agree to the same.

Amendment numbered 166: That the House recede from its disagreement to the amendment of the Senate numbered 166, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$12,000,000"; and the Senate agree to the same.

Amendment numbered 167: That the House recede from its disagreement to the amendment of the Senate numbered 167, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$26,000,000"; and the Senate agree to the same.

Amendment numbered 185: That the House recede from its disagreement to the amendment of the Senate numbered 185, and agree to the same with an amendment, as follows:

Restore the matter stricken out by said amendment amended to read as follows:

"SEC. 1311. (a) After the date of enactment hereof no amount shall be recorded as an obligation of the Government of the United States unless it is supported by documentary evidence of—

"(1) a binding agreement in writing between the parties thereto, including government agencies, in a manner and form and for a purpose authorized by law, executed before the expiration of the period of availability for obligation of the appropriation or fund concerned for specific goods to be delivered, real property to be purchased or leased, or work or services to be performed; or

"(2) a valid loan agreement, showing the amount of the loan to be made and the terms of repayment thereof; or

"(3) an order required by law to be placed with a Government agency; or

"(4) an order issued pursuant to a law authorizing purchases without advertising when necessitated by public exigency or for perishable subsistence supplies or within specific monetary limitations; or

"(5) a grant or subsidy payable (i) from appropriations made for payment of or contributions toward, sums required to be paid in specific amounts fixed by law or in accord with formulae prescribed by law, or (ii) pursuant to agreement authorized by, or plans approved in accord with and authorized by, law; or

"(6) a liability which may result from pending litigation brought under authority of law; or

"(7) employment or services of persons or expenses of travel in accord with law, and services performed by public utilities; or

"(8) any other legal liability of the United States against an appropriation or fund legally available therefore.

"(b) Not later than September 30 of each year, the head of each Federal agency shall report, as to each appropriation or fund under the control of such agency, the amount thereof remaining obligated but unexpended and the amount thereof remaining unobligated on June 30 of such year and copies of such report shall be forwarded by him to the chairman of the Committees on Appropriations of the Senate and the House of Representatives, to the Comptroller General of the United States, and to the Director of the Bureau of the Budget: *Provided*, That such report for the fiscal year ending June 30, 1954, shall be made not later than December 31, 1954, and shall include only such obligations as could have been recorded under the provisions of subsection (a) hereof.

"(c) Each report made pursuant to subsection (b) shall be supported by certifications of the officials designated by the head of the agency, and such certifications shall be supported by records evidencing the amounts which are reported therein as having been obligated. Such certifications and records shall be retained in the agency in such form as to facilitate audit and reconciliation for such period as may be necessary for such purposes. The officials designated by the head of the agency to make certifications may not redelegate the responsibility.

"(d) No appropriation or fund which is limited for obligation purposes to a definite period of time shall be available for expenditure after the expiration of such period except for liquidation of amounts obligated in accord with subsection (a) hereof; but no such appropriation or fund shall remain available for expenditure for any period beyond that otherwise authorized by law.

"(e) Any statement of obligation of funds furnished by any agency of the Government to the Congress or any committee thereof shall include only such amounts as may be valid obligations as defined in subsection (a) hereof."

And the Senate agree to the same.

Amendment numbered 186: That the House recede from its disagreement to the amendment of the Senate numbered 186, and agree to the same with an amendment, as follows: In lieu of the number proposed by said amendment insert "1312"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 5, 6, 9, 10, 11, 12, 13, 14, 15, 21, 27, 30, 31, 34, 38, 39, 40, 46, 49, 52, 54, 55, 56, 59, 60, 61, 62, 71, 71½, 72, 73, 74, 79, 85, 86, 88, 89, 91, 93, 98, 100, 103, 104, 105, 110, 113, 114, 115, 116, 119, 122, 126, 127, 128, 129, 130, 132, 134, 136, 147, 148, 151, 152, 154, 155, 159, 164, 168, 169, and 187.

JOHN TABER,
CLARENCE CANNON,
As to chapters 1, 2, 4, 11, 12, and 13:
R. B. WIGGLESWORTH,
H. CARL ANDERSEN,
J. VAUGHAN GARY,
As to chapter 3:
CLIFF CLEVENGER,
FRANK T. BOW,
JOHN J. ROONEY,
As to chapter 5:
HAMER H. BUDGE,
BEN F. JENSEN,
A. M. FERNANDEZ,
As to chapter 6:
H. CARL ANDERSEN,
OAKLEY HUNTER,
JAMIE L. WHITTEN,
As to chapter 7:
BEN F. JENSEN,
IVOR D. FENTON,
W. F. NORRELL,
As to chapter 8:
JOHN PHILLIPS,
CHARLES R. JONAS,
As to chapters 9 and 10:
GLENN R. DAVIS,
E. A. CEDERBERG,
LOUIS C. RABAUT,
Managers on the Part of the House.
STYLES BRIDGES,
HOMER FERGUSON,
LEVERETT SALTONSTALL (except 151),
GUY CORDON (except as to amendment No. 151),
CARL HAYDEN,
PAT MCCARRAN,
RICHARD B. RUSSELL,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9936) making supplemental appropriations for the fiscal year ending June 30, 1955, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

CHAPTER I

District of Columbia

Amendment No. 1: Inserts chapter heading.

Amendment No. 2: Appropriates $15,000 for "Regulatory agencies", for carrying out the provisions of the District of Columbia Business Corporation Act (Public Law 389, 83d Cong.), instead of $30,000 as proposed by the Senate.

Amendment No. 3: Appropriates $13,967 for "Settlement of claims and suits" as proposed by the Senate.

Amendment No. 4: Appropriates $15,132 for the payment of judgments as proposed by the Senate.

Amendment No. 5: Reported in disagreement.

Amendment No. 6: Reported in disagreement.

CHAPTER II

Legislative—Judiciary

Amendments Nos. 7 and 8: Change chapter number and insert title.

Amendments Nos. 9–15: Reported in disagreement.

Amendments Nos. 16–20: Authorize funds for various items inserted by the Senate.

Amendment No. 21: Reported in disagreement.

Amendment No. 22: Eliminates appropriations to implement H. R. 9413 for "United States Capitol Police Force", as proposed by the Senate.

Amendment No. 23: Eliminates funds and language inserted by the Senate for salaries under the Architect of the Capitol.

Amendment No. 24: Eliminates language inserted by the Senate relative to supervision of the "Legislative Garage."

Amendment No. 25: Appropriates $4,100 for operation of the "Senate Office Building" as proposed by the Senate, and eliminates proviso inserted by the Senate.

Amendment No. 26: Appropriates $6,000,000 for "Construction and equipment of additional Senate Office Building" as proposed by the Senate.

Amendment No. 27: Reported in disagreement.

Amendment No. 28: Authorizes $18,500 for "Salaries of referees" as proposed by the Senate.

CHAPTER III

Department of State

Amendment No. 29: Changes chapter number as proposed by the Senate.

Amendment No. 30: Reported in disagreement.

Amendment No. 31: Reported in disagreement.

Department of Justice

Amendment No. 32: Appropriates $300,000 for "Salaries and expenses, general legal activities," instead of $275,000 as proposed by the House and $350,000 as proposed by the Senate.

Amendment No. 33: Appropriates $450,000 for "Salaries and expenses, United States attorneys and marshals," instead of $400,000 as proposed by the House and $525,000 as proposed by the Senate.

Department of Commerce

Amendment No. 34: Reported in disagreement.

Amendment No. 35: Appropriates $430,000 for "Salaries and expenses, Civil Aeronautics Administration," instead of $860,000 as proposed by the Senate. The additional amount to provide the aeronautical services by the CAA at Cold Bay, Alaska, and Balboa, Panama Canal Zone, is to be absorbed from the regular annual appropriation for "Salaries and expenses" without affecting in any way safety in aviation.

Amendments Nos. 36 and 37. Appropriate $1,350,000 for "Maintenance and operation, Washington National Airport," as proposed by the Senate.

Amendment No. 38: Reported in disagreement.

Amendment No. 39: Reported in disagreement.

Amendment No. 40: Reported in disagreement.

Amendment No. 41: Strikes out the Senate proposal to appropriate $600,000 for "Salaries and expenses, Business and Defense Services Administration."

Amendment No. 42: Appropriates $4,750,000 for the "Inter-American Highway" as proposed by the House instead of $5 million as proposed by the Senate.

Amendment No. 43: Appropriates $290,000 for reimbursement to the highway fund, District of Columbia, for part cost of construction of highway-railroad grade separation structure as proposed by the Senate.

Amendment No. 44: Strikes out the Senate proposal to appropriate $175,000 for "Salaries and expenses, Weather Bureau."

CHAPTER IV

Treasury Department

Amendment No. 45: Changes chapter number.

Amendment No. 46: Reported in disagreement.

Amendment No. 47: Appropriates $7,750,000 for "Salaries and expenses, Internal Revenue Service," as proposed by the Senate instead of $8,750,000 as proposed by the House.

CHAPTER V

Department of Labor

Amendment No. 48: Changes chapter number as proposed by the Senate.

Amendment No. 49: Reported in disagreement.

Amendment No. 50: Strikes appropriation of $100,000 for "Salaries and expenses, Bureau of Veterans Reemployment Rights," proposed by the Senate.

Amendment No. 51: Appropriates an additional amount of $87,500 for "Salaries and expenses, Bureau of Employment Security," instead of $145,000 as proposed by the Senate. The amount agreed upon includes $20,000 for additional work in connection with the file-control unit for the program of unemployment compensation for veterans and $25,000 for work aimed at minimizing the incidence of fraudulent and improper claims.

Amendment No. 52: Reported in disagreement.

Amendment No. 53: Appropriates an additional amount of $70,400,000 for "Unemployment compensation for veterans" as proposed by the Senate instead of $88,400,000 as proposed by the House.

Amendment No: 54: Reported in disagreement.

Amendment No. 55: Reported in disagreement.

Amendment No. 56: Reported in disagreement.

Amendment No. 57: Appropriates an additional amount of $175,000 for "Salaries and expenses, Mexican farm labor program", instead of $350,000 as proposed by the Senate. The amount agreed upon includes the full amount of $159,220 requested for the activity "Supplying foreign labor requirements" and includes no funds for the Washington office.

Amendment No. 58: Strikes appropriation of $110,000 for "Salaries and expenses, Bureau of Labor Statistics", proposed by the Senate.

Department of Health, Education, and Welfare

Amendment No. 59: Reported in disagreement.

Amendments Nos. 60 and 61: Reported in disagreement.

Amendment No. 62: Reported in disagreement.

Amendment No. 63: Appropriates $900,000 for "Training and traineeships, Office of Vocational Rehabilitation", instead of $1,831,000 as proposed by the Senate.

Amendment No. 64: Appropriates $200,000 for "Salaries and expenses, Office of Vocational Rehabilitation", instead of $400,000 as proposed by the Senate, and strikes special language proposed by the Senate.

Amendments Nos. 65, 66, 67, 68, and 69: Appropriate $21,000,000 for "Grants for hospital construction, Public Health Service", instead of $15,700,000 as proposed by the House and $35,000,000 as proposed by the Senate, and establish the following limitations: For diagnostic or treatment centers, $6,500,000 instead of $5,225,000 as proposed by the House and $10,000,000 as proposed by the Senate; for hospitals for the chronically ill and impaired, $6,500,000 instead of $5,225,000 as proposed by the House and $10,000,000 as proposed by the Senate; for rehabilitation facilities, $4,000,000 instead of $2,625,000 as proposed by the House and $10,000,000 as proposed by the Senate; and for nursing homes, $4,000,000 instead of $2,625,000 as proposed by the House and $5,000,000 as proposed by the Senate.

Amendment No. 70: Appropriates $250,000 for "Salaries and expenses, hospital construction services", instead of $200,000 as proposed by the House and $300,000 as proposed by the Senate.

Amendments Nos. 71, 71½, 72, 73, and 74: Reported in disagreement.

Amendment No. 75: Appropriates an additional amount of $75,000 for "Salaries and expenses, Children's Bureau, Social Security Administration", instead of $165,000 as proposed by the Senate.

Amendment No. 76: Inserts heading as proposed by the Senate.

Amendment No. 77: Appropriates an additional amount of $50,000 for "Salaries and expenses, Office of the Secretary", of which $35,000 shall be available only for administrative and operational studies, instead of $75,000 of which $52,000 was to have been available only for administrative and operational studies, as proposed by the Senate.

Amendment No. 78: Appropriates $25,000 for the "National Advisory Committee on Education" instead of $100,000 as proposed by the Senate, and deletes Senate language relating to conduct of studies.

Amendment No. 79: Reported in disagreement.

CHAPTER VI

Department of Agriculture

Amendments Nos. 80 and 81: Change chapter number and insert title.

Amendment No. 82: Appropriates $250,000 for "Salaries and expenses, Forest Service", for national forest protection and management instead of $375,000 as proposed by the Senate.

Amendment No. 83: Appropriates $505,000 for "Salaries and expenses, Forest Service", for forest research instead of $515,000 as proposed by the Senate. In view of the action of the conferees, the $10,000 provided in the regular Department of Agriculture Act for 1955 should be used for this purpose rather than for the special study authorized.

Amendment No. 84: Appropriates $1,750,000 for "Watershed protection" instead of $2,425,000 as proposed by the Senate.

Amendment No. 85: Reported in disagreement.

Amendment No. 86: Reported in disagreement.

Amendment No. 87: Inserts title.

Amendment No. 88: Reported in disagreement.

Amendment No. 89: Reported in disagreement.

CHAPTER VII

Department of the Interior

Amendment No. 90: Changes chapter number.

Amendment No. 91: Reported in disagreement.

Amendment No. 92: Appropriates $6,931,000 for "Construction, Bureau of Indian Affairs", as proposed by the Senate instead of $3,900,000 as proposed by the House. Of the amount agreed upon $3,000,000 is to provide financial assistance to public-school districts for the construction and equipment of public-school facilities for Navajo Indian children. This program is authorized under the Navajo-Hopi Rehabilitation Act (25 U. S. C. 631) which was enacted to meet a special situation due to the large number of Navajo children for which no school facilities have been provided in accordance with the treaties made with these tribes. No statutory authority exists for this type of program for Indians other than Navajo and Hopi Tribes, therefore no precedent is established by this action.

Amendment No. 93: Reported in disagreement.

Amendment No. 94: Appropriates $50,000 for "Relocation of the Yankton Sioux Tribe" instead of $106,500 as proposed by the Senate.

Amendment No. 95: Appropriates $400,000 for "General investigations, Bureau of Reclamation", instead of $500,000 as proposed by the Senate.

Amendments Nos. 96 and 97: Appropriate $7,120,000 for "Construction and rehabilitation, Bureau of Reclamation", instead of $1,707,000 as proposed by the House and $8,120,000 as proposed by the Senate, and provide that of this amount $2,320,000 shall be derived from the reclamation fund. Of the amount agreed upon $1,000,000 is for the Glendo Unit.

Amendment No. 98: Increases the personal services limitation in the Interior Department Appropriation Act, 1955, under the heading "Construction and rehabilitation, Bureau of Reclamation," by $3,500,000 instead of $2,500,000 as proposed by the House and $4,840,968 as proposed by the Senate.

Amendment No. 99: Reported in disagreement.

Amendment No. 100: Reported in disagreement.

Amendment No. 101: Strikes out House language appropriating $47,000 for "Administration of Territories" as proposed by the Senate.

Amendment No. 102: Inserts heading.

Amendment No. 103: Reported in disagreement.

Amendment No. 104: Reported in disagreement.

Amendment No. 105: Reported in disagreement.

CHAPTER VIII

Independent Offices

Amendment No. 106: Changes chapter number.

Amendment No. 107: Strikes out Senate proposal to appropriate $125,000 for "Commission on Governmental Use of International Telecommunications."

Amendments Nos. 108 and 109: Appropriate $653,150 for "Commission on Organization of the Executive Branch of the Government" instead of $497,835 as proposed by the House and $753,150 as proposed by the Senate, and increase the limitation on the amount available for expenses of travel by $137,700 as proposed by the Senate instead of $62,700 as proposed by the House.

Amendment No. 110: Reported in disagreement.

Amendments Nos. 111 and 112: Appropriate $2,970,600 for "Additional court facilities" as proposed by the Senate, instead of $2,820,600 as proposed by the House, and strike the House proviso as proposed by the Senate.

Amendment No. 113: Reported in disagreement.

Amendment No. 114: Reported in disagreement.

Amendment No. 115: Reported in disagreement.

Amendment No. 116: Reported in disagreement.

Amendments Nos. 117 and 118: Insert headings.

Amendment No. 119: Reported in disagreement.

Amendment No. 120: Inserts language for "Reimbursement to Federal Bureau of Investigation" as proposed by the Senate, and appropriates $500,000 instead of $560,000 as proposed by the Senate.

Amendment No. 121: Inserts language for "Reserve of planned public works" as proposed by the Senate, and appropriates $1,500,000 instead of $5,000,000 as proposed by the Senate.

Amendment No. 122: Reported in disagreement.

Amendment No. 123: Inserts language for "Urban planning grants" as proposed by the Senate, and appropriates $1,000,000 instead of $2,500,000 as proposed by the Senate.

Amendment No. 124: Inserts language for "Public Housing Administration, Administrative expenses" as proposed by the Senate, and appropriates $400,000 instead of $800,000 as proposed by the Senate.

Amendment No. 125: Inserts heading.

Amendment No. 126: Reported in disagreement.

Amendment No. 127: Reported in disagreement.

Amendment No. 128: Reported in disagreement.

Amendment No. 129: Reported in disagreement.

Amendment No. 130: Reported in disagreement.

Amendment No. 131: Appropriates $2,000,000 for "National Science Foundation, International Geophysical Year", instead of $1,500,000 as proposed by the House and $2,500,000 as proposed by the Senate.

Amendment No. 132: Reported in disagreement.

CHAPTER IX

Military construction—Department of Defense

Amendment No. 133: Changes chapter number.

Amendment No. 134: Reported in disagreement.

Amendment No. 135: Inserts number and date of public law as proposed by the Senate instead of number of bill as proposed by the House.

Amendment No. 136: Reported in disagreement.

Amendment No 137: Inserts number and date of public law as proposed by the Senate instead of number of bill as proposed by the House.

Amendment No. 138: Makes $3,750,000 available for "Advance planning, Navy", instead of $2,500,000 as proposed by the House and $5,000,000 as proposed by the Senate.

Amendment No. 139: Appropriates $98,000,000 for "Public works, Navy", instead of $73,517,000 as proposed by the House and $114,000,000 as proposed by the Senate. The managers on the part of the House and the Senate are in agreement that the public-works program for the Navy shall include those projects approved by the House and the following projects approved by the Senate:

Naval Shipyard, Mare Island, Calif.: Acquisition of San Francisco & Napa Valley RR	$225,000
Naval Shipyard, San Francisco, Calif.: Pipefitters' shop	1,000,000
Recruit depot, Parris Island, S. C.: Classroom buildings	288,000
Naval Academy, Annapolis, Md.: Gymnasium	4,082,000
Naval Air Facility, Cubi Point, Philippine Islands: Ammunition storage	848,000
Naval Air Station, Iwakuni, Japan: Ammunition storage	540,000

The managers are in complete agreement that the $4,082,000 allocated for the Naval Academy gymnasium shall be for the complete facility including collateral equipment.

Amendment No. 140: Inserts number and date of public law as proposed by the Senate instead of number of bill as proposed by the House.

Amendment No. 141: Appropriates $630,000,000 for "Acquisition and construction of real property, Department of the Air Force," instead of $484,080,000 as proposed by the House and $796,000,000 as proposed by the Senate. The managers on the part of the House and the Senate are in agreement that the military-construction program for the Air Force shall include those projects approved by the House and the following projects approved by the Senate:

Kinross Air Force Base, Mich., theater	$74,000
Dover Air Force Base, Del.	3,337,000
Dow Air Force Base, Maine	11,501,000
Stead Air Force Base, Nev., gymnasium	180,000
Hickam Air Force Base, T. H., reconstruction, airmen's dormitory	748,000
Keflavik Air Base, Iceland	17,493,000
Columbus Air Force Base, Miss.	105,000

Amendment No. 142: Changes section number.

Amendment No. 143: Inserts number and date of public law as proposed by the Senate instead of number of bill as proposed by the House. The managers on the part of the House and the Senate are in agreement that the military construction program of the Department of the Army shall include those projects approved by the House and the following projects approved by the Senate:

White Sands Proving Ground, N. Mex.: Gymnasium	$369,000
Sacramento Signal Depot, Calif.: Post exchange	95,000
Fort Belvoir, Va.: Addition to officers' open mess	117,000
Fort Campbell, Ky.: Main post exchange	541,000
Camp Carson, Colo.: Main post exchange	558,000
Ladd Air Force Base, Alaska: 2 enlisted men's barracks with mess (400 men)	1,200,000

Amendments Nos. 144, 145, and 146: Change section numbers.

Amendment No. 147: Reported in disagreement.

Amendment No. 148: Reported in disagreement.

CHAPTER X

Department of the Army—Rivers and harbors and flood control

Amendment No. 149: Inserts chapter heading.

Amendment No. 150: Adds appropriation title.

Amendment No. 151: Reported in disagreement.

Amendment No. 152: Reported in disagreement.

Amendment No. 153: Strikes out Senate language modifying project for bank protection on the Missouri River from Kensiers Bend, Nebraska, to Sioux City, Iowa, to include dredging of McCook Lake.

Amendment No. 154: Reported in disagreement.

Amendment No. 155: Reported in disagreement.

CHAPTER XI

Emergency programs and activities

Amendment No. 156: Changes chapter number.

Amendment No. 157: Provides not to exceed $42,500 for representation allowances for "Government in occupied areas" instead of $35,000 as proposed by the House and $50,000 as proposed by the Senate.

Amendment No. 158: Appropriates $14,000,000 for "Government in occupied areas" as proposed by the House instead of $14,500,000 as proposed by the Senate.

Amendment No. 159: Reported in disagreement.

Amendment No. 160: Provides not to exceed $150,000 for expenses of a confidential nature for "Refugee relief" instead of $80,000 as proposed by the House and $174,000 as proposed by the Senate.

Amendment No. 161: Provides not to exceed $600,000 for capital for the making of loans for "Refugee relief" as proposed by

the House instead of $1,500,000 as proposed by the Senate.

Amendment No. 162: Appropriates $8,000,000 for "Refugee relief" instead of $7,000,000 as proposed by the House and $9,025,000 as proposed by the Senate.

Amendment No. 163: Eliminates language proposed by the Senate authorizing apportionment of entire amount for use during the first 9 months of the fiscal year.

Amendment No. 164: Reported in disagreement.

Amendment No. 165: Appropriates $10,025,000 for "Operation, Federal Civil Defense Administration", instead of $8,525,000 as proposed by the House and $11,000,000 as proposed by the Senate. It is understood that from available funds headquarters may be moved from Washington, District of Columbia, to Battle Creek, Michigan.

Amendment No. 166: Appropriates $12,000,000 for "Federal contributions, Federal Civil Defense Administration", instead of $10,500,000 as proposed by the House and $14,750,000 as proposed by the Senate.

Amendment No. 167: Appropriates $26,000,000 for "Emergency supplies and equipment, Federal Civil Defense Administration", instead of $25,000,000 as proposed by the House and $32,100,000 as proposed by the Senate.

Amendment No. 168: Reported in disagreement.

Amendment No. 169: Reported in disagreement.

CHAPTER XII

Claims for damages, audited claims, and judgments

Amendment No. 170: Changes chapter number.

Amendment No. 171: Inserts Senate document numbers as proposed by the Senate.

Amendment No. 172: Appropriates $11,472,202 for "Claims for damages, audited claims, and judgments" as proposed by the Senate instead of $9,296,561 as proposed by the House.

CHAPTER XIII

General provisions

Amendment No. 173: Changes chapter number.

Amendment No. 174: Changes section number.

Amendment No. 175: Strikes out Senate language.

Amendments Nos. 176–184: Change section numbers.

Amendment No. 185: Reinserts with minor changes the House proposed section on definition and reporting of obligations.

Section 1311 (a) (1) precludes the recording of an obligation unless it is supported by documentary evidence of a binding agreement between the parties as specified therein. It is not necessary, however, that this binding agreement be the final formal contract on any specified form. The primary purpose is to require that there be an offer and an acceptance imposing liability on both parties. For example, an authorized order by one agency on another agency of the Government, if accepted by the latter and meeting the requirement of specificity, etc., is sufficient. Likewise, a letter of intent accepted by a contractor, if sufficiently specific and definitive to show the purposes and scope of the contract finally to be executed, would constitute the binding agreement required.

As to subsection (c) it is the intention of the committee of conference that the officials designated by the head of agency to make certifications of obligations shall be those officials having overall responsibility for the recording of obligations as distinguished from those engaged in detailed recording operations and in no event should the designation be below the level of the chief accounting officer of a major bureau, service, or constituent organizational unit.

Amendment No. 186: Changes section number.

Amendment No. 187: Reported in disagreement.

JOHN TABER,
CLARENCE CANNON,
As to chapters 1, 2, 4, 11, 12, and 13:
R. B. WIGGLESWORTH,
H. CARL ANDERSEN,
J. VAUGHAN GARY,
As to chapter 3:
CLIFF CLEVENGER,
FRANK T. BOW,
JOHN J. ROONEY,
As to chapter 5:
HAMER H. BUDGE,
BEN F. JENSEN,
A. M. FERNANDEZ,
As to chapter 6:
H. CARL ANDERSEN,
OAKLEY HUNTER,
JAMIE L. WHITTEN,
As to chapter 7:
BEN F. JENSEN,
IVOR D. FENTON,
W. F. NORRELL,
As to chapter 8:
JOHN PHILLIPS,
CHARLES R. JONAS,
As to chapters 9 and 10:
GLENN R. DAVIS,
E. A. CEDERBERG,
LOUIS C. RABAUT,
Managers on the Part of the House.

Mr. TABER. Mr. Speaker, I yield myself 14 minutes.

Mr. Speaker, we are presenting the conference report on the supplemental appropriation bill. We have been in conference for about 4 or 5 days and have finally reached an agreement. The bill as it passed the House called for $1,303,000,000 in appropriations. As it passed the Senate it called for $2,034,000,000, and the conference report which we are bringing to you now calls for $1,659,000,000, an increase of $355 million above the House figure and a decrease of $375 million below what it was when it passed the Senate. That is almost an even split, but there were so many items involved it just happened that way. There will be approximately 75 amendments in disagreement. Some of them are in technical disagreement because the range of the conference was not broad enough to permit us to agree to anything which had any legislation involved in it.

A great many of these amendments I hope we will be able to consider en bloc and get rid of them quickly. The others I will try to dispose of as rapidly as possible.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. GROSS. I note an appropriation of $6 million for the construction of an office building. I take it that is simply the foot in the door. Is that not correct?

Mr. TABER. As I understand it, that is an office building in connection with the Baltimore picture.

Mr. GROSS. No. I call attention to amendment No. 26 on page 10.

Mr. ROONEY. A proposed new Senate Office Building.

Mr. TABER. Oh, that is the Senate Office Building. That was placed in by the Senate. We have a rule and a practice, and have had for many years, that the other body puts in what they must have, and we have always gone along with what they have put in for their own personal housekeeping.

Mr. GROSS. What is the estimated total cost of the structure that is proposed to be built?

Mr. TABER. I would not be able to tell the gentleman, but I imagine it will be about $22 or $23 million.

Mr. GROSS. The gentleman will agree with me that yesterday the House voted—I did not—to raise the debt limit by $6 billion.

Mr. TABER. I think they did.

Mr. ROONEY. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. ROONEY. Is it not the fact that the procedure usually followed is to permit the other body to direct the expenditure of funds for their own housekeeping, and that if they want this new building, with or without a swimming pool, it is entirely within their discretion?

Mr. TABER. That is correct. That is the practice that has always been followed.

Mr. GROSS. Well, if the gentleman will yield, of course, after all, we do vote in the House, and therefore share the responsibility for this kind of spending.

Mr. TABER. That is correct. After we are through with the conference report we will take up as rapidly as possible the amendments that have been brought back in disagreement.

Mr. SHEPPARD. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. SHEPPARD. Having worked with the gentleman a great many years, I am wondering if I might intrude upon him to this extent: Is the gentleman personally quite happy with this bill as now presented?

Mr. TABER. I have never yet seen an appropriation bill that I did not think was too big. Maybe that is a peculiar disposition, but it is there.

Mr. SHEPPARD. I judge from the gentleman's remarks that he is quite dissatisfied with this pork-barrel bill, because literally that is what it is.

Mr. TABER. Well, it is a great deal larger than I wanted to see presented, but you know we have to get together on a bill and bring it back for the consideration of the House or we would never be through.

Mr. GARY. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. GARY. It is also true that the chairman of this committee and all members of the committee fought very diligently to have the amounts in the bill reduced, and we got just about the best settlement that was possible, under the circumstances.

Mr. TABER. I think we did very well, everything considered.

Mr. JAVITS. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. JAVITS. Can the gentleman tell us what happened to those major items in controversy in the House, like the appropriation for nursing homes and other hospital construction and maritime fa-

cilities? We have to know that before we vote on the conference report itself.

Mr. TABER. I have those figures. The item for the Food and Drug Administration was accepted.

The item for payments to school districts was brought back in disagreement; and as a bill providing for the same thing with this language has passed both bodies, a motion to further insist upon the amendment will be made.

Mr. BAILEY. Mr. Speaker, will the gentleman yield at that point?

Mr. TABER. I yield.

Mr. BAILEY. Speaking of the funds for the impacted school districts, is it the intention of the committee to move to recede and concur in the Senate amendments?

Mr. TABER. It is the intention of the committee to move to further insist upon the disagreement with the amendment of the Senate because a bill providing for the same thing this amendment provides for has passed both bodies.

Mr. BAILEY. That passed the House yesterday, but it was only the authorization. This is the means of getting the funds.

Mr. TABER. No; this is not the means of getting the funds, it is just legislation.

For the White House Conference on Education we provided $900,000.

For the Office of Vocational Rehabilitation, $4 million was provided: $1,500,000 under section 2, and the same amount under section 3, and $1 million on a 2-for-1 matching basis.

For the training and traineeships we provided $500,000 to be matched and $400,000 of direct appropriations; for salaries and expenses we provided $200,000 additional for this setup.

For grants to hospital construction we provided $21 million, and that is clearly way beyond what can properly, effective, and efficiently be obligated during the year.

For hospital construction services we provided $250,000. We brought in other items in that particular category.

Mr. JAVITS. What about the maritime funds?

Mr. ROONEY. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. ROONEY. Perhaps the gentleman should point out that the bill as it comes back to the House in this conference report contains the amount of $82,600,000 for maritime activities, ship construction, which amendment was previously adopted here on the floor of the House; and $22 million voted here in the House in connection with the Federal-aid airport program, Federal Airport Act. It might also be pointed out that the other body inserted the amount of $8,430,000 for the Bureau of the Census, of business, manufactures, and mineral industries. The matter of these censuses is now before the House in this conference report for approval in that amount.

Mr. JAVITS. So the gentleman would say that the will of the House has been carried out to attain the objectives substantially as voted on these separate items when the bill was here.

Mr. ROONEY. Insofar as the Federal-aid airport program is concerned and insofar as ship construction, maritime activities, is concerned.

Mr. HAGEN of Minnesota. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Minnesota.

Mr. HAGEN of Minnesota. Mr. Speaker, I would like to comment a little on amendment No. 84. I understand the House conferees have agreed to $1,750,000 for the watershed protection program which means the protection of our soil, the saving of soil, the prevention of floods by keeping the waters back up in the hinterland or the upper streams of the rivers and streams. I hope that it is the gentleman's intention and that of the committee to agree to that amount for this much-needed program?

Mr. TABER. There will be a motion made to recede and concur with an amendment to that section.

Mr. ROONEY. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from New York.

Mr. ROONEY. It might be pointed out to the distinguished gentleman from Minnesota that the proposed amendment with regard thereto appears at page 5 of the conference report on this bill.

Mr. HAGEN. Yes, I know.

Mr. KEATING. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from New York.

Mr. KEATING. Will the gentleman explain what was done with reference to this celebration, what allowance was made for that?

Mr. TABER. There was $100,000 allowed for that.

Mr. KEATING. I think that is extremely unfortunate.

Mr. TABER. The amendment, as I understand it, is in disagreement.

Mr. KEATING. That will come before us at a later time?

Mr. TABER. Yes.

Mr. REED of New York. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from New York.

Mr. REED of New York. I am interested in one item. There was in the original bill or in testimony before the gentleman's committee a reference to bringing certain top people in the Welfare Department to Washington for the convenience of the Secretary of the Treasury in the operation of the social-security law. What happened to that? I noticed that they have to come here from Baltimore on the train, and I refer to these top people, wasting day after day after day in hearings. It is a waste of time and money. If they were located here it would be better.

Mr. TABER. Well, there are some of these people who will be brought into Washington. As I understand it, about 400 have been or are being brought in, but the major part of the crew is expected to stay in Baltimore.

Mr. REED of New York. That is true and I am glad to know that the 400 are to be brought in because they are top level people and they have to run back and forth to carry on the work.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. What is in there for the veterans in the way of appropriations?

Mr. TABER. There are so many items involved that it is absolutely impossible for me to tell without looking at this. There is an item for $3 million for inpatient care.

Mrs. ROGERS of Massachusetts. I asked about appropriations for the Veterans Administration.

Mr. TABER. There is an item of $3 million which was placed in the House bill and which was not amended by the Senate, so that is all that we had before the conferees.

Mr. Speaker, I yield 30 minutes to the gentleman from Missouri [Mr. CANNON] with the understanding that he may yield time as he wishes.

Mr. CANNON. Mr. Speaker, it is with a distinct sense of disappointment that I see this report brought to the floor.

At a time when the fiscal condition of the country is in the worst situation in which it has ever been in the fiscal history of the country; at a time when we have just passed a resolution raising the statutory ceiling on the national debt; at a time when we are in the red and continuing in the red, with no prospect of getting out of the red either this year or the next fiscal year, we are bringing to the House, in the closing days of the session, one of the biggest, one of the juiciest pork-barrel, logrolling, politically prompted, election-conscious bills that has ever been brought to this floor.

Oh, we took great credit to ourselves here just a short time back that we were concluding the fiscal year with a deficit of a mere $3 billion. It was touted as a great achievement. Of course we had promised to balance the budget, but since we had not balanced it, we were taking credit to ourselves that we were getting the deficit down to a mere bagatelle of $3 billion. It is true we had promised to balance the budget and stop deficit spending, but what was a mere $3 billion between friends.

And now we bring in a bill which, with amendments by the other body aggregated in excess of $2 billion. Even with reductions made in conference the bill still approximates in round figures $1,700,000,000. And the deficit approaches $5 billion instead of $3 billion.

Mr. Speaker, the whole theory of a deficiency bill is bad. It means either that the departments have not stayed within the limits established for them by Congress, or that the committee and the Congress have erred in fixing the limits. Or that the national revenues are dropping unexpectedly. Or that other unforeseen conditions have developed which indicate a confused and unwholesome legislative or executive administration or both.

When we adopted the one-package bill we agreed in committee that we

would dispense with supplemental and deficiency bills except those involving matters which could not have been previously brought to the attention of the House. And the departments were notified that they must submit one budget and when approved by Congress must live within it. Deficit and supplemental appropriations were to be discouraged.

Only in exceptional instances are deficiency or supplemental appropriations warranted or justified. And few, if any, of the items in this huge bill fall within that category.

Why is this huge, nondescript, catchall, omnibus, conglomeration of appropriations—some of them for stupendous sums—thrown helter-skelter into the laps of the committee and the Congress in the dying days of the session? Why weren't they included in the original budget? Why were they not submitted to the House and Senate committees in time for both Houses to hold hearings and make the routine investigations and have time and opportunity to secure information on which we could proceed with some assurance in taking money out of a National Treasury, in the bottom of which has already been scraped clean?

Now, the most reprehensible items in this bill as it came from the other body could have been brought in here at the time the regular budget was brought before us. Why were they not brought in with the regular budget? Well, there were two possible reasons.

In the first place, it affords opportunity to leave the impression that we are making a great record; that we are closing the fiscal year with a deficit of barely $3 billion, when the intention is, as expressed in the amendments coming over from the other body, to create a deficit of approximately $5 billion.

In the second place, many of these items, if not most of them, are for projects which would not appear to advantage under close scrutiny. It is not advisable to examine them too closely or too carefully. The idea is to bring them in here in the last week of the Congress, when everybody is impatient to get away, when there is no time to make an exhaustive investigation or to hold hearings or to examine with any detail into their merits—and especially their demerits. They are to be rushed through in the twilight hours of the session when everybody is impatient to get away.

What should be the criteria by which we judge proposals to appropriate money from the United States Treasury? Some of us here can remember when the public debt was small and United States bonds were selling at par. In those halcyon days when an estimate for an appropriation was considered by the committee on appropriations, the one issue was, "Will money appropriated for the purpose be well invested?" And if the answer was in the affirmative, we made the appropriation.

But, Mr. Speaker, the time has long gone by when we can make appropriations under any such carefree formula. The country is broke. We are bankrupt. We are carrying a debt so stupendous as to stagger the finite mind of man. With chronic deficit spending—living continuously beyond our means—at the rate demanded by this bill we are heading rapidly toward a day when the national debt must either be repudiated or wiped out by an inflation which will leave the Nation destitute.

Under such conditions the only question which can be entertained by the committee in passing on proposals to spend public money is: "Can we get along without it?" If the answer is in the affirmative, if the country can possibly get along without the expenditure, then we ought to refuse to make the appropriation. And this bill is loaded with appropriations of that ilk.

Mr. Speaker, we have endeavored to eliminate, or at least reduce, some of the worst proposals considered in the committee and in the conference. How poorly we have succeeded in that respect is indicated by the statement of the chairman, the gentleman from New York [Mr. TABER] in his opening statement. The bill is replete with appropriations out of line and out of step with assurances we gave the country 2 years ago.

I reserve the balance of my time.

Mr. Speaker, I yield 3 minutes to the gentleman from Texas [Mr. THOMAS].

Mr. THOMAS. Mr. Speaker, I would like to commend our very able and distinguished chairman, the gentleman from New York [Mr. TABER], on the very fine and effective work he has done not only on this particular bill, but on every appropriation bill that has been before his committee this year. He certainly is a great chairman, and a hard worker. As he said a while ago, perhaps no appropriation bill that has ever gone through this Congress has exactly suited him, because they are usually too large.

In this particular bill the other body raised the House $730 million on a bill that carried when it left the House $1.2 billion.

On our side I want to commend our own able chairman—we still call him that—the gentleman from Missouri [Mr. CANNON]. He certainly has worked hard. He knows what it is all about. When he and the gentleman from New York [Mr. TABER] get together, they get together and iron out their differences in a most effective manner.

May I point out in this bill here amendment No. 130. Why the other body goes out of its way to put item after item in here calling for useless and unnecessary expenditures of funds is beyond me, other than the explanation the gentleman from Missouri so effectively gave a while ago.

Here is a little piece of land over in Virginia. My own able chairman, the gentleman from California [Mr. PHILLIPS] turned it down. They asked the Congress to appropriate $120,000 for a little finger of land in the State of Virginia for the use of the National Capital Park and Planning Commission. It figures out at $10 a square foot, and there is no Virginian over on the other side who would pay $10,000 or $12,000 for that piece of land. It is terrible, I say to my colleagues. It is.

My chairman was called back to the Senate yesterday against his own wishes after this item had been left out, and somehow or other you will find there will be a motion made to pay $70,000. This piece of land had a mortgage on it of $50,000 or $60,000, and had been delinquent in principal and interest for 7 long years. It was foreclosed on after Mr. PHILLIPS' subcommittee got after the Reconstruction Finance Corporation only day before yesterday.

I want to commend our two able chairmen and the members of the committee on doing a fine job, but when amendment No. 130 comes up, just disagree with the Senate and send it back to them. Are you going to give this gentleman $120,000? I have lots of people down in my part of the country who would settle for just giving them $1,000 apiece.

Mr. CANNON. Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. PATMAN].

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

LEGISLATIVE WORK FARMED OUT TO PRIVATE GROUPS

Mr. PATMAN. Mr. Speaker, the supplemental appropriations bill for 1955 contained a total of $497,835 for the Commission on Organization of the Executive Branch of Government. This sum for the second Hoover Commission was in addition to $1,931,909 that had been previously appropriated making the total for Mr. Hoover's second Commission $2,429,744. The amount authorized by the House was $55,000 less than the Commission had requested. The House subcommittee noted in reporting the supplemental appropriation bill that—

> There has been appropriated for the present Commission $2,429,744. The first Hoover Commission was able to complete its work with a total appropriation of $1,938,600, and the committee is of the opinion maximum results can be obtained by this Commission within the amount provided.

The Senate Committee on Appropriations saw fit to restore what the House cut and to add $200,000 for additional duties assigned to the Commission.

Mr. Speaker, I am aware of the popularity of the Hoover Commission. Everybody believes in economy. I note that the House subcommittee apparently felt Mr. Hoover could practice a little economy in his own backyard. It pointed out for example that "economies can be accomplished and efforts made to coordinate the studies of this Commission and other agencies and committees to the extent of the reduction indicated."

I have every confidence that drawing upon his great executive and engineering talents Mr. Hoover can effectively coordinate the studies of his Commission in the interests of eliminating any possible duplication or wasteful expenditures. I believe the judgment of our subcommittee should be sustained by the members and that the original amount authorized by the House be approved. It is the biggest lobby in the country. The Congress provides the money to pressure itself.

ADJUNCTS TO LEGISLATIVE BRANCH

Beyond that, Mr. Speaker, I want to draw the attention of the House and I believe this is something that all Members will be interested in, to the recent mushroom growth of these commissions, study groups, and so-called advisory bodies. When we hear so much talk about economy, I should think we would want to scrutinize every penny carefully before we approve expenditure. Does any Member of this body know what we are spending on these newly created adjuncts to the legislative branch of the Government?

NOT ELECTED BY PEOPLE

How much money will the taxpayers ultimately have to pay to inflate the egos of self-proclaimed experts who have either been unsuccessful or are unwilling to submit to the scrutiny of their fellow citizens in a contest for public office. Some have been turned down by the people who are now occupying prominent places in this "new legislative look." Mr. Speaker, the growth of these fourth arms of government, some with unprecedented broad grants of power, is an unconcealed reflection—yes; an unconcealed reflection on and lack of confidence in the ability of Members of this body to carry out the duties of their office.

Mr. ROONEY. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield.

Mr. ROONEY. The gentleman used the word "government" in his last sentence or two. Should he not have used the word "supergovernment"?

Mr. PATMAN. That word very well could be used.

OVER 50 SUCH GROUPS

According to a rough tabulation made, there have been established over 50 of these adjuncts of Congress. We have study groups and commissions and commissions on policy and administration. We have a group advising the departments, independent offices, and commissions. We even have three groups advising the Congress on how to run itself. How much this is going to cost the taxpayers, apparently no one knows nor do many Members seem to care anything about it.

REFLECTION ON CONGRESS

Mr. Speaker, more important than the cost of these supralegislative bodies is the implication that we cannot legislate intelligently nor are we competent to review the administration of the programs we have authorized and the enforcement of the laws we have enacted. Mr. Speaker, let us take a look at some of these bodies and see what they have accomplished. There is a Committee on Intragovernmental Relations that has had an appropriation of $1 million.

We have the Randall Commission. This group was supposed to come up with a recommendation on our foreign economic policies. It did, but the Congress has not looked too favorably upon them. This group spent $300,000.

ANTITRUST

We also have a study group preparing a report on our antitrust laws. The cochairman of this group, a Mr. Oppenheim, of the University of Michigan, has written critically of our antitrust policy. He has no doubt observed the recent renewal of the great merger movement in autos, chemicals, textiles and rumors of mergers in steel. Perhaps, it is only accidental that this acceleration of mergers, replacing a lot of little firms with a few big ones, to stabilize prices, production and profits should take place after the creation of this study group which is to recommend changes in our antitrust laws.

OLD "HE" OF THE BUNCH

The Hoover Commission, of course, is the great granddaddy of them all. We are now in the second Hoover Commission era. This body has created a vast array of task forces who travel around the country at public expense, holding public hearings and having the power of subpena, and are boomed by the scores of little Hoover Commissions wherever they go. These task forces are supposed to represent changes in the executive branch's organization, and tell us what activities the Federal Government should or should not carry on. I recognize, of course, it would be silly to think Members of this body could be expected to have ideas on these difficult and complex subjects. Here, for the last several months, very little committee work has been done by many Members of the House. Yet we have these junkets for the Congress, holding hearings and doing the studies for us.

USE MONEY FOR BETTER PURPOSE

Mr. Speaker, on a number of occasions I have noted how handicapped we individual Members are in comparison to the facilities that are at the disposal of the Members of the other body. I again want to suggest that the money we are spending for these advisory bodies and study groups might be better spent in providing each Member with an aide trained in Government administration and in economics.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield.

Mr. GROSS. I hope the gentleman will not end his excellent discourse on the spending of money on questionable enterprises without mentioning some of the trips or junkets taken to foreign countries. The Interparliamentary Union is about to hold a meeting in Vienna, Austria. Somewhere along the line several thousand dollars for that junket were slipped into an appropriation bill and the stage is now set for a number of Members of Congress and their wives to take this trip. I find now they are going to hold in Vienna, Austria, come a couple of weeks, a "soiree de gala." I wonder if the gentleman could include some comments on that.

Mr. PATMAN. I will listen with interest to the gentleman when he gets time to discuss that, but I do not have the time nor the information to discuss it at this time. If the gentleman has the information, I am sure he will have no trouble getting the time.

It does look ridiculous to me for Members of the House to be here qualified to do this work, and would do a much better job farming it out to others whom the people have not chosen. Many Members have special qualifications along these lines. We have these groups out making these studies at Government expense, with the power of subpena, and with the power of preparing their own records, like they want to prepare those records, to submit to Congress, and then submit them to Congress for their guidance. I think all these Commissions, more than 50 of them, should absolutely be stopped, and all of this work done by Members of Congress. They have been elected by the people. They are responsible to the people. In the event they do not perform their duties properly, they could even be impeached. Furthermore, they could be defeated when they run for office. Contrast that situation with those who are on these task forces, who are going all over the country and all over the world, at public expense, holding hearings in the name of Congress, with the power to administer oaths, with the power of subpena, with the power to bring in the testimony they want brought in, and to fix the record like they want it fixed and then deliver it to the Congress. I do not think it should be done that way. I think these advisory groups, and all of these helpful groups, should be composed of Members of Congress of the United States. That can be insisted upon because the Members have the time to do it if they are provided with the assistance these groups are provided with. I know there are many bills that have passed this House which the Members of Congress did not have the proper facilities to acquaint themselves with the language in the bill. For instance, take the 990-page tax bill. How many Members of Congress knew what was in that bill? Very few, if any, knew everything that was in it. We do not have the assistants to properly help us to go into it. In the other body they do have administrative assistants and they can go into those things. That is what we should do here. These studies should be made by Members of Congress.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. CANNON. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. DOWDY].

Mr. DOWDY. Mr. Speaker, I wish to commend the gentleman from Missouri [Mr. CANNON] for his observations. Some of the items included in this bill make the following applicable:

There was much said earlier this session to the effect that the fiscal condition of this Government was such as to justify considerable tax relief; and based upon that assurance, Congress passed a tax-relief bill.

On yesterday, warning came from those same people, including the esteemed majority leader, that the fiscal condition of this Government is such that the public debt limit must be increased by $6 billion.

It is confusing, and too serious, to be amusing. By a coincidence that certainly would not have been planned by the administration; both of these matters are news articles in this morning's paper, as each was acted on yesterday. Each merited the front page.

One article reveals that President Eisenhower signed the tax bill, with the statement that it provides tax cuts totaling $7,400,000,000 since January 1 of this year.

The other article tells of the action of the House in clearing and sending to the President the bill increasing the debt limit by $6 billion, in partial compliance with the administration's request for borrowing power to meet its obligations.

My question is, Does this add up to the fiscal responsibility we have so often heard mentioned here on the House floor?

Mr. CANNON. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. SHEPPARD], a member of the committee.

Mr. SHEPPARD. Mr. Speaker, I will try not to take all the time, but as I understand the present situation from a total accumulation of mathematics, the bill, H. R. 9936, when it passed the House, went to the other body carrying $1,703,334,638, or approximately that amount. Is that correct?

Mr. TABER. It is, sir.

Mr. SHEPPARD. Then there was added by the Senate the sum of $731,179,061, or approximately that sum.

Mr. TABER. That is correct.

Mr. SHEPPARD. The addition of the sum referred to, $731 million, would make the total $2,034,513,699.

That figure was reduced by the conferees' activities by $365,276,820. Is that about right?

Mr. TABER. That is just about as near as it could be.

Mr. SHEPPARD. I wonder, and I do not want to be unduly facetious at all, because I want to compliment the House conferees on the wonderful job they have done under the difficulties that confronted them; however, I am wondering if there was any possibility in the discussions—if they were not off the record to the point that they cannot be talked about—if the gentlemen of the Senate are going to effect any congressional and judicial pay raise bill? Is there any indication that that might be hidden in the $731 million increase?

Mr. TABER. There has been no discussion of pay raises except for a few employees of the Senate and they were all adjusted by the Civil Service Commission so that there was no need for us to do anything.

Mr. SHEPPARD. I frankly understand, of course, that the Senate has the right, and invariably applies it, to take care of their own housekeeping financial needs. But it would seem to me that when they were in such a tremendous increasing attitude that they might do at least something for Members of Congress—including themselves, of course; I would not leave them out of any such participation—but as the gentleman says there is nothing in the bill so far as he knows in connection with that possibility.

Mr. TABER. Nothing that I know of in those figures.

Mr. SHEPPARD. I thank the gentleman very much and yield back the balance of my time.

Mr. TABER. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

The SPEAKER. The Clerk will read the first amendment in disagreement.

Mr. TABER. Mr. Speaker, at this point I ask unanimous consent to consider en bloc amendments of the Senate numbered 5, 6, 9, 10, 11, 12, 13, 14, 15, 21, 34, 54, 55, 59, 72, 73, 93, 103, 105, 113, 114, 126, 152, 159, and 169.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. CANNON. Mr. Speaker, reserving the right to object, as I understand it these are all purely technical amendments which under the rules we must bring back to the House. There are none of them on which the conferees of the two Houses failed to reach an agreement?

Mr. TABER. That is correct. A great many of them are minor, like changing section numbers.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The SPEAKER. The Clerk will report the Senate amendments.

The Clerk read as follows:

Senate amendment No. 5: On page 2, line 23, insert:

"Audited claims

"For an additional amount for the payment of claims, certified to be due by the accounting officers of the District of Columbia, under appropriations the balances of which have been exhausted or credited to the general fund of the District of Columbia as provided by law (D. C. Code, title 47, sec. 130a), being for the service of the fiscal year 1952 and prior fiscal years, as set forth in Senate Document No. 145 (83d Cong.), $14,624, together with such further sums as may be necessary to pay the interest on audited claims for refunds at not exceeding 4 per centum per annum as provided by law (act of July 10, 1952, 66 Stat. 546, sec. 14d)."

Senate amendment No. 6: Page 3, line 11, insert:

"Division of expenses

"The sums appropriated in this Act for the District of Columbia shall, unless otherwise specifically provided for, be paid out of the general fund of the District of Columbia, as defined in the District of Columbia Appropriation Acts for the fiscal years involved."

Senate amendment No. 9: Page 3, line 20, insert:

"For payment to the estate of Hugh Butler, late a Senator from the State of Nebraska, $12,500."

Senate amendment No. 10: Page 3, line 22, insert:

"For payment to Clyde Roark Hoey, Jr., and Charles Aycock Hoey, sons, and Isabel Hoey Paul, daughter of Clyde R. Hoey, late a Senator from the State of North Carolina, $12,500."

Senate amendment No. 11: Page 3, line 1, insert:

"For payment to Emily Nathelle Hunt, widow of Lester C. Hunt, late a Senator from the State of Wyoming, $12,500."

Senate amendment No. 12: Page 4, line 4, insert:

"SALARIES, OFFICERS, AND EMPLOYEES, OFFICE OF THE SECRETARY

"Office of the Secretary: For an additional amount for fiscal year 1955, $11,725: *Provided*, That effective August 1, 1954 the basic annual compensation of the following positions shall be: Financial clerk, $7,320 in lieu of $7,000; printing clerk $5,400 in lieu of $5,160; executive clerk $4,380 in lieu of $4,100; assistant to the majority and assistant to the minority at $8,000 each in lieu of assistant to the minority at $8,000."

Senate amendment No. 13: Page 4, line 14, insert:

"OFFICE OF THE SERGEANT AT ARMS AND DOORKEEPER

"Office of the Sergeant at Arms and Doorkeeper: For an additional amount for fiscal year 1955, $21,925: *Provided*, That effective August 1, 1954, the basic annual compensation of the following positions shall be: Assistant doorkeeper $3,420 in lieu of $3,040; messenger at card door $3,420 in lieu of $3,040; messenger acting as assistant doorkeeper $2,760 and two messengers acting as assistant doorkeepers at $2,580 each in lieu of three messengers acting as assistant doorkeepers at $2,580 each; clerk, press gallery, $1,800; chief janitor, $3,540 in lieu of $3,200; assistant chief janitor $2,400 in lieu of $2,220; foreman of duplicating department $2,520 in lieu of clerk $2,280; three cabinetmakers at $2,520 each in lieu of two cabinetmakers at $2,520 each and one cabinetmaker at $2,460; file clerk, $1,980; three offset press operators at $2,220 each, four clerks at $2,160 each and 12 machine operators at $1,740 each in lieu of 5 clerks at $2,160 each and 13 machine operators at $1,740 each; 2 mimeograph operators at $1,800 each and 29 laborers at $1,620 each in lieu of 30 laborers at $1,620 each; repairman $2,460; chief machine operator, $2,700 in lieu of chief machine operator at $2,460; assistant superintendent, service department, $2,760 in lieu of assistant superintendent, service department, $2,460; foreman of warehouse, service department, $2,580 in lieu of clerk $2,580."

Senate amendment No. 14: Page 5, line 16, insert:

"OFFICES OF THE SECRETARIES FOR THE MAJORITY AND THE MINORITY

"Offices of the secretary for the majority and the secretary for the minority: For an additional amount, $1,405: *Provided*, That effective August 1, 1954, the basic annual compensation of the clerk to the secretary for the majority and the clerk to the secretary for the minority shall be at a rate to be fixed by the respective secretaries, but not exceeding $3,480 each."

Senate amendment No. 15: Page 6, line 1, insert:

"OFFICES OF THE MAJORITY AND MINORITY WHIPS

"For two clerical assistants, one for the majority whip and one for the minority whip, at $2,520 basic each, $9,140."

Senate amendment No. 21: Page 6, line 19, insert:

"For payment to Sarah F. Camp, widow of Albert S. Camp, late a Representative from the State of Georgia, $12,500."

Senate amendment No. 34: Page 13, line 6, insert:

"BUREAU OF THE CENSUS

"Censuses of business, manufactures, and mineral industries

"For expenses necessary for taking, compiling, and publishing the censuses of business, manufactures, and mineral industries as authorized by law, including personal services by contract or otherwise at rates to be fixed by the Secretary of Commerce without regard to the Classification Act of 1949, as amended; and additional compensation of Federal employees temporarily detailed for field work under this appropriation; $8,430,000, to remain available until December 31, 1957."

Senate amendment No. 54: Page 22, line 1, insert:

"Unemployment compensation for Federal employees

"For payments to unemployed Federal employees, either directly or through payments to States, as authorized by title XV of the Social Security Act, as amended, $10 million, to remain available until expended."

Senate amendment No. 55: Page 22, line 7, insert:

"Unemployment compensation for Federal employees, next succeeding fiscal year

"For making, after May 31 of the current fiscal year, payments to States, as authorized by title XV of the Social Security Act, as amended, such amounts as may be required for payment to unemployed Federal employees for the first quarter of the next succeeding fiscal year, and the obligations and expenditures thereunder shall be charged to the appropriation therefor for that fiscal year."

Senate amendment No. 59: Page 23, line 11, insert:

"FOOD AND DRUG ADMINISTRATION

"Salaries and expenses, certification and inspection services

"The paragraph under this head in the Department of Health, Education, and Welfare Appropriation Act, 1955, is amended to read as follows:

" 'Salaries and expenses, certification and inspection services: For expenses necessary for the certification or inspection of certain products in accordance with sections 406, 408, 504, 506, 507, 604, 702A, and 706 of the Federal Food, Drug, and Cosmetic Act, as amended (21 U. S. C. 346, 348, 354, 356, 357, 364, 372a, and 375), the aggregate of the advance deposits during the current fiscal year to cover payments of fees by applicants for certification or inspection of such products, to remain available until expended. The total amount herein appropriated shall be available for personal services; purchase of chemicals, apparatus, and scientific equipment; expenses of advisory committees; and the refund of advance deposits for which no service has been rendered'."

Senate amendment No. 72: Page 27, line 22, insert:

"Advances to States, next succeeding fiscal year

"For making, after May 31 of the current fiscal year, advances to States under section 221 (e) of the Social Security Act, as amended, for the first quarter of the next succeeding fiscal year, such sums as may be necessary from the above authorization may be expended from the Federal old-age and survivors insurance trust fund."

Senate amendment No. 73: Page 28, line 5, insert:

"The two immediately preceding paragraphs under the head 'Bureau of Old-Age and Survivors Insurance' in this act shall be effective only upon enactment into law of H. R. 9366 or similar legislation of the 83d Congress."

Senate amendment No. 93: Page 33, strike out lines 4, 5, and 6 and insert ": *Provided*, That $3 million of the foregoing amount shall be available to provide financial assistance to public school districts for the construction and equipment of public school facilities for Navaho Indian children from reservation areas not included in such districts; and $31,000 shall be for the payment of the excess value of land, water rights, and irrigation structures to be received by the Pyramid Lake Paiute Tribe of Indians of the Pyramid Lake Indian Reservation in exchange for tribal lands of said tribe located in the State of Nevada: *Provided*, That title to the land to be acquired for said tribe described as southeast quarter of section 22, township 21 north, range 24 east, Mount Diablo base and meridian, containing 160 acres, more or less, and structures shall be taken in the name of the United States in trust for said tribe: *Provided further*, That the prohibition against the use of funds appropriated under this heading in the Interior Department Appropriation Act, 1955, for the acquisition of land or water rights within the State of Nevada, either inside or outside the boundaries of existing reservations shall not apply to this transaction: *Provided further*, That the limitation under this heading in the Interior Department Appropriation Act, 1955, on the amount available for personal services is increased by $1 million."

Senate amendment No. 103: Page 36, line 6, insert:

"SEC. 702. Limitations on amounts to be expended for personal services under appropriations in the Interior Department Appropriation Act, 1955 (Public Law 465, 83d Cong.), shall not apply to lump-sum leave payments pursuant to the act of December 21, 1944 (5 U. S. C. 61b–d)."

Senate amendment No. 105: Page 36, line 17, insert:

"SEC. 704. Funds appropriated under the heading, 'Administration of Territories' in the Interior Department Appropriation Act, 1955 (Public Law No. 465, 83d Cong.) shall be available to carry out the provisions of the Revised Organic Act of the Virgin Islands (Public Law No. 517, 83d Cong.)."

Senate amendment No. 113: Page 39, line 8, insert:

"Plans and specifications, lease-purchase contracts

"The unobligated balances of the funds made available by section 1 (a) of the Act of June 14, 1946 (60 Stat. 257), the Second Supplemental Appropriation Act, 1950, and the General Appropriation Act, 1951, for the acquisition of sites and the preparation of drawings and specifications for Federal public building projects outside the District of Columbia, as authorized by title I of the Act of June 16, 1949 (63 Stat. 176), as amended, and by the Act of May 25, 1926 (44 Stat. 630), as amended, shall be available also for expenses of preparation of drawings and specifications, by contract or otherwise, and administrative expenses, for carrying out the purposes of the Public Buildings Purchase Contract Act of 1954 (Public Law 519, 83d Cong.), approved July 22, 1954."

Senate amendment No. 114: Page 40, line 1, insert:

"Hospital facilities in the District of Columbia

"The appropriation item under the heading 'General Services Administration, hospital facilities in the District of Columbia' contained in the act approved July 15, 1952 (66 Stat. 637), as amended, is hereby amended by inserting after the word 'Asylum' at the end of the first proviso, as amended, and before the colon, the phrase 'and Georgetown University Hospital'."

Senate amendment No. 126: Page 43, line 23, insert:

"Federal National Mortgage Association: The limitation on the amount available for administrative expenses under this head in title II of the Independent Offices Appropriation Act, 1955 (Public Law 428), shall be exclusive of expenses (including expenses for fiscal agency services performed on a contract or fee basis) in connection with the issuance and servicing of obligations as authorized by title II of the Housing Act of 1954."

Senate amendment No. 152: Page 55, line 23, insert:

"For contribution to the city of Muskogee, toward the construction of a water supply pipeline from the existing city water supply intake on the Grand River near its junction with the Arkansas River to Fort Gibson Dam, in settlement for all damages to the water supply of the city of Muskogee, on account of the construction and operation of Fort Gibson Reservoir, $200,000 out of funds previously appropriated."

Senate amendment No. 159: Page 60, line 15, insert:

"Emergency fund for international affairs

"For expenses necessary to enable the President to take such measures as he deems appropriate to meet extraordinary or unusual circumstances arising in the international affairs of the Government, $5 million, to remain available until expended, for use in the President's discretion and without regard to such provisions of law as he may specify: *Provided*, That the President shall transmit to the Committees on Appropriations of the Senate and of the House of Representatives, not less often than quarterly, a full report of expenditures under this appropriation."

Senate amendment No. 169: Page 67, line 21, insert:

"ALEXANDER HAMILTON BICENTENNIAL COMMISSION

"For necessary expenses to carry out the provisions of Senate Joint Resolution No. 140, $10,000: *Provided*, That this paragraph shall become effective only upon the enactment of Senate Joint Resolution 140 of the 83d Congress."

Mr. TABER. Mr. Speaker, I move that the House recede and concur in the Senate amendments.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendments of the Senate numbered 5, 6, 9, 10, 11, 12, 13, 14, 15, 21, 34, 54, 55, 59, 72, 73, 93, 103, 105, 113, 114, 126, 152, 159, and 169, and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 27: Page 10, line 13, insert:

"SUPREME COURT OF THE UNITED STATES

"Automobile for the Chief Justice: For purchase, exchange, lease, driving, maintenance, and operation of an automobile for the Chief Justice of the United States Supreme Court, $5,835."

Mr. TABER. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 27, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"SUPREME COURT OF THE UNITED STATES

"Automobile for the Chief Justice: For purchase, exchange, lease, driving, maintenance, and operation of an automobile for the Chief Justice of the United States, $5,835."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 30: Page 11, line 11, insert:

"International educational exchange activities

"For an additional amount for 'International Educational Exchange Activities', $900,000."

Mr. TABER. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 30, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"International educational exchange activities

"For an additional amount for 'International Educational Exchange Activities', $300,000: *Provided*, That not less than $1,674,652 shall be used for Educational Exchange Activities related to the 'American Republics' from the total available to this appropriation for fiscal year 1955."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 31: Page 11, line 19, insert:

"PAYMENT TO FEDERAL REPUBLIC OF GERMANY

"For payment to the Federal Republic of Germany for the acquisition or construction of an Embassy in the District of Columbia, $300,000: *Provided*, That this appropriation shall be effective only upon enactment of legislation set forth in either H. R. 9988 or S. 1573, 83d Congress."

Mr. TABER. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 31, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"PAYMENT TO FEDERAL REPUBLIC OF GERMANY

"For payment to the Federal Republic of Germany for the acquisition or construction of an Embassy in the District of Columbia, $500,000, to be paid out of any funds or other property or interest vested or transferred to the Attorney General pursuant to or with respect to the Trading With the Enemy Act of October 1917, as amended: *Provided*, That this appropriation shall be effective only upon enactment of legislation set forth in either H. R. 9988 or S. 1573, 83d Congress."

Mr. TABER. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. ROONEY].

Mr. ROONEY. Mr. Speaker, I rise merely for the purpose of asking the gentleman from New York [Mr. TABER], to explain the last amendment since it was not previously before the House.

Mr. TABER. This was an amendment that was presented to the Budget by the State Department calling for $900,000. It was in the Senate bill, and in the conference we agreed that there should be $300,000 of new money and enough out of the previous appropriation added to what had theretofore been allocated to South America to cover the needs of persons exchanged between the United States and South and Central American republics.

The SPEAKER. The question is on the motion offered by the gentleman from New York.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 38: Page 15, line 18, insert:

"Construction, Washington National Airport: For an additional amount for 'Construction, Washington National Airport', including additional loading gate positions and related paving; and expansion of gasoline and baggage facilities; $635,000, to remain available until expended."

Mr. TABER. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 38, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"Construction, Washington National Airport: For an additional amount for 'Construction, Washington National Airport', including additional loading gate positions and related paving; $340,000, to remain available until expended."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 39: Page 16, line 13, after the figure, insert "to remain available until expended: *Provided*, That transfers may be made to the appropriation for the current fiscal year for 'Salaries and expenses' for administrative expenses (not to exceed $500,000) and for reserve fleet expenses and such amounts as may be required, and any such transfers shall be without regard to the limitations under that appropriation on the amounts available for such expenses."

Mr. TABER. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 39, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert ", to remain available until expended: *Provided*, That transfers may be made to the appropriation for the current fiscal year for 'Salaries and expenses' for administrative expenses (not to exceed $400,000) and for reserve fleet expenses in such amounts as may be required, and any such transfers shall be without regard to the limitations under that appropriation on the amounts available for such expenses: *Provided further*."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 40: Page 17, line 13, insert:

"DEPARTMENT OF COMMERCE

"Maritime activities

"Repair of Reserve Fleet Vessels

"(Liquidation of contract authorization)

"For the payment of obligations incurred pursuant to authority granted under the 'Emergency Ship Repair Act of 1954,' $18,000,000, to remain available until December 31, 1956: *Provided*, That advances may be made from this appropriation to 'Salaries and expenses, Maritime Activities', for administrative expenses (not to exceed $500,000), and for reserve fleet expenses (in such amounts as may be required), and such advances shall be in addition to amounts otherwise made available for such expenses: *Provided further*, That this paragraph shall be effective only upon enactment into law during the 83d Congress of S. 3546."

Mr. TABER. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 40, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"Repair of Reserve Fleet Vessels

"(Liquidation of contract authorization)

"For the payment of obligations incurred pursuant to authority granted under the 'Emergency Ship Repair Act of 1954,' $12,000,000: *Provided*, That advances may be made from this appropriation to 'Salaries and expenses, Maritime Activities,' for administrative expenses (not to exceed $150,000), and for reserve fleet expenses (in such amounts as may be required), and such advances shall be in addition to amounts otherwise made available for such expenses: *Provided further*, That this paragraph shall be effective only upon enactment into law during the 83d Congress of S. 3546."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 46: Page 19, line 3, insert:

"BUREAU OF ACCOUNTS

"Salaries and expenses, division of disbursement

"For an additional amount for 'Salaries and expenses,' $500,000: *Provided*, That this paragraph shall be effective only upon enactment into law of H. R. 9366 or similar legislation of the 83d Congress."

Mr. TABER. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 46, and concur therein with an amendment, as follows: In lieu of the sum named in said amendment insert "$350,000."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 49: Page 20, line 17, insert:

"BUREAU OF LABOR STANDARDS

"Salaries and expenses

"For an additional amount for 'Salaries and expenses,' $25,000; and the amount made available under this head in the Department of Labor Appropriation Act, 1955, for the work of the President's Committee on National Employ the Physically Handicapped Week, is increased from $75,000 to $100,000: *Provided*, That this paragraph shall be effective only upon the enactment during the 83d Congress of legislation increasing the authorization for appropriations for such purpose."

Mr. TABER. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 49, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"BUREAU OF LABOR STANDARDS

"Salaries and expenses

"For an additional amount for 'Salaries and expenses,' $12,500; and the amount made available under this head in the Department of Labor Appropriation Act, 1955, for the work of the President's Committee on National Employ the Physically Handicapped Week, is increased from $75,000 to $87,500."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 52: Page 21, line 15, strike out "$4,600,000" and insert "$30,000,000."

Mr. TABER. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 52, and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$13,100,000, of which $2,000,000 shall be available only upon enactment into law of H. R. 9709, 83d Congress."

The motion was agreed to.

Mr. BUDGE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. BUDGE. Mr. Speaker, I think that some explanation of the conference action on amendment No. 52 concerning grants to States for unemployment compensation and employment security administration, should be made.

The Department of Labor Appropriation Act, 1955, contains $216,400,000 of which $200 million was based on the assumption that the 1955 workload would be the same as 1954. The remaining $16,400,000 was appropriated as a contingency fund to be available for workload increases, above the 1954 level, should such increases occur.

After the regular bill was passed, the Department requested an additional $43 million of which $4,600,000 was for the contingency fund and the remainder was primarily for increased workload estimated on the basis of experience since the regular 1955 budget was prepared. The House allowed the requested increase in the contingency fund but made no change in the base appropriation of $200 million which, as I stated a moment ago, was based on a workload equal to that experienced in fiscal year 1954.

After the House acted on the supplemental appropriation bill for 1955, the Department sent to the Senate an additional request for supplemental funds in the amount of $3,756,000 for additional workloads, not included in the calculation of previous requests, estimated to result from the establishment of a program of unemployment-compensation benefits for Federal employees, extension of unemployment insurance coverage to employers of four or more, and expansion of the vocational rehabilitation program.

The Senate approved the increase of $4,600,000 in the contingency fund and, in addition, provided $25,400,000 for the other purposes for which supplemental funds were requested.

In my opinion the House took the more practical approach to this matter in basing the appropriation on the previous year's workload rather than attempting to guess at what will develop during the next year. However, due to the necessity of coming to some agreement on the appropriation, the House receded from this position and the Senate agreed to a somewhat smaller appropriation. The result of this compromise is that this motion will have the effect of appropriating an additional amount of $13,100,000 of which $4,600,000 will be for an increase in the contingency fund; $2 million will be for activities in connection with the expansion of the program under the legislation resulting from the passage of H. R. 9709; and $6,500,000 will be for the greater workload, under the regular program and the recently enacted amendments to the Vocational Rehabilitation Act, estimated by the Department in connection with the budget requests for supplemental funds.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 56: Page 22, line 16, insert:

"The two immediately preceding paragraphs in this act under the head 'Bureau of Employment Security' shall be effective only upon enactment into law of H. R. 9709, 83d Congress, except that $896,000 of the appropriation for 'Grants to States for Unemployment Compensation and Employment Service Administration' shall be effective only upon enactment into law of H. R. 9640 or S. 2759, 83d Congress."

Mr. TABER. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate No. 56, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"The two immediately preceding paragraphs in this act under the head 'Bureau of Employment Security' shall be effective only upon enactment into law of H. R. 9709, 83d Congress."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 60: Page 24, line 8, insert:

"OFFICE OF EDUCATION

"Payments to school districts

"Notwithstanding the provisions of section 3 (c) (1) of Public Law 874, 81st Congress, as amended, the amount payable to a local educational agency for the fiscal year ending June 30, 1955, with respect to the number of children determined under subsection (a) or (b) of section 3 thereof shall be computed on the same basis as was used during the fiscal year ending June 30, 1954, under subsections (a), (b), (c), and (d) of section 3 of said law."

Mr. TABER. Mr. Speaker, I move that the House insist on its disagreement to the amendment of the Senate numbered 60.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 61: Page 24, line 18, insert:

"White House Conference on Education

"Salaries, expenses, and grants: For carrying out the act of July 26, 1954 (Public Law 530), including services as authorized by section 15 of the act of August 2, 1946 (5 U. S. C. 55a), $1,250,000, of which $1 million shall be for grants to the States in accordance with section 2 of such act: *Provided*, That a Conference Director may be appointed by the Secretary at a salary of $15,000 per annum."

Mr. TABER. Mr. Speaker, I move that the House recede and concur in the amendment of the Senate with an amendment.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 61, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"White House Conference on Education

"Salaries, expenses, and grants: For carrying out the act of July 26, 1954 (Public Law 530), including services as authorized by section 15 of the act of August 2, 1946 (5 U. S. C. 55a), $900,000, of which $700,000 shall be for grants to the States in accordance with section 2 of such act, except that the Commissioner of Education may establish the amount to be allotted to each State without regard to the limitation established by said section 2, but no State shall receive less than $5,000: *Provided*, That none of the funds granted to any State may be used to compensate any person for their personal services: *Provided further*, That a Conference Director may be appointed by the Secretary at a salary of not to exceed $12,500 per annum."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 62: Page 25, line 3, insert:

"OFFICE OF VOCATIONAL REHABILITATION

"Grants to States and other agencies

"For grants to States and other agencies in accordance with the Vocational Rehabilitation Act, as amended, $6 million, of which $1,500,000 is for vocational rehabilitation services under section 2 of said act; $1,500,000 is for extension and improvement projects under section 3 of said act; and $3 million is for special projects under section 4 of said act: *Provided*, That the amounts appropriated for the Office of Vocational Rehabilitation under the heads 'Payments to States' in the Department of Health, Education, and Welfare Appropriation Act, 1955, shall be available, without regard to the limitations set forth therein, for the purposes of section 2 of the Vocational Rehabilitation Act, as amended: *Provided further*, That the paragraphs under the head 'Office

of Vocational Rehabilitation' in this act shall be effective only upon enactment into law of H. R. 9640 or S. 2759, 83d Congress."

Mr. TABER. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 62, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"OFFICE OF VOCATIONAL REHABILITATION

"Grants to States and other agencies

"For grants to States and other agencies in accordance with the Vocational Rehabilitation Act, as amended, $4 million, of which $1,500,000 is for vocational rehabilitation services under section 2 of said act; $1,500,000 is for extension and improvement projects under section 3 of said act; and $1 million is for special projects under section 4 of said act: *Provided*, That the amounts appropriated for the Office of Vocational Rehabilitation under the head 'Payments to States' in the Department of Health, Education, and Welfare Appropriation Act, 1955, shall be available, without regard to the limitations set forth therein, for the purposes of section 2 of the Vocational Rehabilitation Act, as amended: *Provided further*, That not more than $2 of the funds made available for special projects under section 4 of said act shall be expended for any project for each $1 that the grantee, or the grantee and the State, expends for the same purpose."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 71: Page 27, line 11, strike out all of lines 11, 12, 13, 14, and 15.

Mr. TABER. Mr. Speaker, I move that the House insist on its disagreement to the amendment of the Senate numbered 71.

Mr. JUDD. Mr. Speaker, I offer a preferential motion.

The Clerk read as follows:

Mr. JUDD moves that the House recede and concur in Senate amendment No. 71.

Mr. TABER. Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota [Mr. JUDD].

Mr. JUDD. Mr. Speaker, this item was called to my attention by Mr. Victor Christgau who is the Director of the Old-Age and Survivors Insurance Bureau, and who for years was in charge of the corresponding agency in our State government in Minnesota.

The amendment which my preferential motion would strike out, was put in here on the floor, not by the Committee on Appropriations. It would prevent moving about 450 of the top administrative personnel of OASI back to Washington from Baltimore where the Bureau was transferred in 1942. The main argument in favor of the amendment was that it would mean a reduction of the number of employees in Baltimore, not that it would be a mistake to bring 450 of the top staff people of the agency to Washington.

The recent passage of the Social Security Act amendments and the resulting extension of social-security benefits to many more millions of people will add somewhere between 550 and 850 new employees who will be in Baltimore. So it will not hurt Baltimore to allow the Secretary of Health, Education, and Welfare to organize her own Department so as to have here her key people, who do the planning and the top staff work and the direction of the 14,000 employees in the Bureau. Only 4,500 are in Baltimore, whereas 9,000 are in offices all over the United States; 3,000 in 512 district offices, and 6,000 in 6 area offices. From the standpoint of good administration, I think anyone will recognize that the Secretary of Health, Education, and Welfare ought to be entitled to have her key people here in Washington where she can deal with them directly, immediately, and conveniently. It will not injure Baltimore. There will be more people in Baltimore than at present.

It seems to me that this rider put in on the spur of the moment in the House and struck out by the Senate was an unwise piece of legislation on an appropriation bill. From the standpoint of efficiency and, in the long run, economy, it is obviously advantageous to have all the top people who operate an agency of this size, the largest in the whole Department of Health, Education, and Welfare, here together in Washington under the Secretary's immediate direction and observation.

Mr. ROONEY. Mr. Speaker, will the gentleman yield?

Mr. JUDD. I yield to the gentleman from New York.

Mr. ROONEY. I wonder if the distinguished gentleman realizes that the purpose of the rider conceived by the gentleman from Maryland [Mr. FRIEDEL] and passed by the House was to save some of the taxpayers' money, and that it was overwhelmingly adopted by the House at the time this bill was originally considered, after an intelligent discussion with regard to it.

Mr. JUDD. It was a very brief discussion. I have a copy of it here. It is less than a page of the CONGRESSIONAL RECORD.

It will cost, it was estimated, $130,000 to move those people back here. They were moved to Baltimore in 1942 when there was a great shortage of office space in Washington. That was the only reason. Now, as we know, there has been a substantial cutting down of Federal personnel in Washington. There is adequate housing and office space here. Other departments carry out reorganizations and transfers of personnel with opening and closing of district or area or regional offices all the time. Thousands of employees are moved here and there at Government expense. On what theory and for what reason do we in an appropriation bill forbid this Department to carry a relatively small and inexpensive transfer that is considered by its head to be essential to its efficient operation?

Mr. MARSHALL. Mr. Speaker, will the gentleman yield?

Mr. JUDD. I yield to the gentleman from Minnesota.

Mr. MARSHALL. I concur with my colleague from Minnesota. This proposal that was made on the floor of the House and was stricken out by the Senate certainly is not in the interest of economy. It is inconceivable to me that we should pick out one department of the Government and impose this regulation on it. I support the gentleman's motion.

Mr. TABER. Mr. Speaker, I yield 3 minutes to the gentleman from Idaho [Mr. BUDGE].

Mr. BUDGE. Mr. Speaker. this amendment was adopted on the floor of the House as the result of an amendment offered on the floor by the gentleman from Maryland [Mr. FRIEDEL]. I may say, however, speaking as one member of the committee, that I had no objection to the amendment.

These people have been in Baltimore for almost 13 years. When all the people who are doing the work of paying the claims of the old-age and survivors' fund are doing that work in the city of Baltimore, and have been doing it there for almost 13 years, it seems to me as a member of the Appropriations Committee that the supervisory personnel should remain where they have been for the last 13 years, namely, in Baltimore. The proposal of the Department is to bring 450 of the supervisory people down here to Washington. I would prefer, and I think it would result in a more economic operation, that the supervisory people remain in Baltimore where the supervisory work is actually being done rather than being moved here to Washington.

Mr. SHEPPARD. Mr. Speaker, will the gentleman yield?

Mr. BUDGE. I yield to the gentleman from California.

Mr. SHEPPARD. As I understand, aside from bringing those people down here there would be the additional cost of moving them from Baltimore here. In other words, the Government would have to defray that moving expense.

Mr. BUDGE. The Department even asked that the Government pay a per diem of $9 per day for each employee, plus $6 per day for each dependent of each employee. The Appropriations Committee deleted that, I believe wisely.

Mr. SHEPPARD. Aside from the cost, you have the housing situation which, I assume, is already acceptable, having served for 13 years in Baltimore. I would assume that has adequately been taken care of. Now they come here and you have another problem of trying to house these people, aside from the expense of moving them here; is that not true?

Mr. BUDGE. Yes; and, of course, we are not too sure where they are to be housed from a working standpoint here in Washington.

Mr. JUDD. Mr. Speaker, will the gentleman yield?

Mr. BUDGE. I yield.

Mr. JUDD. I am advised that space is available in Washington and has already been allocated for these 450 individuals who are to be moved back. The decision was made by the Secretary in May and most of the affected persons in Baltimore thinking, of course, that it would go through, until this rider was put in, made arrangements and have rented houses and some have bought houses here in Washington to move to. I think I ought also to say that they are not so much

supervisory personnel as they are administrative personnel. They are the people who plan the policies and direct the operations of OASI. It is for that reason that the Secretary properly feels she ought to have her own general staff right here where the basic decisions for this gigantic operation are made.

Mr. BUDGE. In answer to that, I would say to the gentleman—the top people are already in Washington. The administrator and his top staff are already here.

Mr. JUDD. No.

Mr. BUDGE. This brings an additional 450 people from Baltimore. I am also advised that the lease on space where they have the people now in Baltimore has another year to run.

Mr. SAYLOR. Mr. Speaker, will the gentleman yield?

Mr. BUDGE. I yield.

Mr. SAYLOR. Mr. Speaker, would it not be a very simple matter for the head of the department who is expressing such great concern for this, and to have this as a unit, to travel from Washington to Baltimore, which is all of 40 miles away, and carry out the wishes of the committee?

Mr. BUDGE. That is actually what is being done now. The administrator is here in Washington and in the Department of Health, Education and Welfare downtown. These are an additional 450 people who are not the top administrative people.

Mr. JUDD. I am advised that much of the time of the administrator has to be spent in Baltimore with his staff that ought to be in Washington and he commutes back and forth. That is the basic reason for the request because so much time and inconvenience are required commuting back and forth.

Mr. BUDGE. The only reason to commute then would be to confer. The gentleman's statement then would be that the 450 people are not the ones who are actually doing all of the mechanical work there, and I would think it would be much more convenient to have the administrator here in Washington, where he now is, and the top supervisory people of the 450 remain in Baltimore where they are now, and where the work is actually being done.

Mr. TABER. Mr. Speaker, I yield 1 minute to the gentleman from Maryland [Mr. DEVEREUX].

Mr. DEVEREUX. Is it not true that these people have been living in Baltimore for many, many years? They also have commitments over there, as far as housing and that sort of thing is concerned.

Mr. JUDD. That is true.

Mr. DEVEREUX. You say there is rental space here to take care of them in Washington. But you realize that we have provided for a big building in Baltimore, and it happens to be in my district. However, we know that there would be ample space to take care of the people over there. Is that not true?

Mr. JUDD. Yes. It is not a question of space. The question is efficiency and economy in the operation of one of the largest departments in the Government. There is plenty of space in both cities.

Mr. TABER. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. ROONEY].

Mr. ROONEY. Mr. Speaker, it must be apparent that the administrator of this agency is a very popular gentleman from the State of Minnesota, because up to now there have been but three speakers against this money-saving Friedel amendment heretofore adopted in the House, the gentleman from Minnesota, Mr. JUDD; the gentleman from Minnesota, Mr. ANDERSEN; and the gentleman from Minnesota, Mr. MARSHALL. But I am going to follow my chairman, the distinguished gentleman from New York, Mr. TABER, in an effort to save some of the taxpayers' money. I am not interested in whether it is Washington or Baltimore or Minnesota, or what have you. I am interested in saving some of the taxpayers' money. I am going to vote against the motion to recede and concur, and I shall vote for the motion of the gentleman from New York to insist on our disagreement with the other body.

Mr. TABER. Mr. Speaker, I yield 1 minute to the gentleman from New Mexico [Mr. FERNANDEZ].

Mr. FERNANDEZ. Mr. Speaker, my understanding about this amendment is that it does not prohibit moving these people to Washington. It merely prohibits paying the expenses of their moving. My belief is they will be moved in any event. All we do, if we keep this House rider in this bill, is to penalize the men who are going to move to Washington. I think the motion of the gentleman from Minnesota [Mr. JUDD] should be agreed to.

Mr. TABER. Mr. Speaker, I yield myself 1 minute.

The thing that disturbs me about this proposal is that it involves something like four or five hundred administrative personnel. How are they going to take four or five hundred administrative personnel out of Baltimore and have any administrative personnel left in Baltimore on the social-security job, is beyond me. If they were going to move a dozen or so of the key personnel who have to do with the overall policy of the thing down here, that would be another story; but four or five hundred bothers me.

Mr. FRIEDEL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. FRIEDEL. Mr. Speaker, I want to commend the distinguished chairman of the Appropriations Committee, Mr. TABER, and the House conferees, for insisting that my amendment to H. R. 9936 remain in the bill and that the House not concur in the Senate amendment which deleted it.

I am unalterably opposed to the Judd amendment. I am opposed to it for two reasons:

First. Because it will cost the taxpayers more money, about one-half million dollars more—not just $59,000—as stated.

Second. It would affect the welfare and morale of 400 out of the 450 employees to be transferred.

The great majority of these employees have been working and living in Baltimore for the past 12 or 13 years, and last August 11, 1953, there was an official departmental memorandum issued informing the employees that there would be ample space for all employees of the Bureau of Old-Age and Survivors Insurance in Baltimore, this space to be provided in the new $25-million Social Security Building to be erected near Baltimore.

On the basis of this memorandum many of the employees bought homes in Baltimore and quite a few have large mortgages outstanding. While it is true that a few may be benefited by the Judd amendment—most of the 400 families would be adversely affected.

Therefore, I urge the membership to defeat the pending motion of the gentleman from Minnesota [Mr. JUDD].

Mr. TABER. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the preferential motion of the gentleman from Minnesota [Mr. JUDD].

The motion was rejected.

The SPEAKER. The question recurs on the motion of the gentleman from New York [Mr. TABER].

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 71½: Page 27, line 16, insert:

"For an additional amount for 'Salaries and expenses,' $6,000,000, to be derived by transfer from the Federal old-age and survivors insurance trust fund, of which not more than $59,300 may be transferred to 'Salaries and expenses, offices of field services,' for expenses of activities relating to the old-age and survivors insurance program."

Mr. TABER. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 71½, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert: "For an additional amount for 'Salaries and expenses,' $5,000,000, to be derived by transfer from the Federal old-age and survivors insurance trust fund."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 74: Page 28, line 10, insert:

"Construction, Bureau of Old-Age and Survivors Insurance

"For construction of an office building and appurtenant facilities for the Bureau of Old-Age and Survivors Insurance, including equipment, acquisition of land (including donations thereof), and preparation of plans and specifications, $22,290,000, to be derived from the Federal old-age and survivors insurance trust fund and to remain available until expended."

Mr. TABER. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 74, and concur therein with an amendment, as follows: In lieu of the sum named in said amendment insert $20,000,000."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 79: Page 39, line 14, insert:

"Civil Defense activities

"For expenses necessary to enable the Department of Health, Education, and Welfare to carry out functions delegated to it pursuant to the Federal Civil Defense Act of 1950, as amended, including expenses of attendance at meetings concerned with the purposes of this appropriation, $1,800,000."

Mr. TABER. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 79, and concur therein with an amendment, as follows: In lieu of the sum named in said amendment insert $1,000,000."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 85: Page 30, line 34, insert:

"FOREIGN AGRICULTURAL SERVICE

"For an additional amount for 'Foreign Agricultural Service', including not to exceed $15,000 for representation allowances, $1,500,000, of which $1,000,000 shall be derived from such appropriation or appropriations available to the Department of State as the Director of the Bureau of the Budget may determine: *Provided*, That transfers shall be made under this authorization in lieu of any similar transfers which may be authorized under the Agricultural Act of 1954 (H. R. 9680, 83d Cong.): *Provided further*, That this paragraph shall be effective only upon the enactment into law of H. R. 9680, 83d Congress."

Mr. TABER. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. TABER. moves that the House recede from its disagreement to the amendment of the Senate numbered 85, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"FOREIGN AGRICULTURAL SERVICE

"For an additional amount for 'Foreign Agricultural Service', including not to exceed $15,000 for representation allowances, $1,400,000, which shall be derived from the 'Salaries and Expenses' appropriation available to the Department of State: *Provided*, That transfers shall be made under this authorization in lieu of any similar transfers which may be authorized under the Agricultural Act of 1954 (H. R. 9680, 83d Cong.): *Provided further*, That this paragraph shall be effective only upon the enactment into law of H. R. 9680, 83d Congress."

The motion was agreed to.

Mr. H. CARL ANDERSEN. Mr. Speaker, I ask unanimous consent that I may extend my remarks on amendments Nos. 84 and 85.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. H. CARL ANDERSEN. Mr. Speaker, in connection with the amendment just adopted, I wish to make the record clear that the conferees have agreed that services from counterpart funds or other sources heretofore made available to this service while under State Department supervision shall continue to be available to this service on the same basis as heretofore.

Furthermore, may I express my appreciation to my fellow conferees for agreeing to the sum of $1,750,000 for watershed protection in the prior amendment, No. 84, which was not in disagreement. This is further evidence of the popularity of the Andersen-Hope watershed protection program, first actually implemented by funds in my subcommittee on appropriations for agriculture for fiscal year 1954. This additional money will help with both planning and construction and is very much needed in a very worthwhile program.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 86: Page 31, line 10, insert:

"COMMODITY EXCHANGE AUTHORITY

"For an additional amount for 'Commodity Exchange Authority', $93,000: *Provided*, That $39,000 of this appropriation shall be effective only upon enactment of legislation which would add 'coffee' under the definition of the word 'commodities' as defined in section 2 (a) of the Commodity Exchange Act, as amended (7 U. S. C. 1–17a); $34,000 shall be effective only upon enactment into law of H. R. 6435, 83d Congress; and $20,000 shall be effective only upon enactment into law of S. 2313, 83d Congress."

Mr. TABER. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 86, and concur therein with an amendment, as follows: "In the last line, eliminate the reference to 'S. 2313' and insert in lieu thereof 'Section 710 (a) of H. R. 9680'."

The motion was agreed to.

Mr. HAGEN of Minnesota. Mr. Speaker, will the gentleman yield for an inquiry?

Mr. TABER. I yield.

Mr. HAGEN of Minnesota. On page 30 of H. R. 9936, Senate amendment No. 84, Soil Conservation Service, watershed protection, there is a reference to H. R. 6788, and the possibility of this measure becoming a law. Why do you not say that the bill is a law? It is now Public Law 566, approved by the President on August 4. Let us clarify this.

Mr. H. CARL ANDERSEN. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. H. CARL ANDERSEN. I may say to the gentleman from Minnesota [Mr. HAGEN] that that was corrected by the amendment previously offered by the gentleman from New York [Mr. TABER].

Mr. HAGEN of Minnesota. In other words, in the conference report we acknowledge the fact that this bill has become law.

Mr. TABER. Yes.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 88: Page 31, line 21, insert:

"Loan authorizations

"For loans under the act of August 28, 1937, as amended, $5,000,000: *Provided*, That not to exceed the foregoing amount shall be borrowed from the Secretary of the Treasury in the manner authorized under this head in the Department of Agriculture and Farm Credit Administration Appropriation Act, 1955: *Provided further*, That this appropriation shall be effective only upon enactment into law of either H. R. 8386 or S. 3137, 83d Congress."

Mr. TABER. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 88, and concur therein with an amendment, as follows: "In the second proviso of said amendment strike out the word 'appropriation' and insert in lieu thereof the word 'authorization'."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 89: Page 32, line 5, insert:

"Office of the Solicitor

"For an additional amount for 'Office of the Solicitor', $54,000: *Provided*, That $40,000 shall be effective only upon enactment into law of either H. R. 8386 or S. 3137, 83d Congress."

Mr. TABER. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 89, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"Office of the Solicitor

"For an additional amount for 'Office of the Solicitor', $45,000: *Provided*, That $35,000 shall be effective only upon enactment into law of either H. R. 8386 or S. 3137, 83d Congress."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 91: Page 32, line 21, insert '*"Provided*, That hereafter hearing officers appointed for Indian probate work need not be appointed pursuant to the Administrative Procedure Act (60 Stat. 237), as amended."

Mr. TABER. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 91, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert ": *Provided*, That hearing officers appointed for Indian probate work need not be appointed pursuant to the Administrative Procedure Act (60 Stat. 237), as amended."

Mr. TABER. Mr. Speaker, I yield 1 minute to the gentleman from Maryland [Mr. FRIEDEL].

Mr. FRIEDEL. Mr. Speaker, I ask unanimous consent that the remarks which I was permitted to extend a while ago may be inserted immediately preceding the vote on the so-called Judd motion to recede and concur.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from New York.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 99: Page 35, line 4, insert ": *Provided further*, That $375,000 of the unobligated funds heretofore appropriated for the Missouri River Basin project shall be available for additional investigations on the Garrison diversion unit, including the Sheyenne Farm and the Oakes Development tract in North Dakota, and for the White River and for emergency rehabilitation of the Willow Creek Dam in South Dakota."

Mr. TABER. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 99, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert ": *Provided further*, That $250,000 of the unobligated funds heretofore appropriated for the Missouri River Basin project shall be available for additional investigations on the Garrison diversion unit, the White River, and for emergency rehabilitation of the Willow Creek Dam in South Dakota."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 100: Page 35, line 13, strike out "$5,000,000" and insert "$6,000,000."

Mr. TABER. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 100, and concur therein with an amendment, as follows: "After the comma following the sum named in said amendment insert: 'of which not more than $175,000 shall be available for personal services'."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 104: Page 36, line 12, insert:

"SEC. 703. The limitation for personal services under the heading 'Construction, Bonneville Power Administration,' contained in the Interior Department Appropriation Act, 1955 (Public Law 465, 83d Cong.), is hereby increased from $6,250,000 to $7,450,000."

Mr. TABER. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 104, and concur therein with an amendment, as follows: "Strike the sum which precedes the period in said amendment and insert in lieu thereof '$6,750,000'."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 110: Page 38, line 9, insert:

"FOREIGN CLAIMS SETTLEMENT COMMISSION OF THE UNITED STATES

"Administrative expenses (Korean claims)

"For expenses necessary to enable the Foreign Claims Settlement Commission to carry out the provisions of the amendments of 1954 to the War Claims Act of 1948, as amended (50 U. S. C. App. 2004), including services as authorized by section 15 of the act of August 2, 1946 (5 U. S. C. 55a), and expenses of attendance at meetings concerned with the purposes of this appropriation, $100,000: *Provided*, That this paragraph shall be effective only upon the enactment into law of H. R. 9390, 83d Congress."

Mr. TABER. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 110, and concur therein with an amendment, as follows: In lieu of the sum named in said amendment insert: "the Commission is authorized to use not to exceed $100,000 of funds made available for administrative expenses of the War Claims Commission."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 115: Page 40, line 22, after "proceeds", strike out "shall be covered into the Treasury as miscellaneous receipts" and insert "credited to the fund from which rental payments are made."

Mr. TABER. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 115, and concur therein with an amendment, as follows: In lieu of the matter stricken out and inserted by said amendment insert "credited to the fund from which rental payments are made during fiscal year 1955."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 116: Page 41, line 1, insert:

"Survey of Government records, records management, and disposal practices

"For necessary expenses, including not to exceed $25,000 for administrative expenses, in connection with conducting surveys of Government records, and records creation, maintenance, management and disposal practices in Federal agencies, pursuant to sections 505 and 506 of the Federal Property and Administrative Services Act of 1949, as amended, $500,000: *Provided*, That notwithstanding any other provision of said act, the Administrator shall have final authority in all matters involving the conduct of surveys and the implementation of recommendations based on such surveys: *Provided further*, That the General Services Administration is authorized to procure services in accordance with section 15 of the act of August 2, 1946 (5 U. S. C. 55a): *Provided further*, That a detailed quarterly report on the progress of each survey conducted hereunder shall be made to the Appropriations Committees of the Congress."

Mr. TABER. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 116, and concur therein with an amendment, as follows: In line 9 of said amendment, in lieu of the sum named insert "$300,000."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 119: Page 42, line 3, insert:

"Salaries and expenses

"For an additional amount for 'Salaries and expenses', $1,350,000; and the limitation under this head in the Independent Offices Appropriation Act, 1955, on the amount available for expenses of travel, is increased from '$169,325' to '$260,825': *Provided*, That the authority contained under this head in the Third Supplemental Appropriation Act, 1954 (Public Law 357) for transfer of funds to this appropriation is continued through December 31, 1954, but additional amounts transferred pursuant to this extension shall not exceed $250,000, including not to exceed $25,000 for expenses of travel."

Mr. TABER. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 119, and concur therein with an amendment, as follows: In line 3 of said amendment, in lieu of the sum named insert "$1,100,000."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 122: Page 43, line 1, insert:

"Public facility loans

"Public facility loans, payments to revolving fund: For any payment ot the revolving fund pursuant to section 108 of the Reconstruction Finance Corporation Liquidation Act as amended (40 U. S. C. 459) $18,000,000: *Provided*, That the provisions of the first proviso under the head

of 'Office of the Administrator, Salaries and expenses' in the Independent Offices Appropriation Act, 1955 (Public Law 428) with respect to expenses of inspections and of providing representatives at project sites shall apply to projects or facilities financed by loans from the revolving fund hereby established, and the limitation on such nonadministrative expenses in said proviso is increased from '$500,000' to '$525,000.'"

Mr. TABER. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 122, and concur therein with an amendment, as follows: In line 5 of said amendment, in lieu of the sum named insert "$2,000,000."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 127: Page 44, line 7, insert:

"Office of the Administrator, public facility loans: Not to exceed $210,000 of funds in the revolving fund established pursuant to section 108 of the Reconstruction Finance Corporation Liquidation Act, as amended (40 U. S. C. 459), shall be available for administrative expenses, but this amount shall be exclusive of payment for services and facilities of the Federal Reserve banks or any member thereof, the Federal home-loan banks, and any insured bank within the meaning of the act creating the Federal Deposit Insurance Corporation (Act of August 23, 1935, as amended, 12 U. S. C. 264) which has been designated by the Secretary of the Treasury as a depository of public money of the United States."

Mr. TABER. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 127, and concur therein with an amendment, as follows: In line 2 of said amendment, in lieu of the sum named insert "$75,000."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 128: Page 44, line 20, insert:

"Federal Housing Administration: The amount made available under this head in title II of the Independent Offices Appropriation Act, 1955 (Public Law 428), for administrative expenses, is increased from '$5,150,000' to '$6,500,000' and the limitation on the amount available for expenses of travel is increased from '$175,000' to '$355,000': *Provided*, That the limitation under said head on the amount available for certain nonadministrative expenses of said Administration is increased from '$25,000,000' to '$28,000,000.'"

Mr. TABER. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 128, and concur therein with an amendment, as follows: In lieu of the sum of "$6,500,000" named in line 5 of said amendment, insert "$5,500,000"; and in lieu of the sum of "$355,000" named in lines 6 and 7 of said amendment, insert "$250,000"; and in lieu of the sum of "$28,000,000" named in line 10 of said amendment, insert "$26,250,000."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 129: Page 45, line 5, insert:

"Public Housing Administration: The amount made available under this head in title II of the Independent Offices Appropriation Act, 1955 (Public Law 428), for administrative expenses of the Public Housing Administration in carrying out duties imposed by law, is increased from '$6,950,000' to '$7,750,000'; and the limitation under said head on the amount available for expenses of travel is increased from '$500,000' to '$580,000.'"

Mr. TABER. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 129, and concur therein with an amendment, as follows: In lieu of the sum of "$7,750,000" named in line 6 of said amendment, insert "$7,350,000"; and in lieu of the sum of "$580,000" named in line 8 of said amendment, insert "$540,000."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 130: Page 45, line 13, insert:

"NATIONAL CAPITAL PLANNING COMMISSION

"Land acquisition, National Capital park, parkway, and playground system

"For an additional amount for 'Land acquisition, National Capital park, parkway, and playground system,' $60,000, to remain available until expended, to be used for carrying out the provisions of section 1 (a) of the act of May 29, 1930 (46 Stat. 482), as amended."

Mr. TABER. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 130, and concur therein with an amendment, as follows: In lieu of the sum named in said amendment insert "$35,000."

Mr. TABER. Mr. Speaker, I yield 3 minutes to the gentleman from Texas [Mr. THOMAS].

Mr. THOMAS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. THOMAS moves that the House insist on its disagreement.

The SPEAKER. The Chair will state that that motion cannot be offered until the other one is voted down.

Mr. THOMAS. Mr. Speaker, may I inquire of our distinguished chairman what was the amount finally inserted? Thirty-five thousand dollars?

Mr. TABER. That is correct.

Mr. THOMAS. That means that the price of the land has been reduced from $120,000 to $70,000.

Let me detain the House briefly for 2 or 3 minutes and give you the history of this proposition. It was submitted to the Subcommittee on Independent Offices, and through its able chairman, the gentleman from California, and the other members, this item was left out of the bill entirely. It went to the other body, and the other body inserted a Federal contribution of $60,000, which meant that the purchase price of the land, which is a little finger of land 56 feet wide by about 225 or 30 or 40 feet long, was put back in the bill. We went to conference. It was agreed to, at least so I thought, that the Senate would recede from its position. I am advised that the other body called some of our conferees together rather late yesterday. I was notified, but unfortunately I was not able to attend. In any event, now they come in with the figure of the Federal contribution of $35,000.

Mr. Speaker, the land is not worth $10,000. It has had an RFC loan on it for years and years, about 7 or 8 years, which has been delinquent in principal and interest. I think the RFC loan was for perhaps some $40,000. They had an oil-rectifying plant there in which they used to take old motor oil and treat it, to put it in shape for reuse. They have had a couple of fires there. The last time the plant burned almost to the ground. I am further advised that the junkmen want $15,000 or $20,000 to clear the land.

What this amounts to is abating a nuisance. I imagine all of us have nuisances in our own communities. But why should the Federal Government pay at the rate of $10 a square foot for land that is not worth $2 a square foot to abate a local nuisance? We would be setting a precedent here, Mr. Speaker, that would be extremely bad.

In the first place, I do not understand why the RFC permitted the loan to become delinquent in principal and interest for 7 years. I do not understand how it got into the Senate bill. Somebody has been doing some rather active footwork, I think. It would be a safe, sound thing to do to reject this amendment and then adopt the amendment which will be offered immediately after which insists on the House position, namely, to give them not a penny.

We do not need the land. Why should we pay this money for it? If the National Capital Planning Commission were to buy every little finger of land that it wants, there is not enough money in the Treasury to pay for it.

I hope the amendment is voted down. It would be good, common horsesense to do so.

Mr. SHEPPARD. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from California.

Mr. SHEPPARD. Is not this the same property where they had some difficulty because of an overflow of some oil onto the lawn? It is on the right bank as you drive out on the highway. It was a cracking-plant operation.

Mr. THOMAS. I believe the gentleman is right. They had a small rectifying plant there where they tried to repurify some used lubricating oil.

Mr. SHEPPARD. A recovery plant, I believe it is called.

Mr. THOMAS. That is right.

The SPEAKER. The time of the gentleman has expired.

Mr. TABER. Mr. Speaker, I yield 6 minutes to the gentleman from California [Mr. PHILLIPS].

Mr. PHILLIPS. Mr. Speaker, the gentleman from Texas [Mr. THOMAS] is correct, that this item came before our subcommittee. At that time the amount requested was $60,000. This would have made a total possible payment—not necessarily, but possible—of over $100,000. We did not feel that the question was properly before us at that time for the reasons which the gentleman has stated: that the RFC had a loan which was past due, and a bank in Virginia had a loan which was past due. We felt it should not come before us while those matters were undecided. So we did nothing. We did nothing in favor and nothing against it. We did not act upon it. The bill went over to the Senate without the section in it and was returned by the Senate in the belief that there would necessarily have to be money in the bill even if the Park Commission were to start condemnation proceedings. So I make one very slight correction to my distinguished friend's statement, in that the $35,000 is not necessarily the price, it is the maximum amount the Federal Government will pay, to be equalled by payments from Virginia and Arlington. I think my point is a very minor point, because I have an idea that this will be approximately the amount paid if we get the property. As a matter of fact, the total debt against the property is more than the amount indicated here, and about the amount of the total we are discussing.

The question therefore arises, Should we buy the property or should we not, and that is a matter for the Park Commission, with the approval of Congress. It is in the park system. It is an eyesore. It is presently cracking oil. The oil flows frequently into the Potomac River and pollutes the river. It is the belief, shared by a great many Members of the Congress, that if this can be obtained by the Park Commission at a reasonable price without condemnation proceedings the Park Commission should take advantage of it.

We could not go to condemnation proceedings without money being written into the bill for that purpose. It must be remembered that while the Reconstruction Finance Corporation had a loan plus interest against the property, totaling about $45,000 as of the moment, at the sale the other day $51,250 was bid on the property, and that appraisals of the property by the County of Arlington have run as high as $80,000, which is more than could be paid, under the amendment of the gentleman from New York.

As to the land, my friend from Texas is perfectly right. That land alone is not worth that sum, but the land alone plus the improvements on it, plus the desirability of the property, and plus the elimination of a threat to pollution of the river, makes it up.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. PHILLIPS. I yield to the gentleman from Iowa.

Mr. GROSS. Can the gentleman tell us who owns this land?

Mr. PHILLIPS. An oil company, the Worthington Oil Co., a small more or less a one-person company which, through the war years, and now, is taking old oil, cleaning it, and reselling it.

Mr. GROSS. Does not the State of Virginia have the authority to abate the pollution of the Potomac River which he mentioned a few minutes ago?

Mr. PHILLIPS. No. I am glad the gentleman brought that up. It is one of the major problems. This oil company was here before the zoning law was passed which would have permitted the State or county to do anything about it. It could never again happen, but it has happened now.

Mr. THOMAS. Mr. Speaker, will the gentleman yield?

Mr. PHILLIPS. I yield to the gentleman from Texas.

Mr. THOMAS. In order that the record may be complete here, the gentleman will recall, and I am sure there is no disagreement, that on the tax rolls in Arlington the property is carried in its entirety, not the land by itself but all the junk that is on it, at $19,000.

Mr. PHILLIPS. Twenty-one thousand dollars. Arlington assesses such property at about a quarter of its value.

Mr. THOMAS. At the sale there was only one bidder, and that was the owner, who bid $51,000. Instead of putting up the $51,000 he put up $7,000 or $8,000 cash, and the Reconstruction Finance Corporation gave him 30 days to put up the other, and at the end of the 30 days he had a reversal.

Mr. PHILLIPS. He put up $7,500, and he has 15 days to make up the rest.

Mr. THOMAS. As far as the Reconstruction Finance Corporation is concerned, it has not got its money out of it, and I venture to say it will not.

Mr. PHILLIPS. The gentleman is correct, that the RFC does not, as yet, have the $45,000.

Mr. ROONEY. Mr. Speaker, will the gentleman yield?

Mr. PHILLIPS. I yield to the gentleman from New York.

Mr. ROONEY. I want to make sure that I correctly understand the situation with regard to the action of the House conferees and the Senate conferees. Is it not the fact that the House conferees with regard to chapter VIII of this bill and the Senate conferees reached an agreement to delete this item from the bill, and that that agreement was upset along about 8 o'clock last night during the sitting of the conferees on the mutual security appropriation bill?

Mr. PHILLIPS. No, but the gentleman is not very far wrong. He does omit an important fact.

Mr. ROONEY. Will the gentleman tell me how far from right I am?

Mr. PHILLIPS. It was yesterday afternoon, not yesterday evening. The gentleman also omits a very important fact.

Mr. ROONEY. I will say this to the gentleman. I was not over in the other body yesterday afternoon, but I was there last night beginning at 7:30 and I did not get my information from a birdie.

Mr. PHILLIPS. I was called over there in the afternoon, and I got in touch with other members of my subcommittee and went over and discussed it. This is what the gentleman omits or overlooks: Between the time the Senate inserted this, and yesterday, a sale had been held by the RFC and a completely different situation developed. Our committee felt that the RFC would get the property as a result of the sale or might get the property, and it was not our function to step in before the sale had taken place. The sale took place. The RFC did not get the property. They got a bid of $51,250 with a downpayment $7,500 and the Senate, on the solicitation of the Park Service and people who are interested in the property, then raised the question again and we said if we were to go into it at all, the limit would have to be $35,000. I shall vote for the amendment, which the gentleman from New York [Mr. TABER] has offered.

Mr. BYRNES of Wisconsin. Mr. Speaker, will the gentleman yield?

Why does this have to be taken care of now? You have this foreclosure still standing which has just been consummated. You do not even know whether the person who made the bid is actually going to come through with the money to buy it. Should not the matter be left over until at least next year to see what the result of the foreclosure proceedings will be?

Mr. PHILLIPS. The gentleman's point would be well taken if this were actually an expenditure of money. This is an appropriation of money to the Park Commission so that if the commission has an opportunity to do anything between now and the time Congress again convenes, it can do it. Otherwise, the Commission's hands will be tied no matter what happens, even if we should have an excellent opportunity to buy it. We are not buying the property in this bill—we are merely giving $35,000 to the Park Service as a maximum with which they may negotiate.

Mr. BYRNES of Wisconsin. Why would it not be better to see what happens so far as these foreclosure proceedings are concerned? It might be that the RFC would get title to the property and then they could just turn it over to the Planning Board and we would not have all this worry at this time.

Mr. PHILLIPS. Then the RFC would probably want us to pay it off and pay other debts.

The SPEAKER. The time of the gentleman has expired.

The question is on the motion offered by the gentleman from New York [Mr. TABER].

The question was taken; and on a division (demanded by Mr. ROONEY) there were—ayes 41, noes 71.

So the motion was rejected.

Mr. THOMAS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. THOMAS of Texas moves that the House insist on its disagreement to Senate amendment No. 130.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 132: Page 47, line 3, insert:

"SMALL BUSINESS ADMINISTRATION

"Salaries and expenses

"For an additional amount for 'Salaries and expenses', $350,000."

Mr. TABER. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 132, and concur therein with an amendment, as follows: In lieu of the sum named in said amendment insert "$200,000: *Provided*, That not to exceed $2,500 of the funds made available for administrative expenses in this act under the head 'Saint Lawrence Seaway Development Corporation' may be used for emergencies and extraordinary expenses to be expended upon the approval or authority of the administrator."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment 134, page 48, line 14, insert:

"Family housing

"For family housing authorized by the enactment into law of H. R. 9924, 83d Congress, not to exceed $175 million to be made available to the respective military departments in such amounts as may be determined by the Secretary of Defense, to remain available until expended: *Provided*, That funds appropriated under this heading shall not be used for family housing unless the Secretary of Defense certifies that (1) it is impracticable to construct family housing under the provisions of title VIII of the National Housing Act, and (2) that adequate housing at reasonable rental rates is not available in the immediate vicinity of the military installation, and (3) it is impracticable to acquire suitable housing under other existing provisons of law: *Provded further*, That the provisions of section 708 of Public Law 458, approved June 30, 1954 (68 Stat. 350), shall not apply to 250 units of family housing provided for by this act but the individual cost of such units shall in no event exceed $20,000 per unit."

Mr. TABER. Mr. Speaker, I offer a motion to recede and concur with an amendment, which I send to the desk.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 134, and concur therein with an amendment, as follows: In lieu of the sum named in said amendment insert "$75,000,000"; and before the period insert ": *Provided further*, That the construction authorized by the act of April 1, 1954 (Public Law 325, 83d Cong.) may be accomplished prior to approval of title to underlying land, as provided by section 355, as amended, of the Revised Statutes."

The SPEAKER. The question is on the motion.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 136, page 49, line 21, insert:

"Army National Guard

"The Secretary of the Army may transfer not to exceed $3,000,000 to the appropriation 'Army National Guard, 1955' for additional State National Guard civilian employees from any appropriation available to the Department of the Army when such transfers are determined by the Secretary of the Army to be in the national interest."

Mr. TABER. Mr. Speaker, I move to recede and concur in the Senate amendment with an amendment, which I send to the desk.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 136, and concur therein with an amendment, as follows: In lieu of the sum named in said amendment insert "$1,500,000."

The SPEAKER. The question is on the motion.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 147, on page 53, line 7, insert:

"SEC. 906. (a) The Department of Defense is authorized to acquire by purchase, or by lease or otherwise for a period not to exceed seven years, not to exceed 6 vessels capable of transporting, loading, and unloading railroad rolling stock, on rails by the roll-on, roll-off method, as well as, wheeled and tracked military equipment to be loaded and discharged under their own power.

"(b) Any appropriation of the Department of Defense shall be available for the purposes of this act."

Mr. TABER. Mr. Speaker, I offer a motion to recede and concur with an amendment, which I send to the desk.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 147, and concur therein with an amendment, as follows: In lieu of the matter proposed as paragraph (b) of said amendment insert:

"(b) Funds are hereby authorized to be appropriated for the purpose of carrying out the provisions of this section."

The SPEAKER. The question is on the motion.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 148, page 53, line 16, insert:

"SEC. 907. The Secretary of the Army is authorized to convey, subject to such terms, conditions, and restrictions as are required by this act and the public interest, to the Los Angeles City High School District of Los Angeles County, Calif., all right, title, and interest of the United States to the Birmingham General Hospital tract (consisting of 117 32/100 acres of land, more or less, and all improvements thereon) located at Van Nuys, Calif. In addition to other consideration required by this section for the conveyance authorized hereunder, such school district shall be required to pay to the Secretary of the Army the sum of $500,000. Upon receipt by the Secretary of the Army such sum shall be credited to the appropriation 'Military Construction, Army', and shall be available for (1) the construction and other costs involved in moving to a suitable Government-owned site the buildings to be reconveyed to the Secretary under the provisions of this section, and (2) the construction of additional supporting facilities at such site as may be required for authorized defense construction.

"In addition to other terms, conditions, and restrictions contained in the deed whereby the Birmingham General Hospital is conveyed to such school district, the school district shall agree, as a part of the consideration for the conveyance, (1) to reconvey to the Secretary of the Army, immediately upon acceptance of the deed, and without consideration, title to the buildings which are located at the Birmingham General Hospital and which are occupied by troops on the date of enactment of this act, and (2) to permit such buildings to remain in place for continued occupancy by troops until substitute facilities are constructed by the Secretary of the Army, and such buildings are removed."

Mr. TABER. Mr. Speaker, I offer a motion to recede and concur with an amendment, which I send to the desk.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 148, and concur therein with an amendment, as follows: In lieu of the matter proposed in said amendment insert:

"SEC. 907. The Secretary of the Army is authorized to receive the sum of $500,000 in partial consideration for the conveyance by the Secretary of Health, Education and Welfare for educational purposes pursuant to the provisions of the Federal Property and Administrative Services Act of 1949 to the Los Angeles City High School District of Los Angeles County, Calif., of all right, title, and interest of the United States to that portion of the Birmingham General Hospital tract now occupied by troops (consisting of 40 acres of land, more or less, and improvements thereon) located at Van Nuys, Calif., provided such sum is received by the Secretary of the Army on or before July 1, 1956. Upon receipt by the Secretary of the Army such sum shall be credited to the appropriation, "Military Construction, Army," and shall be available for (1) the construction and other costs involved in moving to a suitable Government owned site not more than eight buildings to be selected by the Secretary of the Army to be excluded from the conveyance by the Secretary of Health, Education and Welfare, and (2) the construction of additional supporting facilities at such site as may be required for authorized defense construction, at a total cost of not to exceed $500,000.

"In addition to other terms, conditions, and restrictions contained in the deed whereby the Birmingham General Hospital is conveyed to such school district, the school district shall agree, as a part of the consideration for the conveyance to permit any buildings required by the Secretary of the Army to remain in place for continued occupancy by troops for a period of not to exceed 9 months after the date of conveyance of said property to the school district."

The SPEAKER. The question is on the motion.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 151, on page 55, line 6, insert:

"For an additional amount for 'Construction, General', $8,415,000 to remain available until expended, of which $1,600,000 shall be available for advanced engineering and design by the Corps of Engineers for projects which have been authorized for development with participation by State, local government or private groups and for authorized projects which are under consideration for participation by such agencies: *Provided*, That $140,000 of this appropriation shall be available only for the prosecution of the project for beach erosion con-

trol at Hampton Beach, N. H., as authorized by law: *Provided further*, That not to exceed $2,000,000 of unexpended funds appropriated for the current or any previous fiscal year to the Department of the Army for 'Construction, general, rivers and harbors,' shall be available until expended for use on such authorized river and harbor projects as may be determined by the Secretary of Defense to be essential to the national defense program."

Mr. HIESTAND. Mr. Speaker, the $1,200,000 for debris dams in this bill should be regarded as matching funds since the county of Los Angeles contributes very largely to this total. This item is urgent, almost tragically so. The amount could not be included in the original budget for this purpose because the disastrous fire on the south side of the mountains occurred in December and January after the budget had been approved and sent to the Congress.

This fire completely denuding the front side of the mountains above the towns of Monrovia, Sierra Madre, and Arcadia in Los Angeles National Forest created thus from Federal lands, a disastrous hazard. We must realize that when a wall of water suddenly rushes down these fire-denuded canyons, it is not only a wall of water but a wall of rocks and boulders, many as large as automobiles. When they hit a town, they take houses, buildings, and lives before them. This is suddenly the situation these towns face due to this terrible forest fire.

The debris dams recommended in this bill Bailey, Auburn, and Carter Canyons above Sierra Madre and Sawpit Canyon above Morovia can be installed this summer and can save these towns from almost certain disaster. Passage of this amendment is highly recommended.

Mr. TABER. Mr. Speaker, I offer a motion to recede and concur with an amendment, which I send to the desk.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 151, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"For an additional amount for 'Construction, General', $5,985,000 to remain available until expended, of which $600,000 shall be available for advanced engineering and design by the Corps of Engineers for projects which have been authorized for development with participation by State, local government, or private groups and for authorized projects which are under consideration for participation by such agencies."

The SPEAKER. The question is on the motion.

Mr. TABER. Mr. Speaker, I think I should make a statement at this point.

This item presently includes the Markham Ferry Reservoir, Okla., $100,000;

Priest Rapids Reservoir, Wash., $350,000;

Cougar Reservoir, Oreg., $150,000; or a total of $600,000 for planning.

It also includes for construction:

Stockton Harbor, Calif., $335,000;

Greenup lock and dam, Kentucky and Ohio, $2 million;

San Diego River and Mission Bay, Calif., $750,000;

Buffalo Harbor, N. Y., $1,100,000;

Los Angeles County drainage area, $1,200,000.

The other items which the Senate included were left out, some of them because there was no authorization, and others because it was not deemed that it was the proper time or the proper place to proceed.

I yield to the gentleman from New York [Mr. MILLER].

Mr. MILLER of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MILLER of New York. Mr. Speaker, pursuant to permission to extend my remarks, I am taking the liberty of expressing the feelings of the vast majority of people of the city of Buffalo, N. Y., and the Niagara frontier regarding appropriations for Buffalo Harbor, river, and ship canal.

We were all very grateful to President Eisenhower when he and his administration saw fit to recommend $1,100,000 for fiscal 1955 to continue the deepening of Buffalo Harbor. When the Senate Committee on Appropriations favorably recommended the badly needed additional funds and the Senate of the United States approved the President's and Senate committee's recommendations the news was received with renewed enthusiasm by all of us. It was indeed gratifying to learn that this administration and the upper body could foresee that it would be false economy not to continue the deepening of this important port.

Mr. Speaker, for the benefit of my colleagues who are not familiar with this project I would briefly like to point out that it is not a new one. It is of vital importance to the defense and commerce of the Niagara frontier and the Congress through previous authorizations and appropriations has given due recognition to the economic importance of this major harbor.

It is, indeed, a sad commentary when I am forced to point out that, tonnage-wise, the port of Buffalo has dropped from second to sixth port in the Great Lakes in a relatively short span of years. At the present time it is ranked 15th in tonnage in the entire Nation, and the previous year it was ranked 12th, yet its waterborne commerce still averages in excess of 20 million tons annually. It is the biggest inland port in the United States in dollar value of commerce handled. Our waterborne commerce has made Buffalo the largest flour-milling and feed-mixing center in the world, the third largest steel plant in the United States which relies upon lake transportation for most of its raw materials is located there. Coal goes by lake and river to the second largest steam generating electric plant in the United States located on the Niagara River in the port of Buffalo. The contribution to the national economy and defense of these and other industries at this port is hard to parallel at any other port.

The United States Army Corps of Engineers years ago recognized the necessity of improving this port. Congress authorized the recommended improvements in 1935 and 1945 but has since been negligent in providing the necessary funds to do this work.

Mr. Speaker, I would further like to take this opportunity to express the gratitude of the people I represent to the President, Senator IRVING M. IVES, and the entire Senate of the United States for endorsing this worthy project and hope you may join with them and our colleagues on the House Committee on Appropriations in support of the continued development of this major port.

Mr. HESELTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. HESELTON. Mr. Speaker, I regret exceedingly that the conference committee did not agree to accept the recommendations of the Bureau of the Budget for funds for the continuation of the flood-control project at North Adams, Mass., which the other body approved.

Testimony by the Corps of Engineers last year included the following by Colonel Hiatt:

It will provide a useful unit of the project extending from Marshall Street on the North Branch and Johnson Dam on the South Branch, downstream to the existing dam of the North Adams Manufacturing Co.

He also said:

We feel the whole project, the whole unit, should be completed and carried on.

The Corps of Engineers also testified before the committee in the other body this year that it had recommended the continuation of this project.

The average annual benefits are $829,000.

The cost-benefit ratio is 1.13.

Upon completion, the project will protect 13 major industries, 570 commercial establishments, 580 residences, 7 public buildings, public roads and bridges, public utilities and services, and an unknown number of human beings, whose lives and livelihoods are of vital importance to this community of 21,567. The protection would extend to about 85 percent of the industrial area and to about 25 percent of the residential area.

In North Adams there are 33 industrial establishments, employing over 12,000 people, with an annual payroll of $13,244,000 and manufacturing products annually valued at more than $61 million.

The record is clear that the community has attempted to meet its full responsibility in repairing and trying to prevent losses. Local expenditures in connection with the four major floods, exclusive of industry and private expenditures, exceeded $1,886,000.

This project met the rigid test applied in 1950 under Public Law 759, 81st Congress. I would like to quote the pertinent sentence from General Pike's statement at the time the program was announced:

It has been screened to include the projects which, as directed by the President, directly

contribute to national defense or to civilian requirements essential to the changed international situation, and it complies in all aspects with the criteria directed by the Congress.

Then I would like to include a copy of a letter dated October 12, 1950, from Col. W. E. Potter, covering this determination:

DEPARTMENT OF THE ARMY,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, October 12, 1950.

Hon. JOHN W. HESELTON,
House of Representatives,
Washington, D. C.

DEAR MR. HESELTON: Please refer to your recent letters relative to the local flood protection projects for Adams and North Adams, Mass.

The General Appropriation Act, 1951 (Public Law 759, 81st Cong.), provides for a reduction of over $75 million in the amount recommended by the Senate for our civil works program. It also calls for an overall reduction in Government expenditures for nondefense purposes of $550 million, a portion of which has been applied to our civil works program.

In view of these reductions in funds and also the criteria set forth in the conference report on the 1951 General Appropriation Act requiring a reexamination of the civil works program with a view to conserving resources of men, materials, and equipment, this Office has reviewed all projects which are eligible for appropriation under Public Law 759; and we have given careful consideration to all data furnished in support of those projects in the development of our recommended civil works program for the present fiscal year.

I am pleased to say it has been determined that the Adams and North Adams projects meet the above requirements and that funds in the amounts of $245,000 and $350,000, respectively, are available for their construction from our appropriation for the current fiscal year. You may be assured that the work will proceed as expeditiously as practicable.

Sincerely yours,

W. E. POTTER,
Colonel, Corps of Engineers,
Acting Assistant Chief of Engineers
for Civil Works.

The Federal Government has appropriated $1,183,000 to date for this project and the full amount has been obligated. I am sure that you will understand that the people concerned feel they had every right to expect that their Federal Government was undertaking what it had determined to be a justifiable project and would proceed to complete it at the earliest practical date. Further, I am certain you will agree that they had a right to make their decisions and plans with this in mind.

They do not ask and do not expect favored treatment. But in the face of all the undisputed facts, including the initiation of the project, the Federal investment to date and the favorable recommendations last year by the Bureau of the Budget under both the Truman and the Eisenhower administrations, they consider a complete cessation of work without explanation a great deal less than what they were entitled to expect.

I submit that there is full and complete justification for finding that this project is a sound Federal investment which should no longer be deferred.

I hope and believe that the Corps of Engineers, the Bureau of the Budget, the respective committees in Congress will approve the continuation of this project during the next fiscal year.

Mr. JENKINS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. JENKINS. Mr. Speaker, with reference to the proposed construction of the Greenup Dam as set out in title 10 of the report made to accompany H. R. 9936, I am glad that the conference report now under discussion has recommended the construction of the Greenup Dam which will be a dam across the Ohio River just below the city of Ironton, Ohio, which is my hometown.

I wish to thank Mr. JOHN TABER, the chairman of the committee, and other members of the committee, who favored the construction of this big dam that will be of such a great benefit to the shippers on the mighty Ohio River and to the cities along the river that will benefit in many ways from a goodly supply of water.

Mr. Speaker, when as a young lawyer I began to practice law in Ironton, Ohio, I realized that the most important thing in the Ohio Valley is the Ohio River. Ever since that time I have taken advantage of every opportunity to make the Ohio River more and more important.

Many years ago Congress passed legislation that provided for the construction of 52 small dams in the Ohio in order to establish a 9-foot stage from Pittsburgh to Cairo. That is a distance of probably 600 miles. It took several years to construct this large number of small dams. Some of them began to deteriorate before the last one was constructed. I remember that when the last one was constructed there was held a dedicatory celebration. There was a sort of a river caravan organized and the proper authorities induced Mr. Herbert Hoover, who was the President at that time, to take part in this ceremony. I went on this trip with Mr. Hoover and others. At the celebration Mr. Hoover made a speech. That was on October 18, 1929. The celebration was held under the auspices of the Ohio Valley Improvement Association. I was present at these ceremonies and heard President Hoover speak.

This following is a copy of one paragraph of his speech:

While I am proud to be the President who witnesses the apparent completion of its improvement, I have the belief that some day new inventions and new pressures of population will require its further development. In some generation to come they will perhaps look back at our triumph in building a channel nine feet in depth in the same way that we look at the triumph of our forefathers when, having cleared the snags and bars, they announced that a boat drawing two feet of water could pass safely from Pittsburgh to New Orleans. Yet, for their times and means they, too, accomplished a great task. It is the river that is permanent; it is one of God's gifts to man, and with each succeeding generation we will advance in our appreciation and use of it. And with each generation it will grow in the history and tradition of our Nation.

Mr. Speaker, about 15 years ago I arranged to hold a public hearing on the proposal to construct one of the high modern dams at the proper place between Ironton, Ohio and Portsmouth, Ohio. Many river men and prominent shippers on the Ohio attended that meeting. The meeting was attended by the United States Army Engineers. At that meeting arrangements were made for the holding of another meeting which was held in due course. At the last meeting the Army engineers were encouraged to make a report and recommendations to the Chief of Engineers and other Government officials.

This report by the district engineers was favorable. But about that time the war clouds were commencing to hover and it was decided that we should not press the matter. The Second World War did come along and it was not wise to ask the Government to spend this money at this time.

But gradually the traffic on the Ohio has increased until now the statistics show that the traffic on the Ohio River from Parkersburg, W. Va., to Cincinnati is the heaviest river traffic anywhere in the United States.

Just yesterday I saw a report to the effect that the traffic emanating from the vicinity of Huntington, W. Va., had for the past few weeks been the greatest of any traffic in any river in our great country.

At any rate these facts that I cite will prove that the $2 million that I have asked for in my bill will be justified. We only ask for this amount now for this will be enough to commence the work. It will as I understand be necessary to appropriate about $60 million altogether and that will come later.

But, Mr. Speaker, when this money shall have been spent the country will have the constant use of a great dam for a hundred years to come.

I am proud of my efforts in furthering this great project to a successful start, and I am sure that future generations will rise up and bless us all who have helped in advancing this great project.

Again, Mr. Speaker, on behalf of the people living in southern Ohio and northern Kentucky and northern West Virginia I thank every one who helped us toward the construction of this great national improvement.

Mr. BAILEY. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from West Virginia.

Mr. BAILEY. Is the item for Buffalo Harbor an aftermath of the St. Lawrence Seaway?

Mr. TABER. No. It had to come anyway.

Mr. SPENCE. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Kentucky.

Mr. SPENCE. Will the gentleman inform me as to what amount is provided for the commencement of construction of the Greenup Dam in the Ohio River at Greenup, Kentucky?

Mr. TABER. For the Greenup Dam, $2 million, and it is to begin construction upon the dam. That was the budget estimate.

Mr. SPENCE. That is provided in the amendment?

Mr. TABER. Yes, and that was the amount carried in the Senate bill.

The SPEAKER. The question is on the motion of the gentleman from New York.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 154: Page 56, line 13, insert:

"Operation and maintenance, general

"For an additional amount for 'Operation and maintenance, general', $840,000, to remain available until expended."

Mr. TABER. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 154, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"Operation and maintenance, general

"Not to exceed $600,000 of funds previously appropriated under this head shall be available until expended for repairs to the north jetty at Yaquina Bay Harbor, Oreg."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 155: Page 56, line 17, insert:

"Flood control, Mississippi River and tributaries

"For an additional amount for 'Flood control, Mississippi River and tributaries', $1,000,000 to remain available until expended."

Mr. TABER. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 155, and concur therein with an amendment, as follows: Before the period in said amendment insert ", to be derived by transfer from 'Operation and maintenance, general'."

Mr. TABER. Mr. Speaker, I yield to the gentleman from Wisconsin [Mr. DAVIS].

Mr. DAVIS of Wisconsin. Mr. Speaker, I ask unanimous consent to insert at this point a brief explanatory statement with reference to this amendment.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. DAVIS of Wisconsin. Mr. Speaker, this amendment allocates $1 million for flood control, Mississippi River and tributaries, to be derived by transfer from previously appropriated funds for operation and maintenance, general. It is the desire of the conferees on the part of the House and the Senate that these funds be transferred from the emergency fund available to the Corps of Engineers for flood-control works.

Mr. NICHOLSON. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. NICHOLSON. May I ask the gentleman exactly what this amendment is?

Mr. TABER. This is the appropriation of $1 million to overcome a mistake which the engineers made in plugging up a drainage channel down in Louisiana. Instead of having it come directly out of the Treasury the committee thought it was better that it come out of funds that had previously been appropriated.

Mr. NICHOLSON. Do I understand we are just covering up some million-dollar appropriation that the committee or someone in Louisiana had made a mistake on?

Mr. TABER. No. The Army engineers made the mistake.

The SPEAKER. The question is on the motion of the gentleman from New York.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 164: Page 62, line 3, insert:

"Construction of tankers

"For construction of tankers as authorized by the act of ——— 1954, Public Law —, $37,500,000 to remain available until expended: *Provided*, That this appropriation may be transferred to such appropriation as the President may designate."

Mr. TABER. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 164, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"Construction of tankers

"For construction of tankers as authorized by the act of August 10, 1954, Public Law 575, $30,000,000 to remain available until expended: *Provided*, That this appropriation may be transferred to such appropriation as the President may designate."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 168: Page 67, line 18, insert "purchase of not to exceed two passenger motor vehicles; and entertainment; $170,000."

Mr. TABER. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 168, and concur therein with an amendment, as follows: In lieu of the sum named in said amendment insert "$100,000."

Mr. TABER. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. KEATING].

Mr. KEATING. Mr. Speaker, it is not my disposition to offer a motion at this point because I realize how difficult the task of the conferees has been, and I commend them for reducing by $70,000 the figure as it originally appeared in the Senate bill. But I do feel that the attention of the Congress should be called to the danger inherent in appropriating too large sums for such projects as this.

This is an important historical celebration. It is entirely in keeping that it should be held and perhaps a modest appropriation would be in order. The membership will recall that when the bill was before us our distinguished colleague from Ohio [Mr. MCCULLOCH] offered an amendment to reduce the figure of $170,000 to $25,000, which was carried by a substantial vote. We come back here now with the figure raised to $100,000.

The Committee on the Judiciary is confronted every year with a difficult task when these various bills for celebrations are presented to it. Many Members introduce such bills in good faith and with earnest intent and commendable desire to serve the interests of their constituents. It will militate against the favorable consideration of these measures unless the Congress is very conservative in the amount which it appropriates for such purposes. It is simply not responsible for us to vote large sums of the taxpayers' funds for such celebrations, significant as they may be.

I feel it is desirable at this point to make that a matter of record. I know the distinguished chairman of the Appropriations Committee and the House conferees have done all that they possibly could to keep these amounts down.

The SPEAKER. The question is on the motion offered by the gentleman from New York.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 187: Page 81, line 8, insert:

"SEC. 1312. The appropriations, authorizations, and authority with respect thereto in this act shall be available from July 1, 1954, for the purposes provided in such appropriations, authorizations, and authority. All obligations incurred during the period between June 30, 1954, and the date of enactment of this act in anticipation of such appropriations, authorizations, and authority are hereby ratified and confirmed if in accordance with the terms hereof and the terms of Public Law 475, 83d Congress."

Mr. TABER. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 187, and concur therein with an amendment, as follows: In lieu of the section number named in said amendment insert "1313."

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

Mr. TABER. Mr. Speaker, I ask unanimous consent that all Members

who have spoken may have permission to revise and extend their remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

FOREIGN AID

Mr. TABER. Mr. Speaker, I ask unanimous consent that the conferees on the bill H. R. 10051, the foreign-aid bill, may have until midnight tonight to file a conference report.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. CANNON. Mr. Speaker, is that the foreign-aid appropriation bill?

Mr. TABER. That is the foreign-aid bill; yes.

Mr. CANNON. Does the gentleman expect to have a conference this afternoon?

Mr. TABER. Yes.

Mr. ROONEY. Mr. Speaker, reserving the right to object, if my distinguished and able friend the gentleman from New York [Mr. TABER] would put a muzzle on a certain party, we might get that conference report filed by midnight tonight.

Mr. TABER. I wish we could.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

LAWS RELATING TO ESPIONAGE AND SABOTAGE

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 9580) to revise and extend the laws relating to espionage and sabotage, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania? The Chair hears none, and appoints the following conferees: Mr. GRAHAM, Miss THOMPSON of Michigan, Mr. HYDE, Mr. CELLER, and Mr. WALTER.

REVISED STATUTES 4426

Mr. ALLEN of California. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 8647) to amend Revised Statutes 4426, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Line 8, after "the", insert "inspection."

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

RED COLONIALISM EXPOSED

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include an address I delivered in Munich on July 3 of this year.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. FEIGHAN. Mr. Speaker, on July 3, 1954, I was in Munich, Germany, as a member of the Select Committee To Investigate Communist Aggression. Our committee had just completed its Munich hearings and was preparing to leave for Berlin to resume hearings when I was invited to make a statement over the Voice of America to the millions of enslaved people behind the Iron Curtain. Since this was the day before the anniversary of our Independence Day, I felt it would be appropriate to send a message to people behind the Iron Curtain which would be truly representative of the spirit of the Founding Fathers of America. I felt it would be an excellent occasion for me to tell the people behind the Iron Curtain that we, the American people, will never give up our eternal fight for freedom, and that we shall never desert the moral and political principles enunciated in the American Declaration of Independence which have, for over 150 years, stood as an inspiration to all mankind.

I felt this would be a most fitting opportunity for me to speak to the people of the enslaved non-Russian nations of the U. S. S. R. The American Declaration of Independence established the political doctrine of "separatism," that is, not only the right but the duty of any people who are subjected to tyranny, to completely break all the bonds that have united them to that tyranny. It was in this spirit that I prepared my remarks to be carried over the Voice of America as a special feature program on our national Independence Day, July 4, 1954. I would like to congratulate the Voice of America for the effort it is making to break through the Iron Curtain and to bring the truth to the millions of people who are enslaved by Russian communism. I refer to those members of the staff of the Voice of America in Munich with whom I had the pleasure of working and who are dedicated to their work, and in my judgment, are exemplary Americans. Mr. Robert C. Benedict, acting director of the Voice of America activities in Munich, is doing a real job in his all-out effort to bring the truth about America to the people behind the Iron Curtain.

Mr. Speaker, the address I delivered in Munich is as follows:

During the time I have been in Munich, the House Committee on Communist Aggression has devoted 8 days to taking testimony on Communist aggression. Although I have made a study of communism, its methods, tactics, and objectives, some of the evidence produced during these hearings was startling in that it unmasked the terrible brutalities and unbelievable inhumanities committed by the leaders and followers of communism. There can be no doubt but that communism is an international conspiracy which we must either destroy or it will engulf the entire world.

The committee heard eyewitnesses to the most terrible crimes ever committed against mankind. These crimes committed by the Russian Communists ranged from the devilish torture of individuals to the brutal and heartless mass destruction of entire nations of people. Other witnesses bore testimony on the manner in which the Communists desecrate and destroy all those things that mankind has labored and died for up through the centuries. In particular, we heard about the tactics the Communists used to violate the integrity of the family and the sanctity of the home, to destroy all the temples of God regardless of the particular belief, the destruction of all laws upon which the order of civilization is based, the gross perversion of historical truths and facts and the climate of fear which the elite leaders of the conspiracy provoke in order to control the people.

All of these crimes when put together present a picture which is the blackest ever known to mankind.

I was particularly impressed with the evidence presented by the spokesmen for the enslaved people of the non-Russian nations of the U. S. S. R. This testimony was supported by documents and hard facts and eyewitness testimony of the tactics used by the Bolsheviks during the period of 1917 through 1921 to destroy the national independence of some 15 non-Russian nations. For a great many years Communist propaganda has been seeking to becloud the issue with respect to the national aspirations of the people of these non-Russian nations. The testimony we have received will serve as a death blow to this evil propaganda because it will expose the Soviet Union for what it is—the prison of nations and the ruthless enslaver of all the people under its control. It is my fervent hope that from the testimony taken here in Munich and elsewhere it will be possible for the United States to develop a positive policy, calling for the liberation of all the nations and people enslaved by communism by our firm advocacy of those moral and political principles upon which the American way of life is based. Those moral and political principles are far more powerful in the cause of freedom and justice than are all the armies and destructive weapons known to mankind. But before we can fully use this arsenal for true peace and freedom we must totally discard the morally bankrupt policy of containment and all its advocates.

This is the task that lies ahead for all liberty loving people. I sincerely believe that the testimony our committee has been receiving from witnesses who know best what communism means and what must be done to defeat it, will make our historic task, as Americans, much easier.

The basic policy of the United States, since the days of its inception has been based upon the political belief that all nations, large and small, have not only the right but also the duty to separate themselves from any tyrannical oppressor. In more recent years we have expressed this policy by our unwavering support of the principle of national self-determination.

This should stand as a beacon of hope to all the enslaved nations of the Communist empire.

I refer particularly to the people of Estonia, Latvia, Lithuania, Poland, East Germany, Czechia, Slovakia, Hungary, Romania, Bulgaria, Byelorussia, Ukraine, Georgia, Armenia, Adzerbaidzahn, Turkestani, Idel-Ural, Cossackia, North Caucasia, and Russia.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Ast, one of its clerks, announced that the Senate had passed without

amendment joint resolution of the House of the following title:

H. J. Res. 585. Joint resolution fixing the time of assembly of the 84th Congress.

The message also announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 107. Concurrent resolution to correct an error in the enrollment of H. R. 8020.

The message also announced that the Senate agrees to the amendments of the House with amendments to a bill of the Senate of the following title:

S. 3706. An act to outlaw the Communist Party, to prohibit members of Communist organizations from serving in certain representative capacities, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H. R. 9924) entitled "An act to provide for family quarters for personnel of the military departments of the Department of Defense and their dependents, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. CASE, Mr. DUFF, and Mr. STENNIS to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3482) entitled "An act to amend the District of Columbia Unemployment Compensation Act, and for other purposes."

AGRICULTURAL ACT OF 1954

Mr. HOPE. Mr. Speaker, I call up the conference report on the bill (H. R. 9680) to provide for the continued price support for agricultural products; to augment the marketing and disposal of such products; to provide for greater stability in agriculture; and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2664)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9680) to provide for the continued price support for agricultural products; to augment the marketing and disposal of such products; to provide for greater stability in agriculture; and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"TITLE I—SET ASIDE OF AGRICULTURAL COMMODITIES

"SEC. 101. The Commodity Credit Corporation shall, as rapidly as the Secretary of Agriculture shall determine to be practicable, set aside within its inventories not more than the following maximum quantities and not less than the following minimum quantities of agricultural commodities or products thereof heretofore or hereafter acquired by it from 1954 and prior years' crops and production in connection with its price support operations:

"Commodity	Maximum quantity	Minimum quantity
Wheat (bushels)	500,000,000	400,000,000
Upland cotton (bales)	4,000,000	3,000,000
Cottonseed oil (pounds)	500,000,000	0
Butter (pounds)	200,000,000	0
Nonfat dry milk solids (pounds)	300,000,000	0
Cheese (pounds)	150,000,000	0

"Such quantities shall be known as the 'commodity set-aside'.

"SEC. 102. Quantities of commodities shall not be included in the commodity set-aside which have an aggregate value in excess of $2,500,000,000. The value of the commodities placed in the commodity set-aside, for the purpose of this section, shall be the Corporation's investment in such commodities as of the date they are included in the commodity set-aside, as determined by the Secretary.

"SEC. 103. (a) Such commodity set-aside shall be reduced by disposals made in accordance with the directions of the President as follows:

"(1) Donation, sale, or other disposition for disaster or other relief purposes outside the United States pursuant to and subject to the limitations of title II of the Agricultural Trade Development and Assistance Act of 1954;

"(2) Sale or barter (including barter for strategic materials) to develop new or expanded markets for American agricultural commodities, including but not limited to disposition pursuant to and subject to the limitations of title I of the Agricultural Trade Development and Assistance Act of 1954;

"(3) Donation to school-lunch programs;

"(4) Transfer to the national stockpile established pursuant to the Act of June 7, 1939, as amended (50 U. S. C. 98–98h), without reimbursement from funds appropriated for the purposes of that Act;

"(5) Donation, sale, or other disposition for research, experimental, or educational purposes;

"(6) Donation, sale, or other disposition for disaster relief purposes in the United States or to meet any national emergency declared by the President; and

"(7) Sale for unrestricted use to meet a need for increased supplies at not less than 105 per centum of the parity price in the case of agricultural commodities and a price reflecting 105 per centum of the parity price of the agricultural commodity in the case of products of agricultural commodities.

"The President shall prescribe such terms and conditions for the disposal of commodities in the commodity set-aside as he determines will provide adequate safeguards against interference with normal marketings of the supplies of such commodities outside the commodity set-aside. Strategic materials acquired by the Commodity Credit Corporation under paragraph (2) of this subsection shall be transferred to the national stockpile established pursuant to the Act of June 7, 1939, as amended, and the Commodity Credit Corporation shall be reimbursed for the value of the commodities bartered for such strategic materials from funds appropriated pursuant to section 8 of such Act of June 7, 1939, as amended. For the purpose of such reimbursement, the value of any commodity so bartered shall be the lower of the domestic market price or the Commodity Credit Corporation's investment therein as of the date of such barter, as determined by the Secretary of Agriculture.

"(b) The quantity of any commodity in the commodity set-aside shall be reduced to the extent that the Commodity Credit Corporation inventory of such commodity is reduced, by natural or other cause beyond the control of the Corporation, below the quantity then charged to the commodity set-aside.

"SEC. 104. (a) The Corporation shall have authority to sell, without regard to section 103 (a) (7) hereof, any commodity covered by the commodity set-aside for the purpose of rotating stocks or consolidating inventories, any such sale to be offset by purchase of the same commodity in a substantially equivalent quantity or of a substantially equivalent value.

"(b) Dispositions pursuant to this title shall not be subject to the pricing limitations of section 407 of the Agricultural Act of 1949, as amended.

"SEC. 105. The quantity of any commodity in the commodity set-aside or transferred from the set-aside to the national stockpile established pursuant to the Act of June 7, 1939, as amended (50 U. S. C. 98–98h) shall be excluded from the computation of 'carryover' for the purpose of determining the price support level for such commodity under the Agricultural Act of 1949, as amended, and related legislation, but shall be included in the computation of total supplies for purposes of acreage allotments and marketing quotas under the Agricultural Adjustment Act of 1938, as amended, and related legislation. Until such time as the commodity set-aside has been completed, such quantity of the commodity as the Secretary shall determine between the maximum and minimum quantities specified in section 101 of this Act shall be excluded from the computations of 'carryover' for the purpose of determining the price support level, but shall be included in the computation of total supplies for purposes of acreage allotments and marketing quotas, for the 1955 crop of the commodity, notwithstanding that the quantity so excluded may not have been acquired by the Corporation and included in the commodity set-aside.

"SEC. 106. The Commodity Credit Corporation shall keep such records and accounts as may be necessary to show, for each commodity set-aside, the initial and current composition, value (in accordance with section 102), current investment, quantity disposed of, method of disposition, and amounts received on disposition.

"SEC. 107. In order to make payment to the Commodity Credit Corporation for any commodities transferred to the national stockpile pursuant to section 103 (a) (4) of this Act, there are hereby authorized to be appropriated amounts equal to the value of any commodities so transferred. The value of any commodity so transferred, for the purpose of this section, shall be the lower of the domestic market price or the Commodity Credit Corporation's investment therein as of the date of transfer to the stockpile, as determined by the Secretary of Agriculture.

"TITLE II—AMENDMENTS TO AGRICULTURAL ACT OF 1949, AS AMENDED, AND RELATED LEGISLATION

"SEC. 201. (a) Section 101 (d) (6) of the Agricultural Act of 1949 is amended to read as follows:

"'(6) Except as provided in subsection (c) and section 402, the level of support to

cooperators shall be not more than 90 per centum and not less than 82½ per centum of the parity price for the 1955 crop of any basic agricultural commodity with respect to which producers have not disapproved marketing quotas; within such limits, the minimum level of supports shall be fixed as provided in subsections (a) and (b) of this section.'

"(b) Section 101 (d) of the Agricultural Act of 1949 (7 U. S. C., sec. 1441 (d)) is amended by adding at the end thereof the following new paragraph:

"'(7) Where a State is designated under section 335 (e) of the Agricultural Adjustment Act of 1938, as amended, as outside the commercial wheat-producing area for any crop of wheat, the level of price support for wheat to cooperators in such State for such crop of wheat shall be 75 per centum of the level of price support to cooperators in the commercial wheat-producing area.'

"SEC. 202. Section 101 (f) of the Agricultural Act of 1949, as amended, is amended by deleting in the first sentence thereof everything following the word 'except' and inserting in lieu thereof the following: 'that, notwithstanding any of the foregoing provisions of section 101 of this Act, the level of support to cooperators for the 1955 and each subsequent crop of extra long staple cotton, if producers have not disapproved marketing quotas therefor, shall be the minimum level specified in section 101 (b) of this Act for the supply percentage for extra long staple cotton as of the beginning of the marketing year for the crop.'

"SEC. 203. (a) Section 201 of the Agricultural Act of 1949 (7 U. S. C. 1446), as amended, is amended (1) by deleting 'Irish potatoes,' from the first sentence thereof, and (2) by deleting from subsection (b) thereof 'tung nuts, honey, and early, intermediate and late Irish potatoes' and inserting in lieu thereof 'tung nuts and honey.'

"(b) Section 5 of the Act of March 31, 1950 (7 U. S. C. 1450), as amended by section 5 (a) of Public Law 290, Eighty-third Congress, is repealed.

"Sec. 204. (a) The production and use of abundant supplies of high quality milk and dairy products are essential to the health and general welfare of the Nation; a dependable domestic source of supply of these foods in the form of high grade dairy herds and modern, sanitary dairy equipment is important to the national defense; and an economically sound dairy industry affects beneficially the economy of the country as a whole. It is the policy of Congress to assure a stabilized annual production of adequate supplies of milk and dairy products; to promote the increased use of these essential foods; to improve the domestic source of supply of milk and butterfat by encouraging dairy farmers to develop efficient production units consisting of high-grade, disease-free cattle and modern sanitary equipment; and to stabilize the economy of dairy farmers at a level which will provide a fair return for their labor and investment when compared with the cost of things that farmers buy.

"(b) Section 201 (c) of the Agricultural Act of 1949, as amended, is amended to read as follows:

"'(c) The price of whole milk, butterfat, and the products of such commodities, respectively, shall be supported at such level not in excess of 90 per centum nor less than 75 per centum of the parity price therefor as the Secretary determines necessary in order to assure an adequate supply. Such price support shall be provided through loans on, or purchases of, milk and the products of milk and butterfat, and for the period ending March 31, 1956, surplus stocks of dairy products owned by the Commodity Credit Corporation may be disposed of by any methods determined necessary by the Secretary. Beginning September 1, 1954, and ending June 30, 1956, not to exceed $50,000,000 annually of funds of the Commodity Credit Corporation shall be used to increase the consumption of fluid milk by children in non-profit schools of high school grade and under.'

"(c) In order to prevent the accumulation of excessive inventories of dairy products the Secretary of Agriculture shall undertake domestic disposal programs under authorities granted in the Agricultural Adjustment Act of 1938 and the Agricultural Act of 1949, as amended, or as otherwise authorized by law.

"(d) Title II of the Agricultural Act of 1949, as amended, is amended by adding at the end thereof the following:

"'SEC. 202. As a means of increasing the utilization of dairy products, (including for purposes of this section, milk) upon the certification by the Administrator of Veterans' Affairs or by the Secretary of the Army, acting for the military departments under the Department of Defense's Single Service Purchase Assignment for Subsistence, or their duly authorized representatives that the usual quantities of dairy products have been purchased in the normal channels of trade—

"'(a) The Commodity Credit Corporation until December 31, 1956, shall make available to the Administrator of Veterans' Affairs at warehouses where dairy products are stored, such dairy products acquired under price-support programs as the Administrator certifies that he requires in order to provide butter and cheese and other dairy products as a part of the ration in hospitals under his jurisdiction. The Administrator shall report monthly to the Committees on Agriculture of the Senate and House of Representatives and the Secretary of Agriculture the amount of dairy products used under this subsection.

"'(b) The Commodity Credit Corporation until December 31, 1956, shall make available to the Secretary of the Army, at warehouses where dairy products are stored, such dairy products acquired under price-support programs as the Secretary of the Army or his duly authorized representative certifies can be utilized in order to provide additional butter and cheese and other dairy products as a part of the ration of the Army, Navy, or Air Force, and as a part of the ration in hospitals under the jurisdiction of the Department of Defense. The Secretary of the Army shall report every six months to the Committees on Agriculture of the Senate and the House of Representatives and the Secretary of Agriculture the amount of dairy products used under this subsection.

"'(c) Dairy products made available under this section shall be made available without charge, except that the Secretary of the Army or the Administrator of Veterans' Affairs shall pay the Commodity Credit Corporation the costs of packaging incurred in making such products so available.

"'(d) The obligation of the Commodity Credit Corporation to make dairy products available pursuant to the above shall be limited to dairy products acquired by the Corporation through price-support operations and not disposed of under provisions (1) and (2) of section 416 of this Act, as amended.'

"(e) As a means of stabilizing the dairy industry and further suppressing and eradicating brucellosis in cattle the Secretary is authorized to transfer not to exceed $15,000,000 annually for a period of two years from funds available to the Commodity Credit Corporation to the appropriation item 'Plant and Animal Disease and Pest Control' in the Department of Agriculture Appropriation Act, 1955, for the purpose of accelerating the brucellosis eradication program, for the purpose of increasing to not to exceed $50 per head of cattle the amount of the indemnities paid by the Federal Government for cattle destroyed because of brucellosis in connection with cooperative control and eradication programs for such disease in cattle entered into by the Secretary under the authority of the Act of May 29, 1884, as amended, for the purpose of increasing the number of such indemnities, and for the purpose of defraying any additional administrative expenses in connection therewith. There is hereby authorized to be appropriated annually such sums as may be necessary to reimburse the Commodity Credit Corporation for expenditures pursuant to this section.

"(f) The Secretary of Agriculture is directed to make a study of the various methods of production control and of the various methods of price support which could be made applicable to milk and butterfat and their products, including programs to be operated and financed by dairymen; and to submit to Congress on or before the 3d day of January 1955, a detailed report thereof showing among other things the probable costs and effects of each type of operation studied and the legislation, if any, needed to put it into effect. The purpose of the study and report is to develop basic material which can be used by Congress in formulating an improved agricultural program for milk and butterfat and their products. Alternative programs are to be submitted for consideration by Congress and for possible submission to a referendum of dairy farmers. The Secretary may conduct such hearings and receive such statements and briefs in connection with such study as he deems appropriate.

"SEC. 206. Section 401 (c) of the Agricultural Act of 1949, as amended (7 U. S. C. 1421), is amended by adding, at the end thereof, the following: 'In administering any program for diverted acres the Secretary may make his regulations applicable on an appropriate geographical basis. Such regulations shall be administered (1) in semiarid or other areas where good husbandry requires maintenance of a prudent feed reserve in such manner as to permit, to the extent so required by good husbandry, the production of forage crops for storage and subsequent use either on the farm or in feeding operations of the farm operator, and (2) in areas declared to be disaster areas by the President under Public Law 875, Eighty-first Congress, in such manner as will most quickly restore the normal pattern of their agriculture.'

"SEC. 207. Section 401 of the Agricultural Act of 1949, as amended, is amended by adding thereto the following new subsection:

"'(e) Whenever any price support or surplus removal operation for any agricultural commodity is carried out through purchases from or loans or payments to processors, the Secretary shall, to the extent practicable, obtain from the processors such assurances as he deems adequate that the producers of the agricultural commodity involved have received or will receive maximum benefits from the price support or surplus removal operation.'

"SEC. 208. Notwithstanding the provisions of section 407 of the Agricultural Act of 1949, as amended, or of any other law, the Commodity Credit Corporation is authorized until March 1, 1955, to sell at the point of storage any feed grain owned by the Corporation at 10 per centum above the current support price for the commodity.

"SEC. 209. Section 408 (b) of the Agricultural Act of 1949 (7 U. S. C., sec. 1428 (b)) is amended by inserting 'or wheat' after 'corn', and by inserting 'or wheat-producing' after 'corn-producing'.

"TITLE III—AMENDMENTS TO AGRICULTURAL ADJUSTMENT ACT OF 1938, AND RELATED LEGISLATION

"SEC. 301. Section 301 (a) (1) (E) of the Agricultural Adjustment Act of 1938, as amended (U. S. C., 1952 edition, title 7, sec. 1301 (a) (1) (E)), is amended as follows:

"'SEC. 301 (a) (1) (E). Notwithstanding the provisions of subparagraph (A), the tran-

sitional parity price for any agricultural commodity, computed as provided in this subparagraph, shall be used as the parity price for such commodity until such date after January 1, 1950, as such transitional parity price may be lower than the parity price, computed as provided in subparagraph (A), for such commodity. The transitional parity price for any agricultural commodity as of any date shall be—

"'(i) its parity price determined in the manner used prior to the effective date of the Agricultural Act of 1948, less

"'(ii) 5 per centum of the parity price so determined multiplied by the number of full calendar years which, as of such date, have elapsed after January 1, 1949, in the case of nonbasic agricultural commodities, and after January 1, 1955, in the case of the basic agricultural commodities.'

"SEC. 302. Section 301 (b) of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1301 (b)), is amended:

"(a) By striking out in paragraph 10 (A) the language '10 per centum in the case of corn' and '15 per centum in the case of wheat' and inserting in lieu thereof '15 per centum in the case of corn' and '20 per centum in the case of wheat', respectively;

"(b) By amending paragraph (13) (A) to read as follows:

"'(A) "Normal yield" for any county, in the case of corn or wheat, shall be the average yield per acre of corn or wheat for the county during the ten calendar years in the case of wheat, or the five calendar years in the case of corn, immediately preceding the year in which such normal yield is determined, adjusted for abnormal weather conditions and, in the case of wheat, for trends in yields. Such normal yield per acre for any county need be redetermined only when the actual average yield for the ten calendar years in the case of wheat, or the five calendar years in the case of corn, immediately preceding the calendar year in which such yield is being reconsidered differs by at least 5 per centum from the actual average yield for the ten years in the case of wheat, or the five years in the case of corn, upon which the existing normal yield per acre for the county was based.'; and

"(c) By amending the first sentence of paragraph (13) (E) to read as follows: '"Normal yield" for any farm, in the case of corn, wheat, cotton, or peanuts, shall be the average yield per acre of corn, wheat, cotton, or peanuts, as the case may be, for the farm, adjusted for abnormal weather conditions and, in the case of wheat, but not in the case of corn, cotton, or peanuts, for trends in yields, during the ten calendar years in the case of wheat, and five calendar years in the case of corn, cotton, or peanuts, immediately preceding the year in which such normal yield is determined.'

"SEC. 303. Part II of subtitle B of title III of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C., ch. 35, subch. II, subtitle B, pt. II), is amended by striking out the designation 'MARKETING QUOTAS—CORN' and inserting in lieu thereof the words 'ACREAGE ALLOTMENTS—CORN.'

"SEC. 304. Sections 322 to 325, inclusive (7 U. S. C. 1322 to 1325), and section 326 (7 U. S. C. 1326), insofar as it is applicable to corn, of the Agricultural Adjustment Act of 1938, as amended, are hereby repealed, and section 327 thereof (7 U. S. C. 1327), is hereby amended to read as follows:

"'Proclamation of commercial corn-producing area

"'SEC. 327. Not later than February 1 of each calendar year, the Secretary shall ascertain and proclaim the commercial corn-producing area.'

"SEC. 305. The first sentence of section 328 of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1328), is amended by striking out the word 'ten' and inserting in lieu thereof 'five', by striking out the language 'and trends in yield', and by striking out the word 'or' and inserting in lieu thereof 'and corn'.

"SEC. 306. Section 329 (a) of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1329), is amended by striking out the word 'ten' and inserting in lieu thereof 'five'.

"SEC. 307. Section 332 of the Agricultural Adjustment Act of 1938, as amended, is amended to read as follows:

"'SEC. 332. Not later than May 15 of each calendar year the Secretary shall ascertain and proclaim the national acreage allotment for the crop of wheat produced in the next succeeding calendar year.'

"SEC. 308. Section 334 of the Agricultural Adjustment Act of 1938, as amended, is amended by adding at the end thereof a new subsection as follows:

"'(f) Any part of any 1955 farm wheat acreage allotment on which wheat will not be planted and which is voluntarily surrendered to the county committee shall be deducted from the allotment to such farm and may be reapportioned by the county committee to other farms in the same county receiving allotments in amounts determined by the county committee to be fair and reasonable on the basis of past acreage of wheat tillable acres, crop rotation practices, type of soil, and topography. If all of the allotted acreage voluntarily surrendered is not needed in the county, the county committee may surrender the excess acreage to the State committee to be used for the same purposes as the State acreage reserve under subsection (c) of this section. Any allotment transferred under this provision shall be regarded for the purposes of subsection (c) of this section as having been planted on the farm from which transferred rather than on the farm to which transferred, except that this shall not operate to make the farm from which the allotment was transferred eligible for an allotment as having wheat planted thereon during the three-year base period: *Provided*, That notwithstanding any other provisions of law, any part of any 1955 farm acreage allotment may be permanently released in writing to the county committee by the owner and operator of the farm, and reapportioned as provided herein. Acreage surrendered, reapportioned under this subsection, and planted shall be credited to the State and county in determining future acreage allotments.'

"SEC. 309. Section 335 of the Agricultural Adjustment Act of 1938, as amended, is amended—

"(a) by striking out of subsection (a) 'July 1' following the words 'not later than' and inserting in lieu thereof 'May 15'; and

"(b) by adding at the end thereof the following new subsection:

"'(e) If, for any marketing year, the acreage allotment for wheat for any State is twenty-five thousand acres or less, the Secretary, in order to promote efficient administration of this Act and the Agricultural Act of 1949, may designate such State as outside the commercial wheat-producing area for such marketing year. No farm marketing quota or acreage allotment with respect to wheat under this title shall be applicable in such marketing year to any farm in any State so designated; and no acreage allotment in any other State shall be increased by reason of such designation. Notice of any such designation shall be published in the Federal Register.'

"SEC. 310. (a) Section 344 (f) (6) of the Agricultural Adjustment Act of 1938, as amended, is amended by changing the first sentence to read as follows:

"'(6) Notwithstanding the foregoing provisions of this subsection except paragraph (3), if the county committee recommends such action and the Secretary determines that such action will result in a more equitable distribution of the county allotment among farms in the county, the county acreage allotment, less the acreage reserved under paragraph (3) of this subsection, shall be apportioned to farms on which cotton has been planted in any one of the three years immediately preceding the year for which such allotment is determined, on the basis of the acreage planted to cotton on the farm during such three-year period, adjusted as may be necessary for abnormal conditions affecting plantings during such three-year period: *Provided*, That the county committee may in its discretion (A) apportion such county allotment by first establishing minimum allotments in accordance with paragraph (1) of this subsection and by allotting the remaining acreage to farms other than those receiving an allotment under paragraph (1) (B) in accordance with the foregoing provisions of this paragraph and (B) limit any farm acreage allotment established under the provisions of this paragraph for any year to an acreage not in excess of 50 per centum of the cropland on the farm, as determined pursuant to the provisions of paragraph (2) of this subsection: *Provided further*, That any part of the county acreage allotment not apportioned under this paragraph by reason of the initial application of such 50 per centum limitation shall be added to the county acreage reserve under paragraph (3) of this subsection and shall be available for the purposes specified therein.

"(b) Section 344 (m) (2) of the Agricultural Adjustment Act of 1938, as amended, is amended by striking out '1954 or 1955' wherever they appear therein.

"SEC. 311. (a) Section 348 of the Agricultural Adjustment Act of 1938, as amended, is amended effective with the 1955 crops to read as follows:

"'SEC. 348. (a) Any person who knowingly harvests any basic agricultural commodity on his farm which has been determined by the Secretary to be in excess of the farm acreage allotment for such commodity for the farm for such year under this title shall not be eligible for any payment for such year under the Soil Conservation and Domestic Allotment Act, as amended.

"'(b) Persons applying for any payment of money under the Soil Conservation and Domestic Allotment Act, as amended, shall file with the application a statement of facts showing eligibility under this section.'

"(b) Section 374 of the Agricultural Adjustment Act of 1938, as amended, is amended by striking out the last sentence of subsection (b) thereof and adding the following new subsection:

"'(c) If the acreage determined to be planted to any basic agricultural commodity on the farm is in excess of the farm acreage allotment, the Secretary shall by appropriate regulations provide for a reasonable time prior to harvest within which such planted acreage may be adjusted to the farm acreage allotment.'

"SEC. 312. Section 371 of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1371), is hereby amended:

"(a) By amending subsection (b) to read as follows:

"'(b) If the Secretary has reason to believe that, because of a national emergency or because of a material increase in export demand, any national acreage allotment for corn or any national marketing quota or acreage allotment for wheat, cotton, rice, peanuts, or tobacco should be increased or terminated, he shall cause an immediate investigation to be made to determine whether the increase or termination is necessary in order to effect the declared policy of this Act or to meet such emergency or increase in export demand. If, on the basis of such investigation, the Secretary finds that such increase or termination is necessary, he shall immediately proclaim such finding (and if he finds an increase is necessary, the amount

of the increase found by him to be necessary) and thereupon such quota or allotment shall be increased, or shall terminate, as the case may be.'

"(b) By adding in subsection (c) after the words 'marketing quota', wherever they appear therein, the words 'or acreage allotment', and

"(c) By deleting subsection (d) therefrom.

"SEC. 313. Public Law 74, Seventy-seventh Congress (7 U. S. C. 1330, 1340), as amended, shall not be applicable to corn.

"SEC. 314. Notwithstanding any other provision of law, in areas where a summer fallow crop rotation of wheat is a common practice the 1955 wheat acreage allotment for any farm on which such rotation was practiced with respect to the 1952 and 1953 crops of wheat shall not be less than 50 per centum of (1) the average acreage planted for the production of wheat for the calendar years 1952 and 1953 plus (2) the average of the acreage summer fallowed during the calendar year 1951 for the seeding of wheat for 1952 and the acreage summer fallowed during the calendar year of 1952 for the seeding of wheat for 1953, adjusted in the same ratio as the national average seedings for the production of wheat during the calendar years 1952 and 1953 bears to the national acreage allotment for wheat for the 1955 crop, taking into consideration the adjustments made for crop rotation practices pursuant to the regulations pertaining to farm acreage allotments for the 1955 crop of wheat issued by the Secretary: *Provided*, That, except for farms on which at least 90 per centum of the acreage seeded for the production of wheat for the calendar years 1952 and 1953 was seeded on land which was summer fallowed during the years 1951 and 1952, respectively, and for which a definite and regular alternate wheat and summer fallow crop rotation practice has been determined under the aforesaid regulations, the acreage determined under this section to which the national adjustment factor is applied shall not exceed 50 per centum of the cropland on the farm well suited for the production of wheat: *Provided further*, That no acreage shall be included under (1) or (2) which the Secretary, by appropriate regulations, determines will become an undue erosion hazard under continued farming: *Provided further*, That the acreage determined under this section to which the national adjustment factor is applied shall not exceed 640 acres, with the acres in excess of 640 acres, if any, to be adjusted by the adjustment factor for the county. To the extent that the allotment to any county is insufficient to provide for such minimum farm allotments, the Secretary shall allot such county such additional acreage (which shall be in addition to the county, State, and National acreage allotments otherwise provided for under the Agricultural Adjustment Act of 1938, as amended) as may be necessary in order to provide for such minimum farm allotments.

"SEC. 315. The Secretary of Agriculture is directed to make a study of the various two-price systems of price support and marketing which could be made applicable to rice and to submit to Congress on or before March 1, 1955, a detailed report thereon. The Secretary may conduct such hearings and receive such statements and briefs in connection with such study as he deems appropriate.

"TITLE IV—AMENDMENTS TO AGRICULTURAL MARKETING AGREEMENT ACT OF 1937

"SEC. 401. The Agricultural Adjustment Act (of 1933), as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, is further amended as follows:

"(a) Section 2, as amended (7 U. S. C. 602), is amended by adding the following new subsection:

"'(4) Through the exercise of the powers conferred upon the Secretary of Agriculture under this title, to establish and maintain such orderly marketing conditions for any agricultural commodity enumerated in section 8c (2) as will provide, in the interests of producers and consumers, an orderly flow of the supply thereof to market throughout its normal marketing season to avoid unreasonable fluctuations in supplies and prices.'

"(b) Section 8c (2), as amended (7 U. S. C. 608c (2)), is amended to read as follows:

"'(2) Orders issued pursuant to this section shall be applicable only to the following agricultural commodities and the products thereof (except canned or frozen grapefruit, the products of naval stores, and the products of honeybees), or to any regional, or market classification of any such commodity or product: Milk, fruits (including filberts, almonds, pecans and walnuts but not including apples, other than apples produced in the States of Washington, Oregon, and Idaho, and not including fruits, other than olives and grapefruit, for canning or freezing), tobacco, vegetables (not including vegetables, other than asparagus, for canning or freezing), soybeans, hops, honeybees and naval stores as included in the Naval Stores Act and standards established thereunder (including refined or partially refined oleoresin): *Provided*, That no order issued pursuant to this section shall be effective as to any grapefruit for canning or freezing unless the Secretary of Agriculture determines, in addition to other findings and determinations required by this Act, that the issuance of such order is approved or favored by the processors who, during a representative period determined by the Secretary, have been engaged in canning or freezing such commodity for market and have canned or frozen for market more than 50 per centum of the total volume of such commodity canned or frozen for market during such representative period.'

"(c) Section 8c (6), as amended (7 U. S. C. 608c (6)), is amended:

"(1) By deleting the provisions immediately preceding paragraph (A) thereof and inserting in lieu thereof the following:

"'(6) In the case of the agricultural commodities and the products thereof, other than milk and its products, specified in subsection (2) orders issued pursuant to this section shall contain one or more of the following terms and conditions, and (except as provided in subsection (7)), no others:'

"(2) By adding the following new paragraphs at the end thereof:

"'(H) providing a method for fixing the size, capacity, weight, dimensions, or pack of the container, or containers, which may be used in the packaging, transportation, sale, shipment, or handling of any fresh or dried fruits, vegetables, or tree nuts: *Provided, however*, That no action taken hereunder shall conflict with the Standard Containers Act of 1916 (15 U. S. C. 251–256) and the Standard Containers Act of 1928 (15 U. S. C. 257–257i);

"'(I) establishing or providing for the establishment of marketing research and development projects designed to assist, improve, or promote the marketing, distribution, and consumption of any such commodity or product, the expense of such projects to be paid from funds collected pursuant to the marketing order.'

"(d) Section 8c (7) (C), is amended by adding at the end thereof: 'There shall be included in the membership of any agency selected to administer a marketing order applicable to grapefruit for canning or freezing one or more representatives of processors of the commodity specified in such order.'

"(e) Section 8 as amended, is further amended by adding a new section 8e reading as follows:

"'8e. Notwithstanding any other provision of law, whenever a marketing order issued by the Secretary of Agriculture pursuant to section 8c of this Act contains any terms or conditions regulating the grade, size, quality, or maturity of tomatoes, avocados, limes, grapefruit, green peppers, Irish potatoes, cucumbers, or eggplants produced in the United States the importation into the United States of any such commodity during the period of time such order is in effect shall be prohibited unless it complies with the grade, size, quality, and maturity provisions of such order or comparable restrictions promulgated hereunder: *Provided*, That this prohibition shall not apply to such commodities when shipped into continental United States from the Commonwealth of Puerto Rico or any Territory or possession of the United States where this Act has force and effect: *Provided further*, That whenever two or more such marketing orders regulating the same agricultural commodity produced in different areas of the United States are concurrently in effect, the importation into the United States of any such commodity shall be prohibited unless it complies with the grade, size, quality, and maturity provisions of the order which, as determined by the Secretary of Agriculture, regulates the commodity produced in the area with which the imported commodity is in most direct competition. Such prohibition shall not become effective until after the giving of such notice as the Secretary of Agriculture determines reasonable, which shall not be less than three days. In determining the amount of notice that is reasonable in the case of tomatoes the Secretary of Agriculture shall give due consideration to the time required for their transportation and entry into the United States after picking. Whenever the Secretary of Agriculture finds that the application of the restrictions under a marketing order to an imported commodity is not practicable because of variations in characteristics between the domestic and imported commodity he shall establish with respect to the imported commodity such grade, size, quality, and maturity restrictions by varieties, types, or other classifications as he finds will be equivalent or comparable to those imposed upon the domestic commodity under such order. The Secretary of Agriculture may promulgate such rules and regulations as he deems necessary, to carry out the provisions of this section. Any person who violates any provision of this section or of any rule, regulation, or order promulgated hereunder shall be subject to a forfeiture in the amount prescribed in section 8a (5) or, upon conviction, a penalty in the amount prescribed in section 8c (14) of the Act, or to both such forfeiture and penalty.'

"TITLE V—AMENDMENTS TO SOIL CONSERVATION AND DOMESTIC ALLOTMENT ACT

"SEC. 501. Section 8 of the Soil Conservation and Domestic Allotment Act, as amended (16 U. S. C. 590h), is amended:

"(a) By striking out of subsection (a) 'January 1, 1955' and 'December 31, 1954', wherever they appear therein, and inserting in lieu thereof 'January 1, 1957' and 'December 31, 1956', respectively;

"(b) By adding at the end of subsection (a) the following:

"'During the period prior to January 1, 1957, the Secretary shall carry out the purposes specified in section 7 (a) through State action as rapidly as adequate State laws are enacted and satisfactory State plans are submitted. Notwithstanding the foregoing provisions of this section and section 7, the provisions of this section with respect to the State, county, and local committees of farmers shall continue in full force and effect for purposes other than the administration of State plans.';

"(c) By striking out of the second paragraph of subsection (b) the language 'at not to exceed a fair price fixed in accordance with regulations to be prescribed by the Secretary' and by adding at the end of such paragraph the following new sentence: 'The price at which purchase orders for any conservation materials or services are filled may be limited to a fair price fixed in accord-

ance with regulations prescribed by the Secretary.'

"SEC. 502. Section 15 of the Soil Conservation and Domestic Allotment Act, as amended (16 U. S. C. 590o), is amended by adding at the end thereof the following:

" 'Notwithstanding the foregoing provisions of this section and the provisions of section 7 (g), programs of soil building practices and soil- and water-conserving practices shall be based on a distribution of the funds available for payments and grants among the several States in accordance with their conservation needs, as determined by the Secretary, except that the proportion allocated to any State shall not be reduced by more than 15 per centum from the distribution of such funds for the next preceding program year. In carrying out such programs, the Secretary shall give particular consideration to conservation problems on farm lands diverted from crops under acreage allotment programs and to the maintenance of a proper balance between soil conserving and soil depleting crops on the farm.'

"SEC. 503. Nothing contained in section 8 (b) of the Soil Conservation and Domestic Allotment Act, as amended, or in any other provision of law, shall be construed to authorize the Secretary of Agriculture to impose any limitations upon the number of terms for which members of county committees established under such section may be reelected.

"TITLE VI—AGRICULTURAL ATTACHÉS

"SEC. 601. For the purpose of encouraging and promoting the marketing of agricultural products of the United States and assisting American farmers, processors, distributors, and exporters to adjust their operations and practices to meet world conditions, the Secretary of Agriculture shall acquire information regarding the competition and demand for United States agricultural products, the marketing and distribution of said products in foreign countries and shall be responsible for the interpretation and dissemination of such information in the United States and shall make investigations abroad regarding the factors affecting and influencing the export of United States agricultural products, and shall conduct abroad any other activities including the demonstration of standards of quality for American agricultural products for which the Department of Agriculture now has or in the future may have such standards, as he deems necessary. Nothing contained herein shall be construed as prohibiting the Department of Agriculture from conducting abroad any activity for which authority now exists.

"SEC. 602. (a) To effectuate the carrying out of the purposes of this title, the Secretary of Agriculture is authorized to appoint such personnel as he determines to be necessary and, with the concurrence of the Secretary of State, to assign such personnel to service abroad, and the Secretary of Agriculture may place not to exceed eight positions in grade 16 and two in grade 17 of the General Schedule of the Classification Act of 1949, as amended, in accordance with the standards and procedures of that Act and such positions shall be in addition to the number authorized in section 505 of that Act.

"(b) Officers or employees assigned or appointed to a post abroad pursuant to this title shall have the designation of Agricultural Attaché or other titles or designations, which shall be jointly agreed to by the Secretary of State and the Secretary of Agriculture.

"(c) Upon the request of the Secretary of Agriculture, the Secretary of State shall regularly and officially attach the officers or employees of the United States Department of Agriculture to the diplomatic mission of the United States in the country in which such officers or employees are to be assigned by the Secretary of Agriculture, and shall obtain for them diplomatic privileges and immunities equivalent to those enjoyed by Foreign Service personnel of comparable rank and salary.

"(d) The President shall prescribe regulations to insure that the official activities of persons assigned abroad under this title are carried on (1) consonant with United States foreign policy objectives as defined by the Secretary of State; (2) in accordance with instructions of the Secretary of Agriculture with respect to agricultural matters; and (3) in coordination with other representatives of the United States Government in each country, under the leadership of the Chief of the United States Diplomatic Mission.

"SEC. 603. The Secretary of Agriculture may, under such rules and regulations as may be prescribed by the President or his designee, provide to personnel appointed or assigned by the Secretary of Agriculture under this title or other authority allowances and benefits similar to those provided by title IX of the Foreign Service Act of 1946. Leaves of absence for personnel under this title shall be on the same basis as is provided for the Foreign Service of the United States by the Annual and Sick Leave Act of 1951 (5) U. S. C. 2061).

"SEC. 604. (a) The reports and dispatches prepared by the officers appointed or assigned under this title shall be made available to the Department of State, and may be made available to other interested agencies of the Government, and the agricultural reports and dispatches and related information produced by officers of the Foreign Service shall be available to the Secretary of Agriculture.

"(b) The Secretary of State is authorized upon request of the Secretary of Agriculture to provide office space, equipment, facilities, and such other administrative and clerical services as may be required for the personnel affected by this title. The Secretary of Agriculture is authorized to reimburse or advance funds to the Secretary of State for such services.

"SEC. 605. Provisions in annual appropriation Acts of the Department of State facilitating the work of the Foreign Service of the United States shall be applicable under rules and regulations prescribed by the President or his designee to activities pursuant to this title.

"SEC. 606. The Secretary of Agriculture may make rules and regulations necessary to carry out the purposes of this title and may cooperate with any Department or agency of the United States Government, State, Territory, or possession or any organization or person. In any foreign country where custom or practice requires payment in advance for rent or other service, such payment may be authorized by the Secretary of Agriculture.

"SEC. 607. (a) For the fiscal year 1955 so much of the Department of State and Department of Agriculture unexpended balances of appropriations, allocations, and other funds employed, held, used, available, or to be made available, in connection with the functions covered by this title as the Director of the Bureau of the Budget or the Congress by appropriation or other law shall determine shall be transferred to or established in accounts under the control of the Department of Agriculture, and there are hereby authorized to be established such additional accounts as may be necessary for this purpose.

"(b) There are hereby authorized to be appropriated to the Department of Agriculture such amounts as may be necessary for the purpose of this title.

"(c) For the fiscal year 1955 funds which become available for the purposes of this title may be expended under the provisions of law, including current appropriation Acts, applicable to the Department of State: *Provided*, That the provisions of section 571 (d) of the Foreign Service Act of 1946, as amended, with respect to the source of payment for Foreign Service officers and employees shall not apply to personnel employed under this title. Obligations incurred by the Department of State prior to September 1, 1954, with respect to functions affected by this Act, shall be paid from appropriations available to the Department of State.

"SEC. 608. Nothing in this title shall be construed to affect personnel employed by or funds available to the Foreign Operations Administration or programs conducted under its authorities.

"TITLE VII—NATIONAL WOOL ACT OF 1954

"SEC. 701. This title may be cited as the 'National Wool Act of 1954.'

"SEC. 702. It is hereby recognized that wool is an essential and strategic commodity which is not produced in quantities and grades in the United States to meet the domestic needs and that the desired domestic production of wool is impaired by the depressing effects of wide fluctuations in the price of wool in the world markets. It is hereby declared to be the policy of Congress, as a measure of national security and in promotion of the general economic welfare, to encourage the annual domestic production of approximately three hundred million pounds of shorn wool, grease basis, at prices fair to both producers and consumers in a manner which will have the least adverse effects upon foreign trade.

"SEC. 703. The Secretary of Agriculture shall, through the Commodity Credit Corporation, support the prices of wool and mohair, respectively, to the producers thereof by means of loans, purchases, payments, or other operations. Such price support shall be limited to wool and mohair marketed during the period beginning April 1, 1955, and ending March 31, 1959. The support price for shorn wool shall be at such incentive level as the Secretary, after consultation with producer representatives, and after taking into consideration prices paid and other cost conditions affecting sheep production, determines to be necessary in order to encourage an annual production consistent with the declared policy of this title: *Provided*, That the support price for shorn wool shall not exceed 110 per centum of the parity price therefor. If the support price so determined does not exceed 90 per centum of the parity price for shorn wool, the support price for shorn wool shall be at such level, not in excess of 90 per centum nor less than 60 per centum of the parity price therefor, as the Secretary determines necessary in order to encourage an annual production of approximately three hundred and sixty million pounds of shorn wool. The support prices for pulled wool and for mohair shall be established at such levels, in relationship to the support price for shorn wool, as the Secretary determines will maintain normal marketing practices for pulled wool, and as the Secretary shall determine is necessary to maintain approximately the same percentage of parity for mohair as for shorn wool. The deviation of mohair support prices shall not be calculated so as to cause it to rise or fall more than 15 per centum above or below the comparable percentage of parity at which shorn wool is supported. Notwithstanding the foregoing, no price support shall be made available, other than through payments, at a level in excess of 90 per centum of the parity price for the commodity. The Secretary shall, to the extent practicable, announce the support price levels for wool and mohair sufficiently in advance of each marketing year as will permit producers to plan their production for such marketing year.

"SEC. 704. If payments are utilized as a means of price support, the payments shall be such as the Secretary of Agriculture determines to be sufficient, when added to the national average price received by producers, to give producers a national average return for the commodity equal to the support price level therefor: *Provided*, That the total of all such payments made under this Act shall not at any time exceed an amount equal to 70 per centum of the accumulated totals, as of the same date, of the gross receipts from specific duties (whether or not such specific

duties are parts of compound rates) collected on and after January 1, 1953, on all articles subject to duty under schedule 11 of the Tariff Act of 1930, as amended. The payments shall be made upon wool and mohair marketed by the producers thereof, but any wool or mohair produced prior to January 1, 1955, shall not be the subject of payments. The payments shall be at such rates for the marketing year or periods thereof as the Secretary determines will give producers the support price level as herein provided. Payments to any producer need not be made if the Secretary determines that the amount of the payment to the producer or all producers is too small to justify the cost of making such payments. The Secretary may make the payment to producers through the marketing agency to or through whom the producer marketed his wool or mohair: *Provided*, That such marketing agency agrees to receive and promptly distribute the payments on behalf of such producers. In case any person who is entitled to any such payment dies, becomes incompetent, or disappears before receiving such payment, or is succeeded by another who renders or completes the required performance, the payment shall, without regard to any other provisions of law, be made as the Secretary may determine to be fair and reasonable in all the circumstances and provided by regulation.

"SEC. 705. For the purpose of reimbursing the Commodity Credit Corporation for any expenditures made by it in connection with payments to producers under this title, there is hereby appropriated for each fiscal year beginning with the fiscal year ending June 30, 1956, an amount equal to the total of expenditures made by the Corporation during the preceding fiscal year and to any amounts expended in prior fiscal years not previously reimbursed: *Provided, however*, That such amounts appropriated for any fiscal year shall not exceed 70 per centum of the gross receipts from specific duties (whether or not such specific duties are parts of compound rates) collected during the period January 1 to December 31, both inclusive, preceding the beginning of each such fiscal year on all articles subject to duty under schedule 11 of the Tariff Act of 1930, as amended. For the purposes of the appraisal under the Act of March 8, 1938, as amended (15 U. S. C. 713a–1), the Commodity Credit Corporation shall establish on its books an account receivable in an amount equal to any amount expended by the Commodity Credit Corporation in connection with payments pursuant to this title which has not been reimbursed from appropriations made hereunder.

"SEC. 706. Except as otherwise provided in this title, the amounts, terms, and conditions of the price support operations and the extent to which such operations are carried out shall be determined or approved by the Secretary of Agriculture. The Secretary may, in determining support prices and rates of payment, make adjustments in such prices or rates for differences in grade, quality, type, location, and other factors to the extent he deems practicable and desirable. Determinations by the Secretary under this title shall be final and conclusive. The facts constituting the basis for any operation, payment, or amount thereof when officially determined in conformity with applicable regulations prescribed by the Secretary shall be final and conclusive and shall not be reviewable by any other officer or agency of the Government.

"SEC. 707. The term 'marketing year' as used in this title means the twelve-month period beginning April 1 of each calendar year or, for either wool or mohair, such other period, or periods for prescribed areas, as the Secretary may determine to be desirable to effectuate the purpose of this title.

"SEC. 708. The Secretary of Agriculture is authorized to enter into agreements with, or to approve agreements entered into between, marketing cooperatives, trade associations, or others engaged or whose members are engaged in the handling of wool, mohair, sheep, or goats or the products thereof for the purpose of developing and conducting on a National, State, or regional basis advertising and sales promotion programs for wool, mohair, sheep, or goats or the products thereof. Provision may be made in such agreement to obtain the funds necessary to defray the expenses incurred thereunder through pro rata deductions from the payments made under section 704 of this title to producers within the production area he determines will be benefited by the agreement and for the assignment and transfer of the amounts so deducted to the person or agency designated in the agreement to receive such amounts for expenditure in accordance with the terms and conditions of the agreement. No agreement containing such a provision for defraying expenses through deductions shall become effective until the Secretary determines that at least two-thirds of the producers who, during a representative period determined by the Secretary, have been engaged, within the production area he determines will be benefited by the agreement, in the production for market of the commodity specified therein approve or favor such agreement or that producers who, during such representative period have produced at least two-thirds of the volume of such commodity produced within the area which will be benefited by such agreement, approve or favor such agreement. Approval or disapproval by cooperative associations shall be considered as approval or disapproval by the producers who are members of, stockholders in, or under contract with such cooperative association of producers. The Secretary may conduct a referendum among producers to ascertain their approval or favor. The requirements of approval or favor shall be held to be complied with if two-thirds of the total number of producers, or two-thirds of the total volume of production, as the case may be, represented in such referendum, indicate their approval or favor.

"SEC. 709. Section 201 of the Agricultural Act of 1949 (7 U. S. C., sec. 1446) is amended effective April 1, 1955, (i) by deleting from the first sentence thereof the phrase 'wool (including mohair),' and (ii) by deleting subsection (a) thereof relating to the support of wool and mohair.

"SEC. 710. (a) The third sentence of section 2 (a) of the Commodity Exchange Act, as amended, is amended by inserting 'wool,' after the comma following '(Irish potatoes)'.

"(b) The amendment made by this section shall become effective sixty days after the date of enactment of this Act."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the bill, and agree to the same with an amendment as follows: Amend the title so as to read: "An Act to provide for greater stability in agriculture; to augment the marketing and disposal of agricultural products; and for other purposes".

CLIFFORD R. HOPE,
WILLIAM S. HILL,
HAROLD D. COOLEY,
W. R. POAGE,
Managers on the Part of the House.

GEORGE D. AIKEN,
B. B. HICKENLOOPER,
ANDREW F. SCHOEPPEL,
ALLEN J. ELLENDER,
SPESSARD L. HOLLAND,
CLINTON P. ANDERSON,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9680) to provide for the continued price support for agricultural products; to augment the marketing and disposal of such products; to provide for greater stability in agriculture; and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to the amendment:

The amendment of the Senate struck out all after the enacting clause of the House bill and substituted the language of the Senate bill, S. 3052. The conferees have agreed to the Senate amendment with an amendment which is in the nature of a substitute. With the exception of minor and clarifying changes, following are the differences between the conference substitute and the bill passed by the House.

Price supports: With the exception of milk and wool, no change is made in the price support provisions of the House bill other than the inclusion of a section relating to extra long staple cotton. Price supports on the basic commodities, with the exception of tobacco, are to be on a flexible scale with a floor of 82½ percent for the 1955 crop. The support level for tobacco remains at 90 percent of parity. Mandatory price supports are continued on tung nuts and honey at from 60 to 90 percent of parity and Irish potatoes are made eligible for support along with all other nonmandatory commodities at zero to 90 percent of parity. The Senate provision relating to extra long staple cotton will establish price support for 1955 and subsequent years at the minimum level provided by the Agricultural Act of 1949. The support programs for milk and wool are discussed separately in this statement.

Transitional parity: No change is made in the transitional parity provision, which will begin operation on January 1, 1956.

Diverted acres: The House bill contained no provision relating to diverted acres. The Senate amendment contained a provision requiring certain action on the part of the Secretary of Agriculture whenever he determined that conditions were such that limitations on the use of diverted acres were necessary. The substitute has modified the Senate provision substantially and provides (1) That in administering any programs for diverted acres, the Secretary may make his regulations applicable on an appropriate geographical basis; (2) that in semiarid or other areas where good husbandry requires maintenance of a prudent feed reserve, regulations relating to diverted acres shall be administered in such a manner as to permit the production of forage crops for storage and subsequent use in the farm feeding operations; (3) that in areas declared to be disaster areas under Public Law 875, 81st Congress, the regulations shall be administered in such a manner as will most quickly restore the normal pattern of the agriculture of such areas.

Support through processors: The substitute contains, with a slight modification, the provision of the House bill that whenever price support or surplus removal operations are carried out through purchases from, loans to, or payments to, processors the Secretary shall obtain assurances that the producers of the agricultural commodities involved will receive the maximum benefits from the price support or surplus removal operation.

Sale of CCC feed grains: The Senate included in its amendment the provision of H. J. Res. 563, approved by the House, providing that until March 1, 1955, the Commodity Credit Corporation may sell feed grains owned by it at the point of storage at the current support price plus 10 percent.

Set-aside of agricultural commodities: The provisions relating to the set-aside are substantially those of the House bill, with the following major exceptions: (1) Corn has

been eliminated from the list of commodities included in the set-aside. The Senate amendment did not include corn and the recent crop report showing a substantial decrease in the corn crop estimate for 1954 appears to affect substantially the need for including this commodity in the set-aside. (2) The House language was adopted for subsections 103 (a) (1) and 103 (a) (2). (3) The House language was adopted in section 105 with the addition of language making it clear that only those commodities in the national stockpile which are transferred from the set-aside are to be included in computation of total supplies for purposes of acreage allotment and marketing quotas. (4) In section 107 the conference accepted the Senate provision authorizing appropriations to cover transfers from the set-aside to the national stockpile, instead of direct cancellation of notes by the Treasury Department, as provided in the House bill.

Wheat "two-price system": The committee of conference eliminated from the substitute amendment the provisions of the House bill authorizing a "two-price system" for wheat, and requiring that wheat producers be given an opportunity to vote on the adoption of such a program at the time they vote on quotas for the 1956 crop. Rejection of the House provision by the conference committee was not primarily on the merits of the two-price plan as opposed to other methods of carrying out a wheat support program, but was rather because the Senate conferees felt that the Senate had not had an adequate opportunity to study the plan.

While yielding to the Senate on the matter of including this legislative provision in the present bill, the House conferees look upon the two-price system as being a definite improvement over any other existing method of providing price supports for wheat producers. They also regard the two-price system as providing the most equitable solution to the problems of many small wheat producers and those who produce wheat primarily for use as feed on their own farms. The provisions establishing a commercial and noncommercial wheat area, which are included in the substitute amendment, will be some solution to the problems of the small, noncommercial wheat producer in the States that are declared to be out of the commercial area, but will, of course, be no help to those in the commercial wheat States. The committee intends to continue the study of the problems of the small and noncommercial wheat farmer along with its continued study of the two-price plan.

Commercial wheat-producing area: Both the House bill and the Senate amendment contained provisions relating to the establishment of a commercial wheat-producing area. The principle of this provision is that producers in the commercial wheat area would be subject to acreage allotments and marketing quotas when required by law, while producers in the noncommercial area would not be subject to these limitations and would receive only 75 percent of the level of support accorded producers in the commercial areas.

The House provision eliminated from the commercial wheat-producing area States which had an acreage allotment of 2,500 acres or less. This would have eliminated from the commercial area, on the basis of 1954 allotments, the States of Connecticut, Florida, Louisiana, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont. The Senate provision would have established the commercial wheat area on the basis of both State and county acreages and would have eliminated in toto all States having an annual average of less than 150,000 acres. In addition, many counties in other States would have been outside the commercial area. This provision had never been proposed in the House and the conferees on the part of the House, while not disagreeing in principle with the objectives of the Senate provision, felt that it was too far reaching to be adopted without careful study.

The conferees agreed, therefore, on the basic wording of the House provision relating to the commercial wheat area, but increased to 25,000 acres the dividing point between States which will be in or outside of the commercial area. According to best information available to the committee, this will place in the noncommercial area the eight States included under the House provision and, in addition, Alabama, Mississippi, Arizona, and Nevada. There is no postponement of the effective date of this provision and the committee understands that the Department of Agriculture will probably be able to put it into effect in connection with the 1955 crop.

Date of wheat-marketing quota and acreage-allotment proclamation: The House bill had changed the date on which the Secretary must proclaim wheat-marketing quotas and acreage allotments from July 15 to April 15. The Senate bill set the date at July 1. The substitute establishes the date for proclaiming marketing quotas and acreage allotments on wheat at May 15.

Summer fallow acreage adjustments: The House bill contained a provision making adjustments in the 1955 wheat-acreage allotment for farms which practice summer fallow rotation of wheat. The Senate amendment contained a similar provision but with a different formula for making the adjustment. The substitute has followed the formula of the Senate amendment with an amendment which makes it clear that the adjustment is to be applied to not more than 640 acres of wheat history on any farm. Under the provision as agreed to, any farmer with a base of less than 640 acres of wheat for purposes of the adjustment section would receive an adjustment on his full-base acreage. A farmer with a base larger than 640 acres would receive a summer fallow adjustment for only 640 acres. Thus, if a farmer with a 2,000-acre farm had been planting half of it to wheat each year, he would receive his normal allotment on the 1,000-acre base. On 640 acres of his base he would be entitled to the summer fallow adjustment in 1955 and would receive the additional acres resulting from that adjustment in addition to his base allotment.

"Normal supply" of cotton: The substitute amendment agreed to by the conferees makes no change in the definition of normal supply for cotton. The House bill had contained a provision changing the definition of normal supply from 130 percent to 120 percent of domestic consumption plus exports. The conference accepted a House provision giving county committees wider discretion in allocating cotton acreage on a history basis.

Peanuts: The House bill contained several provisions relating to marketing quotas and marketing penalties on peanuts. These provisions have all been eliminated from the conference substitute.

Voluntary surrender of cotton and wheat allotments: The substitute amendment makes permanent the provision for voluntary surrender by a farmer of his cotton allotment and includes for 1955 a similar provision as to wheat.

"Normal supply" of corn and wheat: The conference agreed to a Senate provision increasing the allowance for carryover from 10 percent of domestic consumption plus exports in the case of corn and 15 percent in the case of wheat to 15 and 20 percent respectively.

Normal yield for corn: The conference agreed to Senate provisions which will change the base period for determining normal yield for corn for counties and for farms from 10 years to 5 years.

Wool: The substitute provisions relating to a wool price-support program are similar to the House language with the following major exceptions: (1) The effective date of the authorized wool-support program is for the 4 years starting April 1, 1955, instead of for 2 years starting April 1, 1954; (2) the deviation between wool and mohair support levels is placed at not to exceed 15 percent, instead of 10 percent as in the House bill; and (3) price supports may not be made available, other than through payments, at a level in excess of 90 percent of parity.

Wool futures: The conference accepted the Senate provision making trading in wool subject to the jurisdiction of the Commodity Exchange Authority.

Dairy price supports: The substitute amendment has eliminated: (1) The provision of the House bill establishing dairy supports at 80 percent of parity for the period September 1, 1954, to March 31, 1955; (2) the new formula for computing milk price-support levels; and (3) the requirement that the Secretary continue to use the existing formula for computing the parity equivalent for manufacturing milk. The substitute amendment retained the House provision authorizing the use of not to exceed $50,000,000 annually of Commodity Credit Corporation funds for the next 2 years to increase the consumption of fluid milk by school children and the inclusion of "milk" along with "the products of milk and butterfat" as eligible for price support loans or purchases. The amendment makes no other change in the method of price supports but provides that until March 31, 1956, the Secretary may use "any method" he determines to be necessary to dispose of surplus stocks of dairy products owned by the Commodity Credit Corporation.

Other dairy provisions: The conference substitute for the Senate amendment contains also the following dairy provisions of the House bill: (1) the legislative findings, the direction to use existing law to dispose of accumulated dairy surpluses, and the direction to the Secretary to make a study and report to Congress on various dairy support and production and control methods—all three without substantial change; (2) the authority for use of surplus dairy products by the Armed Services and in Veterans Hospitals, with the inclusion of milk for purposes of this program and with a termination date of December 31, 1956, on this disposal authority; and (3) authority for an accelerated brucellosis program during the next 2 years with the addition of authority for annual appropriations to reimburse the Commodity Credit Corporation for funds expended in the program. The substitute eliminates from the bill the House provision authorizing Commodity Credit Corporation to make contracts for as long as 5 years in order to encourage establishment in foreign countries of recombining plants to provide new markets for American dairy products.

Rice: The substitute amendment contains the House provision directing the Secretary of Agriculture to make a study and report to Congress on the various proposals for applying a two-price support program to rice.

Eligibility for ACP payments: The substitute amendment contains the Senate provision making compliance with acreage allotments on basic crops a requirement for eligibility for ACP payments, with amendments making the following changes in the Senate language: (1) making the provision apply only to farmers who "knowingly harvest" crops in excess of their allotment, after a determination by the Secretary that the farmer's plantings are in excess of his allotment; and, (2) requiring that the Secretary give farmers a reasonable opportunity to get into compliance on plantings of basic crops after they are found to be in excess of the allotment. Although the application of this general provision to the ACP program will not be possible in the current year, it is the intention of the Committee that the provision relating to permitting farmers an opportunity to adjust their basic crops so as to comply with the acreage allotments will

be effective for the 1954 crop on those crops which have not yet reached the harvest stage.

Production on land leased from the Government: The conference committee eliminated from the bill the Senate provision prohibiting allotment of any acreage for production of an allotted crop on land leased from the Government. While agreeing that this is probably a subject on which some action should be taken, the committee felt that it was a matter of such importance to the persons involved that further study should be made of it. Chairmen of both the House and Senate managers stated their intention of calling upon the various Departments of Government leasing land for agricultural production to report on the quantity of land involved and the nature of such production.

ACP program: The substitute amendment contains a Senate provision relating to the transfer of the ACP program to the States upon enactment of adequate State laws and the approval of satisfactory State plans and providing for the continuation in such event of State, county, and local farmer committees to carry on other functions. It also contains a Senate provision making permissive, rather than mandatory, the fixing of a fair price by the Secretary of Agriculture for conservation materials and services.

Terms of county committeemen: The conferees agreed to include a Senate provision prohibiting the Secretary of Agriculture from imposing any limitation upon the number of terms for which members of county committees may be reelected.

Agricultural attachés: The substitute amendment includes numerous relatively minor changes made by the Senate in the House language of the provisions relating to agricultural attachés. These do not affect the purposes or the policies of the provisions and are in general perfecting language which has been agreed to by the executive departments concerned.

Marketing agreements and orders: The substitute amendment contains two provisions relating to marketing agreements and orders which were not in the House bill: (1) authorizing marketing orders to continue in operation during periods when the price of the regulated commodity is at or above parity; and (2) including grapefruit for canning or freezing in those commodities for which marketing orders may be issued and providing special qualifications for the issuance and operation of orders applicable to grapefruit for canning and freezing.

Regulation of imported fruits and vegetables: This section follows generally the wording of the House bill but adds the provision that the prohibition shall not apply to shipments into continental United States from Puerto Rico or any Territory or possession where the Marketing Agreement Act has force and effect and also a provision that if the Secretary finds that the terms and provisions of a domestic marketing agreement or order are not applicable to similar imported fruits or vegetables, he shall establish regulations for such imports which are comparable or equivalent to those imposed on the domestic commodity.

Regulation of grazing in national forests: The substitute amendment agreed to by the committee of the conference eliminates the amendment of the Senate relating to the regulation of grazing on the national forests. The language of the Senate amendment on this subject was similar to the bill, S. 2548, which has passed the Senate and been referred to the House Committee on Agriculture, but it has not been reported by that committee.

CLIFFORD R. HOPE,
WILLIAM S. HILL,
HAROLD D. COOLEY,
W. R. POAGE,
Managers on the Part of the House.

Mr. HOPE. Mr. Speaker, I shall take a little time to discuss the provisions of the conference report and shall be glad to yield for such questions as the Members may desire to ask.

I shall first go through the report in a general way and point out just what it contains. Before doing that let me refer to two matters which have been eliminated. There was one provision in the Senate bill which was quite controversial. I know a great many Members received telegrams and letters on it. That was so-called grazing bill provision which was added to the bill on the floor of the other body. That provision is out.

There was a provision in the House bill relating to a two-price system for wheat. That provision was eliminated in conference.

The provisions with respect to the level of price supports on the basic commodities for the year 1955 were the same in both bills. Hence those provisions were not in conference.

The wool provisions, which were included in both bills but with some difference in detail, were reconciled. Under the provisions as they now stand in the conference report, that part of the bill will be in effect from April 1, 1955, until March 31, 1959; in other words, for 4 years.

There is a provision which says that in the case of mohair, the price support as far as percentage is concerned shall not vary more than 15 percent from the price support on wool. The provision which put a ceiling of 110 percent upon the support price of wool remains in the bill.

With respect to the provisions in the two bills which relate to agricultural attachés, I shall simply say that the provisions in the conference report are identical with those in the Senate bill.

Mr. BAILEY. Mr. Speaker, will the gentleman yield?

Mr. HOPE. I yield.

Mr. BAILEY. I should like to ask the distinguished gentleman from Kansas [Mr. HOPE] if there were any major changes made in the manner of selecting members of the county agricultural committees in the ACP and the PMA programs.

Mr. HOPE. With respect to that matter, the conference report includes the so-called Humphrey amendment which was placed in the bill in the Senate.

Mr. BAILEY. Would the gentleman please explain that briefly?

Mr. HOPE. The Humphrey amendment simply provides that the provisions of law which relate to the election of county ASC committeemen shall not be construed to give the Secretary of Agriculture power to limit the terms which those committeemen may serve. In other words, there is no limitation on the time which they may serve as members of the county committee.

Mr. JAVITS. Mr. Speaker, will the gentleman yield?

Mr. HOPE. I yield to the gentleman from New York.

Mr. JAVITS. It seems to me the conferees have culminated a rather historic move in this bill. We are making a new development in at last trying some flexible parity. I worked for it because I thought it was in the interest of the consumer. I think the administration has to realize it has to use initiative and ingenuity both in the interest of the farmers and the consumers in the administration of this program. It can develop this one, in dealing with the surplus, as to which the commitee has also sponsored a wise bill which can result in the disposition of well over a billion dollars of agricultural surpluses for foreign currencies and aid United States trade and foreign policy; also that considerable attention be paid by the administration to efficiency on the farm and the utilization of farm products for commercial and other new uses, with the idea that out of initiative and dynamism may be attained the kind of stability and flourishing development for farmers which we all want. I thank the gentleman for this time.

Mr. McGREGOR. Mr Speaker, will the gentleman yield?

Mr. HOPE. I yield to the gentleman from Ohio.

Mr. McGREGOR. I simply want to thank the chairman of the committee in behalf of some Members I contacted, the gentlemen from Ohio, Mr. BETTS, Mr. BOW, Mr. MCCULLOCH, and myself, relative to the participation of the noncommercial farmers. I note from the report on page 20 that the committee intends to continue the study of the problems of the small and noncommercial wheat farmer. It is my understanding you are going to continue that study and you recognize that is a real problem among the agricultural group.

Mr. HOPE. Yes. I am glad the gentleman from Ohio brought that matter up. I know his great interest in it and the interest of his colleagues from Ohio in it. I can say to the gentleman the committee is going to continues its study of that matter. There are two approaches, I think, that might be made to the situation in which the gentleman is interested. One of them the House committee made this year in its provision setting up a two-price system. That would have taken care of the situation the gentleman has in mind. Another approach is a noncommercial wheat area, which I believe would very largely take care of that situation. In this conference report we have made a small beginning in the way of a noncommercial wheat area. However, we have not gone far enough to include a State like Ohio, which is a large wheat producer, but which has many counties in it which I think could quite properly be put in a noncommercial area. The committee will give further consideration to that.

Mr. McGREGOR. I thank the gentleman very kindly.

Mr. KING of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. HOPE. I yield.

Mr. KING of Pennsylvania. May I say to the gentleman from New York [Mr. JAVITS] that I agree that this bill directs us away from the continuation of rigid price supports, but he must realize that this is only a short step in the other direction; therefore, he cannot be too serious with his warning that the administration must make it work, because actually if high price supports do not work this is not going to work wonders, either; 82.5 to 90 is just simply less evil

than straight 90. This will not very rapidly return agriculture to a free-enterprise economy.

Mr. JAVITS. Mr. Speaker, will the gentleman yield for a very brief observation on that?

Mr. HOPE. Yes, I yield for a brief observation.

Mr. JAVITS. My thought was that this was a beginning in the right direction. We want to encourage further progress along that line. That is what I was urging upon the administration to have very much in mind.

Mr. BETTS. Mr. Speaker, will the gentleman yield?

Mr. HOPE. I yield.

Mr. BETTS. I want to thank the gentleman from Kansas, chairman of the Committee on Agriculture for assuring us that there will be some consideration given to the right of the farmers to vote on allotments under 15 acres, which matter is causing, as the gentleman from Ohio [Mr. McGREGOR] noted, considerable concern in our district. I know the farmers there will be happy to know of this assurance that the chairman of the committee has given us.

Mr. HOPE. I appreciate the statement of the gentleman from Ohio [Mr. BETTS]. He has been greatly interested in the matter and partly because of the interest he has shown, the committee is going to go ahead and pursue its studies along that line in trying to meet the situation of which he has spoken.

Mr. AUCHINCLOSS. Mr. Speaker, will the gentleman yield?

Mr. HOPE. I yield.

Mr. AUCHINCLOSS. Could the gentleman tell us if there is anything in this bill which would be of benefit to the poultry farmers. I am greatly interested in that as it affects our poultry farmers in New Jersey.

Mr. HOPE. I know the gentleman from New Jersey has been very greatly interested in that situation. At the present time, of course, poultry producers are in some distress due to the low price of chickens and eggs. There is nothing in the bill which directly affects poultry, I will say to my distinguished friend from New Jersey, but there are provisions in the bill which we think will bring about improved marketing when taken in connection with other legislation. Also, under the provisions of this bill, there will be some reduction in the price of feed grain owned by the CCC and that will be a direct benefit, of course, to poultry producers.

Mr. H. CARL ANDERSEN. Mr. Speaker, will the gentleman yield?

Mr. HOPE. I yield.

Mr. H. CARL ANDERSEN. Mr. Speaker, in my opinion, this legislation can only result in the further decline of agricultural commodity prices. There are, of course, some good provisions in this conference report but I could never agree that it is wise or fair to push the dairy farmer's price level down to 75 percent of parity or to push the price level of the basic commodity producers of this Nation down to 82½ percent of parity. I want to make it crystal clear here today, Mr. Speaker, that I will not place my stamp of approval on the sliding-scale theory any more than I would apply such a theory to the wages of the working people of this Nation. I cannot vote for this conference report. I have never voted for flexible price supports in my 16 years in Congress, and I will not do so today. In 1948, when the Hope-Aiken bill conference report was before the House, I said:

> There is no commitment on the part of this Congress now that we must continue in effect past next year these two titles (III and IV, price-support provisions) to which we have reference. Personally, I do not care to agree to any program which would guarantee less than 90 percent of parity on our basic commodities (CONGRESSIONAL RECORD, vol. 94, pt. 7, p. 9344).

During the debate on the Agricultural Act of 1949, to which this program will revert unfortunately if this conference report is not agreed to now, I said:

> In my estimation its provision for a sliding scale of supports on farm commodities is an invitation to an agricultural depression. The farmer will not be able to operate on 75 percent of parity in 1952 as provided in this legislation any more than he could do so today. Congress would show just as much logic if it passed a bill calling for a 25 percent reduction, over a 3-year period, in the wages of everyone working for hire in the Nation. (CONGRESSIONAL RECORD, vol. 95, pt. 11, p. 15C63.)

I repeat, Mr. Speaker, it will be unfortunate if the House adopts this conference report today. This legislation is not good for agriculture or any other portion of our economy.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. HOPE. I yield.

Mr. BROWN of Ohio. Mr. Speaker, I have discussed this matter with some of the members of the conference committee on the part of the House. I appreciate the fact that this bill is, as it comes back to us in this conference report, a compromise measure which probably does not please the conferees much more than it pleases some of the rest of us. I feel like the gentleman from Minnesota [Mr. ANDERSEN] that there is a great deal in this measure which could be criticized. I rise, particularly, however, to ask a question about acreage allotments. There was some new language written in, as I understand, in this compromise measure as to penalties affecting those who violate acreage allotments for wheat and other grains. What can the gentleman tell us about that?

Mr. HOPE. There is a provision in the conference report which is a very much watered down and modified form of a provision, which is contained in the Senate bill and upon which the Senate conferees insisted. As originally contained in the Senate bill that provision was that anyone who exceeded his acreage allotment on any basic commodity would not be eligible to receive agricultural conservation payments. As finally agreed upon in conference, the bill now provides that any person who knowingly harvests any basic agricultural commodity on which it has been determined by the Secretary, he is in excess of his farm acreage allotment will not be eligible for any payments. It is a quite different provision than the original in that it gives the individual an opportunity to get into compliance if he has unwittingly overplanted and he could not be penalized until after the Government has measured his land and advised him that he has overplanted.

Mr. BROWN of Ohio. Will the gentleman yield further?

Mr. HOPE. I yield to the gentleman.

Mr. BROWN of Ohio. I would like to point out that the farmers of Ohio who participated in the recent wheat referendum voted 2 to 1 against acreage allotments. There have been some rather peculiar interpretations of the present law giving power to the Department of Agriculture to allot acreage, and some of the acreage allotments which have been made under that power. I predict now to the Members of this House that the time will come when the House of Representatives and the Congress will find that the farmers of America are very, very much dissatisfied with the acreage-allotment arrangement and the cost-compliance arrangements, the legal authority for which I am very much in doubt. I question whether the Department has any legal authority to invoke cost-compliance arrangements. I predict again that the day will come when we will have to do something about this matter.

I congratulate the members of the conference committee for the fight they have made for a sensible farm bill. I am sorry they did not have their way in all matters.

Mr. HOPE. I thank the gentleman for the statement he has made.

I now yield to the gentleman from Mississippi [Mr. WHITTEN].

Mr. WHITTEN. Mr. Speaker, I would like to make a short comment. We all know the fight that the gentleman from Kansas [Mr. HOPE] and other Members have made, in which I took some part, in trying to change the House bill. There were many things in the Senate and House bills which did not meet with the approval of our country. However, the conferees were limited to what was in the two bills in this conference report.

The thing I deeply regret goes much further than the 82½ percent or the 90 percent support level for basic commodities. It does represent a failure on our part to convince the American people that the cure does not lie in our present farm problems with changed percentages of supports on basic commodities. I deplore the fact that the majority does not see that the cure lies with moving American farm commodities into world trade at competitive prices. This conference report is based on the belief that we can cure present surpluses by reducing the support level. The cause and cure for that lies in seeing that our commodities go back into world trade on a competitive basis, as they are now authorized to do by law. I regret that the gentleman's provision on wheat was eliminated from this report. It is in line with the intent of the present law. It is in line with any cure we will have in the future; that is, the support of American farm commodities for the benefit of the American people. But it was never intended to take his commodities out of world trade.

I want to commend the gentleman for his fight for that principle. I think the

conferees have done just about as well as they could. But we had no opportunity to rewrite the farm program, as the gentleman from Kansas [Mr. HOPE] would have written, and as I would like to have seen him write it.

Mr. HOPE. I thank the gentleman from Mississippi for his very pertinent remarks. I would like to call to his attention something that I am sure he already knows, and that is that there is one title in this bill that will help with the expansion of our export markets. That is the provision relating to agricultural attachés, in which the gentleman has been very much interested, and a subject on which he has introduced legislation.

Mr. WHITTEN. I thank the gentleman for his reference there.

May I say we had a meeting on the supplemental appropriation bill in connection with how much money we should provide for agricultural attachés in regard to promoting foreign markets. My statement then was and my statement now is that I am for giving them adequate funds to pay our salesmen on the road. But the only real cure is to give the salesmen something to sell, and until we can break down this governmental policy of holding our commodities off the world markets on a competitive basis, put the salesmen on the road with the price not right, it simply will not work. That is one of the difficult situations we have got to break down, otherwise we cannot solve the problem.

Mr. HOPE. I am sure there are no differences between the gentleman from Mississippi and myself on that point.

Mr. COOLEY. Mr. Speaker, will the gentleman yield for a parliamentary inquiry?

Mr. HOPE. I yield.

Mr. COOLEY. I just want to make inquiry as to the allocation of the time and ask the chairman of the committee if he contemplates yielding time to us on this side?

Mr. HOPE. I certainly do. Mr. Speaker, may I inquire as to how much time has been consumed?

The SPEAKER. The gentleman from Kansas has consumed 20 minutes.

Mr. HOPE. I will conclude in just a minute and then I will yield such time as he may desire to the gentleman from North Carolina.

Mr. Speaker, I yield briefly to the gentleman from Iowa [Mr. HOEVEN], a member of the committee.

Mr. HOEVEN. On page 22 of the conference report under the heading "Dairy Price Supports" I find that the Secretary may use any method—with emphasis placed on the words "any method"—he determines to be necessary to dispose of surplus supplies of dairy products owned by the Commodity Credit Corporation.

Will the chairman or the conferees interpret the words "any method"? Does it include subsidy payments to producers and processors?

Mr. HOPE. It is a broad term but I do not believe that it could be interpreted to mean subsidy payments to producers. However, I think it could be interpreted to mean subsidy payments to processors in connection with the disposition of stocks that are already in their hands, something along the line of the plant payment plan that has been previously discussed and with which the gentleman is familiar.

Mr. HOEVEN. Then it might apply to the plant payment proposal.

Mr. HOPE. Yes; I am sure it would give that authority.

Mr. Speaker, one of the most important provisions in the conference report is that of extending the agricultural conservation payment program for 2 years.

I shall not make any further reference to the provisions of the conference report dealing with dairy products because I am going to yield some time to the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN], chairman of the Dairy Subcommittee of the Committee on Agriculture, to discuss that matter. I will yield to him a little later.

I shall also yield to the gentleman from Colorado [Mr. HILL], a little later to discuss the wool provisions or any other provisions of the bill he may desire to discuss at that time.

Mr. Speaker, at this time I yield 10 minutes to the gentleman from North Carolina [Mr. COOLEY].

Mr. COOLEY. Mr. Speaker, I compliment and commend the very distinguished gentleman from Kansas, the chairman of the House Committee on Agriculture, and my friend of many years, CLIFFORD HOPE; the distinguished gentleman from Minnesota [Mr. AUGUST H. ANDRESEN], the ranking majority member of that committee, and the distinguished gentleman from Colorado, our friend, BILL HILL, upon the splendid manner in which they have championed the cause of agriculture, not only during the current session of Congress, but in many former sessions. They are tried and trusted friends of agriculture and I am proud to have served with them on the conference committee. Another real friend of agriculture, BOB POAGE, of Texas, who for many years has labored in Congress in the interest of the welfare of farmers, also served with us in the many important conferences which were concluded only yesterday.

Another Congress will convene before another crop is planted and when that Congress convenes CLIFF HOPE will be here; AUGUST ANDRESEN will be here; BILL HILL will be here and the fight for the farmers of America will go on.

Some people refer to this bill as the agricultural bill of 1954. Actually, Mr. Speaker, it is the antiagricultural bill of all times. Administration forces have referred to it as a great and sweeping victory. Perhaps it is some sort of a victory. I believe all of us know that it is a hollow and only a temporary victory. With the coming of the spring, farmers will regain some of the things that are being taken away from them here today. If Mr. Benson is the victor, and certainly now he appears temporarily to be the victor, then who will be the victims? Who will be the vanquished? What enemy has been routed? What dragon has been slain? Administration forces seem to regard the farmers of America as some sort of public enemy and they seem to be proud of the fact that they have defeated the farmers and have won a great and sweeping victory in the vicious and unrelenting campaign which has been waged against those who till the soil. Divide and conquer seems to be the technique which has successfully been employed by the Secretary of Agriculture and his associates. He has tried diligently to turn the consumer against the producer and he has not served well the cause of agriculture.

This bill adds still another burden to the already bending backs of our farmers, and it will cost them hundreds of millions of dollars and might very well bring the entire Nation to great grief and sorrow. Not only will this bill cost the farmers of America, but it will likewise cost the taxpayers of the Nation hundreds of millions of dollars. This one act, which is being forced through this Congress by desperate pressure and ingenious and insidious propaganda, will devalue the inventories of basic agricultural commodities now owned by the Commodity Credit Corporation to the extent of at least 7½ percent. It will devalue every bale of cotton and every bushel of wheat and every bushel of corn and every ton of peanuts now held in the inventories of the Commodity Credit Corporation. Yes, this bill will devalue the crops that are now being harvested by the farmers of the Nation. In the springtime, when they were sowing the seed and planting the crops, they were inspired by the hope that those now in office would honor and execute their solemn campaign pledges, but now the farmers of the Nation must harvest in despair. This bill not only devalues the inventories of the Commodity Credit Corporation, it not only devalues the crops now being harvested, but it also devalues all of the basic commodities now in Government loans, and further than that, it will devalue all of the inventories of the processors of basic agricultural commodities.

This will subject the basic commodities to the floor of the sliding scale. The losses which will be sustained by the farmers and by the taxpayers of our country for the 1 good year of our Lord 1954 will amount to $1,517,894,880. This is the great and sweeping victory won by the forces of the administration now in office.

I seem to hear soft, sad music—the kind that is heard at high mass for the departed—a requiem—not for the death of mandatory price supports on basic commodities, but for the loss of another great battle which will be fought on the hustings in the nearing month of November. The issues here involved will be weighed in the balance and the people of America will make the great decision.

This one bill will cost the American farmers and taxpayers about a half billion dollars more than all the total losses sustained through 22 long years on all price-support programs of every kind and description which have been undertaken by the Commodity Credit Corporation. I have the facts and figures. When the full force of the impact of this measure strikes at the heart of agriculture and devalues the commodities I have mentioned, the total loss will amount to more than 1½ billions of dol-

lars. Only slightly more than $1 billion has been lost on all the price-support programs carried on by the Commodity Credit Corporation from the beginning to the end, including all commodities, basic and nonbasic, perishable and nonperishable.

Mr. POAGE. Mr. Speaker, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Texas.

Mr. POAGE. And that is only one-half as much as the President wanted us to devalue them.

Mr. COOLEY. The gentleman is right. He calls it a victory when you know it is an outrageous compromise. It was offered on the floor by our distinguished majority leader when he came to the well of the House to support the Harrison amendment and said that this is a good compromise; yet the White House says a sweeping and great victory. The President only got one-half of what he said he wanted. If it is a victory, surely it is only a partial victory.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Iowa.

Mr. GROSS. This selling the farmer down the river will not result in lower prices to the consumers, will it?

Mr. COOLEY. Certainly not. There is not one consumer in America who will feel the effect of this bill on his grocery bill.

Mr. KING of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Pennsylvania.

Mr. KING of Pennsylvania. May I ask the gentleman, would he be glad to see the Government get rid of its present surpluses?

Mr. COOLEY. I will answer the gentleman's question. I do not want this Government to sell 1 bale of cotton and lose $1 or 1 dime, and if you will leave us alone, we will sell at a profit. We made $268 million on the cotton program when it was in operation. Now you complain because we have an abundance of cotton. The Secretary of Agriculture begged us to grow it, and now the gentleman says it is a great curse on our economy.

Mr. KING of Pennsylvania. You would not want to make good on your wild predictions.

Mr. COOLEY. Yes. We made a $268 million profit.

Mr. KING of Pennsylvania. And you tried every other way to give it away.

Mr. COOLEY. No, sir. I am not in favor of giving 1 bale of this cotton away.

Mr. KING of Pennsylvania. And you paid $1 million for storing it.

Mr. COOLEY. Will the gentleman show me one provision in this bill that even contemplated the saving of one dollar of storage costs? The administration brings out all these fallacious and foolish arguments, which are a diabolic scheme to mislead the people of America into believing that we do not own this $2.5 billion of food and fiber which is so essential to our economy. Do you not agree that this is a fraud?

Mr. KING of Pennsylvania. At 82½ and 90 the Government will keep on piling up surpluses, however.

Mr. COOLEY. Does not the gentleman realize that the cotton farmer and the wheat farmer this year are doing exactly what your Secretary Benson asked him to do? You embrace him; you like him; you praise him. I admire the man, but I do not praise his program. I believe he is a Christian gentleman, but he is far more pious than he is prudent. When he comes to the question of agriculture, Mr. Benson does not know what it is all about. He is a Boy Scout in the field of agriculture. He does not understand the philosophy of the program for cotton or wheat or other basic commodities.

Mr. KING of Pennsylvania. I would hate to be the one saying that of the Secretary of Agriculture.

Mr. COOLEY. Well, I will say it not only to you but to him, and I think I can prove it. I can take the record of our committee hearings, and I will prove that he does not know what he is talking about. Yes, this is a great, sweeping victory. The gentleman from Pennsylvania always likes to count costs. I challenged Mr. Benson, when the bill was here before, to point out one inaccuracy in the figures I submitted.

Mr. KING of Pennsylvania. Will the gentleman allow me to point out the inaccuracy?

Mr. COOLEY. No, because I know exactly what the gentleman is going to say; he is going to be inaccurate in pointing out my inaccuracies.

Mr. KING of Pennsylvania. Every individual in this Congress knows that every time the CCC loses a million dollars that it is reimbursed for it. You want to argue that the balance sheet of the Commodity Credit Corporation represents the cost of this program.

Mr. COOLEY. Ask Mr. Benson. We asked him in our committee room to give us the figures, and he never could give the correct figure. He had no idea what his proposal would cost the farmers and the taxpayers of the country.

Mr. KING of Pennsylvania. $7.5 billion, not counting 1 cent of loss on the $7.5 billion we now own.

Mr. COOLEY. I cannot yield further. The total loss on all the support programs is $1,375,000,000, and if you relate that to the accumulated farm income of this Nation, for the same period you relate it to $294 billion, and if you further relate it to the overall national income, you relate it to $3,115,000,000,000. That will prove how inconsequential losses have been.

Now, let us be fair about this bill. I have done the best I could. I know that BILL HILL and AUGUST ANDRESEN and CLIFF HOPE and BOB POAGE have done the best they could.

Mr. HOFFMAN of Michigan. Mr. Speaker, a point of order. The gentleman is transgressing the rules of the House by pointing out our friends over here in that manner.

Mr. COOLEY. I will refer to them as my distinguished and beloved friends.

The SPEAKER. The gentleman will proceed in order.

Mr. COOLEY. I will refer to them as the great statesmen from Kansas, Minnesota, Colorado, and Texas. I appreciate the gentleman's correcting me. But we have done the best we could, and we have taken a licking; there is no doubt about that.

Mr. SHORT. Mr. Speaker, will the gentlemen yield?

Mr. COOLEY. I yield to the gentleman from Missouri.

Mr. SHORT. The people who have taken the worst licking are the dairy farmers of this country, and after this House voted to increase parity from 75 to 82½ percent, now you are going to lower it back to 75. That will liquidate many of the big herds throughout this country.

Mr. COOLEY. I would like to say to my friend that when our committee reported the 80 percent support for dairy products our great President approved of it, and he said that the way to approach this reduction was to approach it gradually. If, indeed, the President did approve 80 percent, why should he now lower the boom and say he wants 75 percent? I will say to my distinguished friend from Michigan [Mr. HOFFMAN] that the President wrote a letter to the conferees and said, "Dear CLIFF," "Dear GEORGE," won't you please do this—do that? And don't do this and don't do that.

Maybe that is not an invasion of the conference room by the Chief Executive, but that is what happened. I am frank to say that I do not believe it influenced anybody's decision in a single particular.

We brought in the best bill that we could. It is true that it provides 82.5 percent of parity on the basics and it is true that it provides 75-percent supports for dairy products. It is going to be a very bitter pill for some of my Republican friends to have to swallow the Brannan plan, but we have wrapped it up in a sweet package and made it as palatable as possible. I am sure you will take it and like it, because Benson wants you to have it. No one on earth knows what it will cost, but Benson wanted to support the price of wool without limitation. Under his proposal he would lift the price of wool to 100 percent of parity or to 140 percent of parity, or to any other level he might decide to fix. Even under this proposal wool will be supported at 110 percent of parity, while dairy products are supported at only 75 percent of parity and basic commodities at only 82½ percent of parity. I repeat, wool at 110 percent and cotton at 82½ percent of parity. But this is what Benson wants, and this is what Benson will have until Congress convenes next year.

Mr. SHORT. Mr. Speaker, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Missouri.

Mr. SHORT. Does the gentleman accept the theory that no branch of agriculture should receive preferential treatment over another branch of agriculture?

Mr. COOLEY. I certainly do. I have never advocated and I never shall advocate high support levels on perishable

commodities unless those commodities will lend themselves to production controls.

Mr. SHORT. And is it not obviously unfair to force the dairy farmer to pay high prices for his grain and feed, which are supported by a high 90-percent fixed parity price, and then compel him to sell his dairy products—milk, butter, and cheese—on a lower, sliding scale of parity?

Mr. COOLEY. Certainly the producers of all commodities should be treated fairly and equitably, but unfortunately the producers of certain commodities cannot possibly control production so as to keep production in line with reasonable consumer demand. Every time we have undertaken to support at high levels perishable commodities we have sustained great losses.

The Apostle of Freedom, who screamed about controlling and regimentating and goose-stepping the American farmer now, by his own edict and order, has made himself the great Regimentator, the Czar, and the lord of all he surveys in the agricultural areas of our country. The production of all basic commodities he now has under his control and yet he is not satisfied. He has taken by a distorted interpretation of the law complete control of all the farms of America. He speaks of diverted acres and yet he has no definition for the words "diverted acre." What is a diverted acre? Do you know? Did you or I have diverted acres in cotton and wheat and corn in 1952, 1953? Do we have diverted acres in 1954? Are diverted acres to be accumulated over one or more years? Can the farmers of the Nation afford to permit millions upon millions of acres to remain idle? When farmers voted in favor of acreage allotments and marketing quotas and indicated their willingness to reduce the production of basic commodities, were they told then or did they know, or did they have any way of knowing that Blustering Benson would take complete charge and control of the acreage retired from the production of the basic commodities? This is the heavy cross of cross compliance and this is really the big double cross. Another Secretary of Agriculture flirted with the idea in 1949. He said he thought he had authority to put the multiple compliance program into operation, but after he conferred with members of the House Committee on Agriculture he abandoned the idea. The "Bold Mr. Benson" is more daring and audacious. He comes out with twitches, hobbles, yokes, shackles and all, and puts the American farmer in his own custom-made straitjacket. He will tell the farmer "This is a diverted acre, sir. If, on this acre you plant alfalfa and your cows perchance should graze upon it, and if perchance you sell a quart of milk taken from Old Bossy, you will lose all your price-support programs and you cannot put any of your commodities under loan."

If a farmer should plant clover, and if on that farm he should produce honey and the busy little bees go there to forage, the price-support program would be denied, not only on honey, but on all the other commodities produced on the farm. Maybe this is right, but I think it is ridiculous.

Through the decades our agricultural leaders, agricultural colleges, the extension service, the experiment stations and all of our research laboratories have been trying to aid our farmers and to bring about a well-rounded, diversified farm program for each farmer; but Mr. Benson is not willing for the farmers of North Carolina to have an opportunity to use the diverted acres as they might be advised to use them by the agricultural experts and leaders of my State. Oh, no, they must do just what Mr. Benson wants them to do—this and nothing more. We have had controls, acreage allotments and marketing quotas through the years but up until now farmers have been permitted to run the rest of their farms just as they pleased to run them. Perhaps all of this is the big change we have heard so much about. Perhaps this is the great, dynamic, forward-looking program we have heard so much about.

I realize, of course, that the producers of basic commodities will drastically reduce their acreage this year and will no doubt be required to reduce acreage further next year. Why are these producers willing to bear the burden of the law and the programs in the hope that they might enjoy some of the blessings? They certainly should not be denied the right to use diverted acres in an effort to bring about a diversified program with the advice of the agricultural experts and in their own communities.

This "set aside" is nothing but a device and a delusion—a fallacy and a fraud which has been deliberately devised for the purpose of misleading and deceiving the consumers of the Nation.

In this bill the Congress of the United States has completely repudiated Secretary Benson. In this bill we will invalidate, set aside, and declare to be null and void his order which would prevent local committeemen who have served through the years, faithfully and well, on the AAA committees, the PMA committees, and the ASC committees, from being eligible for reelection. Benson by this order sought to prevent the farmers of the country from electing the men of their choice to serve on these important committees. He has advocated more farmer participation and more democratic processes but here is a demonstration of his disbelief in the fundamental principles of democracy. So it takes an act of Congress to force Mr. Benson to let the farmers make their own choice of the committeemen at the local level.

The Congress will by this bill repudiate another order issued by the great Secretary of Agriculture, who sought to prevent corn farmers from bringing their acreages into compliance. If a farmer should comply with all the rules and regulations and all the acreage allotments and marketing quotas, but should unintentionally or inadvertently overplant his corn acreage, Mr. Benson would not permit him to chop down the overplanted portion, to adjust his acreage, and to bring himself into compliance, but would force him to lose all price supports and other benefits and advantages. By this act the corn farmers will be accorded the same privileges which have heretofore been accorded to cotton farmers, to tobacco farmers, to peanut farmers, and to the other producers of basic commodities. Why would Mr. Benson want to do this? It makes no difference now why he wanted to do it. From now on he just will not be able to do it.

I repeat, this is an antiagriculture bill, but we must make the most of it. Benson has advocated more righteous things and has done more wrong things than any Secretary of Agriculture who has ever occupied that high office.

Under the pressure of administration forces, notwithstanding the fact that the House of Representatives had approved the provisions we reported which would have permitted the wheat farmers of the Nation to decide for themselves, in a referendum duly conducted, whether they favored a two-price system for wheat, we were forced to abandon the project. Administration forces were not even willing to permit us to submit, without strings or obligations, the simple question to wheat farmers of America: "Do you or do you not favor a two-price system wheat program?" This administration apparently just does not want to know what farmers think about anything. Apparently the administration is not interested in the farmers or in the wishes of the farmers. So here again free expression at the grassroots is denied.

Oh, yes, Mr. Benson and the administration forces wanted, for all intents and purposes, to give away the grazing lands in the National Forests—a ridiculous proposal. Our committee, after extended hearings, refused to approve any part of it; and yet the powers that be insisted. Fortunately, we forced the advocates to surrender, so the grazing lands of the forests have been protected, at least for the time being. The details of this program and proposal I shall not attempt to discuss at this time. Why should this administration feel so obligated to the cattlemen who have used and who have abused the vast grazing lands and mountain meadows in our National Parks, which, after all, belong to all the people? All the conservationists, wildlife people, and sportsmen of the country have a right to roam and to use and to enjoy these great and valuable areas of our public domain. The administration wanted to let certain individuals have the exclusive use of and to allow them to build barbed-wire fences around the thousands of acres of our National Forests and to permit them to enjoy these lands and to abuse them, for a nominal fee and free from taxes.

To sum it up: This administration is trying to give away, hide away, and slide away the assets and properties of all the people of our country.

The SPEAKER. The time of the gentleman has expired.

Mr. HOPE. Mr. Speaker, I yield 10 minutes to the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN].

Mr. KRUEGER. Mr. Speaker, will the gentleman yield to me?

Mr. AUGUST H. ANDRESEN. I yield to the gentleman from North Dakota.

Mr. KRUEGER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD following the remarks of the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN].

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I was a member of the conference committee who found himself unable to sign the conference report, and therefore I feel I should make some explanation of the position I took. The chairman has assigned to me the task of discussing the dairy provisions of the bill, which are of great interest to all sections of the country. I think it is one of the most important parts of the bill as the dairy industry is one of our most important industries, being the largest segment in American agriculture.

I want to express my appreciation and gratitude to my conferees from the House for the way they stood together in our deliberations. I have served on a good many conference committees during my service in Congress, but I have never served on a conference committee which has functioned such as this conference has undergone during its seven sessions. My fellow conferees from the House will understand what I am talking about. It was not an easy task to secure a satisfactory agreement in the conference, but the House conferees did the best that they could considering the situation which confronted them.

After seven difficult and trying sessions of the conference committee, the managers on the part of the House present the report before you today. Although I am not satisfied with the report in certain respects, it is better in many ways than the act of 1949 to which we would revert in the event that an agreement was not reached by the conferees. The act of 1949 provides for flexible parity support prices between 75 percent and 90 percent of parity. This conference report definitely establishes a floor support price of 82.5 percent of parity for all basic commodities. As to dairy products, which have never been under rigid supports, the support price fixed by the Secretary of Agriculture on April 1 at 75 percent of parity is continued. For several sessions of the conference committee, the House conferees unanimously fought for a minimum support price of 80 percent which was approved in the House bill by a vote of 3 to 1. This effort failed due to the strong opposition of the other conferees. I would like to give you a little history of the price-support program for dairy products.

On April 1, 1953, the present Secretary of Agriculture fixed a support price of 90 percent of parity for dairy products. This support figure remained in effect until April 1, 1954. In March of this year the Secretary announced that he would drop the support price on dairy products by 15 points, from 90 percent to 75 percent of parity. That is what I objected to and one of the reasons why I have not signed the conference report. This drastic cut in the support price of dairy products meant a reduction of from 15 percent to 20 percent in the income of around 4 million dairy farmers in the United States. I felt then, as I do now, that such a large reduction in the purchasing power of dairy farmers would ultimately have its effect upon the entire economy of our country.

I would not have objected to a small reduction in the support price should such action be found necessary because of the large surpluses of dairy products in the hands of the Commodity Credit Corporation. However, I took the same position as the President did when he said that any adjustment in the price-support program should be gradual. I felt that the President took the correct position and I believe that I am sound in my conclusion and action as a member of the Committee on Agriculture and also as a conferee on this bill.

When the farm bill was considered by our Committee on Agriculture I offered a motion to make the support price 85 percent of parity for dairy products. This motion was defeated in the committee; whereupon I offered the motion to increase the support price beginning September 1 from 75 percent to 80 percent of parity. This motion prevailed by a large majority, and the figure of 80-percent support for dairy products was a part of the farm bill considered by the House. It was approved in the House by a vote of 3 to 1. All of the House conferees did their utmost to have this figure adopted in the conference committee but without success.

I am very proud of my fellow conferees from the House who stood with the dairy farmers of this country and by my position until the conference broke up over this issue on Saturday, August 14. The responsibility for continuing the support price at 75 percent does not lie upon the shoulders of the House conferees. I want to make this very clear. Our very able chairman, the gentleman from Kansas [Mr. HOPE], the gentleman from Colorado [Mr. HILL], the gentleman from North Carolina [Mr. COOLEY], and the gentleman from Texas [Mr. POAGE] stood with me and the dairy farmers of the United States until all hope was lost to maintain the position of the House. I am proud to be associated with them and also with the members of the Committee on Agriculture who fought with me to protect the integrity of American dairy farmers.

I had figured that if we could have a gradual adjustment in our economy it would not have done a great deal of harm, because a slight adjustment of 5 percent one way or the other would not have hurt the dairy farmers as much as the drastic 15-percent cut that went into operation on April 1 and which is continued by this conference report. The proposal which I made of a 5-percent reduction in the support price was in line with what many of us thought the President advocated when he said that the reduction in the support price should be gradual.

Due to the limitation of time, I want to briefly discuss the dairy sections of this conference report. Most of these sections, with a few changes, were contained in the House bill. Each section was contested in the conference committee.

As I have stated, the price support for dairy products was left at 75 percent to 90 percent of parity. That is according to existing law, and that is where the Secretary of Agriculture fixed it as of April 1, 1954. The floor support for dairy products will stay at 75 percent of parity until such time as the Secretary of Agriculture establishes an increased figure. He can do this at any time, but the law permits him to wait until April 1, 1955, before making any change upward of the support price. He cannot go below 75 percent of parity but he can increase the support price up to 90 percent of parity.

The Agricultural Act of 1949 and this conference report provide that the Secretary of Agriculture shall support the price of milk, butterfat, and the products of milk through loans on, or purchases of, milk and the products of milk and butterfat, and for the period ending March 31, 1956, surplus stocks of dairy products owned by the Commodity Credit Corporation may be disposed of by any methods determined necessary by the Secretary. Also, beginning September 1, 1954, and ending June 30, 1956, not to exceed $50 million annually of funds of the Commodity Credit Corporation shall be used to increase the consumption of fluid milk by children in nonprofit schools of high-school grade and under.

You will note that the Secretary has been given blanket authority to use any method devised by him to dispose of butter, cheese, and other dairy products owned by the Commodity Credit Corporation.

The reason that the Secretary was given blanket authority to dispose of Government stocks of dairy products was largely due to the failure of the Department to devise or put into operation any program whatsoever to dispose of Government stocks under authority of existing law. Beginning as early as February of this year, the Secretary announced that he would put a dynamic disposal program into operation and such announcements were frequently made until in May, when the Secretary advised the committee that he did not have any program. We were anxiously awaiting his plan and repeatedly requested him to submit his disposal plans to the House Committee on Agriculture. We also requested him to submit his recommendations for legislation to handle the dairy problem. He failed to do so. I want the Secretary to have full latitude in devising and putting into execution promptly a surplus disposal program for dairy products. There is a section in the conference report requiring him to undertake such a program under authority provided by existing law and in this conference report. I recommend all provisions of the dairy section of this report to the Secretary. I want to give him a chance; I want to give him authority for the next 18 months to dispose of Government stocks of butter, cheese, and milk powder. He knows, and I also believe, that if Government surplus dairy products are disposed of, it will go far in solving our complicated dairy problem.

Mr. O'HARA of Minnesota. Mr. Speaker, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield.

Mr. O'HARA of Minnesota. Would the gentleman agree the result of 75 percent of parity to the dairy farmer is going to guarantee less income to the dairy farmer and it is not going to mean even a 1 cent reduction in price to the consumer, and it is not going to dispose of these surpluses that we hear about all the time?

Mr. AUGUST H. ANDRESEN. There is only one exception to that, and that is in the price of butter. The price of butter was reduced about 8 cents a pound when supports were lowered from 90 percent to 75 percent. But on the other commodities, and on all of the price support commodities, the price to the consumer has not been reduced one iota even though the farmers are getting 15 percent or 25 percent less for their commodities. In the case of milk, in the milk marketing areas, the price of milk is going up instead of down, and the farmers are receiving less than they did a year ago for their milk. Dairy farmers living outside of the milk sheds are receiving as much as 25 percent under the price received a year ago.

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield.

Mr. JENSEN. Just how is the support price between 70 percent and 90 percent on dairy products and between 82½ percent and 90 percent on the six basic storable products going to be determined? Is there any yardstick that the Secretary must use in order to determine just at what percent of parity he is going to support these commodities?

Mr. AUGUST H. ANDRESEN. Of course, as the gentleman knows, that is in the parity formula where he is required to take all factors into consideration in determining the parity price and the support prices.

Mr. JENSEN. Will the gentleman yield further?

Mr. AUGUST H. ANDRESEN. If the gentleman will permit me to conclude my statement, I do not have much time remaining.

Mr. ROOSEVELT. Mr. Speaker, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I am sorry, I want to conclude this explanation, if the gentleman will permit me.

Here is one good thing that came into the bill. It has been complained that the farmers are producing too much milk. I will not go into the reasons why they are producing too much milk except to state that, in fact, it is largely on account of butter consumption. People are going to yellow-colored oleomargarine. You cannot get away from that. Yellow-colored oleomargarine has taken over about one-half of the butter market in the country so we have a surplus of butter. Here we are producing too much milk. We have provided here to dispose of surpluses. If the Secretary of Agriculture administers this conference report the way we have intended, he is going to materially aid the farmers of the country and dispose of surplus farm commodities in dairy products which we have.

In addition to using $100 million during the next 2 years for the purchases of milk for school lunches, we have also provided that Commodity Credit Corporation shall make available butter, cheese, and milk powder from Government stocks of dairy products for use by men in the armed services, the veterans, and military hospitals, over and above the amounts that are purchased in normal channels of trade. Under this report, the Secretary could also provide milk for these American citizens as well as to supply them with adequate amounts of butter and cheese. Most of the enlisted men in the Army have been fed oleomargarine instead of butter. These commodities are to be provided without cost, excepting the cost of packaging and transportation. I ask you why Government-owned stocks of dairy products, paid for by American taxpayers, should not be given to American citizens in our armed services and wounded veterans in hospitals?

As a further means of stabilizing the dairy industry and providing consumers with good milk from disease-free cows, the conference report contains a section providing for the acceleration of the brucellosis eradication of reactor cattle and authorizes the use of $15 million annually for the next 2 years as indemnities up to $50 per head when reactors are disposed of. Brucellosis reactors are mostly milch cows, and it is estimated that there are more than 1,500,000 reactors in the country which should be disposed of.

It is estimated that if the brucellosis program is promptly and efficiently administered between 800,000 and 900,000 reactors can be disposed of in the next 2 years. In my opinion, effective administration of this section will reduce milk production by approximately 3 billion pounds annually at the end of the 2-year period.

We have also directed that the Secretary of Agriculture and his staff give careful study to the various self-help and other programs presented to him and Congress by several dairy-industry groups. He is required to make a report to Congress by January 3, 1955, giving his opinion and recommendations for the enactment of legislation. The Secretary is also directed to present alternate proposals for the consideration of Congress and for possible submission to a referendum vote of dairy farmers.

I regret that time will not permit me to go into details on the various proposals which are contained in the conference report or to further discuss the dairy problem. It is very complicated and we need the best experienced minds in the country to solve it. Let me say in conclusion that there is no more important industry in this country than we find in the dairy industry. It is the largest section of our economy and the most vital. No branch of our economy contributes more to the general welfare than do the dairy farmers. Their purchasing power contributes much to business, manufacturing, and labor, and therefore, I again strongly urge the adoption of a policy that will encourage abundant production of milk and other dairy products to be sold to consumers at reasonable prices and assure a fair and adequate return to producers.

The SPEAKER pro tempore. The time of the gentleman from Minnesota has expired.

NO AID TO CONSUMER BUT PENALTY FOR PRODUCERS

Mr. KRUEGER. Mr. Speaker, for a long time there was a pretty stubborn bunch of legislators who stuck together when farm legislation came up. They were well united, but judging from the vote on the farm bill, they have been pretty well split up. They wavered in their support of high-parity legislation last week and now the farmer's economic situation is due to slip still further.

It seems strange that while all other segments of our population are getting more for their efforts, for their products, the farmer is being pushed still further down the ladder. He is caught in a real squeeze.

All the way along the income scale, workers have more money, better purchasing power than they did in 1948. The farmer is down two billions in net income in the past 2 years but his costs are still going up.

Much has been made of the terrific surpluses that have been piled up during recent years by the program that provided high loans for farm products. Sure the granaries are full and terminals are overflowing. There are millions of pounds of food stored away in reserve. That seems a terrible thing to those who feel that we must either have a war or a famine to keep our farm economy on a stable basis. The cost, something like $6 billion, is held up as a terrible waste of the taxpayers' money. But the same fellows who cry about this expenditure are the ones who would like to see us pour still more billions overseas in these foreign aid projects that have lost us allies instead of building strength against the Communists.

And now with the further reduction in farm income to follow the adoption of this whittled-down farm bill, the farmer is supposed to be pleased and happy.

The consumer will gain little for the farmer's share of the consumer dollar is mighty small. Too many profits have to be taken out by transportation, by labor, by distributors, by taxes before the consumer gets his share. They all get more and the farmer gets less. Flexible price supports will not mean anything to the householder in the matter of feeding a family, but they are going to mean a major upset to the farmer who supplies that food.

In January 1948 the average price for wheat was $2.81 per bushel. Bread was 13.8 cents for a pound loaf. Today the average market price of wheat is $1.91, but the price of bread has increased to 17 cents for the same loaf. Does it look as though a lower price for wheat is going to help the consumer?

Never before in history has the average hourly wage of the industrial worker bought as much food as today. In 1914, 1 hour's pay would buy 3.5 pounds of bread, 0.9 of a pound of round steak, 0.6 of a pound of butter. Today an hour's pay will buy 10.7 pounds of bread, 1.9 pounds of round steak, and 2.2 pounds of butter.

Everyone else is doing nicely but the farmer, and he gets it in the neck again.

Just recently Congress approved a measure that put up $45 million to help our shipowners put modern steamships into operation. This handout was on the theory that if war broke out we would have the shipping we need. But food has been one of our greatest weapons, and now we are doing our best to cut back our supplies because they are surplus and costing the taxpayers too much money.

We had our share of food rationing during the war. Only a few months ago the English saw the end of rationing in that country. Here some of our leaders are discouraged and depressed because we have too much. We want to keep the country strong, to maintain our resources, and yet Congress has to further reduce the income of our farmers in a hope that it will reduce production.

It all sort of sums up into the proposition that no one will particularly benefit. But we have those who are determined to get back on the track that a scarcity in food is a desirable thing. If we have to pour billions overseas to keep friends there, if we have to subsidize the newspapers and magazines, the shipowners, the railroads, and the airlines, then we should not be niggardly with the folks that produce our food, and we should be glad that they can produce so much. Thank God we have an abundance instead of a scarcity.

Mr. HOPE. Mr. Speaker, I yield to the gentleman from Wisconsin [Mr. BYRNES] such time as he may require.

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. BYRNES of Wisconsin. Mr. Speaker, anyone who is concerned over the problems facing the dairy farmer cannot help but be extremely disappointed in this conference report. The bill as it passed the House was a good bill. Nobody would contend that the dairy sections of that bill were perfect or that they provided the answers to all of the problems facing the dairy industry. On the other hand, they did provide the basic and needed authority for constructive action to assist this very sick industry and to put our dairy program on a sound basis. The Secretary of Agriculture has consistently excused his failure to take constructive action to alleviate the dairy problem by pleading lack of authority. He has tried to put the blame for his inaction or inappropriate action on the law and on Congress. When it became clear that this was going to be the attitude of the Secretary, I introduced bill H. R. 8687. The general objective of this bill was to give the Secretary ample authority for disposal of the large Government-held dairy stocks presently depressing the market, ample authority to avoid future accumulation of unmanageable stocks, and ample authority to provide a sound dairy price-support program. The House Agriculture Committee included the major provisions of this bill and other advisable dairy sections in reporting the bill that is now before us to the House. The House passed these provisions without change. As this bill comes to us from conference, most of these important provisions are missing. The dairy sections have been gutted. Under this bill in its present form we can expect the Secretary to continue to blame any failures in the support program upon a lack of authority in the law.

It is true the bill does give the Secretary much needed disposal authority, but that is only part of the job that needs to be done. By eliminating the authority and discretion of the Secretary to conduct other price-support operations in addition to purchases, the conferees have set the stage for continuing accumulation of surpluses. By eliminating the revised criteria for establishing the support level for dairy products, the bill continues the present unrealistic formula.

Mr. Speaker, I am not blaming our conferees. It is appreciated that they faced an unyielding group from the other body who have been encouraged in their position by the Secretary of Agriculture. I want to state quite frankly, however, that I cannot approve of the provisions of this conference report as they relate to the dairy program. I feel most sincerely that as the bill comes to us from conference it is woefully inadequate in providing the authority needed to meet not only the present but also the long-range needs of the dairy farmers and the dairy industry. I must vote against this conference report.

Mr. HOPE. Mr. Speaker, I yield such time as he may desire to the gentleman from Michigan [Mr. KNOX].

Mr. KNOX. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. KNOX. Mr. Speaker, I am opposed to the conference committee's report on the farm bill, as recommended by the conferees for the approval of the House of Representatives.

I can see no real justification for preferential treatment of the five basic commodities over the dairy industry.

I am convinced that the dairy farmers of the Nation would be willing to go along on the proposal of 75 percent to 90 percent of parity if the other five basic commodities were on the same level.

The great objection is, the dairy farmer must pay a higher parity price for the dairy rations to feed their cattle, and then find themselves selling dairy products at a much lower price range than those who produce the five basics, some of which are used as a base in the manufacture of dairy rations.

Further, at this time, I am unable to determine whether there will be a roll call on the conference committee report. If there is no roll call I want to be recorded as objecting to the conference committee report.

Mr. HOPE. Mr. Speaker, I yield such time as he may desire to the gentleman from Wisconsin [Mr. LAIRD].

Mr. LAIRD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. LAIRD. Mr. Speaker, I wish to pay my respects to the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN]. He has rendered great service to the dairy industry and has made a valiant fight for a sound dairy section in this agricultural legislation. I concur with him in the position he has taken and cannot accept the conference report on this legislation as it completely rejects several sound and needed provisions which the House approved in its dairy section.

The elimination of the permissive direct payment provision to plant or milk producers is, indeed, a real blow to any effective dairy disposal program. The elimination of the new criteria, which was to become effective April 1, 1955, and would have taken into consideration feed prices in determining the parity level for dairy products, is even a greater blow.

The dairy section of the new agricultural bill as it passed the House of Representatives was, indeed, a real improvement over the present law under which we have operated for 4 years. This new legislation provided that on September 1, 1954, to April 1, 1955, dairy products would be supported from a minimum of 80 percent of parity to a maximum of 90 percent of parity. Beginning on April 1, 1955, and continuing for 2 years, the Secretary of Agriculture would establish the dairy-support level not in excess of 90 percent of parity nor less than 75 percent of parity after taking into consideration:

First. The estimated supply of milk and dairy products for the marketing year;

Second. The estimated demand for milk and dairy products for the marketing year;

Third. The price level of feed crops which affect the cost of milk production;

Fourth. The estimated cost of producing, processing, and marketing milk and dairy products;

Fifth. The estimated returns to farmers from alternative crops and commodities; and

Sixth. Other economic conditions which affect the market supply and demand for milk and dairy products.

The importance of this criteria which was written into the legislation as it passed the House of Representatives cannot be overestimated. Under the present law the only criteria which the Secretary of Agriculture can use in announcing the support level for dairy products is the supply of milk and dairy products which are necessary for the marketing year. Under the Senate version of this bill, and the conference report we are now acting on, this same provision of the present law is reenacted.

In addition to this new criteria, provisions were made in the bill as it passed the House for:

First. Authority for the Secretary of Agriculture to use the widest possible

authority to develop domestic and foreign disposal programs for existing and future Government stocks of dairy products. This authority included direct payments to plants or milk producers as a means of price support in an effort to move dairy products into consumption rather than into storage. These payments could be used to make up the difference between the price paid in the market place and the support level.

Second. Authority for the Commodity Credit Corporation to use up to $50 million annually, to make reimbursement payments to schools for a 2-year period so that they may serve more milk to children at reduced prices. This was in addition to the provisions of the Agricultural Appropriations Act of 1955 which provides for the use of section 32 funds—tariff receipts—for butter and cheese in the school-lunch program.

Third. Provided authority for the Defense Department and Veterans' Administration to secure from the Commodity Credit Corporation surplus stocks of dairy products over and above their normal purchases through the usual market channels. My amendment provided that these executive agencies must report monthly to the Congress the amounts of milk, cheese, and butter that have actually been used under this directive from the Congress.

Fourth. The bill provided that up to $15 million of Commodity Credit Corporation funds may be used annually for a 2-year period for an augmented and accelerated brucellosis campaign through an expanded dairy-culling program which the industry is expected to push vigorously. These funds would be used to increase the Federal indemnity payments from $9 for grades and $18 for purebreds to $25 and $50 respectively in addition to the funds which are presently being paid in indemnity programs by the several States.

Fifth. The Secretary of Agriculture was directed to study the suggested self-help dairy plans and to report on January 3, 1955, to the Congress on these proposals.

The Senate eliminated the payment provisions and rejected the new criteria. The Senate let the dairy industry down by this action.

I urge the membership of the House to recommit this bill to the conference committee with instructions to the conferees that they not recede from the position as originally expressed by the House. I cannot vote for this conference report unless it is amended to include the House provisions.

Mr. HOPE. Mr. Speaker, I yield to the gentleman from California [Mr. JOHNSON].

Mr. JOHNSON of California. Mr. Speaker, I ask unanimous consent that the committee may have until midnight tonight to file a conference report on the bill H. R. 9924.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. HOPE. Mr. Speaker, I yield such time as he may desire to the gentleman from Wisconsin [Mr. DAVIS].

Mr. DAVIS of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. DAVIS of Wisconsin. Mr. Speaker, this conference report puts those of us who come from the great dairy area of the Nation in a most difficult position.

On the one hand, we have seen the dairy provisions inserted by the House when this measure was before us, very largely eliminated in the conference with the other body. This in no way detracts from the efforts which I know the House conferees made to retain them. This is particularly true of our friend from Minnesota [Mr. AUGUST H. ANDRESEN] who labored mightily in the cause of the Nation's dairymen.

On the other hand, there are a great many favorable provisions in this conference report from the standpoint of agriculture generally and the interests of the country as a whole.

If the parliamentary situation at the time will permit, I hope it will be possible to return this measure to the conference committee, in the hope that our conferees, backed up by a mandate from the House, will be able to prevail on the Senate conferees to restore several of the key dairy provisions of the House bill. If that effort fails, then I shall deem it my responsibility to vote for the conference report, because certainly the enactment of this measure, as it now stands, is better than no legislation at all in this important field.

I am not happy with the situation as it now exists. I want to express my appreciation to those who have stood on our side in this struggle on behalf of Wisconsin's dairymen. I regret that we have been so outnumbered for the present.

I am hopeful that in the next session a thorough study of this complex problem will be made.

Dairymen cannot continue as dependents of Federal Government. A workable self-help plan must be developed and put into operation. I am satisfied that the plan submitted by my distinguished constituent, Bill Knox, editor of Hoard's Dairymen—incidentally, Bill is the son of our Michigan colleague, VICTOR KNOX—is the best suggestion made thus far. I trust the Secretary of Agriculture and the Agriculture Committee will give the proposal careful, thorough study as a prelude to implementing legislation next year.

Mr. HOPE. Mr. Speaker, I yield 7 minutes to the gentleman from Texas [Mr. POAGE].

Mr. WIER. Mr. Speaker, will the gentleman yield?

Mr. POAGE. I yield.

Mr. WIER. Mr. Speaker, I want to associate myself with my colleagues from Minnesota on both sides of the aisle regarding the fate of the rigid price supports for the dairy farmers. I am keenly disappointed at what has happened. I know it will have a disastrous effect on the economy of the State of Minnesota. I still hope to express my position of being for the 90 percent on all dairy products.

Mr. POAGE. Mr. Speaker, I believe the exhibition we have had of unanimity on the part of the House conferees should be an inspiration to the agricultural people of the United States. These conferees, regardless of political affiliations have done their best for agriculture. I want to express my appreciation of the work and the cooperation of everyone of my colleagues on the conference committee.

For the last 18 months we have had a tragic exhibition of trying to divide the people of the United States into segments; of trying to array consumers against producers. This effort has, unfortunately, been accompanied by considerable success. The Secretary of Agriculture has met with wonderful success in leading the consumers to believe that the people who feed and clothe them are their mortal enemies. That is not true, but the Secretary has convinced a lot of people that it is a fact. He has likewise been quite successful in arraying the various segments of agriculture, one against the other.

I can recall for many years when most of us in this body believed, as I believe today, that the welfare of America, that our national prosperity, depends upon maintaining a solvent agriculture. I can recall when all of those engaged in agriculture recognized the truism of the fact that each segment of agriculture is dependent upon all the other segments. Most of our people for a great many years recognized that you could not be prosperous in the growing of corn if the people who were feeding that corn to their hogs and cattle were not prosperous. Most of us recognized that cotton farmers could not long remain prosperous if the wheat farmers were not prosperous. Most of us recognized that agriculture was an integrated undertaking in which everybody in America was interested, and we worked in that way to build a sound and solvent America.

For nearly 20 years we have had the most prosperous agriculture that the world has ever known. I want to repeat that: We have had the most prosperous agriculture not only that America has ever known but the most prosperous agriculture that any nation in the history of the world has ever known. Oh, yes, way back there in the days of the Pharaohs the man who produced the food and the fiber for the people lived a hard life, and so it had been in every country in every age. It was not until Franklin D. Roosevelt became President of the United States that the farmer thought he had a right to share in the good things of life. It was only then that he became a real partner in the economic life of America.

Now in 18 short months all that has vanished; that hard-won approach to parity has crumbled under the hand of a Secretary of Agriculture who frankly advocates lower farm prices—and I must reluctantly say that in this he has been supported by the President of the United States, who has apparently changed his views since he went over this country and told the American people that

he was not only for 90 percent of parity but for full parity, with a guarantee of 90 percent of parity. Remember what he said at Brookings, S. Dak.? Something has caused the President to change his views since that speech. I suppose it has been the persuasive power of his Secretary of Agriculture, who, so far as I know, has always advocated low support prices. Again, the Secretary has been quite successful. The farm income of this Nation has sunk, sunk, ever since he took office; it has steadily gone down to lower levels, down on the critical level; and if it goes much farther, you and I know that all the rest of the American economy is going with it.

So now we are faced with the question: Are you going to make any effort to try to raise that income to where it is adequate? Or to even try to hold it where it is?

I want to call your attention to the fact that we are again trying to effect a holding operation. Back in 1948 I think it was, we had a Republican Congress. At that time the present chairman of the Committee on Agriculture in the Senate occupied his present position. His philosophy was enacted into law, and since he had a firm majority his bill provided then a support of only 60 to 90 percent. We were only able to delay the effective date of the bill. The next year another party was in control of the destinies of the Government, but unfortunately by that time we had a distinguished Democratic member of another body who subscribed to at least a portion of that poisonous "aching" philosophy which filled that bill at that time. They brought out a new bill which provided 75 to 90 percent of parity. Again we postponed the effective date. From that day down to this moment we have been fighting a retreating battle trying to postpone, trying to put off the effective date of that program. One year we failed, but at that time we had a man who was Secretary of Agriculture who wanted to help the farmers and who did help the farmers, and who kept the price of the basic commodities with the exception of peanuts up to 90 percent of parity.

Since that time we have had to make the fight each year or each 2 years. We have repeatedly postponed, but we have never been able to repeal this "aching" bill. Now our bones are aching; now we are trying once more to postpone the full effect of that attack on our farm income. In voting for the conference report which is now before the House it means that we are still trying to hide away or forget about some of the "aching" provisions. This conference report is going to give us 90 percent support on cotton, so the Secretary of Agriculture has promised us; it is going to give us 87 percent of parity on peanuts. It is not going to give us what the President promised at Brookings, but for 1 more year, at least, it is going to give us something better than the Aiken philosophy.

I believe in taking all the support I can get for the producers of basic commodities, who, in good faith, have reduced their production; and this is our only chance to get anything more than 82½ percent of parity. This bill is only a temporary measure. It is based on an utterly unsound and absurd idea that we can assume that 4 million bales of cotton and 500 million bushels of wheat do not exist—but Secretary Benson has seriously stated to our committee on at least 2 occasions that if we will let him play these children's games he will support our basic crops for 1 more year. The only alternative is to accept the 75-percent supports of the Aiken bill. Much as I would like to express my personal contempt for this kind of sleight-of-hand dealing, I cannot in good conscience deny the little farmer of central Texas the money which may pay for his children's shoes this winter. I cannot burden the American taxpayer with the losses which my former chairman, the distinguished gentleman from North Carolina, described. I cannot take the chance of inviting a nationwide depression.

Nor would I suggest that we should give up the very considerable gains for the dairy industry which the gentleman from Minnesota has described. It is true that I voted, as did a majority of the Members of this body, for substantially greater supports for dairy producers, but again this bill contains some very helpful provisions. If we reject them as inadequate, and I think they are, we can get nothing in their stead. I do not propose to trade something for nothing.

The bill does contain a very effective provision for the support of the wool industry. True, it is the Brannan plan, which many of you rejected a few years ago, but it will undoubtedly put new life in a very sick segment of agriculture. The wool section of the report also makes just provision for similar treatment for mohair. Although the President sent a personal letter to the conferees asking that the support of mohair be eliminated, I had the unwavering support of our conferees and was able to save this provision with only a minor concession. This will mean much to the sheep and goat regions of southwest Texas. It is one more reason why I prefer to vote for this report and to hope with HOPE, than to vote this down and to ache with AIKEN.

Mr. JONES of Missouri. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. JONES of Missouri. Mr. Speaker, while, of course, this bill as represented by the conference report, does not reflect my thinking, I want to compliment the members of the conference committee, particularly those representing the House on the fine job which they have done in compromising the differences between the two bodies.

Nothing could be done to raise the level of supports, since both the House—in spite of my opposition—and the Senate agreed to a slippery sliding scale of from 82½ to 90 percent of parity.

I think it is significant that the conferees have retained an amendment adopted in the Senate which provides that—

> Nothing * * * shall be construed to authorize the Secretary of Agriculture to impose any limitations upon the number of terms for which members of county committees * * * may be reelected.

On the basis of the adoption of this amendment by the Senate and the likelihood that the House would concur in this amendment I suggested to the Secretary of Agriculture on August 12 that he would be justified in postponing the county elections which were to have been held in Missouri on August 14. When I received no reply to that telegram, I wired the chairman of the State ASC Committee in Missouri calling his attention to the action which had been taken in the Senate and suggesting that this action would be confirmed by the House, requested that the elections in Missouri be postponed. I understand the elections have been postponed and I suppose that the Secretary's office will advise the farmers in Missouri that the limitations on the number of terms which members of county committees can serve, has been removed.

The telegram sent by my colleague Mr. CANNON and myself to the Secretary of Agriculture on August 12, and the telegram sent by myself to Mr. Murray Colbert, chairman of the State ACS committee at Columbia on August 13, follow:

> The Honorable EZRA TAFT BENSON,
> *Secretary of Agriculture,*
> *Washington, D. C.:*
>
> Whereas the Senate through adoption of amendment has voiced its opposition to limiting terms of members of county ASC committees and whereas House conferees are likely to accept this amendment, we respectfully suggest Secretary of Agriculture would be acting in conformity with precedents in postponing county elections called for August 14 until Secretary regulations could be brought into conformity with congressional action. Contemplated action of your Department in withholding filing of suits based upon action of House Committee of Agriculture in reporting H. R. 6878 which everyone knows will not be acted upon at this session offers comparable precedent in rescinding regulations restricting terms of county committee members.
>
> PAUL C. JONES,
> *Member of Congress.*
> CLARENCE CANNON,
> *Member of Congress.*

> Mr. MURRAY COLBERT,
> *Chairman, Agricultural Stabilization and Conservation Committee,*
> *Columbia, Mo.:*
>
> Respectfully suggest that in view of Senate action in adopting amendment removing limitation on number of terms for which members of county committees may be reelected and likelihood that House conferees will accept this amendment, that your committee is justified in postponing all county elections scheduled for August 14, pending final decision of Congress. To prevent reelection of some of most competent experienced officials of your organization in face of action already taken by Congress will be in effect imposing a dictatorship on the farmers of Missouri. Other States where elections are being held at later date will not be hampered by arbitrary regulation promulgated by Secretary of Agriculture without consultation with either congressional or farm leaders. You have the power to fix dates for this election and also have power to change dates of such election.
>
> PAUL C. JONES,
> *Member of Congress.*

I think the Secretary of Agriculture should take a cue from this action of

Congress in stripping him of the arbitrary authority which he had assumed. The Secretary should not need to be reminded that ours is a government of laws, and not men. In promulgating his orders and regulations he should be guided by the intent of Congress in passing laws affecting agriculture and farmers of America. He should not have to be embarrassed by having his hand called when he tried to impose on the farmers of this great Nation regulations which remind one of those of a dictator. The Secretary of Agriculture should not need to be reminded that he, too, like Members of Congress, is a servant of the people, and his responsibility is the administering of laws and programs enacted by Congress.

Mr. Speaker, I feel that a letter which I received only this week from a farmer living in the Tenth Congressional District of Missouri contains some very fine advice which the Secretary should take to heart. Since the Secretary does not answer letters written by Members of Congress, I am not taking the time to direct this to his attention in a personal letter, but I do know that someone in the Department of Agriculture will call it to his attention and in all probability it will appear in the Daily Congressional Digest circulated within the Department of Agriculture.

Here is the letter referred to above, from Mr. J. I. Burlison, a successful farmer of near Wardell, in Pemiscot County, Mo.:

WARDELL, MO., *August 13, 1954.*

Congressman PAUL C. JONES,
Washington, D. C.

DEAR CONGRESSMAN: I will write you a few lines to let you know how we are getting along here in Pemiscot County. We are needing rain very badly. The farmers in this section of southeast Missouri are dissatisfied with the way the Agricultural Department had the committee election held to elect the township committeemen. We have been told in the past that this was a farm program administered by the farmers. This year the Agricultural Department brought the farm extension agent, the soil-conservation supervisor, the farm home administrator, and the president of the Farm Bureau to make up a county election board. We farmers do not believe that those Government-paid officials and the Farm Bureau has any business running the farmers' election and we want to enter a protest.

The farmers in our section are dissatisfied with the flexible-price support program, but we feel like that if it hadn't been for the help of people like you that the program would have been a lot worse than it is. We appreciate the effort you made in our behalf.

Yours very truly,

J. I. BURLISON,
Burlison Farms.

It is unfortunate, Mr. Speaker, that the Committees on Agriculture in drafting legislation dealing with the agricultural program, which affects the lives of millions of farm families, is faced with the necessity of spelling out every little detail of the law to insure that it will be carried out as Congress intended.

I would remind other Members of Congress, Mr. Speaker, that within the past several weeks, the Secretary of Agriculture has announced that under the existing law he has authority to restrict the use of diverted acres to an extent that had not heretofore been contemplated by any Secretary of Agriculture. It is known that at the present time the Secretary of Agriculture is working on new regulations governing the use of these diverted acres. If the Secretary should by any stretch of the imagination go as far as he has announced he can go, and should he attempt to exercise the full extent of the authority which he contends that he has, he will bring not only unwarranted suffering to millions of farmers in America but will throw many into bankruptcy.

With other Members of Congress I have discussed some of these problems with representatives of the Department of Agriculture, and only today, Mr. Speaker, I was at the Department of Agriculture with the gentlemen from Mississippi [Mr. WHITTEN, Mr. ABERNETHY, and Mr. SMITH], and the gentleman from Arkansas [Mr. GATHINGS] conferring with those officials who have been assigned the important task of formulating regulations which will soften the impact of the Secretary's originally announced intentions. I am happy to report, Mr. Speaker, that our delegation received a courteous reception and I am inclined to believe that the committee with which we discussed our problems will give sympathetic consideration thereto. If, however, it develops that our farmers are confronted with unrealistic or unbearable regulations with which it is impossible to live, Congress will, when it reconvenes in January, have to make such corrections as are necessary.

Particularly would I impress the Secretary of Agriculture with the desirability, if not the necessity of making any changes gradual in order that our farmers can make a smooth transition into the new changes.

The concern of the farmers of southeast Missouri is reflected in the following telegram from Mr. George U. Shelby, one of my farmer friends in Mississippi County, Mo., who points out some of the hardships facing our people if drastic regulations are put into effect. While the problems will not be the same in each area, I think the Secretary of Agriculture must be realistic enough in his approach to recognize the problems of the different areas, and to permit enough flexibility in the administration of the regulations, and particularly to permit a practical administration by local committees who are familiar with local problems. Mr. Shelby's telegram follows:

CHARLESTON, MO.

Hon. PAUL C. JONES,
House Office Building:

Farmers in southeast Missouri caught in acreage allotment squeeze on corn, cotton, and wheat.

Though actually in neither belt and further menaced by successive droughts ask your assistance in urging Department of Agriculture establish minimum quota of 25 percent of cultivated acres on each of these crops on farms where such crops are normally grown. Our hopes for future lie in ability to diversify with equitable quotas allowed on principal cash crops if we are to survive. The 25 percent formula would cause negligible change in crop production nationally. Your help appreciated.

GEORGE U. SHELBY.

Mr. Speaker, in voting to approve this conference report, I am expressing my preference for the lesser of 2 evils, and I am accepting the higher level of 2 sliding-scale formulas, because I believe the conferees have done the best job possible with the material they had to work with, and nothing would be accomplished either by rejecting the report or sending the bill back to conference.

Mr. HILL. Mr. Speaker, I ask unanimous consent that the gentleman from Montana (Mr. D'EWART) may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. D'EWART. Mr. Speaker, I wish to register the strongest possible objection to the treatment that has been accorded the woolgrowers of the United States by the committee of conference on the agricultural bill.

The postponement of the effective date of this program until next April is without justification. It is not a part of the legislation passed by either House, it is entirely new, and I do not believe it could stand up against a point of order. The possibility that further conference would defeat this entire legislation restrains the friends of the wool industry from making that point of order.

The wool program is good legislation. It is justified because we have to maintain a sound and prosperous wool industry in this country. It is justified now—not a year from now. The postponement of the effective date may cost woolgrowers as much as $25 million on this year's crop, 10 to 12 cents per pound at the ranch, and that may well be the difference between survival and disaster for thousands of small ranchers who have been hanging on in anticipation of the support offered in the Benson wool program.

I cannot find any justification for the action of the conferees. The limitation on parity and the 4-year limit on the program are also entirely unnecessary and unduly restrictive.

Mr. COOLEY. Mr. Speaker, I ask unanimous consent that all Members may have the privilege of extending their remarks at this point in the RECORD on the subject now under discussion.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. VORYS. Mr. Speaker, I am supporting this farm bill because it marks a turning point, I hope, in the philosophy and practice of farm legislation that has brought American agriculture to its present precarious state. We have been operating too long on the basis of rigid agricultural price supports so high that they result in price fixing above world market prices with the result that we must have acreage controls, and must subsidize our exportable surplus, or let it rot.

The claimed costs of our farm programs made by advocates during this debate have been fantastically low. Here are the costs as I obtained them from the hearings, pages 41 to 44, on increasing the borrowing authority of the

Commodity Credit Corporation last March.

Here is the heading of the table:

REALIZED COST OF AGRICULTURAL AND RELATED PROGRAMS, BY FUNCTION AND PURPOSE, FISCAL YEARS 1932–53

For activities financed from appropriated funds the expenditures less receipts arising from the activities so financed—

Note that the cost is not $1.3 billion but $37,380,700,000. Here are the items in this total:

For stabilization of prices and farm income	$7,510,400,000
Conservation programs	4,589,100,000
Credit and related programs	1,756,300,000
Research and education	1,189,700,000
School lunches, marketing services, etc	1,531,300,000
Wartime defense and special	344,200,000
Total of above items	16,921,000,000
Consumer subsidies	4,245,000,000
Agricultural commodities for foreign-aid programs	16,214,700,000
Grand total	37,380,700,000

Mr. Speaker, note that over $16 billion have gone for agricultural commodities for foreign-aid programs. Postwar foreign aid alone accounted for $8,530,100,000 of this. Now this foreign aid did a great deal of good in our foreign policy; but it was, among other things, a bonanza for our farmers, an effective $16 billion subsidy to our agriculture, getting rid of crops they did not have to sell. The big crops are all export crops. Wool and sugar are special problems because they are net import crops. There may be other crops requiring special handling. But about 40 million acres in our country raise crops for export.

We are cutting down on foreign aid. That kind of indirect subsidy for agriculture is winding up. We have Members who are advocating a new kind of agricultural export subsidy, by a two-price system for farm exports. I hope that our farm experts here on the floor will devote their efforts to programs that will not always involve gigantic Federal subsidies and Federal controls for agriculture.

We need basic protective laws for labor, commerce, industry, and agriculture, and I will support such laws, but I hope we will get around to agricultural programs that cost the taxpayer-consumer less, and that give the farmer more freedom and more money.

Mr. METCALF. Mr. Speaker, I wish at this time to compliment the members of the conference committee who deleted the grazing bill rider from the Agricultural Act of 1954.

Legislation affecting the public interest in the administration of more than 200 million acres of national forest and Bankhead-Jones lands is far too important to be slipped through as a rider on nongermane legislation.

All concerned realize that such legislation should stand on its merits, if such there be, and should be considered completely in both Houses of Congress.

I am glad that members of the conference committee in their wisdom dropped this section from the farm bill.

Mrs. PFOST. Mr. Speaker, I wish the people of Idaho could sit in the House gallery for this debate on the new farm bill. Its full implications should be known to farmers, businessmen, and consumers alike.

What I have to say, therefore, is directed not only to Members of the House, but to the people I represent in Congress as well. I believe these people are entitled to all of the facts—and that it is my responsibility to get the facts to them.

COSTS OF SLIDING SCALE WILL BE HUGE

The Government will lose many times more putting farmers on 75 percent to 90 percent of parity sliding scale price supports than it has cost to support the 6 basic crops for 21 years.

It will not reduce surpluses.

It will not aid consumers.

It will bankrupt thousands of farmers and deflate our whole economy.

Under the administration farm act, we have an 82½ percent to 90 percent sliding scale on 1955 crops and 75 percent to 90 percent of parity sliding scale thereafter.

It has cost the Government only $53.1 million to support corn, wheat, rice, peanuts, cotton, and tobacco over the last 21 years.

In the changeover to sliding scale, the Government will have to devalue its stocks on hand to the new levels, taking huge losses.

DAIRY PRODUCTS

Last April 1 when Secretary Benson dropped dairy price supports from 90 percent to 75 percent of parity, there was 364 million pounds of butter, 483 million pounds of cheese, and 598 million pounds of dried milk in Commodity Credit Corporation stocks. This was devalued $67,700,000 by the Secretary's price support reduction. Actually Secretary Benson subsequently sold nearly 500 million pounds of the dried milk for feed at a loss of an additional $40 million.

WHEAT

The Government has 878,620,000 bushels of wheat to be devalued. The Federal loss will be $390,241,000 when the full slide from 90-percent to 75-percent parity value has been taken. That does not include $326,400,000 loss to farmers themselves.

CORN

The Government holds 803,617,000 bushels of corn. It would lose $232,447,000 on a 90 percent to 75 percent of parity devaluation. Farmers stand to lose $794 million on a year's crop.

COTTON

A 90 percent to 75 percent of parity devaluation of cotton would amount to $23.50 per bale or $169,905,000 on the Government's holdings of 7,230,000 bales. It would mean a $451,580,000 loss to farmers if applied to the current cotton crop.

PEANUTS AND RICE

On rice the Government would lose $1,215,000, and on peanuts $3,517,000 devaluing its holdings. Farmers would lose $46,052,000 and $44,837,000, respectively, on a year's crop.

CHANGEOVER LOSS TOTALS HUGE

The loss to the Government alone on these 5 basics could total $793,325,000, or nearly 16 times our 21-year losses in supporting the price of the basic commodities.

SOME TRUE COST FIGURES

There has been so much distortion of the cost of price supports that the Republicans and Democrats in the House Agriculture Committee ordered a special study of the actual costs. Here is what the gains and losses on the 6 basics have been between October 17, 1933, and November 30, 1953—21 years:

[In millions of dollars]

	Gains
Cotton, upland	$237.9
Tobacco	1.7
Total gains	239.6
	Losses
Wheat	104.2
Corn	87.6
Peanuts	99.4
Rice	1.5
Total losses	292.7
Net losses	53.1

Looking at the overall cost of price supports through their whole history, we find that nearly 90 percent of losses have been on 4 items—dairy products, potatoes, eggs, and wool. Here is what all price supports have cost, with these items taken out:

Grand total losses	$1,374,825,203
Losses on:	
Potatoes	478,134,189
Dairy products (butter, cheese, and milk)	203,096,107
Eggs	189,621,226
Wool	92,156,532
Total of 4 items	963,008,054
Reduced loss	411,817,149
Less profits on sugar program	309,000,000
Total reduced loss on price-support programs, basics and nonbasics	102,817,149

BUSINESS GETS BIGGER SUBSIDIES

Much bigger subsidies are appropriated to business every year than to agriculture. The 1955 budget contains $609 million for business and only $549 million for all agricultural aids. The business subsidy is actually bigger, for the figure above assumed a postal-rate increase not actually made.

Newspapers and magazines get a subsidy, through below-cost postal rates, amounting to more than $300 million per year or—six times more in a single year than farm price supports have cost in 21 years.

Life magazine—a single publication—got a postal subsidy of $2,150,000 in the last quarter of 1952. That means more than $8 million per year, compared to an average annual cost of $2½ million for farm price supports in 21 years. The one magazine gets 3 times as much subsidy as all of the farmers of the Nation.

From 1949 through 1955, appropriated subsidies to business total $5.8 billion.

All agricultural aids have totaled $2.1 billion less in this period.

If the Government lost several billion dollars helping farmers adjust from high wartime production to peacetime levels, it would still be comparatively tiny—but as we all know, such expenditures are not being made.

We have paid out for business reconversion from war, including accelerated tax amortization, $49,787,864,000.

FOOD STOCKPILES ARE SMALL

Food helps to win wars. Our stockpiles were an enormous asset in World War II.

What is the real size of our food stocks now, compared to other defense materials? The bipartisan House Agriculture Committee supplies us with these figures:

Federal investment in—	
Military material	$129,000,000,000
National stockpile of minerals, etc	5,700,000,000
Food and fiber (CCC inventory)	2,687,103,365

Despite these supplies, a drought could wipe out our food surpluses in 2 years. A great war would clean out surpluses even faster.

Neither drought nor war is a certainty, but both threaten the Nation today.

WHO BENEFITS FROM THE FARMERS' LOSSES AND DISTRESS?

Consumers will not benefit from destroying the farmers' firm price supports.

Farm prices have come down 20 points since their peak in 1951.

Food prices are not off 1 percent from their peak.

The bipartisan House Agriculture Committee tells us in its study, Farm Prices and the Cost of Food:

Farm prices advanced 29 percent between 1946 and their peak in 1951, 5 years later. The advance in food prices was even greater (45 percent) between 1946 and their postwar peak in 1953.

Since 1951, peak prices received by farmers have fallen 20 points or almost back to their 1946 level. In contrast, retail food prices now hold within a fraction (of 1 percent) of their 1952 peak.

In June 1954, farm prices declined 4 percent; retail food prices advanced 0.5 percent.

Thus far, almost none of the lower prices received by farmers since 1951 has been passed on to consumers in the form of lower retail food prices.

Further declines in farm prices are expected as more livestock and livestock products come to market and price-support levels are lowered. Consumers can expect little benefit, however, from these lower farm prices unless recent tendencies to increase marketing and processing charges are curbed.

The bipartisan study shows distributors have gobbled all the farmers have lost. Distributors who once got 46 cents out of every retail food dollar now take 58 cents. The farmers' share has dropped from 54 cents in 1945 to 42 cents in June 1954.

There is only 2¼ cents' worth of wheat in a 17-cent loaf of bread. There is only 30 cents' worth of cotton in a $3.95 shirt. If these tiny items are reduced 10 or 15 percent by lowering price supports, the amount per shirt or loaf of bread will be so small the processors will again swallow it up.

Consumers will not gain a penny from the farmers' losses.

WHAT'S BEHIND THE DRIVE TO DEFLATE THE FARMERS?

Farmers will be hurt.

Consumers will not benefit.

Only the processors and distributors stand to profit.

And it is an interesting fact that processors and distributors have placed more people in the Department of Agriculture under Secretary Benson in the last 2 years than in all the Democratic administrations preceding him for 20 years.

Deflating farmers will hurt all of us except the administration's favored business friends—those who farm—the farmers.

Mr. HAGEN of Minnesota. Mr. Speaker, as it has been said here today there may be some good features in this farm bill. However, the fundamental and basic features are bad and completely wrong. However, it will be approved. So there is a big job ahead of us and we must continue our efforts to get at least 90 percent of parity as a basic program for our main farm crops and produce.

This measure will result in a reduced general level of farm income. Because of this basic fact and truth, as time will prove me to be right, I will never agree to such a compromise as this. This bill means that the dairy industry of our country will get 75 percent of parity supports.

The bill provides for basic supports of 82½ percent to 90 percent of parity on basic crops next year. This means, of course, that these crops will generally be supported at lower levels.

In my opinion anything less than 90-percent parity will be disastrous to the American farmers and furthermore, it will be detrimental to all of America. A farm income based on less than 90 percent of parity will eventually, if not in the immediate future, bring more unemployment, more people on relief, more distress, less business for all and especially poor business for the small-town merchants of our country. The main sufferer and the unhappy victim of this drastic new program will be the farmer himself and the members of his family.

With time so limited, according to the rules, to discuss this important farm bill, I can only ask to extend my remarks, and to say I will stand up and oppose the passage of this so-called farm bill.

Mr. O'HARA of Minnesota. Mr. Speaker, I certainly would like to express my appreciation for the tremendous amount of work which the Committee on Agriculture has done on this very complex and very difficult problem dealing with farm legislation.

I do not think there is any one problem of the many problems that have faced us in the last year to which I personally have given more thought and consideration. I confess at this hour it is still a very difficult problem.

Last fall I announced to people who asked me, privately or publicly, that I felt that this was a time when we should continue our present farm program for at least 1 year. I realize there are those who differ in that view, some of them farmers in my own district, but I think that economically the farmer has been in a very, very difficult squeeze.

I am supporting this bill and the great Committee on Agriculture in the position they have taken. I think to do otherwise would not be right.

It is unfortunate, in the consideration of this bill, that over the past months a concerted drive has been on in this country to line up the consumer against the farmer. That does not work either for the welfare of our country or our economy.

Agriculture is the Nation's basic industry and the prosperity of the entire country depends upon the prosperity of the farmer and the dairyman. Some people may say that other segments of our economy are just as important as agriculture; there may be some justification for their position. However, when the Lord made man and placed him on the earth He provided food for him, and man consumed that food so that he could work. Whether it is the worker in the machine shop or the factory, or the miner in the bowels of the earth, he could not survive nor perform his labors without food.

Whether in war or in peace, one of the first important considerations which must be given by the military is what food do we have for our troops, and it matters not that our Armed Forces are on the land, in the air, on the sea, or under the sea. Food must be available for them in order that they may survive and accomplish whatever their mission may be. That is why agriculture is so different from other segments of our economy.

FARM INCOME

The net farm income has declined over the past 3 years. It has declined some 13 percent in the last 2 years and some 25 percent since 1947. At the same time other segments of our economy have reached new heights as far as net income is concerned. In other words, the farmer has been confronted with getting less in the market place for what he has to sell and has been compelled to pay more and more for that which he has to buy.

Unfortunately, many people fail to understand that whenever the farmer's income declines, his purchasing power declines, and it is felt by business and industry all over the country—and almost immediately. It must not be forgotten that an equitable price for farm products is absolutely essential if we are to generate income which will maintain employment and prosperity. It stands to reason that when the farmer's income diminishes he will purchase less consumer goods. In fact, he is likely to buy only those things which he actually needs to carry on his farm operations and to support his family.

In my particular section of the country, the very minute farm income declines it is felt in every store on Main Street. It is felt in the stockyards in South St. Paul—the second largest stockyards in the country, and it is reflected in other markets all over the country.

A little over a year ago I happened to be visiting with a couple of banker

friends in my district. They came from different parts of my district but both were from excellent farming communities with heavy dairy production, comparing with any of the mixed production that we have in southern Minnesota. Without mentioning any names or disclosing any confidences, I can relate this incident. I asked, "What would you estimate has been the drop in deposits of your farm depositors for the last 2 years?" That would be 3 years now altogether. They said very frankly, both of them, that they felt that the deposits of their farm depositors had dropped at least 25 percent.

COST-PRICE SQUEEZE

The farmer is in a unique position in our economy. He has nothing to say about the cost of things he has to buy. Someone else always sets the price for his tractor, plow, or combine, his car and his wearing apparel. Oftentimes someone else fixes the wages that he is required to pay his hired help because the wages of his hired man is usually fixed by competition of high wages in the city. Someone else fixes the farmer's taxes, determines the cost of his insurance and the cost of his transportation. Someone else tells him what he has to pay for his cattle and other livestock which is not raised on the farm. In short, the farmer usually pays what the seller demands.

On the other side of the picture, the farmer has very little, if anything, to say about the price of the things he has to sell. When he takes his cattle to the livestock market at South St. Paul, or to some other market, he takes what the buyers offer him. If he does not like the price, his alternative is to take his cattle back to the farm. The same is true of his milk and the eggs which the housewife sells. The farmer is confronted with the fact that when his cattle or hogs are ready for market he must sell them. The same is true of his milk. His milk and cream must be sold fresh. In other words, the farmer must sell as the products of the farm are produced.

When the farmer hauls his grain to the country elevator he takes what the operator of that elevator offers him. If he does not like the price, he has the privilege of taking the grain back to the farm. Generally speaking, he does not have the opportunity of selecting the best time nor the best market for the things he has to sell.

THE FARMER AND THE CONSUMER

Consumers of the country have the impression that the farmer is responsible for the high cost of food and no one is doing much to dispel that idea. I would like to point out that food is the biggest bargain of the year 1954. Fewer hours of work buy more food now, and better food, than ever before. The world should know, and certainly the consumer should be advised, that out of each dollar the consumer receives as his income, only 26 cents is used for food. The other 74 cents can be used for other things. Of the $1 the consumer spends for food farmers get only 45 cents. Thus, less than 12 percent of consumer income reaches the farmer.

If farmers gave away their wheat the price of bread would only fall less than 3 cents a loaf. Not only do consumers now get more food for an hour's wage but they get more convenience, wider selections, and better quality. The consumer has a wide selection of farm products. He can buy breasts of chicken or he can buy only chicken legs or livers. He can select his vegetables and meats wrapped in individual transparent packages. He can buy his milk in paper cartons with no bottles to return. Few farmers, however, get any of the money that these extra services cost.

Only a part of the food sold over the grocery counter comes from supported farm crops. Much publicity is given to farm subsidies. Some people like to magnify the situation and take great delight in giving misleading information to the country about the cost of our farm programs. Farmers are by no means the only group who have received Federal support at taxpayers' expense. Let us not forget the subsidies to business, the railroads, the airlines, the shipping industry, and the subsidy granted to labor by providing a minimum wage.

Consumers can depend on it that their jobs will disappear if farm returns for foodstuffs fall to nonprofit levels. Agriculture's purchasing power creates high employment as sure as general prosperity helps agricultural sales.

Farmers today produce so abundantly that 85 percent of our population can choose other kinds of jobs. If farmers were not so efficient, a lot more people would have to go to work on the farm. This is an efficiency that since before the war has increased farm output by 40 percent, doing the job with 17 percent less labor. There should be a better understanding between the farmer and consumer. In the last analysis we are all farmers because we are all so dependent upon the fruits of the soil.

PRICE SUPPORTS

If it had not been for price supports, surplus removal, and marketing agreements, the farmer's net income last year would have been $3 billion less than it is now, or 25 percent less, according to some of our most eminent economists. Had it not been for price supports we might well today have a general economic recession.

Our present program of price supports, surplus removal, and marketing agreements covered 70 percent of the value of all crops produced, livestock, and livestock products last year. About 90 to 95 percent of our farmers producing crops and livestock for market were directly or indirectly benefited by existing stablization and marketing agreement programs, thus preventing further impairment of agricultural income.

Farmers have already voluntarily limited the acreage of major crops in order to bring production into balance with consumption. Under cross-compliance provisions of basic law already being enforced by the Secretary of Agriculture for wheat, the farmers will have less acres than ever before. All this means less income. If it applies to wheat it can be applied to corn and to other commodities.

In substance, therefore, the opponents of the continuation of the 90-percent-rigid support program are saying, "Look, Mr. Farmer, even though farm income is going down, and even though things you have to buy are still very high, and even though you are in a price squeeze, and even though you have taken out of production voluntarily and through cross-compliance regulations many of your tillable acres, and even though all of this will make it very difficult for you to maintain your normal income, still we want to assure you, Mr. Farmer, in spite of all these handicaps we want to guaranty you less income than you had before." That quoted statement simply does not make common sense nor fair dealing.

FARM PRODUCTION

The farmer is being called upon to provide the food and fiber, not only for the people of the United States, but for many other areas of the world. The American farmer is today feeding over 160 million people in the United States alone, and by 1960 it is estimated, at the present rate of our increase in population, we will have 175 million people in the United States.

It has been said that the world's population is increasing more rapidly than the world food supply. We have, therefore, a hungry world on our hands. These facts should cause us to stop, look and listen when we discuss the problems of farm surpluses, for the growth of our own Nation and of the population of the world means that if people are to be fed the farmers must produce more agricultural products, rather than less, in the years that lie ahead.

With few exceptions we have already reached the saturation point as far as new farmland is concerned, so if we are to expand production to meet an expanding population we will have to increase the productivity of the land.

Of course, no matter how good a farm bill we may write, Congress cannot legislate what the weather will be. That is something on which every farmer has to gamble. He never knows whether he will be facing a drought or flooded acres; when he plants his crops in the spring he does not know whether he will have a bountiful crop, a medium crop or practically no crop at all. However, I think we ought to get down on our knees every night and thank the good Lord that he has been so good to us for the production we have had.

FARM SURPLUSES

We hear much these days about farm surpluses. Frankly I admit they are an aggravating problem in some instances, but by and large I would rather have an economy of abundance than an economy of scarcity. It is not the fault of the farmer that we have these present surpluses. During the war he was asked and implored to produce and produce and produce and produce—and he did.

Many of the so-called surplus problems have been over-emphasized and over-magnified. For example, take the corn situation. It is estimated that we will have on October 1, 1954, a carryover of some 900 million bushels, which

only constitutes about a 3 months' supply with which we must feed the entire livestock population of this country. Corn is no problem. I do not know of a single informed expert, including the Secretary of Agriculture, who claims that corn constituted a surplus problem. Our supply of corn has already proved a blessing in disguise in those areas where crops have been blighted by droughts.

Corn has been the foundation of our livestock industry. Approximately 80 percent of the corn produced in the United States is fed on the farm, and cheap corn inevitably means cheap livestock. The higher the price for corn the higher the livestock price.

Although corn has been supported at 90 percent of parity since 1944, without any controls whatever, except acreage allotments, there has never been, and does not exist today, a burdensome surplus of this commodity. Not only has it helped the feeder by providing a dependable supply, but it has served the consumer by providing a better and more stable supply of food from livestock sources. By stabilizing the price of corn a floor has been placed under the livestock industry. Further, we must not forget that the price-support program for corn has served to place a floor under competitive crops within the commercial corn areas.

It has been charged that the present farm program has encouraged farmers to produce corn and wheat for storage rather than for meat, eggs, and other livestock products. However, the 1953 spring crop in the South Central States was 32 percent below 1952. Hog production has gone up, not down, in this period when so-called high price supports were in effect. Meat production in 1953 exceeded that of any peacetime year. Consumption of red meat per person, at 154 pounds, was the highest since 1908. What I want to emphasize is that price supports at present levels have not made the farmer quit raising hogs, and hogs eat corn, lots of it, as everyone knows. Neither have price supports cut national production of meat and livestock products.

THE DAIRY SITUATION

In 1950 Minnesota had 147,509 farms which owned cows. As of January 1, 1954, there were 1,542,000 milk cows on these farms. On a nationwide basis, milk-cow numbers reached 25.6 million head in 1944, and thereafter declined to a low of 21.6 million head in 1951 and 1952. Milk-cow numbers increased again, however, in 1953 to 22.3 million head, and current reports indicate that they are slightly higher today than they were a year ago.

DAIRY SURPLUSES

As with farm commodities, one of the much-discussed bugaboos has been the surplus of dairy products. I take the position that if the Secretary of Agriculture will move the supplies now in the hands of the Commodity Credit Corporation into the hands of the consuming public, the storage charges and the cost of handling these commodities will be eliminated. It is up to him.

I do not wish to appear critical of Mr. Benson, but I do say that during the past months he has said he is going to do something and that he has a program to move butter out into the hands of the consumers of the United States. Up to the present time, however, I do not know of anything he has done to dispose of these surpluses. I do hope the Secretary of Agriculture will work out a program and put it into effect during the 2-year period allowed by this bill so that these surpluses may be disposed of.

I do believe that within 2 or 3 years we will have the surplus dairy problem licked. It is estimated that in 1954 there will be 4 million babies born in this country that should have a quart of milk each day. The present farm bill provides that we are going to furnish additional milk for school lunches. There are 23 million children in the United States going to schools that do not have milk or do not have the school-lunch program. We have provided in this bill $50 million a year for the next 2 years to supplement the milk program from Commodity Credit Corporation funds. We want all of these children to have at least a pint of milk a day. We also want the men in the armed services who are on rations to have at least a pint of milk a day. In fact, we would not have enough cows producing enough milk in the United States if we were to take care of the boys and girls, and men in the armed services, and in veterans' hospitals, to say nothing of the other people in this country who want to drink milk.

The dairy industry can do a great deal on its own accord to promote the increased consumption of dairy products. It might be well for the industry to take a look at some of the modern TV advertising of certain beverages and to use more modern radio and newspaper advertising.

Mr. Speaker, during my entire service in Congress I have spoken, supported, and voted for sound farm legislation. I will therefore vote for a continuation of the 90-percent price-support program. I will also vote in favor of a sound support program for dairy products, for I feel that we must give to the farmer and to the dairyman of our country a sound farm program. To do otherwise would render an injustice not only to the farmer and the dairyman but would result in the serious impairment of the economy of our entire Nation.

The farm problem is a tremendous challenge to all of us who are close to agriculture. Sometimes it seems as if the questions presented cannot be solved. However, in these times of crises we must work together. The Congress alone cannot solve the problems presented to us. Our free-enterprise system is still the greatest in all the world. I have great faith in our system and am convinced that we will, in time, solve the farm problem as we have heretofore solved economic problems which sometimes seemed insurmountable, but which in the end were solved through perseverance and a determination to come up with a solution.

Mr. HOPE. Mr. Speaker, I yield the remainder of the time on this side to the gentleman from Colorado [Mr. HILL].

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. HILL. I yield to the gentleman from Indiana.

Mr. HALLECK. Mr. Speaker, I want to commend the gentleman and his colleagues on the conference committee for the good job they have done. It has been from the beginning a difficult matter. I stated a long time ago that working out a good farm program would be one of the toughest jobs we would have to do. This is a good job. I have had some information that there might be an effort made to recommit this bill. I think it should be pointed out that if such motion to recommit should carry, the whole matter will go back to conference again. There have been certain suggestions from the other body that if that should happen it might well mean the end of this legislation, good legislation which certainly should be enacted into law. The alternative is to have no law at all. I rise only to express the hope that having arrived at this point in considering this vital business as we come to the end of the session, this measure should not be recommitted. The conference report should be adopted as it has been presented to us by the conferees.

Mr. HILL. Mr. Speaker, I shall go along with the remarks that have been made concerning the Committee on Agriculture of the House. I not only refer to the committee on conference but to the entire committee. I am very frank to confess to every Member of the House that our committee could not have worked any harder, neither could we have prevailed upon the other body to accept any other type of bill.

Had we the power we probably would have changed many things in the bill. However, at this time I am going to change, shall I say the musical key, that this discussion has been taking this afternoon and will mention only a few of the high points so far as the good parts of the bill are concerned.

The first thing I would like to say to the ranking minority member is that the product of his State has received the kindest and the most appreciative consideration by our committee of any commodity. That is tobacco. It is now getting 90 percent and will continue to receive this without any change. We are glad to see that because, as has been stated before, we want all types and kinds of agriculture to be prosperous. That is the wish and the desire of every Member of this House regardless of politics.

Mr. Speaker, I have always felt, hoped, and prayed that someday we would be able to see the Members of this House discuss agriculture when absolutely none of us would mention politics or partisanship. We would not discuss this matter from the standpoint of politics. Agriculture touches the life of every one of us, from the cradle to the grave. Nothing is more important. We must have food and fiber and in abundance.

There are just a few things I want to mention quickly, and I shall not discuss them at length. First of all, let me refer to wool. I do not like the way we handled the wool situation. I am surprised it has not been referred to as a purely 100 percent Brannan plan. But that is not so, although the wool program might resemble in certain aspects the Brannan plan. I might also say to my good friend from Pennsylvania that it does not resemble the sugar program either. This bill tries to protect wool for the next 4 years. I was in the hopes there would be no end in the law so far as wool is concerned. That is the change we made which I did not approve. Parity, of course, will be from 90 percent to 110 percent.

Another thing I should like to mention is rice. Now this suggestion might accomplish the very thing that will help us solve our agricultural problem. It says that the Secretary of Agriculture shall study and make a report to this Congress of the effect of a two-price system on rice. That was in our bill as it also referred to a two-price system for wheat.

Now, another thing I would like to mention on the good side, the plus side, is that we have a very important section in this bill. And, as our leader, the gentleman from Indiana, said a while ago, let us not jeopardize this bill by supporting a motion to recommit. We have the agricultural attachés of State Department attached to the Department of Agriculture, through a nice program that will give agriculture an opportunity to approve these attachés when they are appointed to foreign service. Then it seems to me they would attend to the agricultural business of the United States. This is one thing in this bill every Member should be very happy to support. Do not vote against this bill and send it back to the committee and take a chance of losing it. It will be worth all the effort we make, in voting for this conference report, just to have the agricultural attachés of the State Department placed under the Department of Agriculture, which will give us an opportunity to get proper assistance in disposing of surplus agricultural products in foreign markets. Then it makes changes in the marketing agreement orders which are necessary. It regulates the importation of fruits and vegetables. And, there are a lot of other good things in this bill that should deter us from sending it back to conference. I feel sure the many useful and necessary changes that are made in present agricultural legislation and new legislation that seems necessary makes this conference report worthy of your united support.

CALL OF THE HOUSE

Mr. ARENDS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] Two hundred and four Members have answered to their names, not a quorum.

Mr. HALLECK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 143]

Adair	Fine	Morrison
Angell	Fino	Nelson
Ayres	Fisher	Norblad
Baker	Golden	O'Brien, Ill.
Barden	Gordon	O'Brien, Mich.
Beamer	Gubser	Osmers
Bentley	Haley	Patten, Ariz.
Bentsen	Hand	Patterson
Blatnik	Hardy	Pelly
Bolling	Harrison, Wyo.	Powell
Bolton, Frances P.	Harvey	Preston
	Hébert	Rabaut
Bosch	Hess	Radwan
Bowler	Hillelson	Rains
Buckley	Hoffman, Ill.	Regan
Busbey	Holifield	Riley
Canfield	Holt	Robsion, Ky.
Carrigg	Hosmer	St. George
Chatham	Howell	Scott
Clardy	Hruska	Scrivner
Clevenger	Kearney	Secrest
Colmer	Kelly, N. Y.	Shafer
Condon	Keogh	Sheehan
Cotton	Kersten, Wis.	Shelley
Coudert	Kilburn	Sikes
Curtis, Mo.	Klein	Smith, Wis.
Curtis, Nebr.	Kluczynski	Stringfellow
Davis, Ga.	Landrum	Taylor
Davis, Tenn.	Lantaff	Tuck
Dawson, Ill.	Latham	Van Pelt
Deane	LeCompte	Vinson
Dempsey	Lipscomb	Vursell
D'Ewart	Lucas	Weichel
Dodd	Lyle	Wheeler
Dollinger	McCormack	Widnall
Dolliver	McCulloch	Willis
Donovan	McDonough	Wilson, Calif.
Dorn, S. C.	Mack, Ill.	Wilson, Tex.
Doyle	Madden	Yates
Eberharter	Mason	Yorty
Ellsworth	Miller, Kans.	
Engle	Morgan	

The SPEAKER. On this rollcall 309 Members have answered to their names, a quorum is present.

By unanimous consent, further proceedings under the call were dispensed with.

COMMUNIST CONTROL ACT OF 1954

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 3706) to outlaw the Communist Party, to prohibit members of Communist organizations from serving in certain representative capacities, and for other purposes, with a Senate amendment to the House amendment, disagree to the Senate amendment, and ask for a conference.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection?

Mr. DIES. Mr. Speaker, I offer a privileged motion.

The SPEAKER. The Clerk will report the motion.

The Clerk read as follows:

Mr. DIES moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill S. 3706 be instructed to agree to the Senate amendment to the House amendment.

Mr. DIES. Mr. Speaker, I ask unanimous consent to proceed for 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. DIES. Mr. Speaker, the Senate added sections 3 and 4 of my bill and the bill of the distinguished gentleman from Pennsylvania [Mr. GRAHAM]. That bill was reported favorably by a subcommittee of the Committee on the Judiciary. All that it does is to say that membership in the Communist Party is a crime, and makes it punishable as such. It defines membership by setting forth 15 different factual situations that constitute membership.

The issue is therefore clearly before this House. There was only one Member of the other body who voted against this bill on final passage. The bill is an effective and adequate answer to the Communist threat. For 15 years we have been trying to secure legislation that will destroy the Communist conspiracy, once and for all, in the United States. A vast majority of the American people favor this legislation as it is now before the House. Why should it go to conference when it has already been considered by the Committee on the Judiciary, when it has already been favorably recommended by a subcommittee of the Committee on the Judiciary? The time has come for action. Too long we have vacillated on the question. Too long we have found excuses for effectual and adequate action against Communist traitors.

Mr. FEIGHAN. Mr. Speaker, legislation to completely outlaw the Communist Party, in my considered judgment, will become a document next in importance only to the Declaration of Independence and the Emancipation Proclamation because, with it, we announce to the world that America, the home of the free, will no longer tolerate the Communist scourge which would destroy country, home, and all that we have gained throughout the glorious history of our country.

I disagree that the acceptance of the Senate amendment will nullify the Smith Act and the Internal Security Act of 1950. The Smith Act does not mention the Communist Party at all, and the Internal Security Act of 1950 will remain untouched.

That part of S. 3706 which puts an end to the Communist Party in America is largely the language of Pennsylvania Supreme Court Justice Michael A. Musmanno, who assisted in the writing of the Dies bill, H. R. 8912, from which S. 3706 took its component parts. Yesterday the House extracted from the Dies bill that section which outlaws the Communist Party and today the Senate inserted that part which defines membership and punishes Communist membership. Justice Musmanno appeared before our committee on four different occasions. He presented several briefs on the constitutionality of all bills before us on the subject of communism. Our subcommittee chairman, the gentleman from Pennsylvania [Mr. GRAHAM], was so impressed with Justice Musmanno's work that he said:

Justice Musmanno has made a lifelong study of this subject and, in my humble judgment, he is probably one of the best informed men on this subject. He has devoted his whole life to it. No man comes

before us better qualified, better equipped than he, and as a consequence we are only too glad to have him available and we do appreciate the work he has done.

The gentleman from Texas [Mr. DIES], as the original chairman of the House Un-American Activities Committee, exposed the Communist Party and all its malignant planning. Had Congress listened to him in 1941, when he recommended the outlawing of the Communist Party, I believe that the Communist world would not have reached the frightful proportions of today.

Justice Musmanno is entitled to the gratitude of the whole American Nation for his untiring efforts. I would like to repeat what I said when he testified before the Judiciary Committee:

You have made it factually clear what is the ultimate goal of the international Communist conspiracy of which the Communist Party in this country is only a small part. It is unrelenting in its objective which is the enslavement of all mankind. I myself feel that you deserve the undying gratitude, not only of the people of this country, but of all the people who are interested in human freedom—of liberty throughout the world—for the time, effort, and sacrifice you have given to this all-engrossing problem, and I wish to congratulate you.

I will vote for this motion and urge every Member to support it.

Mr. WALTER. Mr. Speaker, will the gentleman yield?

Mr. DIES. I yield to the gentleman from Pennsylvania.

Mr. WALTER. I should like to point out the fact that in the bill the gentleman is now discussing, the bill introduced by himself and the distinguished gentleman from Pennsylvania [Mr. GRAHAM], the yardsticks are the causes and grounds for deportation of aliens, every one of which has been passed upon by the Court. If this language is adopted, it will obviate the necessity of long court tests in order to determine the validity of the language.

Mr. DIES. And let me say this: That in the House bill you have outlawed the Communist conspiracy. You have outlawed it by terminating its rights, privileges, and immunities, but when the House failed to include in the bill the enforcement provision that is in my bill, when it failed to make it operative, you have this ridiculous situation: You have the Congress saying on the one hand that the Communist Party is illegal, but you permit people to belong to the Communist Party.

Now, let us be consistent about this. I place the issue squarely before the House, before Democrats and Republicans. This is a nonpartisan question; we have so treated it. You have had extensive hearings for 25 years, you have investigated every phase and every angle of the Communist conspiracy.

The time has come now to act, and we can act by adopting the motion which I now present to the House and end this controversy once and for all and declare to the people of our country and the world that we in America believe that communism is a menace, a treasonable conspiracy, and we will not permit it to enjoy a legal status in the United States.

Mr. HALLECK. Mr. Speaker, I ask for recognition on the motion.

The SPEAKER. The gentleman from Indiana is recognized.

Mr. HALLECK. Mr. Speaker, I have had but a very brief time to examine the amendment that has been added by the other body. I must say I am a bit surprised at the attitude taken by the gentleman from Texas. He, of course, has also urged language that would make membership in the Communist Party per se a felony.

I have as quickly as I could and as well as I could examined the language of this amendment. As I read it, it does undertake to make membership in the Communist Party a felony per se.

When we had the matter before us it was urged, and I think urged successfully, that if such language were included it would effectively destroy the Internal Security Act of 1950 and seriously interfere with the operations of the Smith Act.

Mr. DIES. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield.

Mr. DIES. The bill as passed by the other body specifically provides that it shall not repeal the Smith Act or the Internal Security Act nor affect it in any respect.

Mr. HALLECK. The one that we passed did do that, but it did not contain language making membership in the Communist Party per se a felony. This language does.

Let me point out to you again that unless you want to destroy the Internal Security Act that has been doing a magnificent job of bringing the Communist threat in this country under control, and unless you want to seriously hamper the enforcement of the Smith Act which likewise has done much to protect us from this Communist conspiracy, then I say, vote down the motion of the gentleman from Texas.

Mr. WALTER. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield.

Mr. WALTER. I would like to call the gentleman's attention to the fact that Senator MCCARRAN himself supported this particular language.

Mr. HALLECK. Of course, I am not going to refer to the Senator over there by name, because we have a rule about that; but I understand that he opposed this amendment. Whether or not that is true I do not know.

But I am talking to you on my responsibility. We have played enough politics with this already; now, let us get down to the real issue that is involved.

Again may I point out, as I and others pointed out yesterday, that if you make membership in the Communist Party per se a felony, then to require them to register, which is the requirement of the Internal Security Act, would require them to provide evidence incriminating themselves, and thus necessarily would excuse them from compliance with the act. The appeal that is pending now in the circuit court of appeals to determine the validity of the Internal Security Act of 1950 would be immediately written off. They will be in there with a petition to remand the case and it will be remanded. Do not scoff at that. That is the exact fact. That is the position taken by the Attorney General, by the Director of the FBI, J. Edgar Hoover, and by the lawyers who have studied the matter.

May I say again that if you want legislation which will be effective then we ought to send this measure to conference. If there is any question about the language or if there is any part of it that is useful it may be adopted by the conferees. But to undertake at this juncture to tell the conferees to take language that no Member here has had a chance to see, I say is bad legislative practice and very likely will result in the complete termination of this whole effort.

Mr. JAVITS. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman from New York.

Mr. JAVITS. The gentleman undertook to express the view of the President and the Attorney General the other day. What does the gentleman say about their view upon the motion now before us? Can the gentleman possibly imply it from his conversations with the executive department?

Mr. HALLECK. Of course, I have had only a few minutes to examine the language, but my opinion is that if the Senate amendment were to pass the bill would never become law.

I thought all of us were convinced that the Internal Security Act is doing an effective job and that the Smith Act is doing an effective job. Indictments have been obtained, convictions have been obtained, and Communist conspirators have been put in jail. Now, then, if you want to destroy those acts you take the responsibility, I am not going to take it.

Mr. JUDD. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman from Minnesota.

Mr. JUDD. What is wrong with going to conference in the usual way? Do we not trust our own conferees? If the Senate amendment, which none of us has had a chance even to read, is all right, they will accept it; if it is not all right, the conferees may improve it or advise us to reject it or return in disagreement. In any case, we will have another chance to vote on the matter. Is it not saner and sounder to go to conference?

Mr. HALLECK. Of course, it is. This motion is in order, as everyone understands. I do not think it should have been made. Certainly when this matter goes to conference if there is any language that has been added in the other body that would help in what we are trying to do, then the conferees will accept it and bring the conference report back here to be acted upon. This procedure would not be binding on the conferees, as I understand the parliamentary situation.

So I ask in all earnestness that the motion be voted down and that the measure go on to conference to be disposed of in the regular and orderly way.

Mr. RAYBURN. Mr. Speaker, the time to do something is when you have the opportunity, if we mean what we say. If we are really for outlawing the Communist Party and making people

fearful of belonging to it, we have the opportunity here and now and that is to vote for the motion offered by the gentleman from Texas [Mr. DIES].

I have been informed by good lawyers, men who have followed this matter closely, that there is not one thing in this bill that would destroy the Internal Security Act or the Smith Act. It is specifically said in the Senate amendment that nothing in this act shall repeal or interfere with the enforcement of those acts.

I agree that politics has been played enough in connection with this issue by many politicians in the United States. Now is the time to do what everybody says they want to do, and maybe take it out of politics.

Mr. GRAHAM. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion offered by the gentleman from Texas [Mr. DIES].

Mr. DIES. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 208, nays 100, not voting 124, as follows:

[Roll No. 144]

YEAS—208

Abbitt	Durham	Magnuson
Abernethy	Edmondson	Mahon
Addonizio	Elliott	Marshall
Albert	Evins	Martin, Iowa
Alexander	Fallon	Matthews
Andersen, H. Carl	Feighan	Merrow
Andresen, August H.	Fenton	Metcalf
Andrews	Fernandez	Miller, Calif.
Ashmore	Fisher	Miller, Nebr.
Aspinall	Fogarty	Mills
Auchincloss	Forand	Mollohan
Bailey	Forrester	Moss
Barrett	Fountain	Moulder
Battle	Frazier	Murray
Becker	Friedel	Natcher
Belcher	Fulton	Norrell
Bender	Garmatz	O'Brien, N. Y.
Bennett, Fla.	Gary	O'Hara, Ill.
Bennett, Mich.	Gathings	O'Konski
Betts	Gavin	O'Neill
Bishop	Gentry	Passman
Boggs	George	Patman
Boland	Granahan	Perkins
Bonin	Grant	Pfost
Bonner	Green	Philbin
Bow	Gregory	Pilcher
Boykin	Gross	Pillion
Brambiett	Hagen, Calif.	Poage
Bray	Hagen, Minn.	Poff
Brooks, La.	Harris	Polk
Brooks, Tex.	Harrison, Va.	Price
Brown, Ga.	Hart	Priest
Brown, Ohio	Hays, Ark.	Ray
Brownson	Hays, Ohio	Rayburn
Broyhill	Herlong	Reams
Buchanan	Hoeven	Reece, Tenn.
Budge	Holtzman	Rees, Kans.
Burleson	Ikard	Rhodes, Pa.
Byrd	James	Richards
Byrne, Pa.	Jarman	Rivers
Campbell	Johnson, Wis.	Roberts
Cannon	Jonas, N. C.	Robeson, Va.
Carlyle	Jones, Ala.	Rodino
Carnahan	Jones, Mo.	Rogers, Colo.
Celler	Jones, N. C.	Rogers, Fla.
Chelf	Karsten, Mo.	Rogers, Tex.
Chiperfield	Kee	Rooney
Chudoff	Kelley, Pa.	Roosevelt
Cooley	Kersten, Wis.	Sadlak
Cooper	Kilday	Saylor
Corbett	King, Calif.	Schenck
Cretella	Kirwan	Seely-Brown
Crosser	Knox	Selden
Cunningham	Krueger	Shuford
Delaney	Lane	Sieminski
Dies	Lanham	Smith, Kans.
Dingell	Lesinski	Smith, Miss.
Donohue	Long	Smith, Va.
Dorn, N. Y.	McCarthy	Spence
Dowdy	McMillan	Springer
	Machrowicz	Staggers
	Mack, Wash.	Steed
Sullivan	Trimble	Wier
Sutton	Tuck	Williams, Miss.
Talle	Van Zandt	Williams, N. J.
Teague	Walter	Williams, N. Y.
Thomas	Wampler	Winstead
Thompson, La.	Watts	Withrow
Thompson, Tex.	Whitten	Wolverton
Thornberry	Wickersham	Zablocki

NAYS—100

Allen, Calif.	Hiestand	Mumma
Allen, Ill.	Hill	Neal
Arends	Hillings	Nicholson
Bates	Hinshaw	Oakman
Berry	Hoffman, Mich.	O'Hara, Minn.
Bolton, Oliver P.	Holmes	Ostertag
Burdick	Hope	Phillips
Bush	Horan	Prouty
Byrnes, Wis.	Hunter	Reed, Ill.
Cederberg	Hyde	Reed, N. Y.
Chenoweth	Jackson	Rhodes, Ariz.
Church	Javits	Riehlman
Cole, Mo.	Jenkins	Rogers, Mass.
Cole, N. Y.	Jensen	Scherer
Coon	Johnson, Calif.	Scudder
Crumpacker	Jonas, Ill.	Short
Curtis, Mass.	Judd	Simpson, Ill.
Dague	Kean	Simpson, Pa.
Davis, Wis.	Kearns	Small
Dawson, Utah	Keating	Stauffer
Derounian	King, Pa.	Taber
Devereux	Laird	Thompson, Mich.
Dondero	Lovre	Tollefson
Ford	McConnell	Velde
Frelinghuysen	McGregor	Vorys
Gamble	McIntire	Warburton
Goodwin	McVey	Westland
Graham	Mailliard	Wharton
Hale	Meader	Wigglesworth
Halleck	Merrill	Wilson, Ind.
Harden	Miller, Md.	Wolcott
Harrison, Nebr.	Miller, N. Y.	Young
Heselton	Morano	Younger
	Multer	

NOT VOTING—124

Adair	Fine	Nelson
Angell	Fino	Norblad
Ayres	Golden	O'Brien, Ill.
Baker	Gordon	O'Brien, Mich.
Barden	Gubser	Osmers
Beamer	Gwinn	Patten
Bentley	Haley	Patterson
Bentsen	Hand	Pelly
Blatnik	Hardy	Powell
Bolling	Harrison, Wyo.	Preston
Bolton, Frances P.	Harvey	Rabaut
Bosch	Hébert	Radwan
Bowler	Hess	Rains
Buckley	Hillelson	Regan
Busbey	Hoffman, Ill.	Riley
Canfield	Holifield	Robsion, Ky.
Carrigg	Holt	St. George
Chatham	Hosmer	Scott
Clardy	Howell	Scrivner
Clevenger	Hruska	Secrest
Colmer	Kearney	Shafer
Condon	Kelly, N. Y.	Sheehan
Cotton	Keogh	Shelley
Coudert	Kilburn	Sheppard
Curtis, Mo.	Klein	Sikes
Curtis, Nebr.	Kluczynski	Smith, Wis.
Davis, Ga.	Landrum	Stringfellow
Davis, Tenn.	Lantaff	Taylor
Dawson, Ill.	Latham	Utt
Deane	LeCompte	Van Pelt
Dempsey	Lipscomb	Vinson
D'Ewart	Lucas	Vursell
Dodd	Lyle	Wainwright
Dollinger	McCormack	Weichel
Dolliver	McCulloch	Wheeler
Donovan	McDonough	Widnall
Dorn, S. C.	Mack, Ill.	Willis
Doyle	Madden	Wilson, Calif.
Eberharter	Mason	Wilson, Tex.
Ellsworth	Miller, Kans.	Yates
Engle	Morgan	Yorty
	Morrison	

So the motion was agreed to.

The Clerk announced the following pairs:

Mr. Canfield with Mr. McCormack.
Mr. Kearney with Mr. Fine.
Mr. Smith of Wisconsin with Mr. Colmer.
Mr. Hoffman of Illinois with Mr. Sikes.
Mr. Adair with Mr. Gordon.
Mr. Beamer with Mr. Engle.
Mr. Ellsworth with Mr. Bentsen.
Mr. LeCompe with Mr. Yorty.
Mr. Scott with Mr. Barden.
Mr. Fino with Mr. Lyle.
Mr. Norblad with Mr. Buckley.
Mr. Clardy with Mr. Kluczynski.
Mr. Stringfellow with Mr. Bowler.
Mr. Bosch with Mr. Lucas.
Mr. Curtis of Nebraska with Mr. Vinson.
Mr. Mason with Mr. Landrum.
Mr. Widnall with Mr. Preston.
Mrs. Frances P. Bolton with Mr. Wheeler.
Mr. Holt with Mr. Davis of Georgia.
Mr. Utt with Mr. Hébert.
Mr. Wilson of California with Mr. Morrison.
Mr. D'Ewart with Mr. Bolling.
Mr. Hess with Mr. Yates.
Mr. Taylor with Mr. Blatnik.
Mr. Busbey with Mr. Mack of Illinois.
Mr. Nelson with Mr. Chatham.
Mr. Curtis of Missouri with Mr. Shelley.
Mr. Weichel with Mr. Haley.
Mr. Coudert with Mr. Eberharter.
Mr. McDonough with Mr. Hardy.
Mr. Carrigg with Mr. Davis of Tennessee.
Mr. Shafer with Mr. O'Brien of Illinois.
Mr. Baker with Mr. Deane.
Mr. Van Pelt with Mr. Morgan.
Mr. Bentley with Mr. Howell.
Mr. Vursell with Mr. Keogh.
Mr. Hruska with Mr. Riley.
Mr. Ayres with Mrs. Kelly of New York.
Mr. Osmers with Mr. Dorn of South Carolina.
Mr. Gubser with Mr. Wilson of Texas.
Mr. Patterson with Mr. Holifield.
Mr. Hand with Mr. Dollinger.
Mrs. St. George with Mr. Willis.
Mr. Cotton with Mr. Patten.
Mr. Wainwright with Mr. Dempsey.
Mr. Sheehan with Mr. Miller of Kansas.
Mr. Gwinn with Mr. O'Brien of Michigan.
Mr. Scrivner with Mr. Dawson of Illinois.
Mr. Dolliver with Mr. Condon.
Mr. Harvey with Mr. Dodd.
Mr. Radwan with Mr. Madden.
Mr. Kilburn with Mr. Donovan.
Mr. Harrison of Wyoming with Mr. Rabaut.
Mr. Pelly with Mr. Sheppard.
Mr. McCulloch with Mr. Klein.
Mr. Robsion of Kentucky with Mr. Doyle.
Mr. Latham with Mr. Regan.
Mr. Hillelson with Mr. Powell.
Mr. Hosmer with Mr. Rains.
Mr. Lipscomb with Mr. Lantaff.
Mr. Angell with Mr. Secrest.

Mr. BISHOP changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The SPEAKER. The Chair appoints the following conferees: Mr. REED of Illinois, Mr. GRAHAM, Mr. HYDE, Mr. CELLER, and Mr. WALTER.

AGRICULTURAL ACT OF 1954

Mr. HOPE. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

Mr. SUTTON. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. SUTTON. I am, Mr. Speaker.

The SPEAKER. The gentleman qualifies, and the Clerk will report the motion.

The Clerk read as follows:

Mr. SUTTON moves to recommit the conference report on the bill H. R. 9680 to the committee of conference.

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, I oppose 75 percent parity for dairy products for the following reasons:

First. Since April 1 when the Secretary of Agriculture reduced dairy supports to 75 percent of parity, the dairy farmer has received a constantly lower price for his milk and yet the consumer, except in the case of butter, is paying as much, if not more, for milk and other dairy products. Lower parity does not mean lower prices to the consumer but it does mean slow bankruptcy to the dairy farmer.

Second. The grains which the dairy farmer must buy to feed his cows are supported at 82½ percent to 90 percent of parity, and so the dairy farmer must buy high and sell low under this Republican farm program.

Third. And yet in this same bill we find that Secretary Benson, the President, and the Republican leadership have adopted the Brannan plan for wool and have set wool parity at 110 percent. While I believe in the prosperity of the woolgrowers of America as I do in the prosperity of all farmers, I cannot understand why the Republican Party gives wool 110 percent of parity and lowers dairy products to 75 percent. What possible reason can explain this 35 percent difference? I agree that wool is important for our national defense but I insist that milk is not only important for our national defense but is vital to the health of all Americans.

For these reasons I intended to offer a motion to recommit the conference bill to the House-Senate conferees with instructions to the House Members that they insist that milk supports be raised to 80 percent of parity as originally passed by the House of Representatives. I felt that the dairy farmers of America and my own State of New York were entitled to know how their Representatives stood on their economic equality with the rest of American agriculture. But obviously the Republican leadership did not want this difficult issue to come to a rollcall vote and so the gentleman from Tennessee [Mr. SUTTON] as a member of the Agriculture Committee, was recognized to offer a simple motion to recommit without instructions which everyone knew would fail of support.

Through this parliamentary device I was deprived of the right to have the House vote on equality for dairy farmers. However, I will continue to fight for the prosperity of American agriculture, as well as all segments of the American economy.

Mr. HOPE. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The question was taken and the motion to recommit was rejected.

The SPEAKER. The question is on the conference report.

Mr. ALBERT. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

The question was taken; and on a division (demanded by Mr. WHITTEN), there were—ayes 208, noes 47.

So the conference report was agreed to, and a motion to reconsider was laid on the table.

ATOMIC ENERGY ACT OF 1954

Mr. COLE of New York. Mr. Speaker, I call up the conference report on the bill (H. R. 9757) to amend the Atomic Energy Act of 1946, as amended, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2666)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9757) to amend the Atomic Energy Act of 1946, as amended, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "That the Atomic Energy Act of 1946, as amended, is amended to read as follows:

"'ATOMIC ENERGY ACT OF 1954

"'*Chapter 1. Declaration, Findings, and Purpose*

"'Sec. 1. Declaration.
"'Sec. 2. Findings.
"'Sec. 3. Purpose.

"'*Chapter 2. Definitions*

"'Sec. 11. Definitions.

"'*Chapter 3. Organization*

"'Sec. 21. Atomic Energy Commission.
"'Sec. 22. Members.
"'Sec. 23. Office.
"'Sec. 24. General Manager.
"'Sec. 25. Divisions and Offices.
"'Sec. 26. General Advisory Committee.
"'Sec. 27. Military Liaison Committee.
"'Sec. 28. Appointment of Army, Navy, or Air Force Officers.

"'*Chapter 4. Research*

"'Sec. 31. Research Assistance.
"'Sec. 32. Research by the Commission.
"'Sec. 33. Research for Others.

"'*Chapter 5. Production of special nuclear material*

"'Sec. 41. Ownership and Operation of Production Facilities.
"'Sec. 42. Irradiation of Materials.
"'Sec. 43. Acquisition of Production Facilities.
"'Sec. 44. Disposition of Energy.

"'*Chapter 6. Special nuclear material*

"'Sec. 51. Special Nuclear Material.
"'Sec. 52. Government Ownership of All Special Nuclear Material.
"'Sec. 53. Domestic Distribution of Special Nuclear Material.
"'Sec. 54. Foreign Distribution of Special Nuclear Material.
"'Sec. 55. Acquisition.
"'Sec. 56. Fair Price.
"'Sec. 57. Prohibition.

"'*Chapter 7. Source material*

"'Sec. 61. Source Material.
"'Sec. 62. License for Transfers Required.
"'Sec. 63. Domestic Distribution of Source Material.
"'Sec. 64. Foreign Distribution of Source Material.
"'Sec. 65. Reporting.
"'Sec. 66. Acquisition.
"'Sec. 67. Operations on Lands Belonging to the United States.
"'Sec. 68. Public Lands.
"'Sec. 69. Prohibition.

"'*Chapter 8. Byproduct material*

"'Sec. 81. Domestic Distribution.
"'Sec. 82. Foreign Distribution of Byproduct Material.

"'*Chapter 9. Military application of atomic energy*

"'Sec. 91. Authority.
"'Sec. 92. Prohibition.

"'*Chapter 10. Atomic energy licenses*

"'Sec. 101. License Required.
"'Sec. 102. Finding of Practical Value.
"'Sec. 103. Commercial Licenses.
"'Sec. 104. Medical Therapy and Research and Development.
"'Sec. 105. Antitrust Provisions.
"'Sec. 106. Classes of Facilities.
"'Sec. 107. Operators' Licenses.
"'Sec. 108. War or National Emergency.
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" 'CHAPTER 1. DECLARATION, FINDINGS, AND PURPOSES

" 'SECTION 1. DECLARATION.—Atomic energy is capable of application for peaceful as well as military purposes. It is therefore declared to be the policy of the United States that—

" 'a. the development, use, and control of atomic energy shall be directed so as to make the maximum contribution to the general welfare, subject at all times to the paramount objective of making the maximum contribution to the common defense and security; and

" 'b. the development, use, and control of atomic energy shall be directed so as to promote world peace, improve the general welfare, increase the standard of living, and strengthen free competition in private enterprise.

" 'SEC. 2. FINDINGS.—The Congress of the United States hereby makes the following findings concerning the development, use, and control of atomic energy:

" 'a. The development, utilization, and control of atomic energy for military and for all other purposes are vital to the common defense and security.

" 'b. In permitting the property of the United States to be used by others, such use must be regulated in the national interest and in order to provide for the common defense and security and to protect the health and safety of the public.

" 'c. The processing and utilization of source, byproduct, and special nuclear material affect interstate and foreign commerce and must be regulated in the national interest.

" 'd. The processing and utilization of source, byproduct, and special nuclear material must be regulated in the national interest and in order to provide for the common defense and security and to protect the health and safety of the public.

" 'e. Source and special nuclear material, production facilities, and utilization facilities are affected with the public interest, and regulation by the United States of the production and utilization of atomic energy and of the facilities used in connection therewith is necessary in the national interest to assure the common defense and security and to protect the health and safety of the public.

" 'f. The necessity for protection against possible interstate damage occurring from the operation of facilities for the production or utilization of source or special nuclear material places the operation of those facilities in interstate commerce for the purposes of this Act.

" 'g. Funds of the United States may be provided for the development and use of atomic energy under conditions which will provide for the common defense and security and promote the general welfare.

" 'h. It is essential to the common defense and security that title to all special nuclear material be in the United States while such special nuclear material is within the United States.

" 'SEC. 3. PURPOSE.—It is the purpose of this Act to effectuate the policies set forth above by providing for—

" 'a. a program of conducting, assisting, and fostering research and development in order to encourage maximum scientific and industrial progress;

" 'b. a program for the dissemination of unclassified scientific and technical information and for the control, dissemination, and declassification of Restricted Data, subject to appropriate safeguards, so as to encourage scientific and industrial progress;

" 'c. a program for Government control of the possession, use, and production of atomic energy and special nuclear material so directed as to make the maximum contribution to the common defense and security and the national welfare;

" 'd. a program to encourage widespread participation in the development and utilization of atomic energy for peaceful purposes to the maximum extent consistent with the common defense and security and with the health and safety of the public;

" 'e. a program of international cooperation to promote the common defense and security and to make available to cooperating nations the benefits of peaceful applications of atomic energy as widely as expanding technology and considerations of the common defense and security will permit; and

" 'f. a program of administration which will be consistent with the foregoing policies and programs, with international arrangements, and with agreements for cooperation, which will enable the Congress to be currently informed so as to take further legislative action as may be appropriate.

" 'CHAPTER 2. DEFINITIONS

" 'SEC. 11. DEFINITIONS.—The intent of Congress in the definitions as given in this section should be construed from the words or phrases used in the definitions. As used in this Act:

" 'a. The term "agency of the United States" means the executive branch of the United States, or any Government agency, or the legislative branch of the United States, or any agency, committee, commission, office, or other establishment in the legislative branch, or the judicial branch of the United States, or any office, agency, committee, commission, or other establishment in the judicial branch.

" 'b. The term "agreement for cooperation" means any agreement with another nation or regional defense organization, authorized or permitted by sections 54, 57, 64, 82, 103, 104, or 144, and made pursuant to section 123.

" 'c. The term "atomic energy" means all forms of energy released in the course of nuclear fission or nuclear transformation.

" 'd. The term "atomic weapon" means any device utilizing atomic energy, exclusive of the means for transporting or propelling the device (where such means is a separable and divisible part of the device), the principal purpose of which is for use as, or for development of, a weapon, a weapon prototype, or a weapon test device.

" 'e. The term "byproduct material" means any radioactive material (except special nuclear material) yielded in or made radioactive by exposure to the radiation incident to the process of producing or utilizing special nuclear material.

" 'f. The term "Commission" means the Atomic Energy Commission.

" 'g. The term "common defense and security" means the common defense and security of the United States.

" 'h. The term "defense information" means any information in any category determined by any Government agency authorized to classify information, as being information respecting, relating to, or affecting the national defense.

" 'i. The term "design" means (1) specifications, plans, drawings, blueprints, and other items of like nature; (2) the information contained therein; or (3) the research and development data pertinent to the information contained therein.

" 'j. The term "Government agency" means any executive department, commission, independent establishment, corporation, wholly or partly owned by the United States of America which is an instrumentality of the United States, or any board, bureau, division, service, office, officer, authority, administration, or other establishment in the executive branch of the Government.

" 'k. The term "international arrangement" means any international agreement hereafter approved by the Congress or any treaty during the time such agreement or treaty is in full force and effect, but does not include any agreement for cooperation.

" 'l. The term "Joint Committee" means the Joint Committee on Atomic Energy.

" 'm. The term "operator" means any individual who manipulates the controls of a utilization or production facility.

" 'n. The term "person" means (1) any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, Government agency other than the Commission, any State or any political subdivision of, or any political entity within a State, any foreign government or nation or any political subdivision of any such government or nation, or other entity; and (2) any legal successor, representative, agent, or agency of the foregoing.

" 'o. The term "produce", when used in relation to special nuclear material, means (1) to manufacture, make, produce, or refine special nuclear material; (2) to separate special nuclear material from other substances in which such material may be contained; or (3) to make or to produce new special nuclear material.

" 'p. The term "production facility" means (1) any equipment or device determined by rule of the Commission to be capable of the production of special nuclear material in such quantity as to be of significance to the common defense and security, or in such manner as to affect the health and safety of the public; or (2) any important component part especially designed for such equipment or device as determined by the Commission.

" 'q. The term "research and development" means (1) theoretical analysis, exploration, or experimentation; or (2) the extension of investigative findings and theories of a scientific or technical nature into practical application for experimental and demonstration purposes, including the experimental production and testing of models, devices, equipment, materials, and processes.

" 'r. The term "Restricted Data" means all data concerning (1) design, manufacture, or utilization of atomic weapons; (2) the production of special nuclear material; or (3) the use of special nuclear material in the production of energy, but shall not include

data declassified or removed from the Restricted Data category pursuant to section 142.

" 's. The term "source material" means (1) uranium, thorium, or any other material which is determined by the Commission pursuant to the provisions of section 61 to be source material; or (2) ores containing one or more of the foregoing materials, in such concentration as the Commission may by regulation determine from time to time.

" 't. The term "special nuclear material" means (1) plutonium, uranium enriched in the isotope 233 or in the isotope 235, and any other material which the Commission, pursuant to the provisions of section 51, determines to be special nuclear material, but does include source material; or (2) any material artifically enriched by any of the foregoing, but does not include source material.

" 'u. The term "United States," when used in a geographical sense, includes all Territories and possessions of the United States, and the Canal Zone.

" 'v. The term "utilization facility" means (1) any equipment or device, except an atomic weapon, determined by rule of the Commission to be capable of making use of special nuclear material in such quantity as to be of significance to the common defense and security, or in such manner as to affect the health and safety of the public, or peculiarly adapted for making use of atomic energy in such quantity as to be of significance to the common defense and security, or in such manner as to affect the health and safety of the public; or (2) any important component part especially designed for such equipment or device as determined by the Commission.

" 'CHAPTER 3. ORGANIZATION

" 'SEC. 21. ATOMIC ENERGY COMMISSION.—There is hereby established an Atomic Energy Commission, which shall be composed of five members, each of whom shall be a citizen of the United States. The President shall designate one member of the Commission as Chairman thereof to serve as such during the pleasure of the President. The Chairman may from time to time designate any other member of the Commission as Acting Chairman to act in the place and stead of the Chairman during his absence. The Chairman (or the Acting Chairman in the absence of the Chairman) shall preside at all meetings of the Commission and a quorum for the transaction of business shall consist of at least three members present. Each member of the Commission, including the Chairman, shall have equal responsibility and authority in all decisions and actions of the Commission and shall have one vote. Action of the Commission shall be determined by a majority vote of the members present. The Chairman (or Acting Chairman in the absence of the Chairman) shall be the official spokesman of the Commission in its relations with the Congress, Government agencies, persons, or the public, and, on behalf of the Commission, shall see to the faithful execution of the policies and decisions of the Commission, and shall report thereon to the Commission from time to time or as the Commission may direct. The Commission shall have an official seal which shall be judicially noticed.

" 'SEC. 22. MEMBERS.—

" 'a. Members of the Commission shall be appointed by the President, by and with the advice and consent of the Senate. In submitting any nomination to the Senate, the President shall set forth the experience and qualifications of the nominee. The term of office of each member of the Commission taking office after June 30, 1950, shall be five years, except that (1) the terms of office of the members first taking office after June 30, 1950, shall expire, as designated by the President at the time of the appointment, one at the end of one year, one at the end of two years, one at the end of three years, one at the end of four years, and one at the end of five years, after June 30, 1950; and (2) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed, shall be appointed for the remainder of such term. Any member of the Commission may be removed by the President for inefficiency, neglect of duty, or malfeasance in office. Each member, except the Chairman, shall receive compensation at the rate of $18,000 per annum; and the member designated as Chairman shall receive compensation at the rate of $20,000 per annum.

" 'b. No member of the Commission shall engage in any business, vocation, or employment other than that of serving as a member of the Commission.

" 'SEC. 23. OFFICE.—The principal office of the Commission shall be in or near the District of Columbia, but the Commission or any duly authorized representative may exercise any or all of its powers in any place; however, the Commission shall maintain an office for the service of process and papers within the District of Columbia.

" 'SEC. 24. GENERAL MANAGER.—There is hereby established within the Commission a General Manager, who shall discharge such of the administrative and executive functions of the Commission as the Commission may direct. The General Manager shall be appointed by the Commission, shall serve at the pleasure of the Commission, shall be removable by the Commission, and shall receive compensation at a rate determined by the Commission, but not in excess of $20,000 per annum.

" 'SEC. 25. DIVISIONS AND OFFICES.—There is hereby established within the Commission.—

" 'a. a Division of Military Application and such other program divisions (not to exceed ten in number) as the Commission may determine to be necessary to the discharge of its responsibilities, including a division or divisions the primary responsibilities of which include the development and application of civilian uses of atomic energy. Each such division shall be under the direction of a Director who shall be appointed by the Commission and shall receive compensation at a rate determined by the Commission, but not in excess of $16,000 per annum. The Director of the Division of Military Application shall be an active member of the Armed Forces. The Commission shall require each such division to exercise such of the Commission's administrative and executive powers as the Commission may determine;

" 'b. an Office of the General Counsel under the direction of the General Counsel who shall be appointed by the Commission and shall receive compensation at a rate determined by the Commission, but not in excess of $16,000 per annum; and

" 'c. an Inspection Division under the direction of a Director who shall be appointed by the Commission and shall receive compensation at a rate determined by the Commission, but not in excess of $16,000 per annum. The Inspection Division shall be responsible for gathering information to show whether or not the contractors, licensees, and officers and employees of the Commission are complying with the provisions of this Act (except those provisions for which the Federal Bureau of Investigation is responsible) and the appropriate rules and regulations of the Commission.

" 'SEC. 26. GENERAL ADVISORY COMMITTEE.—There shall be a General Advisory Committee to advise the Commission on scientific and technical matters relating to materials, production, and research and development, to be composed of nine members, who shall be appointed from civilian life by the President. Each member shall hold office for a term of six years, except that (a) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed, shall be appointed for the remainder of such term; and (b) the terms of office of the members first taking office after August 1, 1946, shall expire, as designated by the President at the time of appointment, three at the end of two years, three at the end of four years, and three at the end of six years, after August 1, 1946. The Committee shall designate one of its own members as Chairman. The Committee shall meet at least four times in every calendar year. The members of the Committee shall receive a per diem compensation for each day spent in meetings or conferences, and all members shall receive their necessary traveling or other expenses while engaged in the work of the Committee.

" 'SEC. 27. MILITARY LIAISON COMMITTEE.—There is hereby established a Military Liaison Committee consisting of—

" '(a) a Chairman, who shall be the head thereof and who shall be appointed by the President, by and with the advice and consent of the Senate, who shall serve at the pleasure of the President, and who shall receive compensation at the rate prescribed for an Assistant Secretary of Defense; and

" 'b. a representative or representatives from each of the Departments of the Army, Navy, and Air Force, in equal numbers, as determined by the Secretary of Defense, to be assigned from each Department by the Secretary thereof, and who will serve without additional compensation.

The Chairman of the Committee may designate one of the members of the Committee as Acting Chairman to act during his absence. The Commission shall advise and consult with the Department of Defense, through the Committee, on all atomic energy matters which the Department of Defense deems to relate to military applications of atomic weapons or atomic energy including the development, manufacture, use, and storage of atomic weapons, the allocation of special nuclear material for military research, and the control of information relating to the manufacture or utilization of atomic weapons; and shall keep the Department of Defense, through the Committee, fully and currently informed of all such matters before the Commission. The Department of Defense, through the Committee, shall keep the Commission fully and currently informed on all matters within the Department of Defense which the Commission deems to relate to the development or application of atomic energy. The Department of Defense, through the Committee, shall have the authority to make written recommendations to the Commission from time to time on matters relating to military applications of atomic energy as the Department of Defense may deem appropriate. If the Department of Defense at any time concludes that any request, action, proposed action, or failure to act on the part of the Commission is adverse to the responsibilities of the Department of Defense, the Secretary of Defense shall refer the matter to the President whose decision shall be final.

" 'SEC. 28. APPOINTMENT OF ARMY, NAVY, OR AIR FORCE OFFICERS.—Notwithstanding the provisions of any other law, any active officer of the Army, Navy, or Air Force may serve as Director of the Division of Military Application without prejudice to his commissioned status as such officer. Any such officer serving as Director of the Division of Military Application shall receive in addition to his pay and allowances, including special and incentive pays, an amount equal to the difference between such pay and allowances, including special and incentive pays, and the compensation prescribed in section 25. Notwithstanding the provisions of any other law, any active or retired officer of the Army, Navy, or Air Force may serve as Chairman of the Military Liaison Committee without prejudice to his active or retired status as such officer. Any such

officer serving as Chairman of the Military Liaison Committee shall receive, in addition to his pay and allowances, including special and incentive pays, or in addition to his retired pay, an amount equal to the difference between such pay and allowances, including special and incentive pays, or between his retired pay, and the compensation prescribed for the Chairman of the Military Liaison Committee.

"'CHAPTER 4. RESEARCH

"'SEC. 31. RESEARCH ASSISTANCE.—

"'a. The Commission is directed to exercise its powers in such manner as to insure the continued conduct of research and development activities in the fields specified below, by private or public institutions or persons, and to assist in the acquisition of an ever-expanding fund of theoretical and practical knowledge in such fields. To this end the Commission is authorized and directed to make arrangements (including contracts, agreements, and loans) for the conduct of research and development activities relating to—

"'(1) nuclear processes;

"'(2) the theory and production of atomic energy, including processes, materials, and devices related to such production;

"'(3) utilization of special nuclear material and radioactive material for medical, biological, agricultural, health, or military purposes;

"'(4) utilization of special nuclear material, atomic energy, and radioactive material and processes entailed in the utilization or production of atomic energy or such material for all other purposes, including industrial uses, the generation of usable energy, and the demonstration of the practical value of utilization or production facilities for industrial or commercial purposes; and

"'(5) the protection of health and the promotion of safety during research and production activities.

"'b. The Commission may (1) make arrangements pursuant to this section, without regard to the provisions of section 3709 of the Revised Statutes, as amended, upon certification by the Commission that such action is necessary in the interest of the common defense and security, or upon a showing by the Commission that advertising is not reasonably practicable; (2) make partial and advance payments under such arrangements; and (3) make available for use in connection therewith such of its equipment and facilities as it may deem desirable.

"'c. The arrangements made pursuant to this section shall contain such provisions (1) to protect health, (2) to minimize danger to life or property, and (3) to require the reporting and to permit the inspection of work performed thereunder, as the Commission may determine. No such arrangement shall contain any provisions or conditions which prevent the dissemination of scientific or technical information, except to the extent such dissemination is prohibited by law.

"'SEC. 32. RESEARCH BY THE COMMISSION.—The Commission is authorized and directed to conduct, through its own facilities, activities and studies of the types specified in section 31.

"'SEC. 33. RESEARCH FOR OTHERS.—Where the Commission finds private facilities or laboratories are inadequate to the purpose, it is authorized to conduct for other persons, through its own facilities, such of those activities and studies of the types specified in section 31 as it deems appropriate to the development of atomic energy. The Commission is authorized to determine and make such charges as in its discretion may be desirable for the conduct of such activities and studies.

"'CHAPTER 5. PRODUCTION OF SPECIAL NUCLEAR MATERIAL

"'SEC. 41. OWNERSHIP AND OPERATION OF PRODUCTION FACILITIES.—

"'a. OWNERSHIP OF PRODUCTION FACILITIES.—The Commission, as agent of and on behalf of the United States, shall be the exclusive owner of all production facilities other than facilities which (1) are useful in the conduct of research and development activities in the fields specified in section 31, and do not, in the opinion of the Commission, have a potential production rate adequate to enable the user of such facilities to produce within a reasonable period of time a sufficient quantity of special nuclear material to produce an atomic weapon; or (2) are licensed by the Commission pursuant to section 103 or 104.

"'b. OPERATION OF THE COMMISSION'S PRODUCTION FACILITIES.—The Commission is authorized and directed to produce or to provide for the production of special nuclear material in its own production facilities. To the extent deemed necessary, the Commission is authorized to make, or to continue in effect, contracts with persons obligating them to produce special nuclear material in facilities owned by the Commission. The Commission is also authorized to enter into research and development contracts authorizing the contractor to produce special nuclear material in facilities owned by the Commission to the extent that the production of such special nuclear material may be incident to the conduct of research and development activities under such contracts. Any contract entered into under this section shall contain provisions (1) prohibiting the contractor from subcontracting any part of the work he is obligated to perform under the contract, except as authorized by the Commission; and (2) obligating the contractor (A) to make such reports pertaining to activities under the contract to the Commission as the Commission may require, (B) to submit to inspection by employees of the Commission of all such activities, and (C) to comply with all safety and security regulations which may be prescribed by the Commission. Any contract made under the provisions of this paragraph may be made without regard to the provisions of section 3709 of the Revised Statutes, as amended, upon certification by the Commission that such action is necessary in the interest of the common defense and security, or upon a showing by the Commission that advertising is not reasonably practicable. Partial and advance payments may be made under such contracts. The President shall determine in writing at least once each year the quantities of special nuclear material to be produced under this section and shall specify in such determination the quantities of special nuclear material to be available for distribution by the Commission pursuant to section 53 or 54.

"'c. OPERATION OF OTHER PRODUCTION FACILITIES.—Special nuclear material may be produced in the facilities which under this section are not required to be owned by the Commission.

"'SEC. 42. IRRADIATION OF MATERIALS.—The Commission and persons lawfully producing or utilizing special nuclear material are authorized to expose materials of any kind to the radiation incident to the processes of producing or utilizing special nuclear material.

"'SEC. 43. ACQUISITION OF PRODUCTION FACILITIES.—The Commission is authorized to purchase any interest in facilities for the production of special nuclear materials, or in real property on which such facilities are located, without regard to the provisions of section 3709 of the Revised Statutes, as amended, upon certification by the Commission that such action is necessary in the interest of the common defense and security, or upon a showing by the Commission that advertising is not reasonably practicable. Partial and advance payments may be made under contracts for such purposes. The Commission is further authorized to requisition, condemn, or otherwise acquire any interest in such production facilities, or to condemn or otherwise acquire such real property, and just compensation shall be made therefor.

"'SEC. 44. DISPOSITION OF ENERGY.—If energy is produced at production facilities of the Commission or is produced in experimental utilization facilities of the Commission, such energy may be used by the Commission, or transferred to other Government agencies, or sold to publicly, cooperatively, or privately owned utilities or users at reasonable and nondiscriminatory prices. If the energy produced is electric energy, the price shall be subject to regulation by the appropriate agency having jurisdiction. In contracting for the disposal of such energy, the Commission shall give preference and priority to public bodies and cooperatives or to privately owned utilities providing electric utility services to high cost areas not being served by public bodies or cooperatives. Nothing in this Act shall be construed to authorize the Commission to engage in the sale or distribution of energy for commercial use except such energy as may be produced by the Commission incident to the operation of research and development facilities of the Commission, or of production facilities of the Commission.

"'CHAPTER 6. SPECIAL NUCLEAR MATERIAL

"'SEC. 51. SPECIAL NUCLEAR MATERIAL.—The Commission may determine from time to time that other material is special nuclear material in addition to that specified in the definition as special nuclear material. Before making any such determination, the Commission must find that such material is capable of releasing substantial quantities of atomic energy and must find that the determination that such material is special nuclear material is in the interest of the common defense and security, and the President must have expressly assented in writing to the determination. The Commission's determination, together with the assent of the President, shall be submitted to the Joint Committee and a period of thirty days shall elapse while Congress is in session (in computing such thirty days, there shall be excluded the days on which either House is not in session because of an adjournment for more than three days) before the determination of the Commission may become effective: *Provided, however,* That the Joint Committee, after having received such determination, may by resolution in writing, waive the conditions of or all or any portion of such thirty-day period.

"'SEC. 52. GOVERNMENT OWNERSHIP OF ALL SPECIAL NUCLEAR MATERIAL.—All rights, title, and interest in or to any special nuclear material within or under the jurisdiction of the United States, now or hereafter produced, shall be the property of the United States and shall be administered and controlled by the Commission as agent of and on behalf of the United States by virtue of this Act. Any person owning any interest in any special nuclear material at the time when such material is hereafter determined to be a special nuclear material shall be paid just compensation therefor. Any person who lawfully produces any special nuclear material, except pursuant to a contract with the Commission under the provisions of section 31 or 41, shall be paid a fair price, determined pursuant to section 56, for producing such material.

"'SEC. 53. DOMESTIC DISTRIBUTION OF SPECIAL NUCLEAR MATERIAL.—

"'(a) The Commission is authorized to issue licenses for the possession of, to make available for the period of the license, and to distribute special nuclear material within

the United States to qualified applicants requesting such material—

"'(1) for the conduct of research and development activities of the types specified in section 31;

"'(2) for use in the conduct of research and development activities or in medical therapy under a license issued pursuant to section 104; or

"'(3) for use under a license issued pursuant to section 103.

"'b. The Commission shall establish, by rule, minimum criteria for the issuance of specific or general licenses for the distribution of special nuclear material depending upon the degree of importance to the common defense and security or to the health and safety of the public of—

"'(1) the physical characteristics of the special nuclear material to be distributed;

"'(2) the quantities of special nuclear material to be distributed; and

"'(3) the intended use of the special nuclear material to be distributed.

"'c. The Commission may make a reasonable charge, determined pursuant to this section, for the use of special nuclear material licensed and distributed under subsection 53 a. (1) or subsection 53 a. (2) and shall make a reasonable charge determined pursuant to this section for the use of special nuclear material licensed and distributed under subsection 53 a. (3). The Commission shall establish criteria in writing for the determination of whether a charge will be made for the use of special nuclear material licensed and distributed under subsection 53 a. (1) or subsection 53 a. (2), considering, among other things, whether the licensee is a nonprofit or eleemosynary institution and the purposes for which the special nuclear material will be used.

"'d. In determining the reasonable charge to be made by the Commission for the use of special nuclear material distributed to licensees of utilization or production facilities licensed pursuant to section 103 or 104, in addition to consideration of the cost thereof, the Commission shall take into consideration—

"'(1) the use to be made of the special nuclear material;

"'(2) the extent to which the use of the special nuclear material will advance the development of the peaceful uses of atomic energy;

"'(3) the energy value of the special nuclear material in the particular use for which the license is issued;

"'(4) whether the special nuclear material is to be used in facilities licensed pursuant to section 103 or 104. In this respect, the Commission shall, insofar as practicable, make uniform, nondiscriminatory charges for the use of special nuclear material distributed to facilities licensed pursuant to section 103; and

"'(5) with respect to special nuclear material consumed in a facility licensed pursuant to section 103, the Commission shall make a further charge based on the cost to the Commission, as estimated by the Commission, or the average fair price paid for the production of such special nuclear material as determined by section 56, whichever is lower.

"'e. Each license issued pursuant to this section shall contain and be subject to the following conditions—

"'(1) title to all special nuclear material shall at all times be in the United States;

"'(2) no right to the special nuclear material shall be conferred by the license except as defined by the license;

"'(3) neither the license nor any right under the license shall be assigned or otherwise transferred in violation of the provisions of this Act;

"'(4) all special nuclear material shall be subject to the right of recapture or control reserved by section 108 and to all other provisions of this Act;

"'(5) no special nuclear material may be used in any utilization or production facility except in accordance with the provisions of this Act;

"'(6) special nuclear material shall be distributed only on terms, as may be established by rule of the Commission, such that no user will be permitted to construct an atomic weapon;

"'(7) special nuclear material shall be distributed only pursuant to such safety standards as may be established by rule of the Commission to protect health and to minimize danger to life or property; and

"'(8) the licensee will hold the United States and the Commission harmless from any damages resulting from the use or possession of special nuclear material by the licensee.

"'f. The Commission is directed to distribute within the United States sufficient special nuclear material to permit the conduct of widespread independent research and development activities to the maximum extent practicable and within the limitations set by the President pursuant to section 41. In the event that applications for special nuclear material exceed the amount available for distribution, preference shall be given to those activities which are most likely, in the opinion of the Commission, to contribute to basic research, to the development of peacetime uses of atomic energy, or to the economic and military strength of the Nation.

"'SEC. 54. FOREIGN DISTRIBUTION OF SPECIAL NUCLEAR MATERIAL.—The Commission is authorized to cooperate with any nation by distributing special nuclear material and to distribute such special nuclear material, pursuant to the terms of an agreement for cooperation to which such nation is a party and which is made in accordance with section 123.

"'SEC. 55. ACQUISITION.—The Commission is authorized to purchase or otherwise acquire any special nuclear material or any interest therein outside the United States without regard to the provisions of section 3709 of the Revised Statutes, as amended, upon certification by the Commission that such action is necessary in the interest of the common defense and security, or upon a showing by the Commission that advertising is not reasonably practicable. Partial and advance payments may be made under contracts for such purposes.

"'SEC. 56. FAIR PRICE.—In determining the fair price to be paid by the Commission pursuant to section 52 for the production of any special nuclear material, the Commission shall take into consideration the value of the special nuclear material for its intended use by the United States and may give such weight to the actual cost of producing that material as the Commission finds to be equitable. The fair price, as may be determined by the Commission, shall apply to all licensed producers of the same material: *Provided, however,* That the Commission may establish guaranteed fair prices for all special nuclear material delivered to the Commission for such period of time as it may deem necessary but not to exceed seven years.

"'SEC. 57. PROHIBITION.—'

"'a. It shall be unlawful for any person to—'

"'(1) possess or transfer any special nuclear material which is the property of the United States except as authorized by the Commission pursuant to subsection 53 a.;

"'(2) transfer or receive any special nuclear material in interstate commerce except as authorized by the Commission pursuant to subsection 53 a., or export from or import into the United States any special nuclear material; and

"'(3) directly or indirectly engage in the production of any special nuclear material outside of the United States except (A) under an agreement for cooperation made pursuant to section 123, or (B) upon authorization by the Commission after a determination that such activity will not be inimical to the interest of the United States.

"'b. The Commission shall not distribute any special nuclear material—

"'(1) to any person for a use which is not under the jurisdiction of the United States except pursuant to the provisions of section 54; or

"'(2) to any person within the United States, if the Commission finds that the distribution of such special nuclear material to such person would be inimical to the common defense and security.

"'CHAPTER 7. SOURCE MATERIAL

"'SEC. 61. SOURCE MATERIAL.—The Commission may determine from time to time that other material is source material in addition to those specified in the definition of source material. Before making such determination, the Commission must find that such material is essential to the production of special nuclear material and must find that the determination that such material is source material is in the interest of the common defense and security, and the President must have expressly assented in writing to the determination. The Commission's determination, together with the assent of the President, shall be submitted to the Joint Committee and a period of thirty days shall elapse while Congress is in session (in computing such thirty days, there shall be excluded the days on which either House is not in session because of an adjournment of more than three days) before the determination of the Commission may become effective: *Provided, however,* That the Joint Committee, after having received such determination, may by resolution in writing waive the conditions of or all or any portion of such thirty-day period.

"'SEC. 62. LICENSE FOR TRANSFERS REQUIRED.—Unless authorized by a general or specific license issued by the Commission, which the Commission is hereby authorized to issue, no person may transfer or receive in interstate commerce, transfer, deliver, receive possession of or title to, or import into or export from the United States any source material after removal from its place of deposit in nature, except that licenses shall not be required for quantities of source material which, in the opinion of the Commission, are unimportant.

"'SEC. 63. DOMESTIC DISTRIBUTION OF SOURCE MATERIAL.—

"'a. The Commission is authorized to issue licenses for and to distribute source material within the United States to qualified applicants requesting such material—

"'(1) for the conduct of research and development activities of the types specified in section 31;

"'(2) for use in the conduct of research and development activities or in medical therapy under a license issued pursuant to section 104;

"'(3) for use under a license issued pursuant to section 103; or

"'(4) for any other use approved by the Commission as an aid to science or industry.

"'b. The Commission shall establish, by rule, minimum criteria for the issuance of specific or general licenses for the distribution of source material depending upon the degree of importance to the common defense and security or to the health and safety of the public of—

"'(1) the physical characteristics of the source material to be distributed;

"'(2) the quantities of source material to be distributed; and

"'(3) the intended use of the source material to be distributed.

"'c. The Commission may make a reasonable charge determined pursuant to subsection 161 m. for the source material li-

censed and distributed under subsection 63 a. (1), subsection 63 a. (2), or subsection 63 a. (4), and shall make a reasonable charge determined pursuant to subsection 161 m., for the source material licensed and distributed under subsection 63 a. (3). The Commission shall establish criteria in writing for the determination of whether a charge will be made for the source material licensed and distributed under subsection 63 a. (1), subsection 63 a. (2), or subsection 63 a. (4), considering, among other things, whether the licensee is a nonprofit or eleemosynary institution and the purposes for which the source material will be used.

"'SEC. 64. FOREIGN DISTRIBUTION OF SOURCE MATERIAL.—The Commission is authorized to cooperate with any nation by distributing source material and to distribute source material pursuant to the terms of an agreement for cooperation to which such nation is a party and which is made in accordance with section 123. The Commission is also authorized to distribute source material outside of the United States upon a determination by the Commission that such activity will not be inimical to the interests of the United States.

"'SEC. 65. REPORTING.—The Commission is authorized to issue such rules, regulations, or orders requiring reports of ownership, possession, extraction, refining, shipment, or other handling of source material as it may deem necessary, except that such reports shall not be required with respect to (a) any source material prior to removal from its place of deposit in nature, or (b) quantities of source material which in the opinion of the Commission are unimportant or the reporting of which will discourage independent prospecting for new deposits.

"'SEC. 66. ACQUISITION.—The Commission is authorized and directed, to the extent it deems necessary to effectuate the provisions of this Act—

"'a. to purchase, take, requisition, condemn, or otherwise acquire supplies of source material;

"'b. to purchase, condemn, or otherwise acquire any interest in real property containing deposits of source material; and

"'c. to purchase, condemn, or otherwise acquire rights to enter upon any real property deemed by the Commission to have possibilities of containing deposits of source material in order to conduct prospecting and exploratory operations for such deposits.

Any purchase made under this section may be made without regard to the provisions of section 3709 of the Revised Statutes, as amended, upon certification by the Commission that such action is necessary in the interest of the common defense and security, or upon a showing by the Commission that advertising is not reasonably practicable. Partial and advanced payments may be made under contracts for such purposes. The Commission may establish guaranteed prices for all source material delivered to it within a specified time. Just compensation shall be made for any right, property, or interest in property taken, requisitioned, condemned, or otherwise acquired under this section.

"'SEC. 67. OPERATIONS ON LANDS BELONGING TO THE UNITED STATES.—The Commission is authorized, to the extent it deems necessary to effectuate the provisions of this Act, to issue leases or permits for prospecting for, exploration for, mining of, or removal of deposits of source material in lands belonging to the United States: *Provided, however,* That notwithstanding any other provisions of law, such leases or permits may be issued for lands administered for national park, monument, and wildlife purposes only when the President by Executive Order declares that the requirements of the common defense and security make such action necessary.

"'SEC. 68. PUBLIC LANDS.—

"'a. No individual, corporation, partnership, or association, which had any part, directly or indirectly, in the development of the atomic energy program, may benefit by any location, entry, or settlement upon the public domain made after such individual, corporation, partnership, or association took part in such project, if such individual, corporation, partnership, or association, by reason of having had such part in the development of the atomic energy program, acquired confidential official information as to the existence of deposits of such uranium, thorium, or other materials in the specific lands upon which such location, entry, or settlement is made, and subsequent to the date of the enactment of this Act made such location, entry, or settlement or caused the same to be made for his, or its, or their benefit.

"'b. In cases where any patent, conveyance, lease, permit, or other authorization has been issued, which reserved to the United States source materials and the right to enter upon the land and prospect for, mine, and remove the same, the head of the Government agency which issued the patent, conveyance, lease, permit, or other authorization shall, on application of the holder thereof, issue a new or supplemental patent, conveyance, lease, permit, or other authorization without such reservation. If any rights have been granted by the United States pursuant to any such reservation then such patent shall be made subject to those rights, but the patentee shall be subrogated to the rights of the United States.

"'c. Notwithstanding the provisions of the Atomic Energy Act of 1946, as amended, and particularly section 5 (b) (7) thereof, or the provisions of the Act of August 12, 1953 (67 Stat. 539), and particularly section 3 thereof, any mining claim, heretofore located under the mining laws of the United States, for or based upon a discovery of a mineral deposit which is a source material and which, except for the possible contrary construction of said Atomic Energy Act, would have been locatable under such mining laws, shall, insofar as adversely affected by such possible contrary construction, be valid and effective, in all respects to the same extent as if said mineral deposit were a locatable mineral deposit other than a source material.

"'SEC. 69. PROHIBITION.—The Commission shall not license any person to transfer or deliver, receive possession of or title to, or import into or export from the United States any source material if, in the opinion of the Commission, the issuance of a license to such person for such purpose would be inimical to the common defense and security or the health and safety of the public.

"'CHAPTER 8. BYPRODUCT MATERIAL

"'SEC. 81. DOMESTIC DISTRIBUTION.—No person may transfer or receive in interstate commerce, manufacture, produce, transfer, acquire, own, possess, import, or export any byproduct material, except to the extent authorized by this section or by section 82. The Commission is authorized to issue general or specific licenses to applicants seeking to use byproduct material for research or development purposes, for medical therapy, industrial uses, agricultural uses, or such other useful applications as may be developed. The Commission may distribute, sell, loan, or lease such byproduct material as it owns to licensees with or without charge: *Provided, however,* That, for byproduct material to be distributed by the Commission for a charge, the Commission shall establish prices on such equitable basis as, in the opinion of the Commission, (a) will provide reasonable compensation to the Government for such material, (b) will not discourage the use of such material or the development of sources of supply of such material independent of the Commission, and (c) will encourage research and development. In distributing such material, the Commission shall give preference to applicants proposing to use such material either in the conduct of research and development or in medical therapy. Licensees of the Commission may distribute byproduct material only to applicants therefor who are licensed by the Commission to receive such byproduct material. The Commission shall not permit the distribution of any byproduct material to any licensee, and shall recall or order the recall of any distributed material from any licensee, who is not equipped to observe or who fails to observe such safety standards to protect health as may be established by the Commission or who uses such material in violation of law or regulation of the Commission or in a manner other than as disclosed in the application therefor or approved by the Commission. The Commission is authorized to establish classes of byproduct material and to exempt certain classes or quantities of material or kinds of uses or users from the requirements for a license set forth in this section when it makes a finding that the exemption of such classes or quantities of such material or such kinds of uses or users will not constitute an unreasonable risk to the common defense and security and to the health and safety of the public.

"'SEC. 82. FOREIGN DISTRIBUTION OF BYPRODUCT MATERIAL.—

"'a. The Commission is authorized to cooperate with any nation by distributing byproduct material, and to distribute byproduct material, pursuant to the terms of an agreement for cooperation to which such nation is party and which is made in accordance with section 123.

"'b. The Commission is also authorized to distribute byproduct material to any person outside the United States upon application therefor by such person and demand such charge for such material as would be charged for the material if it were distributed within the United States: *Provided, however,* That the Commission shall not distribute any such material to any person under this section if, in its opinion, such distribution would be inimical to the common defense and security: *And provided further,* That the Commission may require such reports regarding the use of material distributed pursuant to the provisions of this section as it deems necessary.

"'c. The Commission is authorized to license others to distribute byproducts material to any person outside the United States under the same conditions, except as to charges, as would be applicable if the material were distributed by the Commission.

"'CHAPTER 9. MILITARY APPLICATION OF ATOMIC ENERGY

"'SEC. 91. AUTHORITY.—

"'a. The Commission is authorized to—

"'(1) conduct experiments and do research and development work in the military application of atomic energy; and

"'(2) engage in the production of atomic weapons, or atomic weapon parts, except that such activities shall be carried on only to the extent that the express consent and direction of the President of the United States has been obtained, which consent and direction shall be obtained at least once each year.

"'b. The President from time to time may direct the Commission (1) to deliver such quantities of special nuclear material or atomic weapons to the Department of Defense for such use as he deems necessary in the interest of national defense, or (2) to authorize the Department of Defense to manufacture, produce, or acquire any atomic weapon or utilization facility for military purposes: *Provided, however,* That such authorization shall not extend to the production of special nuclear material other than that incidental to the operation of such utilization facilities.

"'SEC. 92. PROHIBITION.—It shall be unlawful for any person to transfer or receive

in interstate commerce, manufacture, produce, transfer, acquire, possess, import, or export any atomic weapon, except as may be authorized by the Commission pursuant to the provisions of section 91. Nothing in this section shall be deemed to modify the provisions of subsection 31 a. or section 101.

" 'CHAPTER 10. ATOMIC ENERGY LICENSES

" 'SEC. 101. LICENSE REQUIRED.—It shall be unlawful, except as provided in section 91, for any person within the United States to transfer or receive in interstate commerce, manufacture, produce, transfer, acquire, possess, import, or export any utilization or production facility except under and in accordance with a license issued by the Commission pursuant to section 103 or 104.

" 'SEC. 102. FINDING OF PRACTICAL VALUE.—Whenever the Commission has made a finding in writing that any type of utilization or production facility has been sufficiently developed to be of practical value for industrial or commercial purposes, the Commission may thereafter issue licenses for such type of facility pursuant to section 103.

" 'SEC. 103. COMMERCIAL LICENSES.—

" 'a. Subsequent to a finding by the Commission as required in section 102, the Commission may issue licenses to transfer or receive in interstate commerce, manufacture, produce, transfer, acquire, possess, import, or export under the terms of an agreement for cooperation arranged pursuant to section 123, such type of utilization or production facility. Such licenses shall be issued in accordance with the provisions of chapter 16 and subject to such conditions as the Commission may by rule or regulation establish to effectuate the purposes and provisions of this Act.

" 'b. The Commission shall issue such licenses on a nonexclusive basis to persons applying therefor (1) whose proposed activities will serve a useful purpose proportionate to the quantities of special nuclear material or source material to be utilized; (2) who are equipped to observe and who agree to observe such safety standards to protect health and to minimize danger to life or property as the Commission may by rule establish; and (3) who agree to make available to the Commission such technical information and data concerning activities under such licenses as the Commission may determine necessary to promote the common defense and security and to protect the health and safety of the public. All such information may be used by the Commission only for the purposes of the common defense and security and to protect the health and safety of the public.

" 'c. Each such license shall be issued for a specified period, as determined by the Commission, depending on the type of activity to be licensed, but not exceeding forty years, and may be renewed upon the expiration of such period.

" 'd. No license under this section may be given to any person for activities which are not under or within the jurisdiction of the United States, except for the export of production or utilization facilities under terms of an agreement for cooperation arranged pursuant to section 123, or except under the provisions of section 109. No license may be issued to any corporation or other entity if the Commission knows or has reason to believe it is owned, controlled, or dominated by an alien, a foreign corporation, or a foreign government. In any event, no license may be issued to any person within the United States if, in the opinion of the Commission, the issuance of a license to such person would be inimical to the common defense and security or to the health and safety of the public.

" 'SEC. 104. MEDICAL THERAPY AND RESEARCH AND DEVELOPMENT.—

" 'a. The Commission is authorized to issue licenses to persons applying therefor for utilization facilities for use in medical therapy. In issuing such licenses the Commission is directed to permit the widest amount of effective medical therapy possible with the amount of special nuclear material available for such purposes and to impose the minimum amount of regulation consistent with its obligations under this Act to promote the common defense and security and to protect the health and safety of the public.

" 'b. The Commission is authorized to issue licenses to persons applying therefor for utilization and production facilities involved in the conduct of research and development activities leading to the demonstration of the practical value of such facilities for industrial or commercial purposes. In issuing licenses under this subsection, the Commission shall impose the minimum amount of such regulations and terms of license as will permit the Commission to fulfill its obligations under this Act to promote the common defense and security and to protect the health and safety of the public and will be compatible with the regulations and terms of license which would apply in the event that a commercial license were later to be issued pursuant to section 103 for that type of facility. In issuing such licenses, priority shall be given to those activities which will, in the opinion of the Commission, lead to major advances in the application of atomic energy for industrial or commercial purposes.

" 'c. The Commission is authorized to issue licenses to persons applying therefor for utilization and production facilities useful in the conduct of research and development activities of the types specified in section 31 and which are not facilities of the type specified in subsection 104 b. The Commission is directed to impose only such minimum amount of regulation of the licensee as the Commission finds will permit the Commission to fulfill its obligations under this Act to promote the common defense and security and to protect the health and safety of the public and will permit the conduct of widespread and diverse research and development.

" 'd. No license under this section may be given to any person for activities which are not under or within the jurisdiction of the United States, except for the export of production or utilization facilities under terms of an agreement for cooperation arranged pursuant to section 123 or except under the provisions of section 109. No license may be issued to any corporation or other entity if the Commission knows or has reason to believe it is owned, controlled, or dominated by an alien, a foreign corporation, or a foreign government. In any event, no license may be issued to any person within the United States if, in the opinion of the Commission, the issuance of a license to such person would be inimical to the common defense and security or to the health and safety of the public.

" 'SEC. 105. ANTITRUST PROVISIONS.—

" 'a. Nothing contained in this Act, including the provisions which vest title to all special nuclear material in the United States, shall relieve any person from the operation of the following Acts, as amended, "An Act to protect trade and commerce against unlawful restraints and monopolies," approved July second, eighteen hundred and ninety; sections seventy-three to seventy-seven, inclusive, of an Act entitled "An Act to reduce taxation, to provide revenue for the Government, and for other purposes" approved August twenty-seven, eighteen hundred and ninety-four; "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes" approved October fifteen, nineteen hundred and fourteen; and "An Act to create a Federal Trade Commission, to define its powers and duties, and for other purposes" approved September twenty-six, nineteen hundred and fourteen. In the event a licensee is found by a court of competent jurisdiction, either in an original action in that court or in a proceeding to enforce or review the findings or orders of any Government agency having jurisdiction under the laws cited above, to have violated any of the provisions of such laws in the conduct of the licensed activity, the Commission may suspend, revoke, or take such other action as it may deem necessary with respect to any license issued by the Commission under the provisions of this Act.

" 'b. The Commission shall report promptly to the Attorney General any information it may have with respect to any utilization of special nuclear material or atomic energy which appears to violate or to tend toward the violation of any of the foregoing Acts, or to restrict free competition in private enterprise.

" 'c. Whenever the Commission proposes to issue any license to any person under section 103, it shall notify the Attorney General of the proposed license and the proposed terms and conditions thereof, except such classes or types of licenses, as the Commission, with the approval of the Attorney General, may determine would not significantly affect the licensee's activities under the antitrust laws as specified in subsection 105 a. Within a reasonable time, in no event to exceed 90 days after receiving such notification, the Attorney General shall advise the Commission whether, insofar as he can determine, the proposed license would tend to create or maintain a situation inconsistent with the antitrust laws, and such advice shall be published in the Federal Register. Upon the request of the Attorney General, the Commission shall furnish or cause to be furnished such information as the Attorney General determines to be appropriate or necessary to enable him to give the advice called for by this section.

" 'SEC. 106. CLASSES OF FACILITIES.—The Commission may—

" 'a. group the facilities licensed either under section 103 or under section 104 into classes which may include either production or utilization facilities or both, upon the basis of the similarity of operating and technical characteristics of the facilities:

" 'b. define the various activities to be carried on at each such class of facility; and

" 'c. designate the amounts of special nuclear material available for use by each such facility.

" 'SEC. 107. OPERATORS' LICENSES.—The Commission shall—

" 'a. prescribe uniform conditions for licensing individuals as operators of any of the various classes of production and utilization facilities licensed in this Act;

" 'b. determine the qualifications of such individuals;

" 'c. issue licenses to such individuals in such form as the Commission may prescribe; and

" 'd. suspend such licenses for violations of any provision of this Act or any rule or regulation issued thereunder whenever the Commission deems such action desirable.

" 'SEC. 108. WAR OR NATIONAL EMERGENCY.—Whenever the Congress declares that a state of war or national emergency exists, the Commission is authorized to suspend any licenses granted under this Act if in its judgment such action is necessary to the common defense and security. The Commission is authorized during such period, if the Commission finds it necessary to the common defense and security, to order the recapture of any special nuclear material distributed under the provisions of subsection 53 a., or to order the operation of any facility licensed under section 103 or 104, and is authorized to order the entry into any plant or facility in order to recapture such material, or to operate such facility. Just compensation shall be paid for any damages caused by the recapture of any special nuclear material or by the operation of any such facility.

" 'SEC. 109. COMPONENT PARTS OF FACILITIES.—With respect to those utilization and production facilities which are so determined by the Commission pursuant to subsection 11 p. (2) or 11 v. (2) the Commission may (a) issue general licenses for activities required to be licensed under section 101, if the Commission determines in writing that such general licensing will not constitute an unreasonable risk to the common defense and security, and (b) issue licenses for the export of such facilities, if the Commission determines in writing that each export will not constitute an unreasonable risk to the common defense and security.

" 'SEC. 110. EXCLUSIONS.—Nothing in this chapter shall be deemed—

" 'a. to require a license for (1) the processing, fabricating, or refining of special nuclear material, or the separation of special nuclear material, or the separation of special nuclear material from other substances, under contract with and for the account of the Commission; or (2) the construction or operation of facilities under contract with and for the account of the Commission; or

" 'b. to require a license for the manufacture, production, or acquisition by the Department of Defense of any utilization facility authorized pursuant to section 91, or for the use of such facility by the Department of Defense or a contractor thereof.

" 'CHAPTER 11. INTERNATIONAL ACTIVITIES

" 'SEC. 121. EFFECT OF INTERNATIONAL ARRANGEMENTS.—Any provision of this Act or any action of the Commission to the extent and during the time that it conflicts with the provisions of any international arrangement made after the date of enactment of this Act shall be deemed to be of no force or effect.

" 'SEC. 122. POLICIES CONTAINED IN INTERNATIONAL ARRANGEMENTS.—In the performance of its functions under this Act, the Commission shall give maximum effect to the policies contained in any international arrangement made after the date of enactment of this Act.

" 'SEC. 123. COOPERATION WITH OTHER NATIONS.—No cooperation with any nation or regional defense organization pursuant to sections 54, 57, 64, 82, 103, 104, or 144 shall be undertaken until—

" 'a. the Commission or, in the case of those agreements for cooperation arranged pursuant to subsection 144 b., the Department of Defense has submitted to the President the proposed agreement for cooperation, together with its recommendation thereon, which proposed agreement shall include (1) the terms, conditions, duration, nature, and scope of the cooperation; (2) a guaranty by the cooperating party that security safeguards and standards as set forth in the agreement for cooperation will be maintained; (3) a guaranty by the cooperating party that any material to be transferred pursuant to such agreement will not be used for atomic weapons, or for research on or development of atomic weapons, or for any other military purpose; and (4) a guaranty by the cooperating party that any material or any Restricted Data to be transferred pursuant to the agreement for cooperation will not be transferred to unauthorized persons or beyond the jurisdiction of the cooperating party, except as specified in the agreement for cooperation;

" 'b. the President has approved and authorized the execution of the proposed agreement for cooperation, and has made a determination in writing that the performance of the proposed agreement will promote and will not constitute an unreasonable risk to the common defense and security; and

" 'c. the proposed agreement for cooperation, together with the approval and the determination of the President, has been submitted to the Joint Committee and a period of thirty days has elapsed while Congress is in session (in computing such thirty days, there shall be excluded the days on which either House is not in session because of an adjournment of more than three days).

" 'SEC. 124. INTERNATIONAL ATOMIC POOL.—The President is authorized to enter into an international arrangement with a group of nations providing for international cooperation in the nonmilitary applications of atomic energy and he may thereafter cooperate with that group of nations pursuant to sections 54, 57, 64, 82, 103, 104, or 144a.: *Provided, however,* That the cooperation is undertaken pursuant to an agreement for cooperation entered into in accordance with section 123.

" 'CHAPTER 12. CONTROL OF INFORMATION

" 'SEC. 141. POLICY.—It shall be the policy of the Commission to control the dissemination and declassification of Restricted Data in such a manner as to assure the common defense and security. Consistent with such policy, the Commission shall be guided by the following principles:

" 'a. Until effective and enforceable international safeguards against the use of atomic energy for destructive purposes have been established by an international arrangement, there shall be no exchange of Restricted Data with other nations except as authorized by section 144; and

" 'b. The dissemination of scientific and technical information relating to atomic energy should be permitted and encouraged so as to provide that free interchange of ideas and criticism which is essential to scientific and industrial progress and public understanding and to enlarge the fund of technical information.

" 'SEC. 142. CLASSIFICATION AND DECLASSIFICATION OF RESTRICTED DATA.—

" 'a. The Commission shall from time to time determine the data, within the definition of Restricted Data, which can be published without undue risk to the common defense and security and shall thereupon cause such data to be declassified and removed from the category of Restricted Data.

" 'b. The Commission shall maintain a continuous review of Restricted Data and of any Classification Guides issued for the guidance of those in the atomic energy program with respect to the areas of Restricted Data which have been declassified in order to determine which information may be declassified and removed from the category of Restricted Data without undue risk to the common defense and security.

" 'c. In the case of Restricted Data which the Commission and the Department of Defense jointly determine to relate primarily to the military utilization of atomic weapons, the determination that such data may be published without constituting an unreasonable risk to the common defense and security shall be made by the Commission and the Department of Defense jointly, and if the Commission and the Department of Defense do not agree, the determination shall be made by the President.

" 'd. The Commission shall remove from the Restricted Data category such data as the Commission and the Department of Defense jointly determine relates primarily to the military utilization of atomic weapons and which the Commission and Department of Defense jointly determine can be adequately safeguarded as defense information: *Provided, however,* That no such data so removed from the Restricted Data category shall be transmitted or otherwise made available to any nation or regional defense organization, while such data remains defense information, except pursuant to an agreement for cooperation entered into in accordance with subsection 144 b.

" 'e. The Commission shall remove from the Restricted Data category such information concerning the atomic energy programs of other nations as the Commission and the Director of Central Intelligence jointly determine to be necessary to carry out the provisions of section 102 (d) of the National Security Act of 1947, as amended, and can be adequately safeguarded as defense information.

" 'SEC. 143. DEPARTMENT OF DEFENSE PARTICIPATION.—The Commission may authorize any of its employees, or employees of any contractor, prospective contractor, licensee or prospective licensee of the Commission to permit any employee of an agency of the Department of Defense or of its contractors, or any member of the Armed Forces to have access to Restricted Data required in the performance of his duties and so certified by the head of the appropriate agency of the Department of Defense or his designee: *Provided, however,* That the head of the appropriate agency of the Department of Defense or his designee has determined, in accordance with the established personnel security procedures and standards of such agency, that permitting the member or employee to have access to such Restricted Data will not endanger the common defense and security: *And provided further,* That the Secretary of Defense finds that the established personnel and other security procedures and standards of such agency are adequate and in reasonable conformity to the standards established by the Commission under section 145.

" 'SEC. 144. INTERNATIONAL COOPERATION.—

" 'a. The President may authorize the Commission to cooperate with another nation and to communicate to that nation Restricted Data on—

" '(1) refining, purification, and subsequent treatment of source material;

" '(2) reactor development;

" '(3) production of special nuclear material;

" '(4) health and safety;

" '(5) industrial and other applications of atomic energy for peaceful purposes; and

" '(6) research and development relating to the foregoing.

Provided, however, That no such cooperation shall involve the communication of Restricted Data relating to the design or fabrication of atomic weapons: *And provided further,* That the cooperation is undertaken pursuant to an agreement for cooperation entered into in accordance with section 123, or is undertaken pursuant to an agreement existing on the effective date of this Act.

" 'b. The President may authorize the Department of Defense, with the assistance of the Commission, to cooperate with another nation or with a regional defense organization to which the United States is a party, and to communicate to that nation or organization such Restricted Data as is necessary to—

" '(1) the development of defense plans;

" '(2) the training of personnel in the employment of and defense against atomic weapons; and

" '(3) the evaluation of the capabilities of potential enemies in the employment of atomic weapons,

while such other nation or organization is participating with the United States pursuant to an international arrangement by substantial and material contributions to the mutual defense and security: *Provided, however,* That no such cooperation shall involve communication of Restricted Data relating to the design or fabrication of atomic weapons except with regard to external characteristics, including size, weight, and shape, yields and effects, and systems employed in the delivery or use thereof but not including any data in these categories unless in the joint judgment of the Commission and the Department of Defense such data will not reveal important information concerning the design or fabrication of the nuclear components of an atomic weapon: *And provided further,* That the cooperation is undertaken pursuant to an agreement entered into in accordance with section 123.

"'SEC. 145. RESTRICTIONS.—

"'a. No arrangement shall be made under section 31, no contract shall be made or continued in effect under section 41, and no license shall be issued under section 103 or 104, unless the person with whom such arrangement is made, the contractor or prospective contractor, or the prospective licensee agrees in writing not to permit any individual to have access to Restricted Data until the Civil Service Commission shall have made an investigation and report to the Commission on the character, associations, and loyalty of such individual, and the Commission shall have determined that permitting such person to have access to Restricted Data will not endanger the common defense and security.

"'b. Except as authorized by the Commission or the General Manager upon a determination by the Commission or General Manager that such action is clearly consistent with the national interest, no individual shall be employed by the Commission nor shall the Commission permit any individual to have access to Restricted Data until the Civil Service Commission shall have made an investigation and report to the Commission on the character, associations, and loyalty of such individual, and the Commission shall have determined that permitting such person to have access to Restricted Data will not endanger the common defense and security.

"'c. In the event an investigation made pursuant to subsections a. and b. of this section develops any data reflecting that the individual who is the subject of the investigation is of questionable loyalty, the Civil Service Commission shall refer the matter to the Federal Bureau of Investigation for the conduct of a full field investigation, the results of which shall be furnished to the Civil Service Commission for its information and appropriate action.

"'d. If the President deems it to be in the national interest, he may from time to time cause investigations of any group or class which are required by subsections a. and b. of this section to be made by the Federal Bureau of Investigation instead of by the Civil Service Commission.

"'e. Notwithstanding the provisions of subsections a. and b. of this section, a majority of the members of the Commission shall certify those specific positions which are of a high degree of importance or sensitivity and upon such certification the investigation and reports required by such provisions shall be made by the Federal Bureau of Investigation instead of by the Civil Service Commission.

"'f. The Commission shall establish standards and specifications in writing as to the scope and extent of investigations to be made by the Civil Service Commission pursuant to subsections a. and b. of this section. Such standards and specifications shall be based on the location and class or kind of work to be done, and shall, among other considerations, take into account the degree of importance to the common defense and security of the Restricted Data to which access will be permitted.

"'SEC. 146. GENERAL PROVISIONS.—

"'a. Sections 141 to 145, inclusive, shall not exclude the applicable provisions of any other laws, except that no Government agency shall take any action under such other laws inconsistent with the provisions of those sections.

"'b. The Commission shall have no power to control or restrict the dissemination of information other than as granted by this or any other law.

"'CHAPTER 13. PATENTS AND INVENTIONS

"'SEC. 151. MILITARY UTILIZATION.—

"'a. No patent shall hereafter be granted for any invention or discovery which is useful solely in the utilization of special nuclear material or atomic energy in an atomic weapon. Any patent granted for any such invention or discovery is hereby revoked, and just compensation shall be made therefor.

"'b. No patent hereafter granted shall confer any rights with respect to any invention or discovery to the extent that such invention or discovery is used in the utilization of special nuclear material or atomic energy in atomic weapons. Any rights conferred by any patent heretofore granted for any invention or discovery are hereby revoked to the extent that such invention or discovery is so used, and just compensation shall be made therefor.

"'c. Any person who has made or hereafter makes any invention or discovery useful (1) in the production or utilization of special nuclear material or atomic energy; (2) in the utilization of special nuclear material in an atomic weapon; or (3) in the utilization of atomic energy in an atomic weapon, shall file with the Commission a report containing a complete description thereof unless such invention or discovery is described in an application for a patent filed with the Commissioner of Patents by such person within the time required for the filing of such report. The report covering any such invention or discovery shall be filed on or before whichever of the following is the later: either the ninetieth day after completion of such invention or discovery; or the ninetieth day after such person first discovers or first has reason to believe that such invention or discovery is useful in such production or utilization.

"'d. The Commissioner of Patents shall notify the Commission of all applications for patents heretofore or hereafter filed which, in his opinion, disclose inventions or discoveries required to be reported under subsection 151 c., and shall provide the Commission access to all such applications.

"'SEC. 152. INVENTIONS CONCEIVED DURING COMMISSION CONTRACTS.—Any invention or discovery, useful in the production or utilization of special nuclear material or atomic energy, made or conceived under any contract, subcontract, arrangement, or other relationship with the Commission, regardless of whether the contract or arrangement involved the expenditure of funds by the Commission, shall be deemed to have been made or conceived by the Commission, except that the Commission may waive its claim to any such invention or discovery if made or conceived by any person at or in connection with any laboratory under the jurisdiction of the Commission as provided in section 33, or under such other circumstances as the Commission may deem appropriate. No patent for any invention or discovery useful in the production or utilization of special nuclear material or atomic energy, shall be issued unless the applicant files with the application, or within 30 days after request therefor by the Commissioner of Patents, a statement under oath setting forth the full facts surrounding the making or conception of the invention or discovery described in the application and whether the invention or discovery was made or conceived in the course of, in connection with, or under the terms of any contract, subcontract, arrangement, or other relationship with the Commission, regardless of whether the contract or arrangement involved the expenditure of funds by the Commission. The Commissioner of Patents shall forthwith forward copies of the application and the statement to the Commission.

"'The Commissioner of Patents may proceed with the application and issue the patent to the applicant (if the invention or discovery is otherwise patentable) unless the Commission, within 90 days after receipt of copies of the application and statement, directs the Commissioner of Patents to issue the patent to the Commission (if the invention or discovery is otherwise patentable) to be held by the Commission as the agent of and on behalf of the United States.

"'If the Commission files such a direction with the Commissioner of Patents, and if the applicant's statement claims, and the applicant still believes, that the invention or discovery was not made or conceived in the course of, in connection with, or under the terms of any contract, subcontract, arrangement, or other relationship with the Commission entitling the Commission to take title to the application or the patent, the applicant may, within 30 days after notification of the filing of such a direction, request a hearing before a Board of Patent Interferences. The Board shall have the power to hear and determine whether the Commission was entitled to the direction filed with the Commissioner of Patents. The Board shall follow the rules and procedures established for interference cases and an appeal may be taken by either the applicant or the Commission from the final order of the Board to the Court of Customs and Patent Appeals in accordance with the procedures governing the appeals from the Board of Patent Interferences.

"'If the statement filed by the applicant should thereafter be found to contain false material statements any notification by the Commission that it has no objections to the issuance of a patent to the applicant shall not be deemed in any respect to constitute a waiver of the provisions of this section or of any applicable civil or criminal statute, and the Commission may have the title to the patent transferred to the Commission on the records of the Commissioner of Patents in accordance with the provisions of this section.

"'SEC. 153. NONMILITARY UTILIZATION.—

"'a. The Commission may, after giving the patent owner an opportunity for a hearing, declare any patent to be affected with the public interest if (1) the invention or discovery covered by the patent is of primary importance in the production or utilization of special nuclear material or atomic energy; and (2) the licensing of such invention or discovery under this section is of primary importance to effectuate the policies and purposes of this Act.

"'b. Whenever any patent has been declared affected with the public interest, pursuant to subsection 153 a.—

"'(1) the Commission is hereby licensed to use the invention or discovery covered by such patent in performing any of its powers under this Act; and

"'(2) any person may apply to the Commission for a nonexclusive patent license to use the invention or discovery covered by such patent, and the Commission shall grant such patent license to the extent that it finds that the use of the invention or discovery is of primary importance to the conduct of an activity by such person authorized under this Act.

"'c. Any person—

"'(1) who has made application to the Commission for a license under sections 53, 62, 63, 81, 103, or 104, or a permit or lease under section 67;

"'(2) to whom such license, permit, or lease has been issued by the Commission;

"'(3) who is authorized to conduct such activities as such applicant is conducting or proposes to conduct under a general license issued by the Commission under sections 62 or 81; or

"'(4) whose activities or proposed activities are authorized under section 31,

may at any time make application to the Commission for a patent license for the use of an invention or discovery useful in the production or utilization of special nuclear material or atomic energy covered by a patent. Each such application shall set forth the nature and purpose of the use which the applicant intends to make of the patent license, the steps taken by the applicant to obtain a patent license from the owner of the patent, and a statement of the effects, as estimated

by the applicant, on the authorized activities which will result from failure to obtain such patent license and which will result from the granting of such patent license.

"'d. Whenever any person has made an application to the Commission for a patent license pursuant to subsection 153 c.—

"'(1) the Commission, within 30 days after the filing of such application, shall make available to the owner of the patent all of the information contained in such application, and shall notify the owner of the patent of the time and place at which a hearing will be held by the Commission;

"'(2) the Commission shall hold a hearing within 60 days after the filing of such application at a time and place designated by the Commission; and

"'(3) in the event an applicant applies for two or more patent licenses, the Commission may, in its discretion, order the consolidation of such applications, and if the patents are owned by more than one owner, such owners may be made parties to one hearing.

"'e. If, after any hearing conducted pursuant to suosection 153 d., the Commission find that—

"'(1) the invention or discovery covered by the patent is of primary importance in the production or utilization of special nuclear material or atomic energy;

"'(2) the licensing of such invention or discovery is of primary importance to the conduct of the activities of the applicant;

"'(3) the activities to which the patent license are proposed to be applied by such applicant are of primary importance to the furtherance of policies and purposes of this Act; and

"'(4) such applicant cannot otherwise obtain a patent license from the owner of the patent on terms which the Commission deems to be reasonable for the intended use of the patent to be made by such applicant, the Commission shall license the applicant to use the invention or discovery covered by the patent for the purposes stated in such application on terms deemed equitable by the Commission and generally not less fair than those granted by the patentee or by the Commission to similar licensees for comparable use.

"'f. The Commission shall not grant any patent license pursuant to subsection 153 e. for any other purpose than that stated in the application. Nor shall the Commission grant any patent license to any other applicant for a patent license on the same patent without an application being made by such applicant pursuant to subsection 153 c., and without separate notification and hearing as provided in subsection 153 d., and without a separate finding as provided in subsection 153 e.

"'g. The owner of the patent affected by a declaration or a finding made by the Commission pursuant to subsection 153 b. or 153 e. shall be entitled to a reasonable royalty fee from the licensee for any use of an invention or discovery licensed by this section. Such royalty fee may be agreed upon by such owner and the patent licensee, or in the absence of such agreement shall be determined for each patent license by the Commission pursuant to subsection 157 c.

"'h. The provisions of this section shall apply to any patent the application for which shall have been filed before September 1, 1959.

"'SEC. 154. INJUNCTIONS.—No court shall have jurisdiction of power to stay, restrain, or otherwise enjoin the use of any invention or discovery by a patent licensee, to the extent that such use is licensed by subsection 153 b. or 153 e. If, in any action against such patent licensee, the court shall determine that the defendant is exercising such license, the measure of damages shall be the royalty fee determined pursuant to subsection 157 c., together with such costs, interest, and reasonable attorney's fees as may be fixed by the court. If no royalty fee has been determined, the court shall stay the proceeding until the royalty fee is determined pursuant to subsection 157 c. If any such patent licensee shall fail to pay such royalty fee, the patentee may bring an action in any court of competent jurisdiction for such royalty fee, together with such costs, interest, and reasonable attorney's fees as may be fixed by the court.

"'SEC. 155. PRIOR ART.—In connection with applications for patents covered by this Chapter, the fact that the invention or discovery was known or used before shall be a bar to the patenting of such invention or discovery even though such prior knowledge or use was under secrecy within the atomic energy program of the United States.

"'SEC. 156. COMMISSION PATENT LICENSES.—The Commission shall establish standard specifications upon which it may grant a patent license to use any patent held by the Commission or declared to be affected with the public interest pursuant to subsection 153 a. Such a patent license shall not waive any of the other provisions of this Act.

"'SEC. 157. COMPENSATION, AWARDS, AND ROYALTIES.—

"'a. PATENT COMPENSATION BOARD.—The Commission shall designate a Patent Compensation Board to consider applications under this section. The members of the Board shall receive a per diem compensation for each day spent in meetings or conferences, and all members shall receive their necessary traveling or other expenses while engaged in the work of the Board. The members of the Board may serve as such without regard to the provisions of sections 281, 283, or 284 of Title 18 of the United States Code, except in so far as such sections may prohibit any such member from receiving compensation in respect of any particular matter which directly involves the Commission or in which the Commission is directly interested.

"'b. ELIGIBILITY.—

"'(1) Any owner of a patent licensed under section 158 or subsections 153 b. or 153 e., or any patent licensee thereunder may make application to the Commission for the determination of a reasonable royalty fee in accordance with such procedures as the Commission by regulation may establish.

"'(2) Any person seeking to obtain the just compensation provided in section 151 shall make application therefor to the Commission in accordance with such procedures as the Commission may by regulation establish.

"'(3) Any person making any invention or discovery useful in the production or utilization of special nuclear material or atomic energy, who is not entitled to compensation or a royalty therefor under this Act and who has complied with the provisions of section 151 c. hereof may make application to the Commission for, and the Commission may grant, an award. The Commission may also, upon the recommendation of the General Advisory Committee, and with the approval of the President, grant an award for any especially meritorious contribution to the development, use, or control of atomic energy.

"'c. STANDARDS.—

"'(1) In determining a reasonable royalty fee as provided for in subsections 153 b. or 153 e., the Commission shall take into consideration (A) the advice of the Patent Compensation Board; (B) any defense, general or special, that might be pleaded by a defendant in an action for infringement; (C) the extent to which, if any, such patent was developed through federally financed research; and (D) the degree of utility, novelty, and importance of the invention or discovery, and may consider the cost to the owner of the patent of developing such invention or discovery or acquiring such patent.

"'(2) In determining what constitutes just compensation as provided for in section 151, or in determining the amount of any award under subsection 157 b. (3), the Commission shall take into account the considerations set forth in subsection 157 c. (1) and the actual use of such invention or discovery. Such compensation may be paid by the Commission in periodic payments or in a lump sum.

"'SEC. 158. MONOPOLISTIC USE OF PATENTS.—Whenever the owner of any patent hereafter granted for any invention or discovery of primary use in the utilization or production of special nuclear material or atomic energy is found by a court of competent jurisdiction to have intentionally used such patent in a manner so as to violate any of the antitrust laws specified in subsection 105 a., there may be included in the judgment of the court, in its discretion and in addition to any other lawful sanctions, a requirement that such owner license such patent to any other licensee of the Commission who demonstrates a need therefor. Such licensee shall pay a reasonable royalty fee, to be determined in accordance with section 157, to the owner of the patent.

"'SEC. 159. FEDERALLY FINANCED RESEARCH.—Nothing in this Act shall affect the right of the Commission to require that patents granted on inventions, made or conceived during the course of federally financed research or operations, be assigned to the United States.

"'SEC. 160. SAVING CLAUSE.—Any patent application on which a patent was denied by the United States Patent Office under sections 11 (a) (1), 11 (a) (2), or 11 (b) of the Atomic Energy Act of 1946, and which is not prohibited by section 151 or section 155 of this Act may be reinstated upon application to the Commissioner of Patents within one year after enactment of this Act and shall then be deemed to have been continuously pending since its original filing date: *Provided, however,* That no patent issued upon any patent application so reinstated shall in any way furnish a basis of claim against the Government of the United States.

"'CHAPTER 14. GENERAL AUTHORITY

"'SEC. 161. GENERAL PROVISIONS.—In the performance of its functions the Commission is authorized to—

"'a. establish advisory boards to advise with and make recommendations to the Commission on legislation, policies, administration, research, and other matters, provided that the Commission issues regulations setting forth the scope, procedure, and limitations of the authority of each such board;

"'b. establish by rule, regulation, or order, such standards and instructions to govern the possession and use of special nuclear material, source material, and byproduct material as the Commission may deem necessary or desirable to promote the common defense and security or to protect health or to minimize danger to life or property;

"'c. make such studies and investigations, obtain such information, and hold such meetings or hearings as the Commission may deem necessary or proper to assist it in exercising any authority provided in this Act, or in the administration or enforcement of this Act, or any regulations or orders issued thereunder. For such purposes the Commission is authorized to administer oaths and affirmations, and by subpena to require any person to appear and testify, or to appear and produce documents, or both, at any designated place. No person shall be excused from complying with any requirements under this paragraph because of his privilege against self-incrimination, but the immunity provisions of the Compulsory Testimony Act of February 11, 1893, shall apply with respect to any individual who specifically claims such privilege. Witnesses subpenaed under this subsection shall be paid the same fees and

mileage as are paid witnesses in the district courts of the United States;

" 'd. appoint and fix the compensation of such officers and employees as may be necessary to carry out the functions of the Commission. Such officers and employees shall be appointed in accordance with the civil service laws and their compensation fixed in accordance with the Classification Act of 1949, as amended, except that, to the extent the Commission deems such action necessary to the discharge of its responsibilities, personnel may be employed and their compensation fixed without regard to such laws: *Provided, however,* That no officer or employee (except such officers and employees whose compensation is fixed by law, and scientific and technical personnel) whose position would be subject to the Classification Act of 1949, as amended, if such Act were applicable to such position, shall be paid a salary at a rate in excess of the rate payable under such Act for positions of equivalent difficulty or responsibility. The Commission shall make adequate provision for administrative review of any determination to dismiss any employee;

" 'e. acquire such material, property, equipment, and facilities, establish or construct such buildings and facilities, and modify such buildings and facilities from time to time, as it may deem necessary, and construct, acquire, provide, or arrange for such facilities and services (at project sites where such facilities and services are not available) for the housing, health, safety, welfare, and recreation of personnel employed by the Commission as it may deem necessary, subject to the provisions of section 174;

" 'f. with the consent of the agency concerned, utilize or employ the services or personnel of any Government agency or any State or local government, or voluntary or uncompensated personnel, to perform such functions on its behalf as may appear desirable;

" 'g. acquire, purchase, lease, and hold real and personal property, including patents, as agent of and on behalf of the United States, subject to the provisions of section 174, and to sell, lease, grant, and dispose of such real and personal property as provided in this Act;

" 'h. consider in a single application one or more of the activities for which a license is required by this Act, combine in a single license one or more of such activities, and permit the applicant or licensee to incorporate by reference pertinent information already filed with the Commission;

" 'i. prescribe such regulations or orders as it may deem necessary (1) to protect Restricted Data received by any person in connection with any activity authorized pursuant to this Act, (2) to guard against the loss or diversion of any special nuclear material acquired by any person pursuant to section 53 or produced by any person in connection with any activity authorized pursuant to this Act, and to prevent any use or disposition thereof which the Commission may determine to be inimical to the common defense and security, and (3) to govern any activity authorized pursuant to this Act, including standards and restrictions governing the design, location, and operation of facilities used in the conduct of such activity, in order to protect health and to minimize danger to life or property;

" 'j. without regard to the provisions of the Federal Property and Administrative Services Act of 1949, as amended, except section 207 of that Act, or any other law, make such disposition as it may deem desirable of (1) radioactive materials, and (2) any other property, the special disposition of which is, in the opinion of the Commission, in the interest of the national security: *Provided, however,* That the property furnished to licensees in accordance with the provisions of subsection 161 m. shall not be deemed to be property disposed of by the Commission pursuant to this subsection;

" 'k. authorize such of its members, officers, and employees as it deems necessary in the interest of the common defense and security to carry firearms while in the discharge of their official duties. The Commission may also authorize such of those employees of its contractors engaged in the protection of property owned by the United States and located at facilities owned by or contracted to the United States as it deems necessary in the interests of the common defense and security to carry firearms while in the discharge of their official duties;

" 'l. secure the admittance of duty into the United States of purchases made abroad of source materials, upon certification to the Secretary of the Treasury that such entry is necessary in the interest of the common defense and security;

" 'm. enter into agreements with persons licensed under section 103 or 104 for such periods of time as the Commission may deem necessary or desirable (1) to provide for the processing, fabricating, separating, or refining in facilities owned by the Commission of source, byproduct, or other material or special nuclear material owned by or made available to such licensees and which is utilized or produced in the conduct of the licensed activity, and (2) to sell, lease, or otherwise make available to such licensees such quantities of source or byproduct material, and other material not defined as special nuclear material pursuant to this Act, as may be necessary for the conduct of the licensed activity: *Provided, however,* That any such agreement may be canceled by the licensee at any time upon payment of such reasonable cancellation charges as may be agreed upon by the licensee and the Commission: *And provided further,* That the Commission shall establish prices to be paid by licensees for material or services to be furnished by the Commission pursuant to this subsection, which prices shall be established on such a nondiscriminatory basis as, in the opinion of the Commission, will provide reasonable compensation to the Government for such material or services and will not discourage the development of sources of supply independent of the Commission;

" 'n. assign scientific, technical, professional, and administrative employees for instruction, education, or training by public or private agencies, institutions of learning, laboratories, or industrial or commercial organizations and to pay the whole or any part of the salaries of such employees, costs of their transportation and per diem in lieu of subsistence in accordance with applicable laws and regulations, and training charges incident to their assignments (including tuition and other related fees): *Provided, however,* That (1) not more that one per centum of the eligible employees shall be so assigned during any fiscal year, and (2) any such assignment shall be approved in advance by the Commission or shall be in accordance with a training program previously approved by the Commission: *And provided further,* That appropriations or other funds available to the Commission for salaries or expenses shall be available for the purposes of this subsection;

" 'o. delegate to the General Manager or other officers of the Commission any of those functions assigned to it under this Act except those specified in sections 51, 57 a. (3), 61, 102 (with respect to the finding of practical value), 103, 123, 145 b. (with respect to the determination of those persons to whom the Commission may reveal Restricted Data in the national interest), 145 e., and 161 a.;

" 'p. require by rule, regulation, or order, such reports, and the keeping of such records with respect to, and to provide for such inspections of, activities and studies of types specified in section 31 and of activities under licenses issued pursuant to sections 53, 63, 81, 103, and 104, as may be necessary to effectuate the purposes of this Act, including section 105; and

" 'q. make, promulgate, issue, rescind, and amend such rules and regulations as may be necessary to carry out the purposes of this Act.

" 'SEC. 162. CONTRACTS.—The President may, in advance, exempt any specific action of the Commission in a particular matter from the provisions of law relating to contracts whenever he determines that such action is essential in the interest of the common defense and security.

" 'SEC. 163. ADVISORY COMMITTEE.—The members of the General Advisory Committee established pursuant to section 26 and the members of advisory boards established pursuant to section 161 a. may serve as such without regard to the provisions of sections 281, 283, or 284 of Title 18 of the United States Code, except insofar as such sections may prohibit any such member from receiving compensation in respect of any particular matter which directly involves the Commission or in which the Commission is directly interested.

" 'SEC. 164. ELECTRIC UTILITY CONTRACTS.—The Commission is authorized in connection with the construction or operation of the Oak Ridge, Paducah, and Portsmouth installations of the Commission, without regard to section 3679 of the Revised Statutes, as amended, to enter into new contracts or modify or confirm existing contracts to provide for electric utility services for periods not exceeding twenty-five years, and such contracts shall be subject to termination by the Commission upon payment of cancellation costs as provided in such contracts, and any appropriation presently or hereafter made available to the Commission shall be available for the payment of such cancellation costs. Any such cancellation payments shall be taken into consideration in determination of the rate to be charged in the event the Commission or any other agency of the Federal Government shall purchase electric utility services from the contractor subsequent to the cancellation and during the life of the original contract. The authority of the Commission under this section to enter into new contracts or modify or confirm existing contracts to provide for electric utility services includes, in case such electric utility services are to be furnished to the Commission by the Tennessee Valley Authority, authority to contract with any person to furnish electric utility services to the Tennessee Valley Authority in replacement thereof. Any contract hereafter entered into by the Commission pursuant to this section shall be submitted to the Joint Committee and a period of thirty days shall elapse while Congress is in session (in computing such thirty days, there shall be excluded the days on which either House is not in session, because of adjournment for more than three days) before the contract of the Commission shall become effective: *Provided, however,* That the Joint Committee, after having received the proposed contract, may by resolution in writing, waive the conditions of or all or any portion of such thirty-day period.

" 'SEC. 165. CONTRACT PRACTICES.—

" 'a. In carrying out the purposes of this Act the Commission shall not use the cost-plus-percentage-of-cost system of contracting.

" 'b. No contract entered into under the authority of this Act shall provide, and no contract entered into under the authority of the Atomic Energy Act of 1946, as amended, shall be modified or amended after the date of enactment of this Act to provide, for direct payment or direct reimbursement by the Commission of any Federal income taxes on behalf of any contractor performing such contract for profit.

" 'SEC. 166. COMPTROLLER GENERAL AUDIT.—No moneys appropriated for the purposes of this Act shall be available for payments under any contract with the Commission, negotiated without advertising, except contracts with any foreign government or any agency thereof and contracts with foreign producers, unless such contract includes a clause to the effect that the Comptroller General of the United States or any of his duly authorized representatives shall, until the expiration of three years after final payment, have access to and the right to examine any directly pertinent books, documents, papers, and records of the contractor or any of his subcontractors engaged in the performance of, and involving transactions related to such contracts or subcontracts: *Provided, however,* That no moneys so appropriated shall be available for payment under such contract which includes any provision precluding an audit by the General Accounting Office of any transaction under such contract.

" 'SEC. 167. CLAIM SETTLEMENTS.—The Commission, acting on behalf of the United States, is authorized to consider, ascertain, adjust, determine, settle, and pay, any claim for money damage of $5,000 or less against the United States for bodily injury, death, or damage to or loss of real or personal property resulting from any detonation, explosion, or radiation produced in the conduct of the Commission's program for testing atomic weapons, where such claim is presented to the Commission in writing within one year after the accident or incident out of which the claim arises: *Provided, however,* That the damage to or loss of property or bodily injury or death, shall not have been caused in whole or in part by any negligence or wrongful act on the part of the claimant, his agents, or employees. Any such settlement under the authority of this section shall be final and conclusive for all purposes, notwithstanding any other provision of law to the contrary.

" 'SEC. 168. PAYMENTS IN LIEU OF TAXES.—In order to render financial assistance to those States and localities in which the activities of the Commission are carried on, and in which the Commission has acquired property previously subject to State and local taxation, the Commission is authorized to make payments to State and local governments in lieu of property taxes. Such payments may be in the amounts, at the times, and upon the terms the Commission deems appropriate, but the Commission shall be guided by the policy of not making payments in excess of the taxes which would have been payable for such property in the condition in which it was acquired, except in cases where special burdens have been cast upon the State or local government by activities of the Commission, the Manhattan Engineer District or their agents. In any such case, any benefit accruing to the State or local government by reason of such activities shall be considered in determining the amount of the payment.

" 'SEC. 169. NO SUBSIDY.—No funds of the Commission shall be employed in the construction or operation of facilities licensed under section 103 or 104 except under contract or other arrangement entered into pursuant to section 31.

" 'CHAPTER 15. COMPENSATION FOR PRIVATE PROPERTY ACQUIRED

" 'SEC. 171. JUST COMPENSATION.—The United States shall make just compensation for any property or interests therein taken or requisitioned pursuant to sections 43, 52 (with respect to the material for which the United States is required to pay just compensation), 66, and 108. Except in case of real property or any interest therein, the Commission shall determine and pay such just compensation. If the compensation so determined is unsatisfactory to the person entitled thereto, such person shall be paid 75 per centum of the amount so determined, and shall be entitled to sue the United States in the Court of Claims or in any district court of the United States for the district in which such claimant is a resident in the manner provided by section 1346 of Title 28 of the United States Code to recover such further sum as added to said 75 per centum will constitute just compensation.

" 'SEC. 172. CONDEMNATION OF REAL PROPERTY.—Proceedings for condemnation shall be instituted pursuant to the provisions of the Act approved August 1, 1888, as amended, and section 1403 of Title 28 of the United States Code. The Act approved February 26, 1931, as amended, shall be applicable to any such proceedings.

" 'SEC. 173. PATENT APPLICATION DISCLOSURES.—In the event that the Commission communicates to any nation any Restricted Data based on any patent application not belonging to the United States, just compensation shall be paid by the United States to the owner of the patent application. The Commission shall determine such compensation. If the compensation so determined is unsatisfactory to the person entitled thereto, such person shall be paid 75 per centum of the amount so determined, and shall be entitled to sue the United States in the Court of Claims or in any district court of the United States for the district in which such claimant is a resident in a manner provided by section 1346 of Title 28 of the United States Code to recover such further sum as added to such 75 per centum will constitute just compensation.

" 'SEC. 174. ATTORNEY GENERAL APPROVAL OF TITLE.—All real property acquired under this Act shall be subject to the provisions of section 355 of the Revised Statutes, as amended: *Provided, however,* That real property acquired by purchase or donation, or other means of transfer may also be occupied, used, and improved for the purposes of this Act prior to approval of title by the Attorney General in those cases where the President determines that such action is required in the interest of the common defense and security.

" 'CHAPTER 16. JUDICIAL REVIEW AND ADMINISTRATIVE PROCEDURE

" 'SEC. 181. GENERAL.—The provisions of the Administrative Procedure Act (Public Law 404, Seventy-ninth Congress, approved June 11, 1946) shall apply to all agency action taken under this Act, and the terms "agency" and "agency action" shall have the meaning specified in the Administrative Procedure Act: *Provided, however,* That in the case of agency proceedings or actions which involve Restricted Data or defense information, the Commission shall provide by regulation for such parallel procedures as will effectively safeguard and prevent disclosure of Restricted Data or defense information to unauthorized persons with minimum impairment of the procedural rights which would be available if Restricted Data or defense information were not involved.

" 'SEC. 182. LICENSE APPLICATIONS.—

" 'a. Each application for a license hereunder shall be in writing and shall specifically state such information as the Commission, by rule or regulation, may determine to be necessary to decide such of the technical and financial qualifications of the applicant, the character of the applicant, the citizenship of the applicant, or any other qualifications of the applicant as the Commission may deem appropriate for the license. In connection with applications for licenses to operate production or utilization facilities, the applicant shall state such technical specifications, including information of the amount, kind, and source of special nuclear material required, the place of the use, the specific characteristics of the facility, and such other information as the Commission may, by rule or registration, deem necessary in order to enable it to find that the utilization or production of special nuclear material will be in accord with the common defense and security and will provide adequate protection to the health and safety of the public. Such technical specifications shall be a part of any license issued. The Commission may at any time after the filing of the original application, and before the expiration of the license, require further written statements in order to enable the Commission to determine whether the application should be granted or denied or whether a license should be modified or revoked. All applications and statements shall be signed by the applicant or licensee under oath or affirmation.

" 'b. The Commission shall not issue any license for a utilization or production facility for the generation of commercial power under section 103, until it has given notice in writing to such regulatory agency as may have jurisdiction over the rates and services of the proposed activity, to municipalities, private utilities, public bodies, and cooperatives within transmission distance authorized to engage in the distribution of electric energy and until it has published notice of such application once each week for four consecutive weeks in the Federal Register, and until four weeks after the last notice.

" 'c. The Commission, in issuing any license for a utilization or production facility for the generation of commercial power under section 103, shall give preferred consideration to applications for such facilities which will be located in high cost power areas in the United States if there are conflicting applications for a limited opportunity for such license. Where such conflicting applications resulting from limited opportunity for such license include those submitted by public or cooperative bodies such applications shall be given preferred consideration.

" 'SEC. 183. TERMS OF LICENSES.—Each license shall be in such form and contain such terms and conditions as the Commission may, by rule or regulation, prescribe to effectuate the provisions of this Act, including the following provisions:

" 'a. Title to all special nuclear material utilized or produced by facilities pursuant to the license, shall at all times be in the United States.

" 'b. No right to the special nuclear material shall be conferred by the license except as defined by the license.

" 'c. Neither the license nor any right under the license shall be assigned or otherwise transferred in violation of the provisions of this Act.

" 'd. Every license issued under this Act shall be subject to the right of recapture or control reserved by section 108, and to all of the other provisions of this Act, now or hereafter in effect and to all valid rules and regulations of the Commission.

" 'SEC. 184. INALIENABILITY OF LICENSES.—No license granted hereunder and no right to utilize or produce special nuclear material granted hereby shall be transferred, assigned or in any manner disposed of, either voluntarily or involuntarily, directly or indirectly, through transfer of control of any license to any person, unless the Commission shall, after securing full information, find that the transfer is in accordance with the provisions of this Act, and shall give its consent in writing. The Commission may give such consent to the creation of a mortgage, pledge, or other lien upon any facility owned or thereafter acquired by a licensee, or upon any leasehold or other interest in such property, and the rights of the creditors so secured may thereafter be enforced by any court subject to rules and regulations established by the Commission to protect

public health and safety and promote the common defense and security.

" 'SEC. 185. CONSTRUCTION PERMITS.—All applicants for licenses to construct or modify production or utilization facilities shall, if the application is otherwise acceptable to the Commission, be initially granted a construction permit. The construction permit shall state the earliest and latest dates for the completion of the construction or modification. Unless the construction or modification of the facility is completed by the completion date, the construction permit shall expire, and all rights thereunder be forfeited, unless upon good cause shown, the Commission extends the completion date. Upon the completion of the construction or modification of the facility, upon the filing of any additional information needed to bring the original application up to date, and upon finding that the facility authorized has been constructed and will operate in conformity with the application as amended and in conformity with the provisions of this Act and of the rules and regulations of the Commission, and in the absence of any good cause being shown to the Commission why the granting of a license would not be in accordance with the provisions of this Act, the Commission shall thereupon issue a license to the applicant. For all other purposes of this Act, a construction permit is deemed to be a "license".

" 'SEC. 186. REVOCATION.—

" 'a. Any license may be revoked for any material false statement in the application or any statement of fact required under section 182, or because of conditions revealed by such application or statement of fact or any report, record, or inspection, or other means which would warrant the Commission to refuse to grant a license on an original application, or for failure to construct or operate a facility in accordance with the terms of the construction permit or license or the technical specifications in the application, or for violation of, or failure to observe any of the terms and provisions of this Act or of any regulation of the Commission.

" 'b. The Commission shall follow the provisions of section 9 (b) of the Administrative Procedure Act in revoking any license.

" 'c. Upon revocation of the license, the Commission may immediately retake possession of all special nuclear material held by the licensee. In cases found by the Commission to be of extreme importance to the national defense and security or to the health and safety of the public, the Commission may recapture any special nuclear material held by the licensee or may enter upon and operate the facility prior to any of the procedures provided under the Administrative Procedure Act. Just compensation shall be paid for the use of the facility.

" 'SEC. 187. MODIFICATION OF LICENSE.—The terms and conditions of all licenses shall be subject to amendment, revision, or modification, by reason of amendments of this Act or by reason of rules and regulations issued in accordance with the terms of this Act.

" 'SEC. 188. CONTINUED OPERATION OF FACILITIES.—Whenever the Commission finds that the public convenience and necessity or the production program of the Commission requires continued operation of a production facility or utilization facility the license for which has been revoked pursuant to section 186, the Commission may, after consultation with the appropriate regulatory agency, State or Federal, having jurisdiction, order that possession be taken of and such facility be operated for such period of time as the public convenience and necessity or the production program of the Commission may, in the judgment of the Commission, require, or until a license for the operation of the facility shall become effective. Just compensation shall be paid for the use of the facility.

" 'SEC. 189. HEARINGS AND JUDICIAL REVIEW.—

" 'a. In any proceeding under this act, for the granting, suspending, revoking, or amending of any license or construction permit, or application to transfer control, and in any proceeding for the issuance or modification of rules and regulations dealing with the activities of licensees, and in any proceeding for the payment of compensation, an award or royalties under sections 153, 157, 186 c., or 188, the Commission shall grant a hearing upon the request of any person whose interest may be affected by the proceeding, and shall admit any such person as a party to such proceeding.

" 'b. Any final order entered in any proceeding of the kind specified in subsection a. above shall be subject to judicial review in the manner prescribed in the act of December 29, 1950, as amended (ch. 1189, 64 Stat. 1129), and to the provisions of section 10 of the Administrative Procedure Act, as amended.

" 'CHAPTER 17. JOINT COMMITTEE ON ATOMIC ENERGY

" 'SEC. 201. MEMBERSHIP.—There is hereby etablished a Joint Committee on Atomic Energy to be composed of nine Members of the Senate to be appointed by the President of the Senate, and nine Members of the House of Representatives to be appointed by the Speaker of the House of Representatives. In each instance not more than five Members shall be members of the same political party.

" 'SEC. 202. AUTHORITY AND DUTY.—The Joint Committee shall make continuing studies of the activities of the Atomic Energy Commission and of problems relating to the development, use, and control of atomic energy. During the first sixty days of each session of the Congress, the Joint Committee shall conduct hearings in either open or executive session for the purpose of receiving information concerning the development, growth, and state of the atomic energy industry. The Commission shall keep the Joint Committee fully and currently informed with respect to all of the Commission's activities. The Department of Defense shall keep the Joint Committee fully and currently informed with respect to all matters within the Department of Defense relating to the development, utilization, or application of atomic energy. Any Government agency shall furnish any information requested by the Joint Committee with respect to the activities or responsibilities of that agency in the field of atomic energy. All bills, resolutions, and other matters in the Senate or the House of Representatives relating primarily to the Commission or to the development, use, or control of atomic energy shall be referred to the Joint Committee. The members of the Joint Committee who are Members of the Senate shall from time to time report to the Senate, and the members of the Joint Committee who are Members of the House of Representatives shall from time to time report to the House, by bill or otherwise, their recommendations with respect to matters within the jurisdiction of their respective Houses which are referred to the Joint Committee or otherwise within the jurisdiction of the Joint Committee.

" 'SEC. 203. CHAIRMAN.—Vacancies in the membership of the Joint Committee shall not affect the power of the remaining members to execute the functions of the Joint Committee, and shall be filled in the same manner as in the case of the original selection. The Joint Committee shall select a Chairman and a Vice Chairman from among its members at the beginning of each Congress. The Vice Chairman shall act in the place and stead of the Chairman in the absence of the Chairman. The Chairmanship shall alternate between the Senate and the House of Representatives with each Congress, and the Chairman shall be selected by the Members from that House entitled to the Chairmanship. The Vice Chairman shall be chosen from the House other than that of the Chairman by the Members from that House.

" 'SEC. 204. POWERS.—In carrying out its duties under this Act, the Joint Committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings or investigations, to sit and act at such places and times, to require, by subpena or otherwise, the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures as it deems advisable. The Joint Committee may make such rules respecting its organization and procedures as it deems necessary: *Provided, however,* That no measure or recommendation shall be reported from the Joint Committee unless a majority of the committee assent. Subpenas may be issued over the signature of the Chairman of the Joint Committee or by any member designated by him or by the Joint Committee, and may be served by such person or persons as may be designated by such Chairman or member. The Chairman of the Joint Committee or any member thereof may administer oaths to witnesses. The Joint Committee may use a committee seal. The provisions of sections 102 to 104, inclusive, of the Revised Statutes, as amended, shall apply in case of any failure of any witness to comply with a subpena or to testify when summoned under authority of this section. The expenses of the Joint Committee shall be paid from the contingent fund of the Senate from funds appropriated for the Joint Committee upon vouchers approved by the Chairman. The cost of stenographic service to report public hearings shall not be in excess of the amounts prescribed by law for reporting the hearings of standing committees of the Senate. The cost of stenographic service to report executive hearings shall be fixed at an equitable rate by the Joint Committee. Members of the Joint Committee, and its employees and consultants, while traveling on official business for the Joint Committee, may receive either the per diem allowance authorized to be paid to Members of Congress or its employees, or their actual and necessary expenses provided an itemized statement of such expenses is attached to the voucher.

" 'SEC. 205. STAFF AND ASSISTANCE.—The Joint Committee is empowered to appoint and fix the compensation of such experts, consultants, technicians, and staff employees as it deems necessary and advisable. The Joint Committee is authorized to utilize the services, information, facilities, and personnel of the departments and establishments of the Government. The Joint Committee is authorized to permit such of its members, employees, and consultants as it deems necessary in the interest of common defense and security to carry firearms while in the discharge of their official duties for the committee.

" 'SEC. 206. CLASSIFICATION OF INFORMATION.—The Joint Committee may classify information originating within the committee in accordance with standards used generally by the executive branch for classifying Restricted Data or defense information.

" 'SEC. 207. RECORDS.—The Joint Committee shall keep a complete record of all committee actions, including a record of the votes on any question on which a record vote is demanded. All committee records, data, charts, and files shall be the property of the Joint Committee and shall be kept in the offices of the Joint Committee or other places as the Joint Committee may direct under such security safeguards as the Joint Committee shall determine in the interest of the common defense and security.

" 'CHAPTER 18. ENFORCEMENT

" 'SEC. 221. GENERAL PROVISIONS.—

" 'a. To protect against the unlawful dissemination of Restricted Data and to safeguard facilities, equipment, materials, and other property of the Commission, the President shall have authority to utilize the services of any Government agency to the extent he may deem necessary or desirable.

" 'b. The Federal Bureau of Investigation of the Department of Justice shall investigate all alleged or suspected criminal violations of this Act.

" 'c. No action shall be brought against any individual or person for any violation under this Act unless and until the Attorney General of the United States has advised the Commission with respect to such action and no such action shall be commenced except by the Attorney General of the United States: *Provided, however,* That no action shall be brought under sections 222, 223, 224, 225 or 226 except by the express direction of the Attorney General.

" 'SEC. 222. VIOLATION OF SPECIFIC SECTIONS.—Whoever willfully violates, attempts to violate, or conspires to violate, any provision of sections 57, 92, or 101, or whoever unlawfully interferes, attempts to interfere, or conspires to interfere with any recapture or entry under section 108, shall, upon conviction thereof, be punished by a fine of not more than $10,000 or by imprisonment for not more than five years, or both, except that whoever commits such an offense with intent to injure the United States or with intent to secure an advantage to any foreign nation shall, upon conviction thereof, be punished by death or imprisonment for life (but the penalty of death or imprisonment for life may be imposed only upon recommendation of the jury), or by a fine of not more than $20,000 or by imprisonment for not more than twenty years, or both.

" 'SEC. 223. VIOLATION OF SECTIONS GENERALLY.—Whoever willfully violates, attempts to violate, or conspires to violate, any provision of this Act for which no penalty is specifically provided or of any regulation or order prescribed or issued under section 65 or subsections 161 b., i., or p. shall, upon conviction thereof, be punished by a fine of not more than $5,000 or by imprisonment for not more than two years, or both, except that whoever commits such an offense with intent to injure the United States or with intent to secure an advantage to any foreign nation, shall, upon conviction thereof, be punished by a fine of not more than $20,000 or by imprisonment for not more than twenty years, or both.

" 'SEC. 224. COMMUNICATION OF RESTRICTED DATA.—Whoever, lawfully or unlawfully, having possession of, access to, control over, or being entrusted with any document, writing, sketch, photograph, plan, model, instrument, appliance, note, or information involving or incorporating Restricted Data—

" 'a. communicates, transmits, or discloses the same to any individual or person, or attempts or conspires to do any of the foregoing, with intent to injure the United States or with intent to secure an advantage to any foreign nation, upon conviction thereof, shall be punished by death or imprisonment for life (but the penalty of death or imprisonment for life may be imposed only upon recommendation of the jury), or by a fine of not more than $20,000 or imprisonment for not more than twenty years, or both;

" 'b. communicates, transmits, or discloses the same to any individual or person, or attempts or conspires to do any of the foregoing, with reason to believe such data will be utilized to injure the United States or to secure an advantage to any foreign nation, shall, upon conviction, be punished by a fine of not more than $10,000 or imprisonment for not more than ten years, or both.

" 'SEC. 225. RECEIPT OF RESTRICTED DATA.—Whoever, with intent to injure the United States or with intent to secure an advantage to any foreign nation, acquires, or attempts or conspires to acquire any document, writing, sketch, photograph, plan, model, instrument, appliance, note, or information involving or incorporating Restricted Data shall, upon conviction thereof, be punished by death or imprisonment for life (but the penalty of death or imprisonment for life may be imposed only upon recommendation of the jury), or by a fine of not more than $20,000 or imprisonment for not more than twenty years, or both.

" 'SEC. 226. TAMPERING WITH RESTRICTED DATA.—Whoever, with intent to injure the United States or with intent to secure an advantage to any foreign nation, removes, conceals, tampers with, alters, mutilates, or destroys any document, writing, sketch, photograph, plan, model, instrument, appliance, or note involving or incorporating Restricted Data and used by any individual or person in connection with the production of special nuclear material, or research or development relating to atomic energy, conducted by the United States, or financed in whole or in part by Federal funds, or conducted with the aid of special nuclear material, shall be punished by death or imprisonment for life (but the penalty of death or imprisonment for life may be imposed only upon recommendation of the jury), or by a fine or not more than $20,000 or imprisonment for not more than twenty years, or both.

" 'SEC. 227. DISCLOSURE OF RESTRICTED DATA.—Whoever, being or having been an employee or member of the Commission, a member of the Armed Forces, an employee of any agency of the United States, or being or having been a contractor of the Commission or of an agency of the United States, or being or having been an employee of a contractor of the Commission or of an agency of the United States, or being or having been a licensee of the Commission, or being or having been an employee of a licensee of the Commission, knowingly communicates, or whoever conspires to communicate or to receive, any Restricted Data, knowing or having reason to believe that such data is Restricted Data, to any person not authorized to receive Restricted Data pursuant to the provisions of this Act or under rule or regulation of the Commission issued pursuant thereto, knowing or having reason to believe such person is not so authorized to receive Restricted Data shall, upon conviction thereof, be punishable by a fine of not more than $2,500.

" 'SEC. 228. STATUTE OF LIMITATIONS.—Except for a capital offense, no individual or person shall be prosecuted, tried, or punished for any offense prescribed or defined in sections 224 to 226, inclusive, of this Act unless the indictment is found or the information is instituted within ten years next after such offense shall have been committed.

" 'SEC. 229. OTHER LAWS.—Sections 224 to 228 shall not exclude the applicable provisions of any other laws.

" 'SEC. 230. INJUNCTION PROCEEDINGS.—Whenever in the judgment of the Commission any person has engaged or is about to engage in any acts or practices which constitute or will constitute a violation of any provision of this Act, or any regulation or order issued thereunder, the Attorney General on behalf of the United States may make application to the appropriate court for an order enjoining such acts or practices, or for an order enforcing compliance with such provision, and upon a showing by the Commission that such person has engaged or is about to engage in any such acts or practices, a permanent or temporary injunction, restraining order, or other order may be granted.

" 'SEC. 231. CONTEMPT PROCEEDINGS.—In case of failure or refusal to obey a subpena served upon any person pursuant to subsection 161 c., the district court for any district in which such person is found or resides or transacts business, upon application by the Attorney General on behalf of the United States, shall have jurisdiction to issue an order requiring such person to appear and give testimony or to appear and produce documents, or both, in accordance with the subpena; and any failure to obey such order of the court may be punished by such court as a contempt thereof.

" 'CHAPTER 19. MISCELLANEOUS

" 'SEC. 241. TRANSFER OF PROPERTY.—Nothing in this Act shall be deemed to repeal, modify, amend, or alter the provisions of section 9 (a) of the Atomic Energy Act of 1946, as heretofore amended.

" 'SEC. 251. REPORT TO CONGRESS.—The Commission shall submit to the Congress, in January and July of each year, a report concerning the activities of the Commission. The Commission shall include in such report, and shall at such other times as it deems desirable submit to the Congress, such recommendations for additional legislation as the Commission deems necessary or desirable.

" 'SEC. 261. APPROPRIATIONS.—There are hereby authorized to be appropriated such sums as may be necessary and appropriate to carry out the provisions and purposes of this Act except such as may be necessary for acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion. The Acts appropriating such sums may appropriate specified portions thereof to be accounted for upon the certification of the Commission only. Funds appropriated to the Commission shall, if obligated by contract during the fiscal year for which appropriated, remain available for expenditure for four years following the expiration of the fiscal year for which appropriated.

" 'SEC. 271. AGENCY JURISDICTION.—Nothing in this Act shall be construed to affect the authority or regulations of any Federal, State, or local agency with respect to the generation, sale, or transmission of electric power.

" 'SEC. 272. APPLICABILITY OF FEDERAL POWER ACT.—Every licensee under this Act who holds a license from the Commission for a utilization or production facility for the generation of commercial electric energy under section 103 and who transmits such electric energy in interstate commerce or sells it at wholesale in interstate commerce shall be subject to the regulatory provisions of the Federal Power Act.

" 'SEC. 273. LICENSING OF GOVERNMENT AGENCIES.—Nothing in this Act shall preclude any Government agency now or hereafter authorized by law to engage in the production, marketing, or distribution of electric energy from obtaining a license under section 103, if qualified under the provisions of section 103, for the construction and operation of production or utilization facilities for the primary purpose of producing electric energy for disposition for ultimate public consumption.

" 'SEC. 281. SEPARABILITY.—If any provision of this Act or the application of such provision to any person or circumstances, is held invalid, the remainder of this Act or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

" 'SEC. 291. SHORT TITLE.—This Act may be cited as the "Atomic Energy Act of 1954" '.

"SEC. 2.—

"a. Section 1 (d) of the Act of December 29, 1950 (64 Stat. 1129), is amended by inserting before the period at the end thereof a

semicolon and the following: 'when such order was entered by the Atomic Energy Commission, "agency" means that Commission'.

"b. Section 2 of the Act of December 29, 1950 (64 Stat. 1129), is amended by inserting before the period at the end of the first paragraph thereof a comma and the following: 'and (d) of the Atomic Energy Commission made reviewable by section 189 of the Atomic Energy Act of 1954, as amended.'

"SEC. 3. There is hereby retroceded to the State of New Mexico the exclusive jurisdiction heretofore acquired from the State of New Mexico by the United States of America over the following land of the United States Atomic Energy Commission in Bernalillo County and within the boundaries of the Sandia base, Albuquerque, New Mexico.

"Beginning at the center quarter corner of section 30, township 10 north, range 4 east, New Mexico principal meridian, Bernalillo County, New Mexico, thence south no degrees twenty-three minutes thirty seconds west one thousand nine hundred forty-seven and twenty one-hundredths feet, thence north eighty-nine degrees thirty-six minutes forty-five seconds east two thousand sixty-eight and forty one-hundredths feet, thence north eighty-nine degrees three minutes fifteen seconds east five hundred forty-six feet, thence north no degrees thirty-nine minutes no seconds east two hundred thirty-two and seventy one-hundredths feet, thence north eighty-nine degrees twenty-one minutes no seconds west eight hundred fifty-two and twenty one-hundredths feet, thence north no degrees thirty-nine minutes no seconds east five hundred and sixty one-hundredths feet, thence along the back of the south curb of West Sandia Drive, Sandia Base, Bernalillo County, New Mexico, eight hundred sixty-five and sixty one-hundredths feet, thence north no degrees thirty-nine minutes no seconds east one thousand three hundred thirty-five and three-tenths feet to a point south eighty-nine degrees twenty-seven minutes forty-five seconds west a distance of thirty feet from the quarter corner common to sections 30 and 29, township 10 north, range 4 east, thence south eighty-nine degrees, twenty-seven minutes forty-five seconds west two thousand six hundred twenty-three and forty one-hundredths feet to the point of beginning.

"This retrocession of jurisdiction shall take effect upon acceptance by the State of New Mexico."

And the Senate agree to the same.

W. STERLING COLE,
CARL HINSHAW,
JAMES E. VAN ZANDT,
CARL T. DURHAM,
MELVIN PRICE,
Managers on the Part of the House.
BOURKE B. HICKENLOOPER,
WILLIAM F. KNOWLAND,
JOHN W. BRICKER,
ED C. JOHNSON,
CLINTON P. ANDERSON,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9757) to amend the Atomic Energy Act of 1946, as amended, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate struck out all of the House bill after the enacting clause and inserted a substitute amendment. The committee of conference has agreed to a substitute for both the House bill and the Senate amendment. Except for technical, clarifying, and conforming changes, the following statement explains the differences between the House bill and the substitute agreed to in conference.

DIVISIONS OF THE COMMISSION

The House bill continued in effect the provision of existing law which establishes within the Atomic Energy Commission a Division of Military Application and such other program divisions, not exceeding 10, as the Commission may determine (subsec. 25 a.). The Senate amendment added to the House bill a requirement that there be within the Commission "a division or divisions the primary responsibilities of which include the application of civilian uses". The conference substitute retains the substance of the language added by the Senate amendment.

DISPOSITION OF ENERGY PRODUCED AT COMMISSION FACILITIES

The House bill provided for the disposition of energy produced in the production of special nuclear material at production or experimental utilization facilities owned by the United States (sec. 44). It also provided for a preference to public bodies and cooperatives in the disposition of such energy, and prohibited the Commission from engaging in the sale or disposition of energy for commercial use except in the case of energy produced incidental to the operation of research and development or production facilities of the Commission.

The Senate amendment retained the provisions relating to disposition of energy produced by the Commission, but added a preference for high-cost power areas and a new section 45 which would authorize the Commission to engage in the production of electric power in its own facilities. It also would authorize other Federal agencies to be licensees of the Commission.

The committee of conference eliminated the Senate section 45 and revised section 44 so as to make it applicable to the disposition of energy produced at facilities of the Commission. It retained the requirement that the Commission give preference to public bodies and cooperatives and to utilities in high-cost areas. It also retained the provision prohibiting the Commission from engaging in the sale of energy for commercial use except in the case of energy produced by the Commission incident to the operation of research and development facilities of the Commission and of facilities of the Commission for the production of special nuclear material.

The committee of conference amended section 31 a. (4) so as to clarify the authority of the Commission to build or contract for the building of large-scale atomic energy utilization facilities for the purpose of demonstrating the practical value of such facilities in the generation of electric energy, or for other industrial or commercial purposes. The construction of such large-scale demonstration facilities would require specific authorization by the Congress as provided in section 261.

For the purpose of clarity, sections 103 and 104 (which relate to the licensing of production and utilization facilities) were amended by the committee of conference so as to include the authority to issue licenses to "persons applying therefor" instead of to "applicants". The effect of this amendment is to make it clear that Government agencies are on an equal footing with all others before the Commission with respect to obtaining licenses from the Commission, since the definition of "persons" (subsec. 11 n.) specifically includes Government agencies (other than the Commission). In order to make this effect even more specific, a new section 273 was added to the bill to incorporate the substance of the final sentence of section 45 as added by the Senate amendment. This new section states that nothing in the act shall preclude any Government agency authorized by law to engage in the production, marketing, or distribution of electric energy from obtaining a license under section 103, if qualified under the provisions of section 103, for the construction and operation of production or utilization facilities for the primary purpose of producing electric energy for distribution for ultimate public consumption.

Since there was no thought that the Commission, in carrying out its obligations under this act, should not be required to get congressional approval for its operations, the amendment made by the Senate to section 261 which exempted the Commission from the necessity of obtaining congressional approval for certain construction and acquisition projects was deleted by the conference substitute.

NOTICE OF LICENSES

The House bill contained a provision requiring the Commission to give notice of proposed licenses under section 103 to those within transmission distance who might be engaged in the distribution of electricity. The Senate amendment required that notice be given to private utilities as well as to those persons included within the House provision. The conference substitute retains the Senate language with a minor amendment.

LICENSE PREFERENCES

The House bill contained a provision requiring the Commission to give preferred consideration in issuing licenses under section 103 to facilities which will be located in high cost power areas where there is a limited opportunity for such licenses (sec. 182 c.). The Senate amendment added a provision requiring that in such situations applications submitted by public and cooperative bodies were also to be given preferred consideration. The conference substitute follows the Senate amendment.

APPLICABILITY OF FEDERAL POWER ACT

The Senate amendment added to the House bill a requirement that licensees under section 103 transmitting electric energy in interstate commerce or marketing such energy at wholesale in interstate commerce are to be subject to the Federal Power Act. The conference substitute retains the substance of the provision added by the Senate amendment and makes it a new section (sec. 272) in the bill.

SOURCE MATERIALS

In connection with the leasing of lands belonging to the United States for prospecting for or mining of deposits of source material, the House bill provided for the award of leases or permits on a competitive bidding basis after notice has been published in a newspaper in the county in which the lands are situated (sec. 67). The Senate amendment deleted this provision, and the conference substitute follows the Senate amendment.

The problems involved in issuing leases on the basis of competitive bidding require further study. It was decided by the committee of conference that this matter should be taken up in the next session of Congress if the Commission does not itself institute such methods of procedure after holding hearings specifically on the point.

ADVICE OF ATTORNEY GENERAL ON LICENSES

In connection with the issuance of licenses for utilization and production facilities, the House bill provided certain requirements with respect to the antitrust laws (sec. 105). Among these was the requirement that the Commission obtain the advice of the Attorney General before issuing any such license. The Senate amendment required that the Commission follow the advice of the Attorney General unless the President made a finding that the issuance of such a license was essential to the common defense and security and the finding was published in the Federal Register. This amendment

in effect made the advice of the Attorney General a decision binding upon the Commission and the applicant without hearing. The conference substitute deletes the portion of the provision added by the Senate amendment which required that the advice of the Attorney General be followed, but requires that the advice of the Attorney General be published in the Federal Register.

INTERNATIONAL ACTIVITIES

The House bill provided that agreements for cooperation (sec. 123) were to be submitted to the President by the Commission or the Department of Defense, whichever was responsible for the initiation of the agreement. The Senate amendment required in addition that the Commission or the Department of Defense favorably recommend the agreement for cooperation. The corresponding provision in the conference substitute requires that the Commission or the Department of Defense submit the agreement for cooperation to the President together with its recommendation concerning the agreement.

The House bill provided for the termination of agreements for cooperation by the President or by the Congress (sec. 123 (2) and (3)). A similar provision in section 54 of the House bill provided for the termination by the Congress of agreements for cooperation for the foreign distribution of special nuclear material. The Senate amendment eliminated these provisions, and the conference substitute follows the Senate amendment. In view of the requirement in section 123 that each proposed agreement shall include "the terms, conditions, duration, * * * of the cooperation," the committee of conference believed that the agreements themselves would provide for termination conditions which would be most suitable under the special circumstances in each case.

ELECTRIC UTILITY CONTRACTS

The House bill contained an authorization for the Commission to enter into contracts for electric utility services in connection with the construction and operation of facilities at Oak Ridge, Paducah, and Portsmouth. The Senate amendment authorized the Commission to enter into contracts to provide for replacement to the Tennessee Valley Authority of electric utility services furnished by TVA to the Commission in accordance with the basic authority, and also required any contract hereafter entered into to be submitted to the Joint Committee for a period of 30 days before becoming effective. The conference substitute follows the Senate amendment.

CONTRACT PRACTICES

The Senate amendment added to the House bill a provision (sec. 170) prohibiting the Commission from entering into a contract providing for the direct payment by the Commission of Federal income taxes on behalf of any contractor or for any payment to such contractor as reimbursement for any Federal income taxes paid by such contractor. The conference substitute limited the prohibition to the direct payment or direct reimbursement by the Commission of any Federal income tax, and made the prohibition as so limited a part of section 165. It was the intention of the committee of conference to prohibit the direct payment of Federal income taxes to contractors of the Commission, but it was not the intention of the committee of conference to bar inclusion of such taxes in the computation or adjustment of the base rate or cost structure of the Commission contract.

PATENTS

The House bill and the Senate amendment both provided, as does the Atomic Energy Act of 1946, as amended, that there shall be no patents issued in the field of atomic weapons. With respect to other areas in the atomic energy field the House bill permitted normal patents. However, it required that inventions or discoveries made under contract or other arrangement with the Commission shall be deemed to have been made by the Commission and patents therefor shall be the property of the Government unless the Commission either waives its claim or its claim is not held valid by the Board of Patent Interferences. The House bill provided a procedure for testing out the question of whether or not inventions were made or conceived under contract with the Commission, using the Board of Patent Interferences as the deciding tribunal. Each applicant for a patent in the atomic energy field would be required to file with the application for such patent a statement under oath setting forth the facts surrounding the making or conceiving of the invention. The Atomic Energy Commission would then be provided an opportunity to review the statement, and if it believed that the invention was made under a contract or other arrangement with the Commission, the Commission would be authorized to direct the Commissioner of Patents to issue the patent to the Commission. If the applicant should not concur, he would be given an opportunity for a hearing before the Board of Patent Interferences. This Board would then have to decide when the invention was made and whether, under all the circumstances, the Commission's claim was valid. The resolution of any question of when an invention is made or conceived is, of course, a normal function of the Board of Patent Interferences.

The Senate amendment did not have this protective device to insure that the Commission would receive all of the patents which properly belonged to it. Instead it authorized the Commission to require compulsory cross-licensing of inventions of primary importance in the field. It also provided for the use by others of patents found by the Government to have been used by their owners in violation of the antitrust laws.

The conference substitute incorporates the provisions of both the House bill and the Senate amendment. It retains the House provision relating to inventions conceived during Commission contracts and it also provides for the compulsory licensing of patents in the atomic energy field if applications thereon are filed within the next five years.

Furthermore, the committee of conference accepted the Senate amendment which would require those licenses given by patent owners under the circumstances above to be nonexclusive. It also accepted the Senate amendment that the royalty determined in connection with such licensing shall not be less favorable than royalties levied by the owner of the patent or by the Commission to similar licensees for comparable use.

The committee of conference also retained the substance of the Senate amendment dealing with the use of any patents in the atomic field in a manner so as to violate the antitrust laws.

The managers on the part of the House reluctantly agreed to the inclusion of the provisions relating to compulsory licensing in the conference substitute. They thought that there was so much good in the balance of the provisions of the bill that the dispute over the patent provisions should not further delay passage in this session. The managers on the part of the House agreed to the conference substitute only because, as a condition precedent to their assent, they were assured that the patent problem would be fairly and fully studied at the next session of Congress. All of the members of the Joint Committee on Atomic Energy, who were consulted, agreed that the patent problem would be the first order of business to be taken up by the joint committee in the next session of Congress. With the assurance that this passage would not in any way foreclose further investigation of the patent features, the managers on the part of the House felt that it was only proper to recede from their opposition to this one feature of the bill.

W. STERLING COLE,
CARL HINSHAW,
JAMES E. VAN ZANDT,
CARL T. DURHAM,
MELVIN PRICE,
Managers on the Part of the House.

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent that the reading of the statement may be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. COLE of New York. Mr. Speaker, it seems unnecessary to have read or explained the statement of the managers on the part of the House on this conference report. This is the same matter, substantially, that was before the House on Monday of last week when the managers reported to the House an agreement of the conferences in respect to the bill amending the atomic energy law.

Mr. Speaker, you will recall that the House on that occasion adopted the House report. Subsequently the report was considered in the other body and was rejected. Apparently the basis for rejection by the other body was predicated on two principal points: One was with respect to the so-called preferential clause, giving preferential rights to public bodies and cooperatives in the distribution of whatever electric energy may be produced by the Commission. The other point of dispute was with respect to how patents in the atomic energy field having nothing whatever to do with atomic weapons would be treated.

You will recall that when the bill was considered by the House an amendment was offered by the gentleman from Alabama [Mr. JONES] to require the Commission at all times—and I emphasize those words "at all times"—to give preference to public bodies and cooperatives in the distribution of the electric energy. That was accepted by the committee and adopted by the House. A similar amendment was adopted by the Senate.

The House conferees accepted the principle of preference, because we recognized that that is the established policy of the Government with respect to electric energy generated from waterpower, and could see no reason why that same principle would not apply to electric energy generated from atomic fission by the Atomic Energy Commission. However, the conferees were disturbed by the requirement that this preference should apply "at all times," because it was conceivable that there might be instances where it would be impractical to grant the preference. The conferees therefore wrote in the expression that the preference clause should apply "insofar as practicable."

When the conference report was considered by the other body that phrase "insofar as practicable" was considered by some Members of the other body as being some sort of threat to the principle of Federal preference to cooperatives. They envisioned that it represented a hidden ogre that was somehow

going to strangle and destroy the preferential clause. Of course, there was nothing to that fearful fantasy; it was completely imaginary; it had no substance to it at all. At any rate the Senate rejected that phase of the conference report.

The conferees have held a further conference and have agreed to the elimination of the expression "insofar as practicable."

I think it should be understood that in the elimination of those "three little words" it is not intended by any stretch of the imagination that the Atomic Energy Commission, in granting preference to a Rural Electrification Administration cooperative or to any other public body, should grant that preference even though it is impracticable to do so. I think we recognize that our governmental agencies and governmental commissions are expected to do the practical, efficient, economic, proper thing; and so it should not be construed or considered in the future that the elimination of that expression authorizes or directs the Commission to do the impossible, impracticable thing in granting a preference to public bodies.

The other point in dispute was of much greater substance and far greater importance. That has to do with the question of how to deal with patents in this new field. You will recall that as the bill was reported by the joint committee to the House it contained a provision requiring the compulsory licensing of patents for a period of 5 years. That provided in substance that any person who may devise a new scheme or a new method of applying atomic energy in its many, many thousands of opportunities, the owner of the patent would be required to share the patent with anybody who may ask for it upon a royalty, fixed, not by the owner of the patent, but by the Government.

When the matter was considered by the House an amendment was offered and adopted by the House eliminating the provision requiring the compulsory licensing of patents, and substituting instead an amendment which would declare to be public property any invention in this field conceived during the course of any relationship with the Government, whether it be as a direct employee of the Government, as an employee of a contractor of the Government or of a subcontractor. That was based on the theory that a principal acquires the benefits of his agent's efforts. The effect of that amendment would have protected the public interest in all phases in this problem of preventing undue enrichment of those concerns and those individuals who have been operating in this field under Government sponsorship for the past 10 years. In all other respects it would have left the patent opportunities in this field open to the normal processes of the patent laws.

It is inconceivable, and without justification, that the Government should have any claim whatever on the discovery of an invention made by an individual who has no connection with the Government whatsoever.

The Senate and House conferees originally accepted the elimination of the compulsory feature of the patent system and retained the amendment which was adopted by the House by a very substantial vote of 203 to 159, a majority of 44. When it was reported to the other body the conference report was rejected by a very, very narrow margin and they insisted upon the Senate amendment principally with respect to the patent features.

The conferees were reappointed by the House on yesterday and we met with the Senate conferees yesterday afternoon. We were confronted with a very difficult, unpleasant, distasteful situation. It can be reported factually that a majority of the conferees, all of them Republicans, representing both bodies were willing to eliminate the provision for compulsory licensing; however, it was pointed out that there was in the other body a group of persistent and defiant individuals who threw out a warning that if the compulsory licensing feature was not restored there would be a renewal of what has been politely characterized in the other body as a "talkathon" or as a process of education. Having endured that performance in connection with this bill once, and now anticipating an imminent adjournment, the conferees were faced with the choice of two alternatives, either of insisting on the principle which the majority of the conferees felt to be proper and thereby postponing the anticipated adjournment of the Congress, or of accepting the highly distasteful principle of compulsory licensing and thereby avoiding a threatened filibuster, speeding this bill to early enactment, and hastening the date of adjournment. It was with the greatest of reluctance that the majority of the House managers consented to yield. It is not pleasant to be forced to recede in a matter of principle because of expediency. The position of the House was yielded by your representatives finally only upon an understanding and upon the express condition, clearly accepted and understood by all of the conferees at that meeting—and all 10 of the conferees were there, that at the very earliest opportunity at the next session, the Joint Committee on Atomic Energy would give full, and complete study to the potent problem. On my own responsibility, if I am returned as a Member of this House, the very first bill that I shall introduce will be one to repeal what is now sections 153 and 154, the Senate provisions with respect to patents.

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. COLE of New York. I yield to the gentleman from Michigan.

Mr. DINGELL. I just want to make an observation and ask a question of my distinguished friend from New York. We have been hearing and talking about profits and patents, about the uses of fissionable material, and the control of the atom. Now, of late I have been reading about the problem which, if true and unsolved, means anything up to destruction of all humanity. In the control and disposition of the unspent force in the tailings of fissionable material of the atom there remains a deadly danger. What provisions are we making or what are we going to do about the final disposition of the unspent force of this fissionable material which remains? They tell me that the residue will plague us for a thousand years. It will pollute our streams; it will make radio-active food and fish and the animals on the ranges. Unless something is done, this matter concerning us now is the greatest menace that has ever been brought to the attention of the people. I am wondering what this great committee is going to do about that.

Mr. COLE of New York. The gentleman has not made himself completely clear because there are two types of deleterious tailings, as the gentleman calls them, from atomic energy.

Mr. DINGELL. I am not an expert.

Mr. COLE of New York. When uncontrolled nuclear reaction sets in, it develops deleterious and dangerous particles in the air, and it was that consequence that caused the episode of the unfortunate damage to the Japanese fishermen.

Mr. DINGELL. I am not talking about the Japanese fishermen.

Mr. COLE of New York. Then there is also the possible danger to public health and safety in the refinement of raw uranium into plutonium and the process of nuclear reaction, fissionable reaction—that is, the controlled reaction. In addition, there are the radioactive wastes which are the unused end products of the controlled reaction. Ample provision is made in the bill for the Commission to protect the health and safety of the public. This, of course, includes adequate treatment of and control of these wastes.

The only thing I can assure the gentleman is that to date there have been no harmful consequences from this controlled reaction; and that is what the peacetime uses of atomic energy would involve. There have been no harmful effects. As a matter of fact, the health and safety record of the great atomic energy works up at Hanford far exceed the best of the industrial records in this country. So we do have that as a problem. It is something that is not in this bill and we cannot discuss it too much.

Mr. DINGELL. Mr. Speaker, will the gentleman yield for one other brief question?

Mr. COLE of New York. I yield.

Mr. DINGELL. If these tailings are unspent and for that reason dangerous, is there not some means or method that should be found to spend them completely so that they will become absolutely harmless?

Mr. COLE of New York. I am not sure that I understand what the gentleman has in mind when he speaks of tailings that are not completely spent. Material which has been exposed to radiation is not altogether consumed in that process. That material, that waste material, is stored underground and eventually reworked.

Mr. DINGELL. Yes, but that is the final disposition of it, is it not?

Mr. COLE of New York. No; that is only temporary. Eventually it is reworked.

Mr. DINGELL. I think the American people are interested in that phase of the question, I will say to my distinguished friend.

Mr. KEATING. Mr. Speaker, will the gentleman yield?

Mr. COLE of New York. I yield to the gentleman from New York.

Mr. KEATING. I should like to say to the gentleman that it is my intention to support the conference report. I think the committee has done a commendable job. This is a very constructive piece of legislation, one of the most constructive it has ever been my privilege to vote for.

However, I am greatly disturbed, as I am sure the gentleman is, too, about the constitutionality of any provisions for compulsory licensing. But there is, as I understand it, in this bill a severability clause. That would mean that if the courts should hold that that part of the bill was unconstitutional, that would not interfere at all with the other parts of the bill having to do with the setting up of this atomic stockpile and all of the other salutary parts of the bill.

Mr. COLE of New York. The gentleman is entirely correct.

Mr. KEATING. It is only for that reason that I feel I can support the bill because I have such a strong feeling about the unconstitutionality of providing for compulsory licensing.

Mr. WALTER. Mr. Speaker, will the gentleman yield?

Mr. COLE of New York. I yield.

Mr. WALTER. I, too, am concerned over one section of this bill, the compulsory licensing section, and I am wondering whether or not the conferees did not have in mind the possibility sometime in the near future, of changing that provision so that the objections, the substantial objections that have been made by so many people would be met?

Mr. COLE of New York. That is exactly what the conferees had in mind when it was made a condition of the acceptance of this compulsory licensing that at the very earliest opportunity next year the committee will take up this question of compulsory licensing.

Mr. MEADER. Mr. Speaker, will the gentleman yield?

Mr. COLE of New York. I yield.

Mr. MEADER. When this bill was before the House for consideration I supported the amendment of the gentleman from New York [Mr. COLE] to the patent section and expressed my views to the House. I was pleased when the conferees originally accepted the provisions with respect to patents which had been adopted in the House by a substantial margin. I had hoped that the House provisions would prevail in the final legislation. But apparently Members of the other body who have the opposite view with respect to patent policy would be willing to block the passage of the bill rather than to yield to the House version of the patent section.

Under these circumstances, although he fought valiantly for this important principle, the gentleman from New York could do little else than to make concessions to insure the passage of the legislation. I commend him and his colleagues on the conference committee for the hard work and effective effort they have put forth in writing this historic statute.

As a member of the Judiciary Committee of the House, I have been somewhat disturbed about legislation dealing with patents emanating from other committees. Patent lawyers and some of my colleagues on the Judiciary Committee have expressed grave doubts over the constitutionality of the Senate version of the patent section. They have likewise pointed out that compulsory licensing is a major departure from our longstanding patent policy. I believe it is in the interest of orderly processes and consistent legislation to have proposed legislation in the patent field referred to the Judiciary Committee, considered by that committee, and adopted by the parent body after thorough consideration of our national interests in the patent field.

No one wants to write unconstitutional legislation and no one should want to make a rash change in a feature of our system of government which is so basic as the exclusive right of inventors to the use and discovery of their inventions contemplated by the Constitution.

Because of the novelty and mystery surrounding nuclear fission, insofar as we laymen are concerned, there is a temptation to consider this field as something apart from other fields of legislation. I submit that this attitude is essentially unsound and if it prevails over a long period of time, will lead us to confusion and inconsistency.

Even if compulsory patent licensing is constitutional, I think it is a grave mistake as a matter of policy. The principles of private ownership and individual freedom are closely allied to the principle that the imaginative inventor and the ingenious craftsman may derive benefits from the products of their discoveries. The new methods which have led to the mass production system in America, which is the foundation of our abundance, stem from these freedoms and these rights in individual citizens.

Now we are on the threshold of a new field of human endeavor—the development and utilization of this wonderful new source of atomic energy for commercial and industrial purposes in peacetime. If we are to match the performance of the American people in other fields of human endeavor, their ingenuity, their inventiveness, and their enterprise should be encouraged, not stifled.

The House version of the patent section would have been adequate to prevent windfalls to firms who have enjoyed contracts with the Atomic Energy Commission. I am opposed to such windfalls and I believe all of my colleagues are of like mind. But compulsory licensing even though it be for a limited time, applies not only to firms and individuals who have heretofore engaged in the atomic energy program financed with Federal funds, but to all inventors in the atomic energy field.

I sincerely hope that the Congress in its next session will reexamine the semisocialistic patent section of this legislation and work out a method for stimulating and encouraging the development of atomic energy for peacetime processes in line with our historic patent policy.

Mr. COLE of New York. The gentleman has made a very fine statement. I can assure him and you, Mr. Speaker, that had we not faced the prospect of imminent adjournment of this body your House conferees would have stayed in conference until the regions in the center of the earth were frozen. But this, we could not do.

It should be known that this group of persistent persons represents a philosophy of government which is quite foreign to our normal system of Government. There have been organizations that have been bitterly opposed to this bill, no matter how it might have been amended. The CIO has been strong and bitter and vitriolic against this bill. The ADA has been opposed to it. The National Rural Electric Cooperative Association, a reputable and respected organization although in this instance misguided by the recommendations of its lobbyist, has been bitterly opposed to it. That lobbyist in open session said that this bill no matter how it might be amended would not be acceptable to his organization. The American Public Power Association has been opposed to it. Those persons who entertain the philosophy of public ownership, the ultimate of socialism, by advocating the principle of compulsory licensing of patents, are insistent upon a fatal step in the direction of socialism.

The ironical part is that those persons who were so insistent upon the adoption of this initial step of compulsory licensing, even though we had yielded to them, on the record vote last evening over in the other body, in spite of the fact that they had everything they had asked for and demanded, still voted against the bill. That is very, very revealing.

My apprehension, my criticism, my opposition to compulsory licensing is not based only on its doubtful legality. I am more concerned about its consequences. Here we are for the first time making available this new energy for the good of mankind, away from weapons, away from destruction, away from devastation, opening up the door to the opportunity of individuals and groups to apply their thoughts and their finances and their resources and their energies to find new ways of putting this to work; and immediately the lid is put upon their efforts. What inducement is there for people to find new ways if the Government is going to confiscate their discoveries? To the extent that we apply the principle of compulsory licensing by even 5 years we delay the full opportunity of exploiting this new energy. Upon the shoulders of those persons who were so insistent upon compulsory licensing must rest the consequences of the delay of these 5 years in the full exploitation of this new force for nonmilitary purposes.

It is my fervent hope that the Congress next year will be persuaded to repeal this highly distasteful, highly un-American provision, which is so contrary to our tradition and which, if continued

in practice, will eventually spell the doom of our great industrial prosperity.

Mr. Speaker, there have been many factors which have entered into the decision to get private enterprise into the atomic energy field. This country cannot continue to pay the kind of sums it has paid out of its public treasury for the development of atomic weapons. This is particularly true of the development of facilities which are not primarily weapons. Where this country has utilized private industry in the development of other arms such as in radar and in the airplane many ideas have come from the private companies which have been used not only in the weapons field but have been of great value in promoting the civilian progress of this country. Through having private industry participate, these ideas have been developed without the expenditure of Federal funds to the extent which would otherwise have been necessary.

We have also had to keep our eyes upon the developments in other countries. The Russians have brought in atomic weapons years before our experts thought they would be able to. While some espionage played a part in this, native Russian skill was of great importance. Will the Russians be able to bring in peacetime reactors before we can? We cannot lose this race. Under the Atomic Energy Act of 1954 it is hoped that we will not.

While the Government and the Commission will be able to make the expenditures for the same types of research and development that they have in the past, it is hoped that industry will become established and will make the normal contributions to private industry under the normal incentives.

Of course we all know how far we are ahead of other countries in the development of many technological fields, radios, telephones, automobiles, electrical appliances and the chemical industry, to name a few. These and many more have flourished and grown great under the normal American ways of promoting new ideas. The thing that I want to emphasize at this point is that in order to win the race for world peace, this country must have new ideas in the field of atomic energy. It must have the extremely important ideas which make the difference between economical and uneconomical atomic energy—the new ideas which make the difference between the ability to use many by-products in many new ways and industries and in many new medical ways, and in having no progress in these fields.

It is my position that each and all of these new ideas should be guarded and protected so that each may develop and flourish to the extent it deserves. This is the time for us to break the shackles on this new industry and to let it grow under the minimum of necessary control.

I have already addressed myself to the constitutional problem so I need do no more than to refer to that. Let me then go on to discuss what a patent is. It is a right given by the Constitution—the exclusive right—given for a limited time for an invention or discovery. It is a right granted by the United States as a reward and as an inducement to inventors. What is rewarded is not something which is common or ordinary or easy to learn. In order to obtain a patent there must be something beyond ordinary skill to produce an invention. In the 1940's the Supreme Court had gone to the extent of requiring that patents be given only for "flashes of genius." Congress revised the standard of inventions needed for a patent in July of 1952 when it reestablished the standard as being for those ideas which were above the knowledge of the persons skilled in the art. A patent then is issued for new ideas, new thoughts, inventions that this country has not had before.

A patent is property and as such is treated as any other property, tangible or intangible, but then a property right in any other item is the right which is specified in the Constitution for patents, namely the exclusive right. When I buy a house or a farm I buy the right to exclude others from that house or farm. When I buy a car I buy the right to exclude others from that car. Under the principles of compulsory licensing the Government would permit anybody else to use my car, my house, and my farm on terms which would be prescribed by the Government. If I explored for and found an oil field, the principle of compulsory licensing would require me to permit others to drill in that oil field and extract the oil from it on terms that would be set by the Government. When you strip away the coverings of compulsory licensing it is socialism in its barest form. It removes the very protection which is needed in the start of the period when new ideas are being formed. I would like to quote from the testimony of Mr. Frederick P. Fish when he spoke in 1913 before the Oldfield committee in opposition to a bill for compulsory licensing.

He said:

> The whole history of industrial development shows that it is only through the prospect of special gain that men will devote attention to inventing or to inventions. Without adequate hope of unusual returns neither the man of inventive capacity nor the businessman and the capitalist can be induced to take the chances and go to the great trouble and expense necessary to work out inventions or to establish new industries or reorganize industrial methods so as to utilize inventions. As a class, they are wise enough to recognize that the chances of success are not so great as to justify the risk.
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> Inventors, and businessmen who develop inventions and introduce them to the service of man, to exactly the same degree and for the same reasons are stimulated by the protection afforded by a patent, to efforts which they would never otherwise make. Each class would be helpless without the other. It is only when both are encouraged and protected, as they are by the grant of a patent, that the progress of the useful arts is promoted.
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> When we consider the chances of failure that inventors, capitalists, manufacturers, and investors take and the trouble, expense, energy, and intelligence required to bring a new idea or even an improvement into commercial use, involving as is the case, extensive experiments before and after the invention is made, the determination of the exact field for the invention, the overthrowing of habits, the education of the consumer, the discovery of how he can be induced to take up the new invention, and ultimately, in many instances, the scrapping of machinery and the modification of manufacturing methods, it would seem that the least encouragement adequate to keep men at such work would be an absolutely free hand for a short term of years, such as is given by the patent laws of the United States.
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> The encouragement of patent protection does not alone stimulate the inventor to intellectual effort; it excites to strenuous endeavor a long line of intermediaries, capitalists, investors, business administrators, licensees, and users who work with or under the patent and whose cooperation is vitally necessary that the invention may not be confined to a paper description, but may actually be used.

Instead of leading to harmful monopolies, patents in themselves form the basis for real competition since it is the new and difficult kind of competition which requires the competitor not to mimic what has already been done, but to go out and find new things to sell, new ways of doing things.

In forcing the competitors to seek these new ideas it is as much benefit to the science and the useful arts as it is in the reward of royalties from the right to use patented inventions. The normal antitrust safeguards against unlawful use of patents have been built into the bill in provisions other than those dealing with compulsory licenses. These have been emphasized and strengthened so that there will be little chance of the vicious type of monopoly growing in this field.

The Senate believes that compulsory licensing is needed because this, of all fields, has been born and raised with Federal funds. Mr. Speaker, I don't think that this is a proper basis for selecting this field. If you single out this field for this requirement, then why have you not singled out the electronics fields? The automotive field—the airplane field—or the chemical fields? All of these have had tremendous sums spent on them by the Federal Government. Yet there is no compulsory licensing in those fields. If there were compulsory licensing in those fields, then why would not it be proper for other fields beyond them where the Federal expenditures shaded off. This is not right. While it is the popular opinion that this field arose solely because of the expenditure of Federal funds, I must point out the fact that there was a field of nuclear physics long before the Federal Government ever expended a cent in the field. Indeed, one of the basic patents, the Fermi patent, on which the owners agreed to accept a Government payment of $300,000 last fall, was conceived in the middle 1930's and patented in 1940. This patent is basic to the field and had not a single cent of Federal funds put into it before it was condemned by the Government for war purposes.

Of course, I do not mean to minimize the importance of the expenditure of Federal funds, but there were many seeds in this field that were planted long before the first Federal funds were ever spent.

Now the Federal funds have been spent, I would like to progress a step further and point out to you that of the $12 billion between a half billion and one billion is the amount that was spent for research and development. From this expenditure the Atomic Energy Commission is at this very moment, according to the report made by the Research and Development Subcommittee of the Joint Committee on Atomic Energy, planning to construct under contract five different types of peacetime reactors in order to test them—to try them out. All of the rights to those reactors now belong to the United States. There are five different types, Mr. Speaker, that list has been read here before and I need not repeat it. What the types are does not matter as much as the fact that there are five different types already. Those with intimate knowledge in the field who appeared before our committee when it was gathering information for H. R. 9757 testified that in the present art there is room for many possible types of reactors. This is, then, not like the start of any other field. Mr. Speaker, this is a field in which there is already a broad base—in which already there are different kinds of facilities that can be built and which the Government is proceeding to build as fast as it can. How can anybody get a monopoly in this field with this as the starting point and with Government funds promised for continuing research?

It is said that there will be but few opportunities. Yet if that is so, why should the Federal Government force its views on the new field. It will combine the techniques of generating equipment manufacturers, of chemical plants, and of public utilities. Why should all be forced into the same economic mold when they are not so now? Some say that cross-licensing works in the automotive field, yet that is not yet parallel to this field.

It has been said that there are but a limited number of big companies. This is not fully accurate. It is true that there are a limited number of big companies which have operated reactors, but these are not the only companies with which the Commission has dealt. It has had 1,500 prime contractors and 50,000 subcontractors in the atomic energy field, drawing virtually on every industrial organization in the country. Each one of these organizations has, to a very limited extent and under Government control, tried to apply its knowledge and information to the particular problems for which it was brought into the program. The program will flourish much better if they are given an opportunity to tackle the many thousands of problems which are present in the atomic field in the normal ways in which problems are ordinarily solved in our modern world. It is only when many of these problems—each one small in itself—are cumulatively solved that the field will progress rapidly and quickly.

During the Senate debates on this bill, there has been much discussion about conserving our national resources, and promoting their use in the interest of all of the people. I believe that there is only one natural resource, and that is the brains and ingenuity of our people. Without them we would not be turning falling water to electricity which can be transmitted many miles. Without the brains and ingenuity of our people we could not turn coal and fossil fuels to energy or to make rare chemicals from them. Since it is the brains and ingenuity of our people which are of primary importance, let us foster them as national resources, and encourage all new ideas in this field as in all other fields.

Mr. Speaker, notwithstanding my abhorrence of the compulsory licensing provisions of the conference report, I shall vote for its acceptance and I urge every Member of the House to do likewise.

I shall vote for the acceptance of the conference report because I believe the passage of this bill at this session is urgently necessary to our well-being as a Nation both in our domestic affairs and in our international activities.

As I have said, I do not like the patent provisions of the conference report. I believe particularly sections 153 and 154, which require compulsory licensing of all patents of primary importance in the atomic-energy field that are conceived in the next 5 years, will be shown to be a serious deterrent to the widespread and vigorous attack on the problem of competitive atomic power by private industry—a basic objective of the bill.

Yet, I am compelled today to urge my colleagues to support this conference report. The report contains vital corrective measures in our domestic-security programs. I can assure you that day by day the need—the urgent need—for these measures becomes more apparent. The bill contains legislative mechanisms which will enable us to deal equitably in the peacetime application of atomic energy with our loyal friends overseas whose efforts, both during the war and afterwards, in the supplying of uranium to the common defense of the free world have meant the difference between peace and war. The bill contains provisions which enable us to tell our military allies information on the effects and utilization of atomic weapons so that we may, in our common effort, reflect prudent planning against an aggressor who may utilize such weapons in an attempt to overrun freedom's borders and expand outward the sphere of influence of atheistic communism.

The bill also provides the President with encouragement and legislative means of bringing to reality his plan for the international pooling of atomic energy for peaceful purposes—the plan which has so dramatically captured the minds and given expression to the hopes of men everywhere.

These objectives of the bill are, to me, of such transcendent importance as to outweigh my dislike—both on constitutional grounds and on the principle involved—of the compulsory licensing features in the patent section.

I have noted that when H. R. 9757 was considered in the House the Members by record vote of 203 to 159 clearly stated their rejection of the principle of compulsory licensing. If it were possible to isolate this problem of compulsory licensing from the larger issues which involve our very national survival, I would urge the House to reject any compromise. But this is not possible. Recognizing that, your managers in reluctantly accepting the insistence of the other body that compulsory licensing be included, made it a condition of their acceptance that the problem be reexamined at the beginning of the next session of Congress.

In good conscience I sincerely urge my colleagues to support overwhelmingly, as a token of our recognition of these large and vital issues, the acceptance of the conference report.

Mr. Speaker, I yield 4 minutes to the gentleman from Illinois [Mr. PRICE].

Mr. PRICE. Mr. Speaker, as one of the House conferees, I signed this report. We went into conference to resolve the differences between the other body and the House and in the second conference, I think, the managers on the part of the House and the managers on the part of the Senate satisfactorily resolved the issues and the points in dispute to the point where we have an opportunity this afternoon to consider a better bill than the one which went into conference. I would not impugn the motive of any Member of either body for whatever position they took on this bill, whether they opposed it or favored it. I think it is a subject which requires considerable thought and study. Unfortunately, few Members of either body had the personal opportunity to give this the close study and thought required to fully understand its many provisions. I think the House should know that by accepting the position of the other body on the patent provision, we are merely going back to the original patent provision which was in the bill which came to the floor of the House for our consideration just a little over a week ago. We are asked, today, to accept almost the identical language which came to the House from the Joint Committee on Atomic Energy. True, it was amended in the House and it was amended on a rollcall vote, but this compulsory licensing provision was originally approved by the Joint Committee on Atomic Energy, by almost unanimous vote. It became the position of the other body, and I might say, it is also the position that was recommended in a message to the Congress from the President. I think anyone can support the position of the conferees in full justification. I can see no way in which this amendment could hold back the program. The President, himself, foresaw a period in which the participation would be so limited that a few companies might be in a position to set up a patent monopoly. He recommended safeguards, and I, personally, have the feeling that the conferees, in this last action, have provided those safeguards which the President recommended. It is for that reason that I, as one of the managers on the part of the House, signed the conference report.

Mr. JAVITS. Mr. Speaker, will the gentleman yield?

Mr. PRICE. I yield.

Mr. JAVITS. I heard, with great interest, the gentleman from New York on the question of so-called compulsory licensing. But, is it not a fact that the courts, themselves, have, when they saw

a monopoly, enforced compulsory licensing, and if memory serves me, that is true in the field of radio tubes. Therefore, it is not such a horrible proposition, but it is used where they run into a situation which is conducive to monopoly such as this one.

Mr. PRICE. I might say in reply, that the Atomic Energy Act on the books today contains a compulsory licensing provision, and certainly the constitutionality of it has not been questioned, at least not in court.

Mr. COLE of New York. Mr. Speaker, I yield myself just a minute.

Of course, the constitutionality of the provisions of the McMahon Act has not been in question for the reason that that very law prohibits anybody from getting a patent and nobody has been in a position to test the constitutionality of the law. As to the point raised by the gentleman from New York [Mr. JAVITS], it is true that the courts have required compulsory licensing, but only after it has been established in a court of law that the patent was used as a basis of a monopoly, and that provision is in the bill which was presented to the House and adopted by the House.

Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina [Mr. DURHAM].

Mr. DURHAM. Mr. Speaker, it is late in the afternoon, but I want to say I think the chairman has given a very fine and explicit review of what the conferees adopted. Personally, I do not agree with it altogether, but I do urge this body this afternoon to adopt this report. I want personally to thank this body on this side of the Capitol for the patience and the kindness they have exhibited toward this committee who are trying to rewrite the Atomic Energy Act so that private enterprise would be able to enter this field and thus do what we have done so successfully in the past 175 years in this country. That was our main effort. Unfortunately, some things crept into our deliberations which in my opinion should never have been brought in, because of the importance of this measure, because of the necessity for adopting some beginning, at least, in international cooperation; also, in regard to the coperation of our allies from a military and security standpoint in their own countries. I feel we have brought a measure to the House which every Member of the House can feel confident that at least we have made a beginning. If this committee will continue to do as it has in the past—and that has been the intent and purpose since the adoption of the first act—that the atoms should eventually be used for the benefit of humanity and not to destroy the whole world, as so many people talk and write about today, then great progress will be made.

Of course we are apprised of the inherent dangers involved in the release of this energy, if and when trouble begins. I think the gentleman from Michigan [Mr. DINGELL] was concerned with one of the problems that exists today in the control of radioactive material. Not only is the committee concerned about how we are going to control it, because it is absolutely necessary that we do control it, because if and when it is released it is more dangerous than atomic weapons.

Speaking of course of what we ordinarily refer to as "tailings" in the operation we only recover a very small percentage of the energy today from the material that is fissioned. If and when the time comes, and I believe it will come, when the scientists of this country will recover 95 percent of the energy instead of 4 or 5 percent, then the world can expect benefits to come to humanity which probably never have been heard of or dreamed of in the history of our country.

Again I want to thank this body for allowing us to write a measure that we think will be a start in the proper direction. We have brought to you a conference report which will carry on and further develop our atomic program, as well as provide weapons for the security of this country.

Mr. CROSSER. Mr. Speaker, will the gentleman yield?

Mr. DURHAM. I yield.

Mr. CROSSER. Has the committee given any consideration to the subject of controlling the natural resources to prevent a monopoly at the source?

Mr. DURHAM. I can say to the gentleman—and I have a very high regard for him—that I believe that under present circumstances when the Federal Government, under this measure, will control every grain of material that fissions, we will not permit any individual under this law to buy 1 ounce of uranium, that there is no fear. Further to allay any fears of the gentleman from Ohio, we own and control completely 730 basic patents which are the fundamental patents of the whole process. I have never been worried much about the patent provision creating a monopoly because the Government owns and will continue to own and control the basic patents.

Under the present law and under this act the Federal Government can confiscate any patent by any individual which has anything to do with the development of weapons under this program.

In my opinion it is still a Government-controlled monopoly completely.

Mr. CROSSER. I understand from the gentleman, then, that the country's fissionable material itself is sufficiently in the hands of the Government.

Mr. DURHAM. Yes, that is a correct statement. My chief objection to the bill is it does not let private enterprise come in and do the job as fully and freely as I would like it to be done. I am just as much concerned as anybody not to let private enterprise or any one come in and create a monopoly. It is necessary to put private enterprise into this program, unless we want to let the Government continue to hold a monopoly from now on, since we must control the weapons production for our own and our allies security. Your committee will continue to study as we have since 1946 the advancement of this program in all of its phases, that we may continue to lead the world as we have before.

Mr. Speaker, I ask for the adoption of the conference report with confidence that we will still lead and share with those of our allies that want to remain a free people.

Mr. COLE of New York. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. HINSHAW].

Mr. HINSHAW. Mr. Speaker, I think it is quite evident that the conferees on both sides of the table faced a condition and not a theory. This was a shotgun wedding. There was section 152; there was the Cole amendment; and there was section 153 which was the original bill. They are both in here, and if the original section as it was presented to the House is declared unconstitutional, then the Cole amendment remains in the bill as a backstop.

I think that that is all that need be said except I want to say to my friend the gentleman from New York [Mr. JAVITS] that if he will read section 158 of the bill he will find that the matter he referred to is already taken care of, and it is already taken care of in existing law.

Mr. Speaker, I think we ought to approve the amendment.

Mr. COLE of New York. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania [Mr. VAN ZANDT].

Mr. VAN ZANDT. Mr. Speaker, as a member of the joint committee, I have participated in the many days, weeks, even months of intense deliberation on this bill. It has received the most careful consideration. In fact the manner of preparing this bill and working out the problems it involved has to me been almost a model of the legislative process. I have been proud to be a member of the group which has seen this through. It was for this reason that the conference on the bill yesterday was all the more painful for me, as I know it was for my colleagues on this side of the aisle who were with me.

Seldom has any piece of legislation come before the Congress which touches upon so many vital issues for our national well-being. We have had no illusions that the product of our labors would prove to be perfect, but it was our best effort and a good one. The Members of the House showed their true understanding of the significance of this bill when they gave such careful consideration to the arguments presented here so ably by our esteemed chairman, the gentleman from New York [Mr. COLE], concerning patents. Your House managers were forced to compromise on this matter despite the conviction shown by the overwhelming House vote to reject compulsory licensing. That compromise was made only after having been assured that the entire patent problem will be the first order of business in January before the joint committee.

I deeply regret that we were unable to convince our colleagues in the other body of the wisdom and necessity of the House version of the bill. We bring back to you the best compromise we have been able to obtain. The pace of atomic progress will not permit our law to go unrevised. I, therefore, recommend adoption of this conference report—and urge the House to have confi-

dence that future amendments on this bill can undo or relieve whatever proves to be unsound.

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and that other Members who have spoken on the conference report may revise and extend their remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. H. CARL ANDERSEN. Mr. Speaker, I am much pleased that the conferees have agreed to removing the words "insofar as practicable." I very reluctantly voted for the House bill upon the assurance that public and cooperative bodies were without question retaining their preference rights to public power. Our rural electrification associations are very much interested in the preference clause as has been law for many years. I congratulate the gentleman from New York [Mr. COLE] and the other House conferees in accepting the Senate provisions and thereby insuring without question the prior rights of public bodies and REA's to the power when it is available.

Mr. COLE of New York. Mr. Speaker, much as I am opposed to this one phase of this conference report, it contains so many other elements of a highly desirable nature that I urge the adoption of the conference report.

Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to, and a motion to reconsider was laid on the table.

ATOMIC WEAPONS REWARDS ACT OF 1954

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 10203) to provide rewards for information concerning the illegal introduction into the United States, or the illegal manufacture or acqusition in the United States, of special nuclear material and atomic weapons.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That this act may be cited as the "Atomic Weapons Rewards Act of 1954."

SEC. 2. Any person not an officer or an employee of the United States (1) who furnishes original information leading to the finding or other acquisition by the United States of any special nuclear material or atomic weapons which has been introduced into the United States, its Territories or possessions, or the District of Columbia, or which has been manufactured or acquired therein, contrary to the laws of the United States, or (2) who furnishes original information to the United States with respect to an attempted introduction into the United States, its Territories, or possessions, or the District of Columbia, or an attempted manufacture or acquisition therein, of any special nuclear material or atomic weapon, contrary to the laws of the United States, shall be rewarded by the payment of an amount not to exceed $500,000. If such information has been furnished by an alien, the Attorney General and the Commissioner of Immigration and Naturalization may determine that the entry of the particular alien into the United States for permanent residence is in the best interests of the United States and that such alien and his immediate family shall be permitted to enter the United States for permanent residence without regard to their inadmissibility under any other laws and regulations, or to their failure to comply with such laws and regulations pertaining to admissibility.

SEC. 3. A Board consisting of the members of the Atomic Energy Commission, the Attorney General, and the Secretary of Defense shall determine the amount of reward to be paid in each case pursuant to section 2 of this act. Any such rewards shall be paid out of funds appropriated for the administration of the Atomic Energy Act of 1946.

SEC. 4. Any officer or employee of the United States who directly or indirectly receives, accepts, or contracts for any portion of the reward money which may accrue to any person pursuant to this act, shall be guilty of a felony and upon conviction thereof shall be punished by a fine of not more than $1,000 or by imprisonment for not more than 5 years, or both, and shall, moreover, be thereafter ineligible to hold any office, or place of honor, profit, or trust created by the Constitution or laws of the United States. If such officer or employee has received any portion of money paid as a reward he shall, in addition to the foregoing, be fined the amount of money he has received.

SEC. 5. As used in this act, the term "special nuclear material" means plutonium, or uranium enriched in the isotope 233 or in the isotope 235, or any other material which the Atomic Energy Commission determines to be special nuclear material for the purposes of this act.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That this act may be cited as the 'Atomic Weapons Rewards Act of 1954.'

"SEC. 2. Any person who furnishes original information to the United States—

"(a) leading to the finding or other acquisition by the United States of any special nuclear material or atomic weapon which has been introduced into the United States, or which has been manufactured or acquired therein contrary to the laws of the United States, or

"(b) with respect to an attempted introduction into the United States or an attempted manufacture or acquistion therein of any special nuclear material or atomic weapon, contrary to the laws of the United States,

shall be rewarded by the payment of an amount not to exceed $500,000.

"SEC. 3. An Awards Boards consisting of the Secretary of the Treasury (who shall be the Chairman), the Secretary of Defense, the Attorney General, the Director of Central Intelligence, and of one member of the Atomic Energy Commission designated by that Commission, shall determine whether any person furnishing information to the United States is entitled to any award and the amount thereof to be paid pursuant to section 2. In determining whether any person furnishing information to the United States is entitled to an award and the amount of such award, the Board shall take into consideration—

"(a) whether or not the information is of the type specified in section 2, and

"(b) whether the person furnishing the information was an officer or employee of the United States and, if so, whether the furnishing of such information was in the line of duty of that person.

Any reward of $50,000 or more shall be approved by the President.

"SEC. 4. If the information leading to an award under section 3 is furnished by an alien, the Secretary of State, the Attorney General, and the Director of Central Intelligence, acting jointly, may determine that the entry of such alien into the United States is in the public interest and, in that event, such alien and the members of his immediate family may receive immigrant visas and may be admitted to the United States for permanent residence, notwithstanding the requirements of the Immigration and Nationality Act.

"SEC. 5. The Board established under section 3 is authorized to hold such hearings and make, promulgate, issue, rescind, and amend such rules and regulations as may be necessary to carry out the purposes of this act.

"SEC. 6. Any words granted under section 3 of this act shall be certified by the awards board and, together with the approval of the President in those cases where such approval is required, transmitted to the Director of Central Intelligence for payment out of funds appropriated or available for the administration of the National Security Act of 1947, as amended.

"SEC. 7. As used in this act—

"(a) The term 'atomic energy' means all forms of energy released in the course of nuclear fission or nuclear transformation.

"(b) The term 'atomic weapon' means any device utilizing atomic energy, exclusive of the means for transporting or propelling the device (where such means is a separable and divisible part of the device), the principal purpose of which is for use as, or for development of, a weapon, a weapon protoype, or a weapon test device.

"(c) The term 'special nuclear material' means plutonium, or uranium enriched in the isotope 233 or in the isotope 235, or any other material which is found to be special nuclear material pursuant to the provisions of the Atomic Energy Act of 1954.

"(d) The term 'United States', when used in a geographical sense, includes all Territories and possessions of the United States and the Canal Zone; except that in section 4, the term 'United States' when so used shall have the meaning given to it in the Immigration and Nationality Act."

Mr. COLE of New York (interrupting the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading of the committee amendment, but that it be printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. COLE of New York. Mr. Speaker, if I may take just a moment so that the Members may have some idea of what this is about, first, let me assure you that it does not constitute an authorization for the expenditure of money which is not now presently authorized.

It does not constitute a grant of authority for the grant of an award that is not now presently authorized.

In substance it authorizes a reward of up to $500,000 to any person who may provide information or evidence leading to the detection of an atomic weapon which has been smuggled into this country or illegally manufactured in this country.

It is unnecessary for me to call to the attention of the Members of the House the dire consequences of a weapon surreptitiously brought into this country. The reward of $500,000 is a pittance in

comparison with the value of the detection of the existence of such a weapon.

A board is created by this bill to pass upon the amount of the award and the entitlement to it. That board is composed of the Secretary of the Treasury, the Director of Central Intelligence, one member of the Atomic Energy Commission and the Secretary of Defense.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. COLE of New York. I yield to the gentleman from Texas.

Mr. PATMAN. How does this bill compare to the present Federal reward law that was enacted about 20 years ago? The gentleman will recall when we had public enemies in this country, the names of whom, of course, the gentleman is familiar with, there was a Federal reward act passed by the Congress, in about 1934. In that act it was provided that a reward up to $50,000 could be offered for the apprehension of any person who had been designated by the Attorney General as a public enemy. I wonder if this bill is comparable in some respects to that act?

Mr. COLE of New York. I cannot say how comparable it is, but, certainly, the objective is the same. It is to offer an inducement to people to furnish evidence of an act which if completed would be extremely injurious to our country.

Mr. PATMAN. Under that act a reward was offered for the apprehension of these public enemies and they were soon apprehended. No. 1 was Dillinger under that particular act.

The SPEAKER. The question is on the committee amendment.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that my remarks relating to H. R. 9838, outlawing communism, as passed by the House yesterday, be entered in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

TERMINATION OF FEDERAL SUPERVISION OVER THE PROPERTY OF CERTAIN TRIBES OF INDIANS IN THE STATE OF UTAH

Mr. DAWSON of Utah. Mr. Speaker, I call up the conference report on the bill (S. 2670) to provide for the termination of Federal supervision over the property of certain tribes, bands, and colonies of Indians in the State of Utah and the individual members thereof, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT No. 2661)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2670) to provide for the termination of Federal supervision over the property of certain tribes, bands, and colonies of Indians in the State of Utah and the individual members thereof, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House and agree to the same.

WAYNE N. ASPINALL,
WILLIAM A. DAWSON,
Managers on the Part of the House.

ARTHUR V. WATKINS,
HENRY C. DWORSHAK,
CLINTON P. ANDERSON,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2670) to provide for the termination of Federal supervision over the property of certain tribes, bands, and colonies of Indians in the State of Utah and the individual members thereof, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to such amendments, namely:

At the time the House committee considered the original bill, members were not entirely satisfied as to whether the Skull Valley and Washakie Bands fully met the basic criteria consistently applied by the committee in its consideration of terminal legislation. The House therefore deleted reference to these two groups to permit a full reexamination of the record.

Discussions in conference resulted in agreement that further effort should be made to contact members of these two bands for purposes of additional consultation on provisions incorporated in the final version of the legislation, meantime postponing terminal coverage of the two groups.

The Indians excepted from coverage of the bill at this time are primarily wage earners or participants in non-reservation, non-Federal cooperative-farm enterprises, with the Bureau of Indian Affairs rendering virtually no regular service to them. Since Bureau contact is thus intermittent, the record indicates that consultation with the widely scattered families has been difficult, with only limited interest expressed in the program of the Bureau.

Opinions with respect to the proposed legislation expressed by some members of each of these two bands for the record strongly suggest that the operation and scope of the proposed legislation are not fully understood by them. Such expressions go primarily to effect of the legislation on treaty and statutory obligations of the United States to the Indians affected. Concern is evidenced, for example, that the legislation will operate in some manner to affect tribal claims presently pending before the Indian Claims Commission, despite clear and unequivocal language in the bill saving and preserving any rights, privileges, or benefits granted by the Indian Claims Commission Act of 1946.

It is not anticipated that there will always be perfect agreement between the Indians and their Government, nor is it anticipated that consent of all concerned to all terms of proposed Indian legislation can be had; it is believed that Congress must satisfy itself that every effort has been made to apprise affected Indians of the provisions of such legislation in its final form as is proposed here, in order to have the benefit of Indian opinion together with consideration of all other factors involved.

In light of the foregoing, the conferees have concluded that postponement of terminal coverage of these two bands at this time will make possible renewed effort to achieve greater understanding of what is proposed.

WAYNE N. ASPINALL,
WILLIAM A. DAWSON,
Managers on the Part of the House.

The SPEAKER. The question is on the conference report.

The conference report was agreed to, and a motion to reconsider was laid on the table.

REPORT ON COMMUNIST AGGRESSION BY THE SOVIET UNION

Mr. SCHENCK. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Resolution 702, authorizing the printing of additional copies of the report on Communist aggression by the Soviet Union.

The Clerk read the title of the resolution.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There being no objection, the Clerk read the resolution, as follows:

Resolved, That there be printed for the use of the Select Committee on Communist Aggression 34,000 additional copies of the report on Communist aggression by the Soviet Union, made by the said committee under the authority and direction of House Resolution 346 and House Resolution 438, current Congress.

The resolution was agreed to, and a motion to reconsider was laid on the table.

AUTHORIZING TRANSFER OF CERTAIN PROPERTY OF THE UNITED STATES GOVERNMENT IN KLAMATH COUNTY, OREG., TO THE STATE OF OREGON

Mr. HOFFMAN of Michigan. Mr. Speaker, I ask unanimous consent for the immediate consideration of Senate Concurrent Resolution 107.

The Clerk read the Senate concurrent resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Clerk of the House of Representatives, in the enrollment of the bill (H. R. 8020) entitled "An act authorizing the transfer of certain property of the United States Government (in Klamath County, Oreg.) to the State of Oregon," is authorized and directed to make the following correction: In the matter added by the Senate amendment, strike out "section 203 (d) (2) (D)" and insert in lieu thereof "section 203 (k) (2) (D)."

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

Mr. VORYS. Mr. Speaker, reserving the right to object, will the gentleman explan what happened there?

Mr. HOFFMAN of Michigan. Mr. Speaker, we sent a bill over to the other body, they changed it with reference to a subsection number, and made an error. Now we are trying to correct it.

The SPEAKER. The question is on the Senate concurrent resolution.

The Senate concurrent resolution was agreed to, and a motion to reconsider was laid on the table.

DISCONTINUING CERTAIN REPORTS

Mr. HOFFMAN of Michigan. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 6290) to discontinue certain reports now required by law, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, strike out lines 10, 11, and 12.
Page 2, line 1, strike out "2" and insert "1."
Page 2, line 6, strike out "3" and insert "2."
Page 2, line 13, strike out "4" and insert "3."
Page 2, line 17, strike out "5" and insert "4."
Page 2, line 23, strike out "6" and insert "5."
Page 3, line 3, strike out "7" and insert "6."
Page 3, line 6, strike out "8" and insert "7."
Page 3, line 12, strike out "9" and insert "8."
Page 3, line 24, strike out "10" and insert "9."
Page 4, strike out lines 5 to 8, inclusive.
Page 4, line 9, strike out "12" and insert "10."
Page 4, line 13, strike out "13" and insert "11."
Page 4, line 18, strike out "14" and insert "12."
Page 4, line 22, strike out "15" and insert "13."
Page 5, line 2, strike out "16" and insert "14."
Page 5, line 9, strike out "17" and insert "15."
Page 5, line 21, strike out "18" and insert "16."
Page 6, line 5, strike out "19" and insert "17."
Page 6, line 9, strike out "20" and insert "18."
Page 6, line 13, strike out "21" and insert "19."
Page 6, line 17, strike out "22" and insert "20."
Page 6, line 21, strike out "23" and insert "21."
Page 7, line 2, strike out "24" and insert "22."
Page 7, line 6, strike out "25" and insert "23."
Page 7, line 11, strike out "26" and insert "24."
Page 7, line 18, strike out "27" and insert "25."
Page 7, line 23, strike out "28" and insert "26."
Page 8, line 4, strike out "29" and insert "27."
Page 8, line 9, strike out "30" and insert "28."
Page 8, line 12, strike out "31" and insert "29."
Page 8, line 16, strike out "32" and insert "30."
Page 8, line 21, strike out "33" and insert "31."
Page 8, line 23, strike out all after "appropriation" over to and including "interest" in line 4 on page 9.
Page 9, line 5, strike out "34" and insert "32."

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

C——936

FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949

Mr. HOFFMAN of Michigan. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 10187) to amend the Federal Property and Administrative Services Act of 1949, as amended, to provide for the payment of appraisers', auctioneers', and brokers' fees from the proceeds of disposal of Government surplus real property, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 204 of the Federal Property and Administrative Services Act of 1949, as amended, is amended as follows:

(a) Subsections (b), (c), (d), (e), and (f) are redesignated as subsections (c), (d), (e), (f), and (g), respectively.

(b) A new subsection (b) is added, reading as follows:

"(b) All the proceeds of such dispositions of surplus real and related personal property made by the Administrator of General Services shall be set aside in a separate fund in the Treasury. Not more than an amount to be determined quarterly by the Director of the Bureau of the Budget may be obligated from such fund by the Administrator to pay the direct expenses incurred for the dispositions of surplus property under this act for fees of appraisers, auctioneers, and realty brokers, and for advertising and surveying. Such payments from this fund may be used either to pay such expenses directly or to reimburse the fund or appropriation initially bearing such expenses. Fees paid to appraisers, auctioneers, and brokers shall be in accordance with the scale of fees customarily paid for such services in similar commercial transactions, and in no event shall more than 12 percent of the proceeds of all dispositions within each fiscal year of surplus real and related personal property be paid out of such proceeds under this authorization to meet direct expenses incurred in connection with such dispositions. Periodically, but not less often than once each year, any excess funds beyond current operating needs shall be transferred from the fund to miscellaneous receipts: *Provided*, That a report of receipts, disbursements, and transfers to miscellaneous receipts under this authorization shall be made annually in connection with the budget estimates to the Director of the Bureau of the Budget and to the Congress."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

KENNETH McRIGHT

Mr. JONAS of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 1461) for the relief of Kenneth McRight, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 12, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

NICHOLAS MATOOK

Mr. JONAS of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 2781) for the relief of Nicholas Matook, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 11, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

DR. ALFRED L. SMITH

Mr. JONAS of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 3014) for the relief of Dr. Alfred L. Smith, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 4, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

DENNIS F. GUTHRIE

Mr. JONAS of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 3232) for the relief of Dennis F. Guthrie, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 1, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

MRS. EMILY WILHELM

Mr. JONAS of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 3446) for the relief of Mrs. Emily Wilhelm, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 11, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

RALEIGH HILL

Mr. JONAS of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 6529) for the relief of Raleigh Hill, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 4, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

JOHN B. DANIEL

Mr. JONAS of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 3384) for the relief of John B. Daniel, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 4, after "Code", insert "of 1939."

Page 2, after line 4, insert:

"SEC. 2. No part of any drawback that may be allowed by reason of the enactment of this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with obtaining such drawback, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

ELEPHANT BUTTE DAM

Mr. JONAS of Illinois. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 417) conferring jurisdiction upon the United States District Court for the District of New Mexico, to hear, determine, and render judgment upon certain claims arising as a result of the construction by the United States of Elephant Butte Dam on the Rio Grande.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding any statute of limitations or lapse of time or any limitation upon the jurisdiction of the United States district courts to hear, determine, and render judgment on claims against the United States, jurisdiction is hereby conferred upon the United States District Court for the District of New Mexico, to hear, determine, and render judgment upon any claim against the United States for compensation for the taking of or for damage to real or personal property as a result of the construction by the United States of Elephant Butte Dam on the Rio Grande.

SEC. 2. Suit upon any such claim may be instituted by the owner of the property with respect to which the claim is made or by his heirs at any time within 2 years after the date of enactment of this act. Proceedings for the determination of any such claim and review thereof and payment of any judgment thereon shall be in accordance with the provisions of law applicable in the case of the taking by the United States of private property for public use, but nothing contained in this act shall be construed as an inference of liability on the part of the United States Government: *Provided*, That no judgment hereunder shall become the liability of or chargeable to the Elephant Butte Irrigation District of New Mexico or the El Paso County Water Improvement District No. 1 of Texas.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HARVEY SCHWARTZ

Mr. JONAS of Illinois. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2496) for the relief of Harvey Schwartz.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Harvey Schwartz, of Denver, Colo., an employee of the Veterans' Administration, is relieved of all liability to refund to the United States the sum of $600.82, representing overpayments in salary received by him during the period beginning April 14, 1952, the date he was erroneously appointed to a position in grade GS–7, and ending on the date he was demoted to a position in grade GS–5 in compliance with the provisions of section 1310 of the Supplemental Appropriation Act, 1952.

SEC. 2. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Harvey Schwartz the sum of $250, which represents overpayments in salary received by him during the period beginning April 14, 1952, the date he was erroneously appointed to a position in grade GS–7, and ending on the date he was demoted to a position in grade GS–5 in compliance with the provisions of section 1310 of the Supplemental Appropriation Act of 1952.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GRAPHIC ARTS CORPORATION OF OHIO

Mr. JONAS of Illinois. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2801) for the relief of Graphic Arts Corporation of Ohio.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Graphic Arts Corporation of Ohio, Toledo, Ohio, the sum of $84,359.19. The payment of such sum shall be in full settlement of all claims of the said Graphic Arts Corporation of Ohio against the United States: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PORTSMOUTH SAND & GRAVEL CO.

Mr. JONAS of Illinois. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3110) for the relief of the Portsmouth Sand & Gravel Co.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Portsmouth Sand & Gravel Co., of Portsmouth, Ohio, the sum of $75,000. The payment of such sum shall be in full settlement of all claims of the said Portsmouth Sand & Gravel Co. against the United States for compensation for any and all damage occasioned by the relocation of the Scioto River by the United States Army (Corps of Engineers) in 1940 and 1941: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

McMAHON CO., INC.

Mr. JONAS of Illinois. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3562) for the relief of the McMahon Co., Inc.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the McMahon Co., Inc., of Rapid City, S. Dak., $518.44, in full satisfaction of the company's claim against the Farmers Home Administration, Department of Agriculture, for livestock feed furnished farmers during the emergency of the snow blockade created by the blizzards in January 1949: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EPES TRANSPORTATION CORP.

Mr. JONAS of Illinois. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2632) for the relief of the Epes Transportation Corp.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Epes Transportation Corp. of Virginia, the sum of $6,537.95, in full satisfaction of all claims of such corporation against the United States, such sum representing taxes (with interest and penalty) paid to the United States by such corporation on account of certain cigarettes and tobacco products which were withdrawn from bonded warehouses in Winston-Salem, N. C., by such corporation for export to foreign consignees, but which were not exported due to the fact that such cigarettes and tobacco products were stolen from the trucks of such corporation en route to the intended exportation point: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, and contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TO CORRECT AN ERROR IN ENROLLMENT OF H. R. 1975

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate concurrent resolution (S. Con. Res. 106) to correct an error in the enrollment of H. R. 1975.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There being no objection, the Clerk read the concurrent resolution, as follows:

Resolved by the Senate (the House of Representatives concurring) That the action of the Speaker of the House of Representatives in signing the enrolled bill (H. R. 1975) to amend section 2201 of title 28, United States Code, to extend the Federal Declaratory Judgments Act to the Territory of Alaska, be rescinded, and that the Clerk of the House be, and he is hereby authorized and directed, in the reenrollment of the bill, to make the following correction:

On page 1, line 6 of the engrossed House bill, strike out the word "section" and in lieu thereof insert the word "sentence."

The resolution was agreed to, and a motion to reconsider was laid on the table.

PALO VERDE IRRIGATION DISTRICT

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 8498) authorizing construction of works to reestablish for the Palo Verde Irrigation District, California, a means of diversion of its irrigation water supply from the Colorado River, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and request a conference with the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. SAYLOR, DAWSON of Utah, ENGLE, and ASPINALL.

LAWRENCE F. KRAMER

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2083) for the relief of Lawrence F. Kramer.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lawrence F. Kramer, of 354 East 42d Street, Paterson, N. J., the sum of $67,500 in full satisfaction of his claim against the United States for (1) compensation for services rendered by him during the period from 1935 to 1952 in assisting and enabling the United States to prosecute successfully criminal proceedings against certain defendants who had defrauded the Government in connection with fixing prices on Works Projects Administration projects in the State of New Jersey, and (2) for reimbursement for expenses incurred by him in rendering such services: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONVEYANCE OF MINERAL RIGHTS TO MRS. PEARL O. MARR, OF CROSSROADS, N. MEX.

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3251) to provide for the conveyance of certain mineral rights to Mrs. Pearl O. Marr, of Crossroads, N. Mex.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to convey by quitclaim deed and without compensation to Mrs. Pearl O. Marr, of Crossroads, N. Mex., all oil, gas, or other mineral rights which are held by the United States in the following-described lands situated in Lea County, N. Mex.: The east half of the southeast quarter of section 33; the south half of the south half of section 34; the southwest quarter of the southwest quarter of section 35, township 9, range 37 east, New Mexico principal meridian, containing 280 acres, more or less.

SEC. 2. Mrs. Pearl O. Marr shall succeed to the position of the United States as lessor at the time the Secretary of the Interior makes conveyance under this act. The United States shall not be liable for any rents or royalties accruing before the date of the conveyance.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WAIVER OF ANNUITIES, RELIEF, OR RETIREMENT COMPENSATION BY DISTRICT OF COLUMBIA RETIRED POLICEMEN, FIREMEN, AND TEACHERS

Mr. KEARNS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 7853) to permit retired policemen, firemen, and teachers of the District of Columbia to waive all or part of their annuities, relief, or retirement compensation, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Strike out all after the enacting clause and insert "That any person entitled to relief or retirement compensation pursuant to the provisions of section 12 of the act approved September 1, 1916 (39 Stat. 718), as amended (title 4, ch. 5, D. C. Code, 1951 edition), may decline to accept all or any part of such relief or retirement compensation by a waiver signed and filed with the Commissioners of the District of Columbia or their designated agent. Such waiver may be revoked in writing at any time, but no payment of the relief or retirement compensation waived shall be made covering the period during which such waiver was in effect."

Amend the title so as to read: "An act to permit retired policemen and firemen of

the District of Columbia to waive all or part of their relief or retirement compensation."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

CONSTRUCTION OF BRIDGES OVER POTOMAC RIVER

Mr. KEARNS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 1980) to authorize and direct the Commissioners of the District of Columbia to construct a bridge over the Potomac River in the vicinity of Jones Point, Va., and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Strike out all after the enacting clause and insert:

"TITLE I—BRIDGE IN VICINITY OF CONSTITUTION AVENUE

"That (a) the Commissioners of the District of Columbia are authorized and directed to construct, maintain, and operate a low-level bridge over the Potomac River, from the vicinity of Constitution Avenue in the District of Columbia to the Virginia side of the Potomac River, such bridge to be constructed north of the Memorial Bridge and south of the southern portion of Theodore Roosevelt Island sometimes referred to as "Small Island", together with bridge approaches and roads connecting such bridge and approaches with streets and park roads in the District of Columbia and with streets and park roads on the Virginia side of the Potomac River: *Provided*, That in planning such bridge approaches and connecting roads, the Commissioners shall consult with the National Capitol Planning Commission.

"(b) The Commissioners of the District of Columbia are authorized to construct and maintain a structure to provide pedestrian access from the low-level bridge referred to in subsection (a) of this section to the aforesaid "Small Island": *Provided*, That before entering into any contract for such structure providing pedestrian access the plans therefor shall be approved by the Theodore Roosevelt Association.

"(c) The Secretary of the Interior is hereby authorized to construct, maintain, and operate a structure connecting the main body of Theodore Roosevelt Island and the aforesaid portion thereof referred to as "Small Island" to provide pedestrian access between such islands: *Provided*, That the plans for such structure connecting such islands shall be subject to the approval of the Theodore Roosevelt Association.

"(d) The plans for any bridge or other structure authorized by this title shall be submitted to the Commission of Fine Arts for advice with respect to the architectural features of any such bridge or structure, and no contract for the construction thereof may be entered into until this subsection shall have been complied with: *Provided*, That upon failure of the Commission of Fine Arts to report its advice within ninety days of submission of plans to it, the requirements of this subsection shall be deemed to have been met.

"(e) Appropriations for construction of the bridge and other structures authorized by this title, payable from the highway fund of the District of Columbia, in amounts not exceeding $24,500,000 are hereby authorized.

"SEC. 102. The Federal agencies having control and jurisdiction over the lands at and adjacent to the ends of the bridge shall transfer to the Commissioners of the District of Columbia, upon their request, the areas to be occupied by said bridge, approaches, and connecting roads, all as shown more particularly on plans of such bridge, approaches, and connecting roads, to be prepared and approved by the Commissioners of the District of Columbia and the Bureau of Public Roads, Department of Commerce.

"SEC. 103. The Commissioners of the District of Columbia are authorized to enter into an agreement or agreements with the State Highway Commission of Virginia, acting for and on behalf of the Commonwealth of Virginia, for the purpose of providing for cooperation by the State Highway Commission of Virginia, to such extent as the Commissioners of the District of Columbia shall deem necessary, in the construction of said bridge, approaches, and connecting roads, acquisition of land for rights-of-way, contributions toward costs, temporary or permanent closing of existing roads, and any other matters relating to the construction of said bridge which the Commissioners of the District of Columbia may consider appropriate.

"SEC. 104. The Commissioners of the District of Columbia are authorized to make such use of federally owned and controlled lands at and adjacent to the bridge as may be necessary for making borings, performing other preliminary work, routing and rerouting traffic, constructing said bridge, approaches, and connecting roads, and storing of materials incident to such preliminary work and to actual construction.

"SEC. 105. The Commissioners of the District of Columbia are authorized and directed to route and reroute and to cause the routing and rerouting of traffic on, and to close or cause to be closed, park roads, streets, and highways under the jurisdiction of the United States, and to negotiate for the closing of roads by agreement with Virginia authorities, where necessary in connection with the preparation of plans for, and during the actual construction of, said bridge, approaches, and connecting roads. The Commissioners of the District of Columbia are further authorized to prepare plans for such changes in park roads as they deem necessary to provide maximum efficiency in handling traffic to and from said bridge, and when such plans are approved by the Bureau of Public Roads, to construct roads in conformity with such approved plans.

"SEC. 106. (a) The National Park Service is authorized and directed to remove or transplant to other locations any and all planting materials within the area to be used for the bridge, approaches, and connecting roads or for construction purposes, when requested by the Commissioners of the District of Columbia. The Commissioners of the District of Columbia are authorized and directed to regrade the areas involved in the construction of the bridge, approaches, and connecting roads so as to conform with the plans to be approved by them and the Bureau of Public Roads.

"(b) Upon completion of said bridge, approaches, and connecting roads and the regrading of the areas, or prior thereto, when authorized by the Commissioners of the District of Columbia and when such operation or operations will not interfere with the construction of said bridge, approaches, and connecting roads, the National Park Service is directed to landscape such areas in accordance with the plans of the National Park Service as may be approved by the Commissioners of the District of Columbia and the Bureau of Public Roads, the cost of said landscaping to be paid out of funds made available for the purposes of this title.

"SEC. 107. The cost of construction, reconstruction, and repair of all roads which are changed or made necessary as an incident to the construction of said bridge, approaches, and connecting roads, when approved by the Commissioners of the District of Columbia and the Bureau of Public Roads, shall be paid out of funds made available for construction of said bridge, approaches, and connecting roads.

"SEC. 108. The right to alter, amend, or repeal this title is hereby expressly reserved.

"TITLE II—BRIDGE IN VICINITY OF JONES POINT

"SEC. 201. (a) The Secretary of the Interior (referred to hereinafter as the "Secretary") is authorized and directed to construct, maintain, and operate a six-lane bridge over the Potomac River, from a point at or near Jones Point, Va., across a certain portion of the District of Columbia, to a point in Maryland, together with bridge approaches on property owned by the United States in the State of Virginia.

"(b) The bridge shall be of deck girder structure with a swing span having a 150-foot horizontal clearance on each side of the pivot pier and a 70-foot vertical clearance above mean low water, and shall be constructed in accordance with the provisions of subsection (b) of section 502 of the 'General Bridge Act of 1946,' approved August 2, 1946 (60 Stat. 847), as amended, and subject to the conditions and limitations in this title.

"(c) The Secretary shall request recommendations and suggestions of the National Capital Planning Commission relative to the design of such bridge and approaches.

"SEC. 202. (a) Any Federal agency and the District of Columbia having control and jurisdiction over any land at or near the site of the bridge shall transfer to the Secretary, upon his request, any such lands to be occupied by the bridge or approaches thereto.

"(b) The Secretary may acquire by purchase or by condemnation any land in the State of Maryland, not under Federal or District jurisdiction or control, needed for the construction of such bridge, title to such land to be taken directly to and in the name of the United States. In case a price satisfactory to the Secretary cannot be agreed upon for the purchase of such land or in case the title cannot be made satisfactory to the Attorney General of the United States, then the latter is directed to procure such land by condemnation, and the expenses of procuring evidence of title, or condemnation, or both, shall be paid from funds made available for the purposes of this title.

"SEC. 203. (a) The Secretary may make such use of lands owned or controlled by the United States, at or adjacent to the site of the bridge, as may be necessary for making borings, performing other preliminary work, routing and rerouting traffic, constructing such bridge, approaches, and connecting roads, and storing materials incident to such preliminary work and to actual construction.

"(b) The Secretary may route and reroute and cause the routing and rerouting of traffic on, and close or cause to be closed, streets, roads, and highways under the jurisdiction of the United States, and negotiate for the closing of streets, roads, and highways by contact with Virginia, Maryland, and District authorities, when necessary in connection with the preparation of plans for, and during the actual construction of, the bridge.

"SEC. 204. Notwithstanding any other provision of this title, the Secretary shall not begin construction of the bridge above referred to until the State of Virginia and the State of Maryland have taken such steps as the Secretary deems adequate to give assurances that there will be constructed and maintained, by and in such States, such approaches to such bridge as will be reasonably adequate to make possible the full and efficient utilization of such bridge.

"SEC. 205. The sum of $14,925,000 is hereby authorized to be appropriated out of any moneys in the Treasury not otherwise appro-

priated, to carry out the provisions of this title.

"SEC. 206. The right to alter, amend, or repeal this title is hereby expressly reserved."

Amend the title so as to read: "An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

SPECIAL ORDER GRANTED

Mr. MILLER of California asked and was given permission to address the House for 20 minutes on tomorrow, following any special orders heretofore entered.

OUR CRY AND GOD'S ANSWER

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent to address the House for 15 minutes and to revise and extend my remarks and include a sermon.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. REES of Kansas. Mr. Speaker, on August 8 I had the privilege of listening to a sermon delivered by Rev. Louis Evans at the National Presbyterian Church in Washington. Dr. Evans is one of the Nation's great ministers. He is former pastor of the Hollywood (Calif.) Presbyterian Church. I understand it is one of the biggest Presbyterian congregations in the United States. He presently represents the Presbyterian Church on a nationwide basis. The title of his sermon is "Our Cry and God's Answer."

I am sure Members of Congress and others who read the RECORD will be interested in reading this splendid message:

OUR CRY AND GOD'S ANSWER

Our subject this morning is Our Cry and God's Answer. I call your attention to the words of the Apostle Paul in Ephesians the 2d chapter and the 15th verse: "Having abolished in His flesh the enmity * * * for to make in himself of twain one new man, thus bringing peace." "Having abolished the enmity"—dear God, how we desire that. We are tired of the crushing and mauling of war. "Making in himself of twain one"—how we hunger for oneness and togetherness: one world, one family, one love. "Thus making peace"—how many have fought for it, how many have died for it, and how many today are courageously living for it. This is our cry: God give us peace. But I am not sure that we shall be satisfied with the mode by which we come upon them, because they rather run athwart of the human pattern of our thinking. We can only find and conquer these things as we ourselves have been conquered by Christ.

Paul was a man of conviction. He had become the convict of Jesus Christ, and was powerless save to follow Him in anything, anywhere, any time, and any place. Paul said, "I am 'doulos,' I am a slave." Yet no man has preached greater freedom, other than the Nazarene, than Paul—no one has given us greater courage, or unity than he; but Paul came upon this unity in himself; had conquered this schizophrenia that had warred inside him, through Jesus Christ. And Paul contends, "If I can achieve this unity, then you can have it, too, individually and collectively."

Now let's look at some of our collective and personal problems today, in the light of this possible union.

First of all, Paul came upon a sense of racial oneness or brotherhood in Christ. You see Paul was both a Jew and a gentile, being a Roman and free born; and these two people were fighting within his soul. In the Old Testament the Jew had conquered the gentile—that spelled chaos. In the New Testament era of the first century, the gentile or the Roman had conquered the Jew and that was New-Testament turmoil. Now Christ conquered the Jew in Paul. He conquered the gentile or the Roman in Paul. When He had conquered these, He had made of Paul one new man out of these two races, and that was peace. From that moment on, Paul became a united man without the prejudices that were other than of God. He said, "Now I know that in Christ there is neither Greek nor Jew, barbarian, Scythian, bond nor free. We are one in Him."

That's our problem today—bringing about this brotherhood of man in Jesus Christ. Now I think America is doing fairly well in making progress toward brotherhood. My mother was born in Norway. When she came over to America as a girl of 14, she fell in love with this country and never again would she put the ocean between her and her adopted land. She forgot how to sing Sonner of Norge and learned the Star-Spangled Banner. My father came over from England to the United States at 19 years of age and this great Nation put her arms around him. I never could mention America to my father without his eyes puddling up with tears. He forgot how to sing God Save the King and he learned how to sing My Country 'Tis of Thee. As Stephen Benet said:

"They tried to fit you with an English song
And clipped your speech into the English tale;
But even from the first the words were wrong
And the catbird pecked away the nightingale;
And homesick men begot high-cheek-boned things
Whose wit whittled a different sound;
And the Thames and all the rivers of the king
Ran into the Mississippi and were drowned."

It's wonderful how our differences can be united in this dear flag. But we have some problems ahead of us.

We're making some progress, true, through education in our universities and colleges.

A judge some time ago handed me an excerpt from his college bulletin—he was an alumnus of Harvard—and it read like this: "Harvard is becoming typically American" it said. "Three separate Harvard committees without any interlapping or conferring with each other did three things this year: one committee elected a president of Harvard who was a westerner and had no Browning connections; the second committee elected as dean of the faculty of arts and sciences a man who graduated from Yale." Imagine that. "And the third committee appointed as president of the board of overseers a man who was of Jewish blood. Thus," he said, "Harvard showed its utter indifference to irrevelant differences."

Are such differences irrevelant to you and to me? Or do they count so much? Of course, the university has its problems, but every university does. You remember when those pistol shots rang out in congressional Halls and five of our Congressmen fell to the floor wounded? What caused that? That wasn't the true heart of Puerto Rico; it was an abortion. But where was this terror born? Let one of our veteran missionaries of Puerto Rico explain: He said "The leader of the Puerto Rican terrorists was a college-educated native of Puerto Rico who attended Harvard for 4 years. His dark skin and features caused him to be looked down upon by his fellow students. He was scorned socially and became tremendously embittered. He decided he would spend his whole life making Americans realize the inequities which they had forced upon him—he has devoted his life to hatred."

Would you think for a single moment that Congress could be so disturbed by pistol shots because a group of varsity men forgot something? The brotherhood of man and the fatherhood of God—we're all personally responsible for the chaos or unity of this world.

Now that's our task. We shall only rise to this oneness theologically, by realizing that when one man comes to God through Christ, he becomes a son of God. Another man does the same thing. These two men standing close to God naturally stand close to each other. Thus the fatherhood of God forces us to the brotherhood of man.

I was safaring in the African jungles 2 years ago with my two sons. We were accosted by some Africans who said this (in meaning): "Unless you practice the brotherhood of man in America, don't come over here teaching us the fatherhood of God in Africa"—and they had us. I realized then what one meant who said: "No one ever played great harmony on a piano leaving out the black keys." We can never have harmony throughout the world until we bring in the colored keys of the brotherhood of man. But this will be accomplished in the human heart in the "realm of the unenforceable." Until we see that down deep is the obligation of the Fatherhood of God, we shall never practice the brotherhood of man. On the human level we will contend that "blood is thicker than water" but on God's redeemed level we will cry, "But love is thicker than blood."

The same thing is true in our homes. There was one divorce out of every 500 marriages in our early colonial days. Now there is 1 divorce out of every 3 marriages in the United States of America. That will destroy a nation. It goes to pieces bit by bit and unit by unit. Can God help us here? Can Christ come in to "make of twain one person" in marriage? Yes.

Now there are three plans by which our American homes are run. People take their choice.

Plan No. 1: The husband conquers the wife or the wife conquers the husband. Now and then you do see a husband conquering his wife. It is not as easy to do, I might say, as you might think it is. If he succeeds in doing this, he becomes arrogant, bumptious, obnoxious. The wife becomes timid, mousey, and shrinking in her personality. If, on the other hand, a wife succeeds in conquering her husband, then she becomes arrogant, hard and as masculine as the dear Army sergeant. The husband becomes shrinking and loses all his social dynamics. Husband and wife were not made to conquer each other. God must conquer the husband; God must conquer the wife; and they become one in His will.

Plan No. 2: The very opposite: each defying the other. Now the thing that holds this solar universe together is that a fixed sun is at the center. Put anything less than that there and the solar universe flies to pieces. A man may take his wife and put her at the center of the home and say, "You are my sunshine, my only sunshine," and then he finds out that she has some weaknesses; what becomes of his goddess? Everything goes to pieces. He has built the home around a person. Or the wife defies her

husband, and puts him in the center; her whole home revolves around him. And then she discovers he has feet of clay—we all have. Then it happens:

"Because I believed God brought him to me
And because I believed him gifted of God
With honor, truth, and love of the right
I believed in God and I worshipped God.
But when I found he was just a thief of love,
When I found he was full of treason and prejudices,
All for money and worldly pride:
The wreck of him was the wreck of God
And I fainted amid the ruin of plaster and sticks
And sat in the stillness that followed
The broken bust of God."

That can happen when we worship each other. We love each other, but we worship only God.

That leads us to domestic plan three: God conquers the husband; God conquers the wife. These two unite in marriage, not for each other but to serve God, who stands head and shoulders above them both. They save their home by a spiritual design—The will of God for both.

When the husband comes close to God in prayer, the wife stands close to God in prayer, both being close to God are close to each other. You can't give me the name and address of a single couple that went to a divorce court who prayed together on their knees—I said together—a week before they went, can you? There is a tremendous adhesive about prayer. When they both bow their knees to God, they are likely to kneel more closely together, for generally speaking, "the family that prays together stays together." God has conquered both and "out of twain he has made one." That is why there is only 1 divorce for every 60 church marriages, though 1 for every 3 secular marriages.

It is true in capital and labor. I wonder what would happen if labor took Ephesians 6 and said, "I am conquered by this spiritual aim in which Paul said, 'And ye servants—or employees—serve your employers with godly fear,' not fearing they may hurt you but that you may hurt them by letting down their high estimate of what you can do. 'Not with eye-service as men-pleasers, but * * * doing the will of God from the heart.' Do not clench that nail, do not mix that cement, do not do that paint job well just because a foreman is watching you. God is watching you. You are a servant of God, and that is why you are doing your best every moment of the working day—not working merely for wages on Friday night, but working for God and a world and a Kingdom. That would change labor, wouldn't it?

And suppose capital heard these words of Paul: "And ye masters—or employers—do the same unto them, forbearing threatenings;" do not use your position as a cudgel to frighten people. Treat them as you would have God treat you, "for your Master is in heaven." That would mean the best possible wages, the best possible hours, working under the safest conditions. If capital would stop trying to conquer labor and labor would stop trying to conquer capital, then they would both bow and say, "Lord, Thy will be done." God would make "one new man"—an American servant—out of two persons. The carpenter and the king; the laboring man and the teacher and preacher were made one in the person of Christ.

Now that has happened. One day a New England employer said, "Well, I used to say, 'Good morning' to the help, no sincerity in it, but it paid good dividends and was good business. My brother had twice the IQ I had, but I paid him only half my salary. I said 'no drinking and no late hours,'—that was for the employees, but not for the management. I put on the pressure—and our factory was full of problems." "Then," he said, "God came in. I got a new sense of partnership. Now the pressure is off, and the problems are gone." Certainly. A labor-leader in Detroit said, "Sometime ago I used to be willing to start a revolution in my factory to get what I wanted. I would have skinned my employer alive. I went there every morning to get all I could and give as little as I could. And then, one day, Christ captured me. I realize now that the man at the polished desk has his problems, too. I no longer go to my factory merely for what I can get. I go for what I can give. Now I know that capital and labor are alternate beats of the same great heart." Do you see what happened? Capital was conquered by the will of Christ. Labor was conquered by the will of Christ. Each belonged to God; so they belonged to each other. That is our only hope.

It is true, too, in the church. It must be. I suppose when the World Council meets that the press will have a great deal to say about the pugilistics of ecclesiastics and the differences of the denominations, but very little to say about that deeper sense of partnership that we all own. Not all men realize what we mean by unity. By unity we mean that the denominations, like different fingers, aren't all grown together like a mitten. I'm not sure my hand would do better work if you joined all my fingers together, and I'm not sure the church would do the best work if all its denominations were grown together, trying to regiment everyone into one way and one technique. My hand isn't a union; it is a unity, though, when all these fingers work together in obedience to one mind. That is the church of God.

Now, of course, we ministers have our sins. You have discovered that. Everybody has. It reminds me of a minister who came out and found his car outside of a New York church tagged with an illegal parking ticket. When in the traffic court his case came up and his name was called, he stood before the judge, and the judge said, "Have you anything to say, sir?" The clergyman said, "Yes, one thing, Your Honor, 'Blessed are the merciful, for they shall obtain mercy.'" And after the uproar had quieted down in the court, the judge said to the clergyman, "You know, I've waited a long time for this moment, when I could say to a parson, 'Go thy way and sin no more.'"

I suppose one of our sins is that of denominational conceit. It is hard for "Yale to steal Harvard's yell." But we are making progress. We are no longer calling down fire from heaven, like John did, because certain people do not cast out devils as we do. We realize now, as Protestants, that there are a lot of different ways of casting out devils: The Congregationalists reason them out, the Episcopalians and the Catholics chant them out, the Pentecostals shake them out, the Methodists sing them out, the Baptists drown them out, and we Presbyterians freeze them out. Well, just get rid of them. We do not care how you do it. While we might disagree on the technique, the teleology is to get rid of the devils. That is our common task.

An outstanding clergyman once said, "The idea that one denomination is the sole channel of God's grace is as dead as Queen Anne. God killed it. God uses persons not because of where they are denominationally located, but because of the depth of their surrender to Him and their grasp on truth. God can work through the denomination. Sometimes He works in spite of them. But never exclusively in any one of them. If this hurts our denominational pride, it may help our spiritual humility." We have come to the place now where we realize that whenever a church says that it is the church, it ceases to be a church and has deteriorated into a sect—too proud and blind to sense the oneness we have in Jesus Christ.

Now as to government. Moffatt, in his translation, makes our text read like this: "Making in Himself one new man out of two parties." Can we have unity of government with existing parties? Certainly.

When a man enters politics or statecraft, he does not give the supreme aim of every man's higher life; he does not cease to pray this prayer, "Thy kingdom come" explained in the next phrase, "Thy will be done on earth as it is in heaven." In the Hall of Congress and everywhere this can ever be supreme to him—the will of God.

Of course our party system has its hazards of the kingdom of God. If there is anything as well as its assets. The danger is that we may put idolatry of party above the ideals that frightens Mr. and Mrs. John Doe, Mr. Average American, it is the way some political leaders can "turn the binoculars around." When they look at their own party's virtues and achievements, these look large, magnified and close up. But when they look at the opposition, so-called, they turn the binoculars around and all their virtues are accomplishments seem insignificant and far away. May God take the binoculars from our hands and make us act and see as brothers. We Americans are pleasantly shocked when one leader will say something decent and nice and Christian about a man of the other party. What has gotten hold of us? Must we slay our Nation by fratricidal war? We are one in God. That does not mean that we cannot have two parties. They may exist as two hands of the same body but both working for the same aim—the good of the whole and the glory of God.

There have been times in American history when we have evidenced this higher unity. Stephen Douglas was once Abraham Lincoln's Democratic opponent for the Presidency. But when the threat of disunion struck at our Republic he rushed to Lincoln's side in hearty support. In defense of his standing by Lincoln, and in answer to narrow party colleagues, he said, "I trust the time will never come when I shall not be willing to make any needful sacrifice of personal feeling and party policy for the honor and integrity of my country. * * * The moment an enemy arose in the midst plotting the destruction of the Government, the voice of party strife was hushed in patriotic silence." There is a time when the partisan is lost in the patriot. This is the higher loyalty. God has made of "twain"—two partisans, "one new man"—the patriot.

We saw it again in the First World War. For years an industrial North had been trying to conquer an agricultural South, and vice versa. Slavery seemed only a side issue, if you searched deeply enough. A threat came to this dear flag in the form of Germany going wild; then it happened. We who were twain were made suddenly one. The man from the North marched away to France singing:

"Here's to the blue of the windswept North
When we meet on the fields of France;
May the spirit of Grant be with us all
As the sons of the North advance."

The southern boys sang:

"Here's to the gray of the sun-kissed South
When we meet on the fields of France;
May the spirit of Lee be with us all
As the sons of the South advance."

Then they sang together:

"Here's to the blue and the gray as one
When we meet on the fields of France;
May the spirit of God be with us all
As the sons of the flag advance."

They were one in God. "The twain were made one new man." That would do it, wouldn't it? Then the clergyman could also say of Government: "The idea that one political party is the exclusive channel of God's grace is as dead as Queen Anne. God killed it. God uses politicians not because of

where they are politically located, but because of the depth of their surrender to God and to the truth. That may be hard on our party pride, but it will be good for our patriotic humility." There is one chance for unity; all conquered by the will of God.

Of course, this takes the surrender of the will to the Kingdom of God.

General Jackson, the great Confederate general, sent a letter home to his pastor during the Civil War. The parishioners gathered on the church steps expecting the missive would carry some word of Missionary Ridge or Lookout Mountain; but there was not a mention of matters military. It read, "Dear Pastor: I remember that this is Foreign Missionary Sunday. Enclosed find my contribution to the same. May this war soon be over, and may the right side win, that we may go back to our main task of saving men and the Kingdom of God." Not until a man has been conquered by the supreme aim of "The Kingdom of God and saving men" could he ever subordinate his military and personal reputation by saying, "May the right side win."

This surrender of us all to the common aim is our sole hope of true unity. The boy was having a bad time putting together the jigsaw map of the United States, being ignorant of its rivers, capitals and States. His father kindly advised: "Thought I'd tell you, son, that on the back of that puzzle is the face of George Washington." Now every boy knows the face of Washington and putting that together he turned the puzzle over and America was together. If somehow, in the midst of our ignorance of national affairs and problems, we could all keep our eyes upon the face of Christ above the multicolored faces of races; if husband and wife could look past each other to the greater loyalty and love; if above our denominational spires we could see the Father of the Church Universal; if above our party flags we could see the ensign of the Kingdom and its plan; we should be on our way to national unity.

"E pluribus unum"—out of many one—it is possible only when we turn the coin over and read the other side, "In God We Trust." It was natural to add to our pledge of allegiance, "One nation, under God, indivisible" for only as a nation stands under the will of God is it ever indivisible.

But we might contend that those who surrender to the will of God sometimes differ. This is true—but not as true as we pretend. There is something cleansing and uniting about prayer and it will bring us together on the teleology and aim of our hearts if not on the technique of carrying it out. If our minds differed, our hearts would always be one.

But not all those with whom we work in family, in city, in business, in Nation, and in the world surrender to or are conquered by the will of God. What then? Then see to it that you are. One man and God have often been a majority. One lion can lead a thousand sheep. A mother has changed the spiritual tone of a whole family; one college man has shaped a whole fraternity; one private soldier catching up a flag has stopped an ignominious retreat; Luther alone saved a church; the courage of Disraeli's wife, Ann, helped him to change a parliament.

You cannot do everything but you can do something. Surrender to the will of God and throw your weight, large or small, into the scales of destiny. The rest is up to God.

Our President has lately said, "What is our battle against Soviet communism if it is not a fight between anti-God and a belief in the Almighty?" But remember that your "god" is whatever or whoever comes first in your consideration and affection. Is it yourself, wealth, health, position, popularity, power, or the Father of our Lord Jesus Christ? A poll says that 96 percent of all Americans "believe in God." Do that percentage put Him "first?"

Believe means to "be"—to be; in "lief"—in life—what we say we believe. But as someone has said, "some who believe in God, when they die, will leave nothing more than a bag of money, an asphalt road, and a thousand lost golf balls;" sleeping in on Sunday morning, thus contradicting the primacy of God in their lives.

This is our hope for unity. Let us cease trying to conquer each other. Let God conquer us all, making of us "twain, one." Our security lies in our surrender.

HARD-MONEY, HIGH-INTEREST POLICY OF 1953

The SPEAKER. Under previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 30 minutes.

Mr. PATMAN. Mr. Speaker, I want to discuss the hard-money, high-interest policy of 1953.

This chart was prepared by the President's Council of Economic Advisers. It correctly reflects the trend of interest rates in 1953 and 1954. It will be noticed from this chart that United States Government bonds long-term, corporate triple-A bonds—Moody's—and Treasury bills go right along together with the monetary policy of the United States Government.

The Government, through its agent or servant, the Open Market Committee of the Federal Reserve System, has the power to make money easy or to make money hard, to make interest rates low or to make interest rates high. The Government exercised that power in the early part of 1953, and by reason of that, it will be noticed that interest rates commenced going up in the first month of 1953, and they went up until about the middle of May, and for a reason now known commenced going down about May 11 and have been going down ever since. That is the easy-money policy.

MONEY MANAGERS TOOK AN ABOUT FACE MAY 11, 1953

What I want to discuss with you is what happened on May 11, 1953. One week before May 11, 1953, or May 4, notice was given that on the next Monday, May 11, 1953, a resolution would be introduced by Members of the House and Members of the Senate calling on the Federal Reserve Open Market Committee to support Government bonds at par. The reason interest rates went up was because there was no support under Government bonds. That support had been taken out. Therefore, this resolution was prepared and was introduced by me, but for the Democratic leaders in the House of Representatives, including the gentleman from Texas [Mr. RAYBURN], the gentleman from Massachusetts [Mr. MCCORMACK], and a majority of the Democratic members of the Committee on Banking and Currency. In the Senate, a similar resolution was introduced. So on that day, May 11, 1953, the Government's money masters took an about face and changed their policy entirely and commenced going the other way. This has been admitted. In the extension of my remarks, I expect to show that by the highest authority in the United States, Mr. Martin, who is Chairman of the Board of Governors of the Federal Reserve system, these bonds were allowed to go down.

OPEN MARKET COMMITTEE CALLED UPON TO SUPPORT GOVERNMENT SECURITIES AT PAR

I am inserting herewith a copy of a statement I made in the House of Representatives, May 11, 1953; also a copy of a resolution that was introduced in the House and Senate, asking the Open Market Committee to support the prices of Government securities at par, and a joint statement that was given out by the sponsors of the resolution in the House and Senate. It is as follows:

FEDERAL RESERVE CALLED UPON TO SUPPORT GOVERNMENT BONDS AT PAR

Mr. PATMAN. Mr. Speaker, I am introducing today for the joint sponsors a resolution calling on the Federal Reserve Board and the Open Market Committee of the Federal Reserve System to support United States Government securities at par. In the resolution the phrase "should support," and so forth, is used; the reason the word "direct" is not used is because the Federal Reserve System is an agency of Congress, and its officials will certainly carry out any expressed will of Congress.

In the House, although a bill or resolution can only bear the name of one Member, I have introduced the resolution, but the other cosponsors of it are Representatives RAYBURN, MCCORMACK, SPENCE, MULTER, RAINS, DEANE, O'HARA of Illinois, ADDONIZIO, DINGELL, EBERHARTER, BAILEY, PRICE, PERKINS, and ROGERS of Colorado.

Mr. Speaker, it was the traditional policy of this Government through the Open Market Committee of the Federal Reserve Board System for more than 15 years to support United States Government securities at par. That policy commenced prior to World War II, it was in effect all during World War II, and it was not until March 1951 that the Federal Reserve Board refused through the Open Market Committee to further support Government securities. As a result of that, long-term Government bonds have gone down to 97, 96, 95, 92, and finally to 91.

The new policy is breaking faith with the people of this country who have a reason to believe and who had a reason to rely upon the traditional policy of the Federal Reserve System in the support of those bonds. It has broken that good faith.

Mr. Speaker, this resolution is offered for the purpose of restoring that traditional policy. I hope that there will be an early hearing and a favorable report and that the resolution will be adopted. It is not in the form of a bill, because a bill is unnecessary. The Federal Reserve System is an agency of the Congress. Anything that the Congress says that the Federal Reserve System should do, that System must do. It is supposed to represent the will of this body and the Senate. The resolution expresses that will for the purpose of getting those bonds supported again as they were traditionally before March 1951.

In the Senate the resolution is cosponsored, in addition to Senator MURRAY, by Senators LONG, GREEN, KILGORE, MAGNUSON, MANSFIELD, and HUMPHREY.

The text of the resolution is as follows:

"Concurrent resolution to provide for support of the credit of the United States of America by the Federal Reserve System

"Whereas millions of loyal and patriotic American citizens supported their Government during World War II by buying Government bonds and have continued to do so since the end of World War II;

"Whereas the Federal Reserve System has been pursuing a policy of refusing to do its part in supporting the credit of the United States of America by buying its proper share of Government bonds and other Government securities;

"Whereas the credit of the United States of America has been impaired thereby;

"Whereas as a consequence, Government securities have fallen below par and the capital position of those with investments in previously issued Government securities has been seriously impaired;

"Whereas this policy of the Federal Reserve System has made it easier for banks, insurance companies, corporations, and private investors to obtain higher interest rates, and thus higher profits, on money loaned to the Government;

"Whereas the increased interest rates on Government securities will result in vast additional expenditures by the Federal Government and a substantial and unnecessary increase in the national debt;

"Whereas this policy of the Federal Reserve System has increased interest rates not only on funds borrowed by the Federal Government, but has also helped to bring about a dangerous rise in interest rates on funds borrowed by (1) farmers, (2) foreign purchasers of American agricultural products, (3) home builders, (4) veterans who are buying homes and all other home buyers, (5) businessmen (particularly small-business men), and (6) local governments for the construction of schools, roads, water supply and sewage systems, and other essential public facilities;

"Whereas this policy of the Federal Reserve System may tend, in combination with other factors, to bring on a decline in business activity throughout the economy and to accentuate the deflationary trend in American agriculture;

"Whereas this policy of the Federal Reserve System is an ineffective and inappropriate substitute for soundly conceived measures to control the supply and use of credit and to maintain the value of the American dollar;

"Whereas whatever flexibility is needed in the prices of Government bonds should take place above par under the alternative policy of Federal Reserve System support of Government bonds at par;

"Whereas this policy of the Federal Reserve System undermines the ability of the United States of America to meet the financial problems that would inevitably result from a new international emergency;

"Whereas this policy of the Federal Reserve System violates the purposes of the Congress in the creation of the Federal Reserve System;

"Whereas this policy of the Federal Reserve System is inconsistent with the maintenance of maximum employment, production, and purchasing power as called for in the Employment Act of 1946;

"Whereas a policy of supporting United States Government securities at par will not only cost the taxpayers nothing, but will also result in a saving to the taxpayers and a profit to the Treasury: Now, therefore, be it

"*Resolved by the Senate (the House of Representatives concurring)*, That the Federal Reserve Board and the Open Market Committee of the Federal Reserve System should support the price of United States Government securities at par, but not exceeding par, as was done before the so-called Treasury-Federal Reserve accord which was announced March 4, 1951."

The joint statement that was prepared by the sponsors and released today was as follows:

"A group of Senators and Representatives announced their intention to introduce in both Houses today a resolution to help stop the rapid and reckless interest rate increases resulting from the policies of the Federal Reserve System and the Treasury Department.

"The resolution would require the Federal Reserve System to support United States Government securities at par, thereby enabling the Government to borrow at lower interest rates. This in turn would permit low rates for farmers, businessmen, home buyers, local governments, and other borrowers.

"Speaking on behalf of the group, Representatives WRIGHT PATMAN, Democrat, Texas, and Senator JAMES E. MURRAY, Democrat, Montana, charged that in the brief 3-month period from December 1952, to March of this year, while the Government had to borrow large sums of money, the Federal Reserve System dumped about $900 million worth of Government securities. The Federal Reserve System also refrained from buying any new Government securities. As a result, the price of long-term Government bonds has hit a new historic low.

" 'The refusal of the Federal Reserve System to support the credit of the United States,' stated Representative PATMAN and Senator MURRAY, 'would be bad enough if it resulted only in additional billions of dollars in Government expenditures and the national debt.

" 'But it has also led to a dangerous spiral of interest-rate increases for private borrowers.

" 'First, there was an increase in the interest on support loans to farmers and on Export-Import Bank loans for the purchase abroad of American cotton. Then came an increase in the commercial-bank rate on prime-business loans. This was followed by a rise in rates on consumer-installment loans. Over the last weekend the interest rate on VA- and FHA-insured home mortgages was boosted. All of this is happening at a time when there is a serious decline in agricultural prices and a growing danger that the agricultural price decline may spread to the rest of the economy.

" 'The adoption of our resolution will help protect American farmers, veterans, home buyers, and small-business men against the harmful effects of further interest-rate boosts and of undue tightening in the supply of credit. The adoption of our resolution will also provide invaluable insurance against the threat of future depressions, foreclosures, bankruptcies, and unemployment.'

"In past years Representative PATMAN and Senator MURRAY have coauthored many important legislative measures, including the Employment Act of 1946, the legislation which established the Smaller War Plants Corporation, and other statutes protecting American small-business enterprise."

DEMOCRATS FORCED REVERSAL OF HARD-MONEY POLICY

President Eisenhower recently claimed credit for the fact that the decline in business activity had leveled off. Apart from the fact that this year's recession need not have happened at all, if the decline has not been too large, the credit for that is rightfully ours rather than the Republicans.

Few would dispute that the administration's policy of hard money and increased interest rates choked off the boom of 1953 and brought on the 1954 recession. This policy took the form of refusing to support the Government bond market, issuing new bonds at higher interest rates and thereby depressing the price of outstanding Government securities below par. This policy was carried out despite the vigorous protests of Democratic Members of Congress. Under this policy, the Federal Reserve sold Government securities instead of buying them to support their price. Under this policy, as the President acknowledged in his January 1954 Economic Report, lenders became confused and did not know what to expect. Mortgage money to finance new homes virtually disappeared from view.

The hard-money policy was, of course, drastically reversed. The easing of credit sparked home building, which in turn has helped to keep the 1954 business recession in check. The facts about the reversal are not too widely known. Briefly, the reversal actually took place some time before the effects became visible. The record will show that prior to May 11, 1953, the date of the resolution sponsored by Democratic leaders calling upon the Federal Reserve to resume purchases of Government securities and support the price of Government bonds at par, the Federal Reserve had been reducing its Government holdings. Immediately upon the introduction of the resolution of May 11, 1953, the Federal Reserve Open Market Committee resumed open market purchases. By the end of May 1953, Federal Reserve weekly purchases exceeded $100 million. The decline in the price of Government securities was halted in early June 1953. As a result of Democratic pressure, the market price of the Treasury 2½s has risen from a low of 89 to a premium over par. These bonds were selling at 89.20 June 1, 1953. The 3¼'s, which have gone to 111 in a year, provide clear evidence that the interest-rate policy pursued in early 1953 was much too high. These bonds were selling for 98.20 June 1, 1953, and 110.8 on June 1, 1954. A discreet investment by one who could read the signs could, and many probably did, make 15¼ percent in 1 year's time on a riskless investment in these 3¼-percent bonds.

As a result of Democratic opposition to the hard-money policy and pressure on the Federal Reserve to reverse its policy of abandoning support of the Government bond market, money and credit have become abundant and interest rates have declined. To the extent that this reversal has caused the economic decline to be checked and made the outlook seem promising to the President, the credit for this quite properly belongs to the Democrats who opposed the hard-money policy of the President and his administration and forced its abandonment.

Recovery of the economy after the administration reversed its hard-money, high-interest policy has been greatly retarded by the lack of assurance from the administration that this ill-fated policy will not be repeated.

May 26, 1954, Mr. William McC. Martin, Jr., Chairman of the Board of Governors of the Federal Reserve System testified before the Banking and Currency Committee of the House as follows:

Mr. PATMAN. In 1952, before the end of the year, what were your instructions to the one in charge of open-market operations in

the New York bank? What was he supposed to do during the month of December 1952?

Mr. MARTIN. I have no idea offhand. We have a meeting of the executive committee every 2 weeks. There have been very few exceptions to that, and we change our instructions every 2 weeks.

Mr. PATMAN. You change your instructions every 2 weeks. But generally, you were not buying bonds in 1952, in December, were you? You were not buying bonds?

Mr. MARTIN. At the tail end of 1952?

Mr. PATMAN. Yes, sir.

Mr. MARTIN. I don't think we were.

Mr. PATMAN. What were your instructions in 1953, in the early part of the year? Were your instructions to tighten up, or to loosen up, on money?

Mr. MARTIN. In the early part of 1953, as you well know, our policy was one of general restraint.

It will be noticed that Mr. Martin advocates putting on the brakes and pursuing a policy of general restraint in early 1953. This was the commencement of the hard money, high-interest policy.

Mr. PATMAN. Why did you do that? Why were you putting on the brakes so?

Mr. MARTIN. At that particular time?

Mr. PATMAN. Yes.

Mr. MARTIN. Because we feared, as I have testified repeatedly, a bubble on top of a boom, and we felt that the money supply should be permitted——

Mr. PATMAN. Well, in December 1952, you said the danger of inflation was over.

Mr. MARTIN. Mr. PATMAN, you are not quoting me correctly.

Mr. PATMAN. Well, the papers misquoted you, then.

Mr. MARTIN. Well, the papers frequently misquote people. Not that I am attacking the papers, but——

Mr. PATMAN. Well, that was verified by your action in February reducing the margin requirement on stock-market transactions. If that is not in the direction of fighting deflation, I would like to know what it would be.

Mr. MARTIN. The speech to which you refer, Mr. PATMAN, in 1952, was an address which I gave to the Investment Bankers Association.

Mr. PATMAN. That is right.

Mr. MARTIN. Without benefit of manuscript.

Mr. PATMAN. Well, I am just quoting what the papers said, and I haven't seen it denied.

Mr. MARTIN. Well, I am not denying all of the implications of this, but I believe that the danger of drastic inflation was coming to a halt at the end of 1952, but it would have been—could have been—a very serious matter for us if the bubble that developed, the resurgence of business enthusiasm, if I may term it such, following President Eisenhower's election, in 1952, had been permitted to run itself into a speculative fever, and therefore, we permitted interest rates to reflect the force of supply and demand.

Mr. PATMAN. For how long did you do that, how many months?

Mr. MARTIN. We did that roughly until the early part of May.

Mr. PATMAN. May 11?

Mr. MARTIN. Well, May 6 the Open Market Committee had its meeting and decided that we would reverse ourselves.

The about face on the hard-money policy was not put into effect until May 11 when the Open Market Committee went into the market and bought the first Government securities they had bought in months in order to start on the easy-money policy.

VETERANS HARD HIT BY HIGH-INTEREST MOVE

I am inserting herewith most of an article that appeared in the Washington Sunday Star, May 3, 1953:

INTEREST RATES RAISED ON UNITED STATES HOMES LOANS, ENDING LONG DISPUTE

(By Robert J. Lewis)

The Government yesterday raised interest rates on home loans in another move in its unmistakable tighter-money policy.

The administration acted to raise interest rates on Government-aided housing by from one-quarter of 1 percent to one-half of 1 percent.

Climaxing a series of Treasury-sponsored moves supporting higher interest rates, the action was reported to have been decided on by the White House itself to settle a long-drawn-out controversy over whether or not home loan rates should be raised.

GI MORTGAGE RATES

Veterans' Administration rates on GI mortgages were raised one-half of 1 percent across the board to bring them up from 4 percent to 4½ percent.

Federal Housing Administration rates were raised one-quarter of 1 percent. Since FHA in the past has had a number of different rates, the one-quarter of 1 percent increase means that in the future some FHA loans will be at a rate of 4¼ percent, some at 4½ percent, and others will remain at 4 percent.

In general, however, both FHA and GI rates for single-family homes, will now be equal at 4½ percent. Previously on such loans, the GI rate was 4 percent and the FHA rate was 4½. Rates for apartment construction in the future will be 4½ percent. Rates for military, defense, and cooperative housing will remain at 4 percent.

The increase will cost a veteran borrowing $10,000 on a GI mortgage an additional $840 over a 25-year loan period. The loss would be greater if interest on this amount were to be figured in.

ACTION IS RELUCTANT

Two leading housing officials said the increases were authorized reluctantly.

Veterans' Administrator Carl R. Gray, Jr., said the action was taken "only as a last resort and after extended consultation with other Government agencies concerned with housing and fiscal policies."

Several questions occur to me in reading this article. First, why was the Treasury pressuring for higher interest rates on housing loans, including veterans' loans, just a week before the Treasury evidently knew the hard-money policy was going to be changed completely? In other words, within 1 week from that time, the monetary policy would be eased and the very argument that was used to support a higher interest rate, May 3, would not be persuasive at all after the policy was changed. Furthermore, the interest rates that were put into effect, 1 week before the hard-money policy was reversed have remained in effect, which gives a windfall to those receiving the increased interest rates. The rates that were announced on May 3, 1953, should have been canceled the next week when the monetary policy was changed. These rates have remained in effect and have not been reduced, which is very unfair to veterans and others who are required to pay these rates, which were based upon the continuance of the hard-money policy. It will be noticed that the article states that the increase will cost each veteran borrowing $10,000 on his GI mortgage an additional $840 over a 25-year loan period.

It would be interesting to know how many veterans the past year have been required to sign up to pay $840 additions on their $10,000 mortgages because of the unnecessay increase in interest rates.

Commencing in March 1951, when the Board of Governors declared their independence from the Executive over the objection of the President at that time, who was Mr. Truman, the Board defied Mr. Truman. They went ahead, although they had promised Mr. Truman, as President of the United States, that they would continue to support Government bonds, as they had in the past, and Government bonds had not up until that time for over 10 years been allowed to go below par. The Board in conference with the President promised to continue that policy, but after they got out of the meeting and they met with the representatives of the private banks, they decided they would not go along with the President and they would take the support out from under the Government bonds. That was March 4, 1951.

DEMOCRATIC ADMINISTRATION UNDER PRESIDENT TRUMAN OPPOSED CHANGING WORLD WAR II PATTERN OF INTEREST RATES ON THE NATIONAL DEBT

First. Mr. Eccles, as Chairman of the Board of Governors, caused the first break in wartime rates in July 1947, by permitting the three-eighths percent return on Treasury bills and the seven-eighths percent rate on certificates to be discontinued. This permitted these rates to go up and up, agricultural prices commencing to go down immediately.

Second. President Truman evidently did not like this, and when the time came, in February 1948, Mr. Eccles was not reappointed Chairman of the Board, although Mr. Eccles claimed that the reappointment had been promised him by President Truman. Mr. Eccles was notified 2 months before the time for the appointment by Dr. Steelman that he would not be reappointed. Mr. Eccles' friends wanted him to be vice chairman, but President Truman refused to appoint a vice chairman. Notwithstanding this, he remained on the Board.

Third. President Truman had the entire Board in his office, January 30, 1951, and received a promise from the Board in the public interest that they would continue to support long-term Government bonds at par. This, the Open Market Committee, which has on it five representatives of the private banks, refused to go along with the promise, and permitted bonds to go down below par. President Truman tried everything within his power to prevent it from being done, but the Board went back on him, defied him, and did it anyway.

From that time on, in defiance of the President, the price of Government bonds commenced to slip, and until the present administration came in, they had gone

down to 95.20 which, as bad as it was, was not destructive. But then the present administration came in and they kept on going down, and they went down to 89. I am referring to long-term Government bonds.

I am inserting herewith the following tables showing the prices of the long-term 2½'s and the newly issued 3¼'s:

Treasury bond price movement

2½ PERCENTS ISSUED OCT. 20, 1941—1947–54

[Price decimals are 32ds of $1]

	1947		1948		1949		1950		1951		1952		1953		1954	
	Mean	Change	Mean	Change	Mean	Change	Mean	Change	Mean	Change	Mean	Change	Bid	Change	Bid	Change
January	105.31	−0.09	101.01	0	102.18	+0.20	105.04	−0.28	103.30	+0.12	97.02	+0.03	95.17	−0.03	98.00	+1.20
February	106.00	+.01	101.10	+.09	102.28	+.10	105.05	+.01	102.31	−.31	97.00	−.02	94.16	−1.01	99.14	+1.14
March	106.00	0	101.14	+.04	103.14	+.18	105.02	−.03	101.04	−1.27	97.28	+.28	93.16	−1.00	99.31	+.17
April	105.13	−.19	101.22	+.08	103.12	−.02	105.05	+.03	100.08	−.28	99.10	+1.14	92.04	−1.12	100.18	+.19
May	105.18	+.05	102.30	+1.08	103.11	−.01	105.09	+.04	99.12	−.28	98.26	−.16	90.20	−1.16	99.02	−1.16
June	105.15	−.03	101.27	−1.03	104.27½	+1.16½	104.26	−.15	98.17	−.27	98.20	−.06	92.12	+1.24	99.29	+.27
July	105.29	+.14	101.13	−.14	105.01	+.05½	105.06	+.12	99.23	+1.06	98.07	−.13	92.18	+.06	100.16	+.19
August	106.19	+.22	101.07	−.06	105.31	+.30	105.04	−.02	100.16	+.25	97.10	−.29	92.08	−.10	100.11	[1] −.05
September	105.29	−.22	101.05	−.02	105.21	−.10	104.05	−.31	99.17	−.31	95.27	−1.15	94.28	+2.20	.....	.....
October	105.09	−.20	101.01	−.04	105.21	0	103.15	−.22	99.12	−.05	97.01	+1.06	95.12	+.16	.....	.....
November	103.08	−2.01	101.19	+.18	105.21	0	103.18	+.03	97.25	−1.19	96.22	−.11	94.18	−.26	.....	.....
December	101.01	−2.07	101.30	+.11	106.00	+.11	103.18	0	96.31	−.26	95.20	−1.02	96.12	+1.26	.....	.....

[1] As of Aug. 16, 1954.

NOTE.—Price range since first trade: High 109.18 on Apr. 6, 1946; low 89.30 on June 1, 1953.

Prices shown are the mean of closing bid and ask quotations until April 1953. Beginning April 1953, prices are closing bid quotations in the over-the-counter market for the last day of the month.

3¼ PERCENTS DATED MAY 1, 1953

[Price decimals are 32ds of $1]

	1953		1954	
	Bid	Change	Bid	Change
January	.....	.....	106.16	+0.26
February	.....	.....	108.24	+2.08
March	.....	.....	109.03	+.11
April	.....	.....	110.00	+.29
May	99.06	−0.23	108.24	−1.08
June	99.22	+.16	110.08	+1.16
July	100.05	+.15	111.16	+1.08
August	100.12	+.07	111.22	[1] +.06
September	102.10	+1.30	.....	.....
October	103.30	+1.20	.....	.....
November	103.29	−.01	.....	.....
December	105.22	+1.25	.....	.....

[1] As of Aug. 16, 1954.

NOTE.—Price range since first traded: High 111.28 on Aug. 3, 1954; low 98.20 on June 1, 1953.

Prices are closing bid quotations in the over-the-counter market for the last day of the month.

Source: Treasury Bulletin.

CRAP GAME

It will be observed that during election years, 1948, 1950, and 1952, the market was more stable than during the off years, 1947, 1949, 1951, and 1953. I repeat my charge that the Government bond market is being used as a crap game. Investors who can read the signs or should happen to be in the "know" can clear big profits quickly through such manipulations.

Recently the rate paid by the banks—most of them sold to New York City banks—for United States bills has been increasing each week. Why is that, when the money supply is so plentiful? The law of supply and demand is certainly not working. I hope it is not a forerunner to another hard-money high-interest policy.

Mr. ROGERS of Florida. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield.

Mr. ROGERS of Florida. The gentleman will recall at that time I introduced a resolution providing that all Government bonds should be acceptable at par in payment of income taxes.

Mr. PATMAN. Yes, sir; that is a fine thing. They should be acceptable at par and accrued interest. That is a good bill and I hope the gentleman pursues it. It is a good way to force the Open Market Committee to support the market and confine all the crap-shooting in the Government bond market to be above par.

May 4, 1953, I made the following statement on high interest:

WHAT HIGH INTEREST IS DOING TO THE PEOPLE

It is causing the Federal Government, States, counties, cities, to pay more interest for increases in budgets which also increases taxes. It causes all public utilities—including electricity, gas, water, telephone, transportation—to pay more interest, which causes an increase of rates. In the end, the landlord having to pay all these increases, must have an increase in rents. The wage earner is put in a squeeze, having to spend so much of his income for rent increases caused by interest increases. The same thing applies to the farmer. The result is purchasing power of both farmer and wage earner is reduced, which retards the economy and will eventually lead to a depression. The result of interest increases is low wages and lower farm prices which are the makings of a real depression.

Remember these are Government bonds that went down. Any bank can buy these bonds and if they want to borrow money on them they get 100 cents on the dollar, new money, on these 89-cent bonds. They are worth 100 cents on the dollar. Yet the Government's money masters—the Open Market Committee of the Federal Reserve System—allowed these bonds to go down to 89 cents on the dollar. But when they found out they had made this terrible mistake—we Democrats showed it in this resolution that was introduced—they took an about-face and bonds began to go up. As the price of bonds goes up the interest rates go down. They are now over 100. If the hard-money policy had continued, we would have been in a serious depression in a short time. We were in a recession on May 11, 1953.

MUST WATCH GOVERNMENT BONDS

I took this time to ask the Members to keep in mind the fact that these bonds must at all times remain above par. We must be on the alert to do what is necessary to bring to the attention of the authorities the fact that they must not permit these bonds to go below 100 cents on the dollar again. It is a terrible thing. It is ruinous to the country. It is ruinous to the economy. Ordinarily it would not be necessary to call it to their attention, because we have seen the destruction it would cause. But we are told that this retreat—and it is a retreat—is a temporary retreat, and they are going back. I am inserting in my remarks statements from Secretary Snyder and Chairman SPENCE of the Committee on Banking and Currency and the assistant chairman of that committee, Mr. BROWN, about why Government bonds should be supported at par.

I am also inserting excerpts from the testimony before a Senate committee, when Mr. McCabe, former Chairman of the Board of Governors, was being interrogated on the question of his confirmation for the post, in which he said that bonds should continue to be supported at par.

I am going to insert in the RECORD statements from other people like Marriner S. Eccles, who was Governor of the Federal Reserve Board longer than any other person, living or dead. He said they should always be supported at par.

In addition to that, I am inserting a statement from other prominent people, showing the importance of supporting these bonds at par. Notwithstanding this overwhelming testimony, convincing testimony that bonds should be supported at par, the Board of Governors, through the Open Market Committee, permitted them to go below par. I hope it is never done again.

SUPPORT GOVERNMENT BOND PRICES: SECRETARY SNYDER AND CONGRESSMEN SPENCE AND BROWN

Inflation control hearing before the House Committee on Banking and Currency, Senate Joint Resolution 157, July and August 1948, page 252:

Mr. SPENCE. Mr. Snyder, when we had 2½-percent bonds the debt of the Nation was $21 billion to $23 billion. When those bonds went to 80 percent, where do you think these 2½-percent bonds, which are taxable as against the others which were nontaxable, if not supported by the Federal Reserve,

would go to now when the national debt is $250 billion?

Secretary SNYDER. I would be greatly concerned as to what would happen if we just turned loose the support of the bond market.

Mr. SPENCE. Does the support of the bond market not have a psychological effect upon the holders of the bond very similar to the effect of the Federal Deposit Insurance Corporation on depositors in banks? It gives them a confidence which makes them retain their bonds. Otherwise they would probably put them on the market, and nobody can tell how low they would go; is that not true?

Secretary SNYDER. I think that is true; yes, sir. There would be constant doubt as to just what the level would be.

Mr. SPENCE. How essential is it to maintaining the credit of the Government?

Secretary SNYDER. From my point of view it is the most essential thing to do right now, to maintain confidence in the Government's monetary operations.

Mr. SPENCE. If that confidence were destroyed the inflationary conditions would certainly be very much worse and one can hardly foresee what would happen. I think that is the very basis of the whole thing. Whether the support of the bond market is inflationary or not, it must be continued.

Mr. BROWN. I think by all means we should hold these bonds at par. Any suggestion you have to make to this committee in order to help you do that I think this committee would like to have, because I think that is the most important thing. We should hold these bonds at least at par. I think you are doing a good job on this line.

CHAIRMAN M'CABE FOR SUPPORTING GOVERNMENT BOND PRICES

Excerpts from confirmation of Thomas B. McCabe hearings before the Committee on Banking and Currency, United States Senate, 80th Congress, 2d session, March 3, 1948—pages 156–157:

Mr. MCCABE. I would like to say that I am thoroughly in accord with the current program of the Federal Reserve in supporting the Government bond program.

The CHAIRMAN (Senator Tobey). I take it that events indicate what is in my own mind; that you feel the bonds should be maintained at par for an indefinite period.

Mr. MCCABE. Well, the support program, as you know, follows a pattern on the Government bonds, and my own feeling is that that pattern, certainly as far as I can ascertain today, is a right one.

The CHAIRMAN. You approve of the procedure the Federal Reserve followed in December, when it dropped the price down to make it more uniform?

Mr. MCCABE. I thought that was a very constructive move.

* * * * * *

The CHAIRMAN. Then it comes down to this question: I think we are in accord with the theory that we should maintain a uniform pattern, and that we should maintain these at par for an indefinite period; the alternative being, if we reduced the price of the bonds, the evil that would ensue at once in the ruining of so many of our savings institutions that are loaded to the muzzle with Government bonds. How do you feel about that situation?

ETHICAL DUTY TO BOND PURCHASERS

Mr. MCCABE. Well, in the general support program, I feel this: There are three paramount considerations.

First, there is the refunding, or refinancing, problem of the Treasury.

The second is that I feel we have an ethical responsibility to the people who have purchased Government bonds. Our present Federal debt is a very large one. In fact, it is one and one-half times all the rest of the debt of the United States put together; the total, that is, of private and corporate debt of all kinds.

And the third consideration, I think, is that it is very helpful to commerce and industry and agriculture to know that there is a reasonable range in interest rates, and they can reasonably count on that in refinancing of businesses, business enterprises generally.

The CHAIRMAN. You would share my apprehension, would you, to be perfectly frank, as to the danger of price decline below par, and the consequent effect upon savings institutions in the country?

Mr. MCCABE. Well, when you talk about the absolute support price, I think, sir, that that has to be reviewed from time to time to ascertain what that level should be.

My own feeling is that I am in full support of the action that has been taken to date in supporting the program.

The CHAIRMAN. And as you look ahead, you have nothing in the back of your mind that would lend you at this time to a mental commitment, or reservation, that would happen in the future, as far as you can see: that reduction below par?

Mr. MCCABE. In the "foreseeable future"—I think those are the words.

Page 172:

Senator FULBRIGHT. The fact is that the necessity for supporting Government bond prices, which everyone seems to agree on, has almost nullified the principal owner to control credit.

Mr. MCCABE. It has been a very strong factor.

Senator FULBRIGHT. That was the main tool, and it is practically nullified by these conditions.

Mr. MCCABE. To my mind that must be done.

FEDERAL RESERVE MADE PUBLIC COMMITMENT TO SUPPORT PRICE OF GOVERNMENT BONDS

McCabe, testifying before the Banking and Currency Committee on supporting Government bonds at par, stated on August 2, 1948—page 89, hearings, on Senate Joint Resolution 157:

It is my view that the System is obligated to maintain a market for Government securities and to insure orderly conditions in that market * * * because of the widespread repercussions that would issue throughout the economy if the vast holdings of the public debt were felt to be of unstable value.

Page 88:

In order to keep the prices of Government securities from declining, the Federal Reserve System has continued to carry out its wartime responsibility of supporting the market by buying at relatively stable prices securities offered for sale and not purchased by others.

Mr. McCabe testified as follows—page 95:

As you know, the System has made a public commitment to support the 2½-percent yield level on long-term Government bonds for the foreseeable future. I gave my reasons for subscribing to that commitment when my confirmation was under consideration by the Senate Committee on Banking and Currency. Although that commitment substantially limits our freedom of action, I believe there is a better way to operate against credit expansion than now to abandon that commitment.

It will be noticed that Mr. McCabe says there is a better way to prevent inflation than to abandon support of Government bonds at par.

Page 101, McCabe stated:

I have a very strong conviction that it is vitally necessary to support the 2½ percent bonds.

This was in answer to a question of Chairman WOLCOTT, in which he asked:

Do you think that we have to continue to support Government bond prices at par?

Mr. McCabe further stated—page 101:

The thing that we have to consider is the colossal magnitude of this debt—$250 billion. It is 1½ times all the rest of the debt in the United States put together.

Further—page 101—he says:

If we directly stabilize a portion of this debt so that it cannot be monetized, that is the answer.

In other words, Mr. McCabe says it is not necessary to take the peg from under the support prices—that a portion of the debt can be sterilized and that will be the answer.

FEDERAL RESERVE CHAIRMAN SAYS BONDS SHOULD BE SUPPORTED UNTIL CONGRESS SAYS OTHERWISE

Page 108 of the same hearings, the chairman asked, and Mr. McCabe answered as follows:

The CHAIRMAN. Well, there have been orthodox ways of controlling it heretofore. Ever since 1914 we have controlled the volume of credit by the manipulation of reserve requirements and rediscount rates. I do not know why we have to supplement those with consumer credit controls at the present time, any more than we did before.

Mr. MCCABE. I say to you, sir, if it is the wisdom of this Congress that the Federal Reserve Board should not support the Government bond market, then I think Congress should so direct the Federal Reserve.

Page 135, I stated:

Mr. PATMAN. I thoroughly agree with you. That is the reason I voted against the tax-reduction bill. I wanted to keep that money in the Treasury and pay it on the national debt.

Page 171, Marriner S. Eccles, Governor of the Federal Reserve Board, stated on August 3, 1948, in referring to the Board of Governors:

The chairman is the liaison end of necessity the administration must have a liaison with such an organization as the Federal Reserve System.

Of course, the President appoints all the members of the Board, and he designates who shall be Chairman and who shall be Vice Chairman.

Page 180, Mr. Eccles admitted that the Federal Reserve Banks raised the reserve requirements 100 percent in 1 year. The raises commenced just before the payment to the soldiers on June 15, 1936. It was the first time in 20 years reserve requirements had been raised.

Mr. Eccles stated—page 182—as follows:

I feel—and I know the Federal Reserve people as a whole feel—that we must, so far as we can see it at the present time, and I can give you reasons, if you want them, continue to support the 2½ percent rate.

Page 182:

Mr. PATMAN. The only reason is that it would break every bank in the country if the bonds went much below par, is it not?

Mr. ECCLES. Well, I do not think it would do that.

Mr. PATMAN. It would be possible, however?

Mr. ECCLES. If they had to sell the bonds while they were down, it would certainly impair some of them. But I will mention it in just a minute, if I can, Mr. Congressman, but to try to peg the short-term rate,

and hold that down below the point at which it would normally go in a free market in relationship to the 2½-percent rate does not to my way of thinking make very much sense in the present situation. I would certainly feel that if Congress should give to the Board the authority to increase the reserve requirements, as has been proposed by Chairman McCabe when he appeared before this committee yesterday, that they would also favor, as the Federal Reserve does, and I would also hope that the Treasury would favor, permitting the adjustment in the short-term rate to a market rate. Then we would let the discount rate go up.

Now, there may be some people who think that that would create such uncertainty that that will tend to slow up borrowing. I do not think any such thing. I think that the raising of the short-term rate is minor insofar as it's monetary effect is concerned, but it is an important part of the overall credit-control mechanism, and I feel that it would not be logical or sensible to increase the reserve requirements of all banks and keep the discount rate down to 1¼, which would have to be done, and force the short-term rate and continue to hold the short-term rate down to 1⅛.

Now, aside from its monetary and credit effect, there is a serious question of bank earnings. Especially is that true of the banks in the central Reserve cities and in the Reserve cities. I do not say that that is major, but it is certainly a factor, because all of the commercial paper and business rates are related to that short-term rate.

Their costs have gone up, just like other costs, due to the inflation, very rapidly, and their earnings have dropped very, very fast during the past year. To increase the reserve requirements by 10 percent, which would force them to dispose of 10 percent of their earning assets—their bonds, would affect their earnings quite seriously, and that really is where some of your formidable objections to this bill come in. I feel that as a part of this control, if it is going to be made effective, the short-term rate should be permitted to rise. Failing to permit it to rise, and increasing the reserve requirements and diminishing their reserve assets would put the banks under pressure to go out and seek loans at as high rates as they were able to find, maybe longer-term loans, even though it did impair some of their liquidity. We feel that if you should increase this reserve requirement, take away from them that much of their earning assets, that that should be partly overcome by permitting the short-term rate to rise. We would not force it up. It will automatically rise. It cannot go very high if you support the 2½-percent rate. It is not going to create very much uncertainty, so long as you hold the 2½-percent rate, because the range with which the short-term rate can rise would be within its present 1⅛ and I would say possibly 1½ percent. That in itself is not a very great rise.

So I do not agree with those who say that is all that is necessary, because it creates so much uncertainty. It cannot create uncertainty so long as you hold the 2½-percent rate. But if that rate rises, our discount rate rises, in the trend of a credit tightening, and that, in turn, will reflect itself on all other loans and investments. If your dollar is diminishing in price, then, certainly the cost of interest should go up some. The owner of money, the savers, the insurance people, and the investors generally certainly should not be the only ones to suffer to the extent that they have suffered, by holding down the interest rate beyond what seems to be necessary.

Now, getting to the 2½-percent rate, people say, "Well, why do you not let the 2½-percent rate go up, so that it will reflect the demand for savings and for investment, so that more people will save and not spend so much? If you let the rate go up, it would be a very important anti-inflationary factor."

Well, to let the 2½-percent rate go up raises some very, very serious problems, and these are some of the problems that it raises:

In the first place, it would unstabilize the entire Government bond market, and when the public debt represents 60 percent of the entire debt, you are not playing with any small and minor item. You are playing with $250 billion of a total debt structure of around $400 billion. That is not the tail of the dog. That is the dog. If you are going to have stabilization in the Government market, you cannot have the public in a position of complete uncertainty as to how far the price of securities—Government bonds, and, of course other bonds and mortgages—would reflect the price—municipals; they would all reflect the price of a drop—the uncertainty as to what the market value of their assets as well as what the cost of interest was going to be. That is especially true for the reason that the Government has falling due in the next 12 months $49 billion of debt—$49 billion in 12 months. Another $46 billion within the next 5 years. There is close to a hundred billion dollars in 5 years, with $49 billion in 1 year.

The job of refunding that much debt is no simple and easy task in a market that is unsupported and unsecured and unstable. How do you price the issues each week and each month that you have to offer to the public? Who is going to buy the issues, and at what price, when they do not know what the price may be after they have bought them? How can you finance long-term or short-term municipals, and corporate and other securities that are falling due every day and every week, and when new money is being raised, when there is no basis upon which to price them?

ALL FAVOR HOLDING LONG-TERM RATE

Mr. Eccles stated further—page 185:

Now, it is true, I suppose, that legally the Open Market Committee could say to the Treasury, "You must price your securities at such and such a price. We will not support the market at the prices that have been outstanding." But, as I brought forth before this committee, the Open Market Committee and the Federal Reserve Board are in favor, with the Treasury—and I think with the great majority of bankers and the public generally—of holding the long-term rate.

Page 196, Mr. Eccles replied, in answer to the question of Mr. SPENCE, "What was the bonded indebtedness of the United States at the time the bonds went to 82?"

Something around 24 to 25 billion dollars. I might ask this question: If Government bonds, totally tax exempt, yielding a rate of 4½ percent, without any support by the Federal Reserve System, could go to 82 or 83, then when our national debt was $25 billion only, the query is, where would a 2½ percent fully taxed bond, taxable bond go, if the Federal Reserve withdrew from its support, when there was a debt of $250 billion?

In a colloquy between Mr. MULTER and Mr. Eccles, the following—pages 215–216:

Mr. MULTER. I think you might have made some comment about what would happen to the E, F, and G bonds if Government support of the bond market were withdrawn.

Mr. ECCLES. Well, I am glad you mentioned that, because we do have a demand liability in the form of E, F, and G bonds of somethink like $53 billion. Certainly any sale of E, F, and G bonds would stop while the long-term interest rate was unsettled and uncertain, and there might be a large cashing in of those securities, because if the interest rate on market securities should go up, which it would if the prices go down, there would be no reason why holders of E, F, and G bonds would not want to either shift to the market bonds—which, of course, in itself, might stabilize the price, except that the Government would have to borrow money to pay off the E, F, and G bonds, in some form—but the holders of E, F, and G bonds might very well cash in their securities and hold idle cash waiting to see what to do with that money, or they might cash in the bonds and try to spend the money for an automobile or for stocks or any number of things. It would be most unfortunate if the holders of those large savings bonds should start cashing them in on a large scale, which could very well eventuate if you withdrew support from the long-term market bonds.

I am glad you reminded me of that, because that is just another argument supporting the arguments that I have already made for maintaining the present rate of 2½ percent on long-term Government bonds.

SECRETARY SNYDER SUGGESTS CONGRESS SHOULD DIRECT IF SUPPORTS ON GOVERNMENT BONDS TO BE REMOVED

On page 233, Secretary Snyder answered a question, "If it is necessary to support the long-term rate, we have adopted a policy of that sort, yes." Page 248, Secretary Snyder stated:

If the Congress wants to direct us to remove our support prices from the bonds, it is within their scope to do it.

On page 249, Secretary Snyder and Mr. Smith:

Mr. SMITH. Mr. Snyder, the question was asked you of Mr. Monroney, if you would let bond prices drop, whether that would not be inflationary. You answered the question by saying it would be disastrous. Would you answer the question directly, whether that would be inflationary or deflationary?

Secretary SNYDER. Well, there is no question but what it could be inflationary.

Mr. SMITH. Would be which?

Secretary SNYDER. The immediate step might be inflationary but the end result would be a disastrous deflation.

Mr. SMITH. Why do you say the immediate effect would be inflation?

Secretary SNYDER. It would build up prices in other fields.

Mr. SMITH. Well, explain that.

Secretary SNYDER. Well, the people would liberate their money from Government bonds. If they take their money out of Government bonds and put it in other things, they would be building up prices of other things.

Mr. SMITH. But generally there would be a drop; is that not true?

Secretary SNYDER. Over the long range there would be a disastrous drop; yes, sir. We are just as interested, Congressman, in avoiding a disastrous deflation as we are in not creating inflation. We have the double problem always before us. It is not a clear-cut problem. Right now the inflationary pressures are greater so we are having to address ourselves to that angle. At the same time we have to bear in mind the effect that deflation would have, or what deflation could do to us.

PROMISE TO PURCHASERS OF GOVERNMENT BONDS

Page 258, while Secretary Snyder was a witness, I stated:

Mr. PATMAN. I am sorry; I was not here. The reason I am asking you the question is that I know there is a lot of sentiment in this Congress to do away with support prices on Government bonds and to let them seek their level. I think it would be one of the most disastrous things which could possibly face our country—for the same reason that we had such a condition after the other war, when bonds went down to 75 cents, as you well recall.

This time it was contemplated that we would not permit bonds to go down. I know

when the Ways and Means Committee was considering war financing, before the war, I appeared before the committee in support of a program that would prevent that very thing, and I was assured by the members of the committee that that committee—the Ways and Means Committee—would do everything within their power to prevent that disaster occurring again.

It was going to be the policy of the Government always to keep those bonds above par, and to assure the people that they would be above par—and so far they have done that.

Now, if we go back on that—what we might call an implied promise and a recognized promise by congressional leaders of that time—after people bought bonds on the strength of that fact, and if the word were to get out that support prices are likely to be done away with, I do not know what might happen in this country, because the people would begin to run to the banks, run to the Treasury, and they would begin to cash their bonds.

I can see in that one of the most disastrous things, or possibly the most disastrous thing, that is proposed in this whole program.

CRIMES OF 1920'S TO BE PREVENTED

Hearing on the debt limit of the United States, H. R. 1470, January and February 1943, commencing at page 10, I stated as a witness before the Committee on Ways and Means:

The CHAIRMAN. Suppose the Federal Reserve banks balk?

Mr. PATMAN. They can't balk. They are an agency of the Congress. They have to do what Congress says.

The CHAIRMAN. These bonds can't all be held by the Federal Reserve banks; they have to be scattered throughout the country.

Mr. PATMAN. I am afraid we are talkng about different things. I am afraid you are talkng about the usual industrial or commercial transaction, and I am talking about the Government finances.

The CHAIRMAN. I beg your pardon. I am sorry; I ddn't follow you.

Mr. DISNEY. As I understand it, these banks are heavily loaded with Government bonds, so heavily loaded that a sharp decrease in the value of Government bonds would wipe out their capital stock.

Mr. PATMAN. Two or three points decrease would wipe out their capital stock, but there is no danger of that.

Mr. DISNEY. Suppose there was a sharp decrease in the value of Government bonds, that would have a tendency to wipe out a part of the capital stock of the banks, or some of them, and if any sizable number of them should get in that position, they would be liable to be in trouble and go broke and take the rest of the banks with them. How could we prevent that?

Mr. PATMAN. That is already provided for, Mr. Disney. The open market committee, which, by the way, has been moved from Washington to New York, has already arranged that any bank in distress can get a hundred cents on the dollar on its bonds any time. There is where the Government's credit comes into play again. They just issue more Federal Reserve notes to buy those bonds, and they are not going to let the banks suffer. They have already told them they will not let them suffer. There is no danger of that at all.

Mr. DISNEY. No danger of Government bonds——

Mr. PATMAN. Declining; absolutely not. It is, in effect, guaranteed by the United States, and there is no danger in the world. In fact, I think it is a good thing, although it is the Government's credit being used again, free. It is perfectly all right.

Mr. KNUTSON. Right at that point, why did Government bonds drop to 82, along in the fall of 1921?

Mr. PATMAN. Because of a situation you gentlemen had vision enough to guard against when this war started. In 1914, when the war started in Europe, and in 1917, when we became engaged in the war, we did not make any provision to protect the people who bought United States Government bonds. They had to sell them in the open market. Consequently, when the war was over, and everyone wanted to sell their bonds, naturally the market went down and down, and some of them sold as low as 75 cents on the dollar. It was the crime of the age to permit that to be done. Men in the armed services had paid for their bonds a few dollars a month over a period of time. And when they came out of the service they saw these bond manipulators force the price down to 75. It was absolutely a crime. But you gentlemen provided—and if you will remember, I appeared before this committee in connection with that and invited your attention to it, and asked you, for God's sake, to prevent any such thing happening in the future. Not necessarily because of my testimony did you do it, but you provided, anyway, that now they can get their money 100 cents on the dollar, and the people of this Nation should appreciate what this committee did to initiate that type of legislation which will protect them against that awful crime that happened after the other war.

Page 15:

FEDERAL RESERVE CREATES MONEY

Mr. PATMAN. Let me read a little more of the testimony of Mr. Eccles, in answer to questions asked him by Mr. Dewey. I have had an awful time getting these things, Mr. Chairman. The witnesses have shown irritation, sometimes, in being compelled to answer questions, but over a period of years I have gotten the Secretary of the Treasury, Mr. Morgenthau, the Under Secretary, Mr. Bell, and Mr. Eccles and other high officials of the Government to prove every statement that I make concerning this. I mean not my own opinions or conclusions, but statements of fact. I have other testimony to prove it. Let me read Mr. Eccles' testimony when he was interrogated by Mr. Dewey on June 17, 1942 [reading]:

"Mr. ECCLES. No; the Federal Reserve would buy in the open market. If the Federal Reserve then bought a billion dollars of securities in the open market that would be new Treasury issues. The banks would still hold them, and the Federal Reserve would put into the banks another billion of excess reserves. If they used that billion they could buy 5 billion more of Governments, and you could keep the price up. For every billion of the Federal Reserve banks put in the open market operations, the private banks could buy 5 million.

"Mr. DEWEY. That comes pretty close to some other ideas I have heard.

"Mr. ECCLES. I mean they could buy 10 billion. I mean the Federal Reserve when it carries out an open market operation, that is, if it purchases Government securities in the open market, it puts new money into the banks which creates idle deposits.

"Mr. DEWEY. There are no excess reserves to use for this purpose.

"Mr. ECCLES. Whenever the Federal Reserve System buys Government securities in the open market or buys them direct from the Treasury, either one, that is what it does——

"Mr. DEWEY. What are you going to use to buy them with?

"Mr. ECCLES. What is who going to use?

"Mr. DEWEY. The Federal Reserve to make these purchases?

"Mr. ECCLES. What do they always use?

"Mr. DEWEY. You are going to create credit?

"Mr. ECCLES. That is all we have ever done. That is the way the Federal Reserve System operates. The Federal Reserve System creates money. It is a bank of issue."

Page 18:

FEDERAL RESERVE BANKS PROVIDE MONEY FOR COMMERCIAL BANKS

Mr. Eccles testified before the Banking and Currency Committee June 17, 1942, on a bill to amend the Federal Reserve Act. His testimony which appears at page 15 of the hearings discloses that commercial banks can buy all the bonds they desire to buy and if they are called on for money to pay their depositors the nearest Federal Reserve bank can always furnish them the money they need. His testimony is as follows:

"Mr. PATMAN. Is it not a fact that you did send out letters to the banks which made the statement that the Federal open market committee was ready to buy all the bonds at par?

"Mr. ECCLES. No, sir; not buy, but we adopted a policy, each bank did, that would loan par on them.

"Mr. PATMAN. That would loan par on Government securities?

"Mr. ECCLES. Yes.

"Mr. PATMAN. Do you charge the interest rate that is effective in that particular Federal Reserve district?

"Mr. ECCLES. One percent.

"Mr. PATMAN. One percent?

"Mr. ECCLES. Yes.

"Mr. PATMAN. Have you ever told all the banks that you stand ready to make loans at par at a 1-percent interest rate?

"Mr. ECCLES. Each Federal Reserve bank has done that."

Page 20:

FEDERAL RESERVE USES GOVERNMENT OBLIGATIONS (CURRENCY) TO BUY GOVERNMENT OBLIGATIONS INTEREST BEARING—KEEP BONDS AND DRAW THE INTEREST

On the same day Mr. Eccles testified, at page 25 of the hearings:

"Mr. PATMAN. Mr. Eccles, the day before yesterday, I had gotten down to the point where, if we needed more money, one way to give the banks extra reserves to purchase Government bonds would be for the Open Market Committee to buy Government bonds in the open market, and I suggested if you bought for the Federal Reserve bank one billion dollars' worth of bonds, that would automatically create a billion dollars of reserves in the banks, and, after the reserves had been reduced to 50 percent, the maximum that would enable the banks to purchase $50,000,000,000 worth of bonds. Now, let us assume that has happened——

"Mr. ECCLES. $10,000,000,000 worth by the purchase of a billion dollars' worth of bonds in the market?

"Mr. PATMAN. I got the two mixed up. The purchase of a billion dollars' worth of bonds in the market, after the excess reserves had been reduced, will enable the banks to buy ten billion?

"Mr. ECCLES. That is right.

"Mr. PATMAN. Where the fifty billion came in was if you would automatically reduce the reserves now, which you have a right to do, that would give them $5,000,000,000 of excess reserves, which they could use to purchase $50,000,000,000 worth of bonds.

"Mr. ECCLES. That is right.

"Mr. PATMAN. Now let us assume that we not increase the reserves in the banks, and you go into the market and buy a billion dollars worth of bonds; you buy them with Federal Reserve money, do you not?

"Mr. ECCLES. Well, we buy them with Federal Reserve credit.

"Mr. PATMAN. I know; but suppose the banks call for the money, you issue Federal Reserve notes, do you not?

"Mr. ECCLES. What we do, if we purchase Government securities in the market, is, we credit the account of the bank that turns them in. They usually come through the banks.

"Mr. PATMAN. That is right.

"Mr. ECCLES. Even though they may be individuals who are selling the securities; and we debit the bond purchase account, showing that the Federal Reserve has a liability to the banks to the extent of $1,000,000,000, which represents their reserves on the one hand, and that they own $1,000,000,000 of bonds in what we call the portfolio, on the other hand.

"Mr. PATMAN. I know in practice that is exactly the way it is done, Mr. Eccles, but suppose the banks want the billion dollars in currency, you would pay it in Federal Reserve notes, would you not?

"Mr. ECCLES. That is right.

"Mr. PATMAN. Those Federal Reserve notes, as we have often discussed, are obligations of the United States Government?

"Mr. ECCLES. That is right.

"Mr. PATMAN. Then you use those Government obligations to buy interest-bearing Government obligations and you place them with the Federal Reserve banks—12 of them?

"Mr. ECCLES. That is right.

"Mr. PATMAN. And they would continue to receive interest on those Government obligations as long as they were outstanding?

"Mr. ECCLES. That is right."

Page 21:

On June 17, before the same committee, at page 21 of the hearings on the bill to amend the Federal Reserve Act, Mr. Eccles testified:

"Mr. ECCLES. No; the Federal Reserve would buy in the open market. If the Federal Reserve then bought a billion dollars of securities in the open market that would be new Treasury issues. The banks would still hold them, and the Federal Reserve would put into the banks another billion of excess reserves. If they used that billion they could buy five billion more of Governments, and you could keep the price up. For every billion of the Federal Reserve banks put in the open market operations, the private banks could buy five billion."

Page 22:

AMOUNT OF MONEY FEDERAL RESERVE BANK COULD ISSUE

When Dr. E. A. Goldenweiser, Director of Research and Statistics for the Board of Governors of the Federal Reserve System, testified before the Banking and Currency Committee of the House on October 1, on the price-control bill, the following questions were asked and the following answers given, page 1538, volume 2, of the hearings.

"Dr. GOLDENWEISER. The total reserves of the Federal Reserve are about 20½ billion, not 23 billion.

"Mr. PATMAN. I am talking about the total gold supply that is either owned by the United States Government or claimed by the Federal Reserve banks through the——

"Mr. GOLDENWEISER. The amount of the stabilization fund is not available to the Federal Reserve.

"Mr. PATMAN. No; but I am presuming that it will be available. That will be 23 billions?

"Dr. GOLDENWEISER. All right.

"Mr. PATMAN. That leaves 16 billions unattached?

"Dr. GOLDENWEISER. Yes.

"Mr. PATMAN. How much bonds could the Federal Reserve Open Market Committee buy in the United States, Government bonds, based upon that?

"Dr. GOLDENWEISER. It depends on how much of it will be in deposits and how much in notes. But, roughly speaking, about three to three and a half times.

"Mr. PATMAN. Three and a half times?

"Dr. GOLDENWEISER. No; not three and a half times. From two and a half to three times.

"Mr. PATMAN. That would be about $40 billion?

"Dr. GOLDENWEISER. That is right.

"Mr. PATMAN. When that money is paid out, suppose they pay it to the commercial banks, they could expand about five to seven times to one on that, couldn't they?

"Dr. GOLDENWEISER. If they paid that much assessment?

"Mr. PATMAN. Yes; they would have the power to under the existing law?

"Dr. GOLDENWEISER. That is right.

"Mr. PATMAN. That means that, say, an average of six times—that is about right now, isn't it—about six?

"Dr. GOLDENWEISER. Approximately.

"Mr. PATMAN. That means that they could inflate about $240 billion more?

"Dr. GOLDENWEISER. That is right."

It will be noted that the Federal Reserve banks and the commercial banks could expand their deposits sufficiently to purchase $240 billion worth of Government bonds at the time Dr. Goldenweiser testified. When the reserves are reduced to the limit that they can be reduced, these banks may purchase as much as $480 billion of Government bonds without having any more capital stock or assets than they now have except, of course, as Mr. Eccles always adds, that they will have the Government bonds.

Page 3, how money is created by privately owned banking system:

During the first week in December, Gov. Marriner S. Eccles, Chairman of the Federal Reserve Board, stated in a letter to all banks:

"Continuing the policy which was announced following the outbreak of war in Europe, Federal Reserve banks stand ready to advance funds on United States Government securities at par to all banks."

Page 10–11:

LEON HENDERSON'S TESTIMONY ON NO DEBTS, NO MONEY

In the hearings before the House Banking and Currency Committee on the price-control bill, the following questions were asked by me and the following answers given by Mr. Leon Henderson (pp. 981–982):

"Mr. PATMAN. * * * You stated yesterday that everybody should take advantage of this period of rising prices to pay their debts. You really don't believe everybody should pay their debts, do you? If you mean that, what we do for money, since our money is based on debt?

"Mr. HENDERSON. I have been through that, the same as you have, and I don't believe our economy would come to a halt if people paid their debts.

"Mr. PATMAN. If everybody paid their debts?

"Mr. HENDERSON. If you are going to say that I have discounted the trade acceptances which the Federal Reserve has created by a couple of bookkeepers, that is not the connotation debt has for me.

"Mr. PATMAN. You had in mind individual debts, personal debts?

"Mr. HENDERSON. Yes.

"Mr. PATMAN. And if the policy is good for individuals, why isn't it good for corporations?

"Mr. HENDERSON. I think it is.

"Mr. PATMAN. All right. If everybody paid their debts, where would you get money to carry on business?

"Mr. HENDERSON. You would get into debt and come out again. I assume the healthy process of credit is that you do liquidate debt as you do the trade acceptances."

Mr. Speaker, Mr. Henderson's very clever reply was, in effect, that it is all right to pay the debts, but you should get right back into debt again in order for the country to have this circulating medium.

NO DEBTS, NO MONEY (ECCLES)—CHAIRMAN MARRINER S. ECCLES' TESTIMONY ON NO DEBTS, NO MONEY, IN HIS TESTIMONY ON THE PRICE-CONTROL BILL BEFORE THE BANKING AND CURRENCY COMMITTEE

Chairman Eccles, of the Federal Reserve Board, testified as follows, page 1338 of the hearings, September 30, 1941:

"Mr. PATMAN. * * * You made the statement that people should get out of debt instead of spending their money. You recall that statement, I presume?

"Mr. ECCLES. That was in connection with installment credit.

"Mr. PATMAN. Do you believe that people should pay their debts generally when they can?

"Mr. ECCLES. I think that depends a good deal upon the individual; but, of course, if there were no debt in our money system——

"Mr. PATMAN. That is the point I wanted to ask you about.

"Mr. ECCLES. There wouldn't be any money.

"Mr. PATMAN. Suppose everybody paid their debts, would we have any money to do business on?

"Mr. ECCLES. That is correct.

"Mr. PATMAN. In other words, our system is based entirely on debt."

Mr. Speaker, there can be no dispute about the statement that our system is based entirely upon debt, and if a person and corporation paid their debts, we would not have sufficient money to do business on.

Page 12:

CREATE MONEY, BUY BONDS, AND COLLECT INTEREST

When the Honorable Marriner S. Eccles, Chairman of the Federal Reserve Board, was before the Banking and Currency Committee of the House, of which I am a member, on Tuesday, September 30, 1941, I interrogated him about how he obtained for the 12 Federal Reserve banks the $2,000,000,000 in Government bonds, which the system is now holding and charging the Government interest thereon. The questions and answers appear in the printed testimony, volume 2, page 1342, and is as follows:

"Mr. PATMAN. * * * How did you get the money to buy those $2,000,000,000 of Government securities?

"Mr. ECCLES. We created it.

"Mr. PATMAN. Out of what?

"Mr. ECCLES. Out of the right to issue credit, money.

"Mr. PATMAN. And there is nothing behind it, is there, except the Government's credit?

"Mr. ECCLES. We have the Government bonds.

"Mr. PATMAN. That's right; the Government's credit."

BANKERS SHOULD NOT BE ON BOARD OF GOVERNORS

The truth is the Board of Governors should not be composed of bankers. There is a difference between the science of money and the use of money. Bankers use money, and they are clever. They are professionals. They are qualified to use it, and they serve a very useful and constructive purpose in our country. We could not get along without the commercial banking system. We must have it. We want it to remain privately owned; we want it to make a profit, because we want a good system. If it were within my power, I would encourage every person who has enough money to check on to have an account in a bank, even if the banks had to be helped with public funds to pay the cost of the banks carrying unprofitable accounts. It would be in the public interest. It would be so helpful in many ways. But

the banking system as such should be separated from the science of money and the use of money and credit to maintain an expanding economy to provide adequate production and maximum employment. As it is now, the Government manufactures money, but it is done through the Federal Reserve System, created through the Federal Reserve System. The Federal Reserve System will take a million dollars' worth of new money that is made over at the Bureau of Engraving and Printing and trade that million dollars in the open market for Government bonds of a similar amount, that are drawing interest. Then they keep the bonds, they use this Government obligation, which cost them nothing, because they are a Government agency, and they trade that new money for Government bonds. They hold the bonds and draw the interest.

WARTIME INTEREST RATE PATTERN FOR LONG-TERM GOVERNMENT SECURITIES BROKEN MAY 1, 1953

The Treasury broke the pattern for interest rates on our World War II war debt on May 1, 1953, when a bond issue was sold which provided a 3¼-percent interest rate. This was three-fourths of a percent higher than any other marketable long-term Government bond that has been issued in 20 years.

There was a good reason for fixing the interest rates on Government bonds low. Most of the money that was used for war financing was not genuine money in the sense that actual money was borrowed by the Government on Government bonds, but it was synthetic money that was created on the books of the commercial banks or the books of the 12 Federal Reserve banks. However, the money created was just as good as the other money. In fact, it all comes off the same printing press or created with the same ink on the same paper and carries the same United States Government guaranty.

But there is a difference in the money insofar as the lender is concerned. In one case, the lender is a bona fide citizen who has actually worked and earned the money. It is his money, and if he parts with it by letting the Government use it to finance the war, he is entitled to a fair rate of interest on the money.

In the other case, where the money is created by the banks, and that is where most of our money comes from—created money—the taxpayers are really paying through the nose in having to pay enormous annual interest charges every year for this synthetic money. The real bad thing about it is that a Government bond never seems to be paid off. It is always refunded. So as bad as it is for a taxpayer to pay interest on synthetic money for 1 year, the bad effect is multiplied by the payment each year for 25 years, 50 years, or 100 years. This type money should be paid as quickly as possible and the interest burden removed.

It is all right to pay interest on all money borrowed by the Government regardless of the kind of money—real or created—so it all has the same purchasing power but bank-purchased bonds with created money should be paid off first.

I do not oppose banks creating money under our fractional reserve system. I am only opposed to the abuse of the privilege. I oppose banks putting themselves into a position of security with adequate earnings in this way to the extent that they will fail to take care of local needs.

TRADING PRINTED MONEY FOR GOVERNMENT BONDS

When the Federal Reserve banks obtain from the Bureau of Engraving and Printing here in Washington printed currency, they can trade this money for United States Government bonds, which carry an interest charge. The former is currency and the latter is a Government bond. They both represent the Government's credit. They are really one and the same thing. Behind each is the Government's promise to pay.

The Federal Reserve banks, after trading non-interest-bearing currency for interest-bearing securities, retain the interest-bearing securities and collect the interest when due from the United States Treasury. This is the way the banks get their income. After their expenses are paid and 10 percent is set aside for surplus in each of the 12 banks, the remainder—90 percent—goes back into the United States Treasury.

The Federal Reserve banks have $25 billion of these bonds today acquired in that way, and they are collecting five or six hundred million dollars in interest annually from the taxpayers. Normally, your agent, acting for you, if he were negotiating with someone that you owed a promissory note, and that agent gave a check for a thousand dollars on you to pay that note, you would expect to get that note back, canceled. Naturally you would. But in this case, contrary to that businesslike way and supported by logic and reasoning, this agency of our Government takes this Government obligation which draws no interest, Federal Reserve notes, which you use as currency every day, and they trade that currency for interest-bearing obligations and the interest-bearing obligations are not canceled, although it is a Government agency using it. They are retained in their vaults and in their portfolios, and the interest is collected, which is comparable to you permitting your agent to keep that $1,000 promissory note and requiring you to pay him interest every year as the interest is due. That would be a comparable situation. That is exactly what is going on today through the Federal Reserve System.

The banks have permitted themselves to do a lot of things that normally they would not do if they had any opposition, but they have not had any opposition in this country for 40 years and they have been allowed to do anything they wanted to do, and the Board of Governors has been composed largely of bankers, people who naturally have the bankers' viewpoint. They are permitting the banks to do a lot of things that are not in the interest of the banks themselves over the long run or in the interest of the country. So I think the Federal Reserve Board should be changed; the bankers should be taken off the Board of Governors and the Open Market Committee entirely, divorced wholly from the banking system, and let this Board and Committee operate in the interest of the people and in the interest of the Government. It is just as ridiculous as it would be if we permitted the railroad owners to be appointed on the ICC to fix freight and passenger rates.

Since the Federal Reserve Board was organized we have in this country what is known as the Maximum Employment Act of 1946 that sets up a duty and obligation of the Government agencies to perform in keeping this country on an even keel, to keep it prosperous and under maximum employment. This Board should do certain things, and they should look at it from the standpoint of the country and not from the standpoint of the banks. This is a new duty the money masters have that they did not have before 1946.

I am inserting in connection with my remarks statements from the different Chairmen of the Board of Governors of the Federal Reserve System and of the different Secretaries of State about the Employment Act of 1946, and its importance.

IMPORTANCE OF THE MAXIMUM EMPLOYMENT ACT OF 1946

Comments on the applicability of the Employment Act of 1946 before the Subcommittee on General Credit Control and Debt Management 1952, of the Joint Committee on Economic Report:

Reply by John W. Snyder, Secretary of the Treasury, compendium, page 2:

The Employment Act of 1946 now represents the basic policy directive bearing upon economic objectives for the Treasury, as well as for other Government departments and agencies.

Reply by William McC. Martin, Chairman of the Board of Governors of the Federal Reserve System, compendium, page 209:

Employment Act of 1946: Applicable to the Board of Governors as well as to other Government agencies is the following declaration of policy contained in the Employment Act of 1946.

Reply by Chairman Martin, compendium, page 212:

This statement of purpose in layman's language applies to the credit and monetary sphere the principles set forth in the congressional declaration of policy in the Employment Act of 1946.

Joint answer of the Federal Reserve banks, compendium, page 651:

While the Employment Act of 1946 contains no explicit directive to the Federal Reserve banks, the stated objectives of that act guide the consideration of Federal Reserve policy.

Statement of Secretary Snyder, hearings, page 9:

It is a primary goal of both Treasury and Federal Reserve policy, and an important part of public economic policy in general, as expressed in the Employment Act of 1946.

Statement of Chairman Martin, hearings, page 78:

The Federal Reserve Board is subject to the Employment Act of 1946.

Statement of Chairman Martin, hearings, page 81:

And I am accepting the Employment Act of 1946 as national policy and being applicable to the Federal Reserve System.

Testimony of W. L. Hemingway, American Bankers Associations, hearings, page 336:

Representative PATMAN. Of course, they would always have over them this threat that if there should develop a poor economic situation in our country with lots of unemployed and lots of distress, and there was need to do something to bring the country back, and the Employment Act of 1946 was not carried out as the President and the Congress thought it should be carried out, in cooperation with the Federal Reserve Board, the Congress by a majority vote could change that. If we happened to have an obstinate, contrary board, that just would not do what was necessary to help the country come back, why then something could be done about the Board.

Mr. HEMINGWAY. That is right.

Testimony of Malcolm Bryan, president, Federal Reserve Bank of Atlanta, hearings, page 430:

There may be an implication of built-in inflationary bias, as we have interpreted the act or tended to interpret the act up to now, but I want to make very clear that I approve of it as a statement of policy of our Government of all branches.

Testimony of Allan Sproul, president, Federal Reserve Bank of New York, hearings, page 537:

Mr. SPROUL. In the answer of the presidents of the Federal Reserve banks, I think we expressed that opinion, and certainly it is my opinion that principles and policies set forth in the Employment Act of 1946 are a guide to us in our actions with respect to credit policy.

Representative PATMAN. And you recognize it as a congressional policy?

Mr. SPROUL. Yes.

Representative PATMAN. And I believe you stated that you recognize, too, that the Federal Reserve System is an agency of the Government?

Mr. SPROUL. Yes.

Testimony of E. A. Goldenweiser, member, Institute for Advanced Study, Princeton, University, hearings, page 765:

I think the general mandate in the Employment Act and in phrases in the Federal Reserve Act, together with the public understanding and the legislative and congressional history of the Federal Reserve, has now made its mandate reasonably clear.

Testimony of Jacob Viner, professor of economics, Princeton University, hearings, page 794:

The text of the mandate they have now has just been handed to me [Employment Act of 1946], and I want to read what that mandate is, for the special benefit of those who think that the Federal Reserve has a sufficient mandate now.

In the declaration of policy in the Employment Act, the last words are "to promote maximum employment, production, and purchasing power."

Statement of the United States Chamber of Commerce, hearings, page 804:

As an instrumentality of Congress, the Federal Reserve is presumably bound by this declaration of policy. Moreover, since monetary policy is an important means of achieving and maintaining a maximum level of business activity and employment, the Federal Reserve cannot evade or ignore this congressional declaration of policy.

Statement of Murray D. Lincoln, president, Farm Bureau Insurance Companies, Columbus, Ohio, hearings, page 816:

The Federal Reserve System is one of the principal means of achieving the purposes of the Employment Act; in fact, it would be practically impossible to attain them without extensive use of monetary policy.

Statement of Donald E. Montgomery, director of Washington office, International Union, UAW–CIO, hearings, page 819:

The only policy directive cited to you by the Board as giving it responsibility with respect to stabilizing the economy is the Employment Act of 1946. But that act contemplates no independent action by any part of the Government. On the contrary, it calls for coordination of all the relevant powers of Government under the direction and responsibility of the President. How can the Federal Reserve Board pretend to draw authority from that act while proclaiming its independence of the Executive?

NO DEBTS, NO MONEY

A lot has been said here about the payment of the national debt. I believe in paying debts, and I believe in individuals and other people paying their debts; but in connection with our national debt, the Board of Governors must keep in mind under the Employment Act of 1946 that they must have sufficient money and credit to buy the goods and services that are available. Keeping that in mind there must be debts. There is one thing I want in particular to invite your attention to. Do not be afraid anybody will dispute it, they will not, it cannot be disputed; these people who talk about paying the national debt entirely and other debts entirely, pay off all debts, do not, I am afraid, take everything into consideration.

Under our capitalistic system if they have thought this thing through—we have a capitalistic system; that is the finest and best system in the world; it is the private-enterprise system. I would not change it at all, I would not change our banking system; I would leave it all just like it is. There are certain changes I would make, such as the Board of Governors and certain changes in the Federal Reserve banks, but that does not go to the changing of the commercial banking system. I would leave it just as it is under our capitalistic system. If any changes should seem expedient they should be made gradually and in a helpful way without endangering our privately owned, profitably operated commercial banking system consisting of about 15,000 establishments.

Keep this in mind that where there are no debts there is no money. You know you cannot have money without debts. If it were possible for us to levy income taxes and pay off our national debt in 10 years or 20 years it would cause the most devastating and destructive panic we have ever had on earth; you could not stand it; it would be canceling too much money.

So in our country with 161 million people, every year in order to have prosperity we must have the economy going up about 4 percent, that is our gross national product, for the purpose of taking care of the new workers that come in every year, and to take care of those who have been displaced during the year by labor-saving devices and machinery. There are about a million new workers every year. There are almost a million people who are replaced by new labor-saving machinery every year. So there are 2 million people that have to be taken care of every year in our economy. If we keep on an even keel that is not enough. We would soon have a backlog of unemployment. In order to take care of these new workers and these displaced workers, we must have our economy increasing at the rate of about 4 percent a year. That means in our gross national production. In order for the gross national production to increase we have to increase our money supply. The only way we can increase our money supply is through debts. That is the only way in the world in our present capitalistic, private enterprise money system. Today we have debts, public and private, of about $640 billion. That includes our national debt of $275 billion, our States, counties and cities, installment debts and all other debts—about $640 billion in all.

REASON FOR PROSPERITY

Of course, people talk about having to pay these debts off. If you paid them all off you would not have any money. We would be reduced to barter. For a time in one section of the United States the people were absolutely dependent upon barter, using axe handles, hickory nuts, skunk hides, and things like that for legal tender. The reason our people are prosperous is because we have money and credit available to purchase the goods and services that are available for sale. We must continue to have it available.

DR. BURGESS' VIEWS

I am going to insert in the RECORD statements from people who will corroborate, at least they have said what I am saying here, and I refer to witness No. 1, Dr. Randolph Burgess, who is the architect of the present administration's monetary policy, of National City Bank fame, one of the greatest experts in our country. I do not agree with him all the time, but I recognize him as a great man and as a great expert in his line.

He appeared before our Committee on Banking and Currency recently. They talk about paying off the national debt rapidly. Naturally, I favor paying off the national debt when we can without disrupting our economy. But do you not agree it is something that should not be done quickly and suddenly over a period of 10 or 20 years? I am going to put his testimony in the RECORD. At that time I asked him a question along this line.

Dr. Burgess, if we were to pay all of our debts, is it not a fact we would have no money to do business with?

He finally said that that is the fact. He hedged on it at first. He said: "We would find a way." Then he had to admit that it would be a different way from what we have now. Under our capitalistic system as it exists today,

there is no way to have adequate money and credit without debt. If all debts were paid there would be no money.

Statement of W. Randolph Burgess, Deputy to the Secretary of the Treasury, before Committee on Banking and Currency of the House of Representatives, May 27, 1954:

Mr. PATMAN. Alexander Hamilton is credited with saying that a national debt is a national blessing, and Andrew Jackson is credited with saying that a national debt is a curse to the Republic.

Do you agree with either one of those statements and, if so, which one?

Mr. BURGESS. Well, I think it is rather academic. We will have a national debt for a long time to come. I wouldn't worry about our situation, if we didn't have any; I think we would get along pretty well.

Mr. PATMAN. Suppose we were to issue a capital levy and pay off the national debt over a period of 10 years. What would be the effect on our economy?

Mr. BURGESS. I think that would be very destructive of people's initiative and incentive, to feel that we felt it was right to take away people's capital. That is going pretty far.

Mr. PATMAN. Of course, I was just using that—that is a rather brutal way of doing it—but suppose we raised income taxes and paid it off over a period of 10 years, or 15 years. Don't you think it would be in the direction of a severe deflation?

Mr. BURGESS. I agree with you, yes.

Notice what Dr. Burgess says about paying off national debt too rapidly.

Mr. PATMAN. And isn't it a fact, Dr. Burgess, that our capitalistic system being as it is, that we might as well be realistic and recognize that without debt we cannot have prosperity?

Mr. BURGESS. Well, I wouldn't make as broad a statement as that, but I think I would say, from where we are now, we cannot undertake to pay off this debt in 10 years or any such period, because it would be too much of a shock.

Mr. PATMAN. In fact, if we didn't have debts we wouldn't have any money.

Mr. BURGESS. No, I wouldn't—you mean if there weren't any debts, public or private?

Mr. PATMAN. That is right.

Mr. BURGESS. Well, we would find some other way to do it.

Mr. PATMAN. We would be reduced to barter?

Mr. BURGESS. I think we could still have a money system.

Mr. PATMAN. We would have to change our system. What I am talking about is our present capitalistic system, which we are all in favor of—I am in favor of it, you are in favor of it—yet under that system, without debts, we could not expand our economy.

Mr. BURGESS. Well, without getting into great flights of imagination, I quite agree, that under our system as it works if we are going to have progress and move along, people have to borrow to go ahead and do things.

Mr. PATMAN. And then if the people don't borrow money, and the banks do not lend money, and the local governments do not borrow money, it might be that the Federal Government would have to have deficit financing for the purpose of creating debts to expand our economy; is that right?

Mr. BURGESS. That is possible.

Mr. PATMAN. In other words, somebody has got to create debts, either public or private.

Dr. Burgess knows we cannot have sufficient money and credit without debt and therefore has admitted the time might come when the Federal Government may be compelled to create debts in order to provide our economy with money.

In addition to that I am going to insert statements from the Chairman of the Board of Governors along the same line.

Before the Banking and Currency Committee of the House of Representatives, May 26, 1954, the following testimony was recorded:

Mr. PATMAN. About the reserves: If you reduce the reserve requirements—the banks have no excess reserves now—and you reduce the reserve requirements, say, one point, how much excess reserve would that make available?

Mr. MARTIN. I would have to check one point. I would say it is about 7 or 8 hundred million dollars. Perhaps about a billion dollars.

Mr. PATMAN. About a billion dollars?

Mr. MARTIN. Yes.

Mr. PATMAN. What is the difference in you saying that all the banks of the country, without putting up an extra dime of capital, without putting up anything in the way of security at all, you can just create a billion dollars more money, and on that you can create about $6 billion—what is the difference between that and printing press money?

Mr. MARTIN. The forces of the market are at play.

Mr. PATMAN. I know, but it is the creation of money, is it not?

Mr. MARTIN. We have the power to create money. That is the strength of the Federal Reserve System.

Mr. PATMAN. Well, the private banks have it, too, don't they?

Mr. MARTIN. Not in that sense.

Mr. PATMAN. On their reserves don't they create it on an average of 6 to 1 now?

Mr. MARTIN. If they lend the money, or create the loans or investments, they can do that.

Mr. PATMAN. That is right. But under your capitalistic system, which I believe in, and which we all believe in, we think it is the finest and best system on earth, you cannot do business in this country unless people go into debt, can you?

Mr. MARTIN. I think it is possible to do business without going into debt.

Mr. PATMAN. Under our system?

Mr. MARTIN. Yes, sir; I think it is possible.

Mr. PATMAN. How would you do it? Suppose everybody paid their debts, what would you do for money?

Mr. MARTIN. Well, now debt is an important part, I don't want to debate that. Debt is an important part of our business.

Mr. PATMAN. Of our economy. Could we do business without debt?

Mr. MARTIN. Well, theoretically, I think you could. You would have to change the system.

Mr. Martin thereby admits that we cannot have sufficient money under our present capitalistic system without debts and the only way we can provide ourselves with money without debt would be by changing the present system.

Mr. PATMAN. Well, you would have to pay out money into circulation, instead of borrowing it into circulation?

Mr. MARTIN. You would have to change your system.

Mr. PATMAN. You would have to change from your capitalistic system entirely. But under a system as we have now, if everybody paid their debts, all the money you would have left would be the $346 million Lincoln greenbacks, and the silver certificates, and the silver, and the copper coins; is that right?

Mr. MARTIN. Well, I don't know your figures, but——

Mr. PATMAN. Well, I am just giving them from memory. But your memory on that is better than mine.

Mr. MARTIN. You would have gold.

Mr. PATMAN. But it is not in circulation. If everybody paid their debts, we would not have money to do business on, and we would be reduced to barter, wouldn't we?

Mr. MARTIN. Well, we could certainly go back to the stone age and engage in barter.

BANKS LARGE HOLDING OF GOVERNMENTS

I am inserting herewith a report of the condition of a bank in a western State, as of June 30, 1954. The statement discloses loans and discounts of less than $15 million and holdings of United States Government securities of more than $58 million.

I hope the banks will pursue a policy of making all local loans possible and invest less and less in United States Government securities. I am apprehensive that if the trend continues as is indicated by many bank statements, the banks will rely more and more upon riskless Government securities and become less anxious to take the time and trouble of dealing with applications for local small loans.

LOANS OFF BILLION PAST YEAR

A recent statement of the condition of all the banks discloses that loans and discounts are off over a billion dollars the past year, but the investment in United States Government securities is up considerably. After all, accommodations and services to local people come first. I am sure that bankers generally recognize this as bankers are among our finest citizens and are always anxious to be helpful to the communities and cities they serve.

What I am afraid of is that our governmental policies are making it too attractive for banks to invest in riskless securities. Bankers are expected to look at the situation from a standpoint of the bank's interest, and I believe it is possible under present circumstances for many banks to be persuaded that it is in their interest to get away from local loans in order to enjoy absolute security and reasonable earnings from investments in riskless securities.

The statement that I am inserting is not typical of all banks; I think it is an exceptional case, but since it is a statement of a bank that is principally owned and operated by a former President of the American Bankers Association, I thought it would be of interest to show the trend in this particular bank. It is as follows:

REPORT OF CONDITION OF ——— NATIONAL BANK OF ——— WESTERN STATE AS OF JUNE 30, 1954

RESOURCES

Cash and due from banks	$28,714,729.97
United States securities (par value or less)	58,738,194.05
Municipal obligations	5,989,466.79
Total liquid assets	93,442,390.81
Loans and discounts	14,873,093.26
Stocks	80,100.00
Banking house	1.00
Furniture and fixtures	1.00
Other assets	13,412.87
Total	108,408,998.94

REPORT OF CONDITION OF ——— NATIONAL BANK OF ——— WESTERN STATE AS OF JUNE 30, 1954—Continued

LIABILITIES

Demand deposits	$96,836,640.81
Time deposits	7,242,608.75
Total deposits	104,129,249.56
Capital stock, common	750,000.00
Surplus	1,500,000.00
Undivided profits and reserves	2,029,749.38
Total capital investment	4,279,749.38
Total	108,408,998.94

Suppose all banks adopted the policy of having such a large percentage of their investments in Government securities and such a small percentage in loans. Who would create the debts necessary to sustain an expanding economy? Would the banks be in the position where they would not only object to Government securities being paid off but also in the position of demanding that more Government securities be made available for them to purchase? It will not be long until the trust funds that support the different old-age and retirement systems will probably be able to buy all the Government securities available. I hope the banks never get into the position where it is in their interest to oppose the continuance and establishment of such funds.

Mr. CUNNINGHAM. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Iowa.

Mr. CUNNINGHAM. I want to be sure that I understood the gentleman correctly, and I think I did. According to the gentleman's theory, if we are to have prosperity we should go further and further into debt?

Mr. PATMAN. Yes. You have got to do that. There is no way else to do it under our capitalistic system. Does the gentleman know of any other way to do it? I do not. Dr. Burgess does not, Chairman Martin, of the Board of Governors, Federal Reserve System, does not, Mr. Eccles does not. I asked Leon Henderson a question along that line years ago. Leon Henderson said all debts ought to be paid. I asked what we would do for money then? He said that we would have to go right back into debt again. That is the fact. With no debts we have no money. As foolish as that sounds right off it is the truth under our capitalistic system. Certainly we should not expect any debt to be permanent but the aggregate amount of debt must increase in order to expand our economy.

Mr. ROGERS of Florida. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Florida.

Mr. ROGERS of Florida. Did the gentleman oppose increasing the limit of our national debt?

Mr. PATMAN. I did. A year ago I voted against it because they had plenty of money in the banks to take care of the Government's needs for the next year. They had $9 billion in the banks on the day I spoke, which is a large amount. Normally they have from four to six billion dollars in the banks all the time, which gives opportunity for great favoritism, in addition to destroying the use of it for the Government's purposes.

Mr. ROGERS of Florida. How does the gentleman explain the fact that it takes debt to create prosperity although it would not be a good thing to increase the national debt?

Mr. PATMAN. Well, I want the private-enterprise system to work by local people going into debt through the local banks and other financial institutions. The Government should stay out of debt as much as possible. Like local and State governments, they should stay out of it, and only to be used at a time of emergency. But, Dr. Burgess admitted, in questioning him, that the time could come—and I am putting his testimony in the RECORD—that we would have to increase our national debt in order to have enough money and credit to do business on.

Now, if it got to that point, I would increase it just for that purpose, but I am not going to increase it if it is not needed for that purpose. I would rather use this idle and unused money in the banks that the Government is not receiving any interest on at all; nothing; idle; four to five billion dollars. It is serving no useful purpose for the Government. It is just helpful to the banks. I do not object to helping the banks, but I do not want to help them that way. Why should the Government borrow money and pay interest when it has billions of dollars in private banks idle and unused? The banks have a side to the question. I am impressed with the arguments they made. I want them treated right. It can be adjusted and the banks treated fairly without the Government giving up the use of these deposits.

INCREASING NATIONAL DEBT

The only reason I voted against increasing the national debt a year ago was because they had $9 billion idle and unused in the banks which, if they used, they would not have to increase the debt limit. And, the debt limit was not increased during this past year and it did not exceed the limit because they had to dip in and use some of these idle and unused funds. On yesterday I did not vote to increase it because they still have between four and one-half to five billion dollars in the banks, and I want the Government to use that idle money before we increase the debt limit. But, whenever it is necessary to increase it, I am for increasing it. I think it is intellectually dishonest for a Member of Congress to vote for appropriations which, when paid, will exceed the debt limit and then fail to vote to raise the debt limit to take care of them. I think it is just as wrong and dishonest as a Member of Congress voting for all appropriation bills and against all tax bills. It is the same thing. So, the time might come in this country when we will have to increase the national debt just for the purpose of creating sufficient money and credit. I hope that time never comes, but it is possible.

So, again, in conclusion, I invite your attention to the fact that we should all remain on the alert, to persuade the authorities against permitting the Government bonds to go below par. It should never be permitted again. If such a policy is started again, Congress should do something about it without delay.

SPECIAL ORDER GRANTED

Mrs. ROGERS of Massachusetts asked and was given permission to vacate the special order she had for today and that it be set for tomorrow.

CELLER ASKS DEPARTMENT OF JUSTICE TO VETO PROPOSED MERGER OF BETHLEHEM STEEL CO. AND YOUNGSTOWN SHEET & TUBE

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. CELLER] is recognized for 15 minutes.

Mr. CELLER. Mr. Speaker, this is the hunting season for big mergers. The catch is huge. Each day records bigger and better mergers. First it was autos, drugs, chemicals, machinery, hotels. Now it is steel.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman.

Mr. PATMAN. Why are they permitted to merge as they have been in the recent past in view of the act of Congress that was passed preventing mergers?

Mr. CELLER. I played a rather important part in what is known as the Celler Antimerger Act.

Mr. PATMAN. That is what I am speaking of.

Mr. CELLER. I think the Department of Justice may have been a little lax in failing to enforce properly that act. That is what I am addressing myself to.

Mr. PATMAN. I should be very interested in what the gentleman has to say because I know he has given great thought and study to that subject. I feel it very important and timely.

Mr. CELLER. The Government seems friendly. It offers little or no protest to this steady growth of power and privilege. We witnessed Olin Industries combine with Mathieson Chemical Corp. with resultant assets of $584 million. W. R. Grace & Co. united with Davidson Chemical to produce a combination of $384 million. Burlington Mills unites with Pacific Mills and Goodall-Sanford to yield $428 million. Packard Motors combines with Studebaker to produce $258 million. Hilton Hotels unite with Statler Hotels, and there have been many bank mergers.

The biggest merger now in process is Bethlehem Steel Corp. and Youngstown Sheet & Tube Co. A gargantuan firm of $2.3 billion would result, with plants spread halfway across the Nation, plus some west-coast operations. Bethlehem would have Youngstown's advantageous position in the Chicago market and Youngstown would have Bethlehem's priority position in the East. Youngstown would have Bethlehem's easy access to domestic and Canadian ores.

Climax Molybdenum Co. may be included in the deal. That would give the merged firms the greatest and most lucrative source of molybdenum, used in steel alloys.

As former chairman of the Antimonopoly Subcommittee of the House Judiciary Committee, which probed the iron and steel industry, and as author of the Celler Antimerger Act, I am gravely concerned about this new merger. It bodes ill to the steel industry. It would be against the national interest. It would result in injurious concentration of production and have a deadly affect upon competition within the steel industry. It should be scotched by the Department of Justice as tending to violate the antitrust laws, particularly the Celler Antimerger Act.

Presently United States Steel Corp. has a net-tonnage capacity of 38,715,000 tons, or 31.14 percent of the entire industry. The new combination would mean a capacity of 24 million tons, or 19.3 percent of the entire industry. United States Steel plus the merged Bethlehem and Youngstown, would represent a total of 62,715,000 tons, or 50.44 percent, or over one-half of the country's steel-producing capacity. The result would be a two-company potential domination in the Nation's basic industry.

There is conscious parallelism of price, or what is called price leadership, in steel today. This conclusion was developed in the monopoly hearings. All companies, small and large, follow the great leader, United States Steel, as to price.

Referring to the report of the monopoly subcommittee I draw attention to some quotations on pages 64, 65, and 66 which indicate this price leadership. I read from page 64 of that report:

> Each of the economists who were called upon to give independent testimony maintained that there was a substantial degree of price leadership within the steel industry. They agreed that there was no significant evidence of widespread collusion or explicit agreement on price among the large steel companies. However, as Arthur Robert Burns, of Columbia University expressed it—

And incidentally Mr. Burns is Chief of the Economic Advisers of the President—

> "The most important single question affecting the making of prices in the steel industry is the leadership of the United States Steel Corp."

George Stocking, professor of economics at Vanderbilt University, presented the general setting in which steel-price operations may take place:

> Most economists recognize that where a few large sellers dominate a market both logic and experience may teach them that price competition does not pay. Price leaders are apt to appear in such industries. The price leader is generally the biggest firm. Its rivals, frequently without an overt agreement, may accept its lead.

With U. S. Steel and the new combine in positions of vantage, prices would become more rigid. Prices can more easily be fixed by 2 companies than by many, especially if those 2 constitute a steel oligopoly with more than 50 percent of the country's output.

Then consider the resulting intercompany imbalance. U. S. Steel has 31.14 percent. The new merger of Bethlehem and Youngstown would have 19.3 percent. The next largest company, Republic, would have 8.25 percent. No other company below Republic would have more than 5 percent. Most of the companies would have under 2 percent.

These two top companies with facilities spread over the Nation, together with diversification of products and sales, and their vast resources of raw materials, would inescapably reduce competition to such a degree as to build up a highly dangerous medium for monopolistic power.

In self-defense the other smaller companies would be compelled to merge one with the other. Some companies are already seriously discussing possible mergers. They see the handwriting on the wall. They dare not wait. The end result would be a few steel giants. The little fellow would be grist to their mill. More and more fabricators and manufacturers of end products would fold up. They would be compelled to buy their raw material from their competitors—these same giants who are gradually controlling fabrication. It would be: "'Everyone for himself,' said the elephant, as he danced among the chickens."

The proposed merger has already produced queer stock changes. There has been widespread speculation in the stocks of these companies, Bethlehem and Youngstown. Since the news leaked Bethlehem stock has risen from 72 to 81⅝ and Youngstown 47⅝ to 63½.

The first rumor of the merger was July 15 when Bethlehem was 72 and Youngstown 47⅝. On July 29 when Mr. Eugene Grace, chairman of the board of Bethlehem, confirmed the proposed combine, Youngstown jumped to 50¾. On August 3, Bethlehem reached 81⅝ and Youngstown reached 63½. Upon announcement that the rumor of merger was quite uncertain the Bethlehem stock declined to 77½ and Youngstown went down to 59¾, where they are today.

It would be interesting to follow and check on these stock gyrations and discover who was buying and who was selling and when and for whom and who were the insiders and what were their advantages.

No comparable increase in market value occurred in any other steel stock during the same period. The volume turnover of Bethlehem and Youngstown stocks during the time in question has been abnormally high.

If the merger is not consummated many innocent purchasers would suffer serious losses.

I think the SEC might well sink its teeth into this manipulation of stock.

The Department of Justice is now considering this merger. It should veto it out of hand. It violates the Celler Antimerger Act.

The Government has been encouraging the existing companies to expand their productive facilities to meet defense requirements by giving them accelerated amortization of new facilities constructed for defense, but it has also encouraged the creation of new enterprises to enter the steel industry in order to promote a greater decentralization of production and in plant locations for defense diversification and to increase sources of supply. Government financial aid has even been provided therefor.

This policy was dictated by the demands of national defense and to stimulate a vigorous and viable competition.

Now to encourage the initiation of a series of mergers between existing major companies could be a reversal of this policy, defeat its objectives, and be against the national interest.

Furthermore, there is no financial or economic necessity to justify a concentration in a few hands. The existing companies in the industry as presently set up are now all financially sound and healthily competitive and are not confronted with the problems of the automotive and other industries where numerous mergers were made necessary to avert bankruptcy.

Finally I warn, that if this merger is consummated, and if control of the Congress changes, and I become chairman of the House Judiciary Committee once more, I shall make it my studied purpose to check most thoroughly into all phases of this merger and report to Congress. I anticipate an interesting assignment. However, I hope the Department of Justice will deprive me of that fascinating job and say to Bethlehem and Youngstown—"no soap."

I am addressing the House under this special order and in my extension of remarks I shall explain at greater length and detail my opposition to this measure. I shall likewise ask the Federal Trade Commission to investigate this proposed combine.

UNITED STATES-BRITISH UNITY ON FORMERLY SOVEREIGN STATES NOW IN BONDAGE

The SPEAKER. Under previous order of the House, the gentleman from Ohio [Mr. FEIGHAN] is recognized for 10 minutes.

Mr. FEIGHAN. Mr. Speaker, I would like to raise a question which is creating confusion and anxiety in the minds of our best friends, and which through a certain precision on the part of our administration could become instead, a source of encouragement and hope. I am referring to one particular passage in the official communique, issued at the end of the conference between President Eisenhower and Britain's Prime Minister Churchill issued June 29. It runs as follows:

> As regards formerly sovereign states now in bondage, we will not be a party to any arrangement or treaty which would confirm or prolong their unwilling subordination.

Apparently this statement should not have been a subject of controversy, for Russian communism has forcibly occupied many sovereign nations since 1939, and this is known to every schoolboy in America. I refer to Poland, Czechoslovakia, Rumania, Hungary, Bulgaria, Estonia, Latvia, Lithuania, Albania and Yugoslavia. There is no possibility of controversy with regard to those universally known facts. The only question which might have occurred to the reader of the communique was whether Eisenhower and Churchill did not have in their minds also the rights of the once free and independent non-Russian nations of the U. S. S. R. I have in mind the nations of Ukraine, Byelorussia,

Armenia, Georgia, Azerbaijan, North Caucasia, Idel-Ural, Cossackia, Turkestan and several others. All these nations were enslaved by the Russian Empire and they declared their national independence in the period 1917–18. Many of them held their independence until 1921 or 1922 before they were subverted and overrun by the Russian Communists. However, a few days after the communique was delivered, the British prime minister was asked in the House of Commons to identify the countries to which the passage in the communique was intended to refer. The answer of Churchill instead of clarifying, greatly confused the issue and has, in addition, some disturbing complications. The following is an excerpt of the report on the debate of July 7 in the House of Commons, published by the New York Times, issue of July 8, 1954, page 6, under the caption "United States-British Unity on 'Bondage' Seen—Churchill Tells Commons Firm Ties Will Prevent a Rift Over Enslaved Nations":

Members of the Laborite opposition, many representatives of which have visited the Soviet satellite states in East Europe, wanted to know exactly what states the Prime Minister and the President had in mind.

Sir Winston jocularly told W. N. Warbey, a Laborite, that when the list had been drawn up he and President Eisenhower were aware that some nations would be offended by being included in the list and some by being excluded.

In a similar vein he added that when he was a young officer in the Army he had been taught the maxim: "No names, no pack drill." (Pack drill is a form of field punishment in the British Army.) The reply produced laughter but not quiet. Mr. Warbey returned to the theme, asking if the declaration meant, for example, that Britain could not make a treaty with the Soviet Union because the United States refused to recognize the incorporation of the Baltic States into the Soviet Union?

The Prime Minister replied that this question illustrated the undesirability of picking and choosing. He and the President did no more than "express a general opinion," he added.

Kenneth Younger, another Labor member, then asked whether this "rather vague phrase" represented a real agreement between the two nations and whether it would not be another occasion when, through "using some loose formula," the United States would give one interpretation and the British Government another.

"I do not think so," the Prime Minister replied, "We are both so firmly based on fundamental principles."

Leaving aside the jocular mood of the British Prime Minister which appears so incongruous as seen against the tragic background of enslavement, Churchill's reference to a list which has been drawn up at the White House conference and which—as the Prime Minister points out—excludes certain nations, raises a grave problem. It would appear from the wording of Churchill's answer, a choice has been made among the "formerly sovereign states now in bondage," with regard to their status in the present Anglo-American orbit of political interest. This would appear that for certain unavowed reasons the United States and Great Britain intend to convey to the Soviet Union their willingness to make a gain out of the enslavement of nations a subject for bargaining.

First of all, I feel Mr. Churchill should be required to explain just what he meant when he stated some nations would be offended if their names appeared on a list of those nations which wanted their national independence and he and Eisenhower were willing to support in that noble aspiration. Is he suggesting that any of the nations in the Red colonial empire do not want their freedom and independence? Is he suggesting that he and Mr. Eisenhower have devised some new formula or criteria to determine which of the ensiaved nations are to be allowed to fight for their freedom and independence and thus remain allies of the United States? Is he telling us that another power decision has been taken by two men sitting around a conference table—a decision bearing upon the life or death or a nation, without allowing the people to express their will on such a vital question? Had the European statesmen followed the principles laid down by President Woodrow Wilson, particularly that relating to the right of nations to self-determination, we would not have the tremendous power block of communism which confronts the free world today, and in all probability, we would have escaped the horrors of World War II. I cannot believe that President Eisenhower could have arrived at any agreements with Churchill which failed to recognize the right of all nations to self-determination. I cannot drive myself to believe that President Eisenhower would lend our great Nation to any deal in which one nation hopes to protect itself by selling out the freedom and independence of other nations.

This is such a serious matter that I believe our press should raise these questions with the President at his next news conference. This would allow President Eisenhower the opportunity to tell the American people and the world the truth about the decisions—made at their conference—so that the people may judge whether Churchill was speaking only for himself and certainly was inaccurate when he stated that a firm agreement had been reached on this matter, which could not be broken because "we are both so firmly based on fundamental principles." I do not know what Churchill meant by "fundamental principles." I hope he was not referring to the kind of principles which permit the British to sell steel and steel rolling mills to the Russian Communists, as announced yesterday, so they can better prepare in their announced intention to destroy the United States.

UNITED STATES AIRPOWER

Mr. PRICE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE. Mr. Speaker, a distinguished spokesman for the administration spoke last week on the state of the Air Force. He carefully disavowed partisanship as something untenable in a discussion of national defense. There was however in the tone of his remarks, in the timing of their delivery, and in the very title he gave his address a quality that must seem to the impartial listener bordering on partisanship. The title the spokesman used was "An Appraisal of the Nation's Airpower Program," but there is little reason at this time for anyone to have made an appraisal except in defense, and no occasion for a defense except in justification of what the present administration has done to the Air Force.

History alone will make the appraisal that will be final. History alone will be able to say whether America's airpower in 1954 was adequate. What the administration spokesman has done has been merely to assert, as the 83d Congress draws to a close and the present administration reaches the halfway mark, that all is well in national defense. This avowal was made calmly, with a buttressing of statistics, with a minimum of criticism of the past administration, and with an air of conviction that is subtly persuasive. But the remarks were based on two false assumptions, and from these false assumptions he drew a major false conclusion. One false assumption was that there is no real disagreement in this country as to our airpower objectives. The other false assumption is that because the Chairman of the Joint Chiefs of Staff has stated unequivocally that our national airpower is superior to that of any other nation, it must be so. I do not agree, Mr. Speaker, with either assertion. Nor do I agree with the conclusion that because of actions taken in the last year, the successful accomplishment of the 137-wing Air Force goal is assured, that the airpower we now have is adequate for national defense.

This is not the place to engage in a discussion of tactical versus strategic airpower, or to reopen the old discussion of land-based versus carrier-based airpower. There is, however, a considerable area of disagreement as to our airpower objectives, and no appraisal of our airpower program that overlooks it can be just and fair. The Army is today creating a tactical Air Force, the Navy a strategic Air Force. When the spokesman speaks of airpower he sometimes means the United States Air Force and sometimes the Air Forces of the several services, but he never speaks for the United States Air Force which holds by the basic doctrine that the greatest opportunity for decisive action is in dealing immediately and directly with the enemy's war-making capacity—both in being and potential. This doctrine requires the neutralization or destruction of the enemy's industrial capacity, control mechanisms, and forces presenting unacceptable threats by the only means we presently have for reaching such targets—long-range strategic bombing. There is no disagreement in the Air Force on that. I would like to think there is full agreement elsewhere with that doctrine.

The second false assumption on which the spokesman bases his appraisal is the assumption that because the Chairman of the Joint Chiefs of Staff has spoken, his words are not to be questioned. There are many well informed students of airpower and of national defense who

do question the infallibility of the Chairman of the Joint Chiefs of Staff, and there is considerable evidence that our national airpower is not superior to that of Soviet Russia. In fact, there is no agreement in the Defense Department that our airpower is superior to Russia's. Recently, between the swimming pool and the golf course, the barbecues and the steaks at Quantico, the Secretary of Defense spoke in soothing words of the superiority of our technology, but he was followed by his Assistant Secretary of Defense for Research and Development who spoke of the diminishing advantage we hold over the Soviets. The Scripps-Howard Washington Daily News asserted editorially that something did not jell at Quantico, and that something has not jelled in Washington.

Despite his disavowal of partisanship, the theme of the spokesman's argument is really that because there is a Republican administration in Washington all is well with national defense, and well with the airpower program. He asserted without qualifying his remark that "The Air Force program, by the end of 1952, was sadly out of balance." It requires no reference to the calendar to translate this statement as meaning in his mind that the Air Force program was out of balance under the Democrats, or to translate the following sentence to mean that "major strides have been made within the last year"—by the Republicans—"to bring the Air Force program back into balance." I regret the necessity of bringing personalities into my remarks, but I must do so to point out that the program that was out of balance throughout the Democratic administration and is in balance under a Republican administration are essentially the same program administered by the same Chief of Staff.

The Air Force has never retreated from its position that its goal of 155 wings—supported by Finletter and Vandenberg—was a realistic one, and its goal of 143 wings by 1955 only a compromise goal, accepted as the absolute minimum necessary for national defense. The 137-wing program by 1957 does not restate either goal or the compromise goal, but alters the schedule for achieving the latter. Last year we heard a great deal about more defense for less money. This year we are being exposed to the thesis that economical defense can be achieved more effectively by a decelerated program aimed toward a postponed date.

The Air Force goal, Mr. Speaker, is for adequate airpower when it is needed—and it will be an enemy, bent on aggression rather than anyone in the United States who will tell us when it is needed. But the Chief of Staff who tells us today how much airpower is needed and how it should be employed to preserve peace today and to win war if it comes tomorrow, is the Chief of Staff who was for 3 years the right-hand man of Gen. Hoyt S. Vandenberg, who was chosen by General Vandenberg as his successor, and who was acting Chief of Staff for over 6 months while General Vandenberg lay stricken in Walter Reed Hospital. No man in this House has greater admiration than I for Gen. Nathan F. Twining, and I assert that it shows scant respect for his able performance of his arduous duties to infer, as has been inferred, that this able, conscientious, devoted general, of unquestioned and unquestionable integrity, directed an out-of-balance program throughout 1952, but has directed a balanced program since January 1953, just because in January 1953 there was a change of administration.

General Twining is a good airman, which is in this air age the same as saying that he is a good soldier; and General Twining has gone along with the Joint Chiefs of Staff and the Secretary of Defense in working for the orderly attainment of the compromise 137-wing Air Force program. But General Twining has called that program somewhat optimistic, and reminded us that it is based on the hope that the Reds would not continue the intensive buildup of their air atomic threat against us. "In the event they do," he said, "we may have to revise our own plans for airpower." General Twining has accepted the 137-wing program, as General Vandenberg accepted the 143-wing program, as a minimum program. And both programs were set forth before the full testing of the American H-bomb, with its frightful revelation of the possibilities of destruction, had been followed by the revelation that the Russians also have an H-bomb and are building a strategic air force that can deliver it.

Mr. Speaker, I deeply regret the introduction of anything partisan into my own remarks, but I owe it to General Twining and owe it to the memory of his great predecessor, General Vandenberg, to defend them and the Air Force of their creation from the false accusation that everything was wrong before January 1953, just because the present administration has done many things differently since that time.

The administration has indeed done many things differently. One of the first things it did was to place arbitrary restrictions on the program of base construction and on the personnel strength of the Air Force. These actions so greatly delayed the orderly buildup of the Air Force program—143 wings or 137 wings—that the early date set for achievement was impossible of attainment. The administration has juggled the figures of procurement until it is difficult to tell whether or not there has been change in the rate of production. But the buildup of an Air Force must be orderly: personnel, bases, and aircraft goals must be phased together. What this administration did personnelwise was alone sufficient to throw the integrated program off schedule. Ask any of the thousands of men who were arbitrarily dropped from the Air Force last year in a furious effort to reduce the overall personnel strength; ask any of the thousands of college Air ROTC graduates of last June who were denied the commissions they had been promised and for which they had been working for 4 years; ask any of the men who are getting out of the Air Force today, because they have lost faith in the authority that sets policies and executes them.

Indeed, Mr. Speaker, if there is truth in anything the administration spokesman said in his appraisal of the Nation's airpower program, it is in his admission that the Air Force faces a very difficult recruiting problem, in building its strength back up to the 970,000 men it had before it was arbitrarily required to lose 20,000 men in 1953. Today the Air Force has a total of about 950,000 officers and airmen, but it must find many times more than 20,000 new men to reach the new goal a year from now. The spokesman himself has stated that—

> Because of the very high number of separations expect in fiscal year 1955, this net gain of 20,000 cannot be assured without a major recruiting effort.

The Air Force estimates that 200,000 enlistments or reenlistments are needed to achieve a net gain of 20,000. That means, Mr. Speaker, an intensive effort to persuade the people of this Nation that all is indeed right with our Air Force, and that an adequate Air Force is essential to this Nation's security.

Mr. Speaker, in view of that effort, which must be made, which the achievement of even the 137-wing program requires, which the defense of this Nation requires, isn't it time to drop recriminations, to forget all partisanship, and to go earnestly, seriously, and quickly about the task of giving the United States the airpower it so greatly requires. Isn't it time to stop paying lip service to airpower, to stop talking about New Looks and new emphasis, and to get about the job of creating national strength based, in the President's own words on the creation, maintenance, and full exploitation of modern airpower.

Because the full potentialities of airpower were discovered under a Democratic administration, because the 155-wing goal was advanced by the Air Force and the 143-wing compromise accepted by the Air Force under a Democratic administration, is no reason to condemn the Air Force that General Arnold conceived and Generals Spaatz and Vandenberg brought into being. But because the Air Force today represents the careful planning, the wise direction and conscientious administration of countless loyal and devoted officers who have worked for the buildup of American airpower and for the fullest employment of airpower in achieving national security, there is every reason to support them in their efforts to give this Nation the airpower it requires. The spokesman says "The people of this country have every reason to feel secure in the knowledge that our Nation's defense is in good hands." I for one would be happier if he could say, and if we could all say, that we have every reason to feel secure in the knowledge that this Nation's defense is based on adequate airpower, and airpower of the quality, the quantity, and the availability demanded by those leaders in whose good hands rests the responsibility of employing American airpower whenever and wherever it is needed.

SUMMARY OF APPROPRIATION LAWS OF 83D CONGRESS, 1ST SESSION

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, I am taking this opportunity of making available to my colleagues a summary of the appropriation laws of the 83d Congress, 1st session, prepared for my constituents in the Second District of Illinois. The figures have been checked carefully and are accurate.

It is my practice to report to the men and women who honored me to election to this body on all legislation enacted by us. So far my reports, mailed to all requesting them and reaching approximately 10,000 constituents, have covered 530 laws. Necessarily a prodigious amount of work has gone into the preparation and distribution of reports analyzing and summarizing laws that will total, before we adjourn, between 600 and 700. Much of the work naturally had to be done at night, on weekends, and on holidays, because of the pressure of my other congressional duties.

I am happy that good health and fortune enabled me meanwhile to maintain a perfect attendance record in both the House and my committee, Banking and Currency. In both sessions of the 83d Congress this good fortune made it possible for me to answer all rollcalls, including quorum calls. As most of my constituents have to respect the clock of an employer I thought they would wish me, who represent them in this body, to respect the same rule. I regard ours as a relationship of principal and agent. My constituents are the principal, I the agent, and as such I feel the obligation to report to them, that is my conception of representative government in its functioning.

That my colleagues, if they desired, might have for reference a compendium of our legislation, I, from time to time, have inserted my current reports in the RECORD. The following table gives the dates and page numbers:

Public Laws	Congressional Record	Page
1 to 45	July 13, 1953	A4313
46 to 76	July 16, 1953	A4417
77 to 100	July 30, 1953	A4795
101 to 124	Aug. 26, 1953	A5220
125 to 169	Aug. 28, 1953	A5265
170 to 201	do	A5381
202 to 242	do	A5399
243 to 288	Jan. 25, 1954	766
289 to 295	Feb. 16, 1954	1871
296 to 300	Mar. 9, 1954	2959
301 to 306	do	2960
307 to 311	Apr. 14, 1954	5190
312 to 322	May 6, 1954	6182
323 to 334	May 10, 1954	6322
335 to 340	do	6325
341 to 351	May 19, 1954	6881
352 to 358	May 26, 1954	7195
359 to 364	June 3, 1954	7654
365 to 373	do	7655
374 to 383	June 7, 1954	7800
384 to 388	June 17, 1954	8491
389 to 396	do	8492
397 to 403	do	8493
404 to 423	July 15, 1954	10662
424 to 436	do	10665
437 to 450	July 23, 1954	11775
451 to 480	July 28, 1954	12484
481 to 510	do	12486
511 to 530	July 30, 1954	12880

In the case of appropriation laws I have withheld detail report until time would permit a study and analysis sufficient to give to my constituents a complete picture of the use made of the Federal funds, including their own tax payments. My report on the 16 appropriation laws of the first session, 83d Congress, now completed, follows:

PUBLIC LAW 11—H. R. 3053, SECOND SUPPLEMENTAL APPROPRIATION, 1953

A. Appropriates $943,298,728 to supply supplemental appropriations for the fiscal year ending June 30, 1953. Continues antistrike provisions.

B. Items:

Appropriations

CHAPTER I. LEGISLATIVE BRANCH

Senate:	
Payment to the widow of late Senator Brien McMahon of the State of Connecticut	$12,500
Joint Committee on Printing	555
Vice President's automobile	980
Inquiries and investigation	500,000
Total, Senate	514,035
House of Representatives:	
Beneficiaries of deceased Members	37,500
Office of the Clerk	3,835
Contingent expenses of the House:	
Furniture	58,750
Special and select committees	500,000
Stationery (revolving fund)	800
Total, House of Representatives	600,885
Capitol Police: Capitol Police Board	----------
Education of Senate and House pages: Education of Senate, House, and Supreme Court pages	2,570
Architect of the Capitol, Capitol Buildings and Grounds:	
Capitol Buildings	800
Senate restaurant	1,600
Senate Office Building	54,000
Total, Architect of the Capitol	56,400
Total, legislative branch	1,173,890
The judiciary—Other courts and services:	
Supreme Court, preparation of rules for civil procedure	11,500
Fees of commissioners	107,000
Fees of jurors	200,000
Miscellaneous salaries	20,600
Salaries of court reporters	15,700
Salaries of referees (special account)	(134,000)
Total, the judiciary	354,800
Total, chapter I	1,528,690

CHAPTER II

Department of State

Salaries and expenses	----------
International Boundary and Water Commission, United States and Mexico: Construction	1,500,000

Department of Commerce

Civil Aeronautics Administration:	
Establishment of air-navigation facilities	2,500,000
Federal-aid airport program, Federal Airport Act	3,500,000
Patent Office: Salaries and expenses	130,000

Appropriations—Continued

Bureau of Public Roads:	
Federal-aid highways	$185,000,000
Access roads (act of Sept. 7, 1950)	13,000,000
Total, Department of Commerce	204,130,000
Total, chapter II	205,630,000

CHAPTER III. TREASURY DEPARTMENT

Bureau of the Public Debt	750,000

CHAPTER IV. DEPARTMENT OF LABOR

Bureau of Employment Security:	
Salaries and expenses	80,000
Grants to States for unemployment compensation and employment service administration	6,750,000
Unemployment compensation for veterans	27,200,000
Total, Department of Labor	34,030,000
Federal Security Agency, Office of Education:	
Salaries and expenses	----------
Payments to school districts	20,500,000
Public Health Service: Hospitals and medical care	----------
Social Security Administration:	
Salaries and expenses, Bureau of Old-Age and Survivors Insurance (trust fund limitation)	(2,000,000)
Grants to States for public assistance	340,000,000
Total, Federal Security Agency	360,500,000
Total, chapter IV	394,530,000

CHAPTER VI. DEPARTMENT OF THE INTERIOR

Office of Secretary: Research in the utilization of saline water	50,000
Bureau of Land Management: Management of lands and resources	60,000
Bureau of Mines: Health and safety	266,000
Total, Department of the Interior	376,000
Federal Coal Mine Safety Board of Review: Salaries and expenses	20,000
Total, chapter VI	396,000

CHAPTER VII. EXECUTIVE OFFICE OF THE PRESIDENT

The White House Office	50,000
Emergency fund for the President (national defense)	250,000
Total, Executive Office of the President	300,000
Independent offices, Veterans' Administration:	
Administration, medical, hospital, and domiciliary services	10,000,000
Compensation and pensions	237,573,000
Readjustment benefits	75,000,000
Servicemen's indemnities	2,000,000
Veterans' miscellaneous benefits	1,361,000
Grants to the Republic of the Philippines	1,000,000
Total, Veterans' Administration	326,934,000
Total, chapter VII	327,234,000

Appropriations—Continued

CHAPTER VIII. CIVIL FUNCTIONS, DEPARTMENT OF THE ARMY

Panama Canal Company (administrative expense limitation)	($255,200)

CHAPTER IX. DEPARTMENT OF DEFENSE

Military functions	----------

CHAPTER X. JUDGMENTS AND AUTHORIZED CLAIMS

Judgments and authorized claims, chapter X	13,230,038
Grand total	943,298,728

PUBLIC LAW 59—H. R. 4664, THIRD SUPPLEMENTAL APPROPRIATIONS, 1953

A. Appropriates $5,441,875 to supply supplemental appropriations for the fiscal year ending June 30, 1953. Continues antistrike provisions.

B. Items:

Appropriations

CHAPTER I. DISTRICT OF COLUMBIA

(Out of revenues of the District of Columbia)

Fiscal service, salaries and expenses	($100,000)
District government employees' compensation fund	(41,500)
Office of Administrator of Rent Control	(17,000)
Public schools: General administration, supervision, and instruction	(60,000)
Veterans' services	(4,500)
Office of Civil Defense	(60,000)
United States courts, 1951	(4,764)
St. Elizabeths Hospital	(824,243)
Claims and suits	(45,014)
Judgments	(527)
Audited claims, 1950 and prior	(175,600)
Total, chapter I	(1,333,148)

CHAPTER II. LEGISLATIVE BRANCH AND THE JUDICIARY

Senate:	
Miscellaneous items	55,000
Postage stamps	175
House of Representatives:	
Beneficiary of deceased Member	12,500
Architect of the Capitol:	
Capitol Building and grounds	15,000
Senate Office Building	9,200
The judiciary: Fees of jurors	350,000
Total, chapter II	441,875

CHAPTER III. DEPARTMENT OF HEALTH, EDUCATION AND WELFARE

Office of Education: Salaries and expenses	(32,000)

CHAPTER IV. DEPARTMENT OF AGRICULTURE

Production and Marketing Administration, agricultural production programs	(3,150,000)
Forest Service, forest roads and trails	5,000,000
Total, chapter IV	5,000,000

CHAPTER V. INDEPENDENT OFFICES

Economic Stabilization Agency: Salaries and expenses, Office of Rent Stabilization	(385,000)
Veterans' Administration: Servicemen's indemnities	(650,000)
Grand total	5,441,875

PUBLIC LAW 73—H. R. 5174, TREASURY AND POST OFFICE APPROPRIATIONS, 1954

A. Appropriates $3,444,145,000 for the Treasury and Post Office Departments for the fiscal year ending June 30, 1954. Continues anti-strike provisions.

B. Items:

Appropriations

TITLE I. TREASURY DEPARTMENT

Office of the Secretary: Salaries and expenses	$2,400,000
Bureau of Accounts:	
Salaries and expenses	1,800,000
Division of Disbursement, salaries and expenses	11,000,000
Total, Bureau of Accounts	12,800,000
Bureau of Public Debt: Administering the public debt	$50,000,000
Office of the Treasurer:	
Salaries and expenses	17,000,000
Contingent expenses, public moneys	350,000
Total, Office of the Treasurer	17,350,000
Bureau of Customs: Salaries and expenses	40,500,000
Bureau of Internal Revenue: Salaries and expenses	266,000,000
Bureau of Narcotics: Salaries and expenses	2,790,000
U. S. Secret Service:	
Salaries and expenses	2,500,000
Salaries and expenses, White House Police	530,000
Salaries and expenses, guard force	375,000
Total, U. S. Secret Service	3,505,000
Bureau of the Mint: Salaries and expenses	4,700,000
Coast Guard:	
Operating expenses	188,250,000
Acquisition, construction, and improvements	2,500,000
Retired pay	18,600,000
Reserve training	2,500,000
Total, Coast Guard	211,850,000
Total title I, Treasury Department, regular annual appropriations	611,895,000

TITLE II. POST OFFICE DEPARTMENT

General administration	22,000,000
Postal operations	2,229,450,000
Transportation of mails	573,620,000
Claims	7,180,000
Total, title II, Post Office Department	2,832,250,000
Grand total, titles I and II, Treasury and Post Office Departments	3,444,145,000

PUBLIC LAW 91

House Joint Resolution 287 makes temporary appropriations for operation of Federal Government after July 1, 1953:

The fiscal year 1954 of the Federal Government started on July 1, 1953, with the 1954 appropriation bills (with the exception of Treasury and Post Office) still pending. To keep the departments and agencies of Government in operation during July of 1953 it was necessary to follow the usual practice in similar situations of passing a joint resolution. Unless this continuing resolution had been passed by both Houses by midnight of June 30 the wheels of Federal Government certainly would have been clogged. Public Law 91 (the continuing joint resolution in the stereotype form always used) provides for the month of July 1953 appropriations in the measure of (a) the lower amount adopted by either body where there is a difference and both Houses have passed the bill, or (b) where a bill has passed only one body (or neither) the lower of the amount in the House bill or that in the budget estimate. Public Law 91 further prohibits the various departments and agencies from embarking on new projects during July unless appropriations for such are included in both Senate and House bills.

The delay in getting the 1954 appropriations bills acted on in good season was occasioned by the slowness of the Bureau of the Budget in setting up the required estimates, this stemming, of course, from the change in administration. The Eisenhower administration naturally would want to make its own budget study.

PUBLIC LAW 149—H. R. 5690, SECOND INDEPENDENT OFFICES APPROPRIATIONS, 1954

A. Authorizes $5,253,177,664 for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices for fiscal year ending June 30, 1954. Continues antistrike provisions.

B. Items:

Appropriations

ATOMIC ENERGY COMMISSION

Operating expenses	$891,781,000
Plant equipment	166,000,000
Total, Atomic Energy Commission	1,057,781,000

SELECTIVE SERVICE SYSTEM

Salaries and expenses	29,882,400

TENNESSEE VALLEY AUTHORITY

Salaries, expenses, and construction	188,371,000
Resource development	175,000
Total, Tennessee Valley Authority	188,546,000

VETERANS' ADMINISTRATION

Administration, medical, hospital, and domiciliary services	----------
General operating expenses	193,531,000
Medical administration and miscellaneous operating expenses	14,870,400
Maintenance and operation of hospitals	548,000,000
Contract hospitalization	20,583,100
Maintenance and operation of domiciliary facilities	24,248,200
Outpatient care	92,677,900
Maintenance and operation of supply depots	1,800,000
Compensation and pensions	2,246,291,000
Readjustment benefits	664,311,000
Military and naval insurance	1,496,000
Hospital and domiciliary facilities	17,500,000
Hospital and domiciliary facilities (liquidation of contract authorization)	21,185,664
National service life insurance	75,000,000
Servicemen's indemnities	18,000,000
Veterans' miscellaneous benefits	35,743,000
Grants to the Republic of the Philippines	1,731,000
Total, Veterans' Administration	3,976,968,264
Total, Second Independent Offices Appropriation Act, 1954	5,253,177,664

PUBLIC LAW 153—H. R. 5376, CIVIL FUNCTIONS APPROPRIATIONS ACT, 1954

A. Appropriates $440,093,600 for civil functions administered by the Department of the Army and for other purposes for the fiscal

year ending June 30, 1954. Allows the employment on the Canal Zone of certain persons not citizens of the United States; provides for the employment of experts in an amount not exceeding $15,000 or $100 per diem for individuals. Contains anti-strike provision.

B. Items:

Appropriations

Cemeterial expenses	$5,107,000
RIVERS AND HARBORS AND FLOOD CONTROL	
General investigations	2,867,500
Construction, general	278,670,000
Operation and maintenance, general	79,000,000
General expenses	9,716,000
Flood control, Mississippi River and tributaries	51,433,000
Niagara Power Development	----------
Revolving fund	100
Total, rivers and harbors and flood control	421,686,600
U. S. SOLDIERS' HOME	
Maintenance and operation (trust funds)	(4,655,000)
CANAL ZONE GOVERNMENT	
Operating expenses	13,300,000
Panama Canal Company (corporate fund limitation)	(3,684,000)
Total, regular appropriations, Department of the Army civil functions	440,093,600

PUBLIC LAW 156—H. R. 5227, DEPARTMENT OF AGRICULTURE APPROPRIATIONS ACT, 1954

A. Appropriates $718,395,398 for the Department of Agriculture for the fiscal year ending June 30, 1954. Allows the employment of aliens, otherwise prohibited by law, under certain circumstances. Prohibits the use of appropriations hereunder in the purchase of twine manufactured from commodities or materials produced outside the United States except for use in research or experimental work where domestic twine is not available. Contains antistrike provision.

B. Items:

Appropriations

Agricultural Marketing Act	$5,500,000
BUREAU OF AGRICULTURAL ECONOMICS	
Economic investigations	2,246,000
Crop and livestock estimates	3,158,000
Total, Bureau of Agricultural Economics	5,404,000
AGRICULTURAL RESEARCH ADMINISTRATION	
Office of Administrator	341,677
Office of Experiment Stations:	
Payments to States, etc	13,453,708
Salaries and expenses	380,000
Virgin Islands agricultural program	100,000
Research on agricultural problems of Alaska	270,000
Total, Office of Experiment Stations	14,203,708
Bureau of Human Nutrition and Home Economics	1,404,500
Bureau of Animal Industry:	
Animal research	4,049,500
Animal disease control and eradication	8,480,500
Meat inspection	14,160,000
Total, Bureau of Animal Industry	26,690,000

Appropriations—Continued

Bureau of Dairy Industry	$1,659,500
Bureau of Agricultural and Industrial Chemistry	7,725,000
Bureau of Plant Industry, Soils, and Agricultural Engineering:	
Plant, soil, and engineering research	12,074,000
National Arboretum	174,000
Total, Bureau of Plant Industry	12,248,000
Bureau of Entomology and Plant Quarantine:	
Insect investigations	3,982,830
Insect and plant disease control	5,487,000
Plant quarantines	2,675,000
Emergency outbreaks	600,000
Total, Bureau of Entomology	12,744,830
Total, Agricultural Research Administration	77,017,215
CONTROL OF FOREST PESTS	
Forest Pest Control Act	2,300,000
White pine blister rust	3,000,000
Total, control of forest pests	5,300,000
FOREST SERVICE	
Salaries and expenses:	
National forest protection and management	29,715,700
Fighting forest fires	6,000,000
Forest research	5,350,000
Total, salaries and expenses	41,065,700
Forest roads and trails	14,500,000
Acquisition of lands for national forests: Weeks Act	75,000
State and private forestry cooperation	10,792,708
Cooperative range improvements (special account)	(531,000)
Total, Forest Service	66,433,408
Flood prevention	7,000,000
Watershed protection	5,000,000
SOIL CONSERVATION SERVICE	
Salaries and expenses	60,944,014
Water conservation and utilization projects	685,000
Total, Soil Conservation Service	61,629,014
Agricultural conservation program	211,982,000
PRODUCTION AND MARKETING ADMINISTRATION	
Agricultural adjustment programs	38,500,000
Sugar Act	59,645,000
School lunch	83,365,000
Marketing services	11,496,000
Repayment to Commodity Credit Corporation	768,505
Total, Production and Marketing Administration	193,774,505
Commodity Exchange Authority	700,000
Federal Crop Insurance Corporation (administrative expenses)	7,350,000

Appropriations—Continued

Rural Electrification Administration (administrative expenses)	$7,775,000
Farmers Home Administration (administrative expenses)	27,600,000
Farm Credit Administration (direct appropriation)	410,000
EXTENSION SERVICE	
Payments to States, etc	27,165,956
Salaries and expenses	920,000
Total, Extension Service	28,085,956
Office of the Secretary	2,188,000
Office of the Solicitor	2,300,000
Foreign Agriculture Service	673,000
Office of Information	1,160,000
Library	673,800
Total, title I, regular activities	717,955,898
(Corporate funds limitations)	
Commodity Credit Corporation	(17,100,000)
Federal Farm Mortgage Corporation	(750,000)
Federal intermediate credit banks	(1,690,000)
Production credit corporations	(1,465,000)
Total, title II, corporate administrative limitations	(21,005,000)
Research on strategic and critical materials	439,500
Total appropriations, Department of Agriculture	718,395,398

PUBLIC LAW 170—H. R. 2546, DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE

A. Appropriates $2,009,993,261 for the Departments of Labor, and Health, Education, and Welfare, and related independent agencies for the fiscal year ending June 30, 1954. Continues anti-strike provisions.

B. Items:

Appropriations

TITLE I. DEPARTMENT OF LABOR	
Office of the Secretary: Salaries and expenses	$1,350,000
Office of the Solicitor: Salaries and expenses	1,475,000
Bureau of Labor Standards: Salaries and expenses	700,000
Bureau of Veterans' Reemployment Rights: Salaries and expenses	300,000
Bureau of Apprenticeship: Salaries and expenses	3,230,000
Bureau of Employment Security:	
Salaries and expenses	5,300,000
Grants to States	192,205,000
Unemployment compensation for veterans	38,500,000
Mexican farm-labor program	1,250,000
Total, Bureau of Employment Security	237,255,000
Bureau of Employees' Compensation: Salaries and expenses	2,000,000
Bureau of Labor Statistics: Salaries and expenses	5,345,000
Women's Bureau: Salaries and expenses	350,000
Wage and Hour Division: Salaries and expenses	6,250,000
Total, title I, Department of Labor	258,255,000

Appropriations—Continued

TITLE II. DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

American Printing House for the Blind: Education of the blind	$175,000
Columbia Institution for the Deaf:	
Salaries and expenses	410,000
Construction of buildings	41,000
Total, Columbia Institution for the Deaf	451,000
Food and Drug Administration: Salaries and expenses (general)	5,200,000
Freedmen's Hospital: Salaries and expenses	3,104,000
Howard University:	
Salaries and expenses	2,535,000
Construction of buildings	20,000
Total, Howard University	2,555,000
Office of Education:	
Promotion and further development of vocational education	18,673,261
Further endowment of colleges of agriculture and mechanics arts	2,501,500
Salaries and expenses	2,800,000
Payments to school districts (maintenance and operations)	66,500,000
Total, Office of Education	90,474,761
Office of Vocational Rehabilitation:	
Payments to States	23,000,000
Salaries and expenses	655,500
Total, Office of Vocational Rehabilitation	23,655,500
Public Health Service:	
Venereal diseases	5,000,000
Tuberculosis	6,000,000
Assistance to States, general	13,250,000
Communicable diseases	5,000,000
Engineering, sanitation, and industrial hygiene	3,162,500
Disease and sanitation investigations and control, Territory of Alaska	1,082,000
Hospital construction:	
Grants to States	65,000,000
Grants to States (liquidation of contract authorization)	19,700,000
Salaries and expenses	875,000
Hospitals and medical care	33,100,000
Foreign quarantine service	2,900,000
National Institutes of Health:	
Operating expenses	4,675,000
National Cancer Institute	20,237,000
Mental health activities	12,095,000
National Heart Institute	15,168,000
Dental health activities	1,740,000
Arthritis and metabolic disease activities	7,000,000

Appropriations—Continued

Public Health Service—Con.	
National Institutes of Health—Continued	
Microbiology activities	$5,738,000
Neurology and blindness activities	4,500,000
Total, National Institutes of Health	71,153,000
Construction of research facilities (liquidation of contract authorization)	2,500,000
Retired pay of commissioned officers	1,197,000
Salaries and expenses	2,900,000
Total, Public Health Service	232,819,500
St. Elizabeths Hospital:	
Salaries and expenses	2,417,000
Major repairs and preservation of buildings and grounds	399,500
Total, St. Elizabeths Hospital	2,816,500
Social Security Administration:	
Bureau of Old-Age and Survivors Insurance:	
Salaries and expenses (trust fund limitation)	(62,750,000)
Construction, Bureau of Old-Age and Survivors Insurance (trust fund limitation)	(1,500,000)
Bureau of Public Assistance:	
Grants to States for public assistance	1,340,000,000
Salaries and expenses	1,550,000
Children's Bureau:	
Salaries and expenses	1,525,000
Grants to States for maternal and child welfare	30,000,000
Office of Commissioner, salaries and expenses:	
Appropriation	173,000
Transfer from OASI fund	(123,500)
Bureau of Federal Credit Unions: Operating fund	250,000
Total, Social Security Administration	1,373,498,000
Office of the Secretary:	
Salaries and expenses, Office of the Secretary:	
Appropriation	1,150,000
Transfer from OASI	(171,000)
Salaries and expenses, Office of Field Services:	
Appropriation	1,835,000
Transfer from OASI	(375,000)
Salaries and expenses, Office of the General Counsel:	
Appropriation	350,000
Transfers (OASI and Food and Drug)	(387,500)
Surplus property disposal	255,000
Total, Office of the Secretary	3,590,000
Total, title II, Department of Health, Education, and Welfare	1,738,339,261

TITLE III. NATIONAL LABOR RELATIONS BOARD

Salaries and expenses	9,125,000

Appropriations—Continued

TITLE IV. NATIONAL MEDIATION BOARD

Salaries and expenses	$429,000
Arbitration and emergency boards	138,000
National Railroad Adjustment Board, salaries and expenses	497,000
Total, title IV, National Mediation Board	1,064,000

TITLE V. RAILROAD RETIREMENT BOARD

Salaries and expenses (transfer from railroad retirement trust fund)	(6,207,000)

TITLE VI. FEDERAL MEDIATION AND CONCILIATION SERVICE

Salaries and expenses	3,200,000
Boards of inquiry	10,000
Total, title VI, Federal Mediation and Conciliation Service	3,210,000
Grand total, all titles	2,009,993,261

PUBLIC LAW 172—H. R. 4828, INTERIOR DEPARTMENT APPROPRIATIONS ACT

A. Appropriates $433,561,550 for the Department of the Interior for the fiscal year ending June 30, 1954. Continues antistrike provisions.

B. Items:

Appropriations

TITLE I. DEPARTMENT OF THE INTERIOR

Office of the Secretary:	
Connally Hot Oil Act, enforcement of	$150,000
Southeastern Power Administration:	
Construction	----------
Operation and maintenance	1,130,000
Southwestern Power Administration:	
Construction	----------
Operation and maintenance	1,600,000
Continuing fund (financed from power receipts)	(1,200,000)
Research in utilization of saline water	400,000
Total, Office of the Secretary	3,280,000
Commission of Fine Arts: Salaries and expenses	21,200
Bonneville Power Administration:	
Construction	38,866,000
Operation and maintenance	6,004,000
Total, Bonneville Power Administration	44,870,000
Bureau of Land Management:	
Management of lands and resources	11,483,000
Construction	2,000,000
Total, Bureau of Land Management	13,483,000
Bureau of Indian Affairs:	
Health, education, and welfare services	52,000,000
Resources management	13,253,760
Construction	15,869,000
General administrative expenses	3,000,000
Revolving funds for loans	----------
Total, Bureau of Indian Affairs, exclusive of tribal funds	84,122,760

Appropriations—Continued

Bureau of Indian Affairs—Con.	
Tribal funds (in addition to funds otherwise made available)	($3,040,000)
Bureau of Reclamation:	
General investigations	3,000,000
Construction and rehabilitation	116,269,660
Operation and maintenance	19,500,000
General administrative expenses	4,500,000
Emergency fund	400,000
Total, Bureau of Reclamation	143,669,660
Geological Survey: Surveys, investigations, and research	27,750,000
Bureau of Mines:	
Conservation and development of mineral resources	15,928,180
Health and safety	5,060,000
Construction	425,000
General administrative expenses	1,300,000
Total, Bureau of Mines	22,713,180
National Park Service:	
Management and protection	8,786,550
Maintenance and rehabilitation of physical facilities	8,300,000
Construction	13,916,300
Construction (liquidation of contract authorization)	1,500,000
General administrative expenses	1,268,000
Total, National Park Service	33,770,850
Fish and Wildlife Service:	
Management of resources	7,000,000
Investigations of resources	4,460,000
Construction	435,600
General administrative expenses	775,000
Total, Fish and Wildlife Service	12,670,600
Office of Territories:	
Administration of Territories	3,782,300
Trust Territory of the Pacific Islands	4,000,000
Alaska public works	12,000,000
Construction of roads, Alaska	14,600,000
Operation and maintenance of roads, Alaska	3,000,000
Construction, Alaska Railroad	4,215,000
Virgin Islands public works	1,100,000
Total, Office of Territories	42,697,300
Administration, Department of the Interior: Salaries and expenses	2,325,000
Total, title I, Department of the Interior	431,373,550
TITLE II. VIRGIN ISLANDS CORPORATION	
Revolving fund	1,028,000
Grants	1,080,000
Administrative expenses (corporate funds limitation)	(130,000)
Total, title II. Virgin Islands Corporation	2,108,000
TITLE III. FEDERAL COAL MINE SAFETY BOARD OF REVIEW	
Salaries and expenses	80,000
Grand total, titles I, II, and III	433,561,550

PUBLIC LAW 173—H. R. 5471, DISTRICT OF COLUMBIA APPROPRIATIONS ACT

A. Appropriates $147,740,693 for the District of Columbia for the fiscal year ending June 30, 1954. Continues antistrike provisions and provides for employment of experts. Prohibits the use of funds for the installation of meters in taxicabs.

B. Items:

GENERAL ADMINISTRATION

Appropriations

Executive Office	($418,161)
Department of General Administration	(2,775,000)
Ceremony expenses	(10,000)
Office of the Corporation Counsel	(360,000)
Total, general administration	(3,563,161)

COMPENSATION AND RETIREMENT FUND EXPENSES

Employees' compensation fund	(223,000)
Workingmen's compensation, administrative expenses	(175,000)
Retirement and relief funds	(8,823,000)
Total, compensation and retirement fund expenses	(9,221,000)
District debt service	(500,000)
Regulatory agencies	(1,230,000)

PUBLIC SCHOOLS

Operating expenses:	
General administration, supervision, and instruction	(19,730,000)
Vocation education, George-Barden program	(268,400)
Operation and maintenance of buildings, grounds, and equipment	(5,025,000)
Total, operating expenses	(25,023,400)
Capital outlay:	
Construction, sites, and equipment	(3,189,000)
Permanent improvement of school buildings	(124,000)
Total, capital outlay	(3,313,000)
Total, public schools	(28,336,400)

PUBLIC LIBRARY

Operating expenses	(1,535,000)
Capital outlay	(43,000)
Total, Public Library	(1,578,000)

RECREATION DEPARTMENT

Operating expenses	(1,589,650)
Capital outlay	(200,000)
Total, recreation department	(1,789,650)

METROPOLITAN POLICE

Salaries and expenses	(10,760,000)

FIRE DEPARTMENT

Salaries and expenses	(5,307,841)
Capital outlay	(240,000)
Total, Fire Department	(5,547,841)

VETERANS' SERVICES

Veterans' services	(90,000)

Appropriations—Continued

OFFICE OF CIVIL DEFENSE

Salaries and expenses	($90,000)

COURTS

District of Columbia courts	(1,200,000)
United States courts	(1,780,000)
Total, courts	(2,980,000)

HEALTH DEPARTMENT

General administration	(2,900,000)
Glenn Dale Tuberculosis Sanatorium:	
Operating expenses	(2,579,411)
Capital outlay	(20,000)
Gallinger Municipal Hospital:	
Operating expenses	(5,835,000)
Capital outlay	(75,700)
Medical charities	(770,000)
Freedmen's Hospital	(300,000)
Total, Health Department	(12,480,111)

DEPARTMENT OF CORRECTIONS

Operating expenses	(4,169,353)
Capital outlay	(135,000)
Total, Department of Corrections	(4,304,353)

PUBLIC WELFARE

General administration	(99,724)
Agency services	(4,610,000)
Protective institutions:	
Operating expenses	(3,465,000)
Capital outlay	(4,024,000)
St. Elizabeths Hospital	(9,480,000)
Total, public welfare	(21,678,724)

PUBLIC WORKS

Office of Municipal Architect	(112,769)
Office of Superintendent of District Buildings	(1,523,610)
Surveyor's office	(149,624)
Department of Inspections	(882,900)
Electrical Division:	
Operating expenses	(1,786,193)
Capital outlay	(220,000)
Central garage	(135,262)
Street and Bridge Divisions:	
Operating expenses	(2,775,000)
Capital outlay	(7,706,000)
Department of Vehicles and Traffic	(1,248,213)
Trees and Parking Division	(362,575)
Motor vehicle parking agency	(130,406)
Sanitation Division:	
Operating expenses	(4,574,933)
Capital outlay (liquidation of contract authorization)	(1,500,000)
Sewer Division:	
Operating expenses	(1,605,458)
Capital outlay	(5,675,000)
Water Division:	
Operating expenses	(2,485,000)
Capital outlay	(1,565,000)
Total, public works	(34,437,953)

WASHINGTON AQUEDUCT

Operating expenses	(2,000,000)
Capital outlay	(4,300,000)
Total Washington Aqueduct	(6,300,000)
National Guard	(115,000)
National Capital Parks	(2,078,500)

Appropriations—Continued

NATIONAL ZOOLOGICAL PARK

Operating expenses	($625,000)
Capital outlay	(35,000)
Total, National Zoological Park	(660,000)
Total, District of Columbia	(147,740,693)
Amount payable from U. S. Treasury	12,000,000

PUBLIC LAW 176—H. R. 4663, FIRST INDEPENDENT OFFICES APPROPRIATIONS ACT

A. Appropriates $447,364,499 for the Executive Office and sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1954. Continues antistrike provisions.

B. Items:

Appropriations

TITLE I. INDEPENDENT AGENCIES

Executive Offices of the President:	
Compensation of the President	$150,000
The White House Office	1,800,000
Emergency fund for the President (national defense)	300,000
Executive Mansion and grounds	356,184
Bureau of the Budget	3,412,000
Total, Executive Office of the President	6,018,184
INDEPENDENT OFFICES	
American Battle Monuments Commission:	
Salaries and expenses	750,000
Construction of memorials and cemeteries	8,500,000
Total, American Battle Monuments Commission	9,250,000
Civil Service Commission:	
Salaries and expenses	17,000,000
Annuities, Panama Canal construction employees and Lighthouse Service widows	2,500,000
Payment to civil-service retirement and disability fund for increase in annuities	31,397,000
Total, Civil Service Commission	50,897,000
Federal Communications Commission: Salaries and expenses	7,400,000
Federal Power Commission: Salaries and expenses	4,300,000
Federal Trade Commission: Salaries and expenses	4,053,800
General Accounting Office: Salaries and expenses	31,931,000
General Services Administration:	
Operating expenses, Public Building Service	98,826,070
Emergency operating expenses	20,000,000
Repair, improvement, and equipment of federally owned buildings outside the District of Columbia	14,000,000
Buildings management fund	3,000,000
Remodeling the Congress Street Post Office, Chicago, Ill	576,200
Operating expenses, Federal Supply Service	2,605,000

Appropriations—Continued

General Services Adm.—Con.	
Expenses, general supply fund	$13,924,500
Operating expenses, National Archives and Records Service	5,625,000
Administrative operations	4,200,000
Refunds under Renegotiation Act	9,000,000
Total, General Services Administration	171,756,770
Housing and Home Finance Agency:	
Office of the Administrator:	
Salaries and expenses	3,215,550
Capital grants for slum clearance and urban redevelopment	20,000,000
Total, Office of the Administrator	23,215,550
Public Housing Administration:	
Administrative expenses	6,950,000
Annual contributions	32,500,000
Total, Public Housing Administration	39,450,000
Total, Housing and Home Finance Agency	62,665,550
Indian Claims Commission: Salaries and expenses	117,020
Interstate Commerce Commission:	
General expenses	9,600,000
Railroad safety	974,500
Locomotive inspection	709,500
Total, Interstate Commerce Commission	11,284,000
Interstate Commission on the Potomac River Basin: Contribution to Interstate Commission on the Potomac River Basin	5,000
National Advisory Committee for Aeronautics:	
Salaries and expenses	51,000,000
Construction and equipment	7,239,000
Construction and equipment (liquidation of contract authorization)	4,200,000
Total, National Advisory Committee for Aeronautics	62,439,000
National Capital Housing Authority: Maintenance and operation of properties	43,000
National Capital Planning Commission:	
Salaries and expenses	125,000
Land acquisition	100,000
Total, National Capital Planning Commission	225,000
National Science Foundation: Salaries and expenses	8,000,000
Renegotiation Board: Salaries and expenses	5,192,800
Securities and Exchange Commission: Salaries and expenses	5,000,000
Smithsonian Institution:	
Salaries and expenses	3,000,000
National Gallery of Art, salaries and expenses	1,275,000
Total, Smithsonian Institution	4,275,000

Appropriations—Continued

Subversive Activities Control Board: Salaries and expenses	$200,000
Tariff Commission: Salaries and expenses	1,291,375
The Tax Court of the United States: Salaries and expenses	970,000
Total, title I, Executive Office of the President and independent offices	447,364,496
TITLE II. CORPORATIONS (Corporate funds limitations)	
Housing and Home Finance Agency:	
Federal National Mortgage Association	(3,250,000)
Housing loan programs	(525,625)
Home Loan Bank Board	(775,000)
Federal Savings and Loan Insurance Corporation	(455,000)
Federal Housing Administration	(5,322,800)
Public Housing Administration	(10,975,000)
Total	(21,303,425)
Total, First Independent Offices Appropriations Act, 1954	447,364,499

PUBLIC LAW 178—H. R. 5805, LEGISLATIVE-JUDICIARY APPROPRIATIONS ACT

A. Appropriates $96,187,351 for the legislative branch and judiciary branch for the fiscal year ending June 30, 1954. Requires Capitol Police appointees to meet standards prescribed by the Capitol Police Board. Continues antistrike provisions.

B. Items:

Appropriations

TITLE I. LEGISLATIVE BRANCH

Senate:	
Salaries, mileage and expenses of Senators and Vice President:	
Compensation of Senators	$1,200,000
Expense allowance of Senators	240,000
Mileage of President of Senate and Senators	51,000
Compensation of the Vice President	30,000
Expense allowance of Vice President	10,000
Total, salaries, mileage, and expenses of Senators and Vice President	1,531,000
Salaries, officers and employees:	
Office of the Vice President:	
Clerical assistance	55,410
Chaplain	2,946
Office of the Secretary	442,555
Committee employees	1,737,045
Conference committees:	
Majority, clerical salaries	33,310
Minority, clerical salaries	33,310
Administrative and clerical assistants to Senators	6,207,625
Office of Sergeant at Arms and Doorkeeper, salaries	1,250,520
Office of secretaries for the majority and minority, salaries	62,165
Total, salaries, officers and employees	9,824,886
Contingent expenses of the Senate:	
Legislative reorganization	100,000
Senate policy committees	129,340

Appropriations—Continued

Senate—Continued	
Contingent expenses of the Senate—Continued	
Joint Committee on the Economic Report	$133,275
Joint Committee on Atomic Energy	188,060
Joint Committee on Printing	47,585
Vice President's automobile	5,835
Automobile for the President pro tempore	5,835
Automobiles for majority and minority leaders	11,670
Reporting Senate proceedings	135,785
Furniture:	
For services in cleaning, etc	3,190
Materials, repairs, etc	19,000
Inquiries and investigations	1,224,120
Folding documents	27,000
Materials for folding	1,500
Fuel, etc	2,000
Senate Restaurants	65,000
Motor vehicles	9,560
Miscellaneous items	869,537
Packing boxes	3,000
Postage stamps	825
Airmail and special-delivery stamps	12,815
Stationery	126,400
Communications	4,550
Total, contingent expenses	3,135,882
Total, Senate	14,491,768
House of Representatives:	
Salaries, mileage and expenses of Members:	
Compensation of Members, Delegates and Resident Commissioner	5,492,500
Mileage and expense allowance	1,273,500
Total, salaries, mileage and expenses of Members	6,766,000
Salaries, officers and employees:	
Office of the Speaker	47,285
The Speaker's table	43,885
Office of the Chaplain	2,950
Committee employees	1,796,720
Office of the Clerk	684,265
Office of the Sergeant at at Arms	384,045
Office of the Doorkeeper	652,260
Special and minority employees (several items)	191,075
Office of the Postmaster	177,230
Official Reporters of Debates	124,435
Official reporters of committees	125,415
Appropriations Committee, studies and examinations	450,000
Clerk hire, Members and Delegates	9,653,565
Total salaries, officers and employees	14,333,130
Contingent expenses:	
Furniture	220,500
Miscellaneous items	745,000
Reporting hearings	125,000
Special and select committees	1,250,000
Joint Committee on Internal Revenue Taxation	192,000
Joint Committee on Immigration and Nationality Policy	20,000

Appropriations—Continued

House of Representatives—Con.	
Contingent expenses—Con.	
Office of the Coordinator of Information	$73,750
Telegraph and telephone	700,000
Stationery (revolving fund)	350,400
Attending physicians' office	8,985
Postage stamps	57,975
Folding documents	110,000
Revision of laws	13,700
Speaker's automobile	11,000
Automobile for the majority leader	5,835
Automobile for the minority leader	5,835
Total, contingent expenses	3,889,980
Total, House of Representatives	24,989,110
Capitol Police:	
General expenses	17,900
Capitol Police Board, additional protection	19,110
Total, Capitol Police	37,010
Office of the Legislative Counsel: Salaries and expenses	239,000
Joint Committee on Reduction of Nonessential Federal Expenditures	20,000
Education of House and Senate pages	43,900
Miscellaneous: Statement of appropriations	6,000
Architect of the Capitol:	
Office of the Architect of the Capitol, salaries	144,000
Capitol buildings and grounds:	
Capitol buildings	745,600
Terraces of Capitol Building	837,000
Capitol Grounds	250,000
Legislative garage	34,200
Subway transportation	3,500
Senate Office Building	779,600
House Office Building	972,000
Capitol Power Plant	1,330,600
Changes and improvements, power plant	1,000,000
Senate restaurants	4,250
Library buildings and grounds:	
Structural and mechanical care	450,000
Furniture and furnishings	50,000
Total, Architect of the Capitol	6,600,750
Botanic Garden: Salaries and expenses	221,000
Library of Congress:	
Salaries and expenses	4,810,272
Copyright Office, salaries and expenses	1,100,000
Legislative Reference Service, salaries and expenses	901,721
Distribution of catalog cards, salaries and expenses	1,264,800
Increase of the Library:	
General	270,000
Law Library	90,000
Books for Supreme Court	22,500
Books for the blind, salaries and expenses	1,000,000
Total, Library of Congress	9,459,293
Government Printing Office:	
Printing and binding	10,100,000
Revolving fund	1,000,000

Appropriations—Continued

Gov. Printing Office—Con.	
Office of Superintendent of Documents, salaries and expenses	$2,800,000
Total, Government Printing Office	13,900,000
Total, title I, Legislative Branch	70,007,831

TITLE II. THE JUDICIARY

Supreme Court of the United States:	
Salaries	1,021,800
Printing and binding Supreme Court records	91,200
Miscellaneous expenses	48,950
Care of the building and grounds	174,100
Total, Supreme Court	1,336,050
Court of Customs and Patent Appeals: Salaries and expenses	204,500
Customs Court: Salaries and expenses	488,000
Court of Claims:	
Salaries and expenses	618,000
Repairs and improvements	15,600
Total, Court of Claims	633,600
Courts of appeals, district courts, and other judicial services:	
Salaries of judges	5,240,000
Salaries of supporting personnel	12,369,970
Fees of jurors and commissioners	3,675,000
Travel and miscellaneous expenses	1,644,400
Administrative Office of the United States Courts	588,000
Salaries of referees (special account)	(1,058,750)
Expenses of referees (special account)	(1,236,150)
Total, other courts and services	23,517,370
Total, title II, the judiciary	26,179,520
Grand total, all titles	96,187,351

PUBLIC LAW 179—H. R. 5969, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT

A. Appropriates $34,371,541,000, of which $275,000 is allocated to Independent Agencies, $769,550,000 to the Department of Defense, $12,995,406,000 to the Department of the Army, $9,438,310,000, to the Department of the Navy, and $11,168,000,000 to the Department of the Air Force, for fiscal 1954. Directs the Secretary of Defense to give small business an opportunity to participate in the furnishing of commodities and services financed with funds appropriated hereunder. Prohibits, with certain exceptions, the purchase of nondomestic food, clothing, cotton, or wool. Contains antistrike provisions, allows the employment of aliens, and prescribes a maximum of $50 a day for payment to certain experts.

B. Items:

Appropriations

TITLE I. INDEPENDENT AGENCIES

National Security Council	$220,000
National Security Training Commission	55,000
Total, title I, independent agencies	275,000

Appropriations—Continued

TITLE II. DEPARTMENT OF DEFENSE

Office of the Secretary of Defense:	
Salaries and expenses	$12,800,000
Claims	6,000,000
Retired pay	365,000,000
Contingencies	75,000,000
Emergency fund	60,000,000
Office of Public Information	450,000
Court of Military Appeals	300,000
Reserve tools and facilities	250,000,000
Total, title II, Department of Defense	769,550,000

TITLE III. DEPARTMENT OF THE ARMY

Military personnel	4,708,859,000
Maintenance and operations	4,343,000,000
Procurement and production	3,224,633,000
Military construction, Army civilian components	9,094,000
Reserve personnel requirements	85,500,000
Army National Guard	210,035,000
Research and development	345,000,000
National Board for the Promotion of Rifle Practice	100,000
Alaska communication system: Operation and maintenance	11,185,000
Civilian relief in Korea	58,000,000
Total, title III, Department of the Army	12,995,406,000

TITLE IV. DEPARTMENT OF THE NAVY

Military personnel:	
Navy	2,541,000,000
Naval Reserve	63,300,000
Navy personnel, general expenses	83,000,000
Military personnel, Marine Corps	738,000,000
Military personnel, Marine Corps Reserve	13,800,000
Marine Corps, troops and facilities	195,000,000
Marine Corps procurement	151,127,000
Aircraft and facilities	943,000,000
Aircraft and related procurement	1,379,000,000
Ships and facilities	896,400,000
Construction of ships (1948–51 programs)	56,700,000
Liquidation of contract authorization	70,454,000
Shipbuilding and conversion (1952–54 programs)	720,000,000
Ordnance and facilities	804,000,000
Ordnance for new construction (liquidation of contract authorization)	10,000,000
Medical care	83,429,000
Civil engineering	115,000,000
Military construction, Navy civilian components	30,000,000
Research	58,600,000
Servicewide supply and finance	382,500,000
Servicewide operations	104,000,000
Naval petroleum reserves	
Total, title IV, Department of the Navy	9,433,310,000

TITLE V. DEPARTMENT OF THE AIR FORCE

Aircraft and related procurement	3,495,000,000
Major procurement other than aircraft	600,000,000
Maintenance and operations	3,155,000,000
Military personnel requirements	3,285,000,000
Research and development	440,000,000
Reserve personnel requirements	14,900,000
Air National Guard	$147,100,000
Contingencies	31,000,000
Total, title V, Department of the Air Force	11,168,000,000
Total, all titles, regular annual appropriations	34,371,541,000

PUBLIC LAW 195.—H. R. 4974, DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE APPROPRIATIONS ACT

A. Appropriates $1,086,645,601 for the Departments of State, Justice, and Commerce for the fiscal year ending June 30, 1954. Declares it to be the sense of Congress that the Communist Chinese government should not be admitted to membership in the United Nations as the representative of China. Provides for employment of experts. Continues antistrike provisions.

B. Items:

Appropriations

TITLE I. DEPARTMENT OF STATE

Salaries and expenses	$50,000,000
Representation allowances	500,000
Foreign Service retirement and disability fund (interest)	
Emergencies in the diplomatic and consular service	1,000,000
Contributions to international organizations	29,614,787
Payment to the Republic of Panama	430,000
Missions to international organizations	1,100,000
International contingencies	1,000,000
International Boundary and Water Commission, United States and Mexico:	
Salaries and expenses	500,000
Construction	6,600,000
Operation and maintenance	900,000
American sections, international commissions	543,889
Total, title I, Department of State	92,188,676

TITLE II. DEPARTMENT OF JUSTICE

Legal activities and general administration:	
General administration, salaries and expenses	2,495,000
General legal activities, salaries and expenses	10,160,000
Antitrust Division, salaries and expenses	3,500,000
United States attorneys and marshals, salaries and expenses	14,000,000
Fees and expenses of witnesses	1,200,000
Claims of persons of Japanese ancestry, salaries and expenses	225,000
Total, legal activities and general administration	31,580,000
Federal Bureau of Investigation: Salaries and expenses	77,000,000
Immigration and Naturalization Service: Salaries and expenses	42,250,000
Federal prison system:	
Bureau of Prisons, salaries and expenses	25,385,000
Buildings and facilities	190,000
Support of United States prisoners	2,475,000
Total, Federal prison system	28,050,000
Office of Alien Property: Salaries and expenses (trust funds)	($2,500,000)
Total, title II, Department of Justice	178,880,000

TITLE III. DEPARTMENT OF COMMERCE

Office of the Secretary:	
Salaries and expenses	1,750,000
Technical and scientific services	200,000
Total, Office of the Secretary	1,950,000
Bureau of the Census:	
Salaries and expenses	6,770,000
Census of business, manufactures and agriculture	1,500,000
Census of business, transportation, manufactures, and mineral industries	
Census of agriculture	
Total, Bureau of the Census	8,270,000
Civil Aeronautics Administration:	
Salaries and expenses	105,000,000
Air navigation facilities, establishment of	7,000,000
Technical development and evaluation	750,000
Washington National Airport:	
Maintenance and operation	1,350,000
Construction	400,000
Federal-aid airport program (liquidation of contract authorization)	22,700,000
Alaska airports, maintenance and operation	500,000
Air navigation development	1,085,000
Total, Civil Aeronautics Administration	138,785,000
Civil Aeronautics Board: Salaries and expenses	3,750,000
Coast and Geodetic Survey:	
Salaries and expenses	12,000,000
Construction and equipment of geomagnetic station	750,000
Total, Coast and Geodetic Survey	12,750,000
Bureau of Foreign and Domestic Commerce:	
Departmental salaries and expenses	2,650,000
Field office service	1,650,000
Total, Bureau of Foreign and Domestic Commerce	4,300,000
Maritime activities:	
Ship construction (liquidation of contract authorization)	59,000,000
Operating differential subsidies	20,000,000
Salaries and expenses	15,500,000
Maritime training	3,480,000
State marine schools	890,000
Total, maritime activities	98,870,000
Patent Office: Salaries and expenses	12,000,000
Bureau of Public Roads:	
Federal-aid highways	475,000,000
Forest highways	15,000,000
Inter-American Highway	1,000,000

Appropriations—Continued

Bureau of Public Roads—Continued	
Access roads (act of Sept. 7, 1950)	$5,500,000
Public lands highways (liquidation of contract authorization)	1,750,000
Elimination of grade crossings (liquidation of contact authorization)	2,211,925
Rama Road, Nicaragua	1,000,000
Total, Bureau of Public Roads	501,461,925
National Bureau of Standards:	
Operation and administration	1,000,000
Research and testing	3,000,000
Radio propagation and standards	2,000,000
Construction of laboratories	440,000
Total, National Bureau of Standards	6,440,000
Weather Bureau: Salaries and expenses	27,000,000
Total title III, Department of Commerce	815,576,925

TITLE IV. CORPORATIONS

Federal Prison Industries, Incorporated:	
Administrative expenses (corporate funds limitation)	(377,000)
Vocational training of prisoners (corporate funds limitation)	(438,000)
Inland Waterways Corporation: Administrative expenses (corporate funds limitation)	($480,000)
Total, title IV, corporate funds limitations	(1,295,000)
Grand total appropriations, all titles, Departments of State, Justice, and Commerce	1,086,645,601

PUBLIC LAW 207—H. R. 6200, SUPPLEMENTAL APPROPRIATIONS ACT, 1954

A. Appropriates $615,989,964 to supply supplemental appropriations for the fiscal year ending June 30, 1954.

B. Items:

Appropriations

CHAPTER I. DISTRICT OF COLUMBIA

(Out of revenues of the District of Columbia)

Public Welfare: St. Elizabeths Hospital, 1952	($51,457)
Settlement of claims and suits, 1953	(24,234)
Audited claims, 1951 and prior	(55,801)
Total, chapter I	(131,492)

CHAPTER II. LEGISLATIVE BRANCH

Senate:	
Beneficiaries of deceased Senators	37,500
Contingent expenses of the Senate, 1953	50,000
Total, Senate	87,500
House of Representatives: Beneficiary of deceased Members	25,000

Appropriations—Continued

House of Representatives—Con.	
Contingent expenses of the House: Stationery (revolving fund)	$800
Total, House of Representatives	25,800
Interparliamentary Union for 1953	150,000
Total, chapter II	263,300

CHAPTER III. DEPARTMENT OF STATE

International information and educational activities	75,000,000
Acquisition and construction of radio facilities	----------
International Claims Commission	220,000
Total, Department of State	75,220,000

DEPARTMENT OF JUSTICE

Legal activities and general administration: Salaries and expenses, claims of persons of Japanese ancestry:	
1952	4,172,696
1953	3,900,000
Immigration and Naturalization Service: Salaries and expenses, 1946 and prior	14,546
Federal Prison System: Support of United States prisoners, 1951	11,000
Total, Department of Justice	8,098,242

DEPARTMENT OF COMMERCE

Bureau of Foreign and Domestic Commerce: Export control	4,000,000
Maritime Activities: Operating differential subsidies	35,000,000
Total, Department of Commerce	39,000,000
Total, chapter III	122,318,242

CHAPTER IV. TREASURY DEPARTMENT

Bureau of Internal Revenue: Additional income tax on railroads in Alaska, 1953	1,088
U. S. Secret Service: White House Police, salaries and expenses	100,000
Total, Treasury Department	101,088
Government corporations:	
Export-Import Bank of Washington (corporate funds limitation)	(1,116,000)
Reconstruction Finance Corporation (corporate funds limitation)	(9,500,000)
Total, chapter IV	101,088

CHAPTER IV–A

Department of Labor, Bureau of Employment Security: Salaries and expenses, Mexican farm labor program	----------
Department of Health, Education, and Welfare, Office of Education:	
Salaries and expenses	100,000
Assistance for school construction	70,000,000
Total, Department of Health, Education, and Welfare	70,100,000
Total, chapter IV–A	70,100,000

Appropriations—Continued

CHAPTER V. DEPARTMENT OF AGRICULTURE

Production and Marketing Administration: Agricultural adjustment programs	$5,000,000

CHAPTER VI. DEPARTMENT OF INTERIOR

National Park Service: Management and protection	83,000
Office of Territories:	
Administration of Territories	239,000
Trust Territory of the Pacific Islands	300,000
Total, chapter VI	622,000

CHAPTER VII. EXECUTIVE OFFICE OF THE PRESIDENT

Funds appropriated to the President: Expenses of management improvement	500,000
Council of Economic Advisers	275,000
Committee on Retirement Policy for Federal Personnel	225,000
Relief and rehabilitation in Korea	----------
Emergency migration	3,000,000
Total, Executive Office of the President	4,000,000
Independent offices:	
Civil Service Commission: Investigations of United States citizens for employment by international organizations	1,200,000
Commission on Foreign Economic Policy, salaries and expenses	300,000
Commission on Intergovernmental Relations, salaries and expenses	500,000
Commission on Organization of the Executive Branch of the Government, salaries and expenses	500,000
Small Business Administration:	
Salaries and expenses	2,200,000
Revolving fund	55,000,000
Subversive Activities Control Board: Salaries and expenses	150,000
Total, chapter VII	63,850,000

CHAPTER VIII. MILITARY CONSTRUCTION

Department of Defense:	
Department of the Navy	----------
Department of the Air Force: Acquisition and construction of real property	240,776,000
Total, chapter VIII	240,776,000

CHAPTER IX. DEPARTMENT OF DEFENSE

Department of the Army, civil functions: Niagara remedial works	1,500,000

CHAPTER X. OCCUPATION PROGRAMS

Department of the Army, civil functions: Government and relief in occupied areas	3,100,000
Department of State: Government in occupied areas	40,438,000
Total, chapter X	43,538,000

CHAPTER XI. EMERGENCY AGENCIES

Executive Office of the President: Office of Defense Mobilization, salaries and expenses	2,750,000

Appropriations—Continued

Independent offices:	
Defense transport activities, salaries and expenses	$425,000
Economic Stabilization Agency, salaries and expenses	1,200,000
General Services Administration: Emergency operating expenses	200,000
Department of Commerce: Office of the Secretary, salaries and expenses, defense production activities	4,200,000
Department of the Interior: Office of the Secretary, salaries and expenses, defense production activities	500,000
Federal Civil Defense Administration:	
Operations	8,525,000
Federal contributions	10,500,000
Emergency supplies and equipment	27,500,000
Total, Federal Civil Defense Administration	46,525,000
Total, chapter XI	55,800,000
CHAPTER XII. CLAIMS, AUDITED CLAIMS AND JUDGMENTS	
Claims and judgments	12,121,334
Grand total	615,989,964

PUBLIC LAW 218—H. R. 6391, MUTUAL SECURITY APPROPRIATIONS ACT

A. Appropriates $4,531,507,000 for mutual security for the fiscal year ending June 30, 1954. Requires payments to any 1 engineering firm on any 1 project in excess of $25,000 be reported to the Committees on Appropriations at least twice annually. Prohibits the use of funds appropriated hereunder for payments on any debt of any foreign government or on any loan made to such government by any other foreign government; prescribes condition of payments to European Payments Union. Directs that at least 50 percent of domestic commodities procured hereunder be transported on domestic-flag vessels to the extent such vessels are available at market rates. Continues antistrike provisions.

B. Items:

Appropriations

MUTUAL SECURITY

Military assistance, Europe	$1,860,000,000
Military assistance, Near East and Africa	270,000,000
Military and other assistance, Asia and the Pacific	1,035,000,000
Military assistance, American Republics	15,000,000
Mutual defense financing, Europe	220,000,000
Mutual defense financing, Formosa and Indochina	84,000,000
Mutual defense financing, manufacturing in France	85,000,000
Mutual defense financing, manufacturing in United Kingdom	85,000,000
Mutual defense financing, for equipment, etc., in Indochina	400,000,000
Mutual special weapons planning	50,000,000
Economic and technical assistance, Near East and Africa	33,792,500
Economic and technical assistance, defense support, Asia and the Pacific	51,278,001
Technical assistance, American Republics	22,342,000
Basic materials development	19,000,000
Special economic assistance, Near East and Africa	147,000,000
Special economic assistance, India and Pakistan	$75,000,000
Movement of migrants	7,500,000
Multilateral technical cooperation	9,500,000
International children's welfare work	9,814,333
Ocean freight, voluntary relief shipments	1,580,166
Contributions to United Nations Korean Reconstruction Agency	50,700,000
Total, Mutual Security	4,531,507,000

MILITARY FAMILY HOUSING

Mr. JOHNSON of California, from the committee of conference, submitted a conference report on the bill (H. R. 9924) to provide for family quarters for personnel of the military departments of the Department of Defense and their dependents, and for other purposes.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the RECORD, or to revise and extend remarks, was granted to:

Mr. HUNTER in two instances.

Mr. BERRY and to include his letter covering the new tax bill.

Mr. GRANAHAN.

Mr. KNOX.

Mr. HILL to extend his remarks and include a report on how the drought program is being handled by the Agriculture Department.

Mr. POFF.

Mr. WOLVERTON in two instances and to include extraneous matter.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. CLARDY (at the request of Mr. CEDERBERG), for Tuesday, August 17, 1954 and Wednesday, August 18, 1954, on account of official business.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 239. An act for the relief of Mr. and Mrs. Frank Goto; to the Committee on the Judiciary.

S. 684. An act for the relief of Ernest B. Sanders; to the Committee on the Judiciary.

S. 1042. An act to abolish the Commission for the Enlarging of the Capitol Ground; to the Committee on Public Works.

S. 1342. An act for the relief of Irfan Kawar, to the Committee on the Judiciary.

S. 1343. An act for the relief of George Harb; to the Committee on the Judiciary.

S. 1345. An act for the relief of certain Palestinian Arab refugees; to the Committee on the Judiciary.

S. 1504. An act for the relief of the estate of Rev. Pang Wha Il; to the Committee on the Judiciary.

S. 1892. An act for the relief of Hildegarde Hiller; to the Committee on the Judiciary.

S. 2115. An act for the relief of Gertraut Hildegarde Marie Hubinger and Franz Hubinger; to the Committee on the Judiciary.

S. 2203. An act for the relief of Andraous Jad Suidan and Leonora Yenovkian; to the Committee on the Judiciary.

S. 2692. An act for the relief of Hedwig Marie Zaunmuller; to the Committee on the Judiciary.

S. 2694. An act for the relief of Francis Bertram Brennan; to the Committee on the Judiciary.

S. 3108. An act to modify the act of October 8, 1940 (54 Stat. 1020) and the act of July 24, 1947 (61 Stat. 418), with respect to the recoupment of certain public school construction costs in Minnesota; to the Committee on Interior and Insular Affairs.

S. 3238. An act for the relief of Johanna Schmid; to the Committee on the Judiciary.

S. 3362. An act for the relief of Oskar Aszmoneit; to the Committee on the Judiciary.

S. 3400. An act to authorize the issuance of commemorative medals to certain societies of which Benjamin Franklin was a member in observance of the 250th anniversary of his birth; to the Committee on Banking and Currency.

ENROLLED BILLS SIGNED

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 8753. An act to amend the Federal Property and Administrative Services Act of 1949, as amended, to authorize the Administrator of General Services to establish and operate motor-vehicle pools and systems and to provide office furniture and furnishings when agencies are moved to new locations, to direct the Administrator to report the unauthorized use of Government motor vehicles, and to authorize the United States Civil Service Commission to regulate operators of Government-owned motor vehicles, and for other purposes; and

H. R. 9962. An act to increase by 5 percent the rates of pension payable to veterans and their dependents.

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 3873. An act to provide survivor benefits for widows of the Chief Justice and the Associate Justices of the Supreme Court of the United States.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills and joint resolutions of the House of the following titles:

H. R. 669. An act for the relief of George D. Kyminas;

H. R. 787. An act for the relief of Israel Ratsprecher and Maryse Ratsprecher;

H. R. 803. An act for the relief of Christakis Modinos;

H. 804. An act for the relief of Enrichetta F. C. Meda-Novara;

H. R. 818. An act for the relief of Mrs. Emma Martha Staack;

H. R. 868. An act for the relief of Ciriaco Catino;

H. R. 905. An act for the relief of Franciszek Wolczek;

H. R. 950. An act for the relief of Panoula Panagopoulos;

H. R. 970. An act for the relief of George Economos;

H. R. 977. An act for the relief of Mrs. Aimee Dutour Rovzar;

H. R. 1171. An act for the relief of Mrs. Wai-Jan Low Fong;

H. R. 1324. An act for the relief of Georgina Chinn;

H. R. 1463. An act for the relief of Ilona Elizabeth Carrier;

H. R. 1646. An act for the relief of Arthur Neustadt and Mrs. Emma Neustadt;

H. R. 1697. An act for the relief of Mrs. Katharina Batke;

H. R. 1843. An act to increase the retired pay of certain members of the former Lighthouse Service;

H. R. 1897. An act for the relief of Mrs. Betty E. LeMay;

H. R. 1974. An act to amend the third paragraph of section 4, chapter 1, title I, of the act entitled "An act making further provision for a civil government for Alaska, and for other purposes," approved June 6, 1900 (31 Stat. 322; 48 U. S. C., sec. 101), as amended;

H. R. 1976. An act to amend title 28, United States Code, to permit the registration of judgments in or from the District Court for the Territory of Alaska;

H. R. 2051. An act for the relief of Ivo Markulin;

H. R. 2224. An act to amend the Army-Navy Medical Services Corps Act of 1947 (61 Stat. 734), as amended, so as to authorize the appointment of a Chief of the Medical Service Corps of the Navy, and for other purposes;

H. R. 2358. An act for the relief of Dr. Vahram Uluhogian;

H. R. 2359. An act for the relief of Joseph Veich, also known as Guiseppe Veic;

H. R. 2635. An act for the relief of Olga Abitia;

H. R. 2654. An act for the relief of Sisters Linda Salerno, Luigiana C. Cairo, Antonietta Impieri, Anna Impieri, Rosina Scariato, Iolanda Gaglianone, Maria Assunta Scaramuzzo, Franceschina Cauterucci, and Filomena Lupinacci;

H. R. 2793. An act for the relief of Miyoko Nagare;

H. R. 2843. An act to authorize the Secretary of the Interior to investigate and report to the Congress on the conservation, development, and utilization of the irrigation and reclamation resources of the Waimanalo, Oahu; Waimea, Island of Hawaii, and Molokai projects, Territory of Hawaii;

H. R. 2874. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of Mary K. Reynolds, as successor in interest to the Colonial Realty Co.;

H. R. 2879. An act to stay deportation proceedings on Juan Onativia;

H. R. 2901. An act for the relief of Tokuko Kobayashi, and her minor son;

H. R. 3116. An act for the relief of Dimitra Makhavitzki;

H. R. 3125. An act for the relief of Alexander Hahn and Suzanne Hahn;

H. R. 3144. An act for the relief of Elias Y. Richa;

H. R. 3238. An act for the relief of Danica Maria Vavrova;

H. R. 3344. An act for the relief of Carmen Salvador and her daughter, Ruby Salvador;

H. R. 3419. An act to authorize a $50 per capita payment to members of the Red Lake band of Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation;

H. R. 3444. An act for the relief of Toki Yaeko;

H. R. 3616. An act for the relief of Nicoletta Di Donato;

H. R. 3677. An act for the relief of Sister Paolina (Angela Di Franco);

H. R. 3759. An act for the relief of Babette Mueller Esposito;

H. R. 3855. An act for the relief of Sister Agrippina (Agrippina Palermo), Sister Battistina (Franceschina Serpa), Sister Romana (Angela Iolanda Morelli), Sister Franceschina (Maria Caruso), and Sister Bruna (Giuseppina De Caro);

H. R. 4092. An act for the relief of Mira Tellini Napoleone;

H. R. 4213. An act to authorize works for development and furnishing of water supplies for waterfowl management, Central Valley project, California, and for other purposes;

H. R. 4330. An act for the relief of Dr. Orlando Artuso and family;

H. R. 4371. An act for the relief of June Ann Sakurai;

H. R. 4620. An act for the relief of Natale Joseph John Ratti;

H. R. 4690. An act to provide for the erection of appropriate markers in national cemeteries to honor the memory of members of the Armed Forces missing in action;

H. R. 4721. An act to provide that the excess-land provisions of the Federal reclamation laws shall not apply to lands in the Owl Creek unit of the Missouri Basin project;

H. R. 4740. An act for the relief of Kaoru Yoshioka;

H. R. 4881. An act to amend the Canal Zone Code in reference to the survival of things in action;

H. R. 4959. An act for the relief of Muhittin Schuer;

H. R. 4998. An act for the relief of Paul Frkovich;

H. R. 5072. An act for the relief of Carmen D'Ottavio, also known as Cameron D'Ottavio;

H. R. 5077. An act for the relief of Sophia Nassopoulos;

H. R. 5314. An act to extend the coverage of the Servicemen's Indemnity Act to members of the Reserve Officers' Training Corps when ordered to active training duty for periods in excess of 14 days;

H. R. 5340. An act for the relief of Tibor, Szuzsa (Susanne), and Judith Sauer;

H. R. 5354. An act for the relief of Liborio Guido Rutillo;

H. R. 5443. An act for the relief of Eva Lowinger;

H. R. 5639. An act for the relief of Edeltraud Kamberg Douglass;

H. R. 5816. An act for the relief of Mrs. Caridad Rosa Avila Leyva de Ernest;

H. R. 5822. An act for the relief of Evanthia Demetrios Makrozonari;

H. R. 5832. An act to authorize the commissioner of public lands of the Territory of Hawaii to sell public lands to certain lessees, permittees, and others;

H. R. 5944. An act for the relief of Alberto Ugo Landry;

H. R. 5997. An act to enable the Legislature of the Territory of Hawaii to authorize the issuance of general-obligation bonds, the proceeds thereof to be used for veterans' mortgages;

H. R. 6026. An act for the relief of Gertrude O. Heinz;

H. R. 6113. An act to amend title 18 of the United States Code, so as to increase the penalties applicable to the smuggling of goods into the United States;

H. R. 6127. An act to amend the act entitled "An act to create a Board for the Condemnation of Insanitary Buildings in the District of Columbia, and for other purposes," approved May 1, 1906, as amended, and for other purposes;

H. R. 6223. An act to amend section 87 of the National Defense Act of June 3, 1916, as amended (32 U. S. C. 47), to relieve the States from accountability and pecuniary liability for property lost, damaged, or destroyed except in cases where it shall appear that the loss, damage, or destruction of the property was due to carelessness or negligence or could have been avoided by the exercise of reasonable care;

H. R. 6253. An act to amend Public Law 410, 78th Congress, with regard to compensation for overtime, Sunday, and holiday work of employees of the United States Public Health Service, Foreign Quarantine Division;

H. R. 6280. An act to extend temporarily the rights of priority of nationals of Japan and certain nationals of Germany with respect to application for patents;

H. R. 6367. An act for the relief of Nobu Nogava Nitta;

H. R. 6393. An act granting the consent and approval of Congress to an interstate forest fire protection compact;

H. R. 6414. An act for the relief of Barbara Pator Allen;

H. R. 6553. An act for the relief of Esterina Pella Bellucci;

H. R. 6658. An act to provide for the conveyance of certain lands by the United States to the county of Cumberland, State of North Carolina, without remuneration;

H. R. 6855. An act for the relief of Mrs. Elisabeth Metzing Rink;

H. R. 6885. An act to amend section 1 of Joint Resolution 12 enacted by the 25th Legislature of the Territory of Hawaii, in the regular session of 1949, and approved by the 81st Congress of the United States of America at the second session (Public Law 746, ch. 833);

H. R. 6886. An act to ratify and confirm sections 5 and 6 of Act 254 and Act 280 of the Session Laws of Hawaii, 1953, and to authorize the issuance of certain public improvement bonds by the Territory of Hawaii;

H. R. 6982. An act for the relief of Maria Elizabeth Sanchez Y. Moreno;

H. R. 6955. An act for the relief of Margers Nulle-Siecenieks;

H. R. 6987. An act for the relief of Gene C. Szutu and Florence C. Szutu;

H. R. 7041. An act for the relief of Waltruade Elsa Solleder;

H. R. 7051. An act for the relief of Mary George Solomon;

H. R. 7088. An act for the relief of Antonio Cazzato;

H. R. 7131. An act to repeal a limitation on pay of certain officers of the Navy;

H. R. 7138. An act for the relief of Rosa Marie Adelheid Herok;

H. R. 7140. An act for the relief of Robert A. Duval;

H. R. 7145. An act for the relief of Anneliese Catalino;

H. R. 7150. An act for the relief of Thora June Grumbles;

H. R. 7152. An act for the relief of Jozef Van den broeck;

H. R. 7221. An act for the relief of Anders Taranger;

H. R. 7251. An act to authorize the Secretary of the Interior to transfer to Vernon F. Parry, the right, title, and interest of the United States, in foreign countries, in and to a certain invention;

H. R. 7334. An act to authorize certain property transactions in Cocoli, C. Z., and for other purposes;

H. R. 7398. An act to repeal the requirement of section 3921 of the Revised Statutes that postmasters report to the Postmaster General failure to cancel postage stamps;

H. R. 7399. An act to authorize the sale of postage-due stamps for philatelic purposes;

H. R. 7411. An act for the relief of Mrs. Esterlee Hutzler Weinhoeppel;

H. R. 7451. An act for the relief of Erika Jette Lavery;

H. R. 7460. An act to pay Warren P. Hoover for services rendered the Army of the United States;

H. R. 7486. An act to amend section 1071 of title 18, United States Code, relating to the concealing of persons from arrest, so as to increase the penalties therein provided;

H. R. 7494. An act for the relief of Elizabeth Forster Austin;

H. R. 7508. An act for the relief of James Dore, Jr.;

H. R. 7517. An act to enable the Legislature of the Territory of Hawaii to authorize the city and county of Honolulu, a municipal corporation, to issue public improvement bonds;

H. R. 7518. An act to enable the Legislature of the Territory of Hawaii to authorize the city and county of Honolulu, a municipal corporation, to issue public improvement bonds;

H. R. 7568. An act to authorize and direct the Farm Loan Board of Hawaii to convey certain land and to ratify and confirm certain acts of said Farm Loan Board;

H. R. 7569. An act to authorize the removal of a restrictive covenant on land patent No. 9628, issued to the board of the Hawaiian Evangelical Association on January 18, 1929, and covering lots 5 and 6 of Waimea town lots, situated in the county of Kauai, T. H.;

H. R. 7584. An act for the relief of Angele Marie Boyer (nee Pieniazeck);

H. R. 7593. An act for the relief of Theresia Probst Uhl;

H. R. 7606. An act for the relief of Michael Henry La Fleur;

H. R. 7612. An act for the relief of Enrico Intravaia;

H. R. 7628. An act for the relief of Mrs. Adriana M. Truyers Aretz;

H. R. 7629. An act for the relief of Mrs. Ruth Gruschka Krug;

H. R. 7635. An act for the relief of Martti Ilmari Timonen, Maj-Lis Timonen, and Marja Timonen;

H. R. 7761. An act for the relief of John Lewis Pyles, Jr.;

H. R. 7807. An act for the relief of Heinz Gerhard Rolappe;

H. R. 7924. An act for the relief of Giuseppi Clementi;

H. R. 7925. An act for the relief of Mrs. Dina Mianulli (nee Kratzer);

H. R. 7945. An act for the relief of Bart Blaak (formerly Johannes J. M. Gijsbers);

H. R. 7987. An act for the relief of Roger Feghali;

H. R. 8006. An act to authorize the Secretary of the Interior to issue patents for certain lands in Wisconsin bordering upon inland lakes or rivers;

H. R. 8034. An act for the incorporation of the Sons of Union Veterans of the Civil War;

H. R. 8038. An act to authorize the conveyance to the Hot Springs School District and to Garland County, Ark., for school and for other public purposes, of certain land originally donated to the United States and situated in Hot Springs National Park, Ark., and for other purposes;

H. R. 8041. An act to provide benefits under the laws administered by the Veterans' Administration based upon service in the Women's Army Auxiliary Corps under certain conditions;

H. R. 8066. An act for the relief of Mrs. Gertrud Eckerl Strickland;

H. R. 8115. An act for the relief of Tannous Estephan;

H. R. 8146. An act for the relief of Palmina Smarrelli (nee Lattanzio);

H. R. 8155. An act to continue until the close of June 30, 1955, the suspension of duties and import taxes on metal scrap, and for other purposes;

H. R. 8180. An act to increase the amount of Federal aid to State or Territorial homes for the support of disabled soldiers, sailors, and airmen of the United States;

H. R. 8239. An act for the relief of Fung Ping Wah (also known as Reginald Ping Wah Fung) and his wife, Fung Wai-Yin Li (also known as Doris Fung);

H. R. 8334. An act for the relief of Helmut Cermak and Hana Cermak;

H. R. 8365. An act to confirm the authority of the Secretary of the Interior to issue patents in fee to allotments of lands of the Mission Indians in the State of California prior to the expiration of the trust period specified in the act of January 12, 1891, as amended;

H. R. 8384. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Talent division of the Rogue River Basin reclamation project, Oregon;

H. R. 8385. An act to amend section 2382 of the Revised Statutes, in order to make the size of townlots conform in size to local standards;

H. R. 8501. An act to provide for the conveyance of certain land in Sumter County, Ga., to the Americus and Sumter County Chamber of Commerce;

H. R. 8520. An act to provide for the inclusion of the Ainsworth, Lavaca Flats, Mirage Flats extension, and O'Neill irrigation developments in the Missouri River Basin project;

H. R. 8570. An act to authorize the Secretary of the Navy to dispose of certain uncompleted naval vessels, and for other purposes;

H. R. 8634. An act to amend section 22 of the Organic Act of Guam;

H. R. 8658. An act to amend title 18, United States Code, to provide for the punishment of persons who jump bail;

H. R. 8736. An act to authorize the issuance of a land patent to certain public lands, situate in the county of Kauai, T. H., for school purposes;

H. R. 8821. An act to authorize the exchange of lands acquired by the United States for the Catoctin recreational demonstration area, Frederick County, Md., for the purpose of consolidating Federal holdings therein;

H. R. 8897. An act to authorize and direct the Secretary of the Interior to transfer 40 acres of land in the Northern Cheyenne Indian Reservation, Mont., to School District No. 6, Rosebud County, Mont.;

H. R. 8921. An act to establish the rate of compensation for the position of the General Counsel of the Department of Commerce;

H. R. 9000. An act to integrate the Judge Advocate's promotion list with that of the Army to restore lost seniority and grade, and for other purposes;

H. R. 9020. An act to provide increases in the monthly rates of compensation payable to certain veterans and their dependents;

H. R. 9194. An act to provide for the conveyance of certain land owned by the Federal Government near Vicksburg, Miss., to Vicksburg, Miss.;

H. R. 9236. An act to amend the Federal Credit Union Act, as amended;

H. R. 9302. An act to permit retired members of the uniformed services to revoke elections made under the Uniformed Services Contingency Option Act of 1953 in certain cases where the elections were made because of mathematical errors or misinformation;

H. R. 9336. An act for the relief of Marianne Geymeier;

H. R. 9390. An act to extend certain civilian-internee and prisoner-of-war benefits under the War Claims Act of 1948, as amended, to civilian internees and American prisoners of war captured and held during the hostilities in Korea;

H. R. 9406. An act to provide for the conveyance of certain real property to the town of Beaufort, N. C.;

H. R. 9582. An act to provide for the disposition of surplus personal property to the Territorial government of Alaska;

H. R. 9584. An act to protect the rights of vessels of the United States on the high seas and in territorial waters of foreign countries;

H. R. 9630. An act to authorize the Secretary of the Interior to execute an amendatory contract with the Black Canyon Irrigation District, Idaho, and for other purposes;

H. R. 9671. An act for the relief of Dr. Liang Nun Wang and his wife and child, Fa-chi Ling Wang and Eileen Wang.

H. R. 9678. An act to promote the security and foreign policy of the United States by furnishing assistance to friendly nations, and for other purposes;

H. R. 9814. An act for the relief of Alfio Capizzi;

H. R. 9821. An act to amend titles 18 and 28 of the United States Code;

H. R. 9882. An act to incorporate the Foundation of the Federal Bar Association;

H. R. 9888. An act to amend the laws granting education and training benefits to certain veterans to extend the period during which such benefits may be offered;

H. R. 9889. An act to authorize the Secretary of the Interior to execute an amendatory contract with American Falls Reservoir District No. 2, Idaho, and for other purposes;

H. J. Res. 257. Joint resolution authorizing the President to invite the States of the Union and foreign countries to participate in the First International Instrument Congress and Exposition to be held in Philadelphia, Pa., from September 18 to September 25, 1954;

H. J. Res. 356. Joint resolution authorizing the erection of a memorial gift from the people of the Netherlands;

H. J. Res. 560. Joint resolution to authorize the Commissioners of the District of Columbia to promulgate special regulations for the period of the American Legion National Convention of 1954, to authorize the granting of certain permits to the American Legion 1954 Convention Corp. on the occasion of such convention and for other purposes;

H. J. Res. 561. Joint resolution to authorize the quartering in public buildings in the District of Columbia of troops participating in activities related to the American Legion National Convention of 1954; and

H. J. Res. 359. Joint resolution designating the period from October 11 to October 16, inclusive, 1954, as National Nurse Week.

On August 17:

H. R. 9962. An act to increase by 5 percent the rates of pension payable to veterans and their dependents; and

H. R. 9996. An act for the relief of Susan Ellen Hainey.

THE LATE HONORABLE PAUL W. SHAFER, REPRESENTATIVE FROM THE STATE OF MICHIGAN

The SPEAKER. The Chair recognizes the gentleman from Michigan [Mr. WOLCOTT].

Mr. WOLCOTT. Mr. Speaker, it comes my sad duty to announce to the House of Representatives and to the country the passing of a very dear friend and colleague, Hon. PAUL W. SHAFER, a Member of Congress from Michigan, from Battle Creek.

Mr. Speaker, I understand a great many Members will want to speak on the life and attainments of our late colleague, and I understand that eulogies will be conducted tomorrow.

Mr. Speaker, at this time I offer a resolution.

The Clerk read the resolution (H. Res. 708), as follows:

Resolved, That the House has heard with profound sorrow of the death of Hon. PAUL W. SHAFER, a Representative from the State of Michigan.

Resolved, That a committee of 25 Members of the House with such Members of the Senate as may be joined be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The resolution was agreed to.

The SPEAKER. The Chair will announce the Members of the funeral committee tomorrow.

The Clerk will report the remainder of the resolution.

The Clerk read as follows:

Resolved, That as a further mark of respect, the House do now adjourn.

The resolution was agreed to.

ADJOURNMENT

Accordingly (at 6 o'clock and 3 minutes p. m.) the House adjourned until tomorrow, Wednesday, August 18, 1954, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1829. A letter from the Director, Foreign Operations Administration, transmitting the 10th report to the Congress of the United States on the administration of the Yugoslav emergency relief assistance program, pursuant to section 6 of Public Law 897, 81st Congress (the Yugoslav Emergency Relief Assistance Act of 1950) (H. Doc. No. 493); to the Committee on Foreign Affairs and ordered to be printed.

1830. A letter from the Assistant Secretary of the Interior, transmitting a report certifying that an adequate soil survey and land classification has been made of the lands to be served by the Eden project, Wyoming, under the change in development plan, and that the lands to be irrigated are susceptible to the production of agricultural crops by means of irrigation, pursuant to Public Law 172, 83d Congress; to the Committee on Appropriations.

1831. A letter from the Acting Secretary of the Treasury, transmitting a draft of a proposed bill entitled "A bill to permit national banks to make 20-year real-estate loans and 9-month construction loans"; to the Committee on Banking and Currency.

1832. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders granting the applications for permanent residence filed by the subjects, pursuant to section 4 of the Displaced Persons Act of 1948, as amended; to the Committee on the Judiciary.

1833. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to Public Law 863, 80th Congress, amending subsection (c) of section 19 of the Immigration Act of February 5, 1917, as amended (8 U. S. C. 155 (c)); to the Committee on the Judiciary.

1834. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to section 244 (a) (1) of the Immigration and Nationality Act of 1952 (8 U. S. C. 1254 (a) (1)); to the Committee on the Judiciary.

1835. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to section 244 (a) (5) of the Immigration and Nationality Act of 1952 (8 U. S. C. 1254 (a) (5)); to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DONDERO: Committee on Public Works. S. 3744. An act to change the name of Gavins Point Reservoir back of Gavins Point Dam to Lewis and Clark Lake; without amendment (Rept. No. 2667). Referred to the House Calendar.

Mr. SCHENCK: Committee on House Administration. House Resolution 702. Resolution authorizing the printing of additional copies of the report on Communist aggression by the Soviet Union; without amendment (Rept. No. 2668). Ordered to be printed.

Mr. JOHNSON of California: Committee of conference. H. R. 9924. A bill to provide family quarters for personnel of the military departments of the Department of Defense and their dependents and for other purposes (Rept. No. 2669). Ordered to be printed.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRAY:

H. R. 10259. A bill for the relief of Young Bae Kim and Susie H. Kim; to the Committee on the Judiciary.

By Mr. HOLTZMAN (by request):

H. R. 10260. A bill for the relief of Andre Richardot; to the Committee on the Judiciary.

H. R. 10261. A bill for the relief of Zsuzsanna (Suzanne) Szekely; to the Committee on the Judiciary.

H. R. 10262. A bill for the relief of Ezra Chitayat; his wife, Violet; and their daughters, Georgette and Linda; to the Committee on the Judiciary.

By Mr. RHODES of Arizona (by request):

H. R. 10263. A bill for the relief of Lee Fay Fan; to the Committee on the Judiciary.

By Mr. WALTER:

H. R. 10264. A bill for the relief of Paul Skuntz; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Congressman Hunter Reports on Farm Program

EXTENSION OF REMARKS
OF

HON. OAKLEY HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 17, 1954

Mr. HUNTER. Mr. Speaker, with the ending of the second and last session of the 83d Congress, I am happy for this opportunity to present to the Members of the House and the people of my district, a summary of the accomplishments of this Congress and the administration in the field of agriculture and related matters, with special emphasis on such accomplishments as are of particular interest to the State of California.

Representing, as I do, one of the most productive and diversified agricultural areas in the United States, I am vitally interested in the welfare of American farm families and in our Nation's farm program. It is fortunate, indeed, that having such an interest, I have had the pleasure and honor of serving as chairman of the California Delegation Agricultural Committee and serving also, as a member of the House Subcommittee on Agricultural Appropriations.

APPROPRIATIONS

The Department of Agriculture appropriations bill for the fiscal year commencing July 1, 1954, and ending June 30, 1955, includes direct annual appropriations for regular activities of $723,683,150—$5,287,752 more than last year and nearly $25 million more than requested by the Department of Agriculture.

An additional $10 million was appropriated for agricultural research programs and State experiment stations. Funds for the Agricultural Extension Service were also increased by more than $8 million. I am proud to have spearheaded the move in the House to appropriate more adequate funds for research and education.

Congress also authorized an agricultural conservation program at a level of $250 million for the coming year. This is $55 million more than the preceding year. The additional $55 million is to be used for conservation payments on acreage diverted from production of basic commodities because of acreage allotments.

MOVES TO HALT PRICE DROPS

When the 83d Congress convened in January 1953, and the Eisenhower administration took office, farm prices had been declining for 2 years. Prices received by farmers had dropped 15 percent between February 1951, and January 1953. This sharp rate of decline has been stopped, and prices have leveled off and become relatively stable.

Among moves to protect farmers' incomes were, first, the elimination of price controls imposed by the previous administration, and, second, the inauguration of Federal programs to help farmers hold their products off the market while prices recovered from temporary slumps because of oversupply. Included in this second category are such things as drought assistance, farm credit, storage facilities, disposal abroad of accumulated surpluses, price supports, and other programs.

On January 23, 1953, just 3 days after President Eisenhower took the oath as

President, a House Agriculture Subcommittee began an investigation of livestock problems. The subcommittee reported that price controls on beef were injuring farmers by interfering with the orderly process of marketing.

Between the time price controls on cattle were imposed in April 1951, until beef prices were decontrolled in February 1953, cattle prices had dropped from $30.20 a hundred pounds to $19.70, a loss to farmers of $10.50 a hundred pounds.

Acting on the subcommittee's recommendation, President Eisenhower issued an order on February 6, 1953, removing price controls from all meat products.

INCREASED GOVERNMENT BEEF BUYING

The new watershed, soil- and water-conservation law passed by the 83d Congress established a permanent long-term program to protect farmers' investment in land and to prevent future price drops due to disorderly marketing practices in the wake of drought and flood.

But let me get back to the emergency program to stabilize prices. As part of this program, President Eisenhower ordered military procurement of beef to be stepped up until it reached 120 days' supply, the maximum allowed by law. The military buying program for beef began on February 17, 1953. Also, the Department of Agriculture initiated a program to buy 250 million pounds of beef for the school-lunch program and for foreign aid.

GRAIN STORAGE

One of the most important and effective steps yet taken to protect farmers on prices is the grain-storage program enacted by the 83d Congress.

A serious shortage of grain-storage facilities which was allowed to develop during the previous administration was threatening the whole farm price-support program when the Government changed hands in January 1953. Storage bins with a capacity of 250 million bushels had been declared surplus and disposed of by the Commodity Credit Corporation between July 1943 and July 1948. Since there could be no effective price-support program without adequate storage facilities, Congress and the new administration moved swiftly to put measures into effect to secure an enormous expansion of grain storage. These moves included:

First. A program announced June 17, 1953, for loans on wheat stored on the ground in states where regular storage facilities were not available and where it was feasible to store wheat on the ground or in temporary structures during the summer months.

Second. Purchase of grain-storage structures with a total capacity of 196 million bushels through the Commodity Credit Corporation.

Third. Putting into effect on April 24, 1953, a reseal program under which existing CCC loans on corn, wheat, and oats stored on farms would be extended for another year.

Fourth. Securing the use of 305 ships of the reserve fleet as emergency storage space for surplus grain. Each ship will hold 225,000 bushels of wheat.

Fifth. Granting 1-year extension of programs providing loans to farmers for purchase of new storage facilities and drying equipment.

In addition to these emergency measures taken by the Department of Agriculture to meet the immediate needs of farmers for storage facilities, the Congress and the new administration established the first real program to provide storage space sufficient to meet the long-range needs of agriculture. This program provides:

First. Federal income-tax concessions granted by Congress to persons who erect grain-storage facilities. The law enacted in 1953 permits tax deductions based on 5-year amortization of construction costs.

Second. Agreements by the Commodity Credit Corporation guaranteeing a minimum space rental in newly constructed storage facilities.

PRICE PROTECTION FOR FARMERS

I think we all agree that Federal price supports, important as they are, cannot of themselves stabilize farm prices. A well-thought-out program covering the controlling economic factors which regulate farm prices is necessary. Republicans in Congress, the President, Secretary of Agriculture Benson, and indeed most Democratic Congressmen from farm areas agreed on the major points of the new program. For example, virtually all Republicans favored the surplus removal program—one of the major items of the administration's farm program.

The constant threat that surplus stores of farm products acquired by the Government would be thrown on the open market had a strongly depressing effect on farm prices. Disposing of these surplus stocks was an important part of the overall farm price stabilization program undertaken by the Congress and the new administration. To do this, a new and vigorous drive has been initiated to rebuild export markets for farm products, and Government-owned stocks have been ordered insulated from the market by a so-called commodity set-aside.

INCREASE EXPORTS OF FARM PRODUCTS

The serious loss of foreign markets for American farm products was an important factor in the dangerous farm price slump in 1951 and 1952. It is plain that if we are to have good prices for farm products over the long pull, we have to recover the foreign markets that were lost, and we must develop new ones. One of the important points in President Eisenhower's recommendations was a vigorous drive to rebuild export markets and to develop new ones. This part of the program was included in the Agricultural Trade Development and Assistance Act of 1954.

This new law establishes a 3-year program for the sale and exportation of surplus farm commodities in such a way as to expand market demand abroad for United States farm products and to implement United States foreign policy. The Congress authorized the President to spend $1,300,000,000 of Commodity Credit Corporation stocks to carry out the program.

The foreign currencies obtained through sale of surplus farm products abroad are to be used for: First, development of new markets for United States agricultural commodities; second, purchase of strategic and critical materials; third, procurement of military equipment and defense materials, facilities and services; fourth, financing the purchase of goods and services for other friendly nations; fifth, promotion of international economic development and trade; sixth, payment of United States obligations abroad; seventh, loans to promote multilateral trade and economic development; and eighth, financing international educational exchange activities.

REBUILDING EXPORT MARKETS

Our program to dispose of surpluses and to rebuild export markets for farm products also included:

First. Action by the Foreign Operations Administration in disposing of surplus farm products in friendly foreign countries under Section 550 of the Mutual Security Act enacted by the 83d Congress.

Second. Three special trade missions organized by the Department of Agriculture and sent abroad to explore possibilities of expanding United States agricultural trade.

Third. Creation of a Foreign Agricultural Service in the Department of Agriculture to give greater emphasis to foreign market development.

Fourth. Negotiation of a new International Wheat Agreement for 3 years with an average increase of 25 cents a bushel in minimum price. This higher price is important to American farmers because it requires wheat-importing countries to buy our wheat at a price ranging up to 50 cents a bushel above the prevailing world price in June 1954.

Fifth. Expansion of a program to barter United States farm surpluses for needed raw materials.

Sixth. Invitation of a program to sell agricultural surpluses for foreign currency and use proceeds to pay United States obligations abroad.

In another move to rebuild export markets for our farm products, the 83d Congress gave the Secretary of Agriculture responsibility for agricultural attachés in American embassies in foreign countries. For a long time, there was no direct contact between these attachés and the Department of Agriculture. All reports on foreign developments affecting our farmers had been made to the State Department. I am proud to have been a coauthor of the legislation transferring the agricultural attachés from the State Department to the Department of Agriculture.

In still another surplus removal operation which at the same time helped a country which has always stood beside the United States in United Nations General Assembly debates, the Republican Congress enacted a law on June 25, 1953, transferring 1 million long tons of Government-owned wheat to Pakistan. In a second law enacted August 1, 1953, Congress authorized the CCC to make $100 million worth of surplus stocks of farm products available to the President to be used in meeting famine or other relief requirements of peoples friendly to the United States.

COMMODITY SET-ASIDE

An important part of the new Administration's program of price protection for farmers is the commodity set-aside. The huge accumulations of Government-owned surplus farm products held in storage were depressing farm prices.

One of the important points in the farm program President Eisenhower submitted to Congress was a proposal to authorize CCC to set aside reserves of surplus commodities to a value up to $2,500,000,000. These stocks will be insulated from the commercial supplies and used in constructive ways, such as in school-lunch programs, disaster relief, aid to people of other countries, and stockpiled at home for use in a national emergency.

The Republican 83d Congress included this proposal, without change, in the law it enacted.

INCREASED BORROWING AUTHORITY

In order to permit continuation of price-support operations on basic commodities at 90 percent of parity through 1954, President Eisenhower asked that the borrowing authority of the CCC should be increased by $1,750,000,000—from $6,750,000,000 to $8,500,000,000. This important part of the program to protect farm prices was enacted promptly by the Republican Congress.

A second bill, H. R. 9756, increasing CCC borrowing authority to $10 billion was passed by the House July 29, 1954.

PRICE SUPPORTS

The President also recommended that Congress continue, without important change, the price-support program on such commodities as oats, barley, grain sorghums, soybeans, flax, meats, poultry and eggs, fresh fruits and vegetables. The Secretary of Agriculture has discretion to support prices on these commodities up to 90 percent of parity. This recommendation was included in the new farm bill enacted by the Republican Congress.

PRICE SUPPORTS FOR WOOL

President Eisenhower also asked Congress to enact a completely new price-support program for wool. The program which had been in effect on wool for a number of years had proved ineffective because foreign countries were shipping wool to United States markets at prices just below the price-support level of domestically produced wool.

Imports of cheaper foreign wool had caused our output to shrink to a level where this country was producing only one-third of its own wool requirements. This level is dangerously low from a national defense standpoint. To remedy this situation, Congress enacted a new program under which the Secretary of Agriculture can support wool prices through loans, purchases, direct payments to farmers, and other operations.

Direct payments to wool growers are expected to be the principal method used. This part of President Eisenhower's farm-price-protection program was also included in the law enacted by the 83d Congress.

FLEXIBLE VERSUS FIXED SUPPORTS

All farm leaders sought a method of protecting farmers on the price of basic commodities—corn, cotton, wheat, peanuts, tobacco, and rice. One group thought that the best method of doing this would be to continue mandatory price support at 90 percent of parity on these commodities. Another group, equally sincere about the farmers' welfare, believed that a system of flexible price supports would produce a better balance between supply and demand, thereby increasing the price that farmers could secure for their products in the market place.

The 83d Congress combined the better features of both of these suggestions by providing price supports on the basic commodities, ranging from 82½ percent to 90 percent of parity.

If this Congress had not enacted this new law, price supports on the basic commodities could have dropped as low as 75 percent of parity. The price-support law finally adopted guarantees farmers substantial protection on prices. At the same time, it gives the Secretary of Agriculture some discretion in fixing the level of price supports to secure adjustments in production.

Assuming normal yields and legal acreages, anticipated exports and domestic consumption, and a set-aside of 4 million bales, the 1955 support price for cotton will be 90 percent of parity.

DROUGHT PROGRAMS

In 1953 a drought which parched grasslands and pasture in the southwestern part of the United States was forcing owners to ship hungry livestock to an already glutted market. The Congress and the President took quick action to help these ranchers and stockmen to keep their herds intact. On June 30, 1953, $8 million was made available from the President's emergency relief fund to send livestock feed rations at reduced prices to drought-stricken areas.

Other emergency drought programs in 1953 and 1954 included: First, designation of approximately 800 counties in 18 states and Hawaii as disaster areas where farmers could participate in emergency feed programs; second, sale of 2,117,500 tons of feed at below market price to eligible farmers; third, distribution of 37,300 disaster loans totaling $53,398,000 to farmers in areas affected by drought; fourth, furnishing nearly $40 million in special livestock loans to farmers to help maintain their basic herds; and fifth, initiation of a $15 million wind erosion control program applicable in Colorado, Kansas, Nebraska, Texas, New Mexico, and Oklahoma.

WATER CONSERVATION

In addition to these emergency drought relief measures, the 83d Congress passed two new permanent programs to protect farmers not only from temporary price slumps resulting from disorderly marketing during droughts and floods, but also to guard them from loss of their capital investments in the land because of water scarcity, erosion, and floods.

Under one of these bills, farmers in all States can obtain direct 20-year loans from the Government to build and maintain water facilities. Formerly, such loans were available only in 17 Western States. These loans from the Farmers' Home Administration are to be secured by increased production resulting from supplemental irrigation derived from the newly constructed facilities.

In addition to direct loans, the new law provides for Federal insurance on loans through private credit channels to farmers for construction and maintenance of water storage and utilization facilities. The bill authorizes the Farmers' Home Administration to insure loans to individual farmers up to $25,000 and to corporations up to $250,000. The Secretary of Agriculture is also authorized to make direct loans and to insure loans to finance improvements of farm land by soil or water conservation or drainage facilities, improvement of soil fertility, establishment of improvement of permanent pasture, sustained-yield afforestation or reforestation, or other erosion preventatives and other related conservation measures.

WATERSHED PROGRAMS

A second major program aimed at protecting farmers from future losses such as they have experienced from drought and flood in the past 4 years was established by Public Law 566 of the 83d Congress. This legislation provides authority and direction for cooperative Federal-local action in attacking the problems of upstream soil and water conservation and flood prevention. It establishes a framework of policies and standards under which action in this field can be taken jointly by the Federal Government, states, counties, and other local government entities, soil conservation or watershed districts, and local citizens' groups.

Based on the sound principle of payment for value received, the law provides that the cost of the programs and improvement shall be shared equitably between the participants in proportion to the benefit which each will receive.

The program authorized by the new law will supplement existing programs for agricultural soil and water conservation and programs for development and flood protection of major river valleys. It will bridge the gap that existed between these two types of programs and greatly enhances the ultimate benefits of both. It also provides an additional means of aiding in the conservation of scarce water supplies.

Under the policies established by this legislation, plans and projects will not be handed down from the top as part of some overall development plan, but can be initiated only by the people of the localities most intimately involved and can be carried into operation only with the fullest cooperation and initiative on the part of local groups and agencies.

A $5 million appropriation in 1953 and another $5,500,000 appropriation in 1954 as part of a $28 million program to construct 62 pilot watershed projects were also enacted by the 83d Congress as part of the watershed program which had been characterized by the New York Times as one which will "go down in history as one of the lasting and most beneficial legislative actions of the past decade."

TAX CREDIT FOR CONSERVATION

The 1954 tax revision bill gave special benefits to farmers who make investments in conservation. Farmers may now deduct each year from Federal income-tax money spent for conservation up to 25 percent of their gross income. Until now, this expense had to be capitalized and tax money could be recovered by the farmer only by depreciation or selling his farm.

FARM CREDIT

In addition to enacting these important new laws on Federal price supports and conservation, the 83d Congress has also passed new laws and has improved some old ones to help farmers in other ways. For example, new laws have been enacted improving and expanding farm credit.

In order to help farmers who face emergency situations arising out of the drought, this Congress enacted a new disaster loan law. This law authorized the Secretary of Agriculture: First, to furnish feed for livestock and seeds for planting to farmers, ranchers, and stockmen in disaster areas; and second, to make direct loans to established livestockmen who have a good record of operations but who are temporarily unable to get necessary immediate credit.

The new administration has also fulfilled its campaign pledge to decentralize administration of the farm-credit system, shifting more control over credit policies away from Washington, where control had become concentrated, and vesting it largely in farmers themselves. On August 1, 1953, Congress passed a bill which—

First. Spells out the details of greater farmer ownership and control of credit agencies and lays the groundwork for systematically retiring Government capital.

Second. Decentralizes power by directing that the Farm Credit Administration delegate to various Federal land banks and other district credit agencies more duties and authority. The purpose is to move more authority from Washington to places nearer the farmers.

Third. Establishes a 13-member Federal Farm Credit Board with full responsibility for policies of the Farm Credit Administration.

The Department of Agriculture also announced new procedures to enable the Farmers' Home Administration to provide farmers quicker loan service and to save taxpayers an estimated $1,500,000 annually through reduced administrative costs. About 70 forms, reports, files, procedures, and work routines established under the Truman administration are being eliminated to provide quicker action on farmers' loan applications.

RESEARCH AND EDUCATION

Research and education are basic functions of the Department of Agriculture. They are indispensable if our farmers are to improve their productivity and enlarge their markets. The additional funds appropriated by this Congress will make possible an expanded and improved research and education program. This means, among other things, 28 new farm advisers for California.

Research enables farmers to become more efficient, to get higher yields from an acre of land, and more meat or other livestock products from an animal-breeding unit, and do it with less labor. Research makes possible improved tractors and machines, better crop varieties, improved fertilizers and practices, new ways of controlling insects and diseases, better methods of feeding livestock, improved cultural practices, and savings in handling and transportation of foods. This means a greater net income to farmers and at the same time a better life for all of us.

STREAMLINING THE DEPARTMENT OF AGRICULTURE

In another move to give farmers better service and to cut down overhead so that a greater portion of Agriculture Department appropriations will go to direct farm benefits, the new administration reorganized the Department of Agriculture. Congress enacted legislation which follows recommendations of the Hoover Commission and which was endorsed by the Grange, the Farm Bureau, and the National Council of Farmer Cooperatives. It created 2 more Assistant Secretariats for the Department and gave the Secretary authority to reorganize 6 agencies in the Department which previously had certain autonomous status independent of the Secretary.

Twenty-two agencies in the Department were consolidated into six by earlier action of Secretary Benson soon after he took office.

On October 13, 1953, Secretary Benson announced another streamlining operation designed to provide better service to farmers through placing operations on a businesslike, efficient, and decentralized basis. The reorganization was made under authority of Reorganization Plan No. 2, enacted in the first session of the 83d Congress. It puts all service agencies of the Department under four main groups: First, Federal-State relations; second, marketing and foreign agriculture; third, agricultural stabilization; and fourth, agricultural credit.

BIPARTISAN NATIONAL ADVISORY COMMISSION

In order to keep politics from interfering with the administration of farm programs, as has happened in the past, the new administration created a bipartisan agricultural commission to review the policies and administration of farm programs. The new 18-member commission, created by Executive order on July 20, 1953, is made up of 9 Republicans and 9 Democrats. A minimum of 12 members must be farmers.

COTTON ACREAGE ALLOTMENTS

A very large part of my time this year and last was spent in helping to bring about a change in the law with regard to cotton marketing quotas and acreage allotments.

Because of the surplus of cotton, the Secretary of Agriculture, as required by the Agricultural Adjustment Act of 1938, last year proclaimed a national acreage allotment for 1954. Under this law, the cotton acreage allotments for each State are based on plantings in that State during a base period. During the base period, however, cotton plantings in California were considerably less than they were during the 3 most recent years, 1951–53. The law was discriminatory in its application to States like California and Arizona, where cotton has been on the increase in recent years. It favored the South, where plantings have either remained relatively static or have actually declined. For example, had there been no change made in the law, cotton acreage in California would have been cut back 51.5 percent from 1,400,000 acres in 1952 and 1953 to 695,000 acres in 1954. Southern States would have been cut considerably less. During the first session of the 83d Congress, Senators and Congressmen representing cotton-producing areas in the West, sought to amend the Agricultural Adjustment Act so as to alleviate the economic distress and discrimination which would result from the imposition of acreage allotments for the 1954 cotton crop under the law as it then existed. As chairman of the California Congressional Delegation committee on agricultural problems and as the Representative of a major cotton-producing district, I naturally was very active in the move to change this law.

At long last, in January of this year a bill was passed amending the law so as to provide that no State would be cut more than 34 percent. Under this new formula, California received an additional 238,000 acres, or a total of 936,000. This gave California cotton farmers at least 65 percent of their average plantings during the period 1951–53 or 40 percent of the highest acreage planted in any one of such years.

During this session of Congress, I have been concerned lest provisions harmful to Western cotton growers be written into the omnibus agricultural bill. There were several Southern-sponsored changes which could have had adverse effects. Three such changes were particularly objectionable. They were:

First. Three-year referendum on the question of marketing quotas and acreage allotments. This would have meant controls could be voted in for a period of 3 years rather than from year to year as provided under existing law. California having an expanding cotton economy, controls are undesirable except for such period as is absolutely necessary.

Second. National reserve for small farms made up of a percentage of each state's allotment. This reserve, it is felt, would be used in a number of ways more beneficial to other areas with the result that California would contribute more to the reserve than would be returned.

Third. Reduction of the carryover allowance from 30 to 20 percent in determining the normal supply of cotton. This would increase the probability of permanent controls. Furthermore, on a permanent basis, 20 percent is not adequate to take care of our foreign and domestic marketing requirements.

I am happy to report that the Agricultural Act of 1954, as finally passed, does not contain any of these objectionable provisions.

In addition to the changes previously discussed, there were two other changes made in the law this year which I am confident will be of benefit to California cottongrowers. First, county committees are given the option of allotting

acreage on the basis of the old county factor method or on the basis of individual farm history. Second, the 50-percent cropland limitation is optional with the county committees.

With these changes, we can have a more flexible and more equitable distribution of the county allotment to the farm than we have had previously.

SPOT COTTON MARKET

The Department of Agriculture's announcement this summer that the Fresno cotton exchange has been added to the list of designated markets, crowned with success the efforts of over 2 years. The Fresno market was first formed in May 1951, and in March 1952 it was recognized as a bona fide cotton spot market. Under that designation, however, quotations on the Fresno exchange were not used in the calculation of futures contracts. Coupled with this victory for Western cotton, was the announcement by Herman S. Kohlmeyer of the New Orleans cotton exchange that penalties heretofore applied on irrigated cotton will cease to exist and specifically that low middlings in cotton will be tenderable in the New Orleans exchange. This is deserved recognition for the Far Western grower who has had his cotton discriminated against but who through scientific development and better seed has now been able to produce cotton equal to rain-grown cotton. There are indications that the New York exchange will take the same step soon.

DAIRY PRODUCTS

The basic problem in the present milk-surplus situation is overproduction and/or underconsumption. Nineteen hundred and fifty-four will be the biggest year ever in milk production. Per capita consumption, on the other hand, has fallen off. If the American people were drinking as much milk per capita as they were only a few years ago, there would be no dairy surpluses. Surpluses, of course, depress prices. Dairy industry leaders agree that an overall promotion program is needed to step up the consumption of milk. The various beverage makers spend millions of dollars each year plugging their products through every advertising device imaginable, and after they have created a demand they make certain that the product is where and when the public wants it.

While waiting for an overall promotion program to step up consumption of milk, the Department of Agriculture has been making an effort to meet some of the immediate problems and in recent weeks has: First, launched a nationwide education campaign to promote the culling of low-producing cows from dairy herds; second, offered to sell for export at world prices Government-owned stocks of butter, cheese, and dried milk; third, developed a special program to facilitate the use of butter and nonfat dried milk solids for recombination and sale as fluid milk in friendly countries; fourth, sold more than 400 million pounds of dried milk at greatly reduced prices for use in mixed animal and poultry feeds; and fifth, sought increased consumption of dairy products through school-lunch programs, donations for domestic and foreign relief and other outlets.

On the legislative side a number of changes and additions to the law were contained in the Agricultural Act of 1954, which will benefit dairymen.

The Agricultural Act of 1949 required the Secretary of Agriculture to support dairy prices at between 75 and 90 percent of parity to assure an adequate supply of milk and other dairy products. During the current marketing year, the Secretary, acting in accordance with the law, reduced the support price to 75 percent of parity. He could not do otherwise in view of the surplus situation.

The House this year approved a floor of 80 percent, but this was rejected by the Senate. As a result, the law remains the same as it has since 1949.

The dairy section of the Agricultural Act of 1954, is indeed, a real improvement over the present law. It contains the following provisions:

First. Authorizes the use up to $50 million annually of Commodity Credit Corporation funds for the next 2 years to increase the consumption of fluid milk by schoolchildren. This is in addition to the provisions of the Agricultural Appropriations Act of 1955 which provides for the use of Section 32 funds for butter and cheese in the school-lunch program.

Second. Provides that until March 31, 1956, the Secretary may use any method he determines to be necessary to dispose of surplus stocks of dairy products owned by the Commodity Credit Corporation.

Third. Authorizes the use of surplus dairy products, including milk, by the armed services and in veterans' hospitals.

Fourth. Authority for an accelerated brucellosis program during the next 2 years.

FRUITS AND VEGETABLES

Mr. Speaker, I wish now to call attention to certain selected activities relating to California in the fruit and vegetable crops during the past fiscal year.

Raisins: Section 32 export payment programs were operated for both the 1952 and 1953 crops. The rates of export payment under the 1952–53 program which was substantially completed prior to the beginning of the 1954 fiscal year were 2.5 cents per pound on natural Thompson seedless, Sultanas, Muscats—except soda-dipped or Valencia and layer Muscats—and Zante currants, and 3 cents per pound on golden bleached Thompson seedless. The export payment program for the 1953 crop was made effective on September 1, 1953, with a flat export payment rate of 2 cents per pound. During the fiscal year export payments were made on nearly 50,000 tons at an estimated expenditure of approximately $2 million.

Amendments are being considered to the marketing agreement and order to include new provisions to give packers and exporters greater flexibility in export markets. Exports of free tonnage raisins for the season through June 30, 1954, were 61 percent below those of the preceding season to the same date.

Tree fruits: The California tree fruit marketing agreement and order programs cover Bartlett pears, plums, and Elberta peaches. The agreement and order were issued in May 1939 and have operated continuously since that date although regulatory activities were suspended during the war years.

Activities under this program during the current year included the appointment of members of the control committee, consisting of 13 growers and 12 handlers, for the overall local administration of the program, and the appointment of the three commodity committees, which have as their principal function the recommendation, to the Secretary of Agriculture, of regulations governing the interstate shipment of the particular fruit for which the committee is concerned. Each of the commodity committees recommended regulations during the current season. Such regulations were issued and limited interstate shipments to the grades and sizes specified in the regulatory order.

This marketing agreement program provides that a referendum shall be held biennially during the months of December or January, to ascertain whether growers favor the termination of the program. As the last referendum was held in January 1953, growers will be given an opportunity after the close of the current marketing season to vote on whether they want the program continued.

Almonds: With the 1953 crop slightly above average and a heavy carryover for 1952-crop almonds in the hands of packers and shellers, supplies for the 1953–54 season were such that a surplus of 15 percent was applied to the 1953 production. Such surplus was disposed of in outlets outside of domestic commercial sale as almonds, principally in export with a lesser quantity being sold for the manufacture of almond butter. On September 29, 1953, an additional import fee of 5 cents per pound on the first 7 million pounds imported and 10 cents per pound thereafter, was invoked by Presidential proclamation for the period October 1, 1953, to September 30, 1954. However, imports were relatively heavy, amounting to about 7 million pounds, kernel weight, and packers' carryout at the end of the 1953–54 season will be substantial, and somewhat more than that at the beginning of the season. A record large production is forecast for the 1954 crop and the industry may request assistance from the Department in disposing of surplus supplies.

Walnuts: On the basis of early estimates of the 1953 walnut crop, the surplus percentage under the marketing agreement and order was originally set at 20 percent. When it became evident that the crop was shorter than previously estimated, the surplus was reduced to 15 percent. Under the agreement order as it existed prior to and during the 1953 season, the surplus percentage applied only to shipments of walnuts for in-shell sale. In recognition, however, of the increasing importance of the sale of shelled walnuts in overall grower returns, and of the continuing upward trend in production, the agreement and order was amended in July 1954. As now effective, the agreement and order will continue to regulate the shipment of in-shell walnuts as heretofore and, in addition, provides for regulation of the shipment of shelled walnuts in years when the total production of walnuts exceeds the available out-

lets—both in-shell and shelled—at reasonable prices. In-shell shipments were below average during the 1953 season due to an apparent shift in walnut consumption to the shelled product and the competitive effect of in-shell pecans.

Figs: Establishment of a proposed Federal marketing agreement and order for California dried figs was considered at a public hearing held by the Department June 15–18, 1954, at Fresno, Calif. The hearing was held at the request of the California Fig Institute and the Dried Fig Advisory Board of the California marketing order for dried figs.

A California State marketing order on dried figs is operated under the authority of the California Marketing Act of 1937, as amended. The proposed Federal program would authorize both quality and volume regulation of the handling of dried figs and if put into effect the Federal and State regulation of the handling of dried figs would be complementary.

The evidence presented at the hearing is now being reviewed by the Department and it is expected that a decision with respect to the industry's proposal will be issued within a relatively short period of time.

Apricots: The 1953 California apricot crop proved to be substantially greater than was estimated during the early months of the season. Also, a strike of cannery workers occurred during the latter stage of apricot harvest, temporarily shutting off the most important utilization outlet for the crop. As a result, the dried pack greatly increased: 15,530 tons as compared with an average of 9,975 tons during the three preceding seasons. Shipments from packers increased, but not enough to prevent a substantial carryover into the following marketing season. An export payment program was made effective on April 28, 1954, to encourage additional exportation. Approximately 1,818 tons, mostly of medium and smaller sizes, were exported under the program. The program was terminated on June 11, 1954, when it became apparent that the 1954 crop would be small and that remaining 1953 crop dried apricots could be marketed without program assistance during the 1954–55 season. The cost of the program approximated $272,765.

The Department purchased 4 million pounds of dried apricots for distribution under the school-lunch program at an estimated commodity cost of $1,400,000.

Canned fruits and vegetables: The Department purchased approximately 800,000 cases of canned peaches from the 1953 crop at an estimated commodity cost of $3,800,000. These canned peaches were purchased for distribution under the school-lunch program. On July 22, 1954, the Department announced that it contemplated purchase of canned peaches of the 1954 pack for the national school lunch program.

The Kadota Growers, Inc., of Merced, Calif., have requested a purchase program on canned figs. Their request is based primarily on the fact that the Quartermaster announced recently that they do not plan to buy any canned figs this year. This contrasts to requirements of 77,000 cases for the Armed Forces announced last January. Between 1940 and 1953, the Quartermaster purchases have averaged 25 percent of all Kadota figs canned and in some years have been as high as 38 percent of a pack. This request is now under consideration by the Department.

A total of 451,000 cases of canned tomatoes and 100,000 cases of canned tomato paste at a commodity cost in excess of $2 million were purchased from the 1953 packs of these products. These supplies were distributed through the national school lunch program.

Citrus: A marketing agreement and order program was made effective in September 1953 providing for the regulation of the weekly volume of shipments and for limitation of the size of Navel oranges shipped. A similar order covering Valencia oranges grown in California and Arizona was issued in March 1954. With the issuance of these two programs the California-Arizona orange industry has again adopted regulatory programs similar to that provided in Order No. 66 under which it operated for about 10 years. Order No. 66 was terminated in 1952 after a referendum in which only a slight majority of the growers indicated they favored continuance of the program. The marketing agreement and order program on California-Arizona lemons was made effective in April 1941 and has operated continuously since that time. Regulation limiting the volume of lemon shipments was made effective during each week of the 1953–54 fiscal year and an amendment to the program has been proposed by the four major lemon marketing organizations to add an additional member on the Lemon Administrative Committee, the agency established for the local administration of the program, and to provide handlers additional flexibility of operation under the weekly allotments issued to them.

Regulations covering the shipment of California-Arizona grapefruit were issued under that program which has been in effect since 1941.

During the fiscal year export payment programs were in effect for oranges and grapefruit. The orange export subsidy program which was effective for the 1953–54 crop was the sixth consecutive one that was operated. Considerable progress has been made in restoring orange exports to the pre-World War II level and exports have been subsidized at the rates which have been progressively reduced. The continuation of the export subsidy program for oranges not only has been instrumental in restoring export markets but has also resulted in the expenditure of much smaller amounts by the Department than would have been required to purchase outright sufficient quantities to relieve grower distress in the absence of subsidy programs. The estimated expenditure for this program totaled more than $5,800,000 covering the export of 6,260,000 boxes fresh equivalent of oranges and grapefruit.

A total of 500,000 gallons of orange juice at an estimated cost of $900,000 were purchased with Section 6 funds for distribution to the national school lunch program.

Tokay grapes: Prior to the 1953 shipping season, volume regulations under this program were carried out through limiting the number of carloads of Tokay grapes released each day from railroad concentration points. Increasing movement by trucks had lessened the effectiveness of this type of regulation. Hence, the industry proposed the revision of the program to allocate among the handlers the quantity of Tokay grapes which may be shipped during 3-day regulation periods. The public hearing on the proposed revisions was held in April 1953, and the amendments were made effective the following August. After the close of the marketing season, a referendum was conducted to ascertain whether the Tokay grape growers desired the program continued. Of the growers voting in the referendum, 68 percent favored continuation of the program.

Winter pears: The operation of the winter pear marketing agreement and order covering the States of California, Oregon, and Washington was continued during the fiscal year. In view of the large crop of winter pears an export payment program was made effective. Estimated expenditures under this program were nearly $300,000 with an export payment rate of $1 per box. In addition, 126,000 boxes of fresh pears were purchased at an estimated cost of $424,000. These purchases were distributed to school lunch, welfare agencies, and eligible institutions.

Let's Complete Action on Railroad Retirement

EXTENSION OF REMARKS
OF
HON. WILLIAM T. GRANAHAN
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 17, 1954

Mr. GRANAHAN. Mr. Speaker, it has been noted here before that there seems to be some official reluctance about speeding action on the railroad retirement bill containing higher and broader benefits and which also increases the top unemployment compensation benefits available to railroaders. We all saw how the chairman of our committee, Mr. WOLVERTON, of New Jersey, practically had to issue an ultimatum to get it up for House action.

This bill is now somewhat stalled over in the Senate and I urge that the administration get behind it and help us get it through Congress before adjournment.

As I said, there might appear to be some official reluctance about speeding action on this bill. Perhaps we are wrong in believing that. We now have the word of a high-ranking administration official that the bill is, in fact, an important part of the President's program.

We were not so sure about that before today. The Budget Bureau report to the Committee on Interstate and Foreign Commerce when we were considering the

bill initially was, to say the least, very lukewarm and full of all sorts of worries about how it might set precedents for liberalizing social security.

Now, however, the Solicitor of the Labor Department, in a speech today before the Wisconsin State Federation of Labor in which he extols the Eisenhower concern for the worker, definitely lists "increased benefits under the railroad retirement and railroad unemployment compensation programs" as among parts of the President's program which the Labor Department Solicitor, Stuart Rothman, says: "have been enacted into law or soon will be."

It is good news to know that the President supports this bill. Can we now count on some help in getting it through the Senate and into law?

Tax Revision Law

EXTENSION OF REMARKS

OF

HON. VICTOR A. KNOX

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 17, 1954

Mr. KNOX. Mr. Speaker, under leave to extend my remarks I wish to include some of the highlights of the new tax law, the changes in general which are effective last January 1.

This is the first comprehensive revision of the internal revenue laws since before the turn of the century and the enactment of the income tax.

Approximately a half a million man-hours of work have gone into this gigantic achievement.

Over 3,000 changes in the revenue laws are contained in the tax revision measure. In general, the purpose of these changes has been to remove inequities, to end harassment of the taxpayer, and to reduce tax barriers to future expansion of production and employment.

The new law closes over 50 loopholes through which taxpayers today can avoid paying their fair share of taxes.

The new law contains $827 million relief for individuals and $536 million relief for business. In addition, the new law will extend the present 52 percent corporate income for 1 year which means an additional $1.2 billion tax on business. This increased tax on business practically pays for all of the tax relief granted so that the net cost to the revenue will be only $163 million.

Without attempting to give a technical interpretation, the following represents some of the highlights of the new tax law. These changes in general are effective last January 1 so that the taxpayers will receive the benefit from them this year.

DEPENDENTS

First. A parent can claim a deduction of $600 for each child regardless of the child's earnings if the child is under 19 and the parent continues to furnish more than half the child's support.

Second. A parent can also claim the $600 dependency deduction for a child over 18 regardless of the child's earnings if the child is attending school or college, or receiving on-the-farm training, and the parent continues to furnish more than half the child's support.

Third. An aged parent or other dependent cared for by several members of a family can be claimed as a deduction by one of the members of the family.

Fourth. A taxpayer can claim a $600 dependency deduction for a foster child.

Fifth. A taxpayer can claim a $600 dependency deduction for a child awaiting adoption.

Sixth. A taxpayer can claim a $600 dependency deduction for any other person, regardless of relationship, if the taxpayer supports that person in his home.

Seventh. A taxpayer can claim a $600 dependency deduction for a cousin who is institutionalized because of physical or mental disability.

Savings to taxpayers, $85 million.

CHILD-CARE EXPENSES

First. Single working parents, such as a widow, are allowed a deduction up to $600 for the expense of child-care for children up to 12 years of age.

Second. The same deduction is allowed for a married woman who must work because her husband is incapacitated.

Third. The same deduction is allowed with respect to any dependent regardless of age, who is mentally or physically incapable of caring for himself.

Fourth. A similar deduction is allowed a married woman if the combined income of her husband and herself does not exceed $5,100.

Savings to taxpayers, $130 million.

MEDICAL EXPENSES

First. Medical expenses can be deducted when they exceed 3 percent of income, instead of 5 percent as under present law.

Second. Example: A family with $3,000 gross income and medical expenses of $150 will be able to deduct $60. The same family can deduct nothing today.

Third. The bill doubles the present maximum limit on the amount that can be deducted.

Savings to taxpayers, $80 million.

HEAD OF FAMILY

First. A single taxpayer who has a dependent son or daughter will be entitled during the first 2 years after the death of his spouse to the same income-splitting privilege as is accorded married couples.

Second. A single individual can receive half the benefits of income splitting if he has a dependent parent and if the taxpayer maintains a household for the father or mother.

Savings to taxpayers, $11 million.

RETIREMENT INCOME CREDIT

First. All retired people 65 and over including schoolteachers, firemen, policemen, and civil servants, will in effect be exempt on all retirement income up to $1,200. This will mean a tax reduction for these retired people of up to $240 a year.

Second. Example: A retired single individual over 65 who has a total retirement income of $3,000 today pays about $300 in income tax. Under the bill, his tax is reduced to $60—a saving of $240.

Third. The same exemption will extend to individuals under 65 if they receive a pension from a public retirement system, such as do teachers.

Savings to taxpayers, $141 million.

CREDIT PURCHASES

The bill allows a deduction for interest up to 6 percent on installment purchases.

Total saving to taxpayers, $10 million.

CHARITABLE CONTRIBUTIONS

The bill increases from 20 to 30 percent the allowable deduction for charitable contributions to churches, hospitals, and educational institutions.

Total savings to taxpayers, $25 million.

AID TO FARMERS

First. Deductions up to 25 percent of farm income are allowed for soil and water conservation.

Second. The bill permits more rapid write-off of the expense of farm machinery, equipment, and construction.

Third. Removes tax on the proceeds of the sale of cattle when the sale is necessitated by disease.

Savings to taxpayers, $10 million.

SICKNESS AND ACCIDENT PLANS

First. Premiums paid by employers to health and accident plans will not be taxable to their employees.

Second. All accident and health benefits paid as reimbursement for actual medical expenses to employees, their wives, or children, are completely exempted from tax.

Third. Payments to employees for loss of wages due to injury or illness are exempted up to $100 a week.

Savings to taxpayers: No estimate possible.

DEATH BENEFITS

The bill exempts all death benefits up to $5,000 paid by an employer to the widow or other beneficiary of an employee.

Savings to taxpayers: No estimate possible.

PENSIONS AND ANNUITIES

In addition to the $1,200 exemption extended to retirement income, the bill also provides a simpler method for taxation of pensions and annuities, ends annual 3-percent tax paid on annuities and provides instead a method of computing tax on basis of cost divided by years of life expectancy.

Savings to taxpayers, $10 million.

DIVIDEND CREDIT

First. Excludes first $50 in dividends from taxation and provides a credit against tax equal to 4 percent of the balance.

Second. Example: An individual with $50 or less in dividends from his savings will be entirely exempt from tax on that amount.

Third. Example: An individual with $250 in dividends from his savings will exclude the first $50 entirely, and then reduce his total tax by $8—4 percent of the balance of $200.

Savings to taxpayers, $204 million.

DEPRECIATION

The bill will permit the more liberal writeoff of the cost of new equipment.

For example, in the first year of life of new equipment, the taxpayer will be able to write off twice the amount now allowed.

Savings to taxpayers, $375 million, of which $75 million represents savings to individuals such as farmers, shopkeepers, and salesmen.

DECLARATIONS OF ESTIMATED TAX

The requirements are eased for filing declarations of estimated tax. Upward of a million taxpayers will be relieved of the present requirement for filing.

FILING TAX RETURNS

Tax returns will be due April 15 instead of March 15, giving taxpayers 1 additional month in which to prepare their final tax returns and make their final tax payments.

RESEARCH AND EXPERIMENTATION

The bill grants taxpayers an option to either deduct as an expense or to amortize research and experimental expenditures.

No revenue estimate possible. The provision is designed to encourage business research with the objective of creating new products, new processes, and new jobs.

METHODS OF ACCOUNTING

The bill brings tax-accounting rules into harmony with business accounting, thereby eliminating to a great extent the necessity for taxpayers to maintain two sets of books. It provides realistic computation of net income for tax purposes in conformity with sound business practices.

Savings to taxpayers, $47 million.

DEPLETION

The bill increases the rate of percentage depletion on a variety of critical and strategic minerals in order to encourage the development of domestic sources of supply.

Savings to taxpayers, $34 million.

PARTNERSHIPS

First. The bill adopts comprehensive provisions concerning the tax treatment of partners and partnerships in order to remove confusion of existing law. Principal objectives are simplicity, flexibility, and equity between partners.

Second. Certain proprietorships and partnerships are given the option to be taxed as corporations.

Savings to taxpayers, $20 million.

INVENTIONS

The bill extends capital-gains treatment to proceeds realized by an inventor on the sale or exchange of a patent.

No revenue estimate possible. The new provision is designed to encourage invention and thereby promote a healthy economy and an improving standard of living.

NET OPERATING LOSS

The bill extends the net operating loss carryback to 2 years and makes certain other adjustments.

Savings to taxpayers, $120 million.

LIFE INSURANCE

The bill lessens the estate tax on the proceeds of certain life-insurance policies.

Savings to individual taxpayers, $25 million.

CONSOLIDATED RETURNS

The bill removes the 2 percent penalty tax with respect to consolidated returns filed by regulated public utilities.

Savings to taxpayers, $35 million.

IMPROPER ACCUMULATIONS

The bill eases the penalty tax on certain accumulated earnings in order that business, especially small businesses, may have greater freedom in retaining their funds for legitimate business purposes.

Savings to taxpayers, $10 million.

CORPORATION INCOME TAX

The bill extends for 1 year the present 52 percent corporation income tax.

Total increase in revenue, $1.2 billion.

REPUBLICAN ACTION FOR TAXPAYERS

The 10 percent reduction in Federal income taxes which went into effect last January 1 saves individual taxpayers a total of $3 billion annually. This tax cut would not have been possible if the Congress and the administration had not cut the Truman budget for fiscal 1954 by $12 billion.

Nor would the $2 billion tax savings by elimination of the excess-profits tax have been possible without this budget cutting.

The Republican excise-tax reduction law saves taxpayers an additional $1 billion.

The tax revision act will save taxpayers $1,400,000,000.

A total of $827 million of this tax saving is for individuals. The remainder, $536 million, is tax relief for business.

The overall tax-cut program will save $7,400,000,000. Of this amount, individuals receive an overall total tax saving of $4,700,000,000. The tax savings so far surpass any previous total in the history of Congress.

Interstate and Foreign Commerce Committee Reports on Bryson Bill, H. R. 1227

EXTENSION OF REMARKS

OF

HON. CHARLES A. WOLVERTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 17, 1954

Mr. WOLVERTON. Mr. Speaker, the Bryson bill—H. R. 1227—was the subject of long and extended hearings by the Committee on Interstate and Foreign Commerce of the House of Representatives. Because of the widespread interest in the bill I am herewith including, as part of my remarks, a copy of the report issued by the committee today, setting forth the views of the committee with reference to the bill at this time.

The report reads as follows:

REPORT ON H. R. 1227, BRYSON BILL

The Committee on Interstate and Foreign Commerce, to whom was referred the Bryson bill (H. R. 1227) to prohibit the transportation in interstate commerce of advertisements of alcoholic beverages by mail, newspaper, periodical, newsreel, photographic film, or record for mechanical reproduction, and the broadcasting of such advertisements by radio and television, having considered same, submits the following report:

Extensive hearings were held on the bill by the entire committee on May 19, 20, 21, and 24, 1954. The record of the hearings covers almost 500 printed pages. Over 50 witnesses appeared in person and were heard. An even greater number submitted statements for the record. Included among the representatives were various civic and religious groups, publishers, representatives of labor unions, distillers, trade associations, the press, radio, and television broadcasters, and Members of Congress. In addition, numerous letters, telegrams, and petitions were received from all parts of the United States.

The bill before the committee and the hearings held thereon raise many difficult issues, particularly those of a constitutional character resulting from the adoption of the 21st amendment. These issues require further consideration and more detailed information. The questions in the main are as follows:

1. To what extent, if any, from a constitutional standpoint is the 21st amendment applicable?

(a) Does it preclude Congress from adopting legislation designed either to prevent, regulate, or control advertising of alcoholic beverages?

(b) Does Congress have the power to adopt legislation that would apply to the advertising of intoxicating liquors in States, Territories or possessions where the delivery or use of intoxicating liquors is prohibited by law?

2. Is there any constitutional prohibition against such proposed legislation because of curtailments of free speech—

(a) as to radio and television?

(b) as to newspapers, periodicals, etc.?

(c) as to use of the mails?

3. Does the second section of the 21st amendment give a State the right to pass legislation on this subject with reference to—

(a) radio and television operating within the State, or, broadcasts from stations operating without the State?

(b) newspapers and periodicals published and circulated within the State, or, circulated in the State although published outside of the State?

4. If the second section of the 21st amendment gives protective rights to a State, how would such rights be made effective with respect to broadcasts originating in another State?

5. Would Congress have the power to prohibit the movement in interstate commerce, by mail or otherwise, of advertisements of alcoholic beverages that originate outside the boundaries of the United States?

6. Does the Federal Communications Commission have jurisdiction under present law that would enable it to carry out provisions contained in the proposed legislation without additional congressional action?

7. Does existing law enable the Federal Trade Commission to proceed against advertisements of alcoholic beverages when such advertisements are deemed misleading or deceptive with respect to the effect of alcoholic beverages on health and morals?

In view of the many complaints received by this committee with regard to improper or excessive advertising of some alcoholic beverages on radio and television, the committee is seeking information from the Federal Communications Commission, the beer, wine, and broadcasting industries and their respective trade associations with regard to (a) extent of this advertising in dollar volume in relation to other advertising, (b) the number, character, and length of programs sponsored by wine and beer manufacturers, and (c) the broadcast time consumed in the course of such programs and by spot announcements of beer and wine products.

In this connection, the committee takes cognizance of the fact that the distilling industry has adopted a policy of refraining from advertising its products over radio and television. This fact creates the thought that consideration could profitably be given by the beer and wine industries to the possibility of eliminating or curtailing their advertising over radio and television.

The committee furthermore takes cognizance of the fact that the television code specifically prohibits the advertising of hard liquors on television while the code does permit the advertising of beer and wine without any restrictions. The committee, therefore, raises the question whether radio and television broadcasters should not also adopt specific policies with regard to the advertising of beer and wine products with a view to eliminating or curtailing such advertising. The advertising of alcoholic beverages on television is not in good taste if such advertisement includes a scene of a family or any person drinking, serving, or preparing drinks, or contains any representation primarily appealing to children.

The committee feels that the efforts of the broadcasting industry and particularly the television industry at self-regulation in this highly sensitive field of advertising and programing, have not been as successful as the committee might justifiably have expected. The committee feels that it is incumbent upon the radio and television industries, in their own enlightened interest, to give serious consideration to the widespread complaints with reference to the advertising of alcoholic beverages over their mediums and to take immediate steps to meet these complaints.

The committee, therefore, feels justified in requesting that the radio and television industries submit to this committee by January 1, 1955, a report as to the steps already taken, and proposed to be taken, to cope with this problem. We expect the wholehearted cooperation of all concerned in arriving at a satisfactory solution to these vital issues.

The Drought Program—An Explanation of the Government's Program, in Cooperation With the States and Individual Farmers, To Combat the Effects of Drought

EXTENSION OF REMARKS

OF

HON. WILLIAM S. HILL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 17, 1954

Mr. HILL. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following explanation of the drought program:

STATEMENT OF ASSISTANCE AVAILABLE THROUGH THE DEPARTMENT OF AGRICULTURE IN DROUGHT DESIGNATED AREAS

In addition to the regular services available to farmers and ranchers through the Department of Agriculture, the following special programs are available upon a proper showing of need: (1) hay and feed grain program in areas designated under Public Law 875, and (2) emergency loans through the Farmers' Home Administration.

HAY AND FEED GRAIN PROGRAM

The hay and feed grain programs are only available in States that have been declared disaster areas by the President of the United States. A State USDA drought committee is established in each State where drought conditions appear to constitute an emergency. The USDA drought committee is composed of the chairman of the State agricultural stabilization committee as its chairman, and with the following as additional members: State director of the Agriculture Extension Service, State director of the Farmers' Home Administration, State director of civil defense, a prominent rancher or farmer, and a prominent banker.

The State USDA drought committee is responsible for obtaining and furnishing information to the Secretary of Agriculture with respect to drought conditions in the State. Where the severity of drought conditions justify the Secretary of Agriculture will use the information submitted by the State USDA drought committee, together with other information available to him, as a basis for recommendation to the President for designation of a drought disaster area under Public Law 875. In addition to the recommendations from the Secretary of Agriculture provisions of Public Law 875 require the governor of the State to make a formal request to the President setting forth the facts and conditions which constitute the emergency and how the State government is rendering assistance to meet the emergency. The request from the governor of the State and the recommendations from the Secretary of Agriculture constitute the basis upon which the President decides whether a state of emergency exists in any State pursuant to Public Law 875.

In States that have been designated by the President as drought disaster areas under Public Law 875, the Secretary of Agriculture is authorized to designate the counties within the State in which the hay and feed grain programs will operate. The information submitted by the State USDA drought committee and other information available to the Secretary is used as a basis for determining the counties in which these programs will be made available.

The hay program in these designated drought areas is conditioned upon the governor of the State signing a contract with the Department of Agriculture whereby the Department makes available to the governor such sum or sums of Federal funds as may be agreed upon in the contract for use by the governor in defraying the cost of the transportation of hay but not to exceed one-half of the actual cost of the transportation of hay or $10 whichever is the lesser. The State government is responsible under the contract for carrying out all phases of the distribution of hay to farmers and ranchers under the program and generally do that through trade channels. The responsibility to the Federal Government under the hay program is to make available the Federal funds as outlined above to assist in defraying the cost of the transportation of hay in the drought-stricken areas and to determine the eligibility of farmers and ranchers for such assistance.

The Department's feed grain program which involves the distribution of Commodity Credit Corporation surplus grains is only available in disaster areas designated under Public Law 875. Under the policies that have been announced by the Department, farmers and ranchers who are in need of assistance to maintain their foundation herds of cattle, sheep, and goats may obtain applications for these surplus feed grains at either the local county office of the Farmers' Home Administration or the local office of the Agricultural Stabilization Service. The completed applications may be filed at either of these local offices. The county committee of the Farmers' Home Administration has been designated to review all applications for hay or feed grains to determine eligibility therefor under these programs. Farmers who receive approved applications for surplus feed grains will obtain such grains at a reduced cost of 60 cents per 100 pounds. Farmers or ranchers will purchase the grain through local trade channels. The local dealers who sell the grain to the farmers or ranchers will obtain from the local commodity credit office negotiable certificates for the 60 cents per 100 pounds of grain sold to eligible farmers and ranchers. Commodity Credit Corporation will pay off these certificates with grain from its surplus inventories.

EMERGENCY LOAN PROGRAM

The Department has available through the Farmers' Home Administration emergency loans to assist farmers and ranchers in drought areas who are unable to obtain the credit they need from local private sources.

Special livestock loans are available to farmers and ranchers who need credit to continue their cattle, sheep, or goat operations. These loans are available in any State without regard to drought disaster designations.

Production emergency loans under Public Law 38 may be made available in States upon a designation by the Secretary of Agriculture. The designations under this statute by the Secretary of Agriculture are separate from the designations under Public Law 875. Where drought conditions are such that private lenders are unable to meet the credit needs of farmers and ranchers, the county supervisors of the Farmers' Home Administration in consultation with private credit sources or other agricultural leaders will submit reports to the State director of the Farmers' Home Administration requesting that the area be designated as a disaster area under Public Law 38. A report of the counties affected is submitted by the State director of the Farmers' Home Administration to the Administrator of the Farmers Home Administration in Washington. Where the facts justify, a report and recommendation is submitted to the Secretary of Agriculture for the designation of certain county or counties in a State as a disaster area for emergency production loans under Public Law 38. The action of the Secretary of Agriculture on these recommendations is final. In addition to these production emergency loans as described above, the Secretary of Agriculture may also authorize the making of economic emergency loans, where he finds there is a need for emergency credit, in areas that have been designated as disaster areas under Public Law 875. Information concerning the conditions and terms of these emergency loans from the Farmers' Home Administration can be obtained from the local county office of the agency serving the area in which the applicant resides.

SUMMARY

1. How States may obtain designations under public Law 875 for hay and feed grain programs

Step No. 1: The governor of the State must request the President to declare the State as a disaster area under Public Law 875.

Step No. 2: The State USDA drought committee must submit a report to the Secretary of Agriculture showing that a drought condition of major proportions exists in the State and setting forth information of the conditions in each county in the area to be designated.

Step No. 3: The Secretary of Agriculture will submit recommendations to the President concerning the designation of the area requested by the governor.

Step No. 4: If a State is designated as a drought disaster area by the President in accordance with the governor's request, the Secretary of Agriculture is authorized to designate the counties or areas within the State in which the hay and feed grain program will be operated. Counties or parts of counties will be added and deleted by the Secretary from the area as change in drought conditions warrant such action.

2. How does a farmer or rancher make application for and receive assistance under the hay program?

Step No. 1: In drought-designated areas where the governor and the Department of Agriculture have entered into a contract for the hay program, farmers and ranchers may obtain application forms for hay at reduced transportation costs at the local office of the Farmers' Home Administration or the county office of the Agricultural Stabilization Service.

Step No. 2: All applications for hay at reduced transportation costs must be approved by the county committee of the Farmers' Home Administration for the county in which the farmer and rancher reside. Completed applications must be filed by the farmer or rancher at the county office of the Farmers' Home Administration or at the county office of the Agricultural Stabilization Service.

Step No. 3: After approval by the county FHA committee, the approved application for hay may be picked up by the farmer or rancher at the county agricultural stabilization office.

Step No. 4: The farmer or rancher who has been certified for assistance under the hay program will deliver the approved application to the local dealer or person from whom he will purchase hay. The approved application will permit the farmer or rancher to purchase the hay from local sources at the reduced transportation costs.

3. How does a farmer or rancher obtain assistance under the Department's feed grain program?

Step No. 1: In areas that have been designated as drought-disaster areas under Public Law 875, farmers or ranchers may obtain application forms for feed grain at reduced costs at either the county office of the Farmers' Home Administration or the Agricultural Stabilization Service.

Step No. 2: County committees of the Farmers' Home Administration are responsible for determining eligibility of applicants for feed grain. Completed applications for feed grain must be filed at either the county office of the Farmers' Home Administration or the Agricultural Stabilization Service.

Step No. 3: Farmers or ranchers whose applications have been approved will obtain purchase orders from the county office of the Agricultural Stabilization Service. The purchase orders will be used by farmer or rancher to purchase the feed grain through local trade channels at a reduced cost of 60 cents per hundred pounds.

Step No. 4: The local feed dealers will obtain from the county office of the Agricultural Stabilization Service a negotiable certificate in exchange for the purchase orders obtained from farmers or ranchers who have purchased grain from them. The negotiable certificates will be used by the local dealers to obtain surplus feed grains from the Commodity Credit Corporation.

4. How do farmers and ranchers obtain emergency loans through the Farmers Home Administration?

Step No. 1: Farmers and ranchers who are producers and feeders of cattle, sheep, and goats and who are unable to obtain credit from private credit sources to continue their operations may apply at local offices of the Farmers Home Administration for special livestock loans in all States without regard to any drought designations.

Step No. 2: Where other types of emergency loans through the Farmers Home Administration are needed local interested citizens should request the county supervisor of the Farmers Home Administration to request the designation of the area under Public Law 38.

Step No. 3: The State director of the Farmers Home Administration will submit a report to the Administrator of the Farmers Home Administration in Washington, D. C., supporting the need for emergency credit in the county or counties in the State(s) under his jurisdiction.

Step No. 4: The Administrator of the Farmers Home Administration will make appropriate recommendations in justifiable instances to the Secretary of Agriculture requesting designation of areas for emergency loans.

Step No. 5: The Secretary of Agriculture makes the final determination for designations of areas for emergency loans.

Step No. 6: In areas that have been designated for emergency loans by the Secretary of Agriculture farmers and ranchers desiring such loans may obtain application forms and make such applications at the local county office of the Farmers Home Administration serving the area in which the farmer or rancher resides.

Internal Revenue Code of 1954

EXTENSION OF REMARKS
OF

HON. E. Y. BERRY

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 17, 1954

Mr. BERRY. Mr. Speaker, pursuant to permission to extend my remarks, it is a pleasure to present an explanation of H. R. 8300, now the tax revision law.

The new tax revision bill, which President Eisenhower signed into a law today, is the most monumental legislative undertaking in the history of the Congress. It is the first comprehensive revision of the internal revenue laws since before the turn of the century and the enactment of the income tax.

Approximately a half a million manhours of work have gone into this gigantic achievement. Over 3,000 changes in the revenue laws are contained in the revision measure. In general, the purpose of these changes has been to remove inequities, to end harassment of the taxpayer, and to reduce tax barriers to future expansion of production and employment.

The new law closes over 50 loopholes through which taxpayers today can avoid paying their fair share of taxes. It contains $827 million relief for individuals and $536 million relief for business. In addition, the new law will extend the present 52-percent corporate income for 1 year which means an additional $1.2 billion tax on business. This increased tax on business practically pays for all the tax relief granted so that the net cost to the revenue will be only $163 million.

Without attempting to give a technical interpretation, the following represents some of the highlights of the new tax law. These changes in general are effective last January 1 so that the taxpayers will receive the benefit from them this year.

DEPENDENTS

A parent can claim a deduction of $600 if the parent furnishes more than half of the child's support, if he is under 19, or if over 19, if attending school or college or receiving on-the-farm training. The same deduction can be claimed for a foster child or one awaiting adoption. A taxpayer can claim $600 deduction for any person supported in his home or a relative institutionalized because of physical or mental disability. An aged parent or other dependent cared for by several members of the family can be claimed by one member of the family. Saving to taxpayers: $85 million.

CHILD-CARE EXPENSES

A widow or a single working parent is allowed a deduction of $600 for expenses of child care for children up to 12 years of age. A married woman is allowed the same deduction if her husband is incapacitated or if the combined income of her husband and herself does not exceed $5,100. The same deduction is allowed with respect to any dependent regardless of age who is mentally or physically incapable to care for himself. Saving to taxpayers: $130 million.

MEDICAL EXPENSES

Medical expenses can be deducted when they exceed 3 percent of income instead of 5 percent as under present law. For instance, a family with $3,000 gross income and medical expenses of $150 will be able to deduct $60. They can deduct nothing today. The bill doubles the present maximum limit on the amount that can be deducted. Saving to taxpayers: $80 million.

HEAD OF FAMILY

A single taxpayer who has a dependent son or daughter will be entitled during the first 2 years after the death of his spouse to the same income-splitting privilege as is accorded married couples. A single individual can receive half the benefits of income splitting if he has a dependent parent and if the taxpayer maintains a household for the father or mother. Saving to taxpayers: $11 million.

RETIREMENT-INCOME CREDIT

All retired people 65 and over including schoolteachers, firemen, policemen, and civil servants, will in effect be exempt on all retirement income up to $1,200. This means a tax reduction up to $240 per year. For example, a retired single individual over 65 who has a total retirement income of $3,000 today pays about $300 in income tax. Under the new law his tax is reduced to $60. The same exemption will extend to individuals under 65 if they receive a pension from a public retirement system, such as to teachers. Saving to taxpayers: $141 million.

CREDIT PURCHASES

The law allows a deduction for interest up to 6 percent on installment purchases. Savings to taxpayers: $10 million.

CHARITABLE CONTRIBUTIONS

The law increases from 20 to 30 percent the allowable deductions to churches, hospitals, and educational institutions. Saving to taxpayers: $25 million.

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Deductions up to 25 percent of farm income are allowed for soil and water conservation, and it permits more rapid write-off of the expense of farm machinery, equipment, and construction.

It removes tax on proceeds of sale of cattle when sale is necessitated by disease. Saving to taxpayers: $10 million.

SICKNESS AND ACCIDENT PLANS

Premiums paid by employers to health and accident plans will not be taxable to their employees. All accident and health benefits paid as reimbursement for actual medical expenses to employees, their wives and children, are completely exempt from tax. Payments to employees for loss of wages due to injury or illness are exempt up to $100 a week. Saving to taxpayers: No estimate possible.

DEATH BENEFITS

The law exempts all death benefits up to $5,000 paid by an employer to the widow or other beneficiary of an employee. Saving to taxpayers: No estimate possible.

PENSIONS AND ANNUITIES

In addition to the $1,200 exemption extended to retirement income, the law also provides a simpler method for taxation of pensions and annuities, ends annual 3 percent tax paid on annuities and provides instead a method of computing tax on basis of cost divided by years of life expectancy. Saving to taxpayers: $10 million.

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Excludes first $50 in dividends from taxation and provides a credit against tax equal to 4 percent of the balance. For instance, an individual with $250 in dividends from his savings will exclude the first $50 entirely, and then reduce his total tax by $8—4 percent of the balance of $200. Saving to taxpayers: $204 million.

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The requirements are eased for filing declarations of estimated tax. Upward of a million taxpayers will be relieved of the present requirement for filing. Tax returns will be due April 15 instead of March 15.

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The law eases the penalty tax on certain accumulated earnings in order that business, especially small businesses, may have greater freedom in retaining their funds for legitimate business purposes. Saving to taxpayers: $10 million.

CORPORATION INCOME TAX

The law extends for 1 year the present 52-percent corporation income tax. Total increase in revenue: $1.2 billion.

The 10-percent reduction in Federal income taxes which went into effect last January 1 saves individual taxpayers a total of $3 billion annually. This tax cut would not have been possible if the Congress and the administration had not cut the Truman budget for fiscal 1954 by $12 billion. Nor would the $2 billion tax saving by elimination of the excess-profits tax have been possible without this budget cutting. The excise-tax reduction law saves taxpayers an additional $1 billion. The tax-revision act will save taxpayers $1,400,000,000.

The overall tax-cut program will save $7,400,000,000. Of this amount, individuals receive an overall total tax saving of $4,700,000,000. The tax saving so far surpasses any previous total in the history of Congress.

Railroad Retirement

EXTENSION OF REMARKS
OF
HON. RICHARD H. POFF
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 17, 1954

Mr. POFF. Mr. Speaker, on July 30, 1954, this House passed the bill H. R. 7840, which makes some few meritorious changes in the Railroad Retirement Act, but which at the same time increases the monthly tax base, at the expense of both the employee and the company, from $300 to $350. By reason of a previous appointment with the chairman of the Senate Judiciary Committee, I was not on the floor when this vote was cast, and I was very much surprised to learn from the CONGRESSIONAL RECORD the next day that it was a unanimous vote of both Democrats and Republicans of 360 to 0.

I have just returned from a brief visit to the Sixth District of Virginia, which I have the honor to represent, and while there I had an opportunity to talk at some length with several of my good friends among the railroad workers. Mr. Speaker, I can personally testify that they are bitterly disappointed at the action of Congress in sidetracking H. R. 5269 for H. R. 7840. The chief complaints are:

First. No provision was made to lower the retirement age from 65 to 60 after 30 years' service or to any age after 35 years' service.

Second. No provision was made to install the "5 best years" rule.

Third. H. R. 7840 provided only indirect and incidental benefits—not to the worker himself but principally to his survivors.

Fourth. H. R. 7840 does not provide any benefits for nearly 290,000 retired employees or 260,000 other beneficaries already on the retirement rolls.

Fifth. H. R. 7840 does not increase the benefits of the 36 to 40 percent of railroad workers who are earning less than $300 per month.

Sixth. The increase in the taxable wage will cost the employee who earns as much as $350 an additional $37.50 a year, while his anuity will be increased by only 69 cents for the first year's service.

This great disappointment and dissatisfaction of the individual railroad workers demonstrates once more the validity of the old adage, "Haste makes waste." A review of the legislative record will disclose that this measure was hurriedly scheduled, debated, and passed by the House on July 30. It was referred to the Senate Labor Committee on July 31. It was received by that committee on August 1. Without ever having been referred for consideration to the Subcommittee on Railroad Retirement, it was preemptorily and without deliberate debate ordered reported in the closing minutes of the executive closed-door session of the full Senate Labor Committee on August 2.

Mr. Speaker, I do not intend to infer that there has been a purposeful attempt to mislead the Congress or to stampede it into faulty legislation. We are in the closing hours of a long and busy session, and I choose to think that this haste has been the product of adjournment confusion. But whatever the cause of the haste, I am persuaded that given more time for careful research and analytical debate, Congress could have written a bill which would have been more responsive to the will of the people who own the fund we administer as trustees.

One Nation—Under God

EXTENSION OF REMARKS
OF
HON. CHARLES A. WOLVERTON
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 17, 1954

Mr. WOLVERTON. Mr. Speaker, it is always thrilling to hear the pledge of allegiance recited by an audience, particularly when it is composed of young Americans. The sincerity and devotion that is depicted upon the face of even the youngest is inspiring. And now that the words "under God" have been made a part of the oath of allegiance to our country it has created a new and additional sacredness that makes our pledge more meaningful than ever before.

The history of mankind through all the ages has demonstrated that the finest things and the greatest blessings in life come "under God." This is particularly true in this country of ours, where from the earliest beginnings on these shores there has been a recognition of God. Thus it is most befitting to have added these significant words "under God" to our oath of allegiance. As these words are repeated, "one Nation, under God, indivisible, with liberty and justice for all," we are reminded not only of our dependence upon God but likewise the assurance of security that can be ours through reliance upon God.

These words, "under God," taken in conjunction with the words "in God we trust," that we have stamped for many years upon our coins, can be taken as evidence of our faith in that divine source of strength that has meant and always will mean so much to us as a nation.

The full significance of this acknowledgment of God, and what it means to us as a nation was well and appropriately expressed by President Eisenhower after he had signed the bill which Congress had passed adding the words "under God" to our oath of allegiance. Making it the law of our land, he said:

From this day forward the millions of our schoolchildren will daily proclaim in every city and town, every village and rural schoolhouse the dedication of our Nation and our people to the Almighty.

To anyone who truly loves America nothing could be more inspiring than to contemplate this rededication of our youth on each school morning to our country's true meaning.

Especially is this meaningful as we regard today's world.

Over the globe mankind has been cruelly torn by violence and brutality and, by the millions, deadened in mind and soul by the prospect of an atomic war. In this somber setting this law and its effects today have profound meaning.

In this way we are reaffirming the transcendence of religious faith in America's heritage and future.

In this way we shall constantly strengthen those spiritual weapons which forever will be our country's most powerful resource in peace or in war.

These words of President Eisenhower might well be the answer of America in these tragic days to communism as it seeks to destroy all freedom loving, God-fearing nations. Let us never forget that recognition of God by this and the other nations of the free world will mean victory and security against the forces of evil that deny God. May we, as a nation under God, ever recognize Him as the source of our refuge and strength.

Congressman Hunter Reports Accomplishments of the People's Congress, the 83d

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EXTENSION OF REMARKS

OF

HON. OAKLEY HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 17, 1954

Mr. HUNTER. Mr. Speaker, I welcome this opportunity to submit to my colleagues in the Congress and to the people of my district a summary of the major accomplishments of the 83d Congress in the first 2 years of the new administration. It is a record of which the American people can well be proud, for it accomplished more for the average citizen than any Congress since the outbreak of hostilities began World War II.

PEACE

As the fighting ended in Korea in the first year of the new administration and an exchange of prisoners was secured, the Congress faced the gigantic task of legislating for an economy changing from a period of active hostilities to more peacetime production and still engaged in a worldwide cold war to contain communism. We succeeded in beginning peaceful reconstruction of war-torn Korea and supported President Eisenhower in the strengthening of Korean troops so that several American divisions of men could be brought home.

TAXES REDUCED

Tax reductions totaling $7.4 billion annually have gone into effect. This is the biggest tax cut in history. Not only have taxes been cut, but the nation's tax laws have been given their first major overhauling since 1890. Countless inequities, harassments, duplications, and loopholes have been removed.

Individual income tax rates were cut 10 percent. Excise taxes were slashed on ladies' handbags, telephone bills, athletic equipment, baby oils, cosmetics, and numerous other items. The 10 percent tax on home washing machines was eliminated entirely.

Other changes include: First, bigger medical deductions for 8.5 million people; second, special tax relief for 2.1 million working mothers; third, tax cuts on retirement income for 1.8 million old people; fourth, new tax savings for 1.6 million installment buyers; fifth, bigger soil-conservation deductions for 500,000 farmers; sixth, new rules on dependents for 1.3 million parents; seventh, easier depreciation rules for 10.2 million taxpayers.

BUDGET AND APPROPRIATIONS

Tax savings would not have been possible if Congress and the administration had not cut the final proposed budget of the previous administration for fiscal 1954 by more than $10 billion. Also, under the directives from Congress, the administration actually cut fiscal 1954 spending by more than $6½ billion under the amount spent in fiscal 1953. This reduction in spending resulted from a constant effort to improve the management of Government activities and to find better and less expensive ways of doing the things which must be done by the Federal Government. For example, a quarter of a million unnecessary Federal jobs have been eliminated, and there are 7,055 fewer Government automobiles in service today. Since January 1953, the General Services Administration, the Government's housekeeping and supply agency, has saved $150 million. Small savings bring big results.

COST OF LIVING STABILIZED

The value of the dollar has varied only one-half cent in the past 18 months. This contrasts with the 6-percent annual increase in living costs under the previous administration. The tragic loss of the purchasing power of the dollar—50 percent between 1939 and 1952—has been stayed. This stabilization was accomplished while ending Government control on wages, prices, and rent.

DEFENSE

By departmental reorganization better management and a thorough overhaul of the entire national defense program, the administration has built a highly flexible Army, Navy, and Air Force capable of handling anything short of major international war requiring all-out mobilization. Should an all-out war occur, this program can be readily and rapidly enlarged. Compared to previous years, the administration has achieved greater actual defense power at lower cost and with substantial savings to taxpayers.

COMMUNISM

A hard-hitting attack was launched on domestic Communists, pinks, and other security risks. During the first year of the administration 2,486 Government employees were separated for security reasons. This program was based on the principle that working for the Government is a high privilege—not a right.

Congress has tightened and strengthened the nation's antisubversive laws. New legislative weapons include: First, S. 3076, which outlaws the Communist Party; second, S. 16, which makes possible the granting of immunity to witnesses testifying before Congressional Committees—under this measure subversives will no longer find an easy refuge in the Fifth Amendment; third, H. R. 7486, which imposes heavier penalties for concealing persons from arrest; fourth, H. R. 8658, which imposes heavier penalties on bail jumpers; fifth, H. R. 9909, known as the Alger Hiss bill. This measure denies a Government pension or retirement benefits to any Government employee convicted of felony. Another measure requires that all printing presses owned and controlled by Communists must be registered with the Attorney General.

HOSPITALS AND HEALTH

The 83d Congress has taken important and vigorous steps to promote and protect the nation's health. One of its first acts was to create a new executive Department of Health, Education, and Welfare with Cabinet rank.

Legislation has been passed to provide Federal aid in the construction of public and nonprofit hospitals, diagnostic and treatment centers, rehabilitation facilities, and nursing homes. Research into health problems was encouraged through the National Heart Institute and the National Institute of Dental Research. Additional funds have been appropriated to expand the State-Federal vocational rehabilitation system, which is designed to help disabled persons to become economically independent.

Congress has been working on but has not yet taken final action on legislation to encourage the establishment of expansion of voluntary private health insurance plans—permitting a broadening of their coverage in some cases, with increased protection, or lower rates in others. Approximately 92 million Americans are already covered by private plans, but better protection is needed, particularly against long-term illness.

SCHOOLS AND EDUCATION

Congress has authorized an extension of the program of assistance in construction of schools in crowded defense centers and other areas which have

grown abnormally because of Federal activities. Congress has also granted similar assistance for school operating expenses. Legislation has been enacted to allow greatly expanded use of surplus foods in the school-lunch program.

HOUSING

The Housing Act of 1954 will raise housing standards, help more of our people to acquire homes, assist communities in getting rid of slums and in improving older neighborhoods, and strengthen our mortgage credit system. In the future, the new law will also stimulate the nation's entire economy, particularly the construction industry.

The new act makes it possible to buy both new and existing homes under FHA-insured loans with lower downpayments and more time to pay.

HIGHWAYS

A highway bill program second to none in history was adopted. This sorely needed program will provide nearly $2 billion for highway construction in fiscal years 1956–57. It will allow about $875 million a year to the States—an amount approximating the money American motorists spend each year in Federal gasoline taxes. California will get a big share of these funds, so that its citizens can drive their cars with greater convenience and better safety.

VETERANS

The Veterans' Administration has been reorganized along functional lines, giving veterans and their dependents faster, better service at less overhead cost.

Among the more important specific benefits given to veterans was the increased compensation payments to those with service-connected disabilities as well as an increase in the monthly payments to widows and dependent parents of veterans. Non-service-connected pensions were also increased.

The Congress increased by $100 million the revolving fund to finance direct Veterans' Administration loans to war veterans unable to finance home and farmhouse loans through private lending sources.

Korean war veterans were granted the same preferences as World War II veterans in war housing, in civil-service appointment, and in free postal service. The time has been extended for Korean veterans to initiate training under the GI bill of rights.

To take care of the ever-increasing load of hospitalized veterans and to provide them with adequate facilities, Congress this year appropriated funds to cover 117,700 operating beds, the highest number the VA feels it can use and staff properly and a greater number of beds than in any other year.

RAILROAD RETIREMENT

New legislation enacted by the House liberalized the provisions of the railroad retirement system by reducing the eligibility age of widows from 65 to 60, raising maximum earnings from $75 to $100, increasing maximum creditable compensation from $300 to $350, and in many other ways. In the meantime, the unemployment insurance was raised from $7 to $8.50 a day.

SOCIAL SECURITY

During the session just ended, Congress passed legislation establishing a record expansion of social security coverage and payments adding 10 million persons to the eligibility rolls and increasing monthly benefits for 600 million persons already receiving payments.

One of the most unfair restrictions concerned an earning limitation on retired persons under 75 years of age. Many lost part or most of their benefits because they sought work to supplement their retirement pay. Now retired workers can earn up to $1,200 a year without loss of benefits.

The new act also includes the disability freeze provision which guarantees that an individual who has no earnings for several years because of a disability does not suffer any reduction in his retirement pay thereby.

UNEMPLOYMENT COMPENSATION

Congress strengthened the Federal-State system of unemployment compensation by providing a $200 million reserve out of unemployment tax revenues and earmarked these reserve loans to States. In the past, unemployment compensation did not cover firms with less than eight employees. Under legislation passed this year, all firms employing four or more workers will be covered by the jobless benefit system.

TAFT-HARTLEY ACT CHANGES

The administration proposed and many of us worked for more than a score of carefully considered changes and improvements in the Taft-Hartley Act. The legislative action on this was not completed primarily due to action in the other body but the many weeks of work were not wasted as it will be one of the first matters before the 84th Congress.

RESOURCES DEVELOPMENT

Congress authorized construction of 183 navigation, flood-control, and beach-erosion projects throughout the nation. It also authorized construction of many new irrigation, reclamation, and power projects.

Approval of the St. Lawrence Seaway project settled a congressional issue of 30 years' standing. It set up a method of cooperation with Canada and opened the midcontinent of the United States to oceangoing commerce from all regions of the United States and from abroad. The economic advantage is to the nation as a whole.

The Atomic Energy Act was modernized and brought up to date for the first time since its original enactment. The legislation is designed to speed up the development of nuclear energy for peacetime use through both public power development which was given preference in the bill and through private enterprise development by establishing availability of nuclear energy.

It restored the tidelands to the States, keeping the Continental Shelf for the Federal Government.

In my own district, this year marked the completion at long last of Pine Flat Dam and Reservoir, which will provide flood control and irrigation benefits to the San Joaquin Valley of California and also make possible upstream generation of hydroelectric power. This year also saw the appropriation of sufficient funds to complete the Merced County Stream Group Project, a flood-prevention project of great importance to Merced County. Approximately $22 million has been appropriated for the Central Valley project, the major portion of which will be used to finance irrigation distribution systems and related works.

There is much yet to be done, however. The continued growth in population, industry, and agriculture in Merced County will require further power development, water storage, and flood-control work on the Merced River. Irrigation and flood-control benefits can be gained from building dams on the Chowchilla and Fresno Rivers in Madera County.

In the west side of the valley, the construction of the San Luis project will bring much-needed water to that area. The future prosperity and well-being of the people of my district are dependent upon successful prosecution of these and other projects. For that reason, I have given them, and shall continue to give them, my wholehearted support. The work we have accomplished in the 83d Congress on these matters should enable us to move rapidly on them when Congress reconvenes in January.

FOREIGN AID

Foreign aid has been continued, but at a reduced rate. Many changes and improvements have been made in handling the foreign-aid program. Continuing its great humanitarian tradition, the United States sent food to East Germany, wheat to Pakistan, and entered upon a comprehensive program for distributing farm surplus commodities for famine and distress relief.

AGRICULTURE

In policy and action, the 83d Congress and the Eisenhower Administration fully recognized the importance of farmers and farming to the national welfare. Month after month of hearings and many days of debate hammered out an impressive record of accomplishment for the benefit of agriculture. This subject is so important that I went into it at great length in my remarks appearing in the CONGRESSIONAL RECORD of August 17, 1954, which I have advised the people of my district are available upon request.

Thus, without going into detail at this time, it is sufficient to say that the revision of the agricultural laws of the United States perform a distinct service to the farmers, the consumers and the general economy by bringing more into balance the agricultural economy with the needs of today.

Mr. Speaker, in summation there was no segment of our people who were forgotten by the 83d Congress. The benefits to the worker, the businessman, and the farmer can best be realized in the coming months and years ahead. The tools provided by this Congress will enable the United States to use her position of world leadership to forge a strong and dynamic world peace and a prosperous economy for her citizens here at home. Certainly, this has been a people's Congress.

SENATE

WEDNESDAY, AUGUST 18, 1954

(Legislative day of Thursday, August 5, 1954)

The Senate met at 10 o'clock a. m., on the expiration of the recess.

Rev. Warren E. Mace, associate rector, Church of the Epiphany, Washington, D. C., offered the following prayer:

Almighty God, creator of the universe, and father of all mankind, we render to Thee our humble praises for Thy many blessings to us as a nation and people. Especially in times of concern, help us to realize these blessings. We would ask Thy guidance and direction of this body of government—leaders of the people. Through them and their deliberations may Thy purposes for mankind be advanced, and may we as a nation thus be knit together in a closer unity—a unity which enables men to be strong and at the same time to serve their fellows. This our prayer we offer in Thy name and presence. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
Washington, D. C., August 18, 1954.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. EVA BOWRING, a Senator from the State of Nebraska, to perform the duties of the Chair during my absence.

STYLES BRIDGES,
President pro tempore.

Mrs. BOWRING thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. KNOWLAND, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, August 17, 1954, was dispensed with.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting nominations was communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the House had agreed to the amendments of the Senate to the bill (H. R. 9859) authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 10187. An act to amend the Federal Property and Administrative Services Act of 1949, as amended, to provide for the payment of appraisers', auctioneers', and brokers' fees from the proceeds of disposal of Government surplus real property, and for other purposes; and

H. R. 10203. An act to provide rewards for information concerning the illegal introduction into the United States, or the illegal manufacture or acquisition in the United States, of special nuclear material and atomic weapons.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

H. R. 697. An act for the relief of Demetrios Christos Mataraggiotis, and Zoi Demetre Mataraggiotis, his wife, and Christos Mataraggiotis and Constantinos Mataraggiotis, their minor sons;

H. R. 717. An act for the relief of Henriette Matter;

H. R. 822. An act for the relief of Sister Giuseppina Giaccone;

H. R. 832. An act for the relief of Katharine Balsamo;

H. R. 834. An act for the relief of Arthur J. Boucher;

H. R. 839. An act for the relief of Sister Mary Gertrude (Mary Gertrude Kelly);

H. R. 877. An act for the relief of Nasser Esphahanian;

H. R. 1622. An act for the relief of Agustin Mondreal;

H. R. 1627. An act for the relief of Johann Groben;

H. R. 1904. An act for the relief of Patricia A. Pembroke;

H. R. 1975. An act to amend section 2201 of title 28, United States Code, to extend the Federal Declaratory Judgments Act to the Territory of Alaska;

H. R. 2061. An act for the relief of Regine du Planty;

H. R. 2154. An act authorizing the issuance of a patent in fee to Leona Hungry;

H. R. 2392. An act for the relief of Brother Eugene Cumerlato;

H. R. 2460. An act for the relief of Charlotte Margarita Schmidt;

H. R. 2483. An act for the relief of Giacomo Bartolo Vanadia;

H. R. 2500. An act for the relief of Stanislaw Majzner (alias Stanley Maisner);

H. R. 2794. An act for the relief of Mrs. Claire Godreau Daigle;

H. R. 3024. An act for the relief of Sergio Emeric;

H. R. 3388. An act for the relief of Louie Ella Attaway;

H. R. 3447. An act for the relief of Maria Paccione Pica;

H. R. 3507. An act for the relief of Maj. Elias M. Tsougranis;

H. R. 3520. An act for the relief of Mrs. Erna Rosita Font (formerly Erna Rosita Michel);

H. R. 3566. An act for the relief of Pimen Maximovich Sofronov;

H. R. 3665. An act for the relief of Marko Ribic;

H. R. 3750. An act for the relief of Inge Beckmann;

H. R. 3869. An act for the relief of Gilbert Elkanah Richards, Adelaide Gertrude Richards, and Anthony Gilbert Richards;

H. R. 3874. An act for the relief of Roberto Johnson;

H. R. 4015. An act for the relief of Josef, Paula, and Kurt Friedberg;

H. R. 4054. An act for the relief of Jorge Sole Massana and Montserrat Thomasa-Sanchez Massana;

H. R. 4426. An act for the relief of Andrea Paulette Quatrehomme and her child;

H. R. 4427. An act for the relief of Mrs. Helena Piasecka;

H. R. 4437. An act for the relief of Louise Rank;

H. R. 4522. An act for the relief of Petrus Van Keer;

H. R. 4815. An act for the relief of Alexander Petsche;

H. R. 4908. An act for the relief of Pietro Petralia;

H. R. 4969. An act for the relief of Basilios Xarhoulacos;

H. R. 5119. An act for the relief of Augusta Oppacher Bialek;

H. R. 5194. An act for the relief of Pauline Katzmann;

H. R. 5319. An act for the relief of Henry (also known as Heinrich) Schor, Sally (also known as Sali) Schor, and Gita (also known as Gitta Aviva) Schor;

H. R. 5344. An act for the relief of Bob Kan and Fourere Kan;

H. R. 5459. An act for the relief of Takeko Ishiki;

H. R. 5553. An act for the relief of Dr. Lu Jen-lung;

H. R. 5718. An act to limit the period for collection by the United States of compensation received by officers and employees in violation of the dual compensation laws;

H. R. 5749. An act for the relief of Maria Teresa Lubiato;

H. R. 6266. An act for the relief of Frank Robert Gage;

H. R. 6355. An act for the relief of Elena Scarpetti Savelli;

H. R. 6442. An act for the relief of Tamiko Fujiwara;

H. R. 6492. An act for the relief of Rodolfo Navarro;

H. R. 6498. An act for the relief of Elfriede Lina Avitable, nee Rose;

H. R. 6672. An act to provide for a temporary increase in the public debt limit;

H. R. 6752. An act for the relief of Mrs. Maria Giuseppa De Lisa Quagliano;

H. R. 6762. An act for the relief of Mrs. Irmgard (Chrapko) Broughman;

H. R. 6858. An act for the relief of Mrs. Efthemia Soteralis;

H. R. 7031. An act for the relief of Mrs. George A. Meffan;

H. R. 7033. An act for the relief of Mrs. Anna J. Weigle;

H. R. 7151. An act for the relief of Mazal Kolman;

H. R. 7217. An act for the relief of Astor Vergata;

H. R. 7229. An act to provide for the conveyance to T. M. Pratt and Annita C. Pratt of certain real property in Stevens County, Wash.;

H. R. 7581. An act for the relief of Gaetano Conti;

H. R. 7734. An act to amend section 47 of the National Defense Act concerning the requirement for bond covering certain property issued by the United States for use by Reserve Officers' Training Corps units maintained at educational institutions;

H. R. 7762. An act for the relief of M. M. Hess;

H. R. 7813. An act authorizing the Secretary of the Interior to adjust or cancel certain charges on the Milk River project;

H. R. 7828. An act for the relief of Mariana George Loizos Kellis;

H. R. 7829. An act for the relief of Shimasoi Michiko;

H. R. 7834. An act for the relief of Erika Schneider Buonasera;

H. R. 7885. An act for the relief of Sohan Singh Rai and Jogindar Kaur Rai;

H. R. 7938. An act for the relief of Miss Martha Heuschele;

H. R. 7947. An act for the relief of Mrs. Erika (Hohenleitner) Stapleton;

H. R. 8065. An act for the relief of Carlos Francisco, Manriqueta Mina, and Roberto Mina Yer;

H. R. 8205. An act to authorize the conveyance by the Secretary of the Interior to Virginia Electric & Power Co. of a perpetual

easement of right-of-way for electric transmission line purposes across lands of the Richmond National Battlefield Park, Va., such easement to be granted in exchange for, and in consideration of, the conveyance for park purposes of approximately 6 acres of land adjoining the park;

H. R. 8244. An act for the relief of Mrs. Dorothy Nell Woolgar Allen;

H. R. 8375. An act for the relief of Ilse Radler Hughes;

H. R. 8424. An act for the relief of Mrs. Else Johnson;

H. R. 8554. An act for the relief of Maria M. Khoe;

H. R. 8557. An act for the relief of Ezio Bertoni;

H. R. 8628. An act to amend the Tariff Act of 1930 to insure that crude silicon carbide imported into the United States will continue to be exempt from duty, and with respect to the duties applicable to certain prepared fish;

H. R. 8859. An act to convey the reversionary interest of the United States in certain lands to the city of Pawnee, Okla.;

H. R. 8932. An act to reclassify dictophones in the Tariff Act of 1930;

H. R. 8936. An act for the relief of Dana Evanovich;

H. R. 9029. An act for the relief of Paul James Patrie;

H. R. 9248. An act to amend section 308 (5) of the Tariff Act of 1930, as amended;

H. R. 9496. An act for the relief of Elisabeth Hoeft;

H. R. 9512. An act for the relief of Mrs. Franziska (Han) Rigau;

H. R. 9790. An act to amend the act of June 30, 1948, so as to extend for 1 year the authority of the Secretary of the Interior to issue patents for certain public lands in Monroe County, Mich., held under color of title;

H. R. 9953. An act for the relief of Mr. Fu-Ho Chan, Mrs. Fu-Ho Chan, and their child, Richard Chan; and

H. J. Res. 585. Joint resolution fixing the time of assembly of the 84th Congress.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. KNOWLAND. Madam President, I ask unanimous consent that immediately following the quorum call there may be the customary morning hour for the transaction of routine business, under the usual 2-minute limitation on speeches.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. KNOWLAND. Madam President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. KNOWLAND. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Morning business is in order.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON EXPORT CONTROL

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report on export control, dated June 1, 1954 (with an accompanying report); to the Committee on Banking and Currency.

PROPOSED AWARD OF CONCESSION CONTRACT, ROCKY MOUNTAIN NATIONAL PARK, COLO.

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed award of a concession contract to operate a lodge and provide related services in Rocky Mountain National Park, Colo. (with accompanying papers); to the Committee on Interior and Insular Affairs.

DISTRIBUTION OF FUNDS OF MEMBERS OF CREEK NATION OF INDIANS

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to provide for the distribution of funds belonging to the members of the Creek Nation of Indians, and for other purposes (with an accompanying paper); to the Committee on Interior and Insular Affairs.

REPORT ON MAINTENANCE OF GOVERNMENT-OWNED RUBBER-PRODUCING FACILITIES

A letter from the Chairman, Rubber-Producing Facilities Disposal Commission, Washington, D. C., transmitting, pursuant to law, a report on the maintenance of the Government-owned rubber-producing facilities, for the fiscal year ended June 30, 1954 (with an accompanying report); to the Committee on Banking and Currency.

AUDIT REPORT ON SMALL DEFENSE PLANTS ADMINISTRATION

A letter from the Acting Comptroller General transmitting, pursuant to law, an audit report on the Small Defense Plants Administration, for the period from July 31, 1951, through July 31, 1953 (with an accompanying report); to the Committee on Government Operations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MARTIN, from the Committee on Public Works, without amendment:

H. R. 8651. A bill to provide for the adjustment of tolls to be charged by the Wayland Special Road District No. 1 of Clark County, Mo., in the maintenance and operation of a toll bridge across the Des Moines River at or near St. Francisville, Mo. (Rept. No. 2492).

By Mr. BRICKER, from the Committee on Interstate and Foreign Commerce, with amendments:

H. R. 9434. A bill to amend section 216 (b) of the Merchant Marine Act, 1936, as amended, to provide for the maintenance of the Merchant Marine Academy (Rept. No. 2493).

By Mr. CARLSON, from the Committee on Post Office and Civil Service, without amendment:

H. R. 1553. A bill to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide for the inclusion in the computation of accredited service of certain periods of service rendered States or instrumentalities of States, and for other purposes (Rept. No. 2494); and

S. Con. Res. 105. Concurrent resolution to express the sense of the Congress on excusing Government employees from work on the afternoon of August 31, 1954, to attend the parade of the American Legion in the District of Columbia (Rept. No. 2495).

By Mr. BUTLER, from the Committee on the Judiciary, with amendments:

H. R. 9728. A bill to revise, codify, and enact into law, title 21 of the United States Code, entitled "Food, Drugs, and Cosmetics" (Rept. No. 2496);

H. R. 9729. A bill to revise, codify, and enact into law, title 13 of the United States Code, entitled "Census" (Rept. No. 2497); and

H. R. 9730. A bill to amend various statutes and certain titles of the United States Code, for the purpose of correcting obsolete references, and for other purposes (Rept. No. 2498).

By Mr. CARLSON, from the Committee on Post Office and Civil Service, with amendments:

H. R. 569. A bill to authorize the Postmaster General to impound mail in certain cases (Rept. No. 2499).

BILL INTRODUCED

A bill was introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McCLELLAN:

S. 3884. A bill for the relief of Sing Fong York; to the Committee on the Judiciary.

HOUSE BILLS PLACED ON CALENDAR

The following bills were each read twice by their titles, and placed on the calendar:

H. R. 10187. An act to amend the Federal Property and Administrative Services Act of 1949, as amended, to provide for the payment of appraisers', auctioneers', and brokers' fees from the proceeds of disposal of Government surplus real property, and for other purposes; and

H. R. 10203. An act to provide rewards for information concerning the illegal introduction into the United States, or the illegal manufacture or acquisition in the United States, of special nuclear material and atomic weapons.

SUMMARY OF ACTIVITIES OF THE COMMITTEE ON BANKING AND CURRENCY, 83D CONGRESS, 2D SESSION

Mr. BRICKER. Madam President, since the senior Senator from Indiana [Mr. CAPEHART] became chairman of the Committee on Banking and Currency, he has directed the professional staff of the committee to prepare a summary of the activities of the committee during each session of the Congress.

This summary is in the nature of a report to the Congress and to the people of the legislative activities of the committee.

For the 1st session of the 83d Congress, the document ran about 50 pages.

The report for the second session is now in preparation. It will be comprehensive, covering all activities since the beginning of the 2d session of the 83d Congress. It will run possibly 80 pages.

Inasmuch as it is not feasible to submit the report prior to the adjournment of the Congress, I ask unanimous consent for and on behalf of the chairman of the committee, who is absent from the Senate on official business, to submit such report entitled "Summary of Activities of Senate Committee on Banking and Currency, 83d Congress, 2d Session," after adjournment of the Congress, and to have it printed as a Senate document.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Ohio? The Chair hears none, and it is so ordered.

MISS IDA KLAUS

Mr. LEHMAN. Madam President, the city of New York is, at the present time,

organizing and expanding its labor department, a development of which I very much approve, and on which Mayor Robert F. Wagner is to be highly commended. In the process of organizing and expanding this department, Miss Ida Klaus, who for the past 17 years has been employed by the National Labor Relations Board—for the past 6 years as solicitor—has been named as counsel to the New York City Department of Labor.

Miss Klaus' resignation from the NLRB was announced on August 13, to become effective on September 1. I was pleased to see in the CONGRESSIONAL RECORD a tribute to Miss Klaus by the distinguished junior Senator from Oregon, [Mr. MORSE] who inserted an exchange of correspondence between Miss Klaus and the chairman of the National Labor Relations Board, Mr. Guy Farmer, and also a fine column summarizing Miss Klaus' career in Government, written by Mr. John Herling. This column appeared in the Washington Daily News of August 10.

I am glad that the Senator from Oregon saw fit to commend Miss Klaus, who was originally a New Yorker and now returns to New York to lend her talents to the department of labor of our great metropolis, to assist our Mayor Wagner in giving labor relations their due recognition in our city government.

Although I have not had the opportunity to know Miss Klaus personally, I have known of her work for many years. She has attained a unique status for her sex. Her legal skill has been widely acclaimed. Her expertness in the field of labor law is generally recognized.

I am sure she will continue to do outstanding work in the labor field and that she will add luster to the department of labor of New York City.

LEGISLATIVE GAINS FOR SMALL BUSINESS

Mr. SALTONSTALL. Madam President, I ask unanimous consent to speak not more than 4 minutes on 2 matters.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none. The Senator from Massachusetts may proceed.

Mr. SALTONSTALL. Madam President, there are about 4,200,000 business establishments in the United States. Of these, 96 percent are classed as small. New England, in particular, as I have frequently had occasion to say on the floor of the Senate, is a region which draws greatly for its strength upon the energy, resourcefulness, and imagination of its small-business firms.

The 12 months just ended have been notable for the legislative gains to small business through action we have taken in the Senate. I should like to take this occasion to review these gains briefly.

It was just over a year ago that we passed the bill which created the Small Business Administration. I was, I am glad to say, a cosponsor of that bill and testified in its support before the Senate Committee on Banking and Currency. During the year since the bill was enacted, I have had the opportunity, both as chairman of the Appropriations Subcommittee which reviews the Small Business Administration's budget requests and as a member of the Committee on Small Business, to learn something about the job which the Small Business Administration has been doing. That has been a constantly improving job. It has been done more economically and with ever-increasing efficiency.

Despite the enormous number of business enterprises which it serves, the Small Business Administration is a small agency with fewer than 600 employees. Its major functions fall under four headings. The first of these, and from our point of view in Massachusetts perhaps the most important, is to render assistance to small firms in getting a fair share of Government contracts, both military and civil. Experience has shown that unless special procedures are set up, designed to assure greater participation of small business in Government procuments, the long-run tendency is to concentrate the Government business more and more in large firms. The most effective means thus far worked out of combating this tendency is the so-called joint determination. Under this procedure, representatives of the Small Business Administration meet with purchasing representatives of other Government agencies to go over items to be procured and determine what types and what quantities can be efficiently and economically furnished by small firms. In this way, certain procurements and portions of procurements are selected as appropriate for small businesses. These are set aside exclusively for bidding by them. The Government is thus assured the best possible prices and small business is assured participation in Government purchases.

In the year since the Small Business Administration has been administering set-asides for small business, Massachusetts has received striking benefits. Our small firms bidding on set-asides have won contracts in 79 separate cases, with a total value of $4,185,563. I ask unanimous consent, Madam President, to have inserted at this point in my remarks a list of these firms. It is, I think, an impressive list, including, as it does, firms scattered all over Massachusetts in every type of productive enterprise.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

TYPE OF PROCUREMENT, JANUARY–JUNE 1954

Angier Sales Corp., Framingham, Mass., $80,729; barrier, wrapping, greaseproof.

Associated Engineers, Inc., Springfield, $27,619; preparation of standard inspection procedure, 30 mm. automatic gun.

Atkins & Merrill, Inc., South Sudbury, $13,085; training aids and drawings.

Atwood & Morrill Co., Salem, $6,321; hydraulic globe valves.

Braeburn Mfg. Co., Lowell, $41,781; coats, firemen.

Baird & McGuire, Inc., Holbrook, $3,694; Wood, preservative.

Charles Belsky, Holyoke, $10,500; cloths, wiping, reclaimed, all cotton, mixed colors, washed and sterilized, water and oil absorbent.

Bomac Laboratories, Inc., Beverly, $35,700; tube-type 1B 27, stock No. N 16–T–51227.

Bomac Laboratories, Inc., Beverly, $41,250; electron tube-type 1B 27–TR–Tube stock No. N 16 T–51227.

Bomac Laboratories, Inc., Beverly, $140,000; tube, hydrogen thratron-type 5C 22.

J. G. Bowden & Son, Inc., Boston, $9,130; webbing, cotton and nylon, natural dyed and finished.

Wm. D. Bright Industries, Waltham, $71,816; panel.

Cargocaire Engineering Corp., Amesbury, $6,470; floating bridge parts.

Control Engineering Co., Norwood, $28,280; amplifiers, magnetic for position indicators, MK 8 and MK 9.

Dempsey Industrial Furnace Co., Springfield, $8,400; furnace, forge, heating, oil-fired.

Charles Dowd Box Co., Inc., Worcester, $2,157; boxes, corrugated.

Doyle Shoe Co., Brockton, $292,105; shoes.

Elnar Products, Inc., Lynn, $266,600; MK 3 pallets.

Everlastik, Inc., Chelsea, $71,825; webbing—nylon.

Exclusive Rug Co., Inc., Chelsea, $27,440; cloths, wiping, reclaimed, all-cotton fabrics, mixed colors, washed and sterilized, water and oil absorbent.

The Granet Corp., Framingham, $1,557; gloves.

Hoyt Worthing Tanning Co., Haverhill, $15,324; chamois, sheepskin.

International Braid Co., Inc., Fall River, $39,275; webbing, cotton and nylon, natural, dyed and finished.

International Equipment Co., Boston, $9,814; medical supplies.

J & J Corrugated Box Corp., Fall River, $1,290; box, corrugated, fiberboard.

R. H. Long Co., Inc., Framingham, $287,332; shoes.

J. R. Lyman Co., Springfield, $15,219; cloths, wiping, reclaimed, all-cotton fabrics, mixed colors, washed and sterilized, water and oil absorbent.

T. Barry Kingman, Marine Construction Co., Cataumet, $66,600; 40-foot personnel boat.

Massachusetts Electric Construction Co., Boston, $49,964; installation of prime-heat treating and auxiliary equipment in building 39.

Massachusetts Waste Supply Co., Chelsea, $24,366; cloth, wiping, cotton, class 2.

Middlesex Paper Tube Co., Lowell, $2,057; VC 1 tubes.

Moore & Cram Webbing Co., West Concord, $3,048; webbing, cotton and nylon, natural dyed and finished.

Needham Manufacturing Co., Inc., Needham, $40,061; pendant chain, bridle chain, minesweeper gear.

Palmer Electric & Manufacturing Co., Wakefield, $31,891; box, electric outlet.

A. Pritzker & Son, Inc., Lawrence, $91,596; jackets, aviators, leather.

Rockland Webbing Co., Rockland, $15,520; webbing, cotton and nylon, natural dyed and finished.

Stevens Walden, Inc., Worcester, $19,320; handle, socket, one-quarter inch square drive, 21 inch diameter, close quarter, and handle, socket, wrench driver and extension, one-quarter inch square drive.

Thos. Taylor & Sons, Hudson, $27,019; cord, elastic, for various aircraft.

Traymore Manufacturing Co., Boston, $15,520; webbing, cotton and nylon, natural dyed and finished.

Ultrasonic Corp., Cambridge, $69,794; sonar, testing sets.

Utility Metal Products Co., Inc., Beverly, $18,310; locker, clothes, shipboard type.

Van Brodie Milling Co., Clinton, $26,000; kit, fishing.

Victory Plastics Co., Hudson, $155,560; M8 A1, scabbard, bayonet, knife.

Waltham Horological Corp., Lynn, $51,870; connector, plug.

Rofian Co., Topsfield, $80,892; trailer, floodlight, with spare parts.

Utility Metal Products Co., Inc., Beverly, $165,341; lockers, clothes, shipboard type.

Bomac Laboratories, Inc., Beverly, $16,125; TR tube, type 1B 58.

John Addison, Marlboro, $164,808; shoes, service, black, high.

Henschel Corp., Amesbury, $22,503; syncro, signal amplifiers.

Sig-Trans, Inc., Amesbury, $93,000; ship control and steering control consoles for FY 54.

Quincy Adams Yacht Yard, Inc.; Quincy, $421,476; aircraft rescue boats.

Shield, Inc., Attleboro, $11,747; badges, clasp and button, lapel.

John Addison Footwear Co., Marlboro, $196,914; boots, service, combat.

R. H. Long Co., Inc., Framingham, $120,005; shoe, high, leather, black.

Adell Corp., Orange, $9,616; reel for 16 mm. film.

Marlboro Wire Goods Co., Marlboro, $32,-976; 3-732-100 splint, wire, ladder 3½ inch by 31 inch.

Market Forge Co., Everett, $18,626; truck, shelf, hand, 4 shelves, 12 meat.

Keith & Keith & McCain, Inc., Rockland, $105,073; radio set cover, CW 329 G.

Apco Mossberg Co., Attleboro, $9,405; wrench, socket.

Baird & McGuire, Inc., Holbrook, $8,465; spray, 20-percent DDT.

Astra Pharmaceutical Products, Inc., Worcester, $193,756; lidocaine hydrochloride with epinephrine injection cartridges.

Potter Press, Waltham, $10,651; paper, recording teletype.

French Mfg. Co., Worcester, $18,086; poncho, short.

Berkshire Plastics Co., Inc., East Longmeadow, $31,807; wads, pyrelin, four 5-inch oblique line, 54 ammunition.

Sirsteak Machinery, Inc., Concord, $2,015; various machine works.

Sparling Bros. Machine Co., New Bedford, $323; various machine works.

Cummings Machine Works, Boston, $1,975; various machine works.

Lombard Governor Corp., Ashland, $11,647; various machine works.

L. F. Fales Machine Co., Walpole, $3,328; various machine works.

Cooperative Machine Co., Jamaica Plain, $852; various machine works.

Pneumatic Drop Hammer Co., Braintree, $1,865; various machine works.

Eugene Engineering Co., Hyde Park, $10,-149; various machine works.

Boston Paper Board Co., Boston, $1,725; paper, duplicating, liquid process.

Deerfield Glassine Co., Monroe Bridge, $33,-160; paper, tracing, overlay.

A. E. Look, Inc., Boston, $4,669; suture, various sizes.

McGregor Instrument Co., Needham, $24,-381; needles, various sizes.

John Addison Footwear, Inc., Marlboro, $41,440; shoes, leather.

O. G. Kelley & Co., Dorchester, $15,091; tanks assembly, photographic mixing and storing.

Hoyt & Worthen Training Corp., Haverhill, $38,462; chamois, sheepskin.

Mr. SALTONSTALL. Madam President, the second major function of the Small Business Administration is rendering financial assistance to small concerns, but never in competition with private lending agencies. It has approved several loans in Massachusetts to deserving small concerns, either directly or in conjunction with banks. Even more important, perhaps, is its financial counselling service through which many owners and operators of small concerns have been able to get their financial houses in order without recourse to loans.

In addition to making business loans, the Small Business Administration has the third function of making disaster loans to aid in the rehabilitation of homes and businesses damaged in windstorms, fires, floods, and other catastrophies. In Massachusetts, fishermen received such loans to assist them in recovering from the devastating storms which swept the New England coast last fall, and more recently, citizens of Peabody, Mass., flooded out by the bursting of a dam, received similar assistance.

Fourth in the list of major functions is the rendering of managerial and technical aid to managements which cannot afford to employ high-priced experts. Pamphlets and booklets are published, addressed to the specific problems of small business, written by experts in their line, and supplying the latest information on administrative and technical processes. More than a million of these publications have been distributed on a request basis and through reprints by trade associations.

Madam President, in addition to establishing the Small Business Administration, the 83d Congress has assisted small business by eliminating inequities in our tax laws which stifled its growth and expansion. In so doing, we have strengthened our entire economy to the benefit not only of those who manage and work in small business, but those who consume the goods and services which are produced.

Last year the Senate Committee on Small Business conducted extensive hearings aimed at exposing the obstructions and handicaps to small business which had crept into our tax laws over the years. The findings of our committee were made available to the Treasury and the Joint Committee on Internal Revenue Taxation. Provisions designed to eliminate these obstructions and handicaps were accordingly incorporated in the monumental tax revision bill submitted by the administration to Congress. With a number of additional improvements helpful to small business, it was recently passed by Congress.

Here are some of the ways in which the new law—the first comprehensive revision of our tax structure in 75 years—will aid small concerns:

Liberalized depreciation: This permits faster write-offs for depreciation on new property acquired in 1954 and later years. Its effect will be to permit tax-free recovery of about two-thirds of the cost in the first half of service life, thus aiding small businesses in the financing of their modernization and expansion.

Treatment of surplus accumulations: This section provides that the burden of proof shall be on the Government to show that earnings accumulations by firms are unreasonable. It also exempts the first $60,000 of earnings accumulations from the penalty tax and takes only the accumulations which are unreasonable in amount.

Research and experimental expenditures: For the first time, a small business, lacking a regular research and experimental budget, has a clear right to deduct its research outlays as current expenses or to amortize them over a 5-year period.

Loss carryover: The new law increases the net loss carryback provision to two years, instead of one year previously allowed. This helps take care of businesses with irregular or spotty earnings, by permitting the offset of losses over a longer period. Any individual who sells his business or business assets will be permitted to use his loss on the sale as a net operating loss carryover.

Relief from double taxation of dividends: Double taxation of corporate earnings has heretofore reduced the incentive to invest, particularly in small new concerns, and has restricted the marketability of new equity shares. Under the new law, the taxpayer is allowed a credit against tax of 4 percent of dividends from domestic corporations, plus an exclusion of the first $50 received. This should stimulate the supply of equity capital.

Optional tax treatment for certain partnerships and corporations: Under the previous system there might be marked differences in tax liability of a business depending on whether it operated as a partnership or a corporation. The new law provides clear, flexible, and equitable rules for handling partnership transactions.

Changes in capital structure: The new law permits the issuance of preferred stock dividends to holders of common stock, without subjecting such distribution to income tax at the time of distribution. This is calculated to remove tax barriers to needed financial rearrangements, so new financing may be had without the temptation by the owners of a small concern to sell out to a large concern.

Redemption of stock to pay estate taxes: The new act broadens the present provisions which permit the tax-free redemption of stock in a corporation to pay estate taxes. Its purpose is to avoid the forced sale or liquidation of a business in order to pay Federal estate taxes.

These tax savings for the individual restore freedom to the individual to spend more of his own money as he sees fit, and increase disposable personal income and thus purchasing power. For business, the savings will help to achieve healthy growth and thereby strengthen the national economy.

Madam President, I believe that the 83d Congress can properly take satisfaction in these achievements on behalf of small business. Certainly I for one take pride in my part in contributing to their fulfillment.

Madam President, I have one other brief statement which I should like to make at this time.

The ACTING PRESIDENT pro tempore. The Senator from Massachusetts has the floor.

ESTABLISHMENT OF A NATIONAL COMMITTEE FOR AN ADEQUATE OVERSEAS UNITED STATES INFORMATIONAL PROGRAM

Mr. SALTONSTALL. Madam President, a group of prominent citizens, all professionally qualified in the field of communication technique, have voluntarily formed a Committee for an Adequate Overseas Information Program. The committee will perform an important public service by adequately informing their fellow Americans of the true nature and extent of the vicious

campaign being currently waged by the Soviet against this country aimed at discrediting us in the eyes of the world.

The cold war has reached a critical stage. It is more urgent than ever that the United States Government should have an aggressive and positive overseas information program.

In this battle for men's minds, the Communists are conducting an all-out local assault to depict the United States as a Nation of warmongers, as barbarians lacking in culture, who are holding the atomic bomb over the heads of everyone as a threat.

We know this is untrue. We must let the world know it. And to do this effectively, it is imperative that our overseas information program should be thoroughly understood by all Americans.

The membership of the Committee for an Adequate Overeas Information Program has such weight that I am sure it will be most helpful in giving support to the task of the United States information agencies in countering the lies of the enemy and in establishing the truth about the policies of the United States.

I wish the committee success in its most important undertaking.

STOCKPILING OF MANGANESE

Mr. GOLDWATER. Madam President, I ask unanimous consent that I may proceed for approximately 5 minutes in the morning hour.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and the Senator from Arizona may proceed.

Mr. GOLDWATER. Madam President, manganese is a very important metal to the future of this country, not only to its domestic needs, but to its needs in time of war. In view of this, a stockpile was established at Deming, N. Mex., because the Government owned stockpiling property and there was a sampling mill there during the war. Then a stockpile was established at Butte, Mont., because the Government was part owner of a mill there. Then a stockpile was established in my State of Arizona, at Wenden.

The ultimate goal of this stockpile program for 1958 is 36 million units. However, it does not appear that this objective will be met. The stockpile in Arizona has apparently done the best of all. The buying station at Butte has not done too well. It is possible that the Wenden portion of the stockpile program will be exhausted about December of this year.

Because we could see that coming, and because of the urgency of stockpiling manganese, we started, in January of this year, attempting to get some answers from the ODM. The purpose of my remarks this morning is to call the attention of the Senate to the difficulty the State of Arizona has experienced in getting even sensible, reasonable answers from the Office of Defense Mobilization.

In January of this year, the Wenden station was just finishing its first year, and it expended more than $2 million for manganese ores. There were 55 regular shippers at the rate of about 3,000 tons a week, the ore averaging about 19 percent and bringing, on the average, about $25 a ton.

On February 2 of this year, a letter went to Dr. Flemming, signed by the entire Arizona congressional delegation, asking that the Wenden quota be raised by 6 million long-ton units of manganese, and stating that otherwise the station would have to close by April 1955.

Madam President, I ask unanimous consent that a copy of that letter be inserted at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FEBRUARY 2, 1954.

Mr. ARTHUR S. FLEMMING,
Director, Office of Defense Mobilization, Executive Office Building, Washington, D. C.

DEAR MR. FLEMMING: A survey made by the Arizona State Department of Mineral Resources discloses that at the present rate of intake the 6 million unit quota of manganese allotted to be purchased at the depot at Wenden, Ariz., will be exhausted by April 1955. As you know, under the Malone-Aspinall Act the program does not expire until June 30, 1958.

The survey further shows that it will take an allotment of a further 6 million units of manganese to keep the depot running at its present rate to June 30, 1958.

Due to the low price of zinc and lead and the consequent closing of Arizona mines, the manganese industry in Arizona has assumed important economic proportions. Furthermore, we believe that encouraging a domestic manganese industry is of great importance to the country.

We ask that you have a check made of the conditions cited in this letter, with the view of authorizing and directing the General Services Administration to allocate an additional 6 million units to be purchased at the Wenden depot under regulations not less favorable than those at present in force.

Sincerely,

BARRY GOLDWATER,
United States Senator.
CARL HAYDEN,
United States Senator.
HAROLD A. PATTEN,
Member of Congress.
JOHN J. RHODES,
Member of Congress.

Mr. GOLDWATER. Later, Madam President, the estimate of April 1955 had to be moved up to December of this year.

This letter also pointed out that manganese mines would take up some of the slack in the mine labor situation created by the lead-zinc shutdown.

Because of the indecision of ODM, and indecision with respect to the entire stockpile program, there is not a lead and zinc mine operating in the State of Arizona today. Yet this is a critical material.

Then on February 19 I wrote a long letter to Dr. Flemming, giving more reasons for adding to the Wenden quota, and asking for an immediate decision. Madam President, I ask unanimous consent that that letter be incorporated at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FEBRUARY 19, 1954.

Dr. ARTHUR S. FLEMMING,
Director, Office of Defense Mobilization, Executive Office Building, Washington, D. C.

DEAR MR. FLEMMING: The manganese buying station at Wenden, Ariz., has been so successful in developing a manganese industry in Arizona that its life has been shortened by the fact that deliveries to the station will catch up with allocations long before the Government manganese buying program has been completed.

One only has to study the figures of the three manganese depots, each of which was allotted 6 million units, to ascertain the situation in which the program now stands. Up to December 31, 1953, the unit tabulation stood as follows:

Butte and Phillipsburg, Mont.	428,809
Deming, N. Mex.	789,618
Wenden, Ariz.	2,089,283

In addition to these figures, we must consider the fact that the nationwide carlot program was allotted 19 million units, of which only 557,252 units were delivered up to December 31, 1953.

Under the Malone-Aspinall Act, the date on which this depot must be closed, unless Congress takes further action, will be June 30, 1958. It is perfectly obvious, however, that the present quota of 6 million units for Wenden will be exhausted by April of 1955. I feel that it is urgently important that an additional authorization of 6 million units be made, because it would enable this depot to remain open until the end of the authorized period. This is entirely within the province of your office to accomplish, because it is obvious that two of the stations will have difficulty filling their allotted units, while it is, at the same time, obvious that the Wenden depot will fulfill its allotted units long before the expiration date of the act. The transfer of unused units from other stations would be a highly desirable thing to accomplish because it would encourage further production of manganese in Arizona and would so establish this industry that it would not require a Government buying program after the present requirements have been met.

The men who, by their investments and their efforts, have accomplished the outstanding success of the Wenden depot are entitled to know just what is facing them. If a decison is delayed much longer on the further allocation of units to Wenden, it will seriously affect their financing and the proper planning for economic and profitable production by these 50-odd producers.

If my office can be of any assistance to yours in the solution of this problem let me know, but I would like to have some indication from you as soon as possible as to your intentions concerning Wenden.

Sincerely,

BARRY GOLDWATER.

Mr. GOLDWATER. Madam President, on March 26 the President announced his new mineral policy to aid domestic producers, and mineral producers all over the West took heart because they felt that finally the White House was cognizant of their dire situation, and that something would be done to hurry up the process of making decisions.

Madam President, I ask unanimous consent that there may be printed in the RECORD as a part of my remarks my letter addressed to Dr. Flemming, dated April 15, 1954, and his reply thereto, dated April 20, 1954.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

APRIL 15, 1954.

Mr. ARTHUR S. FLEMMING,
Director, Office of Defense Mobilization, Executive Office Building, Washington, D. C.

DEAR MR. FLEMMING: On the 19th of February of this year I wrote to you concerning the allocation by the Government of an additional 6 million units to the manganese depot

at Wenden, Ariz. To this hour I have received no acknowledgment or reply to that letter.

Entirely apart from the urgency of the request as set forth in the aforementioned letter, I think that I am at least entitled to the courtesy of a response thereto. I consider your negligence in this regard inexcusable, and I shall expect an immediate statement from you, not only in answer to my original communication but also in explanation of your tardiness in making that information available to me.

Sincerely,

BARRY GOLDWATER.

EXECUTIVE OFFICE OF THE PRESIDENT,
OFFICE OF DEFENSE MOBILIZATION,
Washington, D. C., April 20, 1954.

Hon. BARRY GOLDWATER,
United States Senate,
Washington, D. C.

DEAR SENATOR GOLDWATER: This is in reply to your letter of April 15, 1954, in which you point out our negligence in not replying to your letter of February 19 recommending the allocation by the Government of an additional 6 million units to the manganese depot at Wenden, Ariz.

You are quite right. Such delay in at least an acknowledgment cannot be justified, and you have our apologies. In fact, I am using this case to get across to ODM staff that such delays will not be tolerated in the future.

In explanation, but not as an excuse, the proposal made by your letter has been complicated by a number of varying but related proposals for manganese depots and programs. It proved difficult to decide one without deciding all.

During the past 2 months we have been examining the supply-requirements situation in manganese, which has changed considerably since current objectives were set. Interagency advice has been secured on some of the difficult issues involved. Finally, we are studying the implications for manganese of the policies recently announced by the President for long-term stockpile objectives.

You may be sure I will let you know at once when a decision is made. In the meantime, I am going to ask one of my assistants to contact you within the next week in order to go over the entire picture with you. Again, my sincere regrets at our delay in acknowledgment.

Sincerely yours,

ARTHUR S. FLEMMING,
Director.

Mr. GOLDWATER. On April 23, 1954, I called a conference in my office, at which the senior Senator from Arizona [Mr. HAYDEN] was in attendance, along with other Members of Congress. It was a most unsatisfactory conference. Members of the ODM were there, and they informed us that the additional manganese could be bought in the open market at a savings of from $5 million to $6 million; and, also, that ODM felt it might have enough manganese for both the short- and the long-term programs, but that they were making a study and would let us know.

They apologized for not answering the various letters, for indeed we have had difficulty getting ODM to answer our letters, to say nothing of giving us some intelligent replies when they do answer. They apologized for this, and the March 26 policy was discussed.

On May 1 of this year the congressional delegation wrote a letter to Dr. Flemming, based on the above-mentioned meeting, outlining a plan whereby the ODM could allot the additional units, and again asking that it be done.

Madam President, I ask unanimous consent that that letter be made a portion of my remarks at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MAY 1, 1954.

Mr. ARTHUR S. FLEMMING,
Director, Office of Defense Mobilization,
Executive Office Building,
Washington 25, D. C.

DEAR MR. FLEMMING: In our conference with Messrs. Weaver and Curtis on April 23d we were informed that the stockpile is overbought on manganese and that both the short- and long-range objectives were met prior to the policy statement of March 26, 1954. These calculations were said to include such manganese under the domestic 37 million long-ton units programs as it is expected will be produced by the expiration dates of those programs.

We wish to call to your attention that the Congress, in passing the Malone-Aspinall bill extending the time limits on the domestic procurement programs, not only expected that the entire amounts would be purchased, but provided that the Government should not be limited in further extending the programs, either in quantity or time. There is no implication that the amounts to be procured should be restricted to any particular district or districts. The idea was to stimulate domestic manganese production.

Your representatives admitted that, as the program now is set up, it will not be completed within the legal period as was contemplated by the Congress.

We, therefore, renew our request that an additional 6 million units be allotted to Wenden, for the reasons already advanced in other correspondence, and that you rely upon the fact that sufficient earmarked funds will be returned at the expiration of the programs to more than cover the Wenden commitment. This plan was discussed with Messrs. Weaver and Curtis.

Sincerely,

BARRY GOLDWATER,
United States Senator.
CARL HAYDEN,
United States Senator.
HAROLD A. PATTEN,
Member of Congress.
JOHN J. RHODES,
Member of Congress.

Mr. GOLDWATER. On April 28 of this year Representative PATTEN, of Arizona, introduced H. R. 8919, to direct the ODM to allot 6 million units to Wenden. This bill was not reported until August 9 of this year.

On May 20 Dr. Flemming wrote a long letter to me in answer to the letter of May 1, the omnibus letter, in which he said practically nothing except that "As indicated in my April 26, 1954, letter, I hope to resolve the issue very shortly."

My senior colleague from Arizona [Mr. HAYDEN] also received a copy of this letter.

Madam President I ask unanimous consent that this letter may be printed in the RECORD as a part of my remarks at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

EXECUTIVE OFFICE OF THE PRESIDENT,
OFFICE OF DEFENSE MOBILIZATION,
Washington, D. C., May 20, 1954.

Hon. BARRY GOLDWATER,
United States Senate,
Washington, D. C.

DEAR SENATOR GOLDWATER: I have your May 1, 1954 letter, signed jointly by you, Senator HAYDEN and Congressmen PATTEN and RHODES in which you refer to your recent discussion with Messrs. Weaver and Curtis about the metallurgical manganese ore situation and in which you again urge adoption of your February 2, 1954, proposal that the quota of six million long ton units of manganese ore allotted to the Wenden, Ariz. low-grade manganese ore purchase depot be doubled. In this respect you speak of the intent of the Malone-Aspinwall bill to bring about fulfillment of the domestic purchase depot and carload lot program without reference to production from specific districts and you suggest that financing an increased quota for Wenden could be made from funds earmarked for other purchases under the program which are unlikely to be made. We shall, of course, weigh these points carefully in the course of determining our policy regarding the further acquisition of metallurgical manganese ore.

I would, however, like to comment on one remark in your letter. It cannot be said that both the short- and long-range stockpile objectives have been met at this time. The present or "short range" inventory objective will probably be reached early in 1955, according to presently scheduled shipments under existing contracts. The "long range" objective, however, has not yet been officially established and it will not be precisely known until the current interagency review of supply and requirements factors is completed, a task which may not be accomplished until the end of May or early in June. In saying that the long term objective was covered, I understand Mr. Weaver and Mr. Curtis qualified their statement with the comment it was based on a preliminary estimate of the objective in relation to present inventories and existing contractual commitments under both stockpile and expansion program contracts.

As indicated in my April 26, 1954 letter, I hope to resolve the issue very shortly. Meanwhile I am appreciative of your recommendations and suggestions in this matter.

Sincerely yours,

ARTHUR S. FLEMMING,
Director.

Mr. GOLDWATER. Madam President, not getting any results from Dr. Flemming, I wrote the distinguished Chairman of the Committee on Small Business [Mr. THYE] on June 9, 1954, outlining the whole Wenden situation in detail, and asking for investigation and action. I ask unanimous consent that this letter may be inserted in the RECORD at this point as a part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JUNE 9, 1954.

Hon. EDWARD J. THYE,
Chairman, Select Committee on Small Business, United States Senate,
Washington, D. C.

DEAR SENATOR THYE: Attached hereto are copies of letters I have received from certain small mine operators in Arizona and California who ship manganese ore to the GSA purchase depot at Wenden, Ariz. Eighteen letters are attached, but some of them are signed by several operators. More are arriving in the mail each day. I also enclose a letter from the Arizona State Department of Mineral Resources and a tabulation of receipts of manganese at the various Government purchase stations.

Although the attachments are nearly self-explanatory, a short sketch of the situation is in order. The original Government domestic purchase program for manganese called for the purchase of 37 million long-ton units. Eighteen million units were to be purchased at 3 GSA buying stations, each station being allotted arbitrarily 6 million

units without respect to the potential production of the areas. The remaining 19 million units comprise the so-called nationwide carlot program which limits shippers to 10,000 tons of eligible material each.

For one reason or another the domestic programs clearly could not be completed in the time originally set by the GSA directive, and the Aspinall Act was passed extending the time to June 1958. An inspection of my memorandum of May 5, 1954, attached hereto, shows that only at the Wenden, Ariz., station is substantial production being obtained. The overall program is less than 15 percent complete. Production in the Wenden area is rapidly expanding and it now appears that the 6 million long-ton unit allotment may be exhausted by the end of this year.

The producers in the Wenden area have made substantial investments and the operations have absorbed a number of lead and zinc miners who have been thrown out of work. It is essential that the quota at Wenden be raised to lengthen the life of the buying station there, and, as one can see by referring to my memo of May 5, the overall program is so far from being complete that there appears to be no reason why the Wenden quota should not be increased.

I have not been able, after much negotiation with ODM, to obtain a satisfactory reply to my request, and I suggest that the Small Business Committee look into the matter in detail. At the same time the possibility of lifting the 10,000 ton limitation on the carlot program should be considered.

Satisfactory explanations of the delay in the stockpile program at this small mine level have not been forthcoming from ODM. Attempts to get satisfactory explanations have been in vain. If you see fit to direct the attention of the Small Business Committee to this disturbing situation, the staff member who is assigned to this might call Bill Broadgate at Sterling 3–1100. Mr. Broadgate will be happy to go over all the background and details. He is representing the Arizona mine operators in this matter and has been working with me on the case.

I feel sure this is a worthwhile project, as it bears upon the general problem of making us self-sufficient in strategic mineral production.

Sincerely,

BARRY GOLDWATER.

Mr. GOLDWATER. On June 25 the Senate Small Business Committee, of which I have the honor to be a member, held a joint meeting, with the various members of the delegation, and also representatives from ODM and other interested agencies.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. GOLDWATER. I ask unanimous consent that I may proceed for another 4 minutes.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and the Senator from Arizona may proceed.

Mr. GOLDWATER. There was no record made, but notes were taken, because this was merely a friendly get-together meeting to find what answer Dr. Flemming might be able to give to us. Nearly everyone of importance in the program from GSA and ODM, from Dr. Flemming on down, was there.

This conference was as inconclusive as the one of April 23. Dr. Flemming stated he would have the necessary stockpile data in his hands early in July, and be able to make a decision about August 1, 1954. He also promised to investigate expanding Wenden under the same authority under which it was originally set up, as the program had nothing directly to do with stockpiling. The talk of stockpiling seemed to be a red herring. Nothing whatever has been heard of this promise, either.

Madam President, I wrote Dr. Flemming in July calling his attention to the fact that he had promised an answer on August 1. I ask unanimous consent that there may be inserted in the RECORD at this point my letter to Dr. Flemming of July 21, 1954, and the answer of Dr. Flemming dated August 2, 1954.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

JULY 21, 1954.

DR. ARTHUR S. FLEMMING,
Director, Office of Defense Mobilization, Washington, D. C.

DEAR DR. FLEMMING: You will recall that in our recent meeting you made the statement that the figures on which you would base your manganese determination would be available to you by the first part of July, and that certainly by the first of August some pronouncement would be coming from your office concerning the future of manganese stockpiling.

Can I continue to be hopeful that this statement will be made within the very near future?

Sincerely,

BARRY GOLDWATER.

EXECUTIVE OFFICE OF THE PRESIDENT,
OFFICE OF DEFENSE MOBILIZATION,
Washington, D. C. August 2, 1954.

HON. BARRY GOLDWATER,
United States Senate, Washington, D. C.

DEAR SENATOR GOLDWATER: I have your letter of July 21, 1954, in which you inquire if a decision with regard to the future of manganese stockpiling can be expected by the first of August.

I will be getting in touch with you regarding this matter within the next 10 days.

Sincerely yours,

ARTHUR S. FLEMMING,
Director.

Mr. GOLDWATER. Madam President, to date there has been no answer from ODM or Dr. Flemming or the administration as to what the plans are for the stockpiling of manganese, either in Arizona or in other parts of the country. It is most difficult for a Senator and it is most difficult for a congressional delegation to attempt to work with a branch of Government which either has no power to make decisions, no heart for decisions, or no desire to come to any conclusions.

It seems to me that the period from last January to the present day afforded sufficient time to enable Dr. Flemming of ODM to reply as to the future manganese stockpiling program. It has become a large industry in my State. People are there with money to invest in it. People are there who want to continue in the stockpiling program. But, Madam President, we can well understand that people with money to invest in that kind of a project are not going to wait around day after day while some bureaucrat in Washington dawdles and dawdles and wastes his time. We either have a stockpiling program in this country or we do not have a stockpiling program. If we should ask the miner in Arizona, he would say we do not have a stockpiling program.

We in Arizona produce strategic metals. I wished to call this situation to the attention of the Senate in these closing days, because this is a matter of vast importance to the United States. It is of particular importance to the Southwest and western part of the United States, where the mining operations of our country are carried on, and it is important to the future safety of the Nation to have adequate stockpiling.

I do not believe that we should put American miners out of work to keep cheap labor at work in other countries of the world. There is not a mine operating in my State today which can produce lead and zinc, and if war were to come tomorrow it would take months and months to open those mines. While I do not like to go around channels. I hope my remarks today will wake up the head of the ODM, so that he will either tell us there will be no future program, or will say "Gentlemen, this is your program."

EXECUTIVE SESSION

Mr. KNOWLAND. Madam President, I move that the Senate proceed to the consideration of executive business for action on the nominations on the calendar.

The motion was agreed to, and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGE REFERRED

The ACTING PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting sundry nominations, which were referred to the Committee on Foreign Relations.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. BRICKER, from the Committee on Interstate and Foreign Commerce:

James P. Randall, for permanent appointment as ensign in the Coast and Geodetic Survey.

By Mr. MILLIKIN, from the Committee on Finance:

Russell E. Atkinson, of New Jersey, to be comptroller of customs, with headquarters at Philadephia, Pa.

By Mr. LANGER, from the Committee on the Judiciary:

Lewis J. Grout, of Kansas, to be a member of the Board of Parole; and

John E. Henry, of Montana, to be a member of the Board of Parole.

By Mr. CARLSON, from the Committee on Post Office and Civil Service:

Seventy-five postmasters.

The ACTING PRESIDENT pro tempore. If there be no further reports of committees the clerk will state the nominations on the executive calendar.

DEPARTMENT OF STATE

The legislative clerk read the nomination of Herbert Hoover, Jr., to be Under Secretary of State.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

DEPARTMENT OF THE ARMY

The legislative clerk read the nomination of Charles C. Finucane to be Assistant Secretary of the Army.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Frank H. Higgins to be Assistant Secretary of the Army.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

DEPARTMENT OF THE AIR FORCE

The legislative clerk read the nomination of Lyle S. Garlock to be Assistant Secretary of the Air Force.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

NOMINATION PASSED OVER

The legislative clerk read the nomination of Trevor Gardner to be Assistant Secretary of the Air Force.

Mr. KNOWLAND. Madam President, I ask that this nomination be passed over.

The ACTING PRESIDENT pro tempore. The nomination will be passed over.

DEPARTMENT OF THE NAVY

The legislative clerk read the nomination of William Birrell Franke to be Assistant Secretary of the Navy.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

DIPLOMATIC AND FOREIGN SERVICE

The legislative clerk read the nomination of Robert McClintock to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Cambodia.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Charles W. Yost to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to the Kingdom of Laos.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

NOMINATIONS PASSED OVER

Mr. KNOWLAND. Madam President, by request I ask that the nominations for United States circuit judge and United States district judge be passed over for the time being.

The ACTING PRESIDENT pro tempore. Without objection, the nominations will be passed over.

UNITED STATES MARSHALS

The legislative clerk read the nomination of Jay Neal to be United States marshal for the western district of Arkansas.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of William C. Littlefield to be United States marshal for the northern district of Georgia.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

IN THE ARMY

The legislative clerk read the nomination of Lt. Gen. John Ernest Dahlquist to be Chief, Army Field Forces, with the rank of general, and as general in the Army of the United States.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Maj. Gen. Henry Irving Hodes to be commanding general, VII Corps, with the rank of lieutenant general and as lieutenant general in the Army of the United States.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Maj. Gen. John Howell Collier to be commanding general, I Corps, with the rank of lieutenant general, and as lieutenant general in the Army of the United States.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Maj. Gen. Charles Edward Hart to be commanding general, V Corps, with the rank of lieutenant general, and as lieutenant general in the Army of the United States.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk proceeded to read sundry other nominations in the Army.

Mr. KNOWLAND. Madam President, I ask unanimous consent that the other nominations in the Army be confirmed en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the other nominations in the Army are confirmed en bloc.

IN THE NAVY

The legislative clerk proceeded to read sundry nominations for temporary promotions in the Navy.

Mr. KNOWLAND. Madam President, I ask that the nominations in the Navy be confirmed en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations are confirmed en bloc.

The legislative clerk proceeded to read sundry nominations for promotion in the Navy, favorably reported on August 17, 1954, but not printed on the calendar.

Mr. KNOWLAND. Madam President, I ask unanimous consent that these nominations be confirmed en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations are confirmed en bloc.

Mr. KNOWLAND. Madam President, I ask that the President be immediately notified of all confirmations of today.

The ACTING PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. KNOWLAND. Madam President, I move that the Senate return to the consideration of the legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

INCREASE OF BORROWING POWER OF COMMODITY CREDIT CORPORATION

Mr. KNOWLAND. Madam President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. KNOWLAND. What is the unfinished business before the Senate?

The ACTING PRESIDENT pro tempore. Is there further morning business? If there is no further morning business, the Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H. R. 9756), an act to increase the borrowing power of the Commodity Credit Corporation.

PROGRAM FOR TODAY

Mr. KNOWLAND. Madam President, I should like to make a brief announcement to the Senate as to the program for the remainder of the day. There is the unfinished business, Calendar No. 2499, H. R. 9756, an act to increase the borrowing power of the Commodity Credit Corporation, to be handled by the chairman of the Committee on Agriculture and Forestry, the Senator from Vermont [Mr. AIKEN].

Following that will be the supplemental appropriation bill conference report. The senior Senator from Michigan [Mr. FERGUSON], the ranking Republican on the Committee on Appropriations, will handle that matter for the Senator from New Hampshire [Mr. BRIDGES], the chairman of the committee, who is temporarily absent.

We will follow the consideration of that bill with a calendar call of bills to which there is no objection, starting at the beginning of the calendar and proceeding to the point where the last calendar call was concluded; that is, beginning with Calendar No. 19, S. 242, and ending with Calendar No. 2519, S. 3851; to be followed by the consideration of measures which were placed at the foot of the calendar on the last call. A list of those measures is at the desk, for the information of Senators.

Immediately after we have concluded the call of the calendar, there will be another meeting of the policy committee, and other measures will be recommended for consideration by the Senate, and for me to take up with the minority leader. Several other bills, which we have already scheduled, will be taken up between the conclusion of the call of the calendar

and the meeting of the policy committee. Those measures are:

Calendar No. 2223, H. R. 7130, the immigration and nationality bill.

Calendar No. 2054, H. R. 9987, the merchant marine bill, together with its companion bill, Calendar No. 1817, S. 3219. Because of the time element involved, the Senate probably will take up the House bill.

Calendar No. 2365, S. 3067, relating to executive agreements being made available to the Senate of the United States in the same way in which they are now being made available to the United Nations.

When we have completed consideration of those bills, we shall have another list of proposed legislation, depending on what has been disposed of on the call of the calendar.

INCREASE OF BORROWING POWER OF COMMODITY CREDIT CORPORATION

The Senate resumed the consideration of the bill (H. R. 9756) to increase the borrowing power of Commodity Credit Corporation.

Mr. AIKEN. Madam President, it was with some reluctance that the Committee on Agriculture and Forestry reported the bill providing for an increase in the borrowing authority of the Commodity Credit Corporation. When the borrowing authority of the Commodity Credit Corporation was raised to $8½ billion early last spring, we hoped that that would be the last time we would have to increase its borrowing authority, for some years, at least. However, conditions which have developed pose a question as to whether the $8½ billion in borrowing authority will be adequate to carry the agency through with its commitments for the 1954 crop year.

The latest figures I have are as of yesterday, August 17, 1954. I do not claim that they are accurate down to the last dollar. They were given to us by the Commodity Credit Corporation this morning. They show that maximum borrowing authority available of the $8,500,000,000 approximately $6,793,000,000 is now obligated. Last year, from August to January, about $2½ billion was obligated. Therefore it is perfectly obvious that if the Corporation uses close to that amount this year, the $8½ billion may not be adequate. The Commodity Credit Corporation does not believe it will use all of the $8½ billion, but if economic conditions around the world should be such that commerce and trade is lessened, or if the crops of this country should pick up from the present anticipated yield level, a maximum of $9,800,000,000 may be required.

We do not feel safe, therefore, in leaving the maximum borrowing authority at $8½ billion, as it is now. It appears that close to that amount will be used, and it is possible that that amount may be exceeded.

I might point out that the new agricultural bill which was passed yesterday contains an authorization for the use of $50 million a year for the purchase of milk for the school-lunch programs, and also an authorization for the use of $15 million a year for the next 2 years to be used in the brucellosis-eradication program. This $65 million, which can be used next year, was not taken into consideration when we determined how much borrowing authority the Commodity Credit Corporation would have to have.

For that reason, and for the other reasons I have given, the Committee on Agriculture and Forestry recommends this increase of $1½ billion in the borrowing authority of the Commodity Credit Corporation. This amount will bring borrowing authority of the Corporation up to $10 billion. I believe that will probably be the maximum amount needed for some years to come under present prospects. We are hopeful that supplies and production will come in line with demand as to several commodities in which we have a great investment at the present time. I believe they will. I believe that if we raise the maximum borrowing authority to $10 billion that amount will be adequate for many years to come.

Mr. SCHOEPPEL. Madam President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. SCHOEPPEL. Is it not true that we are approaching this question with a margin of safety in mind?

Mr. AIKEN. That is entirely correct.

Mr. SCHOEPPEL. Is it not true that there is a feeling on the part of many members of the Committee on Agriculture and Forestry that the Commodity Credit Corporation may not be required to use the $10 billion, but we wish to keep faith with the American farmers, who raise crops under the various programs, and we feel we must have that margin of safety? Is that a fair statement of the situation?

Mr. AIKEN. Frankly, I do not believe all of the $10 billion will be used. However, it is better to have a few hundred million dollars more than is required than to fall short by two or three hundred million dollars, and have to deny loans to farmers who under the law are entitled to such loans.

Mr. SCHOEPPEL. Madam President, will the Senator yield further?

Mr. AIKEN. I yield.

Mr. SCHOEPPEL. Is it not true that we have noted a very great acceleration in the amount which the Corporation was required to lend, and it is because of anticipation that we may have to hedge against that kind of recurrence that we ask for this safety factor of $10 billion?

Mr. AIKEN. That is true. I believe that conditions will become better in this field, although we have no way of guaranteeing it. Therefore, we must make sure that we do not get caught without adequate funds to carry out our commitments, because otherwise we certainly would be in real trouble.

Mr. HOLLAND. Madam President, I think that nothing better exemplifies the fact that the handling of the vital agricultural question in the committee is wholly bipartisan, and, likewise, that there is no difference between Senators who favor the new agricultural law, passed last night, and those who do not favor that law, than the fact that all members of the Committee on Agriculture and Forestry favored the enactment of the pending bill, as proposed, and left the matter in the hands of the distinguished chairman and the ranking minority member of the committee, to be presented and passed upon after the new farm bill was out of the way.

I wish the RECORD to show that all members of the committee favor this bill.

Madam President, I offer the amendment which I send to the desk and ask to have stated.

The ACTING PRESIDENT pro tempore. The clerk will state the amendment offered by the Senator from Florida.

The LEGISLATIVE CLERK. At the end of the bill it is proposed to add the following new section:

SEC. 3. (a) Section 8e of the Agricultural Adjustment Act (of 1933), as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, is amended by inserting after "avocados" a comma and the word "mangoes."

(b) The amendment made by this section shall become effective upon the enactment of this act or upon the enactment of the Agricultural Act of 1954, whichever occurs later.

Mr. HOLLAND. Madam President, to make a brief explanation of my amendment, the Senate will recall that in the bill passed last night there is a section relating to certain small crops produced in the southern part of the United States, principally in Florida, which meet foreign competition. Those crops include tomatoes, avocados, and other products which were specified in the bill which was passed last night.

When we reached the conference we found that one of the small fruits which was supposed to be included in that particular measure had not been included in either the House version or the Senate version. Therefore, it could not be included by the conference committee without risking the making of a point of order against the entire conference measure. The conferees were agreed that mangoes should be included, and it was agreed that the proper method to be followed would be that of presenting an amendment at this particular time. So, Madam President, the matter has been discussed by the conferees of the House and the Senate, and unanimously agreed to.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Florida [Mr. HOLLAND].

The amendment was agreed to.

The ACTING PRESIDENT pro tempore. The bill is open to further amendment. If there be no further amendment, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

LOSS OF NATIONALITY BY PERSONS CONVICTED OF CERTAIN CRIMES

Mr. KNOWLAND. Madam President, I move that the Senate proceed to the consideration of Calendar No. 2223 (H. R. 7130) to amend the Immigration and Nationality Act to provide for the loss of nationality of persons convicted of certain crimes. I wish to have it made the pending business before the Senate.

The ACTING PRESIDENT pro tempore. The clerk will state the bill by title.

The LEGISLATIVE CLERK. A bill (H. R. 7130) to amend the Immigration and Nationality Act to provide for the loss of nationality of persons convicted of certain crimes.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from California.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 7130) to amend the Immigration and Nationality Act to provide for the loss of nationality of persons convicted of certain crimes.

DANGER CONFRONTING OUR ECONOMIC SYSTEM

Mr. GOLDWATER. Madam President, much has been said during this session of the Congress about the giveaway programs of the Republican administration. I think there is a giveaway program in progress in this country which is of far greater significance than is anything that has thus far been attributed to the Republican administration. I refer to the attempt to give away our economic system.

Repeated remarks on the floor of the Senate indicate that this infection is penetrating these walls. There are indications that certain Senators either desire to do away with our free-enterprise system and put the Government into business, or that they do not quite understand how the system operates. Because of that, a few days ago I made some remarks of a rather academic nature, trying to educate, where education was needed, and trying to encourage, where encouragement was needed.

I am far more fearful of the effect of the "giveaway" of our free-enterprise system than I am of any indication that this administration may be attempting to give anything away.

There has been sent to all Senators—I have received two copies—from the Joint Committee on the Economic Report a booklet entitled "Toward Full Employment and Full Production," which is issued by the Conference on Economic Progress. A group of very distinguished Americans have lent their names to this effort, and I should like particularly to call attention to one Leon H. Keyserling, former Chairman of the Economic Advisory Committee to the President. As a member of the Joint Committee on the Economic Report I do not subscribe to the kind of thinking set forth in this publication, and I, as one member of the committee, should like to invite the attention of the Senate to the fact that this booklet was not sent out with the approval of the full committee. If it was sent out with anything in mind, I sincerely hope it was sent out merely to let the members of the committee know what is going on in the minds of this group calling themselves "The Conference on Economic Progress."

Madam President, this formula puts the cart in front of the horse, and if we adopt such a formula, from henceforth the cart will pull the horse.

I wish to read a few short statements from this booklet to illustrate what I mean. In the first place, it is said:

> Government initiative is essential.

Madam President, what is wrong with private initiative in this country? Recently, the tax bill was criticized on the floor of the Senate by the distinguished Senator from Georgia [Mr. GEORGE], and that criticism shocked me, because I have long had implicit faith in the Senator's adherence to the concept of free enterprise. We should put initiative back into private hands and take it out of the hands of the Government. That tax bill puts money where money is needed, into the hands of investors, so they can buy new tools and erect new buildings, so that jobs will be available in 2 or 3 years from now. It does not put the cart in front of the horse, as does this proposition.

I continue to read from this booklet:

> As indicated by the above table, the annual rate of Federal outlays should be increased by about $3 billion above the rate in the first quarter of this year. This would still be about $2½ billion below the rate in the middle of 1953. If increases of this size in national security outlays are not needed (though they may well be), there are enormous backlogs of needs at home—for roads, schools, hospitals, and many other public works.

Madam President, that is $3 billion more in deficits which this organization suggests. I am sorry to say that some of our brethren in the Senate agree that we should go into deficit spending. I admit that there are jobs that need to be done, schools that need to be built, roads that need to be constructed, bridges that need to be provided. I suggest that if the Federal Government would get out of private business and get out of the business of the counties, the cities, and the States, these lower echelons of government could well finance these projects themselves, and not send their money to Washington, in which case, instead of getting a hundred cents back, they get back only 50 cents or less. It is very easy to talk about $3 billion when we do not have to find the tree on which that money grows.

I read further:

> If the increase in the annual rate of Federal outlays is kept within the general magnitude set forth above, the Federal Government should also reduce personal income taxes by about $4½ billion, with as much of the reduction as feasible as far down in the income structure as feasible to promote current spending.

Madam President, if the Federal Government's fiscal affairs were in such shape as to cut $7½ billion off income taxes, I would say we should do so. But we cannot, willy-nilly, cut $7½ billion. That, with the $3 billion deficit spending suggested in the booklet, makes it $10½ billion. What they are trying to get at is that we should adopt this newly developed brainchild of one of these "eggheads," which is the first indication that the cart is in front of the horse. Our products cannot be manufactured by the Government. They could be manufactured, perhaps, for a few years, and then inflation would be with us, and we would not have any national production or anything but economic chaos in this country.

The tax bill has been criticized for not cutting taxes in the lower brackets. I wish it had been possible to cut all brackets of taxation, for certainly that would have indicated a more sensible, more stable, and a more healthy fiscal condition.

But I ask this question: If the exemption had been raised by $100, as was suggested, would it have been wise to do so, in view of the fact that it would have represented less than the national income of the country for 2 days? Even if we had taken the maximum, it would have been less than the total national income of the country for 1 week. It would have been merely a pin prick upon the total annual economy of the country.

If the exemptions had been raised this year, and if they had been made available to the people of the country, with no relief to the corporations, with no relief to the man who has money to invest in tools, buildings, and jobs, might not the jobs have been vacant in a year from now or 2 years from now, since business cannot grow without the investment of capital? I might add, rather facetiously, also, that for 21 years there was an opportunity to reduce taxes, but they were not cut. The only times taxes were cut were during the 80th Congress and the 83d Congress.

I think the Nation is headed in the right direction, but I call attention to the fact that the soundest point in the President's tax program is where he refers to the American people who have money to invest. Mind you, Madam President, that does not mean only the wealthy, because 55 percent of the stockholders of the Nation have incomes of less than $5,000, so all of America is interested in our economy. It is not merely the rich man; it is not simply the white-collar worker. All of America is interested. I might even suggest that the union member today is the new capitalist of America. He is vitally interested in making certain that factories are built and jobs maintained. He is interested in being able to work a year, 2 years, or 3 years from now. That is of more importance to the worker than a $40 or a $80 cut in taxes, or, I might even suggest, a reduction of $100 or $200. The American worker wants security in his job; and security in his job will come from an accelerated interest in the American economy from the private standpoint, not from the public standpoint.

I continue with the suggestions to achieve a full economy. The booklet suggests:

> Measures to stabilize and in the long run to enlarge farm income, while absorbing surpluses should be undertaken.

That is magic. If that could have been done, it would have been done. I wanted to get into the colloquy last night to ask Senators on the other side of the aisle, who were talking about the disaster which was befalling the farm industry, what their slant really is. Ninety percent of parity is not working. It never has worked, except in time of war. I do not believe there is a Member of the Senate or a person in the country who would advocate that the Nation go to war to prove that 90 percent of parity works. It has not worked.

Instead of standing on the floor and saying that if we take away 90 percent of parity, it will bankrupt the farmers of the Nation, why cannot we offer a program, if that is the trend, which will say that we will take care of the present economic plight, that we will go to 100 percent of parity? Oh, yes; it would be only a few years before it would be necessary to go to 105 percent and then to 110 percent, because there is no magic solution to the farm problem except to get the farm products on the open market, where they can be regulated and controlled by the law of supply and demand.

There is no magic way to get rid of the surpluses, unless, first, we let them lie where they are; or second, ship them to Europe in lieu of money, with the understanding that we shall continue with the program simply in order to ship the surpluses away.

Mr. KEFAUVER. Madam President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. KEFAUVER. In the discussion last night I suggested three factors which might be considered in connection with eliminating some of the farm surpluses and preventing the accumulation of such large surpluses in the future.

First, I suggested that if there could be fuller employment, so that our people could afford a better and a fuller diet, the surpluses would disappear. I think the facts bear out the theory that if the American people ate what they really need to eat, with respect to a better caloric diet, there would not be surpluses of farm products.

Second, more should be done to improve the school-lunch program. Something was done to that effect, although in a small way, in the conference report which was agreed to yesterday.

Third, if we would really get behind the President's program for a lowering of tariffs and a revival of world trade, a great many of our farm products could be sold and disposed of abroad. In that connection, it might be well to point out that, as the Senator from Arizona so well knows, from one-third to one-half of the people of the world are hungry. They live in countries whose products we could procure in return for the food which could be shipped to them. That is particularly true of cotton, in which both the Senator from Arizona and I are interested. Exports of cotton have dropped at least 50 percent. There are many other farm products which could be disposed of abroad, if the United States had the courage really to put into effect a gradual lowering of tariffs and an extension of the reciprocal trade agreements program, which was recommended by the President and by the Randall Commisison, and which was voted for by most of the Democrats in the Senate.

I wonder if the Senator from Arizona does not believe that such programs might do some good?

Mr. GOLDWATER. I intend to cover those propositions; and if the Senator from Tennessee has the patience to wait, I propose to go into them more fully. Merely answering "Yes" or "No" would not suffice, because I have some definite suggestions; and the suggestions will come out of the little blue book. If I do not answer the Senator's questions fully, I shall be happy to do so when I have completed my speech.

I think the Eisenhower administration has taken a very courageous and long-needed step in the farm program. I think the farmers as a whole, instead of resenting it, are thankful that here is an administration which sees the answer. The answer has not been completed this year; but the answer is now in the cards. If the farmer can now be placed in the open market on a competitive basis, without his having to lean on a Government crutch, without creating surpluses, then the farmer will come into his own, as he should, under the free-enterprise system.

It was suggested that the unemployment compensation program should be expanded. I think that is wise. The President has approved it. It is a part of the President's program.

Also, it has been suggested that a higher minimum wage law is needed. In that instance, the issue of States' rights becomes involved. Minimum wages cannot or should not be regulated from Washington. Working conditions in Tennessee do not compare with working conditions in the District of Columbia or in Arizona. The people of the respective States should have the right to set their own minimum wage. If the minimum wage is too low, then the States have the machinery by which the wages can be raised.

I might cite an example in my own State of Arizona. Arizona has a law which provides that 20 persons in any industry can petition the Industrial Commission for a hearing. Only last month the retail trade raised the minimum wage by some $10 a week, through the process of going to the State government.

The Federal Government should not encroach. I consider the suggestion of the Conference on Economic Progress to be merely another step into the already open door to the destruction of the 10th amendment to the Constitution.

It is suggested that a comprehensive, long-range housing program is needed. A housing program already exists in this country. It is one of the great accomplishments of the past administration, and it is one of the great programs which the present administration is continuing. I hope that future administrations will continue in this field, but that they will keep out of public housing. Let the Government provide for the building of houses in the lower price brackets, where the lower-income families can buy them; but let the Government keep out of the dole system of housing, which the Government unfortunately entered.

We now have a good housing program, and the new law which has been adopted in this administration is a good one, which will do much to stir up interest in the housing field.

The next point will answer one of the questions about which the Senator from Tennessee asked. This organization recommends that a liberalized international trade policy should be put into effect, and that some types of foreign aid should be enlarged, especially in underdeveloped areas.

Madam President, some day we shall have to face up to the question of whether or not free trade is going to be a good thing for this country. The Senator from Tennessee mentioned cotton. Let us not fool ourselves about cotton. The foreign cotton market is gone, and we are not going to get it back with high subsidized prices. In the South, home of the Senator from Tennessee, it costs 35 cents a pound to raise cotton in some areas. In the Far West we can raise it for 18½ cents, 19 cents, and 20 cents a pound, but the price is kept high because we have to subsidize one part of the cotton economy. There are a million acres of land devoted to cotton in Chihuahua, Mexico, which cotton has taken over the market of France. That market has been taken away from the producers in this country and they have lost the income they used to obtain from that country. I do not stand here as an optimist and say we are going to recapture the markets of the world. Every time one of our brilliant scientists in General Electric, Westinghouse, General Motors, or any other large concern makes a technological advance, that advance goes into the jungles and into the backward lands of the world. I have seen peons make shotgun barrels on a Warner-Swayze lathe. All they have to do is push buttons. We invented that device. Now it is used in Mexico. Those people are making gun barrels for their own use, on a machine invented in this country. They are making them, not for export, but for their own use.

Fifteen or twenty years ago persons could not live in certain parts of Mexico because of disease. Parke-Davis and the other great companies of this country developed medicines which made it possible for persons to live in certain parts of countries which were not theretofore habitable. Our Department of Agriculture has developed methods of fertilization whereby the people of the world can improve their productivity. Every time we take a step forward in this country we, in effect, take a whole step backward in our future standard of living, and I think we should consider that fact. Our foreign markets in many, many instances have been lost to us. There is a great question in my mind as to the value of an open market system in this country.

I can go into my State and find 3,000 men out of work because zinc and lead mines are closed. If the price of copper drops another 2 cents, thousands of copper miners will be thrown out of

work. All we have to do is stop stockpiling manganese, on the theory that we can bring it in from other countries, and thousands of workers will be out of work in this country. So I do not follow the argument that it is going to help us if we try to offset the imbalance in trade, when, by doing so, persons in a great many areas of this country will be thrown out of work.

Ultimately, as we grow older, and as the economy of the world becomes united, not in our own lifetime, but in the dim future, the world may become a great market place, not by law or by edicts, but by the fact that people will slowly learn to live together. I do not think the suggestion of eliminating trade barriers at the present time would result in putting more people to work in this country. I do not think that would be a step toward fuller employment, but would be a step in the other direction.

I hope that answers the question of the Senator from Tennessee, though I know that does not agree with his philosophy.

Mr. KEFAUVER. The Senator from Arizona has stated his viewpoint, but so far as that being a statisfactory answer is concerned, I think the philosophy of the distinguished Senator from Arizona is not in keeping with, and is not going to lead to, the ultimate result he would like to see, which is an increase in world trade. I think the Senator should point out that during the time the reciprocal trade program had a real chance of working, it operated for the domestic benefit of the United States. Also, the Senator does not seem to realize that if we can assist in building up the standard of living in other nations, while they may produce more, they will nevertheless purchase more articles from the United States as they increase their purchasing power.

Mr. GOLDWATER. I should like to answer the statement of the Senator from Tenneessee by using Mexico as an example, because I am more familiar with Mexico than I am with any other foreign country.

Up to 10 years ago Mexico was an importing country. Today, although it still is, it has made great advances in production. We used to make steel rails and other equipment for Mexico. Today she makes her own. A very close friend of mine is president of the Sears, Roebuck Co. in Mexico. When he took the job 7 years ago, 93 percent of his merchandise was imported from the United States. I do not know what the percentage is today, but last year 85 percent of his merchandise was being purchased in Mexico, and comprised articles manufactured in that country.

We have contributed to that situation, and I am very proud of it. We are contributing to the uplifting of the standard of living of the world by our technological and scientific advancement.

My argument is that every time the Government hamstrings private enterprise and activities, we hurt the standard of living of the rest of the world. We do not help it.

Mr. KEFAUVER. Madam President, will the Senator yield further?

Mr. GOLDWATER. I yield.

Mr. KEFAUVER. I have not seen the figures, but, as I remember them the last time I saw them, there has been a general increase in the value of goods we have sold to Mexico. If that be true, would that fact not prove the philosophy I have been trying to discuss?

Mr. GOLDWATER. That is the old problem of volume.

Mr. KEFAUVER. Does not the Senator admit that there has been a general increase in our sales to Mexico during the past 15 years?

Mr. GOLDWATER. There has been a general increase in our sales to all countries during the past 100 years, as well as during the past 5 years, but that fact does not answer the particular question I am discussing. As we develop new items, Mexico and the other countries of the world want them. Germany is also selling products to Mexico. So is the rest of the world. It is only natural that we would be selling more to Mexico. I think Mexico is selling more to us than she did 10 years ago.

Mr. KEFAUVER. My statement was that as the standard of living in other countries is lifted, they are able to produce more goods, their purchasing power is increased, and that helps our domestic situation. The Senator from Arizona used Mexico as an example. I think we might well use Mexico as an example. The standard of living in that country has been increased by virtue of technological advances we have made and by virtue of products they have purchased from us. On the other hand, because of that increase in the standard of living, Mexico has been buying more and more products from the United States, which fact seems to repudiate the philosophy advanced by the Senator from Arizona that building up the standard of living in other nations does not help the United States.

Mr. GOLDWATER. The Senator from Tennessee misinterpreted my remarks if he interpreted them to mean that in helping those countries we did not help ourselves. Every time we invent a new gimmick or gadget, that helps us as well as other people. Where we differ is in the philosophy that we should drop all trade barriers today on the theory that that will materially increase our employment. I doubt that it will. There has been nothing to indicate that it will. We have gone through a period of two wars in which demand has been exceptionally high. In my own business I imported alligator shoes from the Argentine so that my business could survive during the war. War makes very strange bedfellows.

Mr. KEFAUVER. Of course, no one is advocating that we drop all trade barriers, but almost everybody is advocating that there be a gradual working out, by negotiation, of trade barriers and an increase in our trade with other nations. I hope the Senator is in agreement with that philosophy, because I believe business, labor, and professional people, and almost everybody else favors that philosophy, but there have not been a sufficient number of Senators to put it over. They are in agreement with the philosophy of former President Roosevelt, Cordell Hull, the Randall Commission, and other groups and persons who have given the matter real consideration. I think it was a very dark day in legislative history when Congress refused to go along with the President's own program, even though the administration fought for that program.

Mr. GOLDWATER. I may be anticipating the Senator from Tennessee a little, but I might say that earlier in my remarks I said we are tending toward free trade naturally. The time is going to come when there will be no trade barriers and no differences between the people of the world, but that is not going to be in the Senator's lifetime or mine.

I have about concluded referring to the little booklet which has been sent to all Senators; but I should like to read one more extract from it, to show the rather fallacious thinking of this little group who now propose to the Senate and to the country that we abandon completely the ideas and ideals of the free enterprise system and "let the Government do it." I read now from page 28:

> Similarly, a full-employment and full-production economy tends to promote a balanced Federal budget, except under conditions of total war or when defense outlays are rising rapidly toward abnormal peaks in a period of mobilization short of total war.

We do not know whether that is true or not. All we know is that through a period of two wars, with full employment and full production, our national debt rose to the highest level at which it has ever been in the entire history of our country. We know that today, with very high employment in the country, that debt continues to be added to; and only last week the Congress gave the Government authority to stretch its borrowing power by $6 billion.

Madam President, I have been disturbed by the tax on the economy of the country. I am very fearful that it is the overriding issue which will arise in the coming campaign, or certainly in 1956—the issue of whether the Government will be the dominant force in the daily business lives and family lives of our people, or whether the people of the United States will continue to be free in their enterprise and free in the full sense of the word, as our freedom has been handed down to us, under the Constitution.

We hear in the Senate proposals to put the cart before the horse. I refer now to the remarks of the junior Senator from Minnesota [Mr. HUMPHREY], who, I am sorry to say, is not on the floor at this time. We hear from him such proposals when he says:

> A group of us in Congress have been arguing for the past year and a half for stimulating consumption through increased purchasing power.

Madam President, how are we going to increase the purchasing power? Let us say the Government can do it. Yes, Madam President, the Government can do it; all it has to do is print more money and bring on inflation.

But there comes an end to that day, as occurred in Germany when a housewife who wished to buy a loaf of bread had to carry a bushel basket of reichmarks to the market. I do not think anyone

in the United States wishes to have that happen here. Yet, Madam President, as I talk to people on this subject, I am sorely afraid that too many Americans resort to the attitude, "Oh, it cannot happen in my lifetime. Let my children worry about it."

Madam President, where would we be now if our forefathers had said, "Let the Government print more money and run our lives"? If that had happened, we would not have a country today.

I wonder how free our economy is today. How far have we gone down the path of Socialist thinking? Have we gone so far that the average American businessman has not the stomach to turn back? Have we gone so far that the average family has not the courage to say, "We will tighten our belts and we will get back on the path that creates real business enterprise in this country"?

Madam President, much has been made of the fact that by the reduction of excise taxes in March, we now have a high income. But if we examine the condition of the firms whose excise taxes have been cut, we see there is a depression in their field. There has not been a boom in the sale of refrigerators or in the sale of pots and pans, because, I imagine, that almost every housewife who sits in the gallery today has all the refrigerators and deep freezes she needs. Until there is a demand for new things, we do not feel that surge.

Where can that demand come from in the free enterprise system? It can come as a result of better advertising or from creating a demand for such things. All of us can remember the day when there was one radio set in a house. Now the average house has three. Everyone can remember the day when there was one electric motor in the average house, whereas today there is an average of 22. What is the next step? It is to have television sets in different rooms of each house. We laugh today at such a suggestion, because of the high price of television sets. However, I remember that the first job I ever had was to build wireless sets, and we got $300 apiece for them. Today, one can buy a much better set for $9.95. That is what happens under the free enterprise system.

Because of the freedom that has been encouraged under the Eisenhower administration, we see some concrete evidences of the results; and I point this out to the "egg-heads" of the various organizations who say we must now change the horse in the middle of a very fine stream—and, I suggest, a very fine and strong horse. New construction in this country is at an all-time high. What does that mean? What does it do? What happens when General Motors or Ford Motors puts $1 billion into a building program? That means jobs for the people who live in Detroit, Mich.; and it means jobs for years to come.

Madam President, let us consider another part of our economy about which too little has been said. During the past year inventories have been adjusted. In the past year they have come down from $80 billion to approximately $79 billion—a drop of $1 billion. There is $1 billion that is available for purchases, and is now being used by the merchants to make purchases, as they ascertain their needs.

Personal income in this country in June was running at the rate of $286,400,000,000, as compared with $287,300,000,000 a year ago in June; but when we consider the deductions made by taxes and the other levies on the income of the people, we find they still are left with more money to spend at this time than they had to spend a year ago. In the second quarter of this year, per capita disposable personal income was running at the rate of $252,900,000,000, whereas a year ago it was $250,400,000,000.

It is said that we have to increase consumption. Yes, Madam President, we do. We have to do it through the free enterprise system.

I hear Senators speak on this floor about production for use. That is all our economy does; it produces for use. If we produced only for the fun of it, we would have conditions similar to one, in particular, which we observe over the Nation today, namely, used-car lots filled with new automobiles, because the automobile industry—unwisely, I feel—has loaded the dealers with too many automobiles, more than the people wish to buy.

Madam President, in concluding my remarks today, I wish to refer very briefly to an argument I used earlier this year, but which I fear some Members of this body may not have heard. It has to do with what the Federal Government can do in the event of a depression, either to prevent a depression or to pull us out of one, after we have gotten into it. I am a great believer in history. I think what has gone before can well tell us what will come in the future.

In the period from 1933 to 1939, 51 percent of the Federal budget went for props and crutches for the economy. Fifty-one percent of the total budget of that period was poured into the economy of this country, in an effort to pull our economy out of the depression it had entered in 1929. But, Madam President, that did not pull the country out of the depression. We never got out of the depression of 1929 until a war came along. So, Madam President, the other day I was very much amused to read in a Washington newspaper an article by a very prominent columnist, who wrote about "the jubilant days in the 1930's when people in Washington worked shoulder to shoulder, under President Roosevelt, to pull us out of the depression."

A war pulled us out of the depression. It was no economic magic of the New Deal, because for seven long years that system was tried and not one single index was brought up to the 1929 level.

Had the Government stayed out of business and had the Government entered only into the fields where it rightly should enter, the economy, being free, would have lifted this country out of that depression long before we went to war. I do not suggest war was employed to end the depression, but the depression ended with a war.

The Second World War ended, and we immediately started going down, because the Government stayed in with its meddling hands. Along came Korea and pulled us out again. So we had great prosperity.

Then along came the Eisenhower administration, which said what nobody in Government had said for 20 years, "This economy had gotten great because of the freedom of men and because of the freedom of markets. The Eisenhower administration, the Republican administration, is going to get Government out of the fields of commerce."

And they have done that. They have not gone the full extent, but if they go the full extent and if Government and industry and Government and business can become close partners in this enterprise, with Government working to create a good social and legal climate in which industry and the economy can work, then this country will continue to enjoy prosperity.

But, Madam President, I am not one who says we have suddenly discovered a magic formula that will end depressions, because we have not. We would first have to repeal the law of human nature and the law of supply and demand. If we can ever do that, then I think we can sit down with slide rules and barometers and a wet finger and figure out a way to level off this economy. But until we have those two essential things changed, the law of human nature and the law of supply and demand, we are not going to be able to stop the ups and downs in the economy. Some of them are going to be big, and some of them are going to be small. But let us remove the thought from the minds of the American people that the Federal Government can stop a depression.

If such a program took 51 percent of a rather small total in the 1930's, and after having spent that we experienced only failure, where are we going to get the money today to spend 51 percent of a budget which is now up close to $70 billion? Oh, we can print money; we can inflate, but I do not think we want to inflate.

I hope I have not burdened the Senate too long with my remarks. This matter has been on my heart for months and months. I am a businessman. I have lived with this intricate system of America all my life. I have seen the ups and downs.

I have great faith in American business people, and I would have greater faith in them if they would show a little courage and throw the Government out of business, instead of asking it to get farther in. I admire particularly the cattle people of my State, who did not ask for high supports and who did not insist on drought relief, but who held their heads high, weathered their troubles, and are making money today because of the free enterprise system.

It pains me to hear every segment of this economy come running to Washington to say, "I am in bad shape. You have to appropriate a couple of million dollars for me."

What is the end result of that? It is socialism.

I say, Madam President, that we are farther down that road in these closing days of the session than any American knows. And when I can see material such as I have exhibited today printed and distributed by a committee functioning in connection with the Committee on the Joint Economic Report, I think I have a right to be afraid. I think the American businessman has a right to be afraid, when Senators stand on this floor and talk about full employment and talk about pushing buttons and finding a tree with money on it to obtain full employment. There is only one answer and there is only one magic formula for the American free enterprise system, and that is hard work with lots of guts.

SUPPLEMENTAL APPROPRIATION BILL, 1955—CONFERENCE REPORT

Mr. FERGUSON. I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9936) making supplemental appropriations for the fiscal year ending June 30, 1955, and for other purposes. I ask unanimous consent for the present consideration of the report.

The ACTING PRESIDENT pro tempore. The report will be read for the information of the Senate.

(The legislative clerk read the report.)

(For conference report, see House proceedings of August 17, 1954, pp. 14803–14808, CONGRESSIONAL RECORD.)

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the conference report.

Mr. KEFAUVER. Madam President, what is the order of business?

The ACTING PRESIDENT pro tempore. The question is on agreeing to the conference report.

Mr. KEFAUVER. Madam President, I should like to ask a question or two before the final vote is taken.

Mr. FERGUSON. May we proceed, so that we can take up the amendments?

The ACTING PRESIDENT pro tempore. The question is on agreeing to the conference report. It is debatable.

Mr. FERGUSON. I ask that the message from the House be read.

The ACTING PRESIDENT pro tempore. The Chair advises the Senator that first the Senate should agree to the conference report. Debate is in order.

Mr. KEFAUVER. Madam President, I thought the first order would be the consideration of the report.

The ACTING PRESIDENT pro tempore. The Senate has agreed to consider the report.

Mr. KEFAUVER. Then, Madam President, will the Senator permit me to ask him a question?

Mr. FERGUSON. Certainly.

Mr. KEFAUVER. It is my understanding that some language was put into the conference report authorizing money to be used for the purpose of moving the Office of Civilian Defense from Washington to Battle Creek, Mich.; is that correct?

Mr. FERGUSON. That is correct.

Mr. KEFAUVER. Where does that language appear in the conference report?

Mr. FERGUSON. It is a statement by the managers on the part of the House. It is on page 17, amendment No. 165. It appropriates $10,025,000 for "Operation, Federal Civil Defense Administration," instead of $8,525,000 as proposed by the House and $11 million as proposed by the Senate. There was a compromise in arriving at the figure of $10,025,000. It is understood that from available funds headquarters may be moved from Washington, D. C., to Battle Creek, Mich.

Mr. KEFAUVER. May I inquire of the Senator if this is a move which is to be made at an early date?

Mr. FERGUSON. It is. They have partly moved now. The move was started prior to the time this matter came before the Senate.

Mr. KEFAUVER. I wished to make a short statement about that matter, either by way of a question or on my own time.

Mr. FERGUSON. Whichever the Senator desires to do will be all right. I shall yield so that he may make the statement.

Mr. KEFAUVER. Madam President, I ask that the Senator yield in order that I may make a statement with reference to this matter.

The ACTING PRESIDENT pro tempore. Does the Senator from Michigan yield?

Mr. FERGUSON. I yield for that purpose.

Mr. KEFAUVER. Madam President, I shall not oppose the conference report, but I wish to point out for the consideration of the Senate, and particularly the Committee on Armed Services, which had jurisdiction over the civil-defense bill, some matters in connection with this proposal which I think should be considered.

When the civil-defense bill was originally before the Senate I had the privilege of being chairman of the subcommittee which held the hearings on the bill and directing the bill on the floor of the Senate.

One section of the civil defense bill, I think it is section 409, states that it is contemplated that in civil defense, existing agencies and facilities of the Government shall be used.

Since that time, Madam President, in my opinion, the Civil Defense Administration has been sadly neglected. In view of the necessity for protecting the country against any possible attack, I think we have not done our duty in providing for civil defense. I believe civil defense has not been given the consideration by the Congress and by the executive departments to which it is entitled.

I particularly wish to point out the theory of the provision of the conference bill with reference to the proposal to move civil defense headquarters from the Washington area to Battle Creek. I wish to make it perfectly clear that I have a high regard for the people of Michigan, and I should like to see them have any governmental agency in Michigan. It makes no difference to me, so far as I am concerned, whether it is in Maryland or in Michigan.

Mr. FERGUSON. It is not in Maryland now. It is in the District of Columbia, located in an apartment house on Columbia Road.

Mr. KEFAUVER. That is correct. But there is a training school at Olney, Md.

Mr. FERGUSON. The training school is not being moved.

Mr. KEFAUVER. My understanding is that there was a proposal to move the headquarters of the Civil Defense Administration 25 or 30 miles from Washington, and perhaps if the Government had purchased the training school as was proposed at one time, the entire civilian defense training establishment could be located at Olney. But I have no preference as between the people of Michigan and Maryland or Virginia, and I wish to make that clear to the Senator.

Madam President, I believe that section 409 of the original Civil Defense Act provides that the Civil Defense Administration should do its principal work through existing agencies. As I understand, that is the main thing it is doing at the present time.

As an example, the Civil Defense Administration, I suspect, would be in touch with and would carry on negotiations with the Department of Agriculture in order to make food available in areas to which people might be moved in the event of catastrophe, so there would be an ample supply of food in those areas.

The Civil Defense Administration would also negotiate with the Public Health Service, with Mrs. Hobby's department, so as to make medical supplies available at places to which people might be evacuated.

Likewise, it would be very necessary to work out arrangements with the Interstate Commerce Commission in regard to truck or bus transportation in order to get people out of congested areas, and with the Defense Transport Administration with reference to trains and other facilities of conveyance, so they could be moved out of New York or Chicago or Washington.

It was also contemplated in this section of the Civil Defense Act that the administrators of civil defense would work in close cooperation with the Department of Commerce and with the Civil Aeronautics Board with reference to moving people by air transportation.

Practically every department of Government would play a part in civil defense activities in the event of a catastrophe.

In order to make plans to that end, Madam President, it seems to me to be highly desirable that the civil defense administrators should be able to work out face to face, in personal discussions with these administrators, the plans for the distribution of food, the distribution of medicine, the transportation facilities, radio activities with the Federal Communications Commission, and other things of that sort.

I am heartily in favor of decentralizing the agencies of the Federal Govern-

ment. I think the Atomic Energy Commission is making a good move in deciding to build its headquarters 25 or 30 miles out from Washington. Other agencies might very well be placed somewhere else away from Washington.

Battle Creek, Mich., would undoubtedly be a good location, and I understand there is a Government facility there which can be used.

Mr. FERGUSON. There is a building available at the present time.

Mr. KEFAUVER. It is my understanding that there is a building which is suitable for that purpose.

Madam President, of all executive departments or agencies in the Nation's Capital which it seems to me should be located in the vicinity of Washington, at least somewhere in this neighborhood, I should say that agency is the Civil Defense Administration.

The Senator from Massachusetts [Mr. SALTONSTALL] will recall the discussion in the Armed Services Committee that the main job of civilian defense would be to work in consultation with, and to have representatives sit down with the heads of, various other Government departments to make plans for evacuating people, feeding them, treating them, and seeing that they have medical facilities and proper transportation. That can be done properly only on the basis of face-to-face discussion.

I would much rather see some other agency move out to Battle Creek than this one agency, which is effective only by virtue of the fact that it does operate through other governmental agencies. It seems to me that the Civil Defense Administration has already been treated very badly and inadequately. But this move, to my mind, is going to finish the job and place it in such a situation that it cannot even do the limited work which it is carrying on at the present time.

Mr. SALTONSTALL. Madam President, will the Senator yield?

Mr. KEFAUVER. I am happy to yield.

Mr. SALTONSTALL. I wish to make just one statement, since the Senator was kind enough to mention my name.

As I understand, the top administrative force would be in Washington; but the general headquarters would move out to Battle Creek. Much of the warning system of the country is in the central part of the United States, and from the point of view of carrying on its work in conjunction with the National Government in my opinion the headquarters of Civilian Defense they would be just as well off in Battle Creek as they would be here in Washington, provided the top administrative forces remain here in Washington.

Mr. KEFAUVER. I should be very happy if the distinguished Senator from Massachusetts, who has studied this matter so much, would review again the hearings held before our committee, in which it was set forth how the Civil Defense Administration would operate.

It was stated at that time that one of the principal things the agency would do would be to have its personal representatives in Washington so they could be in constant consultation with the Department of Agriculture, the Federal Communications Commission, the Department of Health, and other agencies through which it could operate. It would seem to me to be making matters doubly worse to have a part of the staff at Battle Creek and a part of the staff here.

The center of communications may be at Chicago or somewhere in the Middle West, but certainly the agency which directs and channels what will be done by the various media of communication—telephone, telegraph, radio, and television—emanates from Washington.

I should think that in the event of a catastrophe, the effort to coordinate what some part of the staff may be doing in Battle Creek with what another part of the staff may be doing in Washington, would lead to utter confusion and would substantially cripple the handling of the civil-defense activities in the event of an emergency.

Mr. PAYNE. Madam President, will the Senator yield?

Mr. KEFAUVER. I am happy to yield.

Mr. PAYNE. The Senator from Tennessee is aware, is he not, of the fact that the entire success in the application of civil-defense activities depends upon channeling responsibilities and duties in the several organizations in the 48 States of the Union. That is where the responsibility actually rests, not for the broad, overall policy, but for determining the strategy, the methods, and the media by which the actual work will be undertaken in the event the call goes out for that work to be done.

Mr. KEFAUVER. I think the Senator is partially correct. I might say for the information of the Senator that our Armed Services Committee held very extensive hearings. At that time the late Senator McMahon was chairman of the Atomic Energy Committee. He was very much interested in civil defense, and his committee also held hearings.

The division of authority would be something like this: General directives and suggestions as to how civil defense would be operated throughout the United States would be promulgated from the central offce.

Mr. PAYNE. Of the Civil Defense Administration?

Mr. KEFAUVER. Of the Civil Defense Administration. Then those general directions would be carried out in the various States, as the Senator has suggested. But a very important part of the whole program would depend upon the activities emanating from the executive agencies in Washington, and that would necessarily be true, even though the responsibility for carrying them out would rest in the States.

The distinguished Senator should bear in mind that one cannot tell what State might be the victim of attack or where it might come. So it seems to me to be necessary that there be the closest cooperation with the central nerve center of the Federal Government, which is located in the agencies in Washington.

Mr. PAYNE. If the Senator from Tennessee will further yield, I am sure he is fully aware of the fact that those plans are all established. The nerve centers will be retained in their present status, but the essential work will be accomplished as a result of the directions which will go out from Washington and will eventually land in the centers in the respective States.

Mr. KEFAUVER. Let me answer that statement. Of course, plans have been made, and in the event of an attack it would for some time be very, very important to have the top officials of the Civilian Defense Administration in Washington who could be in immediate consultation with agriculture, health, radio, television, and what not, to take care of the continuing emergencies which we cannot foresee in making long-range plans.

It should also be observed that during a time of disaster, the power of the Civil Defense Administrator becomes very, very great. He practically has a right to take over the operation of a certain place. So, if he is to have that great power and is to be called upon to exercise it, it seems to me it is very important that he not only be in Washington, but have his main staff in this area where they could operate through the other agencies.

Mr. PAYNE. I am not speaking from a theoretical standpoint. It so happens that prior to the Korean outbreak I had the privilege of serving as one of three State governors on the National Civil Defense Board.

Mr. KEFAUVER. Yes; I remember the distinguished Senator served on that Board.

Mr. PAYNE. So I had a pretty full opportunity, up to the time I became a Member of this body, to be in rather intimate touch with the planning of the civil defense work. I can assure the Senator from Tennessee that in each State which has undertaken its responsibilities there is a complete inventory of transportation facilities, available trucks, all methods of conveyance, all hospitals, all stores of medical supplies, which are either available in the States or at central locations. They are known and the files are kept up to date. The ability to transfer firefighting equipment, communicatitons equipment, and all activities in that related field are all definitely pinpointed, are inventoried, and are contained on master charts which are available at headquarters. But I am sure the Senator would agree with me that in the event we should confront a real emergency situation, it would not be advisable to have all those charts and all that information, which has to be handled at a moment's notice, here in what might be one of the first target areas the enemy might try to hit.

Going back to 1950 and 1951, during the period I served on the council, we were then undertaking a survey of the country in order to determine the location which might be chosen to which administrative officers could be moved, but not the top key people who will have to maintain liaison between the Armed Forces and other activities in Washington and those who will have to be called into action to relay the necessary information at the flick of a finger in order to see that the machinery is put into motion.

Last year we made a very definite step forward in supporting the civil defense activities. It was the first real, honest approach we made to giving the Civil Defense Administration some definite help to enable it to do the job necessary in the defense of the civil population in the event of an emergency. This year we have done a little bit better than that.

If the Senator will talk with those who were with the administration back in 1950, 1951, and 1952, when we were struggling, fighting, working, and trying to arouse just a little bit of interest and to obtain a little bit of help in order to be able to carry out the necessary functions properly to bring about the training and education of people in this field, I am sure the Senator would be very discouraged, as was the former Governor of Florida, Mr. Caldwell, who served as a civil defense administrator at that time, because no one would give him one little bit of hope or encouragement. There was some help indicated in the Congress, but I am sorry to say that nowhere else was there a bit of interest shown, the amount of funds given was a mere pittance, and the States were left on their own to carry out the program practically on a voluntary basis.

But I am happy to say that under this administration there has been a real recognition of the great value of civil defense to the Nation, not in time of war, but in time of emergency, where civil defense has played an important part in matters pertaining to floods, fires, and other things which have threatened human life.

It seems to me that the step being taken is a realistic one. It is one defined after a great deal of study and consideration being given to the question, and I firmly believe from what little I know of the situation through working with it, that it is a step which will lead to a more effective, better coordinated, and more perfect civil-defense structure in the interest of the Nation.

Mr. KEFAUVER. If I may answer briefly the Senator from Maine, I appreciate very much the contribution he has made to the discussion, and I agree with a great many things he has said.

I should like to point out, in the first place, that Mr. Caldwell, for whom I have a very high respect and who tried to do a good job as Civil Defense Administrator, did have substantial backing during the time he was head of the Civil Defense Administration. He had substantial backing from almost everyone, but he did not receive sufficient funds from Congress to carry out his duties. I always did my utmost to try to enforce the effort of Governor Caldwell. I think the Civil Defense Administration was granted entirely too small an amount of money during the time Mr. Caldwell was Administrator, and I think the present administration is not giving an adequate amount to civil defense.

It was my understanding that last year approximately $46 million was appropriated. It is my understanding that this year the appropriation has been increased to $48,025,000. This, to my mind, is inadequate. Civil defense, if it is important, should be given more substantial backing than that, by way of appropriations.

Second, I understand that plans have been drafted as to what will be done in the various States and cities in the event of an attack. But I am certain the distinguished Senator from Maine will agree with me that no amount of original planning, or whatever may have been done as of this time, even though there may be some stockpiling and storing of medical supplies, and whatnot, would be able to take care of the needs of the people in the event one of the larger cities suffered a real attack. What has been done is not adequate. So in the event of a real attack, there would be an absolute necessity for immediate consultation and action together by the top officials of the Civil Defense Administration, the Department of Agriculture, the Department of Health, Education, and Welfare, and various other agencies in Washington.

Furthermore, under the bill it is envisioned that in such an emergency the Civil Defense Administrator will have the power, almost, of martial law or complete control over sections which may be thus afflicted. So it seems to me to be clumsy administration to have a part of the Civil Defense Administration in one place, at Battle Creek, and some of its liaison officers in Washington. The Civil Defense Administration needs to have more than liaison officers in the Washington area. It needs to have personnel who can be in constant consultation with the heads of departments which are planning, working, and acting together in the event an emergency should come.

I appreciate what the Senator from Maine has said to the effect that it would be undesirable to have the maps and plans concentrated in the city of Washington, where they might be destroyed. But Battle Creek, too, is a strategic center. What I think should be done is to have the plans and the headquarters located some distance from Washington, but close enough to enable personal consultation between the officials of the Civil Defense Administration and the officials in Washington. That is a plan on which the Atomic Energy Commission is working. The papers of the Civil Defense Administration would not be more valuable or secret, or would not be more destructive of the Government if they should be destroyed, than would the papers, plans, and programs of the Atomic Energy Commission, if they were destroyed.

It is my understanding that the Atomic Energy Commission has asked for $6,500,000 in order to build a headquarters some 25 or 30 miles from the city of Washington. That is what I think should be done with the Civil Defense Administration.

I wish to make it very clear to the Senator from Michigan that I have no objection to any agency being located at Battle Creek, but I think some other agencies could better be spared, agencies which operate on a more or less autonomous basis, than to spare an agency which necessarily must operate through other governmental agencies in order to be effective.

I merely desired to bring up the matter for consideration, so as to make certain that all these questions have been considered by the committee, and to let the public know at least another side of the question, so that there can be, perhaps, further consideration or discussion of the situation. I wanted to make certain that the Senator from Michigan and the other members of the committee had given full consideration to the matter before including the language in the conference report.

Mr. REYNOLDS. Madam President, I happen to be in a position to verify what the distinguished Senator from Maine [Mr. PAYNE] has said in regard to the stepped-up activities of the Civil Defense Administration in the past year or two.

I happen to be the Civil Defense Director in Omaha and Douglas County, and I have been for about 4 years. It is one of those no-pay jobs, and is probably one of the most frustrating jobs I have ever tackled. Probably there is no program of such national importance, concerning which there is so much apathy and indifference on the part of the people. But that is quite understandable. By analogy, I might point out that there are some very excellent accident-prevention programs in various sections of the country. Some of them have been very successful. But, I submit, who would be interested in an accident-prevention program if no one had ever had an automobile accident? Who would be interested in donating to a cancer-fund drive if no one had ever had cancer?

No one in this country has ever experienced a bombing attack, so the apathy and indifference on the part of the people is understandable.

The civil-defense program can be accomplished only on the local level, and on a voluntary basis. We in Omaha have had experience with such a program. The Omaha Civil Defense Agency is one of the few in the country which has had an opportunity to be put to work. A flood was threatened on the Missouri River in 1952. The Omaha civil-defense organization is given credit for whipping the flood. Omaha did not even get its feet wet, because of the planning and organization of the Civil Defense Agency, which afforded 3 or 4 days of needed time, without which the city would have been flooded.

I mention this because the activity on the Federal level during the past year or two, since Governor Peterson has been Federal Civil Defense Director, has stimulated activities throughout the country to the point where there is not quite so much indifference or apathy. Civil-defense programs must be built on the local level; they must be purely on a voluntary basis.

We in Omaha did things during the flood that no Federal agency could have done. It would have been impossible for a Federal agency to have come into the disaster area and to do the things which needed to be done in the city at 3, 4, or 5 o'clock in the morning, which the local citizens did.

Of course, it is necessary to have Federal coordination, Federal rules, and

Federal aid. But the increased activity and the apparent increased interest on the part of the Congress—and that interest is still not what it should be—has stimulated, to some degree, the interest in civil defense in the field. If civil defense is to be perfected, Congress must show more interest in it. But I wish to bear out what the distinguished Senator from Maine has said in regard to the increased activity.

Mr. KEFAUVER. Mr. President, will the Senator yield?

Mr. REYNOLDS. I yield.

Mr. KEFAUVER. Would not the Senator from Nebraska agree with me, however, that in the event of an emergency, practically all the agencies of the Federal Government would have to come into play in regard to transportation, food, communications, health, and many other factors, in order to provide very close consultation among the people in the distressed area and the agencies of the Government in Washington, through the Civil Defense Administration?

Mr. REYNOLDS. I think the Senator is correct. I attended rather recently a civil defense conference in Washington. There has been far more cooperation on the part of all Government agencies within the past 6 months than there ever had been before. But the Department of Agriculture, the Interstate Commerce Commission, and other Government agencies would not get into the picture until after the local organization was actually on the battleline.

Mr. KEFAUVER. At any rate, there must be a close working relationship in order to make the program effective.

Mr. REYNOLDS. There must be.

Mr. KEFAUVER. Does not the Senator feel that the necessity for close and immediate working relationship could better be handled if the headquarters of the organization were not in the District of Columbia, but were located somewhere in the vicinity, 25 or 30 miles away? In other words, it would lead to much confusion if the authorities in Omaha had to communicate with Battle Creek, and Battle Creek in turn had to get in touch with the Civil Defense Administration in Washington. In Omaha it would not be known whether to call Washington or Battle Creek. One confusion would lead to another.

Mr. REYNOLDS. Yes. We would know where to call. Civil Defense works through channels. There are regional offices. We would call Denver. Denver would call Federal headquarters, wherever they might be.

Mr. KEFAUVER. During times of emergency many calls are made. If one office is located in one place and another office in Washington, it seems to me that the efficiency of the working arrangements would be considerably lessened.

Mr. REYNOLDS. Any well-organized civil defense agency, whether local, State, or Federal, has to be organized in depth. No plan can be effectual unless there is a second plan ready. No headquarters is any good unless there is another headquarters available. So no definite planning can be made. We have 2 or 3 control plans in Omaha. I think the Federal Government has to operate in the same way.

Mr. PAYNE. Mr. President, will the Senator yield?

Mr. KEFAUVER. The Senator from Nebraska has the floor.

Mr. REYNOLDS. I yield to the Senator from Maine.

Mr. PAYNE. Is it not true that in practically all the cases the Senator knows of, the various States have entered into compacts with one another?

Mr. REYNOLDS. That is correct.

Mr. PAYNE. In the event of an emergency in one particular State, the governor of that State, because of compacts made with surrounding States, would automatically make contact. There is coordination with the Federal authorities, but the mechanics are already set up and ready to move in the event that conditions make it necessary.

Mr. REYNOLDS. The Senator is correct.

Mr. PAYNE. Referring to the flood which occurred in Nebraska, is it not true that the State authorities determined what should be done and that the State groups went into action before the Federal agencies moved in?

Mr. REYNOLDS. We went into action, and I do not know how Washington found out.

Mr. KEFAUVER subsequently said: Mr. President, a short time ago, in the colloquy in regard to civil defense, I referred to a section of the original civil defense bill and the report from the Armed Services Committee, which I had the privilege of presenting to the Senate.

I now ask unanimous consent that section 405 of the Civil Defense Act, together with three sections of the report to which I have referred, be printed in the RECORD immediately following the colloquy in connection with the civil defense matters. I wish to have this insertion made following the statement by the Senator from Nebraska [Mr. REYNOLDS], I believe. The section 405, to which I have referred, is section 405 of Public Law 920, of the 81st Congress, 2d section; and the three paragraphs of the report are the ones I have marked in Report No. 2683 of the 81st Congress, 2d session, dated December 19, 1950. They are a part of the report submitted by the Armed Services Committee; and, as I have said, I myself made the report on behalf of the committee.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

[From Public Law 920, 81st Cong., 2d sess.—H. R. 9798, an act to authorize a Federal civil defense program, and for other purposes]

UTILIZATION OF EXISTING FACILITIES

SEC. 405. In performing his duties, the Administrator shall (1) cooperate with the various departments and agencies of the Government; (2) utilize to the maximum extent the existing facilities and resources of the Federal Government, and, with their consent, the facilities and resources of the States and local political subdivisions thereof, and of other organizations and agencies; and (3) refrain from engaging in any form of activity which would duplicate or parallel activity of any other Federal department or agency unless the Administrator, with the written approval of the President, shall determine that such duplication is necessary to accomplish the purposes of this act.

[From report No. 2683, 81st Congress, 2d session, on the Federal Civil Defense Act of 1950—to accompany S. 4268]

The bill contemplates that the Administrator of Civil Defense will utilize to the fullest possible extent existing governmental and private agencies. It provides that he may delegate certain of his responsibilities to appropriate departments and agencies of the Federal Government, but he must review and coordinate them one with the other and with the various States.

The bill provides that the Administrator, through existing Government agencies, or through the establishment of means if none exists, will make appropriate provision for adequate warning communication installations, health and sanitation measures, to control the effects of various types of attack; develop shelter designs, material and equipment for utilization in meeting the requirements of the problem; train key State personnel to supervise these activities in the various States; develop and disseminate educational material on the subject; encourage and assist the States to negotiate civil defense compacts among themselves; procure such materials, equipment, and facilities for civil defense as may be necessary to meet the requirements of the program; stockpile medical supplies and equipment, food, blood plasma, and other items which are necessary to meet the needs of civil defense, and through a carefully controlled program of financial contributions to assist the States in the procurement and construction of the necessary materials and facilities to meet their local requirements. This financing program will cover such items as communal shelters, mobile organizational equipment, and other supplies which the States and communities normally do not require in meeting their governmental responsibilities. This financing program will be explained in detail later in the report.

While the bill, as introduced, required the Administrator to utilize to the maximum extent possible existing facilities of the Government and private organizations, the committee believed that this should be made much stricter. Accordingly, the bill now requires the Administrator not to establish duplicate Federal activities unless the President approves such duplication in writing. It is believed that the many excellent organizations around the country, both governmental and private, will contribute their share and the Civil Defense Administration will remain a relatively small Federal agency. The committee has in mind such private organizations as the American Red Cross, public libraries, and so forth.

* * * * *

The committee deleted from the bill certain protection that was given to employees of the Federal Government in the event of disabling injury or death while performing civil defense functions. This is not to be construed as an indication that the committee does not believe such individuals should not be covered. Rather, the committee is of the opinion that through some type of war risk insurance, or other special compensation plan, all individuals engaged in civil defense activities should be uniformly covered and that employees of the Federal Government be not singled out for preferred treatment. The committee has requested that prompt action be taken to submit legislation which would meet the requirements of this particular need.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. FERGUSON. Mr. President, I am glad that the two distinguished Senators

have discussed the question of civil defense, because there is nothing remaining for me to say except that the party responsible, the administration, has decided upon this as a necessary move to carry out the policy not to erect new buildings, but to occupy those which already exist and to move certain offices to strategic areas.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 9936, which was read, as follows:

IN THE HOUSE OF REPRESENTATIVES, U. S.,
August 17, 1954.

Resolved, That the House recede from its disagreement to the amendments of the Senate numbered 5, 6, 9, 10, 11, 12, 13, 14, 15, 21, 34, 54, 55, 59, 72, 73, 93, 103, 105, 113, 114, 126, 152, 159, and 169 to the bill (H. R. 9936) entitled "An act making supplemental appropriations for the fiscal year ending June 30, 1955, and for other purposes," and concur therein;

That the House recede from its disagreement to the amendment of the Senate numbered 27, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"SUPREME COURT OF THE UNITED STATES

"Automobile for the Chief Justice: For purchase, exchange, lease, driving, maintenance, and operation of an automobile for the Chief Justice of the United States, $5,835."

That the House recede from its disagreement to the amendment of the Senate numbered 30, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"INTERNATIONAL EDUCATIONAL EXCHANGE ACTIVITIES

"For an additional amount for 'International Educational Exchange Activities', $300,000: *Provided*, That not less than $1,674,652 shall be used for Educational Exchange Activities related to the 'American Republics' from the total available to this appropriation for fiscal year 1955."

That the House recede from its disagreement to the amendment numbered 31, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"PAYMENT TO FEDERAL REPUBLIC OF GERMANY

"For payment to the Federal Republic of Germany for the acquisition or construction of an Embassy in the District of Columbia, $300,000, to be paid out of any funds or other property or interest vested or transferred to the Attorney General pursuant to or with respect to the Trading With the Enemy Act of October 6, 1917, as amended: *Provided*, That this appropriation shall be effective only upon enactment of legislation set forth in either H. R. 9988 or S. 1573, Eighty-third Congress."

That the House recede from its disagreement to the amendment numbered 38, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"Construction, Washington National Airport: For an additional amount for 'Construction, Washington National Airport', including additional loading gate positions and related paving; $340,000, to remain available until expended."

That the House recede from its disagreement to amendment No. 39, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert ", to remain available until expended: *Provided*, That transfers may be made to the appropriation for the current fiscal year for 'Salaries and expenses' for administrative expenses (not to exceed $400,000) and for reserve fleet expenses in such amounts as may be required, and any such transfers shall be without regard to the limitations under that appropriation on the amounts available for such expenses: *Provided further*."

That the House recede from its disagreement to the amendment of the Senate numbered 40, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"REPAIR OF RESERVE FLEET VESSELS (LIQUIDATION OF CONTRACT AUTHORIZATION)

"For the payment of obligations incurred pursuant to authority granted under the 'Emergency Ship Repair Act of 1954', $12,000,000: *Provided*, That advances may be made from this appropriation to 'Salaries and expenses, maritime activities', for administrative expenses (not to exceed $150,000), and for reserve fleet expenses (in such amounts as may be required), and such advances shall be in addition to amounts otherwise made available for such expenses: *Provided further*, That this paragraph shall be effective only upon enactment into law during the 83d Congress of S. 3546."

That the House recede from its disagreement to amendment No. 46, and concur therein with an amendment, as follows: In lieu of the sum named in said amendment insert "$350,000."

That the House recede from its disagreement to the amendment No. 49, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"BUREAU OF LABOR STANDARDS

"Salaries and expenses

"For an additional amount for 'Salaries and expenses', $12,500; and the amount made available under this head in the Department of Labor Appropriation Act, 1955, for the work of the President's Committee on National Employ the Physically Handicapped Week, is increased from $75,000 to $87,500."

That the House recede from its disagreement to amendment No. 52, and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment insert: "$13,100,000, of which $2,000,000 shall be available only upon enactment into law of H. R. 9709, 83d Congress."

That the House recede from its disagreement to amendment No. 56, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"The two immediately preceding paragraphs in this act under the head 'Bureau of Employment Security' shall be effective only upon enactment into law of H. R. 9709, 83d Congress."

That the House recede from its disagreement to amendment No. 61, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"WHITE HOUSE CONFERENCE ON EDUCATION

"Salaries, expenses, and grants: For carrying out the act of July 26, 1954 (Public Law 530), including services as authorized by section 15 of the act of August 2, 1946 (5 U. S. C. 55a), $900,000, of which $700,000 shall be for grants to the States in accordance with section 2 of such act, except that the Commissioner of Education may establish the amount to be allotted to each State without regard to the limitation established by said section 2, but no State shall receive less than $5,000: *Provided*, That none of the funds granted to any State may be used to compensate any person for their personal services: *Provided further*, That a Conference Director may be appointed by the Secretary at a salary of not to exceed $12,500 per annum."

That the House recede from its disagreement to amendment No. 62, and concur therein with an amendment as follows: In lieu of the matter proposed by said amendment insert:

"OFFICE OF VOCATIONAL REHABILITATION

"Grants to States and other agencies

"For grants to States and other agencies in accordance with the Vocational Rehabilitation Act, as amended, $4 million, of which $1,500,000 is for vocational rehabilitation services under section 2 of said act; $1,500,000 is for extension and improvement projects under section 3 of said act; and $1 million is for special projects under section 4 of said act: *Provided*, That the amounts appropriated for the Office of Vocational Rehabilitation under the head 'Payments to States' in the Department of Health, Education, and Welfare Appropriation Act, 1955, shall be available, without regard to the limitations set forth therein, for the purposes of section 2 of the Vocational Rehabilitation Act, as amended: *Provided further*, That not more than $2 of the funds made available for special projects under section 4 of said act shall be expended for any project for each $1 that the grantee, or the grantee and the State, expends for the same purpose."

That the House recede from its disagreement to amendment No. 71½, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"For an additional amount for 'Salaries and expenses,' $5 million, to be derived by transfer from the Federal old-age and survivors insurance trust fund."

That the House recede from its disagreement to amendment No. 74, and concur therein with an amendment, as follows: In lieu of the sum named in said amendment, insert "$20,000,000."

That the House recede from its disagreement to amendment No. 79, and concur therein with an amendment, as follows: In lieu of the sum named in said amendment, insert "$1,000,000."

That the House recede from its disagreement to amendment No. 85, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"FOREIGN AGRICULTURAL SERVICE

"For an additional amount for 'Foreign Agricultural Service', including not to exceed $15,000 for representation allowances, $1,400,000, which shall be derived from the 'Salaries and expenses' appropriation available to the Department of State: *Provided*, That transfers shall be made under this authorization in lieu of any similar transfers which may be authorized under the Agricultural Act of 1954 (H. R. 9680, 83d Cong.): *Provided further*, That this paragraph shall be effective only upon the enactment into law of H. R. 9680, 83d Congress."

That the House recede from its disagreement to amendment No. 86 and concur therein with an amendment, as follows: In the last line, eliminate the reference to "S. 2313" and insert in lieu thereof "section 710 (a) of H. R. 9680."

That the House recede from its disagreement to amendment No. 88, and concur therein with an amendment, as follows: In the second proviso of said amendment strike out the word "appropriation" and insert in lieu thereof the word "authorization."

That the House recede from its disagreement to amendment No. 89, and concur therein with an amendment, as follows: In

lieu of the matter proposed by said amendment insert:

"OFFICE OF THE SOLICITOR

"For an additional amount for 'Office of the Solicitor', $45,000: *Provided*, That $35,000 shall be effective only upon enactment into law of either H. R. 8386 or S. 3137, 83d Congress."

The the House recede from its disagreement to amendment No. 91, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert ": *Provided*, That hearing officers appointed for Indian probate work need not be appointed pursuant to the Administrative Procedure Act (60 Stat. 237), as amended."

That the House recede from its disagreement to amendment No. 99, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert ": *Provided further*, That $250,000 of the unobligated funds heretofore appropriated for the Missouri River Basin project shall be available for additional investigations on the Garrison diversion unit, the White River, and for emergency rehabilitation of the Willow Creek Dam in South Dakota."

That the House recede from its disagreement to amendment No. 100, and concur therein with an amendment, as follows: After the comma following the sum named in said amendment insert "of which not more than $175,000 shall be available for personal services."

That the House recede from its disagreement to amendment No. 104, and concur therein with an amendment, as follows: Strike the sum which precedes the period in said amendment and insert in lieu thereof "$6,750,000."

That the House recede from its disagreement to amendment No. 110, and concur therein with an amendment, as follows: In lieu of the sum named in said amendment insert "the Commission is authorized to use not to exceed $100,000 of funds made available for administrative expenses of the War Claims Commission."

That the House recede from its disagreement to amendment No. 115 and concur therein with an amendment, as follows: In lieu of the matter stricken out and inserted by said amendment insert: "credited to the fund from which rental payments are made during fiscal year 1955."

That the House recede from its disagreement to amendment No. 116 and concur therein with an amendment, as follows: In line 9 of said amendment, in lieu of the sum named insert "$300,000."

That the House recede from its disagreement to amendment No. 119, and concur therein with an amendment, as follows: In line 3 of said amendment, in lieu of the sum named insert "$1,100,000."

That the House recede from its disagreement to amendment No. 122, and concur therein with an amendment, as follows: In line 5 of said amendment, in lieu of the sum named insert "$2,000,000."

That the House recede from its disagreement to amendment No. 127, and concur therein with an amendment, as follows: In line 2 of said amendment, in lieu of the sum named insert "$75,000."

That the House recede from its disagreement to amendment No. 128, and concur therein with an amendment, as follows: In lieu of the sum of "$6,500,000" named in line 5 of said amendment insert "$5,500,000" and in lieu of the sum of "$355,000" named in lines 6 and 7 of said amendment insert "$250,000" and in lieu of the sum of "$28,000,000" named in line 10 of said amendment insert "$26,250,000."

That the House recede from its disagreement to amendment No. 129 and concur therein with an amendment, as follows: In lieu of the sum of "$7,750,000" named in line 6 of said amendment, insert "$7,350,000" and in lieu of the sum of "$580,000" named in line 8 of said amendment, insert "$540,000."

That the House recede from its disagreement to amendment No. 132 and concur therein with an amendment, as follows: In lieu of the sum named in said amendment insert "$200,000: *Provided*, That not to exceed $2,500 of the funds made available for administrative expenses in this act under the head 'St. Lawrence Seaway Development Corporation' may be used for emergencies and extraordinary expenses to be expended upon the approval or authority of the Administrator."

That the House recede from its disagreement to amendment No. 134 and concur therein with an amendment, as follows: In lieu of the sum named in said amendment insert "$75,000,000" and before the period insert ": *Provided further*, That the construction authorized by the act of April 1, 1954 (Public Law 325, 83d Cong.) may be accomplished prior to approval of title to underlying land, as provided by section 355, as amended, of the Revised Statutes."

That the House recede from its disagreement to amendment No. 136 and concur therein with an amendment, as follows: In lieu of the sum named in said amendment insert "$1,500,000."

That the House recede from its disagreement to the amendment No. 147 and concur therein with an amendment, as follows: In lieu of the matter proposed as paragraph (b) of said amendment insert:

"(b) Funds are hereby authorized to be appropriated for the purpose of carrying out the provisions of this section."

That the House recede from its disagreement to the amendment No. 148 and concur therein with an amendment, as follows: In lieu of the matter proposed in said amendment insert:

"SEC. 907. The Secretary of the Army is authorized to receive the sum of $500,000 in partial consideration for the conveyance by the Secretary of Health, Education, and Welfare for educational purposes pursuant to the provisions of the Federal Property and Administrative Services Act of 1949 to the Los Angeles City High School District of Los Angeles County, Calif., of all right, title, and interest of the United States to that portion of the Birmingham General Hospital tract now occupied by troops (consisting of 40.0 acres of land, more or less, and improvements thereon) located at Van Nuys, Calif., provided such sum is received by the Secretary of the Army on or before July 1, 1956. Upon receipt by the Secretary of the Army such sum shall be credited to the appropriation, 'Military construction, Army,' and shall be available for (1) the construction and other costs involved in moving to a suitable Government owned site not more than eight buildings to be selected by the Secretary of the Army to be excluded from the conveyance by the Secretary of Health, Education, and Welfare, and (2) the construction of additional supporting facilities at such site as may be required for authorized defense construction, at a total cost of not to exceed $500,000.

"In addition to other terms, conditions, and restrictions contained in the deed whereby the Birmingham General Hospital is conveyed to such school district, the school district shall agree, as a part of the consideration for the conveyance to permit any buildings required by the Secretary of the Army to remain in place for continued occupancy by troops for a period of not to exceed 9 months after the date of conveyance of said property to the school district."

That the House recede from its disagreement to amendment No. 151 and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"For an additional amount for 'Construction, general', $5,985,000, to remain available until expended, of which $600,000 shall be available for advanced engineering and design by the Corps of Engineers for projects which have been authorized for development with participation by State, local government or private groups and for authorized projects which are under consideration for participation by such agencies."

That the House recede from its disagreement to amendment No. 154 and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"OPERATION AND MAINTENANCE, GENERAL

"Not to exceed $600,000 of funds previously appropriated under this head shall be available until expended for repairs to the north jetty at Yaquina Bay Harbor, Oreg."

That the House recede from its disagreement to amendment No. 155 and concur therein with an amendment, as follows: Before the period in said amendment insert ", to be derived by transfer from 'Operation and maintenance, general.' "

That the House recede from its disagreement to amendment No. 164 and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"CONSTRUCTION OF TANKERS

"For construction of tankers as authorized by the act of August 10, 1954, Public Law 575, $30 million to remain available until expended: *Provided*, That this appropriation may be transferred to such appropriation as the President may designate."

That the House recede from its disagreement to amendment No. 168 and concur therein with an amendment, as follows: In lieu of the sum named in said amendment insert "$100,000."

That the House recede from its disagreement to amendment No. 187 and concur therein with an amendment, as follows: In lieu of the section number named in said amendment insert "1313."

That the House insist upon its disagreement to the amendments of the Senate numbered 60, 71, and 130.

Mr. FERGUSON. Mr. President, I move that the Senate concur in the amendments of the House to the amendments of the Senate with the exception of amendment No. 151, which will be considered separately.

The PRESIDING OFFICER. Without objection, the amendments of the House to the amendments of the Senate, with the exception of amendment No. 151, are agreed to.

Mr. FERGUSON. Mr. President, I ask unanimous consent to have printed in the RECORD an explanation of the House amendments to the Senate amendments.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

No. 27. Supreme Court—auto for the Chief Justice: House action amends Senate provision by referring to Chief Justice of the United States in lieu of Chief Justice of the United States Supreme Court.

No. 30. International educational exchange activities: Appropriates $300,000 in lieu of $900,000; and provides that not less than $1,647,652 shall be used for educational exchange activities related to the "American Republics" from the amount available for international educational exchange activities.

No. 31. Payment to the Republic of Germany: Provides that the $300,000 be derived from funds of the Alien Property Custodian.

No. 38. Construction, Washington National Airport: Allows $340,000 in lieu of $635,000 and provides that funds shall be used for additional loading gate positions and related paving. No funds for gasoline and baggage facilities.

No. 39. Ship construction: Provides $400,000 for administrative expenses in lieu of $500,000 as proposed by the Senate.

No. 40. Repair of reserve fleet vessels: Allows $12 million in lieu of $18 million proposed by Senate.

No. 42. Bureau of Accounts, Division of Disbursements: Proposed $350,000 in lieu of $500,000 as proposed by the Senate.

No. 49. Bureau of Labor Standards, President's Committee on National Employ the Handicapped Week: Proposes $12,500 in lieu of $25,000 as proposed by the Senate.

No. 52. Grants to States for unemployment compensation: Provides $13,100,000 in lieu of $30 million proposed by the Senate; and $4,600,000 as originally proposed by the House. Also requires $2 million shall be available only upon the enactment of H. R. 9700.

No. 56. Unemployment compensation for Federal employees: Eliminates the language which makes $896,000 contingent upon enactment of H. R. 9640 or S. 2759, since S. 2759 is now Public Law No. 565.

No. 61. White House Conference on Education: Makes an appropriation of $900,000 in lieu of $1,250,000 as proposed by the Senate. Of the total $700,000 shall be available for grants in lieu of $1 million as proposed by the Senate. Provides that none of the funds shall be used for compensation for personal services, and limits the salary of the Conference Director to $12,500, in lieu of $15,000 proposed by the Senate.

No. 62. Office of Vocational Rehabilitation, grants to States and other agencies: Provides $4 million in lieu of $6 million proposed by the Senate, of which $1 million is for special projects in lieu of $3 million as proposed by the Senate; and provides that the $1 million shall be matched on a basis of not more than $2 of Federal funds shall be expended for each dollar that the grantee or grantee and State expend for the same purpose.

No. 71. Social Security Administration, Bureau of Old-Age and Survivors Insurance: House insists on their disagreement to the Senate action in striking the language which prohibits the use of available funds to pay any costs of moving any group of employees from Baltimore to Washington.

No. 71½. Salaries and expenses: Provides $5 million in lieu of $6 million as proposed by the Senate; and eliminates the authority to transfer $59,300 to "Salaries and expenses, Office of Field Services."

No. 74. Construction, Bureau of Old-Age and Survivors Insurance: Provides $20 million in lieu of $22,290,000 as proposed by the Senate.

No. 79. Civil defense activities (HEW): Provides $1 million in lieu of $1,800,000 as proposed by the Senate.

No. 85. Foreign Agricultural Service: Provides $1,400,000 in lieu of $1,500,000 as proposed by the Senate and provides that the entire amount shall be derived from salaries and expenses available to Department of State in lieu of $1 million as proposed by the Senate.

No. 86. Commodity Exchange Authority: Changes the citation for wool from S. 2313 to the appropriate section of the farm bill, H. R. 9680.

No. 88. Loan authorization: Perfecting amendment changing the word "appropriation" to "authorization."

No. 89. Office of the Solicitor: Provides $45,000 in lieu of $54,000 as proposed by the Senate and provides that $35,000 shall be available only upon enactment of H. R. 8386 or S. 3137 in lieu of $40,000 as proposed by the Senate.

No. 91. Appointment of hearing officers for Indian probate work: Eliminates the word "hereafter" from the Senate amendment.

No. 99. Bureau of Reclamation, Missouri River Basin: Provides that $250,000 shall be available for additional investigations on Garrison Diversion unit and White River, and for emergency rehabilitation of Willow Creek Dam in South Dakota in lieu of $375,000 as proposed by the Senate and strikes the language pertaining to the Sheyenne farm and the Oakes development tract.

No. 100. Bureau of Mines: Adds a proviso "of which not more than $175,000 shall be available for personal services."

No. 104. Limitation on personal services, Bonneville Power Administration: Increases the limitation from $6,250,000 to $6,750,000 in lieu of $7,450,000 as proposed by the Senate.

No. 110. Foreign Claims Settlement Commission: Provides that the Commission is authorized to use not to exceed $100,000 of funds made available for administrative expenses of the War Claims Commission.

No. 115. General Services Administration, expenses, general supply fund: Limits the authority to credit the fund from which rental payments are made to the fiscal year 1955.

No. 116. Survey of Government records: Provides $300,000 in lieu of $500,000 as proposed by the Senate.

No. 119. Housing and Home Finance Agency, salaries and expenses: Provides $1,100,000 in lieu of $1,350,000 as proposed by the Senate.

No. 122. Public facility loans: Provides $2 million in lieu of $18 million as proposed by the Senate.

No. 127. Office of the Administrator, Public Facility Loans: Provides $75,000 in lieu of $210,000 as proposed by the Senate.

No. 128. Federal Housing Administration: Increases the limitation on administrative expenses from $5,150,000 to $5,500,000 in lieu of $6,500,000 as proposed by the Senate; increases the limitation of travel from $175,000 to $250,000 in lieu of $355,000 as proposed by the Senate; increases the limitation on nonadministrative expenses from $25 million to $26,250,000 in lieu of $28 million as proposed by the Senate.

No. 129. Public Housing Administration: Increases the limitation of funds available for administrative expenses to $7,350,000 in lieu of the Senate increase to $7,750,000; and increases the limitation on travel to $540,000 in lieu of the Senate increase to $580,000.

No. 130. National Capital Planning Commission, land acquisition.

No. 132. Small Business Administration, salaries and expenses: Allows $200,000 in lieu of $350,000 proposed by the Senate. Also inserts a provision authorizing the use of not to exceed $2,500 of the funds available to the St. Lawrence Seaway Development Corporation for administrative expenses, for emergencies and extraordinary expenses.

No. 134. Family housing: Allows $75 million in lieu of $175 million proposed by the Senate. Inserts a provision to authorize construction of the Air Force Academy prior to the approval of the title to the land.

No. 136. Army National Guard: Authorizes the transfer of $1,500,00 in lieu of the Senate amount of $3 million for additional State National Guard civilian employees.

No. 147. Section 906, roll-on roll-off vessels: Inserts a paragraph authorizing appropriations in lieu of the Senate paragraph authorizing the use of funds available to the Department of Defense for the purposes authorized in section 906.

No. 148. Section 907, transfer of land to the Los Angeles County High School District: Inserts a new section in lieu of Senate section 907 for the purpose of clarifying the section.

No. 151. Construction, general: Provides $5,985,000 in lieu of $8,415,000 as proposed by the Senate.

Item	Senate bill	Conference
Planning:		
Sacramento River	$150,000	
Coosa River	100,000	
Canyon Reservoir	50,000	
Markham Ferry	100,000	$100,000
John Day Reservoir	700,000	
Priest Rapids	350,000	350,000
Cougar Reservoir	150,000	150,000
Green Peter Reservoir	150,000	
Total, planning	1,750,000	600,000
Construction:		
Stockton Harbor	335,000	335,000
Hampton Beach	140,000	
Greenup lock and dam	2,000,000	2,000,000
Charleston Harbor	200,000	
San Diego River	750,000	750,000
North Adams	940,000	
Buffalo Harbor	1,100,000	1,100,000
Los Angeles	1,200,000	1,200,000
Total, construction	6,665,000	5,385,000
Grand total	8,415,000	5,985,000

In addition, the language making up to $2 million of unexpended funds available for projects certified as essential to the national defense program was stricken from the bill.

No. 154. Operation and maintenance: Provides for the use of $600,000 of available funds for Yaquina Bay in lieu of an appropriation of $849,000 for Yaquina Bay, Block Island, and Great Salt Pond.

No. 155. Mississippi River and tributaries: Provides for a transfer of $1 million from operation and maintenance in lieu of an appropriation as proposed by the Senate.

No. 164. Construction of tankers: Allows $30 million in lieu of $37,500,000 proposed by the Senate. Completes the citation to the authorizing legislation.

No. 168. Jamestown-Williamsburg-Yorktown Celebration Commission: Allows $100,000 in lieu of $170,000 proposed by the Senate.

No. 187. Section 1312, ratification section: Corrects section number.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the House to amendment of the Senate No. 151.

Mr. SALTONSTALL. I should simply like to say that I signed the conference report with the exception of amendment No. 151. That involved an expenditure for preventing floods in North Adams, Mass. I was grievously disappointed that the House would not accept that as well as the other items which were contained in the civil functions bill.

In order not to take the time of the Senate, I ask unanimous consent to file a brief statement at this point, together with a table showing what the Senate has done in the last 5 years on such projects.

There being no objection, the statement and table were ordered to be printed in the RECORD, as follows:

Once again, the House of Representatives, in spite of the pleas by Congressman HESELTON, has refused to agree with the Senate to allow the flood-control project at North Adams to go ahead. They have once again taken lightly the safety of the people and the industries in this fine city in Berkshire County. I know the fear the citizens of North Adams have of a flash flood pouring down upon them from the steep hills above the city.

So far as the Senate is concerned, I am glad to say that in 1950, at my urging, they recognized the need for flood control at

North Adams and voted $500,000 for this project. Every single year since 1950, the Senate has voted money for this project. Twice they have voted money for this project. First, after the House refused to do so, $640,000 was passed by the Senate in the regular bill carrying funds for flood control. But the House refused to concur. At my request, and that of Congressman HESELTON, in conjunction with requests from the Army Engineers, the President, in a supplemental budget, requested $940,000. This request came to the Senate and the Senate promptly agreed to this amount. The supplemental appropriation bill went to conference between the House and Senate. Once again the House disregards the safety of North Adams and has just voted not to go along with the Senate on this amount or any amount. As a member of that conference, I protested vigorously and refused to recede on the amount which was passed by the Senate.

I wish to thank my colleagues in the Senate for supporting me as to the need for flood control in North Adams in every single year since the original appropriation in 1950 and twice this year. I want my friends in North Adams to recognize that the Members of the Senate have their welfare at heart and I shall continue to strive for help for them in continuing this worthy project. In the words of the senior Senator from Arizona—the senior Democrat on the Appropriations Committee of the Senate—"There is no more worthy project in the United States."

So that the record can speak for itself, I ask to have printed following my remarks, a table showing appropriations by budget estimate, House action, Senate action, and conference action in each of the last 6 years for the North Adams flood-control project.

Adams

	Budget estimate	House	Senate	Actual as result of conference
1950	0	0	$500,000	$350,000
1951 [1]	$500,000	$350,000	400,000	245,000
1952	225,000	210,000	225,000	225,000
1953	0	0	400,000	0
1954	390,000	0	370,000	0
1955	560,000	560,000	560,000	560,000

[1] All projects reexamined in light of Korean conflict. Finally allocated $350,000 to Adams from fiscal 1951 appropriation.

North Adams

	Budget estimate	House	Senate	Actual as result of conference
1950	0	0	$500,000	$350,000
1951 [1]	$500,000	$350,000	400,000	350,000
1952	0	0	400,000	400,000
1953	0	0	500,000	0
1954	875,000	0	830,000	0
1955 (regular bill)	0	0	640,000	0
1955 (supplemental)	940,000	[2] 0	940,000	[3]

[1] All projects reexamined in light of Korean conflict. Finally allocated $250,000 to North Adams from fiscal 1951 appropriation.
[2] Not considered by House.
[3] Disagreed to in conference.

Mr. FERGUSON. Mr. President, I agree with the Senator from Massachusetts on this particular item, particularly in relation to the North Adams project. We had pictures and an analysis of that project. I think it was a worthy project which should have been included in the bill, but, after all, it is necessary at times to make compromises in these matters in order that a bill may be passed.

There are other items on which Senators may want to speak. The RECORD should be made clear as to their viewpoints. Certain Senators felt they were right as to certain items. After long arguments and a thorough examination of each item, the Senate conferees had to recede in the case of some items, and the House had to recede in the case of other items. In my opinion, it is unfortunate that we had to do what we did on amendment No. 151.

Mr. CORDON. Mr. President——

Mr. FERGUSON. I shall yield to the Senator from Oregon, because he has great interest in one of these items.

Mr. CORDON. Mr. President, the items in planning and construction involved in the amendment now under consideration, amendment No. 151, were items for advance engineering and design for the Sacramento deep-water channel in California, $150,000; and a series of multipurpose projects in various parts of the United States, where either there have been enacted into law provisions for partnership participation or with reference to which there is legislation pending looking toward that end.

The projects which were included by the Senate are six: The Coosa River project, Alabama; Canyon River Reservoir, Tex.; Markham Ferry Reservoir, Okla.; John Day Reservoir, in Washington and Oregon, on the Columbia River; Priest Rapids Reservoir, Wash., also on the Columbia River; Cougar Reservoir, Oreg.; and Green Peter Reservoir, Oreg.

Both of the last are on tributaries of the Willamette River in that State.

The amounts as passed by the Senate were: Coosa, $100,000; Canyon Reservoir, $50,000; Markham Ferry, $100,000; John Day Reservoir, $700,000; Priest Rapids, $350,000; Cougar, $150,000; Green Peter, $150,000.

The total was $1,750,000 for the group, including the Sacramento Channel work.

Very shortly after the conference opened, it was clear that the House had taken a very definite, firm, and fixed position with respect to the engineering funds to be allowed for certain of the projects. They receded and agreed with the Senate with respect to the Markham Ferry Reservoir in Oklahoma and Priest Rapids Reservoir in Washington, these projects having been authorized for partnership development by bills passed at this session of Congress; and with respect to Cougar Reservoir in Oregon, legislation for which has passed the House and is now pending on the calendar in the Senate.

The House refused to recede with respect to Coosa River; with respect to Canyon Reservoir; with respect to John Day Reservoir, and with respect to Green Peter Reservoir.

The opposition of the House rested on two grounds. One was with respect to certain of the projects because of lack of authorization. Two of these projects are included in the omnibus bill which passed yesterday, but which we had not passed at the time of the conference.

With respect to others, and particularly with respect to John Day Reservoir, the objection rested upon the fact that the item had been included in the regular civil functions appropriation bill and in conference the House had refused to recede. It should be pointed out that there were other important items in conference at that time. From the standpoint of the Northwest, the items of overriding importance involved maintenance of the accelerated schedule of construction on our great multiple-purpose projects which are now under construction. The House conferees agreed to language accomplishing that objective. Perhaps planning money for John Day could have been obtained if the Senate conferees had accepted a delay of a year in completion of the Dalles Dam and Chief Joseph Dam. It was one or the other and the Senate conferees agreed to the compromise which brought the greatest benefit to the Northwest. Therefore, they thought that was a closed book at this session of Congress.

The Senate took the view that while that principle was sound, it was not applicable in this instance, because here the request was for advance engineering funds for a series of projects, all predicated upon the partnership theory; all—if the partnership plan can be worked out—to be constructed only partly with Federal money, and at a very great saving in Federal investment.

The Senate took the position that in view of the attitude of this administration favoring the engineering funds for these specific projects and in view of the position of the Bureau of the Budget to the same point, all the items should be allowed.

Mr. MORSE. Mr. President, will my colleague yield for a question?

The PRESIDING OFFICER (Mr. CARLSON in the chair). Does the Senator from Oregon yield to his colleague?

Mr. CORDON. I am happy to yield.

Mr. MORSE. Is it not true that irrespective of whether we go ahead with the partnership principle or do not go ahead with the partnership principle in the case of these particular projects, these funds for planning would be needed, no matter who built the projects—whether they were built under the combined partnership arrangement or whether they were built by the Federal Government alone?

Mr. CORDON. My colleague is unquestionably correct in making that statement. The engineering must be done at some time or other.

However, in placing the items in this supplemental appropriation bill, the Senate took the view that changed conditions authorized a new consideration. That is the basis on which I submit the matter to the Senate.

Although the Senator from Massachusetts [Mr. SALTONSTALL] and I approved the conference report, we excepted from that approval of this particular amendment; and we feel that some statement on it should properly be made for the RECORD.

Mr. President, I wish to say—because I think it should be said at this time—that I am in agreement on the basic proposition the House advanced; namely, that once projects have been considered in a general bill, they should not thereafter come up for consideration in a

supplemental bill. However, I believe—as I argued at the conference meetings with all the force I had—that there will always be exceptions to that basic rule; that there are conditions in which subsequent requests are proper. I believe that condition existed and exists with respect to these projects.

I also understand, Mr. President, that legislation is compromise. I understand that the House conferees have the same rights to their views as I have or as the other Senate conferees have to their views. I understand that a bill of the importance of this one—amounting to something in excess of $2 billion, and containing not only a great number of most important appropriation items in relation to civil functions, but also items for the District of Columbia; the legislative branch and the judiciary; the Departments of State, Justice, and Commerce; the Post Office Department; the Treasury Department; the Departments of Labor and Health, Education, and Welfare; the Department of Agriculture; the Department of the Interior; items for the Independent Offices; items for military construction; items for emergency programs and activities; items relating to claims and judgments, and so on—must pass; and I understand that there comes a time when a Member must use his judgment with respect to whether argument can longer be effective.

This particular conference continued over a period of 10 days. At its conclusion we had saved, out of this list, Markham Ferry Reservoir, in Oklahoma; Priest Rapids Dam, in Washington; and Cougar Reservoir, in Oregon. We lost the Green Peter Reservoir, in Oregon; John Day Reservoir, in Washington and Oregon; Canyon Reservoir, in Texas; and the Coosa River developments, in Alabama.

I regret that we were unable to get together. I have no criticism of those on the other side who differed with me and with my colleagues; and I join with my colleague, the Senator from Massachusetts, in expressing my deep appreciation of the loyal support which was given to us and to these projects by every one of the Senate conferees.

Mr. President, under the circumstances, although I realize that I might now move that the Senate refuse to accept the House action on this matter, yet I feel that should not be done under the parliamentary situation in which we now find ourselves.

So, much as I regret to do it, I shall support the conference report and the House action, in order that we may get the other legislation and appropriations necessary in this bill.

Mr. FERGUSON. Mr. President, in the case of amendment No. 151, the senior Senator from Oregon [Mr. CORDON] has very ably stated the case for the Senate conferees. All of us did our very best in that connection; but inasmuch as legislation is the art of compromise, the time came when we had to make this decision, and we made it.

Therefore, I now move that the Senate agree to the amendment of the House to the amendment of the Senate No. 151.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Michigan.

The motion was agreed to.

Mr. FERGUSON. Mr. President, I now move that the Senate recede from its amendment No. 60. I shall make an explanation in that connection.

Amendment No. 60 is pure legislation in this appropriation bill. After we had proposed this item, the Senate and the House agreed upon such legislation in a legislative bill, and therefore amendment No. 60 is not necessary.

I should like to give a brief explanation of amendment No. 71. This refers to language which was stricken out in relation to the moving of employees from Baltimore, Md. to Washington, D. C. When that amendment was taken back in disagreement, the Representative from Minnesota [Mr. JUDD] moved that the House recede from its insistence on the amendment. That motion was defeated. Then the chairman of the House Committee on Appropriations, Mr. TABER, took up the question of insisting upon the House amendment. That motion was carried by the House. So today we find ourselves in a position where we believe it is well to recede. Otherwise, we would have to take this amendment back in disagreement, and spend more days in conference on this question. I am convinced that the House, after voting, would not recede.

Mr. THYE. Mr. President, will the Senator yield for a question?

Mr. FERGUSON. I yield.

Mr. THYE. Mr. President, if the Senate recedes on this particular amendment, of course it will not be possible to pay compensation to the employees who have already moved from Baltimore to Washington, for their expenses of moving. Is that not right?

Mr. FERGUSON. So far as this legislation is concerned, that is true.

Mr. THYE. Mr. President, will the Senator yield further?

Mr. FERGUSON. I am glad to yield.

Mr. THYE. When Congress reconvenes, in the next session, the question could be taken up at the time of consideration of the appropriation bill, as we study it in 1955?

Mr. FERGUSON. That is correct.

Mr. THYE. Mr. President, it seems to be an injustice, when an executive or a department orders the transfer of certain employees to a new location, for such employee to be denied the compensation which applicable laws provide for such employee if he is requested to transfer from a certain location to another. Is that not correct?

Mr. FERGUSON. That is correct. But the law is also clear that no legislative act is binding upon the next legislature. A bill has been passed authorizing certain acts, but if this Congress does not appropriate the money, there is no way to compel Congress to act.

Mr. THYE. Mr. President, if the Senator will yield further, I have another question. It is always recognized that a Federal employee is to be compensated if a bureau or agency transfers him from one location to another.

Mr. FERGUSON. I understand that is the rule.

Mr. THYE. That is the law.

Mr. FERGUSON. That is in the law.

Mr. THYE. Yes; that is the law.

Mr. FERGUSON. That law does not apply to legislative employees.

Mr. THYE. It does not apply to legislative employees, but the matter under consideration does not deal with a legislative division.

Mr. FERGUSON. No.

Mr. THYE. This happens to relate to the Old Age and Survivors Insurance Division. It refers to the personnel of the headquarters unit, consisting of about 450 employees.

My only concern is that this agency was transferred from the Washington, D. C., location to Baltimore at the outset of World War II, to provide additional office space and living quarters for the employees brought to the District of Columbia under the war emergency, with the specific understanding as I recall, that when the emergency was over the headquarters unit would be moved back to the District of Columbia, for the reason that they are in constant contact and communication with the Department of Health, Education, and Welfare. It is an inconvenient and inefficient method of administration if one agency is located in Baltimore, when its services are constantly in demand, so far as the Department of Health, Education, and Welfare is concerned, in connection with records, administrative policies, and other transactions which come under the administrative functions of the Old Age and Survivors Insurance Division.

Therefore, I feel that Secretary Hobby is justified in making the transfer of this Division from Baltimore to Washington. If we deny the funds, we place that agency in a very embarrassing position, from the standpoint of the employees involved.

My question is this: If we as Members of Congress deny by specific language in appropriation bills the right of the Secretary to compensate those employees, we are in a sense nullifying a public law which is on the statute books relative to paying compensation of employees ordered to be transferred from one location to another; are we not?

I feel very strongly that we are not only placing the Secretary of Health, Education, and Welfare, Mrs. Hobby, in an exceedingly embarrassing position, but we have placed the employees of the Old-Age and Survivors Insurance Bureau—the headquarters unit, consisting of some 450 employees—in a most difficult financial position, because they are directed to transfer from Baltimore to Washington, and are compelled to suffer the expense of transporting their household goods and canceling contracts for living quarters and disposing of their homes, in order to come to the District, where they must either acquire apartments or rent homes. In some instances these employees have purchased homes in the District of Columbia.

All this is now in a state of confusion, and financial hardship is being worked

on these employees, because there is language in the law which denies the Secretary of Health, Education, and Welfare the right to do what has been done in previous years, to compensate the employees involved for the expenses incurred. These employees were paid when they were ordered transferred from the District of Columbia to Baltimore. Now, when they are supposed to be transferred back, the law we are examining here, in the form of this conference report, denies the Secretary of Health, Education, and Welfare the right to reimburse these employees, as provided by law, for transportation and moving expenses incurred. That is the objection I have to this language.

Mr. FERGUSON. I will say for the RECORD that this money would be taken out of the trust fund of this organization.

Mr. THYE. Most certainly; but we have forbidden the Secretary to use the money in the trust fund to compensate these employees for this expense.

Mr. FERGUSON. That is what our action does.

Mr. THYE. I believe it is absolutely indefensible, from the standpoint of Members of Congress. However, the House has absolutely refused to allow this payment, by a vote on the House floor. If we were to reject this amendment and send it back, such action would only involve us in many more hours, and possibly days, of further conference, with the end result the same. Therefore, I can only hope that we will give this question very careful consideration, and when we reconvene in the 84th Congress I hope we shall make amends for the errors we have committed in this particular supplemental appropriation bill.

Mr. LEHMAN. Mr. President, will the Senator yield for a question?

Mr. FERGUSON. I yield for a question.

Mr. LEHMAN. I noted with great disappointment the action taken with regard to amendment No. 63. The bill now appropriates only $900,000 for the training and traineeship program of the Office of Vocational Rehabilitation, instead of the $1,831,000 proposed by the Senate. This represents a cut of more than one-half in the original appropriation.

I believe every member of the Committee on Labor and Public Welfare, which considered this bill, felt, as I did, that the question of training and traineeship was one of the most important parts of the bill, if not the most important part—really the heart of the bill. It is a source of very great disappointment and disturbance to me to observe that that highly important appropriation has been reduced by more than 50 percent, leaving only $900,000.

I wonder whether the Senator from Michigan could present an explanation of that action.

Mr. FERGUSON. I can only say that this subject was given long and serious consideration.

The Senate conferees insisted upon the amount of $1,831,000. However, in order to have this item remain in the bill it was necessary to compromise. The original amount was put in the bill in the Senate. No figure was provided in the House bill. Therefore, in conference, we were negotiating from nothing to $1,831,000.

That was our difficulty. There was nothing in the House bill. Therefore we finally had to accept the $900,000. I have a note which states that the $500,000 appropriation was made on a matching basis of 66⅔-percent Federal to 33⅓-percent State, and that the $400,000 was for transfer to the Public Health Service for the training of physicians, which would be provided by Federal funds.

Therefore, when we are providing $500,000 on a 66⅔-percent basis, the Federal Government will be putting up 2 dollars for every dollar of State funds.

The $400,000 is for starting a new program. Therefore, it was felt that $400,000 would be sufficient with which to start the program.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. LEHMAN. We have in this country today a backlog of at least 2,000,000——

Mr. FERGUSON. Handicapped people.

Mr. LEHMAN. Handicapped people.

Mr. FERGUSON. That is correct. I have the greatest sympathy with the Senator's stand on the subject, and I share his views. This was another instance where compromise was necessary. All legislation, of course, is the result of compromise. We had to recede on this item, as we had to recede on some other items, or get nothing. The House bill contained no figure. This is legislation to carry out a new program.

Mr. LEHMAN. Mr. President, will the Senator yield further?

Mr. FERGUSON. I yield.

Mr. LEHMAN. Of course I realize we can either accept the conference report or reject it. I realize that is our only choice.

Mr. FERGUSON. That is correct. At the same time we are trying to make a record of how we feel about it.

Mr. LEHMAN. I want to make the record, if I possibly can, by protesting as vehemently and as vigorously as I can against this reduction. As I have said, there are a minimum of 2 million handicapped people in the country today. That is the backlog as of today. That number is increasing by not less than 250,000 a year. The program will make a very small dent under any circumstances. I am sure the distinguished chairman of the subcommittee which handled the bill will bear me out when I say that all of us feel that the training and traineeship program is really the core and heart of the whole program.

Mr. FERGUSON. That is correct.

Mr. LEHMAN. Without it we can accomplish very little.

Mr. FERGUSON. That is correct. However, we must also realize that the House felt we were starting from scratch, and that with only 10 months remaining, the amount appropriated would be sufficient. There is the right, of course, to come back for a deficiency appropriation on this kind of program, beginning on the 1st of January 1955. It was felt that the amount would be sufficient for the present.

Mr. LEHMAN. I am glad to know that the Senator from Michigan is in sympathy with our views.

Mr. FERGUSON. Certainly.

Mr. PURTELL. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. PURTELL. I should like to join the distinguished Senator from New York in indicating what the effect will be on the training and traineeship program with respect to the comprehensive vocational rehabilitation program upon which we have embarked. It is not an entirely new program, I say to the Senator from Michigan; it is a new phase of an old program.

Mr. FERGUSON. That is correct.

Mr. PURTELL. As the Senator from New York has stated, the tooling-up period is an essential part of the whole program. I understood that during the tooling-up period there would be money available for training and traineeships which would not be on a matching basis.

Mr. FERGUSON. The $400,000 is not on that basis.

Mr. PURTELL. But the $500,000 is tied up on a matching basis of 2 to 1.

Mr. FERGUSON. That is correct.

Mr. PURTELL. I should like to have the RECORD show that I certainly hope next year the Senator from Michigan will join the Senator from New York and many other Senators to make sure that we permit the tooling-up period to proceed in connection with this very important rehabilitation program, without its being tied up on a 2-to-1 basis with respect to the $500,000 appropriation.

Mr. FERGUSON. We will certainly let the conferees or anyone connected with this matter know our feeling and ask them to bear that point in mind. We did so this time, but the House was insistent. In order to get the $900,000, we had to put the $500,000 on a matching basis of 2 to 1.

Mr. President, the next item is amendment No. 130. I merely wish to say that that was a question of appropriations for the purpose of buying a piece of land on one of the parkways in Virginia. It is an eyesore, because there is an oil refinery on it at the present time, and there has been a fire on it. The Senate provided $60,000 as the Federal share. The State of Virginia and Arlington County were to pay a certain amount. When the bill was returned to the House, the House insisted that it would not pay any amount. Therefore, it was essential to strike that out.

I understand the United States Government has foreclosed a mortgage on the property.

Mr. President, I move that the Senate recede from its amendments Nos. 60, 71, and 130.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Michigan.

The motion was agreed to.

EXECUTIVE SESSION

Mr. KNOWLAND. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

DEPARTMENT OF THE AIR FORCE

Mr. KNOWLAND. Mr. President, after consultation with the chairman of the Committee on Armed Services, I ask unanimous consent that the nomination of Trevor Gardner to be Assistant Secretary of the Air Force, be recommitted to the Committee on Armed Services.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. KNOWLAND. Mr. President, I move that the Senate proceed to the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

Mr. KNOWLAND. Mr. President, I am about to announce to the Senate that we will proceed to the call of the calendar for the consideration of bills to which there is no objection. First, however, I shall suggest the absence of a quorum.

PERSONAL STATEMENT BY SENATOR LANGER

Mr. LANGER. Mr. President, last night when the conference report on the farm bill was under consideration, I announced, as is shown at page 14785 of the RECORD:

> Mr. LANGER. Mr. President, the Senator from North Dakota expects to vote against the conference report. He makes that announcement because of the fact that it is expected to have a voice vote, not a yea and nay vote. I am against the bill, and I desire the RECORD so to show.

Some time later that evening the distinguished Senator from Minnesota [Mr. THYE] said:

> Mr. THYE. Mr. President, the reason I sought recognition was that while I was acting as majority leader this afternoon the Senator from North Dakota [Mr. LANGER] asked me specifically whether there would be a record vote this evening. I told the Senator from North Dakota it was my information that there would not be a record vote. Therefore the Senator left the floor. If we were to have a record vote, I would feel that I had erred greatly, that I had misinformed one of my colleagues, and that there would have been committed an error that should not have been committed.

I ask unanimous consent that my vote "nay" should appear among the other "nay" votes in the RECORD.

Mr. KNOWLAND. Mr. President, I feel in this situation that the minority leader should be present. The distinguished Senator from North Dakota has correctly outlined the situation. The distinguished Senator from Minnesota [Mr. THYE] did make it clear that the Senator from North Dakota had spoken to him.

Both the rules and the precedents of the Senate are against changing the roll call once a yea-and-nay vote has been taken and announced. If the Senator has had the opportunity to read the RECORD, I think he will see that the majority leader was trying to recess the Senate until 10 o'clock this morning, which would have prevented the difficulty which the Senator has had.

It seems to me, under the circumstances, that the Senator's announcement as to his position, the statement made by the Senator from Minnesota [Mr. THYE], and the colloquy which followed, prior to the recess last night, give ample reasons why the Senator was not present. I know he has been very diligent in discharging his heavy responsibilities.

I should like very much to be able to agree offhand, but I would have to explore both the precedents and the rules, because there might be other occasions.

Mr. LANGER. I thank the distinguished Senator. Ordinarily I remain in the Chamber until the Senate adjourns or recesses no matter how late the hour, but as the Senator knows, there is very severe illness in my family.

Mr. KNOWLAND. I know that; and I know that no one having a knowledge of the facts and having read the RECORD and the statement of the Senator has any doubt as to the Senator's very prompt and diligent attendance upon the duties of the Senate. There has been very serious illness in his family; and any Senator, in like circumstances, would have felt when he left last night that there would not be a yea-and-nay vote. I regret very much that the Senator missed it, but I am sure that his position in opposition which he has so ably announced from time to time, leaves no doubt in the mind of anyone that, had he been present, he would have voted against the conference report. I think the RECORD can stand on that.

The PRESIDING OFFICER. The Chair will state that under rule XII a Member of the Senate would not be permitted to vote, even by unanimous consent, once the vote had been announced.

Mr. KNOWLAND. I was not clear on that point. Frankly, I wanted a little time to explore the situation.

ORDER FOR CALL OF THE CALENDAR

Mr. KNOWLAND. Mr. President, I ask unanimous consent that immediately following a quorum call we may have a calendar call for unobjected-to bills, beginning with No. 19 on the calendar, page 5, and running through to where we ended last time, which was No. 2392, following with the bills which were placed at the foot of the calendar, which will be taken up seriatim.

The PRESIDING OFFICER. Without objection, the unanimous-consent request is granted.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Green	McCarthy
Anderson	Hayden	McClellan
Barrett	Hendrickson	Millikin
Beall	Hennings	Monroney
Bennett	Hickenlooper	Morse
Bowring	Hill	Mundt
Bricker	Holland	Murray
Bush	Humphrey	Neely
Butler	Ives	Pastore
Byrd	Jackson	Payne
Carlson	Johnson, Colo.	Potter
Case	Johnson, Tex.	Purtell
Chavez	Johnston, S. C.	Reynolds
Clements	Kefauver	Robertson
Cooper	Kennedy	Russell
Cordon	Kerr	Saltonstall
Crippa	Kilgore	Schoeppel
Dirksen	Knowland	Smathers
Duff	Kuchel	Smith, Maine
Dworshak	Langer	Smith, N. J.
Ellender	Lehman	Stennis
Ervin	Lennon	Symington
Ferguson	Long	Thye
Frear	Magnuson	Watkins
Fulbright	Malone	Williams
George	Mansfield	Young
Goldwater	Martin	
Gore	McCarran	

Mr. SALTONSTALL. I announce that the Senator from Wisconsin [Mr. WILEY] is absent by leave of the Senate.

The senior Senator from Indiana [Mr. CAPEHART] and the Senator from Idaho [Mr. WELKER] are absent on official business.

The senior Senator from New Hampshire [Mr. BRIDGES], the Senator from Vermont [Mr. FLANDERS], the junior Senator from Indiana [Mr. JENNER], and the junior Senator from New Hampshire [Mr. UPTON] are necessarily absent.

Mr. CLEMENTS. I announce that the Senator from Ohio [Mr. BURKE], the Senator from Texas [Mr. DANIEL], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], and the Senator from South Carolina [Mr. MAYBANK] are absent on official business.

The Senator from Virginia [Mr. BYRD] and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

The Senator from Iowa [Mr. GILLETTE] is absent by leave of the Senate.

The PRESIDING OFFICER (Mr. PAYNE in the chair). A quorum is present.

The PRESIDING OFFICER. The Senate will now proceed with the call of the calendar, in accordance with the unanimous-consent agreement.

The clerk will state the first bill on the calendar.

BILLS AND RESOLUTIONS PASSED OVER

The bill (S. 242) to provide for the establishment of a Veterans' Administration domiciliary facility at Fort Logan, Colo., was announced as first in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 59) for the relief of Felix Kortschok was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The bill will be passed over.

The resolution (S. Res. 57) to amend rule XIII of the standing rules relative

to motions to reconsider was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The resolution will be passed over.

The bill (S. 1663) to increase the salaries of Members of Congress, judges of the United States courts, and United States attorneys, and for other purposes, was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The bill will be passed over.

The resolution (S. Res. 20) amending the cloture rule with respect to the number required for adoption of a cloture motion was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1857) to amend certain statutes providing expeditious judicial proceedings for the condemnation of lands for public purposes was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1396) to authorize the adoption of certain rules with respect to the broadcasting or telecasting of professional baseball exhibitions in interstate commerce, and for other purposes, was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1806) to amend the Navy ration statute so as to provide for the serving of oleomargarine or margarine was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 848) to prescribe policy and procedure in connection with construction contracts made by executive agencies and for other purposes, was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 281) to amend section 1 (17) (a), section 13 (3), and section 13 (4) of the Interstate Commerce Act in order to extend to the Interstate Commerce Commission power to prescribe the discontinuance of certain railroad services in intrastate commerce when found to be unreasonably discriminatory against or to constitute an undue burden on interstate commerce was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2413) to provide an elected mayor, city council, school board, and nonvoting Delegate to the House of Representatives, for the District of Columbia, and for other purposes, was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1243) to amend the War Contractors Relief Act with respect to the definition of a request for relief, to authorize consideration and settlement of certain claims of subcontractors, to provide reasonable compensation for the services of partners and proprietors, and for other purposes, was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 6648) to amend section 205 of the Small Business Act of 1953 was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2404) to authorize the Secretary of Agriculture to require reasonable bonds from packers was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 49) to enable the people of Hawaii to form a constitution and State government and to be admitted into the Union on an equal footing with the original States was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 50) to provide for the admission of Alaska into the Union was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2244) to provide for promotion by merit of employees in the postal services and to establish uniform procedures for examination and appointment of candidates for promotion to supervisory positions was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 509) to confer jurisdiction upon the United States Court of Claims to hear, determine, and render judgment upon claims of customs officers and employees to extra compensation for Sunday, holiday, and overtime services performed after August 31, 1931, and not heretofore paid in accordance with existing law was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The resolution (S. 207) requiring a yea and nay vote on the question of advising and consenting to the ratification of treaties was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The resolution will be passed over.

The bill (S. 42) to provide for attorneys' liens in proceedings before the courts or other departments and agencies of the United States was announced as next in order.

Mr. HENDRICKSON. Mr. President, by request, I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 692) to prohibit discrimination in employment because of race, color, religion, national origin, or ancestry was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2910) providing for the creation of certain United States judgeships, and for other purposes, was announced as next in order.

Mr. HENDRICKSON. Mr. President, this is clearly not calendar business. For that reason, I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 44) to provide for the appointment of deputy United States marshals without regard to the provisions of the civil service laws and regulations was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2373) to limit in certain cases the power of a single justice or judge of the United States to grant a stay of execution or sentence in connection with a habeas corpus proceeding or other proceeding collaterally attacking the conviction of any person was announced as next in order.

Mr. SMATHERS. By request, over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2020) to amend section 433 of title 18, United States Code, relating to exemptions with respect to certain contracts was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

CONVEYANCE OF CERTAIN LAND IN ARKANSAS — BILL PLACED AT FOOT OF CALENDAR

The bill (H. R. 4017) to provide for the conveyance of certain land and improvements to the England Special School District of the State of Arkansas was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MORSE. Mr. President, I ask for an explanation, please.

The PRESIDING OFFICER. An explanation has been requested.

Mr. HENDRICKSON. Mr. President, the chairman of the committee does not seem to be present on the floor. I therefore ask unanimous consent that the bill go to the foot of the calendar.

The PRESIDING OFFICER. Without objection, the bill will go to the foot of the calendar.

BILLS AND RESOLUTIONS PASSED OVER

The bill (S. 23) to make it unlawful for a member of a Communist organization to hold an office or employment with any labor organization and to permit the discharge by employers of persons who are members of organizations designated as subversive by the Attorney General of the United States was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 3915) to permit the mining, development, and utilization of the mineral resources of all public lands

withdrawn or reserved for power development and for other purposes was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The resolution (S. Res. 144) requiring a yea and nay vote on the passage of joint resolutions proposing amendments to the Constitution was announced as next in order.

Mr. KNOWLAND. Over.

The PRESIDING OFFICER. The resolution will be passed over.

The bill (S. 3199) to authorize additional use of Government motor vehicles at isolated Government installations, and for other purposes was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

LEO F. PINDER

The Senate proceeded to consider the bill (H. R. 2876) for the relief of Leo F. Pinder, which had been reported from the Committee on the Judiciary with an amendment, on page 2, line 7, after the word "act", to strike out "in excess of 10 percent thereof."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

BILLS PASSED OVER

The bill (H. R. 4104) for the relief of Frank St. Charles was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 6033) for the relief of Albert Vincent, Sr., was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 5572) for the relief of Lt. Comdr. Cook Cleland was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 3158) to eliminate cumulative voting of shares of stock in the election of directors of national banking associates was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 3190) to amend section 3 of the act of January 2, 1951, prohibiting the transportation of gambling devices in interstate and foreign commerce was announced as next in order.

Mr. SMATHERS. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 3542) to prohibit transmission of certain gambling information in interstate and foreign commerce by communications facilities was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 3435) to amend the act relating to the administration of the Washington National Airport to incorporate the Washington National Airport Corp., and for other purposes was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 7395) to amend the definition of "airman" in the Civil Aeronautics Act of 1938, and for other purposes was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 7815) to provide for the construction, operation, and maintenance of the Cougar Dam and Reservoir on the South Fork McKenzie River, Oregon, with participation for power by the city of Eugene, Oreg., was announced as next in order.

Mr. MORSE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 880) to amend the license law of the District of Columbia was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2601) to provide for Federal financial assistance to the States and Territories in the construction of public elementary and secondary school facilities was announced as next in order.

Mr. RUSSELL. Over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. COOPER subsequently said: Mr. President, I ask unanimous consent that the Senate return to Calendar No. 1797, Senate bill 2601. If consent is granted, it is my purpose to request unanimous consent that the bill be placed at the foot of the calendar, because I should like to speak briefly on the bill, in the hope that the Senators who have objected may withdraw their objections.

The PRESIDING OFFICER. The Chair will state that the Senator from Georgia [Mr. RUSSELL] entered objection to the bill. The Chair does not see the Senator from Georgia on the floor at this time, but the Chair will ask whether there is objection to the unanimous-consent request of the Senator from Kentucky.

Mr. SMATHERS. Mr. President, within the last 5 days, this is about the third time we have reached this bill on the calendar. Most Senators on this side of the aisle are very much in favor of the bill, and I think there are some on the other side of the aisle who are very much in favor of it. It is a matter of great importance to the school people all over the country.

It seems to me that, rather than aggravate this matter—and I say this in all kindliness, nonetheless—for political purposes, the fact is that the bill can be scheduled for debate and passage at any time that the majority leader decides to have that done.

So far as I am concerned, we have had this bill up on three different occasions. If the Senator from Kentucky wishes to submit a statement for the RECORD, well and good; we have no objection.

The PRESIDING OFFICER. The Senator from Kentucky has asked unanimous consent that the Senate return to Calendar No. 1797, Senate bill 2601, to which the Senator from Georgia [Mr. RUSSELL] had entered objection.

Mr. COOPER. My purpose is simply to request unanimous consent that the bill be placed at the foot of the calendar, not that it be debated at this time.

The PRESIDING OFFICER. Is there objection?

Mr. SMATHERS. Mr. President, reserving the right to object——

Mr. RUSSELL. Mr. President, I have no objection to having the Senator from Kentucky make any statement he may see fit to make, under the rules, at the present time, but I know of no reason why the bill should again go to the foot of the calendar. I believe it has already taken that course on at least two other occasions, and perhaps more.

If the Senator from Kentucky wishes to make a further statement with respect to the bill, I have no objection to returning to the bill for that purpose; but I see no reason why the bill should be placed at the foot of the calendar.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Kentucky?

Mr. COOPER. Mr. President, let me say to my good friend, the distinguished Senator from Georgia, that I did not wish to interrupt the call of the calendar at this time in order to make a statement on the bill.

However, the bill is important; and if it can be placed at the foot of the calendar, I should like to speak at that time to point out to the Senate why I believe the bill is important—and with the hope that the objection which has been made will be withdrawn, or that perhaps the bill will be placed on the schedule for passage at this session.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from California will state it.

Mr. KNOWLAND. In accordance with the very fair suggestion of the Senator from Georgia—who, as I understand, has no objection to returning to the bill at this point, so that under the 5-minute rule the Senator from Kentucky can make whatever explanation of the bill he wishes to make—then, I suppose, all Senators will be able to reserve judgment as to what statement of objection or what other statement they may care to make.

So I think we shall facilitate the handling of the matter if such consent is granted, so that the Senator from Kentucky may make his statement now.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kentucky?

Without objection, the Senate will now return to Calendar No. 1797, Senate bill 2601.

The question is, Is there objection to the present consideration of the bill?

Mr. COOPER. Mr. President, as we near the close of the session, and inasmuch as I feel very deeply about the importance of the bill, I wish to explain at this time the purpose of the bill, S. 2601, entitled the "Emergency Public School Construction Act of 1954."

The Senate will remember that 4 years ago the Congress directed that a survey be made of school facilities in the United States, and particularly of the availability of classrooms for the schoolchildren of the country. The survey was made, and the results of the survey should address themselves to every Member of the Congress. The survey shows that in the United States there is a deficit of classrooms needed to properly house at least 7½ million children—a deficit of approximately 250,000 classrooms. The survey further shows that the total cost of providing the needed classrooms would amount to approximately $10 billion or $12 billion. The survey indicates that local governments and local school boards are able to provide perhaps $5 billion or $6 billion of the $10 billion or $12 billion needed to make whole the deficit.

President Eisenhower, in his message to the Congress on the state of the Union last year, stated as one of his recommendations that the Congress should take account of this need, one which relates directly to the education of the children of the Nation, and should make provision for assisting in the construction of school facilities.

As a result of the President's suggestion, several bills were introduced in the House of Representatives and in the Senate. I introduced Senate bill 2601. Hearings were held by the Senate Committee on Labor and Education and Public Welfare; and after comprehensive hearings and discussion by the committee, Senate bill 2601 was reported to the Senate by the unanimous vote of the members of the committee. I reported the bill, and there are joined as sponsors the distinguished chairman of our committee, Senator SMITH of New Jersey, and Senators UPTON, BOWRING, MURRAY, HILL, NEELY, CLEMENTS, DOUGLAS, KENNEDY, and MCCLELLAN. S. 2601 is an emergency bill. It authorizes for each of the next 2 fiscal years, ending July 1, 1956, an appropriation of $250 million for each of the 2 years. The bill provides that the money shall be apportioned to the States on the basis of a formula which is well known to the Senate; it is the Hill-Burton formula, used in the allocation of funds for hospital construction. One-half of the allocations to the States will be based upon the Hill-Burton formula, which takes into consideration both school population, and the relative per capita income of the States.

In order to be fair to all of the States, particularly those States in the North who believe the Hill-Burton formula too favorable to the lower-income States, one-half of the allocation takes into account the school population and school age, 5 to 17 years in all the States. Control is left entirely to the States. The States will submit to the Department of Health, Education, and Welfare a list of schools based on the priority of need for assistance—listing the school districts in greatest need. Then if the programs are approved—and approval is practically mandatory—40 percent of the cost would be supplied through use of Federal funds authorized by this act, and the remaining 60 percent would be paid by the local agencies. I will file later a complete statement showing the need for school rooms and the help that my bill would give to each State.

I believe this is a bill of importance. It affects all the school children in the country. It would help a deficit in classrooms and school facilities which has been ascertained by virtue of the report directed by the Congress itself. I have urged again and again that this bill be brought up for passage before the Congress adjourns. I ask that the Members of the Senate be given a chance to express themselves on this important bill. It is a bill for the school children, for the youth of the Nation, and will strengthen this country.

Mr. MORSE. Mr. President, will the Senator yield for a question?

Mr. COOPER. I thank the distinguished Senator from Florida for yielding to me for this statement.

Mr. MORSE. Mr. President, will the Senator yield for a question?

Mr. COOPER. I yield.

Mr. MORSE. Does the Senator from Kentucky agree with me that this bill seeks to effectuate and implement the great educational tenet of one of the country's greatest Democrats, Thomas Jefferson, who said that the strength of a democracy can be no greater than the enlightenment of its people?

Mr. COOPER. I believe so.

I might say also that a Senator who just recently served among us in this chamber—one considered to be a great American conservative, one who was also one of the great American liberals, in his concern for individual freedom, and opportunity—the late Senator from Ohio, Robert A. Taft, again and again sponsored bills such as this; and urged and secured, with the help of other Senators, their passage by the Senate. I earnestly urge that we be given the chance to vote on this bill for the school children of America.

The PRESIDING OFFICER. The Senator's 5 minutes have expired.

Mr. SMITH of New Jersey. Mr. President, as chairman of the Committee on Labor and Public Welfare, I rise to endorse the statement made by the Senator from Kentucky [Mr. COOPER].

The Committee on Labor and Public Welfare considered a number of bills in this field. The distinguished Senator from Kentucky [Mr. COOPER] was chairman of a very able subcommittee, which examined all those bills. We had the advice of the Department of Health, Education, and Welfare.

While our committee is making an overall survey in connection with another bill with regard to the school needs of this country, we felt that it was imperative this year for us to meet the immediate emergency needs. This 2-year bill was therefore first reported from the subcommittee to our full committee, and then considered at length by the full committee. The formula was worked out, and we unanimously reported the bill to the calendar.

I am very hopeful that the desire of the Senator from Kentucky, who has been doing a yeoman's job in this connection, can be achieved, and that the bill can be debated and passed before Congress adjourns. It is a very important bill.

Mr. RUSSELL. Mr. President, I am somewhat familiar with the history of legislation of this type. I have considerable sympathy with the objectives of this bill.

Let me say that my position with regard to the bill is not an individual position. I think I can say with sincerity that my views coincide with the views of several Members of the Senate, when I suggest that this bill should not be passed on the call of the calendar. It involves many very complex questions. I am amazed to hear that the bill is brought here today as an emergency bill, which we should do something about immediately.

As I understand, the Committee on Education and Labor in the House of Representatives has not reported any companion bill. We all know well enough that even if the authorization were passed, another supplemental appropriation bill would have to be passed before the matter could be dealt with as an emergency. If there is any intention whatever of Congress adjourning at any time in the foreseeable future, it would be impossible to take any final action at this session of Congress.

We might go out and campaign by saying that we voted for the bill, but as a practical matter, to deal with this as an emergency, we would have to wait until we had received an estimate from the Bureau of the Budget, and another appropriation bill would be necessary before we could benefit one single, solitary school district in the United States.

A bill of this importance, Mr. President, would, as I understand, require a still further increase in the public debt of around a half billion dollars, because we would have to borrow the money to do this. Even if we kept the Congress here for several weeks, in order to pass the authorization and get the budget estimates and pass the appropriation bill, this is too serious a matter to be considered in this way. I do not think the bill should pass on the call of the calendar. Therefore, not only for myself, but for other Senators, I interpose an objection to further consideration.

The PRESIDING OFFICER. Objection is heard. The bill will be passed over.

The bill (H. R. 2235) to authorize the Secretary of the Interior to construct the Santa Maria project, Southern Pacific Basin, Calif., was announced as next in order.

Mr. MORSE. Over.

The PRESIDING OFFICER. The bill will be passed over.

AUTHORIZATION FOR CERTAIN USES OF PUBLIC LANDS

The Senate proceeded to consider the bill (S. 620) to provide authorization for

certain uses of public lands, which had been reported from the Committee on Interior and Insular Affairs with amendments, on page 1, line 6, after the word "authorized", to insert "under such reasonable terms and conditions as such head may determine"; and on page 2, after line 4, to insert:

SEC. 2. The authority conferred by this act shall be in addition to, and not in derogation of, any authority heretofore conferred upon the head of any department or agency of the Government of the United States to grant permits, leases, easements, or rights-of-way.

So as to make the bill read:

Be it enacted, etc., That the head of any department or agency of the Government of the United States having jurisdiction over public lands, national forests, and reservations of the United States is hereby authorized, under such reasonable terms and conditions as such head may determine, to grant permits, leases, or easements for a period not to exceed 50 years from the date of any such permit, lease, or easement to States, counties, cities, towns, townships, municipal corporations, or other public agencies for the purpose of constructing and maintaining on such lands public buildings or other public works. In the event such lands cease to be used for the purpose for which such permit, lease, or easement was granted, the same shall thereupon terminate.

SEC. 2. The authority conferred by this act shall be in addition to, and not in derogation of, any authority heretofore conferred upon the head of any department or agency of the Government of the United States to grant permits, leases, easements, or rights-of-way.

Mr. KUCHEL. Mr. President, I have two proposed amendments to Senate bill 620 to offer at this time. The first one proposes, on the first page, beginning with line 5, to strike out all through the word "easements" in line 8, and insert certain language in lieu thereof.

I call particular attention to the following language in my amendment:

to be fixed by such head of such department or agency through appraisal.

The second amendment proposes to strike out the word "fifty" on the first page, line 8, and insert in lieu thereof "thirty." That refers to the number of years which the bill presently providing a leasehold may extend. In lieu of 50 years my amendment provides a maximum of 30 years. I have discussed the bill and the proposed two amendments with the Senator from Oregon. I have been advised there is no objection to them.

The PRESIDING OFFICER. The Chair will advise the Senate that there is a companion bill to the pending bill, Calendar No. 2234, House bill 1254, to provide authorization for certain uses of public lands. It differs in language from the Senate bill.

Mr. KUCHEL. I had assumed that the parliamentary procedure would be that if the two amendments which I have offered to the Senate bill were agreed to, and there was no other objection to the bill, I would move to substitute the language of the Senate bill for the House bill.

Mr. CHAVEZ. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

Mr. MORSE. Mr. President, I wish to ask a question, but not on the committee amendments.

The amendments were agreed to.

The PRESIDING OFFICER. The clerk will state the first amendment proposed by the Senator from California.

The CHIEF CLERK. On the first page, beginning with line 5, it is proposed to strike out all through "easements" in line 8 and insert in lieu thereof the following: "lands and national forests except national parks and monuments of the United States is hereby authorized to grant permits, leases, or easements, in return for the payment of a price representing the fair market value of such permit, lease, or easement, to be fixed by such head of such department or agency through appraisal."

Mr. MORSE. Mr. President, I heartily support the amendment. I wish to express my very deep appreciation to the Senator from California, not only for his extreme fairness in regard to this matter, but for the fact that he went into it himself and conferred with the Bureau of the Budget. He did not raise any criticism about the action of the Bureau of the Budget. I say to the Senator from California that I am glad we were able to get together on the amendment.

Mr. KUCHEL. I thank the Senator for his compliment.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield to the Senator from New Mexico.

Mr. CHAVEZ. I believe I understand the project involved as well as any other Senator, but I should like to ask the Senator from California, so far as this particular project is concerned, whether the water reserves for Pendleton Field, which belongs to the Marine Corps, are protected. The Santa Maria furnishes the water for Pendleton Field, the Marine Corps field.

Mr. KUCHEL. Mr. President, I cannot think of a case in which this bill would apply to the Marine Corps reservation. The attorney general of the State of California has rendered an opinion that in the absence of a valid lease flowing to the State from the Federal Government, the State government cannot make any expenditures of public funds with respect to any area in which it and the Federal Government are parties.

Mr. CHAVEZ. Mr. President, I apologize to the Senator from California; I had in mind the Santa Margarita, instead of the Santa Maria.

Mr. KUCHEL. Yes.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from California [Mr. KUCHEL], on page 1, beginning in line 5.

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment submitted by the Senator from California will be stated.

The CHIEF CLERK. On page 1, in line 8, it is proposed to strike out "fifty" and insert in lieu thereof "thirty."

The amendment was agreed to.

Mr. KUCHEL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from California will state it.

Mr. KUCHEL. At what point will a motion be in order to consider the companion House bill?

The PRESIDING OFFICER. Such a motion is in order at this time.

Mr. KUCHEL. Mr. President, I now move that the Senate proceed to the consideration of Calendar 2234, House bill 1254.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 1254) to provide authorization for certain uses of public lands.

Mr. KUCHEL. Mr. President, I now ask unanimous consent that all after the enacting clause of House bill 1254 be stricken out, and that there be inserted, in lieu thereof, the text of Senate bill 620, as amended.

The PRESIDING OFFICER. Is there objection? Without objection, the amendment is agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 1254) was read the third time and passed.

The PRESIDING OFFICER. Without objection, Senate bill 620 is indefinitely postponed.

BILLS PASSED OVER

The bill (S. 3114) to improve the public health by encouraging more extensive use of the voluntary-prepayment method in the provision of personal-health services was announced as next in order.

Mr. KNOWLAND. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 904) to standardize rates on household goods shipped by the United States Government for its employees was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 3219) to amend certain provisions of title XI of the Merchant Marine Act, 1936, to facilitate private financing of new ship construction was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 3300) to authorize the State of Illinois and the Sanitary District of Chicago under the direction of the Secretary of the Army to help control the lake level of Lake Michigan by diverting water from Lake Michigan into the Illinois Waterway, was announced as next in order.

Mr. GORE. Over.

Mr. HENDRICKSON. By request, I ask that this bill go over.

The PRESIDING OFFICER. The bill will be passed over.

BILL INDEFINITELY POSTPONED

The bill (S. 2317) authorizing the modification of the existing project for

navigation on the Delaware River, Pa., N. J., and Del., was announced as next in order.

Mr. HENDRICKSON. Mr. President, this bill should be indefinitely postponed. The project contemplated was taken care of in the public works bill passed yesterday.

The PRESIDING OFFICER. Does the Senator from New Jersey ask that the bill be indefinitely postponed?

Mr. HENDRICKSON. I make that request.

The PRESIDING OFFICER. Without objection, it is so ordered.

RADU FLORESCU AND NICOLE ELIZABETH MICHEL FLORESCU

The bill (H. R. 4813) for the relief of Radu Florescu and Nicole Elizabeth Michel Florescu was considered, ordered to a third reading, read the third time, and passed.

CLAIM OF THE GEO. D. EMERY CO.—RESOLUTION INDEFINITELY POSTPONED

The resolution (S. Res. 285) to refer S. 3730, a private bill to the court of claims for a report, was announced as next in order.

Mr. HENDRICKSON. Mr. President, this matter should be handled by means of a bill, in my opinion, instead of a resolution. I ask unanimous consent that the Committee on the Judiciary be discharged from the further consideration of Senate bill 3730, a bill for the relief of the Geo. D. Emery Co.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. HENDRICKSON. Mr. President, I now ask that the Senate proceed to the consideration of Senate bill 3730.

There being no objection, the Senate proceeded to the consideration of the bill (S. 3730) for the relief of the Geo. D. Emery Co., which was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Geo. D. Emery Co., of New York, N. Y., the sum of $250,000. The payment of such sum shall be in full settlement of all claims of the said Geo. D. Emery Co. against the United States for reimbursement and compensation due for services performed between 1950 and 1953, in cooperation with the Reconstruction Finance Corporation and other Government agencies in connection with a project to establish for the Government an 8,000-acre abaca plantation in Ecuador: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. HENDRICKSON. Mr. President, I move that all after the enacting clause be stricken out and that there be inserted the amendment which I send to the desk.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. It is proposed to strike out all after the enacting clause and to insert the following:

That jurisdiction is hereby conferred upon the Court of Claims, notwithstanding any statute of limitations or any lapse of time, to hear, determine, and render judgment upon the claim of the George D. Emery Co., of New York, N. Y., for expenses it has incurred and for services it has performed allegedly at the instance of and on behalf of the Government in connection with a project to establish for the Government an 8,000-acre abaca plantation in Ecuador between September 1950 and February 1953: *Provided*, That suit on such claim shall be brought within 6 months from the date of the enactment of this act.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. HENDRICKSON. Mr. President, I ask that Senate Resolution 285 be indefinitely postponed.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the resolution is indefinitely postponed.

BILLS PASSED OVER

The bill (S. 2559) to amend title 17, United States Code, entitled "Copyrights," was announced as next in order.

Mr. SMATHERS. Over.

Mr. McCARRAN. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 3557) for the relief of Capt. Walter C. Wolf was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

DOROTHY KILMER NICKERSON

The bill (H. R. 3757) for the relief of Dorothy Kilmer Nickerson was considered, ordered to a third reading, read the third time, and passed.

RESOLUTION AND BILLS PASSED OVER

The resolution (S. Res. 286) referring S. 1613 for the relief of Tom Hellander Co., to the Court of Claims was announced as next in order.

Mr. HENDRICKSON. Over, by request.

The PRESIDING OFFICER. The resolution will be passed over.

The bill (S. 1737) for the relief of certain former employees of the Inland Waterways Corp. was announced as next in order.

Mr. GORE. Over.

Mr. HENDRICKSON. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 3166) for the relief of the city of Sandpoint, Idaho, was announced as next in order.

Mr. MORSE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 3214) for the relief of Mrs. Marie Monchen was announced as next in order.

Mr. HENDRICKSON. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 1370) for the relief of Guy H. Davant was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

CLARENCE D. NEWLAND

The Senate proceeded to consider the bill (H. R. 2032) for the relief of Clarence D. Newland, which had been reported from the Committee on the Judiciary with an amendment, on page 2, line 16, after the word "act", to strike out "in excess of 10 percent thereof."

The amendment was agreed to

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

BILL PASSED OVER

The bill (H. R. 3222) for the relief of Martin Luther Johnson was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

DAVID W. WALLACE

The bill (H. R. 4638) for the relief of David W. Wallace was announced as next in order.

The PRESIDING OFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary with an amendment, on page 1, line 9, after the word "act", to strike out "in excess of 10 percent thereof."

Mr. McCARRAN. Mr. President, as I heard the bill read, did I correctly understand that attorneys' fees are allowed?

The PRESIDING OFFICER. As amended, the bill provides for no attorneys' fees.

Mr. McCARRAN. I thank the Presiding Officer.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

AMENDMENT OF UNITED STATES CODE RELATING TO PATENTING OF PLANTS

The bill (H. R. 5420) to amend section 161, title 35, United States Code, relating to the patenting of plants was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 3305) to authorize payment of certain war claims including payment of veterans' claims arising out of the sequestration by the Imperial Japanese Government of credits of members of the military and naval forces of the United States and other United States nationals in the Philippines was annouced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

TRAVEL EXPENSES OF CIVILIAN EMPLOYEES STATIONED OVERSEAS

The bill (H. R. 179) to amend section 7 of the Administrative Expenses Act of 1946, as amended, was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 3517) to amend section 144 of title 28 of the United States Code was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

PAYMENT OF TAXES ON REAL PROPERTY TRANSFERRED FROM GOVERNMENT CORPORATIONS—BILL PASSED OVER

The bill (H. R. 5605) to amend the Federal Property and Administrative Services Act of 1949, to provide for payment of taxes or payment in lieu of taxes with respect to real property transferred from Government corporations to other agencies of the Federal Government was announced as next in order.

Mr. GORE. Mr. President, may we have an explanation of the bill?

Mr. SALTONSTALL. Mr. President, broadly speaking, a very brief explanation of the bill is that when a plant is located in a city and is operated by a division of the Department of Defense, such as the Department of the Air Force, the locality loses its right to taxes. There is such a plant in Everett, Mass., which is operated by the General Electrict Co. When it was operated by the RFC, the city of Everett collected taxes on it. The RFC gave up the plant, it was transferred to the Department of the Air Force, and it is now being operated by the General Electric Co. under contract with the Department of the Air Force. As a result of the transfer, the city has lost the right to tax the plant.

I have for several years joined in introducing bills to cover such situations. It is my understanding that the Defense Department, the Treasury Department, and the Bureau of the Budget object to bills of this character. I am informed that there are 93 similar instances throughout the United States.

I address a question to the distinguished Senator from Tennessee. I ask him if his objection is based on the fact that the Department of Defense does not like this type of bill and objects to the present method of dealing with such situations, which is a hardship on localities?

Mr. GORE. In reply to the able senior Senator from Massachusetts, I advise him that I believe the bill has a great deal of merit. I am not in sympathy with the situation which it seeks to relieve. I have no objection to the merits of the bill as such. I believe I would favor the passage of such a bill. However, as the able Senator has stated, since there are 93 instances parallel to this situation, and since it is a matter of considerable importance, and as general legislation which is objected to by the Department of Defense, I have serious reservations as to the advisability of passing such a far-reaching and important bill on the call of the calendar, because it is not possible to have adequate debate and consideration.

Mr. SALTONSTALL. I concede the force of the distinguished Senator's objection. My only observation is that it is unfortunate that the bill should come up at such a late date in the session.

Mr. GORE. I agree. The junior Senator from Massachusetts is likewise very much interested in the bill. I shall be glad to join the distinguished Senators from Massachusetts in a request to the majority leader to schedule the bill for consideration.

Mr. SALTONSTALL. I thank the Senator.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I am happy to yield, if I have the floor.

Mr. MORSE. Mr. President, the bill deserves considerable discussion on the floor of the Senate. We cannot possibly discuss the policy involved in this bill and all the implications of that policy in a short time on the floor of the Senate. I am open-minded about it, and if I can be convinced that this is a sound bill, I shall change my present position.

However, what we would be doing would be to open the whole question of whether to give communities in which the Government locates defense and military installations the right to collect taxes from the Defense Department. That is what it amounts to. When I think of all the interest in Congress with respect to getting military installations located in various localities of the country, I believe we would be adopting a very unsound public policy if we were to have the Government pay taxes for the privilege of locating such an installation within a locality.

I am sure that the city of Everett, Mass., has not lost so much as one cent by the location of this installation there. To the contrary, I believe the establishment has poured into the treasury of the city of Everett great sums of money which never would have gone into its treasury if the plant had not been located there.

Unless we could have a thorough discussion of the policy, which, as has already been brought out by the Senator from Massachusetts, is opposed by the Bureau of the Budget, I certainly would not agree to have it passed on the call of the calendar; nor would I, under terrific pressure for shortening debate in the dying days of the session, be willing to have such a bill considered under any agreement to limit debate.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MORSE. I object.

The PRESIDING OFFICER. Objection is heard——

Mr. BUSH. Mr. President, will the Senator from Oregon withhold his objection for a moment?

Mr. MORSE. I withhold it.

Mr. BUSH. I wish to speak strongly in support of the statement of the Senator from Massachusetts with reference to this bill. In response to the observations of the Senator from Oregon, I will say that in one town in my State certain property is subject to taxation which amounts to $68 million, and the property exempt from taxation because it belongs to the Government amounts to more than $80 million.

As I recall, this bill was introduced in the early part of 1953. I do not know what has happened to it. I testified on it last year in hearings held on it. I am greatly distressed that it is to be held up and not passed this year. It involves a very important matter, and it has been kicking around for a year and a half.

Mr. GORE. Mr. President, will the Senator from Connecticut yield?

Mr. BUSH. I yield.

Mr. GORE. I am advised that the senior Senator from Missouri [Mr. HENNINGS] wishes to join in requesting the majority leader to schedule the bill for consideration.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

Mr. MORSE. Mr. President, I shall withhold my objection for a moment.

Mr. IVES. Mr. President, I happen to live in one of the States which has a number of communities affected in the same way as the communities which have been referred to by the Senator from Massachusetts and the Senator from Connecticut. I should like very much to see the bill pass. I only hope we can have an opportunity to pass it before we adjourn.

Mr. HUMPHREY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oregon withhold his objection in order that the Senator from Minnesota may make a statement?

Mr. MORSE. Yes.

Mr. HUMPHREY. Mr. President, during the time I have been a member of the Committee on Government Operations it has been my privilege to participate in some of the hearings held on this measure. Last year I served on the President's Commission on Intergovernmental Relations. At the present time the Commission on Intergovernmental Relations is giving very careful study to the entire subject of payments in lieu of taxes by the Federal Government to localities and political subdivisions of States. This question will be the subject of discussion the coming weekend before that Commission. I happen to be in agreement with the statement of the necessity for action being taken with reference to this subject. There are literally hundreds of communities in the

United States which today are seeing their tax base eaten away, so to speak, because of the immunity of the Federal Government from any local taxation or revenue-raising ordinances of States. While I realize that this is a question which requires considerable discussion, I think it should be crystal clear that for more than 5 years there have been bills on the calendar and before committees to approach a solution of this very urgent and pressing problem. I join with Senators who think the bill should be brought up again at this session, because we should take some action on it.

The PRESIDING OFFICER. The Chair understands that the Senator from Oregon [Mr. MORSE] renews his objection.

Mr. MORSE. I think it is very good policy, in the closing hours of the session, to take the stand which I have suggested.

Mr. CASE. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. CASE. Is it not true that this bill would deal only with a segment of the problem, namely, property transferred from Government corporations, and would not reach the whole field of federally owned real estate, much of which is acquired by purchase or condemnation?

Mr. MORSE. The answer is that I do not know. That is one of the reasons why I think we should have a debate on the bill rather than try to handle the subject on a calendar call within 5 minutes.

Mrs. SMITH of Maine. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mrs. SMITH of Maine. The Senator from Maine advises the Senator from South Dakota that he is correct in his explanation of the bill.

Mr. MORSE. Mr. President, I object.

The PRESIDING OFFICER. The bill will be passed over.

TRUST ASSOCIATION OF H. KEMPNER—BILL PLACED AT FOOT OF CALENDAR

The bill (H. R. 951) for the relief of the trust association of H. Kempner was announced as next in order.

Mr. COOPER. Mr. President, I ask unanimous consent that this bill be passed to the foot of the calendar.

The PRESIDING OFFICER. Without objection the bill will be placed at the foot of the calendar.

BILLS PASSED OVER

The bill (S. 3423) to amend the Trading With the Enemy Act was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1555) to authorize the Secretary of the Interior to construct, operate, and maintain the Colorado River storage project and participating projects, and for other purposes was announced as next in order.

Mr. HENDRICKSON. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

AVAILABILITY OF CERTAIN FUNDS TO THE COMMITTEE ON GOVERNMENT OPERATIONS—RESOLUTION PASSED OVER

The resolution (S. Res. 288) to make certain funds available to the Committee on Government Operations, was announced as next in order.

Mr. McCARRAN. Over.

Mr. GORE. Mr. President, will the Senator from Nevada withhold his objection for a moment?

Mr. McCARRAN. Yes.

Mr. GORE. Mr. President, at the last call of the calendar I registered an objection to this resolution by request.

Personally, I am strongly in favor of appropriating sufficient funds for the committee to make its investigation. I want the RECORD to show that my previous objection was upon request and in performance of my duty as a member of the calendar committee, and was not a reflection of my own position with respect thereto.

Mr. McCARRAN. Over.

The PRESIDING OFFICER. The resolution will be passed over.

BILL PASSED OVER

The bill (H. R. 5407) to amend sec. 2879 (b) of the Internal Revenue Code was announced as next in order.

Mr. HENDRICKSON. Over.

Mr. COOPER. Mr. President, I ask unanimous consent that the bill be placed at the foot of the calendar.

Mr. IVES. Mr. President, I object. If the bill is to be considered, I have some substantial amendments to it which I should like to discuss.

The PRESIDING OFFICER. The bill will be passed over.

UNIFORM SYSTEM OF GRANTING INCENTIVE AWARDS—BILL PLACED AT FOOT OF CALENDAR

The bill (H. R. 7774) to establish a uniform system for the granting of incentive awards to officers and employees of the United States, and for other purposes, was announced as next in order.

Mr. KNOWLAND. Mr. President, reserving the right to object, I have sent an amendment to the desk with reference to this bill. Frankly, the amendment is rather substantial, and I think that Members of the Senate who are interested in the proposed legislation should have an opportunity to examine it. Senators know that House bill 7774, the Government employees' pay raise bill, was passed over at the last call of the calendar. I have a series of amendments which I have submitted to the bill.

Mr. GORE. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield.

Mr. GORE. I have been requested to suggest the absence of a quorum before the Senator makes any statement about his amendments.

Mr. KNOWLAND. Then, Mr. President, I request that the bill be placed at the foot of the calendar.

The PRESIDING OFFICER. Without objection, the bill will be placed at the foot of the calendar.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the House had passed, without amendment, the following bills and joint resolution of the Senate:

S. 1042. An act to abolish the Commission for the Enlarging of the Capitol Grounds;

S. 3017. An act for the relief of Thomas Barron;

S. 3304. An act conferring jurisdiction upon the Court of Claims of the United States to consider and render judgment on the claim of the Cuban-American Sugar Co. against the United States;

S. 3494. An act for the relief of the Central Railroad Co. of New Jersey;

S. 3744. An act to change the name of Gavins Point Reservoir back of Gavins Point Dam to Lewis and Clark Lake; and

S. J. Res. 170. Joint resolution to approve the conveyance by the Tennessee Valley Authority of certain public-use terminal properties now owned by the United States.

The message also announced that the House had agreed to the amendments of the Senate to each of the following bills of the House:

H. R. 8498. An act authorizing construction of works to reestablish for the Palo Verde Irrigation District, California, a means of diversion of its irrigation water supply from the Colorado River, and for other purposes; and

H. R. 9709. An act to extend and improve the unemployment compensation program.

The message further announced that the House had agreed to the amendment of the Senate to each of the following bills of the House:

H. R. 9756. An act to increase the borrowing power of Commodity Credit Corporation; and

H. R. 9909. An act to prohibit payment of annuities to officers and employees of the United States convicted of certain offenses.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 1665) for the relief of Carl Piowaty and W. J. Piowaty; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. JONAS of Illinois, Mr. BURDICK, and Mr. FORRESTER were appointed managers on the part of the House at the conference.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2263) to authorize the Postmaster General to readjust the compensation of holders of contracts for the performance of mail-messenger service.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill

(H. R. 9924) to provide for family quarters for personnel of the military departments of the Department of Defense and their dependents, and for other purposes.

RESERVE COMPONENTS OF THE ARMED FORCES OF THE UNITED STATES

The bill (H. R. 6573) to provide for the promotion, precedence, constructive credit, distribution, retention, and elimination of officers of the Reserve components of the Armed Forces of the United States and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. KILGORE. Mr. President, does it involve the amendment of the Senator from Maine [Mrs. SMITH]?

Mrs. SMITH of Maine. Yes.

The PRESIDING OFFICER. Is there objection to the consideration of the bill ?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Armed Services with amendments.

The PRESIDING OFFICER. The first committee amendment will be stated.

The first amendment of the committee was, on page 1, line 5, after the word "of", to strike out "1953" and insert "1954".

The amendment was agreed to.

The next amendment of the committee was, on page 108, line 8, after the word "effective", to strike out "on the first day of January or the first day of July next following the date of enactment of this act, whichever is later", and insert "May 3, 1955".

Mrs. SMITH of Maine. Mr. President, to this committee amendment, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Maine to the committee amendment.

The LEGISLATIVE CLERK. In the committee amendment, on page 108, line 10, it is proposed to strike out "May 3, 1955" and insert in lieu thereof "July 1, 1955."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Maine [Mrs. SMITH] to the committee amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mrs. SMITH of Maine. Mr. President, I ask unanimous consent that I may have printed in the RECORD a statement with regard to my amendment.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR SMITH OF MAINE

For many, many years I have been fighting for adequate and realistic measures for the Reservists of our country—for Reserve training pay, for Reserve coverage on death and disability while training, for Reserve retirement benefits, for Reserve recognition for such services in the form of a Reserve Medal.

I have made this fight—an extremely discouraging fight during which time I have felt alone like a voice in the wilderness—because I have sincerely believed that the only way our country can maintain the necessary defense without bankruptcy is through the largest possible, best trained Reserve backing up a small Regular establishment.

I have found that I had to fight every inch of the way over Pentagon resistance. The Pentagon opposed my bill for inactive training pay—but finally agreed to the principle and had a bill of its own ultimately introduced and passed. The Pentagon opposed my Reserve death and disability coverage bill but I finally got it passed over Pentagon opposition and it is now known as the Smith Act. The Pentagon opposed my bill for Reserve retirement but finally agreed to the principle and had a bill of its own ultimately introduced and passed. The Pentagon opposed my proposal that Army Reservists and Air Force Reservists be given Reserve medals for Reserve service just as Naval Reservists are—but finally agreed to the principle by creating an Armed Forces Reserve Medal.

Over 5 years ago I introduced Senate Resolutions 60 and 61 calling for investigations by Congress of the Departments of the Army and Air Force on their failure to develop adequate and realistic Reserve programs and on their administration of the Reserves. Studies have been made since that time and considerable progress has been achieved on improving the Reserve programs.

Now H. R. 6573 is my latest experience with the Pentagon in our differences on getting something done for reservists.

The Congress and the leaders of the executive branch of our Government have at long last come to my 8-year-old national defense thesis of a small Regular force backed by a large, well-trained Reserve and are agreed that the military strength of our country lies in a large and well-trained Reserve to support a relatively small but highly organized Regular Military Establishment. History records that we have won all the wars in which we have been engaged and that they have always been fought, in substantial part, by our civilian soldiers.

There have been many efforts over the years to improve the structure of our Reserve. A most significant step in that direction was the enactment of the Reserve Act of 1952 by the 82d Congress. This legislation established the base for the Reserves of the future and endeavored to solve many of the difficult problems encountered when the Reserves were mobilized for operations in Korea.

Recent newspaper stories indicate that the executive branch of our Government is again studying the problems of the Reserves, and we are informed that sometime in the next session of Congress appropriate legislation will be recomemnded. It appears, however, that these studies are designed primarily to solve the problem of securing necessary manpower in our Reserve structure to meet our military requirements. We have struggled with this problem in the past under such titles as Universal Military Training and Selective Service. They now call it the new look at the Reserves.

The legislation which we are discussing today is designed not to alter the shape of the Reserve but to solve a problem with which the Congress has been confronted for several years: How can we encourage and improve the officer structure for the Reserve so that the leaders of our civilian soldiers will remain active in the program and be so screened and handled as to give us a younger, more active, and more efficient officer personnel? One important part of this solution is, for the first time in the Army and the Air Force, to eliminate some of the present undesirable practices which bring about overage-in-grade officers, officers with low morale, and officers whose interest in our Reserve program is steadily decreasing.

Under the impetus of the Reserve Act of 1952, and by specific direction of the chairman of the Armed Services Committee of the House of Representatives, the Department of Defense drafted the legislation which we are considering today. The House Armed Services Committee conducted careful hearings for a period of 8 weeks, during which the services helped perfect the language which is now before you.

In broad principle, this legislation writes into law those regulations developed as a result of the Reserve Act of 1952, which directed that promotion procedures for Reserves should, insofar as is practicable, parallel those of the Regular services. The services have no objection to this part of the legislation. However, this bill has 1 or 2 controversial points which would not exist but for the fact that the Army and the Air Force did not carry out fully the intentions of the 1952 act. Under present law and regulations, Reserve officers of the Army and the Air Force earn no credit for precedence or rank except while serving on active duty. The net result is that many of our excellent Reserve officers of the Army and the Air Force have seen themselves losing ground in relation to Regulars, and have therefore dropped out of the Reserve program. The morale of those officers who have remained has been adversely affected by this system.

This bill does not promote anybody. It does, however, establish a system whereby officers will be given credit for precedence and rank purposes for each year of satisfactory service, and guarantees that periodically Reserve officers will be considered for promotion. If qualified, they will be promoted.

Another point that the Regular Air Force alone objects to is the requirement that Reserve officers serving on active duty should serve in a grade no lower than their permanent Reserve rank. At the present time Reserve officers are serving on active duty in grades lower than their permanent Reserve ranks in both the Army and the Air Force. This bill, if enacted, will begin to solve that problem. In my opinion, it does not go as far as it should, but it is a significant step in the proper direction.

Those portions of the bill that deal with the Navy, the Marine Corps, and the Coast Guard will merely write into law present regulations, with perhaps one or two minor and insignificant deviations. These services have complied fully with the intent of the Reserve Act of 1952. Significantly, we have had few, if any, complaints from Reserves in these services. Unfortunately, the reverse is true in the Army and the Air Force.

Notwithstanding some of the objections from the Regular Establishment, I do not believe, Mr. President, that anyone can argue validly as to the need for the immediate enactment of general personnel legislation of this type for the Reserves. It will, of course, apply to any organizational structure that is established for the Reserve. It is quite customary for Congress to enact general personnel legislation for Federal employees. We certainly do not hold up such legislation because we do not know what the ultimate organization of the Federal departments will be. Furthermore, I recall quite well that in 1947, when we enacted a similar personnel bill for the Regular Establishment, it was at a time when the Unification Act was being debated in the Congress. Nevertheless, we went right ahead and enacted the Officer Personnel Act for the Regular Establishment, even though we knew that the entire form and shape of the military structure was about to be changed.

Therefore, to me, the suggestion of the Department of Defense that this bill be delayed has no substantive basis. They have based their arguments on such things as that the bill should not be passed until the New Look at the Reserves has been studied by the Congress. By innuendo, they have also tried to say that it is bad legislation. If it is bad legislation, Mr. President, then why did the services say in the House of Representatives that it was satisfactory to them? Yet all the services did so agree.

If it is bad legislation why should the service representatives not have said so before the Senate armed services on April 22, instead of arguing that it should be delayed pending the completion of the New Look at the Reserves?

In fact, Mr. President, why was even that argument used by Dr. John Hannah, the recently departed Assistant Secretary of Defense, who, having argued strongly that the bill should be delayed, stated in response to a question from me that the so-called "New Look at the Reserves" had nothing to do with promotion retirement, or pay? I would like to quote from the report of the hearings held before the Senate Armed Services Committee on July 20. Before the hearings were recessed, and with the approval of the Chair, the following conversation took place, and I quote:

"Senator SMITH. Mr. Chairman, may I ask Dr. Hannah one question?

"Senator SALTONSTALL. Yes.

"Senator SMITH. Dr. Hannah, do I understand that the so-called New Look at the Reserves does not include anything as to retirement, pay, and promotion?

"Dr. HANNAH. That is correct."

I personally believe that the reason why the Regulars are fighting this bill so hard is regrettably clear. They simply do not want officers with rank in the Reserves. It is a threat to their ability to accelerate the temporary promotion of Regular officers at a time of full mobilization.

This bill has powerful support by competent persons within the Department of Defense. The Reserve Forces Policy Board, which is a statutory board consisting of the Assistant Secretaries from the various Departments, Regular military personnel, and representatives from the Reserves, considered the bill presently before you, and recommended its adoption. Various policy boards that advise the Secretaries of the several services have also recommended substantially what is in this bill.

In conclusion, I would like to repeat that we are merely confirming by this legislation, those regulations presently existing within the services, and trying to establish a method whereby qualified Reserve officers will be able to keep pace with their contemporaries in the Regular military Establishment. In general, it writes into law for Reserve officers the same type of legislation given Regular officers in the Officer Personnel Act of 1947.

I am sure that no Member of this body questions the absolute dependence on and need for our Reserve structure, or the need for qualified officers within that structure. Without this bill, we will continue to lose our Reserve officers from the Army and the Air Force at an alarming rate. The morale of the Army and the Air Force Reserves will continue to remain low. For them this legislation is vital. The other services will merely continue their present satisfactory systems.

On balance, there can be no other decision by this body than to enact into law this bill, which is opposed by only a few within the regular establishment, which is supported by our civilian components, which has passed the House of Representatives unanimously over a year ago, and which has been unanimously recommended to you by your Senate Armed Services Committee.

The PRESIDING OFFICER. The next amendment of the committee will be stated.

The next amendment of the committee was, on page 109, line 11, after the word "of", to strike out "1953" and insert "1954."

The amendment was agreed to.

The next amendment of the committee was, on page 110, line 2, after the word "of", to strike out "1953" and insert "1954."

The amendment was agreed to.

The next amendment of the committee was, on page 111, line 2, after the word "of", to strike out "1953" and insert "1954."

The amendment was agreed to.

The PRESIDING OFFICER. If there be no further amendments to be proposed, the question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. MORSE subsequently said: Mr. President, there has arrived at my desk a letter which was sent to me under date of August 17, 1954. I understand it reached my office a few minutes ago, and came to my desk after the bill in question had been disposed of on the calendar. The letter refers to the bill (H. R. 6573), amending the Reserve Officer Personnel Act. It is Calendar No. 2030. I ask unanimous consent that, without my taking the time to read it, the letter be printed in the RECORD at this point, together with attachments thereto.

I think it is only fair to say to the writer of the letter, who is Lawrence L. Gourley, legal counsel for the American Osteopathic Association, that after his letter arrived at my desk, I checked and found that had I received it in time, and had I offered the amendment he proposed to have made in the bill, the bill would not have passed on this call of the calendar.

The amendment which Mr. Gourley proposes to have made is on page 11, after line 21, to insert the following:

(g) effective on the date of enactment of this act, section 201 of the Army-Navy-Public Health Service Medical Officer Procurement Act of 1947 (61 Stat. 777), is amended by inserting immediately after the word "medicine" wherever used therein, the words "or osteopathy."

I know the amendment would not have passed on the calendar call had I offered it, because I have been so advised in discussions on the floor of the Senate. But come January I shall offer it as a separate bill by way of amendment to the law which was enacted today.

There being no objection, the letter and attachments were ordered to be printed in the RECORD, as follows:

WASHINGTON, D. C., *August 17, 1954.*

Hon. WAYNE MORSE,
Senate Office Building,
Washington 25, D. C.

DEAR SENATOR MORSE: Contrary to your and our opinion, section 201 of the Army-Navy-Public Health Service Medical Officer Procurement Act of 1947, for which you were Senate floor manager, did vitiate section 41 of the act of August 2, 1946, which authorized appointment of osteopathic graduates as medical officers in the Navy. See enclosed excerpt from Senate debate on July 23, 1947, and conflicting letter from Assistant Secretary of Defense, Dr. Frank B. Berry, to Dr. Kronisch.

Osteopathic physicians are now being drafted and required to serve as privates, because of the emasculating section 201, above mentioned.

Therefore we fervently hope you will insert the following amendment in the pending Reserve Officer Personnel Act of 1954, H. R. 6573, to wit:

On page 111, after line 21, insert the following:

"(g) Effective on the date of enactment of this act, section 201 of the Army-Navy-Public Health Service Medical Officer Procurement Act of 1947 (61 Stat. 777) is amended by inserting immediately after the word 'medicine' wherever used therein, the words 'or osteopathy.'"

As a result of the enclosed testimony on H. R. 4495 of the 83d Congress, the enclosed bill, H. R. 5017, which contains a similar amendment, was introduced by the chairman of the House Armed Services Committee, but has received no action.

Gratefully yours,

LAWRENCE L. GOURLEY,
Legal Counsel, American Osteopathic Association.

ASSISTANT SECRETARY OF DEFENSE,
Washington, D. C., February 1, 1954.

Dr. DAVID H. KRONISCH,
Young Men's Christian Association,
Des Moines, Iowa.

DEAR MR. KRONISCH: I have been asked to reply to your letter to the President of January 18, 1954, concerning your desire to be commissioned as a medical officer in the Navy.

At the present time there is no legislative basis for the commissioning of doctors of osteopathy in the Army, Navy, or the Air Force. While the 76th Congress during 1946 passed legislation authorizing the commissioning of doctors of osteopathy in the Navy, legislation was passed in 1947 wherein it was specifically stated that medical officers would be doctors of medicine. The title of the legislation enacted in 1947 is 34 U. S. C. 21 (C).

The matter of possible utilization of doctors of osteopathy as medical officers in the Armed Forces has been a subject of study by my office and the Surgeons General. Because of the necessity for nationwide and worldwide acceptability of medical officers, changes in the existing policy regarding eligibility for commissioning of medical officers has not been considered advisable at this time.

Your concern in this matter is appreciated.

Sincerely yours,

FRANK B. BERRY.

The legislative history of section 201 of the Medical Officer Procurement Act of 1947 shows that it was passed under a misapprehension that it would not vitiate the existing legislation. The Senate proceedings of July 23, 1947, includes the following:

"Mr. MURRAY. Does the Senator recognize that the bill in its present form would vitiate the act of Congress that was passed last year (section 41 of the act of August 2, 1946, which expressly authorizes appointment of osteopathic graduates in the Navy Medical Corps)?

"Mr. MORSE. No; I do not think it would vitiate it at all if we take into account the conditions. After all, this is a piece of emergency legislation to cover a particular procurement requirement."

H. R. 5017

A bill to amend the Army-Navy-Public Health Service Medical Officer Procurement Act of 1947, as amended, so as to provide for appointment of doctors of osteopathy in the Medical Corps of the Army and Navy

Be it enacted, etc., That section 201 of the Army-Navy-Public Health Service Medical Officer Procurement Act of 1947 (61 Stat. 777), as amended, is further amended by inserting immediately after the word "medicine" wherever used therein, the words "or osteopathy."

SEC. 2. Section 201 of the Army-Navy-Public Health Service Medical Officer Procurement Act of 1947 (61 Stat. 777), as amended, is further amended by adding the following at the end thereof:

"A doctor of osteopathy to be eligible for appointment in the Medical Corps of the Army and Navy must be a graduate of a college of osteopathy whose graduates are eligible for licensure to practice medicine or surgery in a majority of the States, and be licensed to practice medicine, surgery, or osteopathy in one of the States or Territories of the United States or in the District of Columbia."

DOCTORS DRAFT ACT

(Extract from hearings before the Committee on Armed Services, House of Representatives, 83d Cong., 1st sess., on H. R. 4495, to amend the Universal Military Training and Service Act, as amended, so as to provide for special registration, classification, and induction of certain medical, dental, and allied specialist categories, and for other purposes, Saturday, April 25, 1953)

STATEMENT OF L. L. GOURLEY, WASHINGTON, D. C., LEGAL COUNSEL, THE AMERICAN OSTEOPATHIC ASSOCIATION

Mr. GOURLEY. My name is L. L. Gourley, of Washington, D. C. I am legal counsel for the American Osteopathic Association.

Personally and on behalf of the American Ostoepathic Association I wish to express our appreciation for the opportunity of presenting our views on the pending bill, H. R. 4495.

Although I am listed as the only witness representing the American Osteopathic Association, I am accompanied by Dr. Chester D. Swope, who is the chairman of the Washington office of the association, and Dr. Ralph F. Lindberg, superintendent of the Detroit Osteopathic Hospital. The three of us are available for answering any questions which may occur to you.

This legislation which extends the Doctor Draft Act for an additional 2 years, is necessary in order to meet the needs of the armed services according to the Department of Defense.

Congress has adopted two special expedients to meet the needs of the Armed Forces for medical officers. The Army-Navy-Public Health Service Medical Officer Procurement Act of 1947 (61 Stat. 777) offered incentive of $100 per month additional pay (sec. 101; 5-year period extended to July 1, 1953, by 66 Stat. 156), and provided for original commission grades commensurate with training and experience (sec. 201; permanent provision). The Universal Military Training and Service Act, including the so-called Doctor Draft Act of September 9, 1950, provides for a draft liability for physicians to age 51.

In order to further effect the common purpose of these two laws, we respectfully propose the following amendment to the pending bill, H. R. 4495:

"SECTION . (a) Section 201 of the Army-Navy-Public Health Service Medical Officer Procurement Act of 1947 (61 Stat. 777) is amended by inserting immediately after the word 'medicine' wherever used therein, the words 'or osteopathy.'

"(b) Doctors of osteopathy who are licensed to practice medicine or surgery in one of the States of Territories of the United States or in the District of Columbia, when selected under the provisions of the Universal Military Training and Service Act, as amended, in lieu of induction thereunder, may apply for and upon qualification shall be eligible to receive appointment in the Reserve of the Army and Navy as medical officers and in the Reserve of the Air Force for designation as medical officers, and upon such appointment shall be subject to call for active duty in like manner as others similarly situated.

As amended by paragraph (a) of the above amendment, section 201 of the act of 1947 would provide that medical appointments shall be made from qualified civilian doctors of medicine or osteopathy who are citizens of the United States, and who shall have such other qualificatoins as the Secretary of the Army and the Secretary of the Navy may prescribe for their respective services. Copy of the section showing the proposed amendments in italic is inserted at this point, to wit:

"SEC. 201. Subject to any limitation of the commissioned strength of the Army and Navy prescribed by law, the President, by and with the advice and consent of the Senate, is hereby authorized to make original appointments to permanent commissioned grades, with rank not above that of colonel in the Medical and Dental Corps of the Army, and not above that of captain in the Medical and Dental Corps of the Navy in such numbers as the needs of the services may require. Such appointments shall be made only from qualified civilian doctors of medicine or osteopathy and dentists who are citizens of the United States, and who shall have such other qualifications as the Secretary of War and the Secretary of the Navy may prescribe for their respective services. The doctors of medicine or osteopathy and dentists so appointed in the Navy shall be carried as additional numbers in rank, but shall not increase the authorized numbers of commissioned officers of the Medical and Dental Corps of the Regular Navy. The doctors of medicine or osteopathy and dentists so appointed in the Army shall be credited for purposes of promotion with the minimum number of years of service now or hereafter required for promotion of officers of the Medical and Dental Corps to the grade in which appointed."

That the enactment of paragraph (a) of the proposed amendments is imperative if the professional services of osteopathic physicians are to be utilized in the armed services is clearly manifested in a ruling by the Deputy Department Counselor of the Army on March 13, 1952, that:

"The basic statute under which officers of the Army Medical Corps are commissioned is the Army-Navy-Public Health Service Medical Officer Procurement Act of 1947. Section 201 of title II provides that "Such appointments shall be made only from qualified doctors of medicine." * * * It would seem that the matter of commissioning of osteopaths in the Armed Forces is now properly one for the cognizance of the Congress of the United States."

The adoption of paragraph (a) would make clear the congressional intent that qualified doctors of osteopathy shall be appointed as medical officers in the Medical Corps of the armed services, and incidentally eliminate the legal impediments to full exercise of authority previously granted by Congress for appointment of doctors of osteopathy as commissioned medical officers in the Navy (60 Stat. 858) and the employment of Army interns (56 Stat. 314; 67 Stat. 18).

Paragraph (a) was passed by the House during the 82d Congress as an amendment to S. 2552, but the House receded from the amendment before final enactment.

According to the conference report (H. Rept. 2169), House recession was due to two principal contentions which formed the basis for opposition by the Department of Defense, namely: (1) That there cannot be two standards of medical service in the Armed Forces, and (2) that doctors of osteopathy are not qualified in preventive medicine, neuropsychiatry, the treatment and management of contagious diseases, the prescription and administration of therapeutic drugs and biologicals, operative surgery, and public health and sanitation.

Those same objections were advanced by the Navy before this committee, and repudiated by this committee, at the time of enactment of osteopathic eligibility for medical-officer commissions in the Navy in 1946 (Public Law 604, 79th Cong., 60 Stat. 858). It may be of interest to the committee that shortly after the enactment of the 1946 act, the then Surgeon General of the Navy instituted preparations for commissioning osteopathic physicians pursuant to the act, but the project died aborning upon accession of a new Surgeon General.

Since these same issues have been raised before this committee on previous occasions, it is not my purpose to belabor the committee with an extensive recitation of the qualifications of osteopathic graduates. However, for record purposes it does seem appropriate to deal briefly with the oppositions assigned in the conference report and to which I have referred.

Opposition (1) asserts that two standards of medical service would result from appointment of osteopathic graduates in the Medical Corps. A similar question was posed in connection with appointments in the Medical Service of the Veterans' Administration. Congress had passed a law in 1946 providing that any person to be eligible for appointment in the Medical Service of the Department of Medicine and Surgery of the Veterans' Administration must "hold the degree of doctor of medicine or of doctor of osteopathy from a college or university approved by the Administrator, have completed an internship satisfactory to the Administrator, and be licensed to practice medicine, surgery, or osteopathy in one of the States or Territories of the United States or in the District of Columbia" (59 Stat. 676).

When we called on Dr. Paul R. Hawley, then Chief Medical Director of the Veterans' Administration, we were told that two standards of medical service in the Veterans' Administration could not be sanctioned, and that he must be satisfied that the training accorded in osteopathic colleges and intern-training hospitals was equivalent to that furnished in medical colleges and hospitals. After independent investigation on his part and submission of supplementary data on our part, General Hawley was satisfied of the necessary equivalence of the training institutions of the two schools of practice. He, thereupon, recommended for approval and the Veterans' Administrator approved the AOA approved schools of osteopathy and AOA approved intern-training hospitals, and arranged for appointment of qualified osteopathic graduates in the Medical Service of the Department of Medicine and Surgery of the Veterans' Administration, and they were and are being appointed and are so serving. In doing so, General Hawley conscientiously carried out the intent of Congress.

It cannot be successfully contended that the Veterans' Administration is less solicitous of the welfare of veterans in its charge or less exacting in requirements of its medical personnel than is the Department of Defense for service personnel, and when a man of the recognized caliber of General Hawley in his capacity as Chief Medical Director of the Veterans' Administration found after investigation that the training furnished in medical and osteopathic institutions is so comparable that two standards of medical service would not result from appointment of osteopathic

graduates in the Veterans' Administration Medical Service, this objection of the Department of Defense becomes unrealistic and without foundation.

Two standards have not resulted from the appointment of allopaths and homeopaths in the Medical Corps of the service. In a number of the States osteopaths, homeopaths, and allopaths take the exact same State examination, and receive the same or equivalent licenses to practice, which certainly demonstrates the comparability of their professional training.

The fact is that the Army is now commissioning medical officers from among doctors of medicine whose medical-college training would disqualify them from licensure to practice medicine in most, if not all, the States, whereas, medical commissions are now being denied physicians of the osteopathic school of medicine whose osteopathic-college training is acceptable for qualification for licensure to practice medicine or surgery in some three-fourths of the States. I refer to the commissioning of doctors of medicine who are graduates of AMA unapproved medical colleges. I am not suggesting that the doctors so appointed are professionally unqualified, but merely citing the apparent discrimination.

Let us now pass to opposition (2), namely, that doctors of osteopathy are not professionally qualified in various subjects, the sum total of which comprise the training of a physician. Among the subjects listed is contagious diseases. The Commission on Licensure for the District of Columbia would hardly subscribe to that allegation, since for more than 20 years Dr. Chester D. Swope, as osteopathic member of the District of Columbia Board of Examiners in Medicine and Osteopathy, has been the designated examiner in the subject of diagnosis and prevention of communicable diseases in the case of doctors of medicine and doctors of osteopathy who are applicants for licensure in the District of Columbia.

It is worthy of note that in enacting the Healing Arts Practice Act for the District of Columbia in 1929, Congress declared:

"The degrees doctor of medicine and doctor of osteopathy shall be accorded the same rights and privileges under governmental regulations" (45 Stat. 1389).

Opposition (2) also challenges osteopathic qualifications in the prescription and administration of therapeutic drugs and biologicals. This subject is dealt with in medical and osteopathic colleges under the headings of pharmacology and materia medica. In this connection, a question raised and answered in an editorial which appeared in the January 26, 1952, issue of the Jackson County (Mo.) Medical Society Weekly Bulletin is in point, in part as follows:

"Are osteopaths studying the right subjects and enough hours to be practicing medicine and surgery (the same as M. D.'s) which they are doing right now? To answer this question we would like to quote the Wisconsin Medical Journal for December 1951.

	Hours
Kirksville College of Osteopathy, pharmacology and materia medica	126
Los Angeles School of Osteopathy, pharmacology and materia medica	228
Kansas City College of Osteopathy:	
Pharmaco-dynamics	120
Materia medica and prescription writing	36
Clinical pharmacology	28
Applied pharmacology	54
Chicago College of Osteopathy, pharmacology	190
University of Wisconsin, materia medica:	
Lecture	64
Lab	48–112
Philadelphia College, pharmacology and materia medica	180"

The editorial also asks: "What about the other subjects studied?" In that connection, it cites the comparable grades made by doctors of medicine and doctors of osteopathy in July 1951, before the Wisconsin State Board of Medical Examiners. The subject of that examination included all the subjects enumerated in opposition (2). The general averages of the M. D.'s and the D. O.'s definitely indicate the equivalence of their training in the various subjects. I ask that the report of the examination as excerpted from the editorial be inserted at this point.

Wisconsin State Board of Medical Examiners' report of examination at Milwaukee in July 1951

MARKS OF FIRST 5 MEDICAL DOCTORS EXAMINED IN JULY 1951

Number	Chemistry	X-ray	Bacteriology	Pediatrics	Medical jurisprudence	Dietetics	Principles and practice of medicine	Physics	Materia medica	Toxicology	Physical diagnosis	Neurology	Hygienics	Anatomy	Eye, ear, nose, and throat	Obstetrics	Gynecology	Surgery	Pathology	Practical	General average [1]
1	80.0	90.0	86.0	85.0	83.0	90.0	80.0	80.0	85.0	80.0	82	86.0	90.0	92.0	88.0	91.0	90.0	86.0	80.0	85.0	80.5
2	83.0	84.0	78.0	82.0	85.0	80.0	80.0	78.0	80.0	70.0	85	80.0	90.0	92.0	82.0	89.0	95.0	90.0	86.0	80.0	80.3
3	85.0	86.0	80.0	88.0	88.0	90.0	80.0	80.0	90.0	70.0	80	85.0	88.0	90.0	82.0	91.0	89.0	85.0	85.0	88.0	80.5
4	88.0	87.0	85.0	88.0	82.0	77.0	80.0	80.0	82.0	75.0	85	80.0	85.0	93.0	81.0	90.0	92.0	80.0	90.0	80.0	80.4
5	92.0	92.0	88.0	90.0	88.0	88.0	85.0	80.0	88.0	72.0	88	90.0	88.0	88.0	88.0	89.0	93.0	88.0	92.0	75.0	80.7
Average, medical doctors	85.6	86.6	83.4	86.6	85.2	85.0	81.0	79.6	85.0	73.4	84	84.2	88.5	90.1	84.2	90.0	90.5	85.8	86.6	80.4	80.4

MARKS OF FIRST 5 OSTEOPATHIC DOCTORS EXAMINED IN JULY 1951

20	83.0	88.0	80.0	81.0	80.0	83.0	80.0 86.0	80.0	83.0	70.0	83	86.0	85.0	81.0	82.0	94.0	94.0	85.0	85.0	88.0	83.7
51	83.0	84.0	85.0	90.0	77.0	75.0	85.0 80.0	80.0	75.0	70.0	80	77.0	80.0	83.0	88.0	87.0	93.0	92.0	86.0	80.0	82.4
55	84.0	88.0	88.0	70.0	85.0	80.0	80.0 85.0	78.0	90.0	70.0	82	80.0	90.0	82.0	93.0	88.0	92.0	88.0	82.0	86.0	83.8
77	89.0	90.0	90.0	84.0	80.0	75.0	78.0 90.0	90.0	87.0	70.0	90	90.0	90.0	82.0	92.0	92.0	93.0	89.0	92.0	89.0	86.8
81	90.0	93.0	92.0	75.0	80.0	85.0	90.0 85.0	80.0	86.0	73.0	90	90.0	86.0	82.0	91.0	90.0	94.0	93.0	88.0	90.0	86.8
Average, osteopathic doctors	85.8	88.6	87.0	80.0	80.4	79.6	85.2	80.4	84.2	70.6	85	84.6	86.2	82.0	89.2	90.4	93.0	89.4	86.6	86.4	84.7

[1] General averages for the 5 physicians were recalculated in the society's office and were found to be 85, 83, 85, 84, and 87, respectively.

Last year the Office of the Surgeon General of the Army conducted a survey of osteopathic training with the full cooperation of all the osteopathic colleges, intern training hospitals, and the American Osteopathic Association. In assessing the caliber of the teaching personnel in osteopathic colleges, the survey sought information as to any contributions made by faculty members to recognized scientific literature, exclusive of osteopathic publications. I have here a return made by the Kirksville College of Osteopathy and Surgery which shows that 16 members of the faculty have contributed to nonosteopathic scientific literature. The scope of these contributions, I believe, would be of interest to the committee, and I ask that the report be included in the record of the hearings at the end of my testimony.

The survey also sought information regarding the graduate training program of osteopathic physicians. A letter was addressed to each of the teaching hospitals by Col. James Q. Simmons, Medical Corps, Personnel Division, Office of the Surgeon General, requesting the following information:

"Would you please give me information as to the size of your hospital, the relative size of the medical, surgical, and obstetrical service, the average number of beds occupied, and the annual patient load, both inpatient and outpatient? I would appreciate also information on the number of necropsies performed annually. Information as to the amount of material furnished to students under other items mentioned in the catalog will be appreciated."

As illustrative of the response made to that inquiry, I wish to insert at this point the report submitted by Dr. Lindberg for the Detroit Osteopathic Hospital.

Statistics, 1951

Total bed capacity:

Adult and children	260
Bassinets	60

	Admissions	Patient days	Average daily census
Adults	6,006	52,277	143.22
Pediatrics	1,611	4,702	12.88
Obstetrical	4,263	13,404	36.72
Newborn	3,755	14,375	39.38
Total	15,635	84,758	232.20

Statistics, 1951—Continued

Total deaths	255
Total necropsies	143
Autopsy percent	42.74
Total obstetrical admissions	4,263
Total live births	3,755
Total stillbirths	82

SURGERY

Total minor surgery	3,378
Total major surgery	2,879
Total surgery	6,257
Surgery by services:	
General surgery	1,606
Gynecology	1,292
Sections	104
Proctology	553
Urology	593
Orthopedics	430
Eye, ear, nose, throat, and tonsils	1,596
Thoracic	83
Total	6,257

OUTPATIENT SERVICE

"We do not operate an outpatient dispensary as a formal service. Service to outpatients is given by the X-ray and clinical laboratories. Outpatients are also cared for by the orthopedic department.

"Total outpatient admissions to X-ray service was approximately 12,000 in 1951. This figure includes both diagnostic and therapy services.

"Clinical laboratory gave service to approximately 7,500 outpatients in 1951.

"Orthopedic outpatient admissions was 1,348 in 1951."

Mr. Chairman, in view of the fact that these statistics were submitted by Dr. Lindberg, who is here now, and in view of the fact that they show the number of admissions in the Detroit Osteopathic Hospital, and show the surgery services, if it would please the committee I would like to have Dr. Lindberg say something about this report specifically as to what is included under surgery.

Mr. SHAFER. He may state it briefly. Our time is running out on us here. We must hear several more witnesses before 12 o'clock.

STATEMENT OF RALPH LINDBERG, D. O.

Dr. LINDBERG. The total admissions for the year were 15,600, and they were reasonably divided between the various services of adults, pediatrics, obstetrical, and newborn. I think it is important to realize that all these patients are teaching patients for interns and residents in the hospital. The total autopsy percentage is given and the total number of major and minor surgery. The surgery by service is broken down into general surgery, surgery of the gastrointestinal tract, which includes the gallbladder, the thyroid, and so forth; gynecology, which is the surgery of the female tract; proctology, which is the surgery of the lower intestinal tract; urology, which is the surgery of the kidney, the bladder, and the prostate; orthopedic, which has to do with bone surgery and reconstruction orthopedic; ear, nose, throat and tonsils, and thoracic surgery, which is the lungs and the heart.

The outpatient service, briefly, is primarily X-rays and clinical laboratory study. There is a large outpatient study.

Mr. SHAFER. You do not have any specialists in osteopathy, do you?

Dr. LINDBERG. We have specialists in all or almost all the major specialties. They are certified by their respective boards. There are specialists in eye, ear, nose, and throat and plastic surgery and thoracic surgery. There are specialists in gynecology, anesthesia, X-ray, and so forth.

Mr. RIVERS. There are specialists in the list that you just referred to?

Dr. LINDBERG. The list that I referred to was the number of patients in those categories.

Mr. RIVERS. Do you have specialists in those categories?

Mr. SHAFER. I think possibly you misunderstood me. What I wanted to determine was, does every osteopath have to know all these subjects which you have spoken of here, or do they specialize in certain subjects?

Dr. LINDBERG. Every osteopathic physician has had education, training, and experience in all these things. In our hospital service, the work in the various specialty fields is done directly by specialists; men confining their work to that special field.

Mr. RIVERS. Then there are specialists in those chosen fields?

Dr. LINDBERG. Yes.

Mr. BENNETT. What is the difference between an osteopath and a medical doctor?

Dr. LINDBERG. I think that I can answer that very briefly. I will attempt to. The osteopathic physicians trained today, the ones that I have had experience with, have training in the broad general field of medicine; they have experience and skills in the broad general field of medicine, and in addition to that they are given in their scholastic work, and it is amplified in the graduate work, the particular skill of manipulative therapy.

Mr. BENNETT. They do not believe that you can cure contagious diseases by a manipulation of the spine, do they?

Dr. LINDBERG. No.

Mr. DOYLE. What is the fact with reference to whether or not the osteopaths in their practice, before they can begin to practice under licenses from the States, must take the State examination in order to get their license that the M. D.'s take?

Dr. LINDBERG. That is correct.

Mr. DOYLE. They do, do they not?

Dr. LINDBERG. In most States; yes.

Mr. DOYLE. In my State of California, for instance, the doctors of osteopathy take the same examination as the doctors of medicine take.

Dr. LINDBERG. Correct.

Mr. DOYLE. I wish to say for the benefit of the chairman who asked a question about specialists that I know for a fact in my State of California some of the outstanding specialists in medicine are doctors of osteopathy.

Mr. BLANDFORD. May I ask a question? Can an osteopath perform all types of medical services comparable to those performed by a physician in each State of the Union?

Dr. LINDBERG. By law, no, sir. There are some States in which he is restricted. Now, if you are asking as far as ability is concerned——

Mr. BLANDFORD. I am asking about the restrictions first of all.

Dr. LINDBERG. There are restrictions in some States.

Mr. BLANDFORD. You mention in the statement that there are some doctors of medicine who are being commissioned in the Army who would not pass the examinations for license in many States. Under existing law, can a doctor of medicine, who is commissioned in the Army, practice medicine in any State in the Union if he is in an Army installation?

Dr. LINDBERG. I do not know.

Mr. BLANDFORD. It seems to me the problem which has been with us for a long time always goes back to this: Can you take an osteopath, even though he is comparable to a physician, and assign him any place in the world and expect him to perform on a patient exactly the same type of medical work that a physician is qualified to perform? Is that not what the issue boils down to?

Dr. LINDBERG. Yes.

Mr. BLANDFORD. Your contention is you took any osteopath who has graduated from any osteopathic college in the United States and compare him to any physician who graduated from any medical college in the United States you could not tell the difference?

Dr. LINDBERG. On the same comparative basis that is correct.

Mr. BLANDFORD. An osteopath can perform exactly the same type of medical service that a physician can perform, and he might even go one step further. He may know more about the manipulation of bones than a physician.

Dr. LINDBERG. That is right.

Mr. RIVERS. With these exceptions as to specialties which you related, you are speaking now of the general knowledge of medicine?

Dr. LINDBERG. That is correct.

Mr. RIVERS. I think it is pretty well recognized, Doctor, that the requirements of the modern osteopath are very high throughout the Nation. I think it is well recognized that you render a great service.

Dr. LINDBERG. Thank you, sir.

Mr. SHAFER. I might recall for Mr. Blandford's benefit that we had in the service of the Government the Director of Medicine of the Department of Defense, who was disqualified from practicing in most of the States of the Union.

Mr. RIVERS. His practice was on doctors instead of practicing on people.

Mr. SHAFER. Thank heaven we got rid of him.

You may proceed, Mr. Gourley.

STATEMENT OF L. L. GOURLEY—CONTINUED

Mr. GOURLEY. Sixty-nine to seventy percent of the matriculants in osteopathic colleges have baccalaureate degrees, and 93 to 94 percent have had 3 or more years of preprofessional college training before admission for professional training in colleges of osteopathy and surgery. No applicant is accepted with less than 2 years of preprofessional college training. The professional college training covers a period of 4 years.

Following completion of the 4-year professional course, the osteopathic graduate undertakes 1 or more years internship. Seventy-six hospitals are approved for intern training by the American Osteopathic Association. In addition, residencies in the various specialties of surgery, obstetrics, pediatrics, radiology, neuropsychiatry, and so forth, are available in 37 hospitals approved for resident training by the American Osteopathic Association. After resident training and upon further qualification and examination osteopathic graduates are certified by the respective American osteopathic specialty boards.

Unlike the doctor of medicine who has spent a similar time of 7 to 10 years or more in preparation for the practice of his profession, the osteopathic physician is denied the privilege of contributing his professional services in the Armed Forces, after which he could enjoy a modicum of security for the civilian practice of his profession without interruption—which brings us to consideration of paragraph (b) of our proposed amendment.

It seems patent to observe that assuming that doctors of osteopathy are qualified for service in the Medical Corps as we have demonstrated, then they should have an opportunity to obtain medical commissions in like manner as doctors of medicine. That is the purpose of paragraph (b). We seek no privileges not accorded doctors of medicine.

Under paragraph (b) of the amendment, if an osteopathic physician is selected for induction, he would have the privilege of application for, and, upon qualification, receipt of a commission for service in the Medical Corps. In addition to the ordinary mental, physical, and moral qualifications, he would be required to evidence licensure to practice medicine or surgery in one of the States or Territories of the United States or in the District of Columbia.

In view of the fact that doctors of osteopathy who are nonveterans will have received occupational deferment during their professional training, they are liable for induction to age 35 under the basic law; or in the event of registration under the Doctor Draft Act their liability would extend to age 51. After the long and intensive training necessary to become an osteopathic physician, he ought neither to be required to have his professional skill rust during a period of 2 years' service as a private when he is equipped to render professional service needed by the armed services, nor required to practice his profession under a constant tension of impending induction as a private during such a long span of years when he is attempting to serve the civilian health in his occupation which is rated critical for civilian needs.

We believe our amendment is in the public interest, and we earnestly petition this committee for its enactment.

Mr. RIVERS. You said that the Navy started on a program of utilizing the skills of these osteopaths, and then during the transition from one Surgeon General to the other, the project died aborning.

Mr. GOURLEY. That is right.

Mr. RIVERS. What happened during that period of gestation?

Mr. GOURLEY. We were called in just after Congress had passed the bill authorizing admissions for osteopathic graduates as medical officers in the Navy. It was because of that law we were called in, and we had a conference and were told that preparations were being made and recommendations were being studied, for commissioning doctors of osteopathy pursuant to the law. We were told, however, that we would probably be commissioned as assistant surgeons rather than acting assistant surgeons, the reason being that the acting assistant surgeon, which is the lowest grade, comes in as an intern, for intern training. They said they should not be taken in in that category because that might affect the standing of the training hospitals involved.

Mr. RIVERS. To make a long story short, no osteopath got any commission?

Mr. GOURLEY. That is what happened.

Mr. RIVERS. In either branch of the service?

Mr. GOURLEY. That is right.

Mr. RIVERS. And they still do not get them?

Mr. GOURLEY. That is right.

Mr. RIVERS. Despite the fact that you are licensed to practice medicine in many of the States?

Mr. GOURLEY. That is right.

Mr. SHAFER. Have there been cases where these men have been drafted into the Army as privates?

Mr. GOURLEY. Yes.

Mr. SHAFER. And then put to work right in the hospitals, and so forth?

Mr. GOURLEY. They have been put to work in places other than hospitals as privates.

Mr. PRICE. I wonder if they could give us a list of the States that issue licenses for the practice of osteopathy.

Mr. GOURLEY. Doctors of osteopathy are licensed in all States. Paragraph (b) of this amendment, Mr. Price, says that they must be licensed to practice medicine or surgery. There are about nine States where they are licensed to practice medicine expressly. Then there are a number of States where they are licensed to practice osteopathy or osteopathic medicine and surgery.

Mr. PRICE. I wonder if you could give us the identity of those States.

Mr. GOURLEY. I will be very glad to put those in the record. There are 37 States where they are licensed to practice surgery, whether it be medicine and surgery or osteopathy and surgery.

Mr. SHAFER. We will be glad to have that list in the record.

Mr. BLANDFORD. I would like to ask you to enlarge upon this statement that you made:

"The fact is that the Army is now commissioning medical officers from among doctors of medicine whose medical college training would disqualify them from licensure to practice medicine in most, if not all, the States, whereas medical commisisons are being denied physicians of the osteopathic school of medicine."

Do you know of any specific cases in which doctors have been commissioned in the Army, the Armed Forces, who would be denied the right to practice medicine in the vast majority of the States?

Mr. GOURLEY. Yes; I do. They are graduates from unapproved medical schools, and since graduates from those unapproved medical schools could not be admitted to examination in the various States, they could not be licensed in those States, but they are, nevertheless, commissioned as medical officers in the Army.

Mr. BLANDFORD. I would like to ask General Armstrong to comment on that, please.

General ARMSTRONG. We require a license in the State. It may not mean that they have a license in many States, but they must have a license to practice in one State. In the specific reference to the question you pointed to Mr. Gourley, we have from time to time given commissions to individuals who are graduates originally of nonapproved schools of medicine, but who had sufficient graduate training approved by the American Medical Association that they became eligible to practice in a State and obtained a license and thereby had the blessing of the American Medical Association as far as commission in the armed services is concerned.

Mr. BLANDFORD. In other words, these doctors must meet two qualifications; they must not only be able to meet the requirements of the State in which they obtain the license, but then when they apply for a commission they must receive the blessing of the American Medical Association?

General ARMSTRONG. That is right, and each case is studied separately and we give credit to evidence they submit of postgraduate training in approved training institutions.

Mr. DOYLE. May I ask this question of the General: Why, if a college was not worthy enough to be approved, or have the blessing of the American Medical Association, would the American Medical Association bless a graduate of that college?

General ARMSTRONG. You are dealing now with a very broad problem, Mr. Doyle. As a matter of fact, at the moment there are no unapproved schools of medicine in the country. I think that is a correct statement. Therefore, you are dealing with some people who are practicing medicine in this country who originally graduated from schools which are no longer in existence, or which have become approved schools of medicine in the interim. And, as a general policy, the American Medical Association, dealing with individual cases, gives these people who graduated from the school at the time when it was not approved a certain amount of credit in individual cases if they received graduate and postgraduate training which would appear to make them more or less equivalent of a graduate.

Mr. DOYLE. I remember that our distinguished chairman, Mr. SHORT, of Missouri, discussed briefly this same question with you the other day. I think he discussed with you the question of commissioning osteopaths when you were a witness before this committee.

May I ask you this: Why is it that licensed osteopaths, doctors of medicine and surgery, are not commissioned by the Army? You need commissioned men in that field. Why do you not commission more of them?

General ARMSTRONG. The Congressman refers to the question by the chairman, and I should like to answer your question by referring to the same statement which Chairman SHORT brought out on 2 successive days. He coupled, if you recall, optometrists and osteopaths.

Mr. DOYLE. That is right.

General ARMSTRONG. We have the authority today to commission optometrists in the Medical Service Corps, and as a matter of fact, we have commissioned and have on active duty at the moment some 77 optometrists.

Mr. DOYLE. Do you not have authority to commission licensed osteopaths?

General ARMSTRONG. Not at this time.

Mr. DOYLE. Congress has not given you that authority?

General ARMSTRONG. That is correct.

Mr. BLANDFORD. You can commission an osteopath in the Medical Service Corps; can you not?

General ARMSTRONG. Yes; that is true.

Mr. RIVERS. If he brought you a license to practice in one of the respective States as a doctor of medicine and did not have the blessing of the American Medical Association, could you under this law give him a commission?

General ARMSTRONG. We could.

Mr. DOYLE. Would you?

General ARMSTRONG. It would be dependent entirely upon the case. We go over very carefully every individual case and if we feel the basic qualifications are not met we have the authority to not tender that individual a commission.

Mr. DOYLE. What authority do you need from Congress, more than you have, to commission a licensed doctor of osteopathy?

Mr. RIVERS. Do you need authority or a directive?

General ARMSTRONG. The authority could be put in very easily, Mr. Doyle.

Mr. KILDAY. I would like to get straightened out here. You are asking for an amendment to include osteopathy after the word "medicine" wherever it appears in this particular section?

Mr. GOURLEY. Yes.

Mr. KILDAY. Then I take it that you recognize or feel at the present time doctors of osteopathy are not provided the same opportunity for commissions as doctors of medicine?

Mr. GOURLEY. That is exactly so, sir. As was pointed out in the statement, the Deputy Counselor of the Army suggested they did not have the authority to appoint doctors of osteopathy unless that law be amended.

Mr. KILDAY. Then there is no issue between you and General Armstrong as to his authority? You do not complain of the administration of the existing law by the Surgeon General of the service?

Mr. GOURLEY. We are asking authority for it to be spelled out. We do not quarrel with him as to his authority. That is why we are asking for this amendment.

Mr. KILDAY. That is the point. Logically, that would be necessarily true.

Mr. GOURLEY. That is right.

Mr. KILDAY. So the question here is not as to the administration of the law by the Department, but is a matter of legislative policy as to whether we should supplement existing law by the addition of the word, "osteopathy"?

Mr. GOURLEY. That is exactly so.

Mr. RIVERS. I understood the counselor to say there was law existing as far as the Navy is concerned as far back as 1947.

Mr. GOURLEY. August 1946. It is still on the statute books, but the authority is emasculated by this 1947 act that we want to amend. We want to straighten it out.

Mr. SHAFER. We are glad that you have testified for the osteopaths.

RESOLUTION 304

RECOGNIZE OSTEOPATHS FOR MILITARY COMMISSIONS

(Submitted by department of Pennsylvania to Committee on National Security, National and Foreign Affairs)

Whereas adequate provision for national security requires the fullest possible utilization of the Nation's critical manpower resources; and

Whereas the Department of Labor, the Department of Defense, and the Selective Service System list osteopathy as a critical occupation; and

Whereas the professional skills of osteopathic physicians are either wasted by failure to use them as military officer personnel, or diluted by constant tension of impending induction for service in nonprofessional capacities; and

Whereas the Legislature of Pennsylvania has passed laws exacting comparable standards and granting comparable privileges in the practice of the healing art, including major operative, surgery to graduate doctors of medicine and graduate doctors of osteopathy, thus evidencing a similar standard of qualifications; and

Whereas the chairman of the United States House of Representatives Committee on Armed Services, Mr. SHORT, of Missouri, has introduced a bill, H. R. 5017, which has for its sole purpose the necessary authority and power for commissioning osteopathic physicians as medical officers in the armed services: Now, therefore, be it

Resolved by the 55th National Encampment of the Veterans of Foreign Wars of the United States, That the Armed Services Committees of the Senate and the House be respectfully petitioned to speedily effect the enactment of H. R. 5017.

(Adopted in Philadelphia, Pa., at the August 1–6, 1954, National Encampment of the Veterans of Foreign Wars.)

BILLS PASSED OVER

The bill (H. R. 9987) to amend certain provisions of title 11 of the Merchant Marine Act, 1936, as amended, to facilitate private financing of new ship construction, and for other purposes, was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 6440) to amend section 345 of the Revenue Act of 1951 was announced as next in order.

Mr. BUSH. Over.

Mr. McCARRAN rose.

The PRESIDING OFFICER. Does the Senator from Nevada desire recognition?

Mr. McCARRAN. Before the bill was objected to, I had intended to offer an amendment. But if the bill is objected to, I shall not offer the amendment.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 26) to amend chapter 19, title 5, of the United States Code, so as to prohibit the employment by any person of any member, official, attorney, or employee of a Government agency except under certain conditions, was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 521) to amend title 18, United States Code, regarding published articles and broadcasts by foreign agents, was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1708) to amend section 11 of the Administrative Procedure Act, and for other purposes, was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 9804) to authorize the the appointment in a civilian position in the Department of Justice of Maj. Gen. Frank H. Partridge, United States Army, retired, was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 3040) to provide financial assistance to the Oakdale and South San Joaquin irrigation districts, California, in the construction of the Tri-Dam project, was announced as next in order.

Mr. MORSE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 6616) to amend title 17, United States Code, entitled "Copyrights" was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. MORSE. May I inquire what disposition was made of Calendar No. 2234, House bill 1254?

The PRESIDING OFFICER. The bill had previously been passed. It was a companion bill to a Senate bill on the calendar.

The bill (S. 3708) to authorize the Secretary of the Interior to sell and convey certain Parker Davis transmission facilities and related properties in the States of Arizona and California, and for other purposes, was announced as next in order.

Mr. MORSE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 7840) to amend the Railroad Retirement Act, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. KNOWLAND. I ask that the bill go over, because it is not calendar business.

The PRESIDING OFFICER. The bill will be passed over.

SALE OF CERTAIN LANDS IN UTAH

The Senate proceeded to consider the bill (S. 3570) to authorize the sale of certain lands situated in Utah which had been reported from the Committee on Interior and Insular Affairs with amendments, on page 2, line 4, after the word "as", to strike out "Said Indians shall deem satisfactory" and insert "the Secretary of the Interior shall approve"; in line 13, after the word "Indians," to insert "by majority vote"; and after line 14, to strike out:

SEC. 5. Any action taken by majority vote of the adult members of said Indians, whether in public meeting or by referendum, but in either event, after such notice as may be prescribed by the Secretary of the Interior, shall be binding upon said Indians for all purposes of this act.

So as to make the bill read:

Be it enacted, etc., That the Indian Peak Paiute Indians of Utah are hereby authorized, subject to the approval of the Secretary of the Interior, to sell and convey to any purchaser deemed satisfactory to them any of the lands of said Indians situated in the State of Utah, particularly described as follows: Sections 13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, 33, 34, 35, and 36, township 29 south, range 18 west, Salt Lake meridian.

SEC. 2. Title shall be conveyed by issuance of patent in fee to the purchaser or purchasers reserving to said Indians the gas, oil, mineral, and all other subsurface rights.

SEC. 3. All such sales shall be made upon such terms as the Secretary of the Interior shall approve, except as herein otherwise provided, and may be made pursuant to bids or at private sale.

SEC. 4. All funds derived from such sales together with all income from said lands accrued before sale shall be deposited in the United States Treasury to the credit of the Indian Peak Paiute Indians pursuant to the act of May 17, 1926 (44 Stat. 560), and may be expended or advanced for such purposes, including per capita payments, as may be designated by said Indians by majority vote and approved by the Secretary of the Interior.

Mr. McCARRAN. May we have an explanation of the bill?

Mr. WATKINS. Mr. President, the bill was reported unanimously from the Interior and Insular Affairs Committee of the Senate, authorizing the Secretary of the Interior to sell some Indian lands belonging to a group of Indians in southwestern Utah.

The land is not used by the Indians. They have been leasing it for quite a while. They do not live on it. It has not been bringing them much income, and they felt they would be much better off if they were permitted to sell this particular piece of land. It is largely at their request that it is being sold.

Mr. McCARRAN. Mr. President, will the Senator yield for a question?

Mr. WATKINS. I yield.

Mr. McCARRAN. Is the land all in the State of Utah?

Mr. WATKINS. I believe it is. I am not sure about that, but I think all the land is in Utah. The Indians all live in the State of Utah, and I am now advised that all of the land is in the State of Utah.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILL PLACED AT FOOT OF CALENDAR

The bill (H. R. 3534) to authorize the extension of patents covering inventions whose practice was prevented or curtailed during certain emergency periods by service of the patent owner in the Armed Forces or by production controls was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. HENDRICKSON subsequently said: Mr. President, I was engaged in conversation at the desk when Calendar No. 2284, H. R. 3534, was called.

The PRESIDING OFFICER. The Senator from Tennessee [Mr. GORE] asked that the bill go over.

Mr. HENDRICKSON. Will the Senator from Tennessee withdraw his objection, so that I may ask to have the bill placed at the foot of the calendar?

Mr. GORE. I gladly do so.

The PRESIDING OFFICER. Without objection, the bill will be placed at the foot of the calendar.

NATIONAL SALVATION ARMY WEEK

The joint resolution (S. J. Res. 173) to authorize the President to proclaim the week of November 28, 1954, through December 4, 1954, as "National Salvation Army Week" was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Whereas in October of 1879 a lone woman Salvation Army officer, Lt. Eliza Shirley, encouraged the formation of an official party, comprising seven women officers and Commissioner George Scott Railton, to extend the work of the Salvation Army in the United States; and

Whereas today the Salvation Army has grown into a huge operation with its 3,996 officers administering 6,400 centers of charitable and religious work assisted by 34,687 prominent citizens of all races and creeds who have formally associated themselves in the close relationship of lay leadership; and

Whereas the Salvation Army, acting under a charter issued by the State of New York in 1899, is an organization designed to operate as a religious and charitable organization with the following purposes: The spiritual, moral, and physical reformation of all who need it; the reclamation of the vicious, criminal, dissolute, and degraded; visitation among the poor and lonely and sick; the preaching of the Gospel and dissemination of Christian truth by means of open-air and indoor meetings: Therefore be it

Resolved, etc., That the President of the United States is requested and authorized to officially proclaim the week beginning November 28, 1954, through December 4, 1954, as "National Salvation Army Week."

BILL PASSED OVER

The bill (H. R. 8898) to amend section 401 (e) (2) of the Civil Aeronautics Act, as amended, was announced as next in order.

Mr. HENDRICKSON. Over by request.

The PRESIDING OFFICER. The bill will be passed over.

COL. SAMUEL J. ADAMS, AND OTHERS

The bill (H. R. 6808) for the relief of Col. Samuel J. Adams, and others, was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 345) for the relief of Samuel Chalut was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

GUBBINS & CO.—BILL PLACED AT FOOT OF CALENDAR

The bill (S. 2564) to confer jurisdiction upon the Court of Claims to hear the claims of Gubbins & Co., of Lima, Peru, was announced as next in order.

Mr. SMATHERS. Over.

Mr. MORSE. Mr. President, will the Senator from California withhold his objection for a moment?

The PRESIDING OFFICER. The Senator from Florida [Mr. SMATHERS] asked that the bill go over.

Mr. MORSE. It was a natural mistake on my part, because the two States claim some of the same assets of climate. [Laughter.]

Mr. President, as I understand the bill, it seeks to give to the Court of Claims jurisdiction to try issues which I think it is in a much better position to try than we in the Senate would be, provided a private claims bill should come before us. The proponents of the bill are to be commended because they have presented their case, not by way of a private claims bill, but by way of a bill which seeks to transfer to the Court of Claims jurisdiction to try their case.

I do not see how there could be any serious objection to that procedure. I wonder if the bill may go to the foot of the calendar in order that I may confer with the Senator from Florida in the meantime to see if there is substantial objection to the bill.

Mr. SMATHERS. I shall be happy to follow that suggestion.

The PRESIDING OFFICER. Without objection, the bill will be placed at the foot of the calendar.

BILLS AND RESOLUTION PASSED OVER

The bill (S. 3057) for the relief of the Lacchi Construction Co. was announced as next in order.

Mr. HENDRICKSON. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 3375) for the relief of the Elkay Manufacturing Co., of Chicago, Ill., was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 3772) to amend the Federal Property and Administrative Services Act of 1949, as amended, to provide for the payment of appraisers, auctioneers, and brokers fees from the proceeds of disposal of Government surplus real property, and for other purposes was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The resolution (S. Res. 310) to investigate the marketing of new cars (auto bootlegging) was announced as next in order.

Mr. HENDRICKSON. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

CONSTRUCTION AND MAINTENANCE OF MICHAUD FLATS PROJECT, IDAHO

The bill (H. R. 5499) to provide for the construction, maintenance, and operation of the Michaud Flats project for irrigation in the State of Idaho was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MORSE. May we have an explanation of the bill?

Mr. DWORSHAK. The Michaud Flats project is located in Power County, Idaho, and provides for the development of 11,035 acres of irrigated lands on the loess-covered valley and benchlands of the Snake River in the vicinity of the American Falls Reservoir. About 2,000 acres of these lands have been irrigated although water supplies, in some instances, have been inadequate. The remaining area would be developed as new irrigated units providing for the establishment of 100 new farms. The Michaud division of the Fort Hall Indian project provides for the irrigation of 21,000 acres within the Indian reservation along the southeastern shore of the American Falls Reservoir east of the Michaud Flats project.

There is intense local interest in and support for the Michaud Flats project and the Falls Irrigation District was organized in 1949 for the purpose of contracting with the Government for construction of the irrigation facilities. The project is economically justified in that the expected benefits exceed estimated costs in the ratio of 2.83 to 1.

It is estimated that the water users on the Michaud Flats project can be expected to pay a total of $132,700 annually, or an average of slightly over $12 per acre. Of this total $74,900 would be required for operation, maintenance, and replacement leaving $57,800 to apply as repayment of the irrigation costs.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

Mr. DWORSHAK subsequently said: Mr. President, I ask unanimous consent to have printed in the body of the RECORD, immediately following the passage of House bill 5499, a letter which has been received by me.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

WASHINGTON, D. C., *August 11, 1954.*

Hon. HENRY C. DWORSHAK,
United States Senate,
Washington, D. C.

DEAR SENATOR DWORSHAK: As you know, the Indians at Fort Hall have certain rights in the Snake River and its tributaries which were awarded under State law and some which were purchased from owners of awarded water rights. In addition, the Indians have certain claims to water rights in streams adjoining the reservation under the doctrine of the case of *Winters* v. *United States* (207 U. S. 564 (1908)) which is that when the United States creates an Indian reservation it impliedly reserves all water

that might be necessary for the use of the Indians.

The Indians are particularly anxious that certain water rights in the Blackfoot River, a tributary of the Snake River, which they own but are not entirely using at the present time will not be waived or lost by an erroneous interpretation of the language of the bill. Also, they are concerned that the language of the bill might be construed to constitute a determination of whether or not they are entitled to pump water from the Fort Hall bottoms (adjacent to American Falls Reservoir) for the irrigation of about 2,000 acres of pastureland there.

It is my understanding that the bill would not waive any rights of the Indians in water but without going into the merits of certain conflicting claims to water or constituting a precedent in connection with those claims would require the Indians to make available from Palisades and American Falls Reservoirs 131,600 acre-feet of storage capacity in return for the right to pump ground water from the Fort Hall bottoms in an amount not to exceed 22,400 acre-feet and an amount equal to that produced by the exchange of 131,600 acre-feet. I believe this is clearly explained on pages 3 and 4 of Senate Report 2321.

This bill would not affect the rights of the Indians in purchased or awarded water rights in the Snake River and its tributaries, including but not being limited to the water purchased from the Idaho Canal Co. by the United States for the Indians in 1908, the water rights of the Indians in Grays Lake, the water rights of the Indians in the Blackfoot River and Reservoir, and water rights awarded the Indians under State law.

ROBERT W. BARKER.

INTERSTATE COMPACT FOR ALLOCATION OF WATERS OF MISSOURI RIVER—BILL PASSED OVER

The bill (S. 2821) granting the consent of Congress to the States of Colorado, Iowa, Kansas, Minnesota, Missouri, Montana, Nebraska, North Dakota, South Dakota, and Wyoming, to enter into a compact for the allocation of waters of the Missouri River was announced as next in order.

Mr. GORE. Over.

Mr. CASE. Mr. President, will the Senator withhold his objection?

Mr. GORE. I withhold my objection.

Mr. CASE. I do not know the basis for the Senator's request to have the bill go over, but I point out that the bill has been requested by a committee of governors of the several States in the Missouri River Basin. The bill is purely permissive, granting the consent of Congress for the States concerned to enter into the negotiation of a compact. The compact would have to be submitted to Congress before it could become effective. I wonder if the Senator who asked that the bill go over will accept this explanation and permit the bill to be passed.

Mr. THYE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Tennessee further withhold his objection, to permit the Senator from Minnesota to be recognized?

Mr. GORE. I withhold my objection.

Mr. THYE. Mr. President, I have been concerned about the bill under discussion for several calendar sessions, because I think it is imperative that Congress act on the bill, not only for the reasons so ably stated by the Senator from South Dakota, but I have a letter from Gov. C. Elmer Anderson, of the State of Minnesota. The Governor sets forth very clearly in the letter the reasons why the bill should be considered at this session. With the indulgence of the Senate, I should like to read the letter, which is not a lengthy one:

DEAR SENATOR: At a recent meeting of the Missouri States Committee held in Yellowstone Park, the 10 States there represented were unanimous in their support of the Butler bill now before the Senate Committee on Interior and Insular Affairs. This bill authorizes the States in the Missouri Basin to work with a Federal representative in drafting a compact under which the Missouri Basin projects can be administered on a cooperative basis.

It was agreed that such legislation should be enacted during the present session in order that the 1955 State legislatures could move in authorizing their States to participate in such compact formation. It was also the unanimous agreement of the group that such a compact, when and if drawn and agreed upon by the Federal and State authorities, was far preferable to anything in the way of an MVA based upon the TVA pattern.

We believe that the position taken represents your own point of view, and that you can and will lend leadership with the other Members of the Minnesota delegation so inclined to urge proper action during the closing weeks of the 1954 session of the Congress.

Yours very truly,

C. ELMER ANDERSON,
Governor.

This proposed legislation is permissive. If the bill were passed it would enable the States, when their respective legislatures convened, to give further consideration to the matter. Congress would have to act upon anything which might be agreed upon before the compact could take effect, insofar as it relates to the Missouri River. I hope the objection to the bill will be withdrawn.

The PRESIDING OFFICER. Will the Senator from Tennessee withhold his objection so the Senator from Wyoming can be recognized?

Mr. GORE. I withhold my objection.

Mr. BARRETT. Mr. President, the bill not only has the support of the Governors of the States in the Missouri Basin, but, in addition, it has the approval of the Bureau of the Budget, which represents the executive arm of the Government. In addition, the Committee on Interior and Insular Affairs has unanimously approved the bill.

Mr. KNOWLAND. Mr. President, will the Senator yield for a question at that point?

Mr. BARRETT. I am glad to yield to the Senator from California.

Mr. KNOWLAND. I am not sure whether the Senator from Wyoming is familiar with the fact, but this is one of the bills which I called to the attention of the policy committee at the last meeting. I stated that, so far as the majority leader was concerned, if the bill did not pass on this calendar call—and I was hopeful it would be passed, for the reasons given by the various Senators who explained the bill—it was a bill that I would strongly recommend be called upon on motion so it would be considered at this session. I hope it will be passed on a call of the calendar, but, if not, it will be called up on motion.

Mr. BARRETT. I thank the majority leader. I should like to point out that the bill provides that there shall be a Federal representative in negotiations looking toward execution of a compact between the States. After all, if a compact is agreed upon, it will still have to come back to the Congress for action.

Mr. MORSE. Mr. President, will the Senator yield at that point?

Mr. BARRETT. I yield to the Senator from Oregon.

Mr. MORSE. That is the point I rose to mention. I am glad the Senator from Wyoming mentioned it. What is proposed by the bill is not the giving up of the congressional right to review the matter. Congress simply would be authorizing the States to enter into a compact. This is the kind of partnership principle I highly endorse. It seems to me we ought to let the States work out their water differences, just as they have done in other State compacts. Unless they are extremely bad, I think such compacts should be approved. At least we ought to encourage the States to go ahead and negotiate compacts, as long as Congress has the final authority to pass judgment on them. I think it would be greatly discouraging to the States if Congress did not give to them authorization to negotiate. I do not know how we are going to be able to work out a workable partnership between the Federal Government and the States if we cannot adopt the principles of the bill under discussion.

Mr. BARRETT. The Senator is entirely correct. It seems to me that all those who profess to believe in the principle of States' rights should be in accord with the proposed legislation. All it would do is give the States an opportunity to protect their interests in their own waters and agree as a community of States.

Mr. CARLSON. I should like to say to the Senator from Tennessee that we of the Midwest and the West have had much experience in working out compacts between States. They have been very successful. We have come to Congress and received approval. I have helped in securing approval of certain compacts. I helped in getting approval of a compact between the States of Colorado, Missouri, and Kansas, and one between Colorado and Kansas. Such compacts have worked out very well. I hope the Senator from Tennessee will not feel constrained to object.

Mr. GORE. Mr. President, still reserving the right to object, the entreaties of my colleagues have been quite persuasive. In fact, if I had a personal objection to the bill, I would be inclined to be overwhelmed and yield. However, since I am not in a position to withdraw the request, I shall have to insist that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

CONVEYANCE OF CERTAIN PUBLIC LANDS IN UTAH

The bill (H. R. 6451) to provide for the conveyance of certain public lands in Utah to the occupants of the land was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. McCARRAN. Mr. President, may we have an explanation of the bill?

Mr. WATKINS. Mr. President, the bill was introduced in the House by my colleague, Representative STRINGFELLOW. Many years ago many of the pioneers who went into the area around great Salt Lake settled on the shores of the lake. As the waters were taken from the streams which fed the lake, the lake receded from some of the lands adjacent to the lake which were used as farms. A number of years ago an act was passed permitting the farmers to get the lands, which are known as accretion or reliction lands. A few farmers in and around Ogden, at the great Salt Lake, failed to take advantage of that opportunity. They did not have the money available to pay the necessary fees and they let the opportunity pass by. The bill would provide that the farmers could obtain the land. The total value, along with the improvements the farmers put on the land, is about $3,500. As a matter of fact, there is grave doubt that the Federal Government ever had title to the land, because at one time the land was at the bottom of Great Salt Lake, which is not navigable.

Mr. MORSE. Mr. President, I think there should also be stressed in connection with the Senator's statement that it would be most unfair to deny to this small group of farmers the land in question, because other farmers in the same area were in a better financial position to act when the Federal Government made the offer some time ago, and they were able to take advantage of the offer. These particular farmers put improvements on the land. I think the bill should be passed.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, Senate proceeded to consider the bill (H. R. 6451) to provide for the conveyance of certain public lands in Utah to the occupants of the land, which had been reported from the Committee on Interior and Insular Affairs with an amendment, on page 2, line 16, after the word "Utah", to strike out "If any of these lands are needed by the United States for the said project, the Secretary may declare the lands forfeited and return to the United States upon tender of payment for such lands of the amount paid by the occupant to the United States under this act plus the reasonable value of the improvements in place at the time the land is patented." and in lieu thereof to insert "Any patent issued under this act shall contain a reservation granting to the United States the right to repurchase the patented land, if the Secretary should find that such land is needed by the United States and the Weber Basin project, upon tender of payment for such land of the amount paid by the patentee to the United States under this act plus the reasonable value of the improvements thereon in place at the time the land is patented."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

CLAIMS ARISING FROM ACTS OF MILITARY PERSONNEL

The bill (S. 3844) to provide for a reciprocal and more effective remedy for certain claims arising out of the acts of military personnel and to authorize the pro rata sharing of the cost of such claims with foreign nations, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. SMITH of New Jersey. Mr. President——

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. SMATHERS. Mr. President, at this time the question is whether there is objection to the present consideration of the bill; is that correct?

The PRESIDING OFFICER. That is correct.

Mr. SMATHERS. I have no objection to consideration of the bill.

Mr. SMITH of New Jersey. Mr. President, in the absence of the senior Senator from Wisconsin [Mr. WILEY], the chairman of the Foreign Relations Committee, as acting chairman I wish to make a brief statement with regard to this bill; and then, at the request of some of my colleagues, I shall offer very moderate amendments which I shall presently send to the desk.

Mr. President, this bill will implement a number of treaties and other international agreements which provide a reciprocal and pro-rata method of settling claims arising out of the line-of-duty acts of military personnel or civilian employees of the Armed Forces in a foreign country. The treaties and agreements in question provide that these claims are to be settled by the host government in the same way that it settles claims arising from line-of-duty acts of its own military personnel. The government of the state sending the forces abroad will then reimburse the host government for an agreed percentage of the settlement. In most cases, the host government for an agreed percent the cost; and the sending government, 75 percent.

For example, if an American soldier driving a jeep, and while on duty in France, injures a Frenchman, the claim will be settled by the French Government as though the injury had been inflicted by a French soldier. The United States will reimburse the French Government for 75 percent of the settlement.

Conversely, if a French soldier driving a jeep, and while on duty in the United States, injures an American, the claim will be settled by the Defense Department as though the injury had been inflicted by an American soldier. France will reimburse the United States for 75 percent of the settlement.

This bill simply authorizes the Secretary of Defense to participate in this method of settling such claims. The bill authorizes the Secretary to make payments in reimbursement to foreign governments, and to settle claims arising from line-of-duty acts of foreign military personnel in the United States.

The bill should result in substantial savings to the United States, because previously we have been paying the full amount of this type of foreign claims, whereas under the bill we shall pay only 75 percent to 85 percent. The bill should also provide a more effective remedy for American citizens who are damaged by line-of-duty acts of foreign military personnel in the United States.

The bill has the approval of the Defense Department and the Foreign Relations Committee, and I urge favorable action by the Senate.

Mr. President, the bill was originally objected to by the distinguished Senator from Ohio [Mr. BRICKER] and by the distinguished Senator from Kansas [Mr. SCHOEPPEL]. I discussed the matter with both Senators, and the Senator from Ohio was entirely satisfied with the explanation of the bill, but suggested that there be some slight amendments by which, instead of using the word "settle," we would use the word "adjudicate." He did not want to have it implied that these claims would be settled arbitrarily and then we would be "stuck" with such an amount. So he made the suggestion that we insert the word "adjudicated" at certain places in the bill. I send to the desk the amendments, and ask that they be read by the clerk, so as to indicate where those slight changes will be made in the bill.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

The PRESIDING OFFICER. The amendments submitted by the Senator from New Jersey will be stated.

The CHIEF CLERK. On page 1, in line 9, it is proposed to strike out "settled" and to insert in lieu thereof "adjudicated"; and in the same line to strike out "or adjudicated."

On page 2, in line 22, it is proposed to strike out "settled" and to insert in lieu thereof "adjudicated."

On page 2, in line 23, it is proposed to strike out "or adjudicated."

The PRESIDING OFFICER. Without objection, the amendments submitted by the Senator from New Jersey will be considered en bloc.

The question is on agreeing to the amendments of the Senator from New Jersey.

The amendments were agreed to.

The PRESIDING OFFICER. Is there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 3844) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, pursuant to the terms of those international agreements to which the United Sates is now or may hereafter be a party which provide that certain claims against the United States arising out of acts or omissions in the performance of official duty in a foreign country of civilian

employees of the Armed Forces, or military personnel, of the United States may be adjudicated by such foreign government in accordance with the laws and regulations of such foreign government, the Secretary of Defense is hereby authorized—

(a) to reimburse such foreign government for the agreed pro rata share of such sums as may be expended by such foreign government for the payment of such claims; or

(b) to pay to such foreign government an agreed pro rata share of claims arising out of damage to the property of such foreign government,

including costs of settlement or arbitration: *Provided*, That no claim arising out of any action by an enemy of the United States or resulting directly or indirectly from any act by the Armed Forces of the United States, or any member thereof, engaged in combat shall be considered or paid under this act.

SEC. 2. Whenever the terms of an international agreement to which the United States is now or may hereafter be a party provide that certain claims against a foreign government arising out of acts or omissions in the performance of official duty within the territory of the United States of civilian employees of the Armed Forces, or military personnel, of such foreign government, be adjudicated by the United States in accordance with the laws and regulations of the United States subject to an agreed pro rata reimbursement, such claims may be prosecuted against the United States or settled by the United States under then existing laws and regulations as if such acts or omissions were performed by civilian employees of the Armed Forces or military personnel of the United States in performance of official duty.

SEC. 3. Whenever a dispute arises in the consideration, adjustment, settlement, compromise, or adjudication of a claim asserted under section 2 of this act as to whether or not an act or omission of a civilian employee or military personnel of a foreign country was in the performance of official duty, or as to whether or not the use of any vehicle of the armed forces of such party was authorized, such disputed question or questions shall be decided in accordance with the terms of the international agreement with such foreign country, and such decision shall be final and conclusive. The Secretary of Defense is authorized to pay the United States portion of costs arising in connection with the securing of such a decision as provided by such international agreement.

SEC. 4. Any pro rata reimbursement or payment by the United States with respect to a settlement, award, or compromise made pursuant to this act shall be made by the Secretary of Defense out of appropriations for that purpose, which appropriations are hereby authorized, and such appropriations may be used for the purchase of foreign currencies necessary for any such reimbursement.

MEMBERSHIP OF UNITED STATES IN PAN AMERICAN INSTITUTE OF GEOGRAPHY AND HISTORY

The joint resolution (H. J. Res. 565) to amend the joint resolution providing for the membership of the United States in the Pan American Institute of Geography and History, and authorizing appropriations therefor, was considered, ordered to a third reading, read the third time, and passed.

TRANSMITTAL OF INTERNATIONAL AGREEMENTS TO SENATE WITHIN 30 DAYS AFTER EXECUTION—BILL PASSED OVER

The bill (S. 3067) to require that international agreements other than treaties, hereafter entered into by the United States, be transmitted to the Senate within 30 days after the execution thereof, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. McCARRAN. Mr. President, this bill is all right as far as it goes, but it does not go far enough.

The way to deal with this situation respecting executive agreements is along the lines proposed jointly by the senior Senator from Ohio [Mr. BRICKER] and the senior Senator from Nevada, in Senate Joint Resolution 2, which has been pending before the Committee on Foreign Relations since January 7 of 1953. After the Senator from Michigan introduced S. 3067, I renewed my request, previously made on a number of occasions, for consideration of Senate Joint Resolution 2 by the Committee on Foreign Relations. I do not know what consideration was given to Senate Joint Resolution 2. It is my intention, however, to move amendment of S. 3067, Calendar No. 2365, by striking out all after the enacting clause and substituting the text of Senate Joint Resolution 2.

Senate Joint Resolution 2, the text of which I am now offering as an amendment, is based on the proposition that Congress now possesses power to limit the effectiveness of many types of executive agreements; and that by invoking established principles of constitutional law, Congress can regulate their use by means of legislation.

In support of the authority of Congress to take this action, I ask that there may be printed in the RECORD at this point a short memorandum prepared by Mr. Alfred J. Schweppe, of Seattle, one of the oustanding constitutional lawyers of the country.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

EXECUTIVE AGREEMENTS

It is believed that Congress now has the power to regulate executive agreements. That is the effect of the *Steel Seizure* cases (343 U. S. 579, 588, 589), and of *Ex. parte Quirin* (317 U. S. 1, 25–27, 29). (See also 1953 Senate hearings on S. J. Res. 1, Proposing a Constitutional Amendment Relative to Treaties and Executive Agreements (pp. 67, 1229–1230, 1244–1245).) At those Senate hearings Chief Judge John J. Parker of the fourth circuit agreed that executive agreements "are subject to control by Congress under present constitutional provisions" (pp. 711–712). Chief Judge Orie L. Phillips of the 10th circuit is of the same view (pp. 995–996).

The rule of *United States* v. *Pink* (315 U. S. 203, 228) (Justices Jackson and Reed not participating, and Chief Justice Stone and Mr. Justice Roberts dissenting) is that an executive agreement made by the President alone, without the approval of the Senate, is, like a treaty, the supreme law of the land and supersedes the fifth amendment as well as the law of New York. This highly dangerous rule of the effect upon the laws of the country of agreements lying in the files of the White House or of the State Department can only be overcome by constitutional provision that executive agreements, as well as treaties, shall have no effect as domestic law within the United States unless implemented by act of Congress.

In the Pink case the majority of the Court said, "The fifth amendment does not stand in the way of giving full force and effect to the Litvinov assignment."

This holding was criticized by Dr. Philip Jessup in 36 American Journal of American Law, 282 (1942) in the following language: "From the point of view of our constitutional law, the decision may well mark one of the most far-reaching inroads upon the protection which it was supposed the fifth amendment accorded to private property.

Thus, under the Pink case, President Franklin D. Roosevelt, by his letter of acceptance of the Litvinov assignment, set aside the fifth amendment, as well as the law of New York.

By the same reasoning, the President by executive agreement could set aside an act of Congress. The contrary has been held by the Circuit Court of Appeals for the Fourth Circuit in *U. S.* v. *Capps* (204 F. (2d) 655 (1953)). (Whether this view will ultimately prevail is of course not known.)

The most comforting expression in this respect is Mr. Justice Jackson's statement in the *Steel Seizure* cases (343 U. S. 579, 636, footnote 2; also 637, 655). In footnote 2 Mr. Justice Jackson said "It was intimated that the President might act in external affairs without congressional authority, but not that he might act contrary to an act of Congress." The logic of both the Quirin case and the Steel Seizure cases support Mr. Justice Jackson's statement.

Congress has, in fact, often exercised the power to authorize and regulate executive agreements. See reciprocal trade agreements which rest on congressional legislation.

ALFRED J. SCHWEPPE.
SEATTLE, WASHINGTON.

Mr. KNOWLAND. Mr. President, will the Senator from Nevada yield for a moment?

Mr. McCARRAN. I yield.

Mr. KNOWLAND. I believe the Senator may misunderstand the intent. The Senator from California was one of the joint authors of the bill, and, as the Senator may recall, I happen to be one of those who voted for Senate Joint Resolution 2.

It seems to me that by not passing this bill, we shall be foreclosing the Senate of the United States from having information which now is filed with the United Nations. All this bill is meant to do is to give to the Senate of the United States the information relative to the executive agreements within 60 days of time when the executive agreements are entered into, rather than for the Senate perhaps to have to wait a full year, until the agreements are published in the normal process.

At the present time they are filed with the United Nations. It seems to me to be almost absurd that the law should not require that the Senate of the United States be given the information while it is still current.

This bill is not intended to affect adversely, or one way or another, the so-called Bricker amendment or the McCarran amendment or any of the others. The purpose of the bill is merely to get the facts for the Senate. It seems to me every Senator should at least want to get that information.

Mr. SMATHERS. Mr. President, in order to save time, I may say that it is the opinion of the calendar committee on this side that this measure is of the type of legislation which, while it may be good, and certainly is very important, is controversial in nature, and should not

be passed during the call of the Consent Calendar.

A moment ago I talked to the majority leader about this measure, and he advised me that he thought he would try to have it brought up as the order of business later this afternoon, at which time the amendment of the distinguished Senator from Nevada would then be in order, and the whole matter could be gone into.

Mr. McCARRAN. Mr. President, if I may do so, by unanimous consent, I should like to be permitted to complete by statement; it will take me perhaps a minute and one-half to do so.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nevada? Without objection, the Senator from Nevada may proceed.

Mr. SMATHERS. Mr. President, I shall withhold any objection until the Senator from Nevada completes his statement.

Mr. McCARRAN. Mr. President, the proposal contained in my amendment recognizes the sole power of the President to negotiate, and it leaves personal undertakings reached as an executive head of the Government to remain the personal commitments of the incumbent.

Adoption of this amendment would place all nations, as well as citizens of the United States, on notice not only with regard to congressional attitude and policy, but also with respect to congressional power to set aside or terminate the treaties and executive agreements other than in a few limited areas.

Let me make it clear that the language which I proposed would accomplish these things:

First. It would require all executive agreements to be published in full in the Federal Register, in order to be effective either as laws or as authorizations.

Second. It would reaffirm the power of the Congress, in the exercise of its constitutional powers, to supersede an executive agreement by legislative action.

Third. It would make all executive agreements terminable not later than 6 months after the end of the term of the President during whose term they were negotiated, unless extended by proclamation of the succeeding President. The effect of this would be to force all long-term agreements, intended to bind this country through successive presidential terms, to be presented to the Senate as treaties.

Fourth. It would require that secret agreements with foreign nations be either submitted to the Senate as treaties or be deemed the mere personal undertaking of the Chief Executive negotiating them.

I now move, Mr. President, that the text of Senate Joint Resolution 2, beginning with line 3, on page 2, and continuing through line 8, on page 3, be substituted for all the material now following the enacting clause in S. 3067.

The PRESIDING OFFICER. The Chair must advise the Senator from Nevada that amendments are not in order until the bill is under consideration.

Is there objection to the present consideration of the bill?

Mr. KNOWLAND. Mr. President, I understood that the Senator from Florida [Mr. SMATHERS] made objection.

Mr. McCARRAN. That is what I understood.

The PRESIDING OFFICER. Objection being heard, the bill will be passed over.

BILLS PASSED OVER

The bill (S. 2975) to amend title 28, United States Code, relating to the Customs Court was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1813) to amend title 28, United States Code, so as to extend the privilege of trial by jury to certain cases arising within the special maritime jurisdiction of the United States was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 3131) to amend title 28, United States Code, with respect to the United States Court of Customs and Patent Appeals was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 960) to amend sections 1505 and 3486 of title 18 of the United States Code relating to congressional investigations was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The bill will be passed over.

COMPENSATION FOR DAMAGES SUSTAINED IN EXPLOSIONS AT TEXAS CITY, TEX.

The bill (H. R. 9785) to provide a method for compensating claims for damages sustained as the result of the explosions at Texas City, Tex., was announced as next in order.

Mr. HENDRICKSON. Mr. President, may we have an explanation of this bill?

Mr. SMATHERS. Mr. President, I ask unanimous consent that this bill go to the foot of the calendar.

The PRESIDING OFFICER. Without objection, the bill will go to the foot of the calendar.

Mr. McCARRAN. Mr. President, I wonder if the Senator will withhold his request?

Mr. SMATHERS. I am happy to do so.

Mr. McCARRAN. I may not be able to be present later, and I should like to give the explanation now.

Mr. SMATHERS. Mr. President, I withdraw my request.

Mr. McCARRAN. The explanation will require only 2 or 3 minutes.

Mr. President, Calendar No. 2390, H. R. 9785, is one of the largest private claims bills ever to come to the Senate. The Judiciary Committee was not scared off by the fact that a great deal of money is involved. I hope the Senate will not be scared off, either. This claim involves the question of doing justice to a great many private individuals who suffered serious injuries and staggering losses, and many whose loved ones suffered death, as a result of the explosions and fires which occurred at Texas City, Tex., on April 16 and 17, 1947.

The evidence seems clear, and the Judiciary Committee found, that the basic cause of this disaster was the responsibility of the United States Government. The Government was responsible, through its agents, for placing in commerce an inherently dangerous article, without any marking or warning respecting its dangerous attributes. This was a powerful explosive, being handled in large quantities, which by Government order was packed in paper bags and marked simply as fertilizer. When it was loaded in the hold of a ship, and packed down by its own weight, and confined under pressures, the result was a spontaneous explosion which caused one of the greatest disasters in the history of this country.

The committee has amended this bill so as to eliminate all provision for payment of the subrogated claims of insurance companies. Perhaps that is not fair; but it appeared that the bill could not be reported out, or passed, with such provisions included; and the committee wanted to move toward granting relief for the individuals concerned. The bill has also been amended to eliminate all provision for attorneys' fees. Perhaps that, also, is unfair; but it is in line with the position taken by the committee and by the Senate in recent months.

In one further important respect, the bill has been amended: as it comes from the Senate committee, it no longer authorizes the payment of claims by the Secretary of the Army, but instead merely directs the Secretary to bring back to the Congress a report on the amount due each claimant. It would then be up to the Congress to pass on the claims in the final analysis and enact such legislation as it might see fit to pay them. This is in line with the way the Congress handled the claims growing out of the Port Chicago disaster.

It may be, Mr. President, that the amount eventually involved in these claims will exceed $50 million. That will be for the Secretary of the Army to determine, initially, under this bill, and for the Congress to determine, finally. However, that figure should never be considered standing alone; it should always be considered in connection with 2 other figures: the figure 570, which represents the approximate number of persons who were killed in this disaster; and the figure 3,500, which represents the approximate number of those who were injured. I cannot give the Senate a figure on the amount of private property damage; but under this bill, the Secretary of the Army will provide that figure also.

Mr. President, this bill does not provide for hasty action; it does provide for getting before the Congress, as speedily as may be, the precise facts, carefully evaluated, with respect to each individual claim which is involved here. I think the Senate can do no less than approve this bill.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Mr. President, will the Senator yield for a question?

Mr. McCARRAN. I yield.

Mr. HENDRICKSON. Is it not true that these claims were the basis for a trial in the district court of the United States?

Mr. McCARRAN. All these claims were the basis for a trial in the district court of the United States.

Mr. HENDRICKSON. Is it not true that the case finally went to the Supreme Court of the United States?

Mr. McCARRAN. The case finally went to the Supreme Court of the United States.

Mr. HENDRICKSON. And the claims were rejected?

Mr. McCARRAN. The claims were rejected, but the reason for their rejection was a technicality.

Mr. HENDRICKSON. Is it true that the bill could, if enacted, cost the Government of the United States considerably more than $50 million?

Mr. McCARRAN. Yes, and it might be more, if we took into consideration the subrogation, but that is not in the bill as it comes before the Senate.

Mr. HENDRICKSON. I preface my next question by saying that I know this bill was very carefully considered, first by the Subcommittee of the Committee on the Judiciary, and then by the full committee. There are great equities involved in the bill. Those equities were recognized by the subcommittee and by the full Committee on the Judiciary.

I should like to say for the record that when the bill was considered by the full committee, I felt constrained to vote against the bill on the ground that I have consistently taken the position that the Senate Committee on the Judiciary must find another way to handle private claims bills, particularly money bills. This is a matter of principle with me. My vote was not directed particularly at the issue involved in this bill, but I feel that we must find some other way to solve these questions involving equities, when there is no remedy at law.

I ask the Senator one question: Under all the circumstances, does the Senator feel that the Senate is justified today in passing the bill on the calendar call?

Mr. McCARRAN. Mr. President, the amount involved is nothing as compared with the suffering and disaster which befell individuals in the terrific explosion which took place. There is no question in the mind of the Senator from Nevada that the fault lay with the Government of the United States. It was an unfortunate thing, but it did occur. Those who were left destitute by reason of the death of the relatives, providers, or heads of families, and those who were maimed and left maimed for life deserve reasonably expeditious consideration. The bill will not move very rapidly even now. The Army must make the appraisal and then bring it in to the Congress for final determination.

Mr. HENDRICKSON. Mr. President, I understand that the distinguished majority leader had intended to call this bill up for consideration in any event. In the light of the equities and in the light of the statement made by the senior Senator from Nevada, the junior Senator from New Jersey, acting as a member of the Republican calendar committee, withholds any objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause, and insert:

That the Secretary of the Army shall investigate all claims against the United States for damages for property loss, death, and personal injuries proximately resulting from the disaster at Texas City, Tex., on April 16 and 17, 1947, and report to the Congress recommended awards with respect thereto.

SEC. 2. Claimants shall not be required to submit their claims to the Secretary of the Army, but the Secretary shall consider any such claim which was a part of a civil action filed against the United States in a United States district court prior to April 25, 1950.

SEC. 3. (a) It is the intention of the Congress that no attorneys' or agents' fees shall be allowed or paid out of any award recommended pursuant hereto and hereafter authorized.

(b) The Secretary shall not include in any recommended award any amount for reimbursement to any insurance company or compensation insurance fund for any loss payment made by such company or fund.

(c) The Secretary of the Army shall limit himself to the determination and recommendation of (1) the amount of award to be paid, and (2) the persons entitled to receive the same.

(d) Except as otherwise provided herein, in carrying out the provisions of this act, the Secretary of the Army shall be guided by the law of the State of Texas.

SEC. 4. Awards based on death claims shall be recommended to be made only to persons or their legal representatives authorized to sue for wrongful death under the revised statutes of the State of Texas. No such award under this section shall be recommended by the Secretary of the Army in an amount in excess of $20,000.

SEC. 5. In determining the amounts of awards to be recommended for property loss, death claims, or personal injuries, the Secretary of the Army shall reduce any such amount by an amount equal to the total of insurance benefits previously paid with respect to such loss, death claim, or injuries.

SEC. 6. The Secretary of the Army shall, within 3 years after the date of enactment of this act, transmit to the Congress a statement of each claim considered by him in accordance with this act showing succinctly the nature of such claim, the amount claimed, and the amount of award recommended, if any.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. MORSE subsequently said: Mr. President, I wish to take a moment to commend the Senator from New Jersey [Mr. HENDRICKSON] for the attitude he has taken with respect to House bill 9785. We all know the view of the Senator from New Jersey with respect to the desirability of having the Senate find a better way of handling the so-called money-claim bills. He could have objected, in keeping with his long-established point of view on that subject.

What we have seen demonstrated is something highly commendable. He recognizes that, after all, the bill did not call for any grant of money at the present time, but merely for an opportunity for the Department of the Army to make an investigation for the Congress, so that it might know at some time in the future how much money is owed, if we are to do equity to the very unfortunate people who suffered, as the Senator from Nevada [Mr. McCARRAN] has pointed out, because of the fault of the Federal Government.

This display of statesmanship on the floor of the Senate is deserving of commendation. In my judgment the equities involved, justice to these people, and the humanitarian principles involved certainly justify the bill, to permit the Army to prepare for us an accounting as to what the Federal Government owes, if we are to accept the obligation and responsibility which the Senator from Nevada [Mr. McCARRAN] has pointed out.

Mr. HENDRICKSON. Mr. President, I cannot let the remarks of the distinguished Senator from Oregon go unnoticed. I feel that I must make some comment. I deeply appreciate the tribute paid to me by the junior Senator from Oregon. I do not feel that I deserve any tribute, because what I did was a clear matter of duty.

Mr. LANGER subsequently said: Mr. President I also wish to say a word about the bill passed a few moments ago by the Senate. It is probably one of the largest money bills the Judiciary Committee has ever considered. I commend the distinguished Senator from Texas [Mr. JOHNSON]. He came before our committee and withheld nothing. The distinguished Senator from Nevada [Mr. McCARRAN], the distinguished Senator from Idaho [Mr. WELKER], the distinguished Senator from New Jersey [Mr. HENDRICKSON], the distinguished Senator from West Virginia [Mr. KILGORE], and the rest of us went into this subject very thoroughly, with the greatest of care. We spent many hours in the consideration of it. Anyone who looks into the case will find that we eliminated the provision with respect to the insurance companies and the provision for attorneys' fees. I think it is one of the finest acts that has been performed on the floor of the Senate.

I particularly appreciate the fact that the distinguished Senator from Texas [Mr. JOHNSON] at that time was in the midst of a campaign. He let his own personal affairs wait during his appearance before the subcommittee. We went into the case in the greatest detail. I think we ought to commend him for taking care of the people of Texas City in connection with the great catastrophe that overtook them.

Mr. JOHNSON of Texas. I am deeply touched by the usual generosity of my friend from North Dakota. I am entitled to very little credit, if any, for the work that was done on the bill. I merely presented the case as I saw it.

The distinguished Senator from North Dakota, the distinguished Senator from Nevada [Mr. MCCARRAN], and my beloved colleague, the junior Senator from Texas [Mr. DANIEL] spent many days on the case. If the bill finally comes to a good end and the suffering people of Texas City are remunerated for the losses they sustained, it will be due largely to the work of the chairman, the Senator from Nevada, and my junior colleague, who did so much work on the bill.

BILL PASSED OVER

The bill (S. 29) to provide for the payment of lump-sum death benefits to the supervisors of certain employees or contractors with the United States during World War II, was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

That concludes the call of the calendar. The Secretary will state the first bill placed at the foot of the calendar.

J. A. VANCE CO.

The Senate proceeded to consider the bill (H. R. 1107) for the relief of J. A. Vance Co. which had been reported from the Committee on the Judiciary with amendments, on page 1, line 6, after the word "of", to strike out "$7,341.53" and insert "$7,368.67"; and on page 3, line 4, after the word "act", to strike out "in excess of 10 percent thereof".

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

MR. AND MRS. THOMAS V. COMPTON—BILL PASSED OVER

The bill (H. R. 4281) for the relief of Mr. and Mrs. Thomas V. Compton was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. SMATHERS. Mr. President, the other day I filed an objection to this bill. Thereafter the junior Senator from Virginia [Mr. ROBERTSON] made a very eloquent appeal in behalf of Mr. and Mrs. Compton. He told us about the equities in the case. I must say that I was very much impressed by what he said, and that he certainly generated in me, as he wished to do, considerable sympathy for the people involved.

However, a reading of the report on the bill makes clear that if we permit this bill to be passed it will set a precedent which will require, whenever the Federal Government sees fit to build a dam or to erect a highway, which, in some respects, leaves people who lived on the highway out of the line of traffic and thereby causes them to suffer by reason of not having the business which they had previously, the Federal Government will have the responsibility of compensating such people for the loss of their business, even though the building of the dam or the erection of the highway may be in the general public interest.

I filed an objection previously, and I still feel this is bad legislation, and that it should not be passed in this way. However, before I again file an objection, I should like to hear what the Senator from Colorado may have to say.

Mr. JOHNSON of Colorado. I thank the Senator. In the West, where we build a great many reservoirs, allowances are usually made for moving railroads, telephone lines, and other utility properties from land that is covered with water.

In this particular case the store building of these two old people, about whom the Senator from Virginia told us the other day, was not covered by water, but was surrounded by water.

As a result, it was impossible for these two old people to use their store and their property. Six thousand dollars was allowed by the committee as against a claim for $18,000, to enable them to move out of the area inundated by the building of the dam.

I do not think a new principle is established, because in many cases—and I could cite a great many cases in which reservoirs have been built under similar conditions—the Federal Government has taken care of moving railroads and other utilities out of a reservoir area.

Mr. SMATHERS. The report on this particular case states:

> The highway was therefore relocated to avoid the water, although the old highway remained usable up to and beyond the Compton property, and a short connecting road was built to the new highway in order to provide continued access to the Compton and other properties. There is no indication that the Compton property was physically damaged in any way by the Government project. Whatever losses were suffered by claimants in this case would appear to have resulted solely from the relocation of Highway No. 15.

Mr. JOHNSON of Colorado. Of course, I agree with the Senator that we can not compensate people for the moving or changing of a highway. On the other hand, if their property was damaged, if the property of the little business which these old people had was damage by the reservoir, not by the removal of the highway, that involves another point. But it seems to me that they are entitled to some compensation. The Senator will recall that the Senator from Virginia stated that these are the only people in the reservoir area who were not compensated for their loss. The proposed compensation has been reduced from $18,000 to $6,000, which would be sufficient to enable them to move their property out of the damaged area.

Mr. SMATHERS. I thank the able Senator from Colorado. This case might well involve a misunderstanding of fact. I am sure the Senator would agree that if the damage resulting to these people occurs only because of the relocation of the highway, it would be a bad precedent for the Government to compensate them because they happen not to be located on the new highway.

Mr. JOHNSON of Colorado. Yes; that would be a very bad precedent.

Mr. SMATHERS. So it appears that the case involves a question of fact, as to whether the property is merely surrounded by water or whether the water has covered the property.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. SMATHERS. Mr. President, I ask that the bill go to the foot of the calendar.

Mr. MORSE. Mr. President, we have had a long discussion of the bill——

Mr. SMATHERS. I ask that it go to the foot of the calendar, and I shall be glad to discuss it further.

Mr. MORSE. Mr. President, I object to placing the bill at the foot of the calendar.

The PRESIDING OFFICER. The Senator from Oregon objects to the request that the bill be placed at the foot of the calendar.

Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Mr. President, reserving the right to object, the Department of the Army, while acknowledging that the claimants have been damaged, takes the position that such damages constitute a burden which must be borne by the property owner as one of the risks of ownership, and that such damages are in the same category, legally, as damages arising as the result of the construction of many types of Government projects with respect to which there is no actual physical taking by the Government of the property. That is fundamental law, Mr. President. Such damages are not compensable by the Government, as a matter of law. The Department of Justice takes exactly the same position. It is difficult for me to see how the Senate can continually overrule the departments when they are supported by law.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MORSE. Over.

The PRESIDING OFFICER. The bill will be passed over.

ALIEN SHEEPHERDERS

The bill (S. 3813) for the relief of certain alien sheepherders was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Mr. President, reserving the right to object—and I shall not object—I assume the main qualification of a sheepherder is that he shall not desert his sheep but it matters not that he deserts the ship.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 3813) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Santiago Hormaechea, Jose Lecanda, Rufino Merino Jimenez, Panagiatis Demitreos Zeras, Fernando Macuaga Madariaga, Manuel Lopez Trabazo, Luis Uriarte Otaolea, and Antonio Yrigoyen Arrachea shall be held and considered to have been lawfully admitted to the

United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

AMENDMENT OF INTERNAL REVENUE CODE PERMITTING ORAL PRESCRIPTIONS FOR CERTAIN DRUGS

The bill (S. 3447) to amend the Internal Revenue Code to permit the filling of oral prescriptions for certain drugs, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. BUTLER. Mr. President, may I inquire what happened to Order No. 2481?

The PRESIDING OFFICER. The Senate is proceeding with the call of bills which went to the foot of the calendar at the last calendar call.

Mr. BUTLER. Will Calendar No. 2481 be called in due course?

The PRESIDING OFFICER. That bill did not go to the foot of the calendar. It was objected to, and was passed over.

Mr. BUTLER. On this very call?

The PRESIDING OFFICER. It will not be called on this call of the calendar.

Mr. BUTLER. Was that at the last previous call or on this calendar call?

The PRESIDING OFFICER. The present call started with Calendar No. 19, on the first page, going through to Calendar No. 2392, on page 16. Following the regular call of the calendar it was the order to proceed to the call of those items which went to the foot of the calendar at the previous calendar call, and we are now proceeding under that order.

Is there objection to the consideration of Calendar No. 2500, Senate bill 3447?

There being no objection, the Senate proceeded to consider the bill (S. 3447) to amend the Internal Revenue Code to permit the filling of oral prescriptions for certain drugs, and for other purposse, which had been reported from the Committee on Finance, with amendments, on page 1, at the beginning of line 4, after the word "Code", to insert "of 1939"; on page 2, line 11, after the word "Code", to insert "of 1939"; on page 4, line 23, after the word "Code", to insert "of 1939"; on page 5, at the beginning of line 14, to insert "of 1939"; in line 19, after the word "Code", to insert "of 1939"; on page 6, after line 7, to insert:

SEC. 6. Section 4705 (c) (1) of the Internal Revenue Code of 1954 is amended to read as follows:

"(1) Use of drugs in professional practice: To the dispensing or distribution of narcotic drugs to a patient by a physician, dentist, veterinary surgeon, or other practitioner registered under section 4722, in the course of his professional practice only: *Provided*, That such physician, dentist, veterinary surgeon, or other practitioner shall keep a record of all such drugs dispensed or distributed, showing the amount dispensed or distributed, the date, and the name and address of the patient to whom such drugs are dispensed or distributed, except such as may be dispensed or distributed to a patient upon whom such physician, dentist, veterinary surgeon, or other practitioner shall personally attend; and such record shall be kept for a period of 2 years from the date of dispensing or distributing such drugs, subject to inspection, as provided in section 4773."

At the top of page 7 to insert:

SEC. 7. Section 4705 (c) (2) of the Internal Revenue Code of 1954 is amended to read as follows:

"(2) Prescriptions: (A) To the sale, dispensing, or distribution of narcotic drugs by a dealer to a consumer under and in pursuance of a written prescription issued by a physician, dentist, veterinary surgeon, or other practitioner registered under section 4722: *Provided, however*, That (i) such prescription shall be dated as of the day on which signed and shall be signed by the physician, dentist, veterinary surgeon, or other practitioner who shall have issued the same; (ii) that such dealer shall preserve such prescription for a period of 2 years from the day on which such prescription is filled in such a way as to be readily accessible to inspection by the officers, agents, employees, and officials mentioned in section 4773.

"(B) In lieu of a written prescription for such narcotic drugs or compounds of a narcotic drug which the Secretary or his delegate, in his discretion (after considering any views expressed on the subject by the Surgeon General, United States Public Health Service; the Commissioner, United States Food and Drug Administration; the respective heads of State narcotic law enforcement agencies; and the respective secretaries of national associations representing (i) narcotic drug manufacturers, (ii) physicians, and (iii) pharmacists), shall find and by regulation designate to possess relatively little or no addiction liability, the sale, dispensing, or distribution may be made by a dealer to a consumer upon oral prescription of a duly registered physician, dentist, veterinary surgeon, or other practitioner, which oral prescription is reduced promptly to writing, and the writing filed and preserved by the dealer for a period of 2 years from the date on which such prescription is filled in such a way as to be readily accessible to inspection by the officers, agents, employees, and officials mentioned in section 4773. In issuing an oral prescription, the prescriber shall furnish the dealer with the same information as is required by law or regulation in case of a written prescription for narcotic drugs or compounds of a narcotic drug except for the written signature of the prescriber, and the dealer who fills such prescription shall be required to inscribe such information on the written record of the prescription made, filed and preserved by him, and shall inscribe on the label of the container of the narcotic drug or compound of a narcotic drug the same information as is required in filling a written prescription. An oral prescription shall not be refilled.

"(C) If the Secretary or his delegate shall subsequently determine that a narcotic drug or a compound of a narcotic drug, to which the oral prescription procedure described in the preceding subparagraph has been made applicable, possesses a degree of drug addiction liability that, in his opinion, results in abusive use of such procedure, he shall by regulation publish the determination in the Federal Register. The determination shall be final, and after the expiration of a period of 6 months from the date of its publication, the oral prescription procedure described in the preceding subparagraph shall cease to apply to the particular narcotic drug or to the particular compound of a narcotic drug which is the subject of the determination."

On page 9, after line 12, to insert:

SEC. 8. Section 4704 (b) (1) of the Internal Revenue Code of 1954 is amended to read as follows:

"(1) Prescriptions: To any person having in his or her possession any narcotic drugs or compounds of narcotic drug which have been obtained from a registered dealer in pursuance of a written or oral prescription referred to in section 4705 (c) (2), issued for legitimate medical uses by a physician, dentist, veterinary surgeon, or other practitioner registered under section 4722; and where the bottle or other container in which such narcotic drug or compound of a narcotic drug may be put up by the dealer upon such prescription bears the name and registry number of the druggist, and name and address of the patient, serial number of prescription, and name, address, and registry number of the person issuing said prescription; or."

On page 10, after line 3, to insert:

SEC. 9. Section 4773 of the Internal Revenue Code of 1954 is amended by striking out "prescriptions required" and inserting in lieu thereof "prescriptions, including the written record of oral prescriptions, required."

After line 7, to insert:

SEC. 10. Section 4724 (b) (5) of the Internal Revenue Code of 1954 is amended to read as follows:

"(5) to any person carrying any narcotic drug or compound of a narcotic drug which has been obtained by the person from a registered dealer in pursuance of a written or oral prescription referred to in section 4705 (c) (2), issued for legitimate medical uses by a physician, dentist, veterinary surgeon, or other practitioner registered under section 4722, if the bottle or other container in which such drug or compound of a narcotic drug is carried bears the name and registry number of the druggist, serial number of prescription, name and address of the patient, and name, address, and registry number of the person issuing such prescription."

So as to make the bill read:

Be it enacted, etc., That section 2554 (c) (1) of the Internal Revenue Code of 1939 is amended to read as follows:

"(1) Use of drugs in professional practice: To the dispensing or distribution of narcotic drugs to a patient by a physician, dentist, veterinary surgeon, or other practitioner, registered under section 3221, in the course of his professional practice only: *Provided*, That such physician, dentist, veterinary surgeon, or other practictioner, shall keep a record of all such drugs dispensed or distributed, showing the amount dispensed or distributed, the date, and the name and address of the patient to whom such drugs are dispensed or distributed, except such as may be dispensed or distributed to a patient upon which such physician, dentist, veterinary surgeon, or other practitioner, shall personally attend; and such record shall be kept for a period of 2 years from the date of dispensing or distributing such drugs, subject to inspection, as provided in section 2556."

SEC. 2. Section 2554 (c) (2) of the Internal Revenue Code of 1939 is amended to read as follows:

"(2) Prescriptions: To the sale, dispensing, or distribution of narcotic drugs by a dealer to a consumer under and in pursuance of a written prescription issued by a physician, dentist, veterinary surgeon, or other practitioner, registered under section 3221: *Provided, however*, That (1) such prescription shall be dated as of the day on which signed and shall be signed by the physician, dentist, veterinary surgeon, or other practi-

tioner, who shall have issued the same; (2) that such dealer shall preserve such prescription for a period of 2 years from the day on which such prescription is filled in such a way as to be readily accessible to inspection by the officers, agents, employees, and officials mentioned in section 2556.

"In lieu of a written prescription for such narcotic drugs or compounds of a narcotic drug which the Secretary, in his discretion (after considering any views expressed on the subject by the Surgeon General, United States Public Health Service; the Commissioner, United States Food and Drug Administration, the respective heads of State narcotic law-enforcement agencies, and the respective secretaries of national associations representing (a) narcotic drug manufacturers, (b) physicians, and (c) pharmacists), shall find and by regulation designate to possess relatively little or no addiction liability, the sale, dispensing, or distribution may be made by a dealer to a consumer upon oral prescription of a duly registered physician, dentist, veterinary surgeon, or other practitioner, which oral prescription is reduced promptly to writing, and the writing filed and preserved by the dealer for a period of 2 years from the date on which such prescription is filled in such a way as to be readily accessible to inspection by the officers, agents, employees, and officials mentioned in section 2556. In issuing an oral prescription, the prescriber shall furnish the dealer with the same information as is required by law or regulation in case of a written prescription for narcotic drugs or compounds of a narcotic drug except for the written signature of the prescriber, and the dealer who fills such prescription shall be required to inscribe such information on the written record of the prescription made, filed and preserved by him, and shall inscribe on the label of the container of the narcotic drug or compound of a narcotic drug the same information as is required in filling a written prescription. An oral prescription shall not be refilled.

"If the Secretary shall subsequently determine that a narcotic drug or a compound of a narcotic drug, to which the oral prescription procedure described in the preceding paragraph has been made applicable, possesses a degree of drug addition liability that, in his opinion, results in abusive use of such procedure, he shall by regulation publish the determination in the Federal Register. The determination shall be final, and after the expiration of a period of 6 months from the date of its publication, the oral prescription procedure described in the preceding paragraph shall cease to apply to the particular narcotic drug or to the particular compound of a narcotic drug which is the subject of the determination."

SEC. 3. Section 2553 (b) (1) of the Internal Revenue Code of 1939 is amended to read as follows:

"(1) Prescriptions: To any person having in his or her possession any narcotic drugs or compounds of narcotic drug which have been obtained from a registered dealer in pursuance of a written or oral prescription referred to in section 2554 (c) (2), issued for legitimate medical uses by a physician, dentist, veterinary surgeon, or other practitioner registered under section 3221; and where the bottle or other container in which such narcotic drug or compound of a narcotic drug may be put up by the dealer upon said prescription bears the name and registry number of the druggist, and name and address of the patient, serial number of prescription, and name, address, and registry number of the person issuing said prescription; or."

SEC. 4. Section 2556 (a) of the Internal Revenue Code of 1939 is amended by placing a comma after the word "prescriptions" in the first sentence thereof and interpolating immediately following said comma, the phrase "including the written record of oral prescriptions."

SEC. 5. Section 3224 (b) (5) of the Internal Revenue Code of 1939 is amended to read as follows:

"(5) to any person carrying any narcotic drug or compound of a narcotic drug which has been obtained by the person from a registered dealer in pursuance of a written or oral prescription referred to in section 2554 (c) (2), issued for legitimate medical uses by a physician, dentist, veterinary surgeon, or other practitioner, registered under section 3221, if the bottle or other container in which such drug or compound of a narcotic drug is carried bears the name and registry number of the druggist, serial number of prescription, name and address of the patient, and name, address, and registry number of the person issuing such prescription."

SEC. 6. Section 4705 (c) (1) of the Internal Revenue Code of 1954 is amended to read as follows:

"(1) Use of drugs in professional practice: To the dispensing or distribution of narcotic drugs to a patient by a physician, dentist, veterinary surgeon, or other practitioner registered under section 4722, in the course of his professional practice only: *Provided*, That such physician, dentist, veterinary surgeon, or other practitioner shall keep a record of all such drugs dispensed or distributed, showing the amount dispensed or distributed, the date, and the name and address of the patient to whom such drugs are dispensed or distributed, except such as may be dispensed or distributed to a patient upon whom such physician, dentist, veterinary surgeon, or other practitioner shall personally attend; and such record shall be kept for a period of 2 years from the date of dispensing or distributing such drugs, subject to inspection, as provided in section 4773."

SEC. 7. Section 4705 (c) (2) of the Internal Revenue Code of 1954 is amended to read as follows:

"(2) Prescriptions: (A) To the sale, dispensing, or distribution of narcotic drugs by a dealer to a consumer under and in pursuance of a written prescription issued by a physician, dentist, veterinary surgeon, or other practitioner registered under section 4722: *Provided, however*, That (i) such prescription shall be dated as of the day on which signed and shall be signed by the physician, dentist, veterinary surgeon, or other practitioner who shall have issued the same; (ii) that such dealer shall preserve such prescription for a period of 2 years from the day on which such prescription is filled in such a way as to be readily accessible to inspection by the officers, agents, employees, and officials mentioned in section 4773.

"(B) In lieu of a written prescription for such narcotic drugs or compounds of a narcotic drug which the Secretary or his delegate, in his discretion (after considering any views expressed on the subject by the Surgeon General, United States Public Health Service; the Commissioner, United States Food and Drug Administration; the respective heads of State narcotic law enforcement agencies; and the respective secretaries of national associations representing (i) narcotic drug manufacturers, (ii) physicians, and (iii) pharmacists), shall find and by regulation designate to possess relatively litle or no addiction liability, the sale, dispensing, or distribution may be made by a dealer to a consumer upon oral prescription of a duly registered physician, dentist, veterinary surgeon, or other practitioner, which oral prescription is reduced promptly to writing, and the writing filed and preserved by the dealer for a period of 2 years from the date on which such prescription is filled in such a way as to be readily accessible to inspection by the officers, agents, employees, and officials mentioned in section 4773. In issuing an oral prescription, the prescriber shall furnish the dealer with the same information as is required by law or regulation in case of a written prescription for narcotic drugs or compounds of a narcotic drug except for the written signature of the prescriber, and the dealer who fills such prescription shall be required to inscribe such information on the written record of the prescription made, filed and preserved by him, and shall inscribe on the label of the container of the narcotic drug or compound of a narcotic drug the same information as is required in filling a written prescription. An oral prescription shall not be refilled.

"(C) If the Secretary or his delegate shall subsequently determine that a narcotic drug or a compound of a narcotic drug, to which the oral prescription procedure described in the preceding subparagraph has been made applicable, possesses a degree of drug addiction liability that, in his opinion, results in abusive use of such procedure, he shall by regulation publish the determination in the Federal Register. The determination shall be final, and after the expiration of a period of 6 months from the date of its publication, the oral prescription procedure described in the preceding subparagraph shall cease to apply to the particular narcotic drug or to the particular compound of a narcotic drug which is the subject of the determination."

SEC. 8. Section 4704 (b) (1) of the Internal Revenue Code of 1954 is amended to read as follows:

"(1) Prescriptions: To any person having in his or her possesion any narcotic drugs or compounds of narcotic drug which have been obtained from a registered dealer in pursuance of a written or oral prescription referred to in section 4705 (c) (2), issued for legitimate medical uses by a physician, dentist, veterinary surgeon, or other practitioner registered under section 4722; and where the bottle or other container in which such narcotic drug or compound of a narcotic drug may be put up by the dealer upon said prescription bears the name and registry number of the druggist, and name and address of the patient, serial number of prescription, and name, address, and registry number of the person issuing said prescription; or."

SEC. 9. Section 4773 of the Internal Revenue Code of 1954 is amended by striking out "prescriptions required" and inserting in lieu thereof "prescriptions, including the written record of oral prescriptions, required."

SEC. 10. Section 4724 (b) (5) of the Internal Revenue Code of 1954 is amended to read as follows:

"(5) to any person carrying any narcotic drug or compound of a narcotic drug which has been obtained by the person from a registered dealer in pursuance of a written or oral prescription referred to in section 4705 (c) (2), issued for legitimate medical uses by a physician, dentist, veterinary surgeon, or other practitioner registered under section 4722, if the bottle or other container in which such drug or compound of a narcotic drug is carried bears the name and registry number of the druggist, serial number of prescription, name and address of the patient, and name, address and registry number of the person issuing such prescription."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CONVEYANCE OF LANDS BY SOUTHERN PACIFIC RAILROAD CO.

The bill (H. R. 7881) to validate a conveyance of certain lands by Southern Pacific Railroad Co., and its lessee,

Southern Pacific Co., to Morgan Hopkins, Inc., was announced as next in order.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

Mr. MORSE. Mr. President, I conferred with my colleague who had charge of this bill after the last call of the calendar and after it was agreed that it go to the foot of the calendar, and I satisfied myself that the inquiry I raised in regard to the title to the land involved is met by the committee report, and, therefore, I have no objection to the consideration of the bill.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the bill (H. R. 7881) was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF CIVIL SERVICE RETIREMENT ACT

The bill (H. R. 7785) to amend the Civil Service Retirement Act of May 29, 1930, to make permanent the increases in regular annuities provided by the act of July 16, 1952, and to extend such increases to additional annuities purchased by voluntary contributions, was considered, ordered to a third reading, read the third time, and passed.

TRANSFER OF PROPERTY TO STATE OF MINNESOTA

The bill (S. 2153) to authorize the transfer of certain property to the State of Minnesota was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MORSE. Mr. President, reserving the right to object, I should like to have an explanation of the bill.

Mr. THYE. Mr. President, this bill relates to the Indian school and hospital building, buildings located near Pipestone, Minn. The property has not been used during the past year for the care of Indian children. The State of Minnesota, in cooperation with the Bureau of Indian Affairs, has developed a foster-home-placement program, furnishing foster-home care for Indians who are orphans or whose parents are separated. We have found this system more desirable. The Indian child has a much better opportunity in life.

The Pipestone property involved is now standing idle. I have seen the property a number of times in recent years. There is some good agricultural land in connection with it. That land is not involved in this bill. The land will go to the General Services Administration to be handled under the Federal Property and Administrative Services Act.

The bill relates only to the school and hospital buildings, and approximately 60 acres of land. If the school were converted to State use for mentally retarded children, the 60 acres would be ample for that purpose.

That is all that is involved.

Mr. ANDERSON. Mr. President, will the Senator from Minnesota yield?

Mr. THYE. I yield.

Mr. ANDERSON. This is the bill to which I took rather strong exception with reference to its original language, is it not?

Mr. THYE. Yes.

Mr. ANDERSON. And it has been revised to meet all objections raised in the committee?

Mr. THYE. The Senator is correct.

Mr. MORSE. Mr. President, it is also true, is it not, that what is proposed is the provision of facilities which were intended for Indian use, and now the State will be furnishing facilities, services, and education for those Indian children which otherwise would be furnished by the Federal Government?

Mr. THYE. Mr. President, the Senator is correct. The studies of our Public Welfare Department, the State administration, and the Indian Bureau developed that it would be far better to put the Indian orphans in private homes under the foster home care program than to segregate them in this Indian school or agency until they reached the age when they would be old enough to go back to the Indian reservations or to begin their adult vocations.

Mr. MORSE. Mr. President, will the Senator yield for another question?

Mr. THYE. I yield.

Mr. MORSE. It is also true, is it not, that because of the small number of Indian children in this particular region, it is not economical to maintain a Federal Indian school for them, so the children who are of normal mentality go to public schools, and it is proposed that this particular property, which was originally made available for Indian use will now be used by the State which will provide other services for Indian children—as the Senator pointed out in this instance, an institution for children who are not of normal mentality, including Indian children?

Mr. THYE. The Senator is entirely correct, Mr. President. I think far better use would be made of this property as a State institution under the program we have discussed, which includes the foster-home care for Indian children, their education in the public schools, and use of the Pipestone property for a State institution in which Indian children requiring such care, as well as white children, would be admitted. I hope the objections may be withdrawn and that the bill may pass.

Mr. MORSE. Mr. President, I have no objection, because I have studied the bill with sufficient care to satisfy myself that the Federal Government is receiving adequate consideration for this transfer of property in terms of the service the State of Minnesota will render in connection with taking care of what, after all, are Federal wards.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs, with an amendment, to strike out all after the enacting clause, and insert:

The Secretary of the Interior is authorized and directed to transfer to the State of Minnesota, to be used for school or other institutional purposes only, the right, title, and interest of the United States to not more than 60 acres of the Pipestone School Reserve, together with all the improvements thereon, and the buildings known and designated as the Pipestone Indian School and the Pipestone Indian Hospital located near Pipestone, Minn. Upon a finding by the Secretary that property so transferred has ceased to be used for the purposes specified, title to such lands, together with all improvements thereon, shall revert to the United States, but any such findings shall be subject to judicial review by any court having appropriate jurisdiction. The remainder of the Pipestone School Reserve, together with all improvements thereon, in the discretion of the Secretary, shall be transferred to the Administrator of General Services for disposal as surplus property under the Federal Property and Administrative Services Act of 1949 (40 U. S. C., 1952 ed., sec. 484).

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. THYE. Mr. President, I ask unanimous consent that a letter which I addressed to the Senator from Utah [Mr. WATKINS], chairman of the Subcommittee on Indian Affairs, be printed in the body of the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AUGUST 16, 1954.

HON. ARTHUR V. WATKINS,
Chairman, Subcommittee on Indian Affairs, Committee on Interior and Insular Affairs, United States Senate, Washington, D. C.

DEAR SENATOR WATKINS: In view of the many complex matters which have been considered by the Committee on Interior and Insular Affairs upon receipt of delayed departmental reports on various pending bills before the committee, I greatly appreciate the consideration given to S. 2153, to transfer the buildings of the Indian school and hospital at Pipestone to the State of Minnesota to assist the State in meeting its institutional needs.

The school and hospital property, including the agricultural land in the 532-acre school reservation at Pipestone, has not been in use during the present fiscal year, in line with the policy of the Bureau of Indian Affairs to discontinue the school as no longer needed in its program. An agreement has been reached between the Bureau and the Minnesota Division of Social Welfare whereby the Federal and State governments are cooperating in a program of foster home care for the Indian children who would otherwise attend the school, and these children are being educated in the public schools. This is part of a program of integration of our Indian people in our common life, and I am pleased to tell you that we have had marked success in Minnesota in this progressive development.

Meanwhile, the State has great need for additional State institutions. The legislature in 1953, as stated in the committee report on S. 2153, adopted enabling legislation to provide for use of the Pipestone school and hospital buildings if they become available. The legislature meets again in January 1955, and if necessary funds are to be made available for rehabilitation of the property and for its activation as a State institution, it would be extremely helpful if the intent of Congress could be made known at this time.

The amount of land that could be utilized in connection with a State institution at Pipestone has been a question considered by the committee. I was informed by the Commissioner of Public Welfare in Minnesota that if the institution is used for the care of mentally retarded children, 60 acres will be sufficient for providing a campus and playground area. This is the amount of land provided in the bill as amended. I should point out, however, that if the institution were to be used for rehabilitation of alcoholics, the State officials believe there should be an area of 250 acres to provide a suitable work program for these people.

There is immediately adjacent to the school property, and in fact part of the original Indian Reservation of 1 square mile, the Pipestone National Monument of approximately 115 acres. I had included a provision in S. 2153 as originally introduced to provide for transfer of 250 acres to the Pipestone National Monument, for its development and protection, as this is 1 of 2 historical national monuments in Minnesota. The committee has felt that it would be more in keeping with the policy of Congress to provide for transfer of all the land except 60 acres now in the school reserve to the Administrator of General Services for disposal of surplus property under the Federal Property and Administrative Services Act of 1949.

The amendments now proposed by the Committee on Interior and Insular Affairs to S. 2153 are accptable to me as the author of the bill. I believe the adoption of S. 2153, as amended, would be in the public interest.

Sincerely yours,

EDWARD J. THYE,
United States Senator.

HOSPITALIZATION AND CARE OF MENTALLY ILL OF ALASKA—BILL PASSED OVER

The bill (H. R. 8009) to provide for the hospitalization and care of the mentally ill of Alaska, and for other purposes was announced as next in order.

Mr. GORE. Over.

Mr. KUCHEL. Mr. President——

The PRESIDING OFFICER. Does the Senator from Tennessee withhold his objection?

Mr. GORE. I do.

Mr. KUCHEL. I appreciate the withholding of the objection by the Senator from Tennessee, because it is my understanding that an objection may be interposed by the junior Senator from Washington [Mr. JACKSON], who has held hearings on the bill. The Senator is not in the Chamber at this moment.

Will the Senator indicate whether he is objecting on behalf of my friend from Washington? There is some hope that he may withdraw his objection.

Mr. GORE. Mr. President, the minority calendar committee has not made a practice of revealing the names of Senators for whom they enter objections. I am glad to inform the Senator from California, however, that the request did not come from the junior Senator from Washington.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. GORE. I object.

The PRESIDING OFFICER. The bill will be passed over.

The Senate will now proceed to the consideration of the bills which were placed at the foot of the calendar on this call.

Mr. HENDRICKSON. Mr. President, will the Chair be kind enough to state the numbers of the bills so we may have them in advance?

The PRESIDING OFFICER. The first is Calendar No. 1511, House bill 4017.

Mr. CASE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CASE. Are Calendar Nos. 2520, 2521, and 2522 to be called?

Mr. KNOWLAND. Mr. President, when we have completed the call of items at the foot of the calendar, the majority leader will ask for an order covering those three bills.

The PRESIDING OFFICER. The bills which went to the foot of the calendar are: Calendar No. 1511, House bill 4017; Calendar No. 1986, House bill 951; Calendar No. 2010, House bill 7774; Calendar 2284, House bill 3534; and Calendar 2313, Senate bill 2564.

The clerk will state the first bill.

CONVEYANCE OF CERTAIN LAND IN ARKANSAS

The bill (H. R. 4017) to provide for the conveyance of certain land and improvements to the England Special School District of the State of Arkansas was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MORSE. Mr. President, I asked that the bill go to the foot of the calendar, so that I could study it. I have studied it, and, in my judgment, the bill in no way violates the Morse formula. This is a case in which property was conveyed originally for school purposes. There has been a consolidation of country schools. It is now desired to make use of the value of the property in order to buy fixtures for the new consolidated schools. In my opinion, this is completely in line with the original grant. I have no objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

BILL PLACED AT FOOT OF CALENDAR

The bill (H. R. 951) for the relief of the Trust Association of H. Kempner was announced as next in order.

Mr. HENDRICKSON. Mr. President, I ask unanimous consent that the bill be placed at the foot of the calendar.

The PRESIDING OFFICER. At the foot of the present calendar?

Mr. HENDRICKSON. At the foot of the new calendar to be called. I understand the majority leader intends to call up a new order of bills. I ask that this bill go to the foot of that call.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNIFORM SYSTEM OF GRANTING INCENTIVE AWARDS

The bill (H. R. 7774) to establish a uniform system for the granting of incentive awards to officers and employees of the United States, and for other purposes, was announced as next in order.

Mr. KNOWLAND. Mr. President, this is the postal-pay-increase bill. An amendment which I have had prepared is at the desk.

I understand that the Senator from Tennessee [Mr. GORE] desires to suggest the absence of a quorum.

Mr. GORE. Does the Senator from California desire to complete action on the other bills?

Mr. KNOWLAND. I should prefer to have this bill considered now, because I must attend conferences later.

Mr. GORE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Green	McCarran
Anderson	Hayden	McCarthy
Barrett	Hendrickson	McClellan
Beall	Hennings	Millikin
Bennett	Hickenlooper	Monroney
Bowring	Hill	Morse
Bricker	Holland	Mundt
Bush	Humphrey	Murray
Butler	Ives	Neely
Carlson	Jackson	Pastore
Case	Johnson, Colo.	Payne
Chavez	Johnson, Tex.	Potter
Clements	Johnston, S. C.	Purtell
Cooper	Kefauver	Reynolds
Cordon	Kennedy	Robertson
Crippa	Kerr	Russell
Dirksen	Kilgore	Saltonstall
Duff	Knowland	Schoeppel
Dworshak	Kuchel	Smathers
Ellender	Langer	Smith, Maine
Ervin	Lehman	Smith, N. J.
Ferguson	Lennon	Stennis
Frear	Long	Symington
Fulbright	Magnuson	Thye
George	Malone	Watkins
Goldwater	Mansfield	Williams
Gore	Martin	Young

The PRESIDING OFFICER (Mr. IVES in the chair). A quorum is present.

Mr. KNOWLAND. Mr. President, there has been placed at the desk a copy of the amendments which I have prepared to the bill. I have also given a copy of the amendments to the distinguished chairman of the committee, the Senator from Kansas [Mr. CARLSON].

Mr. GORE. Mr. President, a point of order. The bill has not been stated.

The PRESIDING OFFICER. The bill was stated before the quorum call.

Mr. GORE. It was?

The PRESIDING OFFICER. Yes.

Mr. KNOWLAND. Yes, it was stated, and I was reserving the right to object. The Senate knows that H. R. 7774, the Government employees' pay-raise bill, was passed over on the last call of the calendar. I have a series of amendments which I intend to submit to the bill en bloc, but before I do so, I wish to make a few remarks in explanation of the administration's policy on the pay-raise bill. As the Senate knows, the House of Representatives——

The PRESIDING OFFICER. The Chair apologizes for interrupting the Senator from California, but there must be order in the Senate Chamber. The Chair does not think the Senator can be

heard. Those who are conversing will kindly cease to converse.

The Senator from California will resume.

Mr. KNOWLAND. I thank the Chair, because my voice is still a little hoarse from a cold. It may be my fault as much as the noise in the Senate.

The Senate knows H. R. 7774, the Government employees' pay-raise bill, was passed over on the last call of the calendar. I have a series of amendments which I intend to submit to the bill en bloc, and then I wish to make a few remarks in explanation of the administration's policy on the pay-raise bill subject.

I ask unanimous consent to have the series of amendments proposed to be offered by me printed in the RECORD at this point.

There being no ojection, the amendments were ordered to be printed in the RECORD, as follows:

On page 7 beginning with line 13; strike out over through line 5 on page 8, and insert the following:

"(b) The compensation schedule for the General Schedule shall be as follows:

"Grade	Per annum rates						
GS-1	$2,500	$2,580	$2,660	$2,740	$2,820	$2,900	$2,980
GS-2	2,750	2,830	2,910	2,990	3,070	3,150	3,230
GS-3	3,000	3,080	3,160	3,240	3,320	3,400	3,480
GS-4	3,250	3,330	3,410	3,490	3,570	3,650	3,730
GS-5	3,600	3,725	3,850	3,975	4,100	4,225	4,350
GS-6	4,000	4,125	4,250	4,375	4,500	4,625	4,750
GS-7	4,440	4,565	4,690	4,775	4,900	5,025	5,150
GS-8	4,800	4,925	5,050	5,175	5,300	5,425	5,550
GS-9	5,300	5,425	5,550	5,675	5,800	5,925	6,050
GS-10	5,800	5,925	6,050	6,175	6,300	6,425	6,550
GS-11	6,400	6,600	6,800	7,000	7,200	7,400	
GS-12	7,500	7,700	7,900	8,100	8,300	8,500	
GS-13	8,900	9,000	9,200	9,400	9,600	9,800	
GS-14	10,200	10,400	10,600	10,800	11,000	11,200	
GS-15	11,600	11,850	12,100	12,350	12,600		
GS-16	12,800						
GS-17	13,800						
GS-18	14,800						

"(c) (1) The compensation schedule for the crafts, protective, and custodial schedule shall be as follows:

"Grade	Per annum rates						
CPC-1	$1,810	$1,870	$1,930	$1,990	$2,050	$2,110	$2,170
CPC-2	2,420	2,490	2,560	2,630	2,700	2,770	2,840
CPC-3	2,552	2,632	2,712	2,792	2,872	2,952	3,032
CPC-4	2,750	2,830	2,910	2,990	3,070	3,150	3,230
CPC-5	3,000	3,080	3,160	3,240	3,320	3,400	3,480
CPC-6	3,250	3,330	3,410	3,490	3,570	3,650	3,730
CPC-7	3,600	3,700	3,800	3,900	4,000	4,100	4,200
CPC-8	4,000	4,125	4,250	4,375	4,500	4,625	4,750
CPC-9	4,400	4,525	4,650	4,775	4,900	5,025	5,150
CPC-10	4,800	4,925	5,050	5,175	5,300	5,425	5,550

"(2) Charwomen working part time shall be paid at the rate of $2,700 per annum, and head charwomen working part time at the rate of $2,840 per annum."

On page 9, lines 8 and 9, strike out "as provided in this section, he shall continue to receive basic compensation", and insert, "he shall receive a rate of basic compensation at the maximum longevity rate of his grade as provided in this section, or his existing rate, whichever is greater."

On page 9, lines 20 and 21, strike out "as provided in this section, he shall continue to recive basic compensation" and insert, "he shall receive a rate of basic compensation at the maximum scheduled rate of his grade as provided in this section, or his existing rate, whichever is greater."

On page 10, line 11, strike out "5 percent" and insert "3½ percent."

On page 10, lines 12 and 13, strike out "$440 per annum or less than $170 per annum", and insert "$410 per annum."

On page 11, line 1, strike out "5" and insert "3½."

On page 11, beginning with the comma in line 10, strike out down through the words "per annum" in line 12.

On page 11, line 15, strike out "$12,086" and insert "$12,056."

On page 11, line 20, strike out "$2,160" and insert "$1,380."

On page 11, line 22, strike out "$2,400" and insert "$1,620."

On page 11, line 25, strike out "$3,120" and insert "$1,860."

On page 12, line 3, strike out "$3,180" and insert "$1,920."

On page 12, line 10, strike out "$6,180" and insert "$6,060."

On page 12, line 11, strike out "$7,620" and insert "$7,560."

On page 12, line 12, strike out "$8,640" and insert "$8,580."

On page 12, line 20, strike out "5" and insert "3½."

On page 12, line 21, strike out "$440 per annum" and insert "$410 per annum."

On page 12, strike out line 22.

On page 13, line 8, strike out "5" and insert "3½."

On page 14, line 2, strike out "$14,240" and insert "$14,210."

On page 14, line 8, strike out "5" and insert "3½."

On page 14, lines 9 and 10, strike out "$440 per annum or less than $170 per annum" and insert "$410 per annum."

On page 14, line 13, strike out "$13,240" and insert "$13,210."

On page 14, line 16, strike out "5" and insert "3½."

On page 14, line 17, strike out "$440" and insert "$410 per annum."

On page 14, line 18, strike out line 18.

On page 15, strike out lines 10 to 23, inclusive.

Renumber sections 202 to 207, inclusive, as sections 201 to 206, respectively.

"SEC. 207. (a) The Postmaster General is authorized and directed to make a thorough investigation and study of various methods for the classification of positions and the determination of salaries in the postal field service and all matters relating thereto (including personnel and pay benefits and administration), in order to provide a plan (to be submitted by the Postmaster General to, and to be subject to review by, the Congress, in accordance with the provisions of this section and section 10) for the establishment of a uniform, integrated, and equitable classification and pay system for all postmasters, officers, employees, and positions in the postal field service. Such classification and pay plan for the postal field service shall provide a method for determining the rates of basic compensation which postmasters, officers, and employees shall receive under which—

"(1) the principle of equal pay for substantially equal work shall be followed; and

"(2) variations in rates of basic compensation paid to different postmasters, officers, and employees shall be in proportion to substantial differences in the difficulty, responsibility, and qualification requirements of the work performed and to the contributions of postmasters, officers, and employees to efficiency and economy in the postal field service.

Such plan shall contain compensation schedules which set forth the various grades to which positions in the postal field service are to be allocated and provide the rates of basic compensation, and the ranges of such rates, which are to be applicable to such grades. Such plan also shall contain provisions which—

"(A) grant to personnel in the postal field service the right to obtain appropriate review by the Civil Service Commission of all classifications of their positions;

"(B) prohibit reductions in the rates of basic compensation of personnel on the rolls on the date such plan (or any part thereof) becomes operative, by reason of the institution and operation of such plan (or any part thereof);

"(C) prohibit reductions in rates of basic compensation of any personnel, by reason of any classification actions taken at any time under authority of such plan with respect to the positions occupied by such personnel, so long as such personnel remain in the same positions and are assigned to perform and do perform work of the same level of difficulty, responsibility, and qualification requirements as the work which they were performing in such poistions; and

"(D) preserve for personnel in the postal field service on the rolls on the date such plan (or any part thereof) becomes operative the increases in rates of basic compensation provided by this act.

Such plan also may contain such provisions and proposals consistent with the purposes of this section as the Postmaster General deems advisable in the light of the needs of the Post Office Department, the best interests of personnel in the postal field service, and the public interest.

"(b) In the light of and pursuant to the investigation and study made under subsection (a) and in accordance with the purposes of such subsection, the Postmaster General shall transmit to the Congress, on or before March 15, 1955, a classification and pay plan for the postal field service. Such plan shall be prepared with due regard for the legislative forms and procedures of the Congress and shall be accompanied by an appropriate written explanation of the provisions, objects, purposes, and effects thereof. The delivery of such plan and explanation thereof shall be made to both Houses on the same day.

"(c) Except as may be otherwise provided pursuant to subsection (e) of this section, the provisions of such classification and pay plan for the postal field service shall take effect upon the expiration of the first period of 60 calendar days of continuous session of the Congress, following the date on which such plan is transmitted to the Congress; but only if, between the date of transmittal and the expiration of such period of sixty days there has not been passed by either of the two Houses, by affirmative vote of a majority a quorum being present, a resolution stating in substance that that House does not favor such plan.

"(d) For the purposes of subsection (c) of this section—

"(1) continuity of session shall be considered as broken only by an adjournment of the Congress sine die; but

"(2) in the computation of the 60-day period, there shall be excluded the days on which either House is not in session because of an adjournment of more than 3 days to a day certain.

"(e) Any provision of the plan may, under provisions contained in the plan, be made operative at a time later than the date on which the plan shall otherwise take effect.

"(f) If such classification and pay plan becomes effective, such plan shall be printed in the Statutes at Large in the same volume as the public laws and shall be printed in the Federal Register.

"(g) Any increase in rate of basic compensation by reason of the institution and operation of such classification and pay plan for the postal field service shall not be considered as an 'equivalent increase' in compensation within the meaning of section 701 of the Classification Act of 1949, as amended, in the case of postmasters, officers, and employees in the postal field service who transfer or are transferred to positions within the purview of the Classification Act of 1949, as amended.

"SEC. 208. (a) This section is enacted by the Congress:

"(1) As an exercise of the rule-making power of the Senate and the House of Representatives, respectively, and as such it shall be considered as part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in such House in the case of resolutions (as defined in subsection (b) of this section); and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

"(2) With full recognition of the constitutional right of either House to change such rules (so far as relating to the procedure in such House) at any time, in the same manner and to the same extent as in the case of any other rule of such House.

"(b) As used in this section and section 207, the term 'resolution' means only a resolution of either of the two Houses of Congress, the matter after the resolving clause of which is as follows: 'That the _____ does not favor the postal field service classification and pay plan transmitted to Congress by the Postmaster General.', the blank space therein being filled with the name of the resolving House.

"(c) All resolutions with respect to the posal field service classification and pay plan shall be referred, by the President of the Senate or the Speaker of the House of Representatives, only to the Committee on Post Office and Civil Service of the Senate or the Committee on Post Office and Civil Service of the House of Representatives, as the case may be.

"(d) If the committee to which has been referred a resolution with respect to such postal field service classification and pay plan has not reported such resolution before the expiration of 10 calendar days after its introduction, it shall then (but not before) be in order to move either to discharge the committee from further consideration of such resolution, or to discharge the committee from further consideration of any other resolution with respect to such postal field service classification and pay plan which has been referred to the committee.

"(e) Such motion may be made only by a person favoring the resolution, shall be highly privileged (except that it may not be made after the committee has reported a resolution with respect to the plan), and debate thereon shall be limited to not to exceed 1 hour, to be equally divided between those favoring and those opposing the resolution. No amendment to such motion shall be in order, and it shall not be in order to move to reconsider the vote by which such motion is agreed or disagreed to.

"(f) If the motion to discharge is agreed to or disagreed to, such motion may not be renewed, nor may another motion to discharge the committee be made with respect to any other resolution with respect to the plan.

"(g) When the committee has reported, or has been discharged from further consideration of, a resolution with respect to the plan, it shall at any time thereafter be in order (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of such resolution. Such motion shall be highly privileged and shall not be debatable. No amendment to such motion shall be in order and it shall not be in order to move to reconsider the vote by which such motion is agreed to or disagreed to.

"(h) Debate on the resolution shall be limited to not to exceed 10 hours, which shall be equally divided between those favoring and those opposing the resolution. A motion further to limit debate shall not be debatable. No amendment to, or motion to recommit, the resolution shall be in order, and it shall not be in order to move to reconsider the vote by which the resolution is agreed to or disagreed to.

"(i) All motions to postpone, made with respect to the discharge from committee, or the consideration of, a resolution with respect to the plan, and all motions to proceed to the consideration of other business, shall be decided without debate.

"(j) All appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a resolution with respect to the plan shall be decided without debate.

"SEC. 209. In the exercise of the authority granted by section 81 of title 2 of the Canal Zone Code, as amended, the Governor of the Canal Zone is authorized to adopt the postal field service classification and pay plan, or any part thereof, made operative pursuant to sections 9 and 10 of this act, as of the date or dates such plan, or any part thereof, becomes operative, for postal employees of the Canal Zone Government. The Postmaster General shall make available to the Governor of the Canal Zone copies of such matter relating to such plan as may be necessary to carry out the purposes of this section, including descriptions of positions and rates of compensation provided for therein."

On page 23, beginning with line 7, strike out over through line 23 on page 24, and insert the following:

On page 24, line 24, strike out "Sec. 209" and insert "Sec. 210."

On page 25, line 3, strike out "Sec. 210" and insert "Sec. 211."

On page 25, line 4, strike out "Sections 206 and 208" and insert "Section 205."

On page 25, line 6, strike out "202, 204, and 205" and insert "201, 203, and 204."

On page 25, line 9, strike out "203 and 209" and insert "202 and 210."

On page 25, line 12, strike out "207" and insert "206."

On page 25, after line 15, insert the following:

"TITLE III—POSTAL RATES

"FIRST-CLASS MAIL

"SEC. 301. (a) The rates of postage on mail matter of the first class (other than postal cards and private mailing or post cards) shall be as follows:

"(1) 4 cents for the first ounce or fraction thereof, and 3 cents for each additional ounce or fraction thereof, when mailed for delivery at any destination other than the office of mailing;

"(2) 3 cents for each ounce or fraction thereof, when mailed for local delivery at the office of mailing, except as prescribed in paragraph (3) of this subsection; and

"(3) 2 cents for each ounce or fraction thereof, when mailed for local delivery at post offices where free delivery by carrier is not established and when the matter is not collected or delivered by rural or star route carriers.

"(b) In the case of first-class matter mailed without prepayment of any postage or without prepayment of the full amount of postage due, the Postmaster General is authorized to prescribe by regulation the conditions under which such matter shall be delivered to the addressee or returned to the sender. The conditions so prescribed shall be stated in such manner as to permit delivery of such mail to the addressee whenever it is practicable to do so consistent with the collection of the charges prescribed in accordance with subsection (c) of this section.

"(c) The Postmaster General is authorized to prescribe by regulation from time to time the charges to be collected on delivery in the case of any matter of the first class mailed without prepayment of any postage or without prepayment of the full amount of postage due. In determining such charges, the Postmaster General shall take into consideration the postage actually due, and, to the extent practicable, the additional expense incurred by reason of the failure to pay the applicable postage and the desirability of minimizing the incidence of such mailings.

"(d) Regulations issued by the Postmaster General under subsections (b) and (c) shall, to the extent prescribed therein, supersede existing laws, regulations, and orders governing the subject matter covered thereby.

"(e) Section 12 (a) of the act of October 30, 1951 (39 U. S. C., sec. 246f (a)), is amended by inserting before the period at the end thereof a semicolon and the following:

"'(9) for returning undeliverable letters and parcels of the first class from the dead-letter office to the senders.'

"SECOND-CLASS MAIL

"SEC. 302. (a) Section 2 (a) of the Act of October 30, 1951 (39 U. S. C., sec. 289a), is amended by striking out the word 'and' immediately following 'April 1, 1953' and by inserting before the colon immediately following 'April 1, 1954' a comma and the following: '(4) by an additional 10 per centum, based on rates now in force, beginning on April 1, 1955, (5) by an additional 10 per centum, based on rates now in force, beginning on April 1, 1956, and (6) by an additional 10 per centum, based on rates now in force, beginning on April 1, 1957'. The term 'rates now in force', as used in the amendments made by this subsection to section 2 (a) of such Act of October 30, 1951, means the rates in force immediately prior to April 1, 1952.

"(b) The rates increased by subsection (a) of this section shall be subject to a minimum charge of one-fourth of 1 cent computed on each individually addressed copy or package of unaddressed copies.

"(c) The rates of postage on copies of publications having second-class entry mailed by others than the publishers or authorized news agents, sample copies mailed by the publishers in excess of the 10 per centum allowance entitled to be sent at the pound rates, and copies mailed by the publishers to persons who may not be included in the required legitimate list of subscribers, shall be, in the case of publications weighing 8 ounces or less, the applicable rates now or hereafter prescribed by law on third-class matter, and, in the case of publications weighing in excess of 8 ounces, the applicable rates now or hereafter prescribed or authorized by law on fourth-class matter.

"THIRD-CLASS MAIL

"SEC. 303. (a) The rates of postage on third-class matter shall be 3 cents for the first two ounces or fraction thereof, and 1½ cents for each additional ounce or fraction thereof up to and including 8 ounces in weight, except that on matter mailed by religious, educational, scientific, philanthropic, agricultural, labor, veterans', or fraternal organizations or associations, not organized for profit and none of the net income of which inures to the benefit of any private

stockholder or individual, the rates shall be as follows:

"(1) 1½ cents for each 2 ounces or fraction thereof on books and catalogs of twenty-four pages or more, seeds, cuttings, bulbs, roots, scions, and plants not exceeding 8 ounces in weight; and

"(2) 2 cents for the first 2 ounces or fraction thereof, and 1 cent for each additional ounce or fraction thereof, on all other third-class matter.

"(b) Upon payment of a fee of $50 for each calendar year or of $15 for each quarter of a calendar year and under such regulations as the Postmaster General may prescribe for the collection of postage and for facilitating the handling of such matter in the mails, separately addressed identical pieces of third-class matter in quantities of not less than twenty pounds, or of not less than two hundred pieces, may be mailed at pound rates of postage applicable to the entire bulk mailed at one time. The rate of postage on third-class matter mailed in bulk under this subsection shall be 16 cents for each pound or fraction thereof with a minimum charge per piece of 1½ cents, except that in the case of books and catalogs of twenty-four pages or more, seeds, cuttings, bulbs, roots, scions, and plants the rate shall be 10 cents for each pound or fraction thereof with a minimum charge per piece of 1½ cents. The rate of postage on third-class matter mailed in bulk under this subsection but without individual addresses for delivery under regulations prescribed by the Postmaster General shall be subject to a minimum charge per piece of 2 cents. The rates of postage prescribed by this subsection shall not apply with respect to matter mailed by religious, educational, scientific, philanthropic, agricultural, labor, veterans', or fraternal organizations or associations, not organized for profit and none of the net income of which inures to the benefit of any private stockholder or individual, and the existing rates of postage shall continue to apply with respect to such matter.

"(c) Pieces or packages of third-class mail of such size or form as to prevent ready facing and tying in bundles and requiring individual distributing throughout shall be subject to a minimum charge of 5 cents each.

"CONTROLLED CIRCULATION PUBLICATIONS

"SEC. 304. The rate of postage on the publications defined in section 203 of the act of July 3, 1948 (39 U. S. C., sec. 291b), when mailed by the publisher and regardless of the weight of individual copies, shall be 11 cents for each pound or fraction thereof, computed on the entire bulk mailed at one time, but not less than 1½ cents per piece, which rate shall remain in effect until otherwise provided by Congress: *Provided*, That the rate of postage on copies of such publications when mailed by other than the publishers, or when forwarded to the addressee or returned to the sender, shall be 3 cents for the first 2 ounces and 1½ cents for each additional ounce.

"DOMESTIC AIRMAIL

"SEC. 305. The rate of postage on domestic airmail as defined in section 2 of the act of August 14, 1946 (39 U. S. C., sec. 462a), weighing 8 ounces or less (except postal cards and private mailing or postcards) shall be 7 cents for each ounce or fraction thereof.

"DETERMINATION OF CLASS OF POST OFFICE AND COMPENSATION OF POSTMASTER AND CERTAIN EMPLOYEES

"SEC. 306. (a) On and after January 1, 1955, 85 percent of the gross postal receipts of all classes of post offices shall be counted for the purpose of determining the class of the post office or the compensation or allowances of postmasters or other employees whose compensation or allowances are based on the annual receipts of such offices. Nothing contained in this subsection shall operate to decrease the compensation or allowances in effect on the effective date of this subsection for postmasters and other employees in the postal field service on such date whose compensation or allowances are based upon the annual receipts of such offices.

"(b) In the case of the post office at Washington, District of Columbia, the Postmaster General may, in his discretion, add to the gross receipts of such office counted for the purposes of subsection (a) of this section not to exceed 75 percent of such gross receipts.

"(c) Notwithstanding any other provision of law, the salaries of postmasters at fourth-class post offices, as fixed by law, shall be deemed and taken to be full compensation for the clerical labor in the issuance of money orders at such offices.

"REPEAL OF EXISTING PROVISIONS OF LAW

"SEC. 307. (a) The following provisions of law are hereby repealed:

"(1) Section 202 (a) (4) of the act of February 28, 1925, as amended by section 4 of the act of May 29, 1928 (39 U. S. C., sec. 283);

"(2) Section 204 of the act of February 28, 1925 (39 U. S. C., sec. 288);

"(3) Section 2 (d) of the act of October 30, 1951 (39 U. S. C., sec. 289a (d)).

"(b) All laws or parts of laws inconsistent with this act are hereby repealed or modified to the extent of such inconsistency.

"APPLICATION TO GUAM

"SEC. 308. This title shall have the same force and effect within Guam as within other possesions of the United States.

"EFFECTIVE DATES

"SEC. 309. This title shall take effect on January 1, 1955, except that section 302 (a) and (b) shall take effect on April 1, 1955."

Mr. KNOWLAND. Mr. President, as the Senate knows, the House of Representatives, through the means of a discharge petition, sent to the Senate a pay-raise bill for postal employees alone which amounted to a 7-percent increase for those employees. This action was taken despite the clear indication that the President would not sign any pay-raise legislation unless legislation was also enacted to provide for the increased revenues to the Government to pay for such increases.

The Senate Committee on Post Office and Civil Service has reported a general pay-raise bill to the Senate, H. R. 7774, which provides for a 5-percent pay increase for all classified and postal workers as well as for legislative and judicial employees. This bill while in line with administration policy as to percentage of pay increase for postal employees does not provide for any Government revenues and, therefore, does not meet with the specifications that would assure the President's approval.

Without taking the time of the Senate to explain all of the amendments I am submitting to H. R. 7774, I want to say in general that the amendments provide for a 5 percent average increase for postal employees, and a 3½ percent average increase for classified, legislative, and judicial employees. In addition, the amendments provide for a job reclassification for postal and classified employees. The amendments also provide for postal rate increases in first-, second-, and third-class mail.

If these amendments are adopted by the Senate I intend to ask unanimous consent to have the bill reprinted with the amendments attached so they would be available for study tomorrow.

I wish to assure the Senate that if the amendments are agreed to the bill will be called up on motion sometime either tonight or tomorrow. For the bill to become law amendments are needed which would provide for revenues offsetting the expenditures.

I ask unanimous consent to have printed in the RECORD, data pertaining to postal salaries and rates.

There being no objection, the data were ordered to be printed in the RECORD, as follows:

Postage rate on letters is the same as it was in 1932—22 years ago.

In the meantime there have been five general wage increases and another is under consideration.

All postal costs have gone up 100 percent.

If the letter rate was fair in 1932, it is obviously too low now.

Postal cards were increased from 1 cent to 2 cents in 1952.

In 1951 the Senate (S. 1046) approved an increase from 3 cents to 4 cents on the 1st ounce of 1st-class mail. This was later amended in conference.

First-class mail is the premium postal service and because of its preferential treatment has always paid more than its out-of-pocket cost.

In 1945 this margin of revenue was over 60 percent. Now it's down to less than 10 percent.

There is an actual loss in the handling of the first ounce of non-local first-class mail. The margin of revenue is provided by local mail and extra postage on heavier letters.

An increase of 1 cent on first ounce only of nonlocal first-class mail will produce $159 million of additional revenue.

AIR MAIL

Increase from 6 cents to 7 cents an ounce to preserve relationship to ordinary letters.

Increase will produce $15.6 million of additional revenue.

SECOND-CLASS MAIL

Loses $247 million a year.

Pays only 22 percent of its cost.

Does not pay the cost of transportation alone.

Second-class rates are only about 3 percent higher than in 1932.

Increases since 1951 only restored decreases made in 1934.

Proposed increase will produce only $13 million a year.

This will recover only about 5 percent of the present loss.

After this increase second-class mail will still be losing over $233 million a year.

THIRD-CLASS MAIL

This is business mail.

Consists mostly of advertising circulars and small merchandise.

It is losing over $162 million a year.

It pays only 58 percent of its cost.

There is no reason why the taxpayer should pay private advertising and business expense.

The proposed increase will produce $44 million additional revenue.

After this increase third-class mail will still be losing $118 million.

Mr. GORE. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. GORE. Will the Senator give a further explanation of his phrase "if we may have amendments in the bill"? Does the Senator mean that the committee must act again?

Mr. KNOWLAND. No. I recognize from the practical point of view that this is a rather complex subject, and there may be Senators who are on perfectly sound ground in not wanting to

adopt under the unanimous-consent procedure, amendments which are fairly complex.

What I have in mind is that in view of the fact we are getting close to the end of the session, I believe there is a desire on the part of the Senate and of the Congress to have a postal pay increase. I am sure that the administration would like to see a postal pay increase provided there could be offsetting revenue to take care of the increased expense.

There was some objection, as I understand—and I can fully understand it—on the part of some of the postal organizations, to the original plan proposed by the Postmaster General for a classification arrangement by which he would have the final and, we might say, the exclusive authority.

In the Rees bill, I believe it was, in the House, that was changed and it was provided that such classification arrangement would have to come back to the two Houses of Congress, and one or the other House by majority vote would have to approve any such classification. So the Congress would be given control over that situation in case they felt any inequity was being done.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. SMATHERS. Is section 207 of the Senator's amendment what is commonly known as the Summerfield reclassification?

Mr. KNOWLAND. No. As I understand, that is the original reclassification plan of Mr. Summerfield, except as changed and modified by the House committee, I believe under the chairmanship of Mr. REES of Kansas and other Members of the House who felt that the Congress itself should have a voice in the matter and, we might say, almost a veto over what was done.

Mr. SMATHERS. As I understand, it is the same proposal as originally submitted by the Postmaster General, with the exception that there are two clauses which require final approval by the House and the Senate.

Mr. KNOWLAND. I should say that is correct, but the distinguished Senator from Kansas [Mr. CARLSON], and I am sure the distinguished ranking minority member of the Committee on Post Office and Civil Service, the Senator from South Carolina [Mr. JOHNSTON], who have lived with this problem for many years, would be able to throw more light on the subject than the majority leader.

I have stated the general objective of the amendments which I have offered.

Mr. CARLSON. Mr. President, as I understand the situation at the present time, the distinguished majority leader has now submitted some amendments, to be reprinted as a part of the original bill which our committee introduced, providing a pay increase for postal and classified workers. No action will be taken at this time, but the majority leader has assured us he plans to take up the bill later today or tomorrow. Is that correct?

Mr. KNOWLAND. That is correct, the bill when it comes back from the printer, so every Member may see how the amendments fit into the postal pay and the classified pay bill which was reported.

Mr. CARLSON. Mr. President, under those circumstances, I do not see any reason for discussing the amendments at this time, because we shall take them up as we come to them when the matter is before the Senate.

Mr. MONRONEY. Mr. President, will the distinguished majority leader yield to me for a question?

Mr. KNOWLAND. I yield.

Mr. MONRONEY. If I correctly understood, as I attempted to follow the distinguished majority leader, if the procedure which he is now advocating is permitted, the bill (H. R. 7774) will not come to the Senate as it was reported unanimously by the Post Office and Civil Service Committee; is that correct?

Mr. KNOWLAND. The Senator is correct.

Mr. MONRONEY. If I follow the distinguished majority leader, we shall then be asked to vote not on the bill as reported to the Senate, but on a bill which has been modified by unanimous consent on the consent calendar, to incorporate the so-called Knowland amendments, which not only change the pay scale for some nearly 2 million civil service workers who were given a 5 percent increase in the bill reported by the Senate committee, but which give the $10,000 civil service workers an 8 percent increase amounting to $800, give the 2 lowest grades, which are most in need of this cost-of-living increase, absolutely no increase, and give grade 3 only a 1.7 percent increase, or $50 a year, and GS–4 an increase of only 3.2 percent. But the 8 percent goes to the $10,000 workers and gives them a $800 increase in pay.

Now we are being asked, as I understand the proposed procedure, to completely revise, completely reverse, and completely tear up, with the possible exception of the 5 percent given to the 600,000 postal workers, the 5 percent increase the Senate has voted. As I understand, we are also being asked to accept an amendment which violates the traditional, historic, and emphatic position of the House of Representatives and of the House Committee on Post Office and Civil Service, namely, that all revenue-raising bills must originate in the House of Representatives, and, in the case of revenue-raising bills which relate to postal revenues, in the House Committee on Post Office and Civil Service. That is because of the prerogative of the House, under the Constitution, to originate all revenue-raising legislation.

During the years in which I was privileged to serve in the House of Representatives and on the Committee on Post Office and Civil Service, the House refused even to sit in conference with the Senate to consider any postal-rate-increase measures which had not originated in the House of Representatives. That objection was made on the basis that in such case the Senate would have presumed to arrogate to itself the prerogative of the House to originate all revenue-raising measures.

Consequently, the proposed amendment of the distinguished majority leader, no matter how well intentioned it may be, would reverse, in my opinion, the time-honored and respected prerogative of the House of Representatives and its Committee on Post Office and Civil Service.

In the Senate committee we took testimony from numerous witnesses; we have had the bill before us since the first of last year. In view of the fact that we recognized we had no jurisdiction over revenue-raising provisions unless they originated in the House of Representatives, we took no action on such phases of the bill.

After the hearings we reported a bill; and that bill, with the exception of the provision in regard to the 600,000 postal workers, is as different as day is from night from the——

The PRESIDING OFFICER. The Chair must apologize for interrupting, but the Chair must call attention to the fact that the Senate is now considering the Consent Calendar. The Chair suggests that if this colloquy is to continue, unanimous consent be obtained for that purpose.

Mr. KNOWLAND. Mr. President, I do not wish to trespass too much on the Consent Calendar. However, I ask unanimous consent that 20 minutes be allowed for discussion of the amendments. In that way, I think we can at least clear up some of the points.

The PRESIDING OFFICER. Is there objection?

Mr. GORE. Mr. President, reserving the right to object, let me say that the Consent Calendar procedure is a very special one. I also recognize that the present situation is not only a very special one, but an extraordinary one.

I shall not object; but it would appear to be the more orderly procedure if the bill were to be called up in the regular way and the amendments were then to be offered. At that time each Member of the Senate who addressed the Chair could be recognized, whereas under the rule, during the call of the Consent Calendar, each Senator is entitled to only 5 minutes on any measure on the calendar.

However, if at this time we give unanimous consent for one Senator to have 20 minutes, shall we grant unanimous consent for another Senator to have 20 minutes, and then for another Senator to have 20 minutes, and perhaps for another Senator to have 1 hour; or will all other Senators be limited to 5 minutes?

I shall not object; but——

Mr. KNOWLAND. Mr. President, I withdraw my request.

The PRESIDING OFFICER. The request of the Senator from California is withdrawn.

Mr. THYE. Mr. President, before the request is withdrawn, I wish to say that, while we are faced with some very complex amendments, we should dispose of this question before the Senate adjourns. I think the majority leader's request was an intelligent and wise one, for the reason that in 20 minutes there could be placed before this body some of the fundamentals in connection with the bill, and thereafter, during the remainder of the calendar, we would have an opportunity to study them. After the calendar call, we could resume consideration of the bill, under a motion to take it up. In that way I believe we would approach

the bill in a manner by means of which we would understand what we were doing.

I did not understand the relief amendments at the moment they were explained; I did not even understand what we were faced with.

Mr. HENDRICKSON. Mr. President, I share the view of the distinguished Senator from Tennessee [Mr. GORE]. When we are on the Consent Calendar, I think we should continue with it, and hold to its ground rules.

So I would object to such a unanimous-consent request, during the call of the calendar.

The PRESIDING OFFICER. Objection is heard.

Is it desired to have the bill placed at the foot of the calendar?

Mr. HENDRICKSON. Yes, Mr. President; I ask unanimous consent that the bill be placed at the foot of the calendar.

The PRESIDING OFFICER. Is there objection?

Mr. MORSE. Mr. President, will the Senator from New Jersey withhold his request, until I can propound a parliamentary inquiry?

Mr. HENDRICKSON. I withhold my request, Mr. President.

The PRESIDING OFFICER. The Senator from New Jersey has withheld his request.

Mr. MORSE. Then, Mr. President, I wish to propound a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Oregon will state it.

Mr. MORSE. I understand that the majority leader intends to bring up the bill by motion, anyway, and that he desires to have the amendments sent to the desk and printed.

Is there any reason why the majority leader could not, while the bill is still on the unanimous-consent calendar, send the amendments to the desk and request that they be printed, so that they will be available to the Senate at the time when the Senator from California moves to have the Senate consider the bill?

Mr. KNOWLAND. Mr. President, if the Senator from Oregon will yield to me at this point, let me say that the amendments themselves have been printed. They are identified by the letter "I," and are marked "Amendments intended to be proposed by Mr. KNOWLAND to the bill (H. R. 7774)." So the amendments have been printed and are available to all Senators.

What I had in mind is not an unusual procedure during the call of the Consent Calendar. It is done in regard to bills which some Senators might consider to be lesser measures, and I am frank to admit that perhaps they are of lesser importance.

When the distinguished Senator from Oregon endeavors to have the so-called Morse formula included as a part of a bill, that is the procedure which customarily is followed; and when the Senator from Nevada [Mr. MCCARRAN] rises to object because of the inclusion in certain bills of provisions calling for the payment of attorneys' fees, and states that he will object unless that provision is stricken from the bills, unanimous consent is frequently given to permit an explanation to be made during the calendar call.

From a practical point of view, although of course the House could pass the postal pay bill, I believe—and I say this in all frankness—that unless revenues are provided for in that connection, such a bill would not be signed into law.

I have been endeavoring to ascertain—and in that connection I have consulted insofar as I could—whether a formula could be devised, so that at this session of Congress the postal pay bill could be acted upon in such a way that pay increases would be provided, but at the same time there would be provision for offsetting revenues, so that the President would feel justified in signing the bill into law. I take that position, even though the bill may not provide for all the postal workers or employees may wish to have provided for them.

Mr. PASTORE. Mr. President, will the Senator from California yield to me?

The PRESIDING OFFICER. The Senator from Oregon has the floor.

Mr. MORSE. Mr. President, I have yielded the floor.

The PRESIDING OFFICER. Then the question is whether there is objection to the unanimous-consent request of the Senator from California.

The Chair understood objection to be made by the Senator from New Jersey [Mr. HENDRICKSON].

Mr. PASTORE. Mr. President, will the majority leader yield to me for a question?

The PRESIDING OFFICER. The time of the majority leader has expired.

Mr. KNOWLAND. Then I will yield for a question in the time of the Senator from Rhode Island, if that is permissible.

Mr. PASTORE. Mr. President, my point is——

The PRESIDING OFFICER. Senators will please resume their seats until the Chair can ascertain which Senator has the floor.

Mr. PASTORE. Mr. President——

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. PASTORE. I am trying to determine whether it is the intention of the majority leader that unless the Senate accepts his amendment by unanimous consent, he does not propose to have the bill considered during the call of the Consent Calendar. Am I correct as to that?

Mr. KNOWLAND. No; I do not say that. But I say we have a number of bills, many of them of substantial importance, in which many Senators have expressed an interest. How many of the bills can be scheduled for consideration by the Senate after we have concluded action on the last of the conference reports, will depend to some extent at least on the amount of time and debate which will be involved, and on whether in the judgment of the Senate and the judgment of the policy committee, it will be possible to have such bills enacted into law, instead of merely being passed as more or less an empty gesture.

I believed that if we could amend the bill, so that sufficient revenues would be provided, so as to assure that the postal pay bill would be signed into law, then, instead of merely taking up a considerable amount of time, we might be able to pass the bill and thus provide for a postal-pay increase.

Mr. PASTORE. Does that not put us in such a position that unless we vote on this as a package deal, accepting the amendments of the Senator from California to the bill which was reported by the Senate committee, we shall either have them both or none at all?

Mr. KNOWLAND. I do not think that would be the situation at all. I have tried to be helpful, despite the fact that I know my efforts could be misconstrued and subjected to considerable objection. I am willing to take that responsibility.

The Senator knows, in the first place, that on the call of the calendar any Senator may object either to amendments being adopted or to the bill being taken up. That is the customary procedure.

The Senator also knows that the Senate itself has control over its own destiny. Any Senator may move to take up any particular bill, if he determines so to do, and he may succeed or may not succeed in having that done. Even assuming it were done, and the bill were passed and the amendments were not adopted in the normal way we adopt them, after considerable debate, there is merit to having revenue, in the situation which now confronts the Government of the United States. I am merely saying that I believe that under those circumstances if a bill went to the President without providing revenue, when we recently made a temporary increase in the national debt ceiling, we would not have a postal bill enacted into law.

Mr. JOHNSTON of South Carolina. Mr. President——

The PRESIDING OFFICER. The Senator from Rhode Island has the floor.

Mr. PASTORE. Is the Senator aware of the fact that we have had no hearings in our committee on the postal increase?

Mr. KNOWLAND. Let me say to the Senator——

Mr. PASTORE. We have had hearings on the pay increase.

Mr. KNOWLAND. I am aware of that fact.

Mr. PASTORE. We had an understanding that we would not deal with this question until we had extensive hearings; and we have not had them.

Mr. KNOWLAND. I am aware of that fact; and I am also aware of the fact that from time to time on very important pieces of legislation, including tax bills, appropriation bills, and other bills, matters of considerable importance are presented as amendments by Senators on the floor; because, in the final analysis, while we give and should give great weight to thc judgment of our committees, we also have individual responsibility, as 96 Members of the Senate of the United States. So the procedure in that regard is not unusual. I am not misleading the Senate. I am quite aware of the fact that so far as the Senate is concerned, we have not had hearings on the rate increase.

Mr. THYE. Mr. President, will the Senator yield?

Mr. PASTORE. I wish to say only one thing in conclusion to the distinguished majority leader. If we follow the usual order it strikes me it would not take very long to vote on the amendment proposed by the distinguished majority leader. If that amendment should carry, it would become a part of the bill and we could vote on the bill as amended. If it should not carry, we could vote on H. R. 7774 in the form in which it was reported by the Senate committee. That strikes me as being a simple procedure which would not take very long, especially in view of the fact that yesterday we passed 5 or 6 very important bills in a period of 5 or 6 hours.

Mr. THYE. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. THYE. I think what the Senator from Rhode Island has stated is most sound, and he approaches this problem in a manner I can follow. I personally feel that the postal employees and the Federal employees, especially those in the low-income category are faced with extreme hardship. A salary increase bill must be and should be passed before Congress adjourns. If the bill also involves postal rate increases, that is a highly controversial question. Hearings have not been held.

The PRESIDING OFFICER. The time of the Senator from Rhode Island has expired. Does the Senator from Minnesota desire to be recognized? He may be recognized on his own time.

Mr. THYE. Mr. President, may I be recognized on my own time.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. THYE. Mr. President, we should enact legislation which would increase the salaries of postal workers and other Federal workers. More especially am I concerned about workers in the low-income brackets. They are faced with a hardship. Therefore, I am anxious that we approve this salary increase bill.

The majority leader has submitted amendments to H. R. 7774. We can take those amendments up in an orderly way, reject them or accept them, and then proceed. If the so-called substitute bill is not acceptable to us as a body, we can make our wishes known.

I have as much responsibility to my constituents to act upon the committee bill before us as anyone in this legislative body, aside from the committee members and the chairman of the Post Office and Civil Service Committee, who are charged with that responsibility.

Mr. HENDRICKSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from New Jersey?

Mr. THYE. Mr. President, if this is to be charged to my time, I shall not yield.

The PRESIDING OFFICER. The Chair reminds the Senator that he is really speaking on the time of the Senator from New Jersey, because the Senator from New Jersey has been withholding objections to further consideration of the bill, and the Chair understands that the Senator from New Jersey desires to speak.

Mr. HENDRICKSON. Mr. President, it is quite clear from all this discussion that the bill is not a subject to be considered on the calendar call. Therefore, I ask for the regular order.

Mr. JOHNSTON of South Carolina. Will the Senator withhold his request?

Mr. HENDRICKSON. I shall not. I shall attempt to have the calendar call finished this afternoon, and then we can have all the discussion we wish as to this bill.

The PRESIDING OFFICER. Does the Senator object to further consideration at this time?

Mr. HENDRICKSON. I do.

The PRESIDING OFFICER. The bill will be passed over.

Mr. JOHNSTON of South Carolina subsequently said: Speaking with respect to the amendment which has been offered, I wish to call to the attention of the Senate how far-reaching it is.

First, let us consider the GS–1 grade. The salary is $2,500 now.

Mr. HENDRICKSON. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield to no one.

Those employees receive no increase.

The GS–2 grade has a salary of $2,750, which remains $2,750. They are given no increase.

The GS–3 grade has a salary of $2,950. That is raised to $3,000. They are given a $50 increase.

The GS–4 grade has a salary of $3,175. They are raised $75, to $3,250.

Then let us see what else is in this bill. When we get to the higher brackets, after we reach the GS–15 grade, they are all raised $800, without any hearing by the committee.

There is another thing in this bill we are going to find—we have a rate increase. I should like to call the attention of the Senate to the fact that we have never had an increase to my knowledge—and I have looked up the record—in postal rates passed by the Senate, unless we had as much as 30 days held open for the people who would be affected thereby to come in. Let us see what we are doing here. We would increase the rates on first-class mail from 3 to 4 cents. However, certain businesses within a city would not have their rate increased; their first-class rate would remain 3 cents.

Then we come to second-class mail, and we would increase that rate. That rate affects all newspapers and magazines. Some of those newspapers, if they were thus penalized, would be put out of business. The third-class rate would be increased, too. Third-class mail consists of packages. Those rates would all be increased without any hearings at all.

The amendment would do something else. It would give the Postmaster General the right to make reclassification plans. He makes his plans, and he says, "These people are to be paid this much, and those people are to be paid that much." His reclassification plans are then sent to Congress. His plans become law unless either House of Congress rejects his plans. We have rejected some plans that have been sent to Congress. There are also some other plans in the reclassification field.

The floor of the Senate is no place to pass on such an amendment. I, for one, have experienced a great many headaches, so to speak, from sitting in hearings day in and day out, trying to work out this problem. Yet we find an amendment on the floor of the Senate which would make all these changes without the amendment first being considered by the committee. I say on behalf of the chairman of this committee that it is not right to proceed in this way without consulting the chairman or the other members of the committee, particularly after we had already reported a bill which we thought was right and just under the circumstances.

If we proceed in this manner we might as well do away with our committees. We might as well do away with the Committee on Post Office and Civil Service if we legislate in this manner. I for one would be in favor of doing away with that committee if we are to legislate like this. I do not know who prepared this amendment, but I can imagine where it came from. I know exactly where it came from.

Mr. HUMPHREY subsequently said: Mr. President, with reference to the amendment offered by the distinguished majority leader on H. R. 7774, I believe we had better face the fact that Congress has done very little for Federal employees, with the exception of the one bill known as the fringe-benefits bill. We must be aware of the fact that the amendment which has been offered by the distinguished majority leader—and I agree with him that such an amendment is in order and can be presented at any time—with reference to first-class mail will cost the American people $150 million, which is exactly 50 percent of all the tax savings in the tax bill as they apply to people who earn $5,000 a year or less.

The total amount of savings to all American taxpayers, exclusive of all corporations including every conceivable special treatment that we gave in the tax bill for people who earn $5,000 a year or less, representing 80 percent of the taxpayers of this Nation, was less than $300 million.

Now it is proposed in 1 amendment, by 1 rate increase, to increase the cost—and a postage stamp represents a kind of tax—by $150 million.

That rate increase may be necessary. However, I think the facts ought to be made crystal clear. I served for 2 years on the Committee on Post Office and Civil Service, I served on that committee with the Senator from Louisiana [Mr. LONG] and other Senators, including the Senator from West Virginia [Mr. NEELY]. We held hearings for months on the subject of rate increases. We passed a rate increase bill. We brought one to the Senate. The only part of the Postal Service that makes a profit aside from special services, such as c. o. d. and registered mail, is the first-class mail service.

I think the facts will reveal that the Government receives something like $50 million a year net profit for first-class

mail. Yet, there is a proposal to increase those rates by 33⅓ percent.

When we come to the mail which involves the general distribution of pamphlets and advertising matter, there is very little increase. When we come to second-class mail, a very small increase is proposed. Whatever may be the merits of the increase, it seems to me it is rather technical; it involves business costs, and very careful planning with newspaper publishers and magazine publishers; and there are problems of subscription rates as related to postal charges. We should not proceed without having an opportunity to debate the amendment.

I thought the Senator from Rhode Island was eminently correct when he said we should proceed by way of offering such amendments as are necessary, debate them, and vote them up or down. But let us not penalize our Federal employees on the basis of a decision which has been made to try to tie to a Federal-employee bill a rate-increase bill. It would establish a most unusual precedent. Every person in America who pays an extra postage rate will say, "We have to pay this rate because the postal employees wanted some more money", when the fact is that they are entitled to an increase. The civil service employees and the classified employees, are entitled to a fair and reasonable increase in salary. The Government of the United States is a very difficult disciplinarian when it comes to private industry. We require private industry to live by the Fair Labor Standards Act, pay time and a half for overtime, 40 hours a week, double time, and so forth. We impose upon private industry many disciplinary actions if they fail to meet those standards; but when we come to the Government itself, its own employees, it sets a very poor example of fair labor standards.

We have done a great deal for others. We increased depletion allowances for people engaged in mining and in the oil business. We have passed a tax bill which gives corporations what we call accelerated depreciation and fast write-offs. We should do something for people who are appealing to the Congress for a little sample of equity.

I hope we shall bring the bill up and pass it. I am unalterably opposed to trying to tie a rate bill to a salary bill.

EXTENSION OF CERTAIN PATENTS

The bill (H. R. 3534) to authorize the extension of patents covering inventions whose practice was prevented or curtailed during certain emergency periods, was announced as next in order.

Mr. GORE. Over.

Mr. HENDRICKSON. Mr. President, will the Senator withhold the objection?

Mr. GORE. I withhold the objection.

Mr. HENDRICKSON. At the last call of the calendar I raised objection to this bill. Since that time I have had an opportunity to contact some of the agencies. I find, for example, that the Department of Commerce has removed any objection it had to the bill. The Bureau of the Budget still has reservations, but I do not think they are well taken; nor do I think any of the other objections are well taken.

I wish to remove from the RECORD, at least, my objection to the bill.

Mr. GORE. Mr. President, will the Senator yield?

Mr. HENDRICKSON. I yield to the Senator from Tennessee.

Mr. GORE. Is it not a fact that this bill, if passed, would give new life to certain patent rights which, under the statute of limitations, have expired?

Mr. HENDRICKSON. That is possible.

Mr. GORE. Does not the able Senator construe that as possibly a dangerous precedent?

Mr. HENDRICKSON. I would say that it would not be, on the basis of the restrictions contained in the bill. That is only the opinion of the junior Senator from New Jersey.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. GORE. Mr. President, I ask that the bill go over.

Mr. THYE. Mr. President, will the Senator withhold his objection?

Mr. GORE. I withhold my objection.

Mr. THYE. I have had a great deal of interest in this bill, because it was called to my attention earlier in the session. We are doing an injustice if we do not give consideration to this proposal.

On page 2 of the report there appears an explanation of why it is urgent that we give consideration to the bill. If I may have the indulgence of the Senate for a moment, I should like to read from the report:

To justify legislation for the extension of the terms of patents on the ground that national emergencies such as World War II and the Korean conflict resulted in the substantial loss of opportunities for the exploitation of such patents, the fundamental distinction must be recognized between the loss of such opportunities for patent exploitation and the numerous kinds of other economic losses suffered by various classes of citizens as a result of such emergencies. The measures taken by the Government in the interest of national defense necessarily caused indirect losses of varying degrees on numerous groups of citizens, creating situations for which there can be no compensation or other remedy provided by Federal legislation.

That is why I hope the legislation will be given fair consideration and that it will be enacted, because we are working a hardship on certain groups. I thank the Senator.

Mr. HENDRICKSON. Mr. President, the Senator from Illinois [Mr. DIRKSON] desired to be heard on this matter. However, he is unable to be present at this time, and he has asked that a statement prepared by him be printed in the RECORD at this point. I make the unanimous-consent request.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR DIRKSEN

This bill provides for a correction of reductions in the limited 17-year terms of patents heretofore issued and outstanding which reductions were caused by actions of Government agencies during specific periods of national emergencies or by service of the patent owner in the Armed Forces.

Fundamentally the enactment of this legislation affords us the opportunity to restore to the inventor and patent holder the rights granted to him under our laws by issuance of the patent in the original instance. In fact, I go so far as to say that it is the consensus of your Committee on the Judiciary after careful deliberation, that the Government is at least morally bound to grant extensions of terms of patents under the conditions specified in this bill.

Essentially the rights granted to an inventor by the issuance of a patent under our laws are analogous to those which arise out of the simple contract principle. In consideration for public disclosure and for an agreement of dedication of his invention to the public welfare, the Government of the United States solemnly undertakes to secure the inventor in the exclusive rights to the use and exploitation of his invention for a full period of 17 years. That is the inducement which has been held out to inventors by the Government under the law and upon which inventors have relied and which has encouraged our creative minds to produce and dedicate to the Nation the technological advancements which have made our country great.

I feel sure you will agree that the intent of the law was not to issue grants with 2 or 3 or even 4 years taken out. It was a grant for a full net 17 years and if the Government deemed it necessary during periods of public emergencies to suspend these rights, we in equity and justice have the obligation to restore that part of the 17-year period of any patent where Government action prevented or substantially curtailed the use and development of the patent possibilities.

Inherent in the rights to the exclusive use of a patented invention for the full period of 17 years are the characteristics of the right of private property. When the Government expropriates private property for public use it is required by the Constitution to pay just compensation therefor. It is refreshing to note that the restitution called for in this bill will require no outlay of public funds but merely repayment in kind—it gives back to the patent holder only an equal number of months or years as were taken out of the 17 years originally promised to him.

Under the provisions of this bill three classes of applicants are covered:

1. Patent holders whose patent rights were substantially affected by reason of honorable service on active duty in the Armed Forces.

2. Patent holders whose rights were substantially affected by orders of Government agencies.

3. Patent holders who granted a royalty free or a nominal royalty license to the Government or its assigns in the interests of national defense.

Each applicant for extension in these classifications must prove to the satisfaction of the Patent Office prevention or substantial curtailment of the normal use, exploitation, promotion, or development of his patent within the emergency periods set forth.

The fee provisions were carefully designed to preclude any requirement for additional funds for administrative processing by the agency and full provision has been made for the protection of intervening rights.

The veteran provisions are but an extension of Public Law 598 for the purpose of covering the Korean emergency period.

The Patent Office, which under this bill has responsibility for administration, has already had successful experience in administering such extensions under Public Law 598.

No confusion need result as to the actual term of any patent granted an extension for it would be administratively simple to stamp the extension termination date on the face of the patent for public inspection.

Patent legislation has long been overdue in this country. All major countries, with

the exception of Russia, have passed and now have in force similar patent laws.

The passage of this bill will forestall the introduction of an increasing number of private bills to take care of individual cases of injury.

The need for a patent extension law of general applicability to place the burden of handling such cases where it properly belongs, in the Patent Office, instead of in the Congress, which is not equipped to handle either the technical details or the workload of these applications, has been so keenly recognized that several bills were introduced in the House of Representatives and bills by the late Senator Tobey, Senator Dirksen, Senator Beall, Senator Capehart, and Senator Dworshak were introduced in the Senate this session.

H. R. 3534 as now presented encompasses the best features of all these bills and covers all phases of the subject matter.

This bill has had the studied consideration and unanimous approval of the House Judiciary Committee, the Members of the House of Representatives, and of the Committee on the Judiciary.

Full and adequate hearings were held by the House Committee on the Judiciary and to this your committee has given careful consideration.

In behalf of my colleagues who have introduced patent extension bills and of the committee, I ask adoption by unanimous consent of H. R. 3534.

Mr. GORE. Mr. President, a number of Senators have spoken to me about the desirability of passing H. R. 3534, Calendar No. 2284. It is with reluctance that I interpose an objection. I hold this to be very unsound legislation. A great deal has been said regarding the hardship on veterans. However, an examination of the report will show that patents which have now expired or which may expire in the future would be extended on 2 or 3 other grounds, having no relation whatever to service in the Armed Forces of the United States.

I do not wish to discuss the bill at length today. But I raise serious objection to an extension of patent rights which have expired under law or which will expire in the future under law for reasons set forth in the bill. If the bill should be scheduled for action, I shall at that time discuss it at some length. For the time being I must, with regret, object.

The PRESIDING OFFICER. Objection is heard. The bill goes over.

GUBBINS & CO., OF LIMA, PERU

The bill (S. 2564) to confer jurisdiction upon the Court of Claims to hear the claims of Gubbins & Co., of Lima, Peru, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

Mr. MORSE. Mr. President, I am the one who asked that the bill go to the foot of the calendar. I wish, now, to make a very brief statement with reference to the bill.

It is a bill which was reported to the Senate by the Judiciary Committee, and in its report the committee recommended that the claim of Gubbins & Co., go to the Court of Claims to hear, determine, and render judgment thereon.

I wish to make it clear, Mr. President, that it is true that the Department of Justice has recommended against the bill, but it recommended against it on very broad general grounds, to wit, that it feels that if it has to give consideration to the claim of this particular company, there may be other companies in a like situation which may ask for similar treatment.

My answer to that is the answer of the Judiciary Committee, which will be found on page 2 of the report:

> While it is true, as is stated in the letter from the Department of Justice dated December 9, 1953, which is set forth in full below, that there may be a great number of persons and firms who are in a similar situation, the committee was of the opinion that Reynaldo Gubbins and his firm should be entitled to a day in court, both for the purpose of clearing his name and learning whether, in fact, there was any justification for the action of the Government, which was taken almost 6 months before our entry into the war.

Mr. President, I have never been impressed by the argument that we should not do justice to one person because it might involve our having to do justice to others. If an injustice is done, I do not care how many are involved, I think our Government should be big enough to see to it that justice is done.

I wish to point out that if we give jurisdiction to the Court of Claims, if there is no merit to the case the court can throw it out on the pleadings. But I am not in position to pass upon the legal requirements and the legal technicalities. That is why we have a Court of Claims. It would seem that our own Judiciary Committee, to which we must look for guidance and advice in regard to legal matters, feels that a sufficiently good case was made—I assume, a prima facie case before the committee—to justify its recommendation. I understand this bill is one of a group of bills which the Judiciary Committee considered en bloc upon the recommendation of a subcommittee. We who are working on committees know that usually subcommittees do a much more thorough bit of analysis of bills within their jurisdiction than do full committees. But be that as it may, we have the report of the Judiciary Committee, based upon an analysis by the subcommittee, which simply says, "Let us let the Court of Claims take a look at the situation."

I do not know anything about the case other than by reading the report of the Judiciary Committee, but I am in favor of supporting the Judiciary Committee and letting the Court of Claims throw this case out if it decides it has no merit. It may throw it out at the very beginning, after it has passed on the pleadings. But if, in fact, Mr. President, this is a case which has merit, I think we are doing an injustice in not letting the Court of Claims pass upon it simply because there may be some other claim. If they are of like merit, they should be brought in.

This is a case which involves a company which operated in Peru. It has been represented to me that a considerable amount of ill feeling is being aroused over this case in Peru because of the allegation that the American Government is not doing justice in the premises.

I think we should resolve the doubt in a situation like this, Mr. President, by placing the case on the docket of the Court of Claims, which exists in order to handle the alleged injustice involved in this case, as well as others.

The PRESIDING OFFICER. The time of the Senator from Oregon has expired.

Mr. HENDRICKSON. Mr. President, I should like to say that the calendar committee on this side of the aisle has no objection to the consideration of the bill. We have examined it very carefully.

Mr. SMATHERS. Mr. President, I am much persuaded by the very fine argument of the Senator from Oregon. The reason why the bill was first objected to was that in looking at the record it was found that some time before our country got into the war, but when it appeared that war was imminent, under an act which was passed authorizing the Federal Government to proscribe certain people from doing business with the United States and to seize their assets under certain conditions a committee which had been established by the Department of State, the Department of Justice, and various other departments, put this company's name on the list and said, "We believe they may be considered to be controlled by the Nazis, and for that reason we do not want to do any more business with them at this time."

I do not know whether that was right or wrong; but in 1949, the name was taken off the list. The company said, "You have improperly injured us. We actually were not controlled by the Nazis, and now we want to sue the Government of the United States for damages to our reputation and damages to us."

As the Department of Justice points out, if we authorize—and perhaps we should; I am persuaded considerably by the Senator from Oregon [Mr. MORSE]—if this is to be made another obviously economic measure, which was authorized by our Government in time of war, where trade was stopped between a foreign company and a company within the United States, and if we authorize that foreign company and other foreign companies to say, "We were improperly injured in time of emergency; therefore, the Government of the United States is subject to compensating us," as is pointed out in the report, there probably would be no end to these cases. We do not even compensate our own citizens when they are stopped from doing business in time of war with nationals in a foreign country. If we are to give relief to someone in a foreign country, then we shall have to give the people at home some relief.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield.

Mr. MORSE. I have two very brief comments to make on the Senator's observation. First, I do not think there is a danger of opening the floodgates. Let us assume that the Court of Claims finds this case is without merit, as indicated by the Senator from Florida. That would establish a precedent, and the other cases would be out in the cold, as

we lawyers say. On the other hand, if the Court of Claims decides there is merit and holds that a wrong has been committed, then the Government rights the wrong, no matter how many other cases are involved.

Mr. SMATHERS. This is one of very few times that I have been persuaded by a speech in the Senate, but I think the Senator from Oregon's representations are good. For that reason, I withdraw my objection.

Mr. MORSE. For that compliment, let me say that it would be a delight for me to have the junior Senator from Florida as my guest at lunch.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on the Judiciary with an amendment, on page 1, line 7, after the word "losses," to insert "allegedly," so as to make the bill read:

Be it enacted, etc., That jurisdiction is hereby conferred upon the United States Court of Claims to hear, determine, and render judgment upon the claims of (1) Gubbins & Co., of Lima, Peru, and (2) Reynaldo Gubbins, of Lima, Peru, against the United States for losses allegedly incurred by them as a result of action taken by the Secretary of State, the Secretary of the Treasury, the Attorney General, the Secretary of Commerce, the Board of Economic Warfare, and the Coordinator of Commercial and Cultural Relations between the American Republics, on July 17, 1941, and March 27, 1942, in placing the names of the said Gubbins & Co. and the said Reynaldo Gubbins on the Proclaimed List of Certain Blocked Nationals promulgated under the provisions of section 5 (b) of the Trading With the Enemy Act.

SEC. 2. Notwithstanding any statute of limitations or lapse of time, suit upon such claims may be intstituted by the claimants at any time within 1 year after the date of enactment of this Act. Proceedings for the determination of such claims and review thereof, and payment of any judgments thereon, shall be had as in the case of claims over which such court has jurisdiction under section 1491 of title 28 of the United States Code.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The PRESIDING OFFICER. That concludes the call of the calendar.

Mr. KNOWLAND. Mr. President, what is the unfinished business of the Senate?

The PRESIDING OFFICER. The unfinished business is Calendar No. 2223, H. R. 7130, to amend the Immigration and Nationality Act.

EXECUTIVE SESSION

Mr. KNOWLAND. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

The PRESIDING OFFICER. The clerk will state the first nomination.

UNITED STATES CIRCUIT JUDGE

The Chief Clerk read the nomination of Charles J. Vogel, of North Dakota, to be United States circuit judge for the eighth circuit.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

UNITED STATES DISTRICT JUDGE

The Chief Clerk read the nomination of Henry L. Brooks, of Kentucky, to be United States district judge for the western district of Kentucky.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. KNOWLAND. I ask that the President be immediately notified of the confirmation of these nominations.

The PRESIDING OFFICER. Without objection, the President will be immediately notified of the confirmation of the nominations.

LEGISLATIVE SESSION

Mr. KNOWLAND. Mr. President, I move that the Senate return to the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

RESUMPTION OF CALL OF THE CALENDAR

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2520, H. R. 2233; Calendar No. 2521, H. R. 9115; and Calendar No. 2522, S. 3840. These are bills which have been added to the calendar since the call of August 16, 1954. In other words, they are what might be termed as the "appendix" of the calendar.

Mr. HENDRICKSON. Mr. President, will the Senator withhold his request for a moment?

Mr. KNOWLAND. I will.

Mr. HENDRICKSON. Mr. President, I ask unanimous consent that if and when there is another call of the calendar, Calendar No. 2408, H. R. 3756, be included therein.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, will the Senator from California please restate his list of bills to be considered?

Mr. KNOWLAND. They are the bills which appear at the end of today's printed calendar. They are the ones which appear below the heading "Calendar Called August 16, 1954."

Mr. MORSE. I thank the Senator. Would the Senator from California permit me to make an insertion in the RECORD as a part of the business of the calendar?

Mr. KNOWLAND. Yes.

TRUST ASSOCIATION OF H. KEMPNER

The PRESIDING OFFICER. The Chair wishes to remind the Senate that House bill 951, Calendar No. 1986, was passed over a second time and placed on the foot of the calendar. It may be well to have that bill taken up first. The clerk will state the bill by title.

The CHIEF CLERK. A bill (H. R. 951) for the relief of the Trust Association of H. Kempner.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. COOPER. Mr. President, may I ask the distinguished majority leader if it is expected that there will be another call of the calendar?

Mr. KNOWLAND. I doubt whether there will be another call of the calendar. That will somewhat depend on how long the session runs, but I do not now contemplate another call of the calendar of bills to which there is no objection.

Mr. COOPER. This bill is a rather complex bill. After I have discussed the bill with the calendar committee on the other side of the aisle, I wonder if it may be possible, by agreement, to have the bill called up on motion.

Mr. KNOWLAND. That is a pretty "iffy" question. I do not know what the conditions might be or what the legislative problems might be, or whether any suggestions for amendment of the bill would make it a more controversial measure. So I can not give a blanket answer to the distinguished Senator from Kentucky.

If it were possible to say now whether the bill could be worked out satisfactorily, or if the Senator has any suggestion now, I should like to know about it, because I doubt very much there will be another call of the calendar.

Mr. COOPER. I do not think the bill should be worked out now. I think if I could consult with the members of the minority calendar committee, it might be possible to do so. I do not want to prevent the passage of the bill, but I should like to see if the bill could not be taken up.

Mr. KNOWLAND. If the Senator feels that he is not prepared to permit the bill to pass now by unanimous consent, I shall be glad to discuss the question with him, with the minority leader, with the minority calendar committee, and others, to ascertain, depending upon the legislative schedule, if the bill can be taken up. But I hope the Senator will proceed with expedition to have his consultations, because "time's a-passin'."

ALLEN POPE, HIS HEIRS, OR PERSONAL REPRESENTATIVES

The PRESIDING OFFICER. The Chair suggests that before proceeding to the consideration of the last three bills on the calendar, Calendar No. 2408, H. R. 3756, be considered. The bill had been temporarily laid aside.

The clerk will state the bill by title.

The CHIEF CLERK. A bill (H. R. 3756) for the relief of Allen Pope, his heirs, or personal representatives.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. GORE. Over.

The PRESIDING OFFICER. Objection is raised, and the bill will be passed over.

The clerk will call the first of the last three bills on the calendar.

ACQUISITION OF LAND FOR THE OAHE DAM, S. DAK.

The bill (H. R. 2233) to provide for the acquisition of land for the Oahe Dam, S. Dak., was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MORSE. May I ask some member of the committee if I am correct in my understanding that this is simply a typical bill for the purchase by the Federal Government of necessary land to proceed with the construction of a dam?

Mr. CASE. The Senator is not a member of the committee, but I should like to say that this bill is in pursuance of a previous act of Congress whereby directions were given to carry out such a directive. The bill has been passed by the House and should be approved by the Senate.

Mr. President, there is a typographical error in the bill; there should be a correction in the total figure on page 13 to conform with the figures shown in the report on page 2. The report on page 2 gives a correction of the figures. The correct figure is $10,644,014. I shall offer the amendment at the proper time.

Mr. WATKINS. Mr. President, I wish to confirm what the Senator has said about the bill and about the correction. The bill had the unanimous support of the subcommittee.

Mr. ANDERSON. Mr. President, I should like to ask the Senator from South Dakota a question. The bill was not reported by the subcommittee to the full committee. Does the Senator feel that the first section, which allows $5 million, is justified in view of the Army's report?

Mr. CASE. The Army's report was made some years ago. I should again like to point out that the Army has made similar reports on tracts of land owned by whites. Litigation concerning such land has been going on in the United States district courts, with increases in the allowances made by the courts of from 20 to 80 percent. We have provided about a 40 percent increase, plus relocation costs. I personally own a small tract of land located on the same river, about 100 miles farther upstream. It is identical so far as bottom land and grade above the river are concerned. I would not dispose of that land for the figure allowed by the Army.

Mr. ANDERSON. Will the Senator from South Dakota explain the last part of the bill? I am not fully sympathetic with this approach toward rehabilitation. The Senator from Arizona and I asked for rehabilitation for the Navahos and Hopis. If the amount merely represented damage to a tribe of Indians, I might think it would be excessive, but of the $6 million, $5 million is for rehabilitation. That amount might have been carried in a separate rehabilitation bill had it not been put into this bill.

Mr. CASE. It could have been put in a separate rehabilitation bill, but action was forced on us because of the dislocation of about 200 families. We have to face the fact that not only have we taken land away from them, but they are faced with a readjustment problem. When they are moved is the time to act, instead of waiting until they are scattered all over the country.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. CASE. I yield.

Mr. WATKINS. With respect to the appraised value of the land being taken for this project, I am advised the Army engineers' report did not take into consideration any severance damage. There is a case for severance damages in the project. One of the main portions of the claim is based on ownership of land on river bottom which is good for agriculture. It can be irrigated in time. It contains much timber. In addition, the Indians owned lands at a higher elevation. That land would not be worth nearly as much if there were taken away from them the bottom land where their livestock could be wintered. So there should be taken into consideration the severance damage.

I have had some experience in condemnation suits and right-of-way suits over the years, where lands had been used together as are these two types of lands used by the Indians. In such case severance damage is involved. That severance damage had not been taken into consideration. The Army engineers gave the lowest appraisal. The Missouri River Investigation Board had the next highest, and the Indians gave the highest figures on the direct benefits. In addition, the Indians claimed $6 million in indirect benefits. I felt that constituted a duplication in large measure of the values that had been given by the Army engineers. For that reason I was not willing to vote for a bill which recognized those indirect benefits. However, severance damages should be included with direct costs and damages. I included that in the tribal claim for the loss of fruits, timber, and so forth, in the lower lands. Therefore, I felt the amount allowed for damage could be justified. The amount allowed for rehabilitation is largely based on a per capita amount, the same as was given to the Navahos and Hopis.

The PRESIDING OFFICER. The Chair does not like to interrupt the Senator, but the time of the Senator from South Dakota has expired.

Mr. WATKINS. Mr. President, I desire to speak on my own time. I merely wish to point out that the allowance for rehabilitation, in my judgment, could be justified even if the Indians were not being moved, but by reason of the fact that they were required to give up their homes and move elsewhere, I think we would be justified in granting that amount for rehabilitation.

Personally, I do not like this method of determining damages, but the officials came to an impasse, the project must go on, the Indians were driven out of their homes, and we had to do something about it. That is one reason why I am willing to recommend the bill.

Mr. ANDERSON. Mr. President, I merely point out that, like the Senator from Utah, I do not like this method of computing damages. I did want to put into the RECORD firmly the fact that part of the money allowed was for rehabilitation, which could have been carried in a separate bill, and probably would have been if it had been done earlier. It was not done in that manner. Since $5 million is for rehabilitation, which would normally be carried in another bill, and has been combined with the other amount, I do not intend to object.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 2233) to provide for the acquisition of land for the Oahe Dam, S. Dak., which had been reported from the Committee on Interior and Insular Affairs with amendments, on page 2, line 16, after "Section II.", to strike out: "The United States agrees to pay for all said tribal, allotted, assigned, and inherited lands or interest in land, together with all improvements thereon (except the Agency Hospital); and for the stumpage value of standing timber and for severance damages to individual owners within the taking area; and for the bed of the Missouri River so far as it is the eastern boundary of said Cheyenne River Reservation, the sum of $2,614,778.95. And the United States further agrees to pay for overall tribal severance damages outside the taking area for Oahe Reservoir and for the loss of the annual supply of timber and for the loss of wild life and wild fruits, the sum of $3,973,076, in all, $6,587,854.95," and in lieu thereof to insert "The United States agrees to pay, out of funds appropriated for construction of the Oahe project, as just compensation for all lands and improvements and interests therein (except the agency hospital) conveyed pursuant to section I of this act; and for the bed of the Missouri River so far as it is the eastern boundary of said Cheyenne River Reservation, the sum of $5,384,014;"; on page 3, line 16, after the word "Council", to strike out "shall submit to the Secretary of the Interior for his approval a copy of the schedules on which the sum $2,614,778.95 is based, as itemized in this section, and when such schedule is approved by the Secretary of the Interior it shall be the final schedule on which the said sum shall be distributed to or credited to the owners of said lands" and insert "with the approval of the Secretary of the Interior shall distribute the sum of $2,250,000 in accordance with the revised appraisal of the Missouri River Basin investigation staff of the Department of the Interior."; on page 4, line 8, after the word "this" to strike out "agreement" and insert "Act"; at the beginning of line 18, to strike out "upon the request of the Tribal Council of said Indian Tribe with the approval of the Secretary of the Interior for the following purposes:"; at the beginning of line 21, to strike out "Relocation" and insert "For the relocation"; at the beginning of line 23, to strike out "all"; in the same line, after the word "hospitals", to strike out "all"; in line 24, after the word

"quarters", to strike out "all"; in the same line, after the word "and", to strike out "all"; in line 25, after the word "therewith", to strike out the comma and "at points to be determined by the Tribal Council of said Tribe with the approval of the Secretary of the Interior: *Provided*, That all the said reconstruction shall provide all said facilities of whatsoever nature in quantity and quality of not less than those now existing on said Cheyenne River Reservation. The relocation of the agency, schools, hospitals, and the replacement and construction of roads and facilities shall be the duty and the obligation of the United States at its own expense, to best serve the Indians of Cheyenne River Reservation and the requests of said Tribal Council in respect to all matters set out in this section shall be complied with except when compliance is impossible."; on page 5, line 16, after the word "of", to strike out "$6,044,500" and insert "$5,160,000"; on page 6, line 8, after the word "section" to insert a colon and "*Provided further*, That the authorization contained in section XVI hereof shall remain available for a period not to exceed 10 years from the effective date of this Act"; on page 12, at the beginning of line 24, to strike out "$6,587,854.95" and insert "$5,384,014", and on page 13, line 4, after the word "exceed", to strike out "$12,732,354.95" and insert "$10,544,014."

The amendments were agreed to.

Mr. CASE. Mr. President, referring to my previous statement as to there being a typographical error in the bill, I move to strike out the figure "$10,544,014" and insert "$10,644,014" in the committee amendment on page 13, line 4.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from South Dakota to the committee amendment.

The amendment to the amendment was agreed to.

The amendment, as amended, was agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

INVESTMENT IN GOVERNMENT OBLIGATIONS

The bill (H. R. 9115) to provide that contributions received for construction of a merchant marine chapel shall be invested in Government obligations pending their use was considered, ordered to a third reading, read the third time, and passed.

KLYCE MOTORS, INC.

The Senate proceeded to consider the bill (S. 3840) for the relief of Klyce Motors, Inc., which was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $54,996.41 to Klyce Motors, Inc., of Memphis, Tenn., in full settlement of all claims against the United States for losses sustained under the War Assets Administration sales document No. 262845 in connection with the purchase of 109 trucks, dated May 25, 1946: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The PRESIDING OFFICER. That completes the call of the calendar.

DATA ON LEGISLATIVE ACTIVITY

Mr. KNOWLAND. Mr. President, I ask unanimous consent to have printed in the body of the RECORD as a part of my remarks data on legislative activity from the start of the session through July 31, and comparisons between the 83d Congress, 1st and 2d sessions, the 82d Congress, the 81st Congress, and the 80th Congress.

There being no objection, the data was ordered to be printed in the RECORD, as follows:

Data on legislative activity from start of session through July 31—Senate

	83d Cong., 2d sess.	83d Cong., 1st sess.	82d Cong.,[1] 2d sess.	82d Cong., 1st sess.	81st Cong., 2d sess.	81st Cong., 1st sess.	80th Cong.,[2] 2d sess.	80th Cong.,[3] 1st sess.
Date session began	Jan. 6, 1954	Jan. 3, 1953	Jan. 8, 1952	Jan. 3, 1951	Jan. 3, 1950	Jan. 3, 1949	Jan. 6, 1948	Jan. 3, 1947
Days in session	139	123	115	119	142	129	102	127
Time in session:								
Hours	921	743	651	640	857	766	591	744
Minutes	02	03	24	23	36	48	30	40
Congressional Record:								
Pages of proceedings	7,373	6,479	5,558	5,295	6,853	6,077	4,743	5,641
Appendix								
Public bills enacted into law	84	72	112	33	79	82	189	116
Private bills enacted into law	167	48	251	53	139	54	110	37
Bills in conference	3							
Bills through conference	11	7						
Measures passed, total	1,031	708	1,093	577	935	659	1,048	819
Senate bills	440	304	364	215	346	251	358	276
House bills	409	234	565	211	451	259	531	365
Senate joint resolutions	20	21	10	11	16	18	27	44
House joint resolutions	19	16	27	15	15	26	27	30
Senate concurrent resolutions	27	22	21	16	16	26	16	12
House concurrent resolutions	24	11	15	10	14	11	27	16
Simple resolutions	92	100	91	99	77	68	62	76
Measures reported, total	1,294	942	1,172	649	1,082	900	1,096	922
Senate bills	570	404	414	261	420	374	407	316
House bills	518	322	573	231	513	359	522	378
Senate joint resolutions	20	29	24	14	15	25	33	50
House joint resolutions	19	17	28	15	18	28	27	31
Senate concurrent resolutions	23	22	22	18	18	30	16	16
House concurrent resolutions	17	13	15	10	14	12	27	17
Simple resolutions	127	135	96	100	84	72	64	84
Special reports	13	20	28	24	26	17	20	16
Conference reports								
Reported measures not acted on	288	173	79	53	191	214	76	67
Measures introduced, total	1,480	2,858	1,366	2,243	1,446	2,678	1,144	2,108
Bills	1,226	2,545	1,147	1,932	1,227	2,352	973	1,756
Joint resolutions	68	108	58	87	58	122	65	156
Concurrent resolutions	49	49	37	40	31	57	22	34
Simple resolutions	137	156	124	184	130	141	84	162
Quorum calls	196	186	121	191	298	277	223	310
Yea-and-nay votes	125	89	129	115	159	142	102	130
Bills vetoed	4	1	6	1				
Vetoes overridden								

[1] Session ended July 7, 1952.
[2] Session ended June 19, 1948.
[3] Session ended July 27, 1947.

LOSS OF NATIONALITY OF PERSONS CONVICTED OF CERTAIN CRIMES

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which is the bill (H. R. 7130) to amend the Immigration and Nationality Act to provide for the loss of nationality of persons convicted of certain crimes.

The Senate resumed the consideration of the bill (H. R. 7130), to amend the Immigration and Nationality Act to provide for the loss of nationality of persons convicted of certain crimes.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the call of the roll be rescinded.

The PRESIDING OFFICER (Mr. KUCHEL in the chair). Without objection, it is so ordered.

Mr. WATKINS. Mr. President, the bill under consideration was suggested by the President of the United States. It will be recalled that in his address delivered before a joint session of the Senate and the House of Representatives relative to the state of the Union on January 7, 1954, President Eisenhower stated:

> The subversive character of the Communist Party in the United States has been clearly demonstrated in many ways, including court proceedings. We should recognize by law a fact that is plain to all thoughtful citizens—that we are dealing here with actions akin to treason—that when a citizen knowingly participates in the Communist conspiracy he no longer holds allegiance to the United States.
>
> I recommend that Congress enact legislation to provide that a citizen of the United States who is convicted in the courts of hereafter conspiring to advocate the overthrow of this Government by force or violence be treated as having, by such act, renounced his allegiance to the United States and forfeited his United States citizenship.

The President's recommendation evoked a spontaneous burst of applause from the assembled Senators and Representatives. The bill now before the Senate is in implementation of this recommendation.

As you know, the doctrine of expatriation is not a new one. In 1868 the Congress of the United States recognized the inherent right of expatriation in the act entitled "An act concerning the rights of American citizens in foreign states" (15 Stat. 223). The initial clause of that enactment reads:

> Whereas the right of expatriation is a natural and inherent right of all people, indispensible to the enjoyment of the rights of life, liberty, and the pursuit of happiness;

In the same enactment we find "That any declaration, instruction, opinion, order, or decision of any officers of this Government which denies, restricts, impairs, or questions the right of expatriation, is hereby declared inconsistent with the fundamental principles of this Government."

The first general expatriation statute was enacted in 1907 (34 Stat. 1228). That act imposed expatriation as a consequence of naturalization in a foreign country, taking an oath of allegiance to a foreign state, or marriage by a female citizen to a foreign national.

Since 1907 the United States has not been without a general expatriation statute. Currently, section 349 of the Immigration and Nationality Act (66 Stat. 163, 267 and 268) sets forth 10 types of activities a consequence of which is loss of nationality by both native-born and naturalized citizens. Some of the acts enumerated are carryovers from the Nationality Act of 1940, as amended (8 U. S. C., 1946 ed., 801).

Section 349 (a) (9) of the Immigration and Nationality Act now provides for expatriation of a national of the United States for "committing any act of treason against, or attempting by force to overthrow, or bearing arms against, the United States, if and when he is convicted thereof by a court-martial or by a court of competent jurisdiction."

The measure now before the Senate would amend section 349 (a) (9) to provide for the loss of nationality by any citizen convicted of violating, or of conspiring to violate, section 2383, part of section 2384, or section 2385 of title 18, United States Code. Section 2383 makes criminal inciting, setting on foot, assisting, or engaging in any rebellion or insurrection against the authority of the United States or the laws thereof, or the giving of aid or comfort thereto. The portion of section 2384 under which conviction would result in loss of nationality provides that criminal penalties shall be imposed upon persons who in any place subject to the jurisdiction of the United States "conspire to overthrow, put down, or to destroy by force the Government of the United States, or to levy war against them." Section 2385, the Smith Act, makes it a felony to knowingly or willfully advocate, abet, advise, or teach the duty, necessity, desirability, or propriety of overthrowing or destroying the Government of the United States or of any State, Territory, District, possession, or political subdivision therein, by force or violence. The section also makes felonious certain other action directed to the same purposes.

In its report to the Senate on this legislation, which report I had the privilege of submitting, the Committee on the Judiciary stated its position in these words:

> The manifestation by a national of the United States of the outright severance of his allegiance to the United States by the commission of any of the acts defined in sections 2383, 2384, and 2385 of title 18 of the United States Code should be regarded as an overt act of expatriation. The committee also believes that the advocating of the overthrow, or the joining in a conspiracy to overthrow, the Government of the United States through the activities of the Communist Party and its membership is tantamount to the transfer of allegiance to the foreign power which directs such activities of the Communist Party.

Personally, I feel strongly that individuals convicted, either by a court-martial or by a civil court of competent jurisdiction, of any of the offenses which this legislation would make expatriating, should lose the rights and privileges incident to United States citizenship. Such a potential loss may be expected to deter some persons from committing the acts covered even if the criminal penalties provided for in title 18 of the United States Code did not.

We know that many of the consequences of becoming an alien depend upon State laws, while others depend upon Federal law. It appears to me that the possibilities of deportation, the difficulties which may be anticipated with respect to the obtaining of United States passports for foreign travel, the impact of State laws pertaining to the rights of aliens to inherit or otherwise acquire real property, the restrictions in some States limiting the practice of professions and the following of certain trades to citizens, the limitation of public employment on the Federal, State, and local levels to United States citizens, voting limitations, and other potential consequences of loss of citizenship could well serve as deterrents to the commission of the offenses to which the legislation is directed. If they did not serve as such deterrents, they would at least serve as worthy concomitants of convictions for such offenses.

Accordingly, I urge the Senate to act favorably on this legislation.

This amendment in effect extends expatriation to all those who are convicted of offenses under the Smith Act.

Mr. President, I think this act is worthy of adoption by the Congress. It has already passed the House, and the Senate has not at this stage made any amendments thereto.

CIVIL AERONAUTICS ACT OF 1938

Mr. LONG. Mr. President, yesterday I submitted an amendment to the Civil Aeronautics Act of 1938. Although it will not be possible for the bill to pass in this session, I wish to bring this matter to the attention of the CAB and other interested branches of our Government, looking to action early next year.

My proposal would have the effect of requiring our airlines to carry personal baggage, not exceeding 150 pounds, at the same rate which would be paid if this baggage were sent airfreight between the same two points.

This additional amount of personal baggage would be in addition to the regular allowance for personal baggage for which there is no charge. It would also be required that this additional 150 pounds of personal baggage be carried on the same aircraft as that used by the passenger unless the number of other passengers and the mail requirements of the particular aircraft precluded it.

In the event that the additional personal baggage could not be carried on

the same aircraft as the passenger, my amendment would require that it be sent on the next regular flight of the air carrier where similar circumstances would not prevent it.

Mr. President, this matter was brought to my personal attention some time ago, and it represents only one of the several instances in which rates of our airlines are maneuvered by the air carriers to their own benefit.

As an illustration of the diversity in rates for similar goods, I should like to ask unanimous consent that there be inserted in the RECORD at this point, as a part of my remarks, a brief table showing the rates for excess baggage, air express, and air freight on 12 different voyages, two of them on international routes. This table was prepared for me by our excellent Legislative Reference Service.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Excess baggage and air freight (personal baggage) comparison of airline charges

	Excess baggage (per 100 pounds)			Air express	Air freight (per 100 pounds) personal baggage
	Rate [1]	3-percent tax	Total	Total [2]	Total [2]
New York to Miami	$38	$1.14	$39.14	$36.87	$12.88
New York to New Orleans	39	1.17	40.17	40.17	13.91
New York to Los Angeles	79	2.37	81.37	79.72	29.75
New York to Chicago	23	.69	23.69	23.69	9.52
New York to St. Louis	28	.84	28.84	30.28	11.25
Chicago to Houston	34	1.02	35.02	30.28	13.60
Seattle to Los Angeles	57	1.71	58.71	30.28	12.38
Atlanta to Los Angeles	63	1.89	64.89	66.54	23.25
Boston to Chicago	27	.81	27.81	30.28	10.66
Philadelphia to San Francisco	77	2.31	79.31	79.72	30.34
New York to London	182	None	182.00	[3]	83.00
New Orleans to Mexico City [4]	52	None	32.00	29.87	16.00

[1] Quoted on a per-pound basis.
[2] No express service.
[3] Includes 3-percent tax.
[4] Via Houston.

Source: Airlines serving the above points.

Mr. LONG. Mr. President, it will be seen from this table that the charge for additional personal baggage at the excess baggage rate is in most instances more than three times the rate charged for airfreight. The air express rate, however, which the air carrier apparently can have excellent control of, is more nearly in line with the excess baggage charges.

Nevertheless, Mr. President, there is this gross discrimination. One hundred pounds of personal baggage carried as airfreight costs one-third of the price if carried as excess baggage with the passenger. If my amendment is adopted the passenger will be benefited, not only by the saving in rates but also because he will be able to take with him additional things for his personal convenience.

We all know that passengers traveling by bus or rail are permitted far greater free baggage allowances than one gets in air travel. My amendment does not propose that the airlines be required to carry personal baggage free to the same extent as rail and bus lines carry it. However, it would require that this sharp discrimination be eliminated and that the regular air carriers be willing to give priority to airfreight which is accompanying or immediately following a passenger.

Mr. President, airlines incur additional expenses in the handling of airfreight which they do not incur for excess personal baggage. There is little documentation necessary, and I should certainly hope that my proposal would not lead to additional redtape. Handling difficulties are also at a minimum where the passenger delivers the excess baggage to the designated place at the airfield and picks it up from a designated place at his destination.

Mr. President, for many years the airlines were operated at a loss. It was necessary for the Government to subsidize them heavily in order to get them out of the red and into the black. Any additional income from freight or baggage tended to reduce the necessary amount of Government subsidy.

Today that situation does not exist insofar as the larger airlines are concerned. For the most part they are operating on a so-called nonsubsidized rate for mail service. Any reduction in the cost of excess baggage to the public today would not require an increase in Government subsidy as far as the large airlines are concerned. It would be a net savings to the traveling public.

When the airlines decided to bid for the privilege of carrying first-class mail in competition with the Flying Tiger Lines some time ago, they bid .23 cents per ton-mile and they urged strongly that there was no need for additional air freight service beyond that offered by the scheduled passenger carriers. It was their contention that they had excessive freight capacity far beyond their requirements. Assuming that the airlines correctly represented their position, this bill should cause them no inconvenience.

Some time ago I attempted to see how readily available the airfreight service is for a passenger with excess baggage. In placing my family aboard an airplane I inquired whether it would be possible to send the excess baggage as air freight. The reply was that this could be done but that it would be necessary to carry the excess baggage down to a remote hangar and locate an employee there who in turn would see if it was possible to place the bag upon one of the planes leaving immediately.

I suppose that this type of procedure is customary for the purpose of discouraging passengers from taking advantage of the large saving that can be achieved by sending excess baggage as air freight.

This is a matter which the CAB could handle on behalf of the public. I regret to say that I have seen very little indication that the majority of the members of the CAB are fully aware of their responsibility to the public. All too often I gain the impression that some of the members of that Board seem to view their responsibility more in the light of an arbiter between the contending giants of air commerce rather than a guardian of the interests of the traveling public.

Inasmuch as there will not be sufficient time for the Congress to act on this proposal before the end of this session, I expect to introduce this bill again early next year and to press it most vigorously.

LIMITATIONS ON MEMBERS OF COMMUNIST ORGANIZATIONS

Mr. KNOWLAND. Mr. President, I ask that the Presiding Officer lay before the Senate a message from the House of Representatives.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the amendments of the House on the bill (S. 3706) to outlaw the Communist Party, to prohibit members of Communist organizations from serving in certain representative capacities, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. KNOWLAND. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. LANGER, Mr. WATKINS, Mr. BUTLER, Mr. MCCARRAN, and Mr. KILGORE conferees on the part of the Senate.

EXTENSION OF PROGRAM AND ASSISTANCE FOR SCHOOL CONSTRUCTION

Mr. COOPER. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives relating to Senate bill 3628.

The effect of the bill is to amend Public Law 815, title III, relating to federally impacted areas.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 3628) to amend Public Law 815, 81st Congress, in order to extend for 3 additional years the program and assistance for school construction under title III

of that act, which were to strike out all after the enacting clause and insert:

That the last sentence of section 301 of the act of September 23, 1950 (Public Law 815, 81st Cong.), as amended, is amended to read as follows: "There are hereby authorized to be appropriated for the fiscal year ending June 30, 1954, and for the 3 succeeding fiscal years, such sums as the Congress may determine to be necessary for such purpose."

SEC. 2. The first sentence of section 303 of such act is amended by striking out "1954" and inserting in lieu thereof "1956."

SEC. 3. The first sentence of section 304 of such act is amended by striking out "regular school year 1953–1954" and inserting in lieu thereof "regular school year 1955–1956."

SEC. 4. Section 305 of such act is amended (1) by striking out "regular school year 1953–1954" wherever appearing in such section and inserting in lieu thereof "regular school year 1955–1956"; and (2) by striking out "regular school year 1951–1952" wherever appearing in such section and inserting in lieu thereof "regular school year 1953–1954."

SEC. 5. Section 305 (d) of such act is amended by striking out "school years 1951–1952 and 1953–1954" and inserting in lieu thereof "school years 1953–1954 and 1955–1956."

SEC. 6. The first sentence of section 310 of such act is amended by striking out "1954" and inserting in lieu thereof "1956."

SEC. 7. Section 209 (e) of such act is amended by striking out "1955" and inserting in lieu thereof "1957."

SEC. 8. The amendments made by this act shall not apply with respect to any application filed, or any funds appropriated, before the enactment of this act.

And to amend the title so as to read: "An act to amend Public Law 815, 81st Congress, in order to extend for two additional years the program of assistance for school construction under title III of that act."

Mr. COOPER. I now move that the Senate concur in the House amendments.

The motion was agreed to.

LOSS OF NATIONALITY OF PERSONS CONVICTED OF CERTAIN CRIMES

The Senate resumed the consideration of the bill (H. R. 7130) to amend the Immigration and Nationality Act to provide for the loss of nationality of persons convicted of certain crimes.

Mr. McCARRAN. Mr. President, the subject matter of this bill is substantiallly covered in the existing law. I believe it is covered there about as fully as it can be, within the limits of constitutionality. I will agree there is a certain doubtful area within which the bill might have some effect, while staying within the bounds of constitutionality. But I do not favor legislating in such doubtful areas, if it can be avoided.

There appears to be little doubt that it is constitutional for the Congress to enact a reasonable statute providing that the voluntary performance of a certain act shall be deemed an act of expatriation. On the other hand, it is extremely doubtful if the Congress can provide that the mere maintenance of a status shall be deemed the basis for expatriation. Also, there is serious doubt about the constitutional right of the Congress to deprive a man of his citizenship as a criminal penalty. Depriving a felon of his civil rights is, of course, an accepted thing; but depriving a felon of his citizenship, which means his basic nationality, is an entirely different matter.

I think it would be a grave mistake to amend the Immigration and Nationality Act in such a way as to render it subject to a court decision declaring a portion of the act unconstitutional; and I think there is no such urgency about the bill H. R. 7130 as to justify the risk in this case.

This bill would make it a basis for expatriation to be convicted of a violation of section 2385 of title 18, United States Code. Under this section, it is a crime to be a member of an organization advocating the overthrow by force or violence of the Government of the United States or of any State, Territory, or possession thereof or any political subdivision thereunder. In the case of violations of this provision, any expatriation which might result under this bill would be clearly an additional penalty upon conviction of a crime, since there would be no affirmative or willful act which could be deemed to be an act of expatriation. The crime here is the mere maintenance of a status. I do not wish to argue here and now the question of whether the mere maintenance of a status can itself be made a crime. That statute is on the books, and is for the courts to interpret. What I am saying is that there is grave doubt, at least, whether the Congress can impose expatriation as the penalty for a crime which consists entirely of the mere maintenance of a status.

Because I do not believe it is fighting communism effectively to pass legislation which is clearly unconstitutional or which is a mere invitation to litigation, I do not believe the bill H. R. 7130 should be enacted in the form in which it has been reported from committee.

I send to the desk an amendment which would cure the deficiency in this bill which worries me, by limiting the effect of the bill, with respect to expatriation, to those violations of section 2385 involving the performance of a willful act. I ask that this amendment be read by the clerk.

The PRESIDING OFFICER. The Secretary will state the amendment.

The LEGISLATIVE CLERK. On page 2, line 2, it is proposed to strike out the words "of section" and insert in lieu thereof the words "of title 18, United States Code, or willfully performing any act in violation of section."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Nevada.

Mr. WATKINS. Mr. President, the Immigration and Nationality Act, which is sought to be amended by the pending bill, contains a separability clause. If any part of the act is determined to be unconstitutional, the remainder of the act is not affected.

However, in view of the lateness of the session, and in order to get this measure on the books, because it will cover most of the violations under the Smith Act, I do not oppose the adoption of the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Nevada [Mr. McCARRAN].

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendment to be proposed the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

TERMINATION OF SUPERVISION OVER CERTAIN INDIANS IN THE STATE OF UTAH—CONFERENCE REPORT

Mr. WATKINS. I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2670) to provide for the termination of Federal supervision over the property of certain tribes, bands, and colonies of Indians in the State of Utah and the individual members thereof, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2670) to provide for the termination of Federal supervision over the property of certain tribes, bands, and colonies of Indians in the State of Utah and the individual members thereof, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House and agree to the same.

ARTHUR V. WATKINS,
HENRY C. DWORSHAK,
CLINTON P. ANDERSON,
Managers on the Part of the Senate.

WAYNE N. ASPINALL,
WILLIAM A. DAWSON,
Managers on the Part of the House.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. WATKINS. Mr. President, the bill as it was passed by the Senate sought to free 359 Indians of miscellaneous tribes in southwestern Utah and give them the right to take full charge of their property and to become independent and free citizens of the United States. Subsequent to the passage of the bill in the Senate, two Indian bands in west-central Utah asked to be removed from the provisions of the bill. There are about 144 Indians in those 2 bands. The House adopted an amendment removing the two bands which had objected.

I move that the Senate agree to the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

EXTENSION OF DETENTION BENEFITS TO EMPLOYEES OF CONTRACTORS WITH THE UNITED STATES

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 541) to extend detention benefits under the War Claims Act of 1948 to employees of contractors with the United States, which were, to strike out all after the enacting clause and insert:

That this act may be cited as the "War Claims Act Amendments of 1954."

TITLE I

SEC. 101. (a) Clause (2) of subsection (a) of section 5 of the War Claims Act of 1948, as amended (50 App. U. S. C., sec. 2004), is hereby amended by striking out "(A) a person within the purview of the act entitled 'An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes,' approved September 7, 1916, as amended, and as extended; or (B) a person within the purview of the act entitled 'An act to provide benefits for the injury, disability, death, or enemy detention of employees of contractors with the United States, and for other purposes.' approved December 2, 1942, as amended; or (C) a person within the purview of the Missing Persons Act of March 7, 1942 (56 Stat. 143), as amended; or (D)."

(b) Paragraph (3) of subsection (f) of such section is hereby amended to read as follows:

"(3) The following provisions of such act of December 2, 1942, as amended, shall not apply in the case of such civilian American citizens: The last sentence of section 101 (a), section 101 (b), section 101 (d), section 104, and section 105."

(c) Such subsection (f) is hereby further amended by adding at the end thereof the following new paragraphs:

"(10) No benefits provided by this subsection for injury, disability, or death shall accrue to any person who, without regard to this subsection, is entitled to or has received benefits for the same injury, disability, or death under such act of December 2, 1942, as amended.

"(11) No benefits provided by this subsection shall accrue to any person to whom benefits have been paid, or are payable, under the Federal Employees' Compensation Act, or any extension thereof, by reason of disability or death of an employee of the United States suffered after capture, detention, or other restraint by an enemy of the United States, when such disability or death is deemed, in the administration of the Federal Employees' Compensation Act, to have resulted from injury occurring while in the performance of duty, under subsection (b) of section 5 of the act entitled 'An act to amend the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," as amended,' approved July 28, 1945, as amended."

(d) The second proviso of subsection (b) of section 5 of the act entitled "An act to amend the act entitled 'An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes,' as amended," approved July 28, 1945, is hereby amended by inserting immediately after "gratuity from the United States" the following: "(other than detention benefits under section 5 of the War Claims Act of 1948."

(e) (1) Individuals entitled to benefits under subsections (b), (c), or (d) of section 5 of the War Claims Act of 1948, as amended, solely by reason of the amendments made by this act, must file claim therefor within 1 year after the date of enactment of this act.

(2) The time limitations applicable to the filing of claims for benefits extended and made applicable to any individual by subsection (f) of such section 5 shall not begin to run until the date of enactment of this act with respect to any individual who is entitled to such benefits solely by reason of the amendments made by this act. This paragraph shall not be construed to affect the right of any individual to receive such benefits with respect to any period prior to the date of enactment of this act.

SEC. 102. (a) (1) Subsection (d) of section 5 of the War Claims Act of 1948, as amended; subsection (c) of section 6 of such act; and paragraph (4) of subsection (d) of such section 6, are each hereby amended by striking out "dependent" each time it occurs.

(2) Subsection (d) of section 5 of the War Claims Act of 1948, as amended is amended by striking out "and" at the end of clause (2), striking out the period at the end of clause (3) and inserting in lieu thereof; "; and", and by adding at the end thereof the following new clause:

"(4) Parents (in equal shares) if there is no husband, or child."

(b) The amendments made by this section shall not apply with respect to benefits paid prior to the date of enactment of this act.

(c) Individuals entitled to benefits solely by reason of the amendments made by this section must file claim therefor within 1 year after the date of enactment of this act.

SEC. 103. The War Claims Act of 1948, as amended, is hereby further amended by adding at the end thereof the following:

"SEC. 15. (a) The Commission is authorized to receive and to determine, according to law, the amount and validity, and provide for the payment of any claim for compensation filed by or on behalf of any individual who, being then an American citizen, served in the military or naval forces of any government allied with the United States during World War II who was held as a prisoner of war for any period of time subsequent to December 7, 1941, by any government of any nation with which such allied government has been at war subsequent to such date. Compensation shall be payable under this section in accordance with the standards established by, and at the rates prescribed in, subsection (b) of section 6 of this act, and paragraphs (2) and (3) of subsection (d) of such section 6.

"(b) The amount payable under this section shall be reduced by such sum as the individual entitled to compensation under this section has received or is entitled to receive from any government by reason of the same detention.

"(c) In the event of death of the individual entitled to compensation under this section, payment may be made to the persons specified in paragraph (4) of subsection (d) of section 6 of this act.

"(d) Claims for benefits under this section must be filed within 1 year after the date of enactment of this section.

"(e) Any claim allowed under the provisions of this section shall be certified to the Secretary of the Treasury for payment out of the War Claims Fund established by section 13 of this act.

"SEC. 16. (a) As used in this section, the term 'merchant seaman' means any individual who was employed as a seaman or crew member on any vessel registered under the laws of the United States, or under the laws of any government friendly to the United States during World War II, and who was a citizen of the United States on and after December 7, 1941, to the date of his death or the date of filing claim under this section; except any such individual who is entitled to, or who has received, benefits under section 5 of this act as a 'civilian American citizen'.

"(b) The Commission is authorized to receive and determine, according to law, the amount and validity, and provide for the payment of any claim for detention benefits filed by or on behalf of any merchant seaman who, being then a merchant seaman, was captured or interned or held by the Government of Germany or the Imperial Japanese Government, its agents or instrumentalities in World War II for any period of time subsequent to December 7, 1941, during which he was held by either such government as a prisoner, internee, hostage, or in any other capacity. Detention benefits shall be paid under this section at the rates prescribed and in the manner provided in subsections (c) and (d) of section 5 of this act.

"(c) Payment of any claim filed under this section shall not be made to any merchant seaman, or to any survivor or survivors thereof, who, voluntarily, knowingly, and without duress, gave aid to or collaborated with or in any manner served any government hostile to the United States during World War II.

"(d) Claims for benefits under this section must be filed within 1 year after the date of enactment of this section.

"(e) Any claim allowed under the provisions of this section shall be certified to the Secretary of the Treasury for payment out of the War Claims Fund established by section 13 of this act.

"SEC. 17. (a) (1) The Commission is authorized to receive and to determine, according to law, the amount and validity, and provide for the payment of any claim filed by—

"(A) any individual who—

"(i) on or after December 7, 1941, was a member of the military or naval forces of the United States;

"(ii) is the survivor of any deceased individual described in subparagraph (i);

"(iii) was a national of the United States on December 7, 1941, and is a national of the United States on the date of enactment of this section; or

"(iv) is the survivor of any deceased individual who was a national of the United States on December 7, 1941, and would be a national of the United States on the date of enactment of this section if living; or

"(B) any partnership, firm, corporation, or other legal entity, in which more than 50 percent of the ownership was vested, directly or indirectly, both on December 7, 1941, and on the date of enactment of this section, in individuals referred to in subparagraph (A) of this paragraph;

for losses arising as a result of the sequestration of accounts, deposits, or other credits of such individual or legal entity in the Philippines by the Imperial Japanese Government.

"(2) The Commission is authorized to receive and to determine, according to law, the amount and validity, and provide for the payment of any claim filed by any bank or other financial institution doing business in the Philippines which reestablished sequestered accounts, deposits, or other credits of—

"(A) any individual referred to in subparagraph (A) of paragraph (1) of this subsection; or

"(B) any partnership, firm, corporation, or other legal entity, in which more than 50 percent of the ownership was vested, directly or indirectly, both on December 7, 1941, and on the date of reestablishment of such sequestered credits, in individuals referred to in such subparagraph (A);

for reimbursement of the amounts of such sequestered credits paid by such bank or financial institution.

"(b) Claims must be filed under this section within 1 year after the date of enactment of this section.

"(c) Where any individual entitled to payment under this section is under any legal disability, payment may be made in accordance with the provisions of subsection (e) of section 5 of this act. In the case of the death of any individual entitled to payment of any claim under this section, payment of such claim shall be made to the individuals specified, and in the order provided, in subsection (d) of section 6 of this act; except that no payment shall be made under this section to any individual who voluntarily, knowingly, and without duress, gave aid to or collaborated with or in any manner served any government hostile to the United States during World War II.

"(d) Each claim allowed under this section shall be certified to the Secretary of the Treasury for payment out of the war claims fund established under section 13 of this act. The Secretary of the Treasury shall pay such claims as follows:

"(1) In the case of each claim allowed in an amount equal to or less than $500, such claim shall be paid in full; and

"(2) In the case of each claim allowed in an amount greater than $500, such claim shall be paid in two installments. The first installment shall be paid in an amount equal to $500 plus 66⅔ percent of the amount of such claim allowed in excess of $500. The last installment shall be computed as of September 1, 1956, under the next sentence of this paragraph, and, as so computed, shall be paid from the sums remaining in the war claims fund on that date. If the sums remaining in the war claims fund on September 1, 1956, are sufficient to satisfy all claims allowed under this section and not paid in full, the unpaid portion of each such claim shall be paid in full; if the sums remaining in the war claims fund on September 1, 1956, are not sufficient to satisfy all claims allowed under this section and not paid in full, the last installment payable on each such claim shall be reduced ratably, and, as so reduced, shall be paid from the war claims fund."

SEC. 104. (a) Section 13 of the War Claims Act of 1948, as amended (50 App. U. S. C., sec. 2012), is hereby amended by striking out subsections (b) and (c) thereof, and by inserting immediately after subsection (a) thereof the following:

"(b) Before August 1, 1956, the Secretary of Labor shall estimate and report to the President the total amount which will be required to pay all benefits payable by reason of section 5 (f) of this act. If the President approves the amount so estimated as reasonably accurate, the total amount so estimated and approved shall be certified to the Secretary of the Treasury; if the President does not so approve he shall determine such amount, and the amount so determined shall be certified to the Secretary of the Treasury. Such certification shall be made on or before September 1, 1956. The Secretary of the Treasury shall then transfer from the war claims fund to the general fund of the Treasury a sum equal to the total amount certified to him under this subsection.

"(c) Before August 1, 1956, the Secretary of Labor shall estimate and report to the President the total amount which will be required to pay all additional benefits payable as a result of the enactment of section 4 (c) of this act. If the President approves the amount so estimated as reasonably accurate, the total amount so estimated and approved shall be certified to the Secretary of the Treasury; if the President does not so approve, he shall determine such amount, and the amount so determined shall be certified to the Secretary of the Treasury. Such certification shall be made on or before September 1, 1956. The Secretary of the Treasury shall then transfer from the war claims fund to the general fund of the Treasury a sum equal to the total amount certified to him under this subsection."

(b) Subsection (d) of such section 13 is hereby amended by striking out "The Secretary of State" and inserting in lieu thereof the following: "On or before August 1, 1956, the Secretary of State."

SEC. 105. Within 2 years after the date of enactment of this act, the Foreign Claims Settlement Commission of the United States shall wind up its affairs in connection with the settlement of all claims for benefits authorized by the amendments made by this act.

TITLE II

SEC. 201. As used in this title—

(a) The term "prisoner of war" has the meaning assigned to it by section 6 of the War Claims Act of 1948, as amended; and

(b) The term "civilian American citizen" has the meaning assigned to it by subsection (a) of section 5 of such act.

SEC. 202. The Secretary of Health, Education, and Welfare, in cooperation with, and with the assistance of, the Administrator of Veterans' Affairs, the Secretary of Labor, and the Secretary of Defense, shall conduct a study of—

(1) the mortality rates among prisoners of war and civilian American citizens, with a view to determining whether their abnormally high mortality rate is directly attributable to the malnutrition and other hardships suffered by them while held as prisoners of war, hostages, internees, or in any other capacity;

(2) the mental and physical consequences of the malnutrition and other hardships suffered by prisoners of war and civilian American citizens while so held; and

(3) the procedures and standards which should be applied in the diagnosis of the mental and physical condition of prisoners of war and civilian American citizens.

SEC. 203. Not later than 1 year after the date of enactment of this title, the Secretary of Health, Education, and Welfare shall report the results of such study to the President for transmittal to the Congress.

Amend the title so as to read: "An act to extend benefits under the War Claims Act of 1948 to certain classes of persons, and for other purposes."

Mr. McCARRAN. Mr. President, I urge the Senate to accept the House amendments to S. 541. If my colleagues will bear with me, I shall explain briefly why I take this position.

The purpose of S. 541, which I introduced and which passed the Senate on July 18, 1953, was to correct an inequity which exists under the present provisions of the War Claims Act of 1948. The bill authorizes detention benefits to be granted to certain employees of American war contractors who were engaged in the construction of airfields, fortifications, and ship facilities in the Pacific islands prior to World War II and who were interned by the Japanese in prisoner of war camps. Their present exclusion from the benefits of the War Claims Act is manifestly unjust.

The amendments to S. 541, proposed by the House committee, and which the House adopted, would correct certain other equally glaring injustices under the present coverage of the War Claims Act.

Detention benefits would be granted to a few other small groups of prisoners of war and civilian internees who are as deserving as the groups already covered by the act. Also American nationals, including survivors of Bataan and Corregidor, whose bank accounts and other credits were confiscated by the Japanese and whose claims against Japan were waived in the Japanese Peace Treaty would be compensated. This amendment accomplishes exactly the same purpose as the bill S. 3305, which I also introduced, and which was favorably reported by the Judiciary Committee on July 19, 1954.

The enactment of S. 541, with the amendments proposed by the House, will substantially wind up the war claims program instituted through the War Claims Act of 1948.

The question has been asked whether there is enough money in the War Claims Fund to take care of the provisions of this bill. The answer to that question is that after the payment of all claims presently authorized by the War Claims Act, including the revised awards in favor of religious organizations, the Budget Bureau has stated that at least $13 million will remain in the War Claims Fund. This amount should cover all or nearly all of the claims authorized by S. 541, and the House amendments thereto.

Let me recapitulate, Mr. President, basically, the House version of this bill consists of two bills both of which have been reported favorably to the Senate from the Committee on the Judiciary, and one of which has passed the Senate. These are, first, the original S. 541, which has already passed the Senate, and which would grant detention benefits under the War Claims Act to employees of American war contractors who were captured and interned by the Japanese in prisoner of war camps; and second, the bill S. 3305, reported favorably by the Judiciary Committee on July 19, which would compensate American nationals, including survivors of Bataan and Corregidor, whose bank accounts and other deposits in the Philippines were confiscated by the Japanese. The claims of these people against the Japanese Government were waived by Secretary Dulles in the Japanese Peace Treaty.

The House amendments correct certain other injustices under the present War Claims Act by extending the detention benefits provided by the act to a few small groups presently excluded, such as about 1,250 Federal employees in the same situation as the war contractors employees, and approximately 250 merchant seamen. The House amendments also provide that a study should be made of the effects of malnutrition and other hardships suffered by prisoners of war and civilian internees.

With respect to the major provision of the House amendment, compensating American nationals whose bank accounts and other deposits in the Philippines were confiscated by the Japanese, the equity of this bill for compensation is clearly seen when it is realized that in the Japanese peace treaty the United States took from these citizens the right to claim compensation from the Japanese for the property that had been taken from them. This legislation as it comes from the House—and in that respect, the effect is the same as in the bill S. 3305 reported favorably from the Judiciary Committee and now on the

Senate Calendar—would merely carry out the legal obligation of the United States to compensate its own nationals for the rights thus taken away from them by treaty.

Mr. President, I have indicated that this bill as it comes from the House is in line with the recommendations of the President. I cannot say it "follows" the recommendations of the President, because in fact the bill was introduced more than a year before the President made his recommendations. But the bill is in line with recommendations made by the President; and in order to establish that fact, I ask unanimous consent that there may be printed in the RECORD at this point the report transmitted with the letter of June 28, 1954, from the office of the President of the United States to the President of the Senate. This report concerns and recommends provisions which are contained in the bill S. 541, as it passed the House. I note that the letter to which I refer, from the Budget Bureau, was printed in the RECORD a few days ago.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

REPORT AND RECOMMENDATIONS CONCERNING THE PROPOSED AMENDMENT TO THE WAR CLAIMS ACT OF 1948

The bill herein proposed would further amend the War Claims Act of 1948. It would extend to certain United States nationals who, during World War II, were interned by the enemy or were captured while serving either in allied military forces or as merchant seamen aboard United States vessels, or vessels of friendly governments, benefits comparable to those authorized under similar circumstances by the War Claims Act of 1948 as presently amended. In addition, the bill would provide for restoration in part of funds that were on deposit with Philippine financial institutions to the credit of American nationals, which were sequestered by the Japanese Government.

This bill, which technically drafted to amend the existing claims act referred to above, assumes that if Reorganization Plan No. 1 now before the Congress becomes effective such additional claims as may be authorized from those recommended herein will be assigned to the new Foreign Claims Settlement Commission proposed by that plan. The assignment of such additional claims programs to the new Commission would assure that payments thereunder would occur at the earliest possible date.

It is proposed to reconstitute the War Claims Act of 1948, as amended, into titles I and II. The present act would become title I and the bill would amend the title by adding sections 15, 16, and 17.

CLAIMS RECOMMENDED

Briefly, section 15 would extend the prisoner-of-war benefit provisions of the present act to American citizens who served with allied military forces and were detained as prisoners of war during World War II. Section 16 would extend the civilian detention benefits of the act to members of the merchant marine who were captured and detained during World War II. Section 17 provides funds for the payment of these claims.

Section 3 of the bill (proposed title II) would compensate American nationals and others whose bank accounts in the Philippines were sequestered by the Imperial Japanese Government during World War II.

More specifically, new section 15 would extend the present coverage of the War Claims Act to American citizens who were members of the armed forces of a government allied with the United States during World War II and who during that period were captured and detained as prisoners of war. It will be recalled that prior to the official entry of the United States into World War II, many American youths joined the military forces of countries which subsequently became allies of the United States. The records disclose that some of these youths were detained by enemy governments as prisoners of war. The present proposal would compensate these citizens at the same rates as members of United States Armed Forces detained as prisoners of war who were previously compensated under the present provisions of section 6 of the act. The payments proposed are for food deprivation and inhumane treatment. However, if these citizens were afforded similar compensation by the allied governments they served, such persons would be compensated under this proposal only to the extent necessary to equalize their compensation in terms of the American standard.

It is estimated that only 100 claims amounting to $100,000, would be received as a result of this proposed amendment.

New section 16 provides for detention benefits for civilian American citizens who were merchant seamen, and as such, were captured and interned or held by the governments of Germany and Japan during World War II. During the administration of section 5 (a) through (e) of the act, it became evident that many of these merchant seamen were captured by Japanese forces elsewhere than the specified areas set out in section 5 of the act. In most instances they were brought to and detained in camps at which other civilian American citizens were interned who have been compensated for the period of their detention. Almost without exception, the vessels on which these seamen served were under the direction of the United States Government, which at the time controlled the movement of American sea commerce. They were, therefore, promoting the national interest of the United States. In a number of instances the ships on which they served were sunk and the survivors were picked up by German submarines in waters far removed from the limited areas specified in section 5 of the act, namely, Midway, Guam, Wake Island, the Philippine Islands, or any Territory or possession of the United States attacked or invaded by Japan. Some of them were subsequently turned over to the Japanese forces for internment.

It is estimated that approximately 150 American merchant seamen captured in the Pacific theater would be eligible for these benefits, and it is further estimated that these benefits would approximate $375,000. Moreover, it is estimated that between 50 and 100 such seamen were captured and detained in other than the Pacific theater by the armed forces of Germany and that benefits for this latter group would approximate $125,000.

That portion of the bill which would add title II to the War Claims Act of 1948, as amended, provides for compensating American nationals, and American controlled companies, who suffered loss of bank deposits and other credits in the Philippines during World War II by virtue of orders of the Imperial Japanese Government sequestering such funds.

Sequestration of the bank accounts of United States military personnel, American civilian citizens, and American-owned companies resulted in losses estimated at $1,750,000, of which American military personnel losses alone are estimated at $200,000. Other credits lost by American nationals are estimated at $750,000. In addition, voluntary payments or reinstatements before the Haw Pia and subsequent decisions by the Philippine Supreme Court approximate $5 million. In the aggregate, these claims may total about $7,500,000. It is estimated that actual payments under this title will not exceed $5 million since payment of claims in full will only be allowed up to $500 with the excess over $500 being paid at 52.5 percent of the allowed claim. This payment scale was established in settling claims under the Philippine Rehabilitation Act of 1946, and is suggested as a precedent to be followed here.

It is to be noted that under the Philippine Rehabilitation Act, the loss of accounts, money, and intangibles, was not subject to compensation. In the debate on the Japaneese treaty the attention of the Congress was drawn to this problem and the unchallenged view expressed at the hearings was that the American nationals who lost property through this sequestration were entitled to compensation.

In addition, this section further provides compensation at the $500 plus 52.5 percent standard for those banks or other financial institutions doing business in the Philippines which reestablished or reimbursed American nationals for their losses through sequestration.

It is believed those who paid the Americans have a just claim for compensation. Had they not paid the American citizens and American business institutions, and they were, in fact, under no obligation to pay the Americans after having transferred the sums to the Bank of Taiwan, the Americans would have had valid war claims for the amount they were reimbursed by their debtors.

FUNDING OF THESE CLAIMS

The War Claims Act of 1948, as amended, together with section 39 of the Trading With the Enemy Act of October 6, 1917 (especially section 39), as amended, authorized the creation of a "War claims fund" and the use of sums deposited in it, not to exceed $225 million, "as may be necessary to satisfy unpaid awards heretofore or hereafter made under the War Claims Act of 1948." The purpose for which the war claims fund was created was to compensate American nationals for injuries or property losses sustained during World War II. The amount in the fund was derived from assets of Germany and Japan blocked or seized during that war.

It is estimated that war claims currently being settled by the War Claims Commission and the Department of Labor, Bureau of Employees' Compensation, will require approximately $212 million of the $225 million described above, leaving a balance of about $13 million. The war claims herein recommended, which correct inadvertencies and inequities of the present War Claims Act, are estimated to require, if authorized, about $6 million of this balance. The proposed bill therefore provides for use of such funds from this source as may be necessary, not to exceed the $225 million currently authorized, for these claims.

There are several bills recently introduced into the Congress, e. g., S. 3423 and H. R. 9076, which propose to return to former German and Japanese private property owners vested property seized during World War II. The executive branch has been asked for its position in this regard and expects to submit its reply as soon as possible. The action recommended on the funding of proposed claims categories does not prejudge the executive branch position on these bills, since the fund authorization here requested is within the level contemplated by the Congress under existing claims laws and does not involve assets which may be available for disposition above that amount.

ADDITIONAL "WAR CLAIMS" CONSIDERED

It seems most apt at this point to state that extensive consideration during the preparation of this bill was given to the proposal to make provision for death and disability compensation for civilian American citizens who sustained injury as a direct result of hostilities during World War II, over and beyond those persons who have previously

been compensated by the United States or any other nation. This uncompensated category of citizens and nationals who were either disabled or died as a direct result of hostilities is estimated at 1,000 and if compensation were to be provided about $7,500,000 would be required. This category of claims has merit. However, despite their appeal, they are not included in the executive branch draft bill. Among other reasons for omitting them is the fact that these individuals were warned by the State Department of the impending danger and asked to leave. We are concerned about setting the precedent of payments for death or disability under these circumstances, but suggest that the Congress will also wish to explore carefully this claims category.

The executive branch agencies primarily concerned carefully reviewed each of the recommendations contained in the "Supplementary Report of the War Claims Commission with respect to war claims arising out of World War II (January 9, 1953)." Despite the fact that these agencies were impressed with the harsh treatment accorded Americans, from both human rights and property interest standpoints, no categories of claims other than those recommended above were believed to be of a type which should be compensated for by the Federal Government. Representatives of the executive branch are, of course, available to discuss the types of considerations upon which these decisions were based.

The largest of the claims categories for which no relief is now recommended are the property claims. Many deserving nationals of the United States sustained great losses as a result of destruction or damage to their property from which, in many instances, they derived their livelihood. In individual cases, there is no doubt that the hardship suffered was very great. The executive branch, however, does not recommend payment of these claims from appropriated funds. It is suggested that any detailed consideration of them should await decision of the return of German and Japanese assets question discussed under "funding" above.

Mr. McCARRAN. Mr. President, it will be noted that in his letter to the Vice President, the Director of the Bureau of the Budget said:

Because of hardships suffered by many United States nationals as the result of actions of certain foreign governments for which this bill would afford some relief, I would strongly urge that this proposed legislation be acted upon, to the extent proposed, before the close of the present session of Congress.

Mr. President, I move that the Senate concur in the House amendments.

The motion was agreed to.

INADEQUACY OF DROUGHT RELIEF PROGRAMS

Mr. FULBRIGHT. Mr. President, I am deeply disturbed by the inadequacy of the present drought relief programs being conducted by the Department of Agriculture, by its apparent efforts to economize at the expense of disaster victims, and by the situation we are leaving as the Congress adjourns.

I am especially disturbed, of course, about the situation in my own State, but I am advised that the drought situation today is far more widespread and severe than it was in the days preceding the disastrous droughts of the thirties.

I have a report that rainfall since January 1 has been less than normal in 21 of the 25 States in the Plains, Southwest, Corn Belt and the South. And this follows a year when rain was less than 90 percent of normal in 13 of these States. Rainfall has been under 90 percent of normal in two States—Texas and New Mexico—for 4½ years, and in Arkansas, Kansas, Colorado, and Wyoming for 2½ years.

The Washington Farmletter of July 31 reports, and I quote:

This is one of the most extensive droughts of record—either in the making or near the breaking. Most extensive previous droughts for the area from the Rockies to the Atlantic as a whole were in 1894, 1910, and 1952.

Drought now covers virtually all of 30 States—more than half of 35 States. The entire area from the Rockies to the Atlantic is droughty except most of Maine and parts of Connecticut, Florida, Iowa, Illinois, Indiana, Michigan, and the Dakotas.

In its summary this publication points out that the great drought of 1934 was preceded by subnormal rainfall in the disaster areas in 1930, 1931, and 1933—but not to the extent nor over so wide an area as now.

There have been recent scattered rains in some of the droughty area. Further rains might break the disaster. No one can predict either that the drought disaster will deepen, or that it will be broken.

The situation that concerns and alarms me is that existing drought disaster areas are not being adequately aided, and that we are about to adjourn the Congress in the face of a potential national drought disaster without mandating the administration to deal with it adequately and seeing that they have adequate funds and authorities.

I have a letter from a respected Arkansas citizen who describes the present "alleged drought relief program" of the Department of Agriculture as a "cruel hoax."

These are strong words, but in my opinion they are fully justified.

The situation in Arkansas is already desperate. Disaster is already upon us, and I am not in the habit of using such words as "desperate" and "disaster" lightly. But the situation is really desperate, and the farmers truly face disaster.

We have suffered grave losses to all our earlier feed crops. There is a tremendous feed shortage. For a time farmers have looked ahead in the hope of a fair corn crop or a cotton crop that would provide money for feed and necessities.

But now we have passed the period when rain might save those crops. The corn crop is now already seriously damaged and may be a failure. Much is being cut now for such feed as can be salvaged. Our cotton crop is drying out. Immature bolls are already opening and the prospect of a fair income from that commodity is melting in the scorching sun.

This is the third straight year of drought in Arkansas.

I have the July water resources report of the United States Geological Survey. It shows that streamflows throughout the State are 16 percent under any previously recorded July flows in history. Ground water—water in wells—is the lowest ever recorded. We are literally dry as a bone as a result of a 3-year drying-out process.

Deficit of rainfall since January 1950—over 2½ years—varies from 11 percent to 23 percent in the State.

Simultaneously with this lack of rainfall has been record-breaking heat. The Weather Bureau advises me that temperatures at Little Rock have been 6° above normal, on the average, throughout the whole month of July. They have run far above average in most of the State. It has been the hottest July in Weather Bureau records, reaching 107° at Little Rock and 111° at Fort Smith.

In only 38 of the last 75 years has the temperature at Little Rock reached 100 degrees. But this year, the temperature has been 100 or higher on 33 days, up to August 15.

Any light rains which may fall are evaporated in a matter of hours. Only repeated heavy rains and cool weather will restore our ground moisture—and it would now be too late to save most of the crops. In Arkansas the disaster is already a reality.

I have just been reading the latest weekly crop report of the Weather Bureau for my State and it reports unseasonably high temperatures, no rain of any significance, many forest fires, heavy marketing of cattle, little or no pasture, increasingly worse feed situation, serious damage to corn, cotton, and vegetable crops, including strawberry plantings. The only crop that is coming through is rice, which is irrigated, and there has been some abandonment of this crop.

I saw a picture on the front page of the Arkansas Gazette with reference to the forest-fire situation. Dozens of acres are burning, without any possible control under such dry conditions.

In the face of this desperate situation, the Department of Agriculture has in effect in Arkansas a feed program under which an allowance of 60 cents per hundredweight is given those who qualify to buy grain. Correspondents tell me that the 60 cents will not, in numerous areas, pay the inflation in the cost of grains resulting from the feed shortage.

In other words, even with the 60-cent allowance, it will still cost as much as, or more than, it did prior to the drought.

There are no protein feeds being made available.

There is no hay program. In years past the Department of Agriculture has used its nationwide facilities to locate available supplies of hay and get it routed into feed deficit areas. The initiation of a hay program is now left up to the States. The Department of Agriculture agrees only to certify applicants who meet its requirements, and to pay the State half of freight charges, up to $10 per ton, on emergency hay—if the State or regular feed dealers can locate any hay to bring into the State. These people have neither the experience, the facilities, nor the broad knowledge of sources, which the Department of Agriculture has been able to apply to the administration of emergency hay programs in the past. At best, they can

only stumble along without adequate national connections to speedily locate supplies and get them to the emergency areas.

As we all know, the committee never assumed the programs would be conducted on a permanent basis. No organization has been established in any of the States I know of, certainly not in my State, which has all the resources necessary to cope with the problem. While I agree that the States should play an important part in the program at the present, at least, there is no machinery in existence which can cope with a crisis of this magnitude.

I am advised that the Department has only $15 million available nationally to pay its share of hay program costs, but that in the face of the widespread drought situation, the Department regards this as sufficient.

In a letter dated July 20, 1954, Mr. K. L. Scott, Director of Agriculture Credit Service, Department of Agriculture, has written:

> The Department is not requesting additional funds or authority, since we feel the present laws and authorizations are adequate to meet immediate and foreseeable conditions.

The Department's preoccupation with economy in the face of disaster, the cruel inadequacy of their programs, alarms me both in regard to what is happening to my people in Arkansas, and what may happen in the Nation after we have left Washington.

Only 28 of the 75 Arkansas counties have even been certified as disaster areas although there are farmers all over the State in the most desperate circumstances. Even in the 28 disaster counties, we have only a 60-cent program.

I have as much interest in Government economy as anyone, but this is no time to be pinching pennies in this field. This is the time for an all-out effort to save the farmers and the people of Arkansas and similar areas from a major disaster, a disaster which has arisen from causes far beyond their own control. It is time for a program that will prevent liquidation of livestock herds, and liquidation of farm families themselves.

I have only a general knowledge of the extent of present disaster conditions in States other than my own.

However, I have heard from many of my colleagues that conditions are very serious in their States.

Mr. HILL. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. HILL. The situation in Alabama is desperate, just as is the situation which the Senator is describing in the State of Arkansas. The normal annual rainfall in Alabama is 51.37 inches. So far this year there has been rainfall of only 13.22 inches. That gives some idea of how parched and dry and burned up the fields and pastures and crops are in Alabama. The Birmingham News stated on July 30, as follows:

> Alabama's parched croplands continue to suffer severely. The State is now rounding out its seventh month of insufficient rainfall. And what are normally the driest months of the year lie ahead. The year may bring the worst drought damage on record in the State. Already the loss to the State's farmers is set at $100 million.

I wish to emphasize that one reason given by the administration for denying drought relief to our Alabama farmers was that the administration believed we might have rain in the future. But, as the Senator well knows, corn which is burned up, feed grain which is already destroyed by drought, cotton which is dried up and its bolls prematurely opened cannot be restored or brought back to life, even if there should be heavy rain. The fact is that we are now facing the normally dry season of the year. I am certain that that is true in the State of Arkansas; is it not?

Mr. FULBRIGHT. The Senator is quite right. Not only is it dry, but it is hot. The combination of extremely high temperatures and a lack of rainfall has burned crops and vegetation in the entire area.

Mr. HILL. In the State of Alabama, this is the fourth year in succession in which we have had prolonged drought; so the situation in Alabama today is desperate. I cannot understand why the administration has chosen to ignore the facts. Gov. Gordon Persons, of Alabama, has presented the facts to the President and to the Secretary of Agriculture. They have been properly and adequately presented. They are irrefutable. It is incredible that Alabama has been denied drought relief. I deeply resent the administration's mistreatment of our Alabama farmers.

Mr. FULBRIGHT. I cannot understand it, considering the surpluses of wheat and corn which are on hand. It would seem to me that the administration should welcome an opportunity to make good use of the surpluses by acting in this critical situation. I cannot understand why that has not been done. It seems unthinkable that the administration would not take action.

The Governor of Arkansas has, as has the Governor of Alabama, been making appeals to the Department of Agriculture for designation of these areas of Arkansas as drought or disaster areas, but the Department has been extremely slow in moving. I have backed up every such appeal as vigorously as I know how by direct appeals to the administration, but the administration has moved into only a few counties, much less than half of the total number in Arkansas which are affected. In my opinion, too, the county method of designation is ridiculous, because drought does not pay any attention to county lines.

Mr. HILL. Drought knows nothing about county lines.

I suppose that in Arkansas farmers may have been eligible for emergency short-term loans under the Farmers Home Administration.

Mr. FULBRIGHT. That is right.

Mr. HILL. But those are only short-term loans. They certainly are not loans that will meet the existing distressing situations of our farmers. On the contrary, the farmers of Alabama have been denied the benefits of the Government's low-cost hay and surplus feed grains program.

Mr. FULBRIGHT. The State of Arkansas does not have machinery adequate to deal with the surpluses which may be made available. We have no department of agriculture in Arkansas which is accustomed to importing hay from the West. My State, and I am sure many other States, do not have an agency which is in any sense comparable to the Federal Department of Agriculture. The program worked before, when the Federal Government was administering it, because with an organization they could ascertain where the feed was, buy it, and ship it to the area needing it. It is not likely to be effective now, I am told.

Mr. HILL. I may say to the distinguished Senator from Arkansas that he is more fortunate than we are in Alabama, because our Alabama farmers have been denied any eligibility or any benefits under the low-cost hay and surplus feed program.

Mr. FULBRIGHT. Perhaps Alabama has not been designated as a disaster area.

Mr. HILL. That is just the point I am emphasizing. Not only has Alabama not been designated as a disaster area, but on the other hand, the plea and the application of the Governor of Alabama has been denied, so that the farmers of Alabama have been denied benefits under the low-cost hay and surplus feed program.

Mr. FULBRIGHT. I am amazed at that.

Mr. HILL. The Senator from Arkansas has advised me that he is amazed. It is amazing and shocking when the terrible situation in Alabama is so well known. A county by county survey had been made in Alabama, and the survey revealed that over one-half of the corn crop is burned up and gone.

The pastures are almost completely gone. Practically no hay has been gathered. Most of the supply of feed that has been stored has now been exhausted. Cattlemen, dairymen, truck farmers and cotton farmers are in great distress. Our farmers are being forced to sell their cattle for any price they can get, because they have no feed or hay with which to feed the cattle. It is a question of throwing the cattle on the market and getting whatever one can or permitting one's cattle to starve to death.

Mr. FULBRIGHT. I recently spoke to a person who lives in the mountains in my State and has a spring on his property. He said a neighbor of his came in and offered to give him four milk cows and asked him to accept them because he had no more feed or water, and stated that at least the cows could be given water. This person said he took them and stated that if the cattle could be kept alive, he would give them back to him. The person who originally owned the cattle said there was no use trying to sell them, because not enough could be obtained to warrant taking them to market.

Mr. HILL. I may say to the Senator from Arkansas that that is not an unusual case. In Alabama the situation is the same.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. JOHNSTON of South Carolina. I might call to the attention of the Senator from Arkansas the fact that we have a Secretary of Agriculture whose name is Benson, and he makes the rules and regulations and the administrative policies we have to go by. Has the Senator from Arkansas learned what has to be done in order to get aid?

Mr. FULBRIGHT. I have in my hand a pamphlet, a committee print, which gives a description of the drought program, which was issued by the Committee on Agriculture of the House of Representatives, and I have been reading it. I believe I described the 60 cents program before the Senator came in. The 60 cents program is no program at all. It provides only a 60-cent allowance for a hundred pounds of feed, and the eligible farmer is finding that this is often absorbed by an inflated feed price. The feed is in the hands of dealers; it is not in the hands of the Government. There is nothing to prevent the dealers from asking any price they desire. The hay program is not moving.

With regard to the question of declaring a certain area a disaster area, I believe 28 counties in Arkansas have been designated as eligible for disaster aid. The Department is still far behind in accepting the recommendations of the committee in the State. In those areas there is no program in effect, and, of course, that is perfectly ridiculous, because a drought does not occur in accordance with county lines. I am now getting letters from cotton growers in the southwest part of the State. The first crops to be destroyed are small grains. Cotton stands drought better than other crops, but even cotton is being seriously affected now.

Mr. JOHNSTON of South Carolina. Is it not true that people in the drought areas will leave those areas before the Government can get any aid to them?

Mr. FULBRIGHT. They are having to leave. I have in my hand a letter from a person in north Arkansas, enclosing announcements of sales by people who are losing their farms and offering to sell household equipment, cattle, what is left of their feed, a few bales of straw, and so forth. They are selling out. The letter had enclosed with it several announcements of sales. The writer of the letter described what was going on that week in her community. Farmers are having to go out of business and leave the section.

Mr. HILL. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. HILL. I am glad the Senator said what he did about cotton. We think of and speak of cotton as a dry weather crop.

Mr. FULBRIGHT. It is.

Mr. HILL. There is no plant which can stand the lack of water or stand heat better than cotton, but the drought today is so exceptionally severe that serious troubles and losses are being experienced even by our cotton farmers.

Mr. FULBRIGHT. It is so bad in one of the counties in Arkansas which is a big cotton producing county that the cotton is drying up.

Mr. HILL. I have a telegram signed by W. A. Hales and J. F. McGee, Jr., president and secretary, respectively, of the County Farm Bureau of Greene County, Ala. The telegram was dated July 16. That means the telegram was sent a month ago. Just think what the situation was a month ago and today. We all know that conditions have gotten worse day by day and every hour of the day. The telegram reads as follows:

"Corn, complete loss. Cotton, at least 50 percent off. Hay, 80 to 90 percent off. Pastures burned up. We need feed immediately."

We have petitioned and applied for and urged and pleaded with the administration for relief, but up to this good day, other than the short term emergency loans which do not even begin to meet the disaster in Alabama today, we have been denied any relief or benefit for our farmers, who are in a desperate situation.

Mr. FULBRIGHT. I am amazed that Alabama as a State has not been permitted to share in the program at all, because it certainly ought to.

Mr. HILL. I do not know that I should use the term "washed out" when I speak of the drought situation, but unless relief does come, and unless it comes immediately, it will mean that many, many Alabama farmers are going to be completely "washed out." Many will be forced to leave their land and their homes. They will have to crowd somewhere into a city and hope to get a job, despite the unemployment that exists in so many places today.

Mr. FULBRIGHT. Mr. President, that may well happen under the ineffectual drought relief program of this administration. But we certainly should do everything possible to minimize that movement because it would result in increasing the problems which already exist in the cities, where the problems already are serious. More importantly, it would protect the equity of men in their land.

I do know that, unless there are early abundant rains in a vast part of the Nation, we are set for a tremendous drought disaster, with only penny-ante relief programs which will prove wholly inadequate to save tens of thousands of farmers from ruin.

I regret that I am one of the agricultural minority in this Congress. I did not vote for the bill that is so widely hailed as an administration victory over the farmers. If I were one of the majority, I would certainly oppose the adjournment of this Congress until it is made absolutely certain that abundant stand-by authority and funds are available to meet a major drought disaster, and that the aid given would not be too little and too late, as it has been up to this moment in my State of Arkansas.

Mr. President, at this time let me read excerpts from a few of the many communications on this subject which I have received in the last few weeks:

The alleged drought relief program announced by the DA is a farce, a cruel hoax. It will not save one herd in this country.

The cattle we raise in this country are worth from 20 percent to 40 percent of their market value 30 months ago. Many cattle producers have been holding on in the hope that things would take a turn for the better but the turn has been the other way.

Unless the Government gives some substantial relief there will be no cattle left in northwest Arkansas next spring.

When its own citizens are going broke through no fault of their own the Government with enough feed on hand to save the day comes up with an asinine program that is cruel because it promises relief but actually gives none.

I read now from another letter:

You know that I do not subscribe to the theory that the Government should set up aid for any segment of our population unless they are confronted with a major disaster.

The small farmers are in worse condition in this area than they have been in many years. It is imperative that they have help if they are to survive and be in position to even start a crop next year.

I read now from a third letter:

I know that you hear lots of distressing stories in Washington. But the one I wish to relate is really distressing. The farmers have had their third dry year and third crop failure in most places in the State. This year is the worst in this area yet, and at this date there is no sign of rain. Hay is gone, dairymen are feeding hay already, hulls going up, no corn, and I have never seen farmers in such a predicament as they are at this time. Even the cotton farmer is having his troubles, where he had no water to use for irrigation. If he had water then he is better off.

I read now from a fourth letter:

DEAR SIR: Wish it was possible for me to come up and talk the drought situation over with you personally but since that is impossible, I am taking this opportunity of coming to you with our problems.

I am going to admit to you that I don't know just what the solution to this problem is going to be, but I do know that if something is not worked out different than what they now have, that a lot of our people are going to be forced to abandon their homes and seek a livelihood elsewhere.

Several herds in the county have already been liquidated and last week all the local livestock auction companies in this territory have been begging the people not to bring their stock in as their facilities were being overrun, and the only reason a lot more has not been moving is only because there isn't enough transportation available. I was talking to several truckers yesterday and they all told me that they had turned down 8 or 10 loads of cattle for today.

I really can't tell you just how bad the situation is down here in our county, you would have to see the pastures and fields in person, and talk to some of the people to even begin to get a true picture of the disastrous situation that we are really facing.

I read now from a fifth letter:

I am enclosing handbills for four separate farm sales, to show what is taking place right here in northwest Arkansas, since milk prices have been lowered to where people can't go on, and are being forced to leave their farm homes to seek jobs in town and elsewhere. These sales have been going on for some time now, and if it keeps up, milk will be out of the reach of poor families, or none for anyone in a short time.

If people choose to live in the country, they should be left there. The only time in history that farmers have been able to

build decent homes with baths, (that farmers need as no one else needs) has been in the last 5 to 8 or 10 years.

I read now from a sixth letter:

This being the third year we have had a drought I am asking for your help to the farmers. I am in a position to know that many need help desperately.

Most of the farmers that I have talked with do not want a gift, just an opportunity to meet their obligations. I know of many good farmers, honest, hard working men, that will lose everything that they possess unless aid is offered them. Some will be able to hold on to what they have but will not be able to farm next year. A very few will be able to meet their obligations and be in a position to farm in 1955. Many of the first two classes are ready to quit farming and leave the State to seek employment of some other description. Some few have already done this very thing.

Mr. President, I now ask unanimous consent to have printed at this point in the RECORD, as a part of my remarks, a series of telegrams which describe the same situation.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

Situation in this area very serious. Continue urging approval of our county for drought relief program.

Drought conditions prevail throughout Pike County. This drought is more severe than either the 1952 or 1953 drought. Feed crops are about 30 percent of normal. Feed is needed now as 20 percent of beef growers are feeding now and 80 percent would be if they had feed. Pastures have produced 50 percent of our feed needs since July 1. Our greatest need is protein concentrate.

The situation here is desperate and far worse than prior years because of a continuous 3-year drought. Our farmers have no pasture, many are out of water, none of them have enough feed for fall and winter.

This section is experiencing its worst drought and long-continued heat wave in all the 20-odd years that I have lived in Howard County. Pastures parched, truck and fruit crops yields far under normal and row crops badly damaged by heat and drought. But little rain has fallen here since in May and a heat wave of 60 days' duration.

COPY OF TELEGRAM TO SECRETARY BENSON

The drought is having a devastating effect on Arkansas farmers. In many instances their crops are burned beyond recovery. Losses on poultry and livestock are running into millions. Immediate steps must be taken to save our farmers from bankruptcy. Other droughts in recent years coupled with the shrinking margin between selling prices and production costs have depleted the reserves which some of our farmers had accumulated. Others have been operating on credit.

No doubt you already know that we are in an awful drought here in this part of the country after last year. People are almost giving their stock away. Practically no market. If there ever was a time that people—I mean the stockman—needed help with cheap feed and low interest on loans it is now. If something is not done soon there will only be a few stockmen left in this part of the country so I am asking you to do what you can to see that this kind of a program can be put into effect soon.

The continued problem of extreme hot and dry weather has completely ruined both the pastures and crops. Then with prices of farm commodities what they are we feel that the farmers are in need of assistance again now.

The corn that tassled out in July, the hottest month on record for this period, was burned to such an extent that there was not proper pollenization and as a result, little or no corn matured on the ears. The condition of the dairy farmers in the Midsouth area is critical, and drought relief is necessary if many of the producers are to stay in the dairy business.

Mr. FULBRIGHT. Mr. President, I wish to comment briefly on the suggestion in the last letter I read—namely, that many persons are ready to quit farming and leave the State, to seek employment of some other kind. Although that is one way to solve the surplus of agricultural commodities which has plagued the country, I submit that it is not only a cruel and inhuman way, but that the problems it would create, as a result of the movement of those people into urban areas, would be far more serious to our society than the cost of an adequate aid program for these people. They wish to remain on the farms, and in the past they have contributed much to the economy of the Nation.

Mr. HILL. Mr. President, will the Senator from Arkansas yield to me at this point?

Mr. FULBRIGHT. I yield.

Mr. HILL. The truth is that to grant the relief that is so desperately needed today, and for which there is such great compulsion, would cost practically nothing; the cost would be virtually nothing, in comparison with the overall expenditures of the Government.

Mr. FULBRIGHT. That is true; the cost would be scarcely anything, because I daresay more wheat and corn will spoil in Government storage than the amount of wheat and corn which would be required for the relief program. All we need is a little imagination and a little energy on the part of responsible authorities, in order to move the machinery which already is in existence, and in order to move to the needy farms the commodities which also are already in existence. I do not think the amount of money involved would be significant, compared to the benefits which will accrue.

Mr. HILL. In other words, all we need to do is to make use of what we already have.

Mr. FULBRIGHT. That is correct. All we need is someone in the Department of Agriculture who is really interested in doing something for these small farmers. That is all we need, because the authority and the appropriated funds for this program already exist. In the past, emergency programs have worked well. Certainly the proposed feed program, especially when using the surplus feeds which are in storage, could be effective in moving the necessary animal food into this area; and the cost would be practically nothing, insofar as new appropriations are concerned.

Of course, the program would use the commodities now in storage and owned by the Government. Under those circumstances, the cost of the program would be only an academic question, or a bookkeeping question, because in the final analysis, something must be done with the stored commodities before they spoil.

Mr. President, in conclusion let me say that in my judgment this Congress ought to take a hand, this week, to put an end to 60-cent economy at the expense of drought victims. If necessary, we ought to remain here for whatever time it takes to mandate the Department of Agriculture to deal adequately with the drought crisis, giving the Department whatever authority and funds might prove to be necessary if this major disaster continues, worsens, and spreads.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD, as a part of my remarks, a letter I addressed to the Honorable Ezra Taft Benson, on August 17, 1954.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
August 17, 1954.

Hon. EZRA TAFT BENSON,
Secretary of Agriculture,
Washington, D. C.

DEAR MR. SECRETARY: I am very deeply concerned about the inadequacy of our drought relief program to handle the sort of major disaster which is occurring in Arkansas.

There has been a deficiency of rainfall in Arkansas for 3 years. The feed situation is desperate. Continued drought has exhausted the resources of thousands of farmers.

The current drought relief program may be useful to areas in a short drought. But it is wholly inadequate in the areas where farmers have been victims of drought now for 2, 3, and even more years. Declining farm income and inadequate credit facilities aggravate this situation. The practice of designating drought relief areas by counties is completely unrealistic. Heat and drought do not confine themselves to county boundary lines.

Additionally, I am receiving many complaints that the costs of feeds have gone up so that the 60 cents per hundredweight allowance for Commodity Credit Corporation supplies does not offset advances in feed prices. In my opinion it is inadequate anyhow.

Hay is desperately needed in Arkansas, but is not being made available under the program to pay half of freight, up to $10 per ton. The responsibility for running such a program has been shifted by you to the States. Location of surplus hay is left largely to private dealers. I am advised that even without the program, the dealers are unable to get adequate quantities through normal trade channels. Local dealers cannot economically scour the country for available hay. There is obviously needed the assistance of the Federal farm agencies—as in the past years—to locate and arrange for deliveries of hay.

I am advised that you have only $15 million for the feed program. With drought conditions in all or parts of 30 States, it is inconceivable to me that such funds are adequate to meet the needs which will come with the sort of major disaster which confronts us.

I am aware of the fact that your Department has previously advised that no additional funds or authority are needed. However, if, upon reconsideration, you find additional funds and authority are needed to meet a major drought disaster, I am sure Congress would remain in session to meet

any contingency which might develop, if requested by you or the President.

I urge you, as strongly as I can, immediately to reconsider and revise your programs in the light of the situation which now exists.

Sincerely,

J. W. FULBRIGHT.

Mr. BUTLER obtained the floor.

Mr. BRICKER. Mr. President, will the Senator yield?

Mr. BUTLER. I yield.

SUMMARY OF ACTIVITIES OF THE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE DURING THE 2D SESSION OF THE 83D CONGRESS, AND PENDING MATTERS

Mr. BRICKER. Mr. President, I wish at this time to present for the record a brief summary of the activities of the Committee on Interstate and Foreign Commerce for the second session of the 83d Congress.

Your committee had referred to it for consideration a total of 101 pieces of legislation, including 70 Senate bills and 19 House bills, exclusive of some 40 amendments thereto; 3 Senate joint resolutions, and 8 simple Senate resolutions.

A total of 41 bills and joint resolutions and 5 simple resolutions were reported favorably.

Forty-five measures passed the Senate and 28 passed the House. To date, 23 measures have been signed into law by the President and several others are awaiting his signature.

The committee this year held 95 sessions of public hearings on legislation, 20 sessions of public hearings on nominations, and 4 sessions of public hearings on miscellaneous matters other than legislation and nominations. In all, your committee and its subcommittees conducted 119 sessions of hearings covering more than 500 hours.

There were referred to the committee during the second session, 649 so-called routine nominations in the Coast Guard and 300 routine nominations in the Coast and Geodetic Survey. In addition, the committee disposed of 23 major nominations. The nomination of G. Joseph Minetti to be a member of the Federal Maritime Board is pending before the committee.

There were 93 official papers referred to committee.

At this point, Mr. President, I ask unanimous consent that there be printed in the RECORD as a part of my remarks a listing of the hearings held by the committee and its subcommittees and the legislation heretofore referred to, coving the activities of the committee this session.

There being no objection, the listing of hearings was ordered to be printed in the RECORD, as follows:

Following is a list of the number of hearing sessions by each subcommittee and the full committee: Surface transportation, 4 sessions of open hearings; communications, 11 sessions of open hearings; aviation, 1 session of open hearings (20 sessions of hearings were held by full committee); water transportation, 25 sessions of open hearings; fisheries and wildlife, 3 sessions of open hearings; business and consumer interests, 22 sessions of open hearings; full committee, 53 sessions of open hearings.

A list of the bills reported to the Senate during the second session and report numbers are as follows:

S. 602, to provide for greater safety of life and property at sea by authorizing the Secretary of the Treasury to prescribe rules for the loading, stowage, and securing of grain and other similar bulk cargoes (S. Rept. No. 1324).

S. 904, to standardize rates on household goods shipped by the United States Government for its employees (S. Rept. No. 1803).

S. 906, amending the Interstate Commerce Act to establish finality of contracts between the Government and common carriers (S. Rept. No. 1655).

S. 1763, life preservers for river steamers (S. Rept. No. 1646).

S. 1878, to amend the Merchant Marine Act (war-risk insurance) (S. Rept. No. 1212).

S. 2370, to authorize the sale of certain vessels to Brazil for use in the coastwise trade of Brazil (S. Rept. No. 1276).

S. 2371, extension of emergency foreign merchant vessel acquisition and operating authority (S. Rept. No. 1087).

S. 2389, granting commissioned officers of Coast and Geodetic Survey certain military benefits and rights during time of war (S. Rept. No. 1752).

S. 2407, to amend the Ship Mortgage Act, 1920 (S. Rept. No. 1213).

S. 2453, to amend the Communications Act of 1934, as amended, with respect to implementing the International Convention for the Safety of Life at Sea relating to radio equipment and radio operators on board ship (S. Rept. No. 1583).

S. 2713, to authorize the Secretary of Commerce to reconvey certain property to the city of Boulder, Colo. (S. Rept. No. 1088).

S. 2777, to provide transportation on Canadian vessels (S. Rept. No. 1089).

S. 2802, to further encourage the distribution of fishery products (S. Rept. No. 1210).

S. 2814, to amend section 4153 of the Revised Statutes (S. Rept. No. 1214).

S. 2818, biennial inspection of hulls and boilers of cargo vessels (S. Rept. No. 1272).

S. 3185, to amend the Interstate Commerce Act with respect to instruments evidencing the mortgage, lease, conditional sale, or bailment of motor vehicles sold to or owned by certain carriers (S. Rept. No. 1461).

S. 3190, strengthening of act of January 2, 1951, prohibiting the transportation of gambling devices in interstate and foreign commerce (S. Rept. No. 1651).

S. 3219, to amend certain provisions of title XI of the Merchant Marine Act, 1936, to facilitate private financing of new ship construction (S. Rept. No. 1804).

S. 3233, to amend the Merchant Marine Act, 1936, to provide permanent legislation for the transportation of a substantial portion of waterborne cargoes in United States-flag vessels (S. Rept. No. 1584).

S. 3379, exemption of certain fabrics and wearing apparel from application to Flammable Fabrics Act (S. Rept. No. 1323).

S. 3435, creation of Washington National Airport Corporation (S. Rept. No. 1653).

S. 3464, to provide for the carrying out of the agreement for the promotion of safety on the Great Lakes by means of radio (S. Rept. No. 1747).

S. 3542, prohibition of transmission of certain gambling information in interstate and foreign commerce by communication facilities (S. Rept. No. 1652).

S. 3546, Emergency Ship Repair Act of 1954 (S. Rept. No. 1647).

S. 3630, to permit the city of Philadelphia to further develop the Hog Island tract as an air, rail, and marine terminal (S. Rept. No. 1805).

S. 3713, to give effect to the International Convention for the High Seas Fisheries of the North Pacific Ocean, signed at Tokyo, May 9, 1952 (S. Rept. No. 1806).

Senate Resolution 173, to investigate certain problems relating to interstate and foreign commerce (no written report).

Senate Resolution 272, to commend States having legislation to prevent discarded refrigerating units from becoming a menace to children and to urge consideration of similar legislation by other States (no written report).

Senate Resolution 276, providing additional funds for the Committee on Interstate and Foreign Commerce (no written report).

Senate Joint Resolution 67, to repeal certain World War II laws relating to return of fishing vessels (S. Rept. No. 1649).

Senate Joint Resolution 161, authorization for sale of passenger-cargo vessels (S. Rept. No. 1645).

H. R. 6436, amending the Communications Act of 1934 (S. Rept. No. 1090).

H. R. 6870, to approve existing railway installations and authorize further installations on the batture in front of the Public Health Service hospital property in New Orleans, La. (S. Rept. No. 1275).

H. R. 7395, to amend the definition of "airman" in the Civil Aeronautics Act (S. Rept. No. 1751).

H. R. 7468, amending certain provisions of part II of the Interstate Commerce Act to provide for the regulation for purposes of safety and protection of the public, of certain foreign motor carriers operating in the United States (S. Rept. No. 1650).

H. R. 8357, to amend the Standard Container Act of May 21, 1928 (45 Stat. 685; 15 U. S. C. 257–257i), to provide for a ⅜-bushel basket for fruits and vegetables (S. Rept. No. 1585).

H. R. 8538, revocation or denial of merchant marine documents to persons involved in certain narcotics violations (S. Rept. No. 1648).

H. R. 8647, regarding provisions to register or license a vessel of the United States (S. Rept. No. 1748).

H. R. 1843, to increase the retired pensions of members of former lighthouse service (S. Rept. No. 2215).

H. R. 9868, to amend the Ship Mortgage Act to provide for the charter of a passenger vessel to the Hawaiian Steamship Co. (S. Rept. No. 2213).

H. R. 9584, to provide for the protection of fishermen in territorial waters (S. Rept. No. 2214).

H. R. 8898, to amend section 401 (e) (2) of Civil Aeronautics Act, as amended (permanent certificates for local service air carriers) (S. Rept. No. 2267).

Senate Resolution 292, expressing the sense of the Senate for the development of private aviation.

Senate Resolution 310, authorizing the investigation of marketing of new cars by the Business and Consumer Interests Subcommittee (S. Rept. No. 2316).

H. R. 9115, to provide that contributions received under Public Law 485, 80th Congress, for the construction of a merchant marine chapel shall be invested in Government obligations pending their use for such construction (S. Rept. No. 2490).

H. R. 9434, to amend section 216 (b) of the Merchant Marine Act, 1936, as amended, to provide for the maintenance of the Merchant Marine Academy.

A list of the bills which passed the Senate is as follows:

S. 602, to provide for greater safety of life and property at sea.

S. 906, amending the Interstate Commerce Act to establish finality of contracts between the Government and common carriers.

S. 978, to amend the Interstate Commerce Act in order to expedite and facilitate the termination of railroad reorganization proceedings under sec. 77 of the Bankruptcy Act.

S. 1763, life preservers for river steamers.

S. 1878, to amend the Merchant Marine Act (war-risk insurance).

S. 1918, to amend section 9 of the Merchant Ship Sales Act of 1946.

S. 2370, to authorize the sale of certain vessels to Brazil for use in the coastwise trade of Brazil.

S. 2371, extension of emergency foreign merchant vessel acquisition and operating authority.

S. 2389, granting commissioned officers of Coast and Geodetic Survey certain military benefits and rights during time of war.

S. 2407, to amend the Ship Mortgage Act, 1920.

S. 2453, to amend the Communications Act of 1934, relating to radio equipment and radio operators on board ship.

S. 2777, to provide transportation on Canadian vessels.

S. 2802, to further encourage the distribution of fishery products.

S. 2814, to amend section 4153 of the Revised Statutes.

S. 2818, biennial inspection of hulls and boilers of cargo vessels.

S. 3185, to amend the Interstate Commerce Act with respect to instruments evidencing the mortgage, lease, conditional sale, or bailment of motor vehicles sold to or owned by certain carriers.

S. 3233, to amend the Merchant Marine Act, 1936, to provide permanent legislation for the transportation of a substantial portion of waterborne cargoes in United States-flag vessels.

S. 3379, exemption of certain fabrics and wearing apparel from application to Flammable Fabrics Act.

S. 3464, to provide for the carrying out of the agreement for the promotion of safety on the Great Lakes by means of radio.

S. 3546, Emergency Ship Repair Act of 1954.

S. 3630, to permit the city of Philadelphia to further develop the Hog Island tract as an air, rail, and marine terminal.

S. 3713, to give effect to the International Convention for the High Seas Fisheries of the North Pacific Ocean, signed at Tokyo, May 9, 1952.

Senate Resolution 173, to investigate certain problems relating to interstate and foreign commerce.

Senate Resolution 272, to commend States having legislation to prevent discarded refrigerating units from becoming a menace to children and to urge consideration of similar legislation by other States.

Senate Joint Resolution 67, to repeal certain World War II laws relating to return of fishing vessels.

Senate Joint Resolution 72, to authorize the Secretary of Commerce to sell certain vessels to citizens of the Republic of the Philippines; to provide for the rehabilitation of the interisland commerce of the Philippines, and for other purposes.

Senate Joint Resolution 161 (H. J. Res. 534), to authorize the Secretary of Commerce to sell certain war-built passenger-cargo vessels, and for other purposes.

H. R. 1026, providing medical, surgical, and dental treatment and hospitalization for certain officers and employees of the former Lighthouse Service.

H. R. 4557, to amend section 319 of the Communications Act of 1934 with respect to permits for construction of radio stations.

H. R. 4558, to amend section 309 (c) of the Communications Act of 1934, with respect to the time within which the Federal Communications Commission must act on protests filed thereunder.

H. R. 4559, to amend section 501 of the Communications Act of 1934, so that any offense punishable thereunder, except a second or subequent offense, shall constitute a misdemeanor rather than a felony.

H. R. 6436, amending the Communications Act of 1934.

H. R. 5976, to amend section 1 of the Natural Gas Act.

H. R. 6870, to approve existing railway installations and authorize further installations on the batture in front of the Public Health Service Hospital property in New Orleans, La.

H. R. 7380, authorizing the Secretary of Commerce to reconvey certain property to the city of Boulder, Colo.

H. R. 7468, amending certain provisions of part II of the Interstate Commerce Act to provide for the regulation for purposes of safety and protection of the public, of certain foreign motor carriers operating in the United States.

H. R. 8357, to amend the Standard Container Act of May 21, 1928, to provide for a ¾-bushel basket for fruits and vegetables.

H. R. 8538, revocation or denial of merchant marine documents to persons involved in certain narcotics violations.

H. R. 1843, to increase retired pay of certain members of the former Lighthouse Service.

H. R. 9584, to protect rights of vessels of United States on the high seas and in territorial waters of foreign countries.

H. R. 8647, to amend Revised Statutes 4426 (exemption of certain small vessels from vessel inspection laws).

Senate Resolution 292, to express the sense of the Senate for development of private aviation.

H. R. 9868, to amend the Ship Mortgage Act to provide for the charter of a passenger vessel to the Hawaiian Steamship Co.

H. R. 9115, to provide that contributions received under Public Law 485, 80th Congress, for the construction of a merchant marine chapel shall be invested in Government obligations pending their use for such construction.

H. R. 9987 (S. 3219), to amend certain provisions of title XI of Merchant Marine Act, 1936, as amended, to facilitate private financing of new ship construction, and for other purposes.

A list of the bills and resolutions which were signed by the President and became public laws are as follows:

S. 2370, to authorize the sale of certain vessels to Brazil for use in the coastwise trade of Brazil (Public Law 496).

S. 2777, to provide transportation on Canadian vessels (Public Law 441).

S. 2802, to further encourage the distribution of fishery products (Public Law 466).

Senate Joint Resolution 72, to authorize the Secretary of Commerce to sell certain vessels to citizens of the Republic of the Philippines; to provide for the rehabilitation of the interisland commerce of the Philippines, and for other purposes (Public Law 469).

H. R. 4557, to amend section 319 of the Communications Act of 1934 with respect to permits for construction of radio stations (Public Law 321).

H. R. 4558, to amend section 309 (c) of the Communications Act of 1934, with respect to the time within which the Federal Communications Commission must act on protests filed thereunder (Public Law 320).

H. R. 4559, to amend section 501 of the Communications Act of 1934, so that any offense punishable thereunder, except a second or subsequent offense, shall constitute a misdemeanor rather than a felony (Public Law 314).

H. R. 5976, to amend section 1 of the Natural Gas Act (Public Law 323).

H. R. 6276, to amend the Ship Mortgage Act, 1920 (Public Law 447).

H. R. 6436, amending the Communications Act of 1934 (Public Law 345).

H. R. 6870, to approve existing railway installations and authorize further installations on the batture in front of the Public Health Service hospital property in New Orleans, La. (Public Law 376).

H. R. 7380, authorizing the Secretary of Commerce to reconvey certain property to the city of Boulder, Colo. (Public Law 341).

H. R. 8357, to amend the Standard Container Act of May 21, 1928, to provide for a three-eighths-bushel basket for fruits and vegetables (Public Law 434).

H. R. 8538, revocation or denial of merchant marine documents to persons involved in certain narcotics violations (Public Law 500).

H. R. 7468, to amend section 203 (a) of Interstate Commerce Act authorizing regulation of motor-carrier transportation in certain instances (Public Law 522).

S. 2371, to extend emergency foreign merchant vessel acquisition and operating authority of Public Law 101 of 77th Congress (Public Law 569).

Senate Joint Resolution 161 (H. J. Res. 534), to authorize Secretary of Commerce to sell certain war-built passenger cargo vessels (Public Law 553).

S. 2389, granting commissioned officers of Coast and Geodetic Survey certain military benefits and rights during time of war (Public Law 593).

S. 2408, to amend the Merchant Marine Act, 1936, to provide a national defense reserve of tankers and to promote the construction of new tankers, and for other purposes (Public Law 574).

S. 3713, to give effect to the International Convention for the High Seas Fisheries of the North Pacific Ocean, signed at Tokyo, May 9, 1952 (Public Law 579).

Senate Joint Resolution 67, to repeal certain World War II laws relating to return of fishing vessels, and for other purposes (Public Law 580).

S. 2453, to amend the Communications Act of 1934, as amended, with respect to implementing the International Convention for the Safety of Life at Sea relating to radio equipment and radio operators on board ship (Public Law 584).

S. 3464, to amend Communications Act of 1934 in order to make certain provision for the carrying out of the Agreement for the Promotion of Safety on the Great Lakes by Means of Radio (Public Law 590).

H. R. 1026, providing medical, surgical, and dental treatment and hospitalization for certain officers and employees of the former Lighthouse Service, was vetoed by the President (H. Doc. No. 429).

REPORT ON ACTIVITIES OF WATER TRANSPORTATION SUBCOMMITTEE

Mr. BRICKER. Mr. President, I have received from the chairman of the Subcommittee on Water Transportation of the Committee on Interstate and Foreign Commerce, the distinguished Senator from Maryland [Mr. BUTLER], a letter detailing the work of his subcommittee.

I wish to express my very deep appreciation for the Senator's work. I know I express the appreciation of all members of the committee for the diligent work the subcommittee has conducted throughout the year, and the accomplishments of the subcommittee.

The Senator from Maryland is about to present a very important bill, which was reported by his subcommittee, and was approved unanimously by the Interstate and Foreign Commerce Committee.

This letter from the Senator from Maryland details the work of that subcommittee, which is one of the very important subcommittees of the Interstate and Foreign Commerce Committee. I wish to commend the Senator particu-

larly on the bill he is about to present to the Senate today. I think it will make effective the program attempted 2 years ago in our committee. I think it will bring into the shipbuilding industry much private money, without the expenditure of Government and taxpayers' money, and will help to fill a great need in building up our shipping industry.

I ask unanimous consent that I may place in the RECORD at this time the letter from the chairman of the Subcommittee on Water Transportation, the Senator from Maryland [Mr. BUTLER].

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
COMMITTEE ON INTERSTATE
AND FOREIGN COMMERCE,
August 5, 1954.

Hon. JOHN W. BRICKER,
Chairman, Committee on
Interstate and Foreign Commerce,
United States Capitol,
Washington, D. C.

DEAR SENATOR BRICKER: During the present session of the 83d Congress it was my privilege to be designated by you as head of the Water Transportation Subcommittee, handling legislation pertaining mainly to the American merchant marine. I think it only proper, as the Congress comes to a close, that I summarize for you what our subcommittee has done and what we hope to do in the near future.

Let me stress at the outset our good fortune in serving under you as chairman of the Senate Interstate and Foreign Commerce Committee. Without your continuing support and wise counsel our subcommittee efforts could not possibly have been so fruitful. Likewise I would like to take this opportunity to express my sincere appreciation and admiration for the industry and ability of each of my subcommittee colleagues—Senators POTTER and PAYNE on the majority side, and Senators MAGNUSON and SMATHERS on the other. Leaders in the shipping and shipbuilding industries and in the interested Government agencies, as well as officials of maritime labor have generously asserted that our subcommittee has accomplished much of value during this session. If that is so, and I believe it is, it was made possible only by the unfailing assistance and cooperation of all concerned.

And here I pause to observe that any statement of our progress would be incomplete if it failed to emphasize that the maritime industry has had no better support from any Member of the Senate than it has had from the distinguished majority leader, Senator KNOWLAND, and from the very able chairman of the Senate Appropriations Committee, Senator BRIDGES. Senator KNOWLAND almost uniformly has given right of way to our bills, more than two-thirds of which were approved within 10 days of their inclusion in the calendar. Senator BRIDGES was most considerate of our representations as to Government's obligations to American shipping—and receptive to our pleas for funds to discharge those obligations. His willingness to accept the $18 million amendment to the supplemental appropriation bill for the emergency ship-repair program was but the latest instance of his courtesy and support in this respect.

At the conclusion of this letter I will append a list of the maritime bills which have been approved by the Water Transportation Subcommittee and acted upon favorably by the Senate. Any account of legislation for the maritime industry must necessarily include, however, not only a recital of what has been achieved, but, perhaps even more important, what remains to be done. Despite the definite gains made in the struggle to keep the American merchant marine alive and adequate to the requirements of peace or war, urgent needs remain to be filled. And the preparatory work to remedy these needs, or much of them, can and should be done in the months that will intervene before Congress again convenes in January next.

Much has been said, necessarily, during this session about the depressed conditions in the shipbuilding and ship repair industry, and the lack of available cargoes which caused the lay-up of many American ships, especially in the tramp trade. However, the matters coming before the subcommittee did not deal solely with these matters.

One of the primary concerns of the subcommittee has been the advancement of safety of life and property at sea. In this field there were five bills considered and passed, all of which will result, without question, in greater safety for both lives and property. One of the most persistent causes of catastrophies on the high seas has been the improper loading of certain types of cargoes, such as bulk grain, wheat, and the like, which have a tendency to shift unless properly contained in their allotted spaces. One of the bills passed, S. 602, is addressed to the prevention of future troubles of this nature.

Improved design of vessels has been another necessary consideration and our bill, S. 2814, as passed, would help matters greatly in this respect. Requirement of approved life preservers on river steamers to replace the unsatisfactory life rafts now in use, as provided in S. 1763, is of great importance. Likewise, provisions to authorize denial or revocation of seamen's licenses to narcotic users or addicts is another long needed step in the right direction.

Under the heading of national and public interest an impressive number of bills were reported and passed. One of them, S. 2408, made provision for adding needed strength to the strategic reserve tanker fleet. Another, initiated entirely by our subcommittee, and cosponsored by many able Senators from both sides of the aisle, provides for an emergency ship repair program, to keep strategic yards in operation, as well as to put selected vessels in the reserve fleet in ready condition, for immediate use in the event of an emergency. Other bills under this heading would strengthen diplomatic and trade relations with several foreign nations by permitting sale or charter to them of ships badly needed in their domestic trades. And on the Pacific, there was made possible the sale and charter of additional passenger vessels which will greatly advance the public convenience in those areas, while adding vastly to the defense potential in available troop transports.

For the benefit of the shipping industry itself, which has been so hard hit by low-cost, foreign competition, measures of utmost importance have been passed and to a large point developed by our subcommittee. Two especially stand out in this regard—one, the cargo preference, or 50–50 bill, to assure to the United States flag vessels, on a permanent basis, the transportation of at least 50 percent of all cargoes for the account of or financed by this Government. The other, S. 3219, to provide for private financing of ship construction.

Our subcommittee's hearings on the Commerce Department's very splendid Maritime Subsidy Policy Report focused the spotlight on a number of pressing problems which will have to be met within the immediate future.

Of pressing importance to maritime labor, as well as to a large segment of American shipping engaged in the tramp trades, was the inquiry conducted by our subcommittee into the administration of the law dealing with the transfer of United States-flag vessels to foreign registry. The Maritime Administrator came before the subcommittee at an open hearing, and outlined in detail the policies governing such transfers, following which those who opposed or questioned the transfer policy were heard at length. The subcommittee's conclusion was that the law was not being improperly administered, but we urged the Maritime Administrator to exercise caution in acting on the many pending requests for foreign transfer.

It seems especially appropriate to mention the successful efforts made by our subcommittee to have this Government meet its obligations to the shipping lines with regard to payment of operating differential subsidies, some of which had been overdue for years.

The fourth and final phase of the subcommittee's activities was centered upon the shipyards of our country and here, I am sure, we have made a substantial contribution to the future security of the Nation.

Besides initiating the ship repair program which, as passed and sent to the President, will undoubtedly prevent the closing of many vital yards and the loss of thousands of skilled shipworkers, our subcommittee has been most active, and successful, in its attempts to impress upon Congress and the administration the urgency of approving plans for new passenger vessels and tankers and for various other forms of new ship construction. These programs are of the utmost importance to the Nation, and of immediate urgency to the shipyards, nearly all of which are facing imminent closing.

Convinced that depressed conditions in American shipyards merited for them preferential consideration over foreign shipyards for which contracts had been allotted under the Navy's offshore ship procurement program, I felt it incumbent upon me as chairman to urge that these contracts be placed in this country. As a result I was advised by Admiral Leggett, Chief of the Navy's Bureau of Ships, for whom I have the highest regard, that contracts totaling $27,500,000 for minesweepers for the North Atlantic Treaty countries would be diverted back from European shipyards to yards in this country.

During this session, likewise, in connection with our efforts on behalf of shipping and shipbuilding, we have developed a close working partnership with the responsible Government agencies. That relationship has been most effective in promoting the legislative and allied efforts deemed essential for the preservation and strengthening of these important segments of our peacetime and wartime economy.

Most of the legislation immediately affecting the shipping and shipbuilding industries acted upon during the session was of the emergency type. Ships were being laid up, shipyards were closing or facing such action. Action had to be of such a nature as to afford prompt but, I fear, in some instances, piecemeal help, to keep these important facilities alive until more permanent measures could be devised and enacted.

The more important problems to be faced on a long-range basis are interrelated, necessarily.

First, the private shipyards upon which the Department of Defense is placing heavy reliance must not be allowed to shut down or deteriorate to a standby status. This would be a catastrophe. If it is allowed to happen, a sudden emergency would find the Nation unable to meet the vast demands for new shipping that the defense authorities assert will be required. An atom war will not permit months or even years to organize our shipyards, as was the case in World Wars I and II.

Second, the American merchant fleet is aging rapidly. Almost all of it was built during the war years. Before 10 years have passed this vast fleet will have passed its useful lifetime. Replacement of all these

vessels when that happens, within a 2- or 3-year period, will be absolutely impossible. Our shipyards couldn't begin to handle that many contracts—even if the necessary funds were available, a truly fantastic supposition.

The sensible approach to such replacement, recommended in the Maritime Subsidy Policy Report of the Department of Commerce, is an annual construction program of 60 ocean-going ships a year. This is estimated to cost at least $400 million annually.

Where the money to finance this program would come from is, at this moment, a grave question.

Under title V of the Merchant Marine Act of 1936, the Government is authorized to finance, and in some instances has financed, 75 percent of the owner's cost of construction, on a 20-year basis, with interest on the unpaid balance at the rate of 3½ percent per annum. There have been no losses to the Government under this program. But to obtain title V funds, appropriations must be sought. Accordingly, because of this budgetary obstacle, and in an attempt to encourage private financing of merchant vessel construction, the subcommittee worked with representatives of the shipping industry, the lending institutions, and the Government agencies concerned to develop a private financing bill, S. 3219. Admittedly, encouragement of private financing of vessel construction is nothing new, witness Public Law 288, passed at the last session for the same purpose, but which apparently has not done the job. Indeed, title XI of the Merchant Marine Act is designed to encourage private financing and has been on the books since 1938. But we believe S. 3219, if enacted, will do the private financing job in large part.

The 1936 act, likewise, under section 206, authorized the establishment of a revolving fund for the financing of vessels to replace obsolete units. In recent years operation of this fund has been discontinued under provisos of the Commerce appropriation bills. However, one of the recommendations advanced in the recently published Maritime Subsidy Policy Report of the Department of Commerce is that this revolving fund be reactivated and made available for use in connection with ship construction. The report suggested that there be authorized for deposit in this fund appropriations for ship construction, receipts from sale of ship mortgages, interest and principal payments of ship mortgages, and charter receipts.

The report goes on to suggest that consideration be given to limiting the use of such funds for the purpose of paying the Government's share of ship construction. So great will be the need during the next 10 years for funds to finance replacement of the aging merchant fleet that it will require extensive participation from both Government and private sources.

Our subcommittee proposes to go thoroughly into this matter over the coming months with the responsible Government departments to the end that legislation which will reactivate the revolving fund may be developed for presentation to the Congress early in the next session. If the Nation is to have a privately owned merchant marine beyond the next 10 years, a merchant marine of modern design, adequate in size to meet the needs of our economy during peacetime, let alone to serve as the fourth arm of defense in war or emergency, we must do everything possible now to assure that the necessary funds will be available. And, in our judgment, such a revolving fund is absolutely essential if this problem of replacing our fleet, rapidly becoming obsolescent, is to be met on anything like an adequate basis.

Closely related with this No. 1 problem of merchant-vessel replacement is the basic American shipping policy question of subsidies, or Government participation, as provided under the Merchant Marine Act of 1936. Are its provisions for such Government aid as basically sound as they were in 1936, when the act was passed?

So important is it that conflicting views on this matter be resolved, that I intend to present a resolution early in the new Congress which would authorize the setting up of a joint commission, made up of Members of both Houses of the Congress, as well as experts from budget, the General Accounting Office, Commerce, and Treasury, plus representatives from the shipping industry and maritime labor. The objective of this joint commission will be to perform promptly a thorough review of the Merchant Marine Act of 1936, and to bring it into line with the needs not only of the present day but of this critical 10-year period ahead.

The results of such a study as I shall propose could help materially to clear the atmosphere with respect to the congressional as well as the public attitude toward the merchant marine. The accomplishments, and the problems, of the merchant marine have never been adequately presented to the Congress or to the public. I believe the findings and recommendations of such a Commission as I have in mind, would be very helpful in dispelling some current misconceptions as to the proper place of the merchant marine in the national economic and security picture. Likewise, I have no doubt that such a study will enable us to spend the taxpayers' merchant marine dollars more wisely than we are able to do today.

A further aspect of the maritime situation that deserves the attention of the Congress, and particularly of our subcommittee, is the question of modernizing cargo handling, to cut costs, and thus to place American shipping in a better competitive position in the world market. It must be admitted that ship design and shore cargo-handling facilities have undergone little change in many years. Now, in recent years, new ship design and new mechanical facilities are being developed. They may point the way to a radical advancement. If so, American shipping may be able to improve its competitive position—and to reduce its need for operating subsidies.

America has become the leading world power because of its technical ingenuity. Applied to shipping problems I feel confident this ingenuity can do much to overcome the low-pay advantages of foreign shipping, to a point where American shipping can stand more and more on its own feet, and be less and less dependent upon Government aid to make up the difference between ship construction and operation here and abroad.

Following World War II, the President's Advisory Committee on Shipping found that "ocean shipping has lagged in the application of new techniques and methods of handling materials developed during the last 10 or 15 years. The great percentage of dry cargo is still handled in and out of holds of vessels with cargo booms and winches, in a method which has experienced little improvement, except in the winches themselves, in the last 100 years." A study in this field by the Graduate School of Business Administration of Harvard University found that cargo-handling costs in domestic shipping in prewar years averaged 41 percent of the cost of transporting cargo by water. More recent estimates place the "turn around" costs as high as 65 percent. Here certainly should be an opportunity for our shipping to lessen the cost differential now existing as regards foreign shipping.

Likewise, as shown so clearly when the great port of Baltimore was called upon recently to handle a huge volume of traffic diverted from other ports because of a dock strike, shoreside facilities for the speedy handling of ocean freight are as archaic as the loading facilities of the ships themselves.

Here is a problem, the challenge of which must be met, and met on a basis where all phases of the operation will be called upon to participate in the extensive modernization operations that undoubtedly will be required.

We can lift the American shipping industry from the doldrums into which it has fallen, if we can alert all hands to the opportunities for betterment that abound. Here is a field where the Federal Government can and should take the lead. Our subcommittee proposes to set the ball a-rolling, through hearings in which all interested parties will be invited and urged to participate freely.

In closing let me say that one truly gratifying aspect of the session's activities was the bipartisan spirit in which the subcommittee functioned. In no single instance was there evidenced any desire on either side to pursue other than what seemed to be the wise and helpful course. No chairman could have had more complete support from the minority. Senator MAGNUSON's broad experience in the maritime field, and his zeal for the betterment of that industry, were of outstanding value to our program.

Now to complete the record, I submit for your consideration the session record of bills and resolutions handled by the Senate Water Transportation Subcommittee.

Sincerely,

JOHN MARSHALL BUTLER,
Chairman, Senate Water Transportation Subcommittee.

Public hearings held on all bills—Session record on bills and resolutions handled by Senate Water Transportation Subcommittee

	Reported to Senate	Passed Senate
S. J. Res. 67. Repeal World War II laws	June 28, 1954	July 6, 1954
S. 602. Bulk grain storage, etc	May 12, 1954	May 17, 1954
S. 1763. Life preservers for river steamers	June 28, 1954	July 6, 1954
S. 1878. War-risk insurance	Apr. 15, 1954	Apr. 19, 1954
S. 2370. Sale ships to Brazil	May 3, 1954	May 11, 1954
S. 2371. Extends emergency foreign merchant-vessel acquisition authority	Mar. 24, 1954	May 4, 1954
S. 2389. Coast and Geodetic officers, etc	July 7, 1954	July 10, 1954
S. 2407. Ship mortgages	Apr. 15, 1954	Apr. 19, 1954
S. 2777. Alaskan Steamship Service	Mar. 24, 1954	Apr. 5, 1954
S. 2814. Admeasurement of vessels	Apr. 15, 1954	Apr. 19, 1954
S. 2818. Biennial inspection hulls, etc	Apr. 29, 1954	May 4, 1954
S. 3219. Private ship financing	July 14, 1954	
S. 3233. Cargo preference (50–50)	June 11, 1954	June 15, 1954
S. 3546. Emergency ship repairs	June 28, 1954	July 8, 1954
S. 3732. To authorize charter passenger vessels for domestic trade	Aug. 4, 1954	
H. R. 8538. Denial or revocation of seamen's license for narcotic violations	June 28, 1954	July 6, 1954
H. R. 8647. Small vessel inspections	July 7, 1954	
H. J. Res. 534. Sale vessels to American President Lines, Ltd	July 6, 1954	July 8, 1954

HEARINGS HELD, NO REPORT ISSUED

S. 3610, to establish Merchant Marine Academy (approval withheld at request of Secretary of Commerce, pending Department's study of Academy's operations). See CONGRESSIONAL RECORD, July 23, 1954, page 11576.

S. 3620, transfer of certain Coast Guard property.

OTHER HEARINGS CONDUCTED PURSUANT TO SENATE RESOLUTION 173, 83D CONGRESS

Inquiry into administration by Maritime Administrator of the law dealing with transfers of United States-flag vessels to foreign registry.

Public presentation, by Under Secretary of Commerce for Transportation, Robert B. Murray, Jr., of the report of the Department's study on maritime subsidy policy.

Mr. BUTLER. I thank the Senator from Ohio for his very generous remarks. I have never enjoyed anything so much as I have enjoyed acting as chairman of the Subcommittee on Water Transportation under the distinguished Senator from Ohio, as chairman of the full Committee on Interstate and Foreign Commerce.

Mr. BRICKER. The Senator is most gracious. He has done an excellent job which more than justifies all the comments I have made.

Mr. BUTLER. The Senator is very kind.

ACTIVITIES OF THE COMMITTEE ON BANKING AND CURRENCY, 83D CONGRESS, 2D SESSION

Mr. BRICKER. Mr. President, since the senior Senator from Indiana [Mr. CAPEHART] became chairman of the Committee on Banking and Currency, he has directed the professional staff of the committee to prepare a summary of the activities of the committee during each session of the Congress.

This summary is in the nature of a report to the Congress and to the people of the legislative activities of the committee.

For the first session of the 83d Congress, the document ran about 50 pages.

The report for the second session is now in preparation. It will be comprehensive, covering all activities since the beginning of the second session of the 83d Congress. It will run possibly 80 pages.

Inasmuch as it is not feasible to file the report prior to the adjournment of the Congress, I ask unanimous consent for and on behalf of the chairman of the committee, who is absent from the Senate on official business, to file such report, entitled "Summary of Activities of Senate Committee on Banking and Currency, 83d Congress, Second Session," after the adjournment of the Congress, and to have it printed as a Senate document.

The PRESIDING OFFICER. Without objection, it is so ordered.

SOME IMPORTANT ASPECTS OF THE TAX REVISION BILL

Mr. BENNETT. Mr. President, the Congress recently passed and the President has signed into law one of the most important pieces of legislation in the history of this Nation. I refer, of course, to the general tax revision bill, the first undertaking of its kind in three-quarters of a century.

I was privileged to be a member of the Senate Finance Committee which, under the able chairmanship of the junior Senator from Colorado [Mr. MILLIKIN], spent more than 10 weeks studying this bill. Its effects upon the general economy and welfare have been noted many times and by many highly placed persons. Any bill, Mr. President, which can save American taxpayers $1.4 billion, of which $827 million will directly benefit individuals, is worthy of notice.

Every citizen will benefit directly or indirectly from this revision bill, which has produced tax savings that surpass any previous total in the history of Congress. There are those, of course, who for partisan and personal reasons carp at isolated parts of the bill, but I am proud and happy that this administration has thus helped fulfill its campaign pledge to "reduce Government spending and thereby permit lower taxation."

Here are just a few figures that should interest the American people. These are some of the benefits of this legislation: 8.5 million people will benefit from medical deductions; 7 million will be taxed less on dividends; 2.1 million people will get relief from "working mother" provisions of the bill; from tax cuts in retirement, 1.8 million; 1.6 million citizens will gain from changes on installments; from the new dependent rule, 1.3 million; from the soil conservation rule, 500,000 people; from easier depreciation, 9.6 million plus 600,000 corporations.

We must not forget, either, Mr. President, that it was the cuts we have made in Government spending—particularly the $12 billion trimmed from the Truman budget for fiscal 1954—which made a 10 percent income tax cut practicable. This will save the American public $3 billion—and a lot of short tempers.

In April of this year, Congress also voted a billion-dollar excise tax reduction which took a lot of necessities off the so-called luxury lists. In my own State of Utah the fact that the admission tax to rodeos and historical pageants was eliminated means the difference between profit and loss to many cities and towns where such entertainment is an important part of our life.

It has been estimated that these excise tax cuts alone will save about $20 per household and that all the tax cuts made by the Eisenhower administration—in just 2 short years—will put an additional $100 in the pocket of the average taxpayer.

Mr. President, I request unanimous consent to have a digest of the tax revision bill, H. R. 8300, printed in the RECORD.

There being no objection the digest was ordered printed as follows:

DEPENDENTS

First. A parent can claim a deduction of $600 for each child regardless of the child's earnings if the child is under 19 and the parent continues to furnish more than half the child's support.

Second. A parent can also claim the $600 dependency deduction for a child over 18 regardless of the child's earnings if the child is attending school or college, or receiving on-the-farm training, and the parent continues to furnish more than half the child's support.

Third. An aged parent or other dependent cared for by several members of a family can be claimed as deduction by one of the members of the family.

Fourth. A taxpayer can claim a $600 dependence deduction for a foster child.

Fifth. A taxpayer can claim a $600 dependency deduction for a child awaiting adoption.

Sixth. A taxpayer can claim a $600 dependency deduction for any other person, regardless of relationship, if the taxpayer supports that person in his home.

Seventh. A taxpayer can claim a $600 dependency deduction for a cousin who is institutionalized because of physical or mental illness.

Savings to taxpayers, $85 million.

CHILD-CARE EXPENSES

First. Single working parents, such as a widow, are allowed a deduction up to $600 for the expense of child care for children up to 12 years of age.

Second. The same deduction is allowed for a married woman who must work because her husband is incapacitated.

Third. The same deduction is allowed with respect to any dependent, regardless of age, who is mentally or physically incapable of caring for himself.

Fourth. A similar deduction is allowed a married woman if the combined income of her husband and herself does not exceed $5,100.

Savings to taxpayers, $130 million.

MEDICAL EXPENSES

First. Medical expenses can be deducted when they exceed 3 percent of income, instead of 5 percent as under present law.

Second. Example: a family with $3,000 gross income and medical expenses of $150 will be able to deduct $60. The same family can deduct nothing today.

Third. The bill doubles the present maximum limit on the amount that can be deducted.

Savings to taxpayers, $80 million.

HEAD OF FAMILY

First. A single taxpayer who has a dependent son or daughter will be entitled during the first 2 years after the death of his spouse to the same income-splitting privilege as is accorded married couples.

Second. A single individual can receive half the benefits of income splitting if he has a dependent parent and if the taxpayer maintains a household for the father or mother.

Savings to taxpayers, $11 million.

RETIREMENT INCOME CREDIT

First. All retired people 65 and over, including schoolteachers, firemen, policemen, and civil servants, will in effect be exempt on all retirement income up to $1,200. This will mean a tax reduction for these retired people of up to $240 a year.

Second. Example: A retired single individual over 65 who has a total retirement income of $3,000 today pays about $300 in income tax.

Under the bill, his tax is reduced to $60, a saving of $240.

Third. The same exemption will extend to individuals under 65 if they receive a pension from a public retirement system, such as do teachers.

Savings to taxpayers, $141 million.

CREDIT PURCHASES

The bill allows a deduction for interest up to 6 percent on installment purchases.

Total saving to taxpayers, $10 million.

CHARITABLE CONTRIBUTIONS

The bill increases from 20 to 30 percent the allowable deduction for charitable contributions to churches, hospitals, and educational institutions.

Total saving to taxpayers, $25 million.

AID TO FARMERS

First. Deductions up to 25 percent of farm income are allowed for soil and water conservation.

Second. The bill permits more rapid write-off of the expense of farm machinery, equipment and construction.

Third. Removes tax on the proceeds of the sale of cattle when the sale is necessitated by disease.

Savings to taxpayers, $10 million.

SICKNESS AND ACCIDENT PLANS

First. Premiums paid by employers to health and accident plans will not be taxable to their employees.

Second. All accident and health benefits paid as reimbursement for actual medical expenses to employees, their wives, or children, are completely exempted from tax.

Third. Payments to employees for loss of wages due to injury or illness are exempted up to $100 a week.

Savings to taxpayers: No estimate possible.

DEATH BENEFITS

The bill exempts all death benefits up to $5,000 paid by an employer to the widow or other beneficiary of an employee.

Savings to taxpayers: No estimate possible.

PENSIONS AND ANNUITIES

In addition to the $1,200 exemption extended to retirement income, the bill also provides a simpler method for taxation of pensions and annuities, ends annual 3-percent tax paid on annuities and provides instead a method of computing tax on basis of cost divided by years of life expectancy.

Savings to taxpayers, $10 million.

DIVIDEND CREDIT

First. Excludes first $50 in dividends from taxation and provides a credit against tax equal to 4 percent of the balance.

Second. Example: An individual with $50 or less in dividends from his savings will be entirely exempt from tax on that amount.

Third. Example: An individual with $250 in dividends from his savings will exclude the first $50 entirely, and then reduce his total tax by $8—4 percent of the balance of $200.

Savings to taxpayers, $204 million.

DEPRECIATION

The bill will permit the more liberal write-off of the cost of new equipment. For example, in the first year of life of new equipment, the taxpayer will be able to write off twice the amount now allowed.

Savings to taxpayers, $375 million, of which $75 million represents savings to individuals such as farmers, shopkeepers, and salesmen.

DECLARATIONS OF ESTIMATED TAX

The requirements are eased for filing declarations of estimated tax. Upward of a million taxpayers will be relieved of the present requirement for filing.

FILING TAX RETURNS

Tax returns will be due April 15 instead of March 15, giving taxpayers 1 additional month in which to prepare their final tax returns and make their final tax payments.

RESEARCH AND EXPERIMENTATION

The bill grants taxpayers an option to either deduct as an expense or to amortize research and experimental expenditures.

No revenue estimate possible. The provision is designed to encourage business research with the objective of creating new products, new processes, and new jobs.

METHODS OF ACCOUNTING

The bill brings tax-accounting rules into harmony with business accounting thereby eliminating to a great extent the necessity for taxpayers to maintain two sets of books. It provides realistic computation of net income for tax purposes in conformity with sound business practices.

Savings to taxpayers, $47 million.

DEPLETION

The bill increases the rate of percentage depletion on a variety of critical and strategic minerals in order to encourage the development of domestic sources of supply.

Savings to taxpayers, $34 million.

PARTNERSHIPS

First. The bill adopts comprehensive provisions concerning the tax treatment of partners and partnerships in order to remove confusion of existing law. Principal objectives are simplicity, flexibility, and equity between partners.

Second. Certain proprietorships and partnerships are given the option to be taxed as corporations.

Savings to taxpayers, $20 million.

INVENTIONS

The bill extends capital-gains treatment to proceeds realized by an inventor on the sale or exchange of a patent.

No revenue estimate possible. The new provision is designed to encourage invention and thereby promote a healthy economy and an improving standard of living.

NET OPERATING LOSS

The bill extends the net operating loss carryback to 2 years and makes certain other adjustments.

Savings to taxpayers, $120 million.

LIFE INSURANCE

The bill lessens the estate tax on the proceeds of certain life-insurance policies.

Savings to individual taxpayers, $25 million.

CONSOLIDATED RETURNS

The bill removes the 2 percent penalty tax with respect to consolidated returns filed by regulated public utilities.

Savings to taxpayers, $35 million.

IMPROPER ACCUMULATIONS

The bill eases the penalty tax on certain accumulated earnings in order that business, especially small businesses may have greater freedom in retaining their funds for legitimate business purposes.

Savings to taxpayers, $10 million.

CORPORATION INCOME TAX

The bill extends for 1 year the present 52 percent corporation income tax.

Total increase in revenue, $1.2 billion.

AMENDMENT OF MERCHANT MARINE ACT OF 1936

Mr. BUTLER. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2054, House bill 9987, to amend certain provisions of title XI of the Merchant Marine Act, 1936, as amended, to facilitate private financing of new-ship construction, and for other purposes.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 9987) to amend certain provisions of title XI of the Merchant Marine Act of 1936, as amended, to facilitate private financing of new-ship construction, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Maryland.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Texas?

Mr. BUTLER. I am happy to yield, provided I do not lose the floor.

Mr. JOHNSON of Texas. Mr. President, I wonder if the Senator from Maryland would agree to yield for the purpose of suggesting the absence of a quorum, with the understanding that the Senator will not lose his right to the floor, and with the further understanding that we shall attempt to rescind the order for the quorum call.

Mr. BUTLER. I am happy to do so.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. BRICKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BUTLER. Mr. President, I am about to make some brief remarks in connection with the bill, H. R. 9987, providing for private financing of merchant ships.

Before doing so, however, I wish to say to the Senate that my friend and colleague, the senior Senator from Massachusetts [Mr. SALTONSTALL], who was the cosponsor of the Senate bill, S. 3219, the companion bill to the House bill, is very much interested in this legislation, but he is now in a meeting of the policy committee and is unable to be present. He asked me to make this brief statement evidencing his interest in the bill.

Also, Mr. President, I note the Senator from Washington [Mr. MAGNUSON] is not present. I wish to state for the purposes of the RECORD that during the consideration of this bill in the hearings, the Senator from Washington objected to the bill, and when we reported it, I think he voted against it. He did so not because he was not in favor of the bill or the objectives of the bill, but because he believed that the Government should make all ship-construction funds available as heretofore under title V of the Merchant Marine Act of 1936. The committee, with the exception of the Senator from Washington, felt that the financing of ship construction was a job which should be undertaken by private enterprise. We felt that, unless the job was undertaken by private enterprise, we would be continually, as we have been in the past, encountering difficulty in obtaining appropriations sufficient to keep our merchant fleet from deteriorating and becoming obsolescent.

With that brief statement, Mr. President, I shall proceed to discuss the bill.

Mr. President, the bill, H. R. 9987, would further amend title XI of the Merchant Marine Act of 1936 in order to facilitate private financing of new ship construction and for other purposes. As Senators probably know, there presently are 2 statutory means by which owners of American-flag vessels may finance 75 percent of the owner's cost of construction in American yards. Title V of the Merchant Marine Act of 1936 provides for such financing by way of direct Government loans at 3½ percent interest, to be paid back by the ship owner over the

life of the vessel. This method calls for appropriations; and due to budgetary practices these loans, which in the past have proven to be sound investments, are considered as expenditures.

Since 1938 the Merchant Marine Act has provided, through title XI, for Government insurance of loans made by private lending institutions to those who desire to build American-flag ships in American yards. There has been very little private financing of new ship construction under title XI of the 1936 act, as amended. The reason that private lending institutions are unwilling to lend money for such a purpose is that, until last year, there were defects in title XI which could cause the lending institutions trouble in the event of default by the borrower.

First, difficult, tedious, expensive, and long-drawn-out foreclosure proceedings. Second, the necessity for the lending institution to become actively engaged in the shipping business in the event of default by the borrower.

Last year in an attempt to make title XI workable as an effective alternative to title V, Congress passed Public Law 288. Because of what appears to be an unworkable interest-rate provision which we wrote into that law, and because of the requirement that in the event of default by the borrower the lending institutions surrender all collateral obtained from the borrower, even though a maximum of 90 percent insurance of the loan was permitted, that law has not brought forth any private financing of new ship construction.

Therefore, early this session S. 3219 and its House companion bill, H. R. 9987 were introduced. As our report on S. 3219 makes clear, these bills, as introduced, contained certain objectionable features. Every one of those objectionable features has been removed. The bill is now unanimously approved by all segments of the shipping and shipbuilding industries and maritime labor. Indeed, every Government agency concerned has carefully examined it and urges its enactment. The letters of the General Accounting Office, the Treasury Department, Department of Commerce and the Bureau of the Budget appear in our committee report. As you will note, they recommend enactment of this bill. The technical amendments which they have proposed are now embodied in H. R. 9987 which we here have under consideration.

There are only two things in this bill which should be stressed. First, the bill will not permit any windfall profits such as we have all been concerned with of late by reason of certain FHA appraisal abuses. In a great majority of cases, the Secretary of Commerce is expressly forbidden to pay as insurance any amount in excess of 90 percent of 75 percent of the amount of money actually paid by the mortgagor or borrower for the construction, reconstruction or reconditioning of the vessel in question.

In certain instances, for special-purpose vessels which the Secretary of Defense has certified are essential to the national defense, the Secretary of Commerce may pay as insurance up to but not exceed 87½ percent of the amount paid by or for the account of the mortgagor or borrower. Therefore, in all circumstances, the borrower out of his own capital must have invested at least 12½ percent of his actual cost of construction; and, in most instances, at least 25 percent of such costs. Accordingly, I state without equivocation that having incorporated into this bill the safeguards recommended by the General Accounting Office and the Treasury Department, there can be no windfalls.

Second, I wish to stress, as does our report on S. 3219, that in urging enactment of this bill we are merely trying to make workable for the first time the private financing provisions of the Merchant Marine Act. We tried last year. We failed. This bill should do the job. But, and this I emphasize, in urging enactment of this bill, we are not suggesting that private financing should become a substitute for public financing under title V. Title XI has never been more than an alternative for title V financing, and it is not our intention to alter that situation in any way by this bill. In appropriate cases it is hoped and expected that the Administration will employ title V for the worthy purposes for which it was originally enacted.

In closing, let me state that I am convinced that this bill, the enactment of which has been unanimously urged by Government agencies, shipping and shipbuilding industries and maritime labor, will bring forth a substantial amount of private financing of ship construction. In my opinion, it is essential that it do so because various other important maritime bills which we have passed this year might well be made relatively ineffective if this bill is not passed. I have reference in particular to the tanker long-term charter bill, the trade-in-and-build tanker program and the construction of the four large passenger vessels by Grace and Mormack.

Mr. SMATHERS. Mr. President, will the Senator from Maryland yield?

Mr. BUTLER. I am very happy to yield.

Mr. SMATHERS. I congratulate the Senator on the very fine work which he has done in connection with this piece of proposed legislation. I think he developed well before the full committee that under existing law, even though it appeared to be very generous insofar as the shipbuilders are concerned, and even though one could properly believe they would be encouraged to build new ships, nonetheless, no ships were being built.

Mr. BUTLER. There has not been a single application under Public Law 288.

Mr. SMATHERS. It was made clear that if we were ever to get any ship construction under way, it would require legislation of this nature. So, Mr. President, I wish personally to subscribe to what the Senator from Maryland has said, and to associate myself with him in his statement. I think the passage of the bill will result in an improved shipbuilding industry in the United States.

Mr. BUTLER. Mr. President, I wish to say to my dear friend from Florida, who is always very constructive in his thought and in his actions as a member of the committee, that I hope we can now under this bill build a strong and virile American merchant marine.

Mr. PAYNE. Mr. President, will the Senator from Maryland yield?

Mr. BUTLER. I yield.

Mr. PAYNE. Mr. President, I should like to join with my distinguished colleague from Florida in his expression of appreciation of the work of the Senator from Maryland, because my interest and attention have been enlisted in merchant marine activities. From the short time I have had an opportunity to serve on the committee, it is my belief that, under the very capable and able leadership of the chairman of the subcommittee, the distinguished Senator from Maryland [Mr. BUTLER] and because of the great interest and concern he and all the members of the committee have shown in the subject, we have made a very real contribution to the future of the merchant marine. I know the work is appreciated by everyone concerned with that activity.

Mr. BUTLER. I thank my colleague from Maine. He has been most cooperative and has really done more work on this bill than has any other one member of the subcommittee. I held some hearings on the question, but the Senator from Maine began in the early stages and did a great deal of work on the bill. The people of the country should give him well-deserved credit. I believe the bill will go a long way toward assuring a strong and virile merchant marine, which we so badly need.

Mr. PAYNE. Mr. President, I appreciate the remarks of the Senator from Maryland, but I feel that the distinguished Senator is entirely too charitable.

The PRESIDING OFFICER (Mr. REYNOLDS in the chair). The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill (H. R. 9987) was ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, the companion bill Senate bill 3219 is indefinitely postponed.

THE DROUGHT-RELIEF PROGRAM

Mr. RUSSELL. Mr. President, I desire to make a very few brief observations concerning the functioning or the lack of functioning of the drought-relief program which is supposed to be in effect in this Nation today.

In my State, as in other agricultural areas of the Nation, there have been some very severe conditions due to prolonged drought and the terrific heat which has all but destroyed this year's crops, particularly the hay crops and the feed and grain crops. There are counties in my State in which farmers who own a few head of cattle have been compelled to place them on the market because they were unable to feed them. They have watched them lose 75 to 100 pounds of beef to the acre.

The Department of Agriculture, after being importuned by the Governor of the State of Georgia and Members of

the congressional delegation, did request that a survey be conducted within the State of Georgia to determine as to whether any of the aid available under existing law might be extended to the farmers of that State.

The survey was conducted by Mr. R. L. Vansant, State director of the Farmers Home Administration activities in my State, a committee consisting of the head of the Extension Service, the Associate Director of the Extension Service, the chairman of the State agricultural stabilization committee, who, incidentally, received his appointment in this administration, and by the agricultural statistician in charge of the agricultural marketing service, and by representatives of various State departments.

Mr. President, the recommendations which grew out of the survey indicated that 108 counties in my State where farming is carried on extensively should be included in any drought disaster relief program.

The survey also indicated that there were 32 agricultural counties of my State which did not have sufficient hay to last for 30 days. Out of the entire State, with 159 counties, only 14 counties were indicated as having hay for sale.

Mr. President, this report is dated August 7. It so happens that I have known Mr. Vansant for more than 40 years. We graduated in the class of 1914 as classmates at the Seventh District Agricultural and Mechanical School at Powder Springs, Ga. We were classmates at the University of Georgia. There is no more careful or painstaking public servant in the employ of the United States Government than is R. L. Vansant. The members of the committee are men of good character and thoroughly familiar with the agricultural situation in Georgia. Despite the fact that the report was forwarded to Washington under date of August 7, to this date no action whatever has been taken to extend any aid whatever to the drought-stricken areas of my State.

I have always tried to avoid a partisan approach to any question, or to impute partisanship to anyone else, but I can but wonder, when I observe counties in States all over the land which are designated as drought areas, entitled to receive at least some measure of relief, why there has been such an unconscionable, unreasonable delay in dealing with the very severe situation in my own State.

At this very hour we are pushing upon those behind the Iron Curtain, in the Communist satellite states, who have suffered from flood and other disasters, all kinds of relief for the benefit of the people who have been stricken. Yet, here we have American citizens who are unable to make their voices heard in the Department of Agriculture, so as to be placed upon the list of those who are entitled to the treatment which their fellow citizens in other areas are receiving, and who have suffered no worse disaster than that which has befallen agriculture in the State of Georgia.

The distinguished senior Senator from Delaware [Mr. WILLIAMS] some weeks ago made a statement on the floor of the Senate as to the very large measure of aid which had been extended to one of the largest farms in the United States, the owners of the King Ranch in Texas. It is appalling to me that the little people of the country—and most of them are little people and small farmers—cannot make their voices heard and secure any recognition whatever even though they are in dire distress.

I realize that this late in the session it is perhaps impossible to secure any legislative drought relief. But I shall take the occasion, in the days to come, if I am spared to serve in the Senate, to express my deep resentment of the very cavalier treatment which has been given to the farmers of Georgia with respect to extending to them the same measure of relief which has been extended to farmers similarly situated in a number of other States of the Nation.

Mr. FULBRIGHT. Mr. President, will the Senator yield for a question?

Mr. RUSSELL. I yield.

Mr. FULBRIGHT. I am advised that the Department has only $15 million available for its share of the aid program. This strikes me as being much too small, although the Department has not asked for any money. Does the Senator from Georgia think that $15 million is an adequate amount?

Mr. RUSSELL. I understand that in the hay program, the only aid which the Department extends it to pay half the cost of the freight on the hay to the drought areas. Even at that, I should think that $15 million would be far from sufficient.

Mr. FULBRIGHT. Does the Senator think that that is adequate participation, considering the conditions as he understands them to be?

Mr. RUSSELL. No, I do not; but the difficulty in my State is that there is no participation of any nature whatsoever. I have taken occasion to look into some legislation on the situation. Public Law 480, of the 83d Congress, title 3, extends about as sweeping a grant of power as it is possible to extend to deal with these matters. Other laws also are available, and are now being applied in other areas of the Nation. In my own State, I know of my own knowledge of farmers whose entire crops have been destroyed by the prolonged drought and the extreme heat, who have been unable to obtain any relief whatsoever.

Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks the text of a report and recommendations made by the committee, together with part of the attachment thereto. I did not have time to have all of the attachments typewritten for printing in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD.

(See exhibit A.)

Mr. FULBRIGHT. Mr. President, will the Senator yield for one other question?

Mr. RUSSELL. I yield.

Mr. FULBRIGHT. Does not the Senator from Georgia think it might be possible for the administration to work out a way to make available some of the surplus grains for feed purposes on a basis which would be more helpful than the so-called 60-cent program? Let us assume that the Senator is able to have his area certified. The difficulty then is that after certification, the aid which is provided is very small in extent.

While in my State 11 counties have been certified for some time, the amount of assistance is so small and so inadequate that it is not of great benefit. Sixty cents on 100 pounds of feed, the market price of which has substantially advanced, is not a great amount of aid.

The Senator is familiar with the extent of surplus grain in storage, belonging to the Government, which, as he has said, is being offered to countries like Hungary. Is there any reason why some way could not be worked out to make the grain available to our own stricken farmers on a basis which would be really helpful?

Mr. RUSSELL. I have said that, in my opinion, there is adequate authority under the law, if there were only a will to afford relief. The Senator from Arkansas has had experience with the program, because some of the counties of his State have been able to receive aid. In my State we have had no experience whatsoever with it, and that is the chief basis of my complaint. The benefits of the aid program have not been applied in Georgia.

I did not give the figures a few moments ago, but I have before me the RECORD containing the statement of the senior Senator from Delaware, in which he stated that the King Ranch has received relief in the amount of $32,585. That is one farmer, one ranch, in the State of Texas. We have been unable to have even one county in Georgia included in the program. I am only asking that the impoverished and drought-stricken farmers of Georgia receive the same treatment as the millionaire ranch owners of Texas who received relief amounting to $32,000.

Mr. FULBRIGHT. Perhaps the relief afforded the King Ranch is adequate, but every letter I have received indicates that the relief is not adequate for a farmer who has lost all his feed and hay, to afford him the privilege of going to a dealer and being allowed a 60-cent certificate on a bag of feed which cost $3.50. That is very slight assistance to the farmers in northwest Arkansas, who are trying to keep their dairy herds together. So even if farmers in the Senator's State of Georgia are able to get their counties certified, I will guarantee that that will not be of much help.

Mr. RUSSELL. I am asking only the same measure of relief under the program as others who are in distress. I do not say I would be satisfied with that relief, but certainly I would be satisfied with no less than the treatment accorded other agricultural counties of the Nation.

EXHIBIT A

RECOMMENDATIONS FOR THE DESIGNATION OF DROUGHT AREA EMERGENCY FEED PROGRAM

Pursuant to your directions to me by telephone on July 28, a survey of the drought conditions in Georgia has been completed and the recommendations of the temporary State USDA drought committee and supporting data are transmitted herewith.

The day following your request, I met with the dean of the College of Agriculture and director, extension service, Dr. C. C. Murray, Mr. W. A. Sutton, associate director of

extension service; Mr. John F. Bradley, chairman, State agricultural stabilization committee; Mr. D. L. Floyd, agricultural statistician in charge, Agricultural Marketing Service; Mr. J. C. Holton, representing the Governor of Georgia and the Georgia commissioner of agriculture. Also present were members of the staffs of each official present. This group considered the request for a survey and decided upon the exact information to obtain and the means of doing so.

A directive, along with the questionnaire, was mailed immediately to all county Farmers Home Administration offices in the State, with the request that the reports be mailed to me not later than August 4. In most locations this gave only 3 days in which to complete the survey and prepare the report. All reports were received by August 6. On the afternoon of August 6 the temporary State USDA drought committee met and considered individually the conditions in each county in the State, using the information obtained by the survey, information made available by the USDA Agricultural Marketing Service, personal observations of those present who, as a group, have seen conditions in every section of the State during the past few weeks. Present at this meeting were Mr. Bradley, Mr. Floyd, Mr. Holton, Mr. L. I. Skinner, Assistant Director of Extension Service, Mr. Charles O'Kelley, Economist, Extension Service, Mr. Fleming of the State ASC office, Mr. Slappey of this office and me. At this meeting Mr. Holton represented both the Governor's office and the commissioner of agriculture.

Attached is a list of the counties which the committee recommends for inclusion in the drought disaster area. We are also enclosing the following additional information:

1. A copy of a completed questionnaire prepared in each county recommended for designation. Also enclosed is copy of the bulletin directing the survey.

2. Map showing in red the counties recommended for designation.

3. Pasture conditions as of August 1 for 1952, 1953, and 1954 by crop reporting districts.

4. Corn conditions as of August 1, 1952, 1953, and 1954, by crop reporting districts.

5. Totals of hay and grain on hand and hay and grain needed.

6. List of counties with hay for sale.

7. List of counties without sufficient hay for 30 days.

It has been extremely dry with rainfall substantially below normal during a considerable portion of this entire growing season. Temperatures have also been higher than usual during much of that time. These statements are general, as the situation is somewhat spotted throughout the State. The enclosed map indicates those areas of the State which have not suffered drought or in which the drought has been mild. An area in northwest Georgia, a smaller area in northwest Georgia, an area in west Georgia, and the counties fringing the Florida line and the coast generally have had better moisture conditions. There are a few other isolated spots in which the drought has not been as severe. The worst conditions in general prevail in that part of the State beginning roughly along the northern part of Fulton County and as far south as the lower part of Tift County and reaching from the South Carolina line on the east to the Alabama line on the west, with the exception of the southwest part. In other words, the whole central area of the State has been rather severely affected. There have been many scattered rains which have helped to a limited extent. To the extent that this lack of general rains prevails, the condition in Georgia may worsen rapidly. It should be borne in mind that, while we are not recommending designation of about one-third of the State, there are individual farmers scattered throughout many of these counties who have suffered from the drought. In trying to evaluate the reports and other information available so as to decide whether such conditions actually amount to distressed conditions, the committee took the view that yields and crop and pasture conditions of 75 percent of normal or better could not be considered as disastrous. The committee also gave due consideration to the extent to which livestock farming and dairying is carried on in each county. We also considered in each instance the normal importation of feedstuffs, such as occurs in the counties bordering metropolitan centers.

You will observe that the committee obtained information on the more important cash crops and obtained figures on the amount of corn needed. It should be borne in mind that the reported need for corn is based heavily on the need for hog feed. The committee understands of course that feed for hogs is not included in the emergency feed program, but the entire crop condition situation was obtained in order that the committee could consider the relationships that exist. For example, poor cash crops affect the farmers' ability to purchase feeds. Also, in considering the comparative pasture conditions for the 3 years shown, it must be kept in mind that 1952 was a severe drought year in Georgia and that the entire State was designated under Public Law 875 and Public Law 38.

Georgia has not been an important livestock-producing State but a few years, and the livestock industry is still growing in the State. As a result, we have not yet developed our feed programs to the point that the State can withstand severe drought conditions without involving the importation of feedstuffs. All agencies are working toward feed programs that provide us with more reserve and more ability to withstand adverse conditions in the future.

If the drought is broken soon by general rains, or to the extent that good rains are received locally, the condition reflected here may be alleviated somewhat, particularly with respect to pastures. If we receive rains it is not expected that the need for assistance under this program will reach real large proportions. In any event, however, it appears to the committee that there now exists a need for aid in widely varying degrees in all of the counties recommended. You will appreciate the fact that the committee was forced to exclude from the recommendations some counties which the information indicated had not reached the critical stage. It may be that additional appeals will be received from some of these counties not included in the recommendation. It is believed likely that there will be appeals for loan assistance at a later date. It would be much easier to make a reliable survey with respect to loan needs at a much later date, after these crops have been harvested.

The committee realizes that the information upon which these recommendations are based was obtained very hurriedly in the individual counties, and the consideration of that information by the committee of necessity had to be done hurriedly. Therefore, if there is further information you would like in support of these recommendations or concerning the conditions here, please let us know.

Copies of this report are being furnished to the Governor; Mr. R. B. McLeaish, Administrator, Farmers' Home Administration; and to the heads of agencies represented on the committee.

R. L. VANSANT.

Counties recommended for inclusion in the drought disaster area (108): Cobb, Clayton, Fulton, Franklin, Stephens, Polk, Haralson, Paulding, Madison, Banks, Gwinnett, Forsyth, DeKalb, Oglethorpe, Barrow, Wilkes, Elbert, Lincoln, Dawson, Cherokee, Pickens, Jackson, Walker, Dade, Chattooga, Floyd, Upson, Monroe, Lamar, Carroll, Bleckley, Pulaski, Newton, Rockdale, Taliaferro, Greene, Hancock, Jefferson, Bibb, Crawford, Jones, Putnam, Morgan, Jasper, Spalding, Pike, Henry, Butts, Fayette, Talbot, Taylor, Heard, Troop, Coweta, Peach, Houston, Baldwin, Washington, Warren, Columbia, Glascock, McDuffie, Richmond, Twiggs, Bacon, Appling, Jeff Davis, Laurens, Wilkinson, Dodge, Toombs, Wheeler, Telfair, Jenkins, Montgomery, Treutlen, Bulloch, Bryan, Candler, Chatham, Evans, Emanuel, Screven, Effingham, Johnson, Wayne, Coffee, Atkinson, Tattnall, Burke, Dougherty, Baker, Calhoun, Lee, Irwin, Brooks, Wilcox, Ben Hill, Turner, Worth, Dooly, Crisp, Sumter, Mitchell, Clay, Randolph, Tift, Webster.

Counties without sufficient hay for 30 days (32): Clayton, Cobb, Cherokee, Jackson, Oglethorpe, Upson, Newton, Bibb, Crawford, Morgan, Jasper, Putnam, Houston, Peach, Washington, Baldwin, Appling, Coffee, Laurens, Wilkinson, Toombs, Jenkins, Treutlen, Bulloch, Candler, Chatham, Evans, Wayne, Sumter, Mitchell, Irwin, Wilcox.

Counties with hay for sale (14): Clarke, Lumpkin; Rabun, White, Hart, Catoosa, Douglas, Marion, Taylor, Glascock, Tattnall, Thomas, Worth, Lanier.

SUPPLY OF HAY AND GRAIN AND AMOUNT OF HAY AND CORN NEEDED

Hay (tons), 135,860.

Grain (bushels), 7,918,720.

Hay needed (tons), 30 days, 17,760; 60 days, 32,150; 90 days, 69,095.

Corn needed (bushels), 7,857,500 (includes needs for hogs).

Mr. GEORGE. Mr. President, I concur in the statement made by my colleague, the distinguished junior Senator from Georgia. I especially commend the character of the man who made the survey at the request or direction of the Department of Agriculture. Among those who were brought into the work of making the survey was the chairman of the State agricultural stabilization committee, who was appointed by this administration. He was selected by the commissioner of agriculture, or at least he must have had the approval of the commissioner of agriculture. He joined in the recommendations which were made; and, as has been pointed out, 108 counties of the 159 in the State were recommended to be included in the drought disaster area. Thirty-two counties were found by the same committee to be without sufficient aid for 30 days. A very few counties in the State have some surplus hay, and some hay might be made available to the counties in this area.

But the information has come to us that the Department of Agriculture was disposed to make no recommendation for the declaration of any drought area in the State. To my personal knowledge, the drought condition in Georgia has been most serious in 1954. It has not been universally so in all parts of the State, but it has been serious in the greater number of agricultural counties of the State. Georgia had a severe drought in the late summer of 1952, a condition which virtually destroyed pasturage for the livestock in some areas of the State. The State, therefore, entered the year 1954 without a bountiful supply of feedstuffs.

There is no question about the actual conditions which now obtain in a large area of the State. When the information first reached me that the Secretary

of Agriculture and the administration were not willing to declare any part of the State to be within an area to which limited assistance, as has been referred to, could be extended, I did not accept it. Yet while there has been no official statement made, so far as I know, the information which comes directly from the Department of Agriculture confirms the earlier report that no part of Georgia would be included in the drought area.

I live in the southern half of the State; and it so happens that in my particular home county at least a portion of the country has had some rain during the last 30 or 40 days; but beond all doubt, two-thirds of my home county would not be able to harvest more than one-fourth of a normal feed crop, or one-third of a fair feed crop. The pasturage has suffered because of the dry weather and the intense heat which we have experienced, and which, for that matter, has been experienced in most of the country during this summer. I am at a loss to know why the Secretary of Agriculture should be unwilling to designate as disaster areas the particular counties in Georgia which are described and covered in the report of Mr. Vansant, who brought together a committee highly representative of all the agricultural interests in the State, with the State department of agriculture, the Secretary, and the Governor himself, or his representative, participating in the survey.

There can be no doubt about conditions in the State, many of which are within my personal knowledge. As early as the early part of May conditions were developing which would, beyond all doubt, justify and demand that high ranking Federal officials in the administration designate the area pointed out in the survey as a disaster area because of drought conditions.

Those conditions still prevail in nearly all the counties included in the survey. Although the survey was made in early August, and was actually transmitted to the Secretary of Agriculture on the 7th of August, those conditions still exist. While small areas within or around the fringes of the drought area have been relieved by restricted and local rains, the greater portion of the area remains without any assistance or recognition, and without the benefit of whatever slight assistance might be given.

That is a situation which ought not to have occurred, and the Secretary of Agriculture, even at this late hour, should recommend to the Congress the adoption of a resolution which would result in making available additional funds, if the President is now short of funds, or is operating with very limited funds, in order that some relief may be granted to the drought areas. The conditions in that area, as well as those in the Southeast, have been very serious. There is little reason for keeping a law on the books which provides for relief if the Administrator closes his eyes to facts that exist, as has been done, I regret very much to say, by the Department of Agriculture in this instance.

Mr. RUSSELL. Mr. President, will my colleague yield to me?

Mr. GEORGE. I yield to my colleague.

Mr. RUSSELL. I point out that even since this report was submitted we have had the hottest weather in the State of Georgia in 75 years, according to the official records.

Mr. GEORGE. That is true. Last night I talked with persons in my home in Georgia. I was informed that in a small area small amounts of rain have fallen within the past 30 days. I was advised that heat conditions there have been terrible. Yesterday, I was told, that the temperature reached 103 in the shade.

COPYRIGHTS

Mr. KNOWLAND. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2235, House bill 6616, the copyright bill, which goes along with the convention which the Senate formally approved several weeks ago.

The PRESIDING OFFICER. The clerk will state the bill by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 6616) to amend title 17, United States Code, entitled "Copyrights."

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 6616) to amend title 17, United States Code, entitled "Copyrights."

AMENDMENT OF DISTRICT OF COLUMBIA POLICE AND FIREMEN'S SALARY ACT OF 1953

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 3329) to amend the District of Columbia Police and Firemen's Salary Act of 1953 to correct certain inequities, which was to strike out all after the enacting clause and insert:

That subsection (d) of section 102 of the District of Columbia Police and Firemen's Salary Act of 1953, approved June 20, 1953 (67 Stat. 77), as amended, is amended to read as follows:

"(d) The minimum basic salaries contained in subsection (a) of section 101 of this act in the grade or rank of Chief of Police shall not be increased by more than four longevity increases, nor shall the minimum basic salaries of grades or ranks below that of Chief of Police be increased by more than five longevity increases."

SEC. 2. Section 102 of said act is amended by adding thereto the following new subsection:

"(f) In initially adjusting salaries in accordance with the provisions of this section, any officer or member promoted from a lower grade to a higher grade prior to July 1, 1953, shall receive credit for such part of continuous service in both grades for longevity purposes as is necessary to establish his basic salary, including longevity pay, at least equal to the basic salary he would have received under the provisions of this section in the lower grade had such promotion not been made. Service for future longevity increases of any officer or member whose salary is adjusted under authority of this subsection shall begin as of the date such adjustment became effective."

SEC. 3. Subsection (d) of section 202 of said act, as amended, is amended to read as follows:

"(d) The minimum basic salaries contained in subsection (a) of section 201 of this act in the grade or rank of Fire Chief shall not be increased by more than four longevity increases, nor shall the minimum basic salaries of grades or ranks below that of Fire Chief be increased by more than five longevity increases."

SEC. 4. Section 202 of said act is amended by adding thereto the following new subsection:

"(f) In initially adjusting salaries in accordance with the provisions of this section, any officer or member promoted from a lower grade to a higher grade prior to July 1, 1953, shall receive credit for such part of continuous service in both grades for longevity purposes as is necessary to establish his basic salary, including longevity pay, at least equal to the basic salary he would have received under the provisions of this section in the lower grade had such promotion not been made. Service for future longevity increases of any officer or member whose salary is adjusted under authority of this subsection shall begin as of the date such adjustment became effective."

SEC. 5. Section 201 of the District of Columbia Police and Firemen's Salary Act of 1953 is amended by inserting after subsection (a) the following new subsection:

"(b) The annual basic salary of a private of any class of the Fire Department of the District of Columbia shall be increased by—

"(1) $390, while he is assigned to duty as an aide to the Fire Chief or to a Deputy or Battalion Fire Chief;

"(2) $208, while he is assigned to duty as a regular first driver-operator of a fire department hose wagon, aerial ladder truck, rescue squad, or fire department ambulance;

"(3) $390, while he is assigned to duty as a chief radio technician; and

"(4) $208, while he is assigned to duty as a chief photographer."

SEC. 6. Sections 1, 2, 3, and 4 shall take effect as of July 1, 1953, and section 5 shall take effect on the first day of the first pay period of the Fire Department of the District of Columbia which begins after the date of the enactment of this act.

Mr. CASE. Mr. President, this is an amendment by the House, in conformity with the recommendations of the District Commissioners, to a bill which had previously passed the Senate. I move that the Senate concur in the amendment of the House.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from South Dakota.

The motion was agreed to.

CARL AND W. J. PIOWATY

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H. R. 1665) for the relief of Carl Piowaty and W. J. Piowaty, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. HOLLAND. Mr. President, in this case the House refused to concur in the Senate amendments. I have checked and I find that by receding and agreeing to the House bill as originally passed we could save the Government about $1,400. I have conferred with the author of the bill, the sponsor being from my State. He is perfectly willing to follow that

course, rather than to ask for a conference at this late hour in the session.

I ask unanimous consent that the Senate recede from its amendments, accept the provisions of the House bill, and complete action upon the bill.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request? The Chair hears none, and it is so ordered.

THE DROUGHT SITUATION

Mr. STENNIS. Mr. President, I was very much interested in the remarks of the Senator from Arkansas [Mr. FULBRIGHT], the senior Senator from Georgia [Mr. GEORGE], the junior Senator from Georgia [Mr. RUSSELL], and the Senator from Alabama [Mr. HILL], with respect to the drought situation which is developing so rapidly in our area. I do not think the people of Mississippi are any quicker than others to be concerned about a situation of this kind. They are not ones to come running quickly for relief at the slightest suggestion of a drought or any other calamity of that kind.

The Governor of Mississippi, who is a very experienced and very fine businessman, and has had wide experience, tells me that he has never seen the agricultural situation deteriorate as rapidly and as completely as it has in the past two weeks. In Mississippi there have been sustained temperatures, day after day and week after week, of 102, 103, 104, and 105—several degrees higher than is customary there, and with no rain. The Governor tells me the pastures are drying up, crops are wilting, and dairy herds and beef cattle are rapidly becoming dependent upon special feed, inasmuch as the pastures cannot carry the load. Although he had not filed an application in Washington and has not yet assembled all the factual material regarding the situation, yet as he studies it further, he is amazed at its extent and the rapidity of the development of the decline.

In making this plea, I am not asking for relief as the term is ordinarily understood.

Last year, Mississippi turned back approximately $24,000—almost all the money alloted to Mississippi, although our State received substantial relief in the way of feed, even though it was greatly delayed. So Mississippi is not simply trying to obtain a gift. Last year there was great delay in declaring certain counties eligible for relief although those finally approved were the same counties as originally recommended by the Governor.

Regardless of whatever program is to be carried out, I wish to urge the Department of Agriculture to be alert and to be prompt in taking proper action in this situation, for an ounce of prevention at the right place and right time can be worth so much more than a pound of cure applied later.

I am not particularly alarmed, but I am impressed with the severity and the completeness and the widespread blanket application of the situation to the entire State of Mississippi, although the northern part of the State is affected more severely than is the southern area.

So I join in urging that this subject be given prompt and adequate attention by the Department of Agriculture, and be promptly attended to, and that the Department now send its men to the stricken areas and have them obtain first-hand reports and information, and that the proper action be taken promptly. I submit that matter to the Department of Agriculture, not with a plea for relief merely as a money benefit, but in order to have this emergency met and to avoid a calamity. A positive program should be planned that will meet the realities of this distress. This should include feed and other forms of practical assistance.

Mr. KERR. Mr. President, I have been greatly interested in what has been said by the distinguished Senator from Arkansas [Mr. FULBRIGHT], the distinguished Senator from Mississippi [Mr. STENNIS], the distinguished Senator from Alabama [Mr. HILL], the distinguished senior Senator from Georgia [Mr GEORGE], and the distinguished junior Senator from Georgia [Mr. RUSSELL]. The situation in a very large area of the country is serious; it is critical, and is daily worsening.

Mr. President, the saddest thing about the entire picture is the utter indifference with which the Department of Agriculture regards it.

I wish to say to my distinguished friends, the Senators from Georgia, that in this situation the troubles of their State would not be over, even if they could have prevailed upon the Department of Agriculture to declare their State a part of the disaster area. Some weeks ago, evidence with reference to the drought situation in Oklahoma was submitted to the Department of Agriculture. Prior to that time, portions of Texas and of Colorado and of Wyoming had been designated as disaster areas, and available for assistance under the program which the Secretary of Agriculture was authorized to put into effect for such areas. Information was given to the Department of Agriculture with reference to Kansas, Missouri, Arkansas, and Oklahoma. The Assistant Secretary of Agriculture went to Missouri, personally visited a very large part of the State, and recommended assistance for 70-odd counties, which were designated as disaster areas.

I thought it was quite coincidental or quite significant that he managed to get that done in the district of Representative DEWEY SHORT, just a day or two before Representative SHORT'S primary election, in which he was in a very hot contest. But regardless of how it happened, Mr. President, I thought the Assistant Secretary of Agriculture was late, not early, in getting it done.

At the same time, some 26 of Oklahoma's 77 counties were so designated—apparently on a hit-and-miss basis, either in complete ignorance of the fact or in total disregard of the fact that most of the other counties in Oklahoma were equally distressed from the standpoint of the drought and its devastation and destruction. Since that time, 11 other counties in Oklahoma have been so designated, making, as of now, a total of 37 counties in Oklahoma to be so designated.

But the farmers in those 37 counties are scarcely more distressed than the farmers in counties which are equally entitled to such a designation, although it has not been made as to them. If the Secretary of Agriculture and his staff had their heads buried in the sand, they could not be in a worse situation of complete indifference and disregard of the realities of the present situation, than their present actions indicate them to be.

Mr. President, someone should put a charge of dynamite under someone in the Department of Agriculture, in order to get the Department to visualize and realize the situation and to meet its responsibilities with reference to it. Today, literally thousands of farm families in the drought-stricken areas of the States which have been mentioned and in States adjacent thereto or nearby have been—as the result of drought and the accompanying disaster—reduced to a position where they can no longer stay on and maintain and operate their farms. Wells which have not gone dry in a quarter of a century, are going dry today. Thousands of farm ponds, which in years past have proven adequate, today are dry. Pastures are burned. Crops have been burned. Yet, Mr. President, the Secretary either refuses to designate these areas as disaster areas, or, having so designated them, refuses to do anything effective to benefit the people of those areas.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. KERR. I yield to my colleague for a question.

Mr. MONRONEY. I join my senior colleague in calling the attention of the Senate to the disaster which faces our farmers and the need for urgent and speedy action in this drought disaster, particularly in counties which have already been declared to be critical disaster areas.

This is the third straight year, as the distinguished senior Senator from Oklahoma knows, that these same farmers, cattlemen, and people on small farms have had to suffer from unprecedented drought. This comes on the heels of two preceding droughts, with temperatures ranging from 105 to 120, which are devastating to feed crops and all forms of crop life in the counties which have already been declared to be disaster areas, as well as in neighboring counties, which have not yet been so declared.

We find it difficult to make people understand the urgency of the needs. If help is not extended quickly, we shall see liquidated the farms of the finest farm families in the State of Oklahoma—because of delay. This program must be thrown into gear fast.

It seems to me that the Department of Agriculture should turn this program over to the very best agricultural leaders in the State of Oklahoma. A piece of paper declaring an Oklahoma county a disaster area or a critical disaster area is very poor relief for the hungry livestock and for the devastation we find

on Oklahoma farms. It seems to me that we should treat this situation as we would treat a flood emergency or any other emergency. Time is of the essence in meeting the needs.

I associate myself with the remarks of the distinguished senior Senator from Oklahoma. It is time for someone to get busy and coordinate and expedite this program, so that relief for our people can be forthcoming.

Mr. KERR. Mr. President, I thank my colleague for those friendly remarks, which are so pointed and accurate.

Mr. FULBRIGHT. Mr. President, will the Senator yield for a further question?

Mr. KERR. I yield to the distinguished Senator from Arkansas.

Mr. FULBRIGHT. Does it not seem almost immoral to hear that this country is facing such a tremendous surplus, about which we have been talking—and we are struggling to find a way to do something about the surpluses which we seek to prevent in the future—and now that our warehouses are bulging with surplus grains of nearly all kinds, grains which these people need for feed, still the Department seems to be unable to find a way to make those grains available to farmers who are facing complete disaster, bankruptcy, and the loss of their farms? Surely the Department of Agriculture has enough imagination and energy to do something about this situation. I cannot understand why some plan has not been devised, or some request made for authority. If the Department has no authority, why has not a request been made of the Congress for authority? I understand the Department has the authority.

I wonder if the distinguished Senator can think of anything we can do to put dynamite under the Department and to make it move?

Mr. KERR. Mr. President, I appreciate the question of the distinguished Senator from Arkansas. I would put the dynamite under the Secretary of Agriculture, and I would light the fuse, if I thought it would get him off that part of his anatomy which he is wearing out and get him out where the duty and the responsibility exist in this regard.

We cannot find 1 farmer in 500 who will admit or is capable of being convinced that he has a Secretary of Agriculture. It is a tragedy beyond description, Mr. President.

We have an abundance and a surplus of grains, and the Secretary has put a grain program into effect, whereby he directed that farmers in the disaster area be permitted to buy feed made from surplus grain at a price of 60 cents a hundred pounds under the market value. The market value of most of those grains has gone up, since the Secretary issued the order, a greater amount than 60 cents a hundred.

The Secretary has put into effect a hay program, and I wish to tell the Senate what that is. If the State makes a certain contract to supervise, participate, designate, and cooperate, the Department of Agriculture will pay half the freight on hay at a cost not to exceed $10 a ton. I ask Senators what benefit that is to a farmer who cannot pay for the hay, let alone half the freight? It is like placing a sumptuous, alluring feast in front of starving men and building a partition of bulletproof glass between them and the food, placing men with shotguns on guard to shoot them down in case they succeed in breaking through the glass. That would do them as much good as what the Secretary of Agriculture is doing under the guise of putting into effect a drought disaster relief program for certain designated counties.

The Secretary holds out the promise, but the only farmer in the country today who is more disappointed, more disillusioned, and angrier than those who are in an area which has not been designated a disaster area is the farmer who is in an area which has been so designated, and who finds that he is getting nothing by reason of such designation.

Certainly the Secretary of Agriculture has the authority to make loans. But the Federal Reserve bank would loan money on less collateral and at a lower rate of interest than would the Secretary of Agriculture. He is not loaning money; he is hoarding it. Oh, he is making a record. Farm families who are entitled to relief, and who without it will become casualties, are being denied the opportunity for economic survival. We have been giving away billions of dollars. Mr. President, somehow, in some way, justice must be done.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. KERR. I yield to the distinguished Senator from South Carolina.

Mr. JOHNSTON of South Carolina. After listening to the Senator from Oklahoma, I judge that his people in Oklahoma feel toward the Secretary of Agriculture much the same as the people of Wisconsin feel toward the Secretary. The Secretary of Agriculture came up there to speak. Did the Senator read the article in the New York Times, commenting on that speech of the Secretary?

Mr. KERR. Yes; I did.

Mr. JOHNSTON of South Carolina. Did the Senator read that a snow fence was built 25 feet out from the platform to keep the people from tearing the Secretary limb from limb? They were not satisfied with that. Did the Senator read that they built a barbed-wire entanglement a little closer, about 10 feet out, and left 15 feet between? Even with the barbed-wire entanglement that arrangement was not satisfactory. Guards were stationed between the snow fence and the barbed-wire entanglement to guard the Secretary of Agriculture. Did the Senator read that story?

Mr. KERR. I read that story, Mr. President, but I arrived at a little different interpretation of the story from that given by the distinguished Senator from South Carolina.

As I remember the story, the snow fence and the barbed-wire entanglements were placed in position at the request of the Secretary of Agriculture.

Mr. JOHNSTON of South Carolina. Is it not true that the people had threatened to tear the Secretary limb from limb?

Mr. KERR. The Secretary's conscience must have been so guilty or his realization of his inadequacy so intense that he promoted the building of that barricade to defend him. Then he asked for an escort of 12 special deputies to protect him.

The facts show that within 2 weeks of that time the farmers in that particular area held a special election and elected a Democratic Representative for the first time, as I understand, in many years. If the President ever gets around to giving the Secretary of Agriculture his just reward and just due, he will decorate him for his efficiency in getting that Democratic Representative elected.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. KERR. I yield to the Senator from Georgia.

Mr. RUSSELL. I, too, read the article to which Senators have referred. It is amazing how many different interpretations one can get from an article. I understood that the protective devices, such as the barbed wire, were placed in position for the purpose of protecting the farmers from the Secretary of Agriculture.

Mr. KERR. I must say that that is the most logical interpretation of the situation I have yet heard. It may be that the distinguished Senator from Georgia has put his finger on the correct analysis of the situation.

The Secretary of Agriculture has authority to make loans. He has authority to provide feed for the cattle in disaster areas, from surplus crops at any price he wishes to charge.

What he has done is to fix the price at a level which makes it certain that the farmers cannot get the feed. In the meantime, devastation, destruction, and economic bankruptcy march on, totally disregarded by the Secretary of Agriculture, when, by the exercise of the discretion and authority given him, he could alleviate the suffering and prevent much of the destruction which is taking place.

I am glad that Senators have today called upon him for action. While hope springs eternal in the human breast, I must say that if there is anything to be gained from experience and the knowledge of what he has not done, it is quite likely that the hope that he will act is not altogether justified. Nevertheless, I indulge the hope that he will act in a manner which will meet their requirements and the responsibilities of his office.

COPYRIGHTS

The Senate resumed the consideration of the bill (H. R. 6616) to amend title 17, United States Code, entitled "Copyrights."

Mr. PAYNE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER (Mr. REYNOLDS in the chair). The Senator will state it.

Mr. PAYNE. What is the unfinished business?

The PRESIDING OFFICER. The unfinished business is Calendar No. 2235, House bill 6616, to amend the copyright law.

The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading, and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

Mr. RUSSELL. Mr. President, is the question on the passage of the copyright bill?

The PRESIDING OFFICER. The Senator is correct.

Mr. RUSSELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. RUSSELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The question is, Shall the bill pass?

Mr. HENDRICKSON. Mr. President——

The PRESIDING OFFICER. Does the Senator wish to speak on the bill?

Mr. HENDRICKSON. I do, indeed. I sincerely regret that I must be a "pinch-hitter" tonight, but the members of the subcommittee who supported this bill are all absent.

Mr. President, on June 25 last, the Senate gave its advice and consent to ratification of the Universal Copyright Convention signed at Geneva in September 1952. This chamber manifested its approval of that treaty by the overwhelming vote of 65 to 3.

In order to give effect to the provisions of the treaty, a number of minor changes are required in our domestic copyright law. The present bill, S. 2559, is the implementing legislation which will make the necessary changes.

The substance of the bill has, in fact, already received the attention of this body, because when we took up the Copyright Convention the Senate had to consider the specific changes in our law which would have to be made under the convention. All of these matters were brought to the attention of the Senate, both in the committee report, and in debate on the floor. The convention itself contains obligations which could only be performed by the United States if the changes provided for in this bill were made.

Mr. President, seldom has any legislation been introduced on the floor of Congress which has had such widespread support from so many segments of the American public as has this bill. The volume of favorable correspondence received by the committee from authors, playwrights, composers, publishing companies, library associations, Catholic, Protestants, and Christian Science publication societies, music companies, photographers associations, radio, and television organizations, and motion picture companies, was overwhelming.

That correspondence is an impressive measure of the public conviction that this legislation is necessary and desirable.

Mr. President, I should like to introduce into the record a list I have of the groups which have indicated their support for S. 2559.

I send this list to the desk and ask unanimous consent that it be inserted in the RECORD at this point in my remarks.

The PRESIDING OFFICER. The Chair calls the Senator's attention to the fact that the Senate is considering the House bill instead of the Senate bill.

Mr. HENDRICKSON. I am referring to the Senate bill, but I understand the House bill is the bill before the Senate.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

GROUPS SUPPORTING THE UNIVERSAL COPYRIGHT CONVENTION AND THE RELATED LEGISLATION

American Academy of Arts and Sciences; American Bar Association; American Book Publishers Council, Inc.; American Civil Liberties Union; American Council on Education; American Council of Learned Societies; American Library Association; American Society of Composers, Authors, and Publishers; Artists Equity Association; Association of American University Presses; Authors League of America; Book Manufacturers' Institute; Catholic Library Association; Chicago Bar Association; Chicago Patent Law Association; Christian Science Church; Congress of Industrial Organizations; Copyright Committee of the Bar Association of the City of New York; Curtis Publications; Federal Bar Association; Hearst Publications; Inter-American Bar Association; Los Angeles County Bar Association; McGraw-Hill Publishing Co.; Motion Picture Association of America; Music Publishers Association; Music Publishers Protective Association; Mystery Writers Association of America; National Association of Radio and Television Broadcasters; National Music Council; Patent Bar Association; Photographers' Association of America; Protestant Church-Owned Publishers Association; Readers' Digest; Song Writers Protective Association.

Mr. HENDRICKSON. As I previously stated, I am pinchhitting. My remarks were prepared to be directed to the Senate bill, but I am aware of the fact that the House bill is pending.

The bill has the endorsement of virtually the entire organized copyright bar, including both the section of patent trade-mark and copyright law, and the section of international and comparative law of the American Bar Association. Upon joint motion of these two sections, the house of delegates of the American Bar Association on March 8, 1954, adopted a resolution endorsing the provisions of the bills before us.

These bills would make the following changes in our copyright law:

Section 1 of the bill amends section 9 of title 17 of the United States Code, by adding a new subsection (c). The subsection provides that whenever the universal copyright convention shall have come into force between the United States and a foreign state or nation, copyright protection under title 17 of the Code shall extend to the work of an author or copyright proprietor who is a citizen or subject of such foreign state or nation and to the works first published therein. A number of formal requirements are then listed from which such protected works would be exempt. The principal exemptions involved are these:

First. The elimination of the manufacturing requirements as to English language books and periodicals originating in a member state;

Second. The qualification of the right of the Register of Copyrights, seldom if ever exercised, to void copyright in a foreign work for failure to make the required deposit after demand;

Third. The statutory requirements of copyright notice are relaxed;

Fourth. The requirements for a separate proclamation under section 1 (e) is removed.

Section 2 of the bill modifies section 16 of title 17 of the United States Code so as to permit an American author who first publishes a book abroad in the English language to import 1,500 copies of the book. This privilege, which is already enjoyed by foreign writers, has not until now been available to American authors. The bill would remove this discrimination so as to permit Americans, as well as foreigners, to test the market to determine the desirability of printing a run in the United States.

Section 3 of the bill modifies the provisions with respect to the notice required by section 19 of title 17 of the Code, so that an American author or publisher may utilize the symbol C in a circle © as an alternative statutory copyright notice in a book. This change is desirable to permit a single, simple notice to be used by domestic publishers for all books marketed, whether here or abroad.

The changes under sections 2 and 3 of the bill, while not required to implement the convention, are regarded as meritorious by the copyright profession. There has been no objection to them from any source.

It remains to be mentioned that the House of Representatives, on August 3 last, by a more than two-thirds approval, passed the companion bill, H. R. 6616, which is identical with S. 2559.

Mr. President, it is my firm conviction that the proposed legislation is sound as a matter of copyright law and earnestly desired by the professional groups in the United States which are most directly affected. It is, moreover, a measure which is indispensable if we are to give effect to the convention which the Senate has already overwhelmingly approved.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement in further explanation of the copyright bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR FULBRIGHT ON S. 2559

The pending bill, as has been observed previously, would effect a slight change in what we call the manufacturing clause. I think it should be pointed out that this clause does not prohibit imports of books. What it does is to deny the precious right of copyright protection to a foreign author writing in English, unless he also manufactures, prints, and binds his book here.

This may come as a surprise to some of us, but we in the United States who are

accustomed to viewing ourselves as righteous in so many things, have never been solicitous about protecting the rights of foreign authors. In fact, for the greater portion of our history, from 1790 to 1891, it wasn't even possible for foreign writers to secure copyright here. This period was our age of literary piracy. There was nothing in our law to prevent thievery of the great works of that time. Dickens, Thackery, Stevenson, and others were freely pirated, until public opinion demanded the end of this national sin.

At long last, in 1891, a revision of the Copyright Act extended protection to foreign writers on condition that they comply with all our formalities—including the requirement that their works be manufactured in the United States. The manufacturing clause extended to all foreign writers, no matter what the language of their works. Finally this requirement was removed with respect to foreigners abroad writing in a language other than English. Such is its present form.

There may have been a selfish reason early in our history to adopt such an attitude. We were a young Nation, an importing Nation, without an established printing industry. It might have made some sense to say "We will not grant copyright to foreign authors unless they manufacture here." And so we were free to pirate such works, which we did. Dickens and the others saw their works sold without a dime in revenue coming back to them.

But today, the situation is completely different. We are no longer an importing country in the literary and artistic field. We are an exporting country. And it's no small business. Book exports alone account for almost $25 million annually. Receipts from foreign showings of motion pictures account for another $175 million. It is now American authors, American music, American motion pictures, which are desired overseas. It is now we who need protection against piracy and uncompensated use.

But we cannot get the magnificent kind of protection provided for under the Copyright Convention which the Senate approved last June, unless we make some concessions. And virtually all that is asked of us of any significance is the slight modification of that clause on our statutes which requires a foreign subject, residing abroad, who writes in the English language, to have his book printed here in order to get copyright protection. Everyone else who writes in English must manufacture here—including Americans and resident aliens.

The pending bill is so reasonable, so eminently fair, that it is a small price indeed to pay for the benefits which our people will enjoy from a convention which, for the first time, assures them of adequate and sound protection throughout the entire world.

The PRESIDING OFFICER. House bill 6616 having been read the third time, the question is, Shall it pass?

The bill was passed.

The PRESIDING OFFICER. Without objection, Senate bill 2559 is indefinitely postponed.

COMPACT FOR ALLOCATION OF WATERS OF THE MISSOURI RIVER

Mr. KNOWLAND. Mr. President, I move that the Senate proceed to the consideration of Calendar 2352, Senate bill 2821, the interstate compact for allocation of waters of the Missouri River.

The PRESIDING OFFICER. The clerk will state the bill by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 2821) granting the consent of Congress to the States of Colorado, Iowa, Kansas, Minnesota, Missouri, Montana, Nebraska, North Dakota, South Dakota, and Wyoming, to enter into a compact for the allocation of waters of the Missouri River.

The PRESIDING OFFICER The question is on agreeing to the motion of the Senator from California.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs with an amendment, to strike out all after the enacting clause and insert:

That the consent of Congress is hereby given to the States of Colorado, Iowa, Kansas, Minnesota, Missouri, Montana, Nebraska, North Dakota, South Dakota, and Wyoming to negotiate and enter into a compact for a basinwide, comprehensive program of unified planning for the attainment of the conservation and development of the water resources projects of the Missouri Basin, and for the coordination of the water resources development of the agencies of the States in cooperation with the agencies of the United States: *Provided*, That existing compacts between the States and decrees of the United States Supreme Court relating to any of the waters of the Missouri River or its tributaries shall be fully recognized: *Provided further*, That any compact negotiated pursuant to this act shall recognize the provisions of existing law that the use for navigation of waters arising in States lying wholly or partly west of the 98th meridian, shall be only such use as does not conflict with any beneficial use of such waters for domestic, municipal, stock water, irrigation, mining, or industrial purposes: *And provided further*, That nothing in this act shall apply to any area of the National Park System established as of the date of this act or any future areas added by acts of Congress.

SEC. 2. The President is authorized to appoint a commissioner to represent the United States to participate in such negotiations, and who shall make report to the President and to the Congress on the proceedings and any compact entered into.

SEC. 3. Any such compact shall not be binding or obligatory upon any of the parties thereto unless and until the same shall have been ratified by the legislatures of each of the signatory States and consented to by the Congress.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

Mr. BARRETT. Mr. President, the purpose of the bill is to permit the States of Colorado, Wyoming, Montana, North Dakota, South Dakota, Nebraska, Kansas, Missouri, Iowa and Minnesota to enter into a compact to establish a basin-wide unified plan for the development of the Missouri River.

The bill provides that there shall be no conflict with or modification whatsoever of the compacts presently existing in the basin among the States, or any part of them; and it further provides that the agencies of the States and of the Federal Government shall cooperate and work together for the orderly development of the water resources of the basin. The sole purpose of the bill is to authorize the States to arrive at an agreement to achieve that objective.

A representative of the United States Government will sit in the proceedings. After the States have agreed, and the compact has been approved by the legislatures of the various States, the subject will then be returned to Congress, and it will be for Congress to determine whether the agreement which has been proposed and entered into by the various States shall be approved by Congress and become the law of the river.

Compacts of this nature have been entered into many times. All precautions have been taken to insure that none of the rights of the several States will be violated.

The governors of all 10 States of the basin have appoved the bill. The committee considered the bill, which was first approved by the Secretary of the Interior and then by the Bureau of the Budget, and reported it unanimously. I know of no reason why the bill should not be passed, because I have heard no objection to it whatsoever.

Mr. CASE. Mr. President, I offer an amendment to the committee amendment which I ask to have read.

The CHIEF CLERK. On page 3, line 2, in the committee amendment, it is proposed to insert after the word "law", a comma and the word "and."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from South Dakota to the committee amendment.

Mr. CASE. Mr. President, the amendment to the committee amendment is to correct what I think must have been an error in copying, because the comma and the word "and" appear in the proviso as the bill is printed in the report. The purpose of my amendment is to make the text of the committee amendment as printed in the bill conform with the amendment as set forth in the report on the bill.

Mr. BARRETT. The Senator from South Dakota is entirely correct, and the committee accepts the Senator's amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Dakota to the committee amendment.

The amendment to the amendment was agreed to.

Mr. CASE. Mr. President, I merely desire to repeat what I said during the time when the bill was under discussion on the call of the calendar. The bill represents the wishes of the governors of the several States, as set forth in various resolutions which have been adopted from time to time, particularly in their recent meeting at Yellowstone Park.

The Governor of South Dakota, Hon. Sigurd Anderson, has been chairman of the committee of governors during the past year, and in several ways and on various occasions he has expressed to me his deep personal conviction that the States of the Missouri River Basin should have the opportunity to negotiate a compact through their representatives, with a representative of the Federal Government being present, and then to submit the compact to Congress for ratification. That is precisely what the bill proposes to do.

As the Senator from Wyoming [Mr. BARRETT] has so correctly stated, the bill conforms with the custom and practice of the States in that area and with the proviso contained in the Flood Control

Act of 1944, with respect to the beneficial consumptive use of waters which lie wholly or partly west of the 98th meridian.

In all respects the bill recognizes the desires and aims of the people concerned, and recognizes the authority of Congress over subjects relating to interstate commerce, in that the proposed compact will be submitted to Congress for ratification.

I, therefore, join with the Senator from Wyoming and other Senators in urging the enactment of the bill.

Mr. THYE. Mr. President, I join with my colleague in support of the bill. I read into the RECORD during the call of the calendar this afternoon a letter from the Governor of Minnesota. I know that for several years there has been a great deal of interest in the bill in Minnesota, Minnesota is joining with the other States and their administrators in the study of the compact. Therefore, I urge that favorable consideration be given to the bill.

Mr. MORSE. I wish to join the Senator from Wyoming, the Senator from South Dakota, and the Senator from Minnesota in giving my enthusiastic support to the bill. It seems to me what we need to keep in mind is that the bill fits in with the spirit and intent of the compact section of the Constitution of the United States. When the Constitution was adopted it was intended that in matters of interest to groups of States they should be authorized to enter into compacts that involved a consideration of common problems. That is what the bill seeks to effectuate.

Furthermore, I think the Senator from Wyoming went to the very heart of the question when he pointed out that all Congress would be doing when it passed the bill, if it should be passed—and I hope it will be—would be to authorize the respective States to negotiate a compact. The passage of the bill would not result in the adoption of a compact which the States have negotiated. In a sense, it is an authorization bill. It would really authorize the States, under the compact section of the Constitution, to proceed to negotiate a compact.

Surely, no Senator would wish to deny that under the compact section of the Constitution of the United States the subject matter of compacts is one which does not fall, without action by Congress, within the purview and the jurisdiction of the States. All the checks the constitutional fathers intended will be available to us after the passage of the bill, as has been pointed out by the Senator from Wyoming and the Senator from South Dakota. The compact will then come back to the Congress of the United States for ratification.

I cannot imagine any sound basis for an objection to the bill from the standpoint of what I consider to be procedural rights of the States. We are dealing with pretty precious rights of the States. We are dealing with a recognition on the part of the Congress of the United States of what ought to be considered the right of States to negotiate compacts within the subject matter and the spirit and intention of the compact section of the Constitution. I think there is such an intention. I think we can take judicial notice of it. In my judgment, no one can doubt it.

My last argument is, and I made it earlier this afternoon when the bill was before the Senate on a call of the Unanimous Consent Calendar, that this is the kind of Federal Government-State government cooperation we ought to be encouraging. This is carrying out the kind of Federal-State relationship which results in a true partnership between the States and the Federal Government. I think States should be encouraged to negotiate compacts within the subject matter of the bill, because it is a subject which has been the source of a great deal of discussion in the States for a long time in the past. I think Senators will agree that it has been the subject of considerable disagreement from time to time in the States. There have been divisions of opinion, but at long last——

Mr. BARRETT. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from Wyoming.

Mr. BARRETT. I may say it has been the subject of very bitter disagreement.

Mr. MORSE. Very heated as well as bitter disagreement, but, at long last, on the anvil of compromise, there has been a hammering out of what looks like an equitable and fair solution of this long-standing disagreement.

I think we would be performing a disservice if, as a Congress, we stood in the way of enabling these States to reduce agreements to a compact and then to submit the compact to the Congress and ask for its approval.

I think at this point in my remarks there ought to appear in the RECORD the section of the Constitution to which I have referred, which is to be found in section 10, clause 3, of article I of the Constitution, and reads as follows:

> No State shall, without the consent of Congress, lay any duty of tonnage, keep troops, or ships of war in time of peace, enter into any agreement or compact with another State, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

The authorization to enter into compacts was definitely specified in the Constitution, and I respectfully submit that the proposed compact is in keeping with that section of the Constitution.

Mr. LANGER. Mr. President, I was surprised when the bill was reported by the Interior and Insular Affairs Committee, because under the La Follette-Monroney Act, it was specifically specified that compacts generally should go to the Committee on the Judiciary. This matter deals with navigation, if one reads the bill carefully. After the Senator from North Dakota [Mr. YOUNG] and I joined in a bill, in which the Senator from Kansas also joined, we were surprised to learn that the late Senator Butler, of Nebraska, introduced a bill authorizing an interstate compact, which he apparently thought related to the apportionment of waters for irrigation and reclamation purposes, including easements of public lands for irrigation purposes.

I am not going to object to the bill, and I did not object when the late Senator Butler came to me and said they had had a hearing on the subject matter and they had agreed to it. After the Governor of my State had also agreed to it, I did not raise any objection.

However, I wish to make it plain that as chairman of the Committee on the Judiciary I shall object in the future when a compact comes before the Senate unless it is referred to the Committee on the Judiciary. It is the committee which, under the La Follette-Monroney Act, has jurisdiction of compacts generally. However, in view of the fact that the Governor of my State and the governors of the other States favor it, I shall not object.

The PRESIDING OFFICER. The committee amendment is open to further amendment.

If there is no further amendment to be offered, the question is on agreeing to the committee amendment as amended.

The amendment, as amended, was agreed to.

WHAT KIND OF RELIEF IS THIS?—NEWS ARTICLE

Mr. McCARRAN. Mr. President, the Fallon Standard, of Fallon, Nev., in its issue of August 11, 1954, carries a striking and cogent editorial entitled "What Kind of Relief Is This?" The editorial concerns the failure of certain structures constructed by the Bureau of Reclamation in the Truckee-Carson irrigation district. I ask unanimous consent, Mr. President, that the text of this editorial may be printed in the RECORD at this point as a part of my remarks.

There being no objection, the news article was ordered to be printed in the RECORD, as follows:

WHAT KIND OF RELIEF IS THIS?

It causes one to wonder what kind of disaster relief has been given the Truckee-Carson irrigation district when quake-damaged structures cannot be replaced of materials as good as they were before.

For instance, the concrete Coleman Dam cannot be rebuilt with concrete because Federal regulations say that concrete is permanent material.

It is ironic that if a structure was originally designed and built by the Federal Government that would not stand up under an earth tremor, it must be replaced with wood, brush, and dirt, or flimsy material to merit aid under the disaster area relief program.

Cost of this first reclamation project to be brought into being by the Federal Government has been charged up to the settlers. Soon the bill will be paid in full.

Since it was built 50 years ago, numerous instances of erroneous estimating, of faulty design and poor construction have shown up. Those early engineers hired by Uncle Sam are responsible for that—not the farmers.

It would seem only just that these irrigation works should be rebuilt to perform as was originally intended, and that without the need for seeking relief from disaster funds.

All the benefit they can get from disaster relief funds is to use them for fragile dams, flumes, and takeouts, and then arrange for a bond issue to do the job right, as it should have been done by the Bureau of Reclamation in the first place.

The water users here eventually will be confronted with the excessive burden of

building structures better than they were at the outset.

Either that, or we might join Great Britain, France or some other country getting billions in relief with no questions asked and with no intention whatever of paying anything back—not even a promise of playing ball in this international game of preventing war.

Somewhat the same situation is seen in the Small Business Administration program of aiding owners of buildings that have been shattered by earthquakes.

In order to get loans at almost the same interest rates that are charged by regular loaning agencies, the building owner must be in such financial straits that the bank wouldn't advance the cash. Then the borrower must be listed as a good risk before the SBA will take a chance.

After being disqualified for one type of loan, then qualified as a questionable risk for a Government loan, the building owner is up against another proposition.

His structure that didn't stand the July tremors here cannot be rebuilt with anything better to survive another quake if it should occur.

It would be the same rotten brick, the same foundations without reenforcement, the same flimsy building as before.

The only relief evident in this Federal SBA loan is a slightly lower interest rate and a longer period for repayment.

Were the owner allowed to rebuild more substantially than before, even to enlarge if desirable, the Government would have a sounder loan.

But sound business policies are not characteristic of the Federal Government.

It is either an all-out giveaway, or doling out money on loans of questionable security.

LOCAL SERVICE AIRLINE BILL

Mr. McCARRAN. Mr. President, the August 13 issue of American Aviation Daily contains a short article entitled "Local Service Bill Suffers Setback; Chances Slim." The article then goes on to say that the bill, H. R. 8898, now pending on the Senate Calendar after being reported favorably, with amendments, from the Committee on Interstate and Foreign Commerce, is going to die on the calendar because it is opposed by officials of the Commerce Department. This article says that these Commerce Department officials "have stepped up their campaign to kill the bill" and implies that they have enough influence with the majority policy committee to prevent the bill from coming to the floor for a vote.

Mr. President, I ask unanimous consent that the full text of this article may be printed in the RECORD at this point as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LOCAL SERVICE BILL SUFFERS SETBACK; CHANCES SLIM

The local service airline bill, H. R. 8898, which was passed in the House and amended in the Senate committee to include the all-cargo air carriers, suffered a major setback in the Senate when objected to on a call of the calendar.

The outlook for eventual and favorable reconsideration of the measure, whether with or without the all-cargo amendment, is considerably dimmed despite the fact it was put at the top of the list for the next call of the calendar. Senate sources are uncertain that there will be another calendar call in the rush for a quick adjournment early in the week.

The only alternative facing the proponents of local service legislation for permanent certification is the difficult task of receiving a favorable ruling from the Senate Republican policy committee to bring up H. R. 8898 for immediate floor action.

Opposition to the pending legislation in any form has openly come from the administration and has been led by Commerce Department officials. Although overridden by committe action in reporting the legislation, the opposition forces have stepped up their campaign to kill the bill.

The all-out effort to defeat the local service bill in the Senate, rather than letting it go through and then having it vetoed at the White House, was launched because it was not believed that President Eisenhower would exercise his veto. A signing of the legislation into law would nullify, possibly destroy a major portion of the Murray-ACC civil air policy report.

Mr. McCARRAN. Mr. President, in my opinion this bill, H. R. 8898, will be passed by an overwhelming majority if it is permitted to be brought to a vote in the Senate. I want to ask the able majority leader whether it is true that the opposition of Commerce Department officials is going to be permitted to prevent this bill from coming to a vote in the Senate, or whether he will now give us assurance that he will permit the bill to come up on motion?

Mr. KNOWLAND. Mr. President, to which bill is the Senator from Nevada referring?

Mr. McCARRAN. House bill 8898.

Mr. KNOWLAND. Mr. President, if the Senator from Nevada will yield to me, all I can say is that the bill is one of a great many bills which are under consideration by the policy committee; and its consideration will depend upon the progress we are able to make. Let me say, in my capacity as an individual Senator, that, I happen to be favorably inclined toward that bill. However, it has not been definitely scheduled for consideration.

LABELING OF FOREIGN-PRODUCED TROUT

Mr. McCARRAN. Mr. President, I call up my motion for reconsideration of the vote by which the Senate concurred in the amendments of the House of Representatives to Senate bill 2033.

Mr. KNOWLAND. Mr. President, is that the trout bill?

Mr. McCARRAN. Yes.

Mr. KNOWLAND. I have sent for the Senator from Idaho, who is not in the Chamber at the moment.

If the Senator from Nevada does not mind waiting, I should like to point out that we are about to dispose of the bill relating to the interstate compact relating to allocation of the waters of the Missouri River.

COMPACT FOR ALLOCATION OF WATERS OF THE MISSOURI RIVER

The Senate resumed consideration of the bill (S. 2821) granting the consent of Congress to the States of Colorado, Iowa, Kansas, Minnesota, Missouri, Montana, Nebraska, North Dakota, South Dakota, and Wyoming, to enter into a compact for the allocation of waters of the Missouri River.

The PRESIDING OFFICER (Mr. GOLDWATER in the chair). If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (S. 2821) was passed.

The title was amended so as to read: "A bill granting the consent of Congress to the States of Colorado, Iowa, Kansas, Minnesota, Missouri, Montana, Nebraska, North Dakota, South Dakota, and Wyoming to negotiate and enter into a compact for the attainment of the conservation and development of the water resources of the Missouri Basin, and for other purposes."

ACCUSATION OF FAVORITISM AGAINST THE PRESIDENT OF THE UNITED STATES

Mr. REYNOLDS. Mr. President, on August 16, last, a spokesman for the Democratic Party in a public address attempted to impugn the motives and actions of the President of the United States, by inferring some sinister action in connection with a contract noted in the legislation affecting the purchase and distribution of electric power.

I shall not indulge in any discussion of the merits of that legislation, but shall confine my remarks to one thesis: namely, the Presidency of the United States of America.

The President of the United States is the leader of the free world. His office exemplifies all that free men yearn for—free government and honest government. The man who holds that office, be he a Republican or a Democrat, is looked upon by free men the world over as the man to lead a darkened and disheartened world to light and freedom. To destroy the integrity of that high office is to destroy the only possible leadership for free men in the world today. To create the impression that the Chief Executive of this Nation would stoop to sharp practices is to present a sorry picture of the American political system at work.

We in America are born to the idea that it is our inalienable right to criticize our President. Other peoples throughout the world have been taught for centuries that the head of State can do no wrong, that criticism of the sovereign is unthinkable. They find it hard enough to understand our customary and every-day criticism of our President's acts and pronouncements; but when that criticism challenges the integrity of our President, it becomes totally nonunderstandable, and the United States, its institutions and our boasted free Government lose caste in the eyes of the world.

This Nation lost caste enough when—for shame—we demonstrated to the world that manhood under our system could breed traitors the likes of Alger Hiss, et al.

In these serious days of unrest and indecision on the part of millions of people around the world, there can be no justi-

fication for a purely political attack upon the integrity of the President of the United States.

At a time when the slightest deviation from correct American thinking could bring a terrible holocaust in this troubled world, it little befits any American or any American organization to degrade in the slightest degree the office of the leader of the Free World, the President of the United States.

The personal integrity of the present occupant of the White House needs no defense from me or from anyone else. The integrity of the office of the President of the United States, however, is a precious asset of all free people, and should be jealously guarded at all times, more especially in these times, by all Americans, of whatever political faith.

So, Mr. President, I, for one, condemn this attack on President Eisenhower. While the attack in question was obviously intended to be a brilliant political move for American consumption, in reality it is a thoughtless and un-American blow against the leader of the Free World and all that the Free World stands for—honest free government.

SANTA MARIA PROJECT, CALIFORNIA

Mr. KNOWLAND. Mr. President, I move that the Senate proceed to the consideration of Calendar 1801, House bill 2235.

The PRESIDING OFFICER. The bill will be stated by title, for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 2235) to authorize the Secretary of the Interior to construct the Santa Maria project, Southern Pacific Basin, Calif.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 2235) which had been reported from the Committee on Interior and Insular Affairs with amendments.

Mr. KUCHEL. Mr. President, I am happy to rise to speak briefly in support of the pending measure.

House bill 2235 originated in the House of Representatives, and authorizes a project which is referred to by the Department of Interior, Bureau of Reclamation, as "Santa Maria project, South Pacific Basin."

The Santa Maria Valley is located in the northern part of Santa Barbara County, Calif. The area affected by the project consists of approximately 40,000 acres of land under irrigation or capable of being placed under irrigation. I understand that, on the average, three crops are grown every 2 years.

The people in the area have handled their land in such a way that the fertility of the soil has not been depleted. Farming in the area has conformed to good conservation practices.

The project report was submitted by letter of transmittal, signed by Secretary McKay, dated July 20, 1953, and was contained as a preface to the report which is referred to as House Document 217, 83d Congress, 1st session. In transmitting the report, Secretary McKay said, in part:

> The report and copies of all the comments were transmitted to the President, and the Bureau of the Budget has advised that there would be no objection to the submittal of the report to Congress. A copy of Assistant Budget Director Rowland Hughes' letter of July 9, 1953 is enclosed.
>
> I recommend that the project be authorized.

Very complete hearings were held on the project by the House Subcommittee on Irrigation and Reclamation, and both the House subcommittee and the House Interior Committee recommended the project. The bill was then passed by the House and was referred to the Senate Committee on Interior and Insular Affairs. The bill was recommended by the Senate Subcommittee on Irrigation and Reclamation, on July 9, with very minor amendments, and was recommended by the full committee on July 8, 1954.

The principal physical features of the project are as follows:

The project is designed to furnish a supplemental water supply for the irrigated lands of the Santa Maria Valley, to which I have referred. The project plan provides for the multiple-purpose Vaquero Dam which will be an earthfill dam providing a reservoir having a capacity of 214,000 acre-feet.

The project is unique, in that no surface water will be furnished to the irrigated land. Mr. President, I wish to repeat that the project is unique in that no surface water will be furnished to the irrigated land. The conservation capacity of the reservoir would be released, after the winter storms are over, into the stream bed of the Santa Maria River, where the water would percolate underground and would recharge the underground water sands and gravels; and the water would then be pumped from this source for irrigation. In other words, Mr. President, the individual pumps owned by those who are tilling the soil in that area would continue to be used as they are used today.

As is usual in flood-control projects, all flood-control water would be released to the ocean as soon as the stream bed could carry such water to the ocean in safety.

The project would furnish an average of 18,500 acre-feet of additional water for irrigation. It is anticipated that this additional supplemental water would take care of the needs of this area for many years to come.

The costs of the project have been estimated as of October 1952 prices. The total estimated cost is $16,982,000, of which $3,031,000 is assigned to flood control and will be nonreimbursable, and $13,969,000 is assigned to water conservation and would be repaid by the local interests. The Bureau of Reclamation estimates that the annual costs of maintenance and operation would amount to $41,600.

As I have pointed out, the project was found to be feasible, and was approved by the former Secretary of the Interior under the prior administration, and the present Secretary of the Interior under the present administration. The project report has also been approved by the Corps of Engineers, United States Army, the United States Department of Agriculture, the State of California, and other interested agencies.

The annual equivalent direct benefits of the project as a whole are estimated to be $1,911,000, of which $600,000 is considered to result from flood control and $1,311,000 from conservation benefits.

I repeat, Mr. President, that $600,000 is estimated by the agencies involved to be the annual equivalent of benefits based on flood control, and $1,311,000 is the estimate of benefits from conservation. This results in a very high benefit cost ratio of 1.87 to 1. The intangible indirect benefits are estimated to equal an additional $1 million, resulting in a total overall benefit cost ratio of 3 to 1.

Based upon the estimates as of October, 1952, the local interests would be obligated to pay to the Government $350,000 per year over a 40-year period.

The Santa Maria Valley Water Conservation District was organized under the laws of the State of California in 1936 and has the legal authority to contract to pay back to the Government these capital costs. Santa Barbara County has also been farsighted in preparing to take care of its water problems, and the county itself organized the Santa Barbara County Water Agency under State law, and this agency will also participate in the repayment contract.

The United States Government will be thoroughly protected in recouping the construction costs allocated to reclamation. The estimates of the Bureau of Reclamation show that the repayment capacity per acre of land in the Santa Maria Valley is $105 per acre. Class 1 lands have a repayment ability of $42 to $163 per acre, with a weighted average of $115 per acre, and class 2 lands vary from $42 to $105 per acre, with a weighted average of $65 per acre. This results in an overall weighted average ability to pay of $105 per acre.

I wish to reiterate the fact that all agencies involved have approved this compact; the Members of the House of Representatives from California on both sides of the aisle have approved it; and the local people involved, representing all walks of life, have approved it.

Mr. President, I come from a State which is essentially a semiarid State. I come from a State which is increasing in population at the rate of 1,000 a day. I come from a State which needs to conserve and put to beneficial use all the water it can, up and down the 1,100 mile coastline of the State.

We have here an instance in which two rivers come together in Santa Barbara County, which I may describe for Members of the Senate as being about midway between Los Angeles County and San Francisco County, and where annually there are flood damages and water is completely wasted. So the Government, through its agencies, determined that the way to cope with the problem, the way to prevent flash floods, and the way to impound the waters which otherwise would waste into the sea and put them to beneficial use was to build an earth reservoir; not providing

for surface distribution of the water, but rather allowing the water in the dry periods during the year to go out from the reservoir and percolate down through one of the two river beds. To that extent the water would replenish the underground water supply which, over the years, has decreased.

Since I am talking about an area which is adjacent to the Pacific Ocean, obviously such a location would increase the possibility of salt-water intrusion.

When the bill was brought up on the calendar call some time ago, my friend, the junior Senator from Oregon [Mr. MORSE] raised a question. I should like tonight to anticipate the Senator's question and endeavor to clear up the doubt he has had in his mind, while at the same time explaining to Members of the Senate what is involved.

When the bill came to the floor of the House of Representatives, one of the Members of the House from California was most zealous in his desire to have the acreage limitation provisions continued in the reclamation laws of America. So he went into the subject carefully, as did the members of the committee and the Bureau of Reclamation. It was decided unanimously that when water percolates into the ground from the alluvial soil of a riverbank which is dry many months in the year, we have a situation in which the underground water table is raised, but it is impossible physically and legally to determine and apply any acreage limitation. Therefore, an amendment was written into the bill very specifically. Because the bill is very short, Mr. President, I wish to read it at this time:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized to construct the project for irrigation and the conservation of water, flood control, and for other purposes, on Santa Maria River, Calif., pursuant to the laws of California, and, otherwise substantially in accordance with the recommendations of the Secretary of the Interior dated January 16, 1953, entitled "Santa Maria project, Southern Pacific Basin, Calif.," in relation to the Vaquero Dam and Reservoir and any other conservation feature of the project: *Provided*, That in view of the special circumstances of the Santa Maria project, neither the provisions of the third sentence of section 46 of the act of May 25, 1926 (44 Stat, 636, 649) nor any other similar provision of the Federal reclamation laws shall be applicable thereto—

And underline this language, Mr. President—

so long as the water utilized on project lands is acquired by pumping from the underground reservoir: *Provided further*, That a repayment contract not exceeding a period of 50 years be executed prior to commencement of construction of the works herein authorized.

SEC. 2. There are hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, such sums as may be required for the purposes of this Act not to exceed $16,982,000.

I believe I have presented a thumbnail sketch of a unique situation, which has resulted in the unanimous approval by the agencies involved of the bill before us; and I very much hope that my brethren in the Senate will see fit to pass the bill.

Mr. JOHNSTON of South Carolina. Mr. President, I send an amendment to the desk. I am not asking for its consideration at this time. First I shall suggest the absence of a quorum.

The PRESIDING OFFICER. Will the Senator withhold offering his amendment until the committee amendments have been disposed of?

Mr. JOHNSTON of South Carolina. Certainly.

The PRESIDING OFFICER. The Secretary will state the first committee amendment.

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MORSE. Do we have an understanding that the adoption of the committee amendments will have the effect of leaving the bill as a so-called clean bill, and that further amendments may be offered to the bill?

The PRESIDING OFFICER. The Chair does not know of such an agreement.

Mr. MORSE. I am asking whether we may have such an agreement. I am asking that the committee amendments may be agreed to en bloc with the understanding that agreeing to them will not subsequently prevent the offering of amendments to the bill, even though the language of such an amendment may involve language in a committee amendment.

The PRESIDING OFFICER. The Senator will have to ask unanimous consent.

Mr. MORSE. I ask such unanimous consent.

Mr. JOHNSTON of South Carolina. Mr. President, I now offer my amendment.

Mr. KUCHEL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KUCHEL. If the committee amendments are adopted, will it be in order for the Senator from South Carolina to offer his amendment?

The PRESIDING OFFICER. That is correct. The amendment of the Senator from South Carolina is out of order at this time. It will not be in order until the committee amendments have been disposed of.

Mr. JOHNSTON of South Carolina. That is correct.

The PRESIDING OFFICER. The Senator from Oregon asks unanimous consent that the committee amendments be agreed to en bloc, and that the bill as amended, be considered as the original text for purpose of further amendment. Is there objection to the unanimous-consent request? The Chair hears none, and it is so ordered.

The committee amendments, agreed to en bloc, are, on page 1, line 6, after the name "California", to insert "pursuant to the laws of California, and, otherwise"; and on page 2, line 7, after the word "reservoir", to insert a colon and "*Provided further*, That a repayment contract not exceeding a period of 50 years be executed prior to commencement of construction of the works herein authorized."

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. JOHNSTON of South Carolina. I believe my amendment is at the desk. I make the point of no quorum at this time.

The PRESIDING OFFICER. The Senator from South Carolina suggests the absence of a quorum.

LABELING OF FOREIGN-PRODUCED TROUT

Mr. FERGUSON. Mr. President, will the Senator withhold the suggestion of the absence of a quorum? The Senator from Nevada has a matter he wishes to bring up at this time.

Mr. JOHNSTON of South Carolina. I withhold it.

Mr. McCARRAN. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside, and that the Senate proceed to the consideration of my motion heretofore entered, to reconsider the action of the Senate in concurring in the House amendments to S. 2033, providing for the labeling of foreign-produced trout.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Nevada?

Mr. FERGUSON Mr. President, as acting majority leader, I consent to that course being followed, because I believe the question should be considered at this time.

The PRESIDING OFFICER. Is there objection?

Mr. McCARRAN. Mr. President, I call up my motion to reconsider the vote by which the Senate agreed, with amendments, to the amendments of the House of Representatives to the bill S. 2033, relating to the labeling of packages containing foreign-produced trout sold in the United States, and requiring certain information to appear on the menus of public eating places serving such trout.

I have in mind several amendments which I want the Senate to consider; but I want to point out that whether or not my amendments are considered or adopted, it is necessary that this bill be called back, because of an unfortunate parliamentary situation resulting from the action of the Senate on Thursday.

The Senate attempted, on Thursday, to amend one of the House amendments to this bill, and also to amend certain language in the Senate text, which had not been amended by the House.

Of course, the Senate had a perfect right to amend the House amendment; but the Senate could not by motion amend the language of the bill as it had previously passed the Senate and as it had been accepted by the House of Representatives.

The amendments which the Senate sought to make were entirely technical, involving only the change of a section number in order to recognize a recently enacted law and avoid having two sections in the code numbered the same. But even though this is only a purely technical amendment, it must be accomplished in a proper parliamentary manner.

The net effect of what the Senate did on Thursday, therefore, was to amend

the language of the House amendment, but not to make a similar amendment in the Senate language. Since the language in the two places in the bill interacts, the result is confusion.

It is necessary to reconsider the action the Senate attempted to take, and the action the Senate did take, on Thursday, because such action, being only partly effective, is worse than no action at all. What the Senate sought to do, on Thursday, can be accomplished by concurrent resolution; and I have prepared such a concurrent resolution, and will offer it as soon as the Senate has reconsidered its action of Thursday, which can be done by agreeing to my motion to reconsider. Then, after this technical correction has been taken care of, the bill will still remain open to amendments to the House amendments, and I shall then offer the amendments which I have in mind.

I now submit the concurrent resolution, which is designed——

The PRESIDING OFFICER. Will the Senator withhold his submission of the concurrent resolution?

Mr. McCARRAN. Very well.

The PRESIDING OFFICER. The question is on agreeing to the unanimous-consent request that the Senate proceed to the consideration of the motion of the Senator from Nevada [Mr. McCARRAN] to reconsider the Senate action in concurring in the House amendments to Senate bill 2033.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from California will state it.

Mr. KNOWLAND. As I understand, the Senator from Nevada entered notice that at a later date he would move to reconsider the vote by which the Senate concurred in the House amendments to S. 2033. Is that correct?

The PRESIDING OFFICER. That is correct.

Mr. KNOWLAND. The Senator is about to make his motion to reconsider the action of the Senate. Is that correct?

The PRESIDING OFFICER. The Chair so understands.

Mr. KNOWLAND. The motion to reconsider would be subject to a motion to lay on the table, would it not?

The PRESIDING OFFICER. That is correct.

Mr. KNOWLAND. If a motion to lay on the table is made, it will cut off debate. Is that correct?

The PRESIDING OFFICER. That is correct.

Mr. KNOWLAND. I am merely making the inquiry. The majority leader is not contemplating making such a motion. As I said to the Senator from Nevada earlier today, there is a possibility that the Senator from Idaho [Mr. DWORSHAK] may desire to move to lay on the table the motion to reconsider. As a matter of courtesy, the Senator from Idaho did not wish to make that motion without giving the Senator from Nevada an opportunity to present his case, so to speak, in explanation of his point of view as to the necessity of an amendment. I wish to be certain that the Senator from Idaho, if he desires to make such a motion, will not be foreclosed from making it.

The PRESIDING OFFICER. The question is on agreeing to the unanimous-consent request of the Senator from Nevada to proceed to the consideration of the motion to reconsider the Senate action in concurring to the House amendments to S. 2033.

Mr. KNOWLAND. That motion will be subject to debate until the time a motion is made to lay it on the table. Is that correct?

The PRESIDING OFFICER. That is correct. The question is on agreeing to the unanimous-consent request to proceed to the consideration of the motion of the Senator from Nevada [Mr. McCARRAN] to reconsider the action of the Senate in concurring in the House amendments to S. 2033. Is there objection?

There being no objection, the Senate proceeded to consider the motion.

The question is on agreeing to the motion of the Senator from Nevada.

Mr. McCARRAN. I now submit a concurrent resolution which is designed to make the necessary change which the Senate——

The PRESIDING OFFICER. Will the Senator withhold submitting the concurrent resolution? The question now is on the motion to reconsider the Senate action in concurring in the House amendments to S. 2033.

Mr. DWORSHAK. Mr. President, I intend to make a motion to lay that motion on the table. I have withheld it merely to extend to the Senator from Nevada the courtesy of an opportunity to make his statement.

Mr. McCARRAN. If the Senator wishes to have an imperfect bill go out of the Senate again, he may make his motion, and the bill will go out again in that fashion. I have been trying to correct a mistake that has been made on the Senate floor. However, if the Senator wishes to make a motion to table my motion, he will have to take his chances.

Mr. DWORSHAK. On Friday evening, when the Senator from Nevada asked unanimous consent to have the papers returned from the House, so that he could move to reconsider the vote, the Senator from Idaho, without having had any advance notice of the proposed action, extended a courtesy to the Senator from Nevada by not objecting, so that it might be possible for the Senator from Nevada to discuss the question.

However, the Senator from Nevada is an astute parliamentarian, and I am sure he knows, in view of the fact that the House has spent parts of 2 days in debating the bill, that all that is necessary is for the Senate to take this action again by concurring in the House amendments and returning the bill to the House in order to make a typographical correction, and that is the only procedure which confronts us, other than perhaps action on the concurrent resolution to which the Senator has referred. That, of course, would block action, because the House has served notice that it will not take any action on it.

I have assurances from the Senator from Nevada that, realizing the importance of the bill which passed the Senate 14 months ago, he has no desire whatever to kill the measure, which has the overwhelming support of various organizations throughout the country, such as the Izaak Walton League, the National Wildlife Federation, the Sports Fishing Institute, Field and Stream magazine, and various fish and game organizations in 38 States.

I point out to the Senator that he is in reality jeopardizing the status of this bill, and I am sure he does not have that in mind.

Mr. McCARRAN. Mr. President, I understand the Senator from Idaho is about to make a motion to lay my motion on the table. Therefore I ask that the concurrent resolution which I intended to submit be inserted in the RECORD at this point, so that those who run may read and see whether I am trying to impair the bill. I am trying to improve the bill so that it may be legislatively worthy of passage. But if the Senator wants to make his motion, that is his right.

Mr. DWORSHAK. Mr. President, I appreciate the Senator's friendly spirit, and I am sure he wishes to cooperate; but, in view of the fact that all the interested organizations and the fish-hatchery industry of this country favored the enactment of the bill which passed the Senate 14 months ago, it would be unwise to initiate any parliamentary action which would probably foreclose final action on the bill during the remaining days of this session. I am sure the Senator is cooperative. I have no desire to prevent the Senator from Nevada from presenting his views. He has done so, I am sure. If he desires to continue, I shall be glad to have him do so. If he wishes to submit any other proposals, such as a concurrent resolution, he has the right to do so. But, under the circumstances, in view of the overwhelming support of the various organizations and of the industry directly concerned with this legislation, the Senator from Idaho, as the author of the bill, has no other alternative than to move that the motion to reconsider be laid on the table.

Mr. McCARRAN. Mr. President, has the Senator made his motion? If he has, I am cut off.

Mr. DWORSHAK. I have been withholding it in order to permit the Senator from Nevada to make any statement he desires to make.

Mr. McCARRAN. Mr. President, I ask unanimous consent that the proposed concurrent resolution be now inserted in the RECORD at this point.

There being no objection, the proposed concurrent resolution was ordered to be printed in the RECORD, as follows:

Resolved by the Senate (the House of Representatives concurring), That in the enrollment of the bill (S. 2033) relating to the labeling of packages containing foreign-produced trout sold in the United States, and requiring certain information to appear in public eating places serving such trout, the Secretary of the Senate is authorized and directed to make the following corrections in the engrossed bill:

On the first page, line 8, strike out "408" and insert in lieu thereof "409."

On page 2, line 5, strike out "408" and insert in lieu thereof "409."

The PRESIDING OFFICER. Has the Senator from Idaho made his motion to lay on the table?

Mr. DWORSHAK. If the Senator from Nevada has completed his statement, I so move.

Mr. McCARRAN. Mr. President, in view of the fact that the Senator from Idaho moves to lay on the table my motion to reconsider, I shall go no further. He can make his motion if he so desires, but he is finishing the bill if he makes his motion. That will be the end of it.

Mr. DWORSHAK. Mr. President, I move that the motion of the Senator from Nevada to reconsider the action of the Senate in concurring in the House amendments to Senate bill 2033 be laid on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Idaho to lay on the table the motion of the Senator from Nevada.

Mr. MORSE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Green	Martin
Anderson	Hayden	McCarran
Barrett	Hendrickson	McClellan
Beall	Hennings	Millikin
Bennett	Hickenlooper	Monroney
Bowring	Hill	Morse
Bricker	Holland	Mundt
Bush	Humphrey	Murray
Butler	Ives	Neely
Carlson	Jackson	Pastore
Case	Johnson, Colo.	Payne
Chavez	Johnson, Tex.	Potter
Clements	Johnston, S. C.	Reynolds
Cooper	Kefauver	Robertson
Cordon	Kennedy	Russell
Crippa	Kerr	Saltonstall
Dirksen	Kilgore	Schoeppel
Dworshak	Knowland	Smathers
Ellender	Kuchel	Smith, Maine
Ervin	Langer	Smith, N. J.
Ferguson	Lehman	Stennis
Frear	Lennon	Symington
Fulbright	Long	Thye
George	Magnuson	Watkins
Goldwater	Malone	Williams
Gore	Mansfield	Young

The PRESIDING OFFICER. A quorum is present.

The question is on agreeing to the motion of the Senator from Idaho [Mr. DWORSHAK] to lay on the table the motion of the Senator from Nevada [Mr. McCARRAN] that the vote by which the Senate concurred in the House amendments to Senate bill 2033 be reconsidered.

The motion to lay on the table was agreed to.

SANTA MARIA PROJECT

The Senate resumed the consideration of the bill (H. R. 2235) to authorize the Secretary of the Interior to construct the Santa Maria project, Southern Pacific Basin, Calif.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. JOHNSTON of South Carolina. Mr. President, I offer the amendment which I have at the desk.

The PRESIDING OFFICER. The clerk will state the amendment.

Mr. JOHNSTON of South Carolina. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and, without objection, the amendment will be printed in the RECORD at this point.

The amendment was, on page 1, between lines 2 and 3, to insert the following: "Part I"; on page 2, after line 14, to insert the following:

PART II

TITLE I—EMPLOYEES GENERALLY

SEC. 101. (a) Section 603 (b) and section 603 (c) of the Classification Act of 1949, as amended, are amended to read as follows:

"(b) The compensation schedule for the General Schedule shall be as follows:

"Grade	Per annum rates						
1	$2,670	$2,750	$2,830	$2,910	$2,990	$3,070	$3,150
2	2,920	3,000	3,080	3,160	3,240	3,320	3,400
3	3,120	3,200	3,280	3,360	3,440	3,520	3,600
4	3,345	3,425	3,505	3,585	3,665	3,745	3,825
5	3,580	3,705	3,830	3,955	4,080	4,205	4,330
6	3,985	4,110	4,235	4,360	4,485	4,610	4,735
7	4,415	4,540	4,665	4,790	4,915	5,040	5,165
8	4,850	4,975	5,100	5,225	5,350	5,475	5,600
9	5,315	5,440	5,565	5,690	5,815	5,940	6,065
10	5,775	5,900	6,025	6,150	6,275	6,400	6,525
11	6,235	6,435	6,635	6,835	7,035	7,235	
12	7,390	7,590	7,790	7,990	8,190	8,390	
13	8,780	8,980	9,180	9,380	9,580	9,780	
14	10,040	10,240	10,440	10,640	10,840	11,040	
15	11,240	11,490	11,740	11,990	12,240		
16	12,440	12,640	12,840	13,040	13,240		
17	13,440	13,640	13,840	14,040	14,240		
18	14,800						

"(c) (1) The compensation schedule for the Crafts, Protective, and Custodial Schedule shall be as follows:

"Grade	Per annum rates						
1	$1,980	$2,040	$2,100	$2,160	$2,220	$2,280	$2,340
2	2,590	2,660	2,730	2,800	2,870	2,940	3,010
3	2,722	2,802	2,882	2,962	3,042	3,122	3,202
4	2,920	3,000	3,080	3,160	3,240	3,320	3,400
5	3,144	3,224	3,304	3,384	3,464	3,544	3,624
6	3,370	3,450	3,530	3,610	3,690	3,770	3,850
7	3,605	3,705	3,805	3,905	4,005	4,105	4,205
8	3,925	4,050	4,175	4,300	4,425	4,550	4,675
9	4,360	4,485	4,610	4,735	4,860	4,985	5,110
10	4,795	4,920	5,045	5,170	5,295	5,420	5,545

"(2) Charwomen working part time shall be paid at the rate of $2,870 per annum, and head charwomen working part time at the rate of $3,010 per annum."

(b) The rates of basic compensation of officers and employees to whom this section applies shall be initially adjusted as follows:

(1) If the employee is receiving a rate of basic compensation immediately prior to the effective date of this section at one of the scheduled or longevity rates provided by the Classification Act of 1949, as amended, he shall receive a rate of basic compensation at the corresponding schedule or longevity rate in effect on and after such date;

(2) If the employee is receiving a rate of basic compensation immediately prior to the effective date of this section at a rate between 2 scheduled or 2 longevity rates, or between a scheduled rate and a longevity rate, provided by the Classification Act of 1949, as amended, he shall receive a rate of basic compensation at the higher of the 2 corresponding rates in effect on and after such date;

(3) If the employee, immediately prior to the effective date of this section, is in a position in any one of the first 10 grades of the General Schedule or in any one of the grades of the Crafts, Protective, and Custodial Schedule, and is receiving a rate of basic compensation in excess of the maximum longevity rate of his grade as provided in this section, he shall continue to receive basic compensation without change in rate until (A) he leaves such position, or (B) he is entitled to receive basic compensation at a higher rate by reason of the operation of the Classification Act of 1949, as amended; but when such position becomes vacant, the rate of basic compensation of any subsequent appointee shall be fixed in accordance with such act, as amended;

(4) If the employee, immediately prior to the effective date of this section, is in a position in grade 11, 12, 13, 14, or 15 of the General Schedule, and is receiving a rate of basic compensation in excess of the maximum scheduled rate of his grade as provided in this section, he shall continue to receive basic compensation without change in rate until (A) he leaves such position, or (B) he is entitled to receive basic compensation at a higher rate by reason of the operation of the Classification Act of 1949, as amended; but when such position becomes vacant, the rate of basic compensation of any subsequent appointee shall be fixed in accordance with such act, as amended.

SEC. 102. (a) The rates of basic compensation of officers and employees in or under the judicial branch of the Government whose rates of compensation are fixed pursuant to section 62 (2) of the Bankruptcy Act (11 U. S. C. 102 (a) (2)), section 3656 of title 18 of the United States Code, the second and third sentences of section 603, section 604 (5), or sections 672 to 675, inclusive, of title 28 of the United States Code, are hereby increased by 5 percent, except that no such rate shall be increased by more than $440 per annum or less than $170 per annum.

(b) The limitations of $10,560 and $14,355 with respect to the aggregate salaries payable to secretaries and law clerks of circuit and district judges, contained in the paragraph under the heading "Salaries of Supporting Personnel" in the Judiciary Appropriation Act, 1955, or in any subsequent appropriation act, shall be increased by the amounts necessary to pay the additional basic compensation provided by this act.

SEC. 103. (a) Each officer and employee in or under the legislative branch of the Government (other than an employee in the office of a Senator) whose rate of compensation is increased by section 5 of the Federal Employees Pay Act of 1946 shall be paid additional compensation at the rate of 5 percent of the aggregate rate of his rate of basic compensation and the rate of the additional compensation received by him under sections 501 and 502 of the Federal Employees Pay Act of 1945, as amended, section 301 of the Postal Rate Revision and Federal Employees Salary Act of 1948, the provisions under the heading "Increased Pay for Legislative employees" in the Second Supplemental Appropriation Act, 1950, and the act of October 24, 1951 (Public Law 201, 82d Cong.), except that no such officer or employee shall be paid additional compensation at a rate less than $170 per annum or in excess of $440 per annum.

(b) Section 2 (b) of the act of October 24, 1951 (Public Law 201, 82d Cong.), is amended by striking out "$11,646" and inserting in lieu thereof "$12,086."

(c) (1) The aggregate amount of the basic compensation authorized to be paid for administrative and clerical assistance and messenger service in the offices of Senators is hereby increased by—

(A) $2,160 in the case of Senators from States the population of which is less than 3 million;

(B) $2,400 in the case of Senators from States the population of which is 3 million or more but less than 5 million;

(C) $3,120 in the case of Senators from States the population of which is 5 million or more but less than 10 million; and

(D) $3,180 in the case of Senators from States the population of which is 10 million or more.

(2) The second proviso in the paragraph relating to the authority of Senators to rearrange the basic salaries of employees in their respective offices, which appears in the Legislative Branch Appropriation Act, 1947, as amended (2 U. S. C. 60f), is amended by striking out "$5,880" and inserting in lieu thereof "$6,280"; by striking out "$7,320" and inserting in lieu thereof "$7,620"; and by striking out "$8,400" and inserting in lieu thereof "$8,640."

(d) The rates of basic compensation of each of the elected officers of the Senate and the House of Representatives (not including the presiding officers of the two Houses), the Parliamentarian of the Senate, the Parliamentarian of the House of Representatives, the legislative counsel of the Senate, the legislative counsel of the House of Representatives, and the coordinator of information of the House of Representatives are hereby increased by 5 percent, except that no such rate shall be increased by more than $440 per annum or less than $170 per annum.

(e) (1) The provisions of subsection (a) shall not apply to employees whose compensation is paid from the appropriation contained in the paragraph designated "Folding documents" under the heading "Contingent Expenses of the Senate" in the Legislative Branch Appropriation Act, 1955 (Public Law 470, 83d Cong.).

(2) The limitations in the paragraph designated "Folding documents" under the heading "Contingent Expenses of the House" in the Legislative Appropriation Act, 1955 (Public Law 470, 83d Cong.), are hereby increased by 5 percent.

(f) The Official Reporters of the proceedings and debates of the Senate and their employees shall be considered to be officers or employees in or under the legislative branch of the Government within the meaning of subsection (a) and the provisions of law referred to in such subsection.

(g) The additional compensation provided by subsection (a) and the provisions of law referred to in such subsection shall be considered a part of basic compensation for the purposes of the Civil Service Retirement Act of May 29, 1930, as amended.

SEC. 104. Section 66 of the Farm Credit Act of 1933 (48 Stat. 269) is hereby amended to read as follows:

"SEC. 66. No director, officer, or employee of the Central Bank for Cooperatives, or of any production credit corporation, production credit association, or bank for cooperatives shall be paid compensation at a rate in excess of $14,240 per annum."

SEC. 105. (a) The rates of basic compensation of officers and employees in the Department of Medicine and Surgery in the Veterans' Administration whose rates of basic compensation are provided by Public Law 293, 79th Congress, approved January 3, 1946, as amended, are hereby increased by 5 percent, except that no such rate shall be increased by more than $440 per annum or less than $170 per annum.

(b) Section 8 (d) of Public Law 293, 79th Congress, as amended, is amended by striking out "$12,800" and inserting in lieu thereof "$13,240."

SEC. 106. The rates of basic compensation provided by sections 412 and 415 of the Foreign Service Act of 1946, as amended, are hereby increased by 5 percent, except that no such rate shall be increased by more than $440 per annum or less than $170 per annum.

SEC. 107. The rate of basic compensation of the Treasurer of the United States shall be at the maximum scheduled rate of the highest grade established by the Classification Act of 1949, as amended.

SEC. 108. Notwithstanding any other provisions of this act, no rate of compensation which is $14,800 or more per annum shall be increased by this act, and no rate of compensation shall be increased by this act to an amount in excess of $14,800 per annum.

SEC. 109. Section 3 of the Travel Expense Act of 1949 (63 Stat. 166, as amended; 5 U. S. C. 836) is amended by striking out "$9" and inserting in lieu thereof "$12."

SEC. 110. This title shall take effect on the first day of the first pay period which begins after the date of its enactment.

TITLE II—POSTAL EMPLOYEES

SEC. 201. It is the sense of the Congress that—

(1) it is both necessary and desirable that an equitable system should be established for the classification of positions and the determination of salaries of postmasters, officers, and employees in the field service of the Post Office Department; and

(2) such classification and salary system should be established after a study of all problems relating thereto conducted by a commission composed of representatives of the Congress, the Post Office Department, and postal employees, and through the enactment of appropriate legislation pursuant to recommendations submitted to the Congress by such commission following the completion of such study.

SEC. 202. (a) The rates of basic compensation, other than rates referred to in subsection (b) of this section, of postmasters, officers, and employees in the postal field service whose rates of compensation are prescribed by the act entitled "An act to reclassify the salaries of postmasters, officers, and employees of the Postal Service; to establish uniform procedures for computing compensation; and for other purposes", approved July 6, 1945 (Public Law 134, 79th Cong.), as amended, are hereby increased by 5 percent except that no such rate shall be increased by more than $440 or less than $200 per annum.

(b) (1) That part of the compensation schedule headed "Grades and Salaries of Employees in the Automatic Grades" and contained in section 11A of such act of July 6, 1945 (Public Law 134, 79th Cong.), as amended, which provides hourly rates of compensation, is amended to read as follows:

"*Hourly rates*

"Clerks in post offices of the 3d class; carriers in village delivery service	$1.435	$1.485	$1.54	$1.59					
Charmen and charwomen	1.495	1.55							
Mail handlers, messengers, watchmen; operators of the pneumatic tube service; garagemen-drivers	1.645	1.695	1.75	1.80					
Special delivery messengers in post offices of the 1st class	1.645	1.695	1.75	1.80	$1.855	$1.905	$1.96		
Clerks; carriers in city delivery service; driver mechanics; general mechanics; dispatchers of the pneumatic tube service	1.695	1.75	1.80	1.855	1.905	1.96	2.01	$2.065	$2.115
Postal transportation clerks	1.80	1.855	1.905	1.96	2.01	2.065	2.115		
Special mechanics	2.02								"

(2) The rates of basic compensation of postmasters at post offices of the fourth class are hereby increased by 5 percent.

(c) This section shall not apply to skilled-trades employees of the mail-equipment shops, job cleaners in first- and second-class post offices, and employees who are paid on a feee or contract basis.

(d) The increases in rates of basic compensation provided by this section shall not apply to longevity salary increases.

SEC. 203. Section 16 (r) of such act of July 6, 1945 (Public Law 134, 79th Cong.), as amended, which relates to travel allowances for employees in the Postal Transportation Service who are assigned to road duty, is amended by striking out "$6 per day" and inserting in lieu thereof "$9 per day."

SEC. 204. Any increase in rate of basic compensation by reason of the enactment of this title shall not be considered as an "equivalent increase" in compensation within the meaning of section 701 of the Classification Act of 1949, as amended, in the case of postmasters, officers, and employees in the postal field service who transfer or are transferred to positions within the purview of the Classification Act of 1949, as amended.

SEC. 205. In the exervise of the authority granted by section 81 of title 2 of the Canal Zone Code, as amended, the Governor of the Canal Zone is authorized to grant, as of the effective date of this section, additional compensation to postal employees of the Canal Zone Government, based on the additional compensation granted by this act to similar employees in the field service of the Post Office Department of the United States.

SEC. 206. This act shall have the same force and effect within Guam as within other possessions of the United States.

SEC. 207. (a) Section 7 of the act entitled "An act to reclassify the salaries of postmasters, officers, and employees of the Postal Service; to establish uniform procedures for computing compensation; and for other purposes", approved July 6, 1945 (Public Law 134, 79th Cong.), as amended, is amended to read as follows:

Method of payment

"SEC. 7. (a) The compensation of postmasters and per annum rate employees shall be paid in 26 installments. Each such installment shall be the compensation for a pay period of 2 weeks. The compensation of hourly rate substitute employees and other hourly rate employees shall be computed for each pay period of 2 weeks on the basis of the number of hours of work performed by such employees during such pay period.

"(b) To compute an hourly rate for postmasters and per annum rate employees, the per annum rate shall be divided by 2080.

"(c) To compute a daily rate for postmasters and per annum rate employees, the hourly rate shall be multiplied by the number of daily hours of service required.

"(d) Subsections (b) and (c) of this section shall not apply to carriers in the rural delivery service. Whenever, for pay computation purposes, it is necessary to convert the basic annual rate of compensation of carriers in the rural delivery service to a basic daily or biweekly rate, the following rules shall govern:

"(1) An annual rate shall be divided by 312 to derive a daily rate.

"(2) A daily rate shall be multiplied by 12 to derive a biweekly rate.

"(e) All rates shall be computed to the nearest cent, counting one-half cent and over as a whole cent.

"(f) When a pay period for any postmaster or employee begins in one fiscal year and ends in another fiscal year, the gross amount of the earnings of such postmaster or employee for such pay period may be regarded as a charge against the appropriation or allotment current at the end of such pay period."

(b) Section 8 of such act of July 6, 1945, as amended, is amended by adding at the end thereof a new subsection (d) to read as follows:

"(d) The salaries of postmasters, assistant postmasters, and supervisors paid under the provisions of this section shall be readjusted at the beginning of the first complete pay period in each fiscal year."

(c) Section 9 (b) of such act of July 6, 1945, as amended, is amended by adding at the end thereof a new sentence to read as follows: "The salaries of superintendents and assistant superintendents of classified stations shall be readjusted at the beginning of the first complete pay period in each fiscal year."

(d) Section 11A of such act of July 6, 1945, as amended, is amended by striking out "and shall be promoted successively at the beginning of the quarter following 1 year's satisfactory service in each grade to the next higher grade until they reach the top automatic grade" and by inserting in lieu thereof "and shall be promoted successively at the beginning of the first complete pay period following 52 weeks of satisfactory service in each grade to the next higher grade until they reach the top automatic grade."

(e) Section 13 of such act of July 6, 1945, as amended, is amended by adding immediately after subsection (a) thereof a new subsection (b) to read as follows:

"(b) The salaries of employees paid under the provisions of this section shall be readjusted at the beginning of the first complete pay period in each fiscal year."

(f) Section 14 of such act of July 6, 1945, as amended, is amended by adding immediately after subsection (a) thereof a new subsection (b) to read as follows:

"(b) The salaries of employees paid under the provisions of this section shall be readjusted at the beginning of the first complete pay period in each fiscal year."

(g) That part of subsection (1) of section 14 of such act of July 6, 1945, as amended, which precedes the first proviso is amended to read as follows:

"(1) Temporary employees in the custodial service paid on an annual basis shall be paid at the rates of pay of grade 1 of the position in which employed and shall, at the beginning of the first complete pay period following 52 weeks of satisfactory service in each pay status, be advanced successively to the rates of pay of the next higher grade of such position; and temporary employees in the custodial service paid on an hourly basis shall be paid at the rates of pay of grade 1 of the position in which employed and shall, at the beginning of the first complete pay period following 52 weeks of satisfactory service in each pay status, be advanced successively to the rates of pay of the next higher grade of such position."

(h) Section 15 (b) of such act of July 6, 1945, as amended, is amended by striking out "and shall be promoted successively at the beginning of the quarter following 1 year's satisfactory service in each grade until they reach grade 8", and by inserting in lieu thereof "and shall be promoted successively at the beginning of the first complete pay period following 52 weeks of satisfactory service in each grade until they reach grade 8."

(i) That part of section 18 (f) of such act of July 6, 1945, as amended, which precedes the first proviso is amended to read as follows:

"(f) Each temporary employee in the mail-equipment shops paid on an annual basis shall be paid at the rate of pay of the lowest grade provided for a regular employee in the same type of position in which such temporary employee is employed, and shall, at the beginning of the first complete pay period following 52 weeks of satisfactory service in each pay status, be advanced successively to the rates of pay of the next higher grade of such position."

(j) The first section of the act of April 15, 1947 (Public Law 35, 80th Cong.), as amended, is amended by striking out "shall be promoted successively at the beginning of the quarter following 1 year's satisfactory service in each grade" and by inserting in lieu thereof "shall be promoted successively at the beginning of the first complete pay period following 52 weeks of satisfactory service in each grade."

(k) All laws or parts of laws inconsistent with the amendments made by this section are hereby repealed or modified to the extent necessary to carry out the purposes of and conform to such amendments.

SEC. 208. (a) (1) There is hereby established a Commission on Postal Field Service Classification (hereinafter referred to as "the Commission") to be composed of (A) the chairman and ranking minority member of the Committee on Post Office and Civil Service of the Senate, (B) the chairman and ranking minority member of the Committee on Post Office and Civil Service of the House of Representatives, (C) the Postmaster General, (D) two officers or employees of the Post Office Department to be appointed by the President, and (E) two representatives of postal employee organizations to be appointed by the President.

(2) The Postmaster General shall be Chairman of the Commission. Vacancies in the membership of the Commission shall not affect the power of the remaining members to execute the functions of the Commission, and shall be filled in the same manner as the original selection. Five of the members of the Commission shall constitute a quorum for the transaction of business. The Commission shall fix the number of members who shall constitute a quorum for each subcommittee thereof.

(b) The Commission, acting as a whole or by subcommittee, shall conduct or cause to be conducted a thorough investigation and study for the purpose of developing a plan for the establishment of a uniform, integrated, and equitable classification and pay system for all postmasters, officers, employees, and positions in the postal field service.

(c) The Postmaster General is authorized to make available to the Commission such personnel, facilities, and services of the Post Office Department as may be necessary to enable it to perform its functions. The chairman of the Committee on Post Office and Civil Service of the Senate and the chairman of the Committee on Post Office and Civil Service of the House of Representatives are authorized to assign from time to time the members of the staffs of their respective committees to duties and responsibilities in connection with the operation of the Commission.

(d) The Commission shall report to the Senate and the House of Representatives, on or before March 1, 1955, the results of its study and investigation, together with such recommendations (including drafts of legislation to carry out such recommendations) as it deems advisable.

SEC. 209. Section 1310 of the Supplemental Appropriation Act, 1952 (Public Law 253, 82d Cong.), as amended, is hereby repealed.

SEC. 210. This title shall take effect as follows:

(1) Sections 206 and 208 and this section, shall take effect on the date of enactment of this act;

(2) Sections 202, 204, and 205 shall take effect on the first day of the first pay period which begins after the date of enactment of this act;

(3) Sections 203 and 209 shall take effect on the first day of the first calendar month following the calendar month in which this act is enacted; and

(4) Section 207 shall take effect upon such date, not later than 90 days after the date of enactment of this act, as may be designated by the Postmaster General.

Mr. JOHNSTON of South Carolina. Mr. President, I should like to ask the majority leader two or three questions without losing my right to the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator may proceed.

Mr. JOHNSTON of South Carolina. I have sent to the desk an amendment which is the same amendment the committee reported unanimously, which in general would increase the pay 5 percent.

I ask the majority leader if he intends to schedule my bill for consideration. If not, I shall press my amendment.

Mr. KNOWLAND. The policy committee met today, and listed a number of bills. I have advised the minority leader that the amount of additional legislation the Senate can consider will depend upon the progress we can make on the schedule of legislation before us at this time.

As I understand the Senator's amendment—and he can correct me if I am mistaken—in effect it attaches the postal pay bill to the pending business before the Senate, which is H. R. 2235, Calendar 1801, reported by the Senator from California [Mr. KUCHEL] from the Committee on Interior and Insular Affairs dealing with a needed dam for water in Santa Maria, which is not to provide power facilities or major irrigation facilities, but merely to conserve the ground waters.

Under the rules of the Senate, of course, there is no rule of germaneness. An amendment might be offered to attach the FEPC bill, the poll-tax bill, or any one of a dozen other nongermane subjects to this or any other bill before the Senate. Of course, almost any bill which we plan to take up could be killed if such a nongermane motion should prevail.

The same thing might be done to the upper Colorado River Basin bill. The same type of nongermane amendment might be offered to the school-construction bill. We expect to take up the railroad retirement bill; and the same type of nongermane amendment might be attached to that.

I would not recommend it, because I think it would jeopardize all of those bills if that were done, in the same way that I would resist attaching an FEPC amendment to a bill which did not relate to that subject matter.

I do not wish to foreclose the Senator's opportunity for discussion. I desire to extend him every courtesy. I think the proposed legislative procedure is wrong in connection with the proceedings of the Senate during consideration of our Legislative Calendar, and after the Senator has made his remarks I intend to move to lay the amendment on the table. Normally I would not move to table a

germane amendment, but I feel amply justified in doing so at the proper time in the case of a nongermane amendment. I thought in fairness to the Senator I should make this explanation.

Mr. JOHNSTON of South Carolina. The Senator has not answered the question which I asked. I want to know if my bill is to receive consideration?

Mr. KNOWLAND. I cannot assure the Senator that the bills which we have listed, and concerning which we have advised the minority leader, are to be brought up. A filibuster may develop on a bill during the course of an evening. We have set for consideration tonight about 6 bills. We set No. 2235, on copyrights. That bill has been passed. We set No. 2352, on the Missouri Valley Compact. That has been passed. We have now proceeded to the third bill, which is No. 1801 on the calendar, the Santa Maria project. It looks as though that bill would pass without too much discussion.

After that we have No. 2344, which is Senate bill 3772, to amend the Federal Property Act, which the Senator from Maine [Mrs. SMITH] is handling.

I had intended to move to consider No. 2000 on the calendar, which is the Colorado River bill, to be followed by the railroad retirement bill.

Even with this limited number of bills listed, I cannot give the Senator assurance that even the next one on the calendar will be reached, because this amendment of the Senator, if my motion to lay on the table does not prevail, may keep us here until time to move to recess.

All I can say to the Senator is that we have been trying to present an orderly program to the Senate, and I shall continue to do so until the leadership of the Senate is taken over by someone else.

I believe that the Senator's amendment is not germane. If he starts this precedent, it may rise to plague him, because someone may decide that an FEPC amendment or some other kind of amendment equally nongermane, should be offered to every other bill before the Senate.

If any such amendment should be offered, I, as majority leader, under the same circumstances, would move to lay the amendment on the table. I must resist this effort to attach the postal bill to the Santa Maria project bill as an amendment.

Mr. JOHNSTON of South Carolina. Mr. President, I regret very much to bring it up in this manner, but I am asking at this time that my amendment be considered. This seems to be the only way to obtain a vote on the pay bill.

This pay bill does not involve as large an increase as does the bill sent over from the House to the Senate. The bill which the House passed for postal workers provided a 7-percent increase. The one before us provides only 5 percent.

A summary of the provisions of the reported bill——

Mr. GORE. Mr. President, will the Senator yield for a quorum call if he is offering an amendment?

Mr. JOHNSTON of South Carolina. I shall request a quorum call a little later.

Mr. President, the Senate Post Office and Civil Service Committee, in the interest of expediting pay legislation for Federal employees, unanimously voted to strike all after the enacting clause of H. R. 7774 and insert an amendment which appears in italic type in the bill as reported and provides the following:

First. A permanent 5-percent increase in the minimum rate of each grade, through GS–17, of all employees paid under the Classification Act of 1949, with a minimum increase to each employee of $170 a year and a maximum increase of $440 a year. The bill also provides an increase of 5 percent with a minimum of $170 and a maximum of $440 per annum for legislative employees, certain judicial officers and employees, officers and employees in the Department of Medicine and Surgery in the Veterans' Administration, and employees in the Foreign Service of the State Department. In addition, the bill contains a provision increasing the maximum compensation payable to officers and employees of the Central Bank for Cooperatives, or any production credit corporations, production credit associations, or bank for cooperatives, so as to permit the granting to such employees of increases corresponding to those provided other employees by the bill. No rate of basic compensation which is $14,800 or more per annum shall be increased.

Second. The annual salary for the Treasurer of the United States is increased from GS–16 to GS–18.

Third. An increase in the maximum allowable per diem for Federal employees to $12 per day from the present rate of $9 per day.

Fourth. A permanent 5-percent increase for all postmasters, officers, and employees in the postal field service with a minimum of $200 and a maximum of $440 except in the case of fourth-class postmasters, hourly rate employees, skilled-trades employees of mail-equipment shops, job cleaners in first- and second-class post offices, and employees paid on a fee or contract basis.

Fifth. An increase of 5 percent (computed to the nearest half cent) with a minimum of $200 in the rate of basic compensation of each employee paid on an hourly basis.

Sixth. An increase of 5 percent in each rate of basic compensation for postmasters in post offices of the fourth class.

Seventh. An increase in the allowable per diem for employees in the transportation service to $9 per day from the present rate of $6 per day.

Eighth. A repeal of present law which restricts the number of permanent appointments, promotions, and transfers in the Federal service.

Ninth. A biweekly pay period for personnel of the postal field service.

Tenth. Establishes a Commission on Postal Field Service Classification to conduct an investigation and study for the purposes of developing a plan for the establishment of a uniform, integrated, and equitable classification and pay system for all postmasters, officers, employees, and positions in the postal field service. The Commission is directed to report the results of its study together with recommendations to the Senate and the House of Representatives on or before March 1, 1955.

Mr. President, the committee of which the distinguished junior Senator from Kansas [Mr. CARLSON] is chairman, reported the bill unanimously; all members of the committee, both Democrats and Republicans, voted to report the bill, after the committee had held the hearings. On the question of reporting the bill to the Senate, there was not a dissenting vote in the committee.

So at this time I bring the bill—now submitted as an amendment—to the attention of the Senate, for its consideration.

The bill does not contain a provision regarding postal rates, for we did not hold any hearings on that subject. The committee considered that phase of the matter, and voted unanimously not to take up, this year, a rate bill, because we had not had any hearings on that subject. I wish to call that point to the attention of the Senate.

Mr. President, this amendment provides for what in my opinion is approximately half of what would be a proper pay increase for the Federal employees, both the postal workers and all other civil-service workers. In this measure, we treat all of them alike.

Someone has said, "In order to provide these workers with a pay increase at this time, provision must be made for raising additional revenue."

Mr. President, I wish to say to the Senate that even if the Senate were to adopt the amendments recommended by the majority leader, the budget of the Post Office Department would not be balanced; in fact, it would not even be half balanced. The budget of the Post Office Department has not been balanced for many years; yet in that period Congress has voted several times to increase the pay of the postal workers.

Furthermore, I desire to call attention to the fact that the other civil service workers, whose departments and agencies also receive their funds from the pockets of the American taxpayers, have received pay increases. Yet when a pay increase is proposed for the postal workers, there always seems to be the cry, "The postal budget must be balanced first."

Mr. President, it is not the fault of the postal workers that the Post Office Department's budget is not balanced. It is the duty of the Congress of the United States to balance the budget of the Post Office Department, after holding adequate hearings, and then deciding which postal rates should be increased.

It may be said that the rates on first-class mail should be increased. However, every hearing held on that subject has brought out the fact that the first-class mail is already paying its way.

It may be said that the rates on second-class mail should be increased, in view of the fact that at this time second-class mail is not paying its way. If that proposal is made, hearings should be held to determine just how much of a rate increase should be made.

These matters must be carefully studied, because they are extremely technical. Any member who has served on the Senate Committee on Post Office

and Civil Service realizes the technicalities involved in increasing the postal rates.

In connection with this measure, Mr. President, the question, as I see it, is whether the Congress is going to pay the Federal workers what they should be paid. That is the question which is before the Congress at the present time. It is for the Senate to decide the position it will take in connection with that question. Thereafter, after all matters in connection with the situation have been properly considered by the Congress, it will be for the Congress to decide what the postal rates should be.

Mr. President, the members of the committee are 100 percent in support of this measure.

At this stage of the session, when we are so close to adjournment, I would not ordinarily bring up a measure of this sort or attempt to have it adopted as an amendment to another bill, if I did not think that was the only means by which we could do justice to the Federal Government employees. But in this situation, I will not remain silent and I will not fail to do my duty as a Senator to see it to that the Federal Government employees are paid what they should be paid.

Mr. MONRONEY. Mr. President, will the Senator yield for a question?

Mr. JOHNSTON of South Carolina. I yield for a question.

Mr. MONRONEY. I wonder if the Senator is familiar with the news from the ticker, which quotes the Senator from Michigan [Mr. FERGUSON], the distinguished majority policy committee chairman, as follows:

> FERGUSON said no definite plans for adjournment had been discussed at the hour-long session of the policy committee. At one point he said he hoped to finish by tomorrow, then later he said he hoped adjournment will come Friday.

My question is: If the nearly 2 million Federal workers, who have been waiting since the convening of the 83d Congress in January of 1953, are not granted pay increases by the United States Senate between now and tomorrow, if the Senator from Michigan is quoted correctly as chairman of the Republican policy committee, will these 2 million workers, who have been waiting for consideration of their plea for a cost-of-living pay increase by the United States Senate, be given proper treatment?

These workers are organized, of course. They have strong unions. They have as representatives able men who contact the Members of the Senate and Members of the House. But these workers are denied one right which all other labor has, and are justly denied that one right, because they work for the Government. They cannot cause and would not cause a work stoppage, to call attention to their plight and to their inability to meet the cost of living, because they do not have that right, and should never have it. So they have no other forum except this body and the body across the Capitol before which to lay their case. They have presented that case before the House committee and before the Senate committee, and both committees have overwhelmingly—I know in the case of the Senate committee unanimously—resolved that there should be a 5 percent pay increase.

I know the House committee has reported a bill calling for a 5-percent pay increase. I believe it was reported nearly unanimously. Not only that, but the House has passed, by an overwhelming vote, 321 to 29, I believe, a pay raise of 7 percent for the postal workers, which was approved by a yea-and-nay vote in the House.

We are in the closing hours of this session, for the distinguished chairman of the Republican policy committee says that we will adjourn tomorrow, or, at the latest, by Friday. I would much prefer to have this bill put on the calendar in the regular order, rather than to find it necessary to give the Senate a chance to act on the matter by pursuing the course the distinguished junior Senator from South Carolina is now proposing.

We have considered bills relating to flood control for Santa Barbara, Calif. I love Santa Barbara, Calif. It is a wonderful place. The 40,000 people there, I believe, are some of the finest people in the world, but they have done without this flood-control project, or this irrigation and reclamation project, for many years of their history. I do not believe this project has the grave urgency possessed by the matter of equity for the Federal employees, the servants of the Government, who have a right to expect from the Senate and from the House of Representatives a determination of whether their case is a good one or not. I think the Senate should be willing to stand up and be counted on this matter.

Mr. JOHNSTON of South Carolina. Mr. President, what the Senator from Oklahoma has said is certainly true. If we are to adjourn tomorrow or Friday, if we pass this bill everyone knows it must go to conference, which would take time. After the conference the House conferees will have to report the bill back to the House and the Senate conferees to the Senate—and then the bill will have to be considered again.

Mr. PASTORE. Mr. President, will the Senator yield to me?

Mr. JOHNSTON of South Carolina. I felt that this was the only way for this bill to have any chance whatsoever of being enacted into law.

Mr. PASTORE. Mr. President, will the Senator yield for a question?

Mr. JOHNSTON of South Carolina. I yield for a question with the understanding I shall not lose the floor.

Mr. PASTORE. Is it true that the Senator's amendment is nothing more than the measure which was reported favorably and unanimously by the Senate Committee on Post Office and Civil Service?

Mr. JOHNSTON of South Carolina. That is exactly true. There is not a word in the amendment which is different from what we reported.

Mr. PASTORE. Is this pay increase the equivalent of 5 percent, as was recommended by the President of the United States?

Mr. JOHNSTON of South Carolina. It is.

Mr. PASTORE. Is it true that in both instances, postal employees and civil service employees the ceiling is $440?

Mr. JOHNSTON of South Carolina. The ceiling is $440 for both.

Mr. PASTORE. And in the case of the postal employees the floor is $200?

Mr. JOHNSTON of South Carolina. $200 is the floor for the postal employees.

Mr. PASTORE. And in the case of the civil-service employees the floor is $170?

Mr. JOHNSTON of South Carolina. That is true.

Mr. PASTORE. I wish to say to the distinguished Senator that I shall vote for his amendment.

Mr. JOHNSTON of South Carolina. I desire to make it known to the Senator from California that I am in favor of his bill, and I believe that this action will even help the passage of the bill. If I am any judge of the desires of the Senate, I believe that a majority of the Members of the Senate would like to pay the Federal workers an additional 5 percent. That being so, I offered this provision to this bill. The purpose was not to kill this bill, but to assure that we would have this bill, and in addition, that the Federal workers would receive a 5-percent increase in their pay.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield for a question.

Mr. MONRONEY. I am somewhat disturbed by what the distinguished majority leader said about the irregularity of adding this amendment to this bill. We admit this matter is not germane to the bill of the distinguished junior Senator from California, since the bill deals with a reclamation project for the people of Santa Barbara. I do not like this process. As I said before, however, I do not know any other way that we could vote on this matter, in view of the lateness of the session.

I wonder if the distinguished junior Senator from South Carolina, the former chairman of the Post Office and Civil Service Committee during the past administration, could tell me if this procedure which we seek to use, in an extreme emergency, in order to give justice to some 2 million workers, is any more unusual than the procedure which was sought to be used by the distinguished majority leader on the calendar call this afternoon, when he attempted to short-circuit completely the work and the hearings and the unanimous decision of the Senate Post Office and Civil Service Committee in reporting its bill, by substituting for that bill an amendment prepared by himself which threw into complete reverse the action and the report of the Senate Committee on Post Office and Civil Service?

In other words, I can see no more disorderly process in the procedure which the distinguished junior Senator from South Carolina is using, from a parliamentary standpoint, than I feel was involved in the effort made this afternoon by the distinguished majority leader to throw into the ash can the year-long work of the Committee on Post Office and Civil Service, in reporting a bill and getting it on the calendar.

Furthermore, when this very bill the Senator is seeking to add as an amendment was unanimously passed by the United States Senate and was in effect for 2 hours, we saw the unusual procedure of the majority leader vacating the action on the Consent Calendar and objecting to its consideration at that time.

So if there is some lack of complete regularity in this proceeding, since it is a rider to this bill, let me say that we have had a lot of irregular parliamentary procedures to prevent the Senate from expressing its will on this 5-percent pay increase.

Mr. JOHNSTON of South Carolina. Mr. President, the Senator from Oklahoma is entirely correct. When the majority leader this afternoon sent to the desk an amendment which the Committee on Post Office and Civil Service had never studied, since the committee had never looked into the question of postal rates—he did withdraw it, but he had it on the desk; so at that time, when he was doing that, we certainly were being afforded an exhibition of a new way of legislating. We have never passed a postal rate bill in the Senate without 30 days of hearings. But we have done a great deal of legislating along the line of what I am trying to do by attaching as an amendment to the pending bill on the floor of the Senate a measure which has been considered by the committee. We had hearings in the committee. The bill was brought to the floor for consideration. So this is nothing new as a procedure at the present time.

We believe this is what ought to be done. I have a little feeling that tells me there are certain things I ought to do and certain things I ought not to do. I ought not to be in favor of having a man work for the Government for a salary lower than he should receive. That is why I bring up the amendment.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. PASTORE. Does the Senator understand that if the majority leader intends to amend the amendment already proposed and lying on the desk, which amendment he proposed this afternoon, that can still be done?

Mr. JOHNSTON of South Carolina. He has a perfect right to send up such an amendment, and we can vote on it. I welcome his sending it up. I believe I know how the Senate would vote on that amendment. I believe it would vote it down. I should like to obtain a record vote on it. My amendment is nothing new, as his amendment is. We reported it 3 weeks ago. The committee bill has been on the desks of all Senators, with the report, awaiting action. I am trying to get a little action tonight.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. MONRONEY. I should like to ask the distinguished Senator a question with respect to his amendment. If a motion is made by the distinguished majority leader to table the amendment, we shall at least have a vote to show how the Members of the United States Senate feel in relation to whether a pay bill should or should not be passed by this Congress.

Mr. JOHNSTON of South Carolina. That is one reason why I have my amendment at the desk. I want Senators to go on record as to how they feel about the situation.

Mr. MONRONEY. As I understand the situation, the distinguished junior Senator from South Carolina, in his colloquy with the majority leader, offered to withhold his amendment, pending any assurance—of course, it is not possible to give an ironclad guarantee—which might come from the distinguished majority leadership, giving us a time when the bill would be placed on the list of must legislation, so that we could take it up as a matter of regular Senate procedure and debate. Did not the Senator from South Carolina ask the majority leader whether that would be the situation, before the Senator from South Carolina offered his amendment?

Mr. JOHNSTON of South Carolina. That is correct.

Mr. MONRONEY. Therefore, a motion to lay on the table would be a motion to determine whether or not we are in favor of voting a 5 percent increase.

Mr. JOHNSTON of South Carolina. That is true.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Green	Martin
Anderson	Hayden	McCarran
Barrett	Hendrickson	McClellan
Beall	Hennings	Millikin
Bennett	Hickenlooper	Monroney
Bowring	Hill	Morse
Bricker	Holland	Mundt
Bush	Humphrey	Murray
Butler	Ives	Neely
Carlson	Jackson	Pastore
Case	Johnson, Colo.	Payne
Chavez	Johnson, Tex.	Potter
Clements	Johnston, S. C.	Reynolds
Cooper	Kefauver	Robertson
Cordon	Kennedy	Russell
Crippa	Kerr	Saltonstall
Dirksen	Kilgore	Schoeppel
Dworshak	Knowland	Smathers
Ellender	Kuchel	Smith, Maine
Ervin	Langer	Smith, N. J.
Ferguson	Lehman	Stennis
Frear	Lennon	Symington
Fulbright	Long	Thye
George	Magnuson	Watkins
Goldwater	Malone	Williams
Gore	Mansfield	Young

The PRESIDING OFFICER. A quorum is present.

Mr. KNOWLAND. Mr. President, I yield to the Senator from Kansas [Mr. CARLSON] for a brief statement, with the understanding that I shall not lose my rights to the floor.

Mr. CARLSON. Mr. President, the chairman of the Committee on Post Office and Civil Service is placed in a most difficult position by the amendment offered by the distinguished Senator from South Carolina [Mr. JOHNSTON]. Our committee has reported a postal pay-increase bill which also includes the classified workers of this Nation. We did this after holding considerable hearings. We heard representatives of the Post Office Department, the Civil Service Commission, and the leaders of the various organizations who are interested in this proposed legislation. After executive sessions at which we discussed thoroughly the merits and the demerits of pay increases at this time, we reported a bill which provides for a 5 percent increase for both the postal and classified workers, with a minimum and a maximum.

I think it should be stated for the record that this pay bill carries approximately $338 million, including travel allowances for both postal and classified workers, and it is one of the lowest-price pay bills that Congress has considered in many years. Such bills normally run into figures of $600 million or $700 million. I think our committee is entitled to credit for reporting to the Senate a pay bill which percentage increase has administration approval and is so wholeheartedly supported by the employee groups.

Our committee did not recommend pay rates as high as was suggested by leaders of employee groups. We did not go as far as the House did, which has already passed a 7-percent bill.

So I am in a difficult situation because of the amendment offered by the Senator from South Carolina. I sponsored the bill which is now the pending amendment, and I favor its approval on its own merits.

I wish the RECORD to show that I favor a postal-pay increase but I do not think a postal-pay increase should be tied to postal rates. I wish to state very definitely that I favor an increase in postal rates but I insist increased rates should not be enacted without adequate hearings.

Mr. THYE. Mr. President, will the Senator from Kansas yield?

Mr. CARLSON. I cannot yield at this moment. I think the RECORD should show that in 1951 our committee, of which the distinguished Senator from South Carolina was chairman, and of which I was a member, together with the distinguished Senator from South Dakota [Mr. LANGER], who was the ranking minority member, reported a postal rate bill increasing first-, second-, and third-class rates. The Senate must know that the only place we are going to get substantial money from postal rates is in the first class. We will get about $150 million. This is a class of mail that already is paying its way.

We hear much discussion about increasing second-class rates, and we hear about the deficits caused by carrying second-class mail. This deficit, we are told, is about $250 million. The proposals for a second-class rate increase before the Senate would call for an increase of $13 million in second-class. If we were to adopt the amendment which has been proposed, we would approve these rates for second-class until 1957. The Senate should not take that action without adequate hearings which would permit all affected parties an opportunity to be heard.

The increase in the third class is estimated at $40 million. I contend that we cannot legislate on rates without hearings. Our committee has not held any hearings on those proposed rates. To place a burden of $200 million on the people of this country, without hearings, is something which I as chairman cannot support.

I wish to make this definite statement to the Senate. I made it in committee and I have made it privately. I want to make it a matter of record that at the beginning of the next session of Congress, I as chairman of the Committee on Post Office and Civil Service or, should political fortunes change, as ranking minority member, one of the first things I expect to try to get done is to report to the Senate legislation providing for rate increases.

This Senate authorized the creation of an advisory committee on postal matters which made an extended and thorough study of the Post Office Department.

These hearings and recommendations were printed in Senate Report No. 1086, 83d Congress, 2d session. It is one of the most exhaustive and thorough studies of the Department since its establishment.

Under the circumstances I urge that the distinguished Senator from South Carolina withdraw his amendment. It does not belong on this bill. I think it would be most helpful if the Senate leadership would give serious thought to further consideration of the bill on its own merits.

Again I say that I am very much in favor of a postal pay increase. I think both the postal and the classified workers have demonstrated by their testimony before the committee that they are entitled to this salary increase—it should not and cannot be dependent on other matters.

So I urge, as before, that the distinguished Senator from South Carolina seriously consider withdrawing his amendment. Then I would plead and hope that we might have an opportunity to give a subject of this importance the consideration which it deserves. Again I urge the leadership to give us an opportunity to act directly on a pay increase.

Mr. KNOWLAND. Mr. President, now that additional Senators have entered the Chamber, I desire to state that this evening we started with a program which the majority leader announced, after consultation with the policy committee and after having advised the minority leadership.

The program started with Calendar No. 2235, H. R. 6616, relating to copyrights. That bill was passed.

Next the Senate considered Calendar No. 2352, S. 2821, dealing with the Missouri River Compact. That bill was passed by the Senate.

We have scheduled next Calendar No. 1801, H. R. 2235, dealing with the Santa Maria water and water storage reservoirs.

The next bill scheduled is Calendar No. 2344, Senate bill 3772, the Federal Property Act.

It is then proposed to proceed to Calendar No. 2000, Senate bill 1555, relating to the Colorado River.

That bill is to be followed by Calendar No. 2249, H. R. 7840, relating to railroad retirement legislation.

That is a pretty full program for the evening. I have made it clear that additional legislation cannot be scheduled beyond today until it can be seen what progress can be made with the program which has been outlined.

The amendment offered by the Senator from South Carolina is to attach to a bill relating to a local project of great need in the Santa Maria area of California the postal pay bill, an amendment which obviously is not germane. The Senate does not have a rule of germaneness. Similarly, an amendment could be offered to attach the FEPC bill, the poll tax bill, or any other bill which is not germane to the bill under consideration. That practice has been avoided for the most part at this session of the Senate.

I say, on my responsibility as majority leader, that if there were offered to a bill an amendment to attach the FEPC measure to it, which would have the effect of killing the measure, I, on my responsibility as majority leader, would move to table it. That is the motion I intend to make in this case.

Normally, I do not believe in making a motion to table when an amendment is germane to the subject matter of the bill. But these are the closing days of the session. The exact date of adjournment has not been set, because it may depend upon the amount of progress which can be made. I understand that the conference report on the foreign aid bill will be before the Senate tomorrow. The conferees have agreed. The House will meet tomorrow.

It is hoped to act upon a number of other conference reports tomorrow. It is planned to call them up whenever they are ready.

I believe that to propose an amendment such as the Senator from South Carolina has offered in this instance is not orderly legislative procedure. I think it opens up a highly dangerous precedent, both for this and future sessions of the Senate.

I think the Senate might very well live to regret legislating in this manner. I appeal to Senators on both sides of the aisle to sustain the leadership. I recognize that the United States Senate has the control of its own destinies. At any time 49 Senators—if all Senators are present—desire to take over or to change the program which the leadership has proposed, they can do so. But if they intend to do so, they should, at least, do it in that manner, and not by attaching a nongermane amendment to a bill of the nature of the Santa Maria bill.

It is only for that reason that I feel I would be justified in making the motion I now intend to make. I feel that any majority leader, whether he sat on the other side of the aisle or on this side of the aisle, having the same responsibility, would act in the same manner.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. JOHNSON of Texas. The distinguished majority leader is, of course, aware of the substantial amount of sentiment for the consideration at this session of the pending amendment. The normal process is for the Senator's policy committee to consider proposed legislation and to schedule it. Up to this time, the policy committee of the majority has not seen fit to schedule the pay-increase bill. Is the Senator from California in a position to say that within another day or two, or three days, if the policy committee refuses to schedule the bill——

Mr. KNOWLAND. No; I have not said that.

Mr. JOHNSON of Texas. I would not ask the Senator from California when he has a gun at his head, to say that he intends to schedule any form of the pending proposal, but I ask the Senator if it is not possible to have the policy committee give further consideration to the pending proposal, in the hope that perhaps Members of the Senate who wish to vote on the question may do so at this session.

I realize that the majority leader made an earnest effort to formulate an amendment which he hoped would be satisfactory. When it was presented this afternoon and discussed within a limited time, it appeared to meet considerable objection. I hope the majority leader will be willing to indicate to the Senate that he will make another attempt to have either the Johnston amendment or a similar proposal presented to the policy committee while the Senate still has plenty of other business to keep it occupied. Two or three conference reports have reached the Senate. Perhaps tomorrow the policy committee can determine whether it will permit a proposal incorporating the Johnston amendment to come before the Senate.

Mr. KNOWLAND. The members of the policy committee and the majority leader have not closed their minds to any argument, any proposed alternatives, or any suggested amendments which might develop an area of agreement. But the distinguished Senator from Texas knows that I do not wish to mislead the Senate. The bill has not been scheduled. I think I have stated the reasons why. Many bills of great interest, locally, nationally, and areawide, have been scheduled. Senators who are interested in them hope they will be considered, and that they will not be foreclosed. For that matter, any bill on the calendar is still subject to being scheduled, depending upon the amount of progress which can be made on the program tonight, and the amount of progress which can be made on other proposed legislation.

I do not wish to place myself in the position of misleading the minority leader or the Senate. It is my purpose to try, in an orderly way, to make as much progress as possible.

The railroad retirement bill has much support. I believe it passed the House by a vote of 365 to 0. But until tonight it had not been possible to find a place to schedule it. A place has now been found for its consideration, if the bills ahead of it can be cleared. If we are not able to make more progress than we are now making, it will not be possible to

consider the bill. I had hoped the Senate would not have to continue in session beyond 10 o'clock tonight, after the experience of last night. If more progress is not made, it will not be possible to complete consideration of the remainder of the items on tonight's schedule, much less adding bills which have not yet been scheduled.

The policy committee and the majority leader are willing to keep open minds. We shall be glad to consider any arguments presented to us. If the Senator from South Carolina has any other approach to the problem, which might meet the matter of postal revenues part way, we shall be glad to have him tell us, even though he is a member of the Democratic Party. If the Senator from Kansas [Mr. CARLSON] has any ideas on the question, we should like to have him come before the committee. Perhaps there is some area of agreement which can be reached. But I do not like to be placed in the position described by the Senator from Texas, as I think I expressed it earlier, with a gun at my head in the form of an amendment which is not germane to the pending bill, and which I think is conducive to disorder in the legislative procedure, and forced to make a commitment that a particular bill will be brought up. I am not in a position to do that. If I lose in this instance, I shall have to lose, but, so far as I can help it, we are not going to legislate in that manner.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield to the Senator from Texas.

Mr. JOHNSON of Texas. The minority leader made it very clear that he was not putting a gun to the head of the majority leader, and he was not asking the Senator to make a hard and fast commitment that the proposal contained in the Johnston amendment would be reported to the Policy Committee at 10 a. m. tomorrow.

Mr. KNOWLAND. I understand that.

Mr. JOHNSON of Texas. But the question I should like answered is whether the majority leader and the Policy Committee are willing to give consideration to scheduling this proposal, and, if necessary, have the distinguished Senator from Kansas [Mr. CARLSON] and the distinguished Senator from South Carolina [Mr. JOHNSTON] come before the committee and exchange points of view, to ascertain whether agreement can be reached and to learn whether we can vote either on this proposal or another one.

Mr. KNOWLAND. Any Senator who is interested in proposed legislation on the calendar, and feels that there are facts, figures, proposals, alternatives, or amendments which should be submitted, and that the proposed legislation is of sufficient importance that he wants to bring it to the attention of the Policy Committee, can do so. We do not operate with closed minds, as I am sure the Policy Committee on the other side of the aisle does not. We shall be glad to entertain any reasonable proposals or testimony which might be offered, but whether I am to win or lose on the vote, I am not in a position to say to the Senator whether any such proposed legislation is scheduled.

Mr. THYE. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield to the Senator from Minnesota.

Mr. THYE. I was impressed with the statement of the Senator from Kansas, the chairman of the Committee on Post Office and Civil Service. The Senator has worked hard on a pay increase bill. The House passed a bill which provided for a greater pay increase than is provided in the Senate bill. The House passed a bill which provided for 7 percent increases, with a minimum increase of $200. The House passed the bill by an overwhelming majority, in fact, almost unanimously, 352 Representatives being in favor and 29 opposed.

The Senate Committee on Post Office and Civil Service, after lengthy study and consideration, recommended a bill to the Senate. The bill is before the Senate. I admit it does not provide for postal rate increases. I personally feel that a postal rate increase is overdue.

I served on the Committee on Post Office and Civil Service for 3 years. I have a slight knowledge of the responsibilities and heavy duties which devolve upon it, and I know the demands that are made upon that committee, particularly if postal rate increases are involved. However, I believe the Senate could act on the pay increase bill. Congress will reconvene in about 5 months' time. Congress could then immediately take up the question of the postal rate increase. I believe the committee staff could give thought and study to the information already contained in its files. I know what material was taken into consideration and was studied regarding postal rates when I was on the committee.

I believe that no more important legislation lies upon the desks of Senators than the proposed pay increase for Federal workers. The younger Federal employees of the Nation, both those employed in the postal service and others, are having an extremely difficult time trying to maintain their homes on the incomes that younger persons in the Federal service receive.

By passing a pay increase bill, I think we would be doing justice and equity to Federal employees, who can neither strike nor make demands, but only appeal to us in Congress to give them relief when their income is insufficient to meet the overhead expenses of their daily lives.

I wish to call the attention not only of the policy committee, but of the very able majority leader, to the fact that the Senator from Kansas, the chairman of the Committee on Post Office and Civil Service, has laid before this body a legislative measure which is sound in every conceivable way.

For that reason, if the Senate were to lay it aside and take up a substitute, I think it would err. I think the Senator from South Carolina is wrong in offering an amendment, which is not germane, to another bill. I have served with the Senator from South Carolina on the Committee on Post Office and Civil Service. I wish he would withdraw his amendment, so that we may proceed in an orderly manner, and then the Senate could act on a motion tomorrow to take up the salary increase bill and act on the bill on its own merits, without confusing the situation by trying to add a salary increase to another bill which is before the Senate and ready for passage.

Mr. LONG. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield to the Senator from Louisiana for a question.

Mr. LONG. I am sure the Senator from California realizes that some of us find ourselves in a rather embarrassing position. Some of us have taken the attitude that we would vote for a pay raise for postal employees, and have more or less assured our constituents that we would do so. If this is the only chance we shall have to vote on a pay increase, and if we cannot have assurance that we shall have an opportunity to vote on a pay increase bill at this session, those of us who have more or less committed ourselves that we would vote for a pay increase find ourselves in the awkward position that we would be doing less than keeping our word if we did not vote for the proposal.

Mr. KNOWLAND. I understand the Senator's problem, and I want the Senator to know that the problem I have is not an easy one. I know what I do will be misrepresented, but I have a responsibility to carry out. I have no quarrel with a Senator who thinks that he must vote for such a proposal. However, in the orderly procedure of the Senate, it seems to me this is not a sound way to legislate. It seems to me it would open up dangerous precedents which might rise to plague the Democratic Party, if it became the majority party, as well as to plague the Republican Party, which now is in nominal control.

In the French Chamber of Deputies they have blocs and confusion, and they do not know from day to day where the responsibility rests or who the government is. I think we want to avoid such a situation. We temporarily are charged with setting the legislative program. It seems to me that responsibility should not be taken out of the hands of the majority leader, particularly when we have a schedule. I think we have tried during this session to work out a schedule, and I have tried to give equal concern to those who had problems on the other side of the aisle as I have to Senators on this side of the aisle. Under those circumstances, and considering the delay that this type of maneuver would cause, I can do nothing but resist with all the parliamentary devices I have open to me.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield to the Senator from New Mexico.

Mr. ANDERSON. Could not the assurance be given to the Senator from Louisiana—and I feel as he does, that I should like to have a chance to vote on a pay increase—that, in the orderly process, tomorrow we would have a perfect right to make a motion to call up the bill?

Mr. KNOWLAND. The Senate rules so provide. The wisdom of doing so,

each Senator must decide for himself. In any event, the rules do not limit the making of such a motion to the majority leader. The normal procedure is that such motions are made by the Senator who occupies the majority leader's position, but the rules do not so limit the making of such a motion.

Mr. ANDERSON. I intend to vote, as the majority leader has indicated, to table the proposal, because I think there will be a chance to bring up the proposal in an orderly way. As the Senator from Louisiana has done, I have said that I intend to vote for a pay raise. However, I do not believe this is the orderly way to do it.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield to the Senator from Mississippi.

Mr. STENNIS. I am sure the Senator from California realizes that the membership has to sit and wait and listen to what measures are to be voted on largely through the decisions and the responsibilities of the majority and the good intentions of the majority. However, this may be the only opportunity we will have to vote on the question. I do not like the idea of setting precedents of this kind. I did not enter the Chamber in time to hear all the Senator from California had to say. As I understood, he said he had an open mind and had not closed the door to the policy committee's leaving it up to the membership to vote on the question. Is that what the majority leader said?

Mr. KNOWLAND. Yes; in referring to the unscheduled measures on the calendar, of which this is an important one, I said that all of them are open to consideration by the policy committee. Sometimes amendments which develop an area of agreement are suggested, and thus the bill can be supported, whereas otherwise it could not be.

Mr. STENNIS. I am sure the Senator cannot speak for other Members; but so far as he knows, will other Members approach this question with the same open mind with which the majority leader has approached it, and will they give honest consideration to the question of finding a place for it on the schedule? I seek information.

Mr. KNOWLAND. I am sure they will, in the case of both this and every other piece of proposed legislation on the calendar. Of course, as the Senator from Mississippi knows, under our parliamentary procedure the policy committee does not schedule, and cannot schedule, measures for consideration by the Senate until they have been reported by the standing committees of the Senate. So we are limited to the items which are on the printed calendar.

Mr. STENNIS. The Senator from California also mentioned the possibility that some other bill could be displaced. No Member desires to try to displace a pending measure, but that may be the only remedy left. The Senator from Mississippi might, tomorrow, support a motion to displace some other bill because, even though I am not sponsoring this bill, I think it should be voted on because it is of national significance and importance.

Mr. MORSE. Mr. President, will the Senator from California yield for an observation?

Mr. KNOWLAND. I yield.

Mr. MORSE. I do not propose to discuss the merits or the demerits of the parliamentary tactics which is now being employed in the Senate, but I have heard several Members speak of it as though it were an innovation. This is no innovation at all, Mr. President. This particular parliamentary tactic has been used time and time again in my 9 years in the Senate. No precedent is being established here tonight as far as parliamentary tactics are concerned.

Mr. KNOWLAND. Mr. President, I move to lay on the table the amendment of the Senator from South Carolina [Mr. JOHNSTON].

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California.

Mr. JOHNSTON of South Carolina. Mr. President, on this question I ask for the yeas and nays.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Green	Martin
Anderson	Hayden	McCarran
Barrett	Hendrickson	McClellan
Beall	Hennings	Millikin
Bennett	Hickenlooper	Monroney
Bowring	Hill	Morse
Bricker	Holland	Mundt
Bush	Humphrey	Murray
Butler	Ives	Neely
Carlson	Jackson	Pastore
Case	Johnson, Colo.	Payne
Chavez	Johnson, Tex.	Potter
Clements	Johnston, S. C.	Reynolds
Cooper	Kefauver	Robertson
Cordon	Kennedy	Russell
Crippa	Kerr	Saltonstall
Dirksen	Kilgore	Schoeppel
Dworshak	Knowland	Smathers
Ellender	Kuchel	Smith, Maine
Ervin	Langer	Smith, N. J.
Ferguson	Lehman	Stennis
Frear	Lennon	Thye
Fulbright	Long	Watkins
George	Magnuson	Williams
Goldwater	Malone	Young
Gore	Mansfield	

The PRESIDING OFFICER. A quorum is present.

The question is on agreeing to the motion of the Senator from California [Mr. KNOWLAND] to lay on the table the amendment of the Senator from South Carolina [Mr. JOHNSTON].

Mr. MONRONEY. Mr. President, on this question I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. KNOWLAND. Mr. President, do I correctly understand that the question on which the yeas and nays have been ordered is on agreeing to my motion to lay on the table the amendment of the Senator from South Carolina [Mr. JOHNSTON]?

The PRESIDING OFFICER. That is correct.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. SALTONSTALL. I announce that the senior Senator from Wisconsin [Mr. WILEY] is absent by leave of the Senate.

The senior Senator from Indiana [Mr. CAPEHART] and the Senator from Idaho [Mr. WELKER] are absent on official business.

The senior Senator from New Hampshire [Mr. BRIDGES], the Senator from Pennsylvania [Mr. DUFF], the Senator from Vermont [Mr. FLANDERS], the junior Senator from Indiana [Mr. JENNER], the junior Senator from Wisconsin [Mr. MCCARTHY], the Senator from Connecticut [Mr. PURTELL], and the junior Senator from New Hampshire [Mr. UPTON] are necessarily absent.

On this vote, the Senator from Pennsylvania [Mr. DUFF] is paired with the Senator from Mississippi [Mr. EASTLAND], the Senator from Vermont [Mr. FLANDERS] is paired with the Senator from Alabama [Mr. SPARKMAN], and the Senator from Idaho [Mr. WELKER] is paired with the Senator from Illinois [Mr. DOUGLAS]. If present and voting the Senator from Pennsylvania [Mr. DUFF], the Senator from Vermont [Mr. FLANDERS], and the Senator from Idaho [Mr. WELKER] would each vote "yea," while the Senator from Mississippi [Mr. EASTLAND], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Illinois [Mr. DOUGLAS] would each vote "nay."

Mr. CLEMENTS. I announce that the Senator from Ohio [Mr. BURKE], the Senator from Texas [Mr. DANIEL], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from South Carolina [Mr. MAYBANK], and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

The Senator from Virginia [Mr. BYRD] and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

The Senator from Iowa [Mr. GILLETTE] is absent by leave of the Senate.

I announce that on this vote the Senator from Illinois [Mr. DOUGLAS] is paired with the Senator from Idaho [Mr. WELKER]. If present and voting, the Senator from Illinois would vote "nay," and the Senator from Idaho would vote "yea."

I announce that on this vote the Senator from Mississippi [Mr. EASTLAND] is paired with the Senator from Pennsylvania [Mr. DUFF]. If present and voting, the Senator from Mississippi would vote "nay," and the Senator from Pennsylvania would vote "yea."

I announce that the Senator from Alabama [Mr. SPARKMAN] is paired with the Senator from Vermont [Mr. FLANDERS]. If present and voting the Senator from Alabama would vote "nay," and the Senator from Vermont would vote "yea."

I announce further that if present and voting the Senator from Ohio [Mr. BURKE], the Senator from Iowa [Mr. GILLETTE], the Senator from South Carolina [Mr. MAYBANK], and the Senator from Missouri [Mr. SYMINGTON] would each vote "nay."

The result was announced—yeas 47, nays 30, as follows:

YEAS—47

Aiken	Bush	Dirksen
Anderson	Butler	Dworshak
Barrett	Carlson	Ellender
Beall	Case	Ferguson
Bennett	Cooper	Frear
Bowring	Cordon	George
Bricker	Crippa	Goldwater

Hayden	Martin	Schoeppel
Hendrickson	Millikin	Smith, Maine
Hickenlooper	Mundt	Smith, N. J.
Holland	Payne	Stennis
Johnson, Tex.	Potter	Thye
Kennedy	Reynolds	Watkins
Knowland	Robertson	Williams
Kuchel	Russell	Young
Malone	Saltonstall	

NAYS—30

Chavez	Jackson	Magnuson
Clements	Johnson, Colo.	Mansfield
Ervin	Johnston, S. C.	McCarran
Fulbright	Kefauver	McClellan
Gore	Kerr	Monroney
Green	Kilgore	Morse
Hennings	Langer	Murray
Hill	Lehman	Neely
Humphrey	Lennon	Pastore
Ives	Long	Smathers

NOT VOTING—19

Bridges	Eastland	Sparkman
Burke	Flanders	Symington
Byrd	Gillette	Upton
Capehart	Jenner	Welker
Daniel	Maybank	Wiley
Douglas	McCarthy	
Duff	Purtell	

So Mr. KNOWLAND'S motion to lay on the table the amendment of Mr. JOHNSTON of South Carolina was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. MORSE. Mr. President——

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MORSE. Mr. President, I wish to discuss the bill briefly. I wish to present both sides of this issue.

Mr. President, I wish to discuss this bill briefly because I think it is a mistake in the closing hours of this session of Congress to pass a bill which contains so many sweeping implications as this bill contains, and which I think involves the danger of establishing the precedent that this bill is likely to establish in connection with the conservation of the United States.

This bill, Mr. President, seeks to authorize the Secretary of the Interior to construct a dam and also a reservoir, and the bill involves a substantial amount of money. This is not a particularly small project, Mr. President. It is a very large project, in my judgment, from the standpoint of the policy it is going to determine. It is an irrigation project, but it differs from the usual irrigation project where water is conveyed to lands by pipes or ditches.

Here the landowners get the water from the natural ground-water reservoir underlying the Santa Maria Valley and draw it up by means of well pumps. The purpose of project would be to control the amount of water which flows into the area in streams—holding it to the amount which would fill but not overflow the underground natural reservoir, so as to save water which now goes to the sea during overflow periods. After completion of the project, landowners would still be pumping their water from the underground storage area.

LAW GOVERNING EXCESS LAND

Section 423 (e) of title 43, United States Code, states with reference to irrigation contracts entered into by the Secretary of the Interior and landowners:

> Such contract * * * shall further provide that all irrigable land held in private ownership in excess of 160 irrigable acres shall be appraised * * * and the price thereof fixed * * * on the basis of its actual bona fide value at the date of appraisal without reference to the proposed construction of the irrigation works; and that no such excess lands so held shall receive water from any project or division if the owners thereof shall refuse to execute valid recordable contracts for the sale of such lands under terms and conditions satisfactory to the Secretary of the Interior and at prices not to exceed those fixed by the Secretary.

In other words, a land owner may receive water from a Federal reclamation project—and this is one—for only 160 acres—or 320 acres for man and wife—and if his holdings are in excess of that amount he cannot receive water unless he agrees to sell the excess land at price based on reasonable value of land prior to construction of project.

ACREAGE LIMITATION BENEFITS FAMILY-SIZED FARMS

The "160-acre limitation" was written into the Reclamation Act of 1902 to assure that federally financed projects for irrigation would benefit the holders of "family size" farms, and to prevent federally financed water projects from being the means of enriching owners of large tracts of land, with speculators and absentee land owners often holding large acreages of arid land.

There is no question about the fact that Teddy Roosevelt, in his conservation policy, sought to protect the family-size farm. He sought to provide a conservation program whereby Federal funds would be used in reclamation projects for the benefit of American farm families, not for the benefit of large corporate farms, not for the benefit of speculators and absentee landowners.

SHOULD NOT MAKE EXCEPTION TO LAW

I believe we need to keep that in mind, because I care not what language is used in the debate tonight in seeking to justify this proposal as an exception to the 160-acre limitation. The fact remains it is an exception. In my judgment, when we start making exceptions to this very sound conservation policy, we should be extremely careful to determine where the exceptions will lead us. It does not take very many exceptions to destroy a rule. It is all very well to say that every rule has its exception. But when a rule becomes honeycombed with exceptions, it ceases to be a rule.

CONSERVATION POLICY UNDERMINED

I am afraid—and I speak out of deep conviction on this subject, Mr. President—that we are on our way tonight to undermine the 160-acre limitation conservation policy which has been in effect since 1902.

In my judgment, that policy, adopted in 1902, follows the idea of having the Government do for the people what they cannot possibly do for themselves. Small farmers could not themselves build dams and projects. Big land companies could possibly do so. Holders of large tracts of land do not lose anything if they sell off excess land, and then they and the purchasers all benefit to the extent of getting irrigation for 160 acres each.

PUBLIC POLICY CONCERNED

When I deal with the so-called excess land ownership involved in this case, from the standpoint of public policy it would be much to be preferred that the excess land be sold to farm families. It would be preferable to bring some families into this area, to use the water which will be made available by the expenditure of tax dollars paid into the United States Treasury by all the people of the country.

The Santa Maria project area is about 50,000 acres. One-fourth of the land in the area is held by "excess" holders. Benefits of project will be realized immediately by owners in so-called upper area in which there are 11 excess holders, and eventually in lower area in which there are 2 excess holders. In other words, 13 excess holders, among them corporation and absentee landlords, own 25 percent of land in area to be benefited by the expenditure of this large sum of money, which is being made available for this project, not by the taxpayers of California alone, but by the taxpayers of all the 48 States.

Mr. President, when we have our attention focused on a project in our own State, it is easy, somehow, to get into our heads the idea that that project is different from a similar project located in another State.

SHOULD PUT ASIDE SPECIAL PLEADING

I speak most respectfully, because I am very fond of the junior Senator from California—in fact, I can say that both Senators from California are my personal friends—when I say that we ought always to recognize the fact when we come to deal with an argument of Senators from a given State in which a project is located, we ought to follow the practice that good lawyers follow in the courtroom when they have witnesses before them who they know have special pleading interests.

That is no criticism. The Senators from California unquestionably have a special interest in the pending bill, and I say that every consideration should be given to their arguments, but I also contend their arguments should be judged in the light of the fact that they are the Senators from the State in which the project is located.

Therefore, we ought to take a good look at what we are doing to a conservation policy which has existed in this country since 1902.

BILL EXEMPTS SANTA MARIA PROJECT FROM RECLAMATION LAW

This bill excepts the Santa Maria project from the 160-acre limitation by this proviso. It is an interesting one, and I shall offer an amendment that seeks to strike it out:

> *Provided*, That in view of the special circumstances of the Santa Maria project, neither the provisions of the third sentence of section 46 of the act of May 25, 1926 (44 Stat. 636, 649) nor any other similar provision of the Federal reclamation laws shall be applicable thereto so long as the water utilized on project lands is acquired by pumping from the underground reservoir.

The proponents of the bill claim the 160-acre limitation is unworkable in the Santa Maria case. They argue that with the usual project, water can be refused to those who do not execute required contracts to sell excess land, but

here there would be no mechanical control.

They argue that if one landowner refused to execute a contract and held excess lands, and the project were built, he could draw project water along with natural water from his pumps, and that there is no way to separate the intermingled waters. Then they argue that in order to build the project, every landowner in the area which would be benefited would first have to execute a contract. If only one refused, the project could not be built.

ARGUMENTS OF CALIFORNIA OPPONENTS OF BILL

The opponents of the bill say—and I use the arguments of the opponents of the bill in California, because this bill does not come to the Senate of the United States with any unanimous support from groups in California who are vitally interested in reclamation projects in the State of California—the opponents say there is no reason to assume all will not agree to execute the contracts. They say, further, that if the people in the area want the project for the common good, it should be up to the local people to secure agreement on the part of the 13 who hold 25 percent of the land in the area as excess land. It should not be a case of Congress being blackjacked into making an exception, by a threat on the part of one or a handful of persons who might say that they will not agree, unless they can have an exception which will allow them to draw water out of the project financed by Federal dollars to be used on land far in excess of the 160-acre limitation.

There are many attacks on the 160-acre limitation now being made by those who want to get Federal projects for the benefit of big landowners, particularly in California, where the fight has raged for years to remove the limitation in connection with the Central Valley project.

PRECEDENT FOR EXCEPTION IN CENTRAL VALLEY

There are those in California who fear that if we start this exception tonight by passage of this bill there will be more and more exceptions, and that we will strengthen the position of those who want the whole Central California Valley project made an exception to the 160-acre limitation.

There seems to be a case for the two excess holders in the lower area where benefits will not be received for some time in the future. It seems to me this could be met by allowing them to hold the lands which are in excess of 160 acres until the time when the benefits may reasonably be expected to occur. They could be required to deposit contracts with the Secretary of the Interior before the project is built, and contracts would have the condition precedent that the benefits would occur.

It is argued by the proponents of the bill that Representative JACK SHELLEY agreed to this bill, and he is known to be one of the outstanding conservationists in the State of California and is known to be one of the most ardent supporters of the 160-acre limitation policy, but in this instance he went along with the exception.

I do not propose to speak for Mr. SHELLEY, but I do propose to speak to the record in respect to his participation. There is no doubt about the fact, Mr. President, that at least at one time in the House of Representatives, when this issue was before the House, he went along with the exception. Before I conclude I shall quote from an insertion which he put into the CONGRESSIONAL RECORD subsequent to the House action on this bill, including an insertion containing material from the Veterans of Foreign Wars in opposition to the bill. But I shall let Mr. SHELLEY's statement speak for itself.

If Mr. SHELLEY is still for this exception, I think he is making a mistake, and a great many of his friends in California likewise think he is making a mistake if he is still for the exception.

I wish to invite attention to the position taken by one of the recognized conservation authorities in the State of California, Paul S. Taylor, of the University of California, an authority in this field and an ardent opponent of this bill. In a letter which I received from him under date of August 16—and I shall not burden the RECORD with the personal reference he makes in the letter concerning my opposition to this bill, but he wrote to thank me for my opposition to the bill—he said:

> California is now undertaking to get itself organized on the water and power issue and is holding a Statewide meeting sponsored by the State Grange on August 28 in Sacramento.

He goes on to say, Mr. President, that he believes there will come out of the movement which is developing in California now in opposition to this bill a program which will be much to the benefit of the development of reclamation projects in the State of California and which will serve as a basis for a greater unanimity of opinion on a program in California. He tells me in his letter to me that he hopes I can get a delay in the consideration of this bill until the next session, because he thinks that if the Senate will wait for the reaction in California to develop between now and the next session of Congress with respect to this bill and certain other California bills which are on the calendar we would not, come January, pass this bill at all.

Mr. President, on February 4 of this year, subsequent to House action on this bill, the CONGRESSIONAL RECORD shows the following:

> Mr. SHELLEY. Mr. Speaker, in connection with the House action on February 2 in passing House bill 2235, authorizing construction of the Santa Maria project, I submit for inclusion in the CONGRESSIONAL RECORD a statement on the bill prepared by Comdr. Gordon H. Winton, Jr., Department of California, Veterans of Foreign Wars. The statement, unfortunately, was received too late to be presented to the House prior to or during the course of debate on the bill.
>
> However, in view of the strong defense of the 160-acre-limitation provisions of reclamation law which Commander Winton presents, I feel that his statement can be read with profit by all concerned with the problem. The Members of the House will remember that before passage of H. R. 2235 I offered an amendment to the bill to make it completely clear that we were in no way compromising the Congress' traditional position in opposition to attempts to eliminate the 160-acre limitation as a cornerstone of national reclamation policy. The fact that my amendment was overwhelmingly approved by the House again confirms that position.
>
> The statement follows:
>
> "Modern veterans, like their predecessors for two centuries, have a strong stake in the preservation and enforcement of the Nation's land and water policy. Ever since colonial times it has been customary for this country to take special measures to help veterans obtain a portion of the soil for which they fought, to make a home upon it, and a living for themselves and their families.
>
> "Congress has written that policy into law time after time by granting soldiers' scrip good for homesteading on the public domain, by helping veterans to buy farms on favorable financial terms, by giving veterans preference on reclaimed public lands, and by striking at those age-old twin enemies that throttle opportunity for veterans or any other qualified persons seeking to obtain farm homes: viz, private monopoly and speculation.
>
> "The purpose of the Preemption Act of 1841 and the Homestead Act of 1862 was to favor the actual settler on the land. During the debates on the homestead bill that President Abraham Lincoln made into law by his signature, a Congressman from Indiana expressed the spirit that animated the measure in these words: 'Instead of baronial possessions, let us facilitate the increase of independent homesteads. Let us keep the plow in the hands of the owner. Every new home that is established, the independent possessor of which cultivates his own freehold is establishing a new republic within the old, and adding a new and strong pillar to the edifice of the State.'
>
> "When western settlements crossed the 100th meridian, water became of equal importance with land. Maj. John Wesley Powell, a wounded veteran of the Civil War, foresaw the necessity for conserving water, and the dangers inherent in permitting its monopolization by the few. In the 1870's he wrote in his famous Report on the Lands of the Arid Region of the United States: 'The question for legislators to solve is to devise some practical means by which water rights may be distributed among individual farmers and water monopolies prevented.'
>
> "By 1902 Congress got around to devising a practical method of helping to develop waters for irrigation. It passed the national reclamation law, signed by President Theodore Roosevelt, giving generous aid to water development, including aid to private landholders with insufficient water supplies of their own. As justification for this extension of public help for private benefit, and mindful of the warning by Major Powell, Congress wrote the famous 160-acre provision into the reclamation law as assurance that large landowners could never monopolize publicly developed waters nor speculate in the huge incremental values they would create. In this way the purposes of the Preemption and Homestead Acts were applied also to western waters."

Mr. President, I digress to apply this observation or policy to the bill. In this instance, 25 percent of 50,000 acres is held by 13 owners. In my judgment, considering that physical-acreage fact, the bill cannot be spoken of as a bill which aids homesteaders, because a large percentage of the acreage is not owned by homesteaders having the so-called family-size farms.

I resume reading from the statement by the Veterans of Foreign Wars:

> Families seeking homes on the land were to find opportunity kept open, not foreclosed.

Settlers were to be spared the burden of excessive debt to speculating landowners astride the sources of water. Sound, balanced communities were to be created, with opportunities for business and professional men as well as for independent farm operators and above all for the building of homes.

The California Department of the Veterans of Foreign Wars has endorsed these purposes of reclamation law repeatedly, and has been engaged actively for a full decade in defending acreage limitation against one attempt after another, some frontal and some from flank or rear, to remove or to weaken its enforcement. We have fought equally against efforts to undermine it in Congress, and against the laxity of indifferent, harassed, insensitive, or unsympathetic administrators.

At our latest encampment, in June 1953, the California Department, VFW, passed the following resolution:

"Whereas when waterpower and natural resources are developed by the Bureau of Reclamation, the 160-acre limitation of the Reclamation Act of 1902 is in full force and effect; and

"Whereas when such power and resources are developed by the Corps of Engineers, United States Army, such acreage limitation is evaded; and

"Whereas unless the 160-acre limitation provisions of the Reclamation Act of 1902 is strictly enforced there will be no land available to veterans: Now, therefore, be it

"*Resolved*, That the Department of California, Veterans of Foreign Wars of the United States, in encampment assembled at Oakland, Calif., June 21 through 24, 1953, again affirm its support to the Bureau of Reclamation and commend those officials of the Bureau of Reclamation and the Department of the Interior who steadfastly work to carry out the intent and purposes of the law in the face of powerful pressure upon them to do otherwise; and be it further

"*Resolved*, That the work of the Bureau of Reclamation is expanded so as to make more land available to veterans, and that we oppose any attempts to nullify or evade the 160-acre limitation provisions of the Reclamation Act of 1902."

The California VFW is fully aware of the long-standing necessity for vigilance if the reclamation law is to achieve its purposes. The chairman of the House Committee on Public Lands found it necessary to warn in 1871 of loopholes in the homestead law that permitted speculators to foreclose opportunity to the pioneers. Land Commissioner Sparks complained in 1885 that "the public domain was being made the prey of unscrupulous speculations and the worst forms of land monopoly through systematic frauds carried on and consummated under the public-land laws." Meanwhile, in our own State, the Visalia Delta was giving ominous warning against the growing aggregations of landholdings on May 5, 1877, that the people "will find themselves confronted by an array of force and talent to secure to capital the ownership of the water as well as the land." In 1924 President Calvin Coolidge transmitted the famous Fact-Finding Report to Congress as basis for the strengthening of legislation.

It contained this trenchant declaration under the title "Homesteader Versus Speculator": "It was hoped that the homesteader under the Federal irrigation works would settle upon the land with a strong determination to subdue the soil, to build a home, and to add another rural farmstead to the thousands which form the stable foundation of our Republic." The man who had served as secretary of the Fact-Finders Committee, Dr. John A. Widtsoe, distinguished citizen of Utah and noted authority on irrigation, wrote: "In future as in earlier irrigation enterprises, large holdings will give most vexation. • • • In the future it will be even more necessary to insist that large holdings shall not receive water from Government supplies, unless divided into farm units of proper size, and offered to intending purchasers at reasonable terms. Speculators must be rigidly excluded from the benefits that flow from the operation of the Reclamation Act."

No group of citizens has been more aware of these perils from those whose interests lead them to seek to break down the excess-lands provisions of reclamation law than the VFW. We have repeatedly and publicly opposed every effort to obtain exemptions from public control of monopoly and speculation. We have called attention also to the efforts of excess landowners to thwart enforcement of the law and to the hazards from administrators who toy with the idea of letting them crawl through legal loopholes to nullify the law. On October 11, 1951, for example, the Appendix to the CONGRESSIONAL RECORD carried our warning of these dangers on Kings and Kern Rivers in California. In issuing that statement we took our position squarely beside the Task Force Report of the Hoover Commission, and invited all friends of this Nation's land and water policy to join with us in its preservation against the pressures of excess landowners seeking nullification whether legal technicalities or subservient administration. That warning and invitation to resist its threat still stand.

After the Veterans of Foreign Wars, California chapter, had set forth this very concise and accurate synopsis of the historic development of the 160-acre limitation rule, which in 1902 received the stamp of Teddy Roosevelt, one of the greatest liberal Republicans who ever lived, and one of the most noted conservationists ever to have been a member of either party, the Veterans of Foreign Wars then proceeded in a short statement to discuss the bill which is now before the Senate. Listen to what they said. These are Californians speaking, Mr. President. They said:

An immediate danger to reclamation law is H. R. 2235, that has tied an exemption, like a tin can to a dog's tail, to the authorization of Santa Maria project in California. We favor reclamation projects, and have no reason to suppose that Santa Maria project is not a very fine well-bred "dog." But we insist that Congress cut the tin can from its tail.

The report of the House committee recommending exemption alleges that special circumstances justify exemption. Like most similar attempts to escape the law, this claim is spurious, as a careful examination of the public record plainly discloses. There are 13 excess landholders on the project, among them corporations and absentees, and they own about one-fourth of all the agricultural land in the project. As prospective beneficiaries of Federal expenditures estimated to average $700 or more per acre, for irrigation and flood control, the landowners of Santa Maria project are seeking public help on terms that surely are generous. Should 13 of them, in addition to help on this scale, be excused from the general law that applies to all citizens in similar situations? To exempt them means less opportunity for veterans and other qualified citizens who are entitled to have access to publicly developed water.

The House committee's spurious argument that special circumstances arising from the underground water conditions make enforcement of acreage limitation impossible was used also in 1944 and 1947 in an effort to persuade people that acreage limitation was unenforceable in Central Valley. It is nonsense, as the record of enforceable contracts covering all the first-class waters of Friant-Kern Canal abundantly proves. Congress need only include in H. R. 2235 a simple provision that no Federal funds shall be expended for construction of the project that is being requested until all excess landholders on the project sign recordable contracts to comply with the acreage limitation law. This procedure has ample precedent in law and in administrative practice. No businessman in his senses would think of doing otherwise.

It is curious that while the House committee report describes the Santa Maria project as special, the opponents of acreage limitation, speaking among themselves, do not accept this view. They hail the committee's recommendation for exemption as nothing less than a precedent warranting general defiance of the law by excess landholders elsewhere. On November 12, 1953, a California State senator publicly said the Santa Maria committee exemption is being recommended by the committee "simply because the landowners and water users flatly refused to accept" acreage limitation. He was confident that Congress will bow to the excess landholders, adding: "Is the Santa Maria project to be abandoned because of this situation? Hardly. Both of these two Federal agencies (the United States Army Corps of Engineers and the Bureau of Reclamation) plan to go ahead without delay whenever the appropriations are made available. Thus falls another invulnerable shibboleth of straw without even a gesture of hail and farewell. Why should we be afraid of all or any of these arbitrary and unilateral restrictions?"

Of course, this is simply special pleading; reclamation law is neither arbitrary nor unilateral. It is a 51-year-old statute of Congress, and it bestows liberal benefits, even on the holders of excess lands.

As veterans, we see no reason for making an exception for excess landholders on Santa Maria project, and thereby encouraging excess landholders everywhere else to defy the law. We believe the interests of veterans, as of the American people generally, are not promoted by giving public special encouragement to private landholdings of 1,000 or 10,000, or 20,000 irrigated acres, each. Equality of opportunity, political stability and the general welfare are promoted by multiplication of homes on the land. Americans have known this simple truth since colonial times. In these latter days let us not turn against the wisdom of our forebears.

COMMENTS ON VFW STATEMENT

Mr. President, that is the argument of the California chapter of the Veterans of Foreign Wars against the bill. I say it is a compelling argument. It is an argument which ought to cause the Senate tonight to delay action on the bill. We ought to wait until January, until after the kind of conference to which Mr. Taylor, of the University of California, refers in the letter, a portion of which I read earlier in my argument tonight. We ought to go slow, and not, in the dying hours of this session of the Congress, when Senators are tired—and apparently many of them are hungry, too, judging from the empty seats—and when every Senator knows that the controlling question in his mind is, "When will Congress adjourn?"

The Senator from Oregon knows as well as anyone else that making an argument on a matter so serious as this, at this late hour, not only tonight, but in this session, is arguing against terrific odds. Nevertheless, I still have not given up hope in miracles—even legislative miracles. Until the last moment, I shall still hope that a majority in the Senate

will take their stand with the Veterans of Foreign Wars in the State of California, heed their warning, and wait at least a few months until we can take a calm and thorough look at this particular project.

CONSIDERATION SHOULD BE DELAYED

I think my suggestion for delay has some other benefits. It may awaken not only the small landowners who would benefit from the project, but the 13 large landowners. It may have the effect of having small landowners do what we all know can be done in our local communities in matters of great concern such as this, in connection with a project which would benefit the entire community. They can bring to bear on the 13 large landowners what we call the pressure of public opinion. I do not know of a more effective policeman than that.

PUBLIC OPINION AROUSED

I know of nothing that does a better policing job in the body politic of our Republic than an aroused local public opinion; and there is no question about the fact that public opinion in California is becoming aroused in regard to this threat to the 160-acre limitation; it is becoming aroused because of the plea the Veterans of Foreign Wars in California are making in opposition to the Santa Maria bill. It is becoming aroused by the case which is being made against the bill in California public opinion by such leaders and authorities as Mr. Taylor.

Consider, for example, that at one point in the memorandum, Mr. Taylor says, in arguing in support of this limitation:

> There are few excess-land-holders involved in this case, but they are excess-land-holders with very substantial holdings, some of them corporations in absentia. All of these excess-land-holders will gain tremendous benefits from this expenditure of Federal tax dollars on this project, and sooner or later they will reap a harvest of profit.

Mr. President, I simply cannot square with sound public policy the appropriation from the Federal Treasury, of the funds which will be called for by the bill, for the benefit of 13 excess-land-holders in that area.

OWNERS SHOULD SELL EXCESS HOLDINGS

I am perfectly willing to support the bill if it contains a requirement that the excess-land-holders sell their holdings within the area of the project.

I believe I have at least made a record on the basis of the major thesis of the opponents of the bill.

I would that we could obtain an agreement to postpone until January action on the bill, but I have little hope of that. Therefore, I offer the following amendment: On page 2 of the bill, strike out all of line 1 and all of the following lines, through the word "further", in line 7.

At this point I shall read the portion of the bill which my amendment proposes to strike out; and then I shall briefly explain the effect of the amendment, after which I shall yield the floor.

I propose to strike from the bill the following language:

> That in view of the special circumstances of the Santa Maria project, neither the provisions of the third sentence of section 46 of the act of May 25, 1926 (44 Stat. 636, 649) nor any other similar provision of the Federal reclamation laws shall be applicable thereto so long as the water utilized on project lands is acquired by pumping from the underground reservoir: *Provided further.*

In other words, Mr. President, I propose to strike from the bill the provision which, in the case of this project, seeks to make an exception to the 160-acre limitation.

My amendment will leave in the bill the additional proviso—

> That a repayment contract not exceeding a period of 50 years be executed prior to commencement of construction of the works herein authorized.

Mr. President, one concluding word on the alleged special circumstances: There really are no special circumstances which justify making an exception to the 160-acre limitation; but the special circumstances which are claimed deal with a physical fact, namely, that the project calls for the building of a dam and reservoir to store water which will percolate into the soil and, by means of that process, will fill an underground reservoir, and then will be pumped onto the land, from the underground reservoir—which really will be built with Federal tax dollars, in the sense that the project is to be federally financed under the reclamation law.

NO NEED FOR EXCEPTION SHOWN

It is claimed that because the water which will percolate as a result of the construction of the project will intermingle with water which would percolate anyway, even if the project were not built—but not in such quantity as that which the dam proposed to be constructed will cause to percolate—therefore it is necessary to make an exception to the 160-acre limitation or rule. I say that simply is not so.

So the question before the Senate is a very simple one. We simply say to this area of California, "Get busy with local public opinion, which, after all, is your great policeman when you really want to bring a community betterment; and make perfectly clear to the 13 excess-land-holders that they have the duty—and a patriotic duty it is, too—to yield to the rule that what promotes the welfare of the greatest number is the policy which those who have any real interest in the development of a community should follow."

SHOULD HEED WARNING BY VETERANS

Mr. President, I wish to say that the Senate of the United States should not tonight make an exception simply because there may be 13 excess-land-holders who may be so selfish that they do not wish to yield to the common good in this particular area. But, Mr. President, time works wonders, and reflection works wonders. They should get it through their heads that the Senate cannot be steamrollered into passing the bill on the ground of an argument which, in my judgment, the Veterans of Foreign Wars of California have completely demolished in the brief which JACK SHELLEY had inserted in the CONGRESSIONAL RECORD after the bill passed the House of Representatives. I say that in view of the argument set forth in the brief of the Veterans of Foreign Wars, the Senate should not be hurried into acting on the bill tonight.

Mr. President, I think my amendment at least should be adopted. If it is not adopted, I shall have a motion to make.

But I hope my amendment will be adopted, because it will make it possible for the bill in principle to be passed; and the amendment will make it possible to obtain Senate sanction, and thereby congressional sanction, of the objectives of the project; but the amendment will see to it that the 13 excess-land holders will not be allowed in the name of special circumstances to undermine a very sound water policy which has existed in the United States since 1902; and by adopting the amendment, the Senate will be stating that it is not going to surrender or be blackjacked into yielding to the selfish demands of these 13 excess-land holders.

Mr. President, I offer my amendment, and send it to the desk and ask that it be stated.

The PRESIDING OFFICER (Mr. HENDRICKSON in the chair). The amendment of the Senator from Oregon will be stated.

The LEGISLATIVE CLERK. On page 2 it is proposed to strike out:

> That in view of the special circumstances of the Santa Maria project, neither the provisions of the third sentence of section 46 of the act of May 25, 1926 (44 Stat. 636, 649) nor any other similar provision of the Federal reclamation laws shall be applicable thereto so long as the water utilized on project lands is acquired by pumping from the underground reservoir: *Provided further.*

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oregon.

Mr. KUCHEL. Mr. President, I have listened to the comments which have been made by my friend, the junior Senator from Oregon. He speaks about an aroused populace in the State of California. He suggests that he argues on the floor of the Senate against tremendous odds. He indicates that the bill which now is before us for what I hope will be final passage, constitutes a murderous assault upon a policy originally laid down by Theodore Roosevelt.

Mr. MORSE. Mr. President, will the Senator from California yield to me at this point, for one moment?

Mr. KUCHEL. I yield.

Mr. MORSE. I did not use the language the Senator from California has just used, but I am very happy to adopt it.

Mr. KUCHEL. Mr. President, first of all, I wish to say that the recommendations embodied in the bill are not new. Originally, the Department of the Interior, under the Presidency of Mr. Truman, not of Mr. Eisenhower, recommended it.

From the very beginning it was indicated that feasibility—economic and otherwise—in that area militated against the additional expenditure required to put in surface works to deliver water.

One of those known in California as an ardent, constant, vigorous supporter of the 160-acre limitation is a gentle-

man by the name of Mr. Richard Boke, who used to be connected with the Department of the Interior in California. I have before me the 1952 recommendations of Mr. Boke. I have also—and I shall not take the time of the Senate to discuss them, Mr. President—the recommendations of the head of the Bureau of Reclamation, under Mr. Oscar Chapman, in support of this bill.

So we deal here, at least in the beginning, with nothing new. We deal with a recommendation for a reservoir which, in round numbers, will cost $16 million, which the agencies of the Federal Government together find is includible, so far as flood control is concerned, to the extent of $3 million, and the balance will be paid back by the district.

It is true, Mr. President, that of the area involved—roughly 40,000 acres—26 percent is owned by excess-land owners. And there is no question that two of those excess-land owners are corporations.

In the feasibility decisions of the Engineers of the United States Government, I think I can say that the identity of those who own property there, personal or corporate, is an irrelevant consideration. They found that a dam or a reservoir which would percolate the water down the dry stream was the way the underground water table could be raised and the intrusion of sea water avoided.

But the facts are, Mr. President, that the excess-land owners are located in the western part of this general area of 40,000 acres, more or less. They do not have the continuing and mounting hazard of loss of water which the individual farmers who are located to the east in that district have. They will pay, as a part of the local special assessment district located there, in proportion with their holdings. But it is those who are located in the other end of the whole Santa Maria area, Mr. President, who are faced with a constant hazard of loss of water; so much so that running all through the hearings of 1952 and 1953 is the repeated warning that thousands of acres there will have to go back to dry farming because there will not be any water.

I am not going to read into the RECORD all the information I have. I have a resolution from the local Federation of Labor in Santa Barbara, in favor of this bill.

On the floor of the House of Representatives one Representative after another, each of whom has been noted for his continuous belief in the protection of the 160-acre limitation, spoke and voted in favor of this bill.

It seems to me that my friend, the able Senator from Oregon [Mr. MORSE], is wrong when he suggests that a letter from someone connected with the University of California and a resolution adopted at a convention ought to be used as a reason not to pass this bill tonight. I suggest, Mr. President, that there was not one individual who appeared either in the House committee hearing or in the Senate committee hearing in opposition to this bill. I suggest that I, in part, represent the people of California in the Senate, and the individual from the university might well have written to the junior Senator from California, if he had any good faith objection to this legislation. I did not receive any such letter of objection.

I suggest, Mr. President, that this bill happens to be just one more example of a carefully considered piece of proposed legislation which enjoys today, under President Eisenhower, and which enjoyed under President Truman, the complete approval of the agencies. It is another reclamation project as to which there is an element of flood control and as to which the irrigation costs will be reimbursed entirely by the district which has been created under the laws of the State of California.

Mr. SMATHERS. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Florida?

Mr. KUCHEL. I yield.

Mr. SMATHERS. What does the Senator from California think about the amendment offered by the Senator from Oregon?

Mr. KUCHEL. I object to the amendment offered by the Senator from Oregon, I will say to my friend from Florida, for the simple reason that there is no legal or engineering or other opportunity to measure the water which percolates down into the ground, feeds the underground water table, and then by pumps on the various parcels of property in this area is brought to the surface to assist the farmers of the particular area. There is no way to do that, let me say to the Senator, and there is no one who in the record contradicts the statement. There is no one who will say that there is a valid means to measure underground water from the percolation which has taken place from the surface down.

To my mind, let me say to the Senator from Florida, the record being what it is, the Senator from Oregon is wrong in offering his amendment to this bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Oregon [Mr. MORSE].

Mr. MORSE. Mr. President, my reply will be very brief. First let us consider the landowners in the so-called western end or lower end of this project. The fact remains they still do not have enough water for their land at the present time to make it a very profitable agricultural operation. To make it a profitable agricultural operation, they need the water which is going to be supplied by the expenditure of Federal tax dollars. This is a Federal project, and, Mr. President, once we start pouring the taxpayers' money into this project, then I think the national land and water policy ought to apply.

Second, I may say, Mr. President, it is not for me to discuss why California groups have communicated with me on this matter rather than with someone else. All that I am interested in are the merits of the arguments they have presented. I suggest, Mr. President, they are very meritorious arguments. We are dealing here, in my judgment, with a Federal reclamation project which involves the expenditure of Federal tax dollars for the purpose of supplying water to land, and the 160-acre limitation, in my judgment, should be applied to that project as well as to all other irrigation projects.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum has been suggested. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MORSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. KNOWLAND. Mr. President, I ask for the yeas and nays on the amendment of the Senator from Oregon [Mr. MORSE].

The yeas and nays were ordered.

Mr. KUCHEL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KUCHEL. Is the vote now on the amendment proposed by the Senator from Oregon?

The PRESIDING OFFICER. The Senator is correct.

Mr. MORSE. Mr. President, will the Presiding Officer have the clerk read the amendment which seeks to eliminate the exception to the 160-acre limitation?

The PRESIDING OFFICER. The amendment of the Senator from Oregon [Mr. MORSE] will be stated.

The CHIEF CLERK. On page 2, it is proposed to strike out "That in view of the special circumstances of the Santa Maria project, neither the provisions of the third sentence of section 46 of the act of May 25, 1926 (44 Stat. 636, 649) nor any other similar provision of the Federal reclamation laws shall be applicable thereto so long as the water utilized on project lands is acquired by pumping from the underground reservoir: *Provided further,*"

The PRESIDING OFFICER. The question is on the amendment of the Senator from Oregon [Mr. MORSE]. The yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. SALTONSTALL. I announce that the senior Senator from Wisconsin [Mr. WILEY] is absent by leave of the Senate. The senior Senator from Indiana [Mr. CAPEHART] and the Senator from Idaho [Mr. WELKER] are absent on official business. The senior Senator from New Hampshire [Mr. BRIDGES], the Senator from Kentucky [Mr. COOPER], the Senator from Oregon [Mr. CORDON], the Senator from Pennsylvania [Mr. DUFF], the Senator from Vermont [Mr. FLANDERS], the junior Senator from Indiana [Mr. JENNER], the senior Senator from North Dakota [Mr. LANGER], the junior Senator from Wisconsin [Mr. MCCARTHY], the Senator from Connecticut [Mr. PURTELL], the junior Senator from New Hampshire [Mr. UPTON], and the junior Senator from North Dakota [Mr.

YOUNG] are necessarily absent. If present and voting the Senator from Pennsylvania [Mr. DUFF] would vote "nay."

Mr. CLEMENTS. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Ohio [Mr. BURKE], the Senator from Virginia [Mr. BYRD], the Senator from Texas [Mr. DANIEL], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senators from North Carolina [Mr. ERVIN and Mr. LENNON], the Senators from Georgia [Mr. GEORGE and Mr. RUSSELL], the Senator from Alabama [Mr. HILL], the Senators from South Carolina [Mr. JOHNSTON and Mr. MAYBANK], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Nevada [Mr. MCCARRAN], the Senator from Virginia [Mr. ROBERTSON], the Senator from Alabama [Mr. SPARKMAN], the Senator from Missouri [Mr. SYMINGTON] are necessarily absent.

The Senator from Iowa [Mr. GILLETTE] is absent by leave of the Senate.

I announce further that if present and voting, the Senator from Massachusetts [Mr. KENNEDY] and the Senator from Illinois [Mr. DOUGLAS] would each vote "yea."

I announce further that if present and voting, the Senator from Texas [Mr. DANIEL] would vote "nay."

The result was announced—yeas 17, nays 45, as follows:

YEAS—17

Chavez	Humphrey	Monroney
Frear	Kefauver	Morse
Fulbright	Kerr	Murray
Gore	Kilgore	Neely
Green	Lehman	Pastore
Hennings	Magnuson	

NAYS—45

Aiken	Ferguson	McClellan
Barrett	Goldwater	Millikin
Beall	Hendrickson	Mundt
Bennett	Hickenlooper	Payne
Bowring	Holland	Potter
Bricker	Ives	Reynolds
Bush	Jackson	Saltonstall
Butler	Johnson, Colo.	Schoeppel
Carlson	Johnson, Tex.	Smathers
Case	Knowland	Smith, Maine
Clements	Kuchel	Smith, N. J.
Crippa	Long	Stennis
Dirksen	Malone	Thye
Dworshak	Mansfield	Watkins
Ellender	Martin	Williams

NOT VOTING—34

Anderson	Flanders	McCarthy
Bridges	George	Purtell
Burke	Gillette	Robertson
Byrd	Hayden	Russell
Capehart	Hill	Sparkman
Cooper	Jenner	Symington
Cordon	Johnston, S. C.	Upton
Daniel	Kennedy	Welker
Douglas	Langer	Wiley
Duff	Lennon	Young
Eastland	Maybank	
Ervin	McCarran	

So Mr. MORSE's amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

CONSTRUCTION, OPERATION, AND MAINTENANCE OF COLORADO RIVER STORAGE PROJECT

Mr. KNOWLAND. Mr. President, I am about ready to move that the Senate recess; but first I desire to move that the Senate proceed to the consideration of Calendar 2000, Senate bill 1555, the upper Colorado River project.

The PRESIDING OFFICER. The Clerk will state the bill by title.

The CHIEF CLERK. A bill (S. 1555) to authorize the Secretary of the Interior to construct, operate, and maintain the Colorado River storage project and participating projects, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 1555) to authorize the Secretary of the Interior to construct, operate, and maintain the Colorado River storage project and participating projects, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs with an amendment.

BOOKS AND ARTICLES WRITTEN BY MEMBERS OF THE SENATE DURING THE 83D CONGRESS

Mr. GOLDWATER. Mr. President, during the course of recent studies, it became necessary for me to go to the Library of Congress to look up source material. While I was there, I became very much impressed with the number of times I saw the names of my colleagues on reference cards.

Thinking it might be of interest to the entire Senate, I asked Mr. Norman D. Burch, of the History and General Research Division, to prepare for me a list of books and articles which had been written by Members of the Senate in the 83d Congress.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the list to which I have referred.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

ARTICLES BY THE MEMBERS OF THE PRESENT SENATE (83D CONG.)

AIKEN, GEORGE D.: Big Debate: Here's What It Boils Down To, Farm Journal, volume 78; pages 32–33, March 1954.

ANDERSON, CLINTON P.: Big Debate: Here's What It Boils Down To, Farm Journal, volume 78; pages 32–33, March 1954. Best Advice I Ever Had, Reader's Digest, volume 63, pages 51–52, July 1953.

BRICKER, JOHN W.: Curtail the Treatymaking Power, Foreign Policy Bulletin, volume 32; page 5, May 15, 1953. Judicial Legislation: A Threat to Constitutional Government, Oklahoma Bar Association Journal, volume 21; pages 639–645, April 29, 1950. Making Treaties and Other International Agreements, Annals of the American Academy of Political and Social Science, volume 289; pages 134–144, September 1953. Shall the United Nations Make Our Laws? American Mercury, volume 77; pages 39–45, October 1953.

BRIDGES, STYLES, and SYMINGTON, W. S.: Waste in Aid; Defenses Weak; Competitors Subsidized; excerpts from report on European trip; U. S. News & World Report, volume 36, pages 107–108, June 11, 1954. Korea: A Positive Proposal, American Mercury, volume 75; pages 11–19, November 1952. Senator BRIDGES on the Seizure of the Steel Mills, American Mercury, volume 75; pages 81–84, June 1952. Where Do You Stand on the Gravest Question of Our Time? Colliers, volume 133; pages 36–39, January 8, 1954.

BUSH, PRESCOTT S.: Fair Play in the Senate; Code of Fair Procedures, Business Week, page 164, June 5, 1954.

BYRD, HARRY F.: Size and Cost of Our Government, Annals of the American Academy of Political and Social Science, volume 292; pages 11–17, March 1954.

CAPEHART, HOMER E.: Price Control: Prospect and Retrospect, a Symposium; Current Developments in Price Control Legislation: A Safe Middle Way, by H. E. Capehart, Iowa Law Review, volume 38, pages 209–333, winter 1953.

DOUGLAS, PAUL H.: Best Advice I Ever Had, Reader's Digest, volume 64, pages 31–32, June 1954. Antitrust Policies and the New Attack on the Federal Trade Commission, R. A. Wallace and P. H. Douglas, University of Chicago Law Review, volume 19, pages 684–723, summer 1952. Colossus on the Potomac, Harper, volume 207, pages 10–11, 21–27, July 1953.

DOUGLAS, PAUL H., and Bolling, Richard: Action To Prevent Depression, New Republic, volume 130: pages 9–13, March 22, 1954.

DOUGLAS, PAUL H.: Fight Against the Filibuster, New Republic, volume 128, pages 6–8, January 12, 1953. Four Challenges to the Nation, New York Times magazine, page 7, January 6, 1952. Gap Between Congress and Main Street, New York Times magazine, page 13, September 16, 1951. Greatness Came Late, Saturday Review, volume 35, page 24, April 19, 1952. Help Wanted in Washington, American magazine, volume 152, page 21, October 1951. Hero as a Politician, New Republic, volume 129, pages 16–17, December 14, 1953. High Cost of Elections, New Republic, volume 127, pages 8–9, December 22, 1952. Improvement of Ethical Standards in the Federal Government—Problems and Proposals, Annals of the American Academy of Political and Social Science, volume 280, pages 149–157, March 1952. Let the People In, New Republic, volume 126, pages 14–15, March 31, 1952. Opposition's Job as a Democrat Sees It, New York Times magazine, page 11, February 22, 1953. Politics and Postmen, New Republic, volume 127, page 2, July 14, 1952. Sliding Toward a Depression, New Republic, volume 130, page 14, January 11, 1954. Thirty-eighth Parallel, Indefensible Line, U. S. News & World Report, volume 31, pages 20–21, July 20, 1951. United to Enforce Peace, Foreign Affairs, volume 30, pages 1–16, October 1951. Washington Is Not the United States, New York Times magazine, page 7, November 16, 1952. We Can Cut the Budget, Coronet, volume 30, pages 41–43, September 1951. We Have Means To Stop a Depression, Saturday Evening Post, volume 226, page 10, March 13, 1954. We Need a New Code for Washington, New York Times magazine, page 12, April 1, 1951. Same abridged with title "We Need a Code of Official Conduct," Reader's Digest, volume 58, pages 4–6, June 1951. What It Costs To Run, excerpt from Ethics in Government, Atlantic, volume 190, pages 43–46, August 1952. Why I'm for KEFAUVER, Collier's, volume 130, page 20, July 19, 1952. Why Not Defend Freedom Everywhere We Can? Reader's Digest, volume 59, pages 10–15, August 1951.

ELLENDER, ALLEN J.: Big Debate: Here's What It Boils Down To, Farm Journal, volume 78, pages 32–33, March 1954.

FLANDERS, RALPH E.: Future of the Republican Party, Virginia Quarterly Review, volume 28, No. 2, pages 176–182, April 1952. How Are Top Executive Decisions Made? American Economic Review, volume 41, pages

93–97, May 1951. What Ails the United States Senate? New York Times magazine, page 13, May 9, 1954.

FULBRIGHT, JAMES W.: Congressional Investigations, a Symposium, Significance for Legislative Process, by J. W. FULBRIGHT, University of Chicago Law Review, volume 18, pages 421–661, spring 1951. How To Get Better Men Elected, Ladies Home Journal, volume 68, page 52, November 1951. Moral Standards of Governmental Conduct, New Republic, volume 124, page 8, April 9, 1951. Same abridged with title "Something To Paste in Your Hat," Life, volume 30, page 42, April 9, 1951. Same abridged with title "Moral Threat to America," Reader's Digest, volume 58, pages 1–4, June 1951. Open Doors, Not Iron Curtains, New York Times magazine, page 18, August 5, 1951.

GILLETTE, GUY M.: Senate in Foreign Relations: Annals of the American Academy of Political and Social Science, volume 289, pages 49–57, September 1953.

HILL, LISTER: Bonanza for Education, Harper, volume 204, pages 28–31, March 1952. Freedom and Responsibility in Publishing, Publishers' Weekly, volume 163, pages 123–124, January 10, 1953. Oil Rush of '53, New Republic, volume 28, pages 12–13, March 2, 1953. Where Are We Democrats Going? Reporter, volume 9, pages 12–15, November 24, 1953.

HUMPHREY, HUBERT H.: Ethical Standards in American Legislative Chambers, Annals of the American Academy of Political and Social Science, volume 280, pages 51–59, March 1952. FEPC, the Challenge for the Democrats, New Republic, volume 127, pages 14–15, July 21, 1952. Now That We're Out, New Republic, volume 127, pages 8–9, November 17, 1952.

JOHNSON, EDWIN C.: Proposed Senate Action on Airmail Subsidies, Journal of Air Law and Commerce, volume 17, pages 253–258, summer 1950. Universal Military Training: Boobytrap, Nation, volume 174, pages 75–76, January 26, 1952. What Worries the West, Look magazine, volume 18, page 34, April 6, 1954.

JACKSON, HENRY M.: Congress and the Atom, Annals of the American Academy of Political and Social Science, volume 290, pages 76–81, November 1953.

KEFAUVER, ESTES: Can Bipartisanship Be Restored in Foreign Policy? Foreign Policy Bulletin, volume 33, page 5, June 15, 1954. Crime in the United States, Saturday Evening Post, volume 223, pages 19–21, April 7; pages 24–25, April 14; pages 26–27, April 21; page 30, April 28, 1951. Same abridged, Reader's Digest, volume 59, pages 42–48, July 1951. Crime Is International, U. N. World, volume 5, pages 17–20, September 1951. Executive-Congressional Liaison, Annals of the American Academy of Political and Social Science, volume 289, pages 108–113, September 1953. Fair Conduct Code for Congress, New Republic, volume 128, pages 14–15, March 16, 1953. Indictment of the Political Convention, New York Times magazine, page 9, March 16, 1952. Man, Not Principles, New Republic, volume 127, pages 10–11, November 17, 1952. Message to the High-School Students of America, Scholastic, volume 58, page 9, April 11, 1951. Need for Boldness, Nation, volume 174, page 557, June 7, 1952. Past and Present Standards of Public Ethics in America: Are We Improving? Annals of the American Academy of Political and Social Science, volume 280, pages 1–8, March 1952. Public Defender: Pro, E. KEFAUVER; Con, W. S. Stewart, Virginia Law Weekly Dicta Compilation, volume 1, pages 64–72, 1949. Senator KEFAUVER on Social Progress and Foreign Policy, American Mercury, volume 74, pages 88–90, April 1952. Senator KEFAUVER on the Democratic Platform, American Mercury, volume 74, pages 87–88, June 1952.

KENNEDY, JOHN F.: Floor Beneath Wages Is Gone, New Republic, volume 128, pages 14–15, July 20, 1953. New England and the South, Atlantic, volume 193, pages 32–36, January 1954. What should United States Do in Indochina?, Foreign Policy Bulletin, volume 33, page 4, May 15, 1954. What's the Matter With New England?, New York Times Magazine, page 12, November 8, 1953. What's Wrong With Social Security?, American magazine, volume 156, page 19, October 1953.

KILGORE, HARLEY M.: Literacy and the National Welfare, School Life, volume 34, pages 90–91, March 1952. Effort To Intimidate the Press, American Mercury, volume 75, page 7, November 1952.

KNOWLAND, WILLIAM F.: Instant Retaliation Policy Defended, New York Times Magazine, page 11, March 21, 1954. Our Policy in the Far East, a Debate, New York Times magazine, page 12, May 16, 1954. Senator on Sing Sheng, Scholastic, volume 60, page 19, March 5, 1952. What Should United States Do in Indochina?, Foreign Policy Bulletin, volume 33, pages 5–6, May 15, 1954.

LEHMAN, HERBERT H.: Future: Four Views, New York Times magazine, part 2, page 64, February 1, 1953. National Origin, Fraud, and Threat, New Republic, volume 128, pages 8–9, February 16, 1953.

MCCARRAN, PATRICK A.: Divorce and Domestic Relations—a Compilation, Full Faith by P. MCCARRAN, Virginia Law Weekly Dicta Compilation, volume 2, pages 1–130, 1949–50. Internal Security Act of 1950, Columbia Law Review, volume 51, pages 606–660, May 1951. Internal Security Act of 1950, University of Pittsburgh Law Review, volume 12, pages 481–513, summer 1951. Supreme Court and the Loyalty Program: The Effect of Refugee Committee v. McGrath, American Bar Association Journal, volume 37, pages 434–437, 476–477, June 1951. Three Years of Federal Administrative Procedure Act, a Study in Legislation. Georgetown Law Journal, volume 38, pages 574–589, May 1950. Value of the Ex-Communist, American Mercury, volume 73, pages 3–10, November 1951. Why Shouldn't the Spanish Fight for Us? Saturday Evening Post, volume 223, page 25, April 28, 1951.

MALONE, GEORGE W.: Should United States Import More? Foreign Policy Bulletin, volume 33; page 4, March 15, 1954.

MANSFIELD, MICHAEL J.: Meaning of the Term "Advice and Consent," Annals of the American Academy of Political and Social Science, volume 289; pages 127–133, September 1953. Our Policy in the Far East, a Debate, New York Times magazine, page 12, May 16, 1954.

MONRONEY, ALMER S. M.: Elect Stevenson, Collier's, volume 130, page 21, October 25, 1952. Formula for Clean Government, New York Times magazine, page 16, January 27, 1952.

MORSE, WAYNE L.: GOP Platform, New Republic, volume 127, pages 12–13, August 4, 1952. My Personal Declaration of Independence, New Republic, volume 128, pages 13–14, July 6, 1953. Progress of the Crusade, New Republic, volume 129, pages 15–16, August 31, 1953. Reading for Republicans, Nation, volume 175, pages 13–14, July 5, 1952. Universal Military Training; National Need, Nation, volume 174, page 74, January 26, 1952. Wait Until the Voters Find Out, New Republic, volume 127, pages 11–12, November 17, 1952. Wanted Fair Procedures, Bulletin of the Atomic Scientists, volume 9, pages 211–214, July 1953. Why I Opposed Wilson, New Republic, volume 128, pages 7–9, February 2, 1953.

MUNDT, KARL E.: How Harry Dexter White Pulled Wires for Russia, U. S. News & World Report, volume 35, pages 82–86, December 25, 1953. I Believe, Country Gentleman, volume 124, page 12, May 1954. Oahe Dam; Unrecorded, Unorthodox History, America, volume 89, page 330, June 27, 1953. Political Economy, New Republic, volume 128, page 8, June 15, 1953. Should the GOP Merge With the Dixiecrats? Collier's, volume 128, page 20, July 28, 1951.

PURTELL, WILLIAM A.: I'm a Boss, and What's Wrong With That? Saturday Evening Post, volume 224, page 25, April 5, 1952.

RUSSELL, RICHARD B.: For the Prisoners Who Broke, Kindness or Punishment? U. S. News & World Report, volume 35, pages 51–53, October 16, 1953. Senator RUSSELL on the Steel Mills Seizure and FEPC, American Mercury, volume 74, pages 84–87, June 1952.

SALTONSTALL, LEVERETT: Ike Should Be Nominated, Collier's, volume 130, page 23, July 5, 1952. What the GOP Must Do To Win, American magazine, volume 152, pages 32–33, October 1951.

SMITH, HOWARD ALEXANDER: Can Bipartisanship Be Restored in Foreign Policy? Foreign Policy Bulletin, volume 33, page 4, June 15, 1954. Information and Intelligence for Congress, Annals of the American Academy of Political and Social Science, volume 289, pages 114–119, September 1953. Party Quiz on Foreign Policy, Foreign Policy Bulletin, volume 32, page 1, October 15, 1952. Sanctions Against Peiping, Foreign Policy Bulletin, volume 30, pages 1–2, March 23, 1951.

SMITH, MARGARET CHASE: No Place for a Woman? Ladies Home Journal, volume 69, page 50, February 1952. Russia's Rebirth, Collier's, volume 128, page 83, October 27, 1951. We Can Forfeit Freedom, Nation, volume 173, page 13, July 7, 1951. Why Vote for Eisenhower? Woman's Home Companion, volume 79, pages 38–39, November 1952.

SPARKMAN, JOHN J.: Administration of title II, First War Powers Act, 1941, University of Pittsburgh Law Review, volume 14, pages 303–318, spring 1953. Big Problem: Saving Small Business, New York Times magazine, page 14, June 17, 1951. China: United States Blockade or U. N. Embargo? New Republic, volume 128, pages 10–11, February 23, 1953. Foreign Policy in the Presidential Campaign. Foreign Policy Bulletin, volume 32, page 5, September 15, 1952. Foundations of Current American Foreign Policy, Annals of the American Academy of Political and Social Science, volume 282, pages 8–11, July 1952. Legislative History and the Interpretation of Laws, Alabama Law Review, volume 2, pages 189–206, spring 1950. Notes on the Japanese Peace Treaty. Journal of Public Law, volume I, pages 109–116, spring 1952.

WATKINS, ARTHUR V.: What Should the New Administration Do About World Trade? Foreign Policy Bulletin, volume 32, pages 5–6, February 15, 1953.

WILEY, ALEXANDER: Call For Action, Bulletin of the Atomic Scientists, volume 9, page 243, September 1953. Committee on Foreign Relations, Annals of the American Academy of Political and Social Science, volume 289, pages 58–65, September 1953. Wiley proposes 6-Point Program for United States Leadership, Foreign Policy Bulletin, volume 30, pages 3–4, April 20, 1951.

YOUNG, MILTON R.: Big Debate: Here's What it Boils Down To. Farm Journal, volume 78, pages 32–33, March 1954.

BOOKS BY THE MEMBERS OF THE PRESENT SENATE (83D CONG.)

DOUGLAS, PAUL H.: Economy in the National Government, Chicago, University of Chicago Press, 1952, 277 pages. Ethics in Government, Cambridge, Harvard University Press, 1952, 114 pages. (Godkin lectures at Harvard, 1951.)

FLANDERS, RALPH E.: The American City, Cambridge, Harvard University Press, 1950, 101 pages. The Function of Management in American Life, lectures delivered at the Seventh Annual Stanford Business Conference, July 19–23, 1948, Stanford Graduate School of Business, Stanford University (1949), 52 pages.

HUMPHREY, HUBERT H.: The Stranger at Our Gates: America's Immigration Policy, New York, Public Affairs Committee, 1954, 28 pages. Tax Loopholes, Washington, Public Affairs Institute, 1952, 31 pages.

KEFAUVER, ESTES: Crime in America, by ESTES KEFAUVER, chairman of the Senate Crime Investigating Committee (May 10, 1950–May 1, 1951). Edited and with an introduction by Sidney Shalett. (1st edition.) Garden City, N. Y., Doubleday, 1951.

MCCARTHY, JOSEPH R.: America's Retreat From Victory; the Story of George C. Marshall, New York, Devin-Adair, 1951, 187 pages. McCarthyism, the Fight for America; documented answers to questions by friend and foe, New York, Devin-Adair, 1952, 101 pages. The Story of General George C. Marshall, 1952, 187 pages.

WILEY, ALEXANDER: Laughing With Congress, New York, Crown Publishers, 1947, 228 pages.

Sources: Reader's Guide to Periodical Literature, July 1954; Reader's Guide to Periodical Literature, April 1953 to February 1954.

For articles: Reader's Guide to Periodical Literature, April 1951 to March 1953; Index to Legal Periodicals, August 1949 to July 1952; Index to Legal Periodicals, August 1952 to July 1953.

For books: Library of Congress main catalog.

(EXPLANATORY NOTE.—No attempt has been made to include statements made on the Senate floor which were reprinted in full or in part in various publications. No attempt has been made to include addresses which were reprinted, nor to include the various U. S. Government documents which came out under the name of a particular Member. The references included in this bibliography are limited to those written by the Members while serving in the U. S. Senate. One further limitation with reference to the articles is that they represent only the above sources as listed.)

COMPENSATION FOR CARRYING MAIL ON WATER ROUTES

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 361) to provide for the renewal of and adjustment of compensation under contracts for carrying mail on water routes, which was, in line 4, strike out all after "434)," down through line 7, inclusive, and insert "are amended by striking out the words "star-route or screen vehicle service" wherever they appear in such paragraphs and inserting in lieu thereof "star-route, screen vehicle service, or inland water-route"."

Mr. CARLSON. Mr. President, I have discussed the House amendment with the minority leader and with the ranking minority member of the Committee on Post Office and Civil Service. They have no objection to the consideration of the amendment.

The amendment proposed by the House limits the bill strictly to inland waterways. I move that the Senate concur in the House amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Kansas.

The motion was agreed to.

AMENDMENT OF CIVIL SERVICE RETIREMENT ACT

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 3627) to amend the Civil Service Retirement Act, as amended, which was, on page 2, line 5, after "requirement." insert "Any officer or employee who shall have given notice of his desire to come within the purview of this act pursuant to the last paragraph of section 3 (a) of this act shall be deemed for the purposes of this requirement to have been subject to the provisions of this act during any period of service or part thereof ending not later than September 30, 1954, with respect to which there shall have been deposited the amounts specified in section 9."

Mr. CARLSON. Mr. President, I have similarly discussed this House amendment with the minority leader and the ranking minority member of the Committee on Post Office and Civil Service, and they have no objection to the consideration of the amendment of the House.

The amendment provides for a clarification in the Legislative Retirement Act of last year. I ask unanimous consent to have printed at this point in the RECORD a statement prepared by Joseph C. Ellis, financial clerk of the Senate.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

AUGUST 14, 1954.

S. 3627 as passed by the Senate and H. R. 9586, as passed by the House of Representatives, both contain a requirement of 1 year of creditable civilian service subject to the Retirement Act in the 2-year period preceding separation in order that title to annuity rights be based on such separation. The language "subject to the Retirement Act" has been interpreted to mean service creditable for retirement and during which deductions were withheld from the salary of the employee.

Public Law 303, 83d Congress, approved March 6, 1954, provided that employees of the legislative branch serving on the date of enactment, March 6, 1954, could give notice to come within the purview of the Retirement Act prior to September 7, 1954. Due to the increased benefits provided by Public Law 303 a considerable number of employees exercised this option, many of them making service credit deposits to cover the last 5 years of service. It is anticipated that some employees will exercise this option before September 7, 1954. Should any of these employees be separated in January as a result of the expiration of the Member's term they would not be eligible for annuity if the proposed legislation is enacted as is, since they could not possibly have had deductions withheld from their salaries for the required 1 year. The attached language is suggested to remedy this situation.

Mr. CARLSON. Mr. President, I move that the Senate concur in the House amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Kansas.

The motion was agreed to.

ANNOUNCEMENT OF CONSIDERATION OF TREATIES

Mr. KNOWLAND. Mr. President, I desire to advise the acting minority leader that I have had a request from the acting chairman of the Committee on Foreign Relations that the Senate consider tomorrow, or on Friday, if the Senate is still in session, the treaties on the executive calendar. I understood the matter was being discussed with the ranking Democratic member of the Committee on Foreign Relations, the distinguished Senator from Georgia [Mr. GEORGE]. The treaties will not be called up tonight; I merely desired to have the RECORD show that before final adjournment it is intended to take up the several treaties on the executive calendar.

ADDITIONAL REPORT OF A COMMITTEE

The following additional report of a committee was submitted:

By Mr. LANGER, from the Committee on the Judiciary, with an amendment:

S. 2230. A bill for the relief of Louis S. Thomas and D. Grace Thomas (Rept. No. 2500).

ADDITIONAL EXECUTIVE REPORTS OF A COMMITTEE

As in executive session.

The following additional favorable reports of nominations were submitted:

By Mr. LANGER, from the Committee on the Judiciary:

William Z. Fairbanks, of Hawaii, to be second judge of the first circuit, circuit courts, Territory of Hawaii, vice Edward A. Towse; and

Albert M. Felix, of Hawaii, to be third judge, first circuit, circuit courts, Territory of Hawaii.

INCREASE OF THE DUTY ON WATCHES

Mr. GORE. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial, which I send to the desk.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

CONSUMERS HIT BY WRONG KIND OF WATCH SUBSIDY

President Eisenhower has yielded to the recommendation of the Tariff Commission to raise the duty on Swiss watch movements by about 50 percent.

The Tariff Commission urged the duty hike more for defense purposes than the benefit of the four domestic-jeweled watchmakers. It said the watchmakers' skills would be needed in any emergency, and that therefore the industry, with its force of trained workers, should be better protected against Swiss competition.

Nevertheless, we believe the Commission and the President have made a mistake.

Evidence is divided both on whether the jeweled-watch industry could survive without the extra duty protection and its importance to defense. But that is not the main point. What seems clear to us is the fact if it was deemed necessary to subsidize the industry there were better ways of doing it than a tariff hike.

The course taken will, by raising retail prices, result in socking consumers about five times as much as the subsidy it is expected to provide for the watchmakers. It will give a black eye to this country's professions on foreign-trade promotion, and by needlessly taking advantage of an escape clause in the trade treaty with Switzerland, it will put a bad taste in the mouth of a people who buy from us much more than they sell to us.

Consider the beating the consumers will take. The duty raise ranges from 9 cents to $1.15 per watch movement, with the average on popular timepieces estimated at around $1. In usual trade practices that calls for an extra markup of 50 cents by the importer, making the total $1.50. The retailers would double that, making the aver-

age increase in the price to consumers around $3 (unless the trade absorbs some of the duty). On 10 million Swiss movements a year that means $30 million to be charged up to the consumers. If people cut the number of watches they buy, it will mean pinching what they consider their standard of living, and of course it would hurt both foreign and domestic business.

It is not by any means certain how much good the duty hike will do the domestic industry. Dealers say the Swiss movements have been underselling the domestic by 50 percent and with the tariff lift, will still undersell them by more than 30 percent.

But if the domestic makers get all the benefit intended what will it amount to? The Tariff Commission said the domestic output should be kept at at least 2 million movements yearly in order to have a good base to expand on in case of a defense emergency. The current output now is around 1.7 million. The indicated expansion of 300,000 movements at $15 (roughly the average wholesale) would bring them $4.5 million. Meanwhile the consumer would be paying some $30 million extra by reason of the duty and attendant markups.

The Government has made this case into a defense matter. In this situation why not provide a direct defense subsidy through the purchase, say, of timing devices and instruments at remunerative prices. Wouldn't that be preferable to hitting consumers for $30 million in duties, placing a burden on trade with a good customer like Switzerland, and raising doubts in the minds of a lot of other customers about our foreign trade development policies?

Maybe we, as a people, don't like to be taxed to pay direct subsidies to manufacturers (even though we pay them to others). But neither can we like being tagged for an indirect subsidy five times as much as the direct subsidy would cost, and have a monkey wrench thrown into our trade relations as well.

RECESS UNTIL 10 A. M. TOMORROW

Mr. KNOWLAND. Mr. President, I move that the Senate stand in recess until 10 o'clock tomorrow morning.

The motion was agreed to; and (at 10 o'clock and 55 minutes p. m.) the Senate took a recess until tomorrow, Thursday, August 19, 1954, at 10 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate August 18 (legislative day of August 5), 1954:

DIPLOMATIC AND FOREIGN SERVICE

Thomas J. Maleady, of Massachusetts, for promotion from Foreign Service officer of class 2 to class 1.

Douglas Henderson, of Massachusetts, for promotion from Foreign Service officer of class 4 to class 3.

Hermann F. Eilts, of Pennsylvania, for promotion from Foreign Service officer of class 5 to class 4.

Herbert E. Weiner, of New York, for promotion from Foreign Service officer of class 5 to class 4 and to be also a consul of the United States of America.

Charles H. Pletcher, of Minnesota, for promotion from Foreign Service officer of class 6 to class 5.

The following-named persons, now Foreign Service officers of class 1 and secretaries in the diplomatic service, to be also consuls general of the United States of America:

R. Borden Reams, of Pennsylvania.
Arthur L. Richards, of California.

R. Smith Simpson, of Virginia, now a Foreign Service officer of class 2 and a secretary in the diplomatic service, to be also a consul general of the United States of America.

The following-named persons, now Foreign Service officers of class 3 and secretaries in the diplomatic service, to be also consuls general of the United States of America:

Ernest H. Fisk, of Ohio.
Elvin Seibert, of New York.

Robert B. Dreessen, of Missouri, now a Foreign Service officer of class 5 and a secretary in the diplomatic service, to be also a consul of the United States of America.

Joseph B. Phillips, of Virginia, for appointment as a Foreign Service officer of class 1, a consul, and a secretary in the diplomatic service of the United States of America.

The following-named persons for appointment as Foreign Service officers of class 2, consuls, and secretaries in the diplomatic service of the United States of America:

Edmund H. Kellogg, of Virginia.
William R. Tyler, of the District of Columbia.

The following-named persons for appointment as Foreign Service officers of class 3, consuls, and secretaries in the diplomatic service of the United States of America:

Hubert M. Curry, of Illinois.
Roy I. Kimmel, of New Mexico.
James H. Lewis, of Pennsylvania.
Edward A. Mag, of Connecticut.

The following-named persons for appointment as Foreign Service officers of class 4, consuls, and secretaries in the diplomatic service of the United States of America:

James N. Cortada, of Florida.
Theo E. Hall, of Kansas.
Guy O. Long, of Pennsylvania.
George Moffitt, Jr., of Connecticut.
Stephen C. Worster, of Maine.

Miss Anna E. Simmons, of Texas, for appointment as a Foreign Service officer of class 5, a vice consul of career, and a secretary in the diplomatic service of the United States of America.

The following-named persons for appointment as Foreign Service officers of class 6, vice consuls of career, and secretaries in the diplomatic service of the United States of America:

Miss Katherine S. Chase, of Connecticut.
William A. Hayne, of California.
James R. Huntley, of Washington.
Laurence G. Pickering, of Nebraska.

The following-named Foreign Service staff officers to be consuls of the United States of America:

Miss Sofia P. Kearney, of the Commonwealth of Puerto Rico.
Roland W. Kenney, of Connecticut.
J. H. Cameron Peake, of New York.
Robert L. Ware, Jr., of New Jersey.

The following-named Foreign Service reserve officers to be consuls of the United States of America:

Vincent J. Augliere, of Virginia.
J. Raymond Ylitalo, of Minnesota.

George H. Owen, of New York, a Foreign Service reserve officer, to be a secretary in the diplomatic service of the United States of America.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 18 (legislative day of August 5), 1954:

DEPARTMENT OF STATE

Herbert Hoover, Jr., of California, to be Under Secretary of State.

DEPARTMENT OF THE ARMY

ASSISTANT SECRETARIES OF THE ARMY

Charles C. Finucane, of the State of Washington.
Frank H. Higgins, of New York.

DEPARTMENT OF THE AIR FORCE

ASSISTANT SECRETARY OF THE AIR FORCE

Lyle S. Garlock, of Minnesota.

DEPARTMENT OF THE NAVY

ASSISTANT SECRETARY OF THE NAVY

William Birrell Franke, of New York.

DIPLOMATIC AND FOREIGN SERVICE

Robert McClintock, of California, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Cambodia.

Charles W. Yost, of New York, to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to the Kingdom of Laos.

UNITED STATES CIRCUIT JUDGE

Charles J. Vogel, of North Dakota, to be United States circuit judge, eighth circuit.

UNITED STATES DISTRICT JUDGE

Henry L. Brooks, of Kentucky, to be United States district judge for the western district of Kentucky.

UNITED STATES MARSHALS

Jay Neal, of Arkansas, to be United States marshal for the western district of Arkansas.

William C. Littlefield, of Georgia, to be United States marshal for the northern district of Georgia.

IN THE ARMY

CHIEF, ARMY FIELD FORCES, WITH RANK OF GENERAL

Lt. Gen. John Ernest Dahlquist, O7120, Army of the United States, to be chief, Army Field Forces, with the rank of general and as general in the Army of the United States, under the provisions of sections 504 and 515 of the Officer Personnel Act of 1947.

COMMANDING GENERAL, VII CORPS

Maj. Gen. Henry Irving Hodes, O12845, to be commanding general, VII Corps, with the rank of lieutenant general and as lieutenant general in the Army of the United States.

COMMANDING GENERAL, I CORPS

Maj. Gen. John Howell Collier, O12388, to be commanding general, I Corps, with the rank of lieutenant general and as lieutenant general in the Army of the United States.

COMMANDING GENERAL, V CORPS

Maj. Gen. Charles Edward Hart, O15788, to be commanding general, V Corps, with the rank of lieutenant general and as lieutenant general in the Army of the United States.

VETERINARY CORPS

Col. Elmer William Young, O16298, Veterinary Corps, United States Army, to be brigadier general, Veterinary Corps, in the Regular Army of the United States.

The following-named officers for temporary appointment in the Army of the United States to the grades indicated under the provisions of subsection 515 (c) of the Officer Personnel Act of 1947:

To be major generals

Brig. Gen. James Holden Phillips, O12331.
Brig. Gen. Mark McClure, O14935.
Brig. Gen. Francis Marion Day, O15614.
Brig. Gen. Edward Joseph O'Neill, O15952.
Brig. Gen. Arthur Lawrence Marshall, O38593.
Brig. Gen. Robert Lee Howze, Jr., O16055.
Brig. Gen. Aubrey Strode Newman, O16099.
Brig. Gen. Frank Coffin Holbrook, O16654.
Brig. Gen. John Honeycutt Hinrichs, O17174.
Brig. Gen. Frank Schaffer Besson, Jr., O18662.

To be brigadier generals

Col. Gerald Edward Galloway, O16043.
Col. Edwin Bascum Kearns, Jr., O16224.
Col. Russell Thomas Finn, O16237.
Col. Donald Dunford, O16267.
Col. Benjamin Franklin Modisett, O39526.
Col. Harry Warren Johnson, O16391.

Col. William Jesse Deyo, Jr., O16449.
Col. John Lawrence Ryan, Jr., O16451.
Col. George Olaf Norman Lodoen, O16580.
Col. Mason Harley Lucas, O16633.
Col. Albert Gallatin Franklin, Jr., O16642.
Col. Francis Anthony Kreidel, O39553.
Col. Theodore Addison Weyher, O16738.
Col. Bertram Arthur Holtzworth, O16804.
Col. Olaf Helgesen Kyster, Jr., O16830.
Col. Martin Joseph Morin, O16911.
Col. David William Traub, O17110.
Col. William Henry Hennig, O17122.
Col. Garrison Barkley Coverdale, O17148.
Col. William Mattingly Breckinridge, O17210.
Col. Thomas Jahn Sands, O17521.
Col. Ralph Robert Mace, O17578.
Col. James Bernard Quill, O17673.
Col. Fred Winchester Sladen, Jr., O17677.
Col. Charles Greene Calloway, O17690.
Col. Herbert John Vander Heide, O17754.
Col. Sidney Clay Wooten, O18126.
Col. Walter Bernard Yeager, O29464.
Col. Miller Osborne Perry, O18427.
Col. Louis Victor Hightower, O18502.
Col. James Karrick Woolnough, O18709.
Col. Floyd Allan Hansen, O18767.

The officers named herein for appointment as Reserve commissioned officers of the Army under the provisions of the Armed Forces Reserve Act of 1952 (Public Law 476, 82d Cong.):

To be major generals

Maj. Gen. Philip Charles Bettenburg, O171936, Minnesota National Guard.
Maj. Gen. Carl Otha DeBard, O288794, Indiana National Guard.
Maj. Gen. Heber Leutner Edwards, O172673, North Dakota National Guard.
Maj. Gen. Rhodolph Leslie Esmay, O165227, Wyoming National Guard.
Maj. Gen. Luis Raul Esteves, O170507, Puerto Rico National Guard.
Maj. Gen. Walter Jones Hanna, O171549, Alabama National Guard.
Maj. Gen. Roy Washington Kenny, O176730, Oklahoma National Guard.
Maj. Gen. Mark Walter Lance, O243398, Florida National Guard.
Maj. Gen. Gordon Alexander MacDonald, O193923, Michigan National Guard.
Maj. Gen. Joseph Evelyn Nelson, O241830, Minnesota National Guard.
Maj. Gen. Frederick Gates Reincke, O322850, Connecticut National Guard.
Maj. Gen. Charles Gurdon Sage, O171863, New Mexico National Guard.
Maj. Gen. John Edward Walsh, O256059, Idaho National Guard.

To be brigadier generals

Brig. Gen. Wayne Carlos Bailey, O281317, California National Guard.
Brig. Gen. Richard Cook, O107835, Minnesota National Guard.
Brig. Gen. Gerald Edward DuBois, O340176, Iowa National Guard.
Brig. Gen. Joseph Clifford Hodgin, O120835, Illinois National Guard.
Brig. Gen. John Francis Homfeld, O253221, Illinois National Guard.
Brig. Gen. John Jacobson, Jr., O102326, New Hampshire National Guard.
Brig. Gen. Cecil Joseph Kenney, O243189, Michigan National Guard.
Brig. Gen. Harry Atkins Markle, Jr., O271409, Pennsylvania National Guard.
Brig. Gen. Loren Gregory Windom, O275591, Ohio National Guard.

IN THE NAVY

TEMPORARY PROMOTIONS

The following-named officers of the Staff Corps of the Navy for temporary promotion to the grade of rear admiral, subject to qualification therefor as provided by law:

Bruce E. Bradley, Medical Corps.
Irwin L. V. Norman, Medical Corps.
William L. Knickerbocker, Supply Corps.
Thomas L. Becknell, Jr., Supply Corps.
James W. Boundy, Supply Corps.
William Sihler, Civil Engineer Corps.
Robert H. Meade, Civil Engineer Corps.
Ralph W. Taylor, Dental Corps.

The following-named officers of the line of the Navy for temporary promotion to the grade of rear admiral, subject to qualification therefor as provided by law:

George W. Anderson, Jr.	Albert G. Mumma
Harold M. Briggs	Joseph N. Murphy
Henry H. Caldwell	Henry S. Persons
Robert W. Cavenagh	Paul H. Ramsey
Clifford S. Cooper	Robert H. Rice
Lawrence R. Daspit	Walter F. Rodee
William A. Dolan, Jr.	William K. Romoser
Robert B. Ellis	Harry E. Sears
Frank W. Fenno, Jr.	Allen Smith, Jr.
William E. Ferrall	Philip W. Snyder
Charles D. Griffin	Frederick C. Stelter, Jr.
Miles H. Hubbard	James H. Ward
William J. Marshall	George C. Weaver
Benjamin E. Moore	

PERMANENT PROMOTIONS IN THE NAVY

The nominations of George M. Chaffin and 8,403 other officers for permanent promotion in the Navy, which were confirmed today, were received by the Senate on July 30, 1954, and appear in full in the Senate proceedings of the CONGRESSIONAL RECORD of that date, under the caption "Nominations," beginning with the name of George E. Chaffin, which appears on page 12742, and ending with the name of John A. Ricci, which is shown on page 12759.

HOUSE OF REPRESENTATIVES

WEDNESDAY, AUGUST 18, 1954

The House met at 12 o'clock noon.

Rt. Rev. A. Cecil Cooper, Anglican bishop of Korea, offered the following prayer:

O God, the creator and sustainer of all things in heaven and earth, in the knowledge of, and in obedience to whose will alone can true freedom be found, we praise and thank Thee that Thou hast revealed Thy will to the world in Thy son Jesus Christ our Lord, and hast called our Nation to witness to Thy truth.

Grant to us, we pray Thee, the guidance of Thy holy spirit, that in all our deliberations and decisions Thy will may be done, and Thy name glorified among men. In Thee alone can mankind find lasting peace, concord, and freedom. Look down in mercy on the millions in bondage under totalitarian oppression, deprived of all freedom of action, speech, and thought. Relieve the millions who suffer, especially in lands devastated by war.

Grant us the power not only to seek to relieve their bodily sufferings but also to witness to, and forward through truths by which alone mankind can obtain Thy peace and the spirit of brotherhood. That Thou wilt use us for the working out of Thy eternal purpose, we ask in the name of Jesus Christ our Lord, who, with the Father and holy spirit liveth and reigneth, God, forever and ever.

A Member of this House passed to rest yesterday, so we stand for a moment in silence and pray God he may rest in peace and comfort for his family. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Ast, one of its clerks, announced that the Senate had adopted the following resolution (S. Res. 316):

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. PAUL W. SHAFER, late a Representative from the State of Michigan.

Resolved, That a committee of two Senators be appointed by the Presiding Officer to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That when the Senate recesses it be as a further mark of respect to the memory of the deceased Representative.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 6287. An act to extend and amend the Renegotiation Act of 1951;

H. R. 9709. An act to extend and improve the unemployment compensation program;

H. R. 9756. An act to increase the borrowing power of Commodity Credit Corporation;

H. R. 9859. An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes; and

H. R. 9909. An act to prohibit payment of annuities to officers and employees of the United States convicted of certain offenses, and for other purposes.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 3248. An act to authorize the Federal Government to guard strategic defense facilities against individuals believed to be disposed to commit acts of sabotage, espionage, or other subversion; and

S. 3868. An act authorizing the payment of salary to any individual given a recess appointment as Comptroller General of the United States before the beginning of the 84th Congress.

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 2308. An act to authorize and direct the investigation by the Attorney General of certain offenses, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9936) entitled "An act making supplemental appropriations for the fiscal year ending June 30, 1955, and for other purposes."

The message also announced that the Senate agrees to the amendments of the House of Representatives to Senate amendments Nos. 27, 30, 31, 38, 39, 40, 46, 49, 52, 56, 61, 62, 71½, 74, 79, 85, 86, 88, 89, 91, 99 100, 104, 110, 115, 116, 119, 122, 127, 128, 129, 132, 134, 136, 147, 148, 154, 155, 164, 168, and 187 to the above-entitled bill: Be it further

Resolved, That the Senate agrees to the amendment of the House to Senate amendment No. 151; be it further

Resolved, That the Senate recedes from its amendments Nos. 60, 71, and 130.

The message also announced that the Senate agrees to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to bills of the House of the following titles:

H. R. 2263. An act to authorize the Postmaster General to readjust the compensation of holders of contracts for the performance of mail-messenger service;

H. R. 9680. An act to provide for the continued price support for agricultural products; to augment the marketing and disposal of such products; to provide for greater stability in agriculture; and for other purposes; and

H. R. 9924. An act to provide for family quarters for personnel of the military departments of the Department of Defense and their dependents, and for other purposes.

PALO VERDE IRRIGATION DISTRICT, CALIFORNIA

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to vacate the proceedings of yesterday whereby the House disagreed to the amendment of the Senate to the bill (H. R. 8498) authorizing construction of works to reestablish for the Palo Verde Irrigation District, California, a means of diversion of its irrigation water supply from the Colorado River, and for other purposes, and asked for a conference, and the action of the Speaker in appointing conferees, and I further ask unanimous consent that the House concur in the amendment of the Senate.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 3, line 1, strike out "$675,000" and insert "$1,175,000."

Page 5, line 21, strike out "The return of all" and insert "All."

Page 5, line 22, after "those", insert "to be."

Page 5, line 23, strike out all after "District," over to and including "law" in line 2 on page 6 and insert "shall be nonreimbursable."

Mr. WICKERSHAM. Mr. Speaker, reserving the right to object, is the gentleman from Pennsylvania personally interested in passing this bill?

Mr. SAYLOR. Not personally myself. This is a matter that came out of our committee, and I am delighted to see that the bill has been acted on. It grows out of the claim which arose from the building of the Hoover Dam and Lake Mead.

Mr. WICKERSHAM. Is the gentleman from California personally interested in the passage of the bill?

Mr. PHILLIPS. Yes. This is in my district. It is the oldest water right on the Colorado River. This is the correction of a situation over which the irrigation district had no control.

Mr. WICKERSHAM. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

FRINGE EMPLOYMENT BENEFITS FOR FEDERAL EMPLOYEES

Mr. REES of Kansas. Mr. Speaker, I call up the conference report on the bill (H. R. 2263) to authorize the Postmaster General to readjust the compensation of holders of contracts for the performance of mail-messenger service, and ask unanimous consent that the statement of the managers on the part of the House may be read in lieu of the report.

Mr. GROSS. Mr. Speaker, reserving the right to object, I suggest to the gentleman from Kansas that he inform the House that this has nothing to do with pay. Is that correct?

Mr. REES of Kansas. This is not the pay bill. This does make some little adjustments, but it is not what is known as the pay bill. The gentleman may be assured that the pay bill has nothing to do with it.

Mr. GROSS. Will the gentleman explain the changes made?

Mr. REES of Kansas. At the first opportunity the chairman will supply a brief on it this afternoon.

Mr. BAILEY. Mr. Speaker, reserving the right to object, this has to do with the renegotiation of existing contracts on star routes, does it not?

Mr. REES of Kansas. It extends to mail messengers the same rate that is now granted to those who have star route contracts. This is a bill that passed the House by unanimous consent some time ago.

Mr. BAILEY. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2665)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 2263) to authorize the Postmaster General to readjust the compensation of holders of contracts for the performance of mail-messenger service, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"TITLE I—AMENDMENTS TO CLASSIFICATION ACT OF 1949

"Number of positions in grades 16, 17, and 18 of the General Schedule

"SEC. 101. (a) Section 505 of the Classification Act of 1949, as amended, is amended to read as follows:

"'SEC. 505. (a) No position shall be placed in grade 16 or 17 of the General Schedule except by action of, or after prior approval by, the Commission.

"'(b) No position shall be placed in or removed from grade 18 of the General Schedule except by the President upon recommendation of the Commission.

"'(c) At any one time there shall not be more than four hundred positions in grade 16 of the General Schedule, not more than one hundred and fifteen positions in grade 17 of the General Schedule, and not more than thirty-five positions in grade 18 of the General Schedule.

"'(d) Positions that may be established under the proviso of section 203 (b) (1) of the Act of August 2, 1946 (60 Stat. 836), may be in addition to those authorized by the foregoing provisions of this section.'

"(b) The amendment made by subsection (a) shall not affect positions allocated to grades 16, 17, and 18 of the General Schedule of the Classification Act of 1949, as amended, pursuant to provisions of law (other than the Classification Act of 1949, as amended) and reorganization plans in effect prior to the effective date of this section.

"Longevity step-increases

"SEC. 102. (a) (1) Subsection (a) of section 703 of the Classification Act of 1949, as amended, is amended by striking out the words 'change of grade or rate of basic compensation except such change as may be prescribed by any provision of law of general application' and inserting in lieu thereof the words 'increase in grade or rate of basic compensation except such increase as may be prescribed by any provision of law of general application.'

"(2) Subsection (b) (1) of section 703 of the Classification Act of 1949, as amended, is amended to read as follows:

"'(b) (1) No officer or employee shall be entitled to a longevity step-increase while holding a position in any grade above grade 15 of the General Schedule.'

"(b) The amendments made by subsection (a) shall become effective at the beginning of the first pay period following the date of enactment of this Act.

"SEC. 103. (a) Section 704 of the Classification Act of 1949, as amended, is amended to read as follows:

"'SEC. 704. In the case of officers and employees in grades 11 to 15, inclusive, of the General Schedule who are receiving compensation at or above the maximum scheduled rates for their respective grades on the date immediately preceding the effective date of this amendatory section, not to exceed three years of service performed immediately preceding such effective date shall be counted toward longevity step-increases under section 703. Notwithstanding subsection (b) (4) of section 703, longevity step-increases for grade 15 of the General Schedule shall be $200.'

"(b) The amendment made by subsection (a) shall become effective at the beginning of the first pay period following the date of enactment of this Act.

"Recruitment above the minimum rate of the class

"SEC. 104. Section 803 of the Classification Act of 1949, as amended, is amended to read as follows:

"'SEC. 803. (a) Whenever the Commission shall find (1) that a sufficient number of qualified eligibles for positions in a given class cannot be secured in one or more areas or locations at the existing minimum rate for such class, and (2) that there is a possibility that a sufficient number of such eligibles can be secured by increasing the minimum rate for such class in such areas or locations to one of the higher rates within the grade in which such class is placed, the Commission may establish such higher rate as the minimum rate for that class in each area or location concerned.

"'(b) Minimum rates established under subsection (a) may be revised from time to time by the Commission. Such actions or revisions shall have the force and effect of law.

"'(c) Any increase in rate of basic compensation resulting from the establishment of minimum rates under this section shall not be regarded as an "equivalent increase" in compensation within the meaning of section 701 (a).'

"Exclusion from classification act of 1949 of crafts, trades, and labor positions and application of prevailing wage policy to such positions

"SEC. 105. (a) Paragraph (7) of section 202 of the Classification Act of 1949, as amended, is amended to read as follows:

"'(7) employees in recognized trades or crafts, or other skilled mechanical crafts, or in unskilled, semiskilled, or skilled manual-labor occupations, and other employees including foremen and supervisors in positions having trade, craft, or laboring experience and knowledge as the paramount requirement, and employees in the Bureau of Engraving and Printing the duties of whom are to perform or to direct manual or machine operations requiring special skill or experience, or to perform or direct the counting, examining, sorting, or other verification of the product of manual or machine operations: *Provided*, That the compensation of such employees shall be fixed and adjusted from time to time as nearly as is consistent with the public interest in accordance with prevailing rates: *Provided further*, That whenever the Civil Service Commission concurs in the opinion of the employing agency that in any given area the number of such employees is so few as to make prevailing rate determinations impracticable, such employee or employees shall be subject to the provisions of this Act which are applicable to positions of equivalent difficulty or responsibility.'

"(b) Section 204 (c) of the Classification Act of 1949, as amended, is amended to read as follows:

"'(c) Section 202 (except paragraph (7) thereof) and section 203 shall not apply to the Office of the Architect of the Capitol.'

"Transfer of certain positions from the Crafts, Protective, and Custodial Schedule to the General Schedule

"SEC. 106. (a) Not earlier than the first day of the second pay period which begins after the date of enactment of this Act, and not later than the first day of the first pay period which begins more than six months after the date of enactment of this Act, all positions in the Crafts, Protective, and Custodial Schedule of the Classification Act of 1949, as amended, not excluded from such Act by section 202 (7) thereof, as amended by section 105 of this title, shall be placed in corresponding grades of the General Schedule as set forth below:

Grade of the Crafts, Protective, and Custodial Schedule	*Corresponding new grade of the General Schedule*
1	1
2	1
3	1
4	2
5	3
6	4
7	5
8	6
9	7
10	8

"(b) The rates of basic compensation of officers and employees to whom this section applies shall be initially adjusted as follows:

"(1) If the employee is receiving a rate of basic compensation in the Crafts, Protective, and Custodial Schedule which is less than the minimum scheduled rate of that grade in the General Schedule in which his position is placed, his compensation shall be increased to such minimum rate;

"(2) If the employee is receiving a rate of basic compensation in the Crafts, Protective, and Custodial Schedule which is equal to one of the scheduled or longevity rates of that grade in the General Schedule in which his position is placed, he shall receive a rate of basic compensation at such scheduled or longevity rate;

"(3) If the employee is receiving a rate of basic compensation in the Crafts, Protective, and Custodial Schedule at a rate between two scheduled or two longevity rates, or between a scheduled rate and a longevity rate, of that grade in the General Schedule in which his position is placed, he shall receive a rate of basic compensation at the higher of such two rates;

"(4) If the employee is receiving a rate of basic compensation in the Crafts, Protective, and Custodial Schedule in excess of the maximum longevity rate of that grade in the General Schedule in which his position is placed, he shall continue to receive basic compensation without change in rate until (A) he leaves such position, or (B) he is entitled to receive basic compensation at a higher rate by reason of the operation of the Classification Act of 1949, as amended; but when such position becomes vacant the rate of basic compensation of any subsequent appointee shall be fixed in accordance with such act, as amended.

"(c) The conversion to grades of the General Schedule of positions covered by this section, and the initial adjustments in compensation as prescribed herein, shall not be construed to be transfers or promotions within the meaning of section 802 (b) of the Classification Act of 1949, as amended, and the regulations issued thereunder.

"Abolishment of crafts, protective, and custodial schedule

"SEC. 107. Section 601 of the Classification Act of 1949, as amended, is amended to read as follows:

"'SEC. 601. There is hereby established for positions to which this Act applies a basic compensation schedule, to be known as the "General Schedule", the symbol for which shall be "GS".'

"SEC. 108. (a) Section 602 of the Classification Act of 1949, as amended, is amended by striking out '(a)' after 'SEC. 602.'.

"(b) Subsection (b) of such section 602 is hereby repealed.

"SEC. 109. (a) Subsection (a) of section 603 of the Classification Act of 1949, as amended, is amended to read as follows:

"'(a) The rates of basic compensation with respect to officers, employees, and positions to which this Act applies shall be in accordance with the compensation schedule contained in subsection (b).'

"(b) Subsection (c) of such section 603 is hereby repealed.

"(c) Subsection (d) of such section 603 is amended to read as follows:

"'(c) Whenever payment is made on the basis of a daily, hourly, weekly, biweekly, or monthly rate, such rate shall be computed from the appropriate annual rate specified in subsection (b) by the method prescribed in section 604 (d) of the Federal Employees Pay Act of 1945, as amended.'

"SEC. 110. (a) Section 105 of this title shall take effect on the date or dates specified by the head of a department, but not earlier than the first day of the second pay period which begins after the date of enactment of this Act, and not later than the first day of the first pay period which begins more than twelve months after the date of enactment of this Act, with respect to each employee and position in such department within the purview of such section 105.

"(b) Sections 107, 108, and 109 of this title shall take effect, with respect to employees and positions in a department, upon the completion of the actions required by sections 105 and 106 of this title to be taken with respect to such employees and positions, but in no event later than the first day of the first pay period which begins more than twelve months after the date of enactment of this Act.

"Miscellaneous provisions

"SEC. 111. Section 604 of the Classification Act of 1949, as amended, is amended to read as follows:

"'SEC. 604. Employees receiving basic compensation at a rate authorized by law, immediately prior to the effective date of this title, in excess of the appropriate new rate of the grade as determined under paragraphs (1) to (10), inclusive, of section 604 (b) of this Act, as in effect prior to the date of enactment of this amended section, may continue to receive such rate so long as they remain in the same position and grade, but when any such position becomes vacant, the rate of basic compensation of any subsequent appointee shall be fixed in accordance with this Act.'

"SEC. 112. Sections 703 (c) and 802 (b) of the Classification Act of 1949, as amended, are amended by striking out 'section 604 (b) (11)' and inserting in lieu thereof 'section 604.'

"SEC. 113. The Civil Service Commission is hereby authorized to issue such regulations as may be necessary for the administration of this title.

"SEC. 114. Nothing contained in this title shall be construed to decrease the existing rate of basic compensation of any present employee, but when his position becomes vacant any subsequent appointee to such position shall be compensated in accordance with the scale of pay applicable to such position.

"SEC. 115. The term 'department' shall have the same meaning in this title as when used in the Classification Act of 1949, as amended.

"TITLE II—AMENDMENTS TO THE FEDERAL EMPLOYEES PAY ACT OF 1945, AS AMENDED

"SEC. 201. This title may be cited as the 'Federal Employees Pay Act Amendments of 1954'.

"SEC. 202. (a) Subsection (a) of section 101 of the Federal Employees Pay Act of 1945, as amended, is amended by striking out 'titles II and III' and inserting in lieu thereof 'titles II, III, and IV'.

"(b) Subsection (b) of such section 101 is hereby repealed.

"Compensation for overtime work

"SEC. 203. Section 201 of the Federal Employees Pay Act of 1945, as amended, is amended to read as follows:

"'SEC. 201. All hours of work officially ordered or approved in excess of forty hours in any administrative workweek performed by officers and employees to whom this title applies shall be considered to be overtime work and compensation for such overtime work, except as otherwise provided for in this Act, shall be at the following rates:

"'(1) For each officer and employee whose basic compensation is at a rate which does not exceed the minimum scheduled rate of basic compensation provided for grade GS–9 in the Classification Act of 1949, as amended, the overtime hourly rate of compensation shall be an amount equal to one and one-half times the hourly rate of basic compensation of such officer or employee, and all of such amount shall be considered premium compensation.

"'(2) For each officer and employee whose basic compensation is at a rate which exceeds the minimum scheduled rate of basic compensation provided for grade GS–9 in the Classification Act of 1949, as amended, the overtime hourly rate of compensation shall be an amount equal to one and one-half times the hourly rate of such minimum scheduled rate of basic compensation, and all of such amount shall be considered premium compensation.'

"SEC. 204. Section 202 (a) of the Federal Employees Pay Act of 1945, as amended, is amended to read as follows:

"'SEC. 202. (a) The head of any department, independent establishment, or agency, including Government-owned or controlled corporations, or of the municipal government of the District of Columbia, or the head of any legislative or judicial agency to which this title applies, (1) may, at the request of any officer or employee, grant such officer or employee compensatory time off from his scheduled tour of duty in lieu of

payment for an equal amount of time spent in irregular or occasional overtime work, and (2) may, at his own discretion, provide that any officer or employee, whose rate of basic compensation is in excess of the maximum scheduled rate of basic compensation provided for grade GS–9 in the Classification Act of 1949, as amended, shall be compensated for irregular or occasional overtime work for which compensation would be due under this Act with an equal amount of compensatory time off from his scheduled tour of duty in lieu of such compensation.'

"SEC. 205. (a) Section 203 of the Federal Employees Pay Act of 1945, as amended, is redesignated as section 205, and wherever such section number appears in such Act or in any other provision of law it is amended to conform to the redesignation prescribed by this subsection.

"(b) The Federal Employees Pay Act of 1945, as amended, is amended by inserting after section 202 thereof the following new sections:

"'Call-back overtime

"'SEC. 203. For the purposes of this Act, any unscheduled overtime work performed by any officer or employee on a day when no work was scheduled for him, or for which he is required to return to his place of employment, shall be considered to be at least two hours in duration.

"'Time in travel status

"'SEC. 204. For the purposes of this Act, time spent in a travel status away from the official-duty station of any officer or employee shall be considered as hours of employment only when (1) within the days and hours of such officer's or employee's regularly scheduled administrative workweek, including regularly scheduled overtime hours, or (2) when the travel involves the performance of work while traveling or is carried out under arduous conditions.'

"Compensation for night and holiday work

"SEC. 206. Section 301 of the Federal Employees Pay Act of 1945, as amended, is amended to read as follows:

"'SEC. 301. (a) Any regularly scheduled work between the hours of six o'clock postmeridian and six o'clock antemeridian (including periods of absence with pay during such hours due to holidays, and any such hours within periods of leave with pay if such periods total less than eight hours during any pay period) shall be considered nightwork, except as provided in subsection (b), and any officer or employee performing such work to whom this title applies shall be compensated for such work at his rate of basic compensation plus premium compensation amounting to 10 per centum of such rate, unless otherwise provided in title IV of this Act. This section shall not operate to modify the provisions of the Act of July 1, 1944 (Public Law Numbered 394, Seventy-eighth Congress), or any other law authorizing additional compensation for nightwork.

"'(b) The head of any department, independent establishment, or agency, including Government-owned or controlled corporations, may designate any time after six o'clock postmeridian and any time before six o'clock antemeridian as the beginning and end, respectively, of nightwork for the purpose of subsection (a) at any post outside the several States and the District of Columbia where customary hours of business extend into the hours of nightwork provided by such subsection.'

"SEC. 207. Section 302 of the Federal Employees Pay Act of 1945, as amended, is amended to read as follows:

"'SEC. 302. (a) All work not exceeding eight hours, which is not overtime work as defined in section 201 of this Act and which is performed on a holiday designated by Federal statute or Executive order, shall be compensated at the rate of basic compensation of the officer or employee performing such work on a holiday plus premium compensation at a rate equal to the rate of basic compensation of such officer or employee.

"'(b) Any officer or employee who is required to perform any work on such a holiday shall be compensated for at least two hours of such work, and any such premium compensation due under the provisions of this section shall be in addition to any premium compensation which may be due for the same work under the provisions of section 301 of this Act providing premium compensation for nightwork.

"'(c) Overtime work, as defined in section 201 of this Act, on Sundays and such holidays shall be compensated in accordance with the provisions of such section 201.'

"Special provisions for certain types of work

"SEC. 208. (a) The Federal Employees Pay Act of 1945, as amended, is amended by inserting after title III thereof a new title to read as follows:

"'TITLE IV—SPECIAL PROVISIONS FOR CERTAIN TYPES OF WORK

"'SEC. 401. The head of any department, independent establishment, or agency, including Government-owned or controlled corporations, or of the municipal government of the District of Columbia may, with the approval of the Civil Service Commission, provide that—

"'(1) any officer or employee in a position requiring him regularly to remain at, or within the confines of, his station during longer than ordinary periods of duty, a substantial part of which consists of remaining in a standby status rather than performing work, shall receive premium compensation for such duty on an annual basis in lieu of premium compensation provided by any other provisions of this Act. Premium compensation under this paragraph shall be determined as an appropriate percentage (not in excess of 25 per centum) of such part of the rate of basic compensation for any such position as does not exceed the minimum scheduled rate of basic compensation provided for grade GS–9 in the Classification Act of 1949, as amended, by taking into consideration the number of hours of actual work required in such position, the number of hours required in a standby status at or within the confines of the station, the extent to which the duties of such position are made more onerous by night or holiday work, or by being extended over periods of more than forty hours a week, and any other relative factors; or

"'(2) any officer or employee in a position in which the hours of duty cannot be controlled administratively, and which requires substantial amounts of irregular, unscheduled, overtime duty and duty at night and on holidays with the officer or employee generally being responsible for recognizing, without supervision, circumstances which require him to remain on duty, shall receive premium compensation for such duty on an annual basis in lieu of premium compensation provided by any other provisions of this Act, except for regularly scheduled overtime duty. Premium compensation under this paragraph shall be determined as an appropriate percentage (not in excess of 15 per centum) of such part of the rate of basic compensation for any such position as does not exceed the minimum scheduled rate of basic compensation provided for grade GS–9 in the Classification Act of 1949, as amended, by taking into consideration the frequency and duration of night, holiday, and unscheduled overtime duty required in such positions.'

"(b) Nothing contained in this section shall be construed to decrease the existing aggregate rate of compensation of any present employee, but when the position of such employee becomes vacant any subsequent appointee thereto shall receive premium compensation provided for such position in accordance with this section.

"Limitation on premium compensation

"SEC. 209. Section 603 of the Federal Employees Pay Act of 1945, as amended, and the heading immediately preceding such section are amended to read as follows:

"'Limitation on premium compensation

"'SEC. 603. (a) No premium compensation provided by this Act shall be paid to any officer or employee whose rate of basic compensation equals or exceeds the maximum scheduled rate of basic compensation provided for grade GS–15 in the Classification Act of 1949, as amended.

"'(b) In the case of any officer or employee whose rate of basic compensation is less than the maximum scheduled rate of basic compensation provided for grade GS–15 in the Classification Act of 1949, as amended, such premium compensation may be paid only to the extent that such payment would not cause his aggregate rate of compensation to exceed such maximum scheduled rate with respect to any pay period.'

"Work schedules

"SEC. 210. (a) The heading immediately preceding section 604 of the Federal Employees Pay Act of 1945, as amended, is amended to read as follows:

"'Establishment of basic workweek; work schedules; pay computation methods'

"(b) Section 604 (a) of the Federal Employees Pay Act of 1945, as amended, is amended by inserting '(1)' after '(a)' and by adding at the end thereof a new paragraph as follows:

"'(2) Except where the head of each such department, establishment, or agency and of the municipal government of the District of Columbia determines that his organization would be seriously handicapped in carrying out its functions or that costs would be substantially increased, he shall provide, with respect to all officers and employees in his organization, (A) that assignments to tours of duty shall be scheduled in advance over periods of not less than one week, (B) that the basic forty-hour workweek shall be scheduled on five days, which shall be Monday through Friday wherever possible, and the two days outside the basic workweek shall be consecutive, (C) that the working hours in each day in the basic workweek shall be the same, (D) that the basic nonovertime workday shall not exceed eight hours, (E) that the occurrence of holidays shall not affect the designation of the basic workweek, and (F) that breaks in working hours of more than one hour shall not be scheduled in any basic workday.'

"SEC. 211. This title shall become effective at the beginning of the first pay period which begins more than sixty days after the date of enactment of this Act.

"TITLE III—GOVERNMENT EMPLOYEES' INCENTIVE AWARDS

"SEC. 301. This title may be cited as the 'Government Employees' Incentive Awards Act'.

"SEC. 302. The departmental awards program set forth in this title shall be carried out under such regulations and instructions as may be issued by the United States Civil Service Commission which shall annually report the results of the program, with related recommendations, to the President for transmittal to the Congress.

"SEC. 303. As used in this title, the term 'department' means an executive department or independent agency in the executive branch of the Government, including a Government-owned or controlled corporation (but not including the Tennessee Valley Authority), and also includes (a) the Administrative Office of the United States Courts, (b) the Library of Congress, (c) the Botanic Garden, (d) the Government Printing Office, (e) the Office of the Architect of the Capitol, and (f) the municipal government of the District of Columbia.

"SEC. 304. (a) The head of each department is authorized to pay cash awards to, and to incur necessary expenses for the honorary recognition of, civilian officers and employees of the Government who by their suggestions, inventions, superior accomplishments, or other personal efforts contribute to the efficiency, economy, or other improvement of Government operations or who perform special acts or services in the public interest in connection with or related to their official employment.

"(b) In instances determined by the President to warrant such action, he is authorized to pay cash awards to, and to incur necessary expenses for the honorary recognition of, civilian officers and employees of the Government who by their suggestions, inventions, superior accomplishments, or other personal efforts contribute to the efficiency, economy, or other improvement of Government operations, or who perform exceptionally meritorious special acts or services in the public interest in connection with or related to their official employment, and any such Presidential awards may be in addition to the departmental awards authorized in subsection (a) of this section.

"(c) Awards under this section may be paid notwithstanding the death or separation from the service of the officer or employee concerned: *Provided*, That the suggestions, inventions, superior accomplishments, other personal efforts, or special acts or services in the public interest forming the basis for the awards are made or rendered while the officer or employee is in the employ of the Government.

"(d) A cash award under this section shall be in addition to the regular compensation of the recipient and the acceptance of such cash award shall constitute an agreement that the use by the Government of the United States or the municipal government of the District of Columbia of any idea, method or device for which the award is made shall not form the basis of a further claim of any nature upon the Government of the United States or the municipal government of the District of Columbia by the employee, his heirs, or assigns.

"(e) Awards to employees and expenses for the honorary recognition of employees may be paid from the funds or appropriations available to the activity primarily benefiting or may be paid from the several funds or appropriations of the various activities benefiting as may be determined by the President for awards under subsection (b) of this section, and by the head of the department concerned for awards under subsection (a) of this section.

"(f) An award under this title shall be given due weight in qualifying and selecting employees for promotion.

"(g) A monetary award granted under this title shall not exceed $5,000, except that an award in excess of such amount but not in excess of $25,000 may be granted, with the approval of the Commission, in special cases in which the head of a department certifies to the Commission that the suggestion, invention, superior accomplishment, or other meritorious effort for which such award is proposed to be made is highly exceptional and unusually outstanding.

"SEC. 305. The following laws and parts of laws are hereby repealed:

"(a) Sections 702, 1002, and 1003 of the Classification Act of 1949 (63 Stat. 954; 5 U. S. C. 1122, 1152, 1153).

"(b) Section 14 of the Act entitled 'An Act to authorize certain administrative expenses in the Government service, and for other purposes', approved August 2, 1946 (60 Stat. 809; 5 U. S. C. 116a).

"(c) The Act entitled 'An Act authorizing payments of rewards to postal employees for inventions', approved December 3, 1945 (59 Stat. 591; 39 U. S. C. 813).

"(d) The Act entitled 'An Act authorizing the Secretary of War to pay a cash award for suggestions submitted by employees of certain establishments of the Ordnance Department for improvement or economy in manufacturing process or plant', approved July 17, 1912 (37 Stat. 193; 50 U. S. C. 58).

"(e) The Act entitled 'An Act to provide equitable compensation for useful suggestions or inventions by personnel of the Department of the Interior', approved June 26, 1944 (58 Stat. 360; 5 U. S. C. 500).

"(f) Subsections (a) and (b) of section 35 of the Act entitled 'An Act to enact certain provisions now included in the Naval Appropriation Act, 1946, and for other purposes', approved August 2, 1946 (60 Stat. 857; 5 U. S. C. 416).

"(g) The joint resolution entitled 'Joint Resolution to provide cash awards to personnel of the Maritime Commission and the War Shipping Administration for useful suggestions to improve administration of their activities', approved March 13, 1944 (58 Stat. 115; 46 U. S. C. 1111b).

"(h) All other laws or parts of laws inconsistent with this Act are hereby repealed to the extent of such inconsistency.

"SEC. 306. The enactment of this title shall not affect the right of any employee to an award granted him under any provision of law repealed by this title.

"SEC. 307. This title shall take effect on the ninetieth day after the date of its enactment.

"TITLE IV—UNIFORM ALLOWANCES

"SEC. 401. This title may be cited as the 'Federal Employees Uniform Allowance Act'.

"SEC. 402. There is hereby authorized to be appropriated annually to each agency of the Government of the United States or of the District of Columbia (including Government-owned corporations), upon a showing of the necessity or desirability thereof, an amount not to exceed $100 multiplied by the number of the employees of such agency who are required by regulation existing on the date of enactment of this Act or by law to wear a prescribed uniform in the performance of his or her official duties and who are not being furnished with such uniform. The head of any agency to which any such appropriation is made shall, out of funds made available by such appropriation, (1) furnish to each such employee such uniform at a cost not to exceed $100 per annum, or (2) pay to each such employee an allowance for defraying the expenses of acquisition of such uniform at such times and in such amounts, not to exceed $100 per annum, as may be prescribed in accordance with rules and regulations promulgated pursuant to section 404. Where the furnishing of a uniform or the payment of a uniform allowance is authorized under any other provision of law or regulation existing on the date of enactment of this Act, the head of the agency may in his discretion continue the furnishing of such uniform or the payment of such allowance under such law or regulation, but where a uniform is furnished or allowance paid under any such law or regulation no uniform shall be furnished or allowance paid under this section.

"SEC. 403. Allowances paid under this title shall not be considered as pay, salary, or compensation within the meaning of the Civil Service Retirement Act of May 29, 1930, as amended, or as wages within the meaning of section 209 of the Social Security Act, as amended, or chapters 21 and 24 of the Internal Revenue Code of 1954.

"SEC. 404. The Director of the Bureau of the Budget is authorized and directed to promulgate such rules and regulations as may be necessary to provide for the uniform administration of this title.

"TITLE V—ANNUAL LEAVE

"SEC. 501. Clause (6) of section 2 of the Act of August 3, 1950, as amended by section 5 of the Act of July 2, 1953, is amended to read as follows: '(6) payment for all accumulated and current accrued annual or vacation leave equal to the compensation the decedent would have received had he remained in the service until the expiration of the period of such annual or vacation leave; except that such lump-sum payment shall not include compensation for any period of accumulated leave in excess of thirty days, plus current accrued leave, or in excess of the number of days of accumulated leave to which he is entitled on the date of separation (excluding accumulated leave earned in the 1954 leave year and thereafter), plus current accrued leave, whichever is the greater.'

"SEC. 502. Section 6 of the Act of July 2, 1953 (Public Law 102, Eighty-third Congress), is hereby repealed.

"SEC. 503. Section 501 of this title shall take effect as of September 1, 1953.

"TITLE VI—MISCELLANEOUS PROVISIONS

"SEC. 601. (a) Section 2 (b) of the Performance Rating Act of 1950 (5 U. S. C., sec. 2001) is amended by striking out the period at the end thereof and inserting in lieu thereof a semicolon and the following:

"'(12) The Central Intelligence Agency.'

"(b) Section 9 of the Central Intelligence Agency Act of 1949, as amended (50 U. S. C., sec. 403i), is hereby repealed.

"SEC. 602. (a) Subsection (a) of section 1310 of the Supplemental Appropriation Act, 1952 (Public Law 253, Eighty-second Congress), as amended, is amended to read as follows:

"'(a) The Civil Service Commission and the heads of the executive departments, agencies, and corporations shall make full use of their authority to require that initial appointments to positions in and outside the competitive civil service shall be made on other than a permanent basis in order to prevent increases in the number of permanent personnel of the Federal Government in excess of 10 per centum above the total number of permanent employees on September 1, 1950: *Provided*, That any position vacated by a permanent employee called to military service or transferred to a national defense agency shall not be filled except on a temporary or indefinite basis. All appointments, reinstatements, transfers, and promotions to positions subject to the Classification Act of 1949 shall be made with the condition and notice to each individual appointed, reinstated, transferred, or promoted that the classification grade of the position is subject to post-audit and correction by the appropriate departmental or agency personnel office or the Civil Service Commission.'

"(b) Such section 1310 is further amended by adding at the end thereof the following new subsection:

"'(e) This section does not and shall not be construed to amend or modify the Veterans' Preference Act of 1944 (Public Law 359, Seventy-eighth Congress), as amended.'

"SEC. 603. The Official Reporters of the proceedings and debates of the Senate and their employees shall be considered to be officers or employees in or under the legislative branch of the Government within the meaning of the provisions of section 2 (a) of the Federal Employees' Group Life Insurance Act of 1954.

"SEC. 604. An Act entitled 'An Act authorizing the employment of mail messengers in the postal service', approved March 3, 1887 (39 U. S. C., sec. 578), is amended by adding at the end thereof the following new paragraph:

"'The Postmaster General may, in his discretion and under such regulations as he may prescribe, readjust the compensation of the holder of any contract for the performance of mail-messenger service on account of increased or decreased costs occasioned by changed conditions which could not reasonably have been anticipated at the time such contract was made.'"

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to

the title of the bill and agree to the same with an amendment as follows: In lieu of the amended title proposed by the Senate amendment, amend the title so as to read: "An Act to provide certain employment benefits for employees of the Federal Government, and for other purposes."

EDWARD H. REES,
JOEL T. BROYHILL,
TOM MURRAY,
Managers on the Part of the House.

FRANK CARLSON,
JAMES H. DUFF,
OLIN D. JOHNSTON,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 2263) to authorize the Postmaster General to readjust the compensation of holders of contracts for the performance of mail-messenger service, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate amendment strikes out all of the House bill after the enacting clause. The committee of conference recommends that the House recede from its disagreement to the amendment of the Senate, with an amendment which is a substitute for both the House bill and the Senate amendment, and that the Senate agree to the same.

The House bill related only to the granting of authority to the Postmaster General to readjust the compensation of the holders of mail messenger service contracts to reflect certain changes in operating costs. The Senate amendment (which does not contain any such provision) consists of six titles, as follows: Title I (containing amendments to the Classification Act of 1949), title II (containing amendments to the Federal Employees Pay Act of 1945), title III (providing for a program of incentive awards for Government employees), title IV (providing for uniform allowances for Government employees), title V (relating to annual leave of Government employees), and title VI (containing certain provisions relating to miscellaneous subjects).

The following statement discusses the provisions of the conference substitute and notes the similarities and differences between the conference substitute and the Senate amendment and the conference substitute and related provisions of S. 2665 as reported to the House by the Committee on Post Office and Civil Service of the House.

TITLE I—AMENDMENTS TO CLASSIFICATION ACT OF 1949, AS AMENDED

Number of positions in grades 16, 17, and 18 of the General Schedule

Section 101 of the Senate amendment and section 103 of S. 2665, as reported to the House, relate to the number of positions authorized in grades 16, 17, and 18 of the General Schedule of the Classification Act of 1949.

Subsection (a) of section 101 of the Senate amendment and subsection (a) of section 103 of S. 2665, as reported to the House, amend section 505 of the Classification Act of 1949, as amended. Such section 505 now provides that at any one time there shall not be more than 300 positions in grade GS–16, not more than 75 positions in grade GS–17, and not more than 25 positions in grade GS–18, making a total of 400 positions in these so-called super grades. Such section 505, as amended by subsection (a) of section 101 of the Senate amendment, provides that at any one time there shall not be more than 400 positions in grade 16 of the General Schedule, not more than 115 positions in grade 17 of the General Schedule, and not more than 35 positions in grade 18 of the General Schedule, making a total of 550 positions. Such section 505, as amended by subsection (a) of section 103 of S. 2665, as reported to the House, provides that at any one time there shall not be more than 396 positions in grade GS–16, not more than 123 positions in grade GS–17, and not more than 31 positions in grade GS–18, making a total of 550 positions. The conference substitute contains the provisions of the Senate amendment with respect to the number of positions in grades 16, 17, and 18 of the General Schedule.

Both subsection (a) of section 101 of the Senate amendment and subsection (a) of section 103 of S. 2665, as reported to the House, continue the provisions of section 505 of the Classification Act of 1949 which require (1) that positions may be placed in grades GS–16 and GS–17 only by action of, or after prior approval by, the Civil Service Commission, and (2) that positions may be placed in or removed from grade GS–18 only by the President upon recommendation of the Civil Service Commission. The conference substitute also continues these provisions.

Such section 505, as amended by subsection (a) of section 101 of the Senate amendment, also provides that positions of senior specialists in the Legislative Reference Service of the Library of Congress which may be established under section 203 (b) (1) of the Legislative Reorganization Act of 1946 may be in addition to those authorized by the other provisions of section 505. No such provision is contained in S. 2665, as reported to the House. The conference substitute contains this provision of the Senate amendment.

Subsection (b) of section 101 of the conference substitute provides that the amendment made by subsection (a) shall not affect positions allocated to grades 16, 17, and 18 of the General Schedule of the Classification Act of 1949, as amended, pursuant to provisions of law (other than such Act) and reorganization plans in effect prior to the effective date of such section 101. The Senate amendment and S. 2665, as reported to the House, contain the same provision.

Longevity step-increases

Subsection (a) (1) of section 102 of the conference substitute amends subsection (a) of section 703 of the Classification Act of 1949, as amended, to provide that, if an employee who has earned credit toward the required 3-year longevity period at the maximum rate or a longevity rate of his grade is transferred to the maximum rate or a longevity rate of a lower grade, the credit earned by such employee in the higher grade shall apply toward a longevity step-increase in the lower grade. Under such subsection (a) of section 703 of the Classification Act of 1949 as now in effect, an employee has to begin his 3-year longevity period over again when he is reduced in grade. Subsection (a) (1) of section 102 of the Senate amendment contains the same provision. There is no comparable provision in S. 2665, as reported to the House.

Subsection (a) (2) of section 102 of the conference substitute amends subsection (b) (1) of section 703 of the Classification Act of 1949, as amended, to provide that no officer or employee in a position in any grade above grade 15 of the General Schedule shall be entitled to a longevity step-increase. Such section 703 (b) (1) now provides that no officer or employee in a position in any grade above grade 10 of the General Schedule shall be entitled to a longevity step-increase. Both subsection (a) (2) of section 102 of the Senate amendment and subsection (a) of section 104 of S. 2665, as reported to the House, contain this provision of the conference substitute.

Subsection (b) of section 102 of the conference substitute provides that the amendments made by subsection (a) shall take effect at the beginning of the first pay period after the date of enactment of the conference substitute. The Senate amendment and S. 2665, as reported to the House, contain the same effective date provisions.

Subsection (a) of section 103 of the conference substitute amends section 704 of the Classification Act of 1949, as amended. Such section 704, as so amended, provides that, in the case of employees in grades 11 to 15, inclusive, of the General Schedule, not to exceed 3 years of service performed immediately prior to the effective date of the amendment at or above the maximum scheduled rates for their respective grades shall be counted toward longevity step-increases. For grade GS–15, which has within-grade compensation steps of $250, longevity step-increases are limited to $200. These same provisions are also contained in subsection (a) of section 103 of the Senate amendment and subsection (a) of section 105 of S. 2665, as reported to the House.

Subsection (b) of section 103 of the conference substitute provides that this amendment shall become effective at the beginning of the first pay period after the date of enactment of the conference substitute. The Senate amendment and S. 2665, as reported to the House, contain the same effective date provisions.

Recruitment above the minimum rate of the class

Section 104 of the conference substitute amends section 803 of the Classification Act of 1949, as amended. Such section 803, as so amended, relates to the recruitment of employees at pay rates above the statutory minimum rate for a class of positions when authorized, under certain conditions, by the Civil Service Commission. Under section 801 of the Classification Act of 1949, each original appointment to any position under such Act must be at the minimum per annum rate of the grade in which such position is classified. At times the inflexibility of this provision has constituted an impediment to the recruitment of a sufficient number of qualified eligibles to fill positions in a given class in certain areas.

Subsection (a) of section 803 of the Classification Act of 1949, as amended by section 104 of the conference substitute, provides that whenever the Civil Service Commission finds with respect to any area or location (1) that a sufficient number of qualified eligibles for positions in a given class cannot be secured at the existing minimum rate for such class, and (2) that there is a possibility of securing a sufficient number of such eligibles by increasing the minimum rate for such class of positions in such area or location, the Commission may establish one of the within-grade step rates above the statutory minimum rate of the appropriate grade for such class of positions as the minimum or entrance rate for such class of positions in such area or location.

Subsection (b) of section 803 of the Classification Act of 1949, as amended by section 104 of the conference substitute, authorizes the Civil Service Commission to revise, from time to time, such higher minimum rates as it may establish under subsection (a). Subsection (b) also provides that such rates or any revisions thereof established under section 803 shall have the force and effect of law.

Subsection (c) of the amended section 803 provides that any increase in rate of basic compensation under section 803 shall not be regarded as an "equivalent increase" in compensation within the meaning of section 701 (a) of the Classification Act of 1949 (which relates to within-grade step-increases).

These same provisions with respect to recruitment above the minimum rate of the class are also contained in section 104 of the Senate amendment and section 106 of S. 2665, as reported to the House.

Exclusion from Classification Act of 1949 of crafts, trades, and labor positions and application of prevailing wage policy to such positions

Subsection (a) of section 105 of the conference substitute amends paragraph (7) of section 202 of the Classification Act of 1949, as amended. Paragraph (7), as so amended, removes from the coverage of that act employees in recognized trades or crafts, or other skilled mechanical crafts, or in unskilled, semiskilled, or skilled manual-labor occupations, the duties of which involve the maintenance and operation of public buildings and associated equipment or the performance of work in scientific or engineering laboratories as assistants to scientists or engineers, and other employees including foremen and supervisors in positions having trade, craft, or laboring experience and knowledge as the paramount requirement. Paragraph (7), as so amended, also provides that the compensation of such employees shall be fixed and adjusted from time to time as nearly as is consistent with the public interest in accordance with prevailing rates (as is the case with respect to other employees who come within the purview of this paragraph), except that where, in the opinion of the employing agency and the Civil Service Commission, it is impracticable to do so because of the small number of these employees in any given area, the rates of compensation for such employees in that particular area shall be fixed at rates of compensation prescribed in the Classification Act of 1949, as amended, for positions of equivalent difficulty or responsibility. The effective date of section 105 of the conference substitute is provided for in section 110 (a) of the conference substitute, which provides that section 105 shall take effect on the date or dates specified by the head of a department, but not earlier than the first day of the second pay period which begins after the date of enactment of the conference substitute, and not later than the first day of the first pay period which begins more than 12 months after the date of enactment of the conference substitute, with respect to each employee and position in such department within the purview of such section 105.

The change made by subsection (a) of section 105 of the conference substitute will affect about 69,000 crafts, trades, and manual-labor employees. Of this number, approximately 37,000 are employed by the Veterans' Administration and 16,000 in the General Services Administration, with others spread throughout a number of agencies. Some of these employees will receive increased pay when they are moved to a prevailing-rate-pay system. As provided in section 114 of the conference substitute, no employee will have his present pay reduced as a result of such change.

Both subsection (a) of section 105 of the Senate amendment and section 107 of S. 2665, as reported to the House, contain the above provisions.

Subsection (b) of section 105 of the conference substitute amends section 204 (c) of the Classification Act of 1949, as amended, to permit the Architect of the Capitol to compensate, on the basis of prevailing wage rates, those employees in crafts and labor occupations now compensated under the crafts, protective, and custodial schedule of the Classification Act of 1949. This provision is also contained in subsection (b) of section 105 of the Senate amendment but is not contained in S. 2665, as reported to the House.

Transfer of certain positions from the crafts, protective, and custodial schedule to the general schedule

Subsection (a) of section 106 of the conference substitute directs the conversion from the crafts, protective, and custodial schedule to the general schedule of all positions which do not go to the prevailing-wage system by virtue of the amendment made by section 105 of the conference substitute to paragraph (7) of section 202 of the Classification Act of 1949. Such positions which are in grades CPC–1, 2, and 3 shall be placed in grade GS–1 and such positions which are in grades CPC–4, 5, 6, 7, 8, 9, and 10 shall be placed in grades GS–2, 3, 4, 5, 6, 7, and 8, respectively. No such action may be taken prior to the first day of the second pay period beginning after the date of enactment of the conference substitute nor later than the first day of the first pay period beginning more than 6 months after such date of enactment.

Subsection (b) of section 106 of the conference substitute prescribes the following rules by which the existing pay rates of employees under the crafts, protective, and custodial schedule are to be initially adjusted to the rates in the general schedule:

(1) Each employee paid at a rate of basic compensation in the crafts, protective, and custodial schedule which is less than the minimum scheduled rate of the grade in the general schedule in which his position is placed, shall have his compensation increased to such minimum rate;

(2) Each employee paid at a rate of basic compensation in the crafts, protective, and custodial schedule which is equal to one of the scheduled or longevity rates of the grade in the general schedule in which his position is placed, shall be paid at such scheduled or longevity rate;

(3) Each employee paid at a rate of basic compensation in the crafts, protective, and custodial schedule which is at a rate between 2 scheduled or 2 longevity rates, or between a scheduled rate and a longevity rate, of the grade in the general schedule in which his position is placed, shall be paid compensation at the higher of such 2 rates;

(4) Each employee paid at a rate of basic compensation in the crafts, protective, and custodial schedule which is in excess of the maximum longevity rate of the grade in the general schedule in which his position is placed, shall continue to be paid basic compensation without any change in rate until he either leaves such position or is entitled to receive basic compensation at a higher rate by reason of the operation of the Classification Act of 1949, as amended; but when such position becomes vacant the rate of basic compensation of any subsequent appointee shall be fixed in accordance with the Classification Act of 1949, as amended.

Subsection (c) of section 106 of the conference substitute provides that the conversion of positions to grades of the general schedule under such section 106, and the initial adjustments in compensation prescribed in such section, shall not be construed to be transfers or promotions within the meaning of section 802 (b) of the Classification Act of 1949, as amended, and regulations issued thereunder.

The conversion prescribed in this section of the conference substitute will affect about 47,000 employees, mostly guards, messengers, and fire fighters, the majority of which are in the Department of Defense and General Services Administration. Most of these employees would receive small pay increases by conversion of their positions to the general schedule. Like the CPC workers who are moved to a prevailing-rate system, none would have his present pay reduced.

Both section 106 of the Senate amendment and section 108 of S. 2665, as reported to the House, contain identical provisions with respect to the transfer to the General Schedule of the above-mentioned positions in the crafts, protective, and custodial schedule.

Abolishment of crafts, protective and custodial schedule

Sections 107, 108, and 109 of the conference substitute abolish the crafts, protective, and custodial schedule by making necessary revisions in the language of the Classification Act of 1949 to effect that action.

Section 107 deletes from section 601 of the Classification Act of 1949 reference to the crafts, protective, and custodial schedule.

Section 108 deletes from section 602 of the Classification Act of 1949 the grade level definitions of the crafts, protective, and custodial schedule.

Section 109 deletes from section 603 of the Classification Act of 1949 the entire crafts, protective, and custodial schedule, incidental references to such schedule, and paragraph (c) (2) of such section relating to the rates of pay of charwomen and head charwomen.

Section 110 of the conference substitute relates to the dates on which sections 105, 107, 108, and 109 of the conference substitute shall become effective.

Subsection (a) of section 110 provides that section 105 (relating to the conversion of employees and positions to prevailing-wage rate basis) shall be effective on the date or dates specified by the head of a department but not earlier than the beginning of the second pay period following the date of enactment of the conference substitute nor later than the first day of the first pay period beginning more than 12 months after such date of enactment.

Subsection (b) of section 110 provides that, with respect to employees and positions in a given department, the crafts, protective, and custodial schedule shall be abolished effective upon the completion of the conversion of employees and positions to prevailing-wage rate basis under section 105 and the conversion of the remaining employees and positions to the general schedule under section 106, but, in any event, not later than the first day of the first pay period beginning more than 12 months after the date of enactment of the conference substitute.

These above-discussed provisions of the conference substitute relating to the abolishment of the crafts, protective, and custodial schedule are also contained in sections 107, 108, 109, and 110 of the Senate amendment and in sections 109, 110, 111, and 112 of S. 2665, as reported to the House.

Miscellaneous provisions

Section 111 of the conference substitute deletes from section 604 of the Classification Act of 1949 certain obsolete rules for the adjustment of basic compensation to the original pay scales of the Classification Act of 1949. One necessary provision, a broad savings clause, is retained.

Section 112 of the conference substitute makes certain changes in references to section 604 of the Classification Act of 1949 which are made necessary by the amendment to such section made by section 111.

Section 113 of the conference substitute authorizes the Civil Service Commission to issue regulations for the administration of title I of the conference substitute.

Section 114 of the conference substitute is a general overall compensation saving provision. It provides that nothing in title I of the conference substitute shall be construed to reduce the existing rate of basic compensation of any present employee, when, for example, he is changed from one schedule to another or from a scheduled rate of pay to a prevailing-rate basis, or by reason of any other provision of title I. However, when he vacates his position, the compensation of any subsequent appointee to such position will be fixed in accordance with the regular scale of pay applicable to such position.

Section 115 of the conference substitute provides that the term "department" shall have the same meaning in title I of the conference substitute as when used in the Classification Act of 1949, as amended.

These above-discussed miscellaneous provisions of title I of the conference substi-

tute are the same as sections 111, 112, 113, and 114 of the Senate amendment and sections 113, 114, 115, and 116 of S. 2665, as reported to the House.

TITLE II—AMENDMENTS TO THE FEDERAL EMPLOYEES PAY ACT OF 1945, AS AMENDED

Title II of the conference substitute contains amendments to the Federal Employees Pay Act of 1945, as amended. Title II of the conference substitute, except sections 203 and 208 (a) thereof, is the same as title II of the Senate amendment and title II of S. 2665, as reported to the House.

Section 201 of the conference substitute provides that title II may be cited as the "Federal Employees Pay Act Amendments of 1954".

Coverage

Section 202 of the conference substitute makes the coverage of the new title IV added by the conference substitute to the Federal Employees Pay Act of 1945, as amended, the same as the coverage of other overtime, night, and holiday-pay provisions of that act. Section 202 also repeals an obsolete subsection (subsec. (b) of sec. 101) of the Federal Employees Pay Act of 1945, as amended.

Compensation for overtime work

The present provisions of section 201 of the Federal Employees Pay Act of 1945, as amended, establish a time-and-one-half rate of overtime pay for employees whose basic salaries are less than $2,980 per annum and a diminishing scale of overtime pay for employees whose basic salaries are $2,980 or more per annum. Both section 203 of the Senate amendment and section 203 of S. 2665, as reported to the House, amend section 201 of the Federal Employees Pay Act of 1945, as amended, in order to provide overtime pay at a time-and-one-half rate for employees whose basic salaries do not exceed the maximum scheduled rate of grade GS–9. For employees above that salary level, such sections of the Senate amendment and S. 2665, as reported to the House, provide overtime pay at a rate equivalent to time-and-one-half at such maximum scheduled rate of grade GS–9, or at their respective rates of basic compensation, whichever is greater. Section 203 of the conference substitute changes such provisions of the Senate amendment and S. 2665, as reported to the House, by providing for (1) overtime pay at a time-and-one-half rate for employees whose basic salaries do not exceed the minimum (instead of maximum) scheduled rate of grade GS–9, and (2) overtime pay at a rate equivalent to time-and-one-half at such minimum scheduled rate of grade GS–9 for employees whose basic salaries do exceed such minimum scheduled rate of grade GS–9.

Section 204 of the conference substitute amends section 202 (a) of the Federal Employees Pay Act of 1945, as amended, in order to give agency heads the authority, which they do not now have, to require employees at salaries above the maximum scheduled rate of grade GS–9 to take compensatory time off instead of receiving overtime pay for irregular or occasional overtime duties. The amendment made by section 204 also continues existing authority for granting compensatory time off, at the request of an employee, in place of pay for irregular or occasional overtime work. In both instances, the time off so provided will compensate the employee for an equal amount of time spent by him in irregular or occasional overtime work.

Call-back overtime and time in travel status

Subsection (a) of section 205 of the conference substitute redesignates section 203 of the Federal Employees Pay Act of 1945, as amended, as section 205 of that act and contains language which, in effect, amends all references to such section 203 elsewhere in existing law to conform with such redesignation.

Subsection (b) of section 205 of the conference substitute adds new sections 203 and 204 to the Federal Employees Pay Act of 1945, as amended.

The new section 203 provides a minimum of 2 hours of pay at the overtime rate for any employee who is called back to perform unscheduled overtime work either on a regular workday after he has completed his regular schedule of work and left his place of employment or on one of the days when he is off duty.

The new section 204 places on a statutory basis those principles now established by decisions of the Comptroller General which relate to time spent in a travel status away from the official duty station of an officer or employee. Under the new section 204 such time is treated as hours of employment only when: (1) within the regularly scheduled workweek, including regularly scheduled overtime, of the officer or employee, or (2) the travel involves the performance of work while traveling or is carried out under arduous conditions which have the effect of making such travel inseparable from work.

Compensation for night and holiday work

Section 206 of the conference substitute amends the night-differential-pay provisions of section 301 of the Federal Employees Pay Act of 1945, as amended. The amendment made by section 206 does not change the existing 10 percent rate of night differential for regularly scheduled work between 6 p. m. and 6 a. m. At present employees receive night differential only for hours actually worked. New provisions contained in the amendment made by section 206 liberalize this existing requirement that hours be actually worked by allowing an employee whose regular tour of duty includes nightwork to be paid night differential: (1) for his regular nightwork hours when he does not work because of a holiday, and (2) for periods of leave with pay during any pay period in which his leave totals less than 8 hours. The amendment made by section 206 also authorizes agency heads to change the night-differential period at overseas posts to the extent required to relieve such agencies of the necessity for paying night differential during hours that are customary hours of business in the locality concerned.

Section 207 of the conference substitute amends the holiday-pay provisions of section 302 of the Federal Employees Pay Act of 1945, as amended. The amendment made by section 207 continues the existing provision for extra pay at the straight-time rate, in addition to pay at the regular rate, for work on a holiday within the 40-hour basic workweek of an employee. The amendment also adds a new provision guaranteeing a minimum of 2 hours of pay at the holiday rate for any employee required to work on a holiday. The amendment also provides that any extra pay for an employee at the holiday rate shall be in addition to the differential of 10 percent which such employee is entitled to receive for a regularly scheduled tour of duty performed by him at night on a holiday, each such rate of premium compensation for such holiday or night work being computed separately on the rate of basic compensation of the employee concerned. In addition, the amendment states explicitly the policy which is implicit in existing provisions of the Federal Employees Pay Act of 1945, as amended, that is, that overtime work on Sundays and holidays is to be compensated at the same rates as overtime work on other days.

Special provisions for certain types of work

Subsection (a) of section 208 of the conference substitute adds a new title IV to the Federal Employees Pay Act of 1945, as amended.

Paragraph (1) of section 401 (a) of the new title IV authorizes agency heads to allow additional annual pay at rates up to 25 percent of base-pay rates, in lieu of all overtime, night, and holiday pay, for employees who are required, by reason of the duties of their positions, to remain at or within the confines of their stations during longer than ordinary periods of duty but who spend a substantial part of their time on duty in a standby status rather than actually performing work.

Additional annual pay granted under such paragraph (1) will be determined after consideration of the following factors: (1) The number of hours of actual work required in each of such positions, (2) the number of hours required in a standby status at or within the confines of the station, (3) the extent to which the duties of each such position are made more onerous by night or holiday work or by being extended over periods of more than 40 hours a week, and (4) any other factors relative to the determination of such additional annual pay.

Paragraph (2) of section 401 (a) of the new title IV authorizes agency heads to allow additional annual pay at rates up to 15 percent of base-pay rates, in lieu of other pay for irregular or unscheduled overtime duty and for night and holiday duty, for those employees whose hours of duty cannot be controlled administratively and who are required to perform substantial amounts of irregular, unscheduled, overtime and night and holiday duty, each employee generally being responsible for recognizing (without supervision) circumstances which require him to remain on duty. Each such employee will receive other overtime pay, computed in the usual manner, for regularly scheduled overtime work which is officially ordered or approved. Paragraph (2) is designed specifically to permit this form of additional compensation for those investigators of criminal activities whose positions meet all the conditions specified in such paragraph. Paragraph (2) also will permit similar payments to employees in other types of positions with respect to which all these conditions exist in like degree.

Additional annual pay granted under such paragraph (2) will be determined after consideration of the frequency and duration of night, holiday, and unscheduled overtime duty required in each of such positions.

Additional annual pay under the new title IV is subject to the approval of the Civil Service Commission.

It should be noted that under the Senate amendment and S. 2665, as reported to the House, such additional annual pay is to be computed on only that part of the base pay of an employee which does not exceed the maximum scheduled rate of basic compensation provided for grade GS–9 of the Classification Act of 1949, as amended. Under the conference substitute such additional annual pay is to be computed on only that part of the base pay of an employee which does not exceed the minimum (instead of the maximum) scheduled rate of such grade GS–9.

Section 401 (b) of the new title IV as contained in the Senate amendment and S. 2665, as reported to the House, provided that the new title IV shall not apply to firefighting personnel. The Senate amendment and S. 2665, as reported to the House, thus excluded firefighters from those categories of personnel who would be eligible to receive up to 25 percent additional annual pay in lieu of other premium compensation for long periods of standby duty. As a result, firefighters would have continued to be paid for overtime, night, and holiday duty under provisions (other than the new title IV) of the Federal Employees Pay Act of 1945, as amended, which relate to such duty. This provision was included in the Senate amendment and S. 2665, as reported to the House, in order to prevent a reduction in compensation for a number of firefighters now in the service who are receiving more than 25 percent additional pay by virtue of overtime,

holiday, and night differential now authorized.

The conference substitute changes these provisions of the Senate amendment and S. 2665, as reported to the House, by providing that the new title IV shall apply to firefighters. For the future, the committee of conference agreed that new firefighting employees should receive up to 25 percent additional annual compensation in lieu of other premium compensation for their long periods of standby duty, in order to avoid the complexities which arise in attempting to determine premium compensation for night, overtime, and holiday work caused by long periods of standby duty frequently performed by firefighting personnel. The committee of conference further agreed, however, that the pay of those firefighters now in the service who receive more than the 25 percent additional pay provided by the conference substitute should not be reduced. This is accomplished by section 208 (b) of the conference substitute which provides that the provisions of the new title IV added by section 208 (a) of the conference substitute to the Federal Employees Pay Act of 1945, as amended, shall not be construed to decrease the existing aggregate rate of compensation of any present employee. If, however, the position of such present employee should become vacant in the future, any subsequent appointee to such position will receive premium compensation for such position in accordance with the provisions of such new title IV.

Subsection (b) of section 208 of the conference substitute provides that the provisions of the new title IV added by section 208 (a) to the Federal Employees Pay Act of 1945, as amended, shall not be construed to decrease the existing aggregate rate of compensation of any present employee. If, however, the position of such present employee should become vacant in the future, any subsequent appointee to such position will receive premium compensation for such position in accordance with the provisions of such new title IV.

Limitation on premium compensation

Section 209 of the conference substitute amends section 603 of the Federal Employees Pay Act of 1945, as amended, to provide new limitations with respect to receipt of premium compensation which will replace the existing limitations contained in such section 603.

Subsection (a) of such section 603, as so amended, provides that no premium compensation will be paid, under the amendments made by title II of the conference substitute, for overtime, night, or holiday work, to any officer or employee whose rate of basic compensation equals or exceeds the maximum scheduled rate of basic compensation provided for grade GS–15 in the general schedule of the Classification Act of 1949, as amended.

Subsection (b) of such section 603, as so amended, provides that, in the case of any officer or employee whose rate of basic compensation is less than the maximum scheduled rate of basic compensation provided for grade GS–15 in the Classification Act of 1949, as amended, such premium compensation may be paid only to the extent that such payment would not cause his aggregate rate of compensation to exceed such maximum scheduled rate with respect to any pay period.

The amendment made by section 209 of the conference substitute replaces the present ceiling rate of $10,330 in the Federal Employees Pay Act of 1945, as amended—a former maximum scheduled rate of the former grade CAF–15.

Work schedules

Section 210 of the conference substitute adds to section 604 (a) of the Federal Employees Pay Act of 1945, as amended, new provisions relating to the scheduling of tours of duty. Except where an agency head determines that his organization would be seriously handicapped in carrying out its functions or that costs would be substantially increased, the new provisions will require such agency head to provide for the following actions and policies with respect to all officers and employees in his organization: (1) Assignments to tours of duty shall be scheduled at least 1 week in advance, (2) the basic workweek of 40 hours shall be scheduled on 5 days (Monday through Friday, if possible) and the 2 days outside the basic workweek shall be consecutive, (3) the working hours on each day in the basic workweek shall be the same, (4) the basic nonovertime workday shall not exceed 8 hours, (5) the basic workweek shall not be altered because of the occurrence of a holiday, and (6) daily tours of duty shall not be split by offduty periods of more than 1 hour.

It should be noted that existing mandatory scheduling provisions of the Federal Employees Pay Act of 1945, as amended, will continue in effect. Such provisions require agencies to establish a basic workweek of 40 hours and require that the hours of work in such workweek be performed within a period of not more than 6 of any 7 consecutive days.

Effective date

Section 211 of the conference substitute provides that title II of the conference substitute shall become effective at the beginning of the first pay period which begins more than 60 days after the date of enactment of the conference substitute.

TITLE III—GOVERNMENT EMPLOYEES' INCENTIVE AWARDS

Section 301 of the conference substitute establishes for title III a short title, the "Government Employees' Incentive Awards Act."

Section 302 of the conference substitute states that the awards program under this title shall be carried out under regulations and instructions issued by the United States Civil Service Commission. It further provides that the Commission shall report the results of the program annually to the President for transmittal to the Congress.

Section 303 of the conference substitute defines the term "department." This section will place all Federal departments and agencies except the Tennessee Valley Authority under the provisions of this title.

Section 304 (a) of the conference substitute authorizes the head of each department to pay cash awards to and incur necessary expenses for the honorary recognition of civilian officers and employees of the Government in the following circumstances:

1. When such officers or employees have contributed to the efficiency, economy, or other improvement of Government operations by their suggestions, inventions, superior accomplishments or other personal efforts; or

2. When they have performed special acts or services in the public interest in connection with or related to their official employment.

Section 304 (b) of the conference substitute authorizes the President to pay cash awards to and incur necessary expenses for the honorary recognition of civilian officers and employees of the Government in addition to departmental awards authorized in section 304 (a) in circumstances where such additional awards or recognition are determined by the President to be warranted.

Section 304 (c) of the conference substitute provides that awards authorized in section 304 (a) and 304 (b) may be paid even though the official or employee has died or been separated from the service, provided that the suggestion or other contribution on which the award is based was made while he was in the Government's employ.

Section 304 (d) of the conference substitute provides that a cash award under this section shall be in addition to regular compensation of the officer or employee. It also is designed to protect the United States from a claim of any kind which might arise from the acceptance of a cash award by any employee, former employee, or his heirs or assigns. It should be understood that the inclusion of this subsection in the title in no way implies the existence of a claim against the United States in any case in which the award is not accepted or in which the recipient later deems it insufficient. This carries forward the language in existing law to be found in section 14 of the act entitled "An act to authorize certain administrative expenses in the Government service, and for other purposes" approved August 2, 1946, which section is repealed in section 305 hereinafter.

Section 304 (e) of the conference substitute authorizes departments to pay cash awards and expenses for honorary recognition from their general appropriations. In addition, it will permit two or more departments which have benefited from a single suggestion or other contribution to share in the cost of the award granted therefor. The President will determine the proportionate amount that each benefiting department will contribute in the case of those awards he authorizes, and the head of each department will determine the amount of the awards he authorizes.

Section 304 (f) of the conference substitute states that due weight shall be given to awards made under this title in considering employees for promotion.

Section 304 (g) of the conference substitute provides that no cash award paid under this title shall exceed $5,000, except that in special cases awards of not in excess of $25,000 may be granted, with approval of the Civil Service Commission, upon certification by the head of the department concerned.

Section 305 of the conference substitute repeals all existing laws governing incentive-awards programs. Section 702 of the Classification Act of 1949, which authorizes within-grade salary step increases for superior accomplishment, is among the laws repealed in this section.

Section 306 of the conference substitute provides that the enactment of this title shall not affect the right of any employee to an award granted him under any provision of law repealed by this title.

Section 307 of the conference substitute establishes the effective date of this title as 90 days after its enactment. This will give departments time to revise their awards programs in compliance with the provisions of this title.

The conference substitute adopts the language of title III of the Senate amendment, except for the addition of the monetary limitations in section 304 (g) and the saving clause in section 306 thereof which are discussed above. S. 2665, as reported to the House, contained language which is similar in effect to that of the Senate amendment, and in addition thereto contained the monetary limitations and the saving clause which are included in sections 304 (g) and 306, respectively, of the conference substitute.

TITLE IV—UNIFORM ALLOWANCES

Section 401 of the conference substitute establishes a short title, the "Federal Employees Uniform Allowance Act."

Section 402 of the conference substitute authorizes the annual appropriation of funds to Government agencies in amounts up to $100 multiplied by the estimated number of agency employees (1) who are required by existing regulation or by law to wear a prescribed uniform while on duty and (2) who are not furnished with the required uniform. Under rules issued by the Bureau

of the Budget the agency head would have to furnish such uniform, or pay out of such appropriated funds, to each such employee to defray the expense of acquiring such uniform an allowance of not in excess of $100 per year as prescribed by agency regulations. Any amounts allowed for the same purpose under other law or regulation would be deducted from any allowance paid under this title.

Section 403 of the conference substitute provides that allowances paid under this title shall not be considered as pay salary or compensation within the meaning of the Civil Service Retirement Act of May 29, 1930, as amended, or as wages within the meaning of section 209 of the Social Security Act, as amended, or chapters 21 and 24 of the Internal Revenue Code of 1954.

Section 404 of the conference substitute authorizes and directs the Director of the Bureau of the Budget to issue necessary rules and regulations for the administration of this title.

The conference substitute adopts the language of the Senate amendment, except (1) for deletion of a provision therein for use of uniform allowances for upkeep of uniforms and (2) addition of language giving the agency head discretion to furnish such uniforms out of funds appropriated therefor, in lieu of a cash allowance for the purpose. S. 2665, as reported to the House, provided a comparable uniform allowance, but contained no provision which would make the appropriation of funds for the uniform allowances dependent upon a showing of the necessity or desirability thereof.

TITLE V—ANNUAL LEAVE

Section 501 of the conference substitute amends section 2 of the act of August 3, 1950, as amended by section 5 of the act of July 2, 1953, which provides, in part, for the lump-sum payment for all accumulated annual leave to survivors of deceased officers and employees in an amount equal to the compensation that the decedent would have received if he had remained in the service until the expiration of the period of such annual leave. Payment under existing law may be made for current accrued leave only where the total does not exceed 30 days. Section 501 so amends this provision to permit current accrued annual leave to be added to the accumulated leave and be paid in a lump-sum payment even though the total leave equals or exceeds the 30-day maximum.

Section 502 of the conference substitute repeals section 6 of the act of July 2, 1953, which directed departmental heads to take action for the reduction of accumulated annual leave credited to officers and employees which was in excess of amounts allowable under the applicable provisions of section 203 of the Annual and Sick Leave Act of 1951, as amended.

Section 503 of the conference substitute provides that title V shall take effect as of September 1, 1953.

TITLE VI—MISCELLANEOUS PROVISIONS

Section 601 (a) of the conference substitute amends section 2 (b) of the Performance Rating Act of 1950 by excluding the Central Intelligence Agency from the application of such act.

Section 601 (b) of the conference substitute repeals section 9 of the Central Intelligence Agency Act of 1949, as amended, which authorizes the Director of the Central Intelligence Agency to establish not more than three positions in the professional and scientific field in such Agency with compensation at rates (subject to Civil Service Commission approval) of not less than $13,100 nor more than $15,000 per annum. Such section 9 is no longer needed because of subsequent legislation.

These same provisions are also contained in subsections (a) and (b) of section 601 of the Senate amendment and subsections (a) and (b) of section 602 of S. 2665, as reported to the House.

Section 602 of the Senate amendment repeals section 1310 of the Supplemental Appropriation Act, 1952 (Public Law 253, Eighty-second Congress), as amended. S. 2665, as reported to the House, contains no comparable provision. The conference substitute modifies such section 1310, in lieu of outright repeal, as follows:

(1) The limitation in such section 1310 on the maximum allowable number of permanent personnel in the Federal Government (that is, the total number of permanent employees on September 1, 1950) is increased by 10 percent;

(2) the prohibition in such section 1310 against permanent reinstatements and permanent promotions is eliminated; and

(3) a new subsection (e) is added to such section 1310, providing that such section does not, and shall not be construed to, amend or modify the Veterans' Preference Act of 1944, as amended.

According to information received from the Civil Service Commission the first two numbered modifications of such section 1310 will permit the Commission to place in effect its proposed program to convert present indefinite employees in the competitive service to a permanent status and to provide a new system of appointments for the future.

The committee of conference understands that such program will include the following principles:

(1) Establishment of a new type of appointment to be designated "career-conditional";

(2) Automatic conversion of each present indefinite appointment, heretofore made in lieu of reinstatement, to a permanent appointment after a total of 3 years of service, or to a career-conditional appointment after a total of less than 3 years of service;

(3) Automatic conversion of each present indefinite appointment which was made after open competitive civil service examination to a permanent appointment after 3 years of continuous service, or to a career conditional appointment after less than 3 years of such service;

(4) Career-conditional appointments to persons employed in the future after open competitive civil service examinations, the first year to be a probationary period, such appointments to be converted automatically to permanent after 3 years;

(5) Immediate automatic conversion to permanent appointments of all indefinite appointments received by permanent employees as the result of promotions; and

(6) Continuance as indefinite appointments of present indefinite appointments made without open competitive civil service examination.

It is understood, also, that Executive Order 10180, dated November 13, 1950, will be rescinded and that a new executive order will be issued in place thereof to authorize the Civil Service Commission to place its career-conditional program in operation. As pointed out above, under the conference substitute the limitation on the maximum allowable number of permanent Federal personnel applies on a Government-wide basis, rather than by individual departments and establishments. In accordance with this policy, it is contemplated that neither permanent appointments nor career-conditional appointments will be allocated by the Commission to the various departments and establishments. Thus, both the overall limitation on permanent appointments provided by section 1310 of the Supplemental Appropriation Act, 1952, as amended by the conference substitute, and the giving of career-conditional and permanent appointments under the proposed career-conditional program of the Civil Service Commission will be applied on a Government-wide basis.

The third numbered modification of such section 1310 is merely a restatement of existing law for purposes of clarification and emphasis.

The conference substitute continues in force provisions of such section 1310 which were designed to assure that the bulge in Federal employment during the present emergency will not be permanent, and which are deemed both appropriate and desirable as a means of congressional control of payrolls during such periods of emergency. Recognition is given to the recommendations in the report accompanying S. 2665, as reported to the House, that Executive Order 10180 should be replaced by a new executive order which is in harmony with such section 1310 and which provides for a Government-wide ceiling on permanent appointments rather than a ceiling applied by individual departments and establishments as is the case under Executive Order 10180. Recognition also is given to the recommendation in such report that the Civil Service Commission make a beginning on adjustment of the Federal personnel program based upon an actual proposed plan within the framework of the law.

Section 603 of the conference substitute provides that official reporters of the proceedings and debates of the Senate and the employees of such reporters shall be considered to be officers or employees in or under the legislative branch of the Government for the purposes of the Federal Employees' Group Life Insurance Act of 1954. This same provision is contained in section 603 of the Senate amendment, but there is no comparable provision in S. 2665, as reported to the House.

Mail messenger service contracts

The House bill amended the act of March 3, 1887 (39 U. S. C., sec. 578), which authorizes the employment of mail messengers in the postal service, in order to permit the Postmaster General, in his discretion and under regulations prescribed by him, to readjust the compensation of the holder of any mail-messenger service contract on account of increased or decreased costs occasioned by changed conditions not reasonably foreseeable at the time the contract was entered into. Mail messenger service contracts provide for transportation of mail between post offices and railroad stations or airports. The Motor Vehicle Service of the Post Office Department provides such transportation in most of the larger cities, while the mail-messenger service contract is used in smaller places. Such contracts, which are awarded by competitive bidding, continue until either the United States or the contract holder gives notice to withdraw and, thereupon, the contract is readvertised for bids. In some cases increased costs of operation which are incurred by holders of such contracts justify increases in their contract compensation. In other cases reduced costs of operation—generally by reason of decreased volume of mail—for holders of such contracts justify reductions in their contract compensation. Existing law does not authorize readjustment of mail-messenger service contract compensation. The contract must be canceled and readvertised for competitive bids. In authorizing the Postmaster General to readjust mail-messenger service contract compensation the House bill follows the policy established by the Act of June 19, 1948 (Public Law 669, 80th Cong.), and the act of February 29, 1952 (Public Law 262, 82d Cong.), which authorize the Postmaster General to make such readjustments in the compensation of holders of star route contracts and screen vehicle service contracts. The Senate amendment does not contain any provision relating to mail-messenger service contracts. Section 604 of title VI of the conference substitute retains the above-discussed provisions of the House bill.

The committee of conference recommends a modification of the title of the bill to reflect more adequately the provisions of the bill as agreed to in conference.

EDWARD H. REES,
JOEL T. BROYHILL,
TOM MURRAY,
Managers on the Part of the House.

Mr. REES of Kansas. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia [Mr. DAVIS].

Mr. DAVIS of Georgia. Mr. Speaker, this conference report provides for the enactment into law of certain fringe benefits for postal and Federal employees.

In the House Post Office and Civil Service Committee we have given careful study to the subject matter of the various items in this conference report.

When this legislation was before our committee, I offered an amendment which provided that employees above the grade of GS–9 should receive overtime pay at a rate equivalent to time and one-half at such maximum scheduled rate of grade GS–9, or at their respective rates of basic compensation, whichever is greater. This amendment would serve to prevent employees in the higher grades being forced to work overtime at a rate of pay less than their regular rate of pay.

Frankly, I fail utterly to see any reason why an employee who works overtime should be denied the right to receive at least his regular rate of pay for such overtime work. I do not see the justice at all of requiring an employee to do overtime work at a lower rate of pay than he receives for his regular hours. That is why I offered the amendment to this legislation. This amendment was almost unanimously adopted in the committee, and was in the bill when the bill passed the House. I regret very much that the conferees have seen fit to strike this amendment from the bill.

However, in view of the fact that there are other meritorious provisions in this conference report, and in further view of the fact that this is the last opportunity we will have to pass this legislation during the present session of Congress, I am going to vote for the conference report, and hope that we can rectify at the next session of Congress what I consider to be an injustice and an error.

I think the incentive awards provisions are good.

I introduced this year a fringe bill which carried a number of provisions not included in this conference report. I am glad indeed that the conference report carries a $100 uniform allowance. This is a provision included in the fringe bill I introduced. I have supported this uniform allowance for a number of years, and am glad that it is finally being enacted into law. It provides that Federal employees who are required to wear a prescribed uniform while on duty, and who are not furnished with this uniform, shall be authorized to receive a uniform allowance not to exceed $100 per year, under such rules and regulations as may exist governing the subject.

This conference report also provides that such uniform allowance shall not be considered as pay, salary, or compensation within the meaning of the Civil Service Retirement Act or within the meaning of the Social Security Act or of the Internal Revenue Code.

The bill as agreed upon by the conferees contains other meritorious provisions, but I will not take the time of the House to refer to them now.

Mr. Speaker, I was a member of the subcommittee which considered and reported out House bill H. R. 9909, which is a bill to prohibit the payment of Federal annuities or retirement pay to persons who commit offenses which in effect constitute breaches of faith in matters involving treason, sabotage, subversive activities, perjury, and other offenses related to their official duties, or who have been guilty of improper use of their authority, power, influence, or privileges as officers or employees of our Government.

This legislation is intended to prevent such people as Alger Hiss from drawing retirement pay by reason of their former employment in Government positions.

Those of us who perfected this bill and voted it out favorably felt that there is no justification whatever for permitting a traitor to our Government, or a subversive or one who has engaged in sabotage to be permitted the benefit of drawing retirement pay or annuities from our civil-service retirement fund. We felt also that this privilege should be denied to former Federal employees who have committed breaches of faith in matters involving the improper use of their authority, power, or influence or privileges as officers or employees of the Government.

This legislation will have a great influence in clearing the moral climate in which the business of the United States Government is transacted, and to improve the ethical conduct of those individuals both in and outside the Government who transact such business.

I think this legislation is long overdue, and I am glad that we are about to take the final step in enacting it into law. It is my understanding that the conference report on this bill, H. R. 9909, will follow immediately after the conference report now under consideration has been concluded.

This legislation will provide that any and all sums paid into the retirement fund by such persons as Alger Hiss or any others coming under the terms of this bill, shall be refunded to them. Thus, they will not be deprived of anything which is rightfully theirs. On the other hand, they will be denied, and rightfully so, the benefits and advantages of participating in our civil-service retirement fund. I shall support both these conference reports, and feel that they should be adopted wthout any controversy.

Mr. GROSS. Mr. Speaker, I ask unanimous consent the the gentleman from Minnesota [Mr. HAGEN] may extend his remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. HAGEN of Minnesota. Mr. Speaker, I feel that this measure is highly desirable and in many respects a very good measure. However it has omitted or pared down a number of Federal employees' benefits which, in my judgment, certainly should have been included in this conference report.

I am particularly disappointed in the following omissions or weaknesses in this revised legislation which is H. R. 2263, of which I was the original author.

First of all, I strongly favored the overtime pay provisions of the Senate version of this bill and of S. 2665, as reported to the House by our committee providing, first, overtime at true time and a half for all employees up through the top step of grade GS–9, and at the same rate for employees in higher grades; and, second, the option of straight time for overtime by employees in the higher grades where such straight time would be greater than the time and a half pay at the top of grade GS–9. In my judgment, this works a major injustice on many of our most valuable, loyal, and hard-working employees, and I can find no justification for such discrimination.

Secondly, the conference substitute provision establishing a 25 percent maximum for the aggregate premium compensation of employees in so-called standby positions is very unfair to the largest group of employees in such positions, that is, our 13,000 or more firefighters. The conference substitute will deprive these firefighters—except the ones presently on the roll—of as much as $360 per annum in premium compensation which they would receive under present provisions for overtime, night differential, and holiday pay.

I realize the desirability of a system of premium compensation which is as uniform as possible, but such a system certainly should not be imposed at the expense of an actual out-of-pocket loss to future employees in firefighting positions. As a matter of fact, the very uniformity which allegedly will result under the conference substitute is self-defeating, because it will automatically create two separate and distinct groups of firefighting employees, both doing the same work and subject to the same qualifications and requirements, but each receiving different rates of pay solely because of the 25 percent overall premium compensation limitation in the conference substitute.

The conference substitute would be a much more sound piece of legislation had it retained the provisions of the Senate version of H. R. 2263 and S. 2665 as reported to the House by the House Post Office and Civil Service Committee dealing with this matter of premium compensation of firefighters.

Thirdly, while I supported the definite uniform allowance provisions of S. 2665, as reported to the House by our committee, I feel it would have been a desirable feature to include in the conference substitute the language of the Senate bill which would have permitted use of the uniform allowance for the upkeep of such uniforms, an expense borne by employees required to wear uniforms which is not borne by other Federal employees. I also favor the House approved version, which would not have made the appropriation of funds for these uniform allowances dependent upon a showing of the necessity or desirability thereof each

year, as is the case with the conference substitute.

Fourth, by adopting the Senate version on annual leave rights for Federal employees, the conference substitute did not go nearly far enough toward restoring annual-leave privileges which were taken away from Federal employees by Public Law 102 of this Congress. There is ample justification for restoration of the right to accumulate up to 60 days of annual leave, as would have been provided under S. 2665 as our committee reported that bill to the House. The accumulated annual leave is a cushion which employees have against separation from their jobs and consequent loss of income.

Moreover, many Federal employees live at great distances and simply cannot take any real vacation, such as would be required to travel to and from their distant homes and spend any time there, unless they can have the right to save their leave until it amounts to a longer period than 30 days.

I have always felt that the 1944 law authorizing lump-sum payments for accumulated annual leave when employees are separated is a distinct benefit to the Government, from the standpoint of sound administration and management, as well as to the employees as a cushion against loss of employment.

In spite of these omissions and watering down of some of the benefits, this measure should be approved.

It will result in some much-needed and desirable benefits to many Federal employees.

The SPEAKER. The question is on the conference report.

The conference report was agreed to, and a motion to reconsider was laid on the table.

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. REES of Kansas. Mr. Speaker, I am pleased to present this conference report to the House of Representatives. It contains what in my judgment is one of the most forward-looking pieces of employee legislation the House has considered for many years.

This bill passed the House on Consent Calendar as legislation to permit the extension for an additional period of 4 years of mail-messenger contracts under the present rules, regulations, and laws governing the extension of star-route contracts. The star-route law has been in existence for a number of years and has worked out very satisfactorily. It provided the Department with a means of retaining star route contractors who have given satisfactory performance. It provides for a better continuity in the whole star route operation. The legislation as passed by the House would extend these benefits to mail-messenger contracts, which provide for a similar service of carrying mail between post offices or from railroad stations to post offices. Under the conference agreement this provision, which was struck out in the Senate, was restored and is now in the conference agreement.

The basic change in this legislation, however, relates to Federal employees. It contains what are termed the "fringe benefit" proposals of the administration. As a matter of fact, "fringe benefits," in my judgment, is a misnomer. Actually, this legislation provides some very substantial benefits for Federal employees—benefits which they have sought for many years.

While the major change in this bill was made in the Senate, this entire legislative matter has received very careful consideration by our committee. It was the subject of an extended hearing by our committee and recommendations made in legislation under a Senate number, 2665. This legislation was reported favorably and contained, in addition to the fringe benefits in this bill, provisions for a 5 percent salary increase. It has not been called up for consideration by the House.

The legislation approved by the Senate as H. R. 2263 contains substantially the same language, except for the salary provision, as the legislation approved by our committee. Only a few minor changes were made in the conference report and I am pleased now to present to you a summary of the contents of this report as it relates to benefits and improved procedures for Federal employees:

This legislation will increase by 150 the number of so-called supergrade positions—that is, the positions in grades 16, 17, and 18—which are authorized under the Classification Act of 1949, as amended. Under that act 400 of these higher grade positions were authorized; under this legislation there will be 550, divided as follows: Not more than 400 in grade 16; not more than 115 in grade 17, and not more than 35 in grade 18. Additional positions in this same category which are authorized by other legislation are not disturbed by this bill.

This legislation makes important changes made in the longevity provisions for employees paid under the Classification Act. One of the beneficial proposals is that an employee may count toward his longevity step increases time served in a higher grade. Also, this legislation extends the principle of longevity step increases to employees in grades 11 through 15. Previously longevity step increases have been limited to employees in grades 10 and below. The longevity step increases will be in the same amount as the within-grades step rate increases, except that for grade 15, which has step-grade increases of $250, the longevity step increase will be $200.

This legislation permits the Civil Service Commission to recruit employees in scarce categories above the minimum rate of the class of positions to be filled by such employees. This will be of great benefit in the recruitment of employees where it is difficult to find qualified eligibles for vacancies in engineering, scientific, and other positions where there is a scarcity of qualified eligibles.

One of the major changes in this bill is the elimination of what is known as the CPC schedule. This is the crafts, protective, and custodial schedule. Under this proposal over a period of a year the Civil Service Commission will transfer approximately 116,000 employees from this schedule for pay purposes. Approximately 65 percent of them will be paid under Wage Board procedures, and the remainder will go to the Classification Act schedules. Wage Board procedures provide for payment of employees who are craftsmen, mechanics, and tradesmen in accordance with the prevailing wages for similar types of work in the area where they are employed. Nearly 800,000 employees, primarily located in the Defense Department, are already paid under such procedures.

This legislation contains a complete revision of the premium-pay laws governing Federal employees. It brings it up to date and places it on a basis that will be more or less self-adjusting in the future. One of the major changes is raising the maximum rate of base pay which an employee may receive and still be paid full time and a half for overtime. At the present time, the rate is $2,980 per annum. Under this legislation full time and a half for overtime will be paid for employees who receive the minimum rate of grade 9, which is $5,060 per annum at the present time. This will then become the maximum overtime rate for all employees whether or not they receive a higher basic rate than the minimum of grade 9. Employees below the minimum of grade 9 have an alternative of being paid time and a half for all overtime or receiving compensatory time. For employees over grade 9 compensatory time or overtime pay is at the option of the agency concerned. Call-back provisions are revised so that an employee called back to perform unscheduled overtime work will receive a minimum of 2 hours' pay at the overtime rate.

Under this conference report there is a special provision for certain unusual types of work, This section 208 provides additional annual pay at rates of up to 25 percent of base pay in lieu of all overtime, night and holiday pay for employees performing standby duty and having long been in ordinary periods of duty. In the case of those employees who, under present laws or Comptroller General's decisions, might receive a more favorable rate than the 25 percent maximum would permit, there is a savings clause which assures that such employees who are presently on the rolls will not receive a reduction in salary.

This legislation places the Federal Government on a 5-day, 40-hour week rather than present 40-hour administrative week. There is a provision, however, that where an agency will be seriously handicapped in carrying out its functions or where costs would be substantially increased by compliance with this section the agency may require the duties to be scheduled on days other than the 5 days.

This legislation completely revises the Government's incentive awards program. It provides for a coordinated program directed by the Civil Service Commission. Under the conference report department and agency heads may grant incentive awards or cash awards for amounts not exceeding $5,000. They may grant such awards with the approval of the Civil

Service Commission for amounts not exceeding $25,000. There is also a provision in the bill for a Presidential award in addition to other awards which may be granted under the bill.

The annual-leave laws governing Federal employees are amended by this conference report to provide that annual leave already accumulated and which by the recent amendment to the Leave Act would have to be liquidated down to 30 days may be retained. Also there is a provision whereby estates of employees who die in service may be compensated for the current accrued annual leave.

Mr. Speaker, except for the revisions of the classification pay schedules recommended by the Commission, this legislation, when combined with the group-insurance plan recently approved by the Congress, contains virtually all of the administration's program with respect to Federal personnel. We have received a proposal which will be given study from the administration relating to group, health, and hospitalization insurance. I feel that the House will approve this conference report. I certainly hope it will and when it has been signed into law, I believe that this Congress and the administration can point with pride to some of the most far-reaching reforms in the Federal personnel program that have ever been brought about in such a brief period of time.

As the bill passed the Senate, it provided for a repeal of what has come to be popularly known as the Whitten amendment. This is a rider to an appropriation act which in 1950 placed the Government employment on a temporary basis until such time as the President should rescind the emergency order which was placed into effect at that time.

The conference report does not repeal the Whitten amendment, but does contain a modification which meets several objections that have developed and were pointed out in testimony before our committee. Primarily what our proposed amendment does is to clearly place the ceiling on permanent appointments—the number in effect on September 1, 1950—on a Government-wide basis, and to permit a 10-percent increase in that ceiling. It also permits permanent reinstatements and permanent promotions. It retains all of the features of the Whitten amendment which were written for the protection of employees, such as the provisions for preserving positions for men going into military service and for reports to Congress covering the average grade and salary throughout the various Federal agencies. Testimony before the committee indicated that most of these objectives could probably be accomplished under the present Whitten amendment. However, in order to make sure that the Congress was not prohibiting specifically these permanent reinstatements and promotions, the amendment was revised to some extent. We have the assurance of the Civil Service Commission that they can place into effect their program for a beginning on their career-conditional type of appointment. This will establish a 3-year period in which employees will move from a temporary to a permanent status, and will provide considerably more flexibility in Federal employment as well as a better basis for assimilating reductions if they are necessary because of a reduction in the total number of Federal personnel.

We also have the assurance of the Civil Service Commission that they will move promptly into this program. It is the view of the conferees that this will continue in effect the benefits of the Whitten amendment with respect to a brake on total number of permanent employees in the Federal Government, yet at the same time provide the basis for the Government to move as rapidly as possible into a more stabilized employment and to a much more favorable employment situation for Federal employees who have been added to the rolls since September 1950.

Under the conference agreement a uniform allowance is authorized for those Federal employees who are required to wear them in carrying out their official duties. Under the terms of this uniform allowance section administrators must first determine the desirability of providing these uniforms, then request the necessary appropriations, and the appropriations then, of course, will be acted upon in the normal legislative manner. These provisions will include all Federal employees, including postal employees. The only difference between this section and that approved by the Senate is the conference report strikes out the provision for upkeep of uniforms contained in the Senate passed bill.

In my judgment, this bill which improves overtime provisions, establishes special premium compensation, provides longevity step increases for those in grades 11 through 15, authorizes recruitment in scarce categories above the minimum of the grade, returns the Government to a basis whereby permanent appointments, promotions and reinstatements will be made, as well as provides uniform allowances, represents one of the landmark pieces of legislation to be enacted into law in modern times.

I trust that the House will approve this conference report which, in the areas covered, so closely approximates what was passed by the Senate and recommended by our committee.

Estimated costs of H. R. 2263

Provisions of bill:	*Annual costs*
Sec. 101, supergrades	$260,000
Secs. 102, 103, longevity	1,585,000
Secs. 105, 106, 107—CPC schedule	36,513,000
Title II, premium pay	28,000,000
Title IV, uniform allowances (Senate figure)	20,000,000
Title V, annual leave (payment to dependents)	1,840,000
Total	88,198,000

PROHIBITION OF PAYMENT OF ANNUITIES TO CERTAIN GOVERNMENT EMPLOYEES

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 9909) to prohibit payment of annuities to officers and employees of the United States convicted of certain offenses, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 10, after line 5, insert:

"SEC. 10. (a) Section 3282 of title 18 of the United States Code is amended by striking out 'three' and inserting in lieu thereof 'five'.

"(b) The amendment made by subsection (a) shall be effective with respect to offenses (1) committed on or after the date of enactment of this act, or (2) committed prior to such date, if on such date prosecution therefor is not barred by provisions of law in effect prior to such date."

The SPEAKER. Is there objection to the request of the gentleman from Kansas [Mr. REES]?

Mr. MURRAY. Mr. Speaker, reserving the right to object, may I ask the gentleman from Kansas [Mr. REES] if the amendment to the bill as passed by the House affects the annuities of those persons who are already receiving annuities or does it affect the annuities of those which have been granted Presidential pardons?

Mr. REES of Kansas. The answer to both questions is categorically no.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

MILITARY FAMILY HOUSING

Mr. JOHNSON of California. Mr. Speaker, I call up the conference report on the bill (H. R. 9924) to provide for family quarters for personnel of the military departments of the Department of Defense and their dependents, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2669)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9924) to provide for family quarters for personnel of the military departments of the Department of Defense and their dependents, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

On pages 16 and 17 of the Senate engrossed amendment strike out section 407 and insert the following:

"SEC. 407. The Secretary of Defense is authorized, subject to the approval of the Director of the Bureau of the Budget, to

construct, or acquire by lease or otherwise, family housing, in addition to family housing otherwise authorized to be constructed or acquired by the Department of Defense in foreign countries, to the value of $25,000,000 through the use of foreign currencies acquired pursuant to the provisions of the Agricultural Trade Development and Assistance Act of 1954 (Public Law 480, Eighty-third Congress).

"The Department of Defense shall reimburse the Commodity Credit Corporation in a dollar amount equivalent to the value of the foreign currencies used during any fiscal year pursuant to the authority contained in this section. For the purpose of such reimbursement, the Department of Defense may utilize appropriations otherwise available for the payment of quarters allowances for military personnel.

"The Secretary of Defense shall furnish to the Committees on Armed Services of the Senate and the House of Representatives a quarterly report, the first of which shall be submitted three months subsequent to the date of enactment of this Act, setting forth the cost, number, and location of housing units constructed or acquired pursuant to the authority contained in this section during the three-month period preceding the date of such report, and setting forth the cost, number, and location of the housing units intended to be constructed or acquired pursuant to such authority during the next succeeding quarter."

And the Senate agree to the same.

LEROY JOHNSON,
PAUL CUNNINGHAM,
J. P. S. DEVEREUX,
OVERTON BROOKS,
GEORGE P. MILLER,
Managers on the Part of the House.

FRANCIS CASE,
JAS. H. DUFF,
JOHN C. STENNIS,
By W. H. D.
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9924) to provide for family quarters for personnel of the military departments of the Department of Defense and their dependents, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

On July 29, 1954, the House of Representatives passed H. R. 9924, which was a bill to provide family quarters for personnel of the military departments of the Department of Defense and their dependents. On August 11, 1954, the Senate considered and passed the House bill in amended form by striking all after the enacting clause and inserting the language of the companion Senate bill.

While the Senate amended the House bill in numerous minor respects, resulting in a total reduction of some 1,600 family units and a reduction in the total authorization from $216 million to $175 million, it was the considered viewpoint of the House Committee on Armed Services that the overall nature of these amendments were not sufficient to justify a conference. However, the Senate added a new Section 407 to the bill, the purpose of which was to permit the Department of Defense to use foreign currencies, on a reimbursable basis, which were generated in foreign friendly nations through the sale of surplus agricultural commodities by the Commodity Credit Corporation. Various members of the House Committee on Armed Services and Members of the House expressed concern as to whether or not the language contained in Section 407 would jeopardize the credit of the Commodity Corporation, it being felt that some assurance should be given that agency that it would be reimbursed in full, and without undue delay, for any foreign currencies which it might make available to the Department of Defense for the construction of overseas family housing.

The Senate amendment would have authorized a total of $75 million for family housing units by the above-mentioned procedure. It was the view of the managers on the part of the House that such construction should be undertaken on a more modest basis, while the plan was being proved on its merits, and that appropriate assurances be given the Commodity Credit Corporation on the question of adequate and prompt reimbursement. As a consequence, the House, having disagreed to section 407, receded with the amendment set forth in the conference report, to which amendment the Senate agreed.

It is recognized by all that a serious housing condition confronts military personnel, both at home and abroad, and that the situation abroad is particularly bad. It is also recognized that the Government has on hand large surpluses of agricultural commodities which may be sold abroad and thereby generate large amounts of foreign currencies to be expended for certain specified purposes. The enactment of this provision will authorize the Department of Defense to participate in the use of the currencies generated in the foreign friendly countries to the benefit of our military personnel and without impairment to the Commodity Credit Corporation.

LEROY JOHNSON,
PAUL CUNNINGHAM,
J. P. S. DEVEREUX,
OVERTON BROOKS,
GEORGE P. MILLER,
Managers on the Part of the House.

The SPEAKER. The question is on the conference report.

The conference report was agreed to, and a motion to reconsider was laid on the table.

CHANGING NAME OF GAVINS POINT RESERVOIR BACK OF GAVINS POINT DAM TO LEWIS AND CLARK LAKE

Mr. DONDERO. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3744) to change the name of Gavins Point Reservoir back of Gavins Point Dam to Lewis and Clark Lake.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. DONDERO]?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Gavins Point Reservoir back of Gavins Point Dam, which is located on the Missouri River near Yankton, S. Dak., shall hereafter be known as Lewis and Clark Lake and any law, regulation, document, or record of the United States in which such reservoir is designated or referred to under the name of Gavins Point Reservoir shall be held to refer to such body of water under and by the name of Lewis and Clark Lake.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COMMISSION FOR THE ENLARGING OF THE CAPITOL GROUNDS

Mr. DONDERO. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1042) to abolish the Commission for the Enlarging of the Capitol Grounds.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. DONDERO]?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Commission for the Enlarging of the Capitol Grounds, created by the act of April 11, 1928 (45 Stat. 420), having fully executed all the duties imposed upon it by law, accomplished the purposes for which it was created, settled all accounts, and submitted its final report to Congress, is hereby dissolved and the members of such Commission discharged from any further duties in connection with the matters heretofore committed by law to such Commission.

SEC. 2. Any revocable permits now in effect, heretofore granted by the Architect of the Capitol, under the direction of the Commission for the Enlarging of the Capitol Grounds, to owners of properties adjacent to the Capitol Grounds, for construction, maintenance and use of walkways, approaches, or driveways in the Capitol Grounds, providing access to such properties from the Capitol Grounds, subject to revocation by such Commission or by the Architect of the Capitol, shall continue in effect, subject to revocation by the Architect of the Capitol under the direction and approval of the President of the Senate and the Speaker of the House of Representatives. The Architect of the Capitol, with the approval of the President of the Senate and the Speaker of the House of Representatives, is authorized hereafter to grant similar revocable permits to the owners of any properties adjacent to the Capitol Grounds whenever such action is deemed necessary to provide proper access to such properties from the Capitol Grounds; and such permits shall be in the form of an agreement saving the United States harmless from and against any and all claims of any nature or kind that may arise from anything that may be connected with or grow out of such permits, and containing such other provisions and conditions as the Architect of the Capitol may deem necessary or proper.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONVEYANCE BY THE TENNESSEE VALLEY AUTHORITY OF CERTAIN PUBLIC-USE TERMINAL PROPERTIES NOW OWNED BY THE UNITED STATES

Mr. DONDERO. Mr. Speaker, I ask unanimous consent for the immediate consideration of Senate Joint Resolution 170 to approve the conveyance by the Tennessee Valley Authority of certain public-use terminal properties now owned by the United States.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. DONDERO]?

There being no objection, the Clerk read the Senate joint resolution, as follows:

Resolved, etc., That the Congress, pursuant to section 4 (k) (b) of the Tennessee Valley Authority Act of 1933, as amended (55

Stat. 599–600; 16 U. S. C. 831c (k) (b)), hereby approves the conveyance of the Tennessee Valley Authority in the name of the United States, by deed, lease, or otherwise, for the purposes of said section 4 (k) (b) and on the basis of the fair sale or rental value determined by the Tennessee Valley Authority, of the public-use terminal properties now owned by the United States and in the custody of the Tennessee Valley Authority at Knoxville, Chattanooga, and Harriman, Tenn., and Decatur and Gunterville, Ala.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PUBLIC WORKS

Mr. DONDERO. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 9859) authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 4, after line 9, insert:

"Delaware River, Pa., N. J., and Del.: In accordance with the recommendations of the Board of Engineers for Rivers and Harbors in House Document No. 358, 83d Congress, at an estimated cost of $91,389,000."

Page 6, after line 20, insert:

"The existing modified project for Wilmington Harbor, N. C., authorized by the River and Harbor Act approved May 17, 1950, in accordance with the recommendations of the Chief of Engineers in House Document No. 87, 81st Congress, is hereby further modified to provide that the Secretary of the Army shall reimburse local interests for such work as they may have done upon widening of the transition channel at the lower end of the anchorage basin, subsequent to May 17, 1950, insofar as the same shall be approved by the Chief of Engineers and found to have been done in accordance with the project modification adopted in said act, provided that such payment shall not exceed the sum of $65,000."

Page 6, after line 20, insert:

"Charleston Harbor, S. C.: Senate Document No. 136, 83d Congress, at an estimated cost of $200,000."

Page 7, after line 7, insert:

"Carrabelle Harbor, Fla.: House Document No. 451, 83d Congress (maintenance of existing channel)."

Page 7, after line 22, insert:

"Pascagoula Harbor, Miss.: Modification of existing project in accordance with plans on file in the office of the Chief of Engineers, at an estimated cost of $877,000."

Page 8, after line 19, insert:

"Port Aransas-Corpus Christi Waterway, Tex.: House Document No. 487, 83d Congress, at an estimated cost of $180,000."

Page 9, line 12, after "approved", insert ": *Provided*, That such authorization shall include the acquisition of lands necessary for wildlife purposes as outlined in said Senate Document No. 81."

Page 10, after line 11, insert:

"Saginaw River, Mich.: In accordance with the report of the Chief of Engineers, dated June 7, 1954, at an estimated cost of $4,496,800."

Page 10, after line 13, insert:

"Ashtabula Harbor, Ohio: House Document No. 486, 83d Congress, at an estimated cost of $4,900,000."

Page 11, after line 24, insert:

"Richmond Harbor, Calif.: House Document No. 395, 83d Congress, at an estimated cost of $2,086,000."

Page 12, after line 5, insert:

"Tillamook Bay and Bar, Oreg.: Senate Document No. 128, 83d Congress, at an estimated cost of $1,500,000."

Page 12, lines 19 and 20, strike out "House Document No. —, 83d Congress" and insert "In accordance with the report of the Chief of Engineers, dated May 27, 1954."

Page 13, after line 11, insert:

"Tacoma Harbor, Wash.: Modification of existing project to provide for 30-foot channel in Port Industrial (Wapato) Waterway, in accordance with plans on file in the office of the Chief of Engineers, at an estimated cost of $634,200."

Page 13, after line 20, insert:

"Sitka Harbor, Alaska: House Document No. 414, 83d Congress, at an estimated cost of $41,500."

Page 13, after line 20, insert:

"Dry Pass, Alaska: House Document No. 414, 83d Congress, at an estimated cost of $1,419,800."

Page 13, after line 20, insert:

"Neva Strait, Alaska: House Document No. 414, 83d Congress, at an estimated cost of $224,400."

Page 13, after line 20, insert:

"Petersburg Harbor, Alaska: In accordance with the report of the Chief of Engineers, dated April 8, 1954, at an estimated cost of $40,000."

Page 13, after line 20, insert:

"Pelican Harbor, Alaska: In accordance with the report of the Chief of Engineers, dated April 8, 1954, at an estimated cost of $270,000."

Page 13, after line 20, insert:

"Ketchikan Harbor, Alaska: In accordance with the report of the Chief of Engineers, dated April 8, 1954, at an estimated cost of $2,947,900."

Page 13, after line 20, insert:

"Rocky Pass in Keku Strait, Alaska: In accordance with the report of the Chief of Engineers, dated April 8, 1954, at an estimated cost of $214,000."

Page 13, after line 24, insert:

"Kodiak Harbor, Alaska: House Document No. 465, 83d Congress, at an estimated cost of $1,685,000."

Page 14, after line 3, insert:

"Nawiliwili and Port Allen Harbors, T. H.: House Document No. 453, 83d Congress, at an estimated cost of $1,166,400."

Page 15, line 24, strike out "$1,176,400" and insert "$1,180,400."

Page 17, strike out lines 13 to 18, inclusive, and insert:

"SEC. 103. The Secretary of the Army is hereby authorized and directed to cause preliminary examinations and surveys to be made at the following-named localities, and subject to all applicable provisions of section 110 of the River and Harbor Act of 1950:

"Eastern River, at and in the vicinity of Orland, Maine;

"Southwest Harbor, Maine;

"Vicinity of Wells Beach and Drakes Island, Maine;

"Channel from the Gulf of Mexico into Choctawatchee Bay, Fla., in the vicinity of Point Washington;

"Lake Tarpon (formerly Lake Butler), Fla., to determine the cause of salt water intrusion and corrective measures with respect thereto; and

"Chipola River, Fla., for measures to maintain satisfactory water levels in the Dead Lakes;

"Big Sandy River and Tug and Levisa Forks in Kentucky, West Virginia, and Virginia."

Page 18, after line 9, insert:

"SEC. 105. The authorization of the improvement of the Intracoastal Waterway from the Caloosahatchee River to the Anclote River (H. Doc. No. 371, 75th Cong.) authorized in the River and Harbor Act of 1945 and modified by the River and Harbor Act of 1948 and the River and Harbor Act of 1950 is further modified so as to authorize the use of alternate route C–1 in the Venice and Lemon Bay, Fla., area, as designated in plans of the Corps of Engineers.

"The Chief of Engineers is directed to report to the Congress prior to request for appropriation to construct this part of the project his recommendation as to the fair amount of local contribution in the light of the changed condition. Provisions as to local contribution based on these recommendations shall become effective when approved by the Public Works Committees of the Senate and the House of Representatives."

Page 18, after line 9, insert:

"SEC. 106. That the requirement, that local interests provide the ferries and bridges required for land traffic across the lateral and terminal canals, with respect to the river and harbor project authorized by the act of August 30, 1935 (49 Stat. 1028), on the Pearl River, Miss., below Jackson, shall hereafter be ineffective: *Provided*, That local interests furnish assurances satisfactory to the Secretary of the Army that they will hold and save the United States free from any claim for damage which might result from deprivation of access to the area."

Page 18, line 10, strike out "105" and insert "107."

Page 21, after line 18, insert:

"The plan for flood protection on the West Branch of the Susquehanna River, Pa., and N. Y., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in his report dated June 25, 1954, and there is hereby authorized to be appropriated the sum of $25 million for partial accomplishment of that plan."

Page 23, line 7, strike out "as concurred in by" and insert "and."

Page 23, line 8, strike out "dated April 8, 1954" and insert "in House Document No. 478, 83d Congress."

Page 24, after line 18, insert:

"(e) The plan for flood control in the Reelfoot Lake area, Tennessee and Kentucky, substantially in accordance with the recommendation of the Chief of Engineers in his report dated June 17, 1954, at an estimated cost of $748,100."

Page 24, after line 18, insert:

"Trinity River Basin, Tex.

"The project for the Navarro Mills Reservoir on Richland Creek, Tex., is hereby authorized substantially in accordance with recommendations of the Chief of Engineers in his report dated May 28, 1954, at an estimated cost of $4,969,000."

Page 25, after line 10, insert:

"The project for the Belton Reservoir, Leon River, Tex., authorized by the Flood Control Act of 1946, is hereby modified to provide for the reservation, without reimbursement, of 12,000 acre-feet of conservation storage to be used as a permanent source of water supply for Fort Hood and adjacent military installations."

Page 28, line 9, strike out "under section 2."

Page 28, after line 23, insert:

"Pecos River Basin

"The project for flood protection on the Pecos River, Texas and New Mexico, is hereby authorized substantially in accordance with the recommendations of the Board of Engineers for Rivers and Harbors, dated March 26, 1954, at an estimated cost of $9,540,000: *Provided*, That no appropriations shall be made for construction of Los Esteros Reservoir until satisfactory arrangements have been made by the State of New Mexico for the transfer of irrigation storage from the Alamagordo Reservoir."

Page 30, after line 3, insert:

"The project for flood protection on the Arkansas River, Conway County Drainage and Levee District No. 1, Arkansas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 167, 82d Congress, at an estimated cost of $230,600.

Page 30, after line 3, insert:

"The project for flood protection on the Arkansas River, Holla Bend Bottom, Ark., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 157, 82d Congress, at an estimated cost of $312,000."

Page 30, after line 10, insert:

"The project for flood protection on Bear Creek at Hannibal, Mo., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 435, 83d Congress, at an estimated cost of $3,326,000."

Page 33, after line 9, insert:

"The project for flood protection on the Big Sioux River and tributaries at Sioux Falls, S. Dak., is hereby authorized substantially in accordance with the recommendations of the Board of Engineers for Rivers and Harbors in its report dated March 15, 1954, at an estimated cost of $3,430,000."

Page 33, after line 15, insert:

"The general comprehensive plans for flood control and other purposes in the Missouri River Basin set forth in House Document No. 475 and Senate Document No. 191, as revised and coordinated by Senate Document No. 247, 78th Congress, 2d session, approved in the Flood Control Act of December 22, 1944, are hereby modified to include the payment by the Corps of Engineers for construction or provision of adequate water supply and sewage facilities in the new relocated municipality of Pollock, S. Dak., at a cost not to exceed $200,000, which is to compensate for the acquisition of and to replace facilities in the town which are located within areas which have been or will be acquired by the United States because of the construction of the Oahe Dam and Reservoir project in the basin."

Page 33, after line 21, insert:

"The project for flood protection on the Lower Heart River in the vicinity of Mandan, N. Dak., authorized by the Flood Control Act of 1946, and modified by the Flood Control Act of 1950, is further modified substantially in accordance with the recommendations of the Chief of Engineers in his report dated July 27, 1954, at an estimated cost of $1,727,000."

Page 34, lines 12 and 13, strike out "House Document No. —, 83d Congress" and insert "his report dated June 23, 1954."

Page 34, lines 21 and 22, strike out "House Document No. —, 83d Congress" and insert "said document."

Page 35, after line 19, insert:

"Santa Maria River Basin

"The project for flood protection on Santa Maria River and tributaries, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 400, 83d Congress, at an estimated cost of $10,182,000 for levees and channel improvements to be prosecuted under the direction of the Secretary of the Army and supervision of the Chief of Engineers."

Page 35, after line 19, insert:

"San Lorenzo River Basin

"The project for flood protection on San Lorenzo River, Calif., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 447, 83d Congress, at an estimated cost of $2,665,000."

Page 36, after line 12, insert:

"San Lorenzo Creek Basin

"The project for flood protection on San Lorenzo Creek, Alameda County, Calif., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 452, 83d Congress, at an estimated cost of $3,790,000."

Page 36, after line 12, insert:

"Truckee River Basin

"The project for flood protection on Truckee River and tributaries, California and Nevada, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in his report dated April 15, 1954, at an estimated cost of $791,000: *Provided*, That the authorization for improvement for flood control on Truckee River, California and Nevada, contained herein shall not become effective unless and until the 'Washoe Reclamation Project' on the Truckee and Carson Rivers, California and Nevada, shall have been authorized pursuant to law."

Page 37, after line 2, insert:

"The project for flood protection on Amazon Creek at Eugene and vicinity, Oregon, authorized by the Flood Control Act of 1946, and modified by the Flood Control Act of 1950, is further modified substantially in accordance with the Chief of Engineers, in Senate Document No. 131, 83d Congress, at an estimated cost of $893,600."

Page 38, line 8, strike out "harbor" and insert "stream."

Page 38, line 9, strike out "title" and insert "section."

Page 38, after line 12, insert:

"Ash and Pine Creeks, Fairfield and vicinity, Connecticut."

Page 38, after line 15, insert:

"Devils River and tributaries, Texas."

Page 38, after line 15, insert:

"Rio Hondo and tributaries, New Mexico."

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

POSTAL CANCELING STAMP "PRAY FOR PEACE"

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 9120) to authorize the Postmaster General to provide for the use in first- and second-class post offices of a special canceling stamp or postmarking die bearing the words "Pray for peace."

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 2 of the act entitled "An act authorizing the Postmaster General to grant permission to use special canceling stamps or postmarking dies," approved May 11, 1922 (39 U. S. C., sec. 368), is amended to read as follows:

"SEC. 2. (a) Any permission granted by the Postmaster General under the first section of this act shall be revocable in the event the Government shall find it expedient or necessary to use special canceling stamps or postmarking dies for its own purposes.

"(b) The Postmaster General is authorized to provide for the use in each first- and second-class post office, of a special canceling stamp or postmarking die bearing the words 'Pray for peace'."

SEC. 2. The second proviso in the first section of such act of May 11, 1922, is amended by striking out "nothing in this act" and inserting in lieu thereof "nothing in this section."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RELIEF OF CERTAIN BASQUE SHEEPHERDERS

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2074) for the relief of certain Basque sheepherders.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. GROSS. Mr. Speaker, reserving the right to object, would the gentleman explain the purpose of this bill? Did I understand the gentleman to say it was for the relief of certain sheepherders?

Mr. GRAHAM. This is a bill introduced in the other body by Senator WELKER and refers to 44 Basque sheepherders who are now in this country. This provides a temporary suspension of their deportation. They are helping certain ranchers through this season. Then it is to be determined whether they are to be allowed to remain here or be deported.

Mr. GROSS. Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. CELLER. Mr. Speaker, reserving the right to object—and I shall not object—I understand that this bill provides that there shall be no deportation order against certain Basque sheepherders who came into this country as seamen; am I correct in that statement?

Mr. GRAHAM. That is correct.

Mr. CELLER. Despite the fact that they came in as seamen and remained here beyond their legal stay and therefore became deserting seamen, they subsequently became sheepherders, and now we are going to allow them to remain in this country; is that correct?

Mr. GRAHAM. Because there is need for their services and they are here.

Mr. CELLER. I have had no opportunity to investigate, but I have been told that there is a dearth of sheepherders in western grazing lands, and in view of that fact, I am not going to object. This bill is different from the bill that originally came before the Committee on the Judiciary; am I correct in that?

Mr. GRAHAM. There is a committee amendment that will be offered.

Mr. CELLER. But, as I understand it, originally the bill provided that the number of sheepherders who are in this country and whose stay is legalized by this bill would not be—I do not know—subtracted from the Spanish quota. Could the gentleman enlighten me on that?

Mr. GRAHAM. We are not granting these men citizenship.

Mr. CELLER. I did not say anything about citizenship. I said that we would allow them to remain here, but would those numbers be deducted from the Spanish quota?

Mr. GRAHAM. If, in the future, we granted permanent residence, those numbers would be deducted. But this bill does not grant permanent residence. It has only to do with a stay of the order of deportation.

Mr. CELLER. In other words, this bill does not grant them permanent residence; is that correct?

Mr. GRAHAM. That is correct.

Mr. CELLER. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. WALTER. Mr. Speaker, reserving the right to object, I trust that it will be possible to adjust the status of these people permanently. After all, they have severed all of their ties in Spain and have established themselves here in an essential industry, engaged in a noncompetitive occupation—the herding of sheep. It is understood that the employment service is not able to meet the demands for skilled sheepherders. The retention of persons having special skills contributing thus vitally to our need for accelerated wool production is certainly in the public interest.

I am presently giving serious consideration to the possibility of a need for greater flexibility in the law to permit adjustment of status in worthy cases without resorting to private legislation of this nature. It seems to me that in all equity and justice at some future date these people should be permitted to remain in the United States.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Cristobal Aguiree-Estivez, Martin Abaunza-Bilbao, Antolin Alvarez Valladares, Jose Antonio Alonso Goicoechea, Felix Arego-Arrien, Telesforo Arronte-Maza, Gregorio Artardi Alberdi, Jose Luis Barrenechea-Madarieta, Damaso Beascochea Exposito, Nicasio Maria Beristain Piquer, Jose Bidasola-Gavica, Pablo Echevarria Monasterio, Donato Ecoreca Yturbe, Ygnacio Eiguren Gabiola, Evaristo Fortuny-Alvarez, Florencio Garteiz-Eiguren, Jesus Goicochea, Manuel Lopez Gonzalez, Ignacio Maria Gorricho-Aguirre, Victoriano Guezuraga Enzunsa, Vincente Ybinnarriaga-Lopategui, Antonio Iglesias-Fernandez, Juan Isasi-Legarreta, Jose Iturri Guerequiz, Enrique Iazguirre-Iturbe, Luie Maria Izaguirre-Larranaga, Jayo Sabino-Guisasola, Santiago Juanche Oroz, Jesus Leceaga-Inchaurrondo, Ignacio Lecue-Larrauri, Doroteo Madariaga Otegui, Martin Madarieta-Arregui, Eusebio Mendiola Ycaran, Felix Mirandona-Zabala, Savino Navarro Arriaga, Marcelino Ormaechea-Lamiquiz, Genaro Ortuando-Barrena, Juan Prada Ramos, Marcelino Uriarte-Cearreta, Francisco Uribe Asteinza, Pedro Urruchurtu Urrutia, Felix Urteaga Berrio, Jose Antonio Zabala Asla and Tomas Francisco Zuazua Porturas shall be held and considered to have been lawfully admitted to the United States for permanent resident as of the date of the enactment of this act upon payment of the required visa fees. Upon the granting of permanent resident to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota for the first year that such quota is available.

With the following committee amendments:

On page 1, strike out all of line 3.

On page 1, line 4, strike out the word "act," and insert in lieu thereof the following:

"That the Attorney General is authorized and directed to discontinue any deportation proceedings and to cancel any outstanding orders and warrants of deportation, warrants of arrests, and bonds which may have been issued in the cases of the following aliens."

On page 2, at the end of line 13, insert a "period."

On page 2, strike out lines 14, 15, 16, 17, 18, 19, 20, and 21, and insert in lieu thereof the following:

"From and after the date of enactment of this act, these aliens shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RECORDING OF MESSAGES OF GOOD WILL

Mr. JONAS of North Carolina. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. JONAS of North Carolina. Mr. Speaker, I am today presenting to the Library of Congress, for permanent safe keeping and future reference, this very interesting record which I hold in my hand.

This record was flown around the world in 1938—to our neighbors in the Americas, to the islands of the Pacific, and to the remote lands of Europe, Asia, and Africa. Wherever man's wings would carry him, this message of greeting and good will was dispatched with swiftness and safety, the dominant characteristic of our airmail service which is without peer in all the world. When it was returned home again it contained similar messages to our people from the representatives of many countries around the world.

This project was conceived and organized by Mr. Charles H. Crutchfield, executive vice president and general manager of the Jefferson Standard Broadcasting Co., operator of radio station WBT and television station WBTV in Charlotte, N. C.

In 1938 Col. Paul Younts was postmaster of the city of Charlotte, N. C. He was selected by Postmaster General James A. Farley as executive chairman of the national committee to stage an observance of National Airmail Week. In setting up his committees to handle this celebration, Colonel Younts named Mr. Crutchfield as his national radio chairman. Mr. Crutchfield conceived the idea of flying this record around the world, and recording on it the messages of good will to which I have heretofore referred, and with the aid of Capt. Eddie Rickenbacker, now president of Eastern Air Lines, carried it through to a successful conclusion.

This recording contains such tangible expressions of good will, reflecting the friendship of the peoples of the world in a common bond of brotherhood, that I feel it should be preserved for posterity. The recording has been in the possession of Mr. Crutchfield since 1938 and he has turned it over to me with the suggestion that I present it, on behalf of the American people, to the Library of Congress.

The recording of the voices of the men of many nations and races from the far-flung places of the world, all speaking in terms of friendship and cooperation, signifies the desire of men to live together in peace and harmony. It is a symbol of friendship, of man's indomitable courage in his conquest of the air, and of faith that the good will which was recorded on this record 16 years ago may bring about an enduring peace in our time.

GEORGIA IS A MAJOR DISASTER AREA

Mr. BROWN of Georgia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. BROWN of Georgia. Mr. Speaker, the Georgia delegation in Congress, the Governor, and many prominent citizens are doing their best to have the State of Georgia declared a major disaster area. Up to this time we have not been able to succeed.

In more than 100 counties of Georgia the grain crop is practically destroyed. In many areas they will make less than a bushel of corn per acre. The pastures are ruined. The people with cattle have no feed and are compelled to sell the stock at disastrously low prices.

Besides the great loss to the dairy farmers and cattle growers, cotton and other crops are a total loss in many areas, and in many other sections will run from 50 to 100 percent loss.

In one of the cities in the district which I have the honor to represent the water supply is so low that the city officials are seriously considering a complete shutdown of water service during certain hours of the day as a necessary conservation measure.

In many sections of the State this is the third drought year which has ruined many of the farmers. If the farmers in these areas are unable to get assistance they will be forced to give up their farms and seek employment elsewhere.

Evidence of the need for assistance in my State was furnished by a recent survey made by Hon. R. L. Vansant, State director of the Farmers' Home Administration. He reported that at least 110 Georgia counties should be declared

drought-disaster areas because of acute feed shortages.

A blunt refusal to give aid, in view of the evidence of need, is not enough to satisfy the farmers with burnt-up crops, hungry cattle, and debts which they cannot pay.

If Georgia is not entitled to be designated as a major disaster area, then I am sure I do not understand what the law means. We cannot understand why some of the States have been declared disaster areas, and yet none of them have suffered the loss that the Georgia farmers have suffered. All we want is justice and equality with other States and communities, and if we cannot get this, why have the law?

UNITED STATES ARMY TRAINING FOR VOLUNTEERS

Mr. JONES of Missouri. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. JONES of Missouri. Mr. Speaker, because of the confidence and dependence that many of us place in the printed word, and because the U. S. News & World Report is usually so accurate, I would like to call attention to a statement made on page 54 of the August 20 issue in which it says:

> Army training: If your youngster is debating whether to go from high school into college and take his chances there with the draft, or to get his military service over with first by volunteering, note this:
>
> The Army now is offering a written commitment that a boy who volunteers will get the kind of Army training he wants. He can take an aptitude test in his chosen field before he enlists, and, if he passes, get a letter of acceptance. It will tell him what Army school is holding a place for him and when to enlist to get his basic training over with in time to attend.
>
> Specialist schools: The Army offers schooling in some 80 specialties. After getting through the school of his choice, the volunteer is guaranteed initial Army assignment in his specialty. Thus, if he wants to become, say, a physician or lawyer, he can get training as a medical corpsman or in the Judge Advocate General's department. And, when his service is over, he can use his rights under the GI bill to help finance his college education.
>
> Note, though, he serves 3 years if he volunteers, 2 if drafted.

In order to secure a confirmation of the above statement of policy, I contacted the Office of Army Assignments in the Pentagon and there learned that the above statements are not entirely accurate. While the Army is naturally seeking the best talent and if the military situation permits an attempt is made to give enlistees an opportunity to pursue courses of training which they select, nevertheless I am informed by this same office, the Army does not give a written commitment. Likewise, I was advised that there can be no guaranty of an initial Army assignment in a man's specialty.

I feel that attention should be directed not only to the editors of the publication in which the above statements occurred but that the attention of the Army should be directed to the dissemination of any information which is misleading in character. Members of Congress are aware of the fact that quite frequently our attention is directed to alleged statements made by recruiting personnel who in their enthusiasm to obtain enlistments sometimes make statements which are used as the basis for obligations which the Army cannot fulfill.

In order that enlistees may be relieved of disappointment and Members of Congress spared the inconvenience and embarrassment that accompanies our efforts to correct such misunderstandings, I feel that every effort should be made to police the dissemination and circulation of inaccurate statements involving recruiting policies of the Armed Services.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. JONES of Missouri. I yield?

Mr. HOFFMAN of Michigan. Does that article reflect in any way on the Armed Services?

Mr. JONES of Missouri. I do not think it reflects on it. I think it states an inaccuracy.

Mr. HOFFMAN of Michigan. Have you called the attention of the News to it?

Mr. JONES of Missouri. No, I have not.

Mr. HOFFMAN of Michigan. I wondered if you intended to.

Mr. JONES of Missouri. I will, sir.

THE LATE HONORABLE CHARLES WARREN

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, yesterday there passed away the Honorable Charles Warren. He was 86 years old and was a noted constitutional lawyer and author as well as a very distinguished citizen and native of Massachusetts. He was a great credit to his alma mater—Harvard College, where he won his Phi Beta Kappa key. He resided for many years in Washington. He was known and respected for his very fine work as Assistant Attorney General under President Wilson. While in that office, he drafted the Espionage Act and organized the Bureau of Investigation which later became the FBI. He was known for his brilliant mind and his eager and intelligent interest in everything that went on in the world. He was very loyal to the Democratic Party. He lived it and he breathed it and he thoroughly believed in it.

Charles Warren's life most surely represents what has been called the "threefold function of a lawyer"—adviser, representative, and advocate. The traditions and common precepts of his profession were held on a high plain. He found his highest honor in a deserved reputation. He was known for his fidelity to private trust and to public duty. He was truly a patriotic and scholarly citizen of the United States.

My husband and I were warm friends of Charles Warren and his lovely, gracious, and devoted wife. I will miss him more than I can say. His native commonwealth of Massachusetts, the United States Capital and the country have suffered a great loss. My deepest sympathy goes to his beloved wife and family.

SPECIAL ORDER GRANTED

Mr. HOFFMAN of Michigan asked and was given permission to address the House tomorrow for 30 minutes, following the legislative business of the day and any special orders heretofore entered.

TO INCREASE BORROWING POWER OF THE COMMODITY CREDIT CORPORATION

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 9756) to increase the borrowing power of Commodity Credit Corporation, with a Senate amendment, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

> After line 9, insert:
>
> "SEC. 3. (a) Section 8e of the Agricultural Adjustment Act (of 1933), as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, is amended by inserting after 'avocados' a comma and the word 'mangoes.'
>
> "(b) The amendment made by this section shall become effective upon the enactment of this act or upon the enactment of the Agricultural Act of 1954, whichever occurs later."

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

THE LATE HONORABLE PAUL W. SHAFER

The SPEAKER. The gentleman from Michigan [Mr. WOLCOTT] is recognized.

Mr. WOLCOTT. Mr. Speaker, yesterday it was my sad duty to inform the House and the Nation of the passing of our beloved and esteemed colleague, PAUL W. SHAFER, of Michigan.

At this point, Mr. Speaker, I ask unanimous consent that I may place in the RECORD as part of my remarks a biography of Congressman SHAFER.

The SPEAKER. Is there objection?

There was no objection.

Mr. WOLCOTT. Mr. Speaker, Congressman PAUL W. SHAFER, 61, Republican, of Michigan, died at Walter Reed Army Hospital at 3:50 Tuesday afternoon. Congressman SHAFER had entered the hospital on August 5 and had undergone surgery last Friday, for a chronic liver condition.

Announcement of Mr. SHAFER's death was made by his office.

PAUL W. SHAFER, Representative in Congress from the Third Michigan District since 1937, was born in Elkhart, Ind., April 27, 1893, the son of John McClellan and Sarah C. (Werntz) Shafer.

His parents moved to Three Rivers, Mich., when he was a child, and he was educated in the Three Rivers public schools. Later he was a student at Ferris Institute, Big Rapids, Mich., and studied law by correspondence with the Blackstone Institute, of Chicago.

Mr. SHAFER was a member of the Indiana State militia in 1916–17. He served on the Mexican border but was rejected for military service during the First World War due to a physical disability.

For many years Congressman SHAFER was a newspaperman, working as a reporter in Elkhart, Ind., and with the Grand Rapids (Mich.) Herald, at the time the late Senator Arthur H. Vandenberg was editor. Later he was city editor of the Battle Creek (Mich.) Moon-Journal until his election in 1929 as municipal justice of the city of Battle Creek. He was reelected for a second 4-year term and served until his election to Congress in 1936.

Mr. SHAFER defeated incumbent Congressman Verner W. Main for the Republican nomination in 1936, and in November of that year was 1 of only 3 new Republican Members in the United States elected to Congress. He was reelected for eight consecutive terms, and on August 3 of this year was renominated without opposition as the Republican candidate for reelection.

After early service on the District of Columbia and Post Office Committees of the House, Mr. SHAFER became a member of the Military Affairs Committee, continuing as a member of the House Armed Services Committee at the time the Military and Navy Affairs Committees were combined. He was fourth-ranking Republican member of the Armed Services Committee at the time of his death, and was chairman of No. 1 subcommittee.

Congressman SHAFER was author of the synthetic-rubber legislation which continued Government development and operation of the synthetic-rubber industry following World War II. Last year he was author of the synthetic-rubber-disposal legislation, and led the successful fight for its enactment by Congress. Under this act private industry is bidding competitively for acquisition of the synthetic-rubber facilities, final disposal subject to subsequent approval by the Congress. In May of last year, Mr. SHAFER, who was recognized as the leading congressional authority on the synthetic-rubber industry, was the congressional adviser on the United States delegation to the 10th International Rubber Study Group Conference in Copenhagen, Denmark.

As a member of the House Armed Services Committee, Mr. SHAFER was a leader in the successful fight against enactment of universal military training, subject of bitter controversy in Congress on at least three occasions during President Truman's administration.

Mr. SHAFER was the first Member of Congress to publicly advocate withdrawal of diplomatic recognition of Russia, and in a statement released only last Friday he warmly endorsed the recent testimony of Gen. Mark Clark urging this step. Mr. SHAFER was also the first Member of Congress to publicly warn of the threat to peace posed by a divided Korea—a warning given in an address in Congress March 4, 1947. He was a personal friend of President Syngman Rhee and in 1952 was named an honorary citizen of Korea.

During the Republican 80th Congress, Mr. SHAFER was author of the Industrial Reserve Act, preserving Government ownership of vital defense plants and machine tools and preventing sale of 92,000 pieces of machine tools to Soviet Russia.

During the past year, Mr. SHAFER had devoted a great deal of effort to securing military or other governmental utilization of the deactivated Percy Jones Army Hospital property in Battle Creek. As a result of his efforts this property was selected as the new headquarters of Federal Civil Defense Administration, which is transferring from Washington, D. C., to Battle Creek, September 1.

Mr. SHAFER was married October 31, 1917, to Miss Ila P. Mack, of Detroit. Mrs. Shafer died July 5 of this year in Battle Creek. The Shafers had no children.

Mr. SHAFER is survived by two sisters, Mrs. H. Earl (Isabel) Kanaga, of Battle Creek, and Mrs. Frank (Florence) King, of Three Rivers, Mich.; and his mother-in-law, Mrs. Nora Mack, who had made her home with the Shafers.

Mr. SHAFER was a Republican. He was an honorary member of the Veterans of Foreign Wars, of F. & A. M.—32d degree—and a past potentate of Saladin Temple, A. A. N. O. M. S. He was a member of Battle Creek Elks Lodge No. 32 and of the Lions International, and in 1932–33 was district governor of Michigan Lions. He was a Presbyterian.

Mr. SHAFER was a resident of Battle Creek during his service in Congress except for a 2-year period from 1946 to 1948 when he resided in Bronson, Mich., and owned and published the Bronson Journal, a weekly newspaper.

Mr. Speaker, during the nine terms that PAUL SHAFER served here he endeared himself to all of us who knew him. He was one of the most friendly, forthright, honest-minded and intellectual men who has ever sat in this Congress. I have known Paul so well and so intimately throughout the years that words seem rather inadequate to characterize his life and his attainments.

Mr. Speaker, I know that the House and the Nation will recognize the great loss we have suffered in the passing of PAUL SHAFER. There is an example to be gained from his life. In the innermost reaches of our consciences and our hearts, I think everyone in his own way is cognizant of those lessons and wants to emulate the friendliness, loveliness, and greatness of this great American.

Mr. WOLCOTT. I now yield to the gentleman from Illinois [Mr. ARENDS].

Mr. ARENDS. Mr. Speaker, with the passing of PAUL SHAFER I have lost one of my best friends. I do not know how to express what is in my heart. The loss is beyond words.

Paul's record of 18 years' service in the House speaks for itself. It is a record written for all time. It bespeaks his ability as a legislator, and I know no Member who worked more diligently and more tirelessly in the interest of the people he represented.

Paul served many years with me on the Committee on Armed Services. As every member of our committee will so willingly testify, he made a distinct contribution to the work of that great committee, and he certainly will be sorely missed.

I do not believe I ever knew a man who was so completely unselfish as PAUL SHAFER. He was always thinking of what he might do to help someone. His philosophy of life is well expressed in these words:

If any little word of mine
May make a life the brighter;
If any little song of mine
May make a heart the lighter;
God help me speak the little word
And take my bit of singing
And drop it in some lonely vale
And set the echoes ringing.
If any little love of mine
May make a life the sweeter;
If any little care of mine
May make a friend's the fleeter;
If any lift of mine may ease
The burden of another;
God give me love and care and strength
To help my toiling brother.

That was the way PAUL SHAFER felt and it was the way PAUL SHAFER lived. I, together with his many other colleagues and friends in the House, will sorely miss PAUL SHAFER. We extend to his relatives and friends our most sincere and heartfelt sympathy in this time of grief.

Mr. WOLCOTT. Mr. Speaker, I yield to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, I join with my colleagues in an expression of deep personal sorrow at the passing of a dear friend, PAUL SHAFER.

Although we have known him here in the Congress as a loyal son of Michigan who represented his people of the Third Congressional District there with high distinction, PAUL SHAFER was a Hoosier by birth, having been born, in fact, in the Third Congressional District of Indiana.

His decision to leave my State was indeed Indiana's loss and Michigan's gain. Certainly, I would have been proud to have worked with him here as a fellow member of our fine Hoosier delegation.

Paul came to the Congress shortly after I did, and I shall remember him always as one of my earlier friends in this Chamber.

We were here together through those years when our side of this historic aisle was represented by a comparative handful.

It has been said that we are a part of all that we have met.

I think that applies largely to the good we see in others, and having known PAUL SHAFER through the years of his career in the Congress, it is my conviction that, not only myself but the many others

here who knew him, are better men for the experience.

Paul fought for his beliefs.

He was a rugged, stalwart champion of the principles for which he stood as a Member of the Congress.

That the people of Michigan who sent him down here respected his integrity and approved of his judgment is reflected in their continued support of his work, year after year.

It was my pleasure to learn, first hand, of the esteem and affection in which he was held by the people of his district.

On several occasions I had the happy privilege of appearing, at his invitation, in the district Paul represented.

The many demonstrations of admiration and confidence expressed on PAUL SHAFER'S behalf at such times by his friends and neighbors of Michigan must have been a source of tremendous gratification to him.

Certainly they were rich reward for the many years he devoted to public service.

I knew PAUL SHAFER as a generous and kind-hearted man here in the House of Representatives.

But I came to appreciate the full extent of his warm humanity during my occasional visits to his home and his district in Michigan.

No one could have been a more considerate host. The hospitality he extended left nothing to be desired in the realm of convenience and comfort.

PAUL SHAFER has made his mark in the Congress of the United States.

As majority leader, I can testify to his overall contributions to the sum total of our program, but others can better set out the details of his labors.

I want to offer my tribute to PAUL SHAFER primarily, however, as a man who walked among us as flesh and blood; who worked with us; who concerned himself with the problems we faced; who enjoyed life with us.

PAUL SHAFER was a great person.

Mr. WOLCOTT. Mr. Speaker, I yield to the gentleman from Texas [Mr. RAYBURN].

The SPEAKER pro tempore (Mr. WAMPLER). The gentleman from Texas is recognized.

Mr. RAYBURN. Mr. Speaker, I have served with a great many men and women during my time in this body, and I have taken the measure of most of them. I consider PAUL SHAFER one of the best friends I had in the House of Representatives, and I know that he considered me his friend. He was always kind and fine to me and to everybody else. He had a mixture in his makeup that attracted good people to him because he himself was good people.

In his passing I express my deep regret and trust that during the remainder of my life many Paul Shafers will come my way.

Mr. WOLCOTT. Mr. Speaker, I yield to the distinguished Speaker of the House, the gentleman from Massachusetts [Mr. MARTIN].

Mr. MARTIN of Massachusetts. Mr. Speaker, words cannot adequately express the depth of my sorrow when a slip of paper was handed to me at the rostrum yestreday afternoon, which gave notice of the death of PAUL SHAFER.

To me he was a true and trusted friend of many years. His steady, stalwart support was a great encouragement through many hard and difficult years.

Trained in the law, soldier, publisher, and businessman, he was well equipped for the congressional service to which he dedicated his life.

As a member of the Committee on Armed Services, he contributed materially to the work of building up the military defense of the country. He will be long remembered as the author of the legislation which permitted the country to be freed of dependence upon foreign sources for a vital rubber supply. The legislation he sponsored permitted the building up of the rubber plants of the United States.

He was a sturdy opponent of communism and he aggressively battled its infiltration into American life.

PAUL SHAFER, it can be truthfully said, was a great patriot, a sterling American, and the country is richer for his life.

Those of us who knew the generous soul of PAUL SHAFER, his desire at all times to extend a helping hand to his legion of friends, are saddened at his untimely death.

To his family we all extend our deepest sympathy in this hour of bereavement.

Mr. WOLCOTT. Mr. Speaker, at this time I should like to call attention to the fact that the remains of our beloved colleague, PAUL SHAFER, will be at Gawler's Funeral Home from 12 noon until 9 p. m. today. Gawler's Funeral Home is located just west of the White House on Pennsylvania Avenue. Funeral services will take place at 2 p. m. on Friday in the First Congregational Church at Battle Creek, Mich.

Mr. Speaker, I now yield to the gentleman from Oklahoma [Mr. WICKERSHAM].

Mr. WICKERSHAM. Mr. Speaker, I, too, should like to pay tribute to PAUL SHAFER. Less than 2 weeks ago I had the privilege of going with PAUL SHAFER and MENDEL RIVERS to Paul's home in Battle Creek, Mich. Paul asked that Mendel and I go with him. We went up there on a mission in the interest of the people of the country and particularly in the interest of the people of Michigan, in order to see that the Air Force did not put a base in the Traverse City area which might affect the National Music School which has done such a wonderful job.

We made our report. I believe the report indicated that all three of us felt the school should not be disturbed and that the Air Force should look at one of three other locations. We worked pretty hard, and did a good job inspecting the proposed sights, but we took a little time off. Paul secured some fishing tackle and bait and told us to go and catch a few fish.

PAUL SHAFER was one of the most charitable men I have ever known. He was well liked by all and as a member of the House Armed Services Committee I am going to miss him greatly.

He was a most capable, efficient, courteous, cooperative, loyal American.

Mr. WOLCOTT. Mr. Speaker, I yield to the gentleman from Louisiana [Mr. BROOKS].

Mr. BROOKS of Louisiana. Mr. Speaker, I was greatly shocked yesterday afternoon when I received the news of the death of our beloved friend and colleague, PAUL SHAFER. It was 18 years ago when I came to the House of Representatives at which time I joined my friend and colleague, PAUL SHAFER. At that time we both became members of the House Military Affairs Committee which was later merged into the House Committee on the Armed Services.

During all this period of time it has been my privilege to serve with Paul on that great committee. Our colleague was never one to treasure petty thoughts. He was always broad gaged, patriotic, forthright, honest and constructive in his attitude.

I noticed the approach he took to all legislation that came before the committee. I always felt that his interest was that of the United States as he approached the consideration of legislation which would make our country safe and keep it independent of foreign influences.

Congressman SHAFER gave unstintingly of his time and of his energies to the cause of national defense. He fought with great zeal and enthusiasm for those measures which would make our land safe from Communist aggression and would give us the power to preserve our institutions and protect our homes. He helped nurture the program to produce synthetic rubber when synthetic rubber was used by this country to win World War II. As this industry grew into full bloom the time came when it was found advisable to return it to private enterprise. As chairman of a Synthetic Rubber Subcommittee of the House of Representatives, Paul plunged into a program of writing measures which would place this industry back in private ownership and yet yield to the United States the full value of the plants which had been built and owned by our Government. The legislation, although difficult in preparation, passed the House of Representatives and became the law of the land.

Naturally, Mr. Speaker, I was deeply shocked, grieved and distressed when I received the news of his passing yesterday. He was a most affable gentleman, an able Congressman and a truly great American.

I take this opportunity to extend my very heartfelt sympathy to members of his family in this dark, sad hour of their bereavement.

Mr. WOLCOTT. Mr. Speaker, I yield to the gentleman from Minnesota [Mr. O'HARA].

Mr. O'HARA of Minnesota. Mr. Speaker, I am sure that there was none of my colleagues who was more shocked than I when I learned late yesterday afternoon of the death of our good friend, PAUL SHAFER. In the years which I have had the privilege of serving in this body I know of no Member of Congress who more deeply loved his country than did PAUL SHAFER. To me he was a great American patriot. He was one

who loathed hypocrisy and sham. He was intellectually honest, candid and of strong convictions—but tolerant of the views of his fellow men. He was one of the most kindly and one of the most friendly people; one who loved his friends.

Certainly Paul was one whose door was always open to anyone who had a problem. His time was always at the disposal of his colleagues and their problems. Somehow I feel that Paul must have felt, after the death of his wife such a short time ago, that perhaps there was not too much left. I sensed after the funeral of his beloved wife that Paul's health had failed materially. Certainly so long as I shall live I shall remember him for his deep sense of responsibility to his country, for his deep devotion to his friends, for being the kind of an American whom I admired and respected. His memory I shall treasure so long as I may live.

Mr. WOLCOTT. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. GAVIN].

Mr. GAVIN. Mr. Speaker, it was with deep sorrow that I heard of the passing of our very good friend and colleague, PAUL W. SHAFER.

The State of Michigan has lost one of its outstanding citizens and the Congress of the United States has lost a conscientious and able legislator.

PAUL SHAFER was a man who loved his country and his native State, and served them well. He was devoted to the interest of the people he represented, and he was sincerely and profoundly patriotic—a great American.

He was greatly admired by all who knew him, and he had a host of friends; always glad to see one and considerate of everybody. The kind of man who added much to our daily lives by his kind words and deeds.

His work in the House of Representatives, and on the Armed Service Committee, was most useful and constructive, and his ability and resourcefulness were greatly respected.

In a life such as his, perhaps the thing most to be admired was the fact that he was a devoted, patriotic American who contributed greatly to the building of his district, State, and Nation.

He had a deep faith in the principles of liberty and free government. His one ambition was to preserve the principles and ideals of our great Nation and to hand on to the generations of tomorrow a greater America than was handed to him.

So today we mourn his loss. He will be greatly missed, and it is with a feeling of deep sadness that we record his passing.

Mr. WOLCOTT. Mr. Speaker, I yield to the gentleman from North Carolina [Mr. DURHAM].

Mr. DURHAM. Mr. Speaker, I regarded PAUL SHAFER as one of my very good friends. Paul and I have been associated very closely for the past 16 years as a member of the Armed Services Committee. I was first chairman of the Stockpiling Subcommittee for several years, and Paul was ranking Republican member. Then he was chairman of the subcommittee in the 80th Congress and again I was minority member. Then again I took over as chairman of the subcommittee until 1952, and Paul again was given the chairmanship of this subcommittee, which, as we all know, has built up a tremendous stockpile in case of an emergency in this country. Paul's work on that has been outstanding.

In the 80th Congress, he handled the rubber bill which was before that committee for consideration. We worked it out in the subcommittee and very few changes were made when it was sent to the President. His work on that, if on that only, will stand out in his services here, and I know of no man who has rendered a finer service to his country during the emergency.

There is a substance to the faith that individuals prosper and grow strong when that which is done by them contributes to the happiness and well-being of others. I have never in my life experienced an example that more exemplifies these words than PAUL SHAFER. He believed wholly in men and women who live in fine faith.

He was one of the finest hosts I have ever known. I have often attended the functions where he gave so wholeheartedly of his time and substance that we individual Members might enjoy ourselves.

In the 16 years I have lived with Paul, he never at any time in that whole experience did anything in a selfish way. He always felt that he had to give and take. He showed that he felt that way and he lived and proved it on our great Committee on Armed Services, where at times one necessarily had to give and take.

I will miss Paul. He and I walked just a few days ago across to the House and sat down together. Having had an experience similar to what he recently underwent, I knew and felt what he was going through, and with what kind words I could say, I endeavored to give him what consolation I could.

I will miss him.

Mr. WOLCOTT. Mr. Speaker, I yield to the gentleman from Iowa [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Speaker, in the fall and winter of 1915–16 I was an embryo lawyer in Grand Rapids, Mich. PAUL SHAFER at the same time was a cub reporter for the Grand Rapids Herald. We met quite frequently in and around the courthouse and became quite close friends. We had several things in common. He was worrying about where he would get the money to pay the rent and buy the next meal. I can assure you I was more worried than he was as to how I would get money for rent and meals.

World War I caused the parting of our ways, and I never saw him again nor heard from him until we met on the floor of this House. Of course we recognized each other and renewed acquaintances and talked frequently of old times.

Last fall as a member of the Committee on Armed Services I had the privilege of going with him to California. It was our duty to determine which of several Army camps to close. We spent a night and a day at Fort Ord, and while there a private soldier drove us around the camp. He was not from Michigan, PAUL SHAFER'S State. I know Paul never saw him before and never expected to see him again. We learned during a trip about the camp that this boy was greatly worried. His wife was in the hospital for an operation and he did not know how he was going to pay all his debts. When we left, PAUL SHAFER gave him $50. He turned to me and said, "Don't you dare tell anyone I did it." I did not, but I think death has unsealed my lips. I wonder how often PAUL SHAFER in his lifetime did things like that. I know there must have been many times. I know when he did it there at Fort Ord in California it was only one of many times that he did the same thing. I could go on and talk about his patriotism and his Americanism and his kindness—you all know that. We have lost a great man in PAUL SHAFER. My heart and sympathy goes out to his friends and his family.

Mr. WOLCOTT. Mr. Speaker, I yield to the gentleman from Illinois [Mr. PRICE].

Mr. PRICE. Mr. Speaker, I was shocked to learn late yesterday afternoon of the death of the distinguished gentleman from Michigan, my very close and personal friend, the Honorable PAUL W. SHAFER.

I became acquainted with PAUL SHAFER before I was elected as a Member of this House. When I came to Congress in 1945, I was assigned to the Military Affairs Committee, and on that committee I came in close contact with him. Subsequently I served with him on the House Armed Services Committee.

There has been a mutual bond of friendship between us. We served on many committee assignments together, and I had the good fortune of working closely with him on many important matters. He was an able and distinguished Member of this House. His services were outstanding for the people of his district.

Perhaps the outstanding work Mr. SHAFER performed was during his chairmanship of the special committee established by the House Armed Services Committee to study the synthetic rubber problem. He became an expert in this field. He worked many long hours in accumulating a vast amount of knowledge on this subject, which he made available to the committee and to the Congress.

PAUL SHAFER was a newspaperman by profession. He owned and edited the Bronson Journal. He had long years of experience in this field.

PAUL SHAFER will be missed by his many close friends and his associates here in Congress. His passing is a distinct loss to the people of Michigan's Third District, whom he served so well for 18 years. I have lost a personal friend in addition to a colleague.

Mr. WOLCOTT. Mr. Speaker, I yield to the gentleman from South Carolina [Mr. RIVERS].

Mr. RIVERS. Mr. Speaker, of course, we are all of us inadequate on an occasion of this character when the passing of a man of the stature and magnitude of PAUL SHAFER leaves a void in this Congress, which it has and will leave. As

the gentleman from Oklahoma has said, just very recently Paul and I and the gentlemen from Oklahoma [Mr. WICKERSHAM] went to Michigan to investigate sites for an airbase. On that trip Paul was taken sick. Despite his incapacity, he went forward and did his work. On the day after we arrived here, PAUL SHAFER completed the report and each of us signed it and he finished his work. The very next day, our chairman, DEWEY SHORT, was returning from his victorious campaign and we scheduled a meeting for him at the airport. Paul was so ill that he could not go. At our suggestion, he went to the hospital. I knew yesterday morning that he was not expected to survive. And, of course, the news came to me, as to you who did know it, not as a surprise. I have taken many trips with PAUL SHAFER. I recall one vividly which we took to Europe. On that occasion, I saw some of the things which the gentleman from Ohio [Mr. CUNNINGHAM] has told you about the character of the man. He was a great patriot, and he died in the service of his country. Despite his incapacities and despite the constant sapping of his strength, which happens to each of you, and to me, because of the relentless duty of public service that brings its toll to each of us, PAUL SHAFER was not an exception. The loss of his wife, his constant companion, likewise brought its toll to that great man. PAUL SHAFER will be missed. He served his country. He never thought of himself. He did not realize—

But such a tide as moving seems asleep,
Too full for sound and foam,
When that which drew from out the boundless deep
Turns again home.

That time has come for PAUL SHAFER. His place will not be filled in the coming weeks and in the coming years.

We have lost a great American. Our committee will miss him. His family will miss him. His State will miss him and the world will know that he lived and the world will miss him.

Mr. WOLCOTT. Mr. Speaker, I yield to the gentleman from New York [Mr. COLE].

Mr. COLE of New York. Mr. Speaker, to my mind, compensation for service in this body stems principally from two sources: One, the opportunity that is given to each of us to render service to the people of the districts which we represent, and in our own individual way to give the best of our judgment, our time, and our talents to that public service. The personal satisfaction which we gain from a service well done provides us an incalculable measure of compensation.

The other source of compensation, which is of equal, if not greater value, is the opportunity of serving in this body with men and women of great character and integrity. PAUL SHAFER was one of such persons. Having worked with him for nearly 10 years on the Armed Services Committee, I came to recognize his character, his genial personality, superior ability and talents. Although I was deeply shocked to learn of his sudden death on yesterday afternoon, although I mourn his passing and extend my deep and sincere sympathy to his relatives, I confess that I am happy to have known PAUL SHAFER and to have had an opportunity of working with him in this body. I feel that my own service, my own personality, as I am sure each of the Members of this House feels, has been greatly enriched, greatly improved and benefited from having worked with PAUL SHAFER, having been exposed to his lovable and capable character. In that enrichment each of us can pass along in our future service a part of PAUL SHAFER himself.

Mr. WOLCOTT. Mr. Speaker, I yield to the gentleman from California [Mr. JOHNSON].

Mr. JOHNSON of California. Mr. Speaker, all of my congressional life I have been close to PAUL SHAFER. When I came here in 1943 I became a member of the Military Affairs Committee, of which he was a member. Then after unification came and we had the Armed Services Committee, I got to know him intimately. At the time of his death he was my seatmate on that committee.

PAUL SHAFER was a man who had had a great deal of experience. He was experienced in various human activities, all of which furnished a good background to make a great legislator. I think his personality is impressed upon the legislation involving the problem of rubber more than that of any other single individual in the entire Congress.

You never get to know a man, in my opinion, unless you sit next to him or take a trip with him. I have been on several trips with PAUL SHAFER. One time we went on an extended trip to study the military hospital situation. We went to Battle Creek, Mich., and then on out to the Pacific coast. He was a wonderful man to travel with, a great companion.

I think there is one thing that illustrates how he was liked by people. Perhaps every Member of Congress has attended one of his annual parties. I only learned several years ago that the annual party he had and to which he invited almost all the Members of Congress and many other notable people was really a party that his friends in Battle Creek asked him to give so that they could come down here and with him meet the many friends he had in Congress.

I really was not surprised when I heard about his death. As the gentleman from South Carolina [Mr. RIVERS] mentioned, it was the plan of Mr. SHAFER to have a few of us from his committee meet our chairman, DEWEY SHORT, when he returned several weeks ago from a primary campaign out in Missouri. We were to meet in Mr. SHAFER's office, which we did. At that time he looked like he was feeling very badly. Mr. Blandford, one of our counsel, and myself practically ordered him not to go down to the airport but to go to his apartment and lie down. In fact, Mr. Blandford took him up there and really got him to go to bed and rest.

It impressed me that after his wife died he was a different individual. That event impressed itself on his physique in some way so that he became a sick man. He had told me about his wife's illness, and the fact that a so-called incurable disease in her case had been cured. He was very happy over this. We met almost daily in our committee room, and he would tell me how well his wife was and how happy it made him. When the opposite proved to be the truth I think it broke the man's heart.

As everyone here has said, he was a rugged, sturdy individualist; he was not afraid to express his views or to go alone if he had to in order to impress them on the legislation that was before us.

Naturally, we all mourn the passing of a man and a friend of that kind. I extend to his loved ones and his friends my sincerest sympathy.

The Congress can ill afford to lose such a competent legislator. Like many of my other colleagues, he worked too hard, and that may have paved the way for his final breakdown. I am proud to have known and worked with a man like PAUL SHAFER. He has set a standard that we can follow with pride and profit to ourselves.

Mr. WOLCOTT. Mr. Speaker, I yield to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, I am sure every Member of this House has felt a great sense of loss in the passing of our colleague, PAUL SHAFER, because to know PAUL SHAFER was to love him. He had about him a friendliness and a human touch that made all of his colleagues his personal friends, and he extended to each of us that warm personal friendship that so personified him.

PAUL SHAFER and I served together in this House for 16 years. We were often mistaken for each other. Just yesterday, a few hours before he passed on, a policeman here at the Capitol spoke to me, and said "Good morning, Congressman SHAFER." Being mistaken for each other at times created many humorous situations that Paul and I enjoyed very much.

PAUL SHAFER loved life, and he loved the men about him. He had a sense of humor few men have, and it was a joy and a pleasure always to be in his company.

We shall all miss him, his humor, and his words of friendship in the days ahead. But PAUL SHAFER had another side.

He was a man of great courage and of great ability. He performed exceptionally important services for this country. We were proud to follow his leadership in a number of serious matters which came before this House. I want especially to refer to the great work he did for the Government of the United States and for the American people in connection with the rubber problem which was a real national problem, as you know, a few short years ago.

As evidence of how his leadership was recognized, not only in the Halls of Congress, but throughout the entire country and in the industry, I would like very much to read in conclusion a telegram which just reached the Speaker of the House a few moments ago:

NEW YORK, N. Y., *August 18, 1954.*

Hon. JOSEPH MARTIN,
Speaker of the House,
United States Capitol.

DEAR MR. SPEAKER: In the death of the Honorable PAUL W. SHAFER the Nation and the House suffered the loss of a most able

and respected legislator. The entire rubber manufacturing industry shares this loss in a very great degree. Congressman SHAFER's energetic and imaginative leadership in seeking a solution to the Nation's difficult rubber problems over the past decade has earned him the complete respect and admiration of all concerned in the production, processing, and use of this strategic raw material. This industry stands especially in his debt for the tireless personal drive which he put behind the Rubber Act, which bears his name, and the Synthetic Rubber Facilities Disposal Act, which stands as a bipartisan legislative memorial to his deep-rooted belief in the American system of private initiative.

A. L. VILES,
President, The Rubber Manufacturers Association, Inc.

May I say to Mr. Viles, to all the rubber industry, and to all the American people, that we who served with PAUL SHAFER recognized his ability and his greatness and the contributions which he made to our national wealth.

Mr. WOLCOTT. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. EBERHARTER].

Mr. EBERHARTER. Mr. Speaker, the many comments that have been made this morning with reference to our departed colleague, Mr. SHAFER, demonstrate in true measure the sterling character of our late friend. The sincerity and emotion with which these eulogies have been expressed cannot help but impress everyone with the fine ability, the exceptional character and the great qualities of PAUL SHAFER.

I deem it one of the great advantages of my membership in the House to have counted PAUL SHAFER as one of my personal friends. I remember him well on all occasions I was with him as being a man who undoubtedly possessed great ability, a keen sense of distinction between what was morally right and morally wrong, a deep knowledge of fundamental facts of life, and a willingness to energetically tackle any problem with which he was faced. His genial personality, his ever-ready smile, his great ability for anecdotes and the telling of humorous stories will long be remembered. I know the Congress is better for having had PAUL SHAFER as a Member, our country is better because of his life, his district is a better one because of his unselfish service to it; and all of us mourn his passing, very, very much.

Mr. WOLCOTT. Mr. Speaker, I yield to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN of Michigan. Mr. Speaker, this is the sixth time since it became my privilege to come here in 1935 that Michigan has lost a Member of the House.

Preceding the passing of our colleague, Mr. SHAFER, there was Henry Kimball, of Kalamazoo, a fine public servant whom some of you may remember. Then there was Mr. Main, who came from the Third District directly preceding Mr. SHAFER. In fact Mr. Main later lost out in the primary to Mr. SHAFER. Then there was our distinguished colleague from Grand Rapids, Mr. Mapes, for many years assistant party leader under Mr. Snell and beloved by every Member of the House, who was succeeded by Mr. Jonkman, a most respected and able representative of the district now being so well represented by the capable, hard working Mr. FORD. Some day he should represent the State in the Senate if he so desires. Then there was our very dear colleague who served so long and so well, Roy Woodruff. Just before that we lost Fred Bradley from the northern part of the lower peninsula. He had a wide working practical and technical knowledge of shipping. Our colleague, Mr. KNOX, came here from that district after CHARLES POTTER went to the Senate.

It has been an honor as well as instructive to have had the opportunity of serving with these able patriotic men from Michigan. At one time and until death took its toll Michigan held five of the 19 chairmanships of the House. All of that brings to my mind again the fact that while we try to serve and do serve, we are only here for a very, very short time. It is fortunate, indeed, that the resources of the country are such that there is always someone coming on who can carry on. That fact gives a goal to strive for, an opportunity to set a standard of service.

It is doubtful if either in our social or recreational activities the desires of our colleague and my own ever ran parallel. We had little in common in those fields except that we both loved to fish. But in our political views and convictions we were very close together. In some ways we were very close. When Paul came here and our wives were home for a few weeks, Paul and I went shopping and bought the furniture for both our apartments; and we made it stick. So far as I know Mrs. Shafer still had that furniture in the apartment here when she passed on less than 40 days ago. That was a loss, in my opinion, which had a great deal to do with Paul's passing, be cause he was certainly discouraged and brokenhearted over it. He not only lost his "better half"—he lost two-thirds of his existence.

We moved into adjoining apartments. Permit me to show you how conscientious he was. When he first came here, some of you will recall that the Townsend issue was up. We lived in adjoining apartments on Pennsylvania Avenue. Mrs. Hoffman and I went across the hall one evening and went into the apartment occupied by the Shafers. There sat Paul. He was a big man, as you will recall; big in many ways, in all ways that I know, he was big. In understanding, in kindliness, in generosity, he was big. There that evening he sat with his shirt off, his chest, his back all broken out in red blotches. Mrs. Hoffman said, "For heaven's sake, Paul, what is the matter with you?" Well, he was in trouble. He was in what to him at the time was deep trouble. His wife spoke up and said, "Well, Paul is worrying over the Townsend plan."

I believe it is the hives that you get when you have a nervous disorder. Paul was worried to the point where he was sick. He was sick in body—in mind. He was new to the game. He was determined to do the right thing. He just did not know what to do. He did not want to make a wrong decision. If we all would on all occasions strive as did Paul to reach a correct conclusion we would have better legislation.

We were so close together that sometimes when Paul came on the floor of the House after my name had been called on the roll, he would say to me, "How did you vote?" I would say, "I voted aye." He would say, "Yes; you did." And then he would proceed to vote "No." He knew deep down in his heart that that had been my vote, because our convictions were much the same. He knew, as he told me, that I was trying to kid him. We thought alike in many, many ways; practically in all ways in legislative matters. I could have left my proxy with him, if that were possible, and he could have left his with me, and there would have been little if any fault found when the votes were cast.

Some thought that he was slow to make up his mind, to come to a conclusion. He was at times. And why? Because, before he made a decision, he wanted to have the facts. He was determined to get them. Then he wanted time to think over the situation. To weigh what might be the result. But once made up, his mind was not very easily changed. He adhered to his convictions—there was no faltering for the sake of political expediency.

Yes, the State has lost an able, conscientious and faithful public servant. We have lost a good friend.

That he may have known the end might soon come—because his greatest strength and encouragement had been lost when his wife passed on—just a few days before he went to Walter Reed he wrote his will, called from my office two of the secretaries who came with me from Michigan 20 years ago and whom he knew, liked, and respected, Miss Boyer and Mrs. Zue, and honored them by asking them to serve as witnesses.

May he rest in peace, secure and happy again in the companionship of the wife who was his anchor, his compass, his ever source of encouragement, his refuge when in doubt.

Mr. WOLCOTT. Mr. Speaker, I yield to the gentleman from Texas [Mr. FISHER].

Mr. FISHER. Mr. Speaker, I join in mourning the passing of a great American, PAUL SHAFER. I, too, like others, have known him well for a good many years. I served with him on the Committee on Armed Services.

I served under his chairmanship on the Surplus Rubber Disposal Committee. I saw him tested on many occasions when questions of public interest were involved, and I always saw him equal to the occasion, thinking first of the welfare of the country, of the public good. I saw him on many occasions always fighting for the principle of free enterprise and private enterprise system, as opposed to unnecessary public ownership.

He was a truly great man, one of the great men I have known since I have served in the House of Representatives. I can well understand, and I join in the tributes that have been paid to him with respect to his character, to his interest

in the simple affairs of individuals, to his kindly, understanding attitude about everything that came along, as far as the other man was concerned. He was a truly great man. I know the whole Nation is just a little bit colder because his heart has grown cold in death. I know that the world is just a little bit darker because his light has gone out.

Mr. WOLCOTT. Mr. Speaker, I yield to the gentlewoman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Mr. Speaker, I was deeply shocked late yesterday to hear of the passing of PAUL SHAFER. He has not died. His spirit has not died. It will live on. A person like PAUL SHAFER does not die when his body goes. We know that his spirit lives on. The courage of the man, the ability of the man, will never be forgotten.

I remember about 2 weeks ago I was sitting on a bench in the lobby with him, and he was describing his sorrow over his wife's illness and her passing. He spoke of the great sufferings she had. Yesterday it came to me that he must himself often have been in pain and suffered greatly during the past month and probably the past year, yet he never complained.

While we were sitting there he spoke of two Army men who had not been given what he felt was a square deal. He said, "Next year we will see that justice is done to them."

Then I asked to make a statement at a subcommittee hearing he was holding a very short time ago. He was busy and probably harassed, but he arranged for that statement to go into the RECORD.

I always was impressed with the great courage of the man, his doing what he thought was right. He was a rugged individualist. His yea was yea and his nay was nay. If he felt a thing was right he fought for it no matter who wanted it or did not want it, whether it was the President of the United States or other Members of Congress. The thing that he thought was right he fought for, and I believe he died for, because he was a tremendous worker.

It is hard to think of the House without PAUL SHAFER, without his humor and his kindliness, and his cheering up of the Members. When the going was hard, and in Congress often the going is hard and you do not get what you want, he was equal to any occasion. I know of his intense interest in the national defense and in our national and international affairs. He had very strong convictions about how national and international affairs should be carried on, about how to go about defeating the things that should be defeated and supporting the measures that should be voted for. Coupled with his deep convictions was his untiring effort to build a strong national defense. To accomplish this he traveled thousands and thousands of miles in many countries of the world.

He was an outstanding Member of the great and strong Michigan delegation.

My sympathy goes out to all members of his family and friends and to all of his colleagues. We shall never forget him.

Mr. WOLCOTT. Mr. Speaker, I yield to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Speaker, I knew PAUL SHAFER. It was my privilege to serve with him on the Committee on Armed Services, and a more humane, more lovable man I do not think has ever sat in this House. Above and beyond that, he was a great legislator. He knew the problems of the Armed Services and took an intense interest in the welfare and the defense of this country. I, for one, have suffered a great personal loss by his passing, but the personal loss that all of us who knew him and loved him for the man that he was have suffered does not compare with the loss that the country suffers through his absence on a committee charged with the defense and preservation of America.

Mr. WOLCOTT. Mr. Speaker, I yield to the gentleman from Iowa [Mr. JENSEN].

Mr. JENSEN. Mr. Speaker, I join with my colleagues in all the wonderful tributes that have just been paid to our departed colleague, PAUL SHAFER. I came to the Congress at the same time PAUL SHAFER did, 16 years ago. We became great friends. PAUL SHAFER was an easy man to understand. He had no hard crust which covered up the real PAUL SHAFER. He said what he thought, and he meant what he said. He was a serious man when seriousness was in order. Then, at other times, he was jovial and humorous. I have laughed many times at his pranks as have other Members of the Congress. Paul liked people. It was his nature to enjoy good comradeship. Paul had the courage of his convictions. We have seen PAUL SHAFER stand in the well of this House on many occasions and say some things which at the time did not sound popular, but that mattered not to PAUL SHAFER because he always said what was in his heart and in that great mind of his.

The district which he had the honor to represent has lost a great Representative. The Nation has lost an able, patriotic public servant, and I have lost a friend. We shall all miss him. My heart goes out to his relatives.

"Goodby, Paul; God rest your soul."

Mr. WOLCOTT. Mr. Speaker, I yield to the gentleman from Maine [Mr. MCINTIRE].

Mr. McINTIRE. Mr. Speaker, it has been said that there are times when words are utterly inadequate in expressing those sentiments deeply felt. And this time—when we hear of the passing of our colleague and good friend PAUL SHAFER—is one such an occasion.

I came to know PAUL SHAFER on January 8, 1952, the day I was sworn in as a Member of this body to fill the vacancy created by the death of the Honorable Frank Fellows. Frank Fellows was beloved by a multitude of those here present, being especially beloved by our now deceased colleague. And the afterglow of that superb association established a quick bond of friendship between PAUL SHAFER and me. My regret is that only too brief was that period of time in which I was privileged with his true friendship and sound counsel.

PAUL SHAFER was a blend of many fine qualities, but there can exist no accurate definition of the man for he was greater than the sum of all his parts. He contributed much to his colleagues and to the legislative endeavors in this Chamber, and because his presence meant so very much, his absence will be all the more deeply felt.

To his family I extend my deep sympathy in their great loss. To them—as to all of us—the memory of all the fine things that PAUL SHAFER was will always be a cherished one.

Mr. WOLCOTT. Mr. Speaker, I yield to the gentleman from New York [Mr. ROONEY].

Mr. ROONEY. Mr. Speaker, I was deeply shocked last night when I learned of the passing of our colleague, PAUL SHAFER.

I came to know PAUL SHAFER quite intimately 10 years ago, when I had the pleasure of serving with him on the House Committee on Military Affairs. As many of those present may recall, 17 members of that committee visited the western and the Italian fronts on a 6 weeks' arduous inspection tour of our Armed Forces on those fronts. Circumstances threw together the distinguished gentleman from Tennessee, Mr. CLIFF DAVIS, PAUL SHAFER, and me. Our immediate warm friendship has continued ever since. Over the years, I had many, many pleasant hours with PAUL SHAFER. Within the recent few weeks Paul was much interested in the matter of the transfer of civil defense headquarters from the District of Columbia and Olney, Md., to Battle Creek, Mich. I promised Paul that I would go along with him on this, and our last conversation was had just before he went out to Walter Reed Hospital, downstairs in the House restaurant.

How ironic it is that on yesterday, the supplemental appropriation bill conference report was adopted here in the House, and by its terms Paul's wishes with regard to this item were carried out. Within a few hours thereafter, Paul was no longer with us.

PAUL SHAFER was a great and distinguished man. He was a man with a keen sense of humor. He was kindly. He was also highly intelligent and the type of gentleman whom no one could put anything over on. He knew life and he knew people. I think he had as many, if not more, friends on both sides of the aisle in this House of Representatives than any other Member, at least in my time.

Mr. Speaker, in conclusion may I sincerely say that this Nation has lost an able legislator and a fine American. The State of Michigan and the people of the congressional district represented by PAUL SHAFER have lost their very capable Representative in the House of Representatives. I have lost a true and kindly friend. Paul has joined his wife in God's loving care, but he will continue to live in the hearts of his host of friends.

Mr. WOLCOTT. Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. PHILBIN].

Mr. PHILBIN. Mr. Speaker, the shocking news of the untimely passing of our dear friend and colleague, Congressman PAUL W. SHAFER, of Michigan, has cast a shadow of deep grief upon this body. It was only a few days ago that he was here with us—friendly and cheerful, as was his way, beaming cordiality, humor and goodwill everywhere in our midst.

And now almost as swiftly as a summer breeze he has gone to "that land from whose bourn no traveler ever returns."

He had graced and honored this distinguished House for 18 years past. Of great ability and indomitable purpose, he labored faithfully and devotedly for the great causes in which he believed. He was a great American, a far-sighted statesman keenly aware of the needs of our common country, and vitally concerned with protecting its precious institutions. He was a man of conviction and courage, who stood steadfastly by his principles. Keen of intellect, stalwart in his patriotism, inflexible in the fiber of his Americanism, dedicated to his public duties, PAUL SHAFER made a deep impress upon the people of his district, State and Nation, and compelled the respect, esteem and admiration of all who knew him.

It was my great privilege to serve with PAUL SHAFER originally on the House Military Affairs Committee, and subsequently on the House Armed Services Committee, and I came to have highest regard for his qualities as an able, faithful public servant, as a noble, human being, and as a man of strong character, inspired loyalties and warm friendships.

PAUL SHAFER made many contributions while he was in Congress, not only to the national defense, the prosperity of our national economy but to the well-being of the Nation as a whole which accord him high rank among our colleagues and compatriots of this troubled era. They are too numerous to recite here, but it is well to note the range, character and effectiveness of this good man's devoted service.

His accomplishments and achievements are many and varied and reflect the highest standards of statesmanship. But over and above all these, over and above his legislative labors and his diligent committee work, his constant concern for his constituents, and his militant application to the great cause of national defense—great as all these were, and they will be appropriately recorded by time—PAUL SHAFER greatly distinguished himself here by the quality and the warmth of his friendships. He was approachable, gracious, considerate of everyone. He was eager to help whenever he could. He had a superb sense of humor and an artistry for "spinning the yarn" that made him beloved in the House. Above all was his inflexible loyalty to his friends—a loyalty that sprung from a generous, noble heart and that never wavered whether in calm or storm—steadfast and true to the end.

PAUL SHAFER brought good nature, good humor, geniality and the spirit of friendliness wherever he moved. He loved life and he loved to live and serve and that is why his early departure from his friends must have been bitter indeed. But he also loved to help and to encourage. He loved his fellow man and his friends and he enjoyed the close friendship of a great many members of this House, who were profoundly attached to him because of his winning personality, gracious manner and sterling personal qualities.

His family, the Congress, his district and the Nation have sustained a truly irreparable loss in the early passing of this beloved figure and able, devoted statesman. To his bereaved family and friends, I extend my most heartfelt sympathy and I join them in mourning one so fundamentally good, so wholeheartedly just, so resolutely devoted to his family, his friends and his country.

There is a special sorrow of great poignancy in Paul's sorrowful passing for our very distinguished chairman of the Armed Services Committee and dear friend, the gentleman from Missouri, Congressman DEWEY SHORT, because between these two men there existed for years a close, unbreakable bond of friendship that was known to and admired by every person in this House. These two great colleagues of ours worked together for great national objectives. They were inseparable companions. Damon and Pythias could never possibly excel them in the depth and fervor of their friendship for one another. This close bond, in existence for many years, is thus broken so far as this earthly sphere is concerned.

PAUL SHAFER has gone to his eternal reward of peace and happiness with his Maker. DEWEY SHORT remains to serve our country with ability, courage and brilliance, I hope and pray, for many years to come. To him, as well as to the bereaved family I extend my most sincere and heartfelt sympathy, because he has lost one of God's most precious gifts, one of man's most cherished possessions—a true and dear friend. This House has lost a great leader, the Nation a peerless statesman. Many of us have lost a dear and valued friend. I deeply lament his passing.

May his immortal soul rest in peace.

Mr. WOLCOTT. Mr. Speaker, I yield to the gentleman from Michigan [Mr. DONDERO].

Mr. DONDERO. Mr. Speaker, someone has aptly said that friends are those who know all about you and love you still. Having served here in this room with PAUL SHAFER for 18 years I think I am one of the many Members of the House who can say: I know all about him and loved him still.

I loved him for the man that he was, an able legislator, a great citizen of our State, and a great servant of the Nation.

If I were to be asked what his two outstanding characteristics were I think I would have to say they were his generous impulses, and the friendship that he held for those with whom he served and those that he knew. He was the type of man who would pluck a thistle and plant a flower wherever he thought a flower would grow.

I say he was a man of generous impulses, and like many of you, I was the recipient of many acts of kindness and generosity on his part through the years. I came to know him well. We had much to do in common here in this body.

He was a man who never failed to serve the people he represented here with diligence and zeal, and in this session of the Congress he came to me with friends from Battle Creek, Mich., because there were some public projects there to urge. He pressed the cause of his people and urged that which the Federal Government might do to benefit them.

I say that he served his people with zeal and with diligence. He was a conscientious man and I think what pleased him most was the doing of a kindly turn or a generous act for some one of us here on this floor.

We are going to miss him. He leaves a lonely place here in this Chamber. The people of his district will have to search a long time before they can find a man who can fill his place with the same degree of ability and conscientiousness PAUL SHAFER gave to his district, to his State, and to his Nation. We shall miss him. He was a great and distinguished American.

I extend my sincere sympathy to his family and to his friends in this the hour of their loss.

Mr. WOLCOTT. Mr. Speaker, I yield to the gentlewoman from Michigan [Miss THOMPSON].

Miss THOMPSON of Michigan. Mr. Speaker, I was greatly grieved to hear of the passing of PAUL SHAFER yesterday. He was a great man and a fine Congressman.

I shall always remember when I came to this Congress in 1951. I did not know a single soul. I walked into the House dining room the first morning for breakfast and there was PAUL SHAFER to greet me, to welcome me, and to take me to breakfast. He has always been my friend and I have always felt that I could go to him no matter what the problem might be from that time on.

His good wife passed away on the 5th day of July. On the 5th day of August I spoke to him out in the Speaker's lobby. He told me then he was going to the hospital and added, "I won't be here long, Ruth."

I think he had a premonition.

Mr. WOLCOTT. Mr. Speaker, I yield to the gentleman from Michigan [Mr. FORD].

Mr. FORD. Mr. Speaker, in the passing of our colleague, PAUL SHAFER, his congressional district, the State of Michigan and the Nation have lost a great public servant. His long and illustrious career in this body will leave an indelible mark for those who follow to seek to surpass. I doubt if anyone who follows him will serve as long or as well. Certainly, his successors will be challenged by Paul's fine record.

Many of those who have spoken on this sad occasion today have recalled incidents in our joint service in this body of the many fine things that PAUL SHAFER did for all of us. In January of 1949, the first day I officially walked into this chamber, the first person I met was PAUL SHAFER and for the next hour he made it his business to introduce me to many of his countless friends that he had among the membership of the House of Representatives. I was amazed and dumfounded at the number of friends he had, the fine feeling that everybody

had for PAUL SHAFER. I have never forgotten and will always cherish the time that Paul took on that day to acquaint me with my colleagues and his friends.

Much has been said about Paul's superb record. I doubt if we can add much to that at this point. His record speaks for itself and always will.

In closing let me reemphasize and reiterate that our beloved colleague was a real friend, a true patriot and an outstanding Member of the Congress.

Mr. WOLCOTT. Mr. Speaker, I yield to the gentleman from Michigan [Mr. CEDERBERG].

Mr. CEDERBERG. Mr. Speaker, it is with deep sorrow that I heard of the death of PAUL SHAFER.

I have always considered Paul a very personal friend, and his sudden passing has come as a real shock to me, as it has to all Members of the Michigan delegation and the entire Congress.

Paul served his district and the entire Nation efficiently and wisely and his keen judgment and pleasing personality will certainly be missed in the Halls of the Congress.

I have many times discussed various matters with him and I have always found him to be most considerate, friendly, and fair. His opinions I valued highly.

The passing of his dear wife a few weeks ago had a very telling effect on Paul, and I have no doubt that it hastened his own death.

Throughout his entire life he has dedicated himself to serving his community, his State and the Nation. Through his untiring efforts I believe it can be truly said by all who have been in contact with him that their lives have been enriched by his personality and ideals. Certainly it is true that it has been a better world for Paul having been with us and his memories will be cherished by us through the coming years, for he was indeed a true American patriot.

Mr. WOLCOTT. Mr. Speaker, I yield to the gentleman from Michigan [Mr. MEADER].

Mr. MEADER. Mr. Speaker, it is hard to believe that the friendly smile and the ready wit of PAUL SHAFER will not be with us any more.

I feel particularly sad about PAUL SHAFER's passing because, in many ways, he was closer to me than was any other Member of this body. We served adjoining congressional districts; but more than that, my father, as a Methodist minister in the State of Michigan, preached in many of the communities in PAUL SHAFER's congressional district, and was very well acquainted with him.

I shared the experience of the gentleman who preceded me, Mr. FORD, of being a beneficiary of the friendliness and helpfulness of PAUL SHAFER upon my arrival as a Member of this body and my introduction through him to his many friends in the House.

I recall especially how Paul was instrumental in my making my maiden speech on the floor of the House. I had discussed with him one aspect of the renegotiation bill which was up early in the 82d Congress and urged him to offer an amendment to that bill. Before I knew it, he had written out the amendment, sent it to the Clerk's desk in my name, and I was on my feet making the speech, wholly unexpectedly.

We are going to miss PAUL SHAFER. I regard it as a great privilege to have served with him as one of his colleagues from the State of Michigan.

(By unanimous consent (at the request of Mr. WOLCOTT), Mr. KNOX was given permission to extend his remarks at this point in the RECORD).

Mr. KNOX. Mr. Speaker, while all of us here knew that PAUL SHAFER had been ill for some time, news of his death came as a distinct shock.

In his passing the Nation has lost a valuable Representative in the United States Congress. The State of Michigan has lost one of its hard-working, faithful, and devoted public servants.

I knew Paul for a number of years before coming to Congress, and always found him ready to be of any help when called upon. He was absolutely sincere and frank at all times. Just last week I called Paul, asking him to meet with some of my constituents. It was then that he told me he was going to the hospital for a few days. When later I checked with his office to inquire how he was, I was told he was still in the hospital and he just wanted a complete rest. Paul is now having eternal rest, and may he be at peace.

(By unanimous consent (at the request of Mr. WOLCOTT), Mr. BENTLEY was given permission to extend his remarks at this point in the RECORD.)

Mr. BENTLEY. Mr. Speaker, like all of my colleagues here in the House, I was inexpressibly shocked and saddened to learn late yesterday of the tragic death of our beloved PAUL SHAFER. I cannot remember when any recent event has moved me as much.

Although I did not have the pleasure of Paul's friendship as long as older Members of the House, I have cherished that friendship ever since coming to Congress at the beginning of last year. Paul always acted the part of a genial friend to us freshmen, particularly to those from his own State of Michigan. He was never too busy to discuss our problems with us and to give us the benefit of his years of experience here in the House.

Not only the people of Michigan but the entire country will miss PAUL SHAFER. He was an invaluable member of the Committee on Armed Services where he continually fought for the principles of economy in our Defense Establishment while at the same time insisting upon Armed Forces that would be adequate for the defense of this country. He was also a fearless and determined fighter against communism, both here and abroad, and had done considerable research into the problems of domestic subversion, much of the results of which have already been made known. His passing is a very real loss to the Congress and to our Federal Government.

I recall when I was lying wounded on the floor of the House last March 1 seeing Paul bending over me, his kindly face grave and concerned. I remember his telling me later when I had recovered and returned to Congress that he never thought he would see me alive again. How little did I dream when I last saw him a few brief days ago that our roles would be reversed and that I was looking upon him for the last time.

When his dear wife died a few weeks ago all of us consoled with Paul in his grief. The devotion of this couple had been close and lasting throughout the years. I can well imagine that Paul did not care to survive her for long.

Mr. Speaker, I extend my heartfelt condolences not only to the people of Michigan's Third Congressional District for the very real loss which they have suffered but to all the people of my State for the loss of a valued and true public servant who will be difficult, if not impossible, to replace. To his friends and relatives my sympathy also goes. PAUL SHAFER was a real asset to his community, his State, and his country. It is a great and sorrowful event which has taken him from our midst.

(By unanimous consent (at the request of Mr. WOLCOTT), Mr. OAKMAN was given permission to extend his remarks at this point in the RECORD.)

Mr. OAKMAN. Mr. Speaker, as a freshman Member of the 83d Congress, it is with deep regret and profound sorrow that I learned of the death of my colleague, PAUL SHAFER.

Though our acquaintance has not been a long one, we became very close friends. Paul's assistance to me as a freshman Congressman was of inestimable value and help. He was never too busy to discuss any of my problems and gave unstintingly of the benefit of his experience over the years as Michigan's Third Congressional District Representative. He always spoke with human understanding, courage, and great hope. I will miss his wise counsel. His friendship was a great asset and a great attribute. He will be an inspiration to me always. The United States Congress will miss PAUL SHAFER as I feel the people he represented will do likewise. I am deeply grieved at the loss of this splendid friend.

Mr. DAGUE. Mr. Speaker, we are again called upon to mark the untimely passing of one of our Members and as we mourn the loss of PAUL SHAFER we know that we shall not soon find someone who will bring to this House the legislative ability leavened with the sauce of infectious humor which he possessed. Our late colleague had the happy faculty of injecting the necessary levity into some of our more serious deliberations and in so doing emphasized the fact that many of the things we were told were world-shaking were not, in fact, too serious. On the other hand, PAUL SHAFER had a clear-cut understanding of most of our gravest problems and he remained to the last a fearless champion of the conservative traditions upon which this Republic was founded.

Those of us who cherished his friendship were distressed by the loss of his helpmate and despite his outward display of his usual cheerfulness we could detect that her going away had left him bereft of his greatest comfort and consolation, which unquestionably contributed to his death. Paul, being such a cheerful soul would not want his friends to remain depressed and we should be comforted by the assurance—that when

he departed to join his beloved wife on the other shore he left us with a priceless heritage of precious memories.

Mr. KEARNS. Mr. Speaker, I am deeply grieved about the passing of my dear friend and colleague, PAUL SHAFER, and I humbly submit my remarks pertaining to that great statesman.

He served so long and so well that his deeds as a Congressman, not only for his great congressional district but for the entire United States, will live forever.

My personal loss is shared by my colleagues, his constituents, and the entire Nation.

Mr. WIGGLESWORTH. Mr. Speaker, I deeply regret the passing of our distinguished colleague, PAUL SHAFER, of Michigan.

Editor, publisher, municipal justice, with service on the Mexican border, a Member of this House for 18 years, he served his district and the Nation with ability and fidelity and made a great contribution to the work of the Congress as a member of the Armed Services Committee.

He was a true friend and will be greatly missed by all those who served with him on both sides of the aisles.

I join in heartfelt sympathy to the members of his family and to all those close to him.

Mr. AUCHINCLOSS. Mr. Speaker, it is always awesome to stand in the presence of death and it is particularly true when death visits one who was so well beloved and respected as PAUL SHAFER. While perhaps I could not be counted as one of his closest friends, I was one of many who enjoyed his friendship and appreciated his great soul. PAUL SHAFER loved people and he liked to talk with them and was ready to discuss anything that interested them. He had a rare sense of humor which he constantly exercised, and on more than one occasion I know that he lightened the hearts of those who were heavy laden. He honored his country by his never failing sense of duty and his intense patriotism. He commanded the respect of any who entered into debate with him and he left no scars as a result of the heat of argument. He had his share of sorrow in life and I believe suffered in various ways more than many of us knew. This indicated grandeur of spirit and a matchless courage which will ever be an inspiration to his friends.

Mr. GROSS. Mr. Speaker, it is difficult to believe that our colleague, the Honorable PAUL SHAFER, is gone from among us.

He was an able Member of Congress; a man of strong and outspoken conviction, yet with an extraordinary capacity for the making and holding of friends.

PAUL SHAFER was a true American, dedicated to the preservation of this sovereign Republic, and to that end he steadfastly contended against wasting his country's substance through the spending of billions of dollars each year upon uncertain foreign governments. On this and other issues will his loss be felt by the entire country.

It is further difficult to understand why the last weeks of this friendly, generous man's life should have been filled with sorrow in the death of his beloved wife and then his own suffering.

With other Members of Congress, I will miss the friendly presence of PAUL SHAFER in the House of Representatives.

Mr. FEIGHAN. Mr. Speaker, the untimely passing of our dear colleague, PAUL SHAFER, has brought to me and I am sure to everyone who had the privilege of knowing him, a feeling of sadness and deep regret. Like many of my colleagues, I considered Paul one of my warmest and stanchest friends. Paul was indeed a rare personality. His first thought was what he could do to be helpful to his friends. Paul was imbued with a spirit of fervent love of God and country. He stood for lofty principles and fought for the principles in which he believed. He never wavered in his beliefs and in his fight for the things that he thought were for the best interests of his country.

Our distinguished colleague did not live his whole life in serious mood. He had a light-heartedness and keen sense of humor which enabled him to emanate cheer and impart encouragement which made it a delight to be with him when he had cast aside the serious aspects of problems with which he struggled.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, it is with deep emotion that I express my sorrow over the sudden passing of my good friend, PAUL SHAFER. He was a good friend to all of his colleagues. We will all miss him in the Halls of Congress, but the memory of him will always be treasured by me.

The death of PAUL SHAFER is a distinct loss to the people of his congressional district, the State of Michigan, and to the country. He will be remembered as a true American, a statesman, and one who has served his country faithfully and well.

Mr. BENNETT of Michigan. Mr. Speaker, the Nation has lost a great man and a good man in the death of our colleague, PAUL SHAFER.

Paul was somewhat of a veteran when I first came to Congress in 1943. He was kind enough to take me under his wing and give me the type of fatherly advice that every new Member of Congress so badly needs. Our close friendship and my great respect for Paul continued until the time of his death. To those who did not know him well, he might at times have appeared to be gruff and blunt in his manner of expression. But under this stern exterior, there was a heart of gold together with kindness, patience, and understanding seldom found in any man.

It would be an understatement to say that Paul had the courage of his convictions. He was honest and forthright on all occasions, and he put above everything else what he believed to be in the best interests of his country. He was for America first in a very real and practical sense, and those who disagreed with him always respected the soundness and sincereness of his views. Those of us who are privileged to have his personal friendship and confidence will miss him very much. To his family and friends in Michigan I wish to express my deepest sympathy.

Mr. BENNETT of Florida. Mr. Speaker, our departed colleague PAUL SHAFER, was certainly an able statesman and a tireless worker for his district, State and Nation. I knew all this when I had been in Congress but a very short time. What is more in my mind at this moment is that he was a man who grew upon acquaintance, and improved in one's estimation the more one knew him. It was my privilege to serve on the committee on which he presided. I always found him to be fair with everyone, happy and generous in his treatment of all about him. My life is richer because of my friendship with him. Shortly after his beloved wife's recent death he indicated to me that he felt that he would soon join her. He did not say this in a morbid way or even in a sad way. I believe that he is now happily with her in heaven. He has earned in the hereafter many good things from his good works here on earth.

IN MEMORIAM: HON. PAUL W. SHAFER

Mr. VELDE. Mr. Speaker, I was shocked and grieved at the announcement yesterday that my good friend PAUL SHAFER had passed away.

I have been close to Paul ever since I came to Congress in 1949 and he has been a faithful and consistent statesman and has given sound advice to me on the many problems that arise in a Member's first term.

PAUL SHAFER as I know him was a fighter for the right as he saw right. His consistent voting record against socialism and communism and all foreign ideologies makes him an outstanding legislator of all times.

We will miss him in the Halls of Congress and on Capitol Hill.

I wish to extend my heartfelt sympathy to his family and friends from his congressional district in Michigan.

Mr. MARTIN of Iowa. Mr. Speaker, our good friend and colleague, PAUL SHAFER, has answered the final rollcall. His passing is a personal loss to me. I sat next to him in the Committee on Military Affairs during my first 8 years in Congress, and throughout my entire service I enjoyed his friendship and was proud to work with him.

Paul served his district in Congress for nearly 18 years and he left a record for faithful, conscientious work and for accomplishment. His character and reputation in his home community, in his State, and throughout the Nation are of the highest. While we mourn his passing with deepest regret that his good work here has ended, we are all happy to know that the influence of his good work will carry on. He was a great patriot, a grand fellow, and a real friend.

GENERAL LEAVE TO EXTEND

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the life and attainments of PAUL SHAFER.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

APPOINTMENT OF FUNERAL COMMITTEE

The SPEAKER. The Chair appoints as members of the committee to attend the funeral of the late honorable PAUL W. SHAFER the following Members on the part of the House: Mr. WOLCOTT, Mr. DINGELL, Mr. DONDERO, Mr. HOFFMAN of Michigan, Mr. O'BRIEN of Michigan, Mr. BENNETT of Michigan, Mr. RABAUT, Mr. FORD, Mr. LESINSKI, Mr. MACHROWICZ, Mr. MEADER, Miss THOMPSON of Michigan, Mr. BENTLEY, Mr. CEDERBERG, Mr. CLARDY, Mr. KNOX, Mr. OAKMAN, Mr. SHORT, Mr. ARENDS, Mr. KILDAY, Mr. CUNNINGHAM, Mr. O'HARA of Minnesota, Mr. RIVERS, Mr. FISHER, Mr. GAVIN.

COMMITTEE ON WAYS AND MEANS

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means may have until midnight tonight to file a conference report on the social-security bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

THE LATE HONORABLE RAYMOND H. BURKE

Mr. SCHENCK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SCHENCK. Mr. Speaker, it is my sad duty to announce the death of a very good friend, and also a former Member of this House, the Honorable Raymond H. Burke, of Hamilton, Ohio. Mr. Burke represented the Third District of Ohio in the 80th Congress, which district I now have the honor to represent. He was born in Nicholsville, Ohio, November 4, 1881, and passed away this morning at Mercy Hospital in Hamilton, Ohio, after a brief illness.

After graduation, and he graduated with honors from Chicago University, he served for 8 years as the director of music at Miami University in Oxford, Ohio. Later he returned to Miami University and taught business administration. He was a highly respected businessman and civic leader of Hamilton, his city, and served as its first mayor under the charter form of government, having served in that position some 12 years.

Mr. Burke also served with great honor and distinction for two terms in the Ohio State Senate, where he was a member of many important committees, one of which was the committee on agriculture. At that time he became so deeply interested in matters of conservation that when he came to Congress in the 80th Congress he sought and was appointed to membership on the important Committee on Merchant Marine and Fisheries, where he headed a subcommittee on the conservation of wildlife.

Mr. Burke served for 25 years as a member of the board of directors of the Hamilton YMCA. He was a past president of the Rotary Club, and a member of the Presbyterian Church, and was extremely highly respected and thought of by all of his friends in that city.

He is survived by his wife Daisy, a son, Robert, and two grandchildren.

Mr. Burke will long be remembered by Members of this House who were here in the 80th Congress and by his other friends as being a man of very sincere graciousness, a man with a very deep, abiding feeling of service, and all in all a great American. He was zealously devoted to his congressional duties and seldom missed a rollcall vote. He was also a man of many talents and put all of his ability to good use in the interest and service to all people and public enterprises. He gave unstintingly of his time and energy for the public good. He was an understanding and able legislator. Our former colleague was also a gentleman of culture and got great pleasure and satisfaction out of his music. He directed the choir in his home church for more than 40 years. Through all his various services as a teacher, businessman, civic leader, public services as mayor, State senator, and Member of Congress he worked with quiet courage, steadfastness, sincerity, loyalty, and courtesy. He was patient and kindly and always strove to bring out the best in those with whom he worked. He will be missed deeply by his family, to whom I extend my deepest sympathy. I know that you, too, join in extending the sympathy of the United States Congress to his family.

Mr. Speaker, I yield to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, I am sure that all of us who served with Raymond Burke in the Congress were saddened by the word of his passing.

It was my pleasure and my distinct privilege to know Raymond Burke very well for a great many years. His home was only a few miles from my home. Raymond Burke was a Christian gentleman, a man who felt deeply his responsibility to his community, to his State, and to his Nation, as well as to his fellow man. He was a kindly gentleman, a man of firm religious belief and conviction, a man who always extended a helping hand to those about him. He was a leader in our educational and civic affairs in Ohio, as well as a Representative in the Congress during the 80th session.

I am sure I speak in behalf of every Member of the Ohio delegation in extending to his family our sincere sympathy and expressing to them the hope that divine providence will sustain them in their great bereavement. He has left to his family the priceless heritage of a good name, and to many of us who were his friends many precious memories.

Mr. SCHENCK. Mr. Speaker, I yield to the gentleman from Ohio [Mr. JENKINS].

Mr. JENKINS. Mr. Speaker, I wish to join with the others of my colleagues in giving my testimony with reference to my deceased friend and former colleague Hon. Raymond H. Burke. I was here when he came and I was glad of the chance to help him some because he was a very ready student. He was a well-educated man. He was a man of fine parts and demonstrated that when he was on the floor of the House. He was capable mentally, intellectually, and in every way. He showed great promise. I think if he had continued his service in Congress he would have been a very distinguished Member. Of course, I deplore the fact that he has left us, and I want to extend to his family my most sincere sympathy at this time, and to assure them that they have every reason to be proud of the character and accomplishments of our distinguished colleague.

Mr. SCHENCK. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

CARL PIOWATY AND W. J. PIOWATY

Mr. JONAS of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's table H. R. 1665 for the relief of Carl Piowaty and W. J. Piowaty, with Senate amendments thereto, disagree to the Senate amendments and ask for a conference.

The SPEAKER. Is there objection to the request of the gentleman from Illinois? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. JONAS of Illinois, BURDICK, and FORRESTER.

CUBAN-AMERICAN SUGAR CO.

Mr. JONAS of Illinois. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3304) conferring jurisdiction upon the the Court of Claims of the United States to consider and render judgment on the claim of the Cuban-American Sugar Co. against the United States.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. JONAS]?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Court of Claims of the United States be, and hereby is, given jurisdiction to hear, determine, and render judgment on the claim of the Cuban-American Sugar Co. against the United States for a refund of taxes erroneously and illegally assessed and collected as excess-profit taxes for the period from January 1, 1917, to September 30, 1917. That, for the purpose of arriving at the correct determination of the tax for this period, the Court of Claims is to apply the method of computation under sections 201 and 203 of the Revenue Act of 1917, based upon the invested capital of the corporation amounting to $39,848,530.85, which was the invested capital of the Cuban-American Sugar Co. according to the decisions of the Board of Tax Appeals, all dated December 16, 1932, which decisions were based upon the stipulation entered into between the Cuban-American Sugar Co. and the Commissioner of Internal Revenue, whereby it was agreed that the sum of $39,848,530.85 was the invested capital of the

Cuban-American Sugar Co. for the calendar year 1917.

SEC. 2. In the proceedings upon such claims before the Court of Claims the United States shall not avail itself of the defense that the General Counsel for the Bureau of Internal Revenue acted without legal authority in making such stipulation of settlement.

SEC. 3. Suit upon such claim may be instituted at any time within 6 months after the date of enactment of this act, notwithstanding the lapse of time, laches, the form or any content or the time of filing of claims for the refund and alleged amendments thereto, heretofore filed or any statute of limitations. Proceedings for the determination of such claim and appeals from the payment of any judgment thereon shall be in the same manner as in the case of claims over which such court has jurisdiction under section 1346 of title 28, United States Code, as amended: *Provided, however*, That nothing contained in this act shall be construed as an inference of liability on the part of the United States Government.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CENTRAL RAILROAD COMPANY OF NEW JERSEY

Mr. JONAS of Illinois. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3494) for the relief of the Central Railroad Company of New Jersey.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Central Railroad Company of New Jersey the sum of $62,056.23, representing the amount of damages found by the United States Court of Claims (Congressional No. 17863, decided July 13, 1953, in response to S. Res. 317, 81st Cong.) to have resulted from accidents in which trains of the Central Railroad Company of New Jersey were involved at a crossing voluntarily established for the convenience of the Government, which accidents were caused in part by the negligence of the Government: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THOMAS BARRON

Mr. JONAS of Illinois. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3017) for the relief of Thomas Barron.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Thomas Barron, of East Greenwich, R. I., the sum of $3,000, such sum being the amount determined by the United States Court of Claims, acting pursuant to Senate Resolution 216, 82d Congress, to be equitably due to the said Thomas Barron. The payment of such sum shall be in full satisfaction of his claim against the United States for compensation for typewriter parts, tools, and equipment which were destroyed by fire at the naval air station, Quonset Point, R. I., on October 15, 1948, when the said Thomas Barron was engaged in contract work for the United States Navy: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PERSONAL ANNOUNCEMENT

Mr. DODD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. DODD. Mr. Speaker, yesterday, August 17, because of a speaking engagement at the American Bar Association meeting in Chicago, I was not present to vote on rollcall No. 144.

Had I been present, I would have voted for the motion offered by the gengentleman from Texas [Mr. DIES] to put teeth into legislation outlawing the Communist Party.

I am not able to understand the opposition to the proposal. I do not believe that we are nullifying the Internal Security Act or the Smith Act by this action.

THE WORLD SERIES

Mr. DORN of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DORN of New York. Mr. Speaker, since the session is drawing to a close, I wish to call to the attention of the Members of the House, particularly my colleagues from New York City and Wisconsin, that it is important to contact the management of the Brooklyn baseball team, if they want World Series tickets. The Dodgers may be a few games from the lead at the moment, but the fighting spirit of Brooklyn is part of the team and will inevitably lead to the Brooklyn Dodgers' victory this fall.

Mr. EBERHARTER. Mr. Speaker, will the gentleman yield?

Mr. DORN of New York. I yield.

Mr. EBERHARTER. I noticed by newspaper reports that the Pittsburgh Pirates, who happen to be in last place in the National League, took it upon themselves to put a little stumbling block in the way of Brooklyn's winning streak by defeating them last evening.

Mr. DORN of New York. It is good to see that the Pirates can win once in awhile, though I would rather they won when playing another team.

Mr. O'KONSKI. Mr. Speaker, will the gentleman yield?

Mr. DORN of New York. I yield.

Mr. O'KONSKI. I think the gentleman has committed a terrible error, because the World Series is going to be played at the Milwaukee County Stadium. I extend an invitation to all Members of the House to be there when the first game is played. If you have any difficulty in getting tickets, contact me, because the World Series games will be played in Milwaukee County Stadium and not in Brooklyn.

Mr. DORN of New York. The gentleman from Wisconsin made the same error last year and invited Members of the House to Milwaukee at that time. He is as wrong now as he was then.

Mr. O'KONSKI. But that was at a time when we had this 6 weeks' beer strike in Milwaukee and they had to import a lot of cheap substitutes from other cities.

Mr. MORANO. Mr. Speaker, will the gentleman yield?

Mr. DORN of New York. I yield.

Mr. MORANO. I think you are both wrong. The New York Giants will win the pennant.

The SPEAKER. The time of the gentleman from New York has expired.

MORE WORLD TRADE—PROPOSAL FOR REALISTIC AND INCENTIVE READJUSTMENT ASSISTANCE

The SPEAKER. Under previous order of the House, the gentleman from Pennsylvania [Mr. EBERHARTER] is recognized for 30 minutes.

Mr. EBERHARTER. Mr. Speaker, I wish to make some remarks on H. R. 9703, a bill that I have introduced and which is a companion bill to H. R. 9652, introduced by the gentleman from New Jersey [Mr. WILLIAMS]. This bill is designed to provide assistance to communities, business enterprises and individuals in order to facilitate adjustments made necessary by the trade policy of the United States. It is my view that these bills would constitute a new departure in our foreign-trade legislation that is vitally needed. They have been prepared with great care and only after considerable study. These bills have drawn on, among other sources, two sets of proposals that were submitted to the Randall Commission. The Committee for a National Trade Policy, Inc., a committee of American businessmen actively supporting President Eisenhower's foreign-trade program, in its recommendations to the Randall Commission proposed that—

Assistance should be provided to enterprises, communities, and employees affected by reductions in import restrictions where it is needed to help them adjust to dislocations. Such assistance should be provided

so far as possible through or in cooperation with local and State agencies.

Mr. David J. McDonald, of the CIO, who was a member of the Randall Commission, submitted to the Commission a statement on adjustment in case of injury caused by increased imports which is included in the majority report of the Randall Commission to the President and the Congress.

This bill represents a sufficiently new approach to the subject that I feel very strongly that the proposals contained in it deserve the careful study of the Congress and of interested individuals and groups throughout the United States. It is with this purpose in mind that this bill was introduced in this session of Congress; a smaller bill was introduced by Senator KENNEDY, of Massachusetts, for the attention of the Members of the Senate. It is expected that these bills will be reintroduced in the next Congress. They will then incorporate those changes which have been suggested by people who have had an opportunity to study the bills and which the sponsors feel merit inclusion. It is hoped that this bill will receive full hearings by the Committee on Ways and Means.

The principle which underlies H. R. 9703 is a very simple, yet profoundly important, one. The maintenance of our international trade at high and increasing levels is essential to the continuing prosperity of the United States and to the economic health and political solidarity of the free world. Growing international trade will bring many benefits: a reduction in the dependence of our allies on our aid, an acceleration of the march to currency convertibility that will itself yield dividends in increased economic efficiency in Europe and elsewhere, and an increased capacity on the part of Western Europe and Japan to resist the trade blandishments of the Soviet bloc. These are all necessary and desirable objectives. But I want to draw attention to one aspect of the gains from international trade that we too often lose sight of. That is, that the very essence of trade is to increase economic efficiency and national productivity by specializing in the production of those goods which one country can produce most efficiently and trading these goods off against the goods that other countries can produce most productively. One need only look at the record of the last 20 years to see what economic gains the United States and the rest of the world have enjoyed through the expansion of international trade.

A second principle, which follows from the first, is that the economic advantages that flow from increased trade far exceed the disadvantages that may result from the displacement of domestic production as a result of import competition. This comes down to saying that if we do not artificially restrict trade, the advantages we could enjoy in increased production and employment are much greater than any possible disadvantages that may result from the dislocation of domestic production as a result of increased imports. Moreover, were we to reduce the barriers to expanding trade, the gains that would result would be more than ample to help adjust to whatever losses may result and still leave a handsome margin of net gain. The savings in Government expenditure and the increased revenues resulting from the favorable effects of higher levels of United States trade would, in all probability, by themselves be adequate to finance the adjustment of those hurt by the increased imports.

If our national interest, to say nothing of all logic, points to the need for expanding international trade, why then is there as much resistance as there is to a liberalized foreign-trade policy? The answer is clear: Although the critics of a liberal-trade policy exaggerate the case excessively, certain domestic economic dislocations may result from increased imports. There is today no machinery which can be used to facilitate and accelerate the adjustment of those few that are adversely affected so that the many can enjoy the advantages of a more liberal trade policy. H. R. 9703 is designed to fill this most important gap in our foreign-trade legislation. It offers a program that is temporary in character and limited in cost and that, therefore, should commend itself to everyone.

This is essentially a conservative and modest proposal. The cost of operating the program embodied in H. R. 9703 will be small. The reason for this is that the number of employees likely to be adversely affected by increased imports as a result of tariff reduction is itself small. There has been much ill-informed talk on that subject and considerable exaggeration of the figures. When I read the prophets of doom on this subject I am reminded of a remark made by G. K. Chesterton to the effect that—

> Statistics are to the propagandist what a lamppost is to a drunk: more for support than for illumination.

A look at the facts can be illuminating. The staff of the Randall Commission prepared an analysis of the effect of foreign trade on employment that appeared in the staff papers published by the Commission. The staff found from data submitted by the Departments of Treasury, Agriculture, Commerce, and Labor that the number of people who earn their living through the production of goods for export was, in 1952, just over 3 million and that the number of jobs dependent on the transportation, distribution, and first processing of imports equaled 1,250,000, so that the total number of jobs dependent on foreign trade was over 4¼ million, or 7 percent of total employment in that year. In contrast to this figure, it was found that the number of workers producing goods equivalent to the increase—in imports—which would take place in the events of a temporary suspension of—all—tariffs would lie between a minimum of 96,240 and a maximum of 202,650, or between one-tenth of 1 percent and one-third of 1 percent of total employment in that year. There are over 20 jobs that are dependent on foreign trade for every 1 that depends on protection against imports, even if you take the maximum figure of 202,000 as the number of jobs dependent on import protection.

But even this figure overstates the question of how many jobs are dependent on protection against imports. In an italicized passage of the Randall Commission staff papers it is pointed out that these estimates "take no account of probable increase in United States consumption after tariff suspension, of new developments in United States products or production techniques, or of the capacity of companies to shift to other lines of production. They also take no account of the rise in employment which would be required in handling increased exports which would result from larger imports."

Moreover, and this is important, these calculations refer to a complete removal of tariffs. The Randall Commission's and President Eisenhower's original tariff program called for not a 100-percent reduction all at once but for a 15-percent reduction to be carried out over a period of 3 years. By simple arithmetic one can see that the maximum number of jobs adversely affected by this modest program would be no more than 30,000, or 10,000 a year for 3 years.

On the basis of this expert evidence, developed through the combined resources of several agencies of the Government, the conclusion is clear that the problem of dislocation of production and employment as a result of lower tariffs is quantitatively not very great.

Not only would the special assistance to facilitate adjustment provided for in this bill be cheap, but it would be of short duration. We have a dynamic and vital economy here in the United States. The American economy successfully meets every year a much larger problem that is involved in adjustment to increased imports. Because we have a dynamic and competitive economy, it is constantly adjusting to all kinds of changes: Changes in consumer tastes, changes in the location of population, the development of new technologies and materials, and so on. Every year our production must expand enough to provide employment for the equivalent of about 2 million workers. The maximum number of increased workers that would have to be taken care of if the President's original trade program were put into effect would add less than 1 percent to that figure.

I do not seek to minimize the importance to individual workers, plants, or communities of the loss of a job, a market, or a payroll. What I want to do is to put the problem into its proper perspective. Seen in this perspective, it is clear that the task of aiding and facilitating adjustment to increased imports is by no means a costly or difficult task.

Mr. Speaker, tariffs are a concealed subsidy that cost the American consumer and the American exporter dearly, to say nothing of what the cost is in terms of the unity and strength of the free world. H. R. 9703 seeks to eliminate these hidden and incalculable costs and to substitute for them a modest, direct, and visible program which will yield good dividends to every citizen of the United States.

CLOSING OF CONSOLIDATED DEFENSE MEDICAL TEST DEPOT, ALAMEDA, CALIF.

The SPEAKER. Under previous order of the House, the gentleman from California [Mr. MILLER] is recognized for 20 minutes.

Mr. MILLER of California. Mr. Speaker, I was surprised and shocked the other day when I received news release No. 744–54 from the Office of Public Information, Department of Defense, announcing the closing of the Consolidated Defense Medical Test Depot at Alameda, Calif. This is one of the finest examples of unification in the Defense Department. It was not something the Defense Department initiated on its own. It was brought about by the insistence that such test be made, by the then Committee on Expenditures in the Executive Departments, now the Committee on Government Operations, as the result of a series of studies made by one of its subcommittees under the chairmanship of our colleague, the gentleman from North Carolina [Mr. BONNER]. A report was made to this House, No. 2330, 82d Congress, 2d session, in which the work done at this depot was outlined and thoroughly discussed. It has subsequently been studied by the present Committee on Government Operations, the Riehlman subcommittee, I believe, and they, too, have found it an efficient operation. Through this depot all of the medical supplies used in Korea passed. It is a combined operation of the Army, the Navy, and the Air Force. It avoids duplication that exists on the east coast, because all of the Western United States, the Pacific Basin, and Alaska are served from this one medical supply center. Now they are going to close it. They say that economies will be effected in closing it. But if the findings of the committees of this House are correct, no economies will be effected, but you will go back to the same old system of duplication that exists in many parts of the Defense Department.

Mr. BONNER. Mr. Speaker, will the gentleman yield?

Mr. MILLER of California. I am happy to yield to the gentleman from North Carolina.

Mr. BONNER. Mr. Speaker, I am very disappointed on listening to the remarks of the Congressman from California [Mr. MILLER].

On April 28, 1954, I had a discussion with Congressman FORD, of Michigan—see the RECORD, pages 5670–5671—concerning the Alameda medical supply test. The gentleman from Michigan [Mr. FORD] assured me that the Surgeon General of the Army had advised the Appropriations Subcommittee that the Alameda medical supply test, whereby one service stored and issued medical supplies for all services, had been highly successful. The gentleman from Michigan [Mr. FORD] advised me that a plan was under way to consolidate medical supply systems across the board, and I told him, and I quote:

You will save millions of dollars if that is a fact.

But it was not a fact.

In spite of the assurances of members of the Appropriations Subcommittee I had grave doubts concerning the consolidation of the medical supply systems of the three military services. My reservations were based upon several years of intensive study by the so-called Bonner subcommittee. Accordingly, I asked permission to address the House for a few minutes, and on May 18 of this year I did so. These remarks may be found at page 6774 of the CONGRESSIONAL RECORD. I told of the development of the Alameda test and the years of intensive investigation and work of the old Expenditures Committee to get such a test under way. I told of the roadblocks and the stalling and devious methods used by the Department of the Navy to prevent such a test in the first place, to make it as ineffective as possible in the second, and third, to kill it, if possible, in the long run. I told that despite the opposition of the Navy, the Army and Air Force had entered enthusiastically into the test and that it had proven to be a great success. I mentioned that our subcommittee had made a special trip to Alameda in August 1952 and held hearings there on the results of the 6-months test. We found it to be highly successful and issued a report on the results.

In concluding my remarks on May 18, I mentioned that the proof of sincerity of the armed services, in particular, the Navy, is whether or not they would give application of the Alameda medical supply test to the other medical supply depots in the United States. Despite the assurances of the members of the Appropriatitons Subcommittee and despite the National Security Act and the O'Mahoney Act calling for integration of common supply systems, I knew that the Navy was exerting every influence to kill this operation, which is the first real step toward integration in the distribution of supplies. I dare not use the word unification though the Bible tells us that a "house divided cannot stand" and our forefathers stressed over and over that "united we stand and divided we fall."

I am very unhappy to hear the remarks of the gentleman from California and can only say that if the Navy is permitted to disrupt this operation, prevent its application across the board, that the American taxpayers will lose millions of dollars and the way will be blocked for the unification of supply in much larger and important areas.

But above all, I am deeply disturbed that the Congress of the United States has but little influence on the Navy bureaucracy.

Mr. Speaker, we have in the armed services of the United States the finest men that America can produce. They are conscientious, they are sincere and their desire is to bring to this country and offer to this country the greatest and strongest military force on the face of the earth. Yet if any Member of this House will take the time to visit the military establishments throughout the length and breadth of the 48 States and then go around the world and see the establishments we have in every nation on the face of the earth practically, he will see more waste, he will see more duplication, he will see more unnecessary expenditure of effort than in any other field this Government operates in.

Yes, we are a great Government; we have great recuperative powers. We have the power to come back. We have the power to do almost everything. But I will say to this House that unless the Committee on Armed Services and the Committee on Appropriations do something to stop the unnecessary expenditure of money, money that is absolutely wasted, lost, I do not see how the taxpayers of America can go on supplying a sufficient amount to take care of us. Nor do I see how we can obtain the materials necessary to support such wanton wastefulness. Future generations will be left without the means of defense.

I had hoped that the work begun by the so-called Bonner committee would be continued in this Congress. That committee was succeeded by a committee headed by one of the finest gentlemen of this House. But for some unknown reason it seems that thumbs have been put down. The foundation that was laid could have been carried on and greater results could have been accomplished, more than were brought to pass. It was shown conclusively that it would be a money saver. I am referring to the Alameda medical supply test.

I congratulate the gentleman on bringing this matter to the attention of the House.

Mr. MILLER of California. Mr. Speaker, I want to thank the gentleman for his contribution today. He has, as usual, been most constructive and objective in what he had to say.

Mr. IKARD. Mr. Speaker, will the gentleman yield to me?

Mr. MILLER of California. I yield to the gentleman from Texas [Mr. IKARD] a member of the Riehlman subcommittee of the Committee on Governmental Operations, a member of the committee presently studying this problem.

Mr. IKARD. Like the gentleman from North Carolina [Mr. BONNER] and the gentleman from California [Mr. MILLER], I am greatly disturbed to hear of this plan to abandon the Alameda project. It is one that the subcommittee on Military Operations has looked at. The impression I got, as a member of that subcommittee, was that this study or project at Alameda is one that should certainly be given a fair chance and one that should spread completely through the medical services of the armed services.

It is one that has proven itself to be a step forward in efficiency and economy. I think it should be pointed out here that it is not a system or a means or a method hastily conceived and put into effect, with little or no study. It was decided upon after long and exhaustive and complete and very fine studies made by the Bonner committee and by various branches of the Executive Department of the Government.

To say the least, whether one agrees with it or not, I think we can say without any real fear of successful contradiction, that this program has been and is being sabotaged. Whether one agrees

with it or not, in view of the time and the effort and the money expended, we should continue it until such time as we have had an opportunity really to evaluate it, regardless of anything that might be said about any economies that might be had by now abandoning it. Such statements do not take into consideration the time and effort and money that have been put into it. It would be a real extravagance to abandon now this very fine project.

I want to compliment the gentleman from California [Mr. MILLER] for calling it to the attention of the House. I thank the gentleman very much.

Mr. BONNER. Mr. Speaker, will the gentleman yield?

Mr. MILLER of California. I yield to the gentleman from North Carolina.

Mr. BONNER. I am shocked and surprised that the present administration, which has talked so much about economy and saving money and doing the proper things, should permit the discontinuance of these tests, that have been absolutely proved to be successful, because all the medical supplies in the Korean war were dispersed through this depot. The committee heard testimony from those who had handled the supplies that not a complaint was ever made. It cost a lot of money to set up these tests. If this closure takes place, that is just simply money down a rat hole. This is one of the examples of what can be done to save, and if this is carried out it is one of the examples of what can be done to waste. I compliment the gentleman on bringing this to the attention of the House. I hope something will come of this effort.

Mr. MILLER of California. This was a test to establish a formula by which other supplies, blankets, bedding, certain types of clothing, common to all of the armed services could be handled on a unified basis to save money for the country.

Today I have introduced a joint resolution asking that the Congress express itself through action in preventing the closing of this depot until the Committee on the Reorganization of the Executive Departments of the Government has a chance to complete its investigation and pass on this matter.

One of the things that brought about the so-called Alameda Medical Supply Test, and that is what it was known as, was the pressure that was brought on the Defense Department by the first Committee on the Reorganization of the Executive Branch of the Government, the so-called Hoover Commission. I know because I have talked to the gentleman from Ohio [Mr. BROWN], one of the members of the Hoover Commission, today, and he tells me that they are investigating this very matter and are concerned with it.

Mr. IKARD. Mr. Speaker, will the gentleman yield further?

Mr. MILLER of California. I yield to the gentleman from Texas.

Mr. IKARD. The abandonment of the Alameda project is in effect a retreat from any idea of real unification in the supply system, and it is an abandonment of the idea that has been advanced by the Hoover Commission and by the Bonner Committee and by the other groups that have studied it and have recommended the economy and the efficiencies that might come through the consolidation of procurement and supply of these items and the others the gentleman mentioned. The important thing is that the abandonment of this project also is a signal to the effect that they are not even going to give it a fair trial and see whether or not it will work.

Mr. MILLER of California. I think what the gentleman has just said is something we can all weight very carefully, because if this successful test is abandoned it is the beginning of the end of unification in the supply and distribution functions of the Armed Forces.

Common sense tells us that if we want to save money, to cut costs of operations of the armed services, we must have unification in the areas of supply, logistics, and the related support programs of the Army, Navy and Air Forces.

Why abandon a test that is apparently proving highly satisfactory?

Surely the appropriations committee of the House should be informed of any such plan yet it is evident they have been kept in the dark.

I hope the Secretary of Defense reexamines the proposed order closing the Alameda Medical Supply Depot.

GEN. B. W. (PAT) KEARNEY

The SPEAKER. Under previous order of the House, the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 10 minutes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I wish to call the attention of the Members of Congress to a signal honor paid to the ranking member of our Committee on Veterans' Affairs, Gen. B. W. (PAT) KEARNEY, by the National Encampment of the Veterans of Foreign Wars.

At last year's encampment, held in Milwaukee, Wis., it was voted to present a citation to General KEARNEY in recognition of his outstanding service as a member of our committee. Following is the wording of the citation:

> The Veterans of Foreign Wars of the United States presents this Certificate of Appreciation to the Honorable BERNARD W. (PAT) KEARNEY, Member, House of Representatives, State of New York, in recognition of the many outstanding services he has rendered war veterans as a member of the House Committee on Veterans Affairs and chairman of the Subcommittee on Hospitals. In witness thereof we have hereunto set our hands and the official seal of the Veterans of Foreign Wars of the United States. Approved by the 54th National Encampment, VFW, in Milwaukee, Wis., 1953.

General KEARNEY, who is a past national commander of the VFW, has always been vitally interested in veterans' problems. Besides being the ranking Republican member of our committee, he is the chairman of the important Subcommittee on Hospitals, which considers all legislation pertaining to the many hospital and domiciliary facilities of the Veterans' Administration.

Personally, I am delighted at this recognition of his fine committee work. He deserves every bit of praise that can be given him. Not only hospital matters, but in every piece of legislation he has been a tower of strength on the committee. He is an extremely able chairman, with a very great knowledge of veterans' affairs. He served on the committee for a great many years. He is one of the few remaining members with long service on that committee. Any honors that come to him, I am sure the entire committee rejoices in.

Mr. SAYLOR. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield.

Mr. SAYLOR. I join the gentlewoman from Massachusetts, the chairman of the House Committee on Veterans' Affairs in paying tribute to PAT KEARNEY. It has been my privilege to serve as a member of the Subcommittee on Hospitals with him. I know of no other Member of the House of Representatives or any Member of any legislative body in the United States who is more devoted to the veterans, and no one is more worthy of the honor given to him than PAT KEARNEY.

Mrs. ROGERS of Massachusetts. The gentleman himself is a very able fighter for the veterans and a wonderful member of the Subcommittee on Hospitals, and he knows also the very fine work that the gentleman from New York, General KEARNEY, has done on the Committee on Un-American Activities. I wish the Congress of the United States could give General KEARNEY a citation because he certainly deserves it.

FOR FARMERS AND CONSUMERS—THE BIG BUILDUP AND THE BIG LETDOWN

The SPEAKER pro tempore (Mr. NICHOLSON). Under previous order of the House, the gentleman from Ohio [Mr. POLK] is recognized for 30 minutes.

Mr. POLK. Mr. Speaker, on July 23, 1954, the House Committee on Agriculture released a report on farm prices and the cost of food.

It was found that farm prices advanced 29 percent between 1946 and their peak in 1951, 5 years later. The advance in retail food prices was even greater—45 percent—between 1946 and their postwar peak in 1952. Since 1951 prices received by farmers have fallen 20 points or almost back to their 1946 level. In contrast, retail food prices now hold within a fraction of their 1952 peak. In June 1954 farm prices declined 4 percent; retail food prices advanced 0.5 percent.

Thus far, almost none of the lower prices received by farmers have been passed on to consumers in the form of lower retail food prices.

Statistics compiled by the House Committee on Agriculture show that the retail price of cereals and bakery products have not followed the farm prices of wheat or corn or oats. For example, during the past 6 years the price of wheat has declined 32 percent while the price of bread has increased 23 percent. Presently the farm value of the wheat in a 1-pound loaf of bread is 2.7 cents.

In the last half of 1947 the farm value of the corn in a 12-ounce package of corn flakes was 4.5 cents and the average retail price was 16 cents. In the first 3 months of 1954 the farm value of the corn in a 12-ounce package of corn flakes had dropped to 3 cents, while the average retail price of the corn flakes had jumped to 22 cents.

Similarly, in the last half of 1947 the farm value of the oats in a 20-ounce package of rolled oats was 6 cents and the average retail price was 15 cents. Today the farm value of the oats in the package has dropped to 5 cents, but the average retail price has jumped to 18.5 cents.

The farm price of milk and the retail price of dairy products follow about the same pattern. Since 1952 the farm price of milk has dropped 20 points while retail prices dropped only 9 points. Although milk used for manufacturing purposes and butterfat prices were supported at 90 percent of parity in 1953, the farm price of these products averaged 10 percent lower than a year earlier while retail prices were down only 1.7 percent.

Farm prices for milk and butterfat in June 1954 were 10 percent below their 1947–49 average while retail prices of dairy products were 3 percent higher than in the earlier period.

In the first 3 months of 1951 the retail price of American processed cheese averaged 58 cents a pound. The farm value of the milk in a pound of cheese averaged 35 cents. In the first 3 months of 1954 the average retail price of American processed cheese had increased to 59 cents a pound while the farm value of the milk had dropped to 29 cents.

Farmers who supply milk for the Chicago market received 8 cents a quart and farmers who supply milk for the New York City market received 12 cents a quart in June 1954 for the milk for fluid use which cost city housewives 25 cents a quart delivered to their doors.

From information I receive from dairy farmers in southern Ohio I know they are receiving 6 cents or less per quart for milk on the farm.

Out of each dollar spent by the American housewife for domestically produced food, 56 cents now goes for processing, marketing, and transportation charges. The farmer receives 44 cents. Of this 44 cents approximately 30 cents goes to purchase tractors, trucks, plows, gasoline, fertilizer, and other supplies required by modern farming.

Thus, the farmer and his family have about 14 cents out of each consumer dollar spent for domestically produced food for their work and their investment.

The above statements are quoted from a report issued by the House Committee on Agriculture entitled "Farm Prices and the Cost of Food." This report is a review of the extent to which recent farm price declines have and have not been passed on to urban consumers.

Consumers and producers alike, cannot understand why food prices have not declined during the past year. Consumers, as well as farmers, know that farm prices of agricultural products have generally declined substantially during the past 18 months. Why has this farm price drop not been passed on to the ultimate consumer? Can it be that the difference has been absorbed by manufacturers, processors, packers, and distributors of agricultural commodities?

I believe we may assume this is what has actually happened.

In order to compare the prices received today by farmers; that is, the average prices received by farmers as a percentage of the effective parity price as reported by the Bureau of Agricultural Economics USDA—as compared with prices received a year ago—I find that as of July 15, 1954, farmers received for butterfat in cream 76 percent of parity as compared with 94 percent a year ago; for whole milk at wholesale, 84 percent of parity as compared with 94 percent a year ago; for beef cattle 75 percent of parity as compared with 81 percent a year ago; for beef calves, 69 percent of parity as compared with 72 percent a year ago; for eggs, 75 percent of parity as compared with 102 percent a year ago; for chickens, 75 percent of parity as compared with 86 percent a year ago; for turkeys, 76 percent of parity as compared with 85 percent a year ago; for hogs, 103 percent of parity as compared with 117 percent a year ago; for wheat, 80 percent of parity as compared with 77 percent a year ago; for corn, 82 percent of parity as compared with 83 percent a year ago; for oats, 77 percent of parity as compared with 80 percent a year ago; for barley, 74 percent of parity as compared with 85 percent a year ago.

In spite of this drastic reduction in farm prices during the past year the cost prices of many commodities farmers must buy have either increased or remained stationary. Consequently, the farm business continues in a price squeeze between lower prices and higher costs.

In view of this bad situation it is difficult for farmers to understand why their Secretary of Agriculture should make the statement, as reported by the United Press on March 10, 1954, "that the Nation can remain prosperous with the farmer receiving a gradually declining percentage of the national income."

It is also difficult for farmers to understand why there has been such a great change in the agricultural policy of the present administration since September and October of 1952 and the present time. During September and October of 1952 General Eisenhower led the farmers and the country to believe that if elected he would pledge his support in helping farmers to receive full 100 percent of parity for their products, with the guaranty in the price supports of 90 percent of parity.

His statements were so clear and strong on this issue that leading Midwestern newspapers, after his speech made at the National Plowing Contest at Kasson, Minn., the first week in September of 1952, carried front page headlines in big type showing that General Eisenhower favored 100 percent of parity. The Indianapolis News of September 6, 1952, carried this front page headline: "Ike Favors More Farm Props and 100 Percent Parity."

The Milwaukee Journal of September 6, 1952, carried this headline: "Ike Promises To Work for 100 Percent Farm Parity." The Telegraph-Herald, Dubuque, Iowa, on September 7, 1952, carried this headline: "Ike's Goal 100 Percent Farm Parity." At least a dozen other Midwestern newspapers carried similar headlines after General Eisenhower's Kasson, Minn., speech.

What has caused the very obvious change in the administration's attitude toward agricultural price supports? At Kasson, Minn., and at Brookings, S. Dak., President Eisenhower led the public to believe he strongly favored 90 or even 100 percent of parity for farm products. At Brookings, S. Dak., on October 4, General Eisenhower fully confirmed the assumption gained from his reference to 100 percent of parity at Kasson, Minn., in September. At Brookings on October 4 he said:

> Quite naturally, in a great region such as this there is more of a special interest in agriculture than there is in some of our other economic forms of life. I have in a number of texts during this campaign tried to outline the specific position of the Republican Party and my own personal convictions about agriculture. At Kasson in Minnesota some weeks back, later in Omaha, and in a number of so-called back-platform speeches I have tried to make my position clear. The Republican Party is pledged to the sustaining of the 90 percent parity price support and it is pledged even more than that to helping the farmer obtain his full parity, 100 percent parity, with the guaranty in the price supports of 90.

Wide publicity was given to this statement through the newspapers and over the radio. At least 15 midwestern metropolitan newspapers headlined it on their front pages. As a result of this strong endorsement of farm price supports at 90 percent of parity farmers generally supported and voted for General Eisenhower in 1952.

However, Secretary of Agriculture Ezra Benson a few days after his appointment as Secretary of Agriculture and several weeks before he actually took office, issued statements to the newspapers which indicated he did not favor the price support agricultural programs of the Democratic administration and advocated permitting farm prices to drop to whatever level farm commodities would bring in the market place. Immediately cattle prices began to drop, also the prices of other agricultural commodities soon began to drift lower.

Statement after statement came from the publicity staff of the new Secretary of Agriculture, all tending to indicate that farm prices were too high. This series of statements, all released to the metropolitan newspapers, seemed to be written for the purpose of prejudicing and inflaming city consumers of farm products against farmers and against those Members of Congress who were fighting to protect the interest of farmers.

It was an unusual situation to have the Secretary of Agriculture, the one man in America who should be fighting for farmers, to be apparently in the position of telling the American housewife that the reason she had to pay so much for her groceries was because farmers' prices were too high.

Why did the administration change its position on the farm price support question between the time of General Eisenhower's Kasson, Minn., speech made the first week in September 1952, and his Brookings, S. Dak., speech on October 4, 1952, where he reiterated "The Republican Party is pledged to the sustaining of the 90-percent parity price support and it is pledged even more than that to helping the farmer obtain his full parity, 100-percent parity, with the guaranty in the price support of 90"?

Secretary Benson apparently forgot about this promise when he ordered this spring, that beginning April 1, 1954, price supports on dairy products be reduced to 75 percent of parity.

It appears reasonable to assume that one of the reasons for the change in policy of the administration on the farm price-support issue reflects the thinking of the so-called Agricultural Advisory Committees appointed by the new administration.

One of the first acts of the new administration of Mr. Benson, as Secretary of Agriculture, was the appointment of 50 agricultural advisory committees. It was publicized through the newspapers that these agricultural advisory committees, whose function it is to review national agricultural policies and the administration of farm programs and to make recommendations to the Secretary of Agriculture for the betterment of such policies and programs, were to bring a New Look to the Department of Agriculture.

It is appropriate to take a good look at the names and business connections of some of the individuals who make up these all important agricultural advisory committees under the present administration.

Of the 50 committees appointed by the present administration, 28 were established pursuant to title III of the Research and Marketing Act of 1946. This law specified that each committee shall consist of 11 members, 6 of whom shall be representative of producers or their organizations—Public Law 733, 79th Congress, approved August 14, 1946.

The complete list of the 50 Agricultural Advisory Committees are on pages 1488 to 1504 inclusive of the Senate hearings before the subcommittee on Appropriations on H. R. 8779 making appropriations for the Department of Agriculture.

The dairy business is a very important part of the agricultural economy of the sixth district of Ohio, so I was particularly interested to know the composition of the Dairy Advisory Committee, which appears on page 1497 of the Senate hearings. This committee was appointed under the Research and Marketing Act of 1946 and is as follows:

Arnie Agnew, 105 East Madison Avenue, Milton Junction, Wis.

L. F. Friend, Prairie Farm Creameries, 43 East Ohio Street, Chicago 11, Ill.

Dr. E. W. Gaumnitz, executive secretary, National Cheese Institute, Inc., 110 North Franklin Street, Chicago 6, Ill.

Ken E. Geyer, general manager, Connecticut Milk Producers Association, 990 Wethersfield Avenue, Hartford 6, Conn.

P. L. Haymes, United Milk Products Co., 2000 West 14th Street, Cleveland 13, Ohio.

D. K. Howe, president, Fairmont Foods Co., Omaha 8, Nebr.

Dr. J. C. Knott, director, Institute of Agricultural Sciences, State College of Washington, Pullman, Wash.

Clarence B. Palmer, Palmer Farms, Ethlyn, Mo.

Dr. T. G. Stitts, H. P. Hood & Sons, Inc., 500 Rutherford Avenue, Boston 29, Mass.

Eugene L. Turner, Post Office Box 1161, Anniston, Ala.

Russell Waltz, president, Consolidated Dairy Products Co., 635 Elliott Avenue, West Seattle 99, Wash.

The Dairy Advisory Committee of 11 members—listed above—counsels and advises the USDA on questions relating to dairy farmers. It is their function to review national agricultural policies for dairy farmers, to review the administration of farm programs for dairy farmers and to make recommendations to the Secretary of Agriculture for the betterment of such programs.

Farmers well know that Prairie Farm Creameries, of Chicago; the National Cheese Institute, Inc., of Chicago; the United Milk Products Co., of Cleveland, Ohio; Fairmont Foods Co., of Omaha, Nebr.; H. P. Hood & Sons, Inc., of Boston, Mass.; and the Consolidated Dairy Products Co., of Seattle, Wash., all members of the above Dairy Advisory Committee and all engaged in the business of buying milk, are not too much concerned about farmers receiving a just and equitable price for milk on the farm. Furthermore, it is very obvious to dairy farmers that these companies, whose representatives and employees hold membership on the USDA Dairy Advisory Committee, will be able to return to their stockholders greater profits if they can buy the farmers milk at a low price.

Dairy farmers are troubled and deeply concerned about the policy of the present administration in looking to so many buyers of milk for counsel and advice on the Department of Agriculture's dairy program.

I am also deeply concerned about what is happening to our Ohio wheat, corn, tobacco and livestock farmers, all of whom are suffering from lower prices and many of whom are faced with unreasonable and unworkable acreage allotments on wheat, corn and tobacco, so I decided to take a look at the business connections of the names listed on the other Agricultural Advisory Committees.

I found that the Wheat Advisory Committee to advise the Department of Agriculture on matters relating to the wheat industry is headed by H. E. Sanford, Continental Grain Co.; followed by the names of William F. Brooks, National Grain Trade Council; Frank A. Theis, Simonds-Shields-Theis Grain Co.; and James H. Dean, Farmers Cooperative Commission Co.

The Corn Advisory Committee of 8 members has 4 industry representatives—William T. Brady, Corn Products Refining Co.; Fred Maywald, Farmers Grain Dealers Association; Sylvester Meyers, Chicago Board of Trade; and Robert C. Woodworth, Cargill, Inc.

The Tobacco Advisory Committee of 11 members includes the names of Robert C. Austin, vice president, the Austin Co., Inc., Greeneville, Tenn.; F. R. Darkis, Liggett & Myers Tobacco Co., Durham, N. C.; William S. Fuller, president, Griffin-Fuller Tobacco Co., East Windsor Hill, Conn.; Charles E. Gage, American Tobacco Co.; Charles H. Horn, vice president, Federal Cigar Co., Red Lion, Pa. Here again we find that 5 members of an 11-man committee are industry representatives while a sixth member, F. S. Chance, is from the University of Tennessee.

The Livestock Advisory Committee consists of:

Charles Bauer, the National Association of Retail Meat and Food Dealers, Inc., 4371 West Eighth Street, Cincinnati 5, Ohio.

Frank S. Boice, Empire Ranch, Sonoita, Ariz.

G. E. Chambers, president, Valley Packing Co., Salem, Oreg.

Harry B. Coffee, president, Union Stock Yards Co. of Omaha, Omaha 7, Nebr.

Joe B. Finley, Callaghan Ranch, Encinal, Tex.

Eugene P. Forrestel, Akron, N. Y.

Wesley Hardenbergh, president, American Meat Institute, 59 East Van Buren Street, Chicago, Ill.

Dr. George H. Hart, College of Agriculture, University of California, Davis, Calif.

J. E. Wells, Jr., executive vice president, Farmers Union Livestock Association, South St. Paul, Minn.

P. E. Williams, Crescent Valley Ranch, Box 126, Davenport, Fla.

G. N. Winder, Craig, Colo.

Here again a majority of 6 of the 11-man committee appear to represent industry.

The Fertilizer Industry Advisory Committee of 29 has on it the names of 25 men representing the fertilizer industry and only 4 names representing farmers.

The Feed and Forage Advisory Committee of 11 members established under the Research and Marketing Act has only 2 names of farmers. Seven of the other 9 names represent industry. Two members are from colleges of agriculture. The list is as follows:

Dr. H. R. Albrecht, Pennsylvania State College, State College, Pa.

H. M. Blackhurst, Utah Poultry & Farmers Cooperative, Salt Lake City, Utah.

L. E. Bopst, Association of American Feed Control Officials, College Park, Md.

Elwood L. Chase, Cooperative G. L. F. Exchange, Inc., Buffalo, N. Y.

E. G. Cherbonnier, 3615 Olive Street, St. Louis, Mo.

Robert G. Jeffrey, Childress-Jeffrey, Wagoner, Okla.

Fred J. Ludwig, Farmers Trading Co., Laurens, Iowa.

W. Hugh McGee, Starr, S. C.

Harold L. Peet, Pike, N. Y.

Dr. Paul H. Phillips, University of Wisconsin, Madison, Wis.

R. C. Woodworth, vice president, Cargill, Inc., Minneapolis, Minn.

The Grain Advisory Committee consists of 11 members and from the names and addresses of the members of this committee it appears that 8 members represent organizations interested in the buying and selling of grain, while only 3 members are primarily farmers. The list follows:

Herbert W. Clutter, Holcomb, Kans.

Henry C. Cox, vice president, Corn Products Refining Co., Argo, Ill.

Gordon Day, Onida, S. Dak.

Lewis G. Graeves, president, Charles Schneider Baking Co., Washington, D. C.

M. D. Guild, Indiana Grain Cooperative, 505 Farm Bureau Building, Indianapolis, Ind.

Roy F. Hendrickson, National Federation of Grain Cooperatives, 723 Kass Building, Washington, D. C.

C. Edgar Leafdale, 116 Fraser Drive, East, Mesa, Ariz.

Ralph B. McEwen, Athena, Oreg.

Don A. Stevens, vice president, General Mills, Inc., 400 Second Avenue South, Minneapolis, Minn.

Frank A. Theis, president, Simonds-Shiels-Theis Grain Co., Kansas City, Mo.

John B. Wilson, Jr., 875 West Wooster Street, Bowling Green, Ohio.

Time will not permit me to name all of the numerous industry members of the other agricultural advisory committees, but the American Meat Institute, an organization of packers has representatives on three advisory committees. Cargill, Inc., on two committees, General Mills, Inc., H. P. Hood & Sons of Boston, Mass., with representatives on three committees. Foods, Inc., New York City; Safeway Stores, Inc.; Fairmont Foods Co., Omaha, Nebr.; Armour & Co., Chicago, and the American Bankers Association on two committees. The Prudential Insurance Co. of America; the Equitable Life Assurance Society; the Bank of America; the Metropolitan Life Insurance Co.; the Chicago Board of Trade; Rath Packing Co.; Seattle Packing Co.; Heinz's Riverside Abattoir, Inc.; Long & Hansen Commission Co.; Funk Bros. Seed Co.; Continental Grain Co.; American Stockyard Association; National Livestock Exchange; Exporter's & Trader's Compressing and Warehousing Co.; California Cotton Oil Corp.; Pen Fruit Co., Inc., Philadelphia, Pa.; General Foods Corp.; Quick Frozen Foods, Inc.; American Cotton Manufacturers Institute; Stop and Shop, Inc., Boston, Mass.; General Mills, Inc.; Derby Foods, Inc., Chicago, Ill.; to name only a few of the many industries represented on the various agricultural advisory committees.

To a farmer like me this reads like the Who's Who in American agricultural, manufacturing, processing, packing, and financing. These are representatives of the industries that for generations have endeavored to buy the farmers' products at the lowest possible price in order to guarantee to themselves the greatest margins of profit. The cheaper they can buy from the farmers the products of his farm, that he must sell, the easier it is for these manufacturers, processors, packers, and distributors to return profits to their stockholders.

Under the present administration of the United States Department of Agriculture, representatives of these and many other business interests are now serving on the United States Department of Agriculture's Agricultural Advisory Committees whose function it is to review national agricultural policies and the administration of farm programs and make recommendations to the Secretary of Agriculture for the betterment of national agricultural policies and the administration of farm programs.

With such a setup of advisory committees in the Department of Agriculture, is it any wonder that Secretary Benson has repudiated President Eisenhower's promise "to help the farmer obtain his full parity, 100 percent parity, with the guaranty in the price supports of 90."

Is it any wonder that the Secretary of Agriculture has carried on, through the press and radio and on television and by public addresses throughout the Nation, his campaign for 75 percent of parity for farm products?

As I mentioned at the outset, studies made by the bi-partisan House Committee on Agriculture show that consumers have not benefited by the severe drop in farm prices. On the other hand, in many instances as farm prices have dropped, the price the American housewife has had to pay has increased. Who has profited most by this increase between cost and selling prices of farm commodities? To me the answer is crystal clear. It is the manufacturers, processors, packers, and distributors of farm commodities. These are the persons who benefit most from low farm prices and they are now the principal advisers who review national agricultural policies and the administration of farm programs and make recommendations to the Secretary of Agriculture for the betterment of such policies and programs.

I fear they are the persons who have forced Secretary Benson to repudiate President Eisenhower's promise at Brookings, S. Dak., on October 4, 1952, that—

> The Republican Party is pledged to the sustaining of the 90-percent parity price support and it is pledged even more than that to helping the farmer obtain his full parity, 100 parity, with the guaranty in the price supports of 90. (General Eisenhower, Brookings, S. Dak., October 4, 1952.)

I am not opposed to the policy of naming advisory committees for the Department of Agriculture. They are a good thing and could be very helpful. Why not place more bona fide farmers on those committees? Why not place responsible leaders of all farm organizations on key agricultural committees?

The master of the National Grange, Mr. Herschel D. Newsom, and the president of the American Farm Bureau Federation, Mr. Allen B. Kline, are listed as members of the International Wheat Agreement Advisory Committee and of the Advisory Committee on Foreign Agricultural Trade and Technical Assistance.

Mr. James G. Patton, president of the National Farmers Union, is not a member of any 1 of the 50 agricultural advisory committees appointed to advise Secretary Benson.

The National Farmers Union is 1 of the 3 largest farm organizations in America. For many years the National Farmers Union has been fighting to protect and defend the best interests of the small family-size farmers. The National Farmers Union has large and influential membership in most Midwestern States. In spite of this the present administration evidently does not recognize them as of sufficient importance to agriculture to warrant the appointment of their president, Mr. James G. Patton to a single 1 of the 50 agricultural advisory committees.

This seemed to me to be a glaring oversight and hard to believe, so I telephoned the office of Mr. Patton to verify the situation. I was advised by one of his assistants, Mr. John Baker, that my assumption that Mr. Patton, president of the National Farmers Union, has not been asked to serve on any agricultural advisory committee, is correct.

I was further advised by Mr. Baker that no responsible representative of the National Farmers Union is serving on any of the agricultural advisory committees.

In view of this situation, I cannot help asking this question, Are Armour & Co.; the Safeway Stores, Inc.; the Bank of America; the American Meat Institute; the Association of American Railroads; the First National Bank of Boston; the National Grain Trade Council; the Terminal Elevator Grain Merchants Association, or the Chicago Board of Trade—all listed on one or more advisory committees—better able to advise the Department of Agriculture on farm programs and policies than the president of the National Farmers Union, a bona fide farmers organization whose membership is composed wholly of farmers and their families? I believe the answer is obvious and clear to anyone who knows the farming business.

"Elect a Republican Congress to support President Eisenhower and his bold, dynamic New Look program," is a slogan we are hearing much these days. To farmers, the bold, dynamic New Look program—of the present administration as it relates to agriculture, must naturally raise some searching and disturbing questions in the minds of farmers. The program outlined by General Eisenhower at Kasson, Minn., and Brookings, S. Dak., in 1952 sounded mighty good to farmers. One hundred percent of parity has been the objective for which farmers have striven and worked and planned and hoped for, for many, many years. Realizing the impossibility of attaining full 100 percent of parity, farmers generally have accepted 90 percent of parity as a reasonable compromise for price supports on the so-called basic farm commodities. They thought the new administration meant what it said when its standard bearer and leader said:

> The Republican Party is pledged to the sustaining of the 90 percent parity price support and it is pledged even more than that to helping the farmer obtain his full parity, 100 percent parity, with the guaranty in the price supports of 90.

Secretary of Agriculture Benson's nationwide campaign for 75 percent of parity naturally causes farmers to ques-

tion what the future holds for them under his leadership. They are disturbed and troubled concerning what may happen to them should the new Congress be completely under the domination and control of the Secretary of Agriculture and the executive branch of the Government. They have learned through the press and over the radio that from 4 to 7 or 8 millions of dollars will be spent to elect a Republican Congress this fall and they are fearful of what may happen to them should this campaign succeed.

Farmers know well the implications of the old adage, "That he who pays the fiddler also calls the tune." Farmers know that business interests who contribute lavishly to political campaigns, do so only because they think that by so doing they may get their money back, with interest, through the actions of those whom they support for public office.

The Saturday Evening Post of May 22, 1954—page 32—headlined an article "The Winner Takes Congress" which stated:

> The Republicans have a $3,800,000 war chest to start with, will probably spend twice that much by November.

Farmers are fearful that these huge campaign funds now being spent for newspaper advertising and radio and television time may be recouped through lower farm prices to farmers and higher profits for manufacturers, processors, packers, distributors, and the other various and sundry middlemen with whose manipulations they have long had to contend.

Farmers know that low farm prices do not necessarily mean low food prices for consumers. They know that after Secretary Benson reduced dairy farm price supports to 75 percent of parity last April 1 there was no appreciable drop in the price of milk or other dairy products to consumers.

Farmers know that when cattle prices dropped to a ruinously low level for cattle feeders some months ago there was no substantial drop in the price of steak and most other beef products.

They also know lower wheat prices have not resulted in lower bread prices or lower prices for cereal products made from wheat.

Farmers know that the lower farm prices have only resulted in a greater spread between producer and ultimate consumer with resulting larger profits for the benefit of the middlemen.

Heretofore, farmers have had great faith and an abiding confidence in the United States Department of Agriculture as their champion and defender and as the responsible arm of the Federal Government charged with the duty of protecting and furthering their interests. Now, they are confused, disheartened, and dismayed to find that their interests are apparently being submerged under a campaign for lower farm prices and more rigid and far-reaching Government controls over their farming business.

They remember that at Omaha, Nebr., on September 18, 1952, General Eisenhower said:

> The Republican Party will provide farmers with economic protection without putting them in Federal chains.

But farmers know also, that while Secretary of Agriculture Benson says that he longs to free farmers from Federal regimentation, "he is quietly readying new and tougher restraints for much of the rural populace," as was reported in the Wall Street Journal of April 8, 1954.

Can it be that these new and tougher restraints that were reported by the Wall Street Journal last April are the result of the recommendations and advice Secretary Benson has received from the advisory committees the Republican administration as appointed to review national agricultural policies and make recommendations concerning the administration of farm programs?

Farmers and all others who are concerned with a strong and prosperous farm economy must watch closely this question of national agricultural policies. Is the farm program to continue to be operated for and by farmers for the best interest of farmers and with sympathetic understanding and cooperation by the United States Department of Agriculture, or is it to be dominated and controlled by those interests which reap the greatest profits when farm prices are lowest?

Farmers are of necessity practical and thrifty individuals. Farmers know the value of money for they have to work so hard to make a dollar. They are skeptical of the vast sums of money being spent by the Republican Party to influence the election this year. They are curious concerning the source of this money and the motives back of it.

Farmers know that newspaper advertising, and radio advertising, and television broadcasts cost big money, and they know that somebody is paying the bill. Naturally they are questioning as to who is furnishing this money and why and what is back of all the propaganda being published and broadcasted.

May I conclude by suggesting 15 good reasons why farmers, this fall, will stop, look, and listen, and why they will be very cautious when asked to vote for Republican candidates for Congress? It is reasonable to believe that when election day rolls around farmers will not forget that the Democratic Party, founded by Thomas Jefferson, a Virginia farmer, is still the last best hope, the truest friend, and the strongest advocate of a prosperous agriculture in the United States.

The 15 reasons I wish to suggest as the basis for farmer support and votes for Democratic policies and performance are:

First. Farmers will remember that it was the Democratic Party that came to their rescue during the agricultural depression of the early thirties.

Second. Farmers will remember that the Democratic Party sponsored and enacted into law the Agricultural Adjustment Act of 1933.

Third. Farmers will remember it was the Democratic Party that sponsored and enacted the legislation guaranteeing their bank deposits.

Fourth. Farmers will remember that the Democratic Party brought them farm electricity by establishing the Rural Electrification Administration.

Fifth. Farmers will remember that the Democratic Party created and sponsored the Commodity Credit Corporation and its program of commodity loans for farmers;

Sixth. Farmers will remember it was the Democratic Party that put in operation the farmers' price-support program;

Seventh. Farmers will remember the Democratic Party established the Soil Conservation Service; and

Eighth. The Federal Crop Insurance Corporation;

Ninth. The agricultural conservation program;

Tenth. The Bankhead-Jones Farm Tenant Act of October 1937—now known as the Farmers' Home Administration;

Eleventh. The Emergency Farm Mortgage Act of 1933;

Twelfth. The Farm Credit Act of 1933;

Thirteenth. The Federal Farm Mortgage Corporation Act of 1934;

Fourteenth. The Farm Credit Acts of 1935 and 1937; and

Fifteenth. The Rural Telephone Act of 1949.

Furthermore, farmers will remember, that in all the history of the United States, no other political party has sponsored and enacted so much beneficial and important agricultural legislation as was passed by the Democratic administrations of Franklin D. Roosevelt and Harry S. Truman.

Farmers will not forget all this when they cast their votes next November.

Mr. POLK. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include additional matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

UNEMPLOYMENT COMPENSATION PROGRAM

Mr. REED of New York. Mr. Speaker, I move to take from the Speaker's desk the bill (H. R. 9709) to extend and improve the unemployment compensation program, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

> Page 1, line 4, strike out "1954" and insert "1955."
>
> Page 1, lines 4 and 5, strike out "section 1607 (a) of the Internal Revenue Code" and insert "section 3306 (a) of the Internal Revenue Code of 1954."
>
> Page 1, line 6, strike out "four" and insert "4."
>
> Page 1, lines 8 and 9, strike out "section 1602 (a) of the Internal Revenue Code" and insert "section 3303 (a) of the Internal Revenue Code of 1954."
>
> Page 2, lines 3 and 4, strike out "three-year" and insert "3-year."
>
> Page 2, line 8, strike out "one" and insert "1."

Page 2, strike out lines 10 to 19, inclusive, and insert:

"SEC. 3. Effective with respect to the taxable year 1955 and succeeding taxable years, section 6152 (a) (3) of the Internal Revenue Code of 1954 is hereby repealed."

Page 3, line 20, after "Code" insert "of 1939."

Page 4, line 19, strike out "or."

Page 5, line 2, strike out "States." and insert "States; or

"'(13) by an officer or a member of the crew on or in connection with an American vessel (A) owned by or bareboat chartered to the United States and (B) whose business is conducted by a general agent of the Secretary of Commerce, if contributions on account of such service are required to be made to an unemployment fund under a State unemployment compensation law pursuant to section 1606 (g) of the Internal Revenue Code of 1939 or section 3305 (g) of the Internal Revenue Code of 1954'."

Page 16, line 18, after "Code" insert "of 1939."

Page 16, after line 20, insert:

"(c) Effective with respect to services performed after December 31, 1954, section 3305 (e) and section 3306 (l) of the Internal Revenue Code of 1954 are hereby repealed."

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. ROGERS of Colorado. Mr. Speaker, reserving the right to object—and I shall not object—do I understand that this postpones the action we took on unemployment compensation?

Mr. REED of New York. One year.

Mr. ROGERS of Colorado. Is there any particular reason why it should be postponed?

Mr. REED of New York. The employers have to have an opportunity to adjust.

Mr. ROGERS of Colorado. Will it be necessary for the respective legislatures to amend their State laws?

Mr. REED of New York. Some of them will have to do that.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the RECORD, or to revise and extend remarks, was granted to:

Mr. MCGREGOR (at the request of Mr. BETTS).

Mr. BEAMER (at the request of Mr. BRAY).

Mr. LONG.

Mr. LANE in two instances and to include additional matter.

Mr. HAGEN of California in three instances and to include additional matter.

Mr. PHILBIN in two instances and to include additional matter.

Mr. O'HARA of Illinois in 14 instances and to include related matter.

Mrs. ROGERS of Massachusetts and to include a citation presented to General KEARNEY, ranking Republican member of the Committee on Veterans' Affairs.

Mr. WOLVERTON and to include extraneous matter.

Mr. HILL (at the request of Mr. ARENDS) in two instances and to include additional matter.

Mr. WHITTEN and to extend his remarks in connection with the farm bill.

Mr. BURDICK in two instances.

Mr. POLK in two instances and to include additional matter.

LEAVE OF ABSENCE

Mr. BURDICK. Mr. Speaker, I ask unanimous consent for the gentleman from New York [Mr. KEARNEY] to be excused for the balance of the session, on account of illness.

The SPEAKER pro tempore (Mr. NICHOLSON). Is there objection to the request of the gentleman from North Dakota?

There was no objection.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 3428. An act to authorize the Federal Government to guard strategic defense facilities against individuals believed to be disposed to commit acts of sabotage, espionage, or other subversion; to the Committee on the Judiciary.

ENROLLED BILLS AND A JOINT RESOLUTION SIGNED

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 697. An act for the relief of Demetrios Christos Mataraggiotis, and Zoi Demetre Mataraggiotis, his wife, and Christos Mataraggiotis and Constantinos Mataraggiotis, their minor sons;

H. R. 717. An act for the relief of Henriette Matter;

H. R. 822. An act for the relief of Sister Giuseppina Giaccone;

H. R. 832. An act for the relief of Katharine Balsamo;

H. R. 834. An act for the relief of Arthur J. Boucher;

H. R. 839. An act for the relief of Sister Mary Gertrude (Mary Gertrude Kelly);

H. R. 877. An act for the relief of Nasser Esphahanian;

H. R. 1622. An act for the relief of Agustin Mondreal;

H. R. 1627. An act for the relief of Johann Groben;

H. R. 1904. An act for the relief of Patricia A. Pembroke;

H. R. 1975. An act to amend section 2201 of title 28, United States Code, to extend the Federal Declaratory Judgments Act to the Territory of Alaska;

H. R. 2061. An act for the relief of Regine du Planty;

H. R. 2154. An act authorizing the issuance of a patent in fee to Leona Hungry;

H. R. 2393. An act for the relief of Brother Eugene Cumeriato;

H. R. 2480. An act for the relief of Charlotte Margarita Schmidt;

H. R. 2483. An act for the relief of Giacomo Bartolo Vanadia;

H. R. 2500. An act for the relief of Stanislaw Majzner (alias Stanley Maisner);

H. R. 2794. An act for the relief of Mrs. Claire Godreau Daigle;

H. R. 3024. An act for the relief of Sergio Emeric;

H. R. 3388. An act for the relief of Louie Ella Attaway;

H. R. 3447. An act for the relief of Maria Paccione Pica;

H. R. 3507. An act for the relief of Maj. Elias M. Tsougranis;

H. R. 3520. An act for the relief of Mrs. Erna Rosita Pont (formerly Erna Rosita Michel);

H. R. 3566. An act for the relief of Pimen Maximovich Sofronov;

H. R. 3665. An act for the relief of Marko Ribic;

H. R. 3750. An act for the relief of Inge Beckmann;

H. R. 3869. An act for the relief of Gilbert Elkanah Richards, Adelaide Gertrude Richards, and Anthony Gilbert Richards;

H. R. 3874. An act for the relief of Roberto Johnson;

H. R. 4015. An act for the relief of Josef, Paula, and Kurt Friedberg;

H. R. 4054. An act for the relief of Jorge Sole Massana and Montserrat Thomasa-Sanchez Massana;

H. R. 4426. An act for the relief of Andrea Paulette Quarehomme and her child;

H. R. 4427. An act for the relief of Mrs. Helena Piasecka;

H. R. 4437. An act for the relief of Louise Rank;

H. R. 4522. An act for the relief of Petrus Van Keer;

H. R. 4815. An act for the relief of Alexander Petsche;

H. R. 4908. An act for the relief of Pietro Petralia;

H. R. 4969. An act for the relief of Basilios Xarhoulacos;

H. R. 5119. An act for the relief of Augusta Oppacher Bialek;

H. R. 5194. An act for the relief of Pauline Katzmann;

H. R. 5319. An act for the relief of Henry (also known as Heinrich) Schor, Sally (also known as Sali) Schor, and Gita (also known as Gitta Aviva) Schor;

H. R. 5344. An act for the relief of Bob Kan and Fourere Kan;

H. R. 5459. An act for the relief of Takeko Ishiki;

H. R. 5553. An act for the relief of Dr. Lu Jen-lung;

H. R. 5718. An act to limit the period for collection by the United States of compensation received by officers and employees in violation of the dual compensation laws;

H. R. 5749. An act for the relief of Maria Teresa Lubiato;

H. R. 6266. An act for the relief of Frank Robert Gage;

H. R. 6355. An act for the relief of Elena Scarpetti Savelli;

H. R. 6442. An act for the relief of Tamiko Fujiwara;

H. R. 6492. An act for the relief of Rodolfo Navarro;

H. R. 6498. An act for the relief of Elfriede Lina Avitable, nee Roser;

H. R. 6672. An act to provide for a temporary increase in the public debt limit;

H. R. 6752. An act for the relief of Mrs. Maria Giuseppa De Lisa Quagliano;

H. R. 6762. An act for the relief of Mrs. Irmgard (Chrapko) Broughman;

H. R. 6858. An act for the relief of Mrs. Efthemia Soteralis;

H. R. 7031. An act for the relief of Mrs. George A. Meffan;

H. R. 7033. An act for the relief of Mrs. Anna J. Weigle;

H. R. 7151. An act for the relief of Mazal Kolman;

H. R. 7217. An act for the relief of Astor Vergata;

H. R. 7229. An act to provide for the conveyance to T. M. Pratt and Annita C. Pratt of certain real property in Stevens County, Wash.;

H. R. 7581. An act for the relief of Gaetano Conti;

H. R. 7734. An act to amend section 47 of the National Defense Act concerning the requirement for bond covering certain property issued by the United States for use by Reserve Officers' Training Corps units maintained at educational institutions;

H. R. 7762. An act for the relief of M. M. Hess;

H. R. 7813. An act authorizing the Secretary of the Interior to adjust or cancel certain charges on the Milk River project;

H. R. 7828. An act for the relief of Mariana George Loizos Kellis;

H. R. 7829. An act for the relief of Shimasoi Michiko;

H. R. 7834. An act for the relief of Erika Schneider Buonasera;

H. R. 7885. An act for the relief of Sohan Singh Rai and Jogindar Kaur Rai;

H. R. 7938. An act for the relief of Miss Martha Heuschele;

H. R. 7947. An act for the relief of Mrs. Erika (Hohenleitner) Stapleton;

H. R. 8065. An act for the relief of Carlos Francisco, Manriqueta Mina, and Roberto Mina Ver;

H. R. 8205. An act to authorize the conveyance by the Secretary of the Interior to Virginia Electric & Power Co. of a perpetual easement of right-of-way for electric transmission line purposes across lands of the Richmond National Battlefield Park, Va. such easement to be granted in exchange for, and in consideration of, the conveyance for park purposes of approximately 6 acres of land adjoining the park;

H. R. 8244. An act for the relief of Mrs. Dorothy Nell Woolgar Allen;

H. R. 8375. An act for the relief of Ilse Radler Hughes;

H. R. 8424. An act for the relief of Mrs. Else Johnson;

H. R. 8554. An act for the relief of Maria M. Khoe;

H. R. 8557. An act for the relief of Ezio Bertoni;

H. R. 8859. An act to convey the reversionary interest of the United States in certain lands to the city of Pawnee, Okla.;

H. R. 8628. An act to amend the Tariff Act of 1930 to insure that crude silicon carbide imported into the United States will continue to be exempt from duty, and with respect to the duties applicable to certain prepared fish;

H. R. 8932. An act to reclassify dictaphones in the Tariff Act of 1930;

H. R. 8936. An act for the relief of Dana Evanovich;

H. R. 9029. An act for the relief of Paul James Patrie;

H. R. 9248. An act to amend section 308 (5) of the Tariff Act of 1930, as amended;

H. R. 9496. An act for the relief of Elisabeth Hoeft;

H. R. 9512. An act for the relief of Mrs. Franziska (Han) Rigau;

H. R. 9790. An act to amend the act of June 30, 1948, so as to extend for 1 year the authority of the Secretary of the Interior to issue patents for certain public lands in Monroe County, Mich., held under color of title;

H. R. 9953. An act for the relief of Mr. Fu-Ho Chan, Mrs. Fu-Ho Chan, and their child, Richard Chan; and

H. J. Res. 585. Joint resolution fixing the time of assembly of the 84th Congress.

ADJOURNMENT

Mr. SAYLOR. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 27 minutes p. m.) the House adjourned until tomorrow, Thursday, August 19, 1954, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1836. A letter from the Chairman, Rubber Producing Facilities Disposal Commission, transmitting a report prepared by Reconstruction Finance Corporation, the operating agency, with respect to its expenditures for repairs, replacements, additions, improvements, or maintenance of the Government-owned rubber-producing facilities for the fiscal year ending June 30, 1954, pursuant to section 15 of the Rubber Producing Facilities Disposal Act of 1953 (67 Stat. 408); to the Committee on Armed Services.

1837. A letter from the Secretary of Commerce, transmitting the 27th quarterly report, pursuant to the Export Control Act of 1949; to the Committee on Banking and Currency.

1838. A letter from the Acting Comptroller General of the United States, transmitting a report on the audit of the Small Defense Plants Administration for the period from July 31, 1951, through July 31, 1953, pursuant to provisions of the Budget and Accounting Act, 1921 (31 U. S. C. 53), and the Accounting and Auditing Act of 1950 (31 U. S. C. 67); to the Committee on Government Operations.

1839. A letter from the Assistant Secretary of the Interior, transmitting a draft of a proposed bill entitled "A bill to provide for the distribution of funds belonging to the members of the Creek Nation of Indians, and for other purposes"; to the Committee on Interior and Insular Affairs.

1840. A letter from the Assistant Secretary of the Interior, transmitting a proposed award of a concession contract to Edgar M. and Dorothy H. Stopher, doing business as Sprague's Lodge, which will, when executed on behalf of the Government by the regional director, region 2, National Park Service, authorize them to operate a lodge and provide related services in Rocky Mountain National Park, Colo., for a period of 5 years from January 1, 1954, pursuant to the act of July 31, 1953 (67 Stat. 271); to the Committee on Interior and Insular Affairs.

1841. A letter from the Assistant Secretary of the Navy for Air, transmitting a report of claims paid from July 1, 1953, to June 30, 1954, inclusive, pursuant to section 1 (e) of Public Law 439, 82d Congress; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WOLVERTON: Committee on Interstate and Foreign Commerce. Report on advertising alcoholic beverages pursuant to House Resolution 127, 83d Congress; without amendment (Rept. No. 2670). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. O'KONSKI:

H. R. 10265. A bill to provide assistance in acquiring specially adapted housing for blind veterans who have disabilities of such a nature that they require specially adapted housing; to the Committee on Veterans' Affairs.

By Mr. WOLCOTT:

H. R. 10266. A bill to permit national banks to make 20-year real-estate loans and 9-month construction loans; to the Committee on Banking and Currency.

By Mr. GROSS:

H. J. Res. 586. Joint resolution proposing an amendment to the Constitution of the United States, relating to the legal effect of certain treaties and other international agreements; to the Committee on the Judiciary.

By Mr. MILLER of California:

H. J. Res. 587. Joint resolution to provide economy and efficiency in Federal medical supply management; to the Committee on Government Operations.

By Mr. HOFFMAN of Michigan:

H. Res. 709. Resolution authorizing the chairman of the Committee on Government Operations to appoint a special subcommittee thereof, during the recess or adjournment of Congress; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. MILLER of California:

H. R. 10267. A bill for the relief of Antonio Anici, Jr.; to the Committee on the Judiciary.

By Mr. WOLCOTT:

H. R. 10268. A bill for the relief of Raymond George Hamway; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

The Farm Bill Approved

EXTENSION OF REMARKS
OF
HON. USHER L. BURDICK
OF NORTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 18, 1954

Mr. BURDICK. Mr. Speaker, this bill with 82.5 percent to 90 percent of parity for wheat, corn, peanuts, cotton, rice, tobacco, and 75 percent of parity for the dairyman, came out of conference on the 17th, and the Senate conferees could not be moved on the question of dairy products. The wheat men, the cotton men and all other groups put up a fight for the dairy interests, but Senator AIKEN and Eisenhower were too much to contend with. In the House two Members from Minnesota, the Honorable AUGUST H. ANDRESEN, the Honorable H. CARL ANDERSEN, and the Honorable HAROLD COOLEY, from North Carolina, the Honorable JAMIE L. WHITTEN, from Mississippi, and, in fact, the entire Agriculture Committee of the House, did great service in the interest of keeping buying power in the Farm Belt, as a guaranty against another disastrous depression. They were, however, unable to turn the tide against the well-organized Benson Senate

When the matter came to the House for approval, here is the spot the Members from the Farm Belt were in, and that included myself. My disposition was to vote against this conference report, because I realized that the dairy interests of the country would suffer a severe blow. Oleo butter has taken its toll; now added to that is a 25-percent handicap compared to parity, and the inevitable result will be that many dairymen will go out of business.

The reason why I did not vote against the conference report was that the House conferees had made a gallant fight but lost. The great mistake was made in 1949, when as a compromise the Aiken sliding-scale provision was incorporated in the bill at that time. I called attention to the danger of this provision. In the bill, therefore, at that time were the seeds of the present defeat. If no bill had been passed at this session, then the Aiken sliding scale—75 percent to 90 percent of parity—would automatically go into effect. The "chicken feed" statesmen, headed by Senator AIKEN, had gotten the ear of the President, and regardless of his pledge in the campaign to retain 90 percent of parity, he lined up with the chicken feed statesmen.

Rather than dump all supports on a 75 percent to 90 percent of parity, I thought it better to take what we could get in lieu of taking something worse. In order to save the embarrassment of Members to vote on a rollcall vote, no rollcall was had, so when these Members go home no one will know how they voted. But I am willing to go on record on every vote I cast, and if there had been a rollcall, I would have voted to take the only bill we could get.

The bill with the 82½-percent parity, which Benson will no doubt set in motion as soon as this bill is signed, will not immediately put farmers out of business, because they are on that level now, but eventually no business can stand up long with a 17½-percent discount below parity.

The acreage cut which Benson has made will put many small farms out of business. No change was made in this authority given the Secretary of Agriculture, and I personally know of many small farms whose owners cannot make a living for their families on such a slash in acreage. As I see it, therefore, the Farm Belt is in a precarious situation today.

Our Small Business Administration Is Assisting Our National Economy To Grow Stronger and To Stabilize Our Home-Owned-and-Operated Business Firms

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EXTENSION OF REMARKS

OF

HON. WILLIAM S. HILL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 18, 1954

Mr. HILL. Mr. Speaker, as chairman of the Select Committee on Small Business, I would like to take this occasion to summarize some of the more important activities of the committee in aiding small business, the economic backbone of the Nation.

As you know, our committee was established to investigate the problems of small business to determine whether the potentialities of small business are being adequately developed, or whether any factors are hindering its development, and also whether Government agencies are adequately and equitably serving the needs of small business.

One of the most important and beneficial investigations we conducted during the 83rd Congress was on Federal taxation. Realizing that taxes were proving a heavy burden for small-business men we made specific recommendations for tax relief, many of which have now been effected, either by legislation or by permitting tax laws to expire.

Our committee recommended that the automatic decrease in income tax on January 1, 1954, be permitted to go into effect. We also recommended that the excess-profits tax be permitted to expire.

Mr. Speaker, I am proud that the 83d Congress permitted the expiration of the excess-profits tax and the reduction in personal income tax. These reductions have been of great benefit to many hard-pressed businessmen, and they were possible only because of the economies and careful spending of the Eisenhower administration.

Our committee made other tax recommendations with an eye toward giving tax relief and providing encouragement and incentives for small-business men. Some of these recommendations, now in large part enacted into law in the tax revision act of 1954, are:

First. Increased depreciation through the declining balance method.

Second. Relief for small corporations from the plan to make tax payments current.

Third. Option for deductions of research and development expenditures.

Fourth. Relief from surplus accumulations now considered under section 102 of the Internal Revenue Code.

Fifth. Additional year added to carry back provisions considered in computing net operating loss deductions.

Sixth. Relief, through exemptions and partial credits, from double taxation of dividends.

Many people in the mining areas of my State of Colorado and of the West in general have felt the disruptive, depressing effect of lead and zinc dumping in this country by foreign countries. As a result of this dumping which in large part took the domestic market away from domestic producers, our committee held hearings in four western cities to study the problem.

Industry members testified before the committee that foreign lead and zinc can be produced more cheaply than domestic metal and, as a result, marketed in this country at a price which would be unprofitable and uneconomic for the domestic industry. They also testified that higher average grade ore, lower labor costs and devaluation of foreign currencies have all acted to permit profitable exports to the United States even when market prices were low.

The lead and zinc industry in this country has unquestionably been hurt by these practices, but I am happy to say today that the Office of Defense Mobilization, due at least in part to our efforts and investigations, is now buying only domestic lead and zinc for the strategic stockpile.

Another activity of the Committee on Small Business is a continuing investigation of Government competition with private business. One of the most alarming trends in government over the past 20 years has been the steady encroachment of Government commercial and industrial activities in fields which properly belong to private industry.

For instance, the Armed Forces now have 28 scrap metal baling facilities, 5 coffee-roasting plants, 2 paint factories, 5 motion-picture studios, 74 bakeries, and 97 laundries. That is only a partial list, but the point is that small-business men could perform those activities probably with better service and in most cases at a lower cost. Private businessmen pay taxes while Government industries do not.

The Eisenhower administration is trying to reverse this trend, and is trying to take the Government out of as many business activities as possible whenever they are in competition with private, taxpaying industries. This is a policy in which our committee is happy to participate.

I would like to discuss a piece of legislation the Select Committee on Small Business initiated.

One of the more important pieces of legislation enacted during the 83d Congress was the Small Business Act of 1953. This law created the Small Business Administration whose purpose it is to give small business a permanent and independent voice in the Federal Government.

The new agency, as conceived by the Congress, not only assumed the function of the Small Defense Plants Administration and the loan functions of the Reconstruction Finance Corporation, as they pertain to small business, but broadened the scope of Government assistance to small business. The agency is now concerned with all members of the small business community instead of imposing the limitation on those involved in defense production.

The SBA received its legislative beginning on March 18, 1953 when I introduced a bill to establish the agency and "preserve small business institutions and free competitive enterprise."

SBA offers three major types of assistance to small firms. The first and probably the most important is in making business loans to any small business that meets certain basic credit requirements. The agency is primarily interested in making loans where credit would not otherwise be available to a deserving business man.

Secondly, SBA offers assistance to small businesses in procuring Government contracts. It carries on a program of joint determination with the Department of Defense to earmark procurements, where possible, for exclusive per-

formance by small business. This program has been of tangible assistance to hundreds of small firms.

The third SBA function, management and technical assistance, is being put into effect by setting up extension courses on such subjects as analyzing current sales and distribution, cost estimating, production problems, and effective managerial organizations.

I would like to deal briefly with a statement made by Edward F. Howrey, chairman of the Federal Trade Commission, before the Select Committee on Small Business, July 14, 1954.

Mr. Howrey stated that "small business has an essential, economic, and human role in American life. All inequitable handicaps should be eliminated so that small firms may grow in a healthy way and compete more effectively with their bigger competitors."

Mr. Howrey has established a Small Business Division in the FTC in recognition of the important role of small business in this economy. Small-business men may go to this division for advice and information regarding legal matters under the jurisdiction of the Commission.

Mr. Howrey assured the committee that "while the Federal Trade Commission supervises the competitive practices of both small and big business, we are fully aware of our duty to make a special effort to protect small business from predatory practices."

Appropriation Acts of the 83d Congress, 2d Session—Part I

EXTENSION OF REMARKS
OF

HON. BARRATT O'HARA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 18, 1954

Mr. O'HARA of Illinois. Mr. Speaker, by unanimous consent I am extending my remarks to include Part I of the report prepared for my constituents on the Appropriation Acts of the 83d Congress, 2d session. The purpose is to give to the men and women of the United States whom we represent an exact accounting of the disposal we in the Congress make of the money in the Treasury of the United States, a large part of which comes from their pockets in the payment of Federal taxes. The first of these reports, which in their entirety will cover all of the appropriations of this session of the 83d Congress, follows:

PUBLIC LAW 304—H. R. 7996, SECOND SUPPLEMENTAL APPROPRIATIONS ACT

A. Appropriates $27,517,616 to supply supplemental appropriations for the fiscal year ending June 30, 1954. Continues antistrike provisions.

B. Items:

Appropriations

LEGISLATIVE BRANCH

Senate: Inquiries and investigations	$600,000
Total, ch. I	600,000

Appropriations—Continued

TREASURY DEPARTMENT

Bureau of Accounts: Salaries and expenses, division of disbursement	$4,800,000
Coast Guard: Acquisition, construction, and improvements	(8,120,500)
Total, ch. II	4,800,000

DEPARTMENT OF LABOR

Bureau of Employment Security: Unemployment compensation for veterans	$15,000,000
Total, Department of Labor	15,000,000

NATIONAL MEDIATION BOARD

Arbitration and emergency boards	$125,000
Total, National Mediation Board	125,000
Total, ch. III	15,125,000

EXECUTIVE OFFICE OF THE PRESIDENT

President's Advisory Committee on Government Organization	$60,000

INDEPENDENT OFFICES

Commission on Organization of the Executive Branch of the Government	$1,431,909
Total, chapter IV	1,491,909

CLAIMS, AUDITED CLAIMS, AND JUDGMENTS

Claims and judgments	$5,500,707
Grand total	27,517,616

PUBLIC LAW 374—H. R. 7893, TREASURY DEPARTMENT AND POST OFFICE APPROPRIATIONS ACT

A. Appropriates $3,332,732,700 for the Treasury and Post Office Departments, Export-Import Bank of Washington, and Reconstruction Finance Corporation for the fiscal year ending June 30, 1955. Continues anti-strike provisions.

B. Item:

Appropriations

TITLE I. TREASURY DEPARTMENT

Office of the Secretary: Salaries and expenses	$2,600,000
Bureau of Accounts:	
Salaries and expenses	2,548,700
Division of disbursements	14,500,000
Total, Bureau of Accounts	17,048,700
Bureau of the Public Debt	44,997,300
Office of the Treasurer:	
Salaries and expenses	15,499,000
Contingent expenses, public moneys	----------
Total, Office of the Treasurer	15,499,000
Bureau of Customs: Salaries and expenses	39,996,300
Internal Revenue Service	265,912,000
Bureau of Narcotics: Salaries and expenses	2,770,000

Appropriations—Continued

TITLE I. TREASURY DEPARTMENT—continued

United States Secret Service:	
Salaries and expenses	$2,438,000
White House Police	712,000
Guard Force	268,000
Total, U. S. Secret Service	3,418,000
Bureau of the Mint	4,450,000
Coast Guard:	
Operating expenses	155,889,300
Acquisition, construction, and improvements	3,000,000
Retired pay	19,775,000
Reserve training	2,500,000
Total, Coast Guard	181,164,300
Total, title I, Treasury Department	577,855,600

TITLE II. POST OFFICE DEPARTMENT

Administration	$19,491,100
Operations	1,899,776,000
Transportation	702,219,000
Finance	8,501,000
Facilities	124,890,000
Total	2,754,877,100
Grand total, titles I and II	3,332,732,700

ADMINISTRATIVE EXPENSES OF GOVERNMENT CORPORATIONS

(Limit on amount of corporate funds to be expended)

Export-Import Bank of Washington	$1,070,000
Reconstruction Finance Corporation	3,500,000
Total	4,570,000

Appropriation Acts of the 83d Congress, 2d Session—Part II

EXTENSION OF REMARKS
OF

HON. BARRATT O'HARA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 18, 1954

Mr. O'HARA of Illinois. Mr. Speaker, by unanimous consent, I am extending my remarks to include my second report to my constituents on the appropriations of the 83d Congress, 2d session, as follows:

PUBLIC LAW 471—H. R. 8067, DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE, AND THE UNITED STATES INFORMATION AGENCY APPROPRIATIONS ACT

A. Appropriates $1,201,710,500 for the Departments of State, Justice, and Commerce, and the United States Information Agency for the fiscal year ending June 30, 1955. Prohibits the use of funds for the promotion of the principle of world government or one-world citizenship. Declares it the sense of the Congress that the Communist Chinese Government should not be admitted to membership in the United Nations as the representative of China. Continues antistrike provisions.

B. Item:

Appropriations

TITLE I. DEPARTMENT OF STATE

Salaries and expenses	$62,500,000
Representation allowances	475,000
Acquisition of buildings abroad	2,500,000
Emergencies in the Diplomatic and Consular Service	1,000,000
Contributions to international organizations	28,250,000
Missions to international organizations	1,050,000
International contingencies	1,000,000
International Boundary and Water Commission, United States and Mexico:	
Salaries and expenses	450,000
Construction	300,000
Operation and maintenance	1,000,000
Rio Grande emergency flood protection	
American sections, international commissions	245,000
International Fisheries Commissions	310,000
International educational exchange activities	14,700,000
International Claims Commission	130,000
Total, Department of State	113,910,000

TITLE II. DEPARTMENT OF STATE

Legal activities and general administration:	
General administration, salaries and expenses	$2,472,500
General legal activities, salaries and expenses	9,450,000
Antitrust Division, salaries and expenses	3,100,000
United States attorneys and marshals, salaries and expenses	14,500,000
Fees and expenses of witnesses	1,000,000
Claims of persons of Japanese ancestry, salaries and expenses	200,000
Total, legal activities and general administration	30,722,500
Federal Bureau of Investigation: Salaries and expenses	78,282,000
Immigration and Naturalization Service: Salaries and expenses	39,000,000
Federal Prison System:	
Bureau of Prisons, salaries and expenses	26,385,000
Building and facilities	
Support of United States prisoners	2,475,000
Total, Federal Prison System	28,860,000
Office of Alien Property: Salaries and expenses	(3,000,000)
Total, Department of Justice	176,864,000

Appropriations—Continued

TITLE III. DEPARTMENT OF COMMERCE

Office of the Secretary:	
Salaries and expenses	$2,050,000
Technical and scientific services	
Salaries and expenses, defense production activities	
Total, Office of the Secretary	2,050,000
Census Bureau:	
Salaries and expenses	6,200,000
Census of business and manufactures and agriculture	
Special surveys of manufactures and other businesses	
Sample census of agriculture	
Full census of agriculture	16,000,000
Total, Census Bureau	22,200,000
Civil Aeronautics Administration:	
Salaries and expenses	97,650,000
Air navigation facilities, establishment of	5,000,000
Technical development and evaluation	700,000
Washington National Airport:	
Maintenance and operation	
Construction	
Federal-aid airport program	
Federal-aid airport program (liquidation of contract authorization)	
Alaska airports, maintenance and operation	600,000
Air navigation development	1,050,000
Total, Civil Aeronautics Administration	105,250,000
Civil Aeronautics Board:	
Salaries and expenses	3,777,000
Payments to air carriers	40,000,000
Total, Civil Aeronautics Board	43,777,000
Coast and Geodetic Survey:	
Salaries and expenses	10,200,000
Construction of geomagnetic station	
Total, Coast and Geodetic Survey	10,200,000
Business and Defense Services Administration: Salaries and expenses	6,320,000
Bureau of Foreign Commerce:	
Salaries and expenses	2,000,000
Export control	3,600,000
Total, Bureau of Foreign Commerce	6,100,000
Office of Business Economics: Salaries and expenses	900,000
Bureau of Foreign and domestic Commerce:	
Departmental salaries and expenses	
Field office service	
Total, Bureau of Foreign and Domestic Commerce	

Appropriations—Continued

TITLE III. DEPARTMENT OF COMMERCE—con.

Maritime activities:	
Operating-differential subsidies	$65,000,000
Salaries and expenses	13,500,000
Maritime training	2,200,000
State marine schools	660,000
Total, maritime activities	81,360,000
Patent Office: Salaries and expenses	11,500,000
Bureau of Public Roads:	
Federal-aid highway	500,000,000
Forest highways	15,000,000
Inter-American Highway	1,000,000
Access roads (act of Sept. 7, 1950)	
Public lands highways (liquidation of contract authorization)	
Elimination of grade crossings (liquidation of contract authorization)	
Rama Road, Nicaragua	1,000,000
Total, Bureau of Public Roads	517,000,000
National Bureau of Standards:	
Operation and administration	1,000,000
Research and testing	3,150,000
Radio propagation and standards	2,100,000
Construction of laboratories	
Construction of laboratories (liquidation of contract authorization)	115,000
Total, National Bureau of Standards	6,365,000
Weather Bureau: Salaries and expenses	24,750,000
Total, Department of Commerce	829,822,000

TITLE IV. UNITED STATES INFORMATION AGENCY

U. S. Information Agency: Salaries and expenses	$73,914,000
Grand total appropriations, titles I, II, III, and IV, Departments of State, Justice, and Commerce and U. S. Information Agency	1,201,710,500

Appropriation Acts of the 83d Congress, 2d Session—Part III

EXTENSION OF REMARKS

OF

HON. BARRATT O'HARA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 18, 1954

Mr. O'HARA of Illinois. Mr. Speaker, by unanimous consent, I am extending my remarks to include a continuance of my report to my constituents in the Second District of Illinois on the appropria-

tion laws of the 2d session of the 83d Congress, as follows:

PUBLIC LAW 453—H. R. 8367, CIVIL FUNCTIONS APPROPRIATION ACT

A. Appropriates $57,071,300 for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1955. Continues antistrike provisions and provides for the employment of experts at not to exceed $15,000 per year, the rates for individuals not to exceed $100 per diem. Prohibits the use of funds after September 1, 1954, for the maintenance and operation of hospitals in the Canal Zone.

B. Items:

Appropriations

QUARTERMASTER CORPS

Cemeterial expenses	$5,489,200

CORPS OF ENGINEERS

General investigation	$2,907,500
Construction	300,367,600
Operation and maintenance	76,110,000
General expenses	9,544,000
Mississippi River and tributaries	45,450,000
Niagara remedial work	2,000,000
Plant account	----------
Total, Corps of Engineers	436,379,100
U. S. Soldiers' Home: Maintenance and operation	(5,134,000)

THE PANAMA CANAL

Canal Zone Government	$13,788,000
Capital outlay	1,415,000
Total, Panama Canal	15,203,000
Total, regular annual appropriations, Department of the Army civil functions	457,071,300

PUBLIC LAW 357—H. R. 8481, THIRD SUPPLEMENTAL APPROPRIATION ACT

A. Appropriates $505,218,741 to supply supplemental appropriations for fiscal year ending June 30, 1954. Continues antistrike provisions.

B. Item:

Appropriations

DISTRICT OF COLUMBIA

Compensation and retirement fund expenses: District government retirement and relief funds	$120,000
Public schools:	
General administration, supervision, and instruction	1,537,500
Vocational education, George-Barden program	24,000
Metropolitan Police: salaries and expenses	1,800,000
Fire Department: salaries and expenses	700,000
Courts: United States courts	37,536
Public welfare:	
Agency services	----------
National Capital parks	69,000
Pay increases, wage-scale employees	1,200,000
Settlement of claims and suits	29,625
Judgments	222,218
Audited claims	333,370
Total, chapter I	(6,073,249)

Appropriations—Continued

LEGISLATIVE BRANCH

Senate: Beneficiaries of deceased Senators	$12,500
Salaries, officers and employees: Office of Sergeant at Arms and Doorkeeper	----------
Contingent expenses: Motor vehicles	----------
House of Representatives: Salaries, officers and employees: Office of the Doorkeeper	13,615
Contingent expenses of the House:	
Stationery (revolving fund)	3,200
Folding documents	15,000
Capitol Police: Capital Police Board	2,855
Education of House and Senate pages: Expenses	2,785
Government Printing Office: Working capital and congressional printing and binding	----------
Total, legislative branch	49,955

JUDICIARY BRANCH

Courts of appeals, district courts, and other judicial services:	
Fees of jurors and commissioners	$115,000
Travel and miscellaneous expenses	36,000
Salaries of referees	(7,000)
Expenses of referees	(71,600)
Total, Judiciary Branch	151,000
Total, chapter II	200,955

DEPARTMENT OF STATE

Salaries and expenses	----------
International contingencies	----------

DEPARTMENT OF JUSTICE

Legal activities and general administration:	
Salaries and expenses, claims of persons of Japanese ancestry	$1,560,000
General provision	----------
Total, Department of Justice	1,560,000

DEPARTMENT OF COMMERCE

Office of the Secretary: Aviation war risk insurance revolving fund	----------
Civil Aeronautics Administration: Land acquisition, additional Washington Airport	$34,541
Maritime activities: Operating-differential subsidies	29,500,000
Bureau of Public Roads: Federal-aid highways	55,000,000
Total, Department of Commerce	84,534,541

ADVISORY COMMITTEE ON WEATHER CONTROL

Salaries and expenses	----------
Total, ch. III	$86,094,541

Appropriations—Continued

TREASURY DEPARTMENT

Bureau of Narcotics: Salaries and expenses	$67,500
Internal Revenue Service: Salaries and expenses	3,600,000
U. S. Secret Service: Salaries and expenses	----------
Total, ch. IV	3,667,500

DEPARTMENT OF LABOR

Bureau of Employment Security:	
Grants to States for unemployment compensation and employment service administration	$12,100,000
Unemployment compensation for veterans	24,400,000
Total, Department of Labor	36,500,000

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education:	
Payments to school districts	$5,850,000
Assistance for school construction	55,000,000
Social Security Administration:	
Salaries and expenses, old-age and survivors insurance	(996,000)
Grants to States for public assistance	58,000,000
Total, Department of Health, Education, and Welfare	118,850,000
Total, ch. V	155,350,000

DEPARTMENT OF AGRICULTURE

Agricultural Conservation Program	$15,000,000
Disaster loan revolving fund	----------
Forest Service: Fighting forest fires	4,500,000
Commodity Credit Corporation: Administrative expenses	(3,000,000)
Independent offices: Farm Credit Administration	(120,000)
Total, chapter VI	19,500,000

DEPARTMENT OF THE INTERIOR

Office of the Secretary: Operation and maintenance, Southeastern Power Administration	$138,000
Office of Territories: Construction, Alaska Railroad	4,594,000
Total, chapter VII	4,732,000

EXECUTIVE OFFICE OF THE PRESIDENT

Funds appropriated to the President Refugee Relief	$250,000

INDEPENDENT OFFICES

Federal Power Commission: Salaries and expenses	($25,000)
Housing and Home Finance Agency:	
Public Housing Administration: Annual contributions	10,800,000

Appropriations—Continued

INDEPENDENT OFFICES—continued

Tax Court of the United States	$25,000
Veterans' Administration:	
Compensation and pensions	215,000,000
Servicemen's indemnities	7,000,000
Total, chapter VIII	233,075,000

DEPARTMENT OF THE ARMY

Rivers and harbors and flood control:	
Construction, general	$800,000
United States section, St. Lawrence River Joint Board of Engineers	245,000
Total, chapter IX	1,045,000

DEPARTMENT OF DEFENSE

Office of the Secretary of Defense:	
Claims	($2,500,000)
Retired pay	(12,000,000)
Department of the Navy:	
Audited claims	(25,895.59)
Total, chapter X	(14,525,895.59)

JUDGMENTS AND UNAUTHORIZED CLAIMS

Judgments and unauthorized claims	$1,553,745
Grand total	505,218,741

Appropriation Acts of the 83d Congress, Second Session—Part IV

EXTENSION OF REMARKS

OF

HON. BARRATT O'HARA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 18, 1954

Mr. O'HARA of Illinois. Mr. Speaker, by unanimous consent, I am extending my remarks to continue my report to my constituents on the appropriation acts of the 83d Congress, 2d session, as follows:

PUBLIC LAW 428

H. R. 8583, Independent Offices Appropriation Act

A. Appropriates $5,651,770,063 for the Executive Office and sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices for the fiscal year ending June 30, 1955. Continues antistrike provisions and veterans reemployment rights.

B. Item.

EXECUTIVE OFFICE OF THE PRESIDENT

	Appropriation
Compensation of the President	$150,000
The White House Office	1,895,000
Executive Mansion and Grounds	366,200
Bureau of the Budget	3,382,500
Council of Economic Advisers	285,000
National Security Council	215,000
Office of Defense Mobilization	2,161,000
Emergency fund for the President (national defense)	150,000
Expenses of management improvement	300,000
Total, Executive Office of the President	8,904,700

INDEPENDENT OFFICES

Advisory Committee on Weather Control, salaries and expenses	$120,000

H. R. 8583, Independent Offices Appropriation Act—Continued

INDEPENDENT OFFICES—continued

	Appropriation
American Battle Monuments Commission:	
Salaries and expenses	$775,000
Construction of memorials and cemeteries	3,500,000
Total, American Battle Monuments Commission	4,275,000
Atomic Energy Commission:	
Operating expenses	1,098,962,300
Plant and equipment	110,882,400
Total, Atomic Energy Commission	1,209,844,700
Civil Service Commission:	
Salaries and expenses	15,575,600
Investigations of United States citizens for employment by international organizations	400,000
Annuities, Panama Canal construction employees and Lighthouse Service widows	2,354,000
Payment to civil service retirement and disability fund for increases in annuities	29,623,000
Total, Civil Service Commission	47,952,600
Federal Communications Commission, salaries and expenses	6,544,400
Federal Power Commission, salaries and expenses	4,150,000
Federal Trade Commission, salaries and expenses	4,045,000
General Accounting Office, salaries and expenses	31,981,000
General Services Administration:	
Operating expenses, Public Buildings Service	95,960,000
Emergency operating expenses	15,647,000
Repair, improvement, and equipment of federally owned buildings outside the District of Columbia	12,000,000
Operating expenses, Federal Supply Service	2,600,000
Expenses, general supply fund	12,066,800
Operating expenses, National Archives and Records Service	5,000,000
Administrative operations	3,789,500
Hospital facilities in the District of Columbia (liquidation of contract authorization)	4,500,000
Buildings management fund	500,000
Remodeling the Congress Street Post Office, Chicago, Ill	
Total, General Services Administration	152,063,300
Housing and Home Finance Agency:	
Office of the Administrator:	
Salaries and expenses	2,868,500
Capital grants for slum clearance and urban redevelopment	39,000,000
Total, Office of the Administrator	41,868,500
Public Housing Administration:	
Administrative expenses	6,950,000
Annual contributions	63,950,000
Total, Public Housing Administration	70,900,000
Total, Housing and Home Finance Agency	112,768,500
Indian Claims Commission, salaries and expenses	117,000
Interstate Commerce Commission:	
Salaries and expenses	
General expenses	9,816,000
Defense transport activities	170,000
Railroad safety	974,500
Locomotive inspection	709,500
Total, Interstate Commerce Commission	11,670,000
Interstate Commission on the Potomac River Basin, contribution to the Interstate Commission on the Potomac River Basin	5,000
National Advisory Committee for Aeronautics:	
Salaries and expenses	51,000,000
Construction and equipment	4,620,000
Total, National Advisory Committee for Aeronautics	55,620,000

H. R. 8583, Independent Offices Appropriation Act—Continued

INDEPENDENT OFFICES—continued

	Appropriation
National Capital Housing Authority, maintenance and operation of properties	$43,000
National Capital Planning Commission:	
Salaries and expenses	143,000
Land acquisition	545,000
Total, National Capital Planning Commission	688,000
National Science Foundation, salaries and expenses	12,250,000
Renegotiation Board, salaries and expenses	4,500,000
Securities and Exchange Commission, salaries and expenses	4,750,000
Selective Service System, salaries and expenses	29,003,063
Small Business Administration:	
Salaries and expenses	2,025,000
Revolving fund, Small Business Administration	25,000,000
Total, Small Business Administration	27,025,000
Smithsonian Institution:	
Salaries and expenses	3,000,000
National Gallery of Art, salaries and expenses	1,300,000
Total, Smithsonian Institution	4,300,000
Subversive Activities Board, salaries and expenses	170,000
Tariff Commission, salaries and expenses	1,327,000
Tennessee Valley Authority:	
Salaries, expenses, and construction	120,000,000
Resource development	
Total, Tennessee Valley Authority	120,000,000
The Tax Court of the United States, salaries and expenses	1,000,000
Veterans' Administration:	
General operating expenses	167,672,300
Medical administration and miscellaneous operating expenses	14,654,000
Inpatient care	590,992,500
Outpatient care	82,134,000
Maintenance and operation of supply depots	1,654,000
Compensation and pensions	2,435,000,000
Readjustment benefits	387,000,000
Military and naval insurance	4,932,000
Hospital and domiciliary facilities	47,000,000
National service life insurance	30,570,000
Serviceman's indemnities	30,000,000
Grants to the Republic of the Philippines	1,564,000
Major alterations, improvements and repairs	3,480,000
Veterans' miscellaneous benefits	
Total, Veterans' Administration	3,796,652,800
Total, title I, Executive Office of the President and independent offices	5,651,770,063

Appropriation Acts of the 83d Congress, 2d Session—Part V

EXTENSION OF REMARKS

OF

HON. BARRATT O'HARA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 18, 1954

Mr. O'HARA of Illinois. Mr. Speaker, I am extending my remarks in continuance of my report on the appropriation acts of the 2d session of the 83d Congress, as follows:

PUBLIC LAW 437

H. R. 8779, Department of Agriculture and Farm Credit Appropriation Act

A. Appropriates $723,683,150 for the Department of Agriculture for the fiscal year ending June 30, 1955. Continues antistrike provisions.

H. R. 8779, Department of Agriculture and Farm Credit Appropriation Act—Con.

B. Item:

Agricultural Research Service:	*Appropriation*
Salaries and expenses:	
Research	$35,353,000
Plant and animal disease and pest control	17,689,579
Meat inspection	14,325,000
Total, salaries and expenses	67,367,579
Payments to States, etc	19,453,708
Foot and mouth and other contagious diseases	2,134,000
Research	1,900,000
Total, Agricultural Research Service	88,721,287
Extension Service:	
Payments to States, etc	39,675,000
Federal Extension Service	3,867,500
Total, Extension Service	43,542,500
Farmer Cooperative Service	408,000
Forest Service:	
Salaries and expenses:	
National forest protection and management	30,490,200
Fighting forest fires	6,000,000
Control of forest pests	4,937,500
Forest research	6,538,500
Total, salaries and expenses	47,966,200
Forest roads and trails	16,000,000
Acquisition of land:	
Weeks Act	125,000
Special acts	(10,000)
State and private forestry cooperation	10,683,690
Cooperative range improvements	(400,000)
Total, Forest Service	74,774,890
Soil Conservation Service:	
Conservation operations	59,085,671
Watershed protection	5,500,000
Flood prevention	7,482,000
Water conservation and utilization projects	480,000
Total, Soil Conservation Service	72,547,671
Agricultural Marketing Service:	
Marketing Research and Service:	
Marketing research and agricultural estimates	10,215,000
Marketing services	11,575,500
Total, marketing research and service	21,790,500
Payments to States, etc	900,000
Repayment to Commodity Credit Corporation	441,655
School lunch	83,236,197
Total, Agricultural Marketing Service	106,368,352
Agricultural conservation program	191,700,000
Foreign Agricultural Service	965,000
Commodity Exchange Authority	673,000
Commodity Stabilization Service:	
Agricultural adjustment programs	41,250,000
Sugar Act	59,600,000
Total, Commodity Stabilization Service	100,850,000
Federal Crop Insurance, salaries and expenses	6,000,000
Rural Electrification Administration, salaries and expenses	7,285,000
Farmers' Home Administration, salaries and expenses	22,500,000
Office of Solicitor	2,030,000
Office of Secretary	2,080,000
Office of Information	1,196,000
Library	659,950
Total, title I regular activities	723,351,650
Title III, special activities	331,500
Total appropriations	723,683,150

PUBLIC LAW 458

H. R. 8873, Department of Defense Appropriation Act

A. Appropriates $28,800,125,486 for military functions administered by the Department of Defense for the fiscal year ending June 30, 1955. Limits cost of family quarters for military personnel and provides for schooling of dependents of such personnel. Directs the Secretary of Defense to assist American small business to participate equitably in the furnishing of commodities and services financed with funds appropriated hereunder. Continues antistrike provisions. Requires the use of domestic food, clothing, cotton or wool, if possible, when needed.

H. R. 8873, Department of Defense Appropriation Act—Continued

B. Item:

TITLE I—NATIONAL SECURITY TRAINING COMMISSION

	Appropriation
Salaries and expenses	$55,000

TITLE II—OFFICE OF THE SECRETARY OF DEFENSE

Salaries and expenses	$12,250,000
Office of Public Information	500,000
Total, title II—Office of Secretary of Defense	12,750,000

TITLE III—INTERSERVICE ACTIVITIES

Claims	$7,680,000
Construction of ships, MSTS	50,000,000
Contingencies	40,000,000
Emergency fund	25,000,000
Retired pay	404,500,000
Court of Military Appeals	320,000
Total, title III—Interservice activities	527,500,000

TITLE IV—DEPARTMENT OF THE ARMY

Military personnel	$4,150,479,000
Maintenance and operations	2,795,722,986
Military construction, Army Reserve Forces	15,000,000
Reserve personnel requirements	90,000,000
Army National Guard	218,530,000
Research and development	345,000,000
National Board for Promotion of Rifle Practice, Army	100,000
Alaska Communication System: Operation and maintenance	4,235,000
Total, title IV—Department of the Army	7,619,066,986

TITLE V—DEPARTMENT OF THE NAVY

Military personnel, Navy	$2,417,000,000
Military personnel, Naval Reserve	78,100,000
Navy personnel, general expenses	75,030,000
Military personnel, Marine Corps	612,180,600
Military personnel, Marine Corps Reserve	16,750,000
Marine Corps troops and facilities	167,994,500
Marine Corps procurement	129,974,000
Aircraft and facilities	780,895,500
Aircraft and related procurement	1,973,568,000
Ships and facilities	818,681,000
Construction of ships (1948–51 programs)	57,600,000
Shipbuilding and conversion (1952–55 programs)	1,042,400,000
Ordnance and facilities	457,436,000
Ordnance for new construction (liquidation of contract authorization)	34,000,000
Medical care	63,600,000
Civil engineering	104,294,000
Military construction, Naval Reserve Forces	15,000,000
Research and development	419,874,900
Servicewide supply and finance	340,300,000
Servicewide operations	104,570,000
Naval petroleum reserves (transfer authority in 1954)	3,575,000
Total, title V—Department of the Navy	9,712,823,500

TITLE VI—DEPARTMENT OF THE AIR FORCE

Aircraft and related procurement	$2,760,000,000
Major procurement other than aircraft	674,364,000
Research and development	418,070,000
Maintenance and operations	3,502,792,000
Military personnel	3,356,704,000
Reserve personnel	28,000,000
Air National Guard	160,000,000
Contingencies	28,000,000
Total, title VI—Department of the Air Force	10,927,930,000
Total appropriations, titles I, II, III, IV, V, VI	28,800,125,486

Appropriation Acts of the 83d Congress, 2d Session—Part VI

EXTENSION OF REMARKS

OF

HON. BARRATT O'HARA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 18, 1954

Mr. O'HARA of Illinois. Mr. Speaker, by unanimous consent, I am extending my remarks to include my report on Public Laws 465 and 469, as follows:

PUBLIC LAW 465

H. R. 8680: Interior Department appropriations law

A. Appropriates $405,936,149 for the Department of the Interior for the fiscal year ending June 30, 1955. Continues antistrike provisions.

B. Item:

TITLE I—DEPARTMENT OF THE INTERIOR

Office of the Secretary:	*Appropriation*
Connally Hot Oil Act, enforcement of	$140,000
Operation and maintenance, Southeastern Power Administration	1,228,000
Southwestern Power Administration:	
Operation and maintenance	1,765,000
Research in utilization of saline water	400,000
Oil and Gas Division	250,000
Emergency flood and storm repairs	100,000
Total, Office of the Secretary	3,883,000
Commission of Fine Arts	21,200
Bonneville Power Administration:	
Construction	24,314,000
Operation and maintenance	6,200,000
Total, Bonneville Power Administration	30,514,000
Bureau of Land Management:	
Management of lands and resources	11,913,000
Construction	2,500,000
Total, Bureau of Land Management	14,413,000
Bureau of Indian Affairs:	
Health, education, and welfare services	59,547,215
Resources management	12,881,245
Construction	7,673,000
General administrative expenses	2,750,000
Total, Bureau of Indian Affairs, exclusive of tribal funds	82,851,460
Tribal funds (not included in totals of this tabulation)	3,000,000
Bureau of Reclamation:	
General investigations	3,350,000
Construction and rehabilitation	126,637,000
Operation and maintenance	21,500,000
General administrative expenses	4,000,000
Emergency fund	200,000
Total, Bureau of Reclamation	155,687,000
Geological Survey: Surveys, investigations, and research	25,735,000
Bureau of Mines:	
Conservation and development of mineral resources	13,500,000
Health and safety	5,000,000
General administrative expenses	1,000,000
Total, Bureau of Mines	19,500,000
National Park Service:	
Management and protection	9,098,390
Maintenance and rehabilitation of physical facilities	8,425,000
Construction	8,056,099
General administrative expenses	1,084,000
Total, National Park Service	26,663,489
Fish and Wildlife Service:	
Management of resources	6,301,000
Investigations of resources	4,127,000
Construction	300,000
General administrative expenses	725,000
Administration of Pribilof Islands	(1,650,000)
Total, Fish and Wildlife Service	11,453,000

H. R. 9680: Interior Department appropriations law—Continued

TITLE I—DEPARTMENT OF THE INTERIOR—con.

Office of Territories:	Appropriation
Administration of Territories	$3,400,000
Trust Territory of the Pacific Islands	5,000,000
Alaska public works	9,500,000
Construction of roads, Alaska	8,000,000
Operation and maintenance of roads, Alaska	3,500,000
Construction, Alaska R. R.	2,900,000
Virgin Islands public works	
Total, Office of Territories	32,300,000
Administration, Department of the Interior: Salaries and expenses	2,330,000
Total, Department of the Interior	405,351,149

TITLE II—VIRGIN ISLANDS CORPORATION

Revolving fund	
Grants	$510,000
Administrative expenses	(130,000)
Total, Virgin Islands Corporation	510,000

TITLE III—FEDERAL COAL MINE SAFETY BOARD OF REVIEW

Salaries and expenses	$75,000
Grand total, titles I, II, III	405,936,149

PUBLIC LAW 469

H. R. 9517: District of Columbia Appropriations Act

A. Appropriates $169,928,099 for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1955. Sets the Federal contribution at $21,890,000. Continues antistrike provisions.

B. Item:

OPERATING EXPENSES

	Appropriation
Executive Office	$307,565
Department of General Administration	2,945,522
Office of Corporation Counsel	428,585
Compensation and retirement fund expenses	10,207,000
Regulatory agencies	918,204
Department of Occupations and Professions	264,000
Public schools	27,626,570
Public Library	1,611,000
Recreation Department	1,641,000
Metropolitan Police	12,757,520
Metropolitan Police (municipal services, Legion convention)	80,000
Fire Department	6,266,641
Veterans' Service Center	93,000
Office of Civil Defense	150,000
Courts	3,163,410
Department of Public Health	22,636,000
Department of Corrections	4,374,674
Department of Buildings and Grounds	1,675,642
Department of Public Welfare	8,885,061
Office of Surveyor	149,200
Department of Licenses and Inspections	1,378,000
Department of Highways	5,768,600
Department of Vehicles and Traffic	1,238,365
Department of Sanitary Engineering	9,732,740
Washington aqueduct	2,127,000
National Guard	114,800
National Capital Parks	2,344,000
National Zoological Park	645,000
Judgments and claims	
Total, operating expenses	129,529,099

CAPITAL OUTLAY

District debt service	$250,000
Public building construction	15,712,000
Miscellaneous capital outlay	986,000
Department of Highways	11,810,000
Department of Sanitary Engineering	7,491,000
Liquidation of contract authorization	270,000
Washington aqueduct	3,900,000
Total, capital outlay	40,399,000
Grand total	(169,928,099)

Appropriation Acts of the 83d Congress, 2d Session—Part VII

EXTENSION OF REMARKS

OF

HON. BARRATT O'HARA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 18, 1954

Mr. O'HARA of Illinois. Mr. Speaker, I am extending my remarks to include my report to my constituents on Public Law 470, as follows:

PUBLIC LAW 470

H. R. 9203: Legislative-Judiciary Appropriation Act

A. Appropriates $98,197,494 for the Legislative and Judiciary Branches for the fiscal year ending June 30, 1955. Continues antistrike provisions.

B. Item:

TITLE I—LEGISLATIVE BRANCH

Senate: Senators:	Appropriation
Compensation of Senators	$1,200,000
Expense allowance of Senators	240,000
Mileage of the President of the Senate and of Senators	51,000
Compensation of the Vice President	30,000
Expense allowance of the Vice President	10,000
Total, Senators	1,531,000
Salaries of officers and employees:	
Office of the Vice President	55,410
Chaplain	2,946
Office of the Secretary of the Senate	444,020
Committee employees	1,767,045
Conference committees:	
Majority, clerical salaries	33,310
Minority, clerical salaries	33,310
Administrative and clerical assistants to Senators	6,207,625
Office of the Sergeant at Arms and Doorkeeper	1,276,875
Office of secretaries for the majority and minority, salaries	62,165
Total, salaries of officers and employees	9,882,706
Contingent expenses:	
Legislative reorganization	100,000
Senate policy committees	149,340
Joint Committee on the Economic Report	120,775
Joint Committee on Atomic Energy	188,060
Joint Committee on Printing	47,585
Vice President's automobile	5,835
Automobile for the President pro tempore	5,835
Automobiles for majority and minority leaders	11,670
Reporting Senate proceedings	135,785
Furniture	3,190
Do	19,000
Inquiries and investigations	1,224,120
Folding documents	27,000
Materials for folding	1,500
Fuel, etc	2,000
Senate restaurants	55,000
Motor vehicles	9,560
Miscellaneous items	981,087
Packing boxes	3,000
Postage stamps	825
Airmail and special delivery stamps	19,400
Stationery	126,400
Communications	14,550
Total contingent expenses	3,251,517
Total, Senate	14,665,223
House of Representatives: Members and Delegates:	
Salaries	5,492,500
Mileage and expenses	1,273,500
Total, Members and Delegates	6,766,000
Salaries, officers and employees:	
Speaker's office	47,285
Office of the Parliamentarian	43,885
Office of the Chaplain	4,200
Clerk's office	737,530
Committee employees	1,820,000
Sergeant at Arms office	384,045
Doorkeeper's office	657,915
Special and minority employees (several items)	191,485
Postmaster's office	189,880
Official reporters	124,435
Committee reporters	133,855
Studies and investigations, Committee on Appropriations	450,000
Total, salaries, officers and employees	4,784,515
Members' clerk hire	11,500,000
Contingent expenses:	
Furniture	220,500
Miscellaneous items	898,800
Reporting hearings	125,000
Special and select committees	1,250,000
Joint Committee on Internal Revenue Taxation	200,000
Joint Committee on Immigration and Nationality Policy	20,000

H. R. 9203: Legislative-Judiciary Appropriation Act—Continued

TITLE I—LEGISLATIVE BRANCH—continued

House of Representatives—Continued Contingent expenses—Con.	Appropriation
Coordinator of Information, salaries and expenses	$73,750
Telegraph and telephone	800,000
Stationery (revolving fund)	525,000
Attending physician's office	8,985
Postage stamps	94,050
Folding documents	125,000
Revision of laws	13,700
Speaker's automobile	7,200
Majority leader's automobile	5,835
Minority leader's automobile	5,835
Total, contingent expenses	4,374,255
Total, House of Representatives	27,424,770
Capitol Police:	
General expenses	17,900
Additional protection	22,345
Total, Capitol Police	40,245
Legislative Counsel:	
Salaries and expenses	259,000
Joint Committee on Reduction of Nonessential Federal Expenditures	20,000
Expenses, Interparliamentary Union	
Education of House and Senate pages: Expenses	47,280
Miscellaneous:	
Penalty mail costs	1,169,700
Statement of appropriations	6,000
Total, miscellaneous	1,175,700
Architect of the Capitol:	
Salaries	138,000
Capitol buildings	630,000
Reconstruction of Capitol terraces	
Capitol Grounds	342,500
Legislative garage	34,200
Subway transportation	3,500
Senate Office Building	796,400
House Office Buildings	984,200
Capitol Power Plant (operation)	1,237,000
Capitol Power Plant, changes and improvements	1,500,000
Library buildings and grounds:	
Structural and mechanical care	400,000
Furniture and furnishings	50,000
Total, Architect of the Capitol	6,115,800
Botanic Garden: Salaries and expenses	223,100
Library of Congress:	
Salaries and expenses	4,717,636
Copyright Office, salaries and expenses	1,100,000
Legislative Reference Service, salaries and expenses	875,000
Catalog cards, distribution of	1,332,000
Increase of the Library:	
General	260,000
Law library	90,000
Books for Supreme Court	25,000
Books for the blind	1,000,000
Total, Library of Congress	9,399,636
Government Printing Office:	
Printing and binding for Congress	8,500,000
Revolving fund	
Superintendent of Documents, salaries and expenses	2,825,000
Total, Government Printing Office	11,325,000
Grand total, title I	70,695,754

TITLE II—JUDICIARY BRANCH

Supreme Court of the United States:	
Salaries	$1,016,000
Printing and binding Supreme Court reports	91,200
Preparation of Rules for Civil Procedure	4,300
Miscellaneous expenses	52,650
Care of the building and grounds	338,300
Total, Supreme Court	1,502,450
Court of Customs and Patent Appeals: Salaries and expenses	210,160
Customs Court: Salaries and expenses	495,630
Court of Claims:	
Salaries and expenses	618,000
Repairs and improvements	8,000
Total, Court of Claims	626,000

H. R. 9203: Legislative-Judiciary Appropriation Act—Continued

TITLE II—JUDICIARY BRANCH—continued

	Appropriation
Courts of Appeals, district courts and other judicial services:	
Salaries of judges	$5,472,500
Salaries of supporting personnel	12,850,000
Fees of jurors and commissioners	3,950,000
Travel and miscellaneous expenses	1,800,000
Administrative Office, salaries and expenses	595,000
Referees, special account:	
Salaries	(1,083,700)
Expenses	(1,443,550)
Total, other courts and services	24,667,500
Total, title II, the Judiciary	27,501,740
Grand total, all titles	98,197,494

Appropriation Acts of the 83d Congress, 2d Session—Part VIII

EXTENSION OF REMARKS

OF

HON. BARRATT O'HARA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 18, 1954

Mr. O'HARA of Illinois. Mr. Speaker, my report on Public Law 472 to my constituents in the Second District of Illinois follows:

PUBLIC LAW 472

H. R. 9447: Department of Labor and Health, Education, and Welfare Appropriation Act

A. Appropriates $1,195,198,261 for the Departments of Labor, and Health, Education, and Welfare, and related independent agencies for the fiscal year ending June 30, 1955. Continues antistrike provisions.

B. Item:

TITLE I—DEPARTMENT OF LABOR

	Appropriation
Office of the Secretary: Salaries and expenses	$1,327,000
Office of the Solicitor: Salaries and expenses	1,450,000
Bureau of Labor Standards: Salaries and expenses	722,500
Bureau of Veterans' Reemployment Rights: Salaries and expenses	300,000
Bureau of Apprenticeship: Salaries and expenses	3,100,000
Bureau of Employment Security:	
Salaries and expenses	4,705,000
Grants to States	216,400,000
Unemployment compensation for veterans	55,600,000
Mexican farm labor program	1,581,000
Total, Bureau of Employment Security	278,286,000
Bureau of Employees' Compensation: Salaries and expenses	2,030,000
Bureau of Labor Statistics: Salaries and expenses	5,350,000
Women's Bureau: Salaries and expenses	348,000
Wage and Hour Division: Salaries and expenses	6,116,500
Total title I, Department of Labor	299,030,000

TITLE II—DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

American Printing House for the Blind: Education of the blind	$205,000
Columbia Institution for the Deaf:	
Salaries and expenses	410,000
Construction of buildings	259,000
Total, Columbia Institution for the Deaf	669,000
Food and Drug Administration:	
Salaries and expenses (general)	5,100,000
Salaries and expenses (certification and inspection services)	
Freedmen's Hospital: Salaries and expenses	2,880,000

H. R. 9447: Department of Labor and Health, Education, and Welfare Appropriation Act—Continued

TITLE II—DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—continued

	Appropriation
Howard University:	
Salaries and expenses	$2,720,000
Construction of buildings	4,808,000
Liquidation of contract authority	1,150,000
Total, Howard University	8,678,000
Office of Education:	
Promotion and further development of vocational education	23,673,261
Further endowment of colleges of of agriculture and the mechanic arts	2,501,500
Salaries and expenses	2,900,000
Payments to school districts	55,000,000
Assistance for school construction	70,000,000
Total, Office of Education	154,074,761
Office of Vocational Rehabilitation:	
Payments to States	23,000,000
Salaries and expenses	635,000
Total, Office of Vocational Rehabilitation	23,635,000
Public Health Service:	
Assistance to States, general	13,000,000
Venereal diseases	3,000,000
Tuberculosis	6,000,000
Communicable diseases	4,300,000
Engineering, sanitation, and industrial hygiene	3,565,000
Disease and sanitation investigations and control, Territory of Alaska	1,125,000
Grants for hospital construction	75,000,000
Salaries and expenses, hospital construction services	850,000
Hospitals and medical care	33,000,000
Foreign quarantine service	2,900,000
National Institutes of Health:	
Operating expenses	4,675,000
National Cancer Institute	21,737,000
Mental health activities	14,147,500
National Heart Institute	16,668,000
Dental health activities	1,990,000
Arthritis and metabolic disease activities	8,270,000
Microbiology activities	6,180,000
Neurology and blindness activities	7,600,500
Subtotal, National Institutes of Health	81,268,000
Gorgas Memorial Laboratory	131,000
Retired pay of commissioned officers	1,141,000
Salaries and expenses	2,780,000
Total, Public Health Service	228,060,000
St. Elizabeths Hospital:	
Salaries and expenses	2,445,000
Major repairs and preservation of buildings and grounds	709,000
Construction, maximum security building	110,000
Total, St. Elizabeths Hospital	3,264,000
Social Security Administration:	
Salaries and expenses, Bureau of Old-Age and Survivors Insurance	(64,400,000)
Construction, Bureau of Old-Age and Survivors Insurance	
Grants to States for public assistance	1,200,000,000
Salaries and expenses, Bureau of Public Assistance	1,487,500
Salaries and expenses, Children's Bureau	1,525,000
Grants to States for maternal and child welfare	30,000,000
Salaries and expenses, Office of the Commissioner:	
Appropriation	173,000
Transfer from OASI	(123,500)
Operating fund, Bureau of Federal Credit Union	
Total, Social Security Administration	1,233,185,500
Office of the Secretary:	
Salaries and expenses, Office of the Secretary:	
Appropriation	1,112,500
Transfer from OASI	(171,000)
Salaries and expenses, Office of Field Services:	
Appropriation	1,800,000
Transfer from OASI	(350,000)
Salaries and expenses, Office of the General Counsel:	
Appropriation	350,000
Transfer from OASI	(365,000)
Transfer from "Salaries and expenses, certification and inspection services"	(22,500)

H. R. 9447: Department of Labor and Health, Education, and Welfare Appropriation Act—Continued

TITLE II—DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—continued

	Appropriation
Office of the Secretary—Continued	
Surplus property disposal	$400,000
Total, Office of the Secretary	3,662,500
Total title II, Department of Health, Education, and Welfare	1,663,413,761

TITLE III—NATIONAL LABOR RELATIONS BOARD

Salaries and expenses	$8,400,000

TITLE IV—NATIONAL MEDIATION BOARD

Salaries and expenses	$425,500
Arbitration and emergency boards	300,000
National Railroad Adjustment Board, salaries and expenses	495,000
Total, National Mediation Board	1,220,500

TITLE V—RAILROAD RETIREMENT BOARD

Salaries and expenses (trust fund limitation)	($6,108,000)

TITLE VI—FEDERAL MEDIATION AND CONCILIATION SERVICE

Salaries and expenses	$3,124,000
Boards of inquiry	10,000
Total, Federal Mediation and Conciliation Service	3,134,000
Grand total, all titles of bill	1,195,198,261

Appropriation Acts of the 83d Congress, 2d Session—Part IX

EXTENSION OF REMARKS

OF

HON. BARRATT O'HARA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 18, 1954

Mr. O'HARA of Illinois. Mr. Speaker, by unanimous consent, I am extending my remarks to include my report on Public Law 663 to my constituents, as follows:

PUBLIC LAW 663

H. R. 9936, Supplemental appropriation law

A. Appropriates $1,659,101,929 to supply supplemental appropriations for the fiscal year ending June 30, 1955. Continues antistrike provisions.

B. Item:

CHAPTER I—DISTRICT OF COLUMBIA, OPERATING EXPENSES

	Appropriation
Regulatory agencies	($15,000)
Settlement of claims and suits	(13,967)
Judgments	(18,132)
Audited claims	(14,624)
Division of expenses	
Total, chapter I	(58,723)

CHAPTER II—LEGISLATIVE BRANCH

Senate:	
Beneficiaries of deceased Senators	$37,500
Office of the Secretary	11,725
Office of the Sergeant at Arms	21,925
Offices of the secretaries of the majority and the minority	1,405
Offices of the majority and the minority whips	9,140
Contingent expenses of the Senate:	
Legislative reorganization	25,000
Reporting Senate proceedings	4,000
Inquiries and investigations	60,000
Miscellaneous items	45,000
House of Representatives: Beneficiaries of deceased Members	25,000
Capitol Police force:	
Salaries, Capitol Police force (fiscal year 1955)	
General expenses, Capitol Police force (fiscal year 1955)	

H. R. 9936, Supplemental appropriation law—Continued

CHAPTER II—LEGISLATIVE BRANCH—continued

	Appropriation
Architect of the Capitol:	
Senate Office Bldg	$4,100
Additional Senate Office Bldg	6,000,000
Total, legislative branch	6,244,795
The Judiciary:	
Supreme Court of the United States—automobile for the Chief Justice	5,835
Courts of appeals, district courts, and other judicial services:	
Fees of jurors and commissioners (fiscal year 1954)	220,000
Salaries of referees (fiscal year 1955)	(18,500)
Total, Judiciary branch	225,835
Total, chapter II	6,470,630

CHAPTER III—DEPARTMENT OF STATE

Acquisition of buildings abroad	$500,000
International Educational Exchange Activities	300,000
Total, Department of State	800,000
Department of Justice:	
Legal activities and general administration:	
Salaries and expenses, general legal activities	300,000
Salaries and expenses, United States attorneys and marshals	450,000
Immigration and Naturalization Service: Salaries and expenses	3,000,000
Federal Prison System: Salaries and expenses, Bureau of Prisons	750,000
Total, Department of Justice	4,500,000
Department of Commerce:	
Bureau of the Census: Census of business, manufactures, and mineral industries	8,430,000
Civil Aeronautics Administration:	
Salaries and expenses	430,000
Federal-aid airport program, Federal Airport Act	22,000,000
Claims, Federal Airport Act	69,449
Maintenance and operation, Washington National Airport	1,350,000
Construction, Washington National Airport	340,000
Land acquisition, additional, Washington Airport	16,297
Maritime activities:	
Ship construction	82,600,000
Ship mortgage foreclosure or forfeiture contingencies	2,500,000
Repair of reserve fleet vessels	12,000,000
Business and Defense Services Administration: Salaries and expenses	
Bureau of Public Roads:	
Inter-American Highway	4,750,000
Reimbursement to the District of Columbia	290,000
Weather Bureau	
Total, Department of Commerce	134,775,746
Total, chapter III	140,075,746

CHAPTER IV—TREASURY DEPARTMENT

Bureau of Accounts: Salaries and expenses, Division of Disbursement	$350,000
Internal Revenue Service: Salaries and expenses	7,750,000
U. S. Secret Service:	
Salaries and expenses	(229,000)
Salaries and expenses, White House Police	(62,000)
Bureau of the Mint	1,500
Coast Guard:	
Acquisition, construction, and improvements	4,000,000
Retired pay	(80,000)
Total, chapter IV	12,101,500

CHAPTER V—DEPARTMENT OF LABOR

Bureau of Labor Standards: Salaries and expenses	$12,500
Bureau of Employment Security:	
Salaries and expenses	87,500
Grants to States for unemployment compensation and employment service administration	13,100,000
Unemployment compensation for veterans	70,400,000
Unemployment compensation for Federal employees	10,000,000

H. R. 9936, Supplemental appropriation law—Continued

CHAPTER V—DEPARTMENT OF LABOR—continued

	Appropriation
Bureau of Employment Security—Con.	
Salaries and expenses, Mexican farm labor program	$175,000
Total, Department of Labor	93,775,000
Department of Health, Education, and Welfare:	
Office of Education: White House Conference on Education	900,000
Office of Vocational Rehabilitation:	
Grants to States and other agencies	4,000,000
Training and traineeship	900,000
Salaries and expenses	200,000
Public Health Service:	
Grants for hospital construction	21,000,000
Surveys and planning for hospital construction	2,000,000
Salaries and expenses, hospital construction service	250,000
Social Security Administration:	
Salaries and expenses, Bureau of Old-Age and Survivors Insurance (trust fund)	(5,000,000)
Construction, Bureau of Old-Age and Survivors Insurance (trust fund)	(20,000,000)
Salaries and expenses, Children's Bureau	75,000
Office of the Secretary:	
Salaries and expenses	50,000
National Advisory Committee on Education	25,000
Civil Defense Activities	1,000,000
Total, Department of Health, Education, and Welfare	30,400,000
Total, chapter V	124,175,000

CHAPTER VI—DEPARTMENT OF AGRICULTURE

Forest Service:	
National forest protection and management	$250,000
Forest research	505,000
Forest roads and trails	6,500,000
Soil Conservation Service: Watershed protection	1,750,000
Commodity Exchange Authority: Commodity exchange authority	93,000
Farmers Home Administration: Loan authorization	(5,000,000)
Office of the Solicitor	45,000
Total, chapter VI	9,143,000

CHAPTER VII—DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs:	
Health, education, and welfare services	$1,180,000
Resources management	100,000
Construction	6,931,000
Relocations of the Yankton Sioux Tribe	50,000
Bureau of Reclamation:	
General investigations	400,000
Construction and rehabilitation	7,120,000
Bureau of Mines: Construction	6,000,000
National Park Service: Construction	5,562,101
Office of Territories: Administration of Territories	
Total, chapter VII	27,345,101

CHAPTER VIII—INDEPENDENT OFFICES

Commission on Intergovernmental Relations: Salaries and expenses	$414,000
Commission on Organization of the Executive Branch of the Government: Salaries and expenses	653,150
Federal Power Commission: Salaries and expenses	
General Services Administration:	
Additional court facilities	2,970,600
Federal Supply Service: Operating expenses	60,000
Records survey	300,000
Strategic and critical materials	380,000,000
Housing and Home Finance Agency:	
Office of the Administrator:	
Salaries and expenses	1,100,000
Reimbursement to Federal Bureau of Investigation	500,000
Public facility loans	2,000,000
Reserve of planned public works	1,500,000
Urban planning grants	1,000,000
Public Housing Administration: Administrative expenses	400,000

H. R. 9936, Supplemental appropriation law—Continued

CHAPTER VIII—INDEPENDENT OFFICES—continued

	Appropriation
National Science Foundation: International Geophysical Year	$2,000,000
Small Business Administration: Salaries and expenses	200,000
Veterans' Administration: Inpatient care	3,000,000
War Claims Commission: Administrative expenses (trust fund)	(400,000)
Total, chapter VIII	396,097,750

CHAPTER IX—MILITARY CONSTRUCTION

Department of Defense:	
Interservice activities, access roads	$13,500,000
Family housing	75,000,000
Department of the Army: Alaska Communications System, construction	503,000
Department of the Navy: Public Works, Navy	98,000,000
Department of the Air Force: Acquisition and construction of real property	630,000,000
Total, chapter IX	817,003,000

CHAPTER X—DEPARTMENT OF THE ARMY—CIVIL FUNCTIONS

Rivers and Harbors and Flood Control: Construction, general	$5,985,000
Total, chapter X	5,985,000

CHAPTER XI—EMERGENCY PROGRAMS AND ACTIVITIES

Department of State: Government in occupied areas	$15,000,000
Funds appropriated to the President:	
Emergency Fund for International Affairs	5,000,000
Construction of tankers	30,000,000
Refugee relief	8,000,000
Department of the Army, Civil Functions: Government and relief in occupied areas	3,100,000
Federal Civil Defense Administration:	
Operations	10,025,000
Federal contributions	12,000,000
Emergency supplies and equipment	26,000,000
Independent Offices:	
Jamestown-Williamsburg-Yorktown Celebration Commission	100,000
Alexander Hamilton Bicentennial Commission	10,000
Total, chapter XI	109,235,000

CHAPTER XII

Claims, audited claims, and judgments	$11,472,202
Total, chapter XII	11,472,202
Total, all chapters	1,659,101,929

Appropriation Acts of the 83d Congress, 2d Session—Part X

EXTENSION OF REMARKS

OF

HON. BARRATT O'HARA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 18, 1954

Mr. O'HARA of Illinois. Mr. Speaker, this concludes my report to my constituents in the Second District of Illinois on the Appropriation Acts of the 83d Congress, 2d session, supplementing previous reports covering all the appropriation acts of the first session. I have thought they would wish to know, and in reasonable detail, just what we in the 83d Congress had done with their money and their credit.

The final public law, which follows, is not numbered for the reason that at this

writing it had not been signed by the President:

PUBLIC LAW

H. R. 10051: Mutual Security Appropriation Act

A. Appropriates $2,781,499,816 for Mutual Security for the fiscal year ending June 30, 1955. Requires the reporting to the Committee on Appropriations of the paying of engineering fees and services to any individual engineering firm on any 1 project in excess of $25,000. Prohibits the use of funds for the payment of debts of foreign countries, and prescribes conditions of payments to the European Payments Union. Directs the transportation of at least 50 percent of the gross tonnage of commodities procured hereunder and transported on ocean vessels be transported on United States flag vessels. Requires procurement of domestic equipment and materials except under certain specified conditions. Continues antistrike provisions.

B. Item:

MILITARY ASSISTANCE

	Appropriation
General military assistance	$1,092,700,000
Infrastructure	100,000,000
Development of weapons of advance design (mutual special weapons planning)	
Total, military assistance	1,192,700,000

DIRECT FORCES SUPPORT

Southeast Asia and Western Pacific	$700,000,000
Production for forces support (manufacturing in United Kingdom)	35,000,000
Common-use items	60,000,000
Total, direct forces support	795,000,000

DEFENSE SUPPORT (MUTUAL DEFENSE FINANCING)

Europe (excluding Greece and Turkey for 1955)	$45,000,000
Special assistance in joint control areas in Europe	25,000,000
Near East, Africa and South Asia (including Greece and Turkey for 1955)	73,000,000
Far East and Pacific	80,098,195
Korean program (relief and rehabilitation in Korea)	205,000,000
United Nations Korean Reconstruction Agency	3,000,000
Total, defense support	431,098,195

DEVELOPMENT ASSISTANCE (SPECIAL REGIONAL ECONOMIC ASSISTANCE)

Near East and Africa	$115,000,000
South Asia (India)	60,500,000
India and Pakistan	
American Republics	9,000,000
Total, development assistance	184,500,000

TECHNICAL COOPERATION

General authorization	$105,000,000
United Nations expanded program of technical assistance (multilateral technical cooperation)	9,957,621
Organization of American States	1,500,000
Total, technical cooperation	116,457,621

OTHER PROGRAMS

Intergovernmental Committee for European Migration (movement of migrants)	$10,000,000
United Nations Children's Fund (international children's welfare work)	12,500,000
North Atlantic Treaty Organization	1,169,000
Ocean freight charges	4,400,000
Control Act expenses	1,175,000
Administrative expenses (other than defense)	32,500,000
Total, other programs	61,744,000
Total, Mutual Security	2,781,499,816

Foreign Policy

EXTENSION OF REMARKS

OF

HON. GEORGE S. LONG

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 18, 1954

Mr. LONG. Mr. Speaker, before the curtain falls upon this significant and historic session of the greatest parliament on earth, I believe it is not only fitting and proper, but indeed it is mandatory, that at least one Member of this House rise up and speak out to put certain matters that are of vital importance to our national welfare—indeed, matters which may determine our national survival or national destruction—in proper focus.

At the beginning of this session of Congress, and indeed throughout most of the long months of its sitting, we have been greatly concerned with the affairs of Europe, of Asia, and of Africa. Now I do not minimize the importance of those areas, nor do I overlook the fact that the people who inhabit those vast areas are members of the human family, and that all members of the human family are mutually responsible for the welfare of one another over the long range. But, Mr. Speaker, of immediate concern is the welfare and safety of our own country—indeed, our most immediate problem is that of national survival.

When this session began, we had high hopes that we had achieved world safety through alliances with our traditional friends, England and France, and to that end we had over the past few years spilled out in abundance our wealth and our technical knowledge, naively believing that our dollars and our technology could purchase or retain their friendship. Mr. Speaker, we have had a sad awakening. The once great Empire of France has ended in defeat and confusion abroad; and, at home, the people of France, whom we have always held in such high esteem, are in such a state of confusion that they are unable to even maintain a stable government. With the surrender in Indochina, our pivot of defense on our eastern frontier has collapsed; and with it all of our hopes of gain from the billions which American taxpayers have poured into France since 1946 in an attempt to bolster our faltering friends of that once great nation. Only our late enemy, the Bonn government of Western Germany, deters our mortal enemy, Communist Russia, from moving into and making of Paris only a satellite capital of an atheistic empire.

Our other and even more traditional friend, the government of Her Britannic Majesty has fared but little better and, despite the financial aid which we have given to that once great empire, offers us now no aid and comfort in assurance of our own safety. Not only is her Commonwealth of India, with its vast hordes of people and vast riches as well extending aid and comfort to our enemy, but as I speak these words, the leader of Her Majesty's loyal opposition, and longtime first Minister, Mr. Clement Attlee, is, together with his closest advisers, making a quasi-official tour of those bleak lands inhibited by the poor slaves who are doomed to dwell behind that forbidding frontier which Britain's great but now aging first Minister himself designated as the Iron Curtain.

In Korea, Mr. Speaker, our great Nation suffered its first defeat on the field of battle in all its long history. Let us face that fact, Mr. Speaker. It is now a part of history. In losing on the field of battle, we lost face throughout the Far East, and hence we contributed to the surrender of Indochina, and the Japanese Empire, so firm in its friendship for us in its time of defeat, is now looking more and more toward its neighbor and our enemy, Communist China.

Now, Mr. Speaker, we must face some unpleasant facts. We have demonstrated that we are capable of being the world's mightiest warriors; we have demonstrated in Japan and Germany that we can be magnanimous in victory; and we have demonstrated in Yalta, in Potsdam, in Berlin, in Geneva, and in Caracas that we can be and usually are naive fools at the conference table.

And now, Mr. Speaker, let me return again to the main theme of this address: That our national survival demands that we cease our global fencing with windmills and take measures that will insure our own safety, and give credit where credit is due. This year of 1954 will go down in history as the year in which American foreign policy met disaster in all of those places where it should have been successful, and in which it made a beginning of success in the place where it was to have been least expected.

Mr. Speaker, in my own State of Louisiana is located the great city of New Orleans, which is the second port of our Nation. When this session began, there was an atheistic Communist government in existence that was no more than an hour away from New Orleans by modern jet fighter plane. That evil Communist government was firmly in control of the territory and people of our friend and neighbor in our own hemisphere, the Republic of Guatemala. Those functionaries of our Government charged with the conduct of our foreign relations should be held to stern account for permitting a condition to come about whereby our friends and neighbors in Guatemala could be seduced by our enemy; and it is a sad commentary on all of us that we failed for so long to recognize the obvious fact that, while we planned furiously to stop godless communism from spreading in southeast Asia, 7,000 miles from our shores, we did nothing to aid our friends in Latin America to prevent its tentacles from closing down upon a sovereign American Republic, from which a hydrogen bomb could have been delivered within an hour to cast destruction upon our own land.

Now, Mr. Speaker, as this momentous session of the Congress of the United States draws to a close, we may all thank God and the patriotic people of the Republic of Guatemala and a few citizens of our own country for bringing to an end the direct threat to our survival that has ever faced our American homeland. This handful of patriotic men and women, against the greatest of odds, and with little assurance from our own Government, have brought to an end in ignominious defeat the first attempt of atheistic communism to establish itself officially in the Western Hemisphere.

Obviously, it would be impossible to name individually each person who had a part in destroying the Communist

government in our own backyard while we spent our time and our money in a futile attempt to stem the tide of communism 7,000 miles from our own shores. We know, of course, such names as Col. Castilla Armas, now the head of the ruling junta in Guatemala, and of Col. Elfego Monzon, who is also a member of the junta, and is the man who controls the professional military forces of that nation. We also know about the efforts of our own Ambassador, John A. Peurifoy, who gave his assistance in the ultimate showdown, when the Communist government was actually overthrown. However, we do not know about such patriotic Guatemalans as Col. Roberto Barrios Peña—Pain-ya—former Chief of Staff of the Guatemalan Army and former superintendent of its military academy, who has spent a fortune and more than 5 years in exile from his native land fighting, sometimes forlornly and alone, to prevent the engulfing of his native land by atheistic communism.

Now I mention Col. Barrios Peña—Pain-ya—because we in Louisiana have been honored to act as host to him during much of his period of exile, and he is a man of such background, vision and patriotism as to be an asset to all upon whom he bestows his talents and understanding. He it was who became the first Spanish American anti-Communist; he it was who became the first prominent Latin American to become an exile and be deprived of his property and his income because he would not compromise with his principles. And during all of that exile, this great man has loved his country with a deep and abiding love, and while giving to us the benefit of his knowledge as a student, as a military man and a statesman, he has never sought power for himself, and he has never failed to point out to us that our survival depends upon the strong friendship of the nations of this hemisphere, banded together in a concordant of mutual friendship and respect. We want no satellites in the Western Hemisphere; no nation should be subservient to any other nation. Of more importance, we should stop depending upon talk alone to sustain our vaunted "good neighbor" policy in Latin America. Again let us face the facts: While we have insisted that we are the good neighbor of the nations to the south of us, we have spent many times as much upon Germany and Japan, our enemies in the great war that ended in 1946, than we have upon those friendly nations of our own hemisphere whom we delight to call our good neighbors.

Mr. Speaker, we have much to learn from the experience in our neighboring Republic of Guatemala about the evil design and careful intrigue of our enemy. The overthrow of the Communist government in that Republic was brought about by the people themselves, with only the aid of a few patriots in our own country; and yet it was made to appear to the world that we had intervened in the affairs of Guatemala. Soviet Russia, great world power and force for evil which she is, made no attempt whatever to maintain her first American satellite in power. Those of us who understand the nature of Communist intrigue and conspiracy knew full well there was some reason for the failure of Russia to support her satellite government in Guatemala, and the reason was very soon made apparent. Not unexpectedly, the explanation was given by Mr. Clement Attlee on the floor of the British Commons, when in a debate with Her Majesty's First Minister about Indochina, he justified the intervention of Communist China in Indochina by comparing it with the intervention of the United States in the Republic of Guatemala. And so, by a clever maneuver, we stand accused before a hostile world, always too ready to believe the worst of us, of being ourselves an aggressor nation.

Finally, Mr. Speaker, the people of the United States are getting a little weary of supporting unwilling allies who become faltering friends in the face of danger. One-worldism, the brotherhood of man, the United Nations, all are comfortable dreams, dreams that we hope may in time become reality, but the reality of the moment is that we stand before the world in mortal peril, and our only source of strength is the firm and willing friendship of the nations of this hemisphere. We vary from our neighbors to the south in language and in customs, but we conform with them in more ways than we vary. We spring from a common heritage as colonies of European nations, and we share the same sweetness of liberty gained by the valor of our arms and the courage of our people. We have a common ancestry of aggressive and daring Europeans who dared to leave the comfort and safety of known surroundings to plunge across the dark Atlantic and into the unknown jungles of the New World to search for liberty, freedom, and riches.

Why then should we give of our sustenance to those unwilling and tired old civilizations of Europe that our valorous ancestors quit so many years ago? Why should we fear the worst that the Old World may threaten? We of the Americas are giants of strength, sharing a common heritage, devoted to our God and our respective nations, desiring to live only in peace with the Nations of other hemispheres but ready to defend our liberties if need be, convinced beyond any doubt that the outcome can never be other than in our favor in any contest of might between the tired old nations that lie behind the Iron Curtain, whose people live in slavery and degradation, while we of the Americas are joined forever in a pact of mutual respect and dedication to God and our individual freedom, not as master and servant, not as planet and satellites, but as sovereign equals determined to maintain our common heritage.

One last word, Mr. Speaker, before we ring down the curtain on this memorable Congress. Our people too often fear an economic depression, and some timid economists among us say that we have never really gotten out of the great depression of the 1930's, but that we have received respite only by reason of our numerous wars. What men of little vision. Depression is the result of the false philosophies and economies of the tired and outworn governments of the Old World. We of the Americas have been blessed beyond all measure by divine providence.

South of us there is untold natural wealth awaiting the miner, the prospector, and the forester. Southward also are 180 million people, all potential customers for highways, mills, factories, railroads, airlines, automobiles, televisions, air conditioners, all of the vast wealth which we of the United States have so well been able to produce and make available to the man in every walk of life. Depression. Ridiculous. We face, together with our independent friends to the south of us, as well as our English-speaking friends above our northern border, unlimited prosperity for the next 500 years, bringing the highest standard of living on earth to all the peoples of America.

Let us, then, Mr. Speaker, say goodby forever to faintness of heart and those of little faith. Let us concentrate our efforts, our riches, and our cooperation among those friends who understand us and appreciate us, because we are all Americans. If we will concentrate our efforts for a decade on those friendly nations of our own hemisphere, we may forget aggression from without. The only aggression we need fear is the knocking at our gates of those less fortunate peoples of the Old World, seeking our permission to peacefully and as friends, join the peoples of the Americas in the enjoyment of liberty and the free worship of God in the highest and most satisfying society that man has ever devised. Let us never lose sight of the sacrifices made by Christ, our Saviour, and remember that we, as mortals, can do little; but through His guidance, all things are possible.

Accomplishments of the 83d Congress

EXTENSION OF REMARKS

OF

HON. JOHN V. BEAMER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 18, 1954

Mr. BEAMER. Mr. Speaker, accomplishments of the 83d Congress are so numerous that only a bare outline can be given. Previously, certain important measures and events have been outlined, and others can be given on future occasions. However, I would like to set forth some of the highlights:

Fighting in Korea stopped and no American lives are being lost.

More defense with less money. Defense structure has been strengthened and cost of its maintenance has been cut by billions of dollars.

Firm, consistent foreign policy, based on principle of collective security, leads

toward a just and lasting peace. No appeasement with communism.

Rigid economy and elimination of waste in Federal Government has cut billions of dollars from Government spending. More than 213,000 Federal employees have been eliminated.

Greatest tax reduction in history. Savings of $7.4 billion to individuals and business, with the lion's share going to the people themselves.

Inflation halted and sound fiscal policy inaugurated.

Controls are gone in industry.

Social-security system has been broadened and benefits increased, and entire system is being placed on a more nearly sound actuarial basis.

Health and education programs for encouragement and assistance to the States have been provided.

Judicial system relieved with the addition of 23 new judgeships—2 in Indiana.

Hoover Commission Government reorganization plans—14 of these—were passed. These will result in efficiency and economy and savings of billions of dollars to the taxpayers in the years ahead.

Housing Act also takes Federal Government out of competition with home builders, will save further waste, provides for 35,000 units for 1954 and, for the first time, is slum clearance.

Farm program is being met in an honest realistic manner to insure agriculture fair treatment in future as well as at present time. Immediate needs were met in cases of drought and surpluses.

St. Lawrence Seaway, stripped of frills, was made possible by United States participation.

Socialism being stopped. Submerged lands returned to States in traditional and constitutional boundaries; Federal barge lines sold; synthetic-rubber plants authorized for resale; power projects now being made available to private as well as to public interests; Atomic Energy Act amended for development of peacetime applications by private individuals or corporations; highway construction totaling $3.5 billion authorized for a 2-year program which places more authority in the hands of the States.

New moral climate with almost no public scandals and a return to recognition of a faith in God as exemplified by President Eisenhower and many others in high position.

The Present Situation of Agriculture and a Brief Report on the Agricultural Act of 1954

EXTENSION OF REMARKS

OF

HON. WILLIAM S. HILL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 18, 1954

Mr. HILL. Mr. Speaker, I should like to discuss with this House the present situation of agriculture and give a brief report on the Agricultural Act of 1954.

Mr. Speaker, it has been said that American agriculture has reached the end of an era. Farm legislation during World War II, the postwar period and the Korean war has consisted of high production goals, 90 percent of parity on the basics and price supports stimulating high production of many other farm commodities.

The heavy surpluses now in the Commodity Credit Corporation have accumulated in the past couple of years as an aftermath of the wartime era. The failure of the previous administration to invoke necessary controls to keep production in line in 1952, and the rather quick shift from a wartime to a peacetime economy following the Korean armistice contributed to the accumulation of surpluses in the CCC.

Your Committee on Agriculture, a committee on which I have been proud to serve for the past 12 years, realized early in the 83d Congress that great changes were taking place in the farm segment of our economy. Our committee decided to go to the grassroots to sound out farmers' thinking on these changes. Hearings were held by the committee in numerous farm communities, large and small, from Maine to California, and anyone who wished to testify could tell the committee what type or kind of legislation they wanted for a long-range farm program. This was excellent testimony, given by the farmer or his wife, and our committee benefited greatly from it.

One misconception which should be dismissed when discussing farm legislation is that price-support programs are the direct and only cause for high food prices. This is not the case, and the fact of the matter is that the farmer gets surprisingly little of the consumer's food dollar.

Let me give you the facts on the farmers' share of the consumers' dollar on one commodity: Wheat. Following the removal of price controls in the fall of 1945, prices received by farmers for wheat moved upward to a peak in 1947. Retail prices of cereals and bakery products increased even more rapidly between 1946 and 1948.

Farm prices for wheat declined sharply as a result of good harvests and a drop in exports in 1948 and 1949 and then recovered somewhat in 1951 and 1952, as a result of increased demand associated with the Korean war. Since 1952 the farm price of wheat has dropped 10 percent and would have dropped further except for existing price supports.

In contrast to the ups and downs of the farm price of wheat, the retail price of cereals and bakery products has moved only in one direction since World War II—up.

Out of each dollar spent by the American housewife for domestically produced food, 56 cents now goes for processing, marketing, and transportation charges. The farmer receives only 44 cents.

We should never forget how closely tied up the welfare of our agriculture is with the entire economy. The crops the farmers grow not only go on to the dinner table and into making clothing, but they also have found countless industrial uses. For instance, corn is used for the production of starch and starch derivatives, the production of alcohols—ethyl and butyl—and the production of organic acids. Significant economies and improvements in industrial methods have been realized because of the proper exploitation of agricultural residues, such as corncobs, rice hulls, shells of nuts and fruit pits.

And, we should not forget the effect the farmer's income has on the economy. Farmers received approximately $10.3 billion in marketing income during the first 5-months of 1954. This money goes back into the mainstream of the American economy through the farmers' purchase of goods and services. So we can see that farmers are not only one of the most important producing groups in the country, but one of the most important groups of consumers as well.

It is not difficult to see what happens percentagewise to our economy when you curtail the purchasing power of 20 million people. It becomes clearer as to how much the prosperity of this country depends on the farmer when you realize that nearly every American city of 10,000 or less depends largely upon agriculture as the basis of its economic life.

In the past 50 years the emphasis in agricultural research and experimental work has been on development of better seeds, improved farming operations, and all that goes to increase output of farm commodities. The result has been a 40-percent increase in farm production.

MARKETING RESEARCH MUST BE EMPHASIZED

Now it is time to begin another phase of agricultural research, namely, the marketing of farmers' produce and controlling the amount the farmer gets from the consumer's dollar.

Mr. Speaker, the 83d Congress has been a productive Congress by way of introducing and developing and passing farm legislation of outstanding and far-reaching effect on future farm programs of the United States.

A brief discussion and analysis of several of the significant agriculture bills passed by this Congress will indicate the creditable record of this Congress in both temporary and long-term farm legislation.

DROUGHT-RELIEF BILL

One piece of legislation to help farmers on a temporary basis, and we all hope for the immediate future only, was a bill I had the privilege of introducing to provide Federal assistance to farmers hard hit by drought. In July of 1953, as chairman of the Livestock Subcommittee which investigated drought conditions in the western areas, I got a vivid picture of what impossible conditions farmers were facing. Most of the fields were as bare as if it were midwinter. And today this drought condition has spread to most sections of the Midwest.

The measure which I introduced provides payments of up to $1 per acre for farmers who carry out emergency wind

erosion measures under the 1954 agricultural-conservation program. This act has helped and, I hope, continues to help farmers preserve their topsoil in the face of discouraging wind and drought conditions which have plagued so many sections.

SURPLUS DISPOSAL BILL

Another measure passed by this Congress and of great importance for the immediate future is one to dispose of surplus farm commodities, a measure which I also had the honor of introducing.

This bill permits the sale of $700 million worth of surplus commodities held by the CCC. It also authorizes the granting of commodities to needy people at home and abroad, and to publicly owned hospitals and other institutions in this country. This act will result in farm surpluses being an asset to the country, both financially and in terms of good will.

INCENTIVES TO WOOL PRODUCERS

One measure which western Members of Congress were happy to see passed during this session of Congress is the wool-support program. Wool has long been a declining industry in this country. Today it is one of only two major agricultural commodities that is produced in deficit supply in the United States. The major reason for the decline in production has been the low-tariff protection given to wool, and the consequent dumping of foreign wool on the American market.

The measure which this Congress passed authorizes the Secretary of Agriculture to support wool at 90 percent of parity or above in order to encourage an annual production of 300 million pounds of shorn wool per year. The Secretary can use several methods to support the price of wool, including loans and direct production payments. It is not expected that the total of 300 million pounds will be reached soon, as only 227 million pounds were produced last year.

WATERSHED-DEVELOPMENT PROGRAM

I have discussed several important short-term acts passed by this Congress which will be valuable to American farmers during the immediate future. Now, I want to talk about some of the measures which are for the long haul, or the long-range agricultural program.

One very valuable measure for long-term planning is the Watershed and Conservation Act.

The purpose of this act is to provide the legislative authority and direction for cooperative Federal-local action in attacking the problems of upstream soil and water conservation and flood prevention. The bill provides the policies, the framework, and the standards under which action can be taken jointly by the Federal Government, states, counties, soil conservation or watershed districts, or local citizens' groups.

Based on the sound principle of payment for value received, this act provides that the cost of programs and improvements shall be shared equitably between the participants according to the benefit received.

One of the best features of this act, Mr. Speaker, is that the plans and programs for conservation and watershed work will not be handed down from the top, but can be developed and initiated at the local level. In other words, the people who see firsthand the need for such work will be the responsible initiators of watershed conservation programs.

The average net worth increased from $4,474 to $8,349. This progress was made during the average 4.1 years they operated with Farmers Home Administration credit.

Loans totaling $35,606,600 were advanced from appropriated funds to help small farmers buy, enlarge, or improve their farms and farm buildings during the year. Another $9,530,800 in real-estate credit was advanced for similar purposes by private lenders and insured through the insured-mortgage program.

Farm-water facilities and irrigation system loans, limited until the end of the 1954 fiscal year to the 17 Western States but soon to be available throughout the country, totaled $6,500,000. In the future, this program will include loans for both water and conservation purposes.

The $93,460,700 advanced to meet emergency needs and to permit farmers to continue normal operations included $35,165,000 in special livestock loans, a program that was established in July 1953.

Despite the materially increased lending operations, the Farmers Home Administration cut its annual administrative costs by about $4 million. Combining 4 area-finance offices and the national finance division into 1 national finance office located in St. Louis accounted for a large part of the savings. Reorganization of the National and States offices also contributed, as did other streamlining activities including elimination of duplicate forms and files. Administration of the agency's program is being placed closer to the farmers by giving county supervisors the power of final approval on a larger number of loans.

AGRICULTURAL ACT OF 1954

In closing I should like to make a few remarks concerning this act. There are various amendments and new sections, as well as directives to the Secretary of Agriculture in this legislation.

Surplus agricultural commodities will be planned "in a commodity set-aside": wheat, cotton, cottonseed oil, butter, nonfat dry milk solids, and cheese.

Dairy products are supported at 75 to 90 percent of parity and additional authority given to the Secretary of Agriculture to dispose of dairy surpluses.

Commercial corn and wheat areas are adjusted.

Agricultural attachés of the State Department are placed directly under the Secretary of Agriculture.

In administering programs of diverted acres, the Secretary of Agriculture may make his regulations applicable on an appropriate geographical basis; semiarid areas where good husbandry requires maintenance of a prudent feed reserve, regulations relating to diverted acres shall be administered in such a manner as to permit the production of forage crops for storage and feeding operations; disaster areas are to be administered so as to restore the normal pattern of agriculture as quickly as possible.

Price supports on the basic commodities, with the exception of tobacco, are to be on a flexible scale with a floor of 82½ percent for the 1955 crop. The support level for tobacco remains at 90 percent of parity. Mandatory price supports are continued on tung nuts and honey at from 60 to 90 percent of parity and Irish potatoes are made eligible for support along with all other nonmandatory commodities at zero to 90 percent of parity.

Many Congressmen expressed concern regarding some of the regulations and some of the entire sections of this act. However, the Congress will be in session again in less than 5 months and if amendments are necessary they can be considered and changed early in 1955.

My Report to the People: The Work of the 1954 Session of the 83d Congress

EXTENSION OF REMARKS
OF
HON. HARLAN HAGEN
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 18, 1954

Mr. HAGEN of California. Mr. Speaker, I wish to continue my report to the people of my district with respect to legislation.

HOUSING

The principal housing program of the Federal Government, with the addition of the GI loan program, has been the insurance by the FHA of mortgages to encourage lending at reasonable interest rates. This program is continued as follows:

(a) Repairs: FHA will continue to insure 90 percent, with a maximum Government insurance amount of $2,500, of the cost of repairs on single-family dwellings with a repayment period of 3 years and 32 days. With respect to multifamily dwellings these restrictions are $10,000 and 7 years and 32 days.

(b) Home purchases: On 1- and 2-family dwellings FHA will insure 95 percent of the first $9,000 of value and 75 percent of amount over that with a maximum commitment of $20,000 of insurance. The maximum for a 3-family dwelling is $27,500 and for a 4-family dwelling $35,000. The payout period can be as long as 30 years or the anticipated life of the property, whichever is lesser. These rules apply to both old and new dwellings with a new permissible interest rate of 6 percent. The increased insurance will result in lower down payments.

(c) Special provision is also made for low-cost housing in rural and suburban areas which do not qualify under ordinary FHA standards of location of prop-

erty. A farm home can qualify here if it will be adjacent to a highway and situate on at least 5 acres. The maximum of FHA mortgage insurance is $6,650 to an owner-occupant-mortgagor.

(d) Provision is made for insuring repairs which substantially protect or improve the basic livability or utility of property already under FHA mortgage. Increments to the FHA mortgage obligation for this purpose can bring the total obligation in excess of the original FHA commitment if used for building additional enclosed space. A GI owning a home can now use his full $7,500 guaranty entitlement for this purpose.

VETERANS

The Veterans' Affairs Committee of which I am a member reported the following legislation which was approved by both Houses:

(a) Added 1 year to the present 2-year period during which Korean war veterans can exercise their option to take Government-sponsored college or other training. The same legislation clothed the VA Administrator to extend the time of initiation and completion of rehabilitation training of World War II and more recent veterans who were prevented from such training by their disability, a prior inability to establish the service connection of their disability, or a discharge which has been corrected to an honorable discharge.

(b) Very often private capital will not finance GI housing outside of metropolitan areas. To meet this problem a program of direct Government loans to GI's was instituted. This program was continued for 1 year and the appropriation therefore increased to $150 million.

(c) Briefly there are two categories of persons receiving veterans' money payments. Veterans with a service-connected disability, their widows and surviving children and surviving dependent parents. Veterans with a completely disabling non-service-connected disability which rendered them unemployable and their surviving widows and children. The latter groups must meet certain pauperlike income and property restriction. The Congress passed a bill increasing service-connected disability payments by 5 percent, increasing a childless widow's allowance by $12 and a surviving parent's allowance by $15 in the case of a sole parent and $10 in the case of 2 surviving parents. A subsequent bill increased benefits to non-service-connected pensions and their surviving eligibles by 5 percent.

(d) Appropriations for veterans' hospitals were inadequate because of the action of the Administrator and the Appropriation Committees.

SOCIAL SECURITY

The social-security system was liberalized as follows:

(a) Coverage was extended to self-employed farmers, architects, engineers, funeral directors, public accountants, domestic, and casual workers receiving as much as $50 from a single employer in a calendar quarter, and farm workers on the same basis except the monetary amount is $100, fishing industry employees; on a majority vote basis employees under State and local government retirement systems; ministers and members of religious orders can be included on a voluntary basis.

(b) Earning limitations: No limit now for persons 72 and older. Persons under such age can earn $1,200 without losing benefits.

(c) Amount of benefits depends on the average monthly wage. In making this computation under the new law 5 years of low or nonexistent earnings can be excluded. The limit of annual earnings which applies in such computation is increased from $3,600 to $4,200.

(d) Greater payments are permitted. For those presently on the rolls they may range from $30 to $98.50—for those qualifying hereafter $30 to $108.50. The percentage of average monthly wage in calculating benefit payments is increased. Survivors benefits are increased and the widow, widowed mother, or parents of a person who died after 1939 and prior to September 1, 1950, are made eligible even if the decedent had only 6 quarters of coverage.

UNEMPLOYMENT INSURANCE

Coverage of the act was extended and other minor changes were made.

(a) On the basis of service performed after December 31, 1955, Federal employees will be covered with the Government making the employer contribution on the basis of reimbursement to the States of claims paid. The amount and duration of benefits will be governed by the law of the State where the employee last worked.

(b) Otherwise eligible employers who employ at least 4 employees in each of 20 weeks will be subject to the act. This will not affect California which already qualifies an employer with a lesser number of employees. Although farmers and some farm workers were included under the social-security coverage attempts to include farm workers under unemployment insurance coverage were rejected.

(c) Employers with a good employment history can now qualify for reduction of payment after 1 year rather than the present 3 years. This is of benefit to new employers.

ANTISUBVERSIVE LEGISLATION

Both Houses passed a bill which would outlaw the Communist Party. The effect of this provision is uncertain, inasmuch as party membership is not made a crime, but apparently it will destroy the visible party apparatus such as its offices, its publications, its candidates on the ballot. The same bill provided that Communist infiltrated unions would be denied the protection of the labor relations law.

RAILROAD RETIREMENT

The Railroad Retirement Act was liberalized in a great many particulars. The age of eligibility for widow and dependent parents for survivors annuities was reduced to age 60. The maximum daily benefit rate under the Railroad Unemployment Insurance Act was increased from $7.50 to $8.50.

BRYSON BILL

A number of my people expressed support of the Bryson bill which would establish regulation of the methods of liquor advertising on radio and TV. Neither the House nor Senate committees approved such legislation, but the House committee advised the industry of its concern with this problem by requesting a report from the industries concerned as to past efforts and future intentions for self-policing of disapproved practices.

MY VOTING RECORD

One of the tests of diligence of service is active participation in the affairs of the House. One of the evidences of such participation is the record of voting and being present. During the 1954 session of Congress there were 148 recorded rollcalls. Of these 76 were votes on issues and 72 were mere quorum calls. I failed to vote on an issue only once and missed only three quorum calls and had no absences from my committee meetings.

The ACP Is Being Strangled to Death by Departmental Red Tape

EXTENSION OF REMARKS

OF

HON. JAMES G. POLK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 18, 1954

Mr. POLK. Mr. Speaker, as one of America's 7 million farmers and as a Representative of thousands of other farmers in the Sixth District of Ohio, I am becoming increasingly concerned about the policies and programs of the present administration relating to the agricultural conservation program, commonly known as ACP.

Through the ACP the Federal Government shares with the farmers the cost of soil and water conserving practices deemed essential to the welfare of the Nation. The cost sharing is provided for conservation in addition to that which farmers may be expected to carry out with their own resources.

It is a well established fact that we in the United States are wasting our topsoil many times faster than India or China ever did. Millions of acre-feet of good topsoil are washed away each year. Every muddy stream, creek, and river is constantly carrying this topsoil away and depositing it in the oceans.

Furthermore, most if not all of the chemicals necessary for plant growth are being rapidly depleted from many of our soils by intensive farming practices, by soil leaching, by soil erosion and by a lack of grass cover for the soil.

In the lifetime of those in this generation we have seen the number of acres of good soil drop from over 3½ acres per person in the United States to just a little more than 2 acres per person. It is relatively easy to preserve the topsoil but it takes a long time and is an

expensive job to build land back into productive capacity after the topsoil has been allowed to erode away, or after its plant food has been lost.

Our Nation's leading soil scientists from the 48 State agricultural colleges tell us we have only made a small start in preserving and protecting our soils. The figures of these soil specialists indicate that to just hold our own in preserving and protecting our soil it would be necessary to spend over $1,556,000,000 per year for this purpose.

Realizing the importance and urgency of the soil-conservation problem and particularly with reference to the difficulties surrounding this problem on the small family-size farm, the Congress, a few years ago, provided by legislation for the agricultural conservation program or ACP. The initial legislation authorized an annual appropriation not to exceed $500 million for this purpose. The full amount was never appropriated but for a few years appropriations ranging from $250 million to $300 million were made for this purpose.

Last year the new administration decided to curtail the ACP program and asked Congress to appropriate only $140 million for the ACP. The House and Senate disregarded this administration request and appropriated $195 million or $55 million more than asked for by the Secretary of Agriculture. Again this year a budget request for only $140 million was submitted to Congress for ACP and again the House and Senate raised the total amount to $195 million and stipulated that $55 million of this be used for soil conservation practices on diverted acres.

As originally planned the agricultural conservation program was largely planned and operated by farmers as a part of the work of the farmers elected to serve on what was then known as the PMA committees. Local PMA committeemen, well informed concerning soil conservation problems in their respective communities, made specific recommendations to the State PMA committee who in turn submitted the State plans and recommendations to the USDA in Washington for final approval. Generally, the PMA farmer committee recommendations were approved and were incorporated in the ACP Handbook, the official published list of approved soil conservation practices and the regulations to be followed by farmers in order to participate in the program.

Under this former system of procedure the ACP funds were used for the soil building and soil conservation practices which farmers themselves considered best for their local communities.

Now, I find the procedure is that the rules and regulations and the approved practices for the agricultural conservation program are largely formulated here in Washington by officials of the USDA.

Furthermore, I find that the rules, regulations, and approved ACP practices are so complicated and so arbitrary, in many instances, that farmers either cannot or will not comply with them for the small benefits they receive.

Secretary of Agriculture Benson has set up administrative procedures which are the most complex since the conservation program was started in 1936 and I believe this is the principal reason so many farmers are not participating in the program. For example, last year over $30 million was turned back to the Treasury because farmers could not get around the redtape and complete their conservation practices.

In 1952, the last year for which complete figures are available, 2,285,000 farmers participated in the agricultural conservation program by sharing with their Government the cost of carrying out sound conservation practices. To date less than one-third of that number have signified their intention of participating in 1954. The use of agricultural limestone which was over 27 million tons in 1952, to date this year has been less than an annual rate of 15 million tons. The use of superphosphate has dropped from 84,000 tons to 25,000 tons under this program. In 1952, 368,706 acres of cover crops were grown under the agricultural conservation program. This important practice has been eliminated in 1954. I could go on with practice after practice which, since the agricultural conservation program was started in 1936, have been greatly expanded on the Nation's farms. Now they are being greatly reduced.

It is not the tons of lime, superphosphate, and potash or the acres of cover crops which are in themselves important. It is the thousands of acres of clover and alfalfa that is growing, instead of ordinary grass, heavily fertilized with calcium from the lime, potash, superphosphate, and so forth, which makes for better animals and vegetables and ultimately healthier people, that is really important. The acres of clover and other legumes went from 43,538,000 in 1935, prior to our national agricultural conservation program, to 50,848,000 in 1944 the highest in our history, but dropped to 48,386,000 in 1953. Clover production is estimated to be slightly higher in 1954. Under the 1954 agricultural conservation program we are not going ahead, but we are losing a great deal of the gain we have made.

The problem poses some particular questions. Why did this administration ask for lower appropriations for ACP? Is it solely for the purpose of endeavoring to make a showing of economy?

Naturally we are all interested in economy and efficiency in Government, but this certainly is the highest form of false economy. To do anything to stifle the efforts and the interest of farmers in soil conservation would seem to me to be a very unsound public policy.

Why was the former policy of permitting farmers, through their elected committeemen, to formulate and carry out the ACP practices and procedures they thought were best suited to their needs, changed to a policy of sending out from Washington complex and impractical rules and regulations with which farmers must comply to the letter in order to receive ACP funds?

Is it because the administration wants to kill the program?

It is my belief that unless farmers and farm organizations and all other persons concerned with the problem of soil conservation wake up and start to fight for the continuance of the ACP, it is doomed.

The program will be abandoned not because Congress is opposed to it, but because the Secretary of Agriculture is opposed to its continuance. It is my opinion that the ACP is being quietly and deliberately strangled to death by departmental redtape.

This to me is an intolerable situation and one that should be called to public attention. I shall have more to say about it in the future.

Friendship Between Nations Promotes Understanding of Mutual Benefit as Expressed by Hon. Antonio J. Bermudez, of Mexico

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EXTENSION OF REMARKS

OF

HON. CHARLES A. WOLVERTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 18, 1954

Mr. WOLVERTON. Mr. Speaker, in this day of uncertainty in world affairs the need for real friends is apparent. The free nations of the world are continually seeking ways and means to maintain the principles of democracy. America has spent billions of dollars around the world, particularly in Europe, to strengthen democratic nations. As time moves on it becomes apparent that money alone cannot buy time and lasting friendships.

It is in this connection that I wish to bring to the attention of our people the words spoken by a great Mexican, Hon. Antonio J. Bermudez. Today he is the director general of Petroleos Mexicanos. At the time he spoke the words to which I refer he was the mayor of Juarez, Mexico. The occasion was the 10th annual conference of mayors of the United States, in 1942, held in the city of Washington, D. C. The Honorable F. H. LaGuardia, mayor of New York City, was president of the United States Conference of Mayors at the time and the presiding officer at the convention. The list of speakers at the conference included many outstanding officials of our national government and representatives from other governments outside of the United States.

Among those attending the conference from countries other than the United States was the Honorable Antonio J. Bermudez, mayor of Juarez, Mexico, appointed by President Avila Camacho of Mexico to participate in the conference as the representative of mayors of Mexican cities.

In addressing the convention, Senor Bermudez expressed thoughts that might well be the present day-to-day, year-to-

year policy as well as in 1942 when uttered, not only between his native land, Mexico, and the United States, but also as the basic policy of all nations in their relationships with one another. To know Senor Bermudez is to recognize the spirit of sincerity that dominates his every act and thought. The words he speaks and the acts he performs always come from the heart and the result of deep conviction. The thoughts he expressed in the address to which I have referred take on additional significance when it is realized that he was appointed as the representative of mayors of Mexican cities by Avila Camacho, President at that time, of Mexico. President Camacho was then and always has been a true friend of the United States. Thus, the words of friendship expressed by Senor Bermudez may be considered as also expressing the views of President Camacho.

I cannot emphasize too strongly the mutual advantages to be gained not only by Mexico and the United States by an adherence to the principles of friendship as outlined in the address, but also as between all the friends of democracy on this American continent and throughout the world. The ideas expressed by Senor Bermudez should be accepted as a pattern to be followed at all times, in times of peace as well as in times of war. After all the sacrifices and suffering incident to war a structure of better understanding and a friendlier life both continental and worldwide could and should be built upon a foundation of friendship.

What finer or more idealistic statement of the objectives of true friendship could be expressed than in the words of this distinguished Mexican, when he said, "We believe that everything that is good, everything that is right, should be accomplished in the name of friendship." And, what greater assurance of true friendship between the two great Republics of Mexico and the United States could have been stated, or, with greater sincerity, than when he said in his memorable address:

> We feel that the future of the United States is the future of Mexico, and the destiny of the United States is the destiny of Mexico, that the friends of the United States are the friends of Mexico, and the enemies of this United States are the enemies of Mexico.

I conclude my remarks by including the entire address of Senator Bermudez. Brief though it is in words, yet strong and appealing, as it makes friendship between nations the real basis for promoting and strengthening a better understanding among nations. The address reads as follows:

ADDRESS BY THE HONORABLE ANTONIO J. BERMUDEZ, MAYOR OF JUAREZ, MEXICO

I never make speeches in my own land, and I know very well that I cannot make a speech in a foreign language, but I am delighted to attend and say a few words.

On behalf of our country, my colleagues from Mexico and I wish to say that we are gratefully honored in attending this conference of Canadian and United States mayors. We know that this conference will be fruitful and successful.

I bring you greetings from His Excellency, Avila Camacho, the President of our country, and from all the mayors of Mexico, and as Mayor LaGuardia said, "We are all in the same boat." We do not come here only and merely as mayors. We come as allies in the same worthy cause. We come here as good neighbors, and we come here as good friends.

We Mexican people are strong believers in friendship. We believe that friendship is a beautiful word, with a beautiful, far-reaching meaning. We believe that everything that is good, everything that is right, should be accomplished in the name of friendship. Reciprocal acts of friendship are mutually beneficial and very necessary at this hour, and because we feel that way, I will say that the good-neighbor policy of the United States has been and continues to be the perfect masterpiece of international friendship.

We know that there will be some very valuable knowledge derived from this conference, that there will be some very enlightening discussions, and my colleagues and I will listen very attentively and try to acquire some of that knowledge to take back home with us, in order that when we go back to our country we may be better able to serve our community, better able to serve the world, and above all things, better able to cooperate with you. We want to render you our fullest unlimited cooperation. Mexico wants to fulfill and to execute her duties loyally and faithfully. It is only logical and natural we feel that way because at this hour, at this moment, we feel that the future of the United States is the future of Mexico, that the destiny of the United States is the destiny of Mexico, that the friends of the United States are the friends of Mexico, and the enemies of the United States are the enemies of Mexico.

Self-Incrimination and Fifth Amendment Abuse

EXTENSION OF REMARKS
OF
HON. PHILIP J. PHILBIN
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 18, 1954

Mr. PHILBIN. Mr. Speaker, under unanimous consent to revise and extend my remarks in the RECORD, I include therein a most thoughtful and ably written editorial from a recent edition of the distinguished Boston Herald and the distinguished Worcester Telegram, both prominent, outstanding, Massachusetts newspapers, entitled "Self-Incrimination" and "Fifth Amendment Abuse."

As the Members of this House will observe, these editorials very ably deal with some of the problems posed by recent legislative efforts to change the law relating to witnesses and their testimony before congressional committees.

As I have previously observed on the floor, these are vital questions which go to the very root of our constitutional system. Will we continue to have a Government under our great Constitution scrupulously following the rule of law which by that immortal document protects the rights of individuals, or will we move in the direction of eliminating the basic constitutional safeguards and protections which this Nation has historically observed since its inception and adopt the totalitarian pattern of suppressing these rights?

Personally, I do not believe that, except in rare instances when martial law may be temporarily justified, whether it be in war, disaster, catastrophy or in the struggle against communism and subversion, the Congress would ever be justified in abating these great constitutional principles which have served us so well and which have so materially helped to bring greatness, strength, and glory to this Government.

There will be abuses of every law. There will be abuses of the constitutional protections. There will be certain shady, criminal, unscrupulous, and subversive individuals who may profit by these abuses. No doubt some of the abuses referred to could be eliminated by more intelligent application of the Constitution and existing laws by administrative officials and congressional committees. But essentially the abuses permitted by constitutional safeguards would be in my opinion mild and negligible indeed as compared to those that would develop out of the scrapping of the Constitution and the nullification of our time-honored constitutional provisions contained in the body of that document and the Bill of Rights which guarantee the very fundamental rights of Americans and all those living under the American flag.

If to some extent these provisions are a refuge for the guilty and the subversive, how much less desirable it would be to have a legal situation wherein the guilty and innocent alike, either through well-meaning error, or the caprice and whim of officialdom, are stripped of all their defenses against oppression and tyranny, subjected to the terrors of ruthless inquisition and finally condemned to punishment against every sacred and ancient principle of Anglo-Saxon law solely as the result of their own admissions and statements wrung out by coercion and compulsion under the color of law.

Such procedures are not only contrary to every basic principle of American constitutional law, but they are also inimical to the spirit and traditions of this great Government. It is unthinkable that this Nation should be forced to abandon its tested and invaluable constitutional principles in order to check the activities of Communists and subversives. And of course it is constitutionally indefensible as well and unnecessary to set up one rule of law for subversives and another for all others.

No one has been more articulate than I have been since my membership in Congress in pointing out the great peril to American liberty that is presented by the existence and increasing activities of the world Communist conspiracy. I have believed and hold sternly to the view that we cannot move too speedily or too vigorously to uproot this great evil which is threatening free institutions. But we must take this action in the American way, not in the totalitarian

way. We must take it with full respect for and adherence to our sacred Constitution, our laws and our traditional principles, or we will be playing into the hands of the Communists by using the very methods and tactics which we condemn in their tyrannical systems.

The techniques proposed by the so-called anti-immunity bill are fantastic and confused beyond measure. They baffle understanding. Their only possible effect would be to intermingle and mix legislative, executive, and judicial powers into a bewildering pattern serving only to thwart and befuddle real law enforcement and what is worse cancel out certain individual constitutional rights.

If there is one thing absolutely essential for us to do as Americans in the great crisis confronting us, it is to stick tenaciously to the great principles and truths of our immortal and unequaled Constitution. It provides proper, lawful ways and means to effect those changes which modern progress may dictate. It affords ample powers of law enforcement consistent with basic legal principles of morality and justice. But to tamper and traffic with its most sacred provisions is bound to work great damage and injury to the moral integrity and spiritual validity of American institutions.

The editorials follow:

[From the Boston Herald of August 7, 1954]

SELF-INCRIMINATION

The immunity bill which the House of Representatives has just approved by the huge margin of 293 to 65 goes very far to satisfy the requirements of due process. It is so cautiously written, in fact, that the lawmakers may have trouble reconciling it with the tougher Senate version in the few days that remain to this session.

But many honorable people will continue to question its propriety.

The immunity bills are, of course, all aimed at getting around the self-incrimination clause of the fifth amendment. Recently many witnesses before congressional committees (and to a lesser extent grand juries) have abused the constitutional privilege in order to escape testifying on matters of genuine public concern. And both Congress and the administration have moved determinedly to close the loophole.

The remedy advanced has been to grant the witness immunity from prosecution in connection with anything he may say, so that he will cease to be, in the constitutional language, a witness "against himself." The consensus of legal authority has been that, where the immunity grant is as broad as the guarantee, the witness may be compelled to talk under penalty of contempt.

Making the immunity complete is not as easy as it seems. There is a question, for example, whether the Federal Government can grant immunity from prosecution in a State court. There is also a question how far immunity goes in cutting off a chain of evidence which may lead to a related crime. Probably these technicalities can be worked out. But questions will still remain.

Is the fifth-amendment protection, as it has developed, in fact applicable only to cases which might lead to criminal prosecution? Is not a Communist or former Communist, still being made a witness "against himself" in a very real sense, if he publicly confesses his crime even with immunity from prosecution? The ordeal of the hearing, public opprobrium, possible loss of employment, are all punishments, whether legally recognized or not.

And Dean Griswold has reminded us of another question, raised by Justice Stephen Field a half century ago. "The essential and inherent cruelty," the judge said, "of compelling a man to expose his own guilt is obvious to everyone and needs no illustration." The cruelty, he implied, was in the self-exposure, not the punishment that followed.

But, it may be asked, why worry about being cruel to Communists? Are they not the cruelest of all? And do they not richly deserve exposure? Obviously we owe nothing to them. And obviously we have an obligation, not merely a right, to expose them wherever we can.

That is all true. But we must move slowly in remaking the Bill of Rights for our own sake, not for the Reds. It is our form of Government which is at stake. Justice Holmes once said: "We have to choose, and for my part I think it a less evil that some criminals should escape than that the Government should play an ignoble part."

It may be possible to write an immunity bill which serves the good purposes sought by the Government without in any way taking away from the dignity and integrity of our constitutional processes. But we must be sure before we act.

We should remember that compulsory confession of crime is one of the features of the Soviet system which Westerners have always found most "ignoble" in the very sense Justice Holmes meant.

[From the Worcester Telegram of August 10, 1954]

FIFTH AMENDMENT ABUSE

The troubled postwar years, filled with the growing menace of Communist intrigue and subversion, have seen the rise of a vexing constitutional and legal problem in this country. It concerns the use of the Fifth Amendment by persons anxious to avoid testimony before courts, grand juries and congressional investigating committees.

Before 1946, this practice was not in the public eye. But, in the past four or five years, the American public has stared in amazement at the parade of witnesses refusing to answer questions regarding their associates, their business practices, and even their loyalty to this country, on the ground that they might be incriminated if they did.

This poses a very serious problem. The processes of law, justice and Government have been hampered. Vital information has obviously been withheld. Yet, neither the courts nor Congress has had any recourse to the witness who simply refuses to answer questions, taking the fifth amendment as his shield. In 1950, for instance Congress cited 63 persons for contempt, in an effort to establish some penalty precedents. But only two of the 63 were convicted.

The House and Senate have now passed separate, but similar bills aimed at correcting the situation. These bills, if they become law, will compel defiant witnesses to testify in cases involving national security. If the witness invokes the fifth amendment, he will be granted immunity from prosecution in any court for what he divulges. If he persists in his refusal to talk, he will be immediately cited for contempt of court or Congress. The difference between the House and Senate bills lies in the final authorization for the immunity grant. The House bill gives this power to Federal district court judges. The Senate bill would give the immunity grant to the Attorney General, but with the proviso that his opposition could be overridden by Congress.

One need not be a Communist, nor a friend of the fifth amendment pleaders, to have some doubts about these bills. For they are an attempt to change the Constitution by the passing of a law, which cannot be done. In justice, it must be recognized that the Fifth Amendment has been badly perverted by many of the shabby characters who have utilized it during the past few years. Instead of a protection for the innocent, it has become largely a refuge for the guilty. But it was written with the innocent in mind and the innocent stand to suffer if it is weakened or bypassed.

The granting of immunity may seem a way out of the dilemma. Actually, it may raise up thornier problems than it solves. For to grant a criminal immunity in all courts for testimony he gives, may be to award him a new protection for his crimes. If brought to book later, he might be able to argue successfully that his indictment was the indirect result of his immune testimony. Court procedure could thus be enormously complicated. Criminals and subversives might actually scheme to testify under immunity so as to provide themselves with future legal weapons. On the other hand, unscrupulous law-enforcement officials might be able to take unwarranted advantage of a witness' confessions, even though his testimony was immune. Once a man is known to be guilty, it is relatively easy to find other leads to his guilt.

It may be, of course, that these objections can be taken care of. We do not know. The subject has enormous ramifications. But it is clear that in our efforts to get at the malefactors among us, we must not unduly weaken our constitutional bulwarks.

Veterans' Legislation in the 83d Congress

EXTENSION OF REMARKS

OF

HON. HARLAN HAGEN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 18, 1954

Mr. HAGEN of California. Mr. Speaker, now that the 83d Congress is drawing to a close, I believe that it would be of interest to the Members of the House to know of the action taken by this Congress on veterans' legislation. The Veterans' Affairs Committee has been very active during the 83d Congress. There have been a total of 401 bills and resolutions referred to the committee and the committee has held hearings resulting in the printing of over 5,000 pages of testimony. Twenty-four bills reported by the committee have become public law. Many of these bills are most important to the veterans of the Nation and their families.

We have just passed and sent to the White House a bill which will extend the enrollment period for Korean veterans for a period of 1 year. Under the present law, a Korean veteran has 2 years after the date of his discharge in which to enroll in education or training. This period has been extended to 3 years. This action was very necessary in my opinion, since many of the first group of about 1 million veterans who were discharged before Public Law 550, 82d Congress, became law were reaching the

end of their period of entitlement on August 20, 1954. This date is just short of the fall enrollment period and, as a practical matter, served to deny a great many veterans of the education and training which they badly needed. The bill which we have passed gives 1 additional year to all Korean veterans, or allows a total period of 3 years after the date of discharge during which a Korean veteran may enroll in education or training.

In this same bill we corrected a serious inequity which was working a hardship on some of our disabled veterans. A disabled veteran is entitled to rehabilitation training for the purpose of aiding him in overcoming his service-connected disability. The program for World War II veterans ends on July 25, 1956. We found that there are many veterans who are not able to take full advantage of the rehabilitation program as a result of the cut-off date. There are some veterans who have been continuously hospitalized since World War II who have been prevented from entering rehabilitation training and who are just now being released from the hospital. These veterans do not have sufficient time remaining to complete a rehabilitation objective. We also found the same problem occurs in the case of veterans who have only recently been successful in establishing service connection for their disability. By establishing service connection they become eligible for rehabilitation training only to find that sufficient time does not remain to accomplish their objective. There is also a small group of veterans who have service-connected disabilities but who had received an unsatisfactory type of discharge and were not eligible for rehabilitation training. Some of these individuals have been successful in obtaining a correction of their discharge by the Discharge Review Board and as a result have just become eligible for the rehabilitation training which they need. This group will also be given additional time to complete their rehabilitation objective.

Congress has passed and sent to the White House a bill which will extend for 1 year and expand the veterans' direct loan program. In view of the fact that private lenders are not interested in loaning money in certain areas of the country, particularly in small towns and rural areas, it has been necessary to provide a source of loan capital to veterans living in those areas. For the past few years $100 million a year has been made available for this purpose. This amount has proved inadequate; therefore we have increased the amount to $150 million a year for the coming year. I certainly hope that this increased amount serves to equalize the opportunity to obtain a home loan between rural veterans and veterans residing in the city. In my own district in California there are many areas where private capital is not available. I certainly hope that the increase in direct loan funds will serve to expand the opportunity for veterans in our rural areas and small towns to obtain a loan.

After a great deal of controversy, we have passed an increase in veterans' compensation and pensions. The Veterans' Affairs Committee recommended a 10-percent compensation increase; however, the administration refused to agree to this amount of increase and offered a 5-percent compromise. I suppose half a loaf is better than none, but in my opinion the 10-percent increase voted by the committee was justified and needed. Under the 5-percent legislation enacted by the Congress, veterans drawing disability compensation will receive a flat 5-percent increase. For instance, a veteran with a 10-percent disability now receives $15.75. This will be raised to $17. A veteran with a 50-percent disability receives $86.25, which will be raised to $91. A veteran with 100 percent disability now receives $172.50. This amount will be increased to $181. The rate of compensation for widows without children was increased from $75 to $87 per month and dependent parents of servicemen who lost their lives from a service-connected cause is increased from $60 to $75. Where there are two parents living, each parent's allowance was increased from $35 to $40 a month.

On veterans and their dependents receiving pensions, a 5-percent increase was granted. At the present time, there are about 475,000 veterans of World War I, World War II, and Korea who have been found to be 100 percent disabled from a non-service-connected cause and unemployable. These veterans are also earning less than $1,400 if single and $2,700 if they have dependents. This class of veterans now receives $63 a month. Under the 5-percent increase passed by the Congress, the amount will be $66.15. A widow with no children whose veteran husband has died from a non-service-connected disability now receives $48 a month. This amount has been increased to $50. This widow must meet an income limitation of $1,400 a year if she has no dependents or $2,700 a year if she has dependents. She also receives an additional allowance for children. The 5-percent increase affects all veterans and dependents of the Spanish-American War, Civil War, the Indian Wars, and the War with Mexico. About 2,300,000 veterans and their dependents will benefit from the compensation increase and about 975,000 veterans and their dependents will benefit from the pension increase.

I have considered the veterans' medical and hospital program one of the most important parts of the Veterans' Administration program. The Veterans' Administration hospitalizes about 100,000 patients every day. It is most important that the Veterans' Administration receive adequate funds to provide first-class medical care for veterans. The Veterans' Affairs Committee does not appropriate funds for the operation of the medical and hospital program; however, it has been necessary for our committee to take an interest in this question in order that adequate funds could be made available. An attempt was made in the first session to limit the basis of admission to Veterans' Administration hospitals for non-service-connected cases.

Fortunately, through a coordinated effort of the Veterans' Affairs Committee, the restrictive rider was stricken from the appropriation bill. One of the greatest problems confronting the medical and hospital program is care for the mentally disabled. We have about 15,000 to 20,000 veterans with non-service-connected mental disabilities on the waiting list at all times. It usually takes from 6 to 9 months to get one of these veterans in the hospital. I sincerely hope that we can find a solution to this serious problem in the coming years.

Some of the legislation reported by the Veterans' Affairs Committee during this session effects relatively small numbers of veterans and their dependents. These laws are, nevertheless, important and needed, since they serve to correct inequities which have developed. For instance, we have secured enactment of a law which will extend insurance coverage under the Servicemen's Indemnity Act to members of the Reserve Officers Training Corps when they are on active duty for periods of 14 days or more. We have had some ROTC students killed during summer training, yet these students had no insurance coverage.

We have passed a bill which provides for automatic renewal of 5-year level premium term policies of United States Government life insurance. This bill will serve to prevent the unfortunate lapse of insurance which has occurred in so many cases. We also passed a law which establishes a 3-year presumptive period for all types of tuberculosis and another piece of legislation reported by the committee and signed into law places the Korean veteran on a par with World War I and World War II veterans by granting them benefits for disability purposes if injury is incurred en route to final acceptance or induction for military service. It was necessary for us to secure favorable action on a bill authorizing outpatient dental care to Spanish-American War veterans and veterans taking training under Public Law 16. This action was necessary because of a rider placed on appropriations bills and demonstrates the inefficiency of attempting to legislate by appropriation.

The Veterans' Administration administers over 300 laws. It operates five major programs: the medical and hospital program; the compensation and pension program; education and training; loan guaranty; and insurance. Most of the 20 million veterans of our country participate in one or more of these programs. It is necessary that the Veterans' Affairs Committee give constant attention to assure successful operation of the 300 laws which govern veterans' benefits. I believe that we have been successful this session in removing some inequities which required correction and we have also been successful in expanding veterans' benefits in certain areas where expansion was needed.

Public Laws 548 to 559, Inclusive

EXTENSION OF REMARKS
OF
HON. BARRATT O'HARA
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 18, 1954

Mr. O'HARA of Illinois. Mr. Speaker, by unanimous consent, I am extending my remarks to include my report to my constituents on Public Laws 548 to 559, inclusive, as follows:

PUBLIC LAW 548

H. R. 8571, Construction of naval vessels: This authorizes the construction of 3 mine warfare vessels and 8 partrol vessels (to add to our present antisubmarine force) at an estimated cost of $115 million. The entire planned naval construction program for 1955 will provide 30 new ships and 17 conversions of existing ships, also many new service and small landing crafts.

PUBLIC LAW 549

H. R. 6725, Navy and Marine officers: Under Public Law 549 the Navy and Marine Corps may give regular commissions—up to navy lieutenant, marine captain—to reserve and temporary officers who qualify. During 1955 a total of 700 officers will be integrated into the regular service.

PUBLIC LAW 550

S. 3561, Neighbors for hospitalized veterans: In 1952 the Veterans Administration opened a 546-bed hospital, largely for neuropsychiatric patients, at Salt Lake City, Utah. Public Law 550 conveys to Utah 35 acres of land in the hospital reservation as site for 2 armories, a drill hall, a warehouse and a garage. VA interposed no objection and the Bureau of the Budget gave the measure the green light.

This act passed the House in the rush late in July, 2 days later the Senate, and was given scant attention. Fortunately, it does provide that if the administrator of the VA hospital finds that the armories, drill hall warehouse, and garage interfere with the treatment of the hospital patients the deal is off. I do not believe in taking chances with our hospitalized veterans; think this is a matter for investigation and possible action by our veteran organizations.

PUBLIC LAW 551

H. R. 8026, property in irrigation districts: This is merely a clarification of the authority of the Department of the Interior to transfer title to movable property to irrigation districts when they take over operation.

PUBLIC LAW 552

H. R. 130, Navaho Indians: Uranium and oil leases have brought sudden riches—several millions—to the Indians of the Navaho Reservation in New Mexico. Public Law 552 gives them the right to prosecute their claim against the Government for the return of a helium lease which on expiration the Continental Oil Co. surrendered to the Government—the trustee—instead of to the tribe.

PUBLIC LAW 553

H. J. Res. 534, sale of Pacific liners: American President Lines, which lost 17 vessels in World War II, since then has been using in its passenger service in the Pacific the *President Cleveland* and the *President Wilson* under a charter arrangement with the United States.

Public Law 553 authorizes the outright sale of the 2 vessels to the steamship company for $6,500,000; this is $1,100,000 more than the figure for which the Maritime Commission had proposed to make the sale and thus is a vindication of the position of the Honorable Raymond S. McKeough in battling singlehanded the other members of the then Maritime Commission. Lindsay C. Warren, former Comptroller General, in severely criticizing the majority members of the Maritime Commission in promoting a sale at $1,100,000 less than the amount finally decided upon, said: "* * * with the outstanding exception of Mr. Raymond McKeough, who not only voted against the subsidy but continued thereafter to voice his vigorous dissent."

We in the second district may take an exceptional pride in this since Mr. McKeough for 4 terms (1935–43) brilliantly represented us in the Congress.

PUBLIC LAW 554

S. 1281, commonsense and corn: Commodity Credit Corporation owns agricultural products in very small lots in storage all over the country. Public Law 554 permits it to rotate and consolidate its stocks to prevent their spoiling. Here is how the new law will work: CCC sells 100 bushels of locally stored corn at the going price in a community where there is a demand, replaces with 100 bushels purchased in another community where the market is stagnant. Another example: CCC has 5,000 pounds of cheese in storage at one point, 100 pounds at another; it may consolidate its holdings by selling the isolated 100 pounds, buying a 100-pound replacement at the point of the larger storage.

PUBLIC LAW 555

S. 2380, mineral leases: Here is an illustration of how legislation affecting the holdings of the American people in the vast public lands domain of the country was enacted by the 83d Congress.

Public Law 555 liberalizes the Mineral Leasing Act of 1900 (a) by increasing the acreage holdings of any one person from 15,360 to 46,000 acres in any one State, 100,000 acres in Alaska, (b) by increasing the maximum area held under option from 100,000 to 200,000 acres in any one State, and (c) by extending option terms from 2 to 3 years. Over 300 million acres of public land in the West are subject to the provisions of the law. The possible wealth in oil and minerals is beyond imagination. Big operators want the green light to move in.

Now note please the manner in which a law of such tremendous importance to the American people was put on the statute books.

(1) It was brought to the floor of the House on July 21, 1954, in the period of a frenzied drive for adjournment.

(2) It was brought up under suspension of the rules limiting debate to 40 minutes and closing the door to amendments.

(3) The 14-page report of the committee consisted largely of letters from the Office of the Secretary of Interior, no reference to the subject that in the Senate occasioned the question, "Did the committee consider the possibility that this might result in a concentration of oil leases in the hands of a few big concerns and in the hands of 2 or 3 individuals?" and to which the brushoff answer was: "It was considered."

(4) There was no record rollcall, the measure being passed by voice.

Main argument for the enactment was the Secretary of the Interior's statement stressing the importance of minerals to the Nation's economy and of encouraging the discovery of new sources. Costs of prospecting now are higher, diggings are deeper, necessary to raise more risk capital.

The reasons may be valid. They sound plausible enough. But I thought you would not wish me to take a chance with your vote and the wealth under your public land. I voted "No."

PUBLIC LAW 556

S. 3630, Hog Island, Philadelphia: In 1930 the United States sold to Philadelphia the tract known as Hog Island at a fixed price of $3 million. Philadelphia made a downpayment of $450,000, for 10 years made annual ground rent payments of $76,500, then annual payments of $153,000. Public Law 556 releases the city of further obligation, conditioned on the land being used as an air, rail and marine terminal for the encouragement of interstate commerce.

PUBLIC LAW 557

S. 2766, registering printing presses: Requires registration of printing presses used to produce communistic literature.

PUBLIC LAW 558

Senate Joint Resolution 96, international communications: Establishes a commission on international telecommunications to recommend to 84th Congress measures for effective use of telecommunications in advancing understanding among the free nations.

PUBLIC LAW 559

S. 252, jury trial in tax cases: Income-tax payers suing the Government for return of taxes erroneously or illegally assessed are granted the right to a trial by jury.

Our Defeat in Indochina

EXTENSION OF REMARKS
OF
HON. THOMAS J. LANE
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 18, 1954

Mr. LANE. Mr. Speaker, under leave to extend my remarks, I wish to include the following statement I have furnished Mr. W. G. Gavin, managing editor, the Boston Traveler, in response to his poll for an opinion from the Massachusetts congressional delegation on the truce in Indochina:

OUR DEFEAT IN INDOCHINA

The fighting has stopped in Indochina.

The truce is supposed to be a gain of some kind.

A similar truce in Korea solved nothing for our side. It helped the Chinese Reds by giving them the opportunity to shift their aggression, this time to Indochina.

That is the northern half of that country for the moment.

Part and parcel of that familiar pattern, "conquest on the installment plan."

First, the Reds "sic" one of their satellites onto a chunk of the free world.

Then, when we get scared and start making threats that even confuse ourselves, the Reds step forward with the olive branch marked "peace by appeasement."

We fall for it, thinking that the word "peace" means actual peace.

Everyone is happy that the fighting has stopped, but few in the Western World seem to realize that every time the fighting stops we have retreated a few more steps. If this should become a habit, we shall eventually wind up with our backs to the wall.

Unless we regain the initiative in the cold war.

I can never understand why we must wait for the Communists to make the first move and then try to counter it with half measures.

What the Reds have gained by military force against Allied weakness and indecision

in northern Indochina will be followed by successful infiltration and subversion of southern Indochina, unless we come up with a better plan ahead of their schedule.

A solid defense alliance for southeast Asia is imperative.

Diplomatic, military, and economic experts must work hand in hand to discourage further Communist aggression in this area.

But the supreme test of leadership will hinge on our ability to win the allegiance of the oppressed millions who, hating the European imperialism that they are pushing out of Asia, are beng seduced by the siren call of Communist imperialism whose ruthless tyranny they fail to understand.

Surely the United States, born of a revolution and dedicated to equality of opportunity for all men, is best fitted to create a dynamic policy under dynamic leadership to help these submerged millions and to win their genuine friendship for mutual progress in a world at peace.

We in the United States are impatiently waiting for such policies and such leadership to develop.

In the meantime the Communists are outwitting us.

The truce in Indochina will be but another station stop on the road to disaster until we pioneer a better way that the world will be happy to follow.

We are still waiting for constructive initiative from the White House.

How We Have Outlawed Communism

EXTENSION OF REMARKS
OF
HON. USHER L. BURDICK
OF NORTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 18, 1954

Mr. BURDICK. Mr. Speaker, if the Congress of the United States was ever irrational and bewildered, it was over this bill. The present laws we have enforced under the direction of the Attorney General and supported by J. Edgar Hoover are making prompt headway against weeding Communists out of the direction of this Government, and in prosecutions of overt acts of communism. The long list of convictions is an evidence of the success we are having. This Congress at this session gave the Attorney General additional powers as requested.

In this state of affairs, along comes a Senator, and not only supports the Butler anti-Communist bill but amends it to make communism, per se, unlawful. It was a sudden move and caught the Senate napping. It passed the amendment 85 to 0. The bill then came to the House, and the House made enough amendments as were thought would avoid repealing all the machinery Hoover and Brownell had been using in prosecution of Communists. The amendments were not accepted by the Senate, and here again the Senator proposed another amendment, which made it a felony for any person to think as a Communist, and left in the bill provisions which evidently will repeal all tools we have to prosecute overt acts of communism. The House leaders then asked that we vote down the Senate amendment and hold a conference.

But that was not to be. A Member from Texas moved that the conferees be instructed to approve the Senate amendment outlawing the thinking of communism and there the matter rests. The conferees are not bound to follow this instruction.

Anyone who thinks this is not a political move certainly ought to be examined by the most available sanity board. This whole fuss was stirred up by the master-minded Democrats.

If the bill is passed as it came from the Senate, making it a felony to think communism and, at the same time, destroy the machinery to handle Communists, the President will undoubtedly veto the bill and that will end it. But the proponents have gained what they were after, to get out on the stump and say, "We killed communism dead as a doornail," but the Republicans came to the rescue of the Communists. That may elect a few Democrat Senators to another term in the Senate, but it will be a costly price the people of the United States will pay.

The Democrats were sailing along with much promise of success before this move was made, but when the people see through this camouflaged move to actually protect Communists, the Democratic rise in temperature will undoubtedly lower a few degrees.

If the President does not veto this bill, then all the machinery we have built to cope with communism in the United States will go down, and the Communists will have clear sailing again. Anyone knows, even an abnormal mind, that it is clearly unconstitutional to prevent a man from thinking anything he wants to think. The proponents know this as well as anyone, but they are confident that no one will detect what they are trying to do. I have not always supported the administration, as is well known, but on this sugar-coated and unconstitutional amendment, I will support the administration and be proud to do it.

Hon. Alvin F. Weichel

EXTENSION OF REMARKS
OF
HON. J. HARRY McGREGOR
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 18, 1954

Mr. McGREGOR. Mr. Speaker, under leave to extend my remarks, I want to pay my respects to my colleague from Ohio, the Honorable ALVIN F. WEICHEL, who is now retiring from public service.

Al, as he is affectionately known to all of us, has served the public for many years, having served as a prosecuting attorney from his county, as well as having served on the bar committee of the State, and has served in this legislative body since 1942.

Al will be remembered for his sincere efforts and endeavors to represent the people of his district, and he rose to the chairmanship of the important Committee on Merchant Marine and Fisheries.

I am sure that I am joined with his many colleagues in wishing him every joy and success in his retirement. He has been a faithful servant.

Culture and Greek Freedom

EXTENSION OF REMARKS
OF
HON. PHILIP J. PHILBIN
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 18, 1954

Mr. PHILBIN. Mr. Speaker, great Greek thinkers throughout the centuries have given a philosophy to the world which is one of the very basic foundations of modern civilization as well as a noteworthy source of free government. Plato, Aristotle, Epictetus, and many other great Greek thinkers nourished and developed democratic ideals, high ethical concepts and the culture of freedom. Greek philosophy is concerned with personal values and flatly rejects materialistic concepts of life.

Among the greatest orators in history were the Greeks. The Philippics of Demosthenes rank among the great orations of history.

The inspiring family life of the Greeks has enabled them throughout history to retain strong racial solidarity. Their zeal to sacrifice for their nation, loyalty to spiritual values, love of religion and belief in God which they have practiced for centuries, typify a truly great people. The Greeks have felt, as civilized Americans have felt throughout history, that worthwhile human progress and belief in God Almighty are inseparable. The doctrine that without faith in the Divine Master no nation can long survive is a basic feature of Greek civilization—a doctrine which must be recognized more fully by all peoples, if communism is to be successfully fought.

The achievements of Pericles, the leader of the Golden Age, are indelibly inscribed upon world history. There are few periods in all time where the fine arts, cultural life, and individual development in political and artistic values flowered in such a favorable climate as under his regime. Pericles and his contemporaries have long since gone, but the ideals they stood for, and the lessons they taught, the culture and civilizing influences they nurtured, will remain forever as an inspiration for mankind.

The famed Acropolis is a great monument which symbolizes a culture that has profoundly influenced human beings throughout the ages. It was the place of refuge and the inspirational center of glorious olden Greece. It was the place where Christianity took new and vigorous root. It still inspires the Greek people and the free world.

Aphrodite, the goddess of beauty, typifies the magnificent art of the Greeks, not only beauty in the physical sense, but beauty of the soul, of ideals, of thought and culture.

Prophecy in the world did not die with the Delphic oracle because the heroic fight of present-day Greece against communism which has electrified and inspired the world is a prophecy that in the future all democratic-minded peoples will militantly defend and preserve institutions of democracy and justice.

Sculptors, artists, writers, musicians, the drama, the stage, the harp and lyre sounded in the past a song of hope, strength, and courage which united the Greeks of ancient time. And now they sound again to defy the enemies of freedom and to rally true lovers of liberty to do battle against its enemies.

The logic, the rhetoric, the aesthetics of Aristotle are as realistic and vital today as when first written. The ideals of Plato still beckon those pledged to scholarship and freedom of thought. If you should subtract Greek culture from civilization, there would be no civilization as we know it today because it is a primary cornerstone of our modern political, social, and ethical life.

It is pertinent to note that the Greeks of old were not materialists. They were profoundly spiritual in their approach. They did not embrace mechanistic philosophies. They were idealists. For that reason despite their many contributions to the material world, their greatest triumphs will be found, not in the world of matter, but in the world of thought and the world of the spirit.

Realizing these things, it is easy to understand why, with unquenchable purpose, the modern Greeks, against powerful revolutionary subversion, have gallantly protected their free way of life. And we of America, greatest free nation in history, may well be proud that our culture is enriched, enobled, and perfected by the presence and loyalty of so many devoted, industrious, inspired American citizens of Greek heritage.

Public Laws 560 to 581, Inclusive

EXTENSION OF REMARKS

OF

HON. BARRATT O'HARA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 18, 1954

Mr. O'HARA of Illinois. Mr. Speaker, by unanimous consent, I am extending my remarks to continue with the report of the new laws of the 83d Congress that I began making to my consitutents on our convening in 1953 and have continued to this time:

PUBLIC LAW 560

H. R. 7839, Housing Act of 1954: Fear of a developing recession was a strong force in the drafting of the Housing Act of 1954. It admittedly is a pump-priming measure, intended to keep construction booming. Representative of the life insurance companies, who have a real estate investment running into the billions, under questioning by me at the public hearings of our committee, frankly admitted that he was fearful of the ultimate effect on real estate. Trouble is there is no provision for new housing within the financial reach of most people, certainly not when and if deflation lowers wages and ability to meet mortgage commitments.

For your ready reading here is a simplified analysis of the act.

Title I, Federal Housing Administration: Title I of the National Housing Act authorizes FHA insurance of home repair or improvement loans up to $2,500. Formerly the FHA insured 90 percent of a lender's title I portfolio which in effect meant 100 percent insurance against losses. Now FHA will insure 90 percent of each individual loan. It is felt that this will make the lenders more conservative in extending credit for home repairs.

Title I was originally enacted in 1934 as an antidepression measure and Congress has never seen fit to make it permanent legislation. The interest rate on these loans is in reality over 9 percent; pretty steep, I would say, considering they are virtually riskless.

Title II provides for FHA mortgage insurance on 1- to 4-family dwellings. Under Public Law 560, on both new and existing 1- and 2-family houses, the maximum mortgage limit is raised from $16,000 to $20,000. Downpayments are reduced. The loan to value ratio is set at 95 percent of the first $9,000 plus 75 percent of the excess above $9,000. The President is given authority to raise the $9,000 figure to $10,000. Mortgage maturity limits are set at 30 years but cannot exceed three-fourths of the remaining useful life of the property.

Liberalization of FHA terms in the long run could prove unwise as it will accelerate FHA's tendency to provide more and more housing for the upper middle income group and less for the lower middle and lower income groups. We may eventually find ourselves in a situation similar to that of the late 1920's when there was a shortage of good housing for the mass of people but on the other hand, the building industry had overbuilt for the higher income groups. Real reason for liberalization was fear of a recession, need for pump priming is that in the immediate future it will, of course, act as a very effective pump-priming device.

Builders warranty: In the future buyers of VA or FHA 1 and 2 family houses will receive a so-called warranty from the builders that the house has been built in substantial conformity with the plans and specifications. This is a provision for which I with others on the House Banking and Currency Committee had long fought. Recent housing scandals finally brought home the arguments we had been shouting into deafened ears.

Title II: The present wholly Government-owned secondary mortgage market, the Federal National Mortgage Association, is to be abolished. In its place there is established a new FNMA, its stock to be initially subscribed by the Secretary of the Treasury. Its remaining equity capital will be obtained in the following manner: When a lender sells mortgages to FNMA he will be required to purchase its stock equal to 3 percent of the value of the mortgages sold. FNMA will also get funds by selling its obligations both to the Secretary of the Treasury and to the investing public. Eventually the stock and obligations held by the Secretary of the Treasury are to be retired and the lenders will then own FNMA.

In regard to the 3-percent fee it seems plain that the lenders will pass this on to the builder who in turn will add it to the price of his house, thus the home buyer is paying for the lender's stock in FNMA. This corporation which will be built on Government credit and home buyers' money will be ultimately owned by lenders. The lenders thus will control the very organization which was created to insure an adequate supply of mortgage money. The obligations which this new FNMA sells to the investing public will be exempt from the public debt limitation as they are not regarded as Government bonds.

Title III, slum clearance and urban renewal: This title amends title I of the Housing Act of 1949 which authorizes loans and grants by the Federal Government to local communities for slum clearance and urban redevelopment. The chief amendment would require that in the future before a community can qualify for a Federal loan or subsidy for slum clearance. It must have an approved overall plan for the prevention of slums and urban blight.

Title IV, low-rent public housing: The Housing Act of 1949 authorized the construction of 810,000 units of low-rent public housing. Not quite 200,000 of these are constructed or being constructed at the present time. President Eisenhower in his housing message to the Congress recommended that the Congress authorize the starting of 140,000 of the remaining 600,000 units at the rate of 35,000 units per year. As it passed the House the housing bill contained no authorization for public housing. In the Senate an amendment was added to the bill to carry out the President's program. In conference it was agreed that contracts for 35,000 additional units might be signed prior to June 30, 1955, with the proviso, however, that only communities which had slum clearance or urban renewal projects under title I of the Housing Act of 1949 could qualify.

It is important to understand this section clearly. It does not merely provide that to get some public housing a community must tear down some slums. It is quite specific. It is necessary for the community to have a slum clearance or urban renewal project under title I of the Housing Act of 1949. About 215 communities in the United States have taken the first step in the establishment of such a project but only about 50 of those have reached what is termed the "final loan and grant contract stage." The law is not clear as to where or when in the slum clearance process a community may take action to get public-housing units.

It is possible the 35,000 units will never be built. Several of the approximately 50 communities which qualify either have all the public housing they desire or their urban redevelopment projects are commercial or industrial in nature. About 10,000 units at the most are likely to be built.

Title V, amendments to the Home Loan Bank Board Act: These amendments are essentially administrative and technical in nature.

Title VI, voluntary home mortgage credit program: This program provides that the Government and private lenders will cooperate in an organized manner in facilitating the flow of private mortgage funds to remote areas and small communities. No one expects this to work. If private lenders could supply a secondary mortgage market, there would have been no necessity for FNMA in the first place.

Title VII, urban planning and reserve of public works: This authorizes loans and grants to local communities for the planning of public works. It does not go far enough. For one thing, no reference is made to planning for an atomic attack.

PUBLIC LAW 561

S. 2381, oil and gas leases: This is similar to the amendment to the Mineral Leasing Act of 1920 previously discussed except that Public Law 561 relates to oil and gas leases. It increases the amount of public land any one person or corporation may hold under oil and gas lease from 15,360 to 46,080 acres, 100,000 acres in Alaska. The public domain contributes about 5 percent of the total production of crude petroleum in the United States.

PUBLIC LAW 562

S. 3466, more Assistant Secretaries: Public Law 562 doubles the number of Assistant Secretaries of Army, Navy, and Air Force. There were 2 each, now there will be 4. This follows the pattern set in the honeymooning days of 1953, when another Assistant Secretary of State was authorized as a gracious gesture to the new administration. I voted against that proposal because I thought a Congress pledged to economy should start practicing economy. It all ended up with the 83d Congress setting an all-time high in the creation of new high-salaried Assistant Secretaries. The pity is that with each new Assistant Secretary the taxpayers are burdened not only with his keep but also with that of his secretaries, stenographers, clerks, messengers, and what have you.

PUBLIC LAW 563

S. 3518, District of Columbia: Merely relates to fees and personnel in the office of the Recorder of Deeds in the District of Columbia.

PUBLIC LAW 564

H. R. 7128, District of Columbia: Routine District of Columbia legislation regarding qualification of personnel in Assessor's office.

PUBLIC LAW 565

S. 2759, vocational rehabilitation of the disabled: There is a backlog of 2 million disabled persons in the United States who could be rehabilitated. Add to that 250,000 new cases a year. Under the Vocational Rehabilitation Act of 1920, when the program started, some 60,000 disabled persons annually are rehabilitated for self-sustaining employment. Public Law 565 contemplates a progressive expansion of the program for the next 5 years. As Senator PAUL DOUGLAS pointed out, the act falls far short of dealing adequately with the massive human and economic problems of the physically handicapped. It will increase in 1955 only by 10,000 the number of persons accorded rehabilitation opportunity, leaving 180,000 to add to the 2 million left in the cold.

PUBLIC LAW 566

H. R. 6788, soil conservation and watershed programs: In 40 years the Federal Government has spent $3 billion on flood-control projects, and still the floods persist. Public Law 566 tries a new approach by (a) uniting the agricultural soil and water conservation program with the programs for development and flood protection of major river valleys, and (b) establishing standards for joint participation by the Federal Government and local governments and groups with proper sharing of the costs in proportion to benefits received.

PUBLIC LAW 567

H. R. 5173, unemployment insurance: 10 per cent of the Federal unemployment tax is reserved to cover the cost of administration. But the cost of administration has been running some $60 million a year under the intake and this has been going into the general fund of the United States to pay other bills. Public Law 567 provides that (1) what is left over hereafter will go to establish a $200 million reserve available for advances to the various States in times of need, and (2) remainder will be allocated to the trust accounts of the States.

PUBLIC LAW 568

H. R. 303, hospitals for Indians: This is part of the program to get away from practices setting Indians apart from other citizens. It terminates the authority for Indian hospitals under the Secretary of the Interior, puts conservation of Indian health in the hands of the Surgeon General of the Public Health Service.

PUBLIC LAW 569

S. 2371, angary: Angary is a right in international law of war under which ships of a neutral nation are taken over by the country where berthed. Louis XIV of France went for it in a big way, taking over not only the ships but also the crews. Under an act of 1941 the United States combined the right of angary with the right of the state in emergency to seize foreign property and to make therefor proper compensation. Under that law of 1941 we acquired by requisition 103 foreign-flag vessels and by purchase and charter 42 others to help fight World War II. Public Law 569 makes the act of 1941 permanent.

PUBLIC LAW 570

S. 3589, Export-Import Bank: Export-Import Bank, established in 1934, makes loans on good banking security in friendly foreign countries. It plays a vital part in our effort to broaden the market for our own products by building up the economies of backward areas. Public Law 570 increases its lending authority from $4½ billion to $5 billion and vests full responsibility in conduct of the bank in a board of directors, consisting of the bank's president ($17,500 salary) and vice president ($16,000 salary) and 3 others ($15,000 salary), to be appointed by the President.

PUBLIC LAW 571

H. R. 6080, District of Columbia: Authorizes $475,000 appropriation for grade separation to integrate traffic from Washington-Baltimore Parkway with other highways in the District.

PUBLIC LAW 572

S. 1244, postal service: Permits the Postmaster General to renew star-route or screen vehicle service contracts after 6 months' satisfactory service rather than 1 year. Reason: Many widows of deceased subcontractors carry on the business; new law gives them same protection husband would have enjoyed.

PUBLIC LAW 573

S. 2864, Haystack Reservoir: North Unit Irrigation District in Oregon serves water users in an irrigated area of 50,000 acres. Public Law 573 authorizes the construction of Haystack Reservoir as part of the project.

PUBLIC LAW 574

S. 2408, tankers: Provides for the sale of obsolete tankers.

PUBLIC LAW 575

S. 3458, tankers: Navy is giving priority to speeding up tanker construction. In 1945 over 50 percent of world-wide tanker tonnage was American, now only 25 percent. Public Law 575 authorizes 20 new tankers on a time-charter basis. They must be built within 2 years and in American shipyards.

PUBLIC LAW 576

S. 3683, District of Columbia: There are 12 credit unions in the District of Columbia. Public Law 576 turns their supervision over to the Director of the Bureau of Federal Credit Unions, relieving the Comptroller of the Currency of the responsibility.

PUBLIC LAW 577

S. 2846, Securities Exchange Act: Experience has shown up defects in the Securities Act of 1933 and the Securities Exchange Act of 1934. Public Law 577 is expected to remedy them. The purpose of the basic act is full disclosure and protection of the investing public.

PUBLIC LAW 578

S. 3699, waters of the Sabine River: This grants consent of Congress to the compact between Texas and Louisiana relating to the waters of the Sabine River. Congressman BROOKS of Louisiana, and Congressman BROOKS of Texas, were the sponsors of the act; case of the brooks taking care of the river.

PUBLIC LAW 579

S. 3713, Pacific fisheries: United States, Canada, and Japan are mutually interested in the preservation of the fisheries of the North Pacific Ocean. Public Law 579 adopts the recommendations of the fisheries convention of those nations. It introduces the new principle of abstention into international conservation practice. Example: Japan will not fish for salmon off North America, Canada to keep out of certain places in the Bering Sea.

PUBLIC LAW 580

Senate Joint Resolution 67, fishing vessels: Repeals a wartime law relating to the return of fishing vessels.

PUBLIC LAW 581

Senate Joint Resolution 149, John Marshall Bicentennial Month: September 24, 1955 marks the 200th birth anniversary of John Marshall, who was appointed to the Supreme Court of the United States in 1801. Public Law 581 designates September of 1955 as John Marshall Bicentennial Month and creates a commission to arrange a proper observance of the occasion.

Federal Employee Legislation

EXTENSION OF REMARKS

OF

HON. HARLAN HAGEN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 18, 1954

Mr. HAGEN of California. Mr. Speaker, in my district I have two of the outstanding military research installations in the United States, to wit, the Edwards Air Force Base and the naval ordnance testing station. The splendid military and civilian personnel of these two stations have already made great contributions to our security and will continue to do so. In their interest and to them I would make herewith a brief report of the acts and failures of Congress and the Executive with respect to Federal employee legislation.

Although the President vetoed the bill to give a 5 percent pay raise and a number of other benefits to Federal employees, there are some other improvements in the Federal-employee program approved by both the Congress and the President. Regarding the pay question, most of the leading members of the House Post Office and Civil Service Committee have agreed to reintroduce the Federal pay bill and push it through Congress early enough to override a Presidential veto. Other Federal employee developments were:

The restriction on accumulation of annual leave was removed. Previously

an employee was required, by a future date, to use up all accumulated leave over 30 days. With removal of the restriction an employee can now either take the earned leave or, upon separation from the Government, receive pay for the leave which has not been taken.

Federal employees were brought under the unemployment insurance program. The amount of each employee's jobless pay will be determined by the amount paid for unemployment benefits in the State where the employee works. The amount due the Federal employee will be paid through the State system to the employee by the Federal Government but the Government will not be taxed to build up a reserve to pay benefits to its separated employees.

The so-called Whitten rider putting a ceiling on the number of permanent jobs was revised. Now there is a Governmentwide ceiling on the number of permanent jobs, permitting permanent appointments to 10 percent more Government jobs than were filled in September 1950. This is regarded as a congressional directive to the executive department to begin making permanent appointments and will provide an estimated 700,000 permanent Government jobs.

Time and one-half for overtime work was approved for additional Government employees in the upper middle pay grades. Under previous regulations many of these employees actually were paid less than straight time for overtime work.

Longevity payments were granted to most top-grade employees.

All Government employees were provided coverage under a group life-insurance program which sets up inexpensive term insurance with the Government paying a share of the premium.

A uniform allowance up to $100 a year was granted to general schedule employees required to wear uniforms.

Federal workers in crafts, protective, and custodial jobs were put under a regional wage board system so that their wages will be pegged at a level comparable to the prevailing wage rates in the area of employment.

The temporary retirement annuity increases approved by Congress in 1951 were made permanent, and the first $12,000 of civil-service annuities were exempted from income taxes.

Possibly of equal importance to the positive action taken by Congress on Federal employee legislation was the blocking of proposed legislation which could have damaged the Federal civil-service system.

This included proposals for removal of deputy marshals from civil service, repeal of overtime pay for customs and immigration employees, and granting authority to the Department of Justice to dismiss employees regardless of civil-service laws and regulations. These, and a number of other damaging proposals, were defeated.

Cyprus Is Entitled To Exercise the Right of Self-Determination

EXTENSION OF REMARKS

OF

HON. BARRATT O'HARA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 18, 1954

Mr. O'HARA of Illinois. Mr. Speaker, in a few days, when we are concluding our deliberations here and returning to meet our constituents in our respective districts, the General Assembly of the United Nations will be starting on the important work of its agenda. The petition for the extension of the right of self-determination to the people of the Mediterranean island of Cyprus will come before the General Assembly. It is vitally important to our position in world esteem that the full force and influence of the United States should be thrown in support of this petition.

As indexing the tremendous interest of the people of the United States, and the profound sympathy they feel with the islanders of Cyprus in their yearning to return to the motherhood of 33 centuries, is the monster mass meeting scheduled for Orchestra Hall in the city of Chicago. Similar gatherings are being held in other cities throughout the United States. John L. Manta, outstanding civic leader in Chicago and a distinguished constituent of mine, is chairman of the Justice for Cyprus Committee that has arranged the great mass meeting in Chicago's Orchestra Hall. Other members of the committee are: Dr. Basil J. Photos, first vice chairman; John Manos, second vice chairman; Peter Shepis, treasurer; Costas Proussis, Secretary; James Gregory, Van A. Nomikos, James Glyman, Paul Demos, Peter Gianakos, William Belroy, A. A. Pantelis, George Bourlos, Apostolos Flambouras, Prof. Philip Constantinides, Dr. Nicholas T. Drake, Dr. E. Despotes, Dr. S. Soter, Takis Christopoulos, Dem. Athanasopoulos, Mark Mamalakis, Arthur H. Peponis, Themis Anagnost, Theodore Constant, George Askounis, Prof. Kostis Argos, D. Michalaros, Andrew Fasseas, George Porikos, George Kolettis, Helen Tangalakis, Helen Sanichas, Adeline Jay Geo-Karis, Kay Proussis, James Michael Mezilson, Andrew Teacherson, Paul Javaras, Demetrios Papageorge, Peter Mantzoros, and George Smainis.

CYPRUS IS GREEK

Over 80 percent of the inhabitants of Cyprus are Greek. For close to a century they have sought by petition, plebiscites and manifestos, to affect reunion with the fatherland. Five years ago they voted in the last plebiscite 96 percent of the entire Greek adult population of Cyprus for union with Greece.

What answer to their prayers can be made except that to them as to all the other peoples of the world shall be given the right of self-determination? Not to do so would be to make a hollow mockery of the words with which we define for the free world the goals of freedom to meet the aspirations of peoples everywhere.

Why should Cyprus in the hands of Great Britain be denied the right of self-determination in any less degree than that enjoyed by the islands of the Philippines when the fate of those islands was in our hands? We gave to the Philippine Islands everything that we could to help them as one brother helps another, and we climaxed it by keeping to the letter our promise of full sovereignty as a free and independent nation.

Should Great Britain do less? Can I as a veteran of the Spanish-American War, which placed in our lap the destiny of the Philippines, and as a Member of the Congress of the United States of America, withhold the raising of my voice to demand that as we gave self-determination to the peoples of the islands of the Philippines, so shall Great Britain do with the peoples of Cyprus?

GOES BACK 33 CENTURIES

It has been over 33 centuries since the Greeks from Arcadia settled in Cyprus. That is a long, long time. It began 14 centuries before, from a cradle in Bethlehem came the Light of the World. All during these centuries the blood of the Greek has coursed in the veins of the men, the women, and the children of Cyprus. Great world-shaping events have changed the course of history, empires have risen and have fallen. Cyprus through it all has remained a land of Greek blood, of Greek sentiment, and of Greek culture.

Greece, the birthplace of democracy, is today as always a bulwark of democracy. Of the very essence of democracy is the right of self-determination. It is for the retrenchment of that right to be enjoyed by all peoples everywhere that the United States is throwing the full force of her tremendous manpower and wealth into the fight of the free world for a better world than any we have known. It has not been an easy fight, and before the end is reached there will be many other severe demands for sacrifice, for courage, and for faith.

It is not an easy fight because there are so many inequities, now deeply rooted in their practice, that have to be eradicated until from the old world of imperialism, of colonialism, and of small nations existing only at the pleasure of strong nations, we have built the new world of our dreams, and I might say of the dreams of the philosophers and the statesmen of the ancient Greece whose descendants in Cyprus now are knocking at the door of the General Assembly of the United Nations.

I have mentioned the Philippine Islands. There were those in the United States who strongly advocated the retention of those islands as a possession of the United States. Had that been done, and we had broken our pledge to the islanders, there is no place in all the world where our voice in the court of public opinion would have been

listened to with respect. But when we voluntarily gave to the islanders the full sovereignty which they desired, we proved to the world that the peoples and the Government of the United States practiced what they preached.

STUPID TO BE STUBBORN

Great Britain was allied with the United States in World War I and in World War II. In the present international crisis these two great nations are still standing together, firmly bound for mutual assistance and defense. There should be no lessening of the bonds that unite. Great Britain also has been united by close ties of friendship with Greece. There should be no lessening of the ties that bind Great Britain and Greece.

It is unthinkable that Great Britain in this critical point in history would risk the lessening of these bonds by a stubbornness the like of which under similar unjustified circumstances there have been few, if any, incidents in all recorded history.

Cyprus is of no material value to Great Britain. Her only valid reason for wishing to continue her political domination is for the maintaining of military bases. Greece as a friend and ally is willing that Great Britain should continue to maintain in Cyprus the military bases necessary to her protection. That is the arrangement we have with the Republic of the Philippines. If the arrangement is satisfactory to us, can Great Britain expect us to interpret her attitude in a similar situation as anything less than sheer and stupid stubborness?

GLADSTONE FAVORED UNION

In 1897—57 years ago—the great Gladstone told his countrymen that the population of the Hellenic island of Cyprus should be organically united with their brethren of Greece.

In 1907, Winston Churchill spoke of the aspiration of the people of Cyprus for union with their motherland as an ideal earnestly, devoutly, and fervently to be cherished.

To be stubborn for a day can be annoying. To be stubborn for a year can be provocative. To be stubborn for a half a century and more is going away outside the limitation of tolerance and patience.

BRITAIN SHOULD RECEDE

I hope and pray that the statesmanship of Great Britain will free itself of this deep-rooted stubbornness. I hope and pray that graciously the Government of Great Britain will recede from its position and join the rest of the free world in ushering in the new day of the return of Cyprus to the Hellenic fold.

If that gracious course Great Britain declines, preferring to be stubborn rather than wise and cooperative, then there is but one course to be pursued by the General Assembly of the United Nations.

Cyprus belongs where her people wish her to be, again after centuries of separation back in the Hellenic fold.

The Communist Control Act of 1954

EXTENSION OF REMARKS

OF

HON. THOMAS J. LANE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 18, 1954

Mr. LANE. Mr. Speaker, under leave to extend my remarks, I wish to include my statement favoring S. 3706, the Communist Control Act of 1954:

COMMUNIST PARTY KICKED OUT OF THE UNITED STATES

The Communist Party in the United States—directed from Moscow, and dedicated to the proposition that freedom must be murdered—has been banished from our shores.

Stripped of those rights that it would use to weaken, betray, and destroy us.

It has tried to use freedom as an instrument for confusing, dividing, and paralyzing freemen and their free institutions.

It has applied itself to turning man against himself.

In an age where material progress and its resulting problems has placed a great strain upon our mental and spiritual ability to cope with the challenge—frustration has resulted in the neurosis of communism.

Suspicious, venomous, and fanatical.

Cunning in the use of enduring values, cloaking itself in respectability, emphasizing the letter of the law while cynically rejecting its spirit—all for the purpose of destroying our security and plunging us into slavery.

It took us a long time to wake up to this insidious danger.

When Communist Russia was first recognized by our Government it solemnly pledged never to interfere in our internal affairs.

That promise was being abused at the very moment it was given.

Now we know that there can never be coexistence with such a stealthy and merciless foe.

Pledges, treaties, trade, or any means by which nations try to get along with one another mean nothing to the Communists. They are only beguiling interludes to fool and soften their intended victims. Just one more technique in their campaign of waging total war against humanity.

You and I have been puzzled and worried by the evidence that some Americans, who have enjoyed every opportunity and advantage that this Nation offers have defected to the enemy.

However few they may be it is a symptom of the covert activities of the Communist Party in the United States.

The fact that the Communists are able to brainwash the weak and the gullible, may not seem to be a matter of great concern to the overwhelming majority of loyal Americans. But when these few are able to get into sensitive positions within Government, and elsewhere, then our security as a nation is endangered.

Of late, they have become more brazen.

The way they have flouted the fifth amendment to the Constitution, using it not for its original purpose of protecting the innocent, but in order to make a mockery of the law itself, so that they may continue in their subversion prompts us to take effective action.

The laws of this Nation were never meant to protect those who seek to destroy our Government.

Communists have been able to carry on in their conspiracy because of loopholes in the laws.

An entirely new situation confronts us, whereby they take advantage of lapses in our security.

To correct this situation we have voted to outlaw the Communist Party, which is the agent of a foreign power.

Henceforward, membership in it shall be regarded as evidence of conspiracy against the representative form of Government established and maintained by the American people.

The line is clearly drawn.

The Communist Party, advocate of treason, is hereby declared to be the enemy within our gates.

It must be hunted down and exterminated.

The Administration's Farm Bill

EXTENSION OF REMARKS

OF

HON. JAMIE L. WHITTEN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 18, 1954

Mr. WHITTEN. Mr. Speaker, the farm bill of this administration is now recorded history. It is being hailed by Secretary Benson and the administration as a great start toward improving conditions and relieving present problems in agriculture.

As you know, I serve on the committee which reviews the actual operations of the whole Department of Agriculture, including price supports, CCC operations, and the rest; I have spent months doing that work each year now for about 10 years, during 4 of which I served as chairman. Certainly I have had an opportunity, which comes to few, to know the real workings of the various farm programs. Based on that experience, I am sure the Secretary and the administration are clearly wrong. The bill which has been passed is not a farm bill, it is a middleman's bill. It merely adds to the middleman's profits when the spread between what the farmer gets and the consumer pays has already increased 85 percent since 1945.

In this Nation of ours, where wages are protected by minimum wage laws and the bargaining power of labor unions, where industry is protected by tariffs, in this great country of ours where only during the past 20 years agriculture has—for the first time in our history—received some equality in law and in our economy, this Republican bill is a step backward; and I would like to point out why.

THE SITUATION

First, we do have on hand huge quantities of farm commodities in which the Government has a large investment. Those commodities are on hand largely because our Government requested the farmers to expand their production. For the period 1942 to 1952, at the request of the Government, farmers increased

their production tremendously, but without any agreement by the Government to buy the output of their farms—though we did contract to buy the extra output we demanded of the factories, which paid cash to their labor. During that same period, as a part of our foreign-aid program, our Government held American farm commodities off world markets at truly competitive prices. That policy is still in existence today and those are the two major reasons why we have these surplus farm commodities on hand now.

REPUBLICAN CLAIMS

This new farm bill is hailed by the administration as a great farm bill. It is represented to the country that to change the support level on basic commodities from 90 to 82½ percent will work wonders toward reducing our surpluses, which are surplus only to our domestic needs. Further, it is represented such change will reduce the cost of living to the consumers.

Actually, because of the set-aside provisions of this bill, for 1 year the support level on basic commodities, like cotton, will come close to 90 percent. Mr. Benson, however, says this is only a start. He will be back next year for another 7½-percent reduction, which he tried to get this year. What has really happened is that there has been a big buildup of public sentiment against any farm program. The Secretary of Agriculture, unwittingly perhaps, has misled the American people.

Let us check the record. On all the basic commodities on which they have changed the compulsory support level, we have lost only $21 million over a period of 21 years under firm price supports. What this bill does, Mr. Speaker, is put the six basic commodities—on which we have lost only $21 million in 21 years—under the flexible provisions along with other commodities which have already been under it, and on which, in the same 21-year period, we have lost $1,450,000,000.

TRADE POLICY

There are some good features of this bill, such as placing agricultural attachés in foreign countries under the Agriculture Department. This is something I have advocated repeatedly at every opportunity for a number of years. This means that for the first time our salesmen of agricultural commodities report to and take orders from the Department they are supposed to represent, instead of the State Department.

But the bill falls far short of what we need because we follow the sales policy announced by the Department of Agriculture, and I quote:

> These commodities are offered at prevailing world market prices in the following manner: Corn is offered at the world market price on date of sale at point of delivery. Wheat is offered on the basis of the domestic price at the time of sale less an export allowance announced daily, equal to the difference between the world price and the domestic price. Oils and peanuts are offered on a bid basis and bids are accepted if the price is not below the world price. (P. 49, pt. I, Agricultural Appropriation Hearings.)

Surely they must know CCC stocks must move in world trade channels at competitive prices in order for any farm program to work. It is tragic to make our farmers cut back their production and absorb this buildup of commodities which Government policy on sales requires, particularly since the Government asked for the expanded production and now does not place the surplus on the counters of world trade on a competitive basis.

Until we can break down this foreign trade policy, or rather lack of a trade policy, we will have lots of salesmen on the road with little to sell because our prices are not competitive even though the law authorizes sale in world trade at truly competitive prices.

IT IS NO FARMERS' BILL

This great Benson farm bill is not a farm bill; it is a middleman's bill. It simply lowers the bidding price to the farmer, without any requirement that such amount be reflected in the retail price of the finished product. Instead of the farmer getting a higher support level at his time of need, he gets a low one. Instead of getting a low support level when he needs less help, he gets a higher support. In other words, if the Government feels that the consumer groups need more of a given commodity the Government will raise the support level to get the farmer to produce. But, if supplies are plentiful and the farmers have surpluses and need help, then the support level is reduced. That is certainly not for the benefit of the farmer. It is admitted by the Department of Agriculture that the cost of what the farmer buys has gone up fully 12 percent in the last few years; but the price received for his production has gone down 13 percent in the last 2 years.

MODERN PARITY

What do they do under this bill to meet that problem? They change the parity formula and the farmer is placed under modern parity. That sounds nice, but it really means that the farmer's support level is based on the average prices he has received for his commodities for the last 10 years; and it ignores completely his rising costs. Where the old parity, which Mr. Benson has gotten rid of because it is old, provides a support level tied to the cost the farmer pays, this change to modern parity will help make the farmer's plight more serious.

DAIRY SUPPORTS

In this bill we find that the support level on dairy products is reduced from the House bill level of 80 percent of parity to 75 percent of parity. I am one of those who realize that we cannot have high level supports on commodities without some control of the quantity supported. However, Mr. Speaker, the situation becomes different when the dairy farmers were urged to increase their production by the Government; and their production was held off world markets at truly competitive prices. As long as that governmental policy exists, whatever the justification may be, we have an obligation to protect the producer.

OTHER BUSINESS—AGRICULTURE

I have before me a copy of the Kansas City Star of August 12, 1954, in which great headlines proclaim "United States Economy to a Peak—Overall Conditions Since Republicans Took Over Are Better Than During Any Previous Period, President Declares in Midyear Report."

The next article in the same paper carries the headline "Farm Incomes Dip—Only 44 Cents of Each Consumer Dollar Reaches Producer, New Figures Reveal—As Marketing Costs Soar—While Farmer's Share Falls to Postwar Low, Food Buyers Get Little Break—Decline During April–June Period to Men of the Land Is 3 Percent."

It is under these conditions that we find this farm bill passed. For the first time in 20 years we are basing our support of farm commodities on what the Government wants the farmer to do and not on his needs, on the prices the farmer has been getting without any relation to the cost he pays.

CONSUMERS WON'T BENEFIT

There will be no real benefit to the consumer. The amount the farmer receives from the wheat that goes into a loaf of bread has dropped from 2.9 cents to 2.5 cents; but the retail price of the loaf of bread increased from 12 cents to 16.5 cents in the same period.

There is about 31 cents worth of cotton in a $3.75 shirt. If the farmer contributed the cotton there would be no reduction in the retail price of such shirt, as long as the consumer would pay the $3.75, and so it goes.

BAD EFFECT IS SEEN—MORSE, BENSON

Farm prices received have dropped 13 percent in the last 2 years. There have been 11 freight rate increases since World War II. The farmer's costs have gone up. Farm purchasing power will probably be at the lowest level next year since the depression years of the 1930's. Farm machinery people will know it. Appliance firms, automobile dealers, and all the rest will know it.

Let me quote the Under Secretary of Agriculture, Mr. True D. Morse, who said the stringent farm controls will mean less profits for the farmers and will slow down the whole economy:

> There will be less for labor to do—less crop work, harvesting, processing, transportation, storage and sales. To the extent that farm production is cut back and restricted, it tends to weaken consumer demand and national prosperity on which farm markets depend.

Secretary Benson says he "does not believe it will start a farm led and farm fed depression." I hope he is right. I can only point out that every depression we have had was led off by a break in farm income.

DEPARTMENT'S ARGUMENT

Mr. Speaker, there are many things that the farmer should recognize. All the arguments I have heard Secretary Benson and Under Secretary Morse make for flexible price supports were in reality arguments against any price sup-

ports. The general tenor of Mr. Benson's testimony before our committee has been that a little hardship visited on the farmers might be good for all of us. I do not believe that theory, but apparently we are to find out about it.

The Secretary says we should have a prosperous United States notwithstanding the decline in farm income. A check of the records of the economy of this Nation throughout its history will disclose that over any 5 year period the national income has averaged about seven times the farm income. While it is true that other segments of our economy are enjoying prosperity while farm prices are going down, just observe the next 4 years and you will see that unless we can change this farm bill the drop in farm prices will pull the other down with it. Our history clearly proves that fact. The similarity between today and the late 1920's is alarming.

WHAT IS THE PURPOSE?

Mr. Speaker, the tragedy of this bill is that the American people have been led to believe that a change in the support level for basic commodities will correct much. They have been led to believe that present conditions require the so-called diverted acreage program, whereby the farmer will have the Government make his price support contingent on his farm being planted almost acre by acre in line with departmental demand. In effect, it is a drive to limit our farmers almost entirely to the domestic market.

There are many who believe, in view of the Department's obvious opposition to any farm price-support program, that this control of diverted acreage is just a means of making the program so unpopular with farmers as to get rid of price supports entirely. Certainly it will make it hard on the farmer.

REAL CAUSE OF OUR PROBLEM

Actually the administration misses the boat. Our problems come not because we support the price received by our farmer for domestic commodities, which is done in an effort to give him somewhat equal purchasing power and equal treatment. They come because our farm commodities have not been and are not now offered on world markets at competitive prices. It is as simple as that. According to the Department's own testimony we have been only a residual supplier. Those commodities which we have offered have been offered at prevailing world prices, and if our competitors reduce their prices they have gotten the business. Then if their supplies were insufficient to meet world demand they have come to us to take up the slack. That is where the cure must come, in a change of national policy so that Commodity Credit Corporation stocks will be made available to the world on a competitive price basis.

Such action is authorized by law now, but it is not being used. Such action is contemplated by all the legislation we have. Until the administration realizes that fact, the farmers are in for a tough time. With the farmer in for a tough time we will have further destruction of our fertile soil, 40 percent of which has already been depleted. We will have a return to the time when farmers did not live like other people because their income did not make it possible.

A VICTOR BUT MANY LOSERS

The Nation's newspapers, in large headlines, have hailed the new farm bill with its flexible supports as being a great victory for the President and Mr. Benson. The President says it is a start in the right direction. Perhaps it is a victory for them, for they had their way. However, for every winner, there is a loser; and the loser here is the American farmer. He alone is to get less. He alone is separated from consideration of his cost of production. He alone is supposed to do better with less. May I add that while he is the immediate loser, the people of the whole Nation will be losers in the long run.

Hon. Bernard W. (Pat) Kearney, of New York

EXTENSION OF REMARKS
OF
HON. EDITH NOURSE ROGERS
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 18, 1954

Mrs. ROGERS of Massachusetts. Mr. Speaker, I wish to call the attention of the Members of Congress to a signal honor paid to the ranking member of our Committee on Veterans' Affairs, Gen. B. W. (PAT) KEARNEY, by the National Encampment of the Veterans of Foreign Wars held recently in Philadelphia, Pa.

At last year's encampment, held in Milwaukee, Wis., it was voted to present a citation to General KEARNEY in recognition of his outstanding service as a member of our committee. Following is the wording of the citation:

The Veterans of Foreign Wars of the United States presents this certificate of appreciation to the Honorable BERNARD W. (PAT) KEARNEY, Member, House of Representatives, State of New York, in recognition of the many outstanding services he has rendered war veterans as a member of the House Committee on Veterans' Affairs and chairman of the Subcommittee on Hospitals. In witness thereof we have hereunto set our hands and the official seal of the Veterans of Foreign Wars of the United States. Approved by the 54th National Encampment, VFW, in Milwaukee, Wis., 1953.

General KEARNEY, who is a past national commander of the VFW, has always been vitally interested in veterans' problems. Besides being the ranking Republican member of our committee, he is the chairman of the important Subcommittee on Hospitals, which considers all legislation pertaining to the many hospital and domiciliary facilities of the Veterans' Administration.

Personally, I am delighted at this recognition of his fine committee work. He deserves every bit of praise that can be given him.

Let's Keep the Record Straight—A Report to the People of the Sixth District

EXTENSION OF REMARKS
OF
HON. JAMES G. POLK
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. POLK. Mr. Speaker, in the heat of political campaigns false statements are sometimes made; either through ignorance of the facts or with a premeditated intent to mislead the public. Sometimes statements involving half-truths or statements which involve issues or questions which taken out of context may make it appear to those who do not have all the facts that a person's attitude or stand on some particular question or issue was quite different from that person's true attitude or stand on the particular question or issue involved.

Also, by making false statements concerning a person's stand on a particular issue, there may be implanted in the mind of the reader or listener the idea that the person about whom the first false statement was made holds certain views on some subsidiary or collateral issue or subject. For example, a speaker by stating that a person is opposed to loyalty oaths for Federal employees may convey the idea that the person about whom this statement was made is also sympathetic to communism, because the two ideas, lack of loyalty and communism, are usually closely associated in the public mind.

I mention this because of a speech made before the Fayette County Young Republican Club on February 4, 1954, by Mr. Kline Roberts, of Columbus, Ohio, as reported in the Washington Courthouse Record Herald of February 5, 1954, page 10. Mr. Roberts is majority floor leader of the Ohio House of Representatives in Columbus. I do not recall ever having met Mr. Roberts and from his speech I assume he knows little or nothing about my record in Congress and I assume further that someone advised him what to say about my voting record.

Mr. Roberts holds a responsible position in the Ohio General Assembly. He is one of the leaders of the Republican Party in Ohio, and is, no doubt, an honest and an honorable man. However, on this occasion, his statements concerning my voting record in Congress, as reported in the press, do not conform to the record. His statements raise some interesting questions. Who advised Mr. Roberts concerning his speech on this occasion? Was it someone with a selfish interest in endeavoring to discredit my service to the people of the Sixth District? Was it someone who would benefit from the spreading of false insinuations and innuendoes about me personally?

As reported in the Record Herald, Mr. Roberts is quoted as saying:

POLK was one of the two people in the whole Congress voting against defense appropriations; was opposed to barring salary of public employees who refuse to sign loyalty

oaths; had opposed a watchdog committee to check expenditures of appropriations; had voted against President Eisenhower's Government reorganization plan; and in a great majority of cases he had opposed Republican-favored bills in Congress.

Four of the above statements are absolutely false. The fifth, "Had voted against President Eisenhower's reorganization plan," is one-tenth correct. The President submitted 10 reorganization plans to Congress for approval. I voted against 1 of the 10 reorganization plans. I voted against the President's Reorganization Plan No. 6 for the Defense Department, rollcall vote No. 69, June 27, 1953. I supported all of the nine other reorganization plans submitted by the President to Congress. Mr. Kline Roberts in his speech at the American Legion hall in Washington Courthouse neglected to tell his audience the whole story. He so worded his statement as to make it appear that I have opposed all the President's efforts to reorganize the Government departments, while in fact I only opposed 1 out of 10 reorganization plans the President asked Congress to approve.

The statement that "POLK in a great majority of cases has opposed Republican-favored bills in Congress" is false. The words used—"in a great majority of cases has opposed"—indicate to the casual listener or the casual reader that POLK is opposed to almost all of the President's program. This is not true, and fortunately there is a RECORD to prove how I have voted.

The Congressional Quarterly News Features, of Washington, D. C., a reputable and unbiased reporter of congressional votes, in their May 28 issue, volume XII, No. 22, page 665, published a table entitled "Support for Eisenhower." On this table are registered five significant items:

First. Number of times Representative voted pro-Eisenhower on the 11 House rollcalls through May 18 which tested support for the President's program and leadership. POLK is credited with 6 votes out of 11 as pro-Eisenhower.

Second. Active support: Percentage of 11 Eisenhower issue rollcalls on which Representative voted pro-Eisenhower. POLK is credited with 55 percent of active support pro-Eisenhower.

Third. Active-support percentage for all of 1953: POLK is credited with 50 percent active support for Eisenhower in 1953.

Fourth. Number of times Representative voted anti-Eisenhower on the 11 Eisenhower issue rollcalls of 1954: POLK is credited with 4 anti-Eisenhower votes.

Fifth. Active opposition: Percentage of the 11 Eisenhower rollcalls on which Representative voted anti-Eisenhower. POLK is credited with 36 percent of his votes being in opposition to Eisenhower.

The above is from the report published by Congressional Quarterly News Features entitled "Eisenhower Support—GOP Backing Higher but Democrats Often Provide Margin of Victory," May 28, 1954.

As your Representative to Congress, I have supported the Republican administration when I thought it was right and I have not hesitated to oppose those measures I consider to be bad legislation for the Sixth District.

It is my firm conviction that a Representative should represent, so far as possible, the views of his constituents. With that view always in mind I have circulated questionnaires throughout the Sixth District for the purpose of securing samplings of public opinion on various questions and issues. The answers my constituents have given to these questionnaires have been very helpful to me, and I am deeply grateful to those who have taken the time to give me their counsel and advice.

May I make it perfectly clear that my conception of my responsibility as Representative is that I should endeavor to represent the people of the Sixth District. To do otherwise would be in violation of one of the cardinal principles of representative government as laid down by the Founding Fathers, the authors of the Constitution of the United States. I do not consider it my responsibility to represent either the President or the Republican or Democratic Parties, but all the people of the Sixth District.

The statement "POLK was 1 of 2 people in the whole Congress voting against defense appropriations" is utterly false.

The last defense appropriation bill I opposed was on February 23, 1939, under the Roosevelt administration, when I was 1 of the 205 Members who voted against an appropriation to fortify the island of Guam. Later events proved that my vote on that question was probably wrong, and I have since then supported and voted for larger defense appropriations instead of smaller defense appropriations. For example, on July 22, 1953, I was 1 of the 161 Members who voted for sufficient appropriations to provide for 143 air wings for national defense. We were defeated in this effort but later the administration revised its policy on the Air Force and asked for more money, which was granted by Congress, thus proving that those of us who were advocating a stronger Air Force were correct in our original stand on this question.

Likewise, the statement that I "was opposed to barring salary of public employees who refuse to sign loyalty oath" is completely false. For many years, every appropriation bill providing for Federal salaries has contained the following provision:

> No part of any appropriation contained in this act shall be used to pay the salary or wages of any person who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence.

Of course, anyone voting against a single one of the many appropriation bills passed in recent years can be charged falsely for voting against the bill because of the loyalty oath.

I am well aware that Mr. Kline Roberts' false statement on this issue contains the insinuation that I am in some way sympathetic with communism. To anyone who really knows me and knows my views and my voting record during nearly 16 years' service in Congress, such an insinuation is so ridiculous as to be unbelievable, but in the new parts of the Sixth District, in Fayette, Pickaway, and Ross Counties, such a statement might well raise a question concerning my fitness to hold a public office.

To those who are not familiar with my views on the subject of communism and on all phases of disloyalty to our great country, may I say that on the subject of communism I fully concur in the resolution adopted by the 54th National Encampment of the VFW at Milwaukee in 1953, which recommends "outlawing the Communist Party in the United States and to make it a felony to belong to the Communist Party, or any other group by any other name, which engages in subversive activities with the intent to overthrow the Constitution of the United States and the American Republic."

The following record votes during the 83d Congress show my official actions on this issue:

First. On August 17, 1954, on rollcall vote No. 144, I was one of the 208 Members of the House of Representative who voted for the Dies motion to completely outlaw the Communist Party. This was an amendment to the Communist control bill, S. 3706. This motion carried by a vote of 208 yeas to 100 nays.

The administration opposed this amendment and consequently it was rewritten by the committee of conference between the House and Senate to conform to administration recommendations.

Second. On August 19, 1954, on rollcall vote No. 147, I voted for the conference committee version of the bill S. 3706 which was approved by the House.

Third. On August 16, 1954, on rollcall vote No. 142, I voted for the Communist Control Act as originally submitted to the House for consideration. This bill did not actually outlaw the Communist Party and did not go as far as I would go in providing protection against Communist activity.

Fourth. On July 23, 1954, on rollcall vote No. 113, I voted for contempt citations against various individuals as requested by the House Un-American Activities Committee.

Fifth. On February 24, 1954, on rollcall vote No. 17, I voted for an appropriation of $275,000 for the House Un-American Activities Committee.

Sixth. On July 21, 1953, on rollcall vote No. 95, I voted yea on the proposition that Communist China should not be admitted to the United Nations.

I mention these six record votes during the 83d Congress, in support of important propositions relating to communism and its eradication and control, because I realize that many of my constituents do not have an opportunity to read the CONGRESSIONAL RECORD and consequently may not be informed concerning my stand on this issue.

May I suggest to Mr. Roberts and to all others who may make accusations without foundation, the reading of some remarks on this subject by Abraham Lincoln.

Lincoln said:

> I believe it is an established maxim in morals that he who makes an assertion without knowing whether it is true or false,

is guilty of falsehood, and the accidental truth of the assertion does not justify or excuse him. This maxim ought to be particularly held in view when we contemplate an attack upon the reputation of our neighbors. (Letter to Illinois Gazette, August 1846.)

Persisting in a charge which one does not know to be true is simple malicious slander. (Cooper Institute, New York, 1860.)

A man cannot prove the negative, but he has a right to claim that when one makes an affirmative charge he must offer some proof to show the truth of what he says. (Ottawa, Ill., 1858.)

It used to be a fashion amongst men that when a charge was made, some sort of proof was brought forward to establish it, and if no proof was found to exist, the charge was dropped. (Jonesboro, Ill., September 15, 1858.)

Public Laws 531 to 547, Inclusive

EXTENSION OF REMARKS
OF

HON. BARRATT O'HARA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 18, 1954

Mr. O'HARA of Illinois. Mr. Speaker, by unanimous consent I am extending my remarks to include my reports on Public Laws 531 to 547, inclusive, to my constituents in the Second District of Illinois, as follows:

PUBLIC LAW 531

H. R. 9040, cooperative research in education

Public Law 531 is a new approach in the field of educational research. It authorizes contracts and jointly financed cooperative arrangements with universities, colleges, and State educational agencies for the conduct of research, surveys, and demonstrations. Heretofore the work has been confined to the office of the Commission on Education in Washington. By distributing it among local schools and agencies throughout the Nation, a wider range of experience will be tapped. Moreover, much more can be accomplished and at less expense to Federal taxpayers since part of the money will come from local sources.

Eventually will come from the research and surveys recommendations covering every phase of school construction and administration. These will be made available as optional help-aids (take or leave) to anyone desiring them. Conceivably they can be of great value to local school boards and others in formulating programs adapted to their own respective problems.

The House passed the measure by a roll-call vote of 296 to 55. I was happy to cast your vote on the affirmative side. Not so, however, in the case of Public Law 532, which was brought up seemingly as a companion bill to Public Law 531 in the apparent hope that deceptive doubling-up would catch the champions of popular education offguard and asleep.

PUBLIC LAW 532

H. R. 7434, National Advisory Committee on Education

This bad law (sought to be covered up by the good law preceding) opens the door for another attack on popular education in its present cultural functioning similar to that in the early thirties when in the name of economy a determined drive was made to reduce the curriculum in the public schools to little more than the three R's. I have vivid recollections of those days, and the happy opportunity my nightly radio broadcasting over WCFL gave me to participate in a historic and successful battle to save our schools.

Public Law 532 creates a National Advisory Committee on Education to initiate and conduct studies of problems of national concern in the field of education and to blueprint for Congress its legislative program in the educational field. A pretty big order, I would think, and one that would require the best efforts of the outstanding educators of the Nation.

I think you will be shocked, as I was, when the measure came up in the House, to learn that Public Law 532, presumably for the advancement of education, actually bans from control of the committee the men and women of greatest knowledge, experience, and devoted interest in the field of education. Originally the measure completely disqualified educators from committee membership. Later the ban was mildly sugar-coated to concede them the possibility of a minority representation by specifying that a majority of the committee should not be professional educators. It did not make it mandatory to include a single educator, but strictly forbid the educators, if any, exercising majority control.

The intent is as crystal clear as the ringing of a bell. With school population increasing and costs mounting, this marks the beginning of another drive for educational curtailment. It is on the same pattern as recent attacks upon our colleges, universities, and educational foundations.

I regard Public Law 532 as one of the most potentially evil enactments of the 83d Congress. It passed the House 179 to 157, a narrow majority of 22, possible only because of the 99 absentees. I voted "No."

Fortunately, the day was saved in part by stripping the measure of authorization of immediate funds. Hence until another Congress provides the money the National Advisory Committee on Education will exist only on paper. If the friends of our schools had been less alert the sneak attack on popular education might have resulted in a greater degree of immediate peril.

PUBLIC LAW 533

H. R. 7466, Pine River Irrigation District, Colorado

Just another reclamation project that did not pay out according to the calculations. Public Law 533 gives the district until 1994 to pay back in easy installments Uncle Sam's $3,300,000 investment.

PUBLIC LAW 534

H. R. 9242, Military and Naval construction authorization

Construction of public works, housing and facilities for the Army, Navy, Air Forces and Alaskan Communication System totalling $837,369,600 are authorized by Public Law 534. It takes 29 printed pages to list all the projects in continental United States and overseas. This will give you an idea of overseas authorizations. Five and five-tenths million dollars for family housing and other facilities at Keflavik, Iceland; $6 million for housing and medical and other facilities at Okinawa; $13 million for Guam.

The act limits expenditure for permanent barracks within continental United States to a unit cost of $1,700 per man, $5,000 a man for bachelor officers quarters.

PUBLIC LAW 535

S. 2583, indemnities for swine

In 1952 vesicular exanthema, a contagious disease, threatened swine in Oregon and other States. The Secretary of Agriculture declared an emergency in August of that year and Federal funds were made available to cooperate with various States in indemnifying owners for swine destroyed to prevent spread of the plague. Public Law 535 provides for the payment of indemnities for swine destroyed in July 1952, prior to the declaring of the emergency. The amount involved is about $3,300.

PUBLIC LAW 536

S. 2786, fire protection compact

About 21 percent of the standing timber in the United States is in 10 Southeastern States, which produce half the Nation's pulpwood, a third of its timber. Recent severe drought has intensified the forest-fire hazard beyond the protective capacity of the States acting individually. Public Law 536 gives the necessary congressional consent to a compact entered into by the 10 States to pool resources in preventing and fighting the fire destruction of our timber.

PUBLIC LAW 537

S. 3197, donations to defense effort

During World War II, American citizens, motivated by a patriotic desire to contribute more than their required share, made voluntary gifts to the Government totaling more than $7 million. Such gifts to the extent of $365,000 continued to come in during 1953. Public Law 537 authorizes the acceptance of conditional as well as unconditional gifts. Conditional gifts are those earmarked for specific purposes, as recreation, medical supplies, etc.

PUBLIC LAW 538

H. R. 1067, Tax Court of the United States

This authorizes the Supreme Court of the United States to prescribe uniform rules of practice and procedure (in the 11 courts of appeals) for review of decisions of the United States Tax Court.

PULLIC LAW 539

H. R. 2846, Hawaii

To aid Hawaii to complete pier 2 in Honolulu Harbor Public Law 539 gives back to the Territory 3 acres of land for which the Federal Government has no need.

PUBLIC LAW 540

H. R. 4854, Irrigation

Public Law 540 aims at the reclamation (largely for fruit growing) of some 6,000 acres of arid land in a mountainous region along the Columbia and Okanagan Rivers in the central part of the State of Washington. It is expected that the irrigation of this land will make it possible for the fruit growers and other farmers benefited to pay back within 50 years $2.5 million of the estimated $4.5 million cost. The $2 million balance of the Federal Government's investment would come from water power revenues. That is on the general pattern of irrigation projects. Uncle Sam eventually to get back his money, part from the sale of water power, part from agricultural profits made possible by the conversion of arid waste into cultivable acres.

What Public Law 540 does is to authorize the construction of the Foster Creek division as part of the Chief Joseph Dam project, which if and when carried to completion will entail a total expenditure of at least $35 million with expected reimbursement of $20 million from sale of water power, $15 million from land owners.

PUBLIC LAW 541

H. R. 4928; Uncle Sam helps out a city

Fifty years ago the United States brought 48 acres of farmland in New Jersey and set up a quarantine station. Now it is the center of Clifton, a thriving city of 75,000 which has come with the passing of a half century. Mushrooming Clifton is territorially congested, needs a site for outgrown municipal buildings. The only available site is

14 of Uncle Sam's acres which are presently used as burial ground for dead animals from the quarantine station. Public Law 541 reflects the proper cooperative spirit of Federal Government in relation with municipal government by authorizing the sale of the 14 acres to Clifton for a new city hall. Then Uncle Sam can buy an incinerator for the disposal of his dead animals.

PUBLIC LAW 542

H. R. 6882, Vermejo reclamation project

Because of a debt owing to the liquidating RFC in connecting with the Vermejo reclamation project in New Mexico, Public Law 542 provides a financing and repayment plan to enable the proposed conservancy district to work things out on a time-payment basis.

PUBLIC LAW 543

H. R. 8549, Breaks Interstate Park

In 1953 Congress gave consent to Kentucky and Virginia to enter into a compact for a bi-State park on a fork of the Big Sandy River. Public Law 543 approves the compact which the two States since have ratified. This is in an area of great scenic beauty. Virginia has appropriated $50,000 and Kentucky $25,000 for the start of development. Autoists may wish to jot it down.

PUBLIC LAW 544

H. R. 7664, Columbia River Basin

The Priest Rapids Dam and Reservoirs was approved by the Flood Control Act of 1950 as a unit in the comprehensive plan for flood control and water power in the Columbia River Basin. Estimated cost: $364 million.

Despite the rapidly expanding demand for hydroelectric power in the area, the Federal Government has not gone ahead with the project. Local interests desiring to take over, Public Law 544 gives the necessary authorization to Public Utility District No. 2, Grant County, Wash. (a nonprofit public body under State law), to enable it to get a license from the Federal Power Commission.

Similar arrangement has been made in other areas where local interests have wished to hasten developments on the Federal program for which appropriations were lagging. It amounts to local governments relieving the United States from the responsibility of financing. That I think is sound. Nevertheless, each proposal of this nature should challenge careful study to make certain that (1) the Federal interest in relation to the flood-control program in its entirety is completely protected, and (2) the public is assured fair and nondiscriminatory rates with first call in the purchase of power and energy going to public bodies and cooperatives.

PUBLIC LAW 545

S. 2367, contract research

This is an amendment to the Bankhead-Jones Act permitting the Department of Agriculture to carry on all its research projects by contracts with public and private research organizations and individuals. Heretofore only research in the marketing field could be let out by contract. The rest had to be done by the Department personnel.

You will find interest in the fact that well over $1 million a year in market research contracts have been let. Secretary Benson told the Congress the contract plan was more efficient and economical than leaving the work to the Department's researchers.

PUBLIC LAW 546

H. R. 8983, historical site in Oklahoma

Oklahoma plans to restore and preserve as a historical museum the old Indian agency building (of Territorial days) at Muskogee. Public Law 546 conveys the property, including parking space for touring autoists and others. This being in Oklahoma, the Congress, of course, was alert in seeing that oil and mineral rights were reserved.

Public Law 546 indexes, as have others covered in these reports, the definite trend throughout the country in the restoration and preservation of historic places. Here, I think, is the true reflection of the love of and loyalty to country that have been instilled in Americans by the teachings in our schools and colleges.

PUBLIC LAW 547

H. R. 5731, dam at San Diego, Calif.

During World War II the United States acquired 135,000 acres of land in San Diego County, Calif., now occupied by the United States naval hospital, the naval ammunition Depot and Camp Joseph H. Pendleton, a major Marine Corps training center. Included is 21 acres, through which runs the last stretch of the Santa Margarita River before reaching the Pacific Ocean.

Public Law 547 authorizes the construction of the De Lux Dam (cost: $22.6 million) in that area to serve the joint purposes of Navy and the water users in the Fallbrook Public Utility District. The district will have 56 years in which to pay its $7 million contribution.